

Lifestyle



Town Planning & Services

Planning Report

Lot 1 TP 829117T - 138
Hallowells Road Cudgee, Vic.
3265.

Use of land for Domestic Animal
Boarding.

Report prepared by Glenn
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20/02/26



DISCLAIMER

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application at 138 Hallowells Road Cudgee, Vic. 3265.

1. PROPOSAL

Planning approval is sought to use the property for domestic animal boarding using the existing buildings and infrastructure at a 61 ha agricultural property on the outskirts of Cudgee. There are no works associated with the application as the property is ideally suited and equipped for its intended use.

The proposal consists of up to a 50 dog boarding and day care facility utilising existing sheds and buildings.

The use will comprise:

Parking area

Reception/office

Covered all weather communal and individual runs

Grassed outdoor communal and individual runs

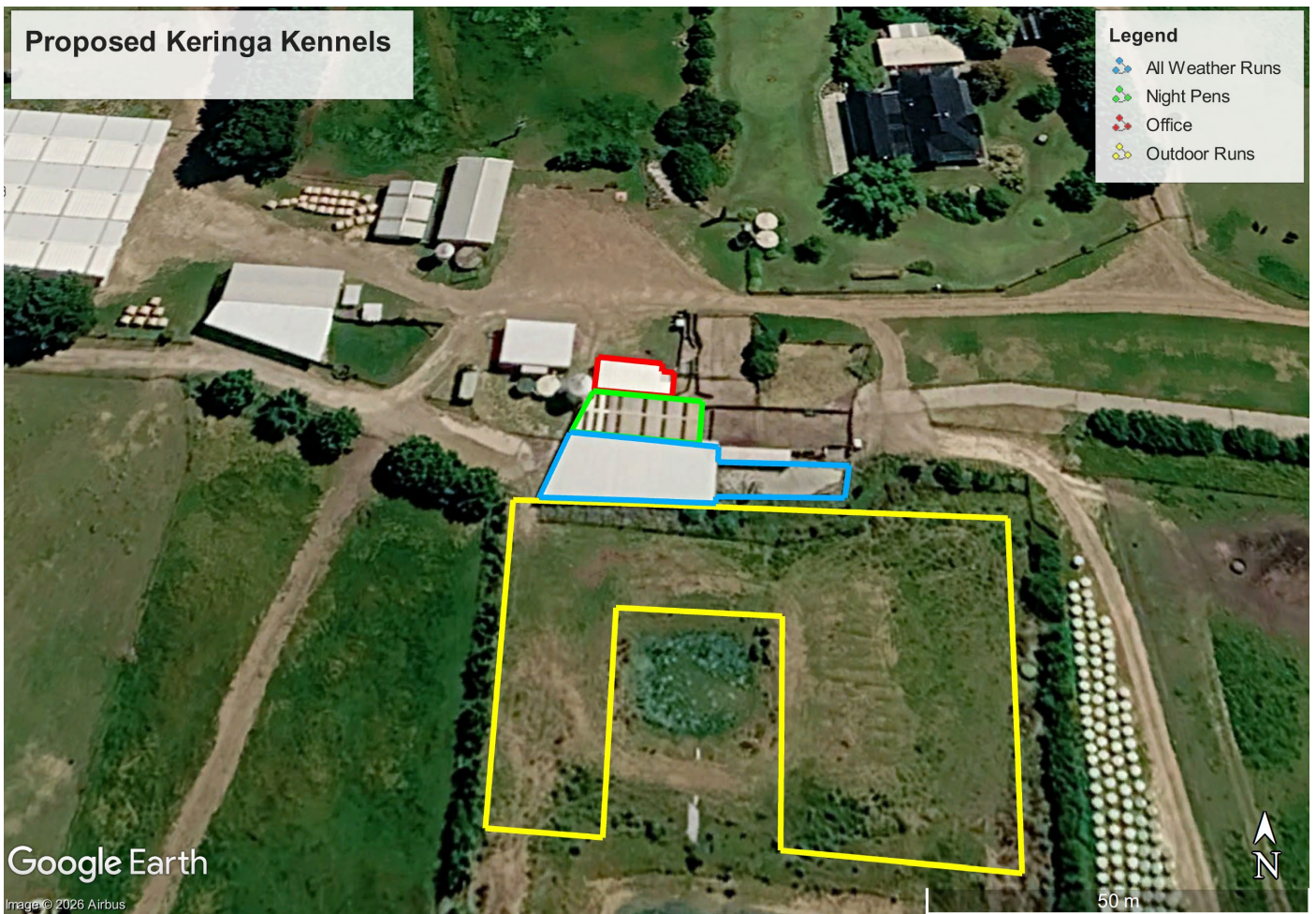
Indoor individual/family night pens with heating and cooling

