

# **Town Planning Committee Meeting**

## **Agenda**

**Monday 3 March 2025**

**Commencing 7:00 PM**

**Council Chambers  
20 Siding Avenue, Officer  
Victoria**



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# Town Planning Committee Meeting

Monday 3 March 2025 at 7:00 PM.

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**Members:** Cr Jack Kowarzik Mayor  
Cr Alanna Pomeroy Deputy Mayor  
Cr Liz Roberts  
Cr Samantha-Jane Potter  
Cr Casey Thomsen  
Cr David Nickell  
Cr Collin Ross  
Cr Brett Owen  
Cr Trudi Paton

**Officers:** Carol Jeffs Chief Executive Officer  
Peter Benazic General Manager Infrastructure and Environment  
Debbie Tyson General Manager Community & Planning Services  
Wayne Mack General Manager Corporate Services  
Peter Harris Manager Governance, Safety & Property  
Natasha Berry Senior Governance Officer

Dear Councillor,

You are advised that a meeting will be held in the **Council Chambers, Cardinia Shire Council Civic Centre, 20 Siding Avenue, Officer** on **Monday 3 March 2025** commencing at **7:00 PM**.

Carol Jeffs  
CHIEF EXECUTIVE OFFICER



## Order of Business

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## **1 Opening And Reflection**

I would ask those gathered to join us now for a few moments of silence as we reflect on our roles in this chamber. Please use this opportunity for reflection, Prayer or thought, to focus on our shared intention to work respectfully together for the well-being of our whole community.

## **2 Acknowledgements**

Cardinia Shire Council acknowledges that we are on the traditional land of the Bunurong and Wurundjeri people and pay our respects to their elders past, present and emerging.

## **3 Apologies**

## **4 Declaration Of Interests**

## 5 Ordinary Business

### 5.1 T230359 PA - 225 BLADENS ROAD, KOO WEE RUP

Responsible GM:	Debbie Tyson
Author:	Ana Neiva
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<p><b>4.1 We support our productive land and employment land to grow local industries</b>  4.1.1 Facilitate better planning for our agricultural land to support industry, innovation, local food economy and local job growth.</p> <p><b>5.1 We practise responsible leadership</b>  5.1.1 Build trust through meaningful community engagement and transparent decision-making.</p>

### Recommendation

#### Part A

That Council form a position to Refuse to Grant a Planning Permit for Planning Application T230359 PA for 'Use and Development of the land for the purpose of a Dwelling and Outbuilding' on the following grounds:

1. The proposal does not protect valuable agricultural land; rather it permanently removes the land from primary production. Further, the proposal would facilitate rural residential development outside of an existing settlement, resulting in an incompatible land use with the strategic direction for the site and surrounding area.

These outcomes are inconsistent with objectives and strategies of the below provisions of the Planning Policy Framework and Local Planning Policy Framework:

- a. Clause 11.01-1S – Settlement;
  - b. Clause 11.01-1R – Green Wedges – Metropolitan Melbourne;
  - c. Clause 14.01 – Agriculture;
  - d. Clause 16.01-3S – Rural Residential Development;
  - e. Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision;
  - f. Clause 21.03-4 – Rural Townships;
  - g. Clause 21.03-5 – Rural Residential and Rural Living Development;
  - h. Clause 21.04-2 – Agriculture;
  - i. Clause 22.05 – Western Port Green Wedge Policy; and
  - j. Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions
2. The proposal is inconsistent with and does not respond to the objectives, policies and decision guidelines of Clause 22.05 (Western Port Green Wedge Policy), as:
    - a. The proposal does not achieve the vision for the Cardinia Western Port Green Wedge;
    - b. The proposal does not accord with the precinct objective and future directions for the land, given the location within '*Precinct 1 – Agriculture, horticulture and soil based food production*';

- c. The proposal will permanently remove land from agricultural production; and
  - d. The proposal will limit the establishment, operation and expansion of adjoining and nearby agricultural uses.
3. The proposal is inconsistent with and does not respond to the purposes and decision guidelines of Clause 35.04-6 (Green Wedge Zone), as it:
  - a. Will have a detrimental impact on the rural economy;
  - b. Does not enhance agricultural production;
  - c. Does not appropriately relate to rural land use; and
  - d. Does not protect and retain land for future sustainable agricultural activities.
4. The proposal does not respond to the considerations within Clause 65.01 (Decision Guidelines), as:
  - a. It does not achieve the purposes of the Zone;
  - b. It does not represent the orderly planning of the area;
  - c. Matters required to be considered in the Zone and Overlay are unable to be fully considered due to the quality of information provided; and
  - d. The degree of flood hazard associated with the location of the land, and the use, development or management of the land so as to minimise any such hazard is unable to be fully considered, due to inconsistencies within the submitted documentation.
5. The plans accompanying the application are deficient in enabling a complete assessment of the proposal against the provisions of the Cardinia Planning Scheme. These include:
  - a. Unable to determine whether the proposed use of the land for a Dwelling is a Section 3 (Prohibited) land use pursuant to Clause 35.04-1 (Green Wedge Zone), as the requirements of Clause 35.04-2 (Green Wedge Zone) are not sufficiently demonstrated to be met. Specifically:
    - i. Dimensions and construction details of the proposed vehicle accessway are not provided, meaning all-weather access for emergency vehicles cannot be assured;
    - ii. Information relating to connection to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes; and
    - iii. The submitted Land Capability Assessment is deficient in its assessment, and does not demonstrate that all wastewater from the dwelling is capable of being treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system, given the applicable flood level of the land and earthen fill pad required to mitigate the applicable flood risk
  - b. Insufficient detail and inconsistencies regarding proposed earthworks;
  - c. Insufficient detail and inconsistencies regarding finished floor levels of the development and natural ground levels of the land; and
  - d. Inconsistent layouts of the development (including the locations of buildings and works) across multiple versions of the submitted plans.
6. The permit applicant has not amended the permit application in accordance with Section 57A to address the requirements and further information made in accordance

with Section 55(2) of the *Planning and Environment Act 1987* by Melbourne Water; a determining referral authority under Clause 66.03.

AND,

#### Part B

That Council advise the Victorian Civil and Administrative Tribunal (VCAT) of its position and authorise the Manager Planning and Design/Coordinator Statutory Planning to instruct Council's planners or advocates in review proceedings and mediation provided that any proposed amendments do not alter the Council's decision, whether it be approval or refusal, and do not introduce significant changes to the proposal.

#### Application Details

<b>APPLICATION NO.:</b>	T230359 PA
<b>APPLICANT:</b>	Sonya Boloski (Lakeside Building Consultants)
<b>LAND:</b>	L6 PS548050, 225 Bladens Road, Koo Wee Rup VIC 3981
<b>PROPOSAL:</b>	Use and Development of the land for the purpose of a Dwelling and Outbuilding
<b>PLANNING CONTROLS:</b>	<a href="#">Green Wedge Zone – Schedule 1</a> <a href="#">Land Subject to Inundation Overlay – Schedule</a>
<b>NOTIFICATION &amp; OBJECTIONS:</b>	Notice of the application was given pursuant to Section 52 of the Planning and Environment Act 1987, by placing a sign on the land and mailing notices to surrounding landowners. No objections were received.
<b>KEY PLANNING CONSIDERATIONS:</b>	Protection of the Westernport Green Wedge land from incompatible land uses and development. Protection and preservation of the Westernport Green Wedge land for agricultural uses. Incomplete and inconsistent application documents. Appropriateness of siting.
<b>REASON FOR MEETING:</b>	Recommendation for Refusal
<b>RECOMMENDATION:</b>	That Council form a position to Refuse to Grant a Permit

### **Executive Summary**

The purpose of this report is to consider an application for the Use and Development of Land for a Dwelling and Outbuilding.

An application for review pursuant to Section 79 of the *Planning and Environment Act 1987* against Councils Failure to Grant a Permit within the prescribed time has been lodged with the Victorian Civil and Administrative Tribunal on 15 January 2025.

The application has been brought to the Town Planning Committee Meeting to establish Councils position prior to the Compulsory Conference set down for 30 April 2025 and subsequent hearing set down for 24 August 2025.

The site is subject to the Green Wedge Zone (Schedule 1) and Land Subject to Inundation Overlay. The proposal seeks to introduce a dwelling outside of an existing settlement and within an area of productive agricultural land, and risks bringing about land use conflicts in future, and hindering productivity of surrounding agricultural operations. There is no demonstrated agricultural activity need that necessitates a dwelling being established on the land and that outweighs the impact of permanently removing it from the 'agricultural base'.

The application is recommended for refusal, on the basis that the proposed use and development of land for a dwelling is not considered to support or enhance the use of land for agriculture and does not respond to the purposes and decision guidelines of Clause 35.04-6 (Green Wedge Zone) as well as several provisions of both the State and Local Planning Policy Framework (listed in the grounds for refusal).

### **Attachments**

1. Attachment 1 - T230359 PA - Officer Report [5.1.1 - 30 pages]
2. Attachment 2 - T 230359 PA - Decision Documents [5.1.2 - 46 pages]

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## PLANNING PERMIT OFFICER REPORT



### Application Details

<b>Proposal:</b>	Use and Development of the land for the purpose of a Dwelling and Outbuilding
<b>Application Number:</b>	T230359 PA
<b>Property Number:</b>	5000034118
<b>Address:</b>	L6 PS548050, 225 Bladens Road, Koo Wee Rup VIC 3981
<b>Applicant:</b>	Sonya Boloski (Lakeside Building Consultants)
<b>Date Received:</b>	20 July 2023 (Amendments November 2023 & June 2024)
<b>Statutory Days:</b>	269 Days (as of 03 March 2025)
<b>Planner:</b>	Ana Neiva
<b>Full Application Documents:</b>	<a href="#">T230359 PA - Assessed Documents.pdf</a>
<b>Decision</b>	<input checked="" type="checkbox"/> <b>Form a position to Refuse to Grant a Planning Permit</b>
<b>Delegate Report Link</b>	<a href="#">T230359 PA - Council Report.docx</a>
<b>Plans to Endorse:</b>	<input checked="" type="checkbox"/> <b>No</b>
<b>Decision to be sent internally:</b>	<input checked="" type="checkbox"/> <b>Not Required</b>
<b>Decision to be sent externally:</b>	<input checked="" type="checkbox"/> <b>Yes, Melbourne Water.</b>

### Application Processing

<b>Can the application be decided under delegation?</b>	<input checked="" type="checkbox"/> <b>No</b>
<b>Have any amendments been made to the application?</b>	<input checked="" type="checkbox"/> <b>Yes:</b> <ul style="list-style-type: none"> <li>A Section 50 Amendment was lodged on 22 November 2023 and sought to amend the application to include the seeking of planning approval to use the land for the purpose of a Dwelling.</li> </ul>



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- A second Section 50 Amendment was lodged on 07 June 2024 and sought to amend the application to amend the siting of the proposed dwelling on the land.

### Proposal

#### Description of proposal:

The applicant has proposed the use and development of the land for a dwelling and the construction of an associated outbuilding.

An outline of each component of the proposal is provided below.

#### Dwelling

The dwelling is proposed to be sited in the approximate front 'third' of the subject site located generally in the centre of the lot, and setback approximately 53.5 metres from the frontage (Bladens Road).

The setbacks from the side boundaries are proposed as 7.6 metres from the nearest shared boundary (east), 13 metres (west), while the setback to the rear boundary is dimensioned as 99.4 metres.

The single-storey dwelling is proposed to be 459.03 m<sup>2</sup> in area and includes four (4) bedrooms, an open-planned family, meals and kitchen area, a study, laundry, theatre room, rumpus and a three-car garage.

The dwelling is of a 'modern' style design with touches of more traditional finishes such as the window detailing, use of brickwork and the layered pitched roofing. Externally, the dwelling is finished in a mixture of 'Overland Pristine' (earthy-red) face brickwork and rendered brickwork. The roofing treatment is proposed to be constructed from Colorbond in the colour Basalt (dark grey) with the panel garage door to match.

The maximum height of the dwelling is dimensioned at 6.47 metres from natural ground level.

#### Outbuilding (Shed)

The outbuilding is proposed to be sited approximately 12 metres west of the dwelling and is to be setback one (1) metre from the western boundary and 74.1 metres from the frontage (Bladen's Road). The total floor area of the proposed building is 132m<sup>2</sup> in area, measuring 12 metres in length and 11 metres in width.

The building is proposed to be in an 'American Barn' style shed with one roller door and pitched roofing at the centre. It is proposed to be constructed on a 300mm fill pad with the maximum height of 5.58 metres from Natural Ground Level. Internally, the building will have three 'bays' each measuring 4 metres in length. Externally, the building is proposed to be constructed in the colour 'Surfmist' (white) for the external walls and 'Basalt' (Dark Grey) for the roof.

Intended use of this building is not stated in the documentation provided by the permit applicant.

#### Earthworks

No earthworks are clearly shown on the plans relating to the dwelling. The finished floor level AHD is unspecified on the site, floor and elevation plans, and although the elevation plans do not clearly show natural ground level, the finished floor level of the dwelling appears to be 150mm (approx. i.e. slab height) above natural ground level.

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Similarly limited details are known regarding earthworks associated with the shed, as although a notation on the shed plans is included stating 'all works to be constructed on a 300mm fill pad', details of these earthworks are not shown on any plans.

**Agricultural Use**

Aerial imagery suggests that the site has been sporadically used for low level cattle grazing with an unspecified number of cattle, over the course of the last five (5) years. Twice in a three-year period there is evidence of cattle being located upon the site (on 30<sup>th</sup> December 2024 and 18 October 2022). However, no specific information relating to the current use of the land has been provided by the applicant.

The application material provided (*including the Written Statement – prepared by Lakeside Building and the Farm Management Plan – prepared by the owners of the land*) highlights that the purpose of the dwelling is to assist with the agriculture occurring on neighbouring land (in the same ownership). In terms of agricultural pursuits proposed to occur on the subject site, the application material has identified that the subject site is proposed to be used for continued Grazing Animal Production (including raising calves – stock numbers unspecified), raising chickens (bird numbers unspecified), growing seedlings in a greenhouse and growing blueberries for farm to gate sales.

Based on the farm management plan, the 'rear third' (being the area behind the proposed dwelling) of the site will be fenced off for raising and keeping animals, primarily young cattle. The 'front third' (being the area between the house and Bladen's Road) will be used to grow blueberry bushes and other vegetation will be planted and maintained for 'farm to gate' sales. However, no plans have been provided (such as an integrated land management plan) to formally establish these 'areas'.

These activities/land uses are discussed in further detail below, however none of these uses are considered to require planning permit.

**Images of relevant plans:**

*Figure 1 – Proposed Site Plan*

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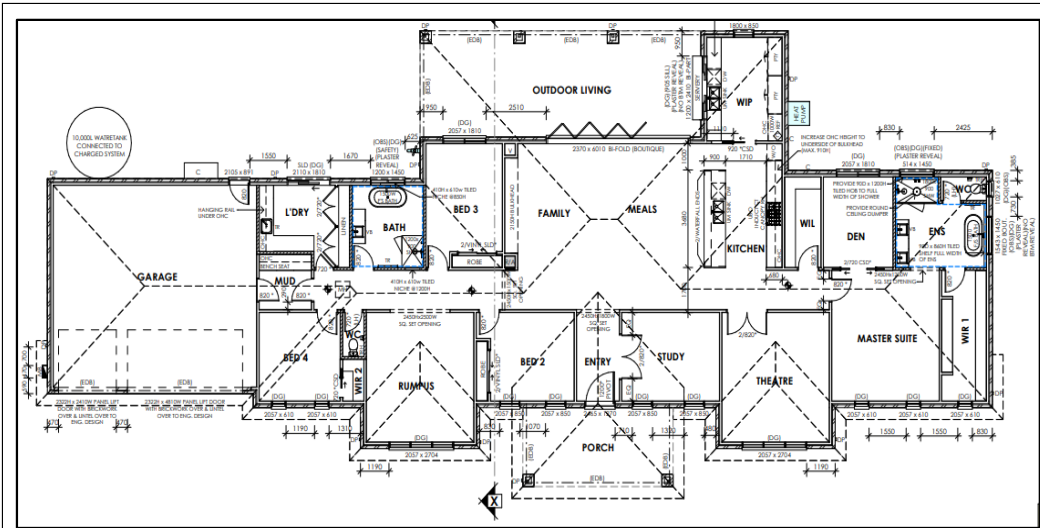


Figure 1 - Proposed Floor Plan

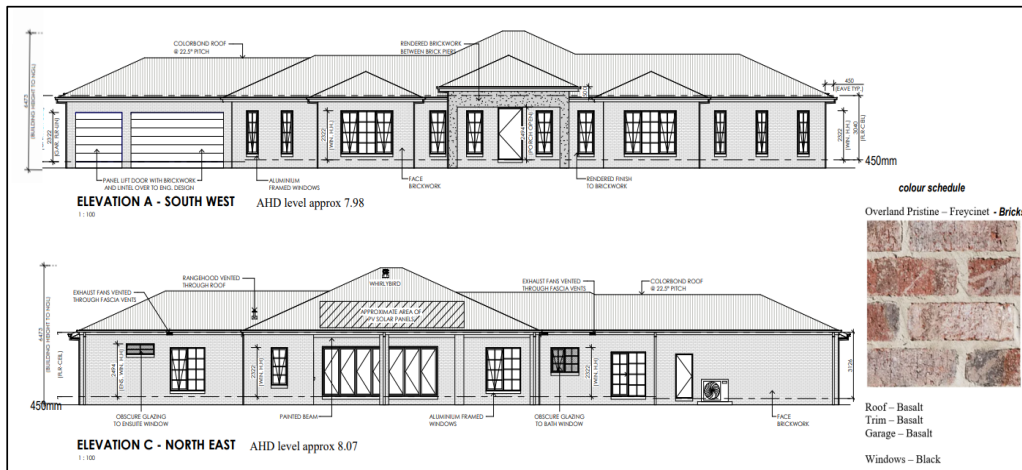


Figure 2 - Proposed Elevations

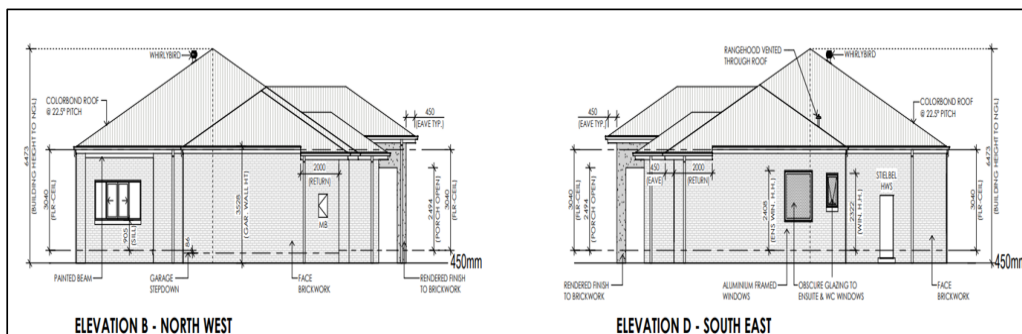


Figure 3 - Proposed Elevations

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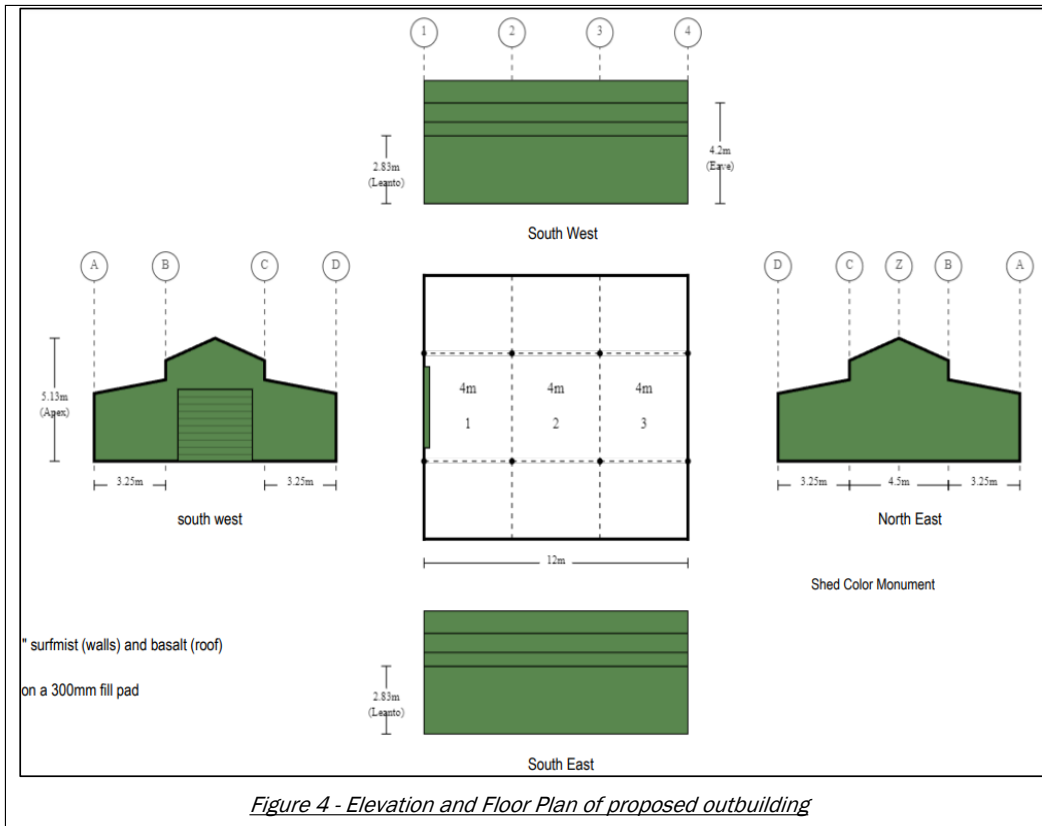


Figure 4 - Elevation and Floor Plan of proposed outbuilding

**Land Details**

<p><b>Description of site and surrounding area:</b></p>	<p>An inspection of the site and the surrounding area has been undertaken.</p> <p>The rectangular-shaped site is located on the northern side of Bladen's Road, north-west of the corner with Boundary Drain Road. The lot measures 60 metres in width and 166.67 in length, for a title site area of approximately 1.0 hectare.</p> <p>At present, an assessment of aerial imaging and a site visit suggests that the lot is currently undeveloped and is sporadically used for Grazing Animal Production (as discussed above). The land is clear of any significant vegetation and is generally flat. Access is provided to Bladens Road via a gravel crossover in the south-west corner, and there are no easements on the land. It is noted that aerial imaging suggests that works relating to the gravel crossover, accessway and the (approximate) location of the outbuilding (shed) has unlawfully commenced between June 2023 and September 2023.</p>
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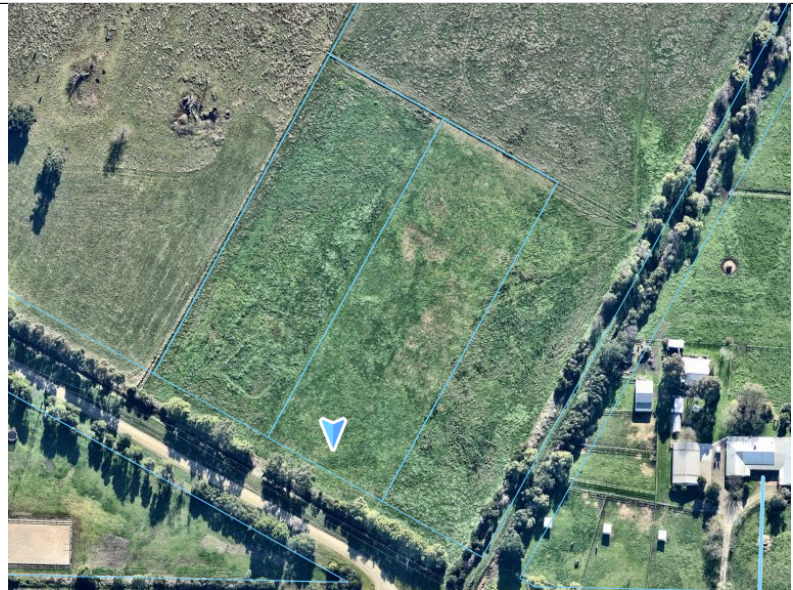


Figure 5 - Aerial Image of Subject Site (Source: NearMap June 2023)



Figure 6 - Aerial Image of Subject Site (Source: NearMap Sept 2023)


The subject site is located approximately 3 kilometres (as the crow flies) and 3.2 kilometres (via road) from the core of the Bayles township, and 4.66 kilometres (as the crow flies) and 5.5 kilometres (via road) from the commercial core of the Koo Wee Rup township.

