

# ATTACHMENTS

# Under Separate Cover Ordinary Council Meeting

6.00pm Tuesday 26 November 2019

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7.3	7.3 P19-014 Three lot subdivision at 8 Merino Drive, Teesdale		
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### Altus Ref IN 19 /3CAD604D

## PROCESSED

Information Redacted

Leigh Page Planning Department Golden Plains Shire 2 Pope Street Bannockburn VIC 3331

5 May 2019

Dear Leigh,

#### FORMAL OBJECTION TO PLANNING PERMIT P19-014 - 8 MERINO DRIVE TEESDALE

Thank you for facilitating the consultation process with regards to the *proposed* sub-division of the subject property.

Whilst we now await the results of that consultation together with the respective proposals that will be presented to the Council for decision, I would like to clarify the situation and our concerns regarding the Planning Permit itself.

We have no issues with the fact that a planning permit attaches to the land and not the person or corporation who has made the application. Our issue is with the fact that the application has been made by an inactive company which is no longer a separate legal entity, and therefore cannot legally carry out any business transactions in its own right; this would include making applications for sub-divisions. As such, the application itself would be invalid.

As presented to the meeting on Tuesday 30 April 2019, the information obtained from the Australian Securities and Investment Commission (ASIC) confirmed that BOS Brothers Civil Pty Ltd had been inactive since 27 July 2017 and that the current active business name, JOSCO Civil Pty Ltd, has been active since that date. Therefore, had the application been made by JOSCO Civil Pty Ltd, which is a separate legal entity in its own right, the application would have been valid.

Mr O'Shannassy stated at the meeting that he would "get this tidied up". He did not expand on how he planned to do this and therefore we have no idea what he meant by that statement. Our submission is that the current Planning Application is invalid and the only way for him to "tidy it up" is to withdraw and resubmit, if he so chooses, with a valid application under the current active business name, JOSCO Civil Pty Ltd.

Leigh, we all hope that the outcome of the consultation and the eventual decision of the Council will result in compromises that all parties can live with. That being said however, should everything go ahead as currently planned, and without the validity of the application being addressed, we will have no hesitation or alternative to take our case to the Victorian Civil and Administrative Tribunal (VCAT).

to this letter.	erns and I look forward to your response
Yours sincerely Inforn	Golden Plains Shire Council BluePoint File No(s)
	- S MAY 2019
	Owner Manager Reader(s) Doc Ref

Golden Plains Shire 2 Pope Street Bannockburn VIC 3331

14 June 2019

Dear Sir/Madam,

#### PLANNING PERMIT P19-014 - 8 MERINO DRIVE TEESDALE

Reference:

A. Letter dated 3 June 2019 - GPS Ref : P19-014

B. Letter dated 5 May 2019

Thank you for your letter at Reference A.

Having carefully considered the contents of the letter and the proposed revised sub-division from three to two lots, there are still a number of concerns we have that need addressing. If that means presentation to a full Council Meeting then so be it.

Firstly the proposed two-lot sub-division. At the meeting on 30 April we all agreed that a revised application for two lots would be an acceptable compromise. However, we understood that this would mean an equal split of the land into two lots of 0.6 Ha (1.48 Acres). As it now stands we have one lot at 0.4 Ha (0.98 Acres) and the other at 0.8 Ha (1.97 Acres). It could be argued that if this remained as is, there would still be a possibility in the future of applying for another sub-division of the larger block?

On the same subject, part of our original objection was the small size of the lots; thus having a detrimental effect on the Character of the Neighbourhood and contrary to the contents of Objective 5 and 5.1 of the Golden Plains Planning Scheme. With the revised plan our objection remains the same given that there is no change to the size of LOT 1.

Secondly and most disappointingly, the subject of the Planning Application itself.

Despite a number of requests for clarification on the subject of the validity of a planning application made by BOS Brothers Pty, given that they have not been a legal entity in their own right since 27 July 2017, we have still not been given any indication that the Council either recognises this as an issue or is able to provide legal evidence that this company can still operate under that name. My letter at Reference B once again covers the company details as provided by the Australian Securities and Investment Commission (ASIC) on 15 April 2017.

