



Application Details at Lodgement

Application Specifics

Application ID	PLA0262/20
Parent ID	
Description	We are seeking to obtain a planning permit for the increase of the number of dogs we can keep on our property at 320 Forest Rd, Labertouche. We would like to acquire a permit that will enable us to keep 10 dogs.
Primary Group	Planning Permit Application (New Permits) (PlnPmtApp)
Primary Category	Change of Use (ChangeUse)
Sub Categories	
Audit Date/Time	Oct 23 2020 4:41PM
Audit User	EPROPERTY
Process ID	243807
eDoc Email	hkcollins@bigpond.com, margaret.sawdon@bigpond.com

Property Associations

Association Type	Prop No	Address	Legal Desc.
Primary Property (ramPrProp)	13350	320 Forest Road LABERTOUCHE VIC 3816	V9580 F164 LOT 1 LP 126017 PT CA 111B JINDIVICK PARISH

Land Associations

Association Type	Land No	Legal Description
Primary Land (ramPrLand)	126244	V 9580 F 164 Lot 1 LP 126017 Jindivick Parish

Name Associations

Association Type	Name	Details	Postal Address
Applicant (ramApplct)	Helen K Collins	Home Phone: 56287549 Mobile Phone: 0408 004 813 Email Address: hkcollins@bigpond.com	320 Forest Road LABERTOUCHE VIC 3816
Owner (ramOwner)	Helen K Collins	Home Phone: 56287549 Mobile Phone: 0408 004 813 Email Address: hkcollins@bigpond.com	320 Forest Road LABERTOUCHE VIC 3816

Application Variables

#	Date Label	Date	Text Label	Text	Description	Val. Label	Value
1	Received	23/10/20 4:41:28 PM	Delegate	DavidQ	David Quelch	New Dwellings	0
2	Acknow Sent		Appl Type	NewApp	New Application	No.of Lots	0
3	Last FI Sent		Pre-App Mtg	YesPreApp	Yes	No. Objection	0
4	Last FI Recd		Ass. Level				0
5	Last FI EOT Req		Existing Use	Agricultre	Agriculture	FI Sent Clock Days	0
6	Last FI EOT Det		Proposed Use	OtherUse	Other Land Use		0
7	Last FI Due		Off. Recommend	InProgress	In Progress		0
8	Amend S50A		Counc. Decision	InProgress	In Progress		0
9	Last Notice Start		Review Type			Adv. Sign Fee	0

10	Last Notice Complete		SPEAR Ref			Adv. N/P Fee	0
11			Title Encumbrances	No	No	Adv. Letter Fee	0
12	Amend S57A						0
14	Resident Discussion						0
15	Council Briefing		PSP Area?	No	No		0
16	Council Meeting		POS Contribution				0
17	Determination						0
18	Permit Issued		New Business	No	No		0
19	Plan Endorsed						0
20	Heritage Mgt Pl		Heritage Mgt Pl	0	Not Yet Determine		0
21	VCAT Directions						0
22	VCAT Mediation						0
23	VCAT Hearing						0
24	VCAT Appeal Lodged		VCAT Ref				0
25	VCAT Outcome		VCAT Outcome				0
26	PPAR Final Outcome		PPAR Final Outcome	NYD	Not Yet Determined		0
27	Sec Consent Rcv						0
28	Sec Consent Det						0
30	Ext of Time Rcv						0
31	Ext of Time Det		NVO Satisfied?				0
32	VCAT Logement		NVO Required?			NVO Receipt	0
33			Native Veg Srce				0
34			OLD Dealing No.				0
35			Sec 173 Req?				0
38	Target Date (Auto)	23/01/21 9:19:00 AM					0
39			VicSmart App (Auto)	1	No		0
40			VicSmart Time. (Old)	0	Not yet determined		0

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

VOLUME 09580 FOLIO 164

Security no : 124085737860B
Produced 26/09/2020 09:37 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 126017.
PARENT TITLE Volume 08788 Folio 782
Created by instrument L311238R 12/10/1984