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	<p>It is acknowledged the subject site of 1 hectare adjoins a larger family landholding, comprising six other parcels (being those of Lots 1, 2, 3, 4 &amp; 7 PS548050, and Lot 3 PS842278). As stated by the applicant, these lots are held in contiguous ownership by the 'Hodgson' family, with this contention supported by Council records. Excluding the subject site, this landholding measures approximately 63.31 hectares in area (see Figure 7 below).</p> <p>Within the broader surrounding area, land is physically similar – flat, clear of vegetation and used for cattle grazing or other agricultural activities. Lot sizes are generally larger (aside from a number of small excised dwelling lots), and surrounding lots appear to be largely used for relatively low-intensity agricultural uses (grazing, animal husbandry, horse husbandry, production of hay/silage and crop raising – or similar), while a number are used and developed with dwellings.</p>  <p><i>Figure 7 - 'Hodgson' Family Landholding (Blue) - Incl. Subject Site (Red)</i></p>
<p><b>Permit/Site History:</b></p>	<p>The history of the site includes:</p> <ol style="list-style-type: none"> <li>1. Planning Permit T030181 was issued on 06 November 2003 and allowed for 'The re-subdivision of the land'.</li> </ol> <p>This Permit resulted in the creation of the subject site in its current form.</p>
<p style="text-align: center;"><b>Aerial photo of site:</b></p>	



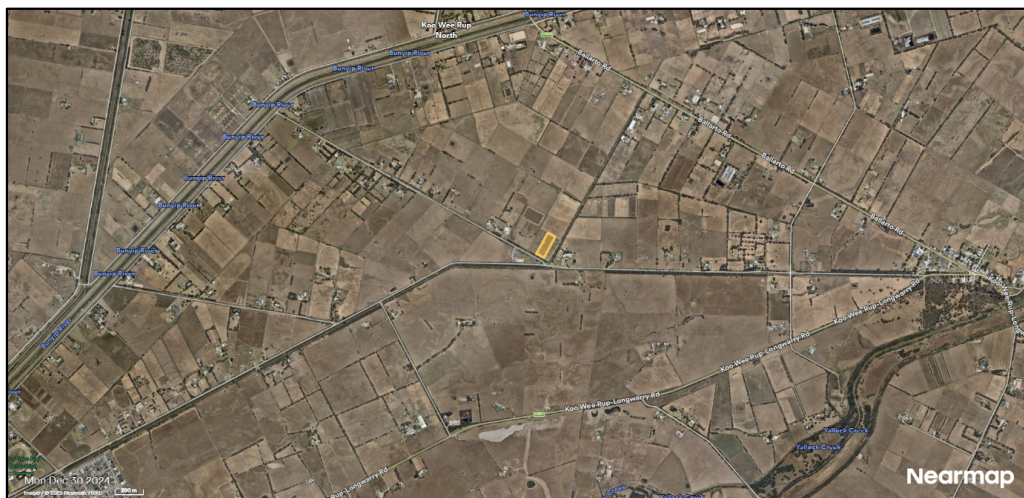
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*Figure 7 – Aerial of Subject Site*

Aerial photo of surrounding area:



*Figure 8 - Aerial of Surrounding Area*

Aboriginal Cultural Sensitivity:	<input checked="" type="checkbox"/> No
Zoological/ Botanical significance?	<input checked="" type="checkbox"/> None
Restrictive covenants or	<input checked="" type="checkbox"/> None



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section 173 agreements:	
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### Planning Provisions

Zoning:	<a href="#">Green Wedge Zone – Schedule 1</a>
Overlays:	<a href="#">Land Subject to Inundation Overlay – Schedule</a>
Planning Policy Framework (including LPPF):	<p>The planning policies that are relevant to the assessment of the application include:</p> <ul style="list-style-type: none"> <li>• Clause 11 – Settlement             <ul style="list-style-type: none"> <li>○ Clause 11.01 – Victoria                 <ul style="list-style-type: none"> <li>▪ Clause 11.01-1S – Settlement</li> <li>▪ Clause 11.01-1R – Green Wedges – Metropolitan Melbourne</li> </ul> </li> </ul> </li> <li>• Clause 13 – Environmental Risks and Amenity             <ul style="list-style-type: none"> <li>○ Clause 13.02 – Bushfire</li> <li>○ Clause 13.03 – Floodplains</li> <li>○ Clause 13.07 – Amenity, Human Health and Safety                 <ul style="list-style-type: none"> <li>▪ Clause 13.07-1S – Land Use Compatibility</li> </ul> </li> </ul> </li> <li>• Clause 14 – Natural Resource Management             <ul style="list-style-type: none"> <li>○ Clause 14.01 – Agriculture                 <ul style="list-style-type: none"> <li>▪ Clause 14.01-1S – Protection of Agricultural Land</li> <li>▪ Clause 14.01-1R – Protection of Agricultural Land – Metropolitan Melbourne</li> <li>▪ Clause 14.01-2S – Sustainable Agricultural Land Use</li> </ul> </li> </ul> </li> <li>• Clause 15 – Built Environment and Heritage             <ul style="list-style-type: none"> <li>○ Clause 15.01 – Built Environment                 <ul style="list-style-type: none"> <li>▪ Clause 15.01-2S – Building Design</li> <li>▪ Clause 15.01-6S – Design for Rural Areas</li> </ul> </li> </ul> </li> <li>• Clause 16 – Housing             <ul style="list-style-type: none"> <li>○ Clause 16.01 – Residential Development                 <ul style="list-style-type: none"> <li>▪ Clause 16.01-3S – Rural Residential Development</li> </ul> </li> </ul> </li> <li>• Clause 21 – Municipal Strategic Statement             <ul style="list-style-type: none"> <li>○ Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision</li> <li>○ Clause 21.02 – Environment</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>▪ Clause 21.02-1 – Catchment and Coastal Management</li> <li>▪ Clause 21.02-4 – Bushfire Management</li> <li>○ Clause 21.03 – Settlement and Housing                         <ul style="list-style-type: none"> <li>▪ Clause 21.03-4 – Rural Townships</li> <li>▪ Clause 21.03-5 – Rural Residential and Rural Living Development</li> </ul> </li> <li>○ Clause 21.04 – Economic Development                         <ul style="list-style-type: none"> <li>▪ Clause 21.04-2 – Agriculture</li> </ul> </li> <li>○ Clause 21.06 – Particular Uses and Development                         <ul style="list-style-type: none"> <li>▪ Clause 21.06-1 – Urban Design</li> </ul> </li> <li>• Clause 22 – Local Planning Policies                         <ul style="list-style-type: none"> <li>○ Clause 22.05 – Western Port Green Wedge Policy</li> </ul> </li> </ul>
Other Provisions / Documents:	<p>Other provisions and documents relevant to the assessment of the application include:</p> <ul style="list-style-type: none"> <li>• Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions</li> <li>• Clause 53.03 – Residential Reticulated Gas Connection</li> <li>• Clause 65 – Decision Guidelines</li> <li>• Clause 66 – Referral and Notice Provisions</li> <li>• Clause 71.02-3 – Integrated Decision Making</li> <li>• <i>Cardinia Western Port Green Wedge Management Plan (May 2017)</i></li> <li>• <i>Guidelines for Development within the Koo Wee Rup and Longwarry Flood Protection District, Melbourne Water (July 2019)</i></li> </ul>
Previous VCAT Decisions/Considerations:	<ul style="list-style-type: none"> <li>• <a href="#"><u>Muley Investments Pty Ltd v Cardinia SC [2023] VCAT 1268 (15 November 2023)</u></a></li> <li>• <a href="#"><u>Kenny v Cardinia SC [2024] VCAT 415 (6 May 2024)</u></a></li> <li>• <a href="#"><u>Marson v Cardinia SC [2024] VCAT 639 (11 July 2024)</u></a></li> <li>• <a href="#"><u>Wood v Mornington Peninsula SC [2024] VCAT 87 (2 February 2024)</u></a></li> </ul>

## Permit Triggers

A permit is required for the following reasons:
<p>The proposal requires a planning permit under the following clauses of the Cardinia Planning Scheme:</p> <ul style="list-style-type: none"> <li>• Pursuant to Clause 35.04-1 (Green Wedge Zone), a permit is required to use land for the purpose of a Dwelling.</li> </ul>

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- Pursuant to Clause 35.04-5 (Green Wedge Zone), a permit is required to construct or carry out a building or works associated with a Section 2 Use (Dwelling).
- Pursuant to Clause 44.04-2 (Land Subject to Inundation Overlay), a permit is required to construct a building or construct or carry out works.

## Notice

- Notice of the application was given pursuant to Section 52 of the *Planning and Environment Act 1987*, by:
- Sending notices to the owners and occupiers of adjoining land.
  - Placing a sign on site.

## Objections/Submissions

No objections or submissions have been received.

## External Referrals/Notice

Referral Authority	Type	Advice/response/conditions:
Melbourne Water	Section 55 [Determining – Cl. 66.03]	<p>As required by Clause 44.04 (Land Subject to Inundation Overlay), the application was referred to Melbourne Water for consideration on 26<sup>th</sup> July 2024.</p> <p>Following receipt of the application, Melbourne Water requested further information (via letter dated 26 August 2024).</p> <p>Following this, it is understood the applicant contacted Melbourne Water via phone and email and provided amended documents and plans seeking to satisfy the request (dated 30 October 2024).</p> <p>Melbourne Water then revised their referral response (via letter dated 14 November 2024) advising they did not object to the proposal, subject to conditions.</p> <p>Notwithstanding, the permit applicant has never sought to formally amend their application to rely on the amended documents submitted to Melbourne Water on 30 October 2024, despite repeated requests via phone and email.</p> <p>As such, the application must be decided on the basis that the permit applicant has not formally amended the proposal/responded to the request for further information from Melbourne Water.</p>

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		Given Melbourne Water is a determining referral authority, absence of formal response to their request for further information is included as a ground of refusal below
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### Internal Referrals

Internal Referral Department	Advice/response/conditions:
<b>Strategic Planning</b>	Objected to the granting of a permit, on the basis that the proposed use and development is inconsistent with objectives of relevant Settlement, Green Wedge (in particular Western Port Green Wedge) and Agriculture policy and is not reasonably required to facilitate productive agricultural use of the land. <a href="#">Referral Response.</a>
<b>Engineering</b>	No objection, subject to conditions. <a href="#">Referral Response.</a>
<b>Environmental Health</b>	No objection, subject to conditions. <a href="#">Referral Response.</a>

### Assessment

Key matters to be considered as part of determination of the application include:

- Response to the State Planning Policy Framework and Local Planning Policy Framework;
- Response to Clause 22.05 (Western Port Green Wedge Policy) and associated documents;
- Response to Clause 35.04 (Green Wedge Zone), including the requirements of Clause 35.04-2 (Green Wedge Zone: Use of Land for a Dwelling or Small Second Dwelling);
- Response to recent decisions of the Victorian Civil and Administrative Tribunal (VCAT);
- Nature of the proposed agricultural use; &
- Response to the applicable flood risk and flooding policy, including:
  - Relevant State & Local Planning Policy;
  - Clause 44.04 (Land Subject to Inundation Overlay); &
  - *Guidelines for Development within the Koo Wee Rup and Longwary Flood Protection District, Melbourne Water (July 2019)*

#### **Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF):**

The proposal is considered to be inconsistent with the below strategic objectives and purposes of key considerations within both the State and Local Planning Policy Framework.

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The subject site is located outside of the Urban Growth Boundary (UGB) surrounding Koo Wee Rup and outside of the urban area of Bayles (both established settlements), in a location designated for Agriculture and other rural activities (Cl. 11.01-1S & 21.01-1). Further, the subject site has a designated 'Agricultural Significance' (Clause 21.04-2 - Agriculture) of 'Good' - the second highest designation (see Figure 9 below).

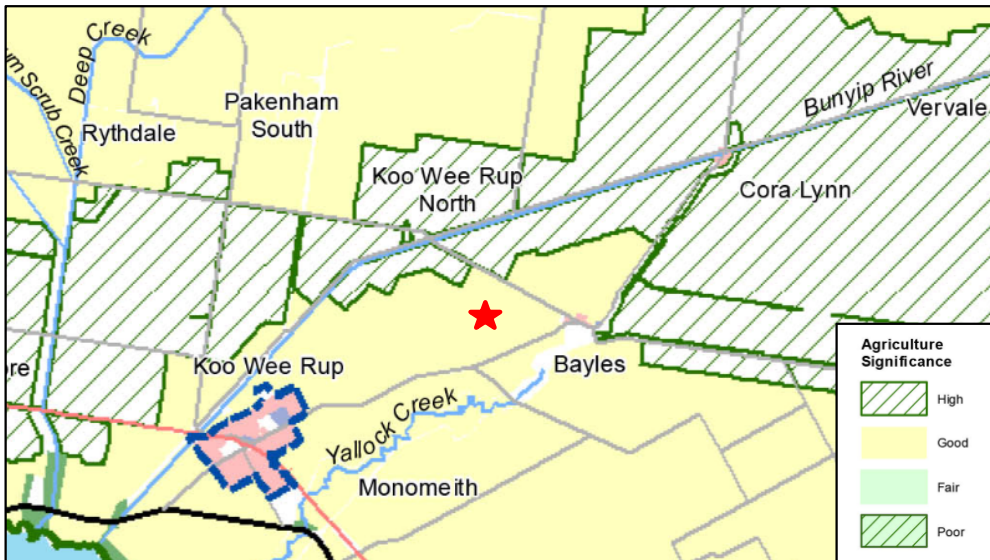


Figure 9: Cl. 21.04-2 - Agricultural Significance - Subject Site (Red)

The location of the subject site outside established settlements and within an area of 'good' agricultural significance indicates it is not one in which new residential development should be encouraged.

New residential development of land is inconsistent with green wedge values, sought to be protected by Clauses 11.01-1R, 21.01-3 & 21.04-2 (among others) of the Cardinia Planning Scheme. Further, the use and development of the land for a dwelling is particularly inconsistent with the objectives and strategies of Clause 12.05-2S (Landscapes: Significant Environments and Landscapes), which seek to protect significant green wedge landscapes.

Elsewhere in the Scheme, the subject site and surrounding Western Port Green Wedge is identified as one of particularly high agricultural value, significance and productivity (see Cl. 21.01-1 & 21.04-2). The application seeks to provide new housing development in an established rural area and seeks to use a productive agricultural lot for a dwelling, contrary to the objectives and strategies of Clauses 14.01-1S & 21.04-2 of the Cardinia Planning Scheme. Further, Clause 14.01-1S expressly directs residential development to existing settlements - a strategy the proposal is at clear odds with as it seeks to introduce an inappropriately dispersed urban activity to a rural area.

An important objective within Clause 14.01-1S and echoed across State and Local policies is to protect productive agricultural land from unplanned loss due to permanent changes to land use. While the application material has attempted to demonstrate that there will be agricultural pursuits occurring on the land, there are no quantifiable agricultural activities currently occurring or proposed that would require a dwelling being established on the land, nor any guarantee that such pursuit would happen (if the proposed dwelling is approved). The applicant has not quantified the number of cattle that will be managed on the subject site or provided any detail regarding the intensity of other agricultural activities. Specifically, stocking numbers are not

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specified in the submitted documentation, and details regarding numbers/quantities of chickens, blueberries or propagated seedlings are not provided

It is therefore considered the outcome the dwelling would facilitate is akin to a 'hobby farm', unlikely to make any substantial contribution to agricultural productivity and comprise 'rural-residential development'; an outcome expressly discouraged by Clauses 16.01-3S & 21.03-5.

Whilst the applicant's personal circumstances are acknowledged (that is, to assist the family in running the existing farm operating on neighbouring lots), the agricultural viability of the various other adjoining lots (known as 3460 Ballarto Rd) does not rely upon a dwelling on the subject site (225 Bladens Road). As stated by the applicant, the land at 3460 Ballarto Rd, Koo Wee Rup has been used for farming purposes for over 30-40 years without a dwelling on the subject site. Whilst noted the properties are presently in contiguous ownership, there is no guarantee this arrangement will remain.

The application seeks to introduce a dwelling to a separately disposable parcel of land for the first time, and if sold, the subject site will comprise a small, fragmented lot with a dwelling and would risk increasing conflict with agricultural activity on adjoining or nearby land – an outcome expressly discouraged throughout the PPF (Cl. 13.07-1S, 14.01 & 21.04-2).

Further, introduction of a new dwelling to the land in an area where these are not commonplace is likely to place pressure on settlement boundaries, and lead to a further proliferation of dwellings – both of which are propositions likely to increase land values and hinder continuation of primary production on surrounding land – discouraged by Clauses 14.01-1S & 21.04-2). Further, Clause 21.03-4 (Rural Townships) specifically identifies '*setting clear limits for development of the townships*' as a key issue, with the proposal (if approved) considered to worsen this issue, by providing urban development outside township boundaries.

While the above assessment is largely centred around the use of land for a dwelling, the siting of the proposed development is also not considered to achieve an acceptable outcome. As mentioned above, the dwelling is proposed to be setback a distance of 53 metres from the front (southern) title boundary. This location is considered to be inconsistent with the objectives and strategies of Clause 14.01-1S, 14.01-1R and 21.04-2 as the area surrounding the dwelling (currently used as a paddock) is likely to be used for domestic activities associated with the proposed dwelling (including an accessway and effluent disposal area); and therefore 'lost' from use for agricultural purposes. Whilst, it is acknowledged that the Farm Management Plan proposed the 'front third' to be used for crop raising, however, this is at odds with the Land Capability Assessment provided which is located within the same area. As such, this area measures approximately 5170.1 square metres (see Figure 10 below), or 51.7% of the subject site. Given the good agricultural capability of the land, this figure is considered unacceptable with regard to the objectives and strategies of Clauses 14.01-1S & 21.04-2.





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the established settlement boundaries of these townships – leading to expectations regarding rural residential development, increasing the risk of a proliferation of dwellings in the area and affecting the ‘right to farm’ surrounding land. Encroachment of urban development into the Western Port Green Wedge is expressly discouraged by the ‘Rural Townships’ policy at Clause 22.05-3.

Although it is acknowledged the applicant has advised of potential agricultural use is to occur on the land, the proposed use and development of a dwelling on the land (as sought by the application) is considered to comprise the ‘dominant’ use of the land, a proposition that does not actively protect the valuable, high value and versatile soils of the Western Port Green Wedge as desired by the ‘Land use’ policies of Clause 22.05-3.

An assessment of the relevant decision guidelines at Clause 22.05-5 (Western Port Green Wedge Policy: Decision Guidelines) is provided in the Table below.

Decision Guideline	Response
<i>The vision and local policy for the Cardinia Western Port Green Wedge.</i>	The vision and local policy for the Western Port Green Wedge are clear and unambiguous; Green Wedge Land, particularly that in close proximity to townships should be protected from encroachment from urban development. Further, these documents acknowledge green wedge soils as a finite resource which should be protected; something the proposal is at odds with, given it seeks to allow the land to be used for a dwelling for the first time.
<i>The precinct objective and the future directions / preferred land uses for the site.</i>	The subject site is located within ‘Precinct 1’ – designated for ‘Agriculture, horticulture and soil based food production’. Objectives, future directions/land uses for this precinct are silent on dwellings. Rather, the objectives seek to maintain and protect use of this land for agriculture, horticulture and soil based food production. Non-rural uses are expressly discouraged from locating within Precinct 1, with these preferred to be located to be located within townships or adjoining the UGB. Given this, the proposed use and development is inconsistent with the Precinct 1 objectives and future directions/preferred land uses for the site.
<i>Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.</i>	<p>The proposed use and development will remove a substantial portion of the land from potential Agricultural production. As discussed above, the dwelling is proposed to be setback approximately 53.5 metres from the front (southern) title boundary.</p> <p>While the physical proposed dwelling measures approximately 484 square metres in size, the ‘true’ amount of land allocated to be used for the dwelling (residential purposes) is substantially larger in area. The indicative effluent disposal area measures 701 square metres, while the accessway and outbuilding measure approximately 691.8 square metres. Given the small setbacks between these areas and restrictions on agricultural activities able to be undertaken above effluent disposal areas, it is therefore considered likely that the ‘front 86 metres’ of the land will be used solely for domestic purposes. As mentioned above, this equates to a total of approximately 5170.1 square metres, or 51.7% of the 1 hectare site being devoted to non-agricultural purposes; a figure considered unacceptable given the ‘good’ agricultural capability and high significance of the land.</p> <p>Additionally, and as noted above and further below, the introduction of a lawful dwelling to the land is considered likely to significantly increase the value of the land. As any permit issued runs with the land (not the specific owner), this is considered likely to restrict the ability for the land to be used for economically viable agricultural pursuits in its entirety. Rather, the proposal is considered to primarily seek use and development of the land for a rural residential purpose – something that affords no support from Clause 22.09.</p>

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<p><i>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</i></p>	<p>Approved dwellings on comparably sized lots are not commonplace in the area. As such and owing to the designation (within Precinct 1) of the land as highly suitable for agriculture and horticulture, it is considered such uses (agriculture and horticulture) would be strongly encouraged on surrounding land.</p> <p>Given these agricultural uses are known to generate adverse amenity impacts, it is considered likely approval of a dwelling on the land would lead to, and likely facilitate land use conflicts in future.</p>
<p><i>The capacity of the site to sustain the agricultural use.</i></p>	<p>Aerial imagery suggests that the site has only been sporadically used for low level cattle grazing with an unspecified number of cattle, over the course of the last five (5) years as only twice in a three-year period is there evidence of cattle being located upon the site (on 30th December 2024 and 18 October 2022) – managed from an existing dwelling on adjoining land (held in contiguous ownership). However, no specific information relating to the current use of the land has been provided by the applicant.</p> <p>In addition, the owners of the land propose to undertake the below agricultural activities:</p> <ul style="list-style-type: none"> <li>• <i>‘Cattle Rearing: Particularly focusing on young calves that [an owner’s] parents can no longer manage.</i></li> <li>• <i>Poultry: Rasing chickens for eggs.</i></li> <li>• <i>Greenhouse: Growing seedlings to plant trees and vegetation as windbreaks.</i></li> <li>• <i>Blueberry Bushes: Harvesting blueberries for ‘farm to gate’ sales.’</i></li> </ul> <p>As noted above, no details of scale are provided as to any of these activities. Stocking numbers are unknown, as are bird numbers, details of any proposed greenhouse or an operations plan for blueberries. Further, the submitted farm management plan does not detail a timeline, level of investment, cost/profit projections, animal welfare requirements for any of the proposed activities.</p> <p>While noted the applicant states they will assist with agricultural operations on adjoining land (in family ownership), no reasons are advanced as to why a dwelling on the subject site is required for this. These agricultural operations are currently occurring, and providing a dwelling on a separately disposable parcel of land is unjustified with regard to ensuring these activities continue to occur.</p> <p>For these reasons, the farm management plan is not considered to advance genuine reasons for the establishment of a dwelling on the land. Rather, it is largely focussed on facilitating ‘convenience’ of the proposed low-scale agricultural operation, as well as operations occurring on surrounding land.</p> <p>None of the agricultural pursuits outlined in the farm management plan are considered to be of a nature or scale that requires a permanent, on-site dwelling, while the land is in such close proximity to the established townships of Bayles (4-minute drive) and Koo Wee Rup (6-minute drive) that off-site management (as is common) would be possible. Given this, it is not considered that the subject site is one of such an isolated nature to require an on-site dwelling, to facilitate the agricultural operation.</p>

Given the above assessment, the proposes use and development is inconsistent with the objectives and vision for the site, as well as the decision guidelines within Clause 22.09 and the *Cardinia Western Port Green Wedge Management Plan*. Rather, it is submitted that the application seeks to provide rural residential development on good quality agricultural land; a proposition at direct odds with strategic policy relating to the Western Port Green Wedge.

