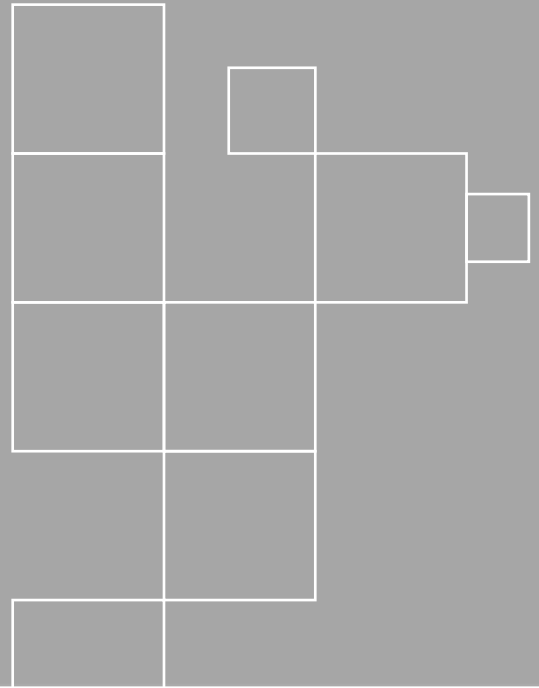


Town Planning Report

Use and development for a dwelling

Great Ocean Road, Nirranda South



Quality and Care

Project No.	Revision	Author	Date	Issue
24-220	01	Daniel Pech	11 January 2025	FINAL issued to Council

Disclaimer

DP Planning Pty Ltd has taken all professional care to ensure this document is current at the time of writing. DP Planning accepts no liability for any loss or damages incurred because of reliance placed upon its content.

© DP Planning Pty Ltd

This document is subject to copyright. Use or copying of this document in whole or in part, without the express written permission of DP Planning Pty Ltd will constitute an infringement of copyright.

Care for our Country

We care, acknowledge and uphold the Traditional Owners of the Country upon which this application resides and recognise their connection to the land, water, sky and culture. We pay our respects to their Elders past, present and emerging.

Care for our people

We care about our people and community and donate a fixed percentage of our income each year to local organisations that work towards improving the world around us. We also advise to a select group of clients on a reduced-cost or pro bono basis.

Care for our environment

We care for our environment and for current and future generations by partnering with Greenfleet© to offset our business emissions. For more information, please visit www.greenfleet.com.au.



Contents

Quality and Care	3
1. Introduction	5
1.1. Summary	5
1.2. Limits and exclusions.....	6
2. Site, environs and context	7
2.1. Site.....	7
2.2. Environs.....	7
2.3. Context	9
3. Proposal synopsis	10
3.1. Planning permit description	10
3.2. Proposal description	10
4. Planning context	11
4.1. Municipal Planning Strategy (MPS)	11
4.2. Planning Policy Framework (PPF) ..	13
4.3. Zoning	14
4.4. Overlays.....	14
4.5. Particular Provisions	14
4.6. Other planning considerations.....	14
5. Planning Policy Assessment	16
5.1. Key planning issues.....	16
5.2. Policy assessment	16
6. Conclusion	27
Appendices	28

Figures

Figure 1: Aerial Plan	8
Figure 2: Context Plan	9



1. Introduction

1.1. Summary

DP Planning has been engaged to prepare a planning permit application for land known as Lot 2 on Plan of Subdivision 304613W (the 'Site').

Approval is sought for the use and development of land for a dwelling and associated works at the above land, situated on the Great Ocean Road, Nirranda South.

This report provides details of the subject site and surrounding area; a detailed description of the proposal; and an assessment and justification of the proposal against the applicable provisions of the Moyne Planning Scheme.

Having considered the proposal with respect to the Moyne Planning Scheme, it is submitted that the proposal is appropriate and warrants a planning permit for the following reasons:

- The proposal is supported by the Municipal Planning Strategy and the Planning Policy Framework;
- The proposal is an appropriate response to the relevant planning controls affecting the site, providing a dwelling for the farm manager and required infrastructure sited in a location that is responsive to the Site's physical context, agricultural, landscape character and environmental values and bushfire risk.
- The proposed use will not cause unreasonable adverse amenity impacts to nearby rural and public property;
- The proposal is strategically located and compatible with surrounding rural land uses;
- The proposal comprises adequate access for farm and emergency vehicles, considering the site's location and accessibility of road infrastructure;
- The proposal will assist in supporting the agricultural and environmental values of the site, both in the design and siting of development, and through enabling the presence of additional land manager/workers which will directly enhance the lands agricultural productivity and land management;
- The proposal will positively contribute to the development and built form of the local area; and
- The proposal will directly support the growing population's need for rural housing, which is required for agricultural productivity and to support rural communities.

The following documents should be read in tandem with this report and are provided as part of the application:

- Certificate of Title
- Site Photos
- Planning Property Report
- Town Planning Drawings (prepared by DP Planning and Merri Designs)



For the reasons detailed within this report (and associated Appendices), we respectfully request Council support the proposal and grant a planning permit.