REGISTERED PROPRIETOR

Estate Fee Simple
TENANTS IN COMMON
As to 2 of a total of 5 equal undivided shares
Joint Proprietors
 PETER JOHN COLLINS
 HELEN KATHRYN COLLINS both of 320 FOREST ROAD LABERTOUCHE VIC 3816
 AD903849C 28/09/2005
As to 3 of a total of 5 equal undivided shares
Sole Proprietor
 MARGARET SAWDON of 320 FOREST ROAD LABERTOUCHE VIC 3816
 AQ246006E 14/09/2017

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AQ373660L 23/10/2017
COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP126017 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)

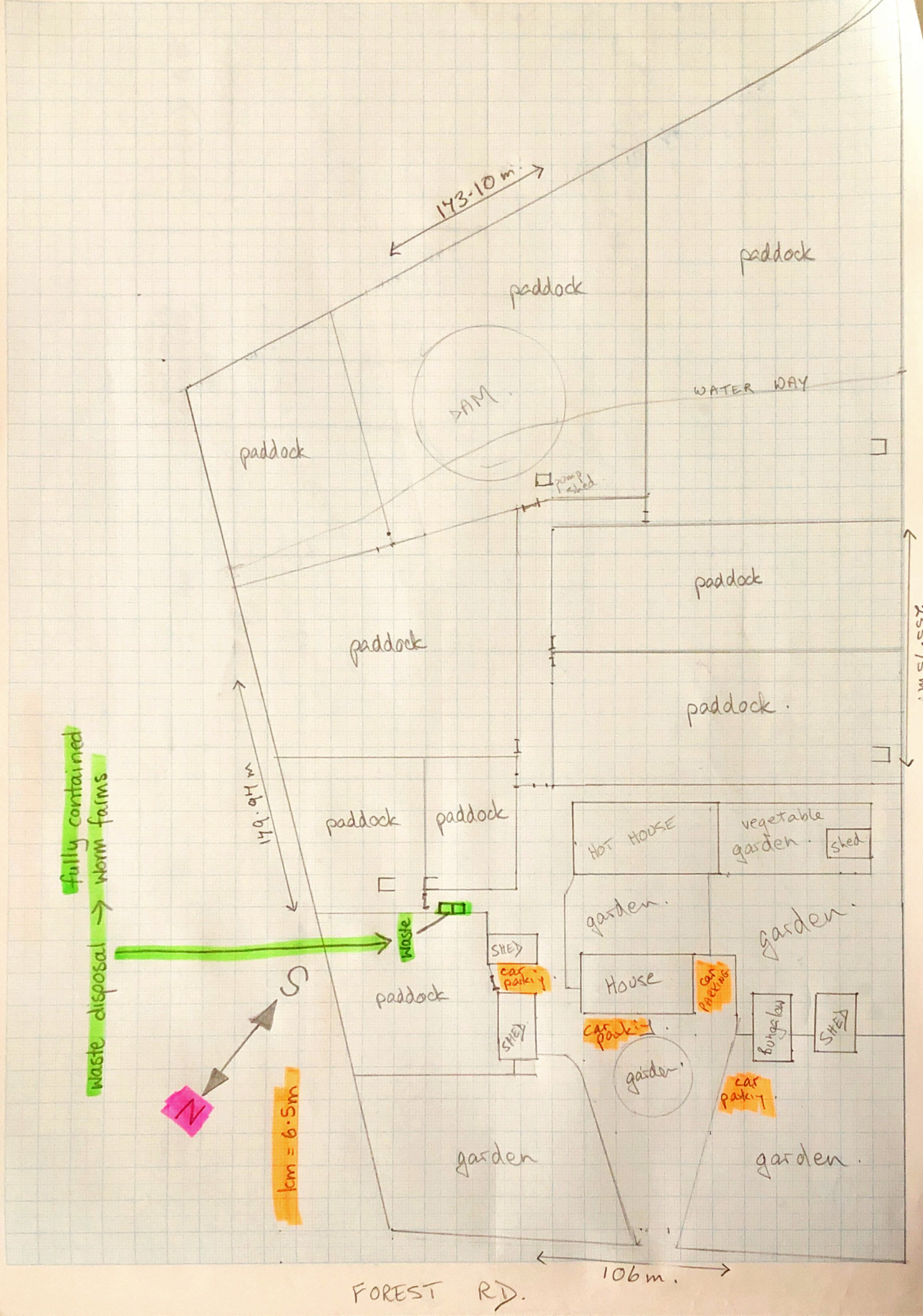
Street Address: 320 FOREST ROAD LABERTOUCHE VIC 3816