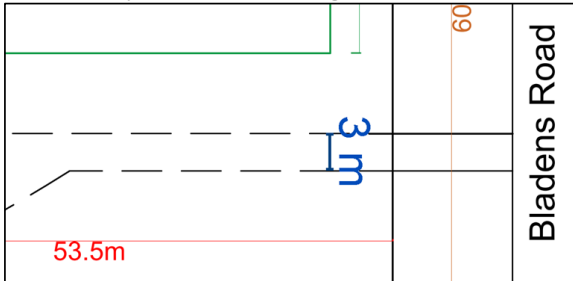
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**Green Wedge Zone – Schedule 1 :**

Clause 35.04-2 (Green Wedge Zone: Use of Land for a Dwelling or Small Second Dwelling) identifies that land used for a dwelling must meet specific requirements, with consideration of these requirements provided in the table below.

Dwelling Requirement	Assessment and Response
<p><i>Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.</i></p>	<p>Access to the land is currently provided via a crossover in the south-western corner of the lot, with this arrangement proposed to be utilised for the dwelling. Notwithstanding, it is noted that the gravel crossover and accessway was unlawfully constructed between June and September 2023 (See figures 5-6 above).</p> <p>Internal to the site, is an accessway to the proposed dwelling. Details of this accessway are limited within the submitted documentation, comprising a 'loose outline' on the site plan. Minimum widths or details of material are not stated, however the width of the accessway scales to approximately 3.01 metres (see Figure 11 below).</p>  <p style="text-align: center;"><i>Figure 11: Scaled Accessway Dimension (Blue)</i></p> <p>No detail is provided within the Scheme as to what 'suitable dimensions to accommodate emergency vehicles' comprises, however Table 5 to Clause 53.02-5 (Bushfire Planning) specifies access requirements for applications under the Bushfire Management Overlay. This Table references 'a minimum trafficable width of 3.5 metres', and given the submitted plans show a minimum width of 3 metres, this requirement is not considered to be met.</p>
<p><i>The dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.</i></p>	<p>Reticulated sewerage is not available to the subject site. The applicant has submitted a Land Capability Assessment (LCA) (prepared by <i>Soil Test Express</i>, dated 23 February 2024). The document contends that wastewater can be treated and retained within the lot, in accordance with relevant requirements (including the <i>EPA Act</i>). This document was referred to Council's Environmental Health team, who have not objected to grant of a permit.</p> <p>However, the site plan included within the LCA is inconsistent with the LCA itself as the LCA states that an area of 464 square metres is required as an</p>

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	<p>irrigation area, while an area of approximately 701 square metres is shown on the site plan.</p> <p>Further, although the LCA acknowledges the flood risk present (i.e. the LSIO), the LCA pre-dates the referral response provided by Melbourne Water – which outlines the applicable flood risk. As such, the LCA cannot be assumed to have had appropriate regard to flood risk. It is also noted extensive filling of the land beneath the dwelling (i.e. a fill pad) is required to meet flood level requirements (as evidenced in Melbourne Water’s request for further information) – a further matter not considered by the LCA.</p> <p>Demonstrating the achievement of this requirement has an elevated level of importance when known physical constraints, including the land’s susceptibility to flooding, will affect its ability to do so. We are unable to conclude that this requirement has been met – consistent with the decision of the Tribunal in <i>Marson v Cardinia SC [2024] VCAT 639</i> (specifically paragraphs 94-104).</p>
<p><i>The dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.</i></p>	<p>Reticulated potable water supply is not understood to be available to the subject land. As stated in the submitted documentation, water tanks are proposed to be provided to service the potable water needs of the dwelling. However, no information has been provided to satisfy this requirement.</p>
<p><i>The dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.</i></p>	<p>Documentation submitted with the application states the dwelling is proposed to be connected to reticulated electricity supply. Data available from the relevant electricity supply/distribution authority (AusNet Services) indicate there are 22kV distribution lines along Bladens Road, and as such it is considered the proposed dwelling can be connected to reticulated electricity.</p>

Given the above, it is considered that while the requirements of Clause 35.04-2 relating to power are met by the proposed dwelling, those relating to water supply, wastewater management and access have not been demonstrated. Therefore, the condition listed next to the term ‘Dwelling’ in Clause 35.04-1 is not met, and as such the use may be prohibited.

Notwithstanding the above, for completeness, an assessment of the proposal against the remainder of the Green Wedge Zone is provided below.

Aside from implementing the PPF and MSS, the purposes of the Green Wedge Zone are:

*To provide for the use of land for agriculture.*

*To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*

*To encourage use and development that is consistent with sustainable land management practices.*

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*To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*

*To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*

*To protect and enhance the biodiversity of the area'.*

The proposed use and development are not considered to achieve an acceptable response to the above purposes. Primarily, this is due to the fact the proposed dwelling is not considered necessary to provide for or enhance the use of land for agriculture. Although a level of agriculture is proposed on the subject site, there are no quantifiable agricultural activities proposed that would require a dwelling being established on the land, nor any guarantee that such pursuit would happen. Further, the agricultural activities proposed are of a particularly low scale, and are more likely considered to be ancillary to the dwelling on the land – i.e. a hobby farm.

As such, it is considered the introduction of a dwelling (use and development) to the land does not represent a positive response to the above purpose of the Zone; which seeks to '**recognise, protect and conserve green wedge land for its agricultural values**'. Rather, it seeks to facilitate use of the land for a 'rural residential' type purpose; an outcome inconsistent with the purpose of the Zone, and broader strategic direction within the Scheme.

An assessment of the proposal against the relevant decision guidelines of the Green Wedge Zone is provided in the table below. Many considerations are echoed elsewhere in the Scheme and assessed elsewhere in this report – a response to these guidelines is not repeated.

Decision Guideline	Assessment
<b>General Issues</b>	
<i>How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.</i>	<p>The proposed dwelling use and development is not considered to sufficiently relate to the rural use occurring (and proposed to continue) on the subject land – Grazing Animal Production; albeit of a low (and realistically unknown) scale.</p> <p>As mentioned above, an unknown number of cattle are currently kept on the land, this is an agricultural land use of low scale and intensity. While a FMP has been provided with the application outlining future expansion of agricultural activities (to include growing seedlings and blueberries, as well as keeping chickens for eggs), there is no timeframe for this to occur, and aside from convenience, insufficient reasoning has been advanced as to why a Dwelling is necessary to undertake this operation.</p> <p>As such, it is not considered the future agricultural operation is one of a scale that requires the presence of an ongoing farm managers residence (Dwelling). Rather, the extent to which the proposed dwelling will relate to rural land use is considered to be limited to convenience only.</p> <p>Therefore, it is not considered the proposal appropriately relates to rural land use (Agriculture). Rather, it seeks to use and develop the land for 'rural living' type purposes, a proposition expressly discouraged throughout the Scheme.</p>
<i>Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.</i>	<p>Given the land is identified as being of 'good' agricultural significance throughout the Scheme (but most notably at Clause 22.05), the site is not considered to be suitable for residential development, unless it can be appropriately demonstrated that residential development is reasonably required to support/enhance the agricultural operation, or otherwise will assist in advancing and achieving the purposes of the GWZ.</p>

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	<p>As discussed throughout this report, this is not considered to have been demonstrated as part of the application. The agricultural operation (keeping of an unknown number of cows, with other activities to be explored in future) is not considered to be one of a scale that requires an on-site dwelling. Rather, and as discussed further below it is considered accommodation can be provided in established urban areas (nearby townships), and the entirety of the site maintained for sustainable agricultural use.</p> <p>While noted the dwelling is proposed in support of agricultural activities occurring on surrounding land (in family ownership), no reasons are advanced as to why construction of a dwelling on a separately disposable parcel of land will facilitate or support this primary production. Although personal circumstances are advanced by the applicant (that managers of surrounding land are of advanced age, and cannot 'keep up' with operations), the Tribunal has long held that orderly planning is of substantially more importance than preferences of individual landowners.</p> <p>Similarly, the proposal is not considered to be compatible with adjoining and surrounding land uses. Policy strongly encourages land adjoining and surrounding the site to be used for productive agricultural purposes, including uses known to create adverse amenity impacts.</p> <p>As such, it is not considered the use and development of land for a dwelling has appropriate regard to the desired strategic direction for the surrounding area (productive agriculture) – rather it is considered likely to lead to future land use conflicts.</p>
<p><b>Rural Issues</b></p>	
<p><i>The maintenance of agricultural production and the impact on the rural economy.</i></p>	<p>The proposed dwelling is not considered to be reasonably required to support, maintain or enhance agricultural production on the land. Further, it is considered the introduction of a dwelling to the land is likely to dramatically increase the value of the land and create expectations for use and development of surrounding land, for residential development.</p> <p>This is considered likely to have a high detrimental impact on the rural economy by raising land prices (both of the site and in the surrounding area), limiting the ability for productive, economically viable agricultural land uses to establish on the site and surrounding area in future.</p> <p>As explained by Member Templar in <i>Wood v Mornington Peninsula SC [2024] VCAT 87</i>:</p> <p><i>'47. The establishment of a dwelling on land that is identified as productive agricultural land effectively removes the site from being a transferable commodity at agricultural values, rather, assigns residential land values which inherently raises the value of the land beyond that which is ascertainable for agricultural production.'</i></p>
<p><i>The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.</i></p>	<p>It is considered likely the proposed dwelling will lead to a proliferation of urban activities on the lot. As mentioned above, the permission sought (use of land for a dwelling) runs with the land in perpetuity, and for this reason it is considered likely this use (and associated development) could incrementally increase/intensify in size into the future.</p> <p>For this reason (as well as those discussed above), it is considered the establishment of a dwelling use on the land has significant potential to detrimentally impact adjoining and nearby agriculture.</p> <p>Dwellings are noted to be accompanied by expectations regarding amenity – while the purposes of the zone (affecting the land and surrounding area) seek to</p>



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	encourage agricultural uses, known to generate amenity impacts. Further, and as discussed directly above, expansion of a dwelling use and development on the site is considered likely to inflate land prices, placing further pressure and constraints on establishment of agricultural uses.
<i>The protection and retention of land for future sustainable agricultural activities.</i>	By nature, the proposed use and development seeks to remove a portion of the land from use for sustainable agricultural activities. As discussed above (and shown in Figure 16 above) the physical area of the site proposed to be 'lost' from the agricultural base and used for domestic purposes equates to approximately 5170.1 square metres (or 51.7% of the site area). Given the agricultural significance of the land, this is considered to be an unacceptable figure. As such, it is not considered the proposal appropriately protects and retains land for future sustainable agricultural purposes. Rather it seeks the opposite; and would result in the removal of over 50% of a highly valuable, productive agricultural lot – as well as hindering use of surrounding land for future sustainable agricultural activities.

Given the above assessment, the proposal is not considered to achieve an acceptable response to, or outcome with regard to the Green Wedge Zone. The proposed dwelling is not considered to be reasonably required to support or enhance the agricultural use (Grazing Animal Production) or any other use/activity aligned with the purpose of the Zone. In addition, the use and development is considered likely to inflate land values, 'pushing out' productive agricultural uses or preventing them from establishing, and is considered likely to place pressure on the established settlement boundaries of Bayles and Koo Wee Rup.

As detailed in Clause 71.03-2 (Operation of Zones):

***'Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes...'***

Assessment of the application has occurred, and the proposed use (as well as associated development) is not considered to achieve an acceptable outcome.

**Response to Flooding Policy & the Land Subject to Inundation Overlay – Schedule:**

A permit is required to construct a building or construct or carry out works pursuant to Clause 44.04-2 (Land Subject to Inundation Overlay). This designation, as well as the location of the subject site within the *Koo Wee Rup Longwarry Flood Protection District* indicate it is at high risk of flooding, primarily from mainstream flooding associated with open drains.

Policy in both the State and Local Planning Policy Framework seek to assist in the protection of human life and property from flood risk, as well as maintaining floor storage functions of floodplains (Cl. 13.03-1S). This policy (as well as Clause 21.02-1) seeks to minimise development in floodplains, unless demonstrated that the applicable flood risk is mitigated and/or minimised to an appropriate level.

Pursuant to Clause 44.04-7 (Land Subject to Inundation Overlay) and Section 55 of the *Planning and Environment Act 1987*, the application was referred to Melbourne Water for consideration.

Melbourne Water requested further information in accordance with Section 55(2) of the *Act*. While the applicant responded to this request for further information (by providing amended plans) directly to Melbourne Water, these plans have not been formally provided to Council, or formally lodged as part of the permit application (by way of amendment of the application under Section 57A). Therefore, the plans under consideration must be assumed to present an insufficient response to the applicable flood risk, as well as considerations within Clause 44.04 (Land Subject to Inundation Overlay).



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### Recent Decisions of the Victorian Civil and Administrative Tribunal

Several recent decisions of the Victorian Civil and Administrative Tribunal ('VCAT' or 'the Tribunal') are of relevance to the proposal, either given their location on Green Wedge land within Cardinia Shire or similarities concerning the proposal or associated Agricultural use. While these Tribunal decisions are not binding on Council and decision made should 'turn on the facts before it', they provide a useful framework for consideration of the application.

#### *Muley Investments Pty Ltd v Cardinia SC [2023] VCAT 1268*

This decision concerned appeal of Council's Refusal to Grant a Permit for 'Use and development of land for a contractors depot' at 205 Seven Mile Road, Nar Nar Goon also within an area of 'good' agricultural significance (as designated by Cl. 21.04-2) and also a non-agricultural use. As outlined by Member Gaschk:

*'66. I have also not been persuaded that the loss of some 2.0ha of 'good' agricultural land is justified or necessary on this land to provide for the large scale non-agricultural land use as proposed. This is particularly so given the context and physical agricultural character of surrounding land.*

*'67. I also agree with council that any loss of 'good' agricultural land in this location, must be considered and assessed in the context of 'cumulative impacts' that may arise on surrounding GWZ1 land. It is this potential incremental 'urban' creep of non-agricultural land uses into the Green Wedge areas that the GWZ1 purposes and associated policy seek to avoid.'*

Given the proposal in the above decision also concerned a non-agricultural use and development, the 'loss' of valuable agricultural land to urban activities (particularly in close proximity to a rural township) was considered inappropriate, and Council's decision was ultimately affirmed. The comments provided regarding 'cumulative impacts' are of particular relevance, as it is contended that approval of one non-agricultural use is likely to lead to expectations regarding approval of similar uses in future.

#### *Kenny v Cardinia SC [2024] VCAT 415*

In *Kenny*, the permit applicant sought review of Council's Failure to Grant a Permit for 'Use and development of land for a dwelling', within the Green Wedge Zone and LSIO – in 275 Dalu Road, Nar Nar Goon.

The subject site in this decision was materially larger (at 2.1 hectares) than 225 Bladens Road, and no agricultural activities were proposed to occur. Notwithstanding these differences, Member Harty outlined several useful considerations for applications seeking to use and develop Green Wedge land for a dwelling. As outlined below:

*'44. I also find that policy support for residential use and development of land in the Green Wedge and in these areas of good agricultural significance is either silent or at best, tempered.*

*'45. The purposes of the GWZ1 do not extend to encouraging the use and development of land for a dwelling, or for rural residential or rural living purposes.'*

These statements echo the contention of this report that the Green Wedge Zone is not a residential zone, and policy support elsewhere within the Scheme for residential development in the Green Wedge Zone is minimal.

Rather, considerations within the Scheme encourage Green Wedge land to be used in a manner that acknowledges the valuable characteristics of Green Wedge land, including:

*'...agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.'*

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Proposals that do not directly involve these characteristics must be demonstrated to support these characteristics more broadly – this is where the subject application fails. While an unspecified level of Agricultural use is occurring (and proposed to continue) that aligns with the purpose and objectives of the Zone (and other policy), it is not considered the dwelling is necessary for this the agricultural use to occur.

### Marson v Cardinia SC [2024] VCAT 639

In *Marson*, the permit applicant sought review of Council's Refusal to Grant a Permit for the 'Use and development of land for a Dwelling', within the Special Use Zone – Schedule 1; land designated for horticultural production, 550 Scanlons Drain Road, Catani.

As part of this application, use and development of the land for a dwelling was proposed, stated to be in support of 'Grazing Animal Production' comprising approximately 30 animals. The permit applicant sought a dwelling on the land largely for convenience and rural residential purposes – similar to the current application.

In affirming Council's decision to Refusal to Grant a Permit, the Tribunal relevantly stated:

*'79. To the extent that use of the land for a dwelling on the subject land will allow a greater presence on the subject land and better oversight of existing farming activities on the subject land and the applicants' other two separate land holdings to the north:*

- we are not persuaded that a dwelling is reasonably required for the operation of the rural activity being conducted on the subject land [- a decision guideline of SUZ1]. These existing activities involve cattle grazing and the production of hay and silage. While we accept that these are genuine agricultural activities, we find that they do not warrant a continuous on-site presence for their successful conduct;*

As evidenced above, despite the different zoning of the land, a similar agricultural operation was found to not require a continuous on-site presence.

Similar to the circumstances in *'Marson'*, while noted above there are examples of dwellings on lots surrounding the subject site, the majority of these pre-date current planning controls. Since construction of these dwellings, the policy narrative has shifted dramatically and now encourages dwellings to be located within established settlements, and (with regard to the PPF and LPPF), expressly discourages dwellings being located on productive agricultural land.

As shown in Figure 12 (below), there are approximately twenty-two (22) dwellings on land within an approximate 1 kilometre radius of the subject site.

Of these twenty-two (22) dwellings, only three (3) have been approved via a planning permit issued since the year 2000 (see Table below).

The remaining nineteen (19) dwellings may have been established under different planning considerations (i.e. planning schemes of the now former Shires of Pakenham and Cranbourne).

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*Figure 12: Land used for dwellings within 1 kilometre of subject site (Orange) - Approved Since 2000 (Green) & No Approval (Red)*

Map Ref:	Address	Permit Issued to Use land for a Dwelling:	Date Issued
1	365 Koo Wee Rup-Longwarry Rd, Koo Wee Rup	N/A	N/A
2	590 Boundary Drain Road, Koo Wee Rup	N/A	N/A
3	60 Bethunes Road, Koo Wee Rup	N/A	N/A
4	200 Bladens Road, Koo Wee Rup	T200271	11 December 2020
5	185 Bladens Road, Koo Wee Rup	T010549	7 September 2001
6	175 Bladens Road, Koo Wee Rup	N/A	N/A
7	145 Bladens Road, Koo Wee Rup	N/A	N/A
8	125 Bladens Road, Koo Wee Rup	N/A	N/A
9	115 Bladens Road, Koo Wee Rup	N/A	N/A
10	3460 Ballarto Road (Lot 1 PS548050), Koo Wee Rup	See below.	N/A
11	3460 Ballarto Road (Lot 2 PS548050), Koo Wee Rup	<i>Note: A permit was issued to allow this lot to be used for a dwelling, however on the basis that the existing dwelling on Lot 1 (map ref #10) be demolished upon completion of the new dwelling.</i>	
12	3494 Ballarto Road, Koo Wee Rup	N/A	N/A
13	3500 Ballarto Road, Bayles	T160104	5 August 2016
14	3520 Ballarto Road, Bayles	N/A	N/A

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15	3530 Ballarto Road, Bayles	N/A	N/A
16	3540 Ballarto Road, Bayles	N/A	N/A
17	3560 Ballarto Road, Bayles	N/A	N/A
18	655 Boundary Drain Road, Bayles	N/A	N/A
19	645 Boundary Drain Road, Bayles	N/A	N/A
20	625 Boundary Drain Road, Bayles	N/A	N/A
21	595 Boundary Drain Road, Bayles	N/A	N/A
22	575 Boundary Drain Road, Bayles	N/A	N/A

Further, about land values, the reasoning put forth by the Tribunal in *Marson v Cardinia SC* [2024] is relevant to the current application. Establishment of a dwelling on the subject site would represent a dramatic change in the condition of the land, and therefore the value of the land:

*'90. While we accept that the applicants have a genuine desire to live on the land they have farmed for many years, a dwelling use would result in a permanent change of land use and inevitably inflate the market value of the subject land. Economic benefits to the applicants upon sale of the land come with a broader long term economic disbenefit. For future purchasers of land seeking high quality soils of the kind found in this area, permitting a dwelling would diminish rather than enhance the ability to sustain genuine and economically viable agricultural pursuits, particularly for horticultural purposes. Its utility for rural lifestyle type purposes would in turn become a more attractive proposition than a lot without a dwelling.'*

While the current applicant may desire a dwelling on the land to simplify their proposed agricultural operation, any permit issued would run with the land, with the presence of the dwelling dramatically increasing the value of the land – hindering ability for future agricultural uses to establish on the land, in a viable manner.

Lastly, the applicants in *Marson* sought to establish a dwelling on the land to allow themselves (established farmers in the area) to remain in close proximity to the area they farm, whilst transitioning into retirement. Similarly, the current application is to enable family members to move closer to the 'family farm', to allow for a transition into agricultural operations.