Unfortunately with the two issues still unresolved, we have no alternative other than to accept that this will have to be presented at a Council Meeting for resolution.



15 June 2019

Golden Plains Shire Council 2 Pope Street Bannockburn VIC 3331

Dear Leigh

**RE: PLANNING PERMIT APPLICATION P19-014** 

We write to respond to correspondence from GPS dated 3 June 2019 with regards to the amended subdivision plan at 8 Merino Drive, Teesdale.

Whilst we appreciate the developer has taken our concerns into consideration regarding the number of lots from a three lot subdivision to a two lot subdivision, this does not resolve our concerns in relation to the following strategies from the Golden Plains Planning Scheme clause 21.02-3 Rural Areas which supports Clause 11 Settlement of the (State) Planning Policy Framework.

- Objective 1 Strategy 1.1 *Require new subdivision to recognise and maintain the surrounding lot configurations and lot size.*
- Objective 5 Strategy 5.1 Avoid subdivision that is likely to lead to a concentration of lots that would change the general use and character of the rural area.

The amendment into a two lot subdivision with one lot 0.4ha and the other 0.8ha remains of concern and upholds our initial objection. The 0.4ha lot size is significantly smaller to surrounding lot configurations in Merino Drive (the smallest being 1.068ha) and the surrounding area. In addition, we are concerned this will set a precedent for future subdivisions in the area which would lead to a concentration of lots in Merino Drive and be to the detriment of the existing rural character and spacious lot sizes of Merino Drive.

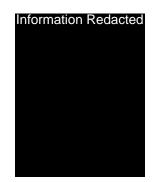
As per discussions on the 30<sup>th</sup> of April at the consultation meeting, we were of the understanding if the developer were to consider amending the application to a two lot subdivision, the property would be divided into two equal lots.

Furthermore, the enclosed subdivision plan does not indicate the position of driveways to either lot. At the meeting on the 30<sup>th</sup> of April, the surveyor discussed having two driveways onto Merino Drive. We would like to see a more detailed plan of the proposed subdivision to gain a better understanding and to ensure transparency as part of the application process.

To be clear, we will not be withdrawing our objection submitted on the 17<sup>th</sup> of February.

Yours Sincerely

Information Redacted



14 June 2019

To Whom It May Concern Golden Plains Shire

Dear Sir/Madam,

We write with reference to your recent letter dated 3 June 2019 advising us of the proposed amendment from three to two lots for the sub-division of Infor Information Redacted No 8 Merino Drive, Teesdale. Application number P19-014.

Whilst it would be the best outcome not to sub-divide the block in the first instance, thereby keeping our neighbourhood as intended, we did all agree at the Consultation Meeting on 30 April 2019 that if the proposal was amended to two blocks then this would be an acceptable compromise.

However, sadly, the revised proposal is outside of our expectations to the spirit of that agreement by not dividing the block equally into two. By keeping Lot 1 as a small block, with the remainder being the second lot, this leads us to the fear that as a result this may in fact open the larger lot to be further sub-divided in the future. Therefore, until the situation with regards to the small size of Lot 1 is resolved, we do not intend to withdraw our original objection.

As such, we believe there are still too many 'what-if's' so far as this sub-division is concerned and as such it may be best for the Council to decide one way or another if this application meets all of the legal and moral issues presented by all of the objectors to this Planning Application.

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Cost Emaile PROCESSED Received 18 JUN 2019 Records Management Colden Plains Shire Council PLANNING 27 JUN 2019

14 February 2019

To Whom It May Concern Golden Plains Shire

We write with reference to your recent letter advising us of the proposed planning application for the sub-division of Information Redacted No 8 Merino Drive, Teesdale. Application number P19-014.

Information Redacted we would like to formally object in the strongest possible terms to the sub-division of this property.