ADMINISTRATIVE NOTICES

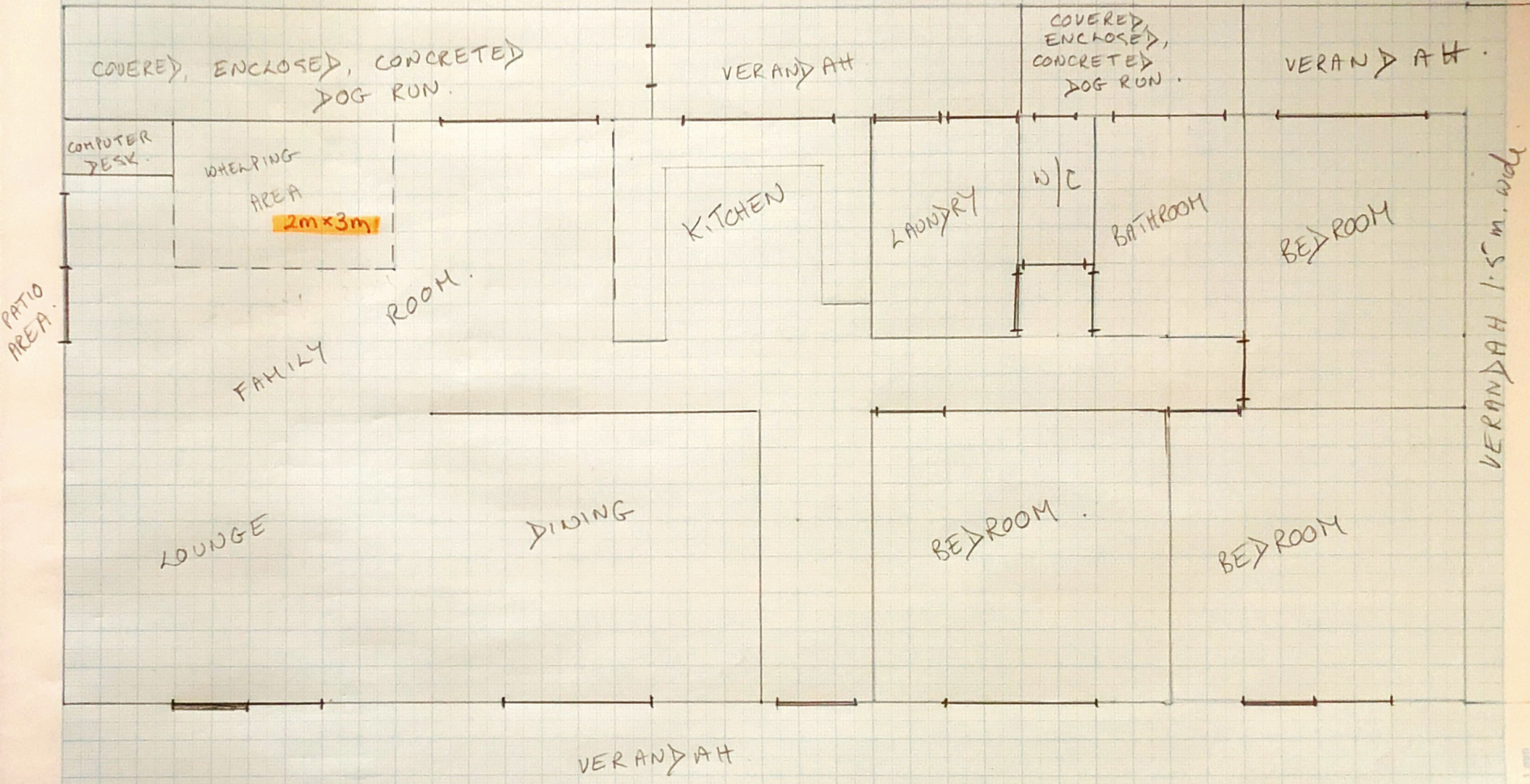
NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2017

DOCUMENT END



Scale: 2 cms. = 1 metre.