As explained at paragraph 75 onwards the Tribunal stated:

*'75. We have no doubt that the applicants also have genuine personal circumstances for wanting to live on the subject land. We observe that arguments advanced in support of the proposal are however primarily based on the particular personal circumstances of the applicants who are approaching their retirement years. In their own submissions, the applicants acknowledge that personal circumstances are not matters that carry significant weight. This is consistent with a long line of Tribunal decisions where such matters are raised.*

*'76. Fundamentally, the Tribunal has consistently held that the long term, sustainable and orderly planning of the area is to be given greater weight than the short terms needs of land owners. We agree with these principles.*

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77. We find that submissions related to the convenience of living on the land in preference to travelling less than 15 minutes...also carry little influential weight favourable to the grant of a permit.

78. We make this finding for the following reasons:

- In locations such as this, the planning scheme unequivocally directs the location of housing to existing townships and settlements zoned for such purposes in preference to the use of agricultural land for dwellings;
- The subject land is not so remote from...other housing options as to warrant the use of the land for a dwelling. As we have set out earlier in these reasons, there are numerous townships nearby within a 2 minute to 14 minute drive of the subject land.'

### **Detail of Plans:**

The submitted plans contain several inconsistencies that prevent the proposal from being fully considered. Of note, the site plan (dated 13 November 2023 – prepared by Lakeside Building) shows two water tanks behind (north) of the outbuilding, and no tanks adjacent to the dwelling, whereas the site plan (dated 05 May 2023 – prepared by SJD Homes) does not show either the water tank or outbuilding. In addition, the ground floor plan (dated 05 May 2023 – prepared by SJD Homes) shows a water tank north of the garage, with this tank not shown on any other plans.

Finished floor levels (FFLs) are not shown on any ground floor or site plans, while the elevation plans include a number of notations stating '450mm' – both adjacent to NGL and the FFL of the dwelling. The SJD site plan does not show any earthworks and states the FFL as 'XXX.XX'. It therefore cannot be understood which plan shows the 'true' proposed dwelling, including with regard to earthworks and flood level requirements.

Lastly, the relevant shed plans do not show any proposed earthworks (such as a fill pad), however a notation is included stating the shed FFL is to be 300mm above NGL. No proposed method of meeting this floor level is shown on any relevant plans – therefore like the above the proposed shed cannot be fully assessed.

### **Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions:**

The purposes and provisions within Clause 51.02 echo those within the Green Wedge Zone, as well as elsewhere in the Scheme. No additional permit requirements arise under this provision, and as such the assessment of the proposal with regard to Clause 35.04 (Green Wedge Zone) is considered to apply comparably to this provision.

### **Clause 65 – Decision Guidelines & Section 60 of the *Planning and Environment Act (1987)*:**

Considerations within Clause 65 – Decision Guidelines and Section 60 of the *Planning and Environment Act 1987* have been referenced throughout this report. Consistent with the above assessment, the proposal is not considered to achieve an acceptable outcome with regard to these considerations.

## Conclusion

The proposal has been assessed against the applicable policies of the State and Local Planning Policy, as well as the Green Wedge Zone. Following assessment of these matters, it has been determined the proposal does not achieve an acceptable response to all above considerations.

The proposal seeks to introduce residential development outside of an existing settlement and within an area of highly productive agricultural land, is considered likely to bring about land use conflicts in future, and hinder productivity of surrounding agricultural operations.

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Further, there is no quantifiable agricultural activities proposed that would necessitate a dwelling being established on the land. As such, it is recommended Council refuse to grant a permit.

Clause 71.03-2 (Operation of Zones) states that just because a use is in Section 2 and a permit could be granted, it is not implied that a permit should be granted. Council must decide whether the proposal will produce acceptable outcomes as desired by the Scheme. Given the above assessment, the proposed use and development are not considered to achieve an acceptable outcome. The introduction of a dwelling to the land is likely to detrimentally impact the agricultural significance of the land and permanently remove it from the 'agricultural base'. As such, it is recommended the application not be supported, and Council form a position to Refuse to Grant a Planning Permit.

## Decision

### Refusal

Having considered all of the matters required under Section 60 of the *Planning & Environment Act 1987* and the Cardinia Planning Scheme, it is recommended that Council form a position to Refuse to Grant a Planning Permit for the land known and described as L6 PS548050, 225 Bladens Road Koo Wee Rup as per the following table and subject to the below grounds.

Planning scheme clause	Matter for which the permit has been refused
35.04-1	Use of land for a Dwelling
35.04-5	Construct a building or construct or carry out works associated with a Section 2 Use (Dwelling)
44.04-2	Construct a building or construct or carry out works

## Refusal Grounds

- The proposal does not protect valuable agricultural land; rather it permanently removes the land from primary production. Further, the proposal would facilitate rural residential development outside of an existing settlement, resulting in an incompatible land use with the strategic direction for the site and surrounding area.

These outcomes are inconsistent with objectives and strategies of the below provisions of the Planning Policy Framework and Local Planning Policy Framework:

- Clause 11.01-1S – Settlement;
- Clause 11.01-1R – Green Wedges – Metropolitan Melbourne;
- Clause 14.01 – Agriculture;
- Clause 16.01-3S – Rural Residential Development;
- 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;



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- i. Clause 22.05 – Western Port Green Wedge Policy; and
    - j. Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions
  2. The proposal is inconsistent with and does not respond to the objectives, policies and decision guidelines of Clause 22.05 (Western Port Green Wedge Policy), as:
    - a. The proposal does not achieve the vision for the Cardinia Western Port Green Wedge;
    - b. The proposal does not accord with the precinct objective and future directions for the land, given the location within *'Precinct 1 – Agriculture, horticulture and soil based food production'*;
    - c. The proposal will permanently remove land from agricultural production; and
    - d. The proposal will limit the establishment, operation and expansion of adjoining and nearby agricultural uses.
  3. The proposal is inconsistent with and does not respond to the purposes and decision guidelines of Clause 35.04-6 (Green Wedge Zone), as it:
    - a. Will have a detrimental impact on the rural economy;
    - b. Does not enhance agricultural production;
    - c. Does not appropriately relate to rural land use; and
    - d. Does not protect and retain land for future sustainable agricultural activities.
  4. The proposal does not respond to the considerations within Clause 65.01 (Decision Guidelines), as:
    - a. It does not achieve the purposes of the Zone;
    - b. It does not represent the orderly planning of the area;
    - c. Matters required to be considered in the Zone and Overlay are unable to be fully considered due to the quality of information provided; and
    - d. The degree of flood hazard associated with the location of the land, and the use, development or management of the land so as to minimise any such hazard is unable to be fully considered, due to inconsistencies within the submitted documentation.
  5. The plans accompanying the application are deficient in enabling a complete assessment of the proposal against the provisions of the Cardinia Planning Scheme. These include:
    - a. Unable to determine whether the proposed use of the land for a Dwelling is a Section 3 (Prohibited) land use pursuant to Clause 35.04-1 (Green Wedge Zone), as the requirements of Clause 35.04-2 (Green Wedge Zone) are not sufficiently demonstrated to be met. Specifically:
      - i. Dimensions and construction details of the proposed vehicle accessway are not provided, meaning all-weather access for emergency vehicles cannot be assured;
      - ii. Information relating to connection to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes; and
      - iii. The submitted Land Capability Assessment is deficient in its assessment, and does not demonstrate that all wastewater from the dwelling is capable of being treated and retained within the lot in accordance with the

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requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system, given the applicable flood level of the land and earthen fill pad required to mitigate the applicable flood risk

- b. Insufficient detail and inconsistencies regarding proposed earthworks;
  - c. Insufficient detail and inconsistencies regarding finished floor levels of the development and natural ground levels of the land; and
  - d. Inconsistent layouts of the development (including the locations of buildings and works) across multiple versions of the submitted plans.
6. The permit applicant has not formally responded (by way of amending the permit application in accordance with Section 57A) to the request for further information made in accordance with Section 55(2) of the *Planning and Environment Act 1987* by Melbourne Water; a determining referral authority under Clause 66.03.

As such, the decision and comments of Melbourne Water are not able to be considered in accordance with Section 60(1)(a) of the *Planning and Environment Act 1987*, as they are informed by plans and documents that have not been provided to or assessed by the responsible authority.



## Application Summary

Portal Reference	A32322JS
------------------	----------

## Basic Information

Proposed Use	Construction of dwelling & outbuilding
Current Use	vacant
Cost of Works	\$490,000
Site Address	225 Bladens 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	[REDACTED]		
Owner			
Preferred Contact			

## Fees

Regulation	Fee Condition	Amount	Modifier	Payable
9 - Class 4	More than \$100,000 but not more than \$500,000	\$1,330.20	100%	\$1,330.20
		<b>Total</b>		<b>\$1,330.20</b>



**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

**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

### Documents Uploaded

Date	Type	Filename
20-07-2023	A Copy of Title	2 title Docs.pdf
20-07-2023	A proposed floor plan	3 Planning Drawings.pdf
20-07-2023	Proposed elevation plan	4 Shed Elevations.pdf
20-07-2023	Overlay Requirements	Koo Wee Rup and Longwarry flood Protection district 2019.pdf
20-07-2023	Overlay Requirements	Melbourne Water Response-28 Jun 2023 0149 PM.pdf
20-07-2023	Additional Document	Aerial.docx
20-07-2023	Additional Document	Detailed-Property-Report.pdf
20-07-2023	Additional Document	Planning-Property-Report.pdf

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

Site User	[REDACTED] Lakeside Building Consultants
Submission Date	20 July 2023 - 04:57:PM

### Declaration

By ticking this checkbox, I, Sonya Boloski, declare that all the information in this application is true and correct; and the Applicant and/or Owner (if not myself) has been notified of the application.



**Civic Centre**  
20 Siding Avenue, Officer, Victoria

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Purton Road, Pakenham, Victoria

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**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

# Application to amend a current planning application



<b>Application number:</b>	T230359
<b>Address of subject site</b>	Lot 6 225 Bladens Rd - Koo Wee Rup

Pursuant to which section of the Planning and Environment Act 1987 is this amendment being made?		
<b>Section 50:</b>	Amendment to application at request of applicant before notice/advertising:	<input type="checkbox"/>
<b>Section 50A:</b>	Amendment to application at request of responsible authority before notice/advertising:	<input type="checkbox"/>
<b>Section 57A:</b>	Amendment to application after notice/advertising is given:	<input type="checkbox"/>

<b>Applicant:</b>	<b>Lakeside Building Consultants</b>	
<b>Phone:</b>	[REDACTED]	
<b>Email:</b>	[REDACTED]	
<b>Postal Address:</b>	[REDACTED]	

What is the purpose of the amendment? Please list all changes:
Change the application
To use of land and development for a dwelling

Cardinia Shire Council  
 ABN: 32 210 906 807  
 20 Siding Ave, Officer

PO Box 7  
 Pakenham 3810  
 (DX 81006)

Phone: 1300 787 624  
 Email: [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)  
 Web: [cardinia.vic.gov.au](http://cardinia.vic.gov.au)

Cardinia Shire Council



# Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

### PERMIT APPLICATION DETAILS

Application No.:	T230359
Address of the Land:	Bladens Rd Koo Wee Rup

### APPLICANT DETAILS

Name:	[REDACTED]
Organisation:	Lakeside Building Consultants
Address:	[REDACTED]
Phone:	[REDACTED]
Email:	[REDACTED]

### AMENDMENT TYPE


Under which section of the Act is this amendment being made? (select one)	
Section 50 – Amendment to application at request of applicant <b>before</b> notice:	<input type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority <b>before</b> notice:	<input checked="" type="checkbox"/>
Section 57A – Amendment to application <b>after</b> notice is given:	<input type="checkbox"/>

### AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Bringing the siting back to what was originally supplied		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input checked="" type="checkbox"/>	Unchanged <input type="checkbox"/>	New amount \$

**DECLARATION**

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.	
Name:	[REDACTED]
Signature:	
Date:	07/06/2024

**LODGEMENT**

Please submit this form, including all amended plans/documents, to [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

You can also make amendments to your application via the Cardinia ePlanning Portal at <https://eplanning.cardinia.vic.gov.au/>

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

**IMPORTANT INFORMATION**

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*.



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

Page 1 of 1

VOLUME 11245 FOLIO 867

Security no : 124107764166Q  
Produced 20/07/2023 04:05 PM

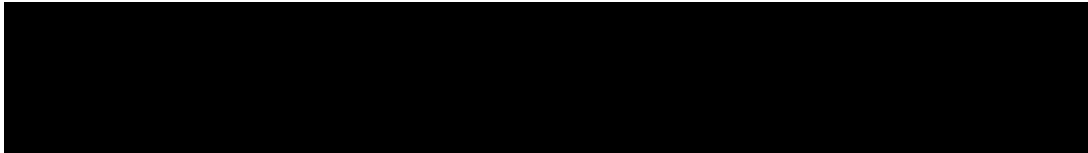
LAND DESCRIPTION

Lot 6 on Plan of Subdivision 548050D.

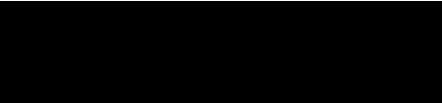
PARENT TITLES :

Volume 04039 Folio 685            Volume 05046 Folio 082            Volume 05684 Folio 624  
Volume 07474 Folio 015            Volume 08068 Folio 095            Volume 09797 Folio 826  
Volume 09865 Folio 175 to Volume 09865 Folio 176  
Volume 09929 Folio 670  
Created by instrument PS548050D 15/12/2010

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS548050D FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AW664801V (E)	CONV PCT & NOM ECT TO LC	Completed	24/03/2023
AW710333A (E)	TRANSFER	Registered	06/04/2023
AW710334X (E)	MORTGAGE	Registered	06/04/2023

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

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

Street Address: 225 BLADENS ROAD KOO WEE RUP VIC 3981

ADMINISTRATIVE NOTICES

NIL

eCT Control    17888B WAKEFIELD VOGRIG & BOOTE LAWYERS  
Effective from 06/04/2023

DOCUMENT END



## Imaged Document Cover Sheet



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Document Identification	<b>PS548050D</b>
Number of Pages (excluding this cover sheet)	<b>3</b>
Document Assembled	<b>20/07/2023 16:08</b>

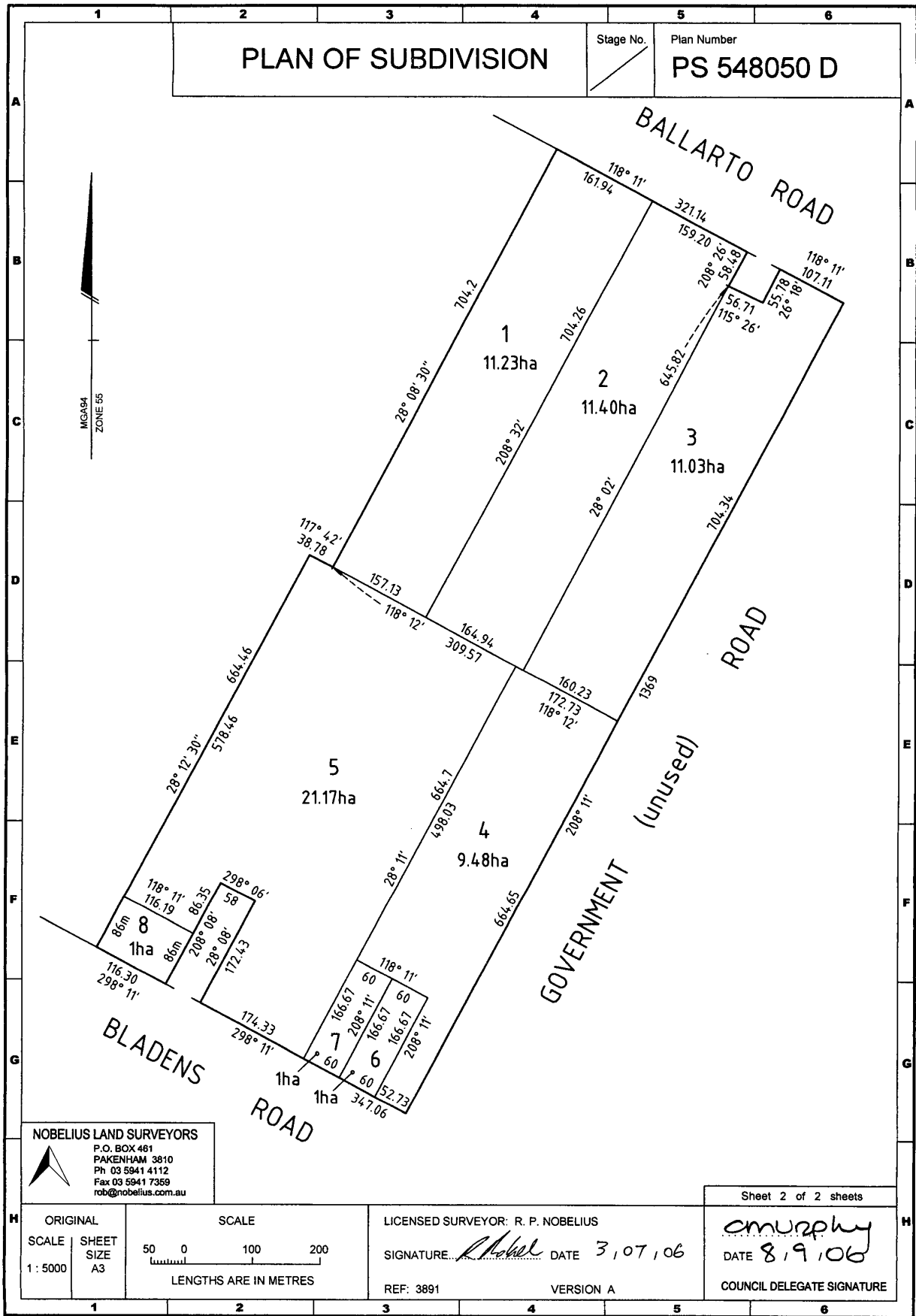
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<b>PLAN OF SUBDIVISION</b>		LTO use only <b>EDITION 2</b>	Stage No. /	Plan I <b>PS</b>	<b>PS548050D</b> 12/02/2008 \$1540 PS 
<b>LOCATION OF LAND</b> <b>Parish:</b> Koo Wee Rup <b>Section:</b> L <b>Crown Allotment:</b> 13, 14 (pt), 15 (pt), 16B, 16C, 16D, 16E, 22 (pt), 23, & 24.  <b>Title Reference:</b> V. 9929 F. 670 V. 9797 F. 826 V. 7474 F. 015 V. 8068 F. 095 V. 9865 F. 175 V. 9865 F. 176 V. 5684 F. 624 V. 5046 F. 082 V. 4039 F. 685  <b>Last Plan Reference:</b> Lot 2 LP 218437  <b>Postal Address:</b> 175 Bladens Road (at time of subdivision) KOO WEE RUP 3981  <b>MGA94 Co-ordinates:</b> E 371 900 (of approx. centre of land in plan) N 5 774 300 Zone: 55		<b>COUNCIL CERTIFICATION AND ENDORSEMENT</b> <b>COUNCIL NAME:</b> CARDINIA SHIRE COUNCIL REF: <u>506/115</u> 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. <del>This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6</del> / / 3. <del>This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</del>  <b>OPEN SPACE</b> (i) A requirement for public open space under section 18 of the Subdivision Act 1988 <del>has/has not been made.</del> (ii) <del>The requirement has been satisfied.</del> (iii) <del>The requirement is to be satisfied in Stage</del> ..... Council Delegate <u>amurphy</u> Council Seal Date <u>8 109 12006</u>  <del>Re-certified under section 11(7) of the Subdivision Act 1988</del> Council Delegate Council Seal Date / /			
<b>Vesting of Roads or Reserves</b>					
Identifier		Council / Body / Person			
Nil		Nil			
<b>Notations</b>					
Depth Limitation: 15.24m below the surface.		Staging This is not a staged subdivision Planning Permit No. T030181			
Survey This plan is based on Survey This survey has been connected to permanent marks no(s) 58 & 64 In Proclaimed Survey Area No.					
<b>Easement Information</b>					LTO use only
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					Statement of Compliance/ Exemption Statement
AN APPURTENANT EASEMENT FOR WATER SUPPLY EXISTS IN FAVOUR OF LOT 1 ON THIS PLAN CREATED BY AN408800J.					Received <input checked="" type="checkbox"/>
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	DATE <u>9 / 12 / 010</u>
					LTO use only PLAN REGISTERED TIME: 12:06 PM DATE: 15/12/1010
					MARK SPENCE Assistant Registrar of Titles
					Sheet 1 of 2 sheets
NOBELIUS LAND SURVEYORS  P.O. BOX 461 PAKENHAM 3810 Ph 03 5941 4112 Fax 03 5941 7359 rob@nobelius.com.au		LICENSED SURVEYOR: R. P. NOBELIUS SIGNATURE <u>R. P. Nobelius</u> DATE <u>3 17 106</u> REF: 3891 VERSION A			<u>amurphy</u> DATE <u>8 9 106</u> COUNCIL DELEGATE SIGNATURE Original sheet size A3







**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 3.4 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.N.O.
- 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 THIS OFFICE FOR CLARIFICATION

**SITE CLASSIFICATION**

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

**STORMWATER**

- 90mmØ (UPTO 250m2) OR 100mmØ (OVER 250m2) CLASS 4 UPVC STORMWATER LINE LAID 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:	CARDINIA SHIRE
SEWERAGE AUTHORITY:	SOUTH EAST WATER
CONSULTING STRUCTURAL ENGINEER:	STRUCITERRE
GEOTECHNICAL ENGINEER:	STRUCITERRE
THERMAL PERFORMANCE ASSESSOR:	PASSIVENERGY

**STEP AND LANDINGS**

- STEP SIZES (OTHER THAN FOR SPIRAL STAIRS) TO BE:
  - RISERS (R) 190MM MAXIMUM AND 115MM MINIMUM
  - GOING (G) 355MM MAXIMUM AND 240MM MINIMUM
  - 2R + 1G = 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 SLIPRESISTANCE 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 400MM 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 BRACED 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 THIS OFFICE OF A SUBSTITUTE MATERIAL, WORK PRACTICE, VARIATION OR THE LIKE IS NOT AN AUTHORISATION 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.



**ARLINGTON 427 - LH (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 SOIL 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 BB 24.02.2023
B	PLAN CHANGES & INTERNALS ADDED - ISSUED BB 05.05.2023
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	

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**PROPOSED:**  
**HOUSE & GARAGE**

**HOUSE TYPE:**  
**ARLINGTON 427 - LH (MODIFIED)**

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**SIGNED BUILDER:**  
.....  
**SIGNED OWNER:**  
.....  
**DATE:**  
.....

