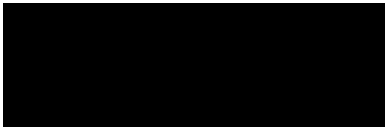



PLANNING DEPARTMENT  
Moyne Shire Council  
PO Box 51  
Port Fairy VIC 3284





18th April 2024

PLANNING PERMIT APPLICATION – PROPOSED DWELLING & GARAGE  
LOT 1 LP81545 - HUGHS ROAD, WANGOOM 3279

DEAR PLANNING TEAM,

Please find enclosed a Planning Permit application for a proposed dwelling and garage at Lot 1 LP81545, Hughs Road Wangoom, prepared on behalf of 

SITE DETAILS

Applicant / Owner	
Address	Lot 1 LP81545 Hughs Road, Wangoom.
Contact Person	
Lot Description	Lot 1 LP81545
Restrictions on Title	None
Lot Size	19.6 ha
Relevant Planning Controls	
Zones	FZ – Farming Zone
Overlays	None
Particular Provisions	14.01-1S Protection of Agricultural Land 14.01-2S Sustainable Agricultural Land Use
Aboriginal Cultural Heritage Sensitivity	The site is not in an 'area of cultural heritage sensitivity'
Bushfire Prone Area	The site is in a Designated Bushfire Prone area



## EXISTING CONDITIONS

Located at the corner of Hughs Road and Markwells Road, Wangoom, the subject site of approx. 19.6 hectares currently consists of existing sheds and farm land. The existing sheds are located to the south west of the site, a minimum of approx. 24m from Hughs Road.

The site is accessed via an existing gravel driveway from Hughs Road and this vehicular access is intended to be retained for the use of the proposed dwelling. The existing vegetation of the site generally consists of vacant, grass paddocks, with no significant vegetation requiring removal as a result of the proposed works. It is noted that the landowners have begun planting, and will continue to plant, native vegetation along the property's boundaries and within shelterbelts.

There is an existing bore and a number of existing rain water tanks located reasonably close to the existing shedding and the proposed building envelope beyond.

## PROPOSAL

The application proposes to construct a dwelling and garage on the site. The building works include the following,

- Proposed dwelling with an area of approx. 173.62m<sup>2</sup> (plus Outdoor Living and Porch)
- Proposed garage with an area of approx. 56.42m<sup>2</sup>

The proposed dwelling is single storey in height, with a simple understated form.

The proposed dwelling includes:

- 3 bedrooms
- 1 bathroom
- Wc
- Laundry
- Open plan Kitchen/Living/Dining
- Separate Family Room
- Extensive glazing to the north
- Pergola to north
- Outdoor Living to north/east
- Garage located to south of dwelling
- Rain water tanks to south of garage
- Extend existing driveway

The proposed material palette includes Rendered Hempcrete in natural earthy tones, feature timber cladding and Colorbond roofing to blend in with the surrounding natural environment.

The proposed garage will consist of Weatherboard Cladding and Colorbond roofing.

Colours and materials are as noted on the submitted colour schedule.

The landowners currently use the land for agricultural purposes and with the proposed development of a dwelling, they will be able to improve the agricultural productivity of the land. The proposed dwelling would support the retention of productive agricultural land by improving their ability to appropriately manage, improve and prosper from their farm.

A dwelling would not adversely affect the agricultural use of the land but enhance and improve its productivity capabilities. A dwelling would enable them to potentially pursue with a calf rearing operation, with the ability to have required onsite presence to appropriately monitor and care for the calves and their current breeding cattle. A dwelling provides the landowners with the opportunity to diversify the agricultural use of the land potentially in the future.

The proposed dwelling has minimal area footprint on the land and there would be a sufficient amount of agricultural land remaining to effectively retain the agricultural use of the land.

In addition, the landowners recognise the importance of retaining agricultural land use within the Moyne Shire in terms of economical support. Their breeding AA Aberdeen Angus stud cattle along with the potential for calf rearing supports agriculture within the shire.

The development of a dwelling allows them to preserve and support agriculture through continued and improved use of the agricultural land. A dwelling enables them to diversify and increase their economic prosperity in working towards a multi-functional small acreage farm. They understand sustainable farming practices and management are important for the current and future capability of agricultural land use.

35.07 FARMING ZONE

35.07-1 Table of Uses	The proposed works are a Section 2 use as the Condition of Section 1 (40ha site) is not met. The subject site has a total area of approx. 19.6ha
35.07-4 Buildings and works	As above, the proposed works are a Section 2 use, and as the site is under 40ha a planning permit is also triggered under Buildings and Works.
Schedule 1 to 35.07 Farming Zone	<p>Setback requirements:</p> <p>Minimum Setback from a road – 20m            Minimum Setback from a boundary – 5m            Minimum setback from dwelling not in same ownership – 100m            Minimum Setback from waterway – 100m</p> <p>Existing shed #1 setbacks:            Front boundary setback from Hughs Road of approx. 31m            Side south setback of over 132m</p> <p>Existing shed #2 setbacks:            Front boundary setback from Hughs Road of approx. 24m</p>
Schedule 1 to 35.07 Farming Zone	<p>Please refer to submitted Site Plan for further details of existing site features.</p> <p>Proposed dwelling setbacks:            Front boundary setback from Hughs Road of over approx. 90m            Side south east setback of approx. 126m            Setback approx. 150m from the waterway to the east of the site.</p> <p>Proposed garage setbacks:            Front boundary setback from Hughs Road of over approx. 89m            Side south east setback of approx. 119m</p> <p>Each of the proposed setbacks from boundary comply with the setback requirements of the Farming Zone. The generous setbacks are appropriate and in keeping with the rural character of the area and there will be no detrimental impact upon neighbouring properties.</p>