Dog wash/groom/service room/area

Suitable camera system to allow 24hr surveillance.



Site plan



Odour management will be undertaken using a combination of strict, consistent cleaning protocols, proper ventilation and use of special odour neutralizing products.

Staff will have routines designed to maintain the highest level of cleanliness and hygiene resulting in minimal odour.

The property has a 180 megalitre irrigation license attached to it which means a substantial water supply for cleaning both the indoor part of the facility as well as the all-weather outdoor part with all waste water being caught by the existing effluent pond.

Subject to compliance any solids will either go through the effluent pond or be collected into sealed containers and removed via a waste management company.

Waste water will be incorporated into farm irrigation supporting our desire to implement environmentally circular farming practices.

The hours of operation proposed are daily from 8am to 9.30am and from 3.30pm to 5.30pm therefore limiting activity and noise to appropriate hours of the day. The facility will operate limited hours as above 7 days per week.

Noise management will be undertaken using washable acoustic panels fitted to the interior of existing buildings, ceiling baffles which when combined with existing separation distances

is anticipated to contain noise levels, together with operational and behavioral management used to prevent amenity or noise nuisance impacts. Staff will be trained through an OCA Dog Psychology behavior and training course. This will result in the ability to create group play, rewarding good behavior and controlling bad behavior.

Vet support will be provided via a longstanding relationship with the vet clinic in Terang and Warrnambool including matching computer software.

The intent of the proposal is to not only be a kennel business, but it is also the applicants home. Not only to be proud of how this facility will appear but also to be proud of how it operates. This not only through the service it will provide but also the opportunity it represents to staff and potential supporting businesses. The landowners have stated, “we don’t want to live in a smelly, noisy environment and strongly believe we can create a facility that we are happy to live next to”.