**LOT ADDRESS:**  
**LOT 6, BLADENS ROAD**  
**KOO WEE RUP, 3981**

**DRAWING TITLE:**  
**GENERAL NOTES**

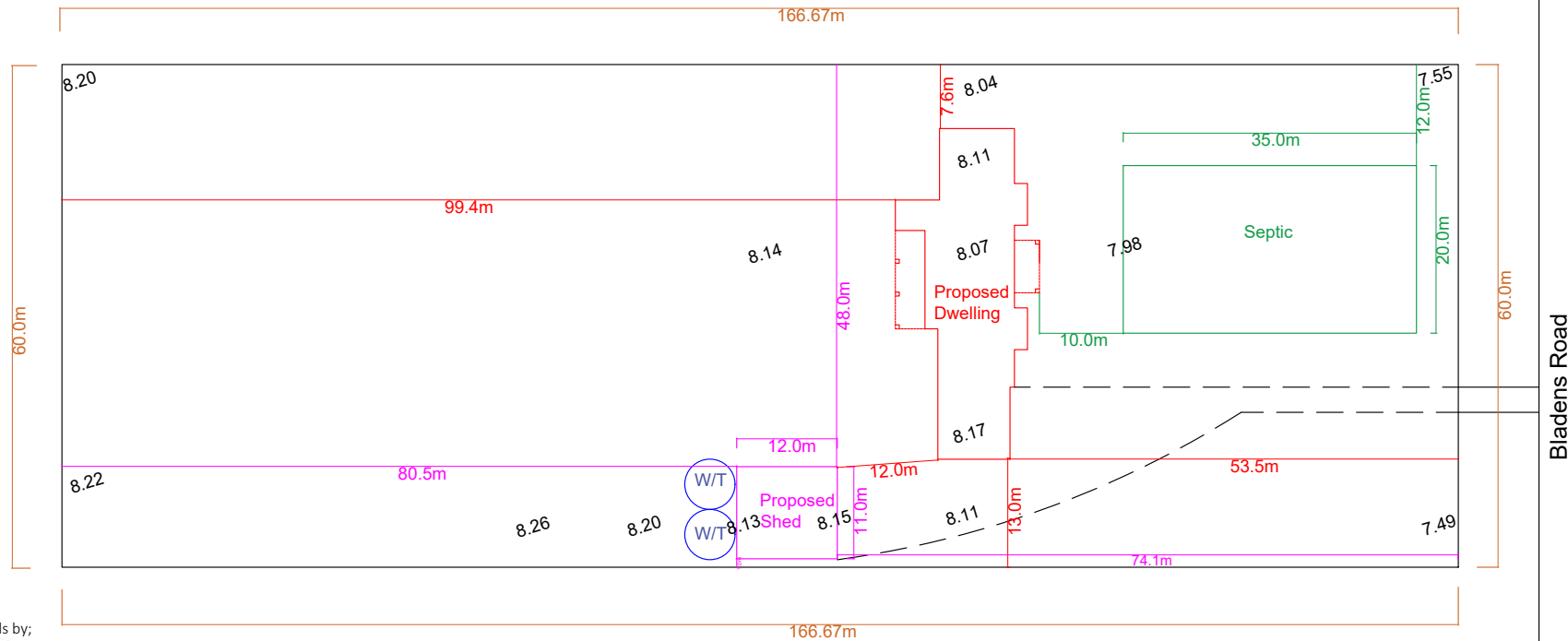
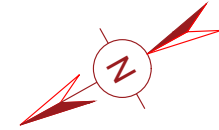
ISSUE: B	
ISSUE DATE: 05.05.2023	
SCALE:	MASTER DATE: 13.09.21
DRAWN: BB	CHECKED: TLG
SHEET NO: 01	OF: 14

All building works to be completed in accordance with: Building Act 1993 Regulations 2018, and Relevant Building Code of Australia

Stormwater to be discharged via 90mm Dia UPVC pipe to System, in accordance with Council's Requirements

575 Boundary Drain Lifestyle  
200 Bladens  
185 Bladens  
175 Bladens

Part of family Land  
195 x Lot 7 to West farm  
Lot 4 to East Farm



Levels by;

NOTE:

LEVELS SHOWN ON THIS PLAN

ARE TO A.H.D. BASED ON

KOO-WEE-RUP PM 58 (R.L. 8.187)

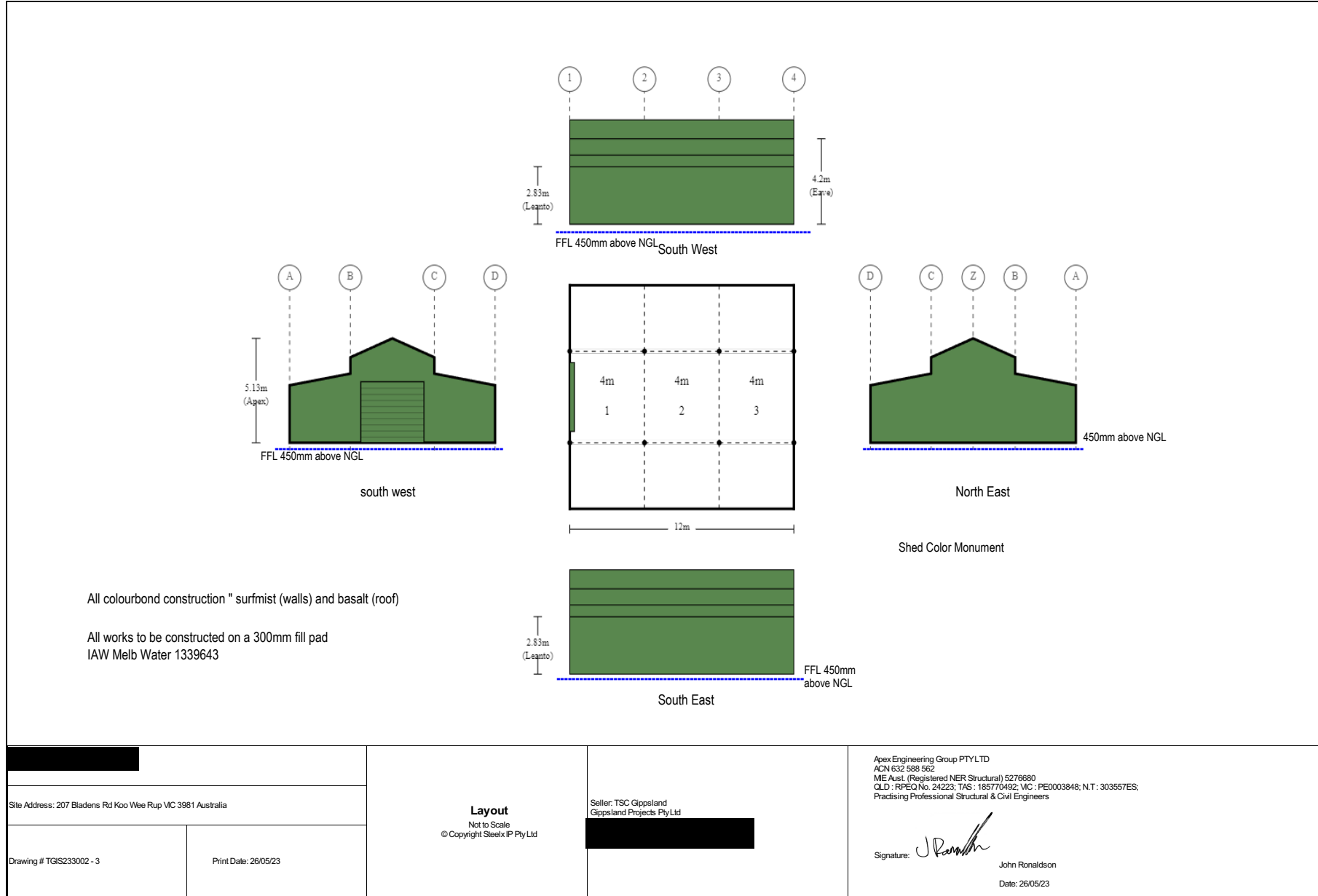
DRAWN BY: L.NOBELIUS

DATE OF SURVEY: 9/07/2021

SURV. REF. NO. 16104

Lot 6 is 55.0m Aprox N/W from Boundary Drain Road On Bladens Road

OWNER [REDACTED]	PROJECT ADDRESS 3460 Ballarto Road Koo Wee Rup	VOL 11245	FOL 862	PROPOSAL Dwelling & Shed	SITING <b>DWELLING</b> 7.64m to North-East Boundary 53.51m to East-South Boundary 12.89m to South-West Boundary 99.47m to North-West Boundary	<b>SHED</b> 48.0m to North East Boundary 12.0m to Proposed Dwelling (East-South) 1.0m to South-West Boundary 80.5m to North-West Boundary	PLANNING GWZ (1) LSIO	SCALE 1:500 (A3)
	LOT 6	PS 548050	DATE 13/11/2023	ISSUE -				



Site Address: 207 Bladens Rd Koo Wee Rup VIC 3981 Australia

Drawing # TGIS233002 - 3

Print Date: 26/05/23

**Layout**  
Not to Scale  
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Seller: TSC Gippsland  
Gippsland Projects Pty Ltd

Apex Engineering Group PTY LTD  
ACN 632 588 562  
ME Aust. (Registered NER Structural) 5276680  
QLD: RPEQ No. 24223; TAS: 185770492; VIC: PE0003848; N.T.: 303557ES;  
Practising Professional Structural & Civil Engineers

Signature: *J. Ronaldson*  
John Ronaldson  
Date: 26/05/23

**DRAINAGE NOTES:**

- SITE DRAINAGE SHALL COMPLY WITH NCC 3.1.2 DRAINAGE AND ASS300 NATIONAL PLUMBING DRAINAGE CODE.
- BASE OF CUTS GRADED TO SLOPE AT 1:100 MIN. DRAINS SHALL BE PROTECTED BY GRAVEL FILTERS.
- TEMPORARY DOWNPIPES CONNECTED TO THE STORM WATER SYSTEM TO BE INSTALLED AS SOON AS ROOF COVER IS COMPLETED.
- STORMWATER DRAINS ARE INDICATIVE ONLY. DRAINER TO CONNECT TO LEGAL POINT OF DISCHARGE AT THEIR DISCRETION.
- ▲ GRADE SURFACE AWAY FROM HOUSE FOOTINGS (MINIMUM FALL 1:20).
- GRATED INLET FIT CONNECTED TO STORMWATER SYSTEM DIRECTED TO LEGAL POINT OF DISCHARGE.
- PROVIDE AG DRAIN AT BASE OF CUT GRADED TO SLOPE AT 1:100 MIN.
- SILT FIT CONNECTED TO AG DRAIN & DIRECTED TO LEGAL POINT OF DISCHARGE VIA STORMWATER SYSTEM.

**BUSHFIRE REQUIREMENTS - BAL 12.5**

1. ALL JOINTS IN THE EXTERNAL WALL MATERIAL ARE TO BE SEALED COVERED OR OVERLAPPED TO PREVENT GAPS GREATER THAN 3mm.
2. GAPS BETWEEN DOORS AND DOOR JAMBS, HEADS, AND SILLS (THRESHOLDS ARE TO BE MAX 3mm); ALTERNATIVELY INSTALL DRAFT EXCLUDERS.
3. PROVIDE INTERNAL OR EXTERNAL SCREENS TO ALL OPENABLE PORTIONS OF WINDOWS. SCREENS SHALL HAVE MESH WITH A MAX. APERTURE OF 2mm. MADE OF CORROSION RESISTANT STEEL, BRONZE OR ALUMINIUM.
4. ENTRANCE & ALL EXTERNAL DOORS TO COMPLY WITH ONE OF THE FOLLOWING:
  - A. PROVIDE EXTERNAL SCREENS TO THE DOORS. SCREENS SHALL HAVE MESH WITH MAX. 2mm APERTURE AND MADE OF CORROSION RESISTANT STEEL, BRONZE OR ALUMINIUM.
  - DOORS MUST BE:
    - a. 30mm THICK SOLID TIMBER FOR THE FIRST 400mm ABOVE THRESHOLD, OR
    - b. BE PROVIDED WITH A NON-COMBUSTIBLE FICK PLATE ON THE OUTSIDE FOR THE FIRST 400mm ABOVE THE THRESHOLD
    - c. MUST BE TIGHT FITTING TO THE DOOR FRAME
    - d. PROVIDE BUSHFIRE RESISTANT TIMBER TO PART OF THE DOOR FRAME WHICH IS LESS THAN 400mm FROM THE GROUND. INSTALL WEATHER STRIPS, DRAUGHT EXCLUDERS/SEALS TO THE BASE OF THE DOORS.
5. PROVIDE EXTERNAL GLASS SLIDING DOORS WITH ONE OF THE FOLLOWING MEASURES:
  - A. PROVIDE EXTERNAL SCREENS WITH A MAX. APERTURE OF 2mm MADE OF CORROSION RESISTANT STEEL, BRONZE OR ALUMINIUM
  - GLAZING TO BE MIN 5mm SAFETY GLASS. DOOR FRAME SHALL BE METAL OR BUSHFIRE RESISTANT TIMBER AND SLIDING DOORS MUST BE TIGHT FITTING IN THE FRAMES.
6. GARAGE ROLLER/PANEL LIFT DOOR TO BE PROTECTED WITHIN 100mm OF GROUND WITH ONE OF THE FOLLOWING MEASURES:
  - A. NON-COMBUSTIBLE MATERIAL OR
  - B. BUSHFIRE RESISTANT TIMBER OR
  - C. MIN 6mm THICK FC SHEET
7. GARAGE DOOR TO BE FITTED WITH WEATHER STRIPS, DRAUGHT EXCLUDERS/SEALS OR GUIDE TRACKS WITH MAX. 3mm GAP. ROLLER DOOR SHALL HAVE A NYLON BRUSH WHICH IS IN CONTACT WITH THE DOOR.
8. ROOF SHALL BE FULLY SARKED, INCLUDING RIDGE AND EXTENDED TO FASCIAS AND GUTTERS.
9. ROOF PENETRATIONS TO BE SEALED WITH NON-COMBUSTIBLE MATERIAL TO PREVENT GAPS GREATER THAN 3mm.
10. ANY ROOF OPENINGS, VENT PIPES ECT. ARE TO BE FITTED WITH BARBER GUARDS WITH MAX. 2mm APERTURE AND MADE OF CORROSION RESISTANT STEEL, BRONZE OR ALUMINIUM.
11. ANY ABOVE GROUND, EXPOSED WATER & GAS SUPPLY LINES TO BE METAL.

WHERE APPLICABLE, THE PROPOSED DEVELOPMENT MUST COMPLY WITH ANY BUSHFIRE MANAGEMENT PLAN REQUIREMENT.

**POWER FEED-IN TO DWELLING:**  
PROVIDE THREE PHASE POWER TO DWELLING

BUILDERS TO ALLOW FOR NBN CONNECTION (FIBRE OPTIC)

SITE COVERAGE ANALYSIS		
BUILDING AREA	459.03 m <sup>2</sup>	4.59%
PERMEABLE AREA	9541.17 m <sup>2</sup>	95.41%
TOTAL SITE AREA	10000.20 m <sup>2</sup>	100%

**SITE CUT/FILL LEGEND & NOTES**

- DENOTES AREA OF SITE CUT
- DENOTES AREA OF SITE FILL

**PRELIMINARY SITE PLAN NOTES**

THIS SITING IS SUBJECT TO THE FOLLOWING:

- SOIL REPORT & SURVEY
- CLEAR COPY OF TITLE
- EASEMENT DETAILS (IF APPLICABLE)
- FALL OF LAND
- RES-CODE REQUIREMENTS
- DEVELOPER APPROVAL (IF APPLICABLE)
- COUNCIL BUILDING REGULATIONS

IMPORTANT NOTE : SITING MAY ALTER TO SUIT

**NOTE:**

PENETRATIONS THROUGH THE SISALATION PAPER ARE TO BE TAPED AROUND CAREFULLY TO ENSURE ANY GAPS ARE SEALED.

**NOTE:**

BUILDER RESERVES THE RIGHT TO ALTER THE SITE CUT HEIGHT TO THEIR DISCRETION, PENDING CONDITIONS ON SITE

**SITE SCRAPER NOTE**

SCRAPE SITE TO REMOVE ALL SURFACE VEGETATION & PROVIDE LEVEL BUILDING PLATFORM. PROVIDE ADDITIONAL SCRAPER TO GARAGE TO ACCOMMODATE A 86 mm STEPDOWN. NOTE: 45 ° BATTER ANGLE

**STORMWATER LAYOUT**

STORMWATER DRAIN LAYOUT IS FOR INDICATIVE PURPOSES ONLY & WILL BE INSTALLED AS PER THE DRAINAGE SUB-CONTRACTORS DISCRETION.

**TERMITE TREATMENT REQUIRED**

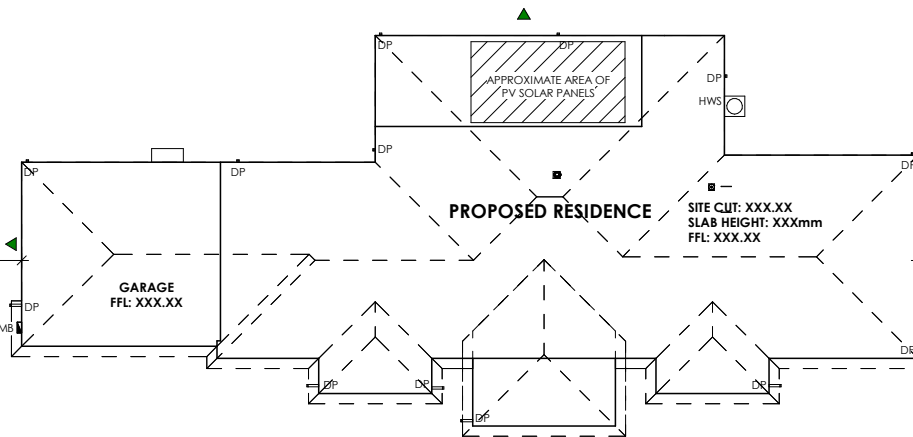
PROVIDE TERMITE TREATMENT IN ACCORDANCE WITH AS 3660

**EXTERNAL STEPS**

PROVIDE STEPS OR BUILD UP SOIL AROUND EXTERNAL DOORS WHERE THRESHOLD OF THE DOOR EXCEEDS 190MM

166.67m 28°11'00"

12890 (SETOUT)



LOT 6  
(10,000 SQM)

LOT 4

166.67m 208°11'00"



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info@sjdhomes.com.au

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PROPOSED:  
**HOUSE & GARAGE**

HOUSE TYPE:  
**ARLINGTON 427 - LH (MODIFIED)**

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SIGNED BUILDER:  
.....

SIGNED OWNER:  
.....

DATE:  
.....

SITE ADDRESS:  
**LOT 6, BLADENS ROAD  
KOO WEE RUP, 3981**

DRAWING TITLE:	
<b>SITE PLAN</b>	
ISSUE: B	
ISSUE DATE: 05.05.2023	
SCALE: 1 : 200	MASTER DATE: 13.09.21
DRAWN: BB	CHECKED: TLG
SHEET NO: 02A	OF: 14

2025

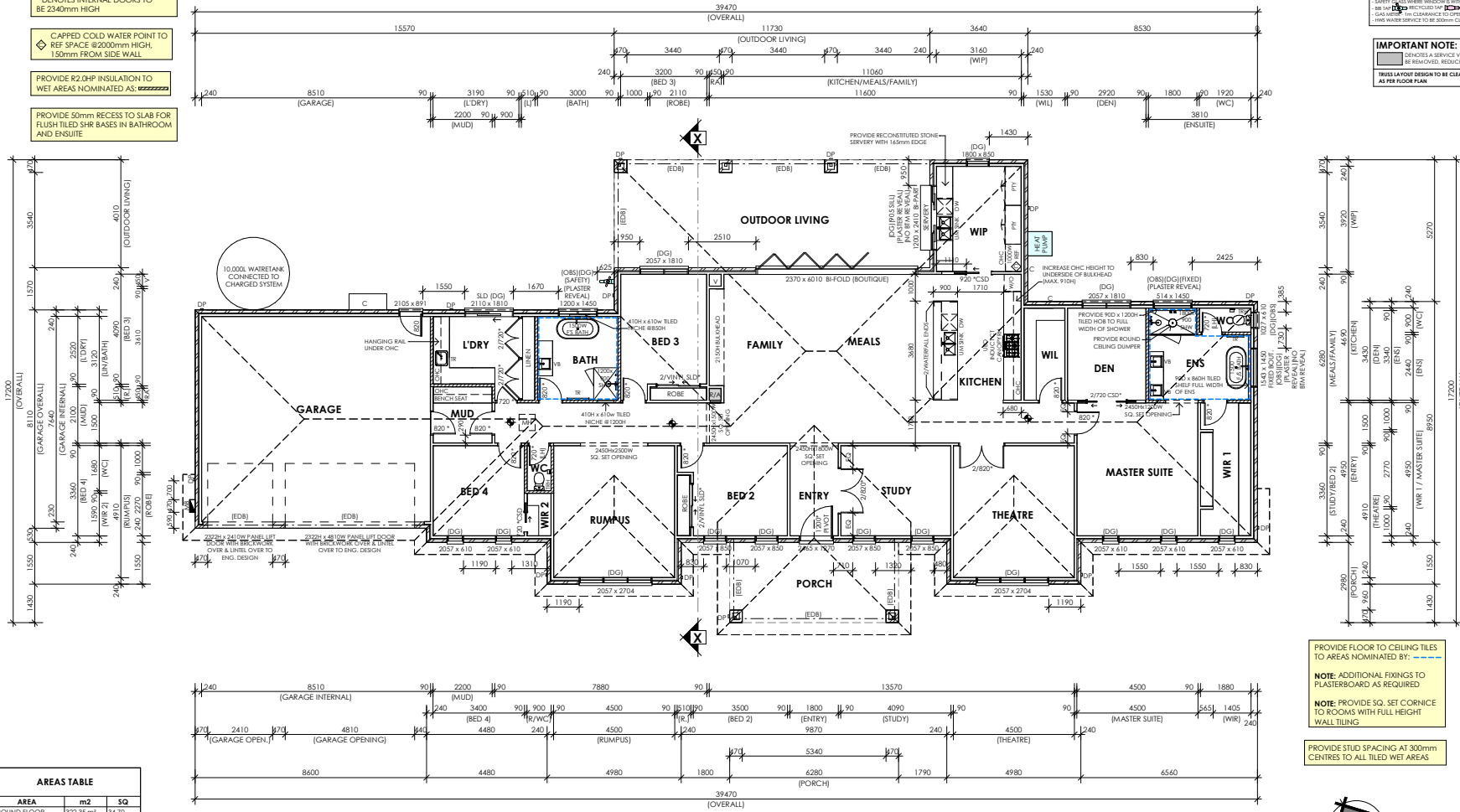


5.1.2

- DENOTES INTERNAL DOORS TO BE 2340mm HIGH
- ◇ CARPED COLD WATER POINT TO BEF SPACE 800/0mm HIGH, 150mm FROM SIDE WALL
- PROVIDE R2.0HP INSULATION TO WET AREAS NOMINATED AS: [Symbol]
- PROVIDE 50mm RECESS TO SLAB FOR FLUSH TILED SHR BASES IN BATHROOM AND ENSUITE