23/10/20
Helen Collins and Margaret Sawdon
320 Forest Rd
Labertouche, VIC 3816
0408004813/0438287613

Re: Planning permit for Domestic Animal Husbandry/Dog Breeding – Land used to keep, breed, board or train domestic animals.

Dear Baw Baw Shire Planning Committee,

We are seeking to obtain a planning permit for the increase of the number of dogs we can keep on our property at 320 Forest Rd, Labertouche. We would like to acquire a permit that will enable us to keep 10 dogs.

We are both qualified dog trainers, holding the nationally recognised Certificate III in Dog Behaviour and Training from the National Dog Trainers Federation and have a keen interest in breeding purebred Australian Shepherds and Border Collies which are Dogs Victoria registered. All our dogs are family pets and live with us as such. We hope to build our small group of dogs over the next few years. We currently have two entire female Australian Shepherds and one entire female Border Collie and hope to acquire an entire male Australian Shepherd puppy in the coming months. We also currently have 2 pet dogs, both desexed.

As small family breeders we intend to keep our dogs as they age and mature, including after they have finished breeding, so at any one time it is expected that we will have a mixture of entire and desexed dogs, with the expectation of breeding 2-3 litters of puppies per year. Our dogs are family pets, and as such they spend most of their time inside as part of the family, including sleeping inside, overnight. Due to this, we see no problems with noise levels, as excessive barking does not occur. Our dogs are all well trained, including being completely reliably toilet trained. They are toileted outside, with the dog poo collected twice daily and disposed of in two purpose built 360 litre worm farms.

Our dogs are never at the front of our property unsupervised and consequently are not any kind of nuisance to neighbours or the occasional person walking past. If it is necessary for our dogs to be outside unsupervised, they are in our well fenced rear garden, well away from the front of the property.

While we do not see that car parking will be an issue as we will only have a small number of puppy buyers coming two to three times a year, usually one at a time, we have plenty of space for cars to be parked (see plan). We will not be employing any staff and will not have defined trading hours however puppy buyers will be invited to come once to visit the puppy for selection and then a second time for pick up, during daylight hours.

As Dogs Victoria members, we are classified as recreational breeders and therefore are required to comply with all Dogs Victoria regulations, codes, policies and procedures. Being

a recreational breeder does not require registration as a domestic animal business with council, nor does it require compliance with the Code. According to Dogs Victoria, we do not require kennels for our dogs unless we have 11-50 fertile breeding dogs. It is perfectly acceptable that they live in the house as pets. We have included a fact sheet from Dogs Victoria, stating these rulings.

Our property site is suitable for the intended purpose as we are surrounded by other rural properties on acreage. We see no impacts on the flora, fauna, landscape or quality of the land use pursuant to clause 35.03.05. All dog breeding activities are well away (100m) from the waterway at the bottom of our property and through the use of dedicated worm habitats, which each process up to 3.5kg of organic waste a day (the equivalent of the waste from 5 medium dogs), we will be turning it into nutrient and microbe-rich vermicompost, beneficial for the environment. We do not require any extra buildings or infrastructure. Any sign we may decide to use in the future will not require a permit under clause 52.05.13, as we will ensure the display area does not exceed 0.2sqm. We will not be removing, destroying or lopping any native vegetation, therefore clause 52.17 does not apply to our application.

We look forward to your response to our planning permit application.

Kind regards,

Helen Collins and Peggy Sawdon

Information from our pre-planning meeting:

Permit related to	Information provided
Planning	<p><u>Planning Controls:</u></p> <ul style="list-style-type: none"> ▪ Clause 35.03 Rural Living Zone 2 (RLZ2) ▪ Clause 45.06 Development Contributions Plan Overlay Schedule 1 (DCPO1) <p><u>Proposed Land Use:</u></p> <p>Domestic Animal Husbandry/Dog Breeding – Land used to keep, breed, board or train domestic animals.</p> <p><u>Permit Triggers & Other Relevant Planning Provisions:</u></p> <p>Clause 35.03-1 RLZ2 - A planning permit is required to use land for Domestic Animal Husbandry if more than two animals.</p> <p>Clause 52.05 Signs – The zone is Category 3. A permit is required to display a business identification sign.</p> <p>Clause 52.06 Car parking - The required car parking rate for Domestic Animal Husbandry must be provided to the satisfaction of the responsible authority (Council). A car parking plan must be provided and the design standards for car parking under the provision must be met.</p> <p>Clause 52.17 Native Vegetation – To remove, destroy or lop native vegetation removal may require a planning permit. A native vegetation assessment completed by an accredited person, a Native Vegetation Removal report and evidence of available offsets would be required. For more information, refer to https://www.environment.vic.gov.au/native-vegetation/native-vegetation</p> <p>Clause 45.06 DCPO1 – If a planning permit is granted, a levy may be required. For more information please contact Chris Petera via planning@bawbawshire.vic.gov.au</p> <p><u>Planning Application:</u></p> <ul style="list-style-type: none"> ▪ Complete and sign ‘Application for a Planning Permit’. ▪ Pay the prescribed fee. ▪ Provide the Certificate of Title not more than 60 days old including: <ul style="list-style-type: none"> • Plan of Subdivision • Registered Restrictive Covenants (if any) • Section 173 Agreements (if any) <p>To obtain the Certificate of Title, refer to https://www.landata.vic.gov.au/</p>

- Proposed site plan, elevation plans, floor plans.

- A written response outlining:
 - Type of business and operation activities
 - Maximum staff and patron numbers
 - Trading hours, number of dogs and litters each year
 - Amenity mitigation will need be demonstrated particularly in regard to noise, waste disposal and car parking.

- Submit the application to planning@bawbawshire.vic.gov.au and pay the fee via the attached credit card payment form.

Planning Considerations:

The following information may be required to accompany the application (but not limited to), and must be prepared by a qualified person:

- Acoustic Report by an Acoustic Engineer to demonstrate how noise is mitigated.
- Car Parking Demand and Traffic Impact Assessment
- An assessment of the presence of Warragul Burrowing Crayfish (WBC) and associated habitat on the subject land. The presence of significant colonies of GGE would require further consideration under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.
- Onsite wastewater treatment, septic system and effluent disposal area.
- A written statement which explains how the dog breeding responds to the decision guidelines for 'Agricultural issues and the impacts from non-agricultural uses' in the Farming Zone (see Clause 35.07-5 and Clause 35.07-6 Farming Zone, Baw Baw Planning Scheme).

Other Planning Considerations:

The application will be advertised to adjoining and surrounding owners and occupiers under Section 52 of the *Planning and Environment Act 1987*.

It is advised to avoid any dog breeding activities including any buildings and works within 100 m of the waterway. The application will be referred to the West Gippsland Catchment Authority for assessment. For more information, please refer to <https://www.wgcma.vic.gov.au/>

We recommend engaging a Planning Consultant to assist with the preparation and project management of the application.

The Baw Baw Planning Scheme can be viewed at <https://www.planning.vic.gov.au/schemes-and-amendments/browse-planning-scheme/planning-scheme?f.Scheme%7CplanningSchemeName=Baw+Baw>

Public Health	<p>Some of this is dependent on the number of dogs being kept. If you do get to 10, how will they be kept in the house as part of the family. Would you provide for dog kennels or even allocate one of the rooms in the house specifically for this purpose.</p> <p>We would like to know:</p>
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	<ol style="list-style-type: none"> 1. Process of disposal of dog faeces if they live as part of the family. 2. If hard stand kennels are constructed, the frequency and method of cleaning them needs to be described. 3. They would need to be drained to a collection point and discharged to a form of septic system. Solid material would need to be removed beforehand. 4. If outdoor exercise areas are provided, the frequency and method of cleaning them needs to be described. 5. How dog food is to be stored to prevent access by vermin. 6. How is dog feeding to occur so as food is not left out for vermin.
Compliance / Local Laws	<p>No DAB registration is required, as the breeder is registered with Dogs Victoria. No more than 10 fertile females are allowed. All individual dogs must be registered with Council.</p>