



# **ATTACHMENTS**

**Under Separate Cover  
Ordinary Council Meeting**

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**6.00pm Tuesday 17 December 2019**



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**Proposed Conditions:****Endorsed Plans**

1. The layout of the subdivision and the size and dimensions of the proposed lots must conform generally with the endorsed plan.
2. Each lot must have a minimum area of 4000 m<sup>2</sup> (0.4 hectare).

**Telecommunications**

3. The owner of the land must enter into an agreement with:
  - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where National Broadband Network will not be provided by optical fibre.
4. Prior to the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

**General - Prior to Certification**

5. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with section 8 of the Act.
6. Prior to Certification and before any construction works associated with the development or subdivision start, the following information is required to be submitted to and approved by the responsible authority:
  - a) Remove splay at entry to shared access to Lots 2 and 3.
  - b) Access to Lot 2 and 3 via a shared carriageway easement with a total minimum width of 10 metres and containing a shared access of minimum 5.5 metre wide crushed rock pavement with 3.5 wide seal to the satisfaction of the Responsible Authority.
  - c) Detailed construction plans, drainage computations and specifications; and
  - b) Construction plans must be to Golden Plains Shire Council standards and specifications as detailed in the current Infrastructure Design Manual (IDM).

**General - Prior to Statement of Compliance**

7. Prior to issue of Statement of Compliance services to the existing retained house must be modified so that they are exclusive to and totally within the boundaries of the new lot to which it is appurtenant. In particular, the following existing services should be modified:
  - a) All downpipes, stormwater drainage and sanitary drainage must be taken to an approved legal point of discharge to the satisfaction of the Responsible Authority.
8. Prior to issue of Statement of Compliance all existing and proposed easements and sites for existing or required utility services, drainage and roads on the land must be set aside in the Plan of Subdivision submitted for certification in favour of the relevant authority for which the easement or site is created.
9. Prior to issue of Statement of Compliance any damaged nature strip/verge and footpaths as a result of this subdivision, are to be reinstated to the satisfaction of Responsible Authority.
10. Before the issue of a statement of compliance under the Subdivision Act 1988, the existing septic tank system must be altered/decommissioned/replaced and brought into compliance with the latest version of the 'EPA Code of Practice – Onsite Wastewater Management' to the satisfaction of the responsible authority. (Effluent must be dispersed below ground).
11. All waste water must be treated and retained within the lot/s in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
12. Prior to Statement of Compliance, sheds on Lot 2 and 3 must be removed.

**Note: A permit to install/alter a septic tank system must be obtained from Council's Environmental Health Unit prior to any works commencing.**

**Note: Works will not consent to the issue of Statement of compliance until such time as the developer provides satisfactory evidence of compliance with the above conditions.**

**Development Contribution**

13. Prior to the issue of Statement of Compliance, a Development Contribution of \$3000 (\$1500 for each new lot) must be paid to the responsible authority.

**Public Open Space Contribution**

14. Before the issue of a Statement of Compliance under the Subdivision Act 1988, the applicant or owner must pay to Council a sum equivalent to 5% of the site value of all the land in the subdivision in lieu of public open space in accordance with Section 18 of the Subdivision Act 1988. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

**Engineering - Prior to Statement of Compliance**

15. Prior to issue of Statement of Compliance the subdivider must:
  - a) Relocate the crossover for Lot 1 further south, to ensure that there is clear separation from the shared crossover for Lot 2 and 3. Each access is to be upgraded by provision of a crushed rock drive entry, reinforced concrete pipe culvert and mountable end walls conforming to requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) standard drawing SD 255 and to the satisfaction of Responsible Authority.

- b) Construct shared access and drive entry to Lot 2 and 3 with a minimum 5.5 metre wide crushed rock pavement, 3.5 metre seal and drained in accordance the Golden Plains Council requirements as contained in Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority. The seal must commence at the existing edge of seal in Merino Drive and extend for the complete frontage of Lot s 1 and 2.
- c) Provide open earth drains discharging to the existing open drain at the south east corner of the site or as agreed with Council. Drainage works are to provide to each allotment in the subdivision a discharge point, and where required include intercept drains on the low sides of each lot and modification of existing downstream drainage. Works must be in accordance with requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority. Open drains, where required, must be contained within a minimum 5m drainage easement which must be set aside on the Plan of Subdivision for this purpose.
- d) Construct road works, drainage and other civil works, in accordance with approved plans and specifications and in accordance with requirements of Golden Plains Shire Council contained in Infrastructure Design Manual (IDM) and to the satisfaction of the Responsible Authority.

**Note: Works within road reserve permit must be obtained from the Council prior to the carrying out of any vehicle crossing works.**

#### **Barwon Water – General**

- 16. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.
- 17. The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and where applicable, recycled water and/ or sewerage services to the proposal. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L016008.

#### **Barwon Water – Potable Water**

- 18. The provision and installation of a potable water supply to the development.
- 19. An additional potable water connection(s) is to be provided to service the proposed development. A dimensioned plan showing location of all new connections relative to the allotment boundaries is to be submitted, where a meter is not being fitted.

**Note: Tappings and service lines are not to be located under existing or proposed driveways.**

- 21. The payment of a standardised New Customer Contribution is required for any new connection or any upsize to an existing connection. The number of standardised charges applied will be determined on the basis of an equivalent lot calculation and is based on potable domestic water meter size or water service size (where a meter is not being fitted). An equivalent lot is a measure of the additional demand a connection will place on the infrastructure in terms of the water consumption and sewage discharge for an average connection utilising a 20mm tapping and/ or meter.