- GENERAL NOTES**
- 1. WRITE UP CHANGES ALWAYS TAKE PREFERENCE OVER SCALE
  - 2. BARRER MAY ADJUST QUANTITY AND/OR HEIGHT ON SITE AS REQUIRED
  - 3. ALL WALL FINISHINGS ARE TO BE REVEALED
  - 4. EXTERNAL SIGNING TO BE REVEALED, 40 CARRY, 90 DEG
  - 5. INTERNAL SIGNING TO BE REVEALED
  - 6. ALL INTERNAL DOORS TO BE SHOWN 2340mm HIGH WITH ADDRESS
  - 7. PROVIDE REMOVABLE HINGES TO BATHROOM & POWDER
  - 8. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 9. PROVIDE WEATHER ACCESS TO REAR SERVICE LOCATIONS
  - 10. SMOKE DETECTOR INTERCONNECTED WITH BATTERY BACKUP
  - 11. CEILING FINISHES TO BE REVEALED WITH LIGHT
  - 12. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 13. DOUBLE GLAZING (DGL) TO BE PROVIDED TO ALL WINDOWS
  - 14. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 15. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 16. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 17. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 18. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 19. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR
  - 20. PROVIDE WEATHER STRIPS TO FRONT IN ENTRY DOOR

- IMPORTANT NOTE:**
- 1. DENOTES A SERVICE VOID SPACE THAT CANNOT BE REMOVED, RELOCATED OR RECONFIGURED
  - 2. THESE VOID SPACES ARE TO BE CLEAR OF ALL VOID LOCATIONS AS PER FLOOR PLAN



**AREAS TABLE**

AREA	m2	SQ
GROUND FLOOR	322.35 m <sup>2</sup>	34.70
SUB TOTAL:	322.35 m <sup>2</sup>	34.70
OUTDOOR LIVING	17.04 m <sup>2</sup>	1.58
GARAGE	70.93 m <sup>2</sup>	7.43
PORCH	18.72 m <sup>2</sup>	2.01
SUB TOTAL:	136.68 m <sup>2</sup>	14.71
<b>GRAND TOTAL:</b>	<b>459.03 m<sup>2</sup></b>	<b>49.41</b>

- PROVIDE FLOOR TO CEILING TILES TO AREAS NOMINATED BY: [Symbol]
- NOTE: ADDITIONAL FIXINGS TO PLASTERBOARD AS REQUIRED
- NOTE: PROVIDE SQ. SET CORNICE TO ROOMS WITH FULL HEIGHT WALL TILING
- PROVIDE STUD SPACING AT 300mm CENTRES TO ALL TILED WET AREAS



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BL No. CD8-U 56523  
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**PROPOSED:**  
**HOUSE & GARAGE**

**HOUSE TYPE:**  
**ARLINGTON 427 - LH (MODIFIED)**

**IMPORTANT NOTE: SHEET SIZE IS A2**

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**SIGNED BUILDER:** [Redacted]

**SIGNED OWNER:** [Redacted]

**DATE:**

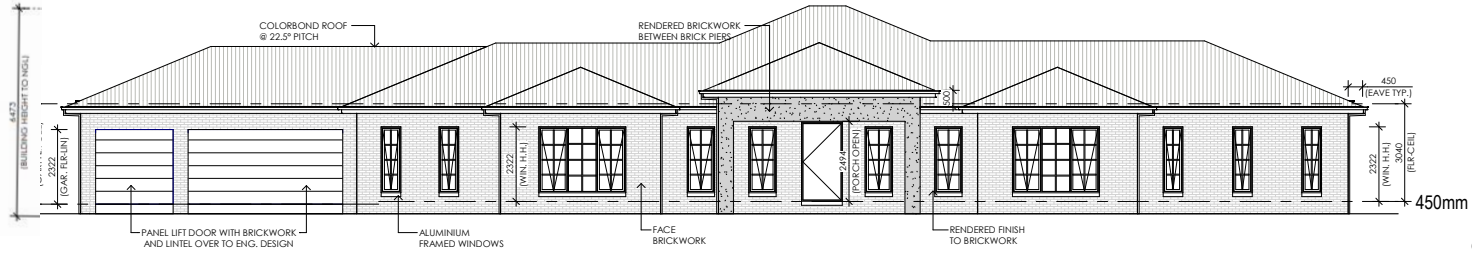
**DRAWING TITLE:**  
**GROUND FLOOR PLAN**

ISSUE: B	ISSUE DATE: 05.05.2023	MASTER DATE: 13.09.21
SCALE: 1:100	DRAWN: BB	CHECKED: TLG
SHEET NO: 03	OF: 14	



**2025**  
**EXTERNAL DOOR THRESHOLDS:**  
THRESHOLDS OF EXTERNAL DOORS TO BE NO GREATER THAN 230mm ABOVE THE ADJOINING SURFACE

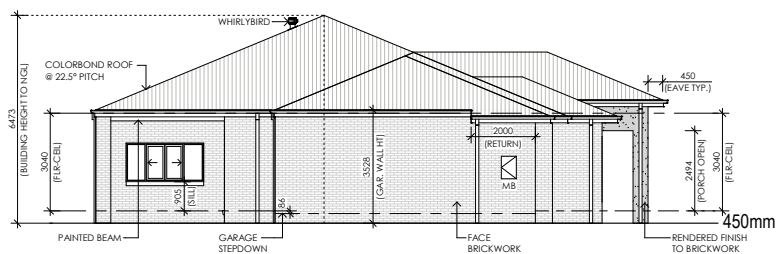
 RENDERED BRICKWORK



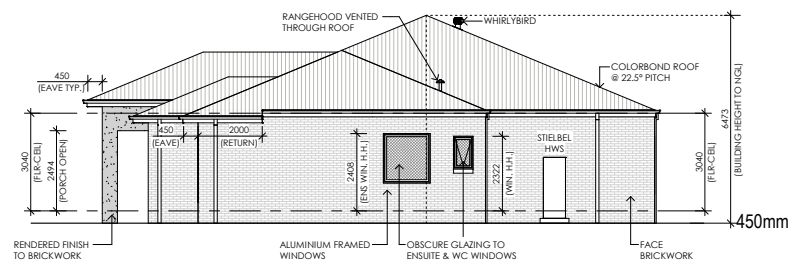
**ELEVATION A - SOUTH WEST** AHD level approx 7.98  
1 : 100



**ELEVATION C - NORTH EAST** AHD level approx 8.07  
1 : 100



**ELEVATION B - NORTH WEST**  
1 : 100



**ELEVATION D - SOUTH EAST**  
1 : 100

**colour schedule**

Overland Pristine – Freycinet - Bricks



Roof – Basalt  
Trim – Basalt  
Garage – Basalt  
Windows – Black

18440 FOR OFFICE USE ONLY



433 Princes Hwy  
Officer VIC 3809  
Ph: 9095 8000  
Fax: 9095 8010  
info@sjdhomes.com.au  
BL No. CD8-U 56523  
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**PROPOSED:**  
**HOUSE & GARAGE**

**HOUSE TYPE:**  
**ARLINGTON 427 - LH (MODIFIED)**

**IMPORTANT NOTE: SHEET SIZE IS A2**

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SIGNED BUILDER: \_\_\_\_\_  
SIGNED OWNER: \_\_\_\_\_  
DATE: \_\_\_\_\_

SITE ADDRESS:  
**LOT 6, BLADENS ROAD  
KOO WEE RUP, 3981**

<b>DRAWING TITLE:</b> <b>ELEVATIONS</b>	
ISSUE: B	ISSUE DATE: 05.05.2023
SCALE: 1 : 100	MASTER DATE: 13.09.21
DRAWN: BB	CHECKED: TLG
SHEET NO: 04	OF: 14



**T230359 - Lot 6 Bladens Rd**  
**( 3460 Ballarto Rd) – Koo Wee Rup -**  
**development of the land for a dwelling, domestic outbuilding**

-----

This statement has been prepared in support of the proposed development of the land at Lot 6 Bladens Rd (3460 Ballarto Rd) Koo Wee Rup, for the construction of a dwelling and outbuilding on the land, which is approx. 1 HA in size, and is one of 8 titles and is currently being used solely for farming purposes. It is proposed to continue this use at (lot 6) 3460 Ballarto Rd which is located in the rural area of Koo Wee Rup and sited approx. 500m east of the intersection with the Main Drain Rd and the North side of Bladens Rd. The land is in an area of Green Wedge Zone

**Background**

This 1HA block of land is part of the farm known as 3460 Ballarto Rd Koo Wee Rup for which the owners parents/in-laws have farmed this land for over 50 years.

Now that his parents are heading into their mature years the owners of this parcel of land have returned to the area to learn the farming way of life and to help family on the land

The farm size is approx. 64HA overall and is currently run by just the owner – he is very happy to see his son coming to learn the trade

At 1HA in size the land cannot be used for commercial gain, however as it is “on” the land currently being farmed he can walk to work and learn his new trade.

While not viable for commercial use due to its size, this land is crucial for family members to support farming activities, including calf rearing and land management as the owners are heading into their mature ages

This lot is facing Bladens Road and is located on the north side approx. 80m west of the Boundary Drain Rd.

It is rectangular in size and approx. 100m long

This move by the younger members of the family marks a continuation of our family's farming legacy and strengthens the farm's operational capacity.

**STATE PLANNING POLICY FRAMEWORK (SPPF)**

**17.05 Agriculture**

**17.05-1 Objective**

To ensure that the State's agricultural base is protected from the unplanned loss of high quality productive agricultural land due to permanent changes of land use and to enable protection of productive farmland which is of high quality and strategic significance in the local or regional context.

Version 1 12 October 2023  
Version 2 19 March 2024



**T230359 - Lot 6 Bladens Rd**  
**( 3460 Ballarto Rd) – Koo Wee Rup -**  
**development of the land for a dwelling, domestic outbuilding**

The owners of Lot 6 plan to assist their family by looking after the cattle in calve and will house them on the land – this will allow them as the younger generation to take better care of the calving cows and their young once born before they then return to the main herd. During the off season and around calving time the family they plan to run a few sheep, alpacas and chickens to provide food for the table and to provide a learning experience for their children as well (to help later in life)

**LOCAL PLANNING POLICY**

14.01 AGRICULTURE.

Objective

To protect the state’s agricultural base by preserving productive farmland

The owners of Lot 6 plan to assist their family by looking after the cattle in calve and will house them on the land – this will allow them as the younger generation to take better care of the calving cows and their young once born before they then return to the main herd. They also plan to enlarge on the farming practice with sheep, and alpaca’s which will be used to breed off.

**Clause 22-05 Western Port Green Wedge Policy - Precinct 1**

Vision - 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

Opportunities for new, innovative or more intensive agriculture and horticulture and soil-based food production will be supported to ensure that the rich agricultural potential of the precinct is realised.

It will integrate biodiversity and agricultural outcomes by recognizing ecosystem services which can improve agricultural efficiency.

Opportunities for linking the community with the local agricultural and horticultural industry will be identified and promoted to help establish food-based tourism within the precinct.

The owners of Lot 6 plan to enrich the horticultural duties and additionally provide food bowl of the area and take food for their table off the land whilst also assisting with the larger farm and raising the calves to an age when they can return to the herd. This is important as they will be closer and more easily able to tend to any episode when a cow could be at risk

Amended notes added

The proposed calving on this site is to allow the owners of 3460 Ballarto Rd – to enjoy their life as they head into retirement – The process of calving can be at any time of the day or night and involves ensuring that the cow does not come to harm whilst calving and similarly the calve is born well and

Version 1 12 October 2023

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”

2



**T230359 - Lot 6 Bladens Rd**  
**( 3460 Ballarto Rd) – Koo Wee Rup -**  
**development of the land for a dwelling, domestic outbuilding**

healthy – this works can involve a lot of physical activity and hence the reason why the younger members of the family (his daughter and son in law with grandchildren)

the rear section of this lot and some of the land next door has been set aside for this part of the farm operation and when not calving the land is able to rest and regenerate for the next breeding cycle

closer to the house – the owners plan to plant to allow them to be self sustaining for the most part of the time

Fruit trees and vegetables can be planted and should do well on this land. Due to the wet conditions over the winter period much of this corner of the land is not usable but it is fortunate that the calves do not arrive during the wet months

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

**3.1.7 Flooding.**

Floods are a threat to human safety, causing damage to property and livestock. Thus, flood-prone land should not be used for intensive development, but should be retained for land use such as grazing, where stock can be moved to higher ground in times of increased hazard.

Lots 6 had earth filling which has since been removed under the request of Cardinia Shire and Melbourne Water. This area was/is low with distinct areas of pondage. The drains were sharp and deep to gravity feed water to Bladens Drain. The drains presented a danger to tractors, and failed to drain the pondage zones.

The installation of the new septic waste system will be under the approval of the Municipal Health Officer in due course. This LCA under 3.1.9 suggests that this is possible with good practice.

**3.1.12 Site drainage**

Site drainage is influenced by soil type, soil permeability, and steepness of slope, slope shape, rainfall and position in the landscape. For most land uses it is important that water flows freely from the site, since poor site drainage can result in the land becoming waterlogged and boggy, inhibiting plant growth, damaging roads and buildings through subsidence, and reducing the capacity of the area to dispose of effluent. Special works or higher levels of management may be necessary to overcome poor site drainage and this will add to the cost of development and production.

The dwelling and outbuildings will be constructed on an area which will be filled to give the dwelling a 450mm FFL above the NGL. Plans submitted have included spot levels as prepared by a Registered Land Surveyor in conjunction with the provisions of the LSIO which also covers the land.

Melbourne Water have provided pre planning advice for this land and this has been reflected in the plans provided



**T230359 - Lot 6 Bladens Rd**  
**( 3460 Ballarto Rd) – Koo Wee Rup -**  
**development of the land for a dwelling, domestic outbuilding**

Existing access with farm gate to Lot 6



End of statement

Version 1 12 October 2023  
Version 2 19 March 2024



**T230359 - Lot 6 Bladens Rd**  
**( 3460 Ballarto Rd) – Koo Wee Rup -**  
**development of the land for a dwelling, domestic outbuilding**

Version 1 12 October 2023  
Version 2 19 March 2024

5



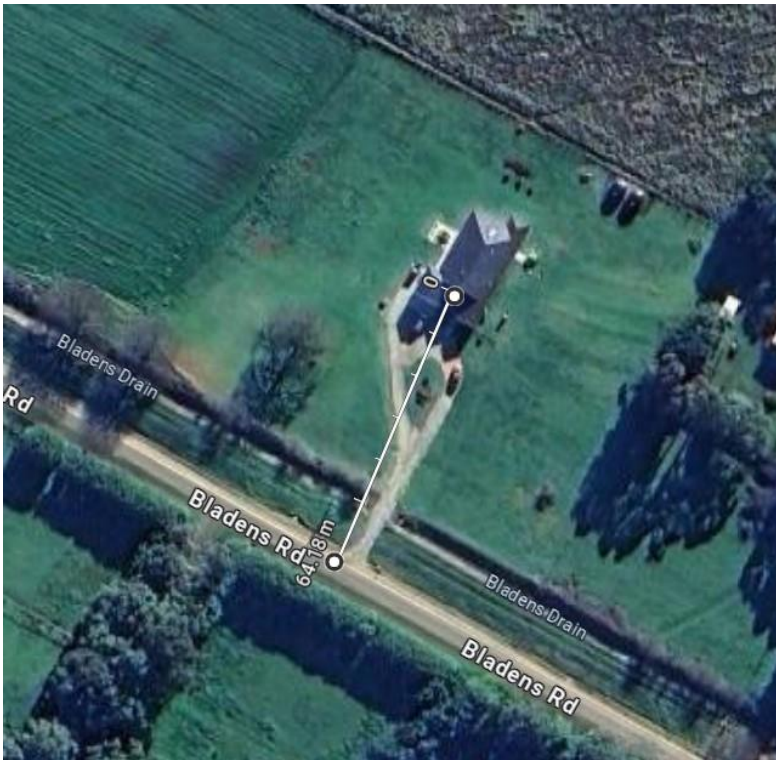
225 Bladens Rd – Koo Wee Rup – comparsion setbacks



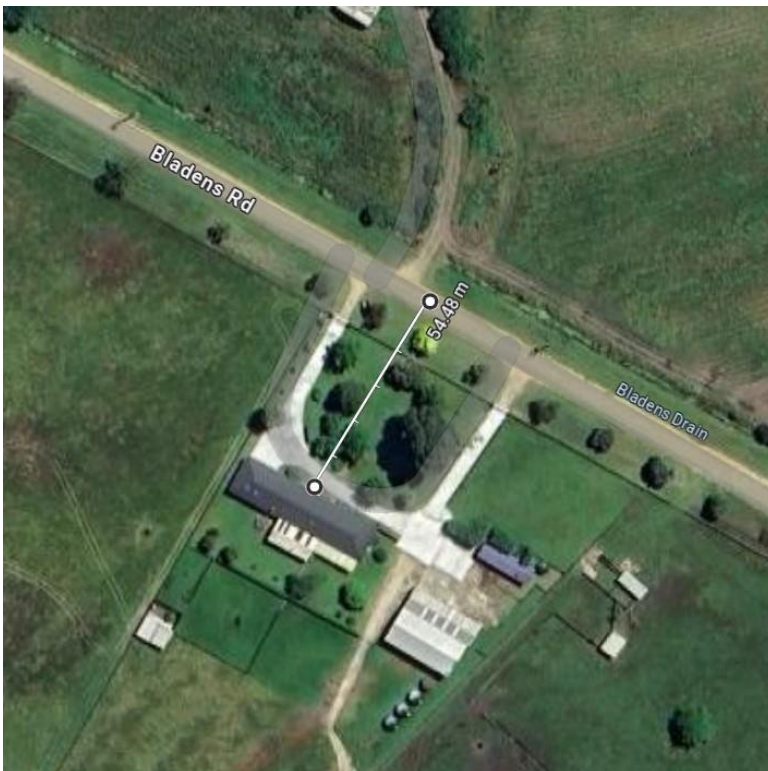
145 Bladens Rd – 100m setback land size 21HA



175 Bladens Rd 70m setback land size 1HA (closest neighbour)



85 Bladens Rd 65m setback Land Size 15HA



450 Main Drain Rd South 55m setback land size 8HA

## PLANNING PROPERTY REPORT



From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 19 April 2023 08:24 AM

### PROPERTY DETAILS

Lot and Plan Number: **Lot 6 PS548050**  
 Address: **3460 BALLARTO ROAD KOO WEE RUP 3981**  
 Standard Parcel Identifier (SPI): **6\PS548050**  
 Local Government Area (Council): **CARDINIA** [www.cardinia.vic.gov.au](http://www.cardinia.vic.gov.au)  
 Council Property Number: **4054954400 (Part)**  
 Planning Scheme: **Cardinia** [Planning Scheme - Cardinia](#)  
 Directory Reference: **Vicroads 96 A4**

This parcel is one of 9 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

### UTILITIES

Rural Water Corporation: **Southern Rural Water**  
 Melbourne Water Retailer: **South East Water**  
 Melbourne Water: **Inside drainage boundary**  
 Power Distributor: **AUSNET**

### STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**  
 Legislative Assembly: **BASS**

### OTHER

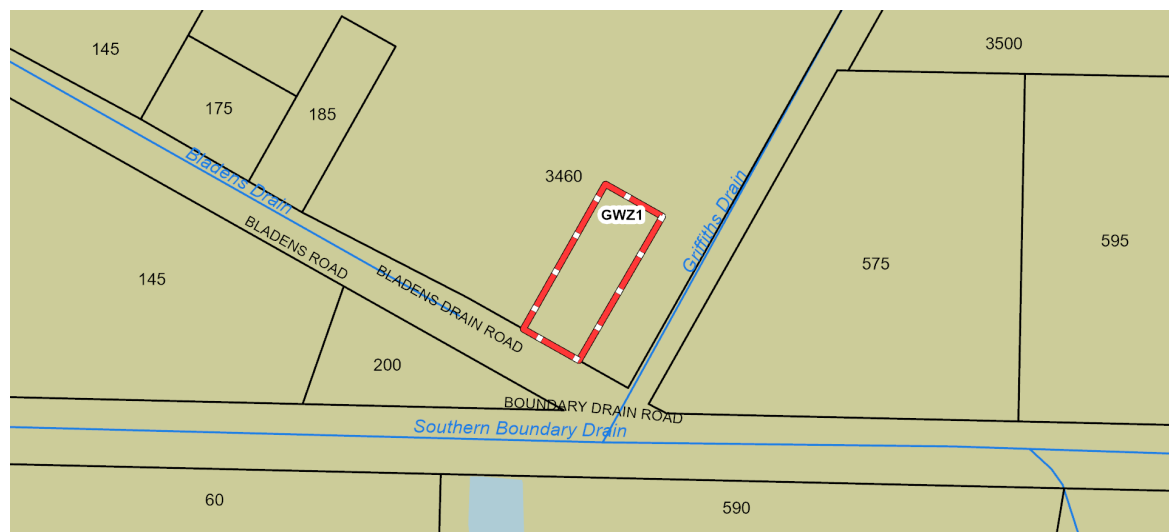
Registered Aboriginal Party: **Bunurong Land Council Aboriginal Corporation**

[View location in VicPlan](#)

### Planning Zones

[GREEN WEDGE ZONE \(GWZ\)](#)

[GREEN WEDGE ZONE - SCHEDULE 1 \(GWZ1\)](#)



GWZ - Green Wedge
  Water area
  Water course

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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PLANNING PROPERTY REPORT: Lot 6 PS548050

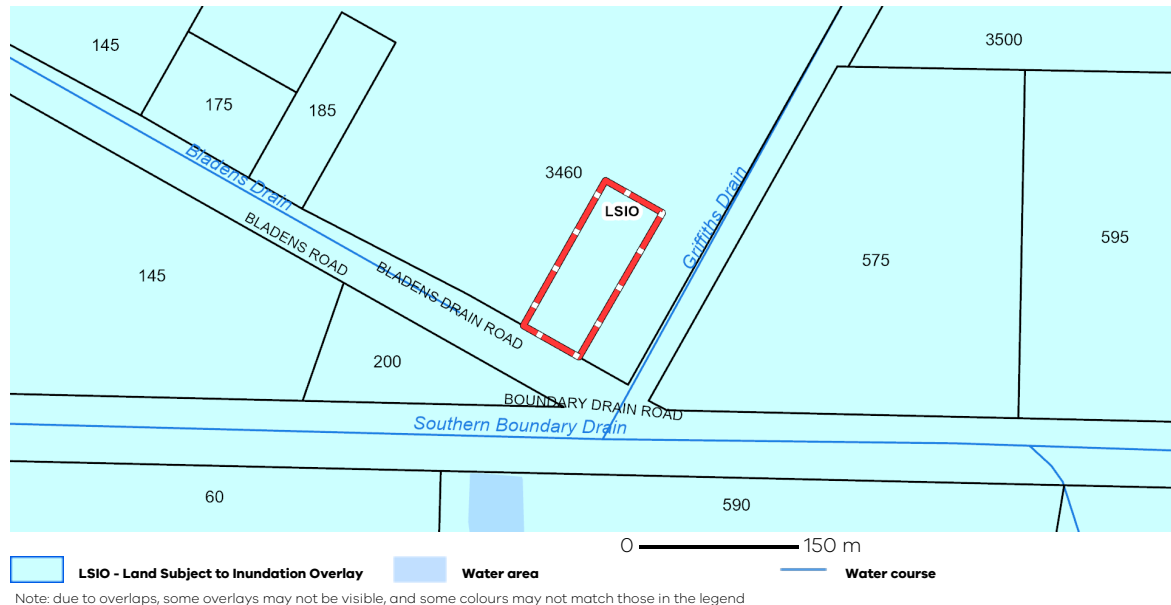
Page 1 of 3

PLANNING PROPERTY REPORT



Planning Overlay

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)  
 LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIOS)



