

# Notice of Application for a Planning Permit



The land affected by the application is located at:	L2 LP133853 20 Denhams Road, Koo Wee Rup VIC 3981
The application is for a permit to:	Use of the land for Domestic Animal Husbandry (Cat Breeding) and associated building and works (extension to existing building)
A permit is required under the following clauses of the planning scheme:	
35.04-1	Use of the land for Domestic Animal Husbandry (Cat Breeding)
35.04-1	Construct or carry out works within nominated setbacks.
44.04-2	Construct a building or carry out works.



## APPLICATION DETAILS

The applicant for the permit is:	
Application number:	T240360

You may look at the application and any documents that support the application at the office of the Responsible Authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

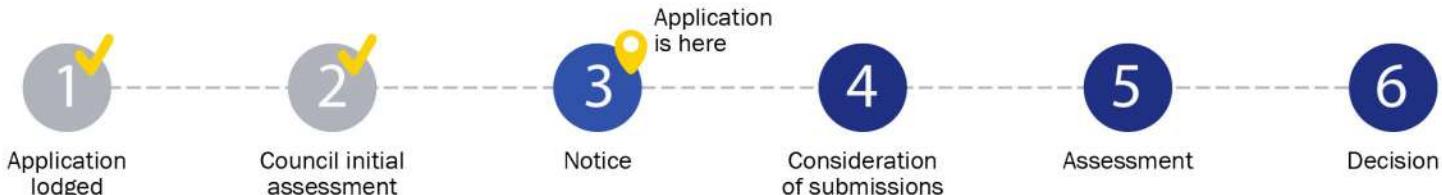
This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website at [cardinia.vic.gov.au/advertisedplans](http://cardinia.vic.gov.au/advertisedplans) or by scanning the QR code.



## HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:	<b>2 February 2026</b>
<b>WHAT ARE MY OPTIONS?</b>  Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.  If you object, the Responsible Authority will notify you of the decision when it is issued.	An objection must: <ul style="list-style-type: none"><li>• be made to the Responsible Authority in writing;</li><li>• include the reasons for the objection; and</li><li>• state how the objector would be affected.</li></ul> 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.





Planning Enquiries  
Phone: 1300 787 624  
Web: [www.cardinia.vic.gov.au](http://www.cardinia.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.

ⓘ Click for further information.

### The Land i

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

#### Street Address \*

Unit No.:	St. No.: <b>20</b>	St. Name: <b>DEVAHAMS RD</b>
Suburb/Locality: <b>Koo WEE RUP</b>		Postcode: <b>3981</b>

#### 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.: <b>20</b>	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: <b>133853</b>
OR					
B	Crown Allotment No.:	Section No.:			
Parish/Township Name: <b>Koo WEE RUP</b>					

### 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.

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



#### ADVERTISED MATERIAL

Planning Application: T240360  
Date Prepared: 16 January 2026

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Permit required to continue my recreational breeding programme of persian cats.  
The pens are existing as I bred many years ago.  
Sketch attached of the cattery areas provided plus photos.  
Three of these cats were imported from Romania to captive and improve the base of my programme.

ⓘ 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.

Cost \$

⚠ You may be required to verify this estimate.

Insert '0' if no development is proposed.

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the **Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application**. Visit [www.sro.vic.gov.au](http://www.sro.vic.gov.au) for information.

## Documents Uploaded

Date	Type	Filename
26-07-2024	A Copy of Title	Scan_20240726.pdf
26-07-2024	Encumbrance	Scan_20240726.pdf
26-07-2024	Site plans	Scan_20240726 (4).pdf
26-07-2024	Existing floor plan	Scan_20240726 (4).pdf
26-07-2024	A proposed floor plan	Scan_20240726 (2).pdf
26-07-2024	Proposed elevation plan	Scan_20240726 (2).pdf
26-07-2024	Existing elevation plans	Scan_20240726 (2).pdf
26-07-2024	Written Explanation	Scan_20240726 (5).pdf
26-07-2024	Additional Document	Scan_20240726 (3).pdf

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



(Depot)  
Purton Road, Pakenham, Victoria

Email: mail@cardinia.vic.gov.au

Fax: 03 5941 3784



Civic Centre  
20 Siding Avenue, Officer, Victoria  
**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria



**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VIC, 3810  
Email: mail@cardinia.vic.gov.au



Monday to Friday 8.30am–  
5pm  
**Phone:** 1300 787 624  
**After Hours:** 1300 787 624  
**Fax:** 03 5941 3784

# Request to amend a current planning permit application

**ADVERTISED MATERIAL**

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This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

**PERMIT APPLICATION DETAILS**

Application No.:

T240360PA

Address of the Land:

20 DENHAMS ROAD Koo Wee Rup

Section 57A – Amendment to application **after** notice is given:

**AMENDMENT DETAILS****What is being amended? (select all that apply)**

What is being applied for <input checked="" type="checkbox"/>	Plans / other documents <input type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	

Describe the changes. If you need more space, please attach a separate page.

additional trigger for  
building works


**Specify the estimated cost of any development for which the permit is required:**

Not applicable

Unchanged

New amount \$ 3,600-4,000

**DECLARATION**

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.

**LODGEMENT**

Please submit this form, including all amended plans/documents, to [mail@cardinia.vic.gov.au](mailto:mail@cardinia.vic.gov.au)

You can also make amendments to your application via the Cardinia ePlanning Portal at  
<https://eplanning.cardinia.vic.gov.au/>

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

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**IMPORTANT INFORMATION**

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

Any material submitted with this request, 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*.

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

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VOLUME 09488 FOLIO 632

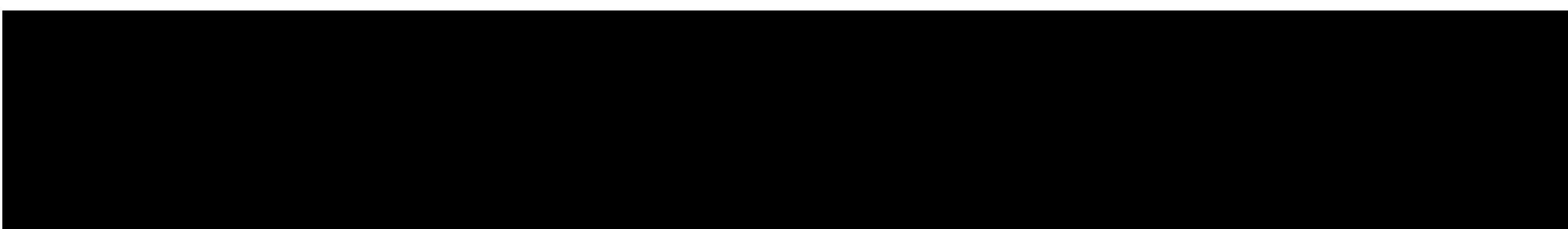
Security no : 124116089441D  
Produced 24/06/2024 09:41 PM**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 133853.

PARENT TITLES :

Volume 09193 Folio 529 to Volume 09193 Folio 530

Created by instrument K009820 16/07/1982

**REGISTERED PROPRIETOR****ENCUMBRANCES, CAVEATS AND NOTICES**MORTGAGE AL402459Q 06/10/2014  
AFSH NOMINEES PTY LTDMORTGAGE AM587473B 25/02/2016  
WESTPAC BANKING CORPORATION

CAVEAT AW922124C 09/06/2023

Caveator

COMMONWEALTH OF AUSTRALIA

Grounds of Claim

STATUTORY CHARGE ARISING UNDER THE SOCIAL SECURITY ACT 1991.

