BENALLA
RURAL CITY COUNCIL

NOTICE OF AN APPLICATION FOR PLANNING PERMIT

The land affected by the application is located at:
161 Baddaginnie-Benalla Road, Benalla
Crown Allotment 33, Section U
Parish of Benalla

The application is for a permit to:
To use and develop the land for a dwelling

The applicant for the permit is:
Ms Leanne Maxwell
Regional Planning Services

The application reference number is:
P0049/24
DA7655

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must:
* **be made to the responsible authority in writing;**
* **include the reasons for the objection; and**
* **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The Responsible Authority will not decide on the application before:
17 June 2024

If you object, the Responsible Authority will tell you its decision.

BENALLA RURAL CITY

Planning Enquiries
Phone: (03) 5760 2600
Web: www.benalla.vic.gov.au

Office Use Only

Application No.: Date Lodged: / /

Application for a **Planning Permit**

If you need help to complete this form, read MORE INFORMATION at the end of this form.

⚠ Any material submitted with this application, 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*. If you have any questions, please contact Council's planning department.

⚠ **Questions marked with an asterisk (*) must be completed.**

⚠ **If the space provided on the form is insufficient, attach a separate sheet.**

i Click for further information.

Clear Form

The Land i

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.: St. No.: 125 St. Name: Baddaginnie Benalla Road

Suburb/Locality: Benalla Postcode: 3672

Formal Land Description *
Complete either A or B.

⚠ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: ○ Lodged Plan ○ Title Plan ○ Plan of Subdivision No.:

OR

B Crown Allotment No.: 33 Section No.: U

Parish/Township Name: Benalla

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

i **For what use, development or other matter do you require a permit?** *

Use and development of a dwelling for ex-racehorse retaining centre.

☑ Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i **Estimated cost of any development for which the permit is required** *

Cost $ 550000

⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.

Existing Conditions

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Vacant land

☑ Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictrive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ○ Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- ○ No
- ◉ Not applicable (no such encumbrance applies).

☑ Provide a full, current copy of the title for each individual parcel of land forming the subject site.
The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:
Title: Ms | First Name: Leanne | Surname: Maxwell
Organisation (if applicable): Regional Planning Services
Postal Address: | If it is a P.O. Box, enter the details here:
Unit No.: | St. No.: | St. Name: PO Box 2056
Suburb/Locality: Benalla | State: VIC | Postcode: 3671

Please provide at least one contact phone number *

Contact information for applicant OR contact person below
Business phone: 0438 040 629 | Email: leanne@regionalplanningservices.com
Mobile phone: 0438 040 629 | Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*
Same as applicant ☑
Name:
Title: | First Name: | Surname:
Organisation (if applicable):
Postal Address: | If it is a P.O. Box, enter the details here:
Unit No.: | St. No.: | St. Name:
Suburb/Locality: | State: | Postcode:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Same as applicant ☐
Name:
Title: Mr & Mrs | First Name: Raymon & Margaret | Surname: Nelson
Organisation (if applicable):
Postal Address: | If it is a P.O. Box, enter the details here:
Unit No.: | St. No.: 125 | St. Name: Baddaginnie-Benalla Road
Suburb/Locality: Benalla | State: VIC | Postcode: 3672
Owner's Signature (Optional): | Date: day / month / year

Declaration

This form must be signed by the applicant *

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

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date: 29/4/2024 day / month / year

Privacy consent

I give consent to my personal information disclosed in the application to be made available for public inspection, including on Council's public website, whilst the application is being determined, in accordance with Section 51 of the Planning and Environment Act 1987.

Yes ☑ No ☐

Signature: dmaxwell

Date: 29/04/2024 day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

◯ No ◯ Yes If 'Yes', with whom?: Joel Ingham

Date: January 2024 day / month / year

Checklist

Have you:

☐ Filled in the form completely?

☐ Paid or included the application fee? Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

☑ Provided all necessary supporting information and documents?

- ☐ A full, current copy of title information for each individual parcel of land forming the subject site.
- ☐ A plan of existing conditions.
- ☐ Plans showing the layout and details of the proposal.
- ☐ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
- ☐ If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

☐ Completed the relevant council planning permit checklist?

☐ Signed the declaration above?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Benalla Rural City Council
PO Box 227
Benalla VIC 3671

Customer Service Centre
1 Bridge Street East
Benalla VIC 3671

Contact information:

Phone (03) 5760 2600
Email: council@benalla.vic.gov.au
DX: 32230

Deliver application in person, by post or by electronic lodgement.

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

VOLUME 12431 FOLIO 428

Security no : 124114449722G
Produced 25/04/2024 08:23 AM

LAND DESCRIPTION

Crown Allotment 33 Section U Parish of Benalla.
PARENT TITLE Volume 08443 Folio 223
Created by instrument AV828716J 07/07/2022

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
RAYMOND THOMAS NELSON
MARGARET JEAN NELSON both of 125 BADDAGINNIE-BENALLA ROAD BENALLA VIC 3672
W211040A 10/08/1999

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP666589E FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

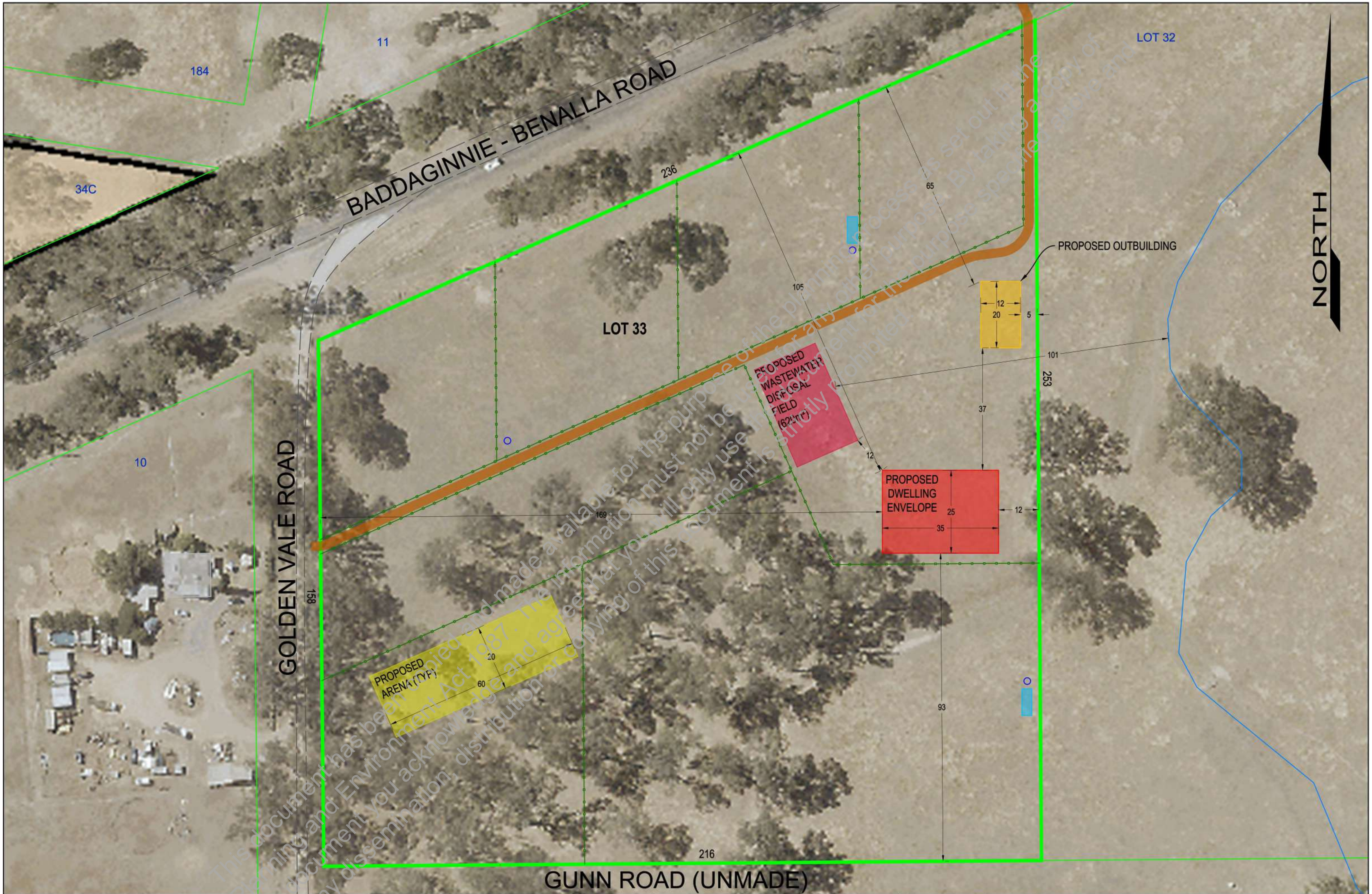
Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES

NIL

eCT Control 18640K NEVIN LENNE & GROSS
Effective from 21/07/2023

DOCUMENT END



LEGEND

SUBJECT SITE	PROPOSED OUTBUILDING
EXISTING BUILDING	STOCK TROUGH
PROPOSED DWELLING	EXISTING SHED
ESTABLISHED TREE	STOCK SHELTER
PROPOSED FENCE	PROPOSED ARENA

WASTEWATER DISPOSAL FIELD
PROPOSED ALL WEATHER ACCESS
WATERCOURSE
CONTOUR 10m INTERVAL
LOT BOUNDARIES
EDGE OF ROAD

NORTH

SCALE 1:1000

0 10 20 40

PVeng | 0419 530 679 | paulv.engineering@gmail.com

REVISION A - FOR PLANNING PURPOSES

A 28/04/2024 ISSUED FOR PLANNING PURPOSES

PVeng

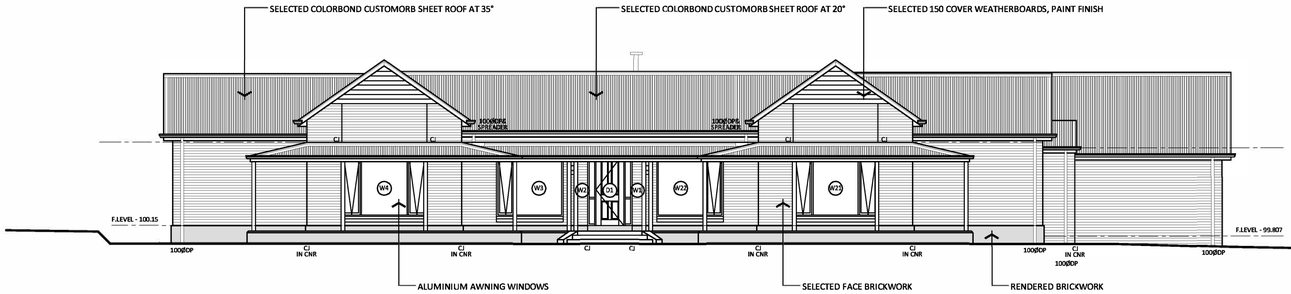
PLANNING PERMIT APPLICATION

LOT 33 /125 BADDAGINNIE-BENALLA ROAD. BENALLA 3672

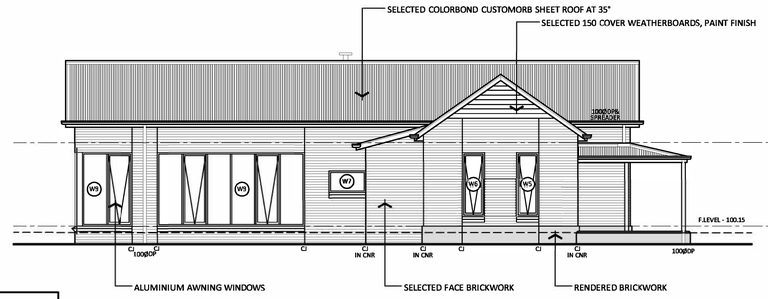
SITE CONTEXT PLAN

CLIENT: BLOODSTOCK	108	SHEET 1 OF 1

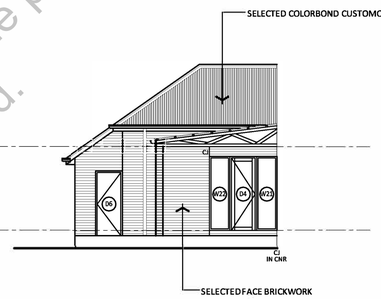
BUSHFIRE ATTACK LEVEL
BAL - 12.5



west elevation 1:100



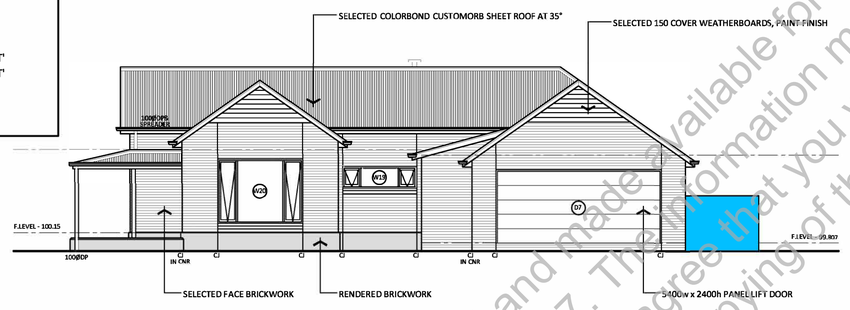
north elevation 1:100



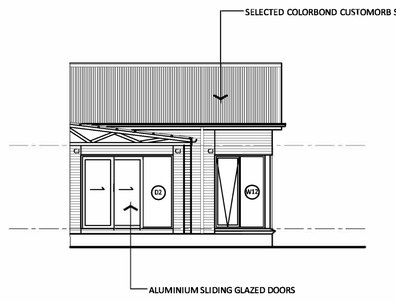
ALFRESCO
north elevation 1:100

COLOUR / MATERIAL SCHEDULE

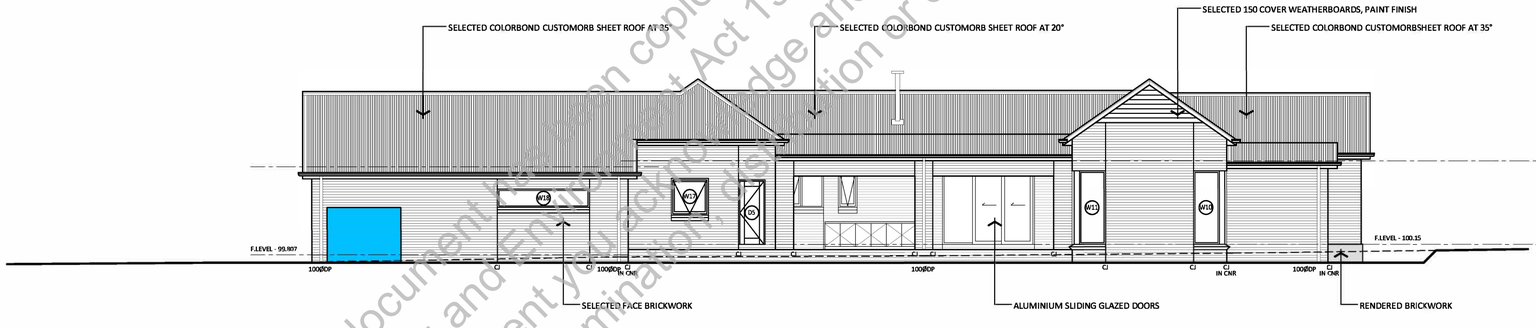
FACE BRICKWORK	- RED BRICK, GREY MORTAR
ROOF SHEETING	- COLORBOND 'SURFMIST'
RENDER	- COLORBOND 'SURFMIST'
GUTTER	- COLORBOND 'SURFMIST'
FASCIA	- COLORBOND 'SURFMIST'
DOWNPIPES	- COLORBOND 'MONUMENT'
WINDOW FRAMES	- COLORBOND 'MONUMENT'
GARAGE PANEL LIFT DOORS	- COLORBOND 'WALLABY'
VERANDAH POSTS	- COLORBOND 'WALLABY'
WEATHERBOARDS	- COLORBOND 'WALLABY'



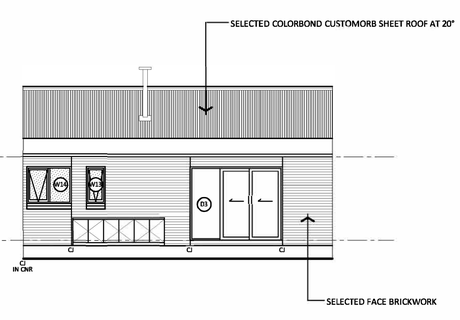
south elevation 1:100



ALFRESCO
south elevation 1:100



east elevation 1:100



ALFRESCO
east elevation 1:100

no.	date	revisions ▽
A	04/12/2017	BUILDING PERMIT APPLIC ATION
B	19/06/2018	- UPDATED WITH PLAN CHANGES