Further Planning Information

Planning scheme data last updated on 13 April 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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**PLANNING PROPERTY REPORT**



**Designated Bushfire Prone Areas**

**This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

**Native Vegetation**

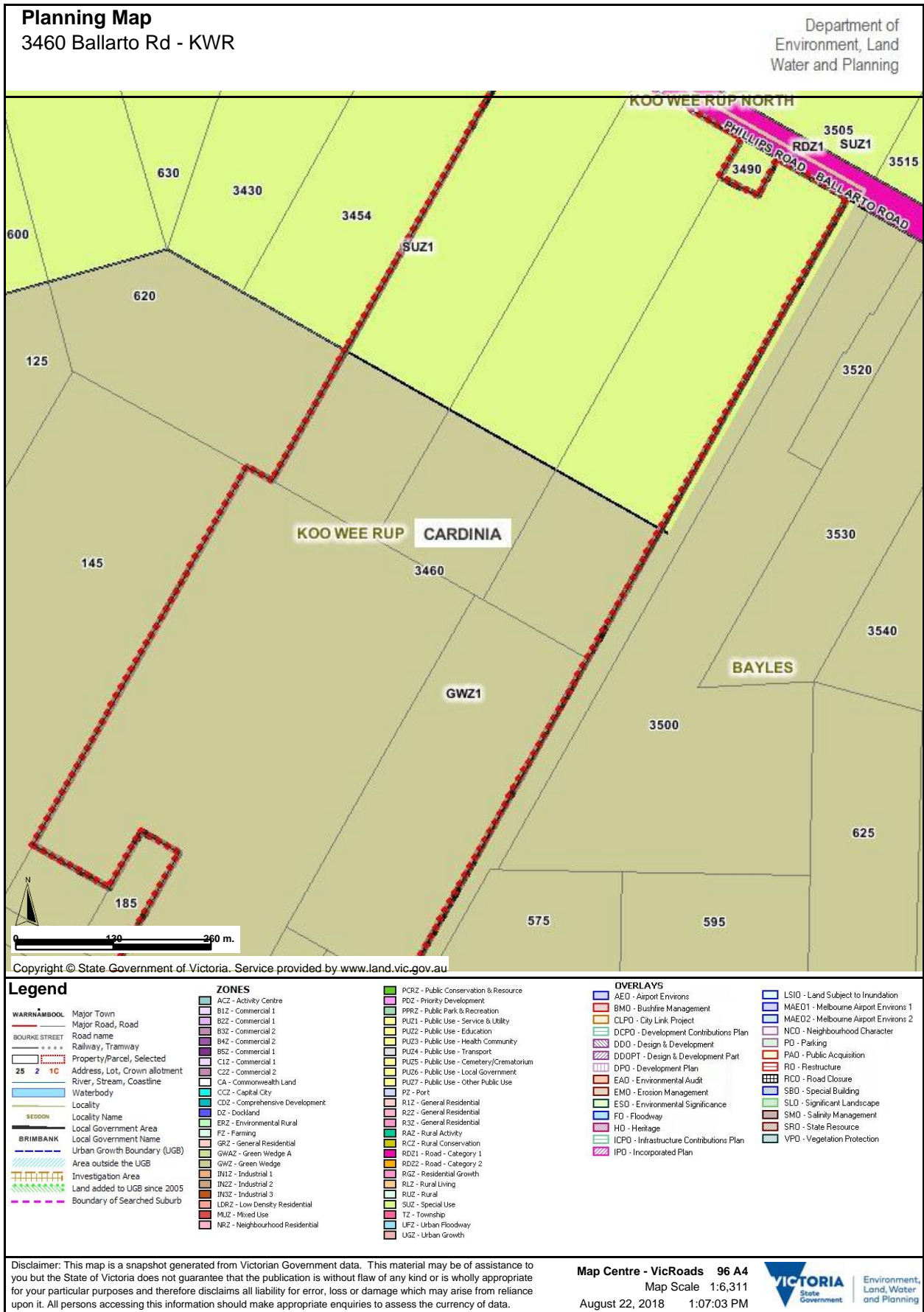
Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#).

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

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A & J Hodgson  
3460 Ballarto Rd  
Koo Wee Rup

Lot 2 dwelling and outbuildings (farming)

— Approx. build envelope in Lot 2

March 2018 - SUZ of lot 1,2,3





Michael Bartlett & Genevieve Hodgson  
Lot 6/3460 Ballarto Road (Bladens Rd)  
Koo Wee Rup

New Dwelling & Shed

15/02/2023





Existing access to the land known as Lot 6 225 Bladens Rd KWR



# FARM MANAGEMENT PLAN

**Address:** 225 Bladens Road

**Local Government (Council):** Cardinia Council

225 Bladens Road, Koo Wee Rup

20 May 2024

**EXECUTIVE SUMMARY:**

The proposed agricultural enterprise on our 2.5-acre property aligns with effective land management principles and supports the goals of the Cardinia Council's Green Wedge zone. Our experience comes from the [REDACTED] side of the family, as [REDACTED] has been born and raised on this property rearing cattle. Our long-term goals include ensuring [REDACTED] parents can retire without worrying about the farm, land, and newborn cattle.

The specific agricultural enterprises we will focus on include:

- Cattle Rearing: Particularly focusing on young calves that [REDACTED] parents can no longer manage.
- Poultry: Raising chickens for eggs.
- Greenhouse: Growing seedlings to plant trees and vegetation as windbreaks.
- Blueberry Bushes: Harvesting blueberries for 'farm to gate' sales.

This development will provide significant contributions to the overall viability and sustainability of the farm, enhancing agricultural productivity and supporting family values.

**INTRODUCTION:**

This Farm Management Plan has been requested by the Cardinia Council to address the requirements for a planning permit. Our key goals for the property are to maintain and add to the larger family-owned land, ensuring its agricultural productivity while raising our family with strong farm-based values.

[REDACTED] comes from a lineage of farmers. Her parents have owned this 100-acre property for approximately three to four decades. We are moving back to assist them in their elder years and to pass down the farming lifestyle to our children, providing for them as [REDACTED] parents provided for her.

**PROPERTY LAND USE HISTORY AND ZONING:**

The property is located within the Cardinia Council's Green Wedge zone, an area designated to balance agricultural activities with environmental conservation. Historically, this land has been used for agricultural purposes, primarily cattle rearing, by the [REDACTED] family for approximately three to four decades.

[REDACTED] parents have owned and expanded this land, ensuring its agricultural productivity and contributing to its rich family history. Before their ownership, the land was managed by their parents, establishing a multi-generational legacy of farming and land stewardship.

The current zoning as a Green Wedge area is crucial for protecting the region's agricultural and environmental assets. This zoning supports activities such as soil-based food production, horticulture, and other forms of sustainable agriculture, aligning with our long-term goals for the property.

**METHOD:**

**Data and Literature Review:**

No specific data reviews or external research were conducted for our property. The land has been owned and managed by [REDACTED] parents for decades, and we are moving back onto it as a small subdivision to assist them with their farm duties and to establish our own agricultural endeavors.

**Field Survey:**

We have performed an LCA (Land Capability Assessment) and soil tests to evaluate the flora, fauna, and environmental features of the property. These tests have provided valuable insights into the soil quality and the types of vegetation that can be supported on our land. Specific data from these assessments can be provided upon request to support the details of this plan.

**Background in Land Management:**

While we do not have formal backgrounds in land management, [REDACTED] parents have extensive experience managing this property. Their expertise and guidance will be invaluable as we undertake our farming activities. We aim to build on their legacy and contribute to the sustainability and productivity of the land.

**PROPERTY CHARACTERISTICS:**

**Climate:**

The property is located in a Green Wedge zone and designated as a fire-prone area. It has an overlay of LS10. Anticipated wastewater is 1080 liters per day, with the property featuring four bedrooms and a study (the theater room is not included as a bedroom in the LCA). The climate conditions include good evaporation, minor drainage issues, and minor erosion and landslip concerns. Exposure is favorable, and flooding is a 1 in 100-year event with moderate constraints requiring mitigation measures. Groundwater has not been encountered at a depth of 5 meters, with minor constraints and no required mitigation measures.

**Landform and Geology:**

The landform has a slight slope, with no rock outcrops encountered. The property experiences minor runoff and run-on, with a slope under 5%. Surface waters include a nearby drain with vegetation consisting of grass. The entire block is covered by LS10, and flood mitigation devices such as buoyant resistant tanks, raised vents, and maintenance tubes are recommended. The minimum setback from the drainage strain is 30 meters for secondary treatment and 60 meters for primary.

**Soils:**

Based on soil tests, the soil has an Emerson aggregate class of category 5, with rock fragments under 10%. The soil depth is 1.5 meters, with a water table depth of under 5 meters not encountered. Soil permeability and design loading rates are classified as category 5, with a pH of 5.2. The geotechnical land capability assessment (conducted on 23 November 2023) reveals that the topography of the land is essentially level, with fair soil drainage. Two boreholes terminated at 1.5 meters each show clayey silt fill (grey, medium dense dry) at 100 millimeters, transitioning to clayey silt (grey dry firm) at 1000 millimeters, and silty clay (brown orange, medium to high plasticity, stiff to very stiff dry) at 1500 millimeters.

**Topographic Features:**

The property features a slight slope and is essentially level with minor topographic variations. The mean monthly rainfall is 774.2 millimeters. Estimated daily water usage for six people is 1080 liters.

**Agricultural Potential:**

The land's agricultural potential is strong, supported by its soil characteristics and suitability for

various crops and livestock activities. The classification of the land and soil tests indicate that the property is well-suited for sustainable agricultural practices.

**VEGETATION ASSESSMENT:**

**Types of Native Vegetation:**

The property is predominantly covered with native grasses and weeds of low biodiversity value. The native vegetation is mainly comprised of common grasses with minimal significant biodiversity.

**Weeds:**

The property is also home to various weeds, which include:

- Cat's ear (*Hypochaeris radicata*)
- Cape weed (*Arctotheca calendula*)
- Onion grass (*Romulea rosea*)
- Clover (*Trifolium* spp.)

**Vegetation Management Plan:**

Sustainable land management is the primary aim of the property owners. The plan includes improving the property's baseline vegetation assessment by removing low biodiversity value weeds and replacing them with high-quality grass seed.

**Vegetation Management Strategies:**

- Cutting Grass: Regular mowing and cutting to manage existing grass.
- Planting Trees: Introducing native trees to provide windbreaks and improve biodiversity.
- Weed Control: Implementing ongoing weed management programs to reduce infestation by 20% per year until the property is weed-free. This includes the use of sprays and chemicals to control pest and common weeds, continuing the practices established by the Hodgson family.

**Environmental Features:**

The property includes some significant environmental features such as native grasses, with indigenous species like ryegrass (*Lolium* spp.) being observed. The establishment and protection of native vegetation are proposed as part of the development and ongoing weed control efforts.

**DEVELOPMENT PLAN:**

**Business Vision:**

Our overarching vision is to raise our family on the property while assisting [REDACTED] parents with managing the larger farm. Our focus is on contributing to the farm's sustainability and maintaining the land, ensuring it remains productive for future generations.

**Specific Agricultural Activities:**

Cattle Rearing: Assisting with raising young cattle, particularly the calves.

Poultry: Raising chickens for egg production.

Greenhouse: Utilizing a greenhouse for growing seedlings and establishing plants for windbreaks.

Blueberries: Planting and harvesting blueberries as a 'farm to gate' product.

**Machinery and Equipment:**

While we will not need to own extensive machinery exclusively, we will utilize the existing equipment from the parents' farm. For the maintenance of our 2.5-acre subdivision, we will have:

- Ride-on mowers
- Hobby tractors
- General maintenance equipment

These tools will enable us to manage our portion of the land effectively while supporting the overall farm operations.

**MANAGEMENT ZONES:**

The property will be divided into three distinct management zones to optimize its use and maintain sustainable practices.

**1. Rear Section: Animal Raising and Keeping**

Description: This zone will occupy the rear one-third of the property and will be fenced off for raising and keeping animals, primarily young cattle.

Practices: The area will be managed to provide adequate space, shelter, and care for the animals, utilizing rotational grazing practices to maintain pasture health.

**2. Middle Section: Family and Recreation**

Description: This zone will include the central part of the property, designated for family living and recreational activities. It will house the main dwelling, shed, greenhouse, chicken coop, and recreational areas.

Practices: This zone will focus on maintaining a balance between residential comfort and functional farming operations. Sustainable practices will include proper waste management, efficient water use from the rainwater collection system, and the use of solar energy.

**3. Front Section: Agriculture and Open Area**

Description: The front section will feature open areas for planting trees, growing blueberries, managing the septic tank outlets, and cultivating vegetation.

Practices: This zone will be managed to enhance its agricultural productivity with practices such as planting windbreaks, maintaining high-quality grass, and ongoing weed control. Blueberry bushes and other vegetation will be planted and maintained for 'farm to gate' sales.

**PEST ANIMALS:**

**Pest Animals:**



No burrows or pest animals were observed on the property. However, maintaining a rabbit-free environment is a priority. Foxes, particularly red foxes, are opportunistic predators and scavengers posing a threat to livestock, especially poultry and newborn cattle. They can transmit parvovirus and mange to domestic dogs and have been implicated in the decline of many small to medium-sized native rodent and marsupial species.

**Management Strategies:**

**Rabbit Management:**

Spotlighting: Nighttime spotlights will be conducted, focusing on potential rabbit harbors such as wood heaps, sheds, weed thickets, and buildings.

Control Methods: We will employ cost-effective methods, particularly in early autumn when rabbit breeding typically ceases. This includes removing rabbit harbor and destroying warrens to prevent population growth.

**Fox Management:**

Monitoring: Foxes will be monitored through the observation of scats and nighttime spotlight counts, similar to the rabbit control strategy.

Preventive Measures: Ensuring proper fencing and securing poultry enclosures will mitigate the risk posed by foxes.

**LANDSCAPE PLAN:**

**Landscape Maintenance:**

All cleared areas will maintain a grass cover at a minimum height of 35mm to ensure high-quality surface water flows throughout the property.

**Access, Services, and View Lines:**

Access to the property is provided by Bladens Road. A well-constructed all-weather driveway will provide access to both the dwelling and shedding. Essential services, including onsite effluent disposal, power, and drainage, are available to support the development.

**Environmental Risk Features:**

Weeds are the primary environmental risk. Establishing new pastures will make weed establishment more difficult. Planned management and monitoring aim to work towards a weed-free property.

**COMMENTS ON THE VIC PLANNING PROVISION'S DECISION GUIDELINES:**

This planning scheme implements state and local planning policies. It provides for the use of land for agricultural purposes, encourages the retention of productive agricultural land, and ensures that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture. This scheme also promotes the retention of employment and population to support rural communities and encourages the use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

**Our plan aligns with these guidelines by:**

- **Prioritizing Agriculture:** Our primary focus is on agricultural activities, such as cattle rearing, poultry, greenhouse cultivation, and blueberry farming.
- **Supporting Rural Communities:** By continuing the family's farming legacy, we contribute to the local rural economy and community stability.
- **Sustainable Land Management:** We employ sustainable practices in land management, water use, pest control, and renewable energy integration.
- **Maintaining Environmental Quality:** We aim to improve the property's environmental quality through weed control, planting native vegetation, and implementing erosion and flood mitigation measures.



Report No: 16018

## Land Capability Assessment

**Report No: 16018**

**Location: 225 Bladens Road, KOO WEE RUP**

**Client: Lakeside Building Consultants**

**Date: 23/11/2023**



Page 1 of 8



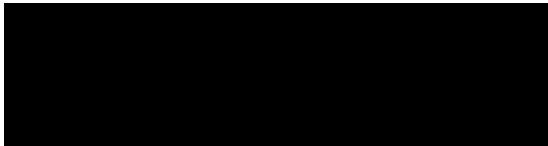
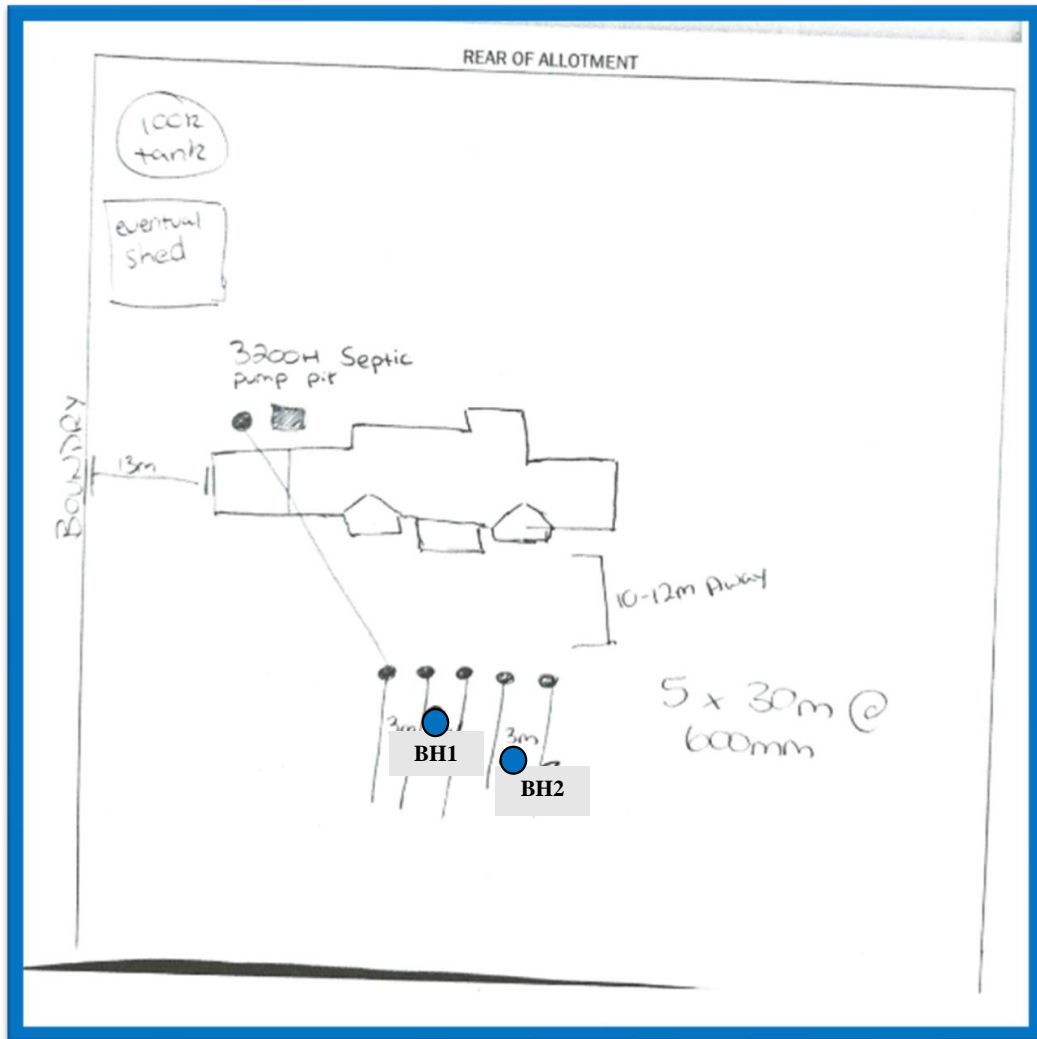
Report No: 16018

1. **Owner/ Developer:** Lakeside Building Consultants
  
2. **Zoning:** Green Wedge Zone (GWZ2).
  
3. **Overlays:** The property is in a Designated Fire Prone area. Has overlay (LS10).
  
4. **Allotment Size:** 10,000m<sup>2</sup>.
  
5. **Anticipated Wastewater:** 1080 Litres per Day.
  
6. **Number of Rooms Usable for Bedrooms:** 4 Bedroom & Study. Theatre Room not included as bedroom in this LCA.



Report No: 16018

7. Site Plan:





Report No: 16018

**8. Published Soil Information:**

Quaternary, Mostly Holocene, Fluvial Alluvium.

**9. Site Key Features:**

Table 1: Site Assessment

	<b>Feature</b>	<b>Description</b>	<b>Level of Constraint</b>	<b>Mitigation Measures</b>
<b>A</b>	<b>Buffer Distances</b>	Can be met	Minor	Nil
<b>B</b>	<b>Climate</b>	Good Evaporation	Minor	Nil
<b>C</b>	<b>Drainage</b>	Dry	Minor	Nil
<b>D</b>	<b>Erosion &amp; Landslip</b>	Minor	Minor	Nil
<b>E</b>	<b>Exposure &amp; Aspect</b>	Good Exposure	Minor	Nil
<b>F</b>	<b>Flooding</b>	1 in 100	Moderate	Yes
<b>G</b>	<b>Groundwater</b>	>5m Not encountered	Minor	Nil
<b>H</b>	<b>Imported Fill</b>	No	Minor	Nil
<b>I</b>	<b>Land Available for LAA</b>	Large	Minor	Nil
<b>J</b>	<b>Landform</b>	Slight Slope	Minor	Nil
<b>K</b>	<b>Rock Outcrops</b>	Not encountered	Minor	Nil
<b>L</b>	<b>Run-on &amp; Runoff</b>	Minor	Minor	Nil
<b>M</b>	<b>Slope</b>	<5%	Minor	Nil
<b>N</b>	<b>Surface Waters</b>	Nearby Drain	Moderate	Yes
<b>O</b>	<b>Vegetation</b>	Grass	Minor	Nil

- F) As entire block is covered by LS10 it is recommended to fit flood mitigation devices. Such as buoyant resistant tank, raised vent and maintenance tubes.
- N) Maintain minimum set back from Griffiths Drain of 30m for secondary treated and 60m for primary.