Whilst there are a number of reasons for doing so, the following issues are most important to us in submitting our objection.

Having the possibility of two more dwellings Information Redacted causes us great concern so far as the loss of privacy is concerned together with the inevitable prospect of additional noise. One of the main reasons for moving to Teesdale and in particular our property in Merino Drive was the attraction of wide open spaces and the potential for a private life. If the sub division goes ahead this will be well and truly destroyed.

Equally is the thought of an access road for the properties Information Information Redacted This has the potential of increased noise as already mentioned, the removal of native trees and fauna to make way for the road and the increased risk of being a potential fire hazard if the main Merino Drive road were blocked in the event of an emergency. Surely, if approved access must be from the main Shelford-Bannockburn Road rather than adjacent to our property?

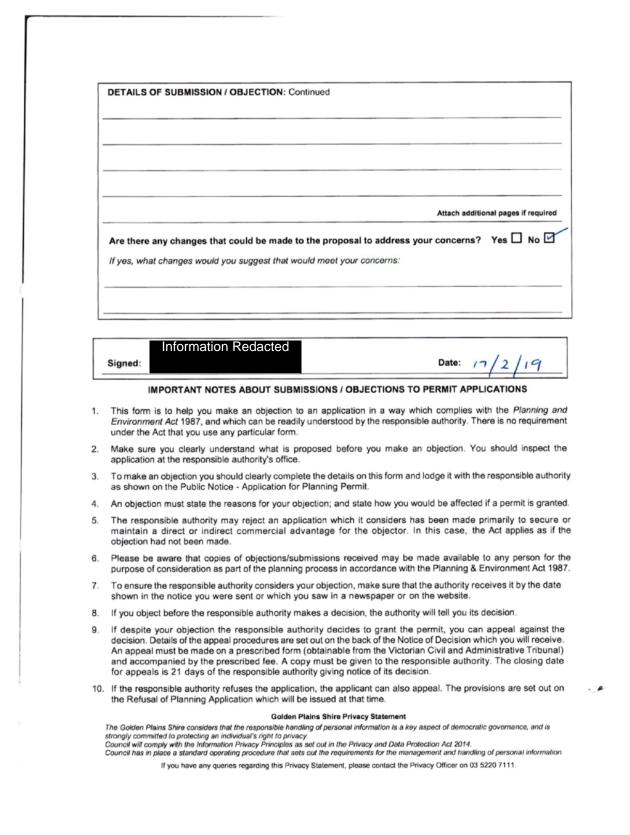
In addition, apart from having the potential to reduce the value of our property, this proposal will have a great effect on the visual aspect of the area as well as the unbalancing of the neighbourhood with smaller blocks within what is a wellbalanced and beautiful part of Teesdale. It also has to be argued that if approved it should only be for a sub-division for one more block rather than the greed of the applicant for two.





YOUR DETAILS:       Information Redacted         Name:       (block letters)         Postal Address:       Information Redacted         Contact No:       Information Redacted         Email:       Information Redacted         DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:         Application Number:       P19 - 014         Address of Subject Land:       LOT 8 PS331084, 8 MERINO DVE         Description of Proposal:       DEVELOPMENT OF 3 LOT SUBDIVISIO         Name of Applicant:       MR JOHN OSHANNASSY         Boss BROTHERS       DETAILS OF SUBMISSION / OBJECTION:         (State reasons for objection and how you would be affected by the granting of a planning permit)         REFER TO       ATTACHED         SUPPORTING       SUBDIVISION PLAN FOR         MERLINO       DRIVE.	SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT Planning and Environment Act 1987 ore completing this form, it is recommended you inspect the planning mit application online or at a Customer Service Centre.	GOLDEN PLAINS SHIR Golden Plains Shire Council Bannockburn - 2 Pope Street, Bannockburn Linton - 68 Sussex Street, Linton M: PO Box 111 Bannockburn, Victoria 3331 P: (03) 5220 7111 F: (03) 5220 7100 E: enquiries@applains.vic.gov.a W: www.goldenplains.vic.gov.a
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17 February 2019