#### **Powercor**

- 22. This letter shall be supplied to the applicant in its entirety.
- 23. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

24. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

25. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

26. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:-

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

27. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes:

- Existing easements may need to be amended to meet the Distributor's requirements
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

**Expiry of Permit**

28. This permit will expire if:

- a) The plan of subdivision is not certified within two years of the date of this permit; or
- b) The registration of the subdivision is not completed within five years of the date of certification.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Attns Ref W19/13CA15604D

PROCESSED



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.

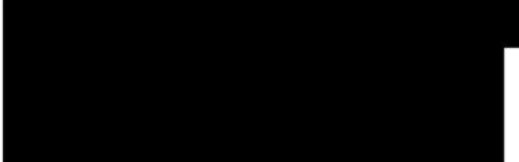
As presented to the meeting on Tuesday 30 April 2019, the information obtained from the Australian Securities and Investment Commission (ASIC) confirmed that BOS Brothers Civil Pty Ltd had been inactive since 27 July 2017 and that the current active business name, JOSCO Civil Pty Ltd, has been active 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).

We thank you once again for taking the time to listen to our concerns and I look forward to your response to this letter.

Yours sincerely



Golden Plains Shire Council	
BluePoint	
File No(s)	_____
- 5 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.

Yours sincerely

O/S





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

A black rectangular redaction box covering the signature area.

Postal Address:  
PO Box 63  
Bannockburn  
VIC 3331



14 June 2019

To Whom It May Concern  
Golden Plains Shire

Dear Sir/Madam,

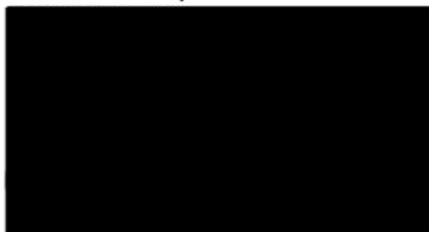
We write with reference to your recent letter dated 3 June 2019 advising us of the proposed amendment from three to two lots for the sub-division of our neighbouring property, No 8 Merino Drive, Teesdale. Application number P19-014.

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.

Yours sincerely



*Copy Emailed*  
**PROCESSED**



**PLANNING**  
**27 JUN 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 our neighbouring property No 8 Merino Drive, Teesdale. Application number P19-014.

As the closest neighbour to No 8 Merino Drive we would like to formally object in the strongest possible terms to the sub-division of this property.

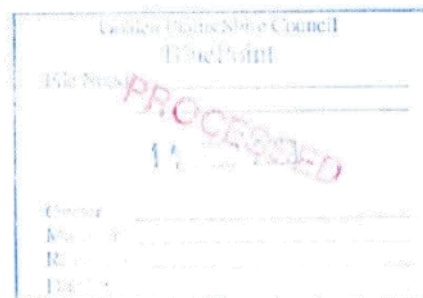
Whilst there are a number of reasons for doing so, the following issues are most important to us in submitting our objection.

Having the possibility of two more dwellings immediately on our boundary 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 following the whole length our boundary. 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 well-balanced 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.

Yours sincerely



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①

# SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

*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  
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2 Pope Street, Bannockburn  
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Bannockburn, Victoria 3331  
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E: [enquiries@goldenplains.vic.gov.au](mailto:enquiries@goldenplains.vic.gov.au)  
W: [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

**YOUR DETAILS:**

Name: *(block letters)* [REDACTED]

Postal Address: [REDACTED]

Contact No: [REDACTED]

**DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:**

Application Number: PI9-014

Address of Subject Land: LOT 8 PS331084, 8 MERINO DVE

Description of Proposal: DEVELOPMENT OF 3 LOT SUBDIVISION

Name of Applicant: MR JOHN OSHANNASSY BOS 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 LETTER AND  
SUPPORTING SUBDIVISION PLAN FOR  
MERINO DRIVE.

Continued - see over

obj 2

**DETAILS OF SUBMISSION / OBJECTION:** Continued

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Attach additional pages if required


Are there any changes that could be made to the proposal to address your concerns? Yes  No

*If yes, what changes would you suggest that would meet your concerns:*

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Signed:  Date: 17/2/19

**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.
6. 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.*

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



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.