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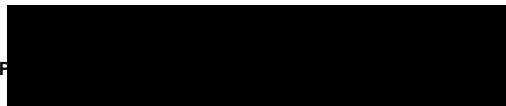
**10. Soil Survey and Analysis:**

**Table 2: Soil Assessment**

<b>Feature</b>	<b>Assessment</b>	<b>Level of Constraint</b>	<b>Mitigation Measures</b>
<b>Electrical Conductivity</b>	.66 dSm <sup>-1</sup>	Minor	Nil
<b>Emerson Aggregate Class</b>	7	Moderate	Yes
<b>pH</b>	5.2	Minor	Nil
<b>Rock Fragments</b>	<10%	Minor	Nil
<b>Soil Depth</b>	1.5m	Minor	Nil
<b>Soil Permeability &amp; Design Loading Rates</b>	Category 5	Moderate	Yes
<b>Water table Depth</b>	<5m Not encountered	Minor	Nil

**Note:**

**Emerson Aggregate class and category 5.  
Apply gypsum to receiving soils.  
Full water Balance was completed for Subsurface Irrigation.**







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**11. Water Balance:**

**Mean Monthly Rainfall: 774.2**

**Monthly Pan Evaporation: 1340.2**

**Daily Water Usage: 6 People at 180 Litres per day =1080 Litres per day.**

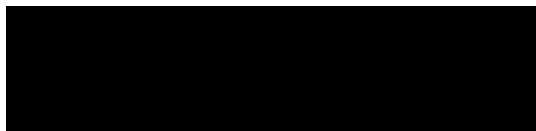
**Irrigation area sizing using Nominated Area Water Balance for Zero Storage**

<b>Site Address:</b>		25 Bladens Rd Koo Wee Rup														
<b>Date:</b>		<b>Assessor:</b>														
<b>INPUT DATA</b>																
Design Wastewater Flow	Q	1.050	L/day	Based on maximum potential occupancy and derived from Table 4 in the EPA Code of Practice (2013)												
Design Irrigation Rate	DIR	3.0	mm/day	Based on soil texture class/permeability and derived from Table 9 in the EPA Code of Practice (2013)												
Nominated Land Application Area	L	267	m <sup>2</sup>	1												
Crop Factor	C	0.6-0.8	unitless	Estimates evapotranspiration as a fraction of pan evaporation; varies with season and crop type <sup>2</sup>												
Rainfall Runoff Factor	RF	0.8		Proportion of rainfall that remains onsite and infiltrates, allowing for any runoff												
Mean Monthly Rainfall Data	Koo Wee Rup 86314			BoM Station and number												
Mean Monthly Pan Evaporation Data	Cranbourne Botanical 086375			BoM Station and number												
<b>Parameter</b>	<b>Symbol</b>	<b>Formula</b>	<b>Units</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Days in month	D		days	31	28	31	30	31	30	31	31	30	31	30	31	365
Rainfall	R		mm/month	48.4	44.8	48.5	65	73.4	64.1	69.2	78.4	80	74.8	68.8	62.8	774.2
Evaporation	E		mm/month	192.2	158.8	136.4	87	80	51	55.8	71.3	84.2	124	141	170.5	1340.2
Crop Factor	C		unitless	0.80	0.80	0.70	0.70	0.60	0.60	0.60	0.60	0.70	0.80	0.80	0.80	
<b>OUTPUTS</b>																
Evapotranspiration	ET	ExC	mm/month	154	125	95	61	36	31	33	43	66	99	113	138	992.78
Percolation	B	DIRxD	mm/month	93.0	84	93.0	90.0	93.0	90.0	93.0	93.0	90.0	93.0	90.0	93.0	1095.0
Outputs		ET+B	mm/month	246.8	209.44	188.5	150.9	129.0	120.6	126.5	136.8	155.9	192.2	202.9	229.4	2087.8
<b>INPUTS</b>																
Retained Rainfall	RR	RxRF	mm/month	37.12	35.84	38.8	52	58.72	51.28	55.36	62.72	64	59.84	53.44	50.24	619.36
Applied Effluent	W	(QxD)L	mm/month	121.9	110.1	121.9	118.0	121.9	118.0	121.9	118.0	118.0	121.9	118.0	121.9	1433.4
Inputs		RR+W	mm/month	159.0	146.0	160.7	170.0	180.6	169.3	177.3	184.8	182.0	181.8	171.4	172.2	2054.8
<b>STORAGE CALCULATION</b>																
Storage remaining from previous month			mm/month	0.0	0.0	0.0	0.0	19.1	70.7	119.4	170.2	210.0	245.0	234.8	203.2	
Storage for the month	S	(RR+W)-(ET+B)	mm/month	-87.7	-83.5	-27.8	19.1	51.6	48.7	50.8	48.9	26.0	-10.4	-31.4	-57.2	
Cumulative Storage	M		mm	0.0	0.0	0.0	19.1	70.7	119.4	170.2	219.0	245.0	234.8	203.2	146.0	
Maximum Storage for Nominated Area	N		mm	243.24												
	Y	NxL	L	54926												
<b>LAND AREA REQUIRED FOR ZERO STORAGE</b>																
			m <sup>2</sup>	155	100	217	319	483	454	458	440	343	240	211	182	
<b>MINIMUM AREA REQUIRED FOR ZERO STORAGE:</b>				464.0 m <sup>2</sup>												

<b>Design Irrigation Rate</b>	<b>Sub Surface Irrigation Area</b>	<b>Wick Trench &amp; Bed DLR</b>	<b>Wick Trench &amp; Bed Length</b>	<b>Design Wastewater Discharge</b>
<b>3mm</b>	<b>464m<sup>2</sup></b>	<b>5mm</b>	<b>160m<sup>2</sup></b>	<b>1080L/Day</b>

Q = Daily Design Flow Rate L/D  
 W = Width of Trench & Bed  
 DLR = Design loads rating from table 9.  
 F = Factor 1.2  
 $1080 / (DLR \times (W/F))$   
 $1080 / (5LM \times 1.6/1.2)$   
 $1080 / 6.66$   
 157.65m

**12. Location and Configuration System:**





Report No: 16018

**Effluent Area:**





Report No: 16018

### 13. Monitoring Operation and Maintenance:

- Have suitably trained and qualified contractor to service systems at the frequency required by council.
- Recommend use of AAA fixtures and appliances.
- Use cleaning products and toiletries suitable for septic systems.
- Maintain vegetation over effluent area.
- Keep livestock and vehicles off the effluent area to avoid compaction.

### 14. Conclusion:

Soil Test Express can recommend the use of a secondary treated system that uses shallow subsurface irrigation or primary treated wick trench and bed for maintaining wastewater within the site. Subsurface irrigation is to be installed 150mm into good quality topsoil imported if necessary. Wick Trench and bed, beds to be no more than 20m long and installed level.


Maintain all EPA setbacks.  
Vegetation must always be maintained over LAA.

**Note: Recommendations outlined in this report are subject to council approval.**

- **If trench system is selected a reserve area of similar size should be set aside.**

**Mr J Dunn**  
**SOIL TEST EXPRESS**

**Mr Bryan Fox**  
**SOIL TEST EXPRESS**



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**Site Location:** 225 Bladens Road, KOO WEE RUP      **GEOTECHNICAL LAND CAPABILITY ASSESSMENT LOGS**

**Client:** Lakeside Building Consultants      **Proposal:** Residential Septic System      **Report No:** 16018

**Test Date:** 23/11/2023

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<p><b>Topography of the land:</b></p> <p>Uneven Surface <input type="checkbox"/></p> <p>Essentially Level <input checked="" type="checkbox"/></p> <p>Undulating Surface <input type="checkbox"/></p> <p>Multiple Hills <input type="checkbox"/></p> <p>Slight Slope <input type="checkbox"/></p> <p>Moderate Slope <input type="checkbox"/></p> <p>Steep Slope <input type="checkbox"/></p> <p>Extreme Condition <input type="checkbox"/></p>	<p><b>Technicians Comments:</b></p>  <p><b>Slope Direction:</b> <input type="text"/></p> <p>Trees <input type="checkbox"/> type: <input type="text"/> Size: <input type="text"/></p> <p>Water <input type="checkbox"/> type: <input type="text"/></p>
<p><b>Soil Drainage:</b></p> <p>Good: <input type="checkbox"/> Sandy</p> <p>Fair: <input checked="" type="checkbox"/> to</p> <p>Poor: <input type="checkbox"/> Clay</p>	<p><b>Existing Structures:</b> <input type="checkbox"/></p> <p><b>Existing Structure Condition:</b> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/></p> <p><b>Existing Structure Description:</b></p>

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Layer Description Borehole 1	Depth	Layer Description Borehole 2	Depth
Clayey Silt Fill. Grey. Medium Dense. Dry.	100mm	Clayey Silt Fill. Grey. Medium Dense. Dry.	100mm
Clayey Silt Grey Dry Firm	1000mm	Clayey Silt Grey Dry Firm	950mm
Silty Clay Brown/Orange Medium to High Plasticity Stiff to Very Stiff Dry		1500mm	Silty Clay Brown/Orange Medium to High Plasticity Stiff to Very Stiff Dry
Borehole 1 terminated at 1.5m		Borehole 2 terminated at 1.5m	

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**Soil Technician:** K.Thompson      **Auger Type:** Hand

## 5.2 PLANNING MATTERS DEALT WITH BY OFFICERS UNDER DELEGATED AUTHORITY – MARCH 2025

Responsible GM:	Debbie Tyson
Author:	Jason Gilbert
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<b>5.1 We practise responsible leadership</b> 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### Recommendation

That Council note the ‘Planning Matters Dealt with by Officers Under Delegated Authority – March 2025’ report.

### Executive Summary

The following matters have been dealt with under delegated powers since the last report to Council.

### Planning Matters Report

The below is for the period between 15 January 2025 and 10 February 2025.

#### Beacon Hills Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T230636	3 Corringham Road, Beaconsfield Upper VIC 3808	Buildings and works (construction of an outbuilding and associated earthworks)	Issued	19/12/2023	15/01/2025
T230191	33 St Georges Road, Beaconsfield Upper VIC 3808	Alterations and Additions to an Existing Dwelling	Issued	30/04/2023	20/01/2025
T240491	35 Berglund Road, Beaconsfield Upper VIC 3808	Buildings and Works (Construction of a Pergola, Deck and Earthworks)	Issued	26/09/2024	21/01/2025
T190449 - 2	Bowman Road, Beaconsfield VIC 3807	Use of Land for a Dwelling, Buildings and Works (Construction of a Dwelling, Outbuilding and Associated Works), Vegetation Removal and Construction and Use of a Private Tennis Court	Issued	21/03/2024	29/01/2025
T240695	5 Desmond Court, Beaconsfield VIC 3807	Buildings and works (retrospective extension to shed)	Issued	20/12/2024	5/02/2025
T240507	82 Cooina Road, Beaconsfield VIC 3807	Buildings and works associated with an existing dwelling (extension)	Issued	2/10/2024	6/02/2025
T240197	550 Pakenham Road, Pakenham Upper VIC 3810	Buildings and works (extension to an existing dwelling)	Issued	2/05/2024	7/02/2025

## Bunyip

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T240121	25 Oaktree Drive, Pakenham VIC 3810	Buildings and works (Construction of a shade house)	Issued	19/03/2024	15/01/2025
T240631	1-17 Tynong Road, Tynong VIC 3813	Buildings and works (Demolition of existing fence and construction of a replacement fence)	Issued	27/11/2024	16/01/2025
T240071	12 Latta Road, Nar Nar Goon VIC 3812	Subdivision of Land into Two (2) Lots and Removal of Vegetation	Issued	21/02/2024	22/01/2025
T240588	7 Mulcare Street, Nar Nar Goon VIC 3812	Buildings and works (Construction of an outbuilding associated with a dwelling).	Issued	12/11/2024	22/01/2025
T240413	340 Mont Albert Road, Tynong VIC 3813	Buildings and works associated with agriculture (Open Sided Horse Arena)	Issued	20/08/2024	24/01/2025
T240478	47A Peet Street, Pakenham VIC 3810	Buildings and works associated with an existing warehouse (construction of a mezzanine) and reduction in car parking.	Issued	19/09/2024	24/01/2025
T240484	FY 1/5 Embrey Court, Pakenham VIC 3810	Subdivision of the land into two (2) lots	Issued	23/09/2024	24/01/2025
T240357	116 Leask Road, Tonimbuk VIC 3815	Use and development of land for grazing animal production including a shed and earthworks	NOD	25/07/2024	5/02/2025
T240362	15 Warner Road, Nar Nar Goon North VIC 3812	Buildings and works for an agricultural building (hay shed)	Issued	29/07/2024	5/02/2025
T240436	15 Barrington Drive, Pakenham VIC 3810	Development of the land for a second dwelling and an extension to an existing dwelling where there are two or more dwellings on the lot	Issued	30/08/2024	7/02/2025
T230470	5 Mary Street, Bunyip VIC 3815	Use and development of land for two (2) dwellings and construction of an outbuilding, removal of native vegetation and removal of two (2) pine trees	NOD	25/09/2023	10/02/2025

## Henty Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T240108	71 Racecourse Road, Pakenham VIC 3810	Use and Development of a Three-storey Residential Hotel, Alteration of Access to a Road in TRZ2, Subdivision of Land and Creation of an Easement	NOD	6/03/2024	7/02/2025

## Officer Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T240425	41 Bayview Road, Officer VIC 3809	Two lot re subdivision of land	Issued	21/08/2024	16/01/2025
T210909	Princes Highway, Officer VIC 3809	Subdivision of land and creation and removal of easements and creation of reserves	Issued	6/12/2021	31/01/2025

## Pakenham Hills Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T210808	10 Gardenia Street, Pakenham VIC 3810	Construction of Five (5) Dwellings on a Lot	Refused	21/10/2021	7/02/2025

## Ranges Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T230656	20 Clematis Park Road, Emerald VIC 3782	Use and development of the land for a dwelling, outbuilding, variation of restrictive covenant, removal of native and other vegetation	Issued	22/12/2023	15/01/2025
T230252	3065 Gembrook-Launching Place Road, Gembrook VIC 3783	Use and Development of the Land for a Dependent Person's Unit	Issued	23/05/2023	16/01/2025
T240556	12 Garden Street, Cockatoo VIC 3781	Buildings and Works (Extension to an Existing Dwelling)	Issued	24/10/2024	22/01/2025
T240322	25 Banks-Smith Drive, Gembrook VIC 3783	Development of a dwelling including associated earthworks	Issued	5/07/2024	30/01/2025
T240677	230 Mountain Road, Gembrook VIC 3783	Buildings and Works (Dwelling Additions)	Issued	16/12/2024	31/01/2025



### Toomuc Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T240374	Lot B on PS637210M, Lot 540 & Lot 541 on PS637210M., 8-12 Harrison Way, Pakenham VIC 3810	Use and development of the land for a childcare centre and the display of advertising signage.	Issued	1/08/2024	31/01/2025
T240047	FY 4/108 Mulcahy Road, Pakenham VIC 3810	Use of the land for a place of worship, associated buildings and works, advertising signage and reduction in car parking	NOD	8/02/2024	7/02/2025

### Westernport Ward

Permit Number	Address	Proposal	Decision	Date Lodged	Date of Decision
T230169	52-54 Sybella Avenue, KOO WEE RUP VIC 3981	Building and Works associated with an Existing Fuel Depot	Issued	12/04/2023	16/01/2025
T240416	86 Sette Circuit, Pakenham VIC 3810	Buildings and Works (Construction of a Warehouse)	Issued	21/08/2024	17/01/2025
T170806 - 2	22 Rays Way, Pakenham VIC 3810	Use of the land for a Restricted Recreation Facility (Gymnastics Club)	Issued	7/01/2025	20/01/2025
T240589	16 Trade Place, Pakenham VIC 3810	Buildings and works (Construction of one warehouse)	Issued	13/11/2024	21/01/2025
T230414	28 Patterson Road, Officer South VIC 3809	Use of the land for a Place of Worship and associated works (car park)	NOD	22/08/2023	22/01/2025
T240635	4770 South Gippsland Highway, Lang Lang VIC 3984	Buildings and works (Construction of two buildings associated with agriculture)	Issued	28/11/2024	22/01/2025
T220320 - 1	2 Innovation Way, Pakenham VIC 3810	Use and development of the land for materials recycling (plastics)	Issued	19/03/2024	23/01/2025
T240295	Cardinia Road (Lot 39 Advance Blvd), Officer South VIC 3809	Construct a building or construct or carry out works, reduction in car parking	Issued	24/06/2024	30/01/2025
T240296	Cardinia Road (Lot 40 Advance Boulevard), Officer South VIC 3809	Construct a building or construct or carry out works, reduction in car parking	Issued	24/06/2024	30/01/2025

T240424	23 Jade Avenue, Koo Wee Rup VIC 3981	Buildings and Works (Extension to an existing dwelling)	Issued	21/08/2024	30/01/2025
T240678	33 Sette Circuit, Pakenham VIC 3810	Buildings and Works (Construction of a Warehouse)	Issued	17/12/2024	30/01/2025
T240208	65 Commercial Drive, Pakenham VIC 3810	Use and development of land for restricted retail premises (machinery sales) and development of a building associated with industry (workshop) in stages, reduction of car parking requirements, display of signage (business identification, pylon sign and internally illuminated) and waiver of bicycle facilities.	NOD	30/05/2024	31/01/2025
T240596	39 Exchange Drive, Pakenham VIC 3810	Subdivision of Land into Seven (7) Lots	Issued	18/11/2024	31/01/2025
T230152 - 1	1 Mepstead Close, Pakenham VIC 3810	S72 Amendment to Alter what the Permit Allows (Use of the Land for Medical Centre (Myotherapy)) and amendment to Condition 3 of the Permit	Issued	23/09/2024	4/02/2025
T240527	Crown Allotment 6A Parish of Pakenham, CARDINIA ROAD, Future Lot 20, No. 1 Advance Boulevard, Officer South VIC 3809	Construct a building or construct or carry out works for a warehouse	Issued	10/10/2024	4/02/2025
T230557	940 Koo Wee Rup Road, Pakenham VIC 3810	Buildings and Works associated with freezing and cool storage facility and reduction of car parking spaces.	Issued	31/10/2023	5/02/2025
T170077 - 1	20 Lecky Road, Officer VIC 3809	Staged subdivision of land adjacent to a road in a Transport Zone 2, removal of an existing waterbody and removal an easement	Issued	19/12/2023	7/02/2025
T240628	850 Longwarry-Modella Road, Modella VIC 3816	Buildings and Works (Construction of an Outbuilding)	Issued	26/11/2024	7/02/2025

## Attachments

Nil

## 5.3 PLANNING MATTERS VCAT REPORT - MARCH 2025

Responsible GM:	Debbie Tyson
Author:	Jason Gilbert
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<b>5.1 We practise responsible leadership</b> 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### Recommendation

That Council note the 'Planning Matters VCAT Report - March 2025' report.

### Executive Summary

The following list is presented to keep Council informed of applications that are currently the subject of appeals proceedings and recent decisions from the Victorian Civil and Administrative Tribunal (VCAT). This list is current as of 11 February 2025.

### Matters Recently Lodged at VCAT

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
24/07/2025	T230359	225 Bladens Road, Koo Wee Rup	Use of land for a Dwelling and Buildings and Works (Construction of a Dwelling and Outbuilding)	FTD	Applicant
22/07/2025	T240177	80 O'Briens Road, Yannathan	Use and Development of land for Dwelling, Outbuilding and Associated works	Refusal	Applicant
4/04/2025	T240285	490-494 McGregor Road, Pakenham	Two (2) Lot Subdivision (boundary realignment)	Refusal	Applicant

\*FTD denotes an application for review of Council's failure to issue a decision within the prescribed timeframe.

### Matters Currently the Subject of VCAT Appeal

Hearing Date	App. No.	Address	Proposal	Council Decision	Appealed By
23-24/07/2025	T120364-3	2 Montuna Grove, Guys Hill	Use of Land for an Art Gallery, Building and Works (Construction of a Studio and Art Gallery) and Display of Signage (Business Identification)	Notice of Decision to Grant a Permit	Objector
14-15/05/2025	T210341	209 Berglund Road, Beaconsfield Upper	Use and development of the land a dwelling, outbuilding and removal of native vegetation	Refusal	Applicant
1-2/04/2025	T220667	24-26 Honeyeater Way, Pakenham	Use and development of a Child Care Centre	Refusal	Applicant
8-10/04/2025	T230342	565 Murray Road, Vervale	Use of the land for Rural Industry (mud brick manufacturing)	Notice of Decision to Grant a Permit	Objector
29/04/2025	T230499	1 Outlook Road, Emerald	Buildings and Works (Construction of a Garage and Earthworks) and Vegetation Removal	Refusal (FTD)	Applicant
TBD	N/A	67 Officer South Road, Officer	N/A – Application for declaration in relation to the Officer Major Activity Centre Urban Design Framework	UDF adopted	Applicant

\*FTD denotes an application for review of Council's failure to issue a decision within the prescribed timeframe.

### Matters Recently Decided at VCAT

No matters recently decided.

### Attachments

Nil

## 5.4 PLANNING SCHEME AMENDMENT ACTIVITY REPORT - MARCH 2025

Responsible GM:	Debbie Tyson
Author:	Marcelle Bell
Staff Disclosure:	All officers involved in the preparation of this report have considered and determined that they do not have a conflict of interest in the matter.
Council Plan Reference:	<b>5.1 We practise responsible leadership</b> 5.1.1 Build trust through meaningful community engagement and transparent decision-making.

### Recommendation

That Council note the 'Active Planning Scheme Amendments' report in Table 1.

### Executive Summary

The report provides an update on the status of active planning scheme amendments and planning scheme amendment requests received.

### Status of Active Planning Scheme Amendments

The following table provides details relating to planning scheme amendments that are currently being processed.

**Table 1:** Planning Scheme Amendment Activity

A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C274	Victorian Planning Authority (VPA)	Officer South Employment Precinct	Incorporate the Officer South Employment Precinct Structure Plan and Supplementary Infrastructure Contributions Plan into the Cardinia Planning Scheme	5/09/23	27/10/23	<p>The Minister for Planning referred proposed Planning Scheme Amendment C274card and unresolved submissions to a VPA Projects Standing Advisory Committee. The Standing Advisory Committee Hearing was conducted between the 6 March to 19 April 2024. The release of the Standing Advisory Committee Panel report is outstanding.</p> <p>The VPA advised on the 24 January 2025 that they have now amended the draft planning scheme ordinances, planning scheme maps, PSP and Infrastructure Contributions Plan (ICP) documents to incorporate changes arising from submissions, and SAC report recommendations. And submitted the draft planning scheme amendment package for Ministerial consideration.</p>

A/No.	Proponent	Address	Purpose	Exhibition Start	Exhibition End	Status
C278	Cardinia Shire Council	Municipal wide	The amendment introduces a new Environmentally Sustainable Development (ESD) local policy (Clause 22.11) and makes associated changes to the Municipal Strategic Statement (MSS).	29/02/24	8/04/2024	<p>Council endorsed to seek authorization from the Minister for Planning to prepare proposed Amendment C278 on the 20/3/2023</p> <p>Council received the Ministers authorization on the 23/10/2023 to prepare the proposed Amendment C278card.</p> <p>The proposed Amendment was placed on public exhibition from the 29/2/2024 until the 8/4/2024. Council received five submissions to the proposed Amendment C78card.</p> <p>On the 17 June 2024 Council considered the submissions made to C278card and endorsed referring the submissions to a Planning Panel appointed by the Minister for Planning.</p> <p>A Planning Panel Hearing was held on the 26/8/2024 and Council received the Panel report on the 6/9/2024.</p> <p>On the 16/12/2024 Council adopted the proposed Amendment C278card with changes based on the Panel Report and to submit the adopted Amendment to the Minister for Planning for approval.</p> <p>On the 23 December 2024 a Council officer submitted the Amendment to the Minister for Planning for approval</p>
C282	James Hicks Pottery Pty Ltd	Lot AA PS814723 Cotswold Crescent, Officer	The amendment under Section 96A of the Planning and Environment Act 1987 amends the Schedule to the Heritage Overlay (Cl 43.01) to allow Council to consider a prohibited use under the Heritage Overlay (HO104) for an office.	To be determined	To be determined	<p>Council in January 2025 received new information and is reviewing the information from the Applicant before progressing the proposed Amendment C282card to a Council meeting to seek authorization for the proposed Amendment.</p>

## Attachments

Nil



**6 Meeting Closure**