Golden Plains Shire Council 2 Pope Street Bannockburn VIC 3331

Dear Sir/Madam

RE: PLANNING PERMIT TEESDALE P19-014 - 8 MERINO DRIVE (THREE LOT SUB DIVISION)

We wish to formally object to the proposed sub division of Lot 8 PS331084, 8 Merino Drive Teesdale based on the following:

1. Negative effect on the character of the neighbourhood.

The proposed subdivision and subsequent development has no regard to the existing character of the neighbourhood. We refer directly to the Golden Plains Planning Scheme, clause 21.02-3 Rural Areas which supports Clause 11 Settlement of the (State) Planning Policy Framework.

Objective  $1-Strategy \ 1.1-Require new subdivision to recognise and maintain the surrounding lot configurations and lot size.$ 

Objective 5 – Strategy 5.1 – Avoid subdivision that is likely to lead to a concentration of lots that would change the general use and character of the rural area.

We believe the proposed subdivision does not support these objectives and would be to the detriment of the existing rural character of Merino Drive where all lot sizes range from 1.068ha to 1.829ha. The proposed subdivision for three 0.4ha lots are considerably smaller than existing lot sizes and does not maintain the surrounding lot configuration and lot sizes. Ultimately this would have a negative effect on the character of the neighbourhood.

Please see attached subdivision for Merino Drive illustrating the existing lot sizes.

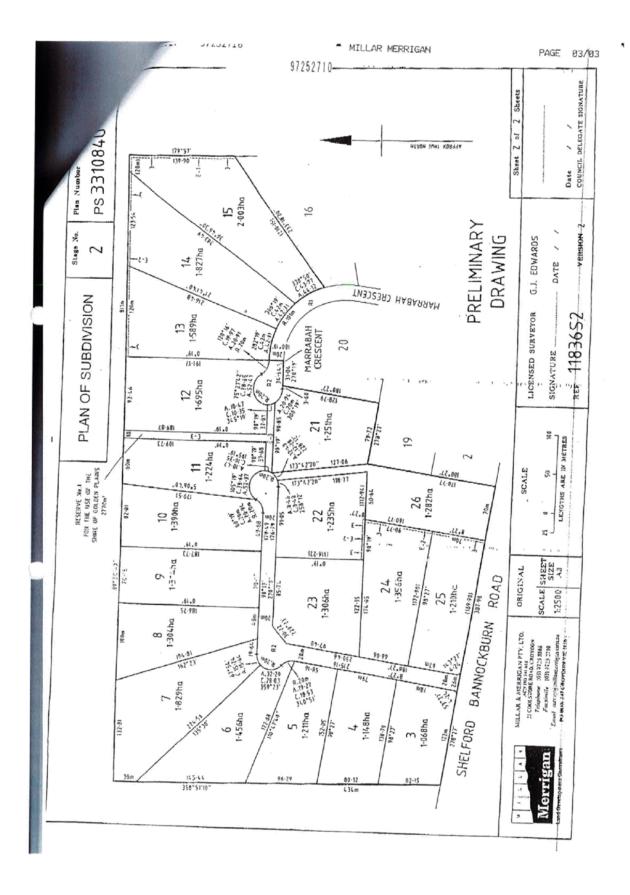
Furthermore, as we are on the fringe of the Low Density Residential Zone and Farm Zone, this enhances the rural character of Merino Drive. We believe the Golden Plains Shire has an obligation to protect the integrity of rural living zones as set out in the above strategies. The existing layout of Merino Drive with large allotments is the main reason why we choose to live here.