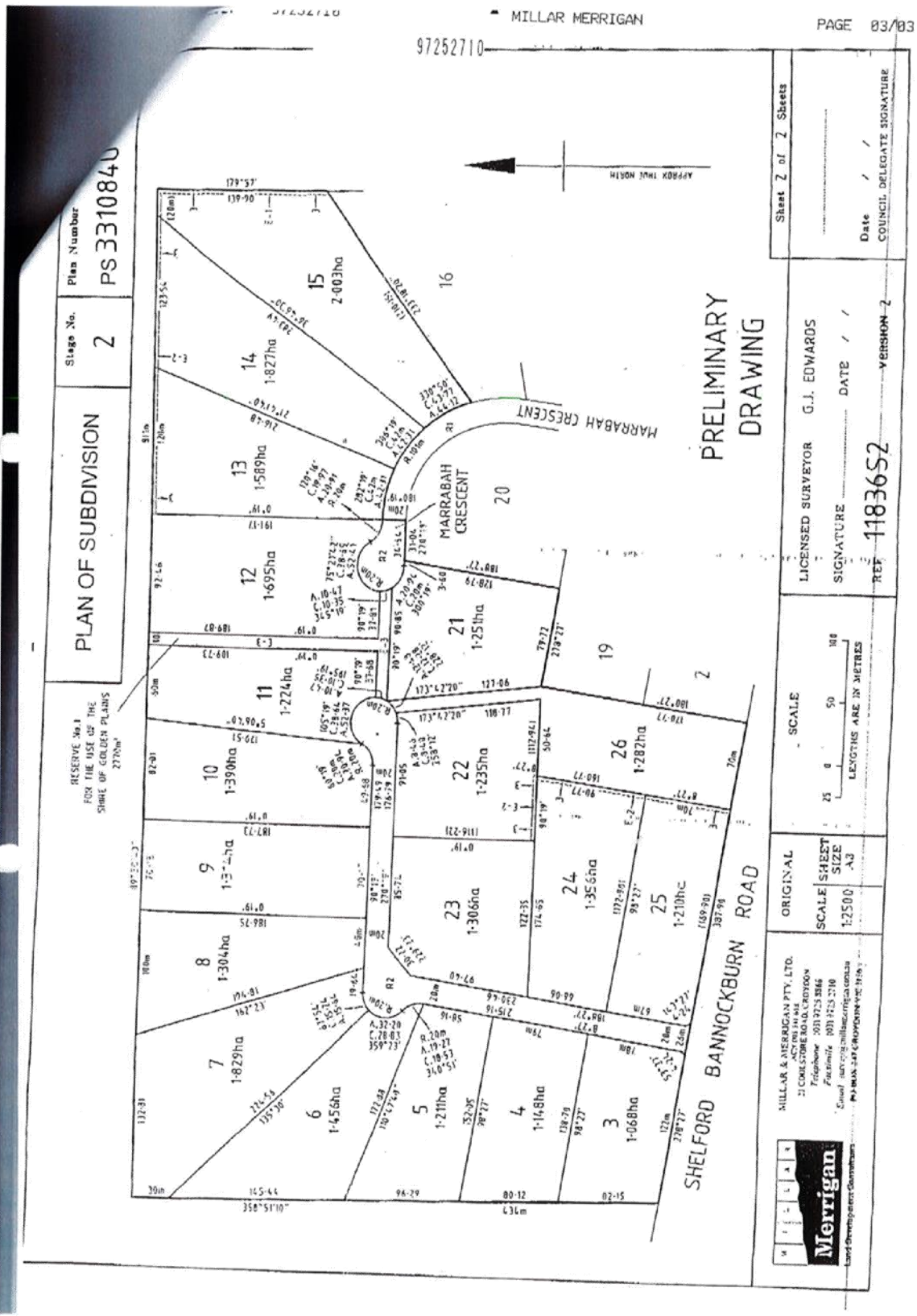
Furthermore, as we are on the fringe of the Low Density Residential Zone and Farm Zone, this enhances the rural character of Merino Drive. We believe the Golden Plains Shire has an obligation to protect the integrity of rural living zones as set out in the above strategies. The existing layout of Merino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







### SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

Planning and Environment Act 1987



**GOLDEN PLAINS SHIRE**  
Golden Plains Shire Council  
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2 Pope Street, Bannockburn  
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66 Somers Street, Linton  
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F: (03) 5220 7100  
E: [enquiries@goldenplains.vic.gov.au](mailto:enquiries@goldenplains.vic.gov.au)  
W: [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

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

**YOUR DETAILS:**

Name: (block letters)

Postal Address:

Contact No: 03

**DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:**

Application Number: P19 - 014 - 8 Merino Drive

Address of Subject Land: 8 MERINO DRIVE, TEEBDALE

Description of Proposal: 3 lot subdivision

Name of Applicant: Josco Property Developments - John O'Shannassy

**DETAILS OF SUBMISSION / OBJECTION:**

*(State reasons for objection and how you would be affected by the granting of a planning permit)*

⇒ The subdivision would be out of character for our area.  
Every other property in Merino Drive is 3-4 acres / 1 house only. We don't want to be surrounded by small allotments.  
⇒ Increased traffic into Merino Drive  
⇒ Increased noise  
⇒ I would suggest that the Teesdale Structural Plan (clause 21.08-14) could be reviewed in conjunction with the community.

Continued - see over

CS

**DETAILS OF SUBMISSION / OBJECTION: Continued**

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*Attach additional pages if required*

Are there any changes that could be made to the proposal to address your concerns? Yes  No

*If yes, what changes would you suggest that would meet your concerns:*

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Signed: [REDACTED] Date: 15/2/19

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18/02/2019

Rich Text Editor, frmDialogEmail.editContent

----- Forwarded message -----

From: [REDACTED]

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

[REDACTED]

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.

<http://www.mailguard.com.au/tt>



**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  
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**W:** [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

# SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

*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.**

**YOUR DETAILS:**

Name: *(block letters)* [REDACTED]

Postal Address: [REDACTED]

Contact No: [REDACTED]

**DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:**

Application Number: **P19-014**

Address of Subject Land: **8 MERINO DVE TEESDALE**

Description of Proposal: **3 LOT SUBDIVISION**

Name of Applicant: **JOSCO PROPERTY DEVELOPMENTS**

**DETAILS OF SUBMISSION / OBJECTION:**  
*(State reasons for objection and how you would be affected by the granting of a planning permit)*

**I would like to object to this subdivision for the reason that we purchased our property to live a country life style with space around us not to have to have another two properties Built right next to us as this has already happened on the other side of us . 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  
 [REDACTED]

Continued – see over

81/14

**DETAILS OF SUBMISSION / OBJECTION:** Continued

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**Attach additional pages if required**

**Are there any changes that could be made to the proposal to address your concerns?** Yes  No

*If yes, what changes would you suggest that would meet your concerns:*

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**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**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.
6. 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.*

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

# SUBMISSION / OBJECTION TO GRANTING A PLANNING PERMIT

*Planning and Environment Act 1987*



**GOLDEN PLAINS SHIRE**

Golden Plains Shire Council  
Bannockburn -  
2 Pope Street, Bannockburn  
Linton -

68 Sussex Street, Linton

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W: [www.goldenplains.vic.gov.au](http://www.goldenplains.vic.gov.au)