1.2. Limits and exclusions

This report has considered the following documents:

- Moyne Planning Scheme (as of 11 January 2025)
- Certificates of Title (dated 15 November 2024)



2. Site, environs and context

2.1. Site

Site address	Great Ocean Road, Nirranda South
Title details	Lot 2 on Plan of Subdivision 304613W (Vol 10013 Fol 252)
Site description	<p>The Site comprises one parcel with an area of 38.4 hectares and comprises an irregular trapezoidal polygon. The parcel is part of a larger agricultural holding comprising Lots 1 and 2 on Plan of Subdivision 304613, comprising a total of approximately 92 hectares.</p> <p>This Site interfaces with agricultural land in the same ownership to the east, rural residential freehold land to the west and south, and road reserves to the north and south.</p>
Easements, restrictions or covenants	<p>The site is not encumbered by any easements or restrictive covenants pursuant to Section 173 of the Planning and Environment Act 1987 and the Subdivision Act 1988. The site is subject to a caveat (leasehold) in benefit of Telstra Corporation Ltd for a 60 square metre area of land on the Site.</p> <p>Refer to Appendix A - Certificate of Title for further details.</p>

2.2. Environs

The Site comprises one parcel of approximately 38.4 hectares. The Site is situated on northern side of the Great Ocean Road road reserve, which connects the Site to the wider transport network. The Site has an irregular trapezoidal shape, with its boundaries formed by rural lots (south and west), agricultural lots in common ownership (east) and the Great Ocean Road and Dances Road road reserves.

The Site is part of a larger dairy farm comprising approximately 258 hectares which rears and manages 800 head of cattle including milking and breeding stock (cows, heifers, bulls, steers, yearlings and calves) and beef cattle. The farm is spread between three main agricultural holdings located at 3711 Great Ocean Road, Nullawarre (121 hectares), 112 Great Ocean Road, Mepunga (45 hectares) and the Site (92 hectares).

The farm holding comprising the Site and land held in common ownership to the east contains substantial agricultural assets and infrastructure comprising mains power (located at the western boundary of the Site), internal paddocks, post and wire perimeter fencing, stockyards, three agricultural buildings (dairy and machinery sheds), perimeter and shelter belt plantings, internal yard roads and access tracks, water storage areas, stock troughs and groundwater bores (ID: 86020 and 86030).

The Site is dominated by exotic pasture grasses and has been historically used for dairy farming, livestock grazing and fodder production.

A desktop review of DEECA's NatureKit mapping service confirms there are very limited areas of native vegetation on the Site. More substantial native vegetation is mapped within the Great Ocean Road road reserve, comprising mapped vegetation from EVC 23 (Herb-rich Foothill Forest).

The nearest dwelling in separate ownership to the Site is located approximately 100 metres from the Site's western boundary.

The Site is able to be connected to power and telecommunications infrastructure, which is located at the south-western boundary of the Site. The Site contains a constructed rural crossover at the south-western boundary via the Great Ocean Road road reserve.

Refer to **Figure 1** – Aerial Plan for further details on the Site conditions and the plans contained at **Appendix D**.



Figure 1: Aerial Map (source: 2025 Airbus© accessed 11 January 2025)

2.3. Context

The Site is located in the Farming Zone (FZ1) and adjoins agricultural land within the FZ1 to the north, east and west. The Site adjoins the Great Ocean Road road reserve, which is contained within the Transport Zone 2 (Principal Road Network). Beyond these lands, in all directions, is Farming Zone (FZ1) land predominantly associated with agricultural production with the exception of two rural-residential lots located on the western and southern boundary of the Site.

Refer to **Figures 2** and **Appendix B** (Planning Property Report) for further details.