## 35.07-6 DECISION GUIDELINES

### GENERAL ISSUES

- The Municipal Planning Strategy and the Planning Policy Framework.  
The provision of a dwelling and garage is considered to be of importance to support the ongoing farming use of the land.
- Any Regional Catchment Strategy and associated plan applying to the land.  
The existing area of the wider site and the proposed use of a dwelling on existing agricultural land do not negatively impact any Regional Catchment Strategy for the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.  
The proposed works will have no detrimental impact upon the ability of the development to dispose of effluent. The proposed works will utilise a new septic system.
- How the use or development relates to sustainable land management.  
Whilst a dwelling is proposed, the existing farming use will be maintained. The proposed dwelling will be low impact and is considered to be complementary to the existing use and the rural character of the area.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.  
The proposed dwelling is reasonably modest in size and has been located on site to ensure the continued efficient operation of the farming land. The proposed works are sympathetic to the existing site and surrounding agricultural land, with generous street and side boundary setbacks to create buffer zones between adjoining properties.
- How the use and development makes use of existing infrastructure and services.  
The proposed dwelling will utilise existing infrastructure and services available to the site.

### AGRICULTURAL ISSUES AND THE IMPACTS FROM NON-AGRICULTURAL USES

- Whether the use or development will support and enhance agricultural production.  
The existing use of the farming land with associated shedding along with the proposed dwelling will enhance the current use of the land, ensuring efficient management of the land whilst residing on site.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.  
As above. In addition, the existing use and proposed dwelling are low impact in nature. It is not considered that soil quality will be adversely impacted by operations on site.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.  
The proposed dwelling, with reasonably modest sized footprint of approx. 173.62m<sup>2</sup>, (plus Outdoor Living and Porch) and garage of approx. 56.42m<sup>2</sup> on an overall lot size of approx. 19.6ha will not limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.  
The proposed dwelling will enable the landowners to reside on site and therefore improve the management and efficiency of the existing agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.  
The existing agricultural use will be maintained. Soil quality will not be detrimentally impacted as a result of the proposed dwelling. New rain water tanks are proposed to be located to the south of the proposed garage.

- Any integrated land management plan prepared for the site.  
Please refer to the attached Farm Management Plan prepared by our clients, the landowners, Phil and Jess O’Keeffe, to support this planning application.

#### ACCOMODATION ISSUES

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

The site, with an overall area of approx. 19.6ha provides sufficient space for the new dwelling and garage without detrimentally impacting upon the existing farming use.

Developing a dwelling on the property would not cause fragmentation of the land but instead support the land in increasing its agricultural productivity capabilities.

The proposed dwelling is not intended for rural lifestyle use, it is intended to support the ability for the property to become more agriculturally productive. The agricultural use of the land will be retained and greatly improved with the development of a dwelling. The submitted FMP supports justifications for a dwelling.

- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

The proposed dwelling has been appropriately sited with generous setbacks to the adjoining properties and road/s to ensure that there will be no detrimental impact caused by adjacent and nearby land use.

- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

The proposed dwelling is a reasonably modest sized addition to the lot. With appropriate setbacks to boundaries and the residential nature of the proposed used, the proposed development will not adversely affect neighbouring agricultural uses.

- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

The proposed dwelling is associated with the existing agricultural use of the land and its development will ensure a more efficient management, where the landowners can then comfortably reside on site. It is not considered that the proposed dwelling will result in a concentration or proliferation of dwellings in the area.

- The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:

- A permit for a wind energy facility; or
- An application for a permit for a wind energy facility; or
- An incorporated document approving a wind energy facility; or
- A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.

N/A

- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

N/A

## ENVIRONMENTAL ISSUES

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.

The existing agricultural use and the proposed dwelling are reasonably low impact in nature. It is not considered that soil quality will be adversely impacted by operations on site.

The landowners currently practise sustainable management of their land. They are committed to continuing management that allows them to use the land within its capability, ensuring the long-term use and agricultural productivity is maintained and viable.

They continually monitor, manage and improve their pasture quality for soil health and to prevent land degradation. They practise rationale grazing and appropriate pasture management and regeneration.

They have begun planting, and will continue to plant, native vegetation along the property's boundaries and within shelterbelts to provide protection from soil erosion and shelter for cattle from the elements. Appropriate native vegetation will also enhance the environment, providing environmental diversity and local habitat for wildlife, thus preserving and supporting the local environment.