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

**YOUR DETAILS:**

Name: *(block letter)* [REDACTED]

Postal Address: [REDACTED]

Contact No: [REDACTED]

**DETAILS OF THE PERMIT APPLICATION YOU ARE RESPONDING TO:**

Application Number: *PI9-014*

Address of Subject Land: *8 MERING DRIVE TEESSALE 3328*

Description of Proposal: *SUB DIVISION (THREE LOT)*

Name of Applicant: *BOS BROTHERS PTY LTD ?*

**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 DATED 13 FEB '19*

Golden Plains Shire Council  
Blainey Point  
File No(s) \_\_\_\_\_  
*13 FEB 2019*  
Owner \_\_\_\_\_  
Officer \_\_\_\_\_  
File No. \_\_\_\_\_

Continued - see over

OB 15

**DETAILS OF SUBMISSION / OBJECTION:** Continued

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Attach additional pages if required

Are there any changes that could be made to the proposal to address your concerns? Yes  No

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

Signed: [REDACTED] Date: 13-2-19

**IMPORTANT NOTES ABOUT SUBMISSIONS / OBJECTIONS TO PERMIT APPLICATIONS**

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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* sub-division 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.

Yours sincerely



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Agenda

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<b>File Number:</b>	<b>P19-014</b>
<b>Author:</b>	<b>Sandra Tomic, Town Planner</b>
<b>Authoriser:</b>	<b>Steven Sagona, Acting Director Planning and Infrastructure</b>
<b>Applicant:</b>	<b>Cardno TGM</b>
<b>Owner:</b>	<b>Josco Civil &amp; Mr Glen Boasmann</b>
<b>Proposal:</b>	<b>Three (3) lot subdivision</b>
<b>Location:</b>	<b>8 Merino Drive, Teesdale</b>
<b>Attachments:</b>	<b>1. Draft conditions 2. Objections 3. Full officer Report 4. Planning Application</b>

### **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 Bannockburn-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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## Agenda

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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

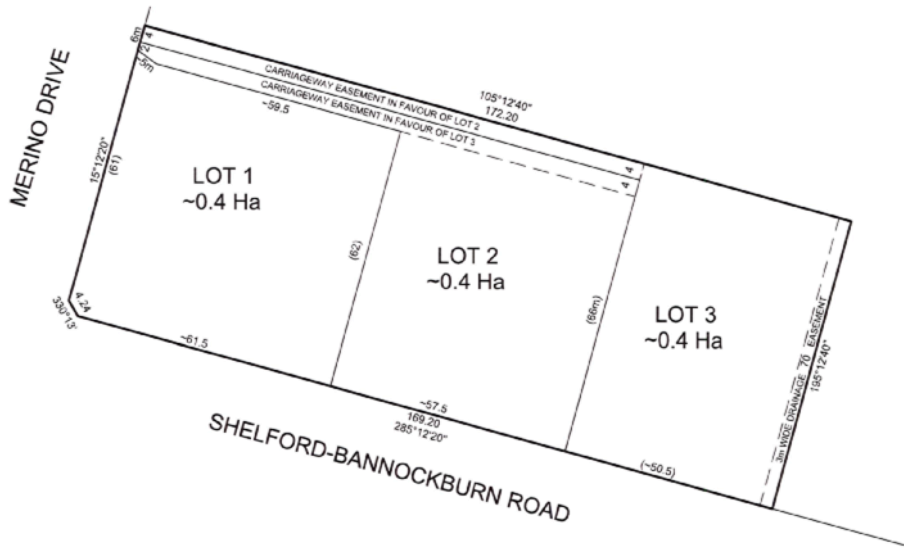
The application proposes the development of the land for a three (3) lot subdivision. A copy of the application and plans can be found at Attachment 3. The subdivision proposes to have the following features:-

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.

Agenda



**CONSULTATION**

Notice of the application was given in accordance with Section 52 (1) (a) of the *Planning and Environment Act 1987*. Notice was provided by mail to 6 adjoining owners and occupiers and by placing a sign on the site.

As a result of the public notice, 5 objections were received. A copy of the objections are attached (Attachment 4). All objectors are owners of land within Merino Drive. The main concerns raised by the objectors relate to the amenity impact the subdivision would have on the rural character of Merino Drive and the proposal not complying with objectives outlined in Clause 11 (Settlement).

The objectors and applicant were invited to a consultation meeting held on 30 August 2019. As a result of the consultation discussion, the applicant submitted revised plans for consideration reducing the number of Lots from 3 to 2. The objections were not withdrawn and consequently the applicant amended the application back to three (3) lots as originally proposed.

**ASSESSMENT**

The application was submitted to Council on the 17 January 2019 and a preliminary assessment was undertaken. The three (3) lot subdivision was referred to statutory referral authorities under Section 55 as well as internal referrals. VicRoads had no objection, with no conditions. Councils internal departments had no objection to the issue of a permit subject to conditions being placed on the permit.

Council received correspondence on 15 August 2019 that formally amended the permit applicant’s details to Cardno TGM and amended (reverted) the subdivision to three (3) lots.

**Golden Plains Planning Scheme**

**Planning Policy Framework (PPF)**

Clause 11.02 Managing Growth

## Agenda

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The objective of the policy for the supply of urban land (Clause 11.02-1S) is to ensure a sufficient supply of land is available for residential and other uses. Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

### Local Planning Policy Framework (LPPF)

#### Clause 21.02 Settlement

The local policy for settlement patterns (Clause 21.02-1) includes objectives to make efficient use of land and encourage the consolidation of existing township areas. The policy seeks to direct residential development to township areas that have reticulated water, sewerage and stormwater drainage and community services and facilities. Infill development in towns lacking sewerage treatment will be required to provide onsite effluent treatment.