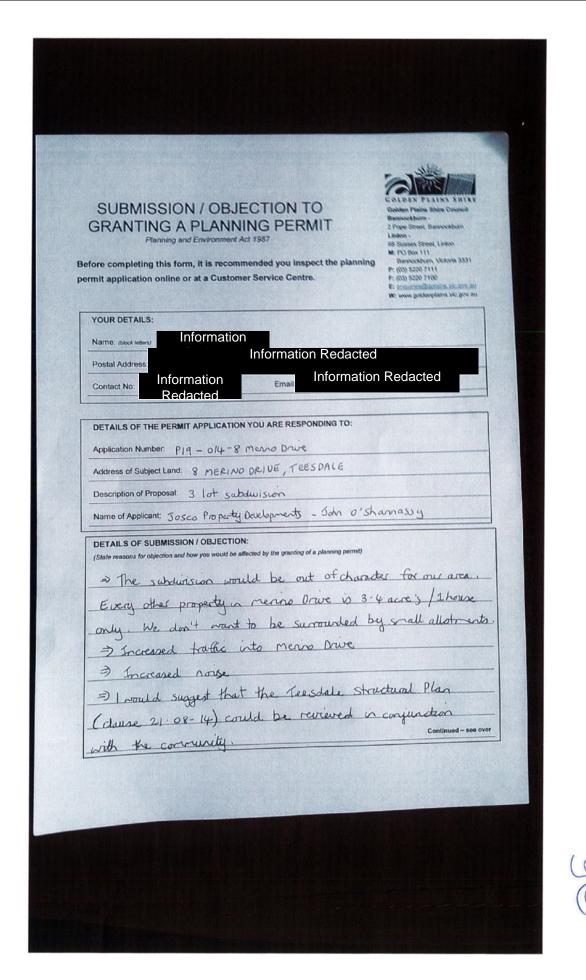
We strongly support maintaining the rural character of Teesdale and request that the Teesdale Structure Plan (Clause 21.08-14), in conjunction with community consultation, be reviewed to ensure that the current and future development of the town is appropriate for the current infrastructure, environment, social and economic impacts of small town rural character now and in the future.

Thank you for your consideration to this objection.

Yours Sincerely

Information Redacted





	DETAILS OF SUBMISSION / OBJECTION: Continue	d
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		Attach additional pages if required
1966	Are there any changes that could be made to the If yes, what changes would you suggest that would n	proposal to address your concerns? Yes "No "
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	Information Signed: Redacted	Date: 15/2/19
100	IMPORTANT NOTES ABOUT SUBMISSI	ONS / OBJECTIONS TO PERMIT APPLICATIONS
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2.	Make sure you clearly understand what is propo-	sed before you make an objection. You should inspect the
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4.	An objection must state the reasons for your object	on; and state how you would be affected if a permit is granted
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6.	Please be aware that copies of objections/submis purpose of consideration as part of the planning pro-	sions received may be made available to any person for th cess in accordance with the Planning & Environment Act 198
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10	If the responsible authority refuses the application the Refusal of Planning Application which will be is	sued at that time.
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18/02/2019

Rich Text Editor, frmDialogEmail:editContent

From: Information

Date: Fri Feb 15 07:57:15 PM AEDT 2019 Subject: Objection planning permit P19-014 8 Merino Drive Teesdale To: Enquiries;

Please find attached a submission/ objection to granting a planning permit for 8 Merino Drive P19-014

Please forward to relevant department.

Thankyou

#### Information

Podacted Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering. http://www.mailguard.com.au/tt

https://banbcp01v.gplains.vic.gov.au:8443/altusecm/secure/doc.jsf?recld=9abc31d1-41c6-4da0-8f43-3a5df140f5d3



Planning and Environment Act 1987

Before completing this form, it is recommended you inspect the planning permit application online or at a Customer Service Centre.