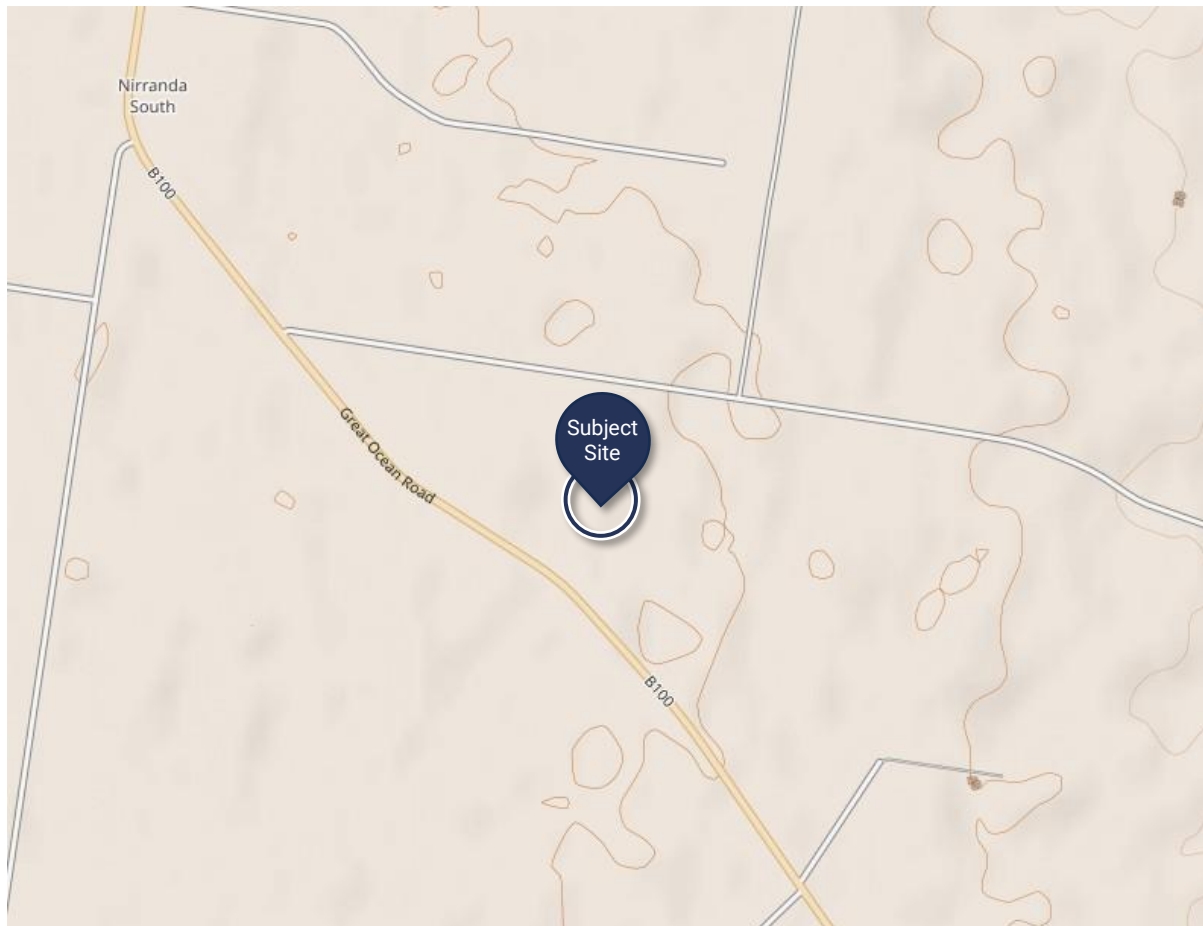


Figure 2: Context Map (source: OpenStreetMap© accessed 11 January 2025)

3. Proposal synopsis

3.1. Planning permit description

A planning permit is sought for the use and development of land for a 'dwelling' associated with agricultural production.

The following Clauses of the Moyne Planning Scheme trigger a planning permit for the proposal:

- Clause 35.07-1 Farming Zone (FZ) – Section 2 Use.
- Clause 35.07-4 Farming Zone (FZ) – Buildings and works associated with a Section 2 Use.

The following sections of this report describe in detail what the proposal is for.

3.2. Proposal description

This application seeks approval for the use and development of the Site for the use and development of land for a 'dwelling' associated with agricultural production.

The town planning drawings accompanying this application include plans for one dwelling, comprising:

- single-storey 2 bedroom dwelling comprising a floor area of ~60 square metres;
- 5.4m (l) x 3.2m (w) car space constructed from all-weather material;
- 12m (w) x 8m (l) x 2.8m (h) enclosed sheds for undercover storage associated with dwelling.

The cladding materials referenced in the plans are generally suited to the rural environs. The materials illustrated on the plans include:

- Colorbond orb sheet metal wall and roof cladding in Colorbond 'Monument' (or similar);
- Colorbond steel spouts, gutter, window frames, doors and fascia in Colorbond 'Monument' (or similar).

The dwelling (and appurtenances) are proposed to be contained within a modest building envelope near the western boundary of the Site.

A generous land application area for wastewater treatment is available in close proximity to the dwelling downslope and to the south-east of the proposed dwelling building.

In addition to the dwelling, a small extension to the established existing access track is proposed to form a driveway for vehicle access (See **Appendix D** for details.). An extension of the existing power supply is also proposed along the internal vehicle accessway, which is located to the nearest available power supply connection. The viability of a dwelling on the adjoining lot to the east (held in common with the Site) is cost-prohibitive, due to the proximity of the nearest power connection.

The proposed dwelling is to be located on a Site with an established and viable agricultural enterprise. The nearest dwelling for farm managers to reside is located 15 mins from the Site due to a lack of suitable rentals located closer to the Site or within the Nirranda South rural suburb.



4. Planning context

Clause 65 of the Victorian Planning Provisions identifies the relevant decision guidelines that a Responsible Authority (Council) must consider in assessing a planning permit application. The following are relevant to the proposed development:

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay and other provisions.
- Any matter required to be considered in the zone or other provisions.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The effect on the amenity of the area.
- The degree of fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

These matters, where relevant, form the framework of the following sections of this report.

4.1. Municipal Planning Strategy (MPS)

The Municipal Planning Strategy (MPS) describes the local and regional planning policies with a specific focus on areas and issues within the Moyne Shire municipality. The policies relevant to the proposal are described below.