#### Clause 22.09 Low Density Residential Subdivision Policy

The policy applies to subdivision in the Low Density Residential (LDRZ)

Relative to the application proposal key objectives of the LDRZ policy, include but not limited to:

- To ensure new lots created in the Low Density Residential Zone are of sufficient size to treat and retain wastewater within their property boundaries; and
- To maintain an open and spacious character for low density residential areas across the Shire through:
  - Design that provides for open space and landscaping;
  - Retention of existing vegetation;
  - Avoiding creation of lots with battle-axe access in greenfield development;
  - The provision of wide driveways/ access ways with sufficient areas available for landscaping; and
  - Lot sizes with sufficient area to accommodate setbacks required by the Design and Development Overlay Schedule 5.

### Zone and overlay provisions

#### Low Density Residential

The site is located in a Low Density Residential Zone (LDRZ). The purpose of the LDRZ is to provide for low density residential development on lots which in the absence of reticulated sewerage, can treat and retain all wastewater. A permit is required to subdivide land under the provisions of the LDRZ. The LDRZ sets a minimum lot size of 0.4Ha. The decision guidelines of the LDRZ for subdivision require Council to consider, as appropriate:

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

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## Agenda

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### General provisions

The decision guidelines contained in Clause 65.01 of the planning scheme require Council to consider the following matters, as appropriate:

- The matters set out in section 60 of the Act.
- 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 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.

In addition, before deciding on an application to subdivide land, the decision guidelines contained in Clause 65.02 must be considered, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

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## Agenda

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### **DISCUSSION**

#### **Planning policy**

The proposed subdivision satisfies the relevant provisions of the planning scheme including State and the Local planning policy for Low Density Residential Development (Clause 22.09)

Low Density Residential Development (Clause 22.09) seeks to ensure new lots are of sufficient size for on-site effluent disposal and maintain the character of low density residential areas. The proposed subdivision design contributes to the character of the area by creating lots of sufficient size to provide setbacks in accordance with the DDO5, retaining existing vegetation where possible and providing space for additional landscaping. The layout will also provide for adequate access from Merino Drive. A land capability assessment submitted with the application demonstrates that the proposed lots are capable of accommodating on-site effluent disposal.

Each lot is of a size that can readily support a dwelling, shedding, landscaping and open space, in line with the intent of the DDO5, respecting the character of the area.

This infill subdivision can be adequately serviced and suitable access arrangements are proposed. The consolidation of this land responds to State and Local policy to make efficient use of zoned residential land.

#### **Objectors concerns**

Objectors are concerned that the proposed subdivision will have a detrimental impact on the character of the area. The smaller lots at 0.4ha will not provide for appropriate spacing between lots and dwellings, the character of the area would become more suburban. Objectors stated that one of the reasons they moved to this area was for spacious lots and ample room for landscaping which can also provide screening and separation between dwellings.

Objectors contend that this would all be lost with smaller lots proposed will change the area significantly.

The proposed subdivision satisfies policies surrounding low density residential development which are designed to protect neighbourhood character. The proposed lot layout retains existing vegetation and provides opportunities for landscaping, and creates a sufficient size to provide setbacks in accordance with the DDO5. The LDRZ has a minimum lot size of 0.4ha and is not connected to sewer. This is a significant difference in comparison to the General Residential Zone which is connected to sewer, which may have lots sizes of 400m<sup>2</sup> or less.

Although it is acknowledged that the lot sizes are smaller than those within Merino Drive, the original subdivision was developed at a time when the minimum lot size was greater than 0.4ha. The proposed lot sizes comply with the minimum lot size within the Low Density Residential Zone and are within the town boundary.

### **CULTURAL HERITAGE IMPLICATIONS**

This proposal does not require the preparation of a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007.

### **CONCLUSION**

The application satisfies the provisions of the Planning Scheme, including State and Local planning policies, including the Local Policy for Low Density Residential Development (Clause 22.09), the provisions of the Low Density Residential Zone, and the decision guidelines of the Planning Scheme

Agenda

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(Clause 65). The proposed subdivision has been designed to utilise existing zoned land capable for further development, maintain the character of the area and capable of on-site effluent disposal.





**Application for Planning Permit for a Subdivision**

**Supplied by** John OShannassy  
**Submitted Date** 06/01/2019  
**Modified by** Nicole Dixon (TGM Group Pty Ltd - Geelong)  
**Modified Date** 12/08/2019

**Application Details**

**Application Type** Planning Permit for a Subdivision  
 Version 4  
**Applicant Reference Number** (Not Supplied)  
**Application name or Estate name** 8 Merino Drive  
**Responsible Authority Name** Golden Plains Shire Council  
**Responsible Authority Reference Number(s)** P19-014  
**SPEAR Reference Number** S134152T  
**Application Status** Permit Decision Pending  
**Planning Permit Issue Date** NA  
**Planning Permit Expiry Date** NA

**The Land**

**Primary Parcel** 8 MERINO DRIVE, TEESDALE VIC 3328  
 Lot 25/Plan PS331084  
 SPI 25/PS331084  
 CPN 91000559  
**Zone:** 32.03 Low Density Residential  
**Overlay:** 43.02 Design and Development

**The Proposal**

**Plan Number** (Not Supplied)  
**Number of lots** 3  
**Proposal Description** 2 lot subdivision  
**Estimated cost of the development for which a permit is required \$** 50,000

**Existing Conditions**

**Existing Conditions Description** House and paddocks grazed by horses  
**Title Information - Does the proposal breach an encumbrance on Title?** The proposal does not breach an encumbrance on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope.