GOLDEN PLAINS SHIRE Golden Plains Shire Council Bannockburn -2 Pope Street, Bannockburn Linton -68 Sussex Street, Linton M: PO Box 111 Bannockburn, Victoria 3331 P: (03) 5220 7111 F: (03) 5220 7100

E: <u>enquiries@gplains.vic.gov.au</u> W: www.goldenplains.vic.gov.au

YOUR DETAILS:				
Name: (block letters)	Information Redacted			
Postal Address		Informat	ion Redacted	
	ation Redacted		Information Redacted	
Contact No:		Email		
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DETAILS OF THE PE	ERMIT APPLICATION	YOU ARE RESP	ONDING TO:	
Application Number:	P19-014			
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Description of Propos	al: 3 LOT SUBDIVIS	ION		
Name of Applicant: J	OSCO PROPERTY [	DEVELOPMEN	ITS	
DETAILS OF SUBMI	SSION / OBJECTION:			
(State reasons for objection	n and how you would be affect	ted by the granting o	a planning permit)	
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- 16	(		Information Re	dacted
o live a country li	fe style with space			
	Information	Redacted		I do not think

it is right or fair on us when we bought here for space and privacy . Also the owners are going to subdivide and sell there property and move so they aren't showing any concern for there current neighbors .

Thank you for considering my objection

# Regards Information Redacted Information Redacted Image: Continued - see over Continued - see over Image: Continued - see over

DETAILS OF SUBMISSION / OBJECTION: Continued	
Attach additio	onal pages if required
Attach addition	
Are there any changes that could be made to the proposal to address your concerns?	
Are there any changes that could be made to the proposal to address your concerns?	

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Signed: Date:
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#### IMPORTANT NOTES ABOUT SUBMISSIONS / OBJECTIONS TO PERMIT APPLICATIONS

- 1. This form is to help you make an objection to an application in a way which complies with the *Planning and Environment Act* 1987, and which can be readily understood by the responsible authority. There is no requirement under the Act that you use any particular form.
- 2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the responsible authority's office.
- 3. To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice Application for Planning Permit.
- 4. An objection must state the reasons for your objection; and state how you would be affected if a permit is granted.
- 5. The responsible authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
- Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process in accordance with the Planning & Environment Act 1987.
- 7. To ensure the responsible authority considers your objection, make sure that the authority receives it by the date shown in the notice you were sent or which you saw in a newspaper or on the website.
- 8. If you object before the responsible authority makes a decision, the authority will tell you its decision.
- 9. If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
- 10. If the responsible authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

#### **Golden Plains Shire Privacy Statement**

The Golden Plains Shire considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014.

Council has in place a standard operating procedure that sets out the requirements for the management and handling of personal information.

SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT Planning and Environment Act 1987 Before completing this form, it is recommended you inspect the plann permit application online or at a Customer Service Centre.	COLDEN PLAINS SHIRE COLDEN PLAINS SHIRE Colden Plains Shire Council Bannockburn - 2 Pope Street, Bannockburn Linton - 68 Sussex Street, Linton M: PO Box 111 Bannockburn, Victoria 3331 P: (03) 5220 7110 F: (03) 5220 7100 E: enquiries@gplains.vic.gov.au W: www.goldenplains.vic.gov.au
YOUR DETAILS:	
Name: (block letters Information Redacted	
Postal Address:	
Contact No: Information Redacted Emai	mation Redacted
DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:         Application Number:       P19-014         Address of Subject Land:       & MERING DRIVE TEES         Description of Proposal:       SUB DIVISION (THREE         Name of Applicant:       BOS BROTHERS PT4 LT	LOT)
DETAILS OF SUBMISSION / OBJECTION: (State reasons for objection and how you would be affected by the granting of a planning permit)	
AS PER ATTACHED LETTER D	ATED 13 FEB 19
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Item 7.3 - Attachment 2