- Clause 02.01 **Context:** The population of Moyne (approximately 17,374 in 2016) is growing modestly, with strong demand for growth along coastal areas. The Shire's economy is predominantly rural based with a focus on grazing agriculture, dairy and beef production, wool and prime lamb production, aquaculture and cropping.
- Clause 02.01 **Vision:** The adopted 'Vision' for Moyne is: *The people of Moyne embrace the region's extraordinary cultural and ecological country. Our fertile volcanic plains and pristine coast are the pride of Victoria's southwest. From coast to country, our connected and vibrant communities are active stewards, working meaningfully towards the protection and advancement of environment, history, social and economic vitality for present and future generations.*

The priority aspirations for each of the above themes (of relevance to the application) include a commitment to:

- o Have access to housing that suits our budget, the size of our family and lifestyle needs.
- o Set the standard for sustainable farming practices.
- Clause 02.03-2 **Agriculture:** Rural land in the municipality forms part of the highly productive Western District. A mild climate, high and well distributed rainfall, a diverse range of soil types and access to markets have combined to make the Shire a significant agricultural area. Intensive dairying and crop production are significant land uses in the coastal hinterland, while extensive

cropping and grazing enterprises, including beef cattle and sheep for wool and meat, are major activities in the northern part of the Shire.

Relevant strategic directions include:

- Encourage sustainable farming practices to protect water supply, manage salinity and pests, and maintain the long-term viability of agriculture in the Shire.
 - Protect the natural and physical resources upon which agricultural industries rely.
 - Prevent land use conflicts between agricultural uses and sensitive uses.
- Clause 02.03-6 **Housing:** Housing affordability and availability of long-term rental stock is declining in the Shire, and there is limited dwelling diversity, due to a low proportion of medium density and small dwellings in urban areas.

Relevant strategic directions include:

- Encourage population growth within all areas of the Shire.
- Clause 02.03-7 **Agriculture:** Agriculture is the most important sector of the local and regional economy and a major source of local employment. The Shire is within Australia's largest dairy production region that contributes around a quarter of the nation's milk production. The preservation of agricultural land in large holdings is necessary to maintain the economy of the Shire, including the service and processing industries that support agriculture.

Relevant strategic directions include:

- Promote agriculture as the primary industry of the economy.
- Protect agricultural land from non-productive use and development.
- Ensure that the use and development of land does not prejudice agricultural industries or the productive capacity of the land.
- Protect and promote the dairy industry to ensure its long term growth.

An assessment of the proposal against the policies of the MPS is contained within **Section 5.2.1** of this report.

4.2. Planning Policy Framework (PPF)

To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance to the Site and the proposal are set out below.

Clause 11 Settlement

- Clause 11.01-1S **Settlement**: To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- Clause 11.01-1R **Settlement – Great South Coast**: To attract more people to the region.
- Clause 11.01-1L-01 **Settlement – Moyne**:
- Clause 11.03-4S **Coastal settlement**: To plan for sustainable coastal development.
- Clause 11.03-5S **Distinctive areas and landscapes**: To recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.
- Clause 11.03-6S **Regional and local places**: To facilitate integrated place-based planning.

Clause 13 Environmental Risks and Amenity

- Clause 13.02-1S **Bushfire planning**: To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 14 Natural Resource Management

- Clause 14.01-1S **Protection of agricultural land**: To protect the state's agricultural base by preserving productive farmland.
- Clause 14.01-1L **Agricultural production**: This policy applies to land in the Farming Zone and Rural Living Zone.: To ensure that subdivision, including the creation of small lots for existing dwellings, and the use and development of dwellings minimises the loss or fragmentation of productive agricultural land and does not prejudice activities associated with agricultural production.
- Clause 14.01-2S **Sustainable agricultural land use**: To encourage sustainable agricultural land use.
- Clause 14.01-2L **Sustainable agricultural land use**

Clause 15 Built Environment and Heritage

- Clause 15.01-6S **Design for rural areas**: To ensure development respects valued areas of rural character.

Clause 17 Economic Development

- Clause 17.01-1S **Diversified economy**: To strengthen and diversify the economy.
- Clause 17.04-1R **Diversified economy**

An assessment of the proposal against the policies of the PPF is contained within **Section 5.2.1** of this report.



4.3. Zoning

The Site is located within the Farming Zone (Clause 35.07). The relevant purposes of the Farming Zone are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Pursuant to Clause 35.07-1 **Table of uses**, a permit is required to use land for a dwelling where it does meet the conditions in Section 1. The proposal is located on a lot which is under 40 hectares. It follows, that the proposal is a Section 2 Use (permit required).

Pursuant to Clause 35.07-4 **Building and works**, a permit is required for buildings and works associated with a Section 2 use.

A detailed assessment under the Farming Zone is contained within **Section 5.2.2** of this report.

4.4. Overlays

The site is not affected by any overlays.

4.5. Particular Provisions

The site is not affected by any particular provisions.

4.6. Other planning considerations

4.6.1. Aboriginal Cultural Heritage Sensitivity

The Site is identified within an 'area of cultural heritage sensitivity' pursuant to the *Aboriginal Heritage Regulations 2018*. The proposal is not for a 'high impact activity', as defined within the Regulations.