**Applicant Contact**

**Applicant Contact** Nicole Dixon  
 TGM Group Pty Ltd - Geelong  
 Level1, 27-31 Myers Street, Geelong, VIC, 3220 and  
 PO Box 1137 Street, Geelong, VIC, 3220  
 Business Phone: 03 5202 4600  
 Email: [nicoled@tgmgroup.com](mailto:nicoled@tgmgroup.com)

**Applicant**

**Applicant**

(Applicant details as per Applicant Contact)

**Owner**

**Owner 2**

Glenn Boasmann  
8 Merino Drive, Teesdale, VIC, Australia

**Owner 3**

Mr John OShannassy  
Josco Civil  
49 Bakers Road, Bannockburn, VIC, 3331 Australia  
Business Phone: 0438 809 299  
Email: [jjoshannassy@bigpond.com](mailto:jjoshannassy@bigpond.com)

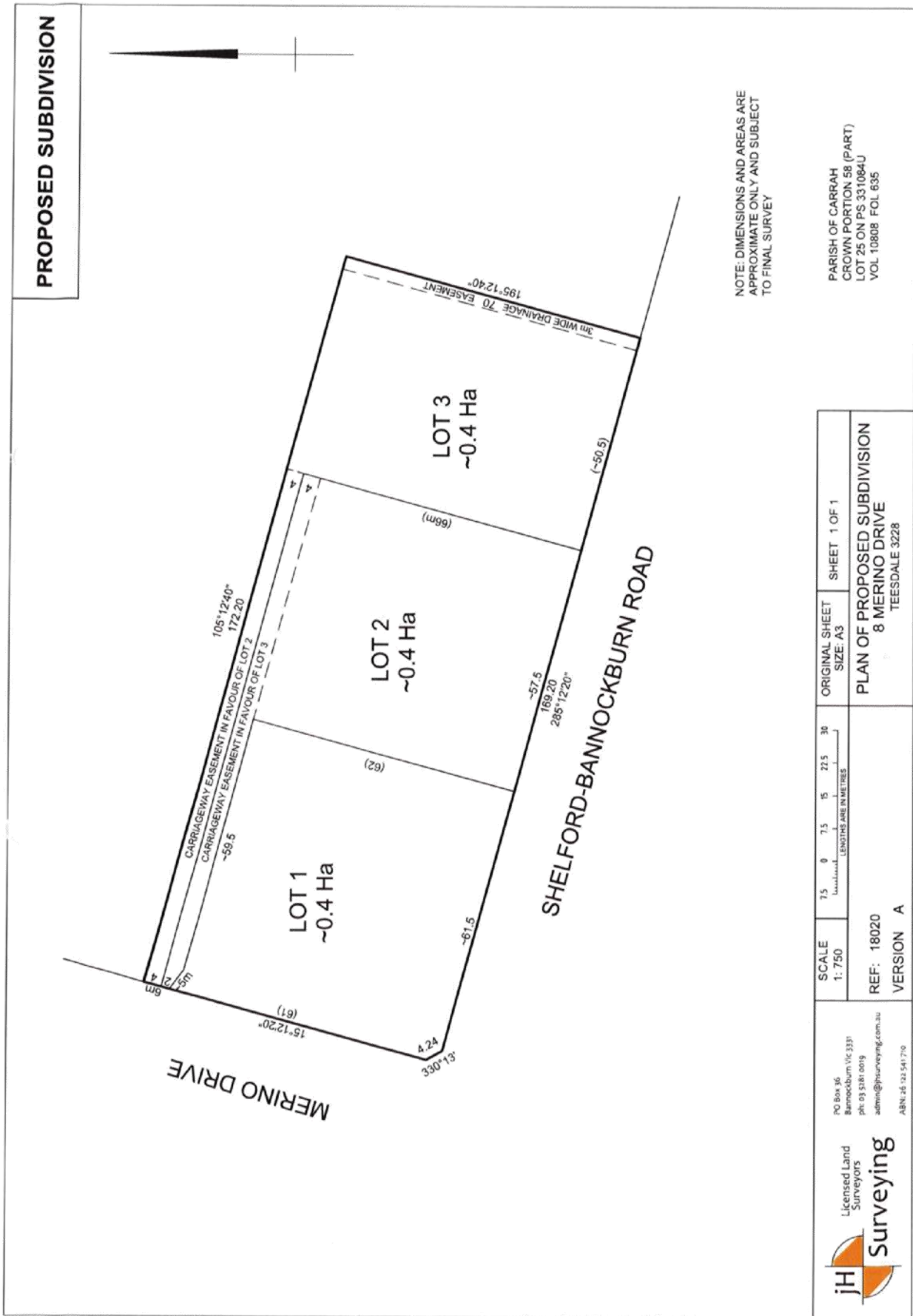
**Declaration**

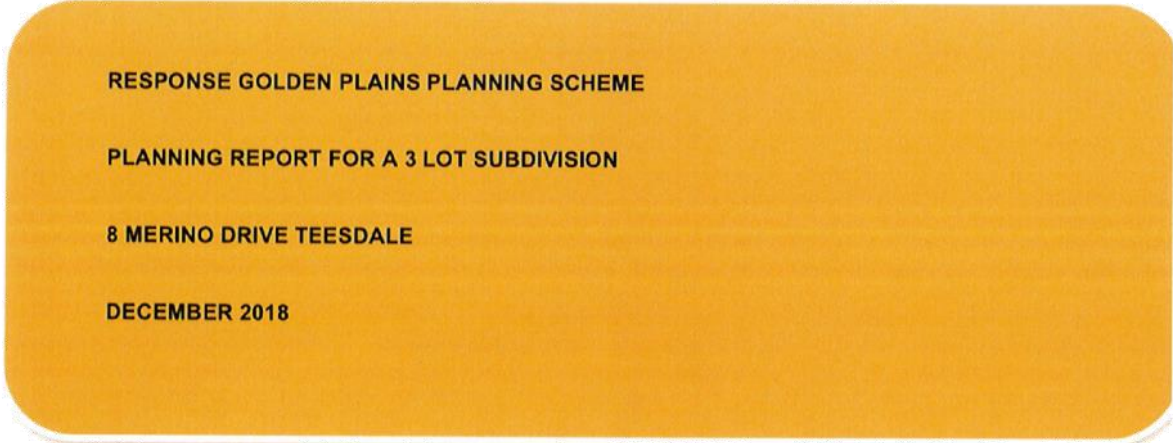
I, Nicole Dixon, declare that the owner (if not myself) has been notified about this application.

I, Nicole Dixon, declare that all the information supplied is true.

**Authorised by  
Organisation**

Nicole Dixon  
TGM Group Pty Ltd - Geelong





Prepared by:

John O'Shannassy

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**1. INTRODUCTION & PROPOSAL**

### 3 Lot Subdivision

#### 8 Merino Drive Teesdale

This Planning Permit Application is for a three (3) lot subdivision of 1.2 Ha of an existing house and land property situated at 8 Merino Drive Teesdale. It is proposed that new lots will be approx. 4000 sqm in area. **Refer to Appendix A for the Development Plan and Plan of Subdivision.**

Works as part of this proposal:

- Installation of new driveway
- Installation of potable water & power connections
- Internal fencing.
- Stormwater drainage
- Upgrade of existing septic system.

## 2. SUBJECT SITE AND PLANNING CONTROLS

The subject site is located approx 1.5 km from the heart of the Teesdale township. The property has a total area of 1.2 Ha with a 67 m frontage to Merino Drive.

The site currently consists of one Title as follows:

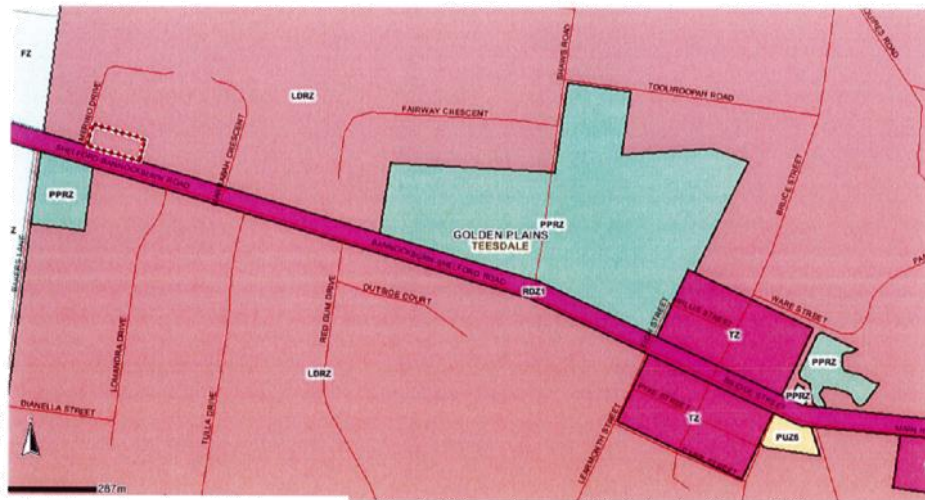
- Lot 25 on PS 331084U

**Refer to Appendix B for Title Details & Planning Information.**

### 2.1 ZONING

The subject site is situated within the Low Density Residential Zone (LDRZ) and subsequent schedule to the LDRZ.

3 Lot Subdivision  
8 Merino Drive Teesdale



**Comment:** *The proposal satisfies the purpose of the LDRZ, in that it will provide for residential development within a LDRZ whilst treating and retaining the wastewater within the site. The schedule is not relevant to this application.*

2.2 OVERLAYS

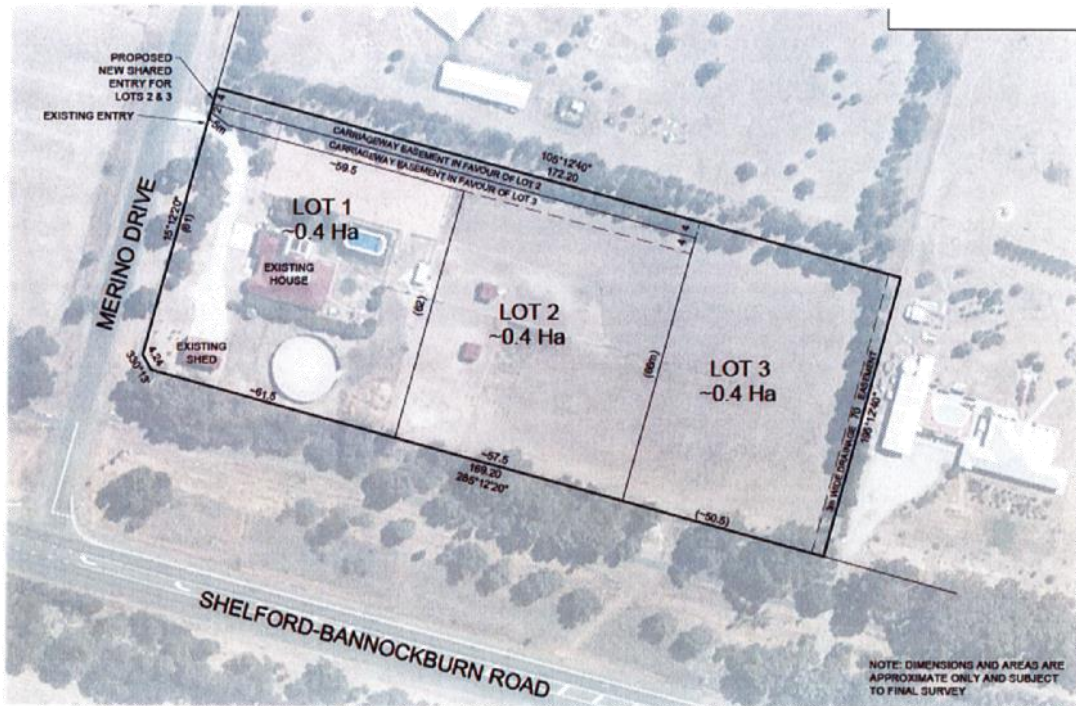
The site is subject to a Design and Development Overlay (DDO) and subsequent Schedule 5 (DDO5).

**Comment:** *The proposal satisfies the purpose of the DDO, in that the area characteristics and amenity are maintained and set-backs for building envelopes are compliant.*

3. SITE ANALYSIS

An aerial view of the site can be seen below.

3 Lot Subdivision  
8 Merino Drive Teesdale



3.1 LANDFORM, INFRASTRUCTURE AND SERVICE ANALYSIS

**LOT 1**

A house, garage, sheds swimming pool and gardens are situated on Lot 1. The septic system to the house will need to be relocated and upgraded as part of this subdivision in accordance with the LCA. The existing driveway to the house will remain as is. Rainwater is collected from roof of buildings in stormwater tanks. The house is located at the highest elevated area of the lot. The land falls both to the west and south of the lot and drains to the roadside drainage system.

3 Lot Subdivision  
8 Merino Drive Teesdale



Photo – Lot 1 driveway to right & area for Lot 2 & 3 driveway entrance to left.

**LOT 2 & 3**

The proposed new lots 2 & 3 have established trees around the boundary. Both lots fall to the south of on a gently slope and discharge into the road drainage system. Access to Lots 2 will be via a new shared driveway off Merino Drive.





**3 Lot Subdivision****8 Merino Drive Teesdale**

**Photo – Lots 2 looking north to back of lot.**

**3.2 SURROUNDING LAND**

The western, northern and eastern boundaries are shared with private properties (with houses) within the same land zoning LDRZ. The southern boundary fronts Russell Rd.

**3.3 DRAINAGE ANALYSIS**

Lot 1 has fall both to the west and south of the site. A new spoon drain on the eastern boundary will convey stormwater to the existing roadside drain. This will be an easement so Lot 2 can discharge into it.

Lot 2 has fall to the back of lot in both an easterly and westerly direction. Spoon drains will convey stormwater to the discharge point in the road reserve.

Lot 3 has an existing drainage easement on the eastern boundary. This will convey Lot 3 water to the roadside drain.

The drainage concept is shown below.

3 Lot Subdivision  
8 Merino Drive Teesdale



3.4 VEGETATION ANALYSIS

The property has some planted native and foreign vegetation around the house and sheds and also along the perimeter boundaries. 5 trees will be removed to allow for the new driveway entrance. The grasses are common to the area and are regularly grazed by live stock. No significant grasses are located on the site.

3 Lot Subdivision

8 Merino Drive Teesdale



Photo – Typical grasses are grazed by livestock.

### 3.5 BUILDING ENVELOPES

It is proposed to alter the building envelopes to be within 5m of all boundaries.

### 3.6 EXISTING SEPTIC TANK & LAND CAPABILITY ASSESSMENT

A LCA confirming the suitability of a septic system for the 2 proposed new lots can be found in Appendix D.

In summary, the wastewater should be treated to secondary level by a suitable EPA-approved treatment system and the effluent applied to land via sub-surface irrigation.

***A plumber has inspected the existing system and has determined that the existing secondary treatment system will need new underground irrigation lines to upgrade the existing septic system to today's standards.***

3 Lot Subdivision

8 Merino Drive Teesdale

#### 4. PARTICULAR PROVISIONS

- **Access:**
  - Lot 1 via existing driveway.
  - Lots 2 & 3 via a new driveway off Merino Drive.
- **Sewer:** – The existing house has a septic tank but will be upgraded in accordance with the LCA.
- **Water:** – Potable water is available in road reserve.
- **Electricity:** – Electricity (overhead) is available in road reserve.
- **Telstra:** - Telstra is available in road reserve.
- **Drainage:** - Via spoon drains. A new drainage easement is required.

#### 5. CONCLUSION

The proposal can be supported in accordance with relevant provisions of the Golden Plains Planning Scheme. It is consistent with the State and Local Planning Policy context in relation to subdivision of urban areas, and accords with the purpose and decision guidelines of the Low Density Residential Zone. It is also compliant with the requirements of Clause 56 relating to integrated water management. The size of the lots is are both equal to and larger than the minimum 4000m2 as required for LDRZ zone ensuring the character of the area is not compromised.

#### 6. APPENDICES

Appendix A – Development Plan & Plan of Subdivision

Appendix B – Land Titles and Planning Information

Appendix C – Level and Drainage Plan

Appendix D - Land Capability Assessment

## Register Search Statement - Volume 10808 Folio 635

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

VOLUME 10808 FOLIO 635

Security no : 124073704118G  
Produced 31/08/2018 09:05 am

LAND DESCRIPTION

Lot 25 on Plan of Subdivision 331084U.  
PARENT TITLE Volume 10241 Folio 759  
Created by instrument PS331084U Stage 2 17/06/2004

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
GLENN BRETT OWEN BOASMAN of 8 MERINO DRIVE TEESDALE VIC 3328  
AE565930S 24/08/2006

ENCUMBRANCES, CAVEATS AND NOTICES

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS331084U 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)