26 November 2019

	Γ	DETAILS OF SUBMISSION / OBJECTION: Continued
	ľ	Attach additional pages if required
		Are there any changes that could be made to the proposal to address your concerns? Yes $\square$ No $\square$
		If yes, what changes would you suggest that would meet your concerns:
		MOVE ACCESS FROM MERINO DRIVE TO SHELFORD-
		BANNOCKBURN ROAD. REDUCE SUB-DIVISION TO TWO
		Information Redacted
		Signed Date: (3 - 2 - (9
		IMPORTANT NOTES ABOUT SUBMISSIONS / OBJECTIONS TO PERMIT APPLICATIONS
1	1.	This form is to help you make an objection to an application in a way which complies with the <i>Planning and Environment Act</i> 1987, and which can be readily understood by the responsible authority. There is no requirement under the Act that you use any particular form.
2	2.	Make sure you clearly understand what is proposed before you make an objection. You should inspect the
		application at the responsible authority's office.
3	3.	To make an objection you should clearly complete the details on this form and lodge it with the responsible authority as shown on the Public Notice - Application for Planning Permit.
4	1.	An objection must state the reasons for your objection; and state how you would be affected if a permit is granted.
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8	3.	If you object before the responsible authority makes a decision, the authority will tell you its decision.
ç	).	If despite your objection the responsible authority decides to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the responsible authority. The closing date for appeals is 21 days of the responsible authority giving notice of its decision.
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		Golden Plains Shire Privacy Statement The Golden Plains Shire considers that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to protecting an individual's right to privacy. Council will comply with the Information Privacy Principles as set out in the Privacy and Data Protection Act 2014. Council has in place a standard operating procedure that sets out the requirements for the management and handling of personal information.

If you have any queries regarding this Privacy Statement, please contact the Privacy Officer on 03 5220 7111.

Golden Plains Shire 2 Pope Street Bannockburn VIC 3331

13 February 2019

Dear Sir/Madam,

#### FORMAL OBJECTION TO PLANNING PERMIT P19-014 - 8 MERINO DRIVE TEESDALE

Reference:

- A. Notice of An Application For Planning Permit Received by Post 4 February 2019
- B. E Mail to Golden Plains Shire Enquiries 6 February 2019 @ 2128hrs

Further to Reference A. we would like to formally lodge an objection with regards to the *proposed* subdivision of No 8 Merino Drive. The following concerns form the reason for this objection.

#### Potential Fire Risk

In its current form the *proposed* access to the two additional dwellings is in the form of narrow single lane crushed rock driveway between the existing plan form of No 8 Merino Drive and the boundary of No 16 Merino Drive.

Being part of a Community Fire Group for Merino Drive formed under the direction of a team of excellent CFA facilitators, one of our greatest concerns is egress from our cul-de-sac in the event of a fire. This is something high on our agenda as a Fire Group and during the annual review of our Fire Plan. Whilst we have been extremely lucky so far as grass or bush fires are concerned, this is not a subject that can be taken for granted given the trends towards hotter and drier summers.

With that in mind, we are very concerned that the two *proposed* dwellings would be serviced by a single track off Merino Drive and not from the main Shelford-Bannockburn Road. God forbid that we were faced with a serious fire starting in either of these proposed properties as this access road may add to the potential of our main egress from Merino Drive being restricted by fire or rescue appliances.

As such, if the application were to proceed serious consideration must be taken towards removing this access road from Merino Drive and redirecting to access off the Shelford-Bannockburn Road.

#### Effect on the Character of the Neighbourhood

The residents of Merino Drive moved to Teesdale for the very reason the neighbourhood exists. Large blocks, open spaces and the feel of the country rather than suburbia. Whilst the *proposed* sub-division blocks are still of a reasonable size and can't be considered small, they would change the whole character of Merino Drive to the detriment of ourselves and other residents. One could also argue that a single sub-division rather than a double as proposed would be a more acceptable solution?

Having read the Golden Plains Planning Scheme, Objective 5 and 5.1 reflects the concerns we have with regards to the said application, that is: To maintain the general use and character of rural areas within the Shire and to avoid sub-division that is likely to lead to a concentration of lots that would change the general use and character of the rural area.

Unfortunately Teesdale has been subject to the cancerous growth of sub-divisions over the past number of months. With this situation there appears to be very little or no consideration for any improved infrastructure to support these sub-divisions let alone the new estates being built as you enter the township from the Bannockburn direction.

#### Unknown Developers

Reference B refers to an e-mail sent to the Golden Plains Shire asking assistance with the identification of the applicant for the permit, Bos Brother Pty Ltd.