See the Planning Property Report at **Appendix B** for a copy of a plan verifying the area is mapped within a cultural heritage sensitivity area and a Cultural Heritage Process Checklist confirming a mandatory CHMP is not required.



4.6.2. Key and Essential Worker Housing Action Plan 2020

The challenges associated with providing affordable housing for rural workers in the Great South Coast Region are well recognised within the Key and Essential Housing Supply Action Plan (2020). The 'Action Plan' has been developed by the Victorian Planning Authority in collaboration with stakeholders within the Great South Coast and Barwon regions, including Moyne Shire Council.

The proposal fits the land use definition of 'dwelling', whose primary function is to accommodate people required to manage the agricultural use of the land and to support individuals (and their families) who work the land.

The Action Plan aims to enhance the availability of both low and high-end rental and ownership options for permanent and seasonal key workers across various industries in the Great South Coast and Barwon areas. Key workers are defined as those employed in critical local sectors, such as agriculture and the food and fibre industry.

The Plan highlights several important issues relevant to the region and the proposed site:

- the region has experienced minimal growth in housing stock;
- there is a high proportion of unoccupied and underutilised dwellings in the region that are now short-term rentals, particularly in tourism destinations (i.e. near coastal areas and the Great Ocean Road);
- The decrease in the number of available rental properties means key workers are less likely to access suitable rental properties within the region; and
- A portion of each LGA's workforce is travelling large distances for employment.

Currently, nearly 4,000 key worker positions are filled by individuals who live outside the region, largely due to a lack of adequate housing for these workers and their families. Additionally, it is projected that by 2024, another 2,610 jobs would be created within the region, further increasing the demand for housing in the coming years.

To address these challenges, the Action Plan suggests that local councils and the State Government develop planning policies that promote the availability of key worker housing, including accommodations for rural workers.

This application presents a timely opportunity to support the development housing which will support key workers and aligns with the recommendations outlined in the Action Plan.

5. Planning Policy Assessment

5.1. Key planning issues

Based on the provisions of the Moyne Planning Scheme and the decision guidelines of Clause 65, the following are submitted to be the key planning issues relevant to the proposed development of the Site.

- Is there strategic policy support for the proposal and is the proposal consistent with the Municipal Planning Strategy and the Planning Policy Framework?
- Does the proposal respond appropriately to the purpose and decision guidelines of Clause 35.07?

5.2. Policy assessment

5.2.1. Is the proposal consistent with the Municipal Planning Strategy and the Planning Policy Framework?

The proposal requires assessment under the Planning Policy Framework (PPF) and Municipal Planning Strategy (MPS) of the Moyne Planning Scheme.

The proposal is considered to be consistent with the current context and vision for the Moyne Shire Council as stated in Clause 02.01 and Clause 02.02.

The proposal chiefly achieves the desired vision for the municipality through the measures and strategies employed in the decisions for siting, designing and locating the proposed dwelling and associated buildings and works, including:

- Siting choices in support of sustainable agricultural and land management practices; and
- Building material choices in support of bushfire and landscape character matters; and

See the Town Planning Drawings illustrated in the attached plans and reports for further details.

The application supports the municipality's ambitions for population growth while upholding the established landscape character values of the area and finds a balance between this objective and advancing and enhancing the productive purpose of the land, which is for agriculture (Clauses 02.03-1 **Settlement**, 02.03-4 **Agriculture**, 11.03-4S **Coastal settlement**, 11.01-1S **Settlement** and 14.01-1S **Protection of agricultural land**). In doing so, the proposal effectively supports an economic opportunity which will strengthen the local economy, which is heavily reliant on agricultural production (Clauses 02.03-7 **Agriculture**, 17.04-1S **Diversified economy** and 17.04-1R **Diversified economy**).

The proposal employs an integrated approach to land management, with choices employed in the siting of the proposed buildings and works to minimise the impact on the farms operation and productive landscape features, whilst enhancing the existing agricultural activity on the Site and surrounding farmland (Clauses 02.03-7 **Economic development**, 02.03-4 **Natural resource management**, 14.01-1S **Protection of agricultural land**, 14.01-2S and 14.01-2L **Sustainable agricultural land use**).



The proposal seeks to minimise risk to life, health, property and the environment from natural hazards, by avoiding development in areas that are most vulnerable to bushfire risk, and by siting the development in an area of acceptable bushfire risk, within the Site. The proposal has been appropriately sited and is located in an area where defendable space comprises modified grassland that will be managed appropriately, so as to not increase the level of fire risk (Clause 13.02-1S **Bushfire planning**).

The PPF is clear that productive farmland should be preserved and should be protected from incompatible uses. This proposal is a necessary requirement for a bonafide agricultural enterprise which requires a farm manager be located close to the Site in order for the ongoing and safe running of the farm and it's workers. The proposal is consistent with good land management practices and is located close to existing infrastructure (roads and power) (**Protection of agricultural land** and 14.01-2S **Sustainable agricultural land use**).

The proposal is for a 'dwelling', and the relevant matters from Clause 14.01-1L have been considered. Specifically, through design and siting choices which ensure that the dwelling minimises the loss of productive agricultural land and does not prejudice activities associated with agricultural production.