Estate or Interest

INTEREST AS CHARGEES

Prohibition

ABSOLUTELY

Lodged by

AUSTRALIAN GOVERNMENT SOLICITOR

Notices to

AUSTRALIAN GOVERNMENT SOLICITOR of LEVEL 34 600 BOURKE STREET MELBOURNE VIC 3000

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.



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**DIAGRAM LOCATION**

SEE LP133853 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: 20 DENHAMS ROAD KOO WEE RUP VIC 3981

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

Page 2 of 2

### ADMINISTRATIVE NOTICES

NIL

ECT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 29/04/2017

DOCUMENT END





# Planning Report

20 Denhams Road, Koo Wee Rup

April 2025

Prepared by BM Town Planning

## 1. Introduction

This report has been prepared to accompany planning permit application T240360 PA for the use of land for domestic animal husbandry (cat breeding) at 20 Denhams Road, Koo Wee Rup.

The report provides the following information and discussion in support of the proposal:

- A description of the subject site and surrounding area;
- An outline of the proposal;
- Identification of the planning controls and policies applicable to the subject site and application as per the Cardinia Shire Planning Scheme;
- Justification of the proposal with respect to the planning controls and policy.

Having regard to the above factors, the report demonstrates that the proposal has a high level of compliance with the relevant planning controls and policies of the Cardinia Shire Planning Scheme.



## 2. Subject site and surrounding area

### 2.1 Subject site

The site is located at the south-west side of Denhams Road in the northern outskirts of the Koo Wee Rup township. The site is irregular in shape with a frontage of 130.25 metres (m), a maximum depth of 243.5 m and an overall site area of 2.448 hectares (ha).

The subject site is formally described as Lot 2 on LP 133853. There are no easements encumbering the land and no restrictive covenants or other restrictions listed on the title.

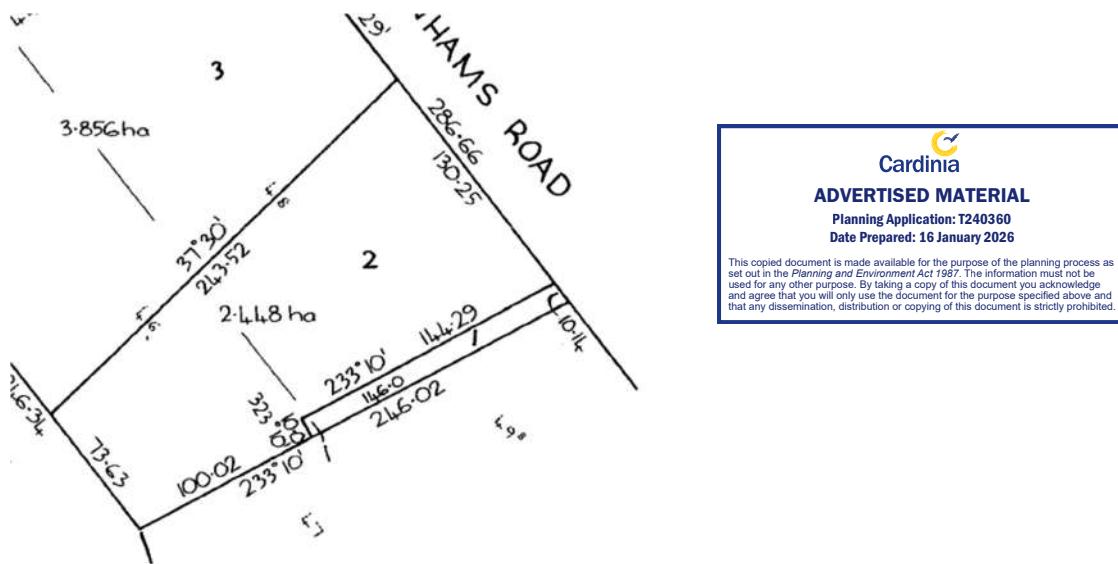


Figure 1 – Title plan of land

The site is used and developed for a single dwelling and horse stable. There are two carports on the north-west side of the dwelling and a large outbuilding to the rear of the dwelling. On the southern portion of the site there are sheds and stables in association with the horses kept on the land. The balance of the land is used for horse paddocks.

Vehicle access is provided from two points onto Denhams Road via a gravel driveway in a U shape.

Vegetation on the land is concentrated around the existing dwelling and outbuildings with the balance of the land mostly grassed paddocks.



Figure 2 – Front of subject site from Denhams Road (source – Google Streetview, dated March 2023)



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Figure 3 – Aerial image of site (Nearmaps, 25 February 2025)

## 2.1. Surrounding area

The subject site is located on the north peripheral of Koo Wee Rup township. The main centre of Koo Wee Rup is located approximately 1 kilometre (km) to the south of the site. Similarly to the subject site, the land directly to the south-west, north-west and north-east are large lots that are used and developed for rural living and hobby farming under the Green Wedge zoning. Whereas land directly to the south-east is the commencement of the urban boundary for Koo Wee Rup and contains the Koo Wee Rup recreation reserve.



Figure 4 – Zoning map of site surrounds (source – Department of Transport and Planning)

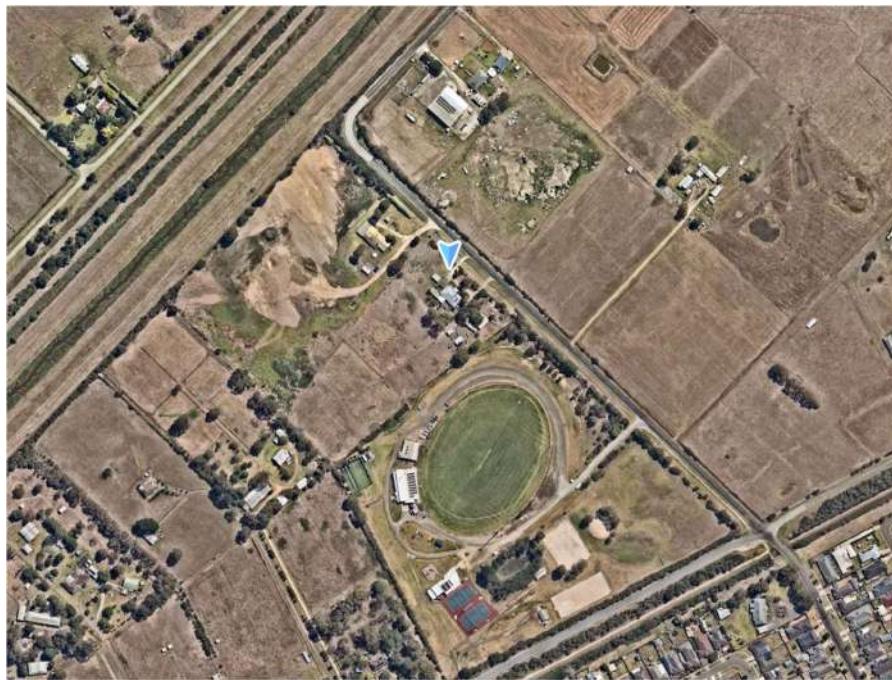


Figure 5 – Aerial image of surrounding area (Nearmaps, 25 February 2025)

### 3. Proposal

The application seeks approval to use the land for 'domestic animal husbandry', specifically cat breeding. The following are the key features of the use:

- A maximum of fourteen (14) cats will be kept on the premise.
- There will be a maximum ten (10) fertile female and four (4) male cats kept on the premises at any one time.
- Silver breeding, persian and exotic cat breeds.
- The purpose of cats kept on-site is mostly for breeding and in some instances, cat showing.
- Once kittens are born, they are kept on-site up until 12-14 weeks. The kittens are either sold for breeding or pets.
- Cats will be kept indoors within an outbuilding to the rear of the existing dwelling. Cats will not be permitted outdoors.
- No staffing is required on-site as the existing resident will be the sole operator.
- The breeding is a hobby rather than full-scale commercial operation.
- As the use is a hobby and home based, there are no set operating hours.
- On very infrequent occasions, bred kittens will be picked up by new owners otherwise cats are delivered by courier.
- Effluent waste from cats will be collected daily, bagged and disposed of into a dumpster bin which will then be collected by Cleanaway services on a weekly basis.
- The proposal is required and will comply with the relevant regulations for breeding domestic animals in Victoria, including:
  - *Domestic Animal Act 1994 (the DA Act)*
  - *Domestic Animal Regulations 2015*
  - *Code of practice for the operation of breeding and rearing businesses 2014 (revision 2018).*
- No business identification signage is required on the land.
- There are no buildings and works proposed with this application.



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## 4. Planning controls and policy context

### 4.1. Zone

#### Green Wedge Zone – Schedule 2 (GWZ2)

The land is in the Green Wedge Zone – Schedule 2. The purpose of the Zone is as follows:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

The following decision guidelines of the GWZ are also applicable to the application:

#### 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.*
- *How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*
- *Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.*

#### Rural issues

- *The maintenance of agricultural production and the impact on the rural economy.*
- *The environmental capacity of the site to sustain the rural enterprise.*

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Cardinia

- *The need to prepare an integrated land management plan.*
- *The impact on the existing and proposed rural infrastructure.*
- *The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.*
- *The protection and retention of land for future sustainable agricultural activities.*

## ***Environmental issues***

- *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.*
- *How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.*

## ***Design and siting issues***

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*

In accordance with Clause 35.04-1, a planning permit is required under the Zone to use the land for 'domestic animal husbandry' as the corresponding condition has not been met (must be no more than 5 animals).

## **4.2. Overlays**

### **Land Subject to Inundation Overlay (LSIO)**

The land is entirely within the Land Subject to Inundation Overlay, relating to flooding impacts. As the application does not seek buildings and works, the LSIO controls do not apply.



## 4.3. Particular Provisions

### Clause 52.06 – Car Parking

In accordance with the car parking requirements of Clause 52.06-5, 'domestic animal husbandry' is not specified and therefore does not have a car parking rate. Therefore, car parking must be provided to the satisfaction of the Responsible Authority pursuant to Clause 52.06-6. Sufficient parking is provided on the land via the garages and driveways. Given the low visitation of the use, additional on-site parking is not required.

### Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions

These provisions apply to land within Metropolitan Melbourne that is outside the Urban Growth Boundary. The purpose of is detailed as follows:

- *To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.*
- *To protect productive agricultural land from incompatible uses and development.*
- *To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.*
- *To encourage the location of urban activities in urban areas.*
- *To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.*
- *To provide deeming provisions for metropolitan green wedge land.*

The Table at Clause 51.02-2 contains a list of uses that are prohibited in the Green Wedge. The sought use for 'domestic animal husbandry' is not listed under this table and is therefore not prohibited.

## 4.4. Decision Guidelines

In accordance with 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.*

## 4.5. Aboriginal Cultural Heritage

The subject land is in an area of cultural heritage sensitivity. The proposed domestic animal husbandry is not listed as a high impact activity under regulation 46(1)(b) of the *Aboriginal Heritage Regulations 2018*.

## 4.6. Designated Bushfire Prone Area

The subject land is in a Designated Bushfire Prone Area. The proposed use will not have any impact on be impacted upon bushfire risks in the area as it does not increase the number of people on the land.

## 4.7. Planning Policy Framework (PPF)

### Clause 11.01-1R – Green wedges – Metropolitan Melbourne

The policy seeks to protect the Green Wedge from inappropriate development with supporting strategies to achieve this including:

- *Promote and encourage the key features and related values of each green wedge area.*
- *Support development in the green wedge that provides for environmental, economic and social benefits.*
- *Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.*
- *Support existing and potential agribusiness activities, forestry, food production and tourism.*



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## Clause 12.05-2S – Landscapes

The policy seeks to protect and enhance significant landscapes that contribute to character, identity and sustainable environments. Strategies to achieve this objective (as relevant to the application) include ensuring development does not detract from the natural qualities of significant landscape areas.

## Clause 13.05-1S - Noise management)

This policy seeks the management of noise impacts from new use to sensitive land uses. Identified strategies to achieve this include:

- *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
- *Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

## Clause 13.07-1S – Land use compatibility

The following strategies supporting this policy include:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
- *Protect commercial, industrial and other employment generating uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.*

## Clause 14.01-1R – Protection of agricultural land – Metropolitan Melbourne

The policy seeks to protect agricultural land in Metropolitan Melbourne's green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.



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## Clause 17 – Economic Development

A number of policies under this Clause provide support in delivering employment and economic activity within Victoria, Melbourne and south-east region.

### 4.8. Municipal Strategic Statement

#### Clause 21.01 – Cardinia Shire Key Issues and Strategic Vision

This Clause provides a snapshot of Cardinia Shire including key planning issues and strategic vision as reflected in its Council Plan. The issues identified within this policy are broken up in 5 themes including environment, settlement and housing, economic development, infrastructure and particular use and development. The most relevant themes to the application are the environment and economic development issues which are summarised as follows:

##### Environment

- *The maintenance and enhancement of existing significant landscapes.*
- *The reduction in greenhouse gas emissions and potable water usage.*

##### Economic development

- *The development of a balanced local economy and local employment opportunities for residents.*
- *The need to support and strengthen existing businesses.*
- *The protection and sustainable use of agricultural and particularly land with soil that is of a high quality within the Western Port Green Wedge.*

Additionally, the Cardinia Shire Framework Plan is detailed included under Clause 21.01-5. The plan outlines the land use and development pattern of the municipality, developed to respond to the key planning issues and influences in Cardinia. As shown under Figure 6, the subject site is identified in the 'general agricultural' area.




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Figure 6 – Cardinia Shire Strategic Framework Plan (source – Cardinia Planning Scheme, Department of Transport & Planning)

### Clause 21.04-2 – Agriculture

This policy recognises the importance of agricultural production within the Western Port region to Cardinia Shire and Victoria's economy and outlines key issues, objectives and strategies in protecting this industry. The objective of the policy seeks to maintain agriculture as a strong and sustainable economic activity within Cardinia Shire. Strategies supporting this objective are identified as follows:

#### Sustainability of agricultural land

- Protect agricultural land, particularly areas of high quality soils, from the intrusion of urban uses, inappropriate development and fragmentation which would lead to a reduction in agricultural viability, the erosion of the right of farmers to farm land, and ultimately the loss of land from agricultural production.

- *Discourage boundary realignments that create the opportunity for fragmentation of agricultural land and the creation of a concentration of residential uses outside the urban growth boundary and township boundaries.*
- *Ensure the use or development, including subdivision, of agricultural land takes into consideration land capability.*
- *Encourage the establishment of economically and environmentally sustainable farming practices.*
- *Encourage sustainable water supply to agricultural areas including the use of recycled water.*

#### Agricultural use

- *Discourage non-soil based uses (eg: poultry farms) being located on soils which are of high agricultural quality and, recognising the economic importance of such uses, encourage their location on land with a lesser soil quality.*
- *Encourage the establishment of alternative and innovative agricultural activities such as herb farming or small nurseries, particularly in areas where fragmented lot sizes limit opportunities for broadacre agricultural activities.*

#### Amenity

- *Ensure that any agricultural development proposal is appropriately located in terms of buffer distances of surrounding uses.*
- *Encourage responsible land management to minimise environmental degradation by pest plants and animals.*

The policy includes a plan detailing land capability for agricultural practices. Under this plan, the subject site is identified as being in an area of 'good' agricultural significance (see Figure 7 below).



## Land Capability for Agriculture

Cardinia

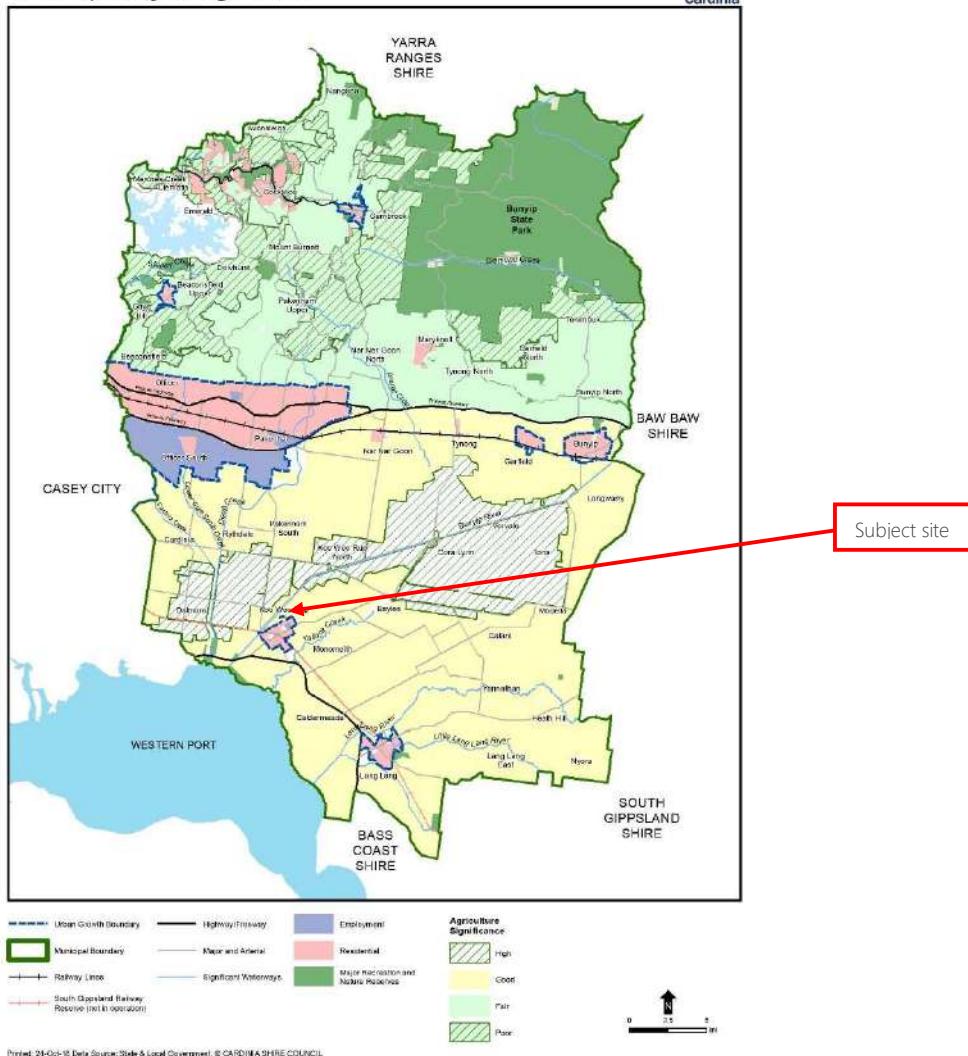


Figure 7 – Land Capability for Agriculture (source – Cardinia Planning Scheme, Department of Transport & Planning)



## 4.9. Local Planning Policies

### Clause 22.05 – Western Port Green Wedge Policy

Cardinia's Green Wedge policy under Clause 22.05 is generally derived from the Cardinia Western Port Green Wedge Management Plan and builds on the agriculture policy of Clause 21.04-2. The following overarching objectives are outlined in this policy:

- *To give effect to Council's vision for the Cardinia Western Port Green Wedge.*
- *To ensure that land uses are carefully located and managed to be consistent with the vision for the Cardinia Western Port Green Wedge.*
- *To provide clear guidance on appropriate tourism industries and their location.*
- *To provide guidance and clear direction for preferred land uses for each of the 3 precincts.*

In accordance with Clause 22.05-3, it is policy that all land use proposals within the green wedge should (as relevant):

#### Tourism

- *Support and promote local tourism opportunities that are linked to and based on the strengths and assets of the green wedge.*
- *Ensure that tourism proposals do not significantly adversely affect the biodiversity, agricultural productivity, landscape, rural amenity or other environmental values of the area.*
- *Support ecological and farm based tourism that is linked to suitable agricultural uses, including those which support short stay accommodation such as bed and breakfast.*
- *Ensure new and growing tourism businesses have a strong link to an agricultural use based on the strengths and assets of the green wedge and have minimal adverse impact on the environment.*

#### Land use

- *Ensure that green wedge soils and their versatility are recognised as a finite resource and are protected accordingly.*
- *Maintain and protect the highly productive agricultural land from incompatible uses including non-soil based farming.*
- *Provide for the restructuring of lots in agricultural areas to reduce the impact of old and inappropriate subdivisions on the economic agricultural viability of the area.*
- *Minimise the risk of flooding which impacts on agricultural activities in the Koo Wee Rup Flood Protection District.*



#### **ADVERTISED MATERIAL**

Planning Application: T240360  
Date Prepared: 16 January 2026

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## Rural townships

- Protect the values and assets of green wedge land by preventing further encroachment of urban development into the Cardinia Western Port Green Wedge.
- Allow only limited growth for all green wedge settlements, where supported by an adopted township strategy and/or policy.

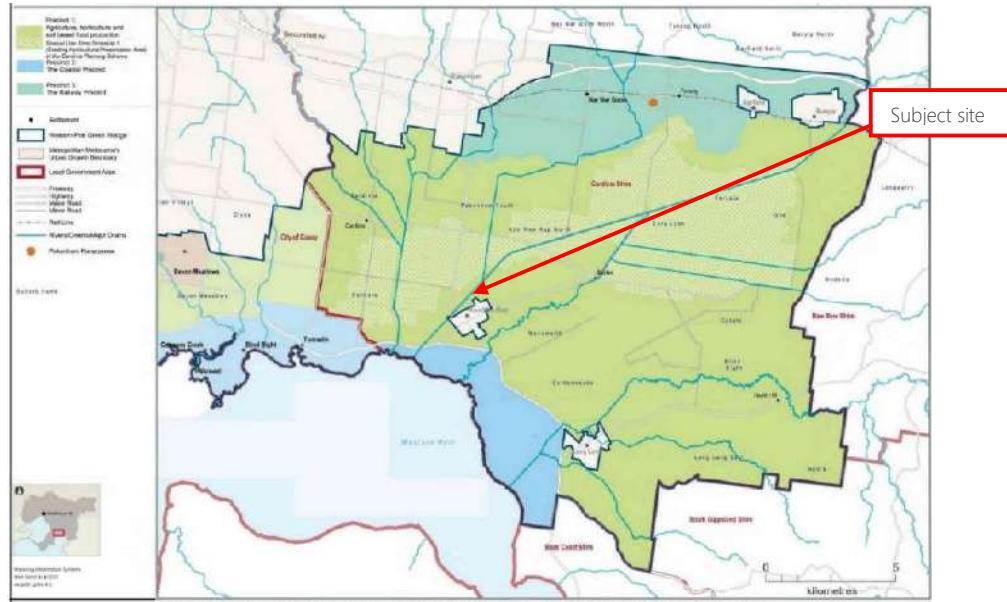


Figure 8 – Cardinia Green Wedge precincts (source – Cardinia Planning Scheme, Department of Transport & Planning)

The above map highlights the 3 precincts in the Western Port Green Wedge including Precinct 1 (Agriculture, horticulture and soil based food production), Precinct 2 (The Coastal Precinct) and Precinct 3 (The Railway Precinct). The subject site is in Precinct 1 in which the vision for this area is outlined as follows:

*Precinct 1 will be the hub of, agriculture, horticulture and soil-based food production within the Cardinia Western Port Green Wedge, taking advantage of its highly versatile soils, vegetable production (in particular asparagus), dairy and beef farming, other agricultural pursuits, potential access to Class A recycled water and the important role this precinct plays in food security. Land within the SUZ1 part of the precinct will be prioritised for soil-based agricultural and horticultural use and soil based food production with a focus on the consolidation of lots to support the economic viability of the agricultural and horticultural industry.*

*Opportunities for new, innovative or more intensive agriculture and horticulture and soil-based food production will be supported to ensure that the rich agricultural potential of the precinct is realised.*

*It will integrate biodiversity and agricultural outcomes by recognising ecosystem services which can improve agricultural efficiency.*



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*Opportunities for linking the community with the local agricultural and horticultural industry will be identified and promoted to help establish food-based tourism within the precinct.*

The future direction and preferred land uses of precinct 1 are listed as follows:

- *Soil-based agriculture to be the primary activity within the Special Use Zone – Schedule 1*
- *Discourage the use of non-soil based agriculture (e.g. poultry farms, animal husbandry, horse riding schools etc.) being located on soils within the Special Use Zone – Schedule 1.*
- *Encourage non-soil based agricultural uses (e.g. animal husbandry, beef and dairy farming etc.) to the land surrounding the Special Use Zone – Schedule 1.*
- *Discourage non-rural uses such as primary, secondary schools and places of worship from locating within the precinct (particularly in the SUZ1) and locate these types of uses within the existing townships and within the green wedge land that adjoins the UGB, subject to strategic justification.*
- *Support and protect the existing vegetable industry, in particular the asparagus growing region.*
- *Support rural industry to allow farmers to value add to their produce.*
- *Encourage lot consolidation through the entire precinct to increase the economic viability of agricultural land.*
- *Support subsidiary visitor related activity, including farm gate sales of crops and goods produced in situ, cellar door sales and ancillary farm stay accommodation.*
- *Support potential future extractive industry in the area nominated as an extractive industry interest area within Precinct 1. Ensure that there is a balance between the extraction of natural resources and the intent of the precinct and that any investigation and operation is carefully planned to ensure that it is compatible with local amenity, landscape, flora and fauna.*

#### 4.10. Other relevant planning documentation

##### Cardinia Western Port Green Wedge Management Plan (adopted May 2017)

The Green Wedge Plan is a reference document in the Planning Scheme and provides a strategic planning framework for the Western Port Green Wedge in the Cardinia municipality, taking advantage of opportunities and proactively attend to challenges over 20 years. Much of the policy under Clause 22.05 is derived under the Green Wedge Plan.



## 5. Planning assessment

The primary consideration of this application is the appropriateness of the proposed domestic animal husbandry within its Green Wedge and surrounding landscape setting. As outlined under section 4 of this report, there are a number of policies and provisions that provide guidance for new land use within the Green Wedge. The Green Wedge refers to areas designated for environmental conservation or agricultural purposes, where the focus is on preserving natural landscapes and promoting sustainable land use.

Before understanding the impacts that the proposed use will have on the green wedge, it is important to look at the existing context of the land and its current value to the green wedge. As described under section 2, the property sits at the edge of the urban boundary of Koo Wee Rup and is surrounded by other green wedge land to its south-west, north-west and north-east direction. Green wedge policy identifies this area for non-soil based agriculture and further identifies it has having 'good' land capability for agriculture. This is despite the subdivision pattern being largely fragmented and having evolved into rural living, taking advantage of its peri-urban character and proximity to town. Given the fragmentation of land and its proximity to Koo Wee Rup township, it is unlikely that this land will be used for intensive agricultural purposes.

Notwithstanding the above, the proposed domestic animal husbandry will introduce low intensive agriculture to the land that will concurrently operate alongside the primary residential use and hobby horse stable. Although not what would be considered typical for 'agriculture', importantly however domestic animal husbandry is broadly nested under 'agriculture' in accordance with Clause 73.03 of the Planning Scheme (refer to Figure 9 below).

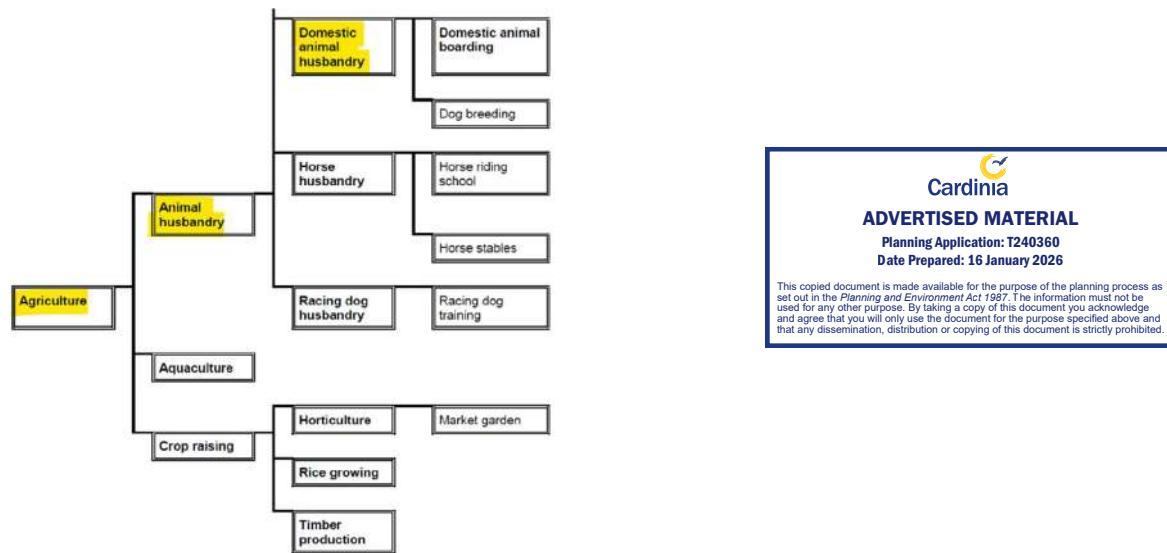


Figure 9 – Agriculture land use nesting diagram (source – Cardinia Planning Scheme, Department of Transport & Planning)

This type of low intensive agriculture respects both its physical and policy context, in that it is designed to minimise amenity impacts to its neighbours whilst maintaining some element of green wedge practices. The breeding of cats on the land is purely a hobby for the residents and will not operate as a full-scale commercial operation that would cause a greater impact to surrounding land.

The proposed use will not be a substantial material change to how cats can be kept on the premises. The only reason that a permit is required is that my clients wish to accommodate 14 cats on the land, an increase of 9 cats from the maximum 5 threshold. All cats will be kept within the existing enclosure on-site and will not be permitted outdoors at any time. As such, there will be negligible noise emissions from the use and land, noting that acoustics from cats are at a very low level. In any (rare) case, noise from cats will be managed to not cause disturbance to surrounding properties. The closest dwelling to the cat enclosure is more than 60 m to the north-west and screened by existing vegetation on the shared boundary. Further, there will be no impacts to the land to the south-east given it comprises of the Koo Wee Rup recreational reserve. It is noted that other agricultural activities that are as-of-right in the green wedge zone would create a greater noise and odour impact to surrounding land than what is proposed under this application.

The use will be contained within existing building and there will be no purpose built buildings or works for the new use, having no visual impact on the existing landscape. In the unlikely event that the land was to be used for intensive agricultural purposes in the future, the proposed use does not compromise this given it does not change the existing land conditions.

As encouraged by policy, the proposal aims to adopt sustainable land practices where possible. Such practices are limited for the type of use however watering and washing of the cat enclosures will be from recycled water that is retained on-site via rainwater tanks.

Litter trays will be used by cats and replaced daily. Waste from litter will be bagged and disposed of in a dumpster bin. Where required, a dedicated waste disposal service will be used to dispose of effluent waste. Bins are to be stored well setback from property boundaries and will be screened and enclosed by existing buildings so as to not emit any odours to adjoining properties. Odour will be well mitigated from the premises with the animal enclosures cleaned and disinfected daily. Food is kept in containers with lids and cats will be kept hydrated via water bowls.

There will be no impact to existing vegetation on the land including native vegetation particularly as no buildings and works are proposed. Further, there will be no adverse impacts to biodiversity to the area as cats will be kept indoors only ensuring they do not roam free and kill wildlife.



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Given the land contains an existing dwelling, the use will have services already available including vehicle access, water, sewerage and electricity.

The proposal is required and will comply with the relevant regulations for breeding domestic animals in Victoria, including:

- *Domestic Animal Act 1994 (the DA Act)*
- *Domestic Animal Regulations 2015*
- *Code of practice for the operation of breeding and rearing businesses 2014 (revision 2018).*

Notwithstanding the above, the amenity expectations of the green wedge where agricultural land uses are expected is lower than what would be expected in rural residential areas including low residential and rural living zones.



## 6. Conclusion

Having considered the above assessment, the proposal represents an appropriate land use outcome for the site and surrounding area with respect to the Cardinia Planning Scheme. In particular:

- The proposed domestic animal husbandry is compatible with the outcomes for the Green Wedge, offering a low scale sustainable agricultural land use with respect to its policy and physical context.
- No buildings and works are proposed in association with the use, ensuring no visual impacts to the rural landscape.
- The proposal is well supported by the objectives of the Green Wedge Zone and relevant policies under the State and Local Planning Policy Framework.

It is therefore respectfully requested that the application be supported by Council.







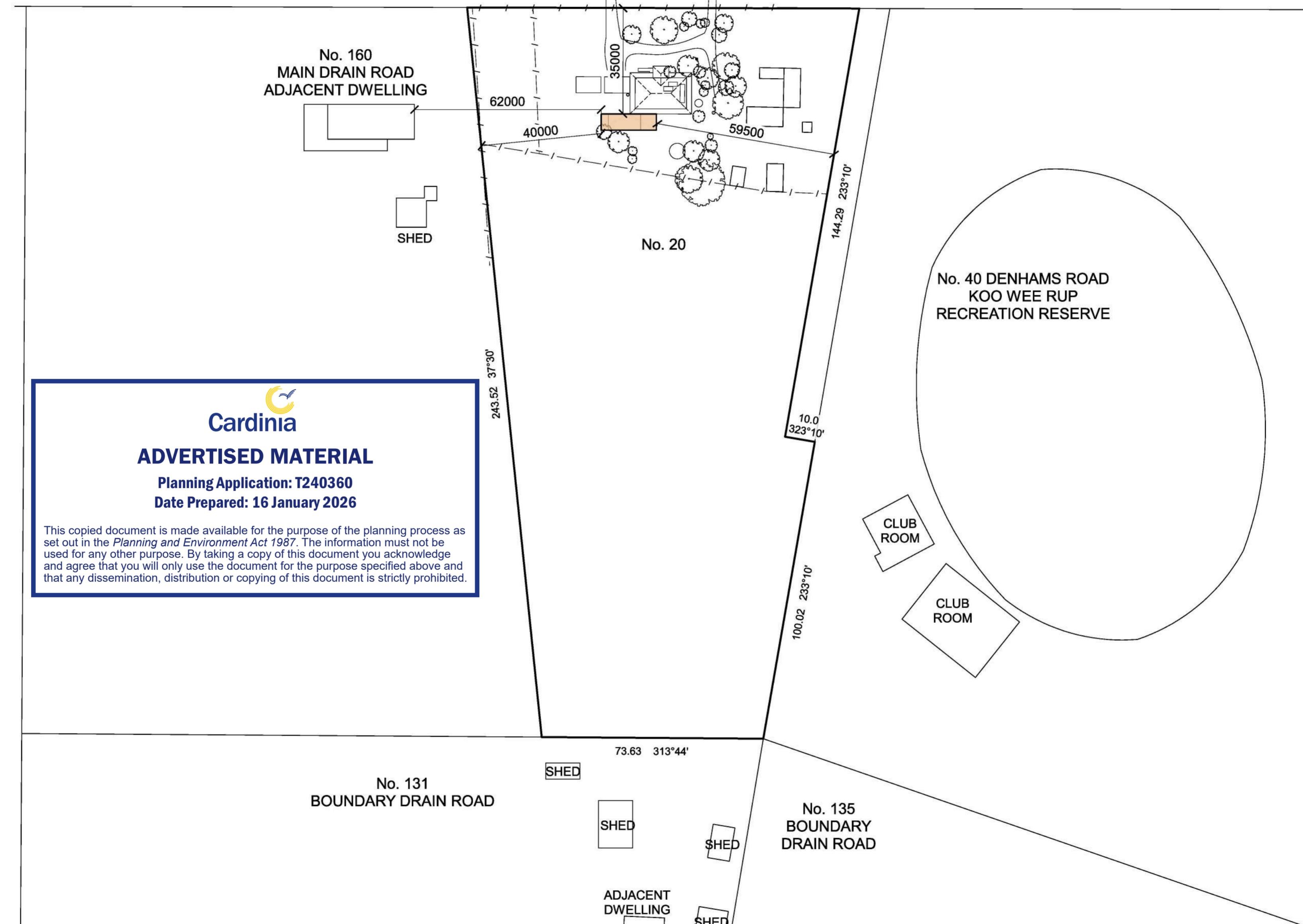
AREAS:	
SITE TOTAL:	24,475m <sup>2</sup>
EX DWELLING:	290m <sup>2</sup>
EX CAT BREEDING:	98m <sup>2</sup>
EX OUT BUILDINGS:	360m <sup>2</sup>
SITE COVERAGE:	659m <sup>2</sup> 2.5%

No. 180  
MAIN DRAIN ROAD

No. 45  
DENHAMS ROAD

# MAIN DRAIN ROAD

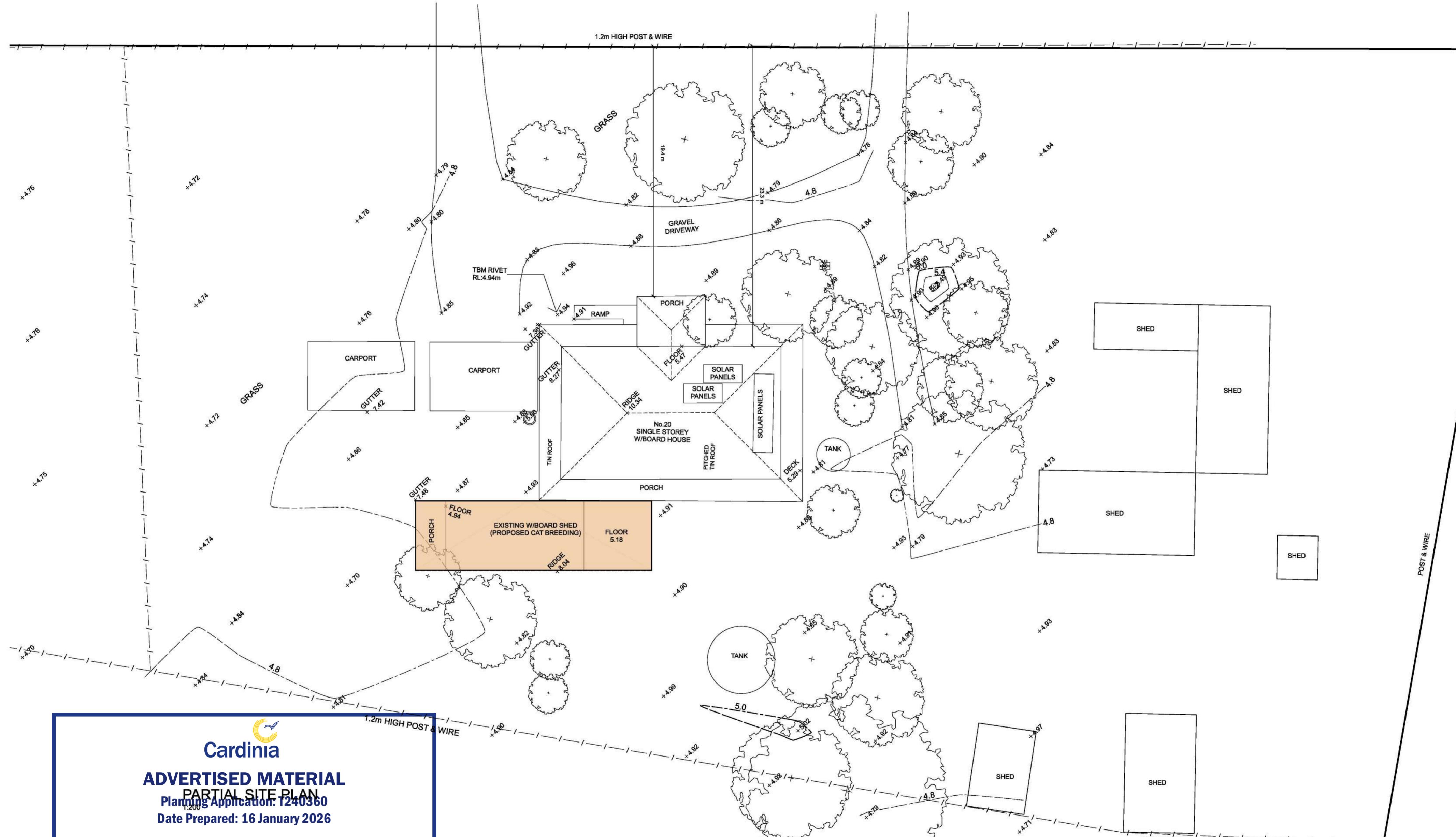
# DENHAMS ROAD



SITE PLAN  
1:1000



# DENHAMS ROAD



**NOTE:**  
NO TREES TO BE REMOVED AS PART OF PROPOSED WORKS

**NOTE:**  
NO EARTH WORKS OR RETAINING WALLS AS PART OF PROPOSED WORKS



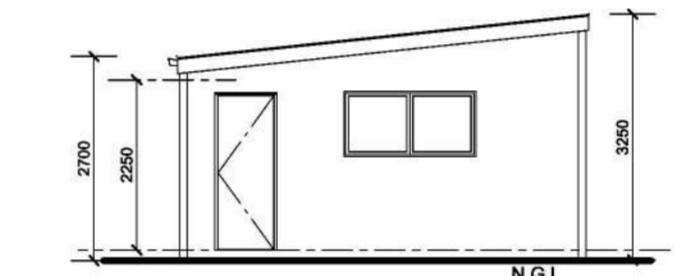
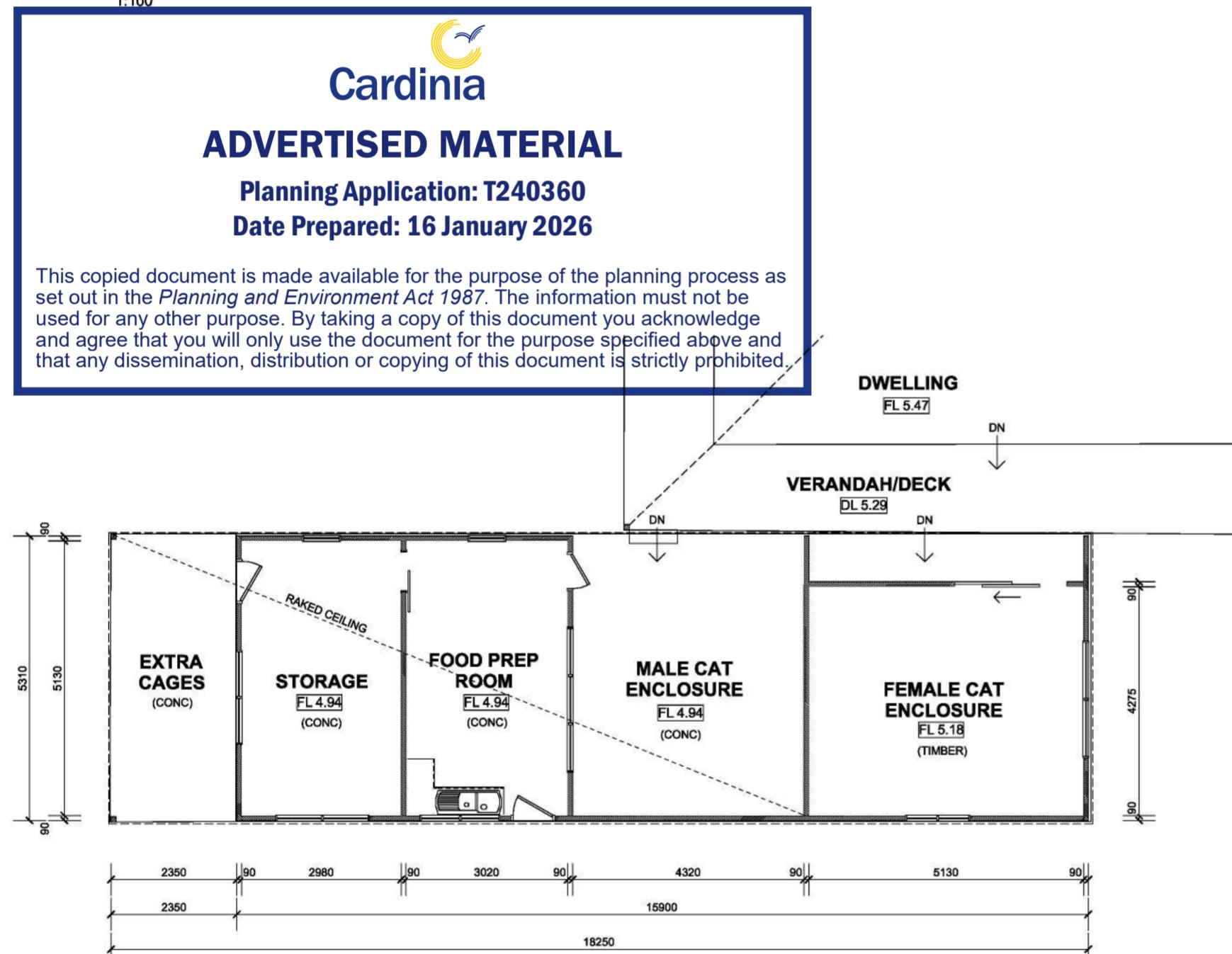
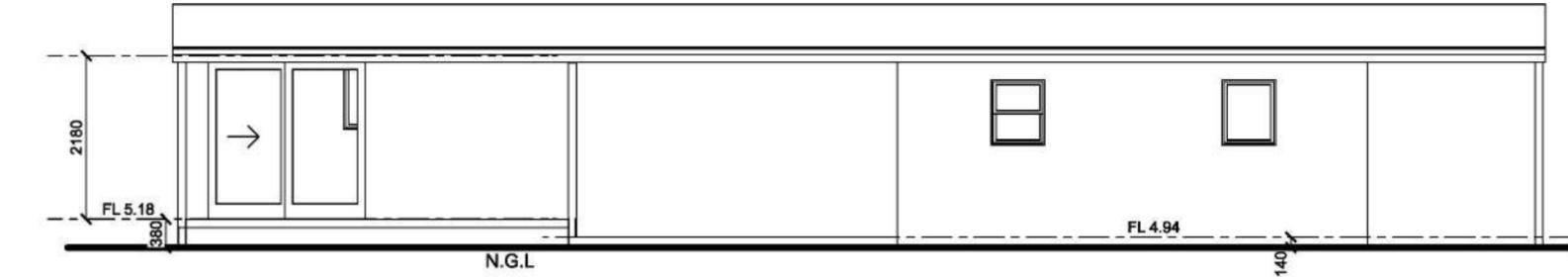
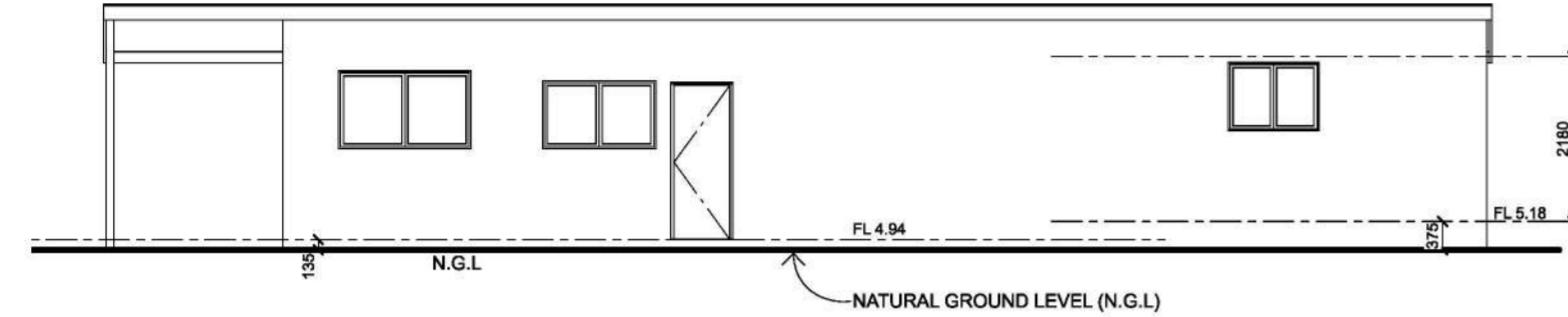
**Ajs DRAFTING**  
SERVICE  
Design  
Matters  
Member

ANDREW BERRY  
P.O BOX 373, PAKENHAM VIC 3810  
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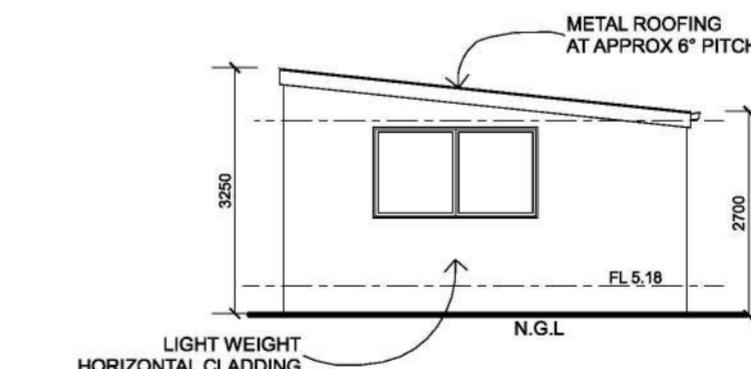
DP-AD 43292  
0424 589 793



DESCRIPTION	DATE	DRAWN BY: A. BERRY
		SCALE: AS SHOWN
		DATE: 18/11/2025
		SHEET: 2 OF 3
		SHEET SIZE: A2
TE: OWNER TO ENSURE A BUILDING PERMIT IS IN PLACE (REQUIRED) PRIOR TO ANY WORK COMMENCING ON SITE		DWG No: 25059



**SOUTH-EAST ELEVATION**  
1:100



**SOUTH-EAST ELEVATION**  
1:100

**MATERIAL/COLOUR SCHEDULE**

WALL CLADDING: CREAM/BEIGE  
ROOF: CORRUGATED METAL: WHITE

NOTE:

NO TREES TO BE REMOVED AS PART OF PROPOSED WORKS

NOTE:

NO EARTH WORKS OR RETAINING WALLS AS PART OF PROPOSED WORKS