- The impact of the use or development on the flora and fauna on the site and its surrounds.  
The subject site is generally vacant farming land with some scattered vegetation throughout as described above. The existing agricultural use and proposed dwelling are reasonably low impact in nature and are not considered to have a major impact on the flora and fauna on the site noting that there is no significant existing vegetation that will require removal as a result of the proposed works. Refer to site photos.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.  
As above, there is no significant vegetation that will require removal as a result of the proposed works. There are no other natural features located close to the building envelope that will be impacted by the proposed.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.  
A proposed septic system will adequately dispose of effluent from the dwelling on site resulting in no detrimental impact to the surrounding area. Refer to Proposed Site Plan for the approximate location of the proposed septic system.

## DESIGN & SITING ISSUES

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.  
The proposed dwelling and garage makes the best use of the site by locating the new development reasonably close to the existing shedding and supporting infrastructure of the farming land. Setback a significant distance of approx. 90m from Hughs Road and over approx. 126m from the south east boundary, the proposed dwelling will be largely screened from the road and surrounding properties. Given the size of the overall site, much of the land will remain free of development and will continue its use as agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.  
The proposed dwelling materials consisting of Rendered Hempcrete in natural earthy tones, feature timber and Colorbond roofing ensures that the dwelling form will blend in sympathetically with the surrounding natural environment, creating a subtle and earthy palette, blending in with the natural surrounds. Refer to Colour Schedule for details. The height of the dwelling will be single storey, ensuring that the built form is respectful of the open space, rural character of the area. With generous street and boundary setbacks, the proposal is a complimentary addition that will have no adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.  
The subject site is located within a rural setting. The proposed works consisting of a dwelling and garage will support the agricultural operations of the site whilst visually tying in with the unique character of the area. The rural character of the area is maintained where a reasonably modest sized dwelling and garage allows much of the site to remain free of development and retain the open space character of the farming land.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.  
Existing infrastructure is to be maintained however a new septic system will be installed to appropriately dispose of the dwelling effluent on site.

The property currently has 68,000L of potable water supply from run off from the existing farm sheds. Further water tanks will be installed to collect potable water from the proposed dwelling and garage. The capacity for collection of water from current and future infrastructure will certainly suffice for domestic use and fire fighting purposes.

With regards to electricity, currently the property has 4.05Kw complete off grid solar system connected to the farm shed. The systems inverter and battery bank has the potential to increase capacity, by means of more solar panels, of up to 13Kw. This would be able to comfortably support consistent and reliable electricity to the proposed dwelling.

- Whether the use and development will require traffic management measures.  
The existing use and proposed development will not require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or
  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.

N/A

- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

N/A

#### 14.01-1S PROTECTION OF AGRICULTURAL LAND

##### Objective

To protect the State's agricultural base by preserving productive farmland

##### Comment

The proposed dwelling will have a minor footprint on the land. A dwelling will enable the landowners to preserve and improve the agricultural productivity of the land.

The submitted FMP provides existing and potential future developments that would improve the agricultural use and productivity of the property by developing a dwelling.

#### 14.01-2S SUSTAINABLE AGRICULTURAL LAND USE

##### Objective

To encourage sustainable agricultural land use

##### Comment

The landowners currently practice sustainable management of their land and they are committed to continuing management that allows them to use the land within its capability, ensuring the long-term use and agricultural productivity is maintained and viable.

- They understand the importance of appropriately locating future infrastructure so that this infrastructure can be maintained and not lead to land degradation.
- They are improving current infrastructure including cattle yards and property fences.
- They continually monitor, manage and improve the pasture quality for the health of the soil and to prevent future land degradation. They practice rationale grazing and have a strong focus on sustainable pasture regeneration.
- They have begun planting, and will continue to plant, native vegetation along the property boundaries and shelterbelts. This vegetation, when established, will provide protection from wind and soil erosion. The vegetation will also provide important shelter for cattle from the elements, improving their welfare and production. They understand appropriate native vegetation will enhance the environment, providing environmental diversity and essential habitat for local wildlife.



SUMMARY

The proposed works consisting of a dwelling and garage will be a complimentary addition to the site with minimal impact upon the surrounding area whilst also enabling the landowners to reside on site and therefore better manage the existing agricultural use of the land.

The submitted Farm Management Plan supports the appropriate use and development of a dwelling on land under 40 hectares within the Farming Zone.

The landowners will retain and continue to support the agricultural use of the land through improvements and sustainable farming practices. A dwelling is required, and appropriate, in successfully managing the current and future agricultural productivities and therefore should be supported, and encouraged, by Council.

It is requested that the Responsible Authority support this proposal in its current form and to grant a planning permit for these works.

If you have any questions, please contact me on [REDACTED] or email

[REDACTED]  
Kind regards,

- [REDACTED]
- Enc. Appendix A – Site Photos
  - Appendix B – Copy of Title
  - Appendix C – Architectural Plans

## APPENDIX A – SITE PHOTOS



Photo 1 – View of seasonal pond to north, northeast of proposed dwelling



Photo 2 – View looking to north of proposed dwelling



Photo 3 – View of the existing farming land use of the subject site



Photo 4 – View of the existing farming land use of the subject site