The proposed dwelling buildings and associated effluent field is able to be sited away from low-lying areas and water storage areas, thereby protecting the existing surface and groundwater storage, drainage lines and associated water quality, and avoiding surface runoff pollution (Clauses 02.03-4 **Agriculture**, 14.02-1S **Catchment planning and management** and 14.02-2S **Water quality**).

The proposed dwelling building will be appropriately sited within a suitable envelope to ensure the scale of development is in keeping with the natural surrounds and will appear as a typical farming homestead, thereby protecting the rural character of the area. The siting choices for the dwelling building will ensure that the proposed built form will have minimal impact on views from beyond the site toward areas of valued landscape character. As previously ventilated, the proposed dwelling buildings is setback more than 100 metres from the nearest dwelling in separate ownership. The property boundary is well screened from public views by existing mature vegetation on the western boundary and roadside vegetation adjoining the southern boundary land. The choices made in relation to siting of the proposed dwelling buildings result in an appropriately located building envelope which will minimise the impact of the development on existing topography, with minimal earthworks required and minimal visual impacts upon the natural scenery and landscape features of the site and surrounds (Clauses 15.01-6S **Design for rural areas**).

The proposed dwelling buildings and working of the land is required for the ongoing and efficient management of the agricultural enterprise which makes a contribution to the municipality and region's key economic pillar (agriculture) and to the nation's food production (Clauses 17.01-1S **Diversified economy** and 17.01-1R **Diversified economy - Great South Coast**).

In light of the above, the proposal is considered to appropriately respond to the relevant policies of the PPF and MPS of the Moyne Planning Scheme.

5.2.2. Does the proposal respond appropriately to the purpose and decision guidelines of Clause 35.07?

Pursuant to Clause 35.07-1 (Table of uses) 'dwelling' is a Section 1 use, where a number of prescriptions are met. It is noted, that the minimum lot size condition is not met, meaning a planning permit is required.

Pursuant to Clause 35.07-2 (Use of land for dwelling) a lot used for a dwelling must meet the following requirements:

Requirement	Response
<p>Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.</p>	<p>Complies.</p> <p>Access will be provided using the existing vehicle crossover at the intersection of the Great Ocean Road road reserve and the internal constructed farm road.</p> <p>A minor upgrade to the existing internal yard road/driveway will be completed to provide access to the proposed dwelling building and will be suitable for emergency vehicles.</p>
<p>The dwelling must be connected to a reticulated sewerage system 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 Environment Protection Regulations under the <i>Environment Protection Act 2017</i> for an on-site wastewater management system.</p>	<p>Complies.</p> <p>Wastewater is proposed to be treated by a suitable EPA approved treatment system. Design and siting of the treatment system will be finalised following a decision on the planning permit application.</p> <p>A standard condition is invited on any permit to be granted requiring on-site waste disposal be designed and implemented in accordance with the requirements of the Environment Protection Regulations</p>
<p>The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.</p>	<p>Complies.</p> <p>Potable water will be provided via rainwater harvesting and firefighting tanks, as required.</p>
<p>The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.</p>	<p>Complies.</p> <p>The dwelling will be able to be connected to electricity via an extension of the existing supply point from the edge of the Great Ocean Road road reserve.</p>

Pursuant to Clause 35.07-4 (Buildings and works), a permit is required to construct or carry out works associated with a Section 2 use. An assessment of relevant decision guidelines contained in the Farming Zone is outlined in the table below.

Decision guidelines	Assessment
<p>General issues</p> <p>The Municipal Planning Strategy and the Planning Policy Framework.</p> <p>Any Regional Catchment Strategy and associated plan applying to the land.</p> <p>The capability of the land to accommodate the proposed use or development, including the disposal of effluent.</p>	<p>The Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF) have been considered in this report.</p> <p>Please see Section 5.2.1 for details of the assessment.</p> <p>The Glenelg Hopkins Regional Catchment Strategy 2022-2027 (RCS) applies to the application site.</p> <p>The strategy does not contain any objectives specifically related to the subject site but contains general objectives and management measures with regard to the role of landowners in caring for and managing the environmental qualities of their land.</p> <p>The proposed dwelling is required to provide accommodation for the farm manager employed by the agricultural enterprise, and who will be required to manage the land in accordance with the general objectives and management measures of the Regional Catchment Strategy.</p> <p>The Strategy broadly states that inappropriate planning and development, and pest plants and animals are key threats to rural and riparian environments.</p> <p>The proposal is required for the ongoing and efficient management of the land to avoid and reduce the potential for pest plants and animals to arise and spread, which is supported by the Strategy.</p> <p>There is ample area downslope of the building area to treat wastewater onsite. The wastewater system is expected to be able to treat waste to a secondary standard by a suitable EPA approved treatment system. Design and siting of the treatment system will be finalised following a decision on the planning permit application.</p>

Decision guidelines	Assessment
How the use or development relates to sustainable land management.	The proposed use and development of the land for a dwelling is an integral part of the ongoing operation of the existing agricultural enterprise. Management of the farm by involves constant monitoring and frequent action around the clock. These duties will be more practicably achieved through the farm manager residing on the land and by being able to observe changing conditions on a daily basis, particularly given the amount of work expected for the running of the farm for 800 livestock across 258 hectares.
Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds	<p>The site is able to accommodate the proposed dwelling buildings without any likely adverse environmental or landscape impacts.</p> <p>The building area is likely to be removed from pasture production. However, the dwelling will enable land owners to better manage the land and improve the site’s agricultural productivity through the addition of closer farm managers to the Site, and the area lost to pasture production will be offset by these improvements.</p>
Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.	<p>The proposed building siting is appropriate and is integrated with active and ongoing agricultural activity.</p> <p>The proposed use of the land for a dwelling is compatible with adjoining and nearby land uses, which comprise predominantly dairy farmland and small areas of rural residential use to the west and south. The proposed use and development of the Site for a dwelling is compatible with these land uses.</p>
How the use and development makes use of existing infrastructure and services	The existing infrastructure and services on the land consist of fencing, power, water storage areas, internal yard roads and tracks and rural vehicle crossovers. These assets will be retained and enhanced as a result of the proposal, by adding farm managers closer to the Site who will be better positioned to observe changing conditions on a daily basis and at all times of day.
Agricultural issues and the impacts from non-agricultural uses	
Whether the use or development will support and enhance agricultural production.	The proposed dwelling proposal is required to directly support the use of the Site for the ongoing and sustainable operation of the agricultural enterprise that it is associated with.

Decision guidelines	Assessment
<p>(continued)</p> <p>Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.</p> <p>The capacity of the site to sustain the agricultural use.</p> <p>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</p>	<p>The site's agricultural productivity can be advanced and optimised through the addition of farm managers to the Site for the reasons previously ventilated.</p> <p>In addition, the proposal will support and enhance agricultural production on the site, as the dwelling building provides the land manager with the ability to attract a farm manager in an area where accommodation is difficult to source, thereby providing a greater pool of human resources from which to work the farm.</p> <p>The drawings and plans provided as part of this application mark out a building area and there is ample land application area for wastewater, which is likely to be removed from pasture production. However, the dwelling will enable the land owners/managers to improve the site's agricultural productivity, and the area lost to pasture production is likely to be offset by these improvements.</p>
<p>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</p>	<p>The proposed dwelling building and associated works are not expected to limit the operation or expansion of adjoining and nearby agricultural uses. All adjoining <i>agricultural</i> land is held in common ownership with the Site land owner.</p>
<p>Any integrated land management plan prepared for the site.</p>	<p>There is no integrated land management plan relevant to the Site.</p>
<p>Whether Rural worker accommodation is necessary having regard to:</p> <ul style="list-style-type: none"> - The nature and scale of the agricultural use - The accessibility to residential areas and existing accommodation, and the remoteness of the location. 	<p>While the proposal is not for 'rural worker accommodation', some purposes are held in common with the use and development of a dwelling that is to be associated with agricultural production.</p> <p>The dwelling is necessary for the running of the existing agricultural enterprise, which is responsible for the care of approximately 800 livestock across approximately 285 hectares of farm land. No dwellings are located on the Site or adjoining land (held in common ownership with the Site) to assist in the management of the farm located at the Site address.</p>
	<p>No other accommodation is available within close proximity to the site. The Site is located far away from any established township containing accommodation or dwellings (i.e. Nullawarre & Peterborough).</p>

Decision guidelines	Assessment
<p>The duration of the use of the land for Rural worker accommodation.</p>	<p>The proposed dwelling is a modular transportable home.</p> <p>The dwelling is expected to be required for the ongoing and sustainable use of the agricultural enterprise.</p>
<p>Accommodation issues</p>	
<p>Whether the dwelling will result in the loss or fragmentation of productive agricultural land.</p>	<p>The proposed dwelling's location ensures minimal interference with ongoing agricultural activities on the site or adjoining <i>agricultural</i> land (held in common ownership with the Site). The dwelling is sited to utilise a marginally productive area of the Site, avoiding disruption to primary grazing and fodder production areas. Its integration with existing agricultural infrastructure (vehicle accessways/roads, paddock fencing, water storage etc.) ensures continuity in operations, with no division of paddocks or essential farming areas resulting from the proposed siting of the dwelling.</p>
<p>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.</p>	<p>The dwelling's proximity to agricultural activities has been carefully considered. The dwelling is located more than 100 metres from the nearest agricultural land in separate ownership. Setbacks between the dwelling and boundaries are sufficiently distanced. Vegetation located to the west and south is expected to be retained (and supplemented where necessary), offering protection from dust and noise from any use beyond the Site.</p>
<p>Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.</p>	<p>Positioning the dwelling within an existing agricultural setup ensures it does not encroach upon or restrict adjoining farms' operational capacity. The strategic siting avoids interference with access routes, stock movement, and irrigation systems, safeguarding both current and future agricultural activities on nearby land.</p> <p>It is noted, that the agricultural holding is separated by road reserves to the north and south and interfaces with rural residential uses to the east and south. There is no potential for the dwelling to adversely affect the operation or expansion of adjoining or nearby agricultural uses.</p>

Decision guidelines	Assessment
<p>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.</p>	<p>This single dwelling is demonstrably linked to the land's agricultural production, and no subdivision is proposed. The location aligns with the broader purposes of the Farming Zone, which support rural housing (and rural settlement) associated with farming. The proposed siting of the dwelling is unlikely to lead to any concentration or proliferation of dwellings in the area. It follows, that no impacts are likely on the use of the land for agricultural arising from the use and development of the Site for a dwelling associated and required for the ongoing and sustainable agricultural production of the land.</p>
<p>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:</p> <ul style="list-style-type: none"> - 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. 	<p>Not applicable.</p>

Decision guidelines	Assessment
<p>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.</p>	<p>Not applicable.</p>
<p>Environmental issues</p>	
<p>The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</p>	<p>The environmental values of the Site are low. This observation is informed by a diligent desktop and in-person review and assessment of the site environs. The biodiversity value of the Site is currently limited, and managed appropriately as part of an established dairy farm.</p>
<p>The impact of the use or development on the flora and fauna on the site and surrounds.</p>	<p>Normal improvements and land management activities are required to maintain pasture, exotic grasses, perimeter and shelter belt plantings, and drainage lines, which are the main contributors to the biodiversity of the Site.</p>
<p>The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.</p>	<p>The site's agricultural productivity as well as its landscape characteristics can be improved through the close presence of a farm manager, who is required to carry out these duties on a day-to-day basis.</p> <p>The proposal will support and enhance agricultural production without harm to environmental values, and the dwelling building will provide an appropriate location from which the farm manager can implement farm and land management duties and supervise staff/workers.</p>

Decision guidelines	Assessment
<p>The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.</p>	<p>There is ample area south and downslope of the building area to treat wastewater onsite. The wastewater system is expected to be able treat waste to a secondary standard by a suitable EPA approved treatment system. Design and siting of the treatment system will be finalised following a decision on the planning permit application.</p>
<p>Design and siting issues</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>The proposed dwelling building is located within a modest envelope as illustrated in the drawings at Appendix D. The drawings have considered agricultural impacts from a siting perspective and the siting of buildings minimises the loss of productive agricultural land.</p> <p>The dwelling building will not be highly visible from views external to the site including from surrounding landscape features, major roads and vistas. The natural topography of the land and screening provided by existing vegetation will effectively screen or minimise the scale of the development from external views to the Site and will also soften the development from internal views toward the building.</p> <p>The design of the dwelling building is responsive to the character of the area through the selection of proposed materials and height of the buildings, which will result in minimal visual impact when viewed from beyond the site boundaries. The siting of the development has been carefully chosen to ensure the land naturally screens or minimises the bulk of the development from external views.</p> <p>The design is unlikely to result in any detriment to the architectural, historic, scientific or natural scenic beauty or importance of the site and surrounds.</p>

Decision guidelines	Assessment
<p>The location and design of existing and proposed infrastructure which minimises the visual impact on the landscape.</p>	<p>The proposal will utilise the existing infrastructure services provided via the Great Ocean Road road reserve, including power and vehicle crossovers.</p> <p>Minor extensions to the existing internal road network and power and telecommunications infrastructures are required to facilitate compliant connections to the dwelling building.</p> <p>Proposed wastewater treatment area and water tanks will be located within close proximity of the proposed development.</p> <p>The proposed infrastructure will not result in any visual impact upon the landscape.</p>

Based on the aforementioned assessment, the proposal has been assessed as compatible with the purpose and decision guidelines of the **FZ1** and the requirements for a dwelling.

6. Conclusion

This town planning report details the proposal and has made an assessment against the relevant policy and planning controls of the Moyne Planning Scheme.

The proposal is considered appropriate for the following reasons:

- The proposal is supported by the Municipal Planning Strategy and the Planning Policy Framework;
- The proposal is an appropriate response to the relevant planning controls affecting the site, providing a dwelling and required infrastructure that is sited in a location that is responsive to the Site's physical context, agricultural, landscape character and environmental values and bushfire risk.
- The proposed use will not cause unreasonable adverse amenity impacts to nearby rural and public property;
- The proposal is strategically located and compatible with surrounding rural land uses;
- The proposal comprises adequate access for farm and emergency vehicles, considering the site's location and accessibility of road infrastructure;
- The proposal will assist in supporting the agricultural and environmental values of the site, both in the design and siting of development, and through enabling the presence of additional workers which will directly enhance the lands agricultural productivity and land management;
- The proposal will positively contribute to the development and built form of the local area; and
- The proposal will directly support the growing population's need for rural housing, which is required for agricultural productivity and to support rural communities.

It is the conclusion of this report that the application is consistent with the purposes and intent of the planning controls and policy framework of the Moyne Planning Scheme.

It follows as the recommendation and request of this report that Council issue a planning permit for the proposal.

We highly commend the application to Council, and look forward to working with Council during the assessment of the application.

January 2025



Appendices

Appendix A	Certificate of Title
Appendix B	Planning Property Report
Appendix C	Site Photos
Appendix D	Town Planning Drawings