DP-AD1059
DP-AD38659

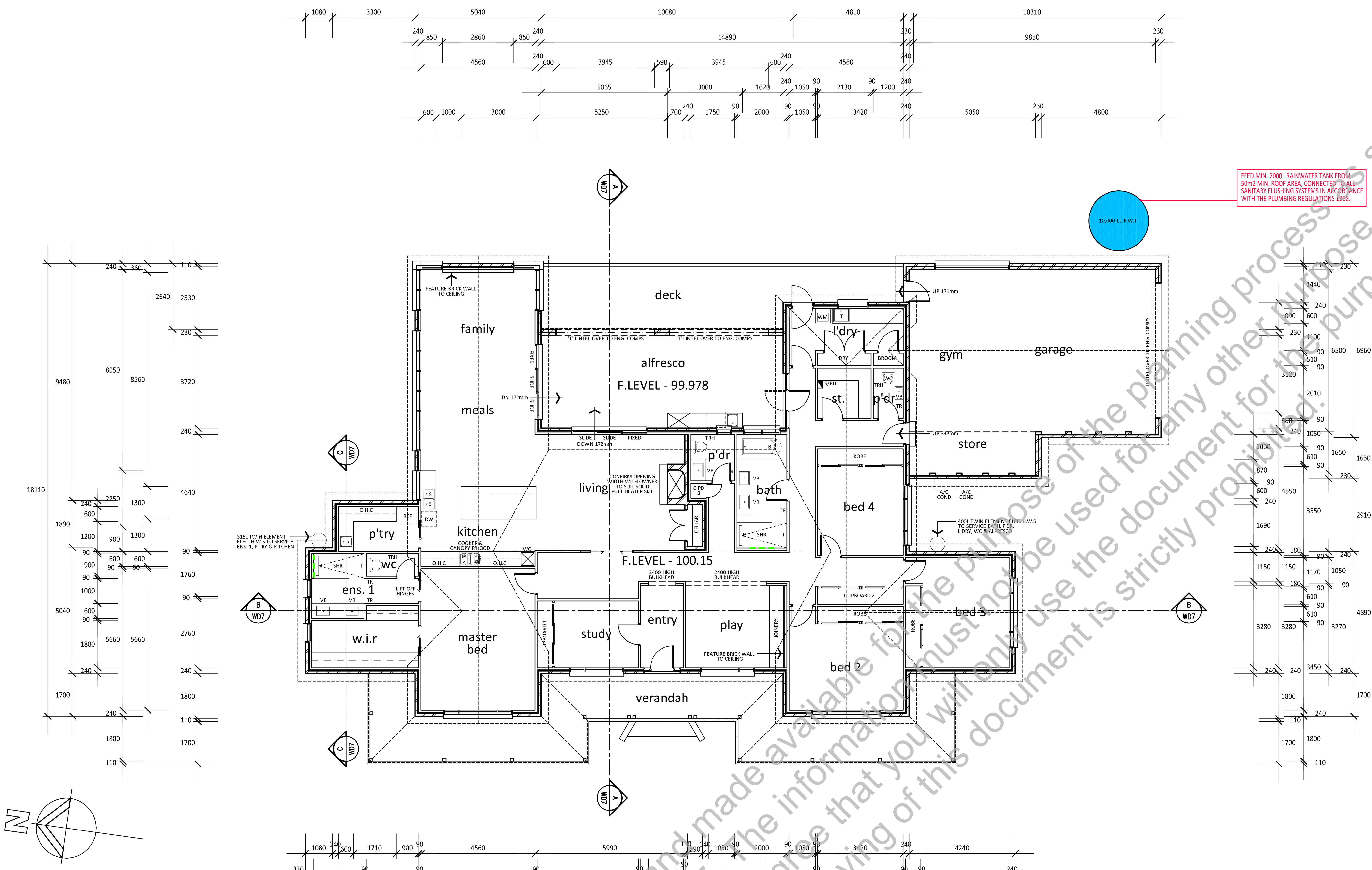
project
Proposed Residence & Attached Garage

drawing
Elevations

date
drawn
checked
job no.
drg no.
revision
scale AT A1

printed

BUSHFIRE ATTACK LEVEL BAL - 12.5



floor plan 1:100

RESIDENCE FLOOR AREA - 318.84m2 34.32sq - 49.99m2 5.38sq
VERANDAH FLOOR AREA - 54.28m2 5.84sq - 7.17m2 0.77sq
GARAGE/GYM FLOOR AREA - 79.22m2 8.52sq - 38.54m2 4.14sq
ALFRESCO/DECK FLOOR AREA - 71.24m2 7.66sq - 11.33m2 1.22sq

NOG FOR TOWEL RAIL (TR) AT 950
NOG FOR TOILET ROLL HOLDER (TRH) AT 800

P1. DENOTES 120x120 F7 CYPRESS PINE POSTS, H2 CLASS BASED ON CONCRETE PAD FOOTINGS TO ENGINEER'S COMPS

DENOTES LOAD BEARING INTERNAL WALLS

DENOTES 900 LONG x 300 HIGH x 90 DEEP TILED SOAP RECESS

DENOTES FEATURE BRICK WALL

GENERAL NOTES

1. WATERPROOFNG REQUIREMENTS:
TO INCLUDE ENTIRE FLOOR OF ENSUITE 1 & 2 & BATHROOM AND UP TO 2200mm IN SHOWER ENCLOSURE WALLS, AND 150mm HIGH ELSEWHERE FOR SKIRTING TILES.
PRODUCT TO BE MAPEI 'MAPEGUM WP' FAST DRYING FLEXIBLE LIQUID MEMBRANE FOR WATERPROOFING (APPLY AT 1mm MIN. THICKNESS).
PROVIDE 'MAPEBAND' WATERPROOFING TAPE TO JOINTS BETWEEN FLOOR AND WALLS.
BOTH PRODUCTS TO BE APPLIED IN STRICT ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS.

2. SET DOWN FOR SHOWER RECESS IN TIMBER FLOOR TO ENSUITE 1 & 2 & BATHROOM TO FALL TO END GRATES AS NOTED ON PLANS.

3. ALL CEILINGS TO HAVE CORNICE TO OWNER'S SELECTION, EXCEPT FOR GARAGE WHICH IS TO HAVE 55mm COVE CORNICE. ALL WET AREA WALLS (ENSUITE1 & 2 AND BATHROOM) TO BE WATERPROOF PLASTERBOARD OR 9mm VILLABOARD.

4. HEATING SYSTEM TO BE SELECTED SOLID FUEL HEATER IN LIVING ROOM AND DUCTED REVERSE CYCLE AIR CONDITIONING

5. PAINTING:
ALL PAINTING WORKS TO BE 3 COAT APPLICATION BASE / SEALER COAT WITH 2 TOP COATS. SEE SCHEDULE.
UNLESS OTHERWISE NOTED ALL MATERIALS MUST BE PREMIUM GRADE PAINTS (NOT TRADE PAINTS). ALL PREPARATION, TYPE OF PAINT AND NUMBER OF COATS OF EACH TYPE IS TO BE IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATION. "PREPARATION OF SURFACES & PAINTING SYSTEMS":- THIS SPECIFICATION IS TO BE TAKEN AS A MINIMUM STATEMENT OF REQUIREMENTS.

6. TILING:
WALL TILES SHALL BE TO THE FOLLOWING MINIMUM STANDARD:-, GRIND OFF ANY LUMPS AND
- CERAMIC WALL TILES SHALL BE AS SELECTED BY OWNER
- GROUT COLOUR AS SELECTED BY OWNER
- PROVIDE MATCHING COLOUR SILICONE SEALANT

7. INTERNAL WALL FINISHES:
GENERALLY LINE WITH PLASTERBOARD OR FIBRE CEMENT SHEET. PLASTERBOARD:-
- GYPSUM PLASTERBOARD TO AUSTRALIAN STANDARD AS. 2588. - RECESSED EDGES FOR FLUSH JOINTING. (UNLESS NOTED OTHERWISE)
FIBRE CEMENT SHEET:-
- 9mm THICK VILLABOARD FIBRE CEMENT SHEET
- RECESSED EDGED FOR FLUSH JOINTING.

SURFACE & LOCATION	PREPARATION	PAINTING SYSTEM
PLASTERBOARD WALLS IN ALL AREAS EXCEPT WET AREAS	STOP-UP AND SAND SMOOTH.	1 COAT DULUX OR EQUAL APPROVED ACRYLIC SEALER/UNDERCOAT. 2 COATS DULUX WASH AND WEAR OR EQUAL APPROVED LOW SHEEN ACRYLIC.
PLASTERBOARD CEILINGS IN ALL AREAS EXCEPT WET AREAS	STOP-UP AND SAND SMOOTH.	1 COAT DULUX OR EQUAL APPROVED ACRYLIC SEALER/UNDERCOAT. 2 COATS DULUX CEILING WHITE FLAT OR EQUAL APPROVED
PLASTERBOARD CEILINGS IN ENSUITE & BATHROOM	STOP-UP AND SAND SMOOTH.	1 COAT DULUX OR EQUAL APPROVED ACRYLIC SEALER/UNDERCOAT 2 COATS DULUX AQUA ENAMEL WASH AND WEAR, KITCHEN & BATHROOM, CEILING FLAT WITH MOULDSHIELD OR EQUAL APPROVED
PLASTERBOARD/VILLABOARD WALLS IN ENSUITE & BATHROOM	STOP-UP AND SAND SMOOTH.	1 COAT DULUX OR EQUAL APPROVED ACRYLIC SEALER/UNDERCOAT 2 COATS DULUX AQUA ENAMEL WASH AND WEAR, KITCHEN & BATHROOM, CEILING FLAT WITH MOULDSHIELD OR EQUAL APPROVED
TIMBER SKIRTINGS, ARCHITRAVES & DOOR FRAMES	SAND SMOOTH AND FILL AS REQUIRED	2 COATS DULUX AQUA ENAMEL SEMI-GLOSS OR EQUAL APPROVED
DOORS	SAND LIGHTLY	2 COATS DULUX ACRYLIC SEMI-GLOSS OR EQUAL APPROVED
EXTERNAL GALVANISED STEEL BEAMS, COLUMNS AND FENCING	DEGREASE WITH MINERAL TURPENTINE	1 COAT DULUX 2PAK ETCH PRIMER OR EQUAL APPROVED 2 COATS DULUX AQUAENAMEL GLOSS OR EQUAL APPROVED
CEMENT SHEET SOFFIT LININGS ETC.	STOP-UP AND SAND AS NECESSARY	1 COAT ALKALI RESISTANT SEALER 2 COATS DULUX WEATHERSHEILD OR EQUAL APPROVED LOW SHEEN ACRYLIC

ALL PAINT SPECIFIED ABOVE CAN BE DULUX, TAUBMANS, WATTYL, SOLVER AND/OR HAYMES, OR EQUAL APPROVED BY MADIN LYONS ASSOCIATES PTY LTD

DOOR SCHEDULE

DOOR No.	LOCATION	TYPE - (PROFILE TO BE SELECTED BY OWNER, WxH)
D1	ENTRY	1020 x 2400 SOLID CORE 4 PANEL CRAFTWOOD FACE, PROVIDE KEYED LOCKSET
D2	MEALS	2 / 820 x 2400 DOUBLE GLAZED SWING DOOR UNIT, PROVIDE KEYED LOCKSET
D3	LIVING	2 / 820 x 2400 DOUBLE GLAZED SWING DOOR UNIT, PROVIDE KEYED LOCKSET
D4	PLAY/PASSAGE	820 x 2400 DOUBLE GLAZED SWING DOOR UNIT, PROVIDE KEYED LOCKSET & FLYDOOR
D5	ALFRESCO	4145 x 2400 DOUBLE GLAZED BI-FOLD DOOR UNIT
D6	ALFRESCO	4145 x 2400 DOUBLE GLAZED BI-FOLD DOOR UNIT
D7	L'DRY	820 x 2100 DOUBLE GLAZED SWING DOOR UNIT, PROVIDE KEYED LOCKSET & FLYDOOR
D8	GARAGE	820 x 2040 SOLID CORE, WATERPROOF QUALITY, COLORBOND CLAD, PROVIDE KEYED LOCKSET
D9	GARAGE	5400 x 2150 AUTO PANEL LIFT DOOR
D10	GARAGE	5400 x 2400 AUTO PANEL LIFT DOOR
D11	STUDY	820 x 2340 SOLID CORE CRAFTWOOD FACE
D12	CUPBOARD 1	2/990 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D12A	CUPBOARD 1	2/990 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D13	THEATRE	2/720 x 2340 SOLID CORE CRAFTWOOD FACE CAVITY SLIDERS
D14	LIVING	2/820 x 2340 SOLID CORE CRAFTWOOD FACE CAVITY SLIDERS
D15	MASTER BED	820 x 2340 SOLID CORE CRAFTWOOD FACE
D16	ENS. 1	820 x 2340 SOLID CORE CRAFTWOOD FACE CAVITY SLIDER
D17	W.I.R	820 x 2340 SOLID CORE CRAFTWOOD FACE
D18	WC	720 x 2340 SOLID CORE CRAFTWOOD FACE PROVIDE LIFT OFF HINGES
D19	P'TRY	820 x 2340 SOLID CORE CRAFTWOOD FACE CAVITY SLIDER
D20	CELLAR	2/620 x 2340 SOLID CORE CRAFTWOOD FACE
D21	CUPBOARD 2	2/990 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D21A	CUPBOARD 2	2/990 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D22	CUPBOARD 3	520 x 2340 SOLID CORE CRAFTWOOD FACE
D23	WC	720 x 2340 SOLID CORE CRAFTWOOD FACE PROVIDE LIFT OFF HINGES
D24	BED 2	820 x 2340 SOLID CORE CRAFTWOOD FACE
D25	ENS. 2	820 x 2340 SOLID CORE CRAFTWOOD FACE
D26	ROBE	2/865 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D27	CUPBOARD 4	620 x 2340 SOLID CORE CRAFTWOOD FACE
D28	BED 3	820 x 2340 SOLID CORE CRAFTWOOD FACE
D29	ROBE	2/830 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D29A	ROBE	2/830 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D30	BED 4	820 x 2340 SOLID CORE CRAFTWOOD FACE
D31	ROBE	2/830 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D31A	ROBE	2/830 X 2400 NOM. SLIDING DOORS. CRAFTWOOD INSERTS PAINT FINISH, STEGBAR OR EQUAL APPROVED
D32	BATH	820 x 2340 SOLID CORE CRAFTWOOD FACE
D33	GARAGE/GYM	820 x 2340 SOLID CORE CRAFTWOOD FACE WITH RAVEN RP8SI CONCEALED BOTTON SEAL MORTICED INTO BOTTOM OF DOOR AND RP945I JAMB SEALS
D34	P'DR	820 x 2340 SOLID CORE CRAFTWOOD FACE PROVIDE LIFT OFF HINGES
D35	STORE	820 x 2340 SOLID CORE CRAFTWOOD FACE
D36	L'DRY	820 x 2340 SOLID CORE CRAFTWOOD FACE
D37	DRY	2/820 x 2340 SOLID CORE CRAFTWOOD FACE WITH BOTTOM VENTS (300w x 500h POWDERCOAT ALUMINIUM x 2)
D38	BROOM	820 x 2340 SOLID CORE CRAFTWOOD FACE

INTERNAL DOOR NOTES

* ALL NEW DOORS TO BE 2340H (UNLESS NOTED OTHERWISE ON DOOR SCHEDULE) SOLID CORE, CRAFTWOOD FACE, SIZE AS NOMINATED ON PLAN.
* ALL DOOR FRAMES TO BE MDF UNLESS NOTED OTHERWISE.
* DOOR PROFILE TO BE SELECTED BY OWNER.
* ALL ARCHITRAVES AND SKIRTINGS TO BE MDF, SIZE AND PROFILE TO BE SELECTED BY OWNER, PAINT FINISH
* ALL HINGES TO BE S.S BUTT HINGES THROUGHOUT

madin lyons

MADIN LYONS ASSOCIATES PTY LTD
17 PLEASANT STREET SOUTH, BALLARAT 3350

T. (03) 5331 4653
E. admin@madinlyons.com.au
ACN. 005 786 621

TONY LYONS DP-AD1059
PHIL ROGERS DP-AD38659

project
Proposed Residence & Attached Garage

Lot 4 Gordon - Egerton Road

Mount Egerton

client
Jenna & Damian Toohey

drawing
Proposed Floor Plan &

date	May 2018
drawn	S.Callahan
checked	NOT CHECKED
job no.	16133-wd2
drg no.	2 of 7
revision	A
scale	AS INDICATED AT A1

printed

FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING.

CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF ANY WORK OR SHOP DRAWINGS.

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	**Plan**
Document Identification	**TP666589E**
Number of Pages (excluding this cover sheet)	**2**
Document Assembled	**25/04/2024 08:23**

TITLE PLAN

EDITION 2

TP666589E

LOCATION OF LAND

PARISH : BENALLA

SECTION : U
CROWN ALLOTMENT : 30, 31, 32 AND 33

TITLE REFERENCE : C/T VOL.8443 FOL.223

MGA2020 Co-ordinates (of approx. centre of land in plan) E 405920 N 5953270 ZONE: 55 GDA 2020

DEPTH LIMITATION : NIL

NOTATIONS:

PURPOSE OF THE PLAN
TO PROVIDE SEPARATE DIMENSIONS FOR BOUNDARIES NOT DIMENSIONED AT THE TIME OF ISSUING CROWN GRANT VOLUME 2594 FOLIO 642

BOUNDARY DIMENSIONS SHOWN HEREON ARE NOT BASED ON MODERN SURVEY BUT ARE DERIVED FROM DEPARTMENTAL RECORDS WHICH WERE IN EXISTENCE PRIOR TO THE ISSUE OF THE CROWN GRANT AND MAY NOT AGREE WITH MODERN STANDARDS OF ACCURACY OR EXISTING OCCUPATION.

Easement Information

Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / in favour of

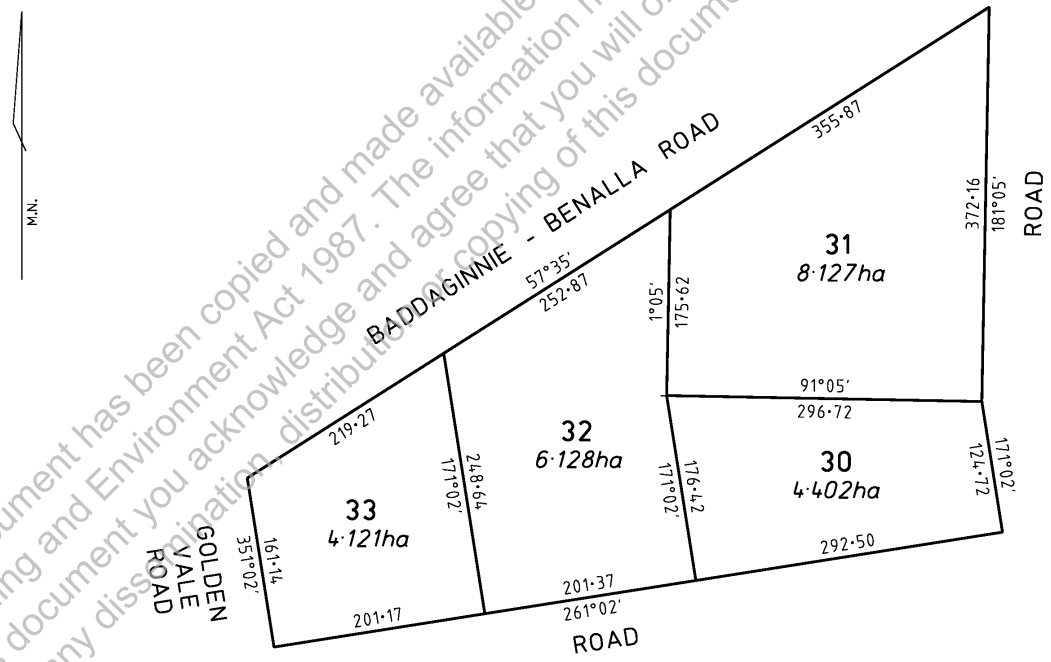
Legend : A - Appurtenant E : Encumbering Easement R : Encumbering Easement (Road)

THIS PLAN HAS BEEN PREPARED BY LAND USE VICTORIA FOR TITLE DIAGRAM PURPOSES.

Checked by: S.A

Date: 18 / 10 / 2022

Assistant Registrar of Titles



PREPARED FROM: VDP, B392(5) AND B387B-1

CHECKED: J. DONELAN 13/10/2022

SURVEYOR-GENERAL VICTORIA
DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

SCALE
50 0 50 100 150 200
LENGTHS ARE IN METRES

SCALE 1:5000

SHEET SIZE A3

SURVEYOR-GENERAL

DATE 17/10/2022

FILE REF: PO-13900(365)

SHEET 1 OF 1

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

TP666589E

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

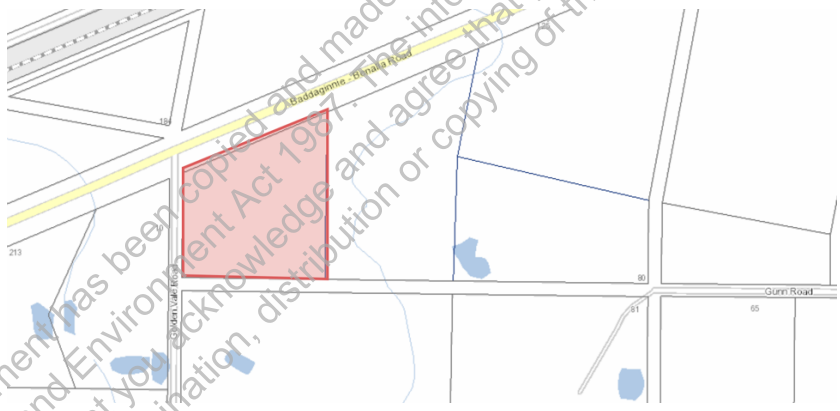
AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
C.A(s) 30, 31, 32, 33	-	SEPARATE DIMENSIONS AND AREAS	AV828716J	07/07/22	2	S.A

GEOplan

Geoscience + Planning

LAND CAPABILITY ASSESSMENT

ALLOTMENT 33
SECTION U
PARISH OF BENALLA



Introduction 5
Methodology 5
Site Assessment 6
Soil Assessment 7
Site Risk Analysis 9
Wastewater Management 9
Conclusion and Recommendations 9
References 10

Appendices:

Appendix A - Site Photos
Appendix B – Site Plan
Appendix C – Soil Excavation Logs
Appendix D – Water and Nutrient Balance
Appendix E – Soil Laboratory Results
Appendix F – Groundwater Report

Report Version	1
Report Date	February 2024
Prepared by	Simon Hollis
Assessors Academic and Professional Qualifications	Bachelor Applied Science (Environmental Management) Advanced Diploma Spatial Information and Surveying Graduate Diploma Land Rehabilitation Graduate Diploma Rural and Regional Planning Master of Science (Geoscience)

LIMITATIONS

The findings contained within this Land Capability Assessment are derived from methodologies provided by relevant Code of Practice and Australian Standard and due regard has been given to undertake all aspects of the study in accordance with the requirements with best practice and relevant standards. Whilst the findings contained in this report represent a reasonable interpretation of site conditions, it does not indicate that these findings represent the actual state of the site at all points. The Information contained in this document have been produced by GeoPlan Consulting for the use of the person or organisation for which it has been prepared and GeoPlan undertakes no duty to or accepts any responsibility to any third party who may rely on this document.

Disclaimer
Geoplan takes responsibility in any way to any person or organisation (other than that for which this report has been prepared) in respect of the information set out in this report, including any errors or omissions therein. Geoplan is not liable for errors in plans, specifications, documentation or other advice not prepared or designed by Geoplan consulting.

GEOplan
Geoscience + Planning

EXECUTIVE SUMMARY SITE AND SOIL ASSAY	
SOIL DEPTH	Soil depths across the study area are greater than 1.0 metres – impermeable layer not encountered.
DEPTH TO WATERTABLE	Groundwater not encountered although (seasonally) saturated soils possible. According to DEECA Groundwater Resource website depth to water table is <5m: https://mapshare.vic.gov.au/Geocortex/Essentials/EXT/REST/TempFiles/groundwater_report_20240218_111624.pdf?guid=3f15ea05-9670-41e4-a5f3-cf24b73c60db&contentType=application%2Fpdf
TOPOGRAPHY	Flat
COARSE FRAGMENTS (%) (SUBSOIL)	<2%
SUBSOIL – B2 (DESIGN) HORIZON	Reddish-brown, strongly pedal, medium clay
EMERSON CLASS	B2 Horizon - 1
pH˟ (1:5 Water)	B2 Horizon – 6.8
ELECTRICAL CONDUCTIVITY (1:5 WATER) ˟ dS/m	B2 Horizon – 0.04
EXCHANGEABLE SODIUM % (ESP) ˟	B2 Horizon – 8%
SUBSOIL SOIL PERMEABILITY (Ksat) (m/day	~ 0.05 m/day Soil permeability was determined using the Talsma-Hallam and visual / tactile methods.
SOIL CATEGORY (AS/NZ1547:2012)	6a
DESIGN LOADING RATE (TRENCHES & BEDS) (mm/day)	Refer to notes 2 and 3 to Table L1 in *Australian Standard AS/NZS 1547:2012*
DESIGN IRRIGATION RATE (mm/day)	3
DESIGN LOADING RATE (EVAP/TRANS) (mm/day)	5
˟ Determined by Nutrient Advantage Laboratories	

GEOplan
Geoscience + Planning

EXECUTIVE SUMMARY

Indicative Land Application Design Recommendations – 4 Bedroom Dwelling

Treatment Standard	Septic Tank Capacity (Litres)	Land Application Method	Construction Requirements (Relevant AS/NZS 1547/2012 Construction Diagram)	Calculated Length (m)	Indicative LAA Area (m^2)*
Primary or Secondary Treatment (AWTS or Sand Filter)	3500L	Subsurface irrigation*	M1	**620 m^2 (Standard Fixtures)** **510 m^2 (Water Saving Fixtures)**	

*Using water balance as shown at **Appendix** C (**9th Decile wet year rainfall** – Benalla)

Introduction

An investigation has been undertaken to assess the overall capability of 125 Baddaginnie-Benalla Road Benalla for the purpose of on-site wastewater management and to investigate the merits of undertaking future un-sewered development on the land. This report provides information about:

- Soil conditions;
- Site constraints;
- General indicative advice about appropriate wastewater treatment system and land application methods in response to overall site and soil characteristics; and
- Indicative wastewater land application area sizing.

The findings of this report have been made in context of prioritising public and environmental health with generic design recommendations framed on achieving sustainable wastewater disposal with acceptable residual environmental and public health risk.

Methodology

The field component of the land capability assessment was undertaken on 1 February 2024 employing the methodology of Victorian EPA publication No. 746.1 *Land Capability Assessment for Onsite Domestic Wastewater Management* and Publication 891.4 *Victorian Code of Practice – Onsite Wastewater Management* 2016 (*CoP).* It was also undertaken in accordance with *Australian Standard AS/NZS 1547:2012 On-site Domestic Wastewater Management*. The indicative wastewater disposal system dimensions have been calculated using the *Code of Practice* and water balance modelling.

The study methodology has comprised the following:

- A desktop study of relevant geological, topographical, climate and soil references;
- Soil and site assessment;
  This included the drilling, logging and sampling of two investigation bore holes across the subject land in order to establish soil profile conditions and identify spatial variations across the subject land. A 75mm hand auger was used to drill the bore holes;
- Soil permeability was derived using the Talsma-Hallam method and the visual / tactile method which included an assessment of sub-soil texture and structure;
- Water and nutrient balance analysis based on the 9th decile wet year rainfall derived from the mean monthly rainfall data for the Benalla Weather Station (Bureau of Meteorology Station No. 082170); and
- Analysis of findings and report writing.

GEOplan
Geoscience + Planning

Benalla Planning Scheme

Farming Zone (FZ)

The Schedule to Clause 35.07-2 (Farming Zone) of the *Benalla Planning Scheme* seeks *inter alia* to protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the *State Environment Protection Policy (Waters of Victoria).* A key purpose of this LCA is to demonstrate compliance with the requirements of the Farming Zone of the *Benalla Planning Scheme.*

Site Assessment

Table 1 Site Summary	**Response**
Site Address	125 Baddaginnie-Benalla Road, Benalla
Zone	Farming Zone (FZ)
Catchment Status	Not a Declared Special Water Supply Catchment
Existing Development	The study area portion of the subject land is cleared with no development.
Climate Benalla Weather Station (Bureau of Meteorology Station No. 02002)	Rainfall – 644mm 9th Decile – 773mm Evaporation – Approx 1400mm http://www.bom.gov.au/climate/averages/tables/cw_082002.shtml
Aspect	Flat with excellent solar exposure
Vegetation	Pasture grasses and no evidence of hydrophilic species at the study site
Landform	Linear-planar
Slope	~2%
Fill	None evident - natural profiles observed
Rocks and Rock Outcrop	None observed
Surface Water	The nearest waterway is One-mile Creek located > 100m east of the study area.
Flood Potential	Less than 1:100 AEP (not located within FO)
Stormwater run-on and upslope seepage	Given the location of the study area and topography significant stormwater run-on is not expected.
Depth to Groundwater	Groundwater not encountered although (seasonally) saturated soils possible. According to DEECA Groundwater Resource website depth to water table is <5m: https://mapshare.vic.gov.au/Geocortex/Essentials/EXT/REST/TempFiles/groundwater_report_20240218_111624.pdf?guid=3f15ea05-9670-41e4-a5f3-cf24b73c60db&contentType=application%2Fpdf
Site Drainage and Subsurface Drainage	The presence of (red) mottling within the observed profiles is indicative of a soil moisture regime that has fluctuation. The overall reddish colour of the subsoil is typically indicative of good drainage.

Soil Assessment

Overview

Two assessment boreholes were drilled within the study area (**Appendix B**). This was sufficient to adequately characterise the soils of the immediate landscape and subject land for the purpose of the dwelling proposal. Excavation logs are provided at **Appendix C**. The soils are characterised by:

Table 2: Soil Profile Summary

Horizon	Lower Horizon Depth (mm)	Colour	Field Texture	Structure
A1	0- ~100	Dark Brown	Loam	Moderate
A2	~100 - ~200	Brown	Clay Loam	Moderate
B1	~200-500	Brownish-red	Light Clay	Strong
B2*	~500 - 1000	Reddish-Brown	Medium Clay	Strong

Reddish colour of subsoil indicates that the subsoil is well drained
Limited mottles indicate some soil moisture fluctuations
Subsoil was strongly pedal
*B2 Horizon has been adopted as the design horizon

Nutrients

Clay-rich soils such as those found on this site can fix large amounts of phosphorous. Phosphate-rich effluent seeping through these soils will lose most of the phosphorous within a few metres. The limiting nutrient for this site is nitrogen and no phosphorous balance is required.

Nitrogen, that is contained in organic compounds forms nitrate-N when processed in an aerated treatment plant. Alternate periods of wetting and drying, with the presence of organic matter promotes reduction to nitrogen gas (denitrification). Plant roots absorb nitrates at varying rates depending on the plant species however a feature of nitrate is that it is mobile and can be readily leached. Accordingly, it can enter groundwater via deep seepage and surface waters via overland flow and near-surface lateral flow. Indicative site land application sizing has been made with reference to a nitrogen balances shown at **Appendix D** and **Table 8.**

Subsoil Sodicity, Emerson Class, Salinity and pH

Soil particle flocculation is important because water moves mostly in large pores between soil aggregates. Soils with a high Exchangeable Sodium Percentage (ESP) will have reduced permeability (Ksat). Aggregate stability is also impacted by the amount of soluble salts (EC) in the soils. The high exchangeable sodium cation (ESP) rating and Emerson class 1 suggest that the subsoil could be susceptible to dispersion and that soil management should include measures to reduce soil dispersion. A summary of design horizon ESP, Emerson Class, Salinity and pH is provided at **Table 3** and **Appendix E.**

Table 3: Sodicity Emerson Class Salinity and pH*	
Design Horizon	B2
Emerson Class	1
Electrical Conductivity (1:5 Water) d/Sm	0.04
pH (1:5 Water)	6.8
Sodium % of cations	8
* Determined by Nutrient Advantage Laboratory	

GEOplan
Geoscience + Planning

Permeability and AS/NZ1547:2012 Soil Category

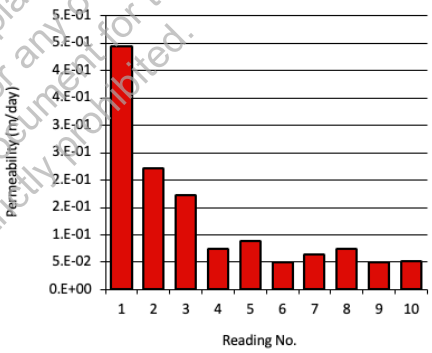
Saturated hydraulic conductivity was measured using a constant head permeameter. The visual / tactile method which included an assessment of sub-soil texture and structure was also employed. A summary of results is provided in **Table 4**. Pursuant to EPA publication 891.4 (*CoP*) the indicative permeability of soils in the study area was ~ 0.05 m/day (Category 6a soil).

Table 4: Hydraulic Conductivity

TEST 1

Depth interval (m) tested 0.6 to 0.8
Test duration (mins)
Soil type tested

Reading No.	Water infiltrated	Time to infiltrate	Infiltration rate	Perme-ability
	(L)	(min)	(L/min)	(m/day)
1	0.03	1	3.0E-02	4.4E-01
2	0.03	2	1.5E-02	2.2E-01
3	0.035	3	1.2E-02	1.7E-01
4	0.02	4	5.0E-03	7.4E-02
5	0.03	5	6.0E-03	8.9E-02
6	0.02	6	3.3E-03	4.9E-02
7	0.03	7	4.3E-03	6.3E-02
8	0.04	8	5.0E-03	7.4E-02
9	0.03	9	3.3E-03	4.9E-02
10	0.035	10	3.5E-03	5.2E-02



Site Risk Analysis

Land Capability Assessment

A range of site features have been assessed in terms of the degree of limitation they present for a range of onsite wastewater management systems (**Table 5**). Reference is made to the rating scale described in Table 1 of EPA Publication 746. *Land Capability Assessment for On-site Domestic Wastewater Management.*

LAND FEATURES	TABLE 5 - LAND CAPABILITY CLASS RATING				
	Low	**Medium**	**High**	**Limiting / unsuitable**	**Ameliorative Measures & Risk Reduction**
Available land for Land Application Area (LAA)	**Lot size exceeds LAA and duplicate LAA requirements**	Meets LAA and duplicate LAA requirements	Meets LAA and partial duplicate LAA requirements	Insufficient LAA area	
Aspect	**North, north-east or north-west**	East, west, or south-west	South or south-east	South – full shade	
Exposure	**Full sun and / or high wind or minimal shading**	Partial shade	Limited light, little wind, heavily shaded area	Perpetual shade	
Slope Form	Convex or divergent side slopes	**Straight sided slopes**	Concave or convergent side slopes	Locally depressed	
Slope Gradient Trenches & beds	**< 5%**	5 – 10%	10 – 15%	> 15%	
Slope Gradient Subsurface Irrigation	**< 10%**	10 – 30%	30 – 40%	> 40%	
Site drainage Run off / run on	**Low Likelihood**	Moderate likelihood	High likelihood	Cut off drain not possible	
Landslip *	**Low Potential**	Mod Potential	High Potential	Existing	
Erosion Potential	**Low**	Moderate	High	No practical amelioration	
Flood / inundation	Never	**< 1 AEP**	<5%AEP	> 5% AEP	
Distance to surface waters (m)	**Buffer distances exceeds all Code requirements**	Buffer distances complies with all Code requirements	Buffer distances do not comply with all/some Code requirements	< 40 m	Waterway >100m to east
Distance to groundwater bores (m)	**No bores on site or within a significant distance**	Buffer distances comply with the Code	Buffer distances do not comply with the Code	No suitable treatment method	
Vegetation	**Plentiful / healthy vegetation**	Moderate vegetation	Sparse or limited vegetation	Propagation not possible	
Depth to water table (potentiometric) (m)	**> 2 m**	2 – 1.5 m	1.5 m	1.5 m - Surface	
Depth to water table (seasonal parched) (m)	**> 1.5 m**	< 0.5 m	0.5 – 1.5 m	0.5m - Surface	
Rainfall ** (9th decile) (mm)	< 500 mm	500 – 750 mm	**750 – 1000 mm**	> 1000 mm	Land application area sizing based on water balance
Pan evaporation (mean) (mm)	**1250 – 1500 mm**	1000 – 1250 mm	750 – 1000 mm	< 750 mm	
Soil Profile Characteristics					
Structure	High or moderately structured	**Weakly structured**	Structureless, massive or hardpan		Application of Gypsum based on Emerson Class and ESP
Fill materials	**Nil or mapped good quality topsoil**	Mapped variable depth and quality materials	Variable quality and / or uncontrolled filling	Uncontrolled poor quality / unsuitable filling	
Thickness of soil (m) at the location of:					
Trenches & beds	**> 1.4 m**	>1.4m	< 1.4 m	< 1.2 m	
Subsurface irrigation	**> 1.5 m**	1 – 1.5 m	0.75 m	< 0.75 m	
Permeability					
Permeability *** (limiting horizon) (m / day) Measured in situ	0.15 – 0.3	**0.03 – 0.15 0.3 – 0.6**	0.01 – 0.03 0.6 – 3.0	> 3.0 < 0.03	Larger LAA

GEOplan
Geoscience + Planning

Edis Algorithm Risk Assessment

Initially developed for the *Mansfield Domestic Wastewater Management Plan,* the *Edis Algorithm* has become a widely used on-site wastewater management risk assessment tool and recognised as an accurate measure of risk. Using the *Edis Algorithm*, the risk rating for the subject land is **2.6 (low).**

Table 6
Edis Algorithm Risk Assessment

Feature	Low (Rating of 1)	Medium (Rating of 2)	High (Rating of 3)	Risk Rating
R res **Distance to reservoir**	**>15km**	2-15km	<2km	1
R Soil **Soil Type Rating**	1	2	**3**	3
R riv **Distance to River**	**>80m**	40-80m	<40m	1
R str **Distance to stream**	**>80m**	40-80m	<40m	1
R drain **Distance to drain**	**>40m**	10-40m	<10m	2
R Lot **Lot Size (ha)**	**>10ha**	2-10ha	0.2-2ha	1
R LCA **LCA rating**	1-2	**3**	4	2
R Fail **System fail rate**	<5%	**5-10%**	>10%	2
R Dens **Density (dwellings / KM2)**	**<20**	20-40	**>40**	1

Rn = ((R Res ÷ R soil) x (R riv + R str + R drain + R lot) + (2 x R LCA) + (3 x R fail x R den)) / 10

Edis Risk Rating 2.6 (Low)

Low Risk = Rn of <2.5
Medium Risk = Rn of 2.5 – 5
High Risk = Rn of >5

GEOplan
Geoscience + Planning

Wastewater Management

This Land Capability Assessment has been prepared to provide general advice as to the most appropriate treatment and land application systems at the proposed lot given the intrinsic site and soil characteristics of the study site. The following sections provide an overview of suitable systems at the subject land with general advice about sizing and design considerations, and their justification for selection.

Buffer Distances and Land Application Area Siting

As a general rule, future land application areas shall be sited so that:

- Where practical, they are exposed to prevailing winds and not shaded from sunlight, or are placed where nearby plants can help evapotranspiration of the effluent;
- They do not affect, or are not affected by and comply with requirements for setback distances from buildings, property boundaries, retaining walls and embankments; and
- Sufficient setbacks from surface water buffer distances are provided to prevent human contact, maintain public amenity and protect sensitive environments.

These principles will be required to inform land application area siting as will the prescribed setbacks within Publication 891.4 *Victorian Code of Practice – Onsite Wastewater Management* July 2016.

The nominated land application area shown at **Appendix B** provides *CoP* compliant surface water setbacks.

Theoretical Wastewater Flow and Organic Material Loading Rate Calculations

To calculate a theoretical land application area size appropriate for the site and for the purpose of determining a minimum lot size risk threshold and ultimately lot yield for the site, the assumptions of **Section 3.4.1** and **Table 4 of the *Code of Practice*** have been adopted.

Calculations have been based on one scenario – a four-bedroom dwelling (maximum occupancy). Redundancy is built into the calculations by assuming on-going occupation by maximum numbers of residents, 9th decile wet year rainfall and using standard water fixtures in water balance calculations.

Table 7
Indicative Design Daily Wastewater Flowrate and Organic Material Loading Rate Calculations

	Calculation Input	Notes
No. Bedrooms	4	
Calculated occupancy	5	As per CoP
Design hydraulic flow rates (L/person/day)	180 (standard water fixtures) 150 (water saving fixtures)	As per CoP
Daily wastewater flow rate*	900 (standard water fixtures) 750 (standard water fixtures)	Calculated as per CoP
Organic material loading design rates (g BOD / Person / day)	60	As per CoP
Total Organic Material Loading Design Rate (g BOD / day)	300	Calculated as per CoP

*Design hydraulic flow rate and organic material design rate calculated in accordance with EPA publication 891.4

Septic Tank Capacity

Pursuant to Table J1 of AS/NZS 1547:2012, the minimum operational capacity for an all-waste septic tank in this instance is recommended to be:

- 3500L (4 Bedroom / Design Flow1000-1400 l/day)

This capacity provides for sludge storage capacity providing for a maximum interval prior to desludging / pump out of 5 years (based on scum and sludge accumulation rates in AS/NZS 1547:2012).

Treatment and Land Application Options

Appendix K of *AS/NZS 1547:2012* provides guidance on system selection. It summarizes common site and soil constraints and provides advice on land application systems that are best suited to the prevailing conditions. As a general rule, the more severe and numerous the constraints the fewer options, the riskier the system and greater maintenance and installation costs.

AS/NZS 1547:2012 requires, inter alia, the selection of the land application system to take into account:

(a) The volume of wastewater produced;
(b) The quality of the effluent discharging from the wastewater treatment unit;
(c) The nature of the soil profile and resulting soil category;
(d) The DLR/DIR associated with the soil category, (based on best available knowledge of the LTAR);

(e) The required spacing between trenches/beds/irrigation lines or sprays;
(f) Surface water and groundwater levels and movements; and
(g) Local climate.

The chief constraint at the study site is relatively low-permeability Category 6a subsoils and potentially dispersive subsoils. Table K2 of *AS/NZS 1547:2012* makes the following recommendations to address and mitigate these constraints:

- Employ a larger application area;
- Reduce wastewater flow using water-saving devices;
- Dose effluent so wet the soil more than once a day;
- Place soil of good permeability within land application area;
- Install when soils are dry or only slightly moist;
- Avoid heavy equipment on application area when soils are moist or wet;
- Avoid smearing sides and bottoms of trenches and beds;
- Minimise domestic water use;
- Minimise discharge of sodium salts to application area;
- Alternate between different parts of the land application area.
- Apply Gypsum to receiving soil (min 1kg/m2) to all disturbed soil surface areas;
- Avoid construction during wet weather;
- Fill and close any trenches as required and cover with good topsoil as soon as possible;
- Construct interceptor bunds and drains to divert surface run-on and subsurface seepage around the land application area;
- Use water loving plants within the land application area;
- Import soil to raise ground level; and
- Avoid soaps and detergents with high sodium content.

Primary or secondary treatment would be suitable treatment options at the site however given the low Ksat, dispersive subsoils and shallow water table consideration should be given to secondary treatment of wastewater via an Aerated Wastewater Treatment System (AWTS). On-site wastewater disposal systems designed, constructed, operated and maintained in accordance with the recommendations of *AS/NZS 1547:2012* with appropriate regard to the site constraints is unlikely to impact on the beneficial use of surface waters and groundwater in the area.

Land Application Area Sizing Calculations

Primary or Secondary Treatment - Subsurface Irrigation

Within the proposed lot subsurface irrigation would be an appropriate land application method, particularly given the Category 6a subsoils. The preferred approach to calculate subsurface irrigation area land application area sizing is to undertake a water and nutrient balance calculation using *AS/NZS 1547:2012.* This method takes into account rainfall, evaporation and soil porosity to calculate the appropriate land application area.

The water balance seeks to find the minimum disposal area for a given wastewater discharge rate in this instance. The *CoP* indicates that the appropriate Design Irrigation Rate (DIR) as being 3mm / day in the Category 5b subsoils. Water and nutrient balance also assumes 30mg/litre N in the effluent, a denitrification rate of 20%, with N uptake of 220 kg/ha/year for a pasture comprising a rye/clover mix and sequential zoned dosing of the irrigation area, providing a conservative estimate of the nitrogen content in the deep seepage and lateral flow.

Without taking into account further expected denitrification below the root zone and in the groundwater (reported to be in the vicinity of 80%), denitrification in the lateral flow (external to the irrigation areas but within the curtilage of the allotment) and plant uptake in the lateral flow, the area required for Nitrogen uptake is shown in **Table 8** and **Appendix D** using **9th decile wet year rainfall** from

the nearby Benalla weather station **within the Category 6a subsoils.** A land application area of this size should provide a sustainable land application area with no surface discharge in the 9th decile wet year and adequate on-site attenuation of nutrients.

Table 8: Area for Nitogen Uptake^	**4 Bedroom Dwelling**	
	Standard Fixtures	**Water Saving Fixtures**
Land Application Area	**620m²**	**510 m²**
Area for Nitrogen Uptake	**358 m²**	**299 m²**
^ Using water balance using Code of Practice hydraulic load, 9th decile wet year, Category 6a soils		

Conclusion and Recommendations

The results of this study have concluded the following:

- The subject land is sufficiently clear of environmental constraints to assume successful on-site domestic wastewater management. Surface and ground waters should not be impacted if *CoP* setbacks and are applied and *AS/NZS 1547:2012* design recommendations adopted. The statutory setbacks have considerable in-built redundancy. ***CoP* ground and surface water setbacks can be achieved utilising secondary wastewater treatment.**

- The lot size lot size is substantially larger than the indicative land application area sizing calculated by this study, thereby supporting the notion that all wastewater should be able to be treated and retained within the bounds of the lot. **Using 9th decile wet year rainfall, the calculations of this report suggest an indicative subsurface irrigation land application area of 620 m2 (standard water fixtures) is likely to be appropriate for a future 4-bedroom dwelling within the Category 6a subsoils observed at the site.**

- *AS/NZS 1547:2012* provides system selection and design modifications that cater for specific site constraints and serve to reduce risk to an acceptable level in such situations. Many inherent site limitations may be overcome by applying *AS/NZS 1547:2012* system selection and design advice though the site-specific land capability assessment process. **The relatively low permeability subsoils can be addressed via system design and management in accordance with *AS/NZS 1547:2012; and***

- The development can occur in a manner that is **consistent with the requirements and decision guidelines of the *Benalla Planning Scheme*.**

GEOplan
Geoscience + Planning

Key Site Constraints and Recommended Design Response

As identified and discussed in this report, the chief constraints at the subject land is:

- Low permeability Category 6a subsoils.
  Pursuant to Table K2 of AS/NZS 1547/2012 the following are recommended to address mitigate this constraint:
  - Reduce wastewater flow using water-saving devices;
  - Irrigation systems designed using water balance (**Appendix D**);
  - Dose effluent so as to wet the soil more than once a day;
  - Placement of soil of good permeability around LAA;
  - Install when soils are dry or slightly moist;
  - Avoid heavy equipment on application area when soils are moist or wet;
  - Avoid smearing sides and bottoms of trenches and beds;
  - Minimise domestic water use;
  - Minimise discharge of sodium salts to application area; and
  - Alternate application between different parts of the land application area.

- Potentially dispersive (High ESP) soils.
  High exchangeable sodium cation (ESP) rating suggest that the subsoil is susceptible to dispersion and that soil management should include measures to reduce soil dispersion.
  Pursuant to Table K2 of AS/NZS 1547/2012 the following are recommended to address mitigate this constraint:
  - Avoid smearing bottoms of trenches and beds;
  - Fill and close trenches as required and cover with good topsoil as soon as possible;
  - Avoids soaps and detergents with high sodium content;
  - Minimise discharges containing sodium salts;
  - Apply Gypsum to receiving soil (min 1kg/m2) to all disturbed soil surface areas; and
  - Avoid construction during wet weather.

- Shallow Water Table
  Pursuant to Table K2 of AS/NZS 1547/2012 the following are recommended to address mitigate this constraint:
  - Employ a larger land application area;
  - Reduce Design Loading Rate;
  - Import soil to raise ground surface level;
  - Select dry or slightly moist conditions for installation;
  - Minimise water use; and
  - Minimise pedestrian traffic on land application area.

Primary and Secondary Treatment

Primary or secondary treatment would be suitable treatment options at the site however given the low Ksat, dispersive subsoils and shallow water table consideration should be given to secondary treatment of wastewater via an Aerated Wastewater Treatment System (AWTS). On-site wastewater disposal systems designed, constructed, operated and maintained in accordance with the recommendations of *AS/NZS 1547:2012* with appropriate regard to the site constraints is unlikely to impact on the beneficial use of surface waters and groundwater in the area.

GEOplan
Geoscience + Planning

System Management Recommendations

Reserve Areas

Although reserve areas are not required for subsurface irrigation by the *CoP* they are nevertheless recommended as they provide an additional safety measure. A reserve area of 100% of the design area should be considered as part of the risk management process to be available at the site for expansion, for resting of the land application system, or for duplication of the land application system if other circumstances require this at some future time. The reserve area needs to be protected from any development that would prevent it being used in the future.

Soil Renovation

To improve soil structure and improve the stability of peds after receiving saline wastewater, gypsum application is recommended. Gypsum may be broadcast over the land application area at a rate of 1kg/m2 and can be rebroadcast over the land application area at the same rate at a recurrence interval of 5 years.

Load Balancing

A load balancing mechanism enables short-term storage and sustainable flows to the distribution area over extended time. Surge flows are possible due to special events or gatherings and such situations can cause the system may become overwhelmed for a period. This potential problem can be eliminated by installing a plant with a load balancing facility (or equivalent function) which enables short-term storage and sustainable flows to the distribution area over extended time. Another benefit of the load balancing facility is that it can also provide temporary storage should the plant fail or if there is a power outage.

As Constructed Plans

Upon completion of system installation, 'as constructed' plans should be provided to Council and kept on file.

Zone Dosing

Future land application areas should be irrigated sequentially by zones to promote the creation of alternating and transient aerobic and anaerobic soil conditions. The nominated indicative site land application area is sized conservatively for nitrogen attenuation, using pasture grass (rye/clover mix), which has a nitrogen uptake of 220 kg/ha/year. A benefit of zoned dosing is that it will increase the efficiency of the land application area for removing nitrogen from the soil.

The principle risk of undersized land application area is that they are at risk of becoming anaerobic for long periods, with the risk of microbial build-up. Microbial build-up leads to secretion of microbial polysaccharides, which cover soil particles and restrict the ability of the soil to absorb nutrients and ultimately attenuate pathogens. Over time polysaccharides can coat the interior of pipes and block drainage holes if drainage is slow due to an overloaded land application area. This in turn can lead to effluent surcharge from the ends of the drainage pipes, forming preferential flow paths through overlying soil and draining to nearby surface waters. Alternating aerobic and anaerobic conditions created by zoned dosing assists in the prevention of the build-up of microbial polysaccharides, enhancing effluent renovation.

Pressure Compensated Subsurface Disposal

Pressure compensated subsurface disposal is recommended by this study. This system delivers effluent directly into the soil and for a surface flow containing effluent to occur, the effluent has to rise against gravity, through at least 150mm of soil. To ensure proper functioning there is a requirement for the pressure compensated distribution network to be placed parallel to contours and/or horizontal for even effluent distribution.

Stormwater Control

Waste water systems should be protected from rainfall run-off using methods such as the installation and use of bunds, cut-off drains, or improved surface drainage to prevent systems from hydraulic overloading. In addition, the land application system shall be shaped to shed rainfall.

Water Reducing Fixtures

It is recommended that future residences within the subject land be fitted with full water-reduction fixtures including the combined use of reduced flush toilets, shower-flow restrictors, aerator faucets, front-load washing machines and flow/pressure control valves on all water-use outlets.

Land use activity

Activities within the land application areas such as recreation activities, or grazing animals shall be controlled or prohibited so that soil compaction or interference with the function of the land application system is minimised and people avoid potential contact with effluent residues.

Unless allowed for in the design, future land application areas shall not:

- Be paved or sealed;
- Be subject to vehicular traffic (other than a pedestrian-controlled lawnmower);
- Be subject to regular foot traffic such as pathways;
- Have structures or buildings erected on it.

With regard to the land application system the following are also recommended:

- Regularly mowing of vegetation within the land application area;
- Heavy equipment should be avoided on LAA when soils are moist or wet;
- The operation and maintenance of the treatment and disposal system in accordance with manufacturer's recommendations.

GEOplan
Geoscience + Planning

References

Environment Protection Authority (2003a). Publication 746. *Land Capability Assessment for On-site Domestic Wastewater Management*

Environment Protection Authority (2016) Publication 891.4 *Victorian Code of Practice – Onsite Wastewater Management* February 2013.

Mc Donald RC. Isbell, R.F., Speight, J.G., Wlker,.J and Hopkins, M.S., (1990). *Australian Soil and Land Survey Field Handbook 2nd edition*, Inkata Press, Melbourne, Sydney.

Reynard et al. *North East Victoria Land Resource* Assessment (2002), Department of Sustainability and Environment.

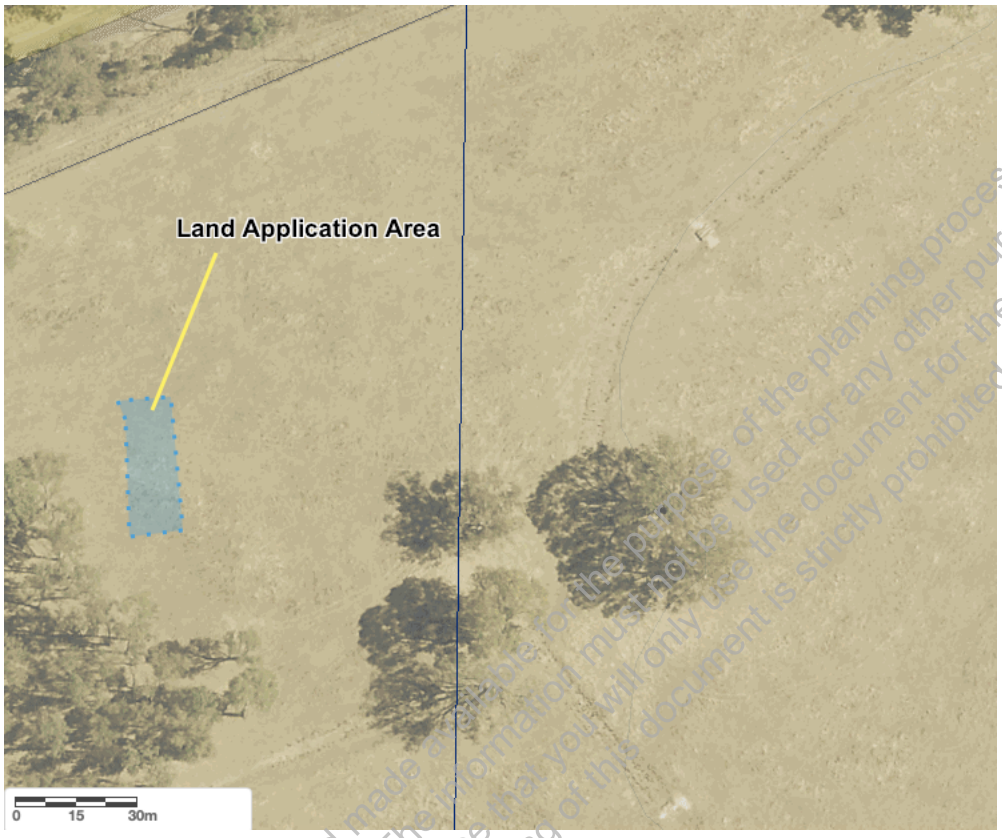
Standards Australia / Standards New Zealand (2012). AS/NZS 1547:2012 *Onsite Domestic Wastewater Management*

Appendix A - Site Photos

View to the north east across study area

View to the south across study area

Appendix B – Site Plan



Notes:
Not to scale. For setback distances refer to EPA Publication 891.4.

Disclaimer:
Due regard has been made to undertake all aspects of this study in accordance with the requirements of best practice and relevant standards. LAA calculations have been made with due regard to AS/NZS1547:2012 and whilst the findings represent a reasonable interpretation of site conditions. It does not indicate that these findings represent the actual state of the site at all points. The complex interactions between the soil, climate, topography and wastewater mean that there is no one correct answer and the nominated results should be viewed in this context. The paucity of specific evaporation data is a limiting factor with regard to LAA calculations.

GEOplan
Geoscience + Planning

EXECUTIVE SUMMARY

Indicative Land Application Design Recommendations – 4 Bedroom Dwelling

Treatment Standard	Septic Tank Capacity (Litres)	Land Application Method	Construction Requirements (Relevant AS/NZS 1547/2012 Construction Diagram)	Calculated Length (m)	Indicative LAA Area (m^2)*
Primary or Secondary Treatment (AWTS or Sand Filter)	3500L	Subsurface irrigation*	M1	**620 m^2 (Standard Fixtures)** **510 m^2 (Water Saving Fixtures)**	

*Using water balance as shown at **Appendix C** (**9th Decile wet year rainfall** – Benalla)

Warning: locate underground services prior to construction

DIAL BEFORE YOU DIG www.1100.com.au

Appendix C – Soil Excavation Logs

GEOplan
Geoscience + Planning

Horizon	Depth mm	Borehole 1	Borehole 2
A1	**~ 100**	Dark Brown Loam Moderately Pedal Moist ~2% Coarse Fragments	Dark Brown Loam Moderately Pedal Moist ~2% Coarse Fragments
A2	**~ 100 - ~200**	Brown Clay Loam Moderately Pedal Moist ~2% Coarse Fragments	Brown Clay Loam Moderately Pedal Moist ~2% Coarse Fragments
B1	**~200-~500**	Brownish Red Light Clay Strongly Pedal Moist ~2% Coarse Fragments	Brownish Red Light Clay Strongly Pedal Moist ~2% Coarse Fragments
B2	**~500 –~1000**	Reddish Brown Medium Clay Strongly Pedal Moist ~2% Coarse Fragments	Reddish Brown Medium Clay Strongly Pedal Moist ~2% Coarse Fragments

GEOplan
Geoscience + Planning

Appendix D – Water and Nitrogen Balance
9th Decile Wet Year – Standard Fixtures

Geoplan with permission from Paul Williams and Associates

WATER/NITROGEN BALANCE (20/30 irrigation): 4BR dwelling with no wet month storage

Rainfall Station: Benalla Evaporation Station: BoM

Location: Benalla

Date: Feb-22

ITEM		UNIT	#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Days in month:			D	31	28	31	30	31	30	31	31	30	31	30	31	365
Evaporation (Mean)		mm	A	250	175	150	80	40	30	30	50	80	125	175	200	1385
Rainfall (9th Decile wet year adjusted)		mm	B1	48	49	74	66	60	65	94	82	44	36	60	67	997
Effective rainfall		mm	B2	38	39	59	53	48	52	75	66	35	29	48	54	596
Peak seepage Loss[1]		mm	B3	109	98	109	105	109	105	109	109	105	109	105	109	1278
Evapotranspiration(IXA)		mm	C1	100	70	60	32	16	12	12	20	32	50	70	80	554
Waste Loading(C1+B3-B2)		mm	C2	170	129	109	84	77	65	45	63	102	130	127	135	1236
Net evaporation from lagoons (10(0.8A-B1xlagoon area(ha)))		L	NL	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater		L	E	27900	25200	27900	27000	27900	27000	27900	27900	27000	27900	27000	27900	328500
Total Irrigation Water(E-NL)/G		mm	F	45	41	45	44	45	44	45	45	44	45	44	45	530
Irrigation Area(E/C2)annual.		m^2	G													**620**
Surcharge		mm	H	-125	-88	-64	-41	-32	-21	0	-18	-58	-85	-83	-90	0
Actual seepage loss		mm	J	-17	10	44	64	77	84	108	91	47	24	22	19	588
Direct Crop Coefficient:			I	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Rainfall Retained:	80	%	K	1. Seepage loss (peak) equals deep seepage plus lateral flow:8mm (<10% ksat)												
Lagoon Area:	0	ha	L						CROP FACTOR							
Wastewater(Irrigation):	900	L	M	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Seepage Loss (Peak):	3.5	mm	N	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Irrig'n Area(No storage):	**620**	m^2	P2	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	Fescue:
Application Rate:	**2.0**	mm	Q	0.8	0.8	0.7	0.7	0.6	0.6	0.6	0.6	0.7	0.8	0.8	0.8	MAV:
Nitrogen in Effluent:	30	mg/L	R									NITROGEN UPTAKE:				
Denitrification Rate:	20	%	S													
Plant Uptake:	220	kg/ha/yr	T													
Mean daily seepage loss:	1.6	mm	U													
Annual N load:	7.88	kg/yr	V													
Area for N uptake:	**358**	m^2	W													
Application Rate:	2.5	mm	X													

Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH
Ryegrass	200	5.6-8.5	Bent grass	170	5.6-6.9	Grapes	200	6.1-7.9
Eucalyptus	90	5.6-6.9	Couch grass	280	6.1-6.9	Lemons	90	6.1-6.9
Lucerne	220	6.1-7.9	Clover	180	6.1-6.9	C cunn'a	220	6.1-7.9
Tall fescue	150-320	6.1-6.9	Buffalo (soft)	150-320	5.5-7.5	P radiata	150	5.6-6.9
Rye/clover	220		Sorghum	90	5.6-6.9	Poplars	115	5.6-8.5

265.8843

1

1054620	798560	677660	522040	474300	403000	280860	389980	631160	804140	787400	836380

9th Decile Wet Year – Water Saving Fixtures

Geoplan with permission from Paul Williams and Associates

WATER/NITROGEN BALANCE (20/30 irrigation): 4BR dwelling with no wet month storage

Rainfall Station: Benalla Evaporation Station: BoM

Location: Benalla

Date: Feb-22

ITEM	UNIT	#	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YEAR
Days in month:		D	31	28	31	30	31	30	31	31	30	31	30	31	365
Evaporation (Mean)	mm	A	250	175	150	80	40	30	30	50	80	125	175	200	1385
Rainfall (9th Decile wet year adjusted)	mm	B1	48	49	74	66	60	65	94	82	44	36	60	67	997
Effective rainfall	mm	B2	38	39	59	53	48	52	75	66	35	29	48	54	596
Peak seepage Loss[1]	mm	B3	109	98	109	105	109	105	109	109	105	109	105	109	1278
Evapotranspiration(IXA)	mm	C1	100	70	60	32	16	12	12	20	32	50	70	80	554
Waste Loading(C1+B3-B2)	mm	C2	170	129	109	84	77	65	45	63	102	130	127	135	1236
Net evaporation from lagoons (10(0.8A-B1xlagoon area(ha)))	L	NL	0	0	0	0	0	0	0	0	0	0	0	0	0
Volume of Wastewater	L	E	23250	21000	23250	22500	23250	22500	23250	23250	22500	23250	22500	23250	273750
Total Irrigation Water(E-NL)/G	mm	F	46	41	46	44	46	44	46	46	44	46	44	46	537
Irrigation Area(E/C2)annual.	m^2	G													**510**
Surcharge	mm	H	-125	-88	-64	-40	-31	-21	0	-17	-58	-84	-83	-89	0
Actual seepage loss	mm	J	-16	10	45	65	78	84	109	91	47	24	22	19	595
Direct Crop Coefficient:		I	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Rainfall Retained: 80	%	K	1. Seepage loss (peak) equals deep seepage plus lateral flow:8mm (x10% ksat)												
Lagoon Area: 0	ha	L						CROP FACTOR							
Wastewater(Irrigation): 750	L	M	0.7	0.7	0.7	0.6	0.5	0.45	0.4	0.45	0.55	0.65	0.7	0.7	Pasture:
Seepage Loss (Peak): 3.5	mm	N	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	Shade:
Irrig'n Area(No storage): **510**	m^2	P2	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	Fescue:
Application Rate: **2.0**	mm	Q	0.8	0.8	0.7	0.7	0.6	0.6	0.6	0.6	0.7	0.8	0.8	0.8	MAV:
Nitrogen in Effluent: 30	mg/L	R						NITROGEN UPTAKE:							
Denitrification Rate: 20	%	S													
Plant Uptake: 220	kg/ha/yr	T													
Mean daily seepage loss: 1.6	mm	U													
Annual N load: 6.57	kg/yr	V													
Area for N uptake: **299**	m^2	W													
Application Rate: 2.5	mm	X													

Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH	Species:	Kg/ha.yr	pH
Ryegrass	200	5.6-8.5	Bent grass	170	5.6-6.9	Grapes	200	6.1-7.9
Eucalyptus	90	5.6-6.9	Couch grass	280	6.1-6.9	Lemons	90	6.1-6.9
Lucerne	220	6.1-7.9	Clover	180	6.1-6.9	C cunn'a	220	6.1-7.9
Tall fescue	150-320	6.1-6.9	Buffalo (soft)	150-320	5.5-7.5	P radiata	150	5.6-6.9
Rye/clover	220		Sorghum	90	5.6-6.9	Poplars	115	5.6-8.5

221.5702

1

867510	650880	557430	429420	390150	331500	231030	320790	519180	661470	647700	687990

1385

Appendix E – Soil Laboratory Results

Nutrient Advantage

SOIL ANALYSIS REPORT

ASPAC

Report Number: 754682

GEOPLAN
PO BOX 92
TAWONGA STH
VIC 3698

NATA
WORLD RECOGNISED ACCREDITATION

Report Authorised
Paul Kennelly
Laboratory Manager
NATA Accredited Laboratory
Number: 11958

Sample Number:	030179004	**Paddock Name:**	BADDAGINNIE RD	**Date Sampled:**	2-Feb-2024
Test Code:	E75	**Sample Name:**	BADDAGINNIE RD	**Date Received:**	12-Feb-2024
Purchase Order No:	SIMON HOLLIS	**Sample Depth:**	0 to 60 cm	**Date of Report:**	19-Feb-2024
Grower Name:	GEOPLAN				

Analyte	Result	Units	Method Code	Analyte Testing Period
Available Potassium ^	180	mg/kg	04-026-ICP8	15/02/2024 to 16/02/2024
Emerson Class ^	1			19/02/2024 to 19/02/2024
Soil Colour	Yellow-red		04-042-PHYS	19/02/2024 to 19/02/2024
Soil Texture	Clay		04-042-PHYS	19/02/2024 to 19/02/2024
pH (1:5 CaCl2)	5.1		04-031-PH	15/02/2024 to 16/02/2024
Liming Required t/ha pH 5.5 ^	0.0	t/ha	04-047-PH_BUFFER	19/02/2024 to 19/02/2024
Liming Required t/ha pH 6.0 ^	0.0	t/ha	04-047-PH_BUFFER	19/02/2024 to 19/02/2024
Liming Required t/ha pH 6.5 ^	0.0	t/ha	04-047-PH_BUFFER	19/02/2024 to 19/02/2024
Nitrate Nitrogen	5.0	mg/kg	04-063-FIA3	15/02/2024 to 16/02/2024
Ammonium Nitrogen	2.9	mg/kg	04-063-FIA3	15/02/2024 to 16/02/2024
Potassium (Amm-acet.)	0.47	cmol(+)/kg	04-026-ICP8	15/02/2024 to 16/02/2024
Calcium (Amm-acet.)	5.1	cmol(+)/kg	04-026-ICP8	15/02/2024 to 16/02/2024
Magnesium (Amm-acet.)	4.3	cmol(+)/kg	04-026-ICP8	15/02/2024 to 16/02/2024
Sodium (Amm-acet.)	0.88	cmol(+)/kg	04-026-ICP8	15/02/2024 to 16/02/2024
Aluminium (KCl)	21	mg/kg	04-027-ICP9	15/02/2024 to 16/02/2024
Aluminium (KCl)	0.23	cmol(+)/kg	04-027-ICP9	15/02/2024 to 16/02/2024
Cation Exchange Capacity (Amm-acet.)	11.0	cmol(+)/kg	04-026-ICP8	16/02/2024 to 16/02/2024
Sodium % of cations	8.0	%	04-026-ICP8	16/02/2024 to 16/02/2024
Aluminium % of Cations	2.1	%	04-026-ICP8	16/02/2024 to 16/02/2024
Calcium/Magnesium Ratio	1.2		04-026-ICP8	15/02/2024 to 16/02/2024
pH (1:5 Water)	6.8		04-031-PH	15/02/2024 to 16/02/2024
Electrical Conductivity (1:5 water)	0.04	dS/m	04-031-PH	15/02/2024 to 16/02/2024
Chloride	<10	mg/kg	04-063-FIA3	15/02/2024 to 16/02/2024

Nutrient Advantage Laboratory Services
Nutrient Advantage is a trademark of Incitec Pivot Limited
Incitec Pivot Limited - ABN 42 004 080 264
8 South Rd, Werribee Vic 3030
Toll-free: 1800 803 453 Fax: (61 3) 9974 0699

GEOplan
Geoscience + Planning

Appendix F – Groundwater Report

Groundwater Resource Report

Groundwater catchment: Goulburn - Broken **VICGRID94 Easting: 2584597 Northing: 2548214**

Depth to water table: < 5m **Water table salinity (mg/L): 1001 - 3500**

Groundwater layers (Aquifers and Aquitards)	Depth below surface (m)	Groundwater salinity (mg/L)
UTQA Upper Tertiary / Quaternary Aquifer layered clay, sands and silt	0 - 39	501 - 1000
BSE Mesozoic and Palaeozoic Bedrock (basement) sedimentary (fractured rock): Sandstone, siltstone, mudstone, shale. Igneous (fractured rock): includes volcanics, granites, granodiorites.	39 - 239	1001 - 3500

Groundwater management unit (GMU)	Depth below surface (m)	PCV (ML/yr)
BROKEN GMA	ALL	3,732

Land Management Plan

Thoroughbred Retraining Facility

Name : Rochelle Fay Adams
Phone : 0431 524 164
Property Address : CA 33 – 125 Baddaginnie-Benalla Road, Benalla 3672
Farm Size : 4.4ha
Farm Type : Equine

1) Aim of the Farm Business;

The aim of the business is to establish a property to facilitate the retraining of retired racehorses, to assist in rehoming them into the equestrian industry as performance horses.
The aim would be to have approximately 4 horses in training at any one time.

2) Summary of Land Management Issues - Erosion, salinity, pest plants and animals, wet areas, soil types, remnant vegetation, water courses;

The site has been very well maintained by the previous owner who has used the land for grazing cattle. The land is native grasses that has been supplemented with a clover/rye mix.
There is little to no erosion or salinity issues due to a large number of mature eucalypts trees.
There are some lower areas which have been improved to ensure adequate drainage to the property, this runs into One Mile Creek that is located on the neighboring property.
Notably the property has Spiny Rush (Juncus Acutus) and Cape Weed (Arctotheca) present, on occasion rabbits have been sighted.

3) Description of how the land management issues will be addressed;

I plan to improve the property by following a strict management plan that will include improvement of pasture, removing the pest weeds and clearing the debris from the Eucalypts trees.
The property will be fenced to ensure no overgrazing and to protect low-lying areas through the wetter months.

Fencing will be “Stallion Rail” which is essentially electrified post and rail.
The effluent disposal area will located at least 60 meters from the existing waterways which is in accordance with the EPA guidelines.
No native vegetation is proposed to be removed with additional plantings of approximately 50 semi mature Pyrus Calleryana (Ornamental Pear 'Capital') to act as a windbreak around the perimeter of the property.

The property is current one large paddock with no internal fencing, the proposed image shows the below details which are planned;

- Horse Paddocks
- Horse Arena
- Stables
- Horse Shelters
- Entrance Road
- Lane Ways
- Proposed dwelling site

Activities/Actions	Proposed timeline	Proposed completion
Install access gate/Driveway off Baddaginnie-Benalla Road	1st July 2024	7th July 2024
Earthworks/Cut pads for Horse Arena/Stables/House site	1st July 2024	14th July 2024
Revegetate with Pyrus Calleryana	Winter 2024	Spring 2024
Install fencing for horse paddocks	Winter 2024	Spring 2024
Construct Horse Arena & Stables	Spring 2024	Summer 2024
Construct Horse Shelters	Spring 2024	Summer 2025
Install internal roads	Summer 2025	Winter 2025
Construct Dwelling	Summer 2025	Winter 2025

Weed Control

Weed name	Control Measure	J	F	M	A	M	J	J	A	S	O	N	D
Cape Weed	Mow/Slash												
Cape Weed	Spray Herbicide												
Cape Weed	Dig Out												
Spiny Rush	Mow/Slash												
Spiny Rush	Spray Herbicide												
Spiny Rush	Dig Out												

Pest Animal Control

Pest name	Control Measure	J	F	M	A	M	J	J	A	S	O	N	D
Rabbits	Contractor is engaged to monitor and eradicate which includes checking and filling rabbit burrows.												

Erosion Amelioration Measures

Activity/Actions	Proposed timeline	Proposed completion
There is no erosion on the property due to careful management which includes keeping stock numbers to no more than 6 horses however on average most likely 4. Horses are rotated to ensure paddocks are maintained with vegetation cover.	All year round	Ongoing

Acid Soil Amelioration Measures

Activity/Actions	Proposed timeline	Proposed completion
Spread Lime	Autumn every year	Ongoing
Spread Gypsum	Autumn & Spring every year	Ongoing
Spread Fertilizer	Autumn every year	Ongoing

Water – Fencing off or protecting all water resources

Activity/Actions	Proposed timeline	Proposed completion
There are currently no dams on the property.	N/A	N/A

Activity/Actions	Proposed timeline	Proposed completion
Planting of Pyrus Calleryana, watering until established	Winter 2024	Ongoing
Spreading of Lime & Fertilizer	Autumn every year	Ongoing
Spreading of Gypsum	Autumn & Spring every year	Ongoing
Monitoring paddock vegetation/Rotating stock	Ongoing	Ongoing
Monitoring fences	Ongoing	Ongoing

REGIONAL PLANNING
SERVICES

TOWN PLANNING SUBMISSION

Use and development of a dwelling in the Farming Zone.

At Crown Allotment 33 PTP586237, 125 Baddaginnie-Benalla Road, Benalla

Contents

1. INTRODUCTION 3
2. SUBJECT SITE & SURROUNDS 3
3. PROPOSAL 6
4. PLANNING PERMIT TRIGGERS 8
5. ZONES 9
   5.1 FARMING ZONE 9
6. OVERLAYS 9
7. OTHER PLANNING CONTROLS 10
   7.1 AREAS OF ABORIGINAL CULTURAL HERITAGE SENSTIVIITY 10
   7.2 BUSHFIRE PRONE AREA 11
8. PLANNING POLICY FRAMEWORK 11
   CLAUSE 02.01 CONTEXT 11
   CLAUSE 02.03-4 NATURAL RESOURCE MANAGEMENT 12
   CLAUSE 14.01-1S PROTECTION OF AGRICULTURAL LAND 12
   CLAUSE 14.01-1L RURAL DWELLINGS AND SUBDIVISION POLICY 13
   Strategies 13
   CLAUSE 14.02-1S CATCHMENT PLANNING AND MANAGEMENT 13
   CLAUSE 14.02-2S WATER QUALITY 13
   CLAUSE 17.01-1S DIVERSIFIED ECONOMY 13
9. PARTICULAR PROVISIONS 13
10. GENERAL PROVISIONS 14
   10.1 CLAUSE 65.01 DECISION GUIDELINES – APPROVAL OF AN APPLICATION OR PLAN 14
11. PLANNING ASSESSMENT 14
   11.1 PLANNING POLICY FRAMEWORK 14
   11.2 FARMING ZONE DECISION GUIDELINES 16
   12 RELEVANT VCAT CASE & FURTHER CONSIDERATION 20
   13 CONCLUSION 21

1. INTRODUCTION

This application proposes the use and development of land for the construction of a dwelling in association with for thoroughbred retaining facility for retired racehorses.

It is well known that retired racehorses' welfare poses a huge challenge to the racing industry, amid calls for a change across the board.

Last breeding season, around 14,000 thoroughbred foals hit the ground in Australia. Thousands are being retired each year and not all of them are adequately re-purposed. Whilst many successful female racehorses go on to have a breeding career, geldings and the slower runners are often exposed to racing's wastage threat.

An ABC program exposed the widespread slaughter of racehorses for pet food and human consumption in NSW and Queensland, which has led to increased scrutiny including public awareness of how the industry operates nationwide.

In Victoria, veterinarians will be sent to Victorian farms to euthanise retired racehorses to save them from being killed in abattoirs and knackeries, as part of the Victorian racing industry's response to ABC investigation that exposed cruel treatment of thoroughbreds.

The owner is passionate about providing support to ex-racehorses and is proposing to provide a facility where there is an opportunity for training and rehoming. The owner also competes nationally in show events, where she has retrained ex-racehorses.

The mission of the owner is to spread awareness about the range of possibilities the ex-horses can bring into the right person's life. These ex-racehorses are and can be used as top show or performance horses, companions, therapy horses or trail mounts. Many thoroughbreds are making the transition successfully and having a positive impact on people's lives.

The address is known as Crown Allotment 33 Section U, 125 Baddaginnie-Benalla Road, Benalla and totals approximately 4.12 hectares in area. The lot is not encumbered on title with any covenants or agreements.

The planning application is accompanied by various documents, including:

- Application form
- Elevations of proposed dwelling and shed
- Site Plan
- Planning Report
- Titles and Title Plan
- Land Capability Assessment

2. SUBJECT SITE & SURROUNDS

The subject site is located on the corner of Baddaginnie-Benalla Road and Golden Vale Road. It is irregular in shape and totals approximately 4.12 hectares in area.

The site is generally flat and contains remnant vegetation contained mainly along the western and southern boundary and also scattered throughout the site.

The immediate area is a mixture of some farming lots including some smaller allotments used as lifestyle properties and usually developed. The site is located less than 1 km from the outskirts of Benalla. The surrounding land is used for grazing and also horse enterprises.

Figure 1: Subject Site

Figure 2: Aerial of Subject Site and Surrounding Area

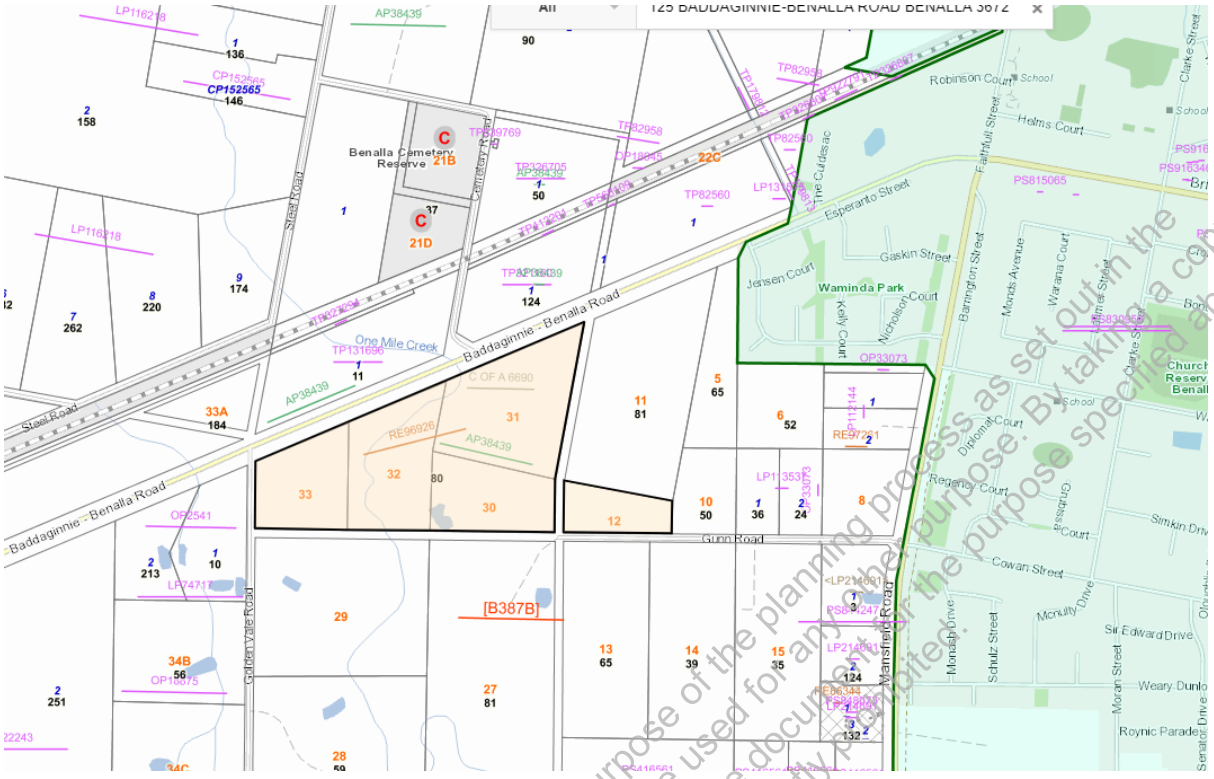


Figure 3: Lot Layout (LASSI April 2024)

3. PROPOSAL

The application seeks permission for the use and development of a dwelling to oversee the retraining centre. The new proposed owner who wishes to purchase the land competes nationally in dressage and show jumping. It is intended the facility will also cater for ex-racehorses which is part of the rehoming program whilst seeking a permanent home.

The application proposes the development of a dwelling, horse arena and farm shed/stables.

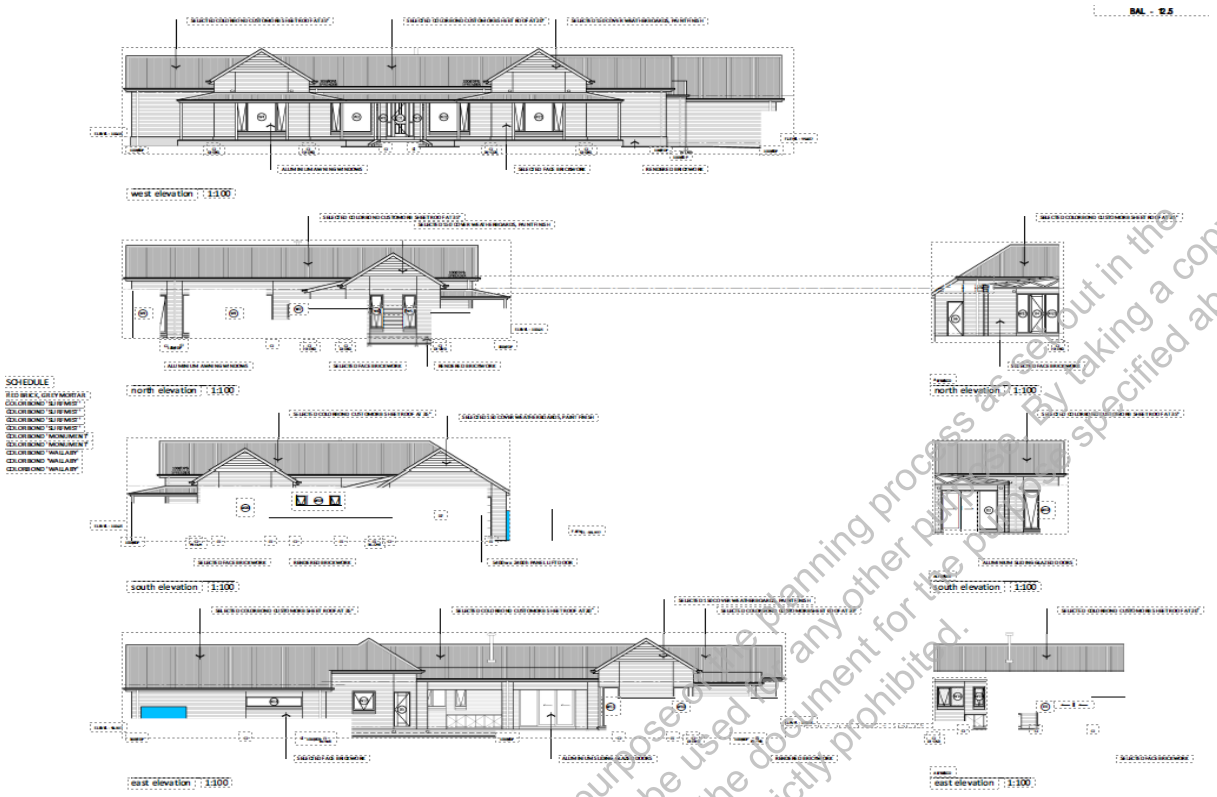
The dwelling is a single storey with the following floor plan:

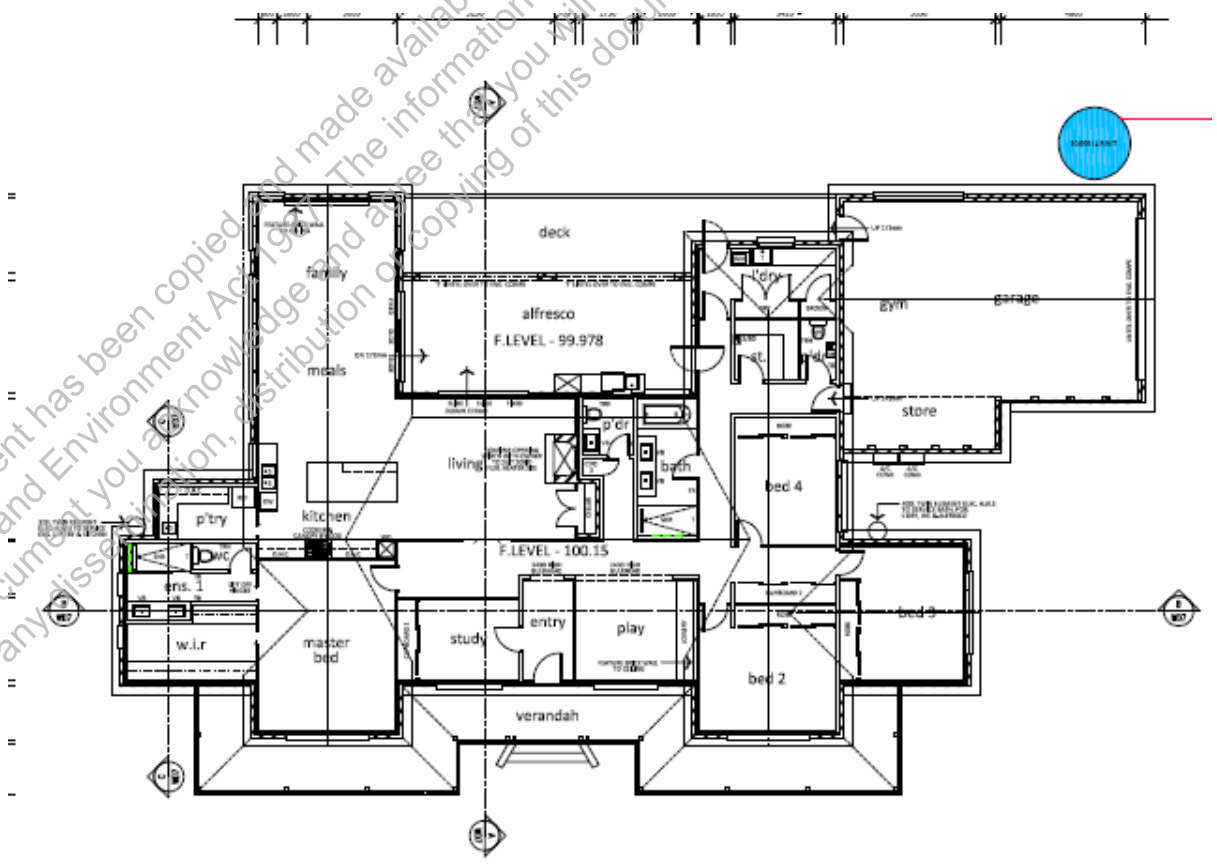
- Master bedroom with ensuite & wir, 3 x bedrooms with bir, study, play room, store, kitchen, pantry, living, laundry dining, family, outdoor room, bathroom, powder room, alfresco, and double garage.

The dwelling will be constructed from face brickwork, weatherboard cladding and corrugated colorbond metal roof in 'wallaby', 'surfmist' and 'monument' colours.

The colorbond shed will be 12m wide and 20m long with a total height of 5.353m. A total of 10 windows will be provided on each bay on the east and west elevation, with a single entry door and 4m wide roller door provided on the north elevation.

The dwelling will be setback 93m from the southern boundary and 12m from the eastern boundary. Details are provided on the Site Plan, in regard, to setback distances of the proposed shedding, and effluent field location.





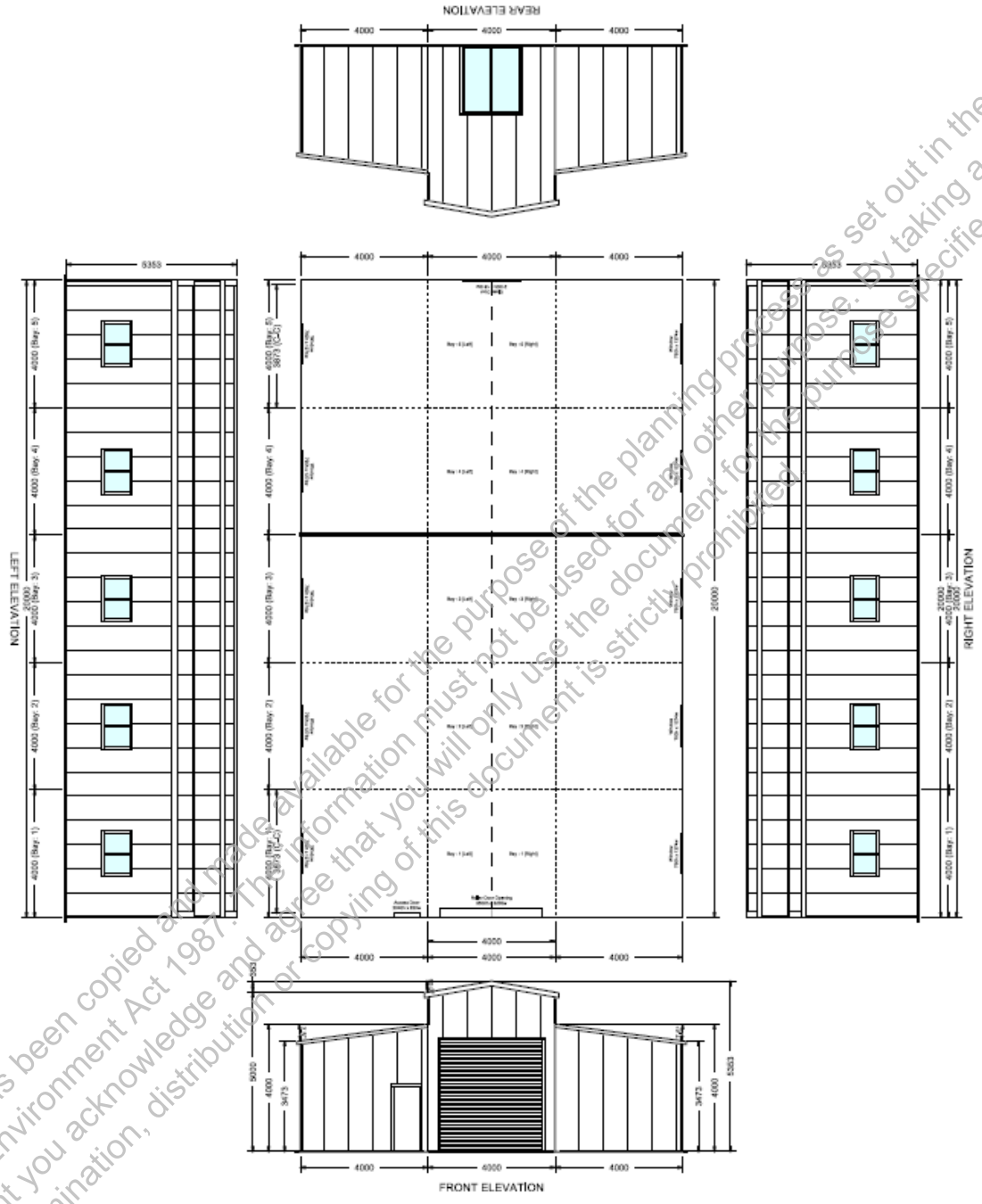


Figure 4: Elevations of the Proposed Dwelling

4. PLANNING PERMIT TRIGGERS

Clause 35.07-4 Farming Zone – Use and development of a dwelling

5. ZONES

5.1 FARMING ZONE

The purpose of the Farming Zone is:

- 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.

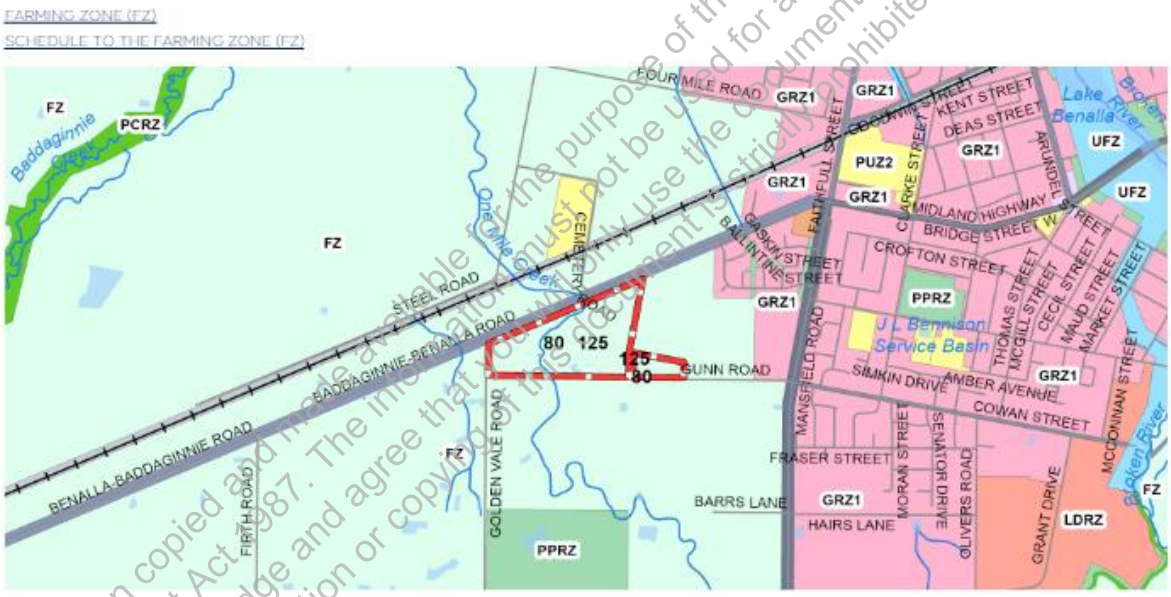


Figure 8: Zoning Map

6. OVERLAYS

The subject site is not affected by any overlays.

7. OTHER PLANNING CONTROLS

7.1 AREAS OF ABORIGINAL CULTURAL HERITAGE SENSTIVIITY

Department of Premier and Cabinet

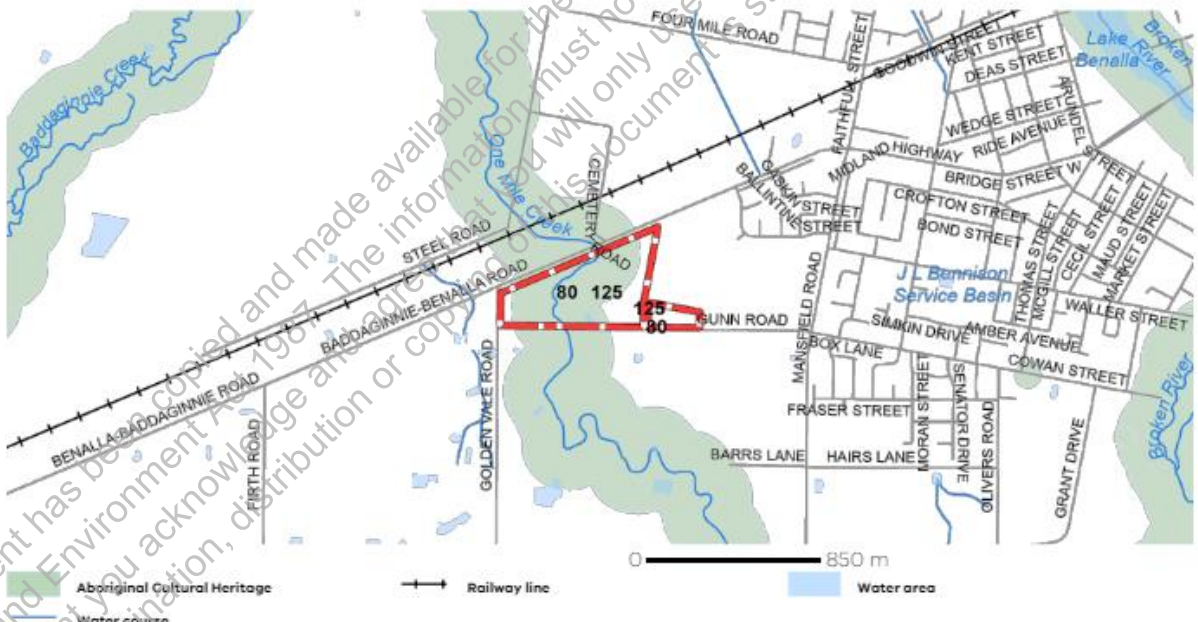
Process List

Project Name: Use

Project Location: Baddaginnie-Benalla Road Benalla

Date: 25-Apr-2024

	QUESTION	ANSWER
Question 1	Is the proposed activity , or all the proposed activities, exempt?	Yes
Answer:	ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT	
	This process list is for information purposes only; the result must not be relied upon by a statutory authority in deciding whether a cultural heritage management plan is required for a proposed activity.	



7.2 BUSHFIRE PRONE AREA

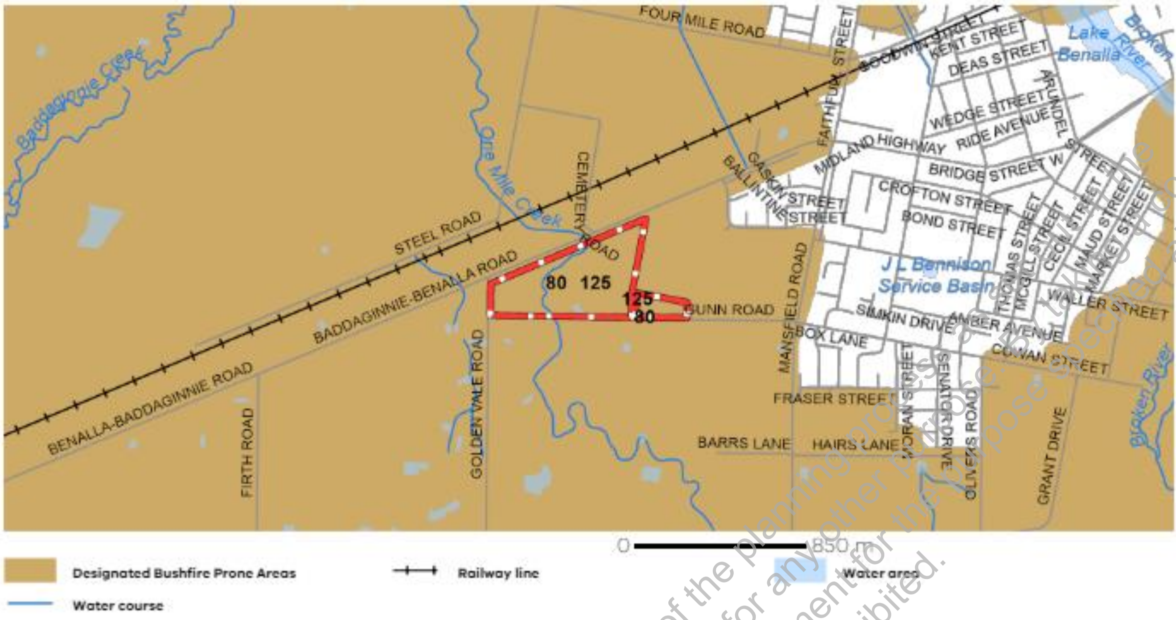


Figure 10: Bushfire Prone Area – Map

8. PLANNING POLICY FRAMEWORK

CLAUSE 02.01 CONTEXT

This clause identifies Benalla Rural City covers an area of 2354 square kilometres, has a population of 14,020 (VIF 2019) and is situated in Victoria's north east approximately 180 kilometres from Melbourne. The urban centre of Benalla is the major city and supports a network of smaller towns including Baddaginnie, Goorambat, Devenish, Swanpool, Tatong, Thoona and Winton.

Benalla Rural City is a diverse rural municipality based on the Broken River. It also includes fertile agricultural land along the Hollands Creek which is a major tributary to the Broken River.

The municipality is strategically located on the nationally significant Hume and Midland Highways and Melbourne to Sydney Railway. This convergence of transport routes means Benalla is a significant transport hub which is a major benefit to local industry.

The economy is focussed on Benalla's regional centre role, agricultural production, tourism and manufacturing. It is dominated by employment in the manufacturing, retail trade, agriculture and health and community services sectors.

The Benalla Central Business District (CBD) serves a large rural hinterland and provides a wide range of higher order community services and facilities but faces strong competition from Shepparton and Wangaratta.

The municipality has a strong industrial base located to the north and east of Benalla. The industries are generally based on specialist manufacturing, processing of timber products, value adding to agricultural produce and providing a service base for the region.

The rural areas of the municipality are acknowledged for good soils and access to irrigation water. The major agricultural industries are prime lamb, beef production and broad acre cropping, with some irrigation and dairying. More recent agricultural uses include viticulture, horticulture and forestry.

CLAUSE 02.03-4 NATURAL RESOURCE MANAGEMENT

Agriculture

This clause identifies The rural areas of the municipality comprise high quality and versatile agricultural land. Rural production is a very important component of the municipality's economy, and a finite resource. This asset is threatened from inappropriate subdivision and housing development.

Rural activities produce off-site effects that can be incompatible with residential uses. Farming practices in rural areas should not be diminished by encroachment of incompatible development in rural zones. However, a one-off excision of an unwanted rural dwelling may limit the distortion of rural land prices.

The fragmentation of high quality agricultural land is discouraged as farm sizes have progressively increased. Farm consolidation is a fundamental long-term objective.

In protecting agricultural areas, Council seeks to:

- Limit subdivision and new dwellings on high quality and versatile agricultural land.
- Maintain the sustainable use and productive potential of rural land.
- Discourage non-agricultural uses where they will impact agriculture.
- Avoid the fragmentation of productive agricultural land by subdivision, particularly lots for housing.
- Encourage alternative agricultural pursuits.
- Support proposals for non-agricultural uses in rural areas only when they are compatible with surrounding agricultural use and can be justified in terms of broader community benefit.
- Encourage agricultural practices that are not detrimental to the environment.
- Encourage the consolidation of farm lots.
- Locate intensive animal industries in areas that minimise land use conflict.

CLAUSE 14.01-1S PROTECTION OF AGRICULTURAL LAND

This clause is of relevance as the objective is to protect the state's agricultural base by preserving productive farmland.

CLAUSE 14.01-1L RURAL DWELLINGS AND SUBDIVISION POLICY

This clause is of relevance as the application is proposing a dwelling and the lot is under 40 hectares in area.

Strategies

Discourage dwellings on existing small lots except where either:

- Substantial services and infrastructure works have been completed;
- The site has no agricultural potential and native vegetation will be retained;
- It will not inhibit the agricultural practices of existing farms.

Ensure dwellings and subdivisions are designed to respond to the site, landform, vegetation, waterways, drainage lines, services, adjoining land uses, dwellings and ongoing agricultural activities.

Ensure dwellings and subdivision can contain and treat on-site effluent and wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

Locate dwellings on land where the agricultural quality is low and is not subject to flooding.

Ensure the proposed dwelling is necessary for the continued agricultural use of the land.

CLAUSE 14.02-1S CATCHMENT PLANNING AND MANAGEMENT

This clause is of relevance as the site is located near a number of waterways. The objective is to assist with the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

CLAUSE 14.02-2S WATER QUALITY

This clause is of relevance to this application as the objective is to protect water quality.

CLAUSE 17.01-1S DIVERSIFIED ECONOMY

This clause is of relevance as the objective is to strengthen and diversity the economy.

9. PARTICULAR PROVISIONS

The particular provisions are specific pre-requisites or planning provisions for a range of particular uses and development, that apply consistently across the State. It is noted that there are no particular provisions that are applicable to the proposal.

10. GENERAL PROVISIONS

9.1 CLAUSE 65.01 DECISION GUIDELINES – APPROVAL OF AN APPLICATION OR PLAN

The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of decision guidelines of this Clause. Clause 65.01 sets out the matters the Responsible Authority must consider when assessing an application to subdivide land.

11. PLANNING ASSESSMENT

Based on the provisions of the Benalla Planning Scheme and the decision guidelines, the following, are considered to be key planning considerations relevant to the proposed replacement dwelling and change of use to dependent persons unit:

- Planning Policy Framework
- Farming Zone Decision Guidelines

10.1 PLANNING POLICY FRAMEWORK

Planning Policies seek to support and enhance agricultural pursuits by ensuring future development, particularly residential development, does not result in the permanent removal of productive agricultural land or inhibit the continuation and development of existing agricultural uses. These objectives are reiterated in the purpose of the Farming Zone.

Planning Policy has emphasised the need to protect agricultural land, particularly from encroachment of non-agricultural development. In this case the development of a dwelling on the site, would serve to enhance the use of the subject site for agriculture.

The key matter requiring consideration in this case is the demonstrated requirement for a dwelling on the site. The impact of the dwelling on the land and the ability to sustain viable agricultural use. Planning Policy Framework seeks to support and enhance agricultural use by ensuring that future development, particularly residential development, does not result in the permanent removal of agricultural land or inhibit the continuation of existing or future agricultural uses.

The proposal demonstrates a nexus between agricultural land use and the necessity of a dwelling on the land. The proposal is consistent with the relevant policies and vision within the PPF relating to protection and sustainable use of agricultural land. The proposal is also deemed consistent to specific objectives and strategies sought in the Municipal Strategic Statement. The proposal will not result in 'fragmentation' of agricultural land as the land will continue to be used for agriculture.

The development of the subject site for a dwelling is said to be consistent with the planning policy in relation to rural and regional development, as the end result will be one which will allow the agricultural use on the land to occur and the dwelling is required to support the agricultural use.

The dwelling on the subject land will assist the owners to run an agricultural use without impacting the surrounding land uses. The surrounding area is fragmented in terms of agricultural land as the lot sizes in the area are smaller in size to sustain a large scale agriculture. The most effective option to gain agricultural yield from these lots is to allow small scale agricultural uses (like the one proposed in this case) to enhance the protection of agricultural land.

The policies under Clause 14 seek to protect agricultural land and avoid fragmentation of agricultural land. As mentioned above the land is already fragmented as the area displays a character of small parcels within the Farming Zone. The proposal in this regard seeks to protect the agricultural land by introducing an agricultural use that can occur on the land without the need of a bigger land parcel and the dwelling is required to support the agricultural use. The nature of the agricultural use being proposed requires the owners to live on the property and without residing on the land it would be unable to continue such a unique agricultural operation.

The construction of a dwelling on this lot will not contribute to a fragmentation of rural land. The area is already fragmented containing rural land holdings and effectively removed lots on which dwellings have been permitted from agricultural production. This proposal does not contribute to the further fragmentation of rural land.

Clause 14.01-1L primary purpose is to ensure that the development of dwellings and excision of existing dwellings are consistent with the use of land for sustainable rural uses. In relation to dwellings in the FZ, the policy seeks to support a dwelling where the dwelling will not result in the property being removed from agricultural production and the primary use of the land will continue to be agriculture, existing agricultural activity on adjoining land will not be compromised and the proportion of the property used for the dwelling and ancillary infrastructure is minimised and located on the area of lowest agricultural quality.

The application states that the site has a capacity for the proposed agricultural use. The management of the operation would require various animal husbandry practices to monitor and manage horses such as managing feed and water during times of drought, rotation of paddocks within the site and improvements to the pasture and other land management practices to manage weeds and pests. All these operations obviously cannot occur without living on the site as it requires ongoing presence.

The dwelling on the subject land will protect the agricultural land as it is required for agriculture. The site is currently not used for agriculture and has not been used for agriculture for quite some time. The owner's intention is to live on the land and do an agricultural operation that the land can sustain in long term.

Only a small fraction of the land will be taken out of agriculture for the dwelling and the dwelling is needed so the landowner can properly attend to the farming pursuits, thus it is considered that this farmland will continue to be protected and enhanced as a result of productive farming pursuits as detailed in the farm management plan.

The primary purpose of the land for farming will remain as the farm dwelling is needed to ensure that the agricultural operations can be sustained and further developed as part of an established business enterprise. The dwelling will remain a secondary element in relation to how the land is going to be used. It is not a rural residential land use but a farm dwelling which contributes to productive farming and ensure the lands agricultural values and outputs are enhanced. The proposed farm dwelling is compatible with its rural setting given its purpose to assist with legitimate farming pursuits that cannot be properly undertaken or developed without occupation of the land.

The need and rationale for the dwelling ensures agriculture is the predominant use of the land in accordance with the Farm Plan. It is submitted that the proposed farm dwelling facilitates and supports the continued and enhanced operation of the land for a productive farming enterprise. The dwelling is related to enhance agricultural production.

10.2 FARMING ZONE DECISION GUIDELINES

Farming Zone – Clause 35.07-6 Decision Guidelines	Assessment
General Issues	
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal is consistent with policy that is compatible with economic, social and environmental objectives of the state.
Any Regional Catchment Strategy and associated plan applying to the land.	There is no regional catchment strategy applying to the land.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The land has the capability to accommodate the proposed use. The area of the land is large and effluent disposal in association with the dwelling can be managed on site.
How the use or development relates to sustainable land management.	A farm management plan has been prepared to ensure the sustainable management of the land.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The site is suitable for the proposed use. The main aim for the proposal is to support the agriculture use which is consistent with the zone. The surrounding area comprises varied lot sizes being used for various agricultural uses and rural lifestyle. The proposal will be compatible with the surrounding area in a sense that the agricultural use will continue to occur on site.
How the use and development makes use of existing infrastructure and services.	The existing infrastructure on the property will be used in association with the agricultural use for rettaining of ex-racehorses.

The impact of buildings and works on significant views.	The proposed dwelling has generous setbacks from each boundary and will not impact any significant views.
Agricultural issues and the impacts from non-agricultural uses	
Whether the use or development will support and enhance agricultural production.	The proposal will enhance the agricultural use via the implementation of the farming enterprise which involves horse retraining including assisting with the rehoming of ex-racehorses not suitable for show eventing or competition.
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	The dwelling occupies a small portion of the land, with the majority of the land being used for the agricultural operation.
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	The proposal will not limit agricultural activities in the area as the proposal itself involves an agricultural use.
The capacity of the site to sustain the agricultural use.	The site is under 40 hectares in area and has the capacity to sustain the agricultural use.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The site will be improved to be and to be provided with water and access to rural infrastructure.
Any integrated land management plan prepared for the site.	A Farm Management Plan has been prepared for the site which provides details how the land will be managed
Accommodation issues	
Whether the dwelling will result in the loss or fragmentation of productive agricultural land.	The dwelling will occupy a small portion of the land with the majority of the land used for agricultural operation. It can be argued that the land to be used for dwelling will be permanently removed from agriculture however as mentioned above it will be a small portion when compared to the overall size of the land.
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 dwelling will not be affected by agricultural activities as it will be setback reasonably from the boundaries.
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	This has been discussed above under the policy.
The potential for the proposal to lead to a concentration or proliferation of dwellings in	There is no potential for the dwelling to lead to a concentration or proliferation of dwellings.

the area and the impact of this on the use of the land for agriculture.	
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*.	Not applicable.
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*.	Not applicable.
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 proposal will not impact the soil and water quality as discussed above.
The impact of the use or development on the flora and fauna on the site and its surrounds.	No native vegetation is required to be removed.
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.	No native vegetation is required to be removed.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	The site plan provides details of the effluent disposal field.
Design and 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.	Complies. The scale of the development is small when compared with the size of the land. The location of the dwelling has been selected to manage the site in terms of agricultural use.
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 dwelling is to be constructed of muted tones, and located with generous setbacks where there are no adverse impacts anticipated.
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.	Not applicable to the site.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	Access to the site will be in accordance with Council's condition with the appropriate utilities such as water, septic system and drainage being undertaken as part of the approved development.
Whether the use and development will require traffic management measures.	The use and development of the land for a dwelling will not require any significant 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*.	Not applicable.
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	Not applicable.

under the *Mineral Resources (Sustainable Development) Act 1990*.	

11 RELEVANT VCAT CASE & FURTHER CONSIDERATION

In Dinning v Macedon Ranges SC [2018] VCAT 490, Member David while approving a dwelling in association with an ex-racehorse refuge/retraining centre (similar to the proposal) made following comments:

"36…I accept that the proposed use for the retraining of horses represents intensification of agricultural use relative to the low intensity grazing use to which the land has been put in the past. I find that the small area of land to be lost to agriculture for a proposed dwelling is counterbalanced by the increased intensification of agricultural use on the site.

37. I therefore do not accept the Councils contention that the proposal is contrary to the purpose of the FZ regarding the use of land for agriculture, retention of productive agricultural land, and ensuring that non-agricultural uses (including dwellings) do not adversely affect the use of land for agriculture."

The above decision has the relevance to the proposal as the current proposal is seeking to introduce a new agricultural use in contrast to conventional agricultural uses. The land can sustain the agricultural as confirmed via the provision of management plans.

The proposal will contribute to agricultural production on a small scale and is considered to be complementary to the current farming activities being undertaken in the surrounding area. There will be limited impact to the soil quality and the addition of dwelling will not impact agricultural production.

Clause 71.02-3 (Integrated Decision Making) states that:

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

The proposal will be able to balance conflicting objectives and will result in sustainable development of the land. The objectives in relation to the protection of agricultural land will

be achieved by resulting in a dwelling which is required for agriculture. The proposal will result in net community benefit.

The proposal will also be consistent with the objectives of planning in Victoria specified under Section 4 of the Planning and Environment Act 1987 as it will result in fair, orderly, economic and sustainable use, and development of land by proposing a development in farming zone which will be able to protect agricultural land.

12 CONCLUSION

The proposal seeks approval for building and works associated with a dwelling, where the report has assessed against the relevant policy and controls of the Benalla Planning Scheme as follows:

- The proposal has policy support at Planning Policy Framework.
- The proposed development of a dwelling meets the purpose of the farming zone including policy.
- It is considered that it complies with the overall planning considerations and environmental standards.
- The proposed development has been sited and the use is compatible with surrounding landscapes and is buffered by generous setbacks from any adjoining properties.
- The proposal will not impact the water quality as it is proposed to be developed which satisfies the EPA Code of Practice.

The assessment undertaken in this report has demonstrated the application is consistent with the Planning Policy Framework and the requirements of the Farming Zone, including Clause 65 of the Benalla Planning Scheme. It is therefore requested that approval of a planning permit be granted.