Having attempted to carry out background checks on the said company we cannot find any reference to Bos Brothers Pty Ltd through ABN or ARN searches. In fact having carried out a Company Search we found that the name Bos Brothers is not registered but is available as a company name.

With the situation remaining the same as of the time of this submission, and with no reply received from the Golden Plains Shire thus far, we can only assume that the applicant has registered the application for a Planning Permit under false pretences?

#### Conclusion

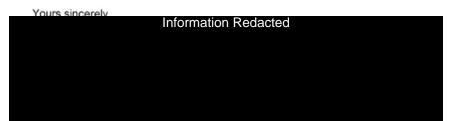
We fully appreciate that this planning application will more than likely be passed given the proliferation of sub-divisions already approved in Teesdale. However, we feel obliged to submit this objection based on the aforementioned information with the following points being particularly important. The third item with reference to the unknown developers is more related to the actual validity of the application in the first instance.

The Potential Fire Risk is a real issue especially given the terrible fires and tragedies in Victoria over the past 11 years that we have been residents of Merino Drive. Again we would like to reiterate the real need to redirect the access of this *proposed* development to the main Shelford-Bannockburn Road rather than having the potential of blocking Merino Drive in a bush or grass fire situation in that location.

Secondly we pride ourselves in being a part of the Teesdale community because of its large blocks and country feel. Sadly such sub-divisions may well over time destroy this community and neighbourhood spirit.

Thank you for your time in considering this objection.

Please do not hesitate to call us if you would like clarification on our submission.



Agenda

File Number:	P19-014
Author:	Sandra Tomic, Town Planner
Authoriser:	Steven Sagona, Director of Assets and Amenity
Applicant:	Cardno TGM
Owner:	Josco Civil & Mr Glen Boasmann
Proposal:	Three (3) lot subdivision
Location:	8 Merino Drive, Teesdale
Attachments:	<ol> <li>Full Officers Report</li> <li>Recommended conditions</li> <li>Copy of application &amp; plans</li> <li>Copy of objections</li> </ol>

#### RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Planning Permit for the development of a three (3) lot subdivision at 8 Merino Drive, Teesdale subject to the conditions attached to this report.

#### EXECUTIVE SUMMARY

This report relates to a planning permit application for the development of land for the purposes of a three (3) lot subdivision at 8 Merino Drive, Teesdale. This report provides a background to the application and a summary of the relevant planning considerations.

#### PURPOSE

The application has been referred to the Council Meeting for determination because there are unresolved objections to the application.

#### CONFLICT OF INTEREST

In accordance with Section 80B of the *Local Government Act* 1989, the Officers preparing this report declare no conflict of interest in regard to this matter.

#### COUNCIL PLAN

Managing natural and built environment.

#### BACKGROUND INFORMATION

#### Site description

The subject land is situated at on the corner of Bannnockburn-Shelford Road and Merino Drive. The site currently contains a dwelling, associated shedding, a swimming pool and modest landscaping. Vehicle access is gained from Merino Drive, a sealed road managed by Council

There is no access to the site from Bannockburn-Shelford Road, which is a VicRoads road.

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The site is located within the Low Density Residential Zone (LDRZ) and is subject to Design and Development Overlay 5 (DDO5). The land is not affected by any restrictive covenants.

This application originally proposed a three (3) lot subdivision. This was amended back to two (2) lots post consultation meeting however no objections were withdrawn; consequently the applicant amended the application, back to three (3) lots as originally proposed.

Site Map



#### The proposal

The application proposes the development of the land for a three (3) lot subdivision. A copy of the application and plans can be found at Attachment 3. The subdivision proposes to have the following features:-

Lot 1 - 0.4ha - This lot contains the existing dwelling, shed and landscaping. It is proposed to retain the existing accessway.

Lot 2 - 0.4ha - Proposed to be accessed via a shared easement along the northern boundary.

Lot 3 -0.4ha - Proposed to be accessed via a shared easement along the northern boundary.

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