2. SITE ANALYSIS EXISTING CONDITIONS

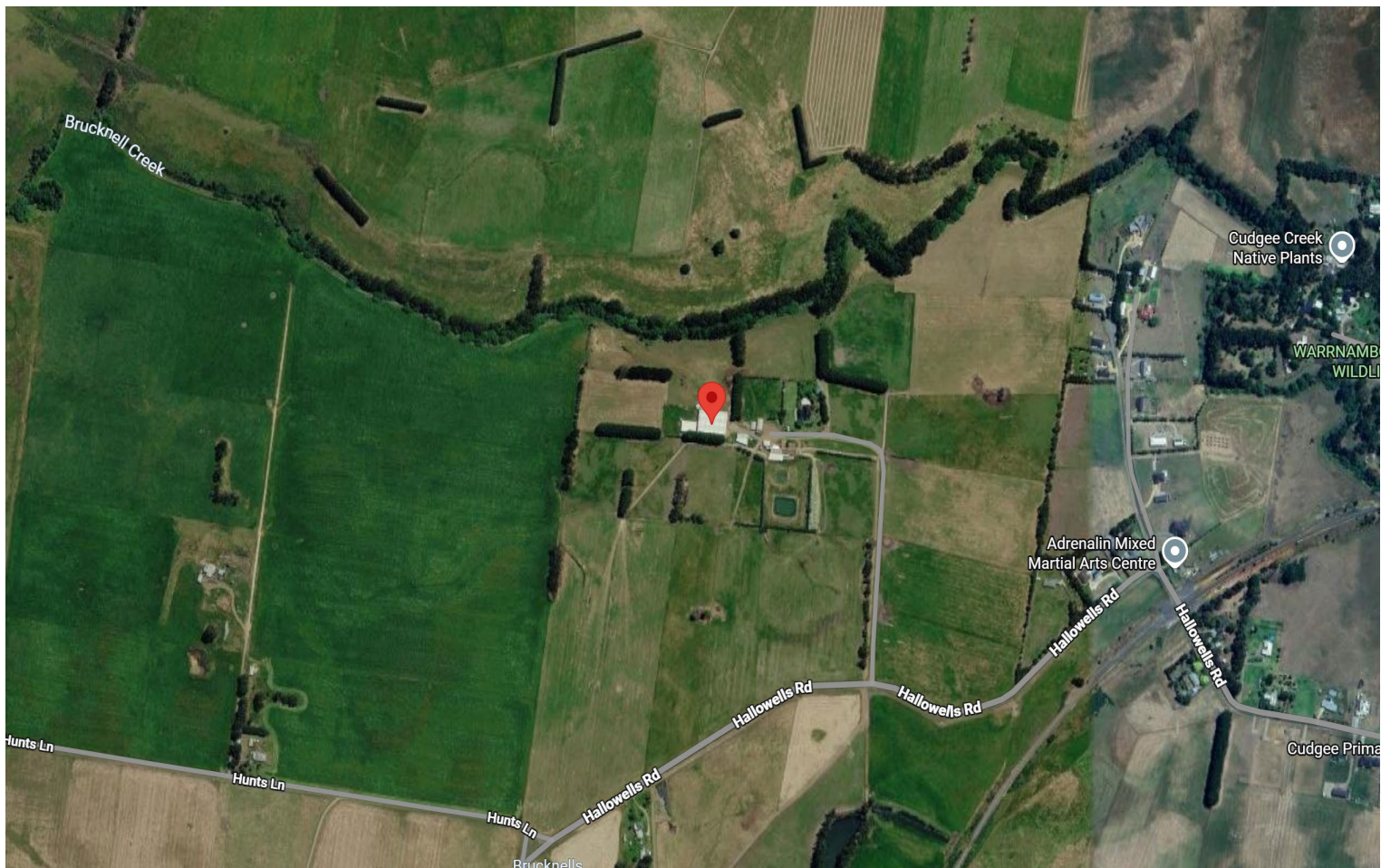
The site is situated on the western outskirts of Cudgee approximately 20km's from Warrnambool. The site has an area of 61.79 ha according to title and extends from Hallowells Road to the Brucknell Creek.

The site contains a 5 bedroom detached dwelling with extensive range of outbuildings and dams for irrigation and livestock.

Outbuildings comprise a 25m x 10m hay shed, with skillion of 25m x 12m, concrete floor, fitted out for livestock. A 20m x 10 m machinery shed, with power recently connected. A 10m x 25m livestock shed, power connected. A 13m x 10m workshop and ex dairy shed currently used for storage.

The property is approached via an all weather driveway leading from Hallowells Road with the surrounding land comprising pasture used for beef, and sheep grazing for meat production, with some equestrian use. The property will continue to be used for beef farming in addition to the proposed kennels.

The site has mains electricity and septic tank waste water system.





Aerial images



Front elevation of dwelling



Outbuildings





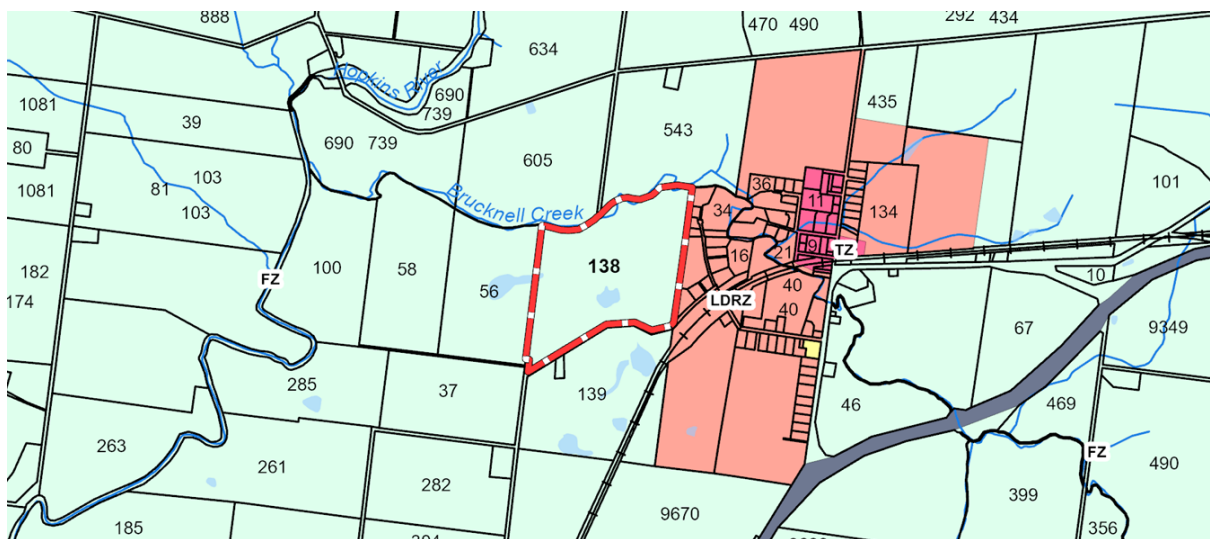
5. ENCUMBRANCES ON TITLE

None.

6. PLANNING CONTROLS

Zone

General Residential Zone Schedule 1 (GRZ1).



Overlays

None.

6. PERMIT REQUIREMENTS

A permit is required under the Farming Zone for Domestic Animal Boarding as defined at the table of uses **Clause 35.07-1**.

7. PLANNING ASSESSMENT

35.07

FARMING ZONE

Purpose

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.

Clause 35.07-6

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

ASSESSMENT

An assessment have been done against the MPS and PPF which is contained in this report.

There is no flooding associated with the land proposed for the use.

The site has sufficient capacity to easily accommodate the boarding kennels with up to 50 dogs given the land size, and facilities already installed.

The farm will continue to operate much as it does now with the addition of the boarding kennels which is well setback from surrounding dwellings. Buildings will be further lined to reduce any noise impacts.

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether Rural worker accommodation is necessary having regard to:*
 - *The nature and scale of the agricultural use.*
 - *The accessibility to residential areas and existing accommodation, and the remoteness of the location.*
- *The duration of the use of the land for Rural worker accommodation.*

ASSESSMENT

As discussed, the farming use will continue on the land for beef production. The proposed kennels do not hinder the operation of the farm enterprise or impact the operation of surrounding farms.

Accommodation issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural 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.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*
- *The 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.*
- *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.*

ASSESSMENT

There is no accommodation associated with the proposal.

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 impact of the use or development on the flora and fauna on the site and its surrounds.*
- *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.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

ASSESSMENT

The use is not intended to increase environmental impacts as the site is extremely well equipped and situated for a boarding kennel. On site effluent disposal will be used to manage effluent which is comparable to the prevailing uses and effluent levels already associated with the site.

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.*
- *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 impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*
- *The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:*
 - *A permit for a wind energy facility; or*
 - *An application for a permit for a wind energy facility; or*
 - *An incorporated document approving a wind energy facility; or*
 - *A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the Environment Effects Act 1978.*
- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

ASSESSMENT

There are no proposed buildings or works associated with the application.

MUNICIPAL PLANNING STRATEGY

Clause 02.03-4

Natural resource management

Agriculture

Rural land in the municipality forms part of the highly productive Western District. A mild climate, high and well distributed rainfall, a diverse range of soil types and access to markets have combined to make the Shire a significant agricultural area. Intensive dairying and crop production are significant land uses in the coastal hinterland, while extensive cropping and grazing enterprises, including beef cattle and sheep for wool and meat, are major activities in the northern part of the Shire.

Agricultural areas along the coast, between settlements and on the edge of townships are under pressure from other forms of development, particularly housing on existing small lots interspersed with farming land. The construction of dwellings on many or all such lots would not be consistent with responsible management of rural land. Such areas include:

- Extensive areas where the size of lots is less than half the minimum lot size specified under the Farming Zone; and*
- Areas of open farming land which are comprised of comparatively small lots that are distant and isolated from townships with appropriate infrastructure and services.*

Demand for rural lifestyle properties on small lots has increased mainly in the south of the Shire, and the proliferation of dwellings for lifestyle or hobby farm purposes in rural areas can compromise the long-term viability of farming. Dwellings or small lot subdivisions can sometimes genuinely be required to support agricultural production, however the development of isolated dwellings and housing clusters of small lots that are not associated with agriculture can result in land use conflicts, the loss of productive agricultural land and inefficient demand for social and physical infrastructure services. Council seeks to direct the demand for rural lifestyle living to land zoned for such purposes. A 'Lifestyle Farming' area at Bushfield, Grassmere and Wangoom is intended to accommodate demand for lifestyle farming and small-scale farming enterprises which can make productive use of agricultural land.

The Belfast Rural area (also known as the Killarney Area) between Rosebrook and the Tower Hill Wildlife Reserve comprises high quality fertile volcanic soils that have traditionally been the focus for potato farming. The area is characterised by a large number of small land holdings that are predominantly managed as conglomerations.

Sustainable timber production and the development of timber industries to process product are supported where they are undertaken with minimal adverse impacts.

ASSESSMENT

The proposed use will operate in conjunction with the agricultural use carried out at the property.

Agriculture is not impacted or disrupted.

The site is considered to be ideally situated for the proposed use.

Clause 02.03-7

Economic development

The economy of the Shire is based on agriculture, manufacturing, tourism and commerce.

Agriculture

Agriculture is the most important sector of the local and regional economy and a major source of local employment. The Shire is within Australia's largest dairy production region that contributes around a quarter of the nation's milk production.

The Western Victoria Livestock Exchange at Mortlake has a key role in supporting the regional agricultural sector.

There are opportunities for economic diversification through the development of aquaculture, horticulture and intensive agricultural enterprises, and agriculturally linked value adding industries. Value adding onsite or closer to the source of the product provide opportunities to expand the local economy.

The preservation of agricultural land in large holdings is necessary to maintain the economy of the Shire, including the service and processing industries that support agriculture.

Commerce

Port Fairy, Koroit and Mortlake perform important commercial, community and administrative functions. Higher order commercial and retail services are provided in Warrnambool, Portland, Hamilton, Ballarat and Geelong.

ASSESSMENT

The proposed use provides an economic benefit over and above the prevailing agricultural production on the site as a value add.

PLANNING POLICY FRAMEWORK ASSESSMENT

Clause 14.01

AGRICULTURE

Clause 14.01-1S

Protection of agricultural land

Objective

To protect the state's agricultural base by preserving productive farmland.

Strategies

Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- *Directing housing growth into existing settlements.*
- *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
- *Encouraging consolidation of existing isolated small lots in rural zones.*

Identify areas of productive agricultural land by consulting with the Department of Energy, Environment and Climate Action and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
- *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
- *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
- *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
- *Land capability.*

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.

ASSESSMENT

As discussed, the land is not removed from production, fragmented or further developed.

The use is well disposed to be conducted in the farming zone to minimise amenity impacts. The land is well buffered from properties in the vicinity.

Clause 65.01

APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

This clause does not apply to a VicSmart application.

ASSESSMENT

The proposed use does not involve works and are considered appropriate in the proposed location and do not pose detriment to the amenity of the area, environment or the orderly planning of the area.

8. CONCLUSION

The proposed use is ideally placed in the proposed location and is low scale. The farming zone is an ideal location to house a boarding kennel with the subject property very well equipped and distanced to conduct the activity safely and without detriment to agriculture or the amenity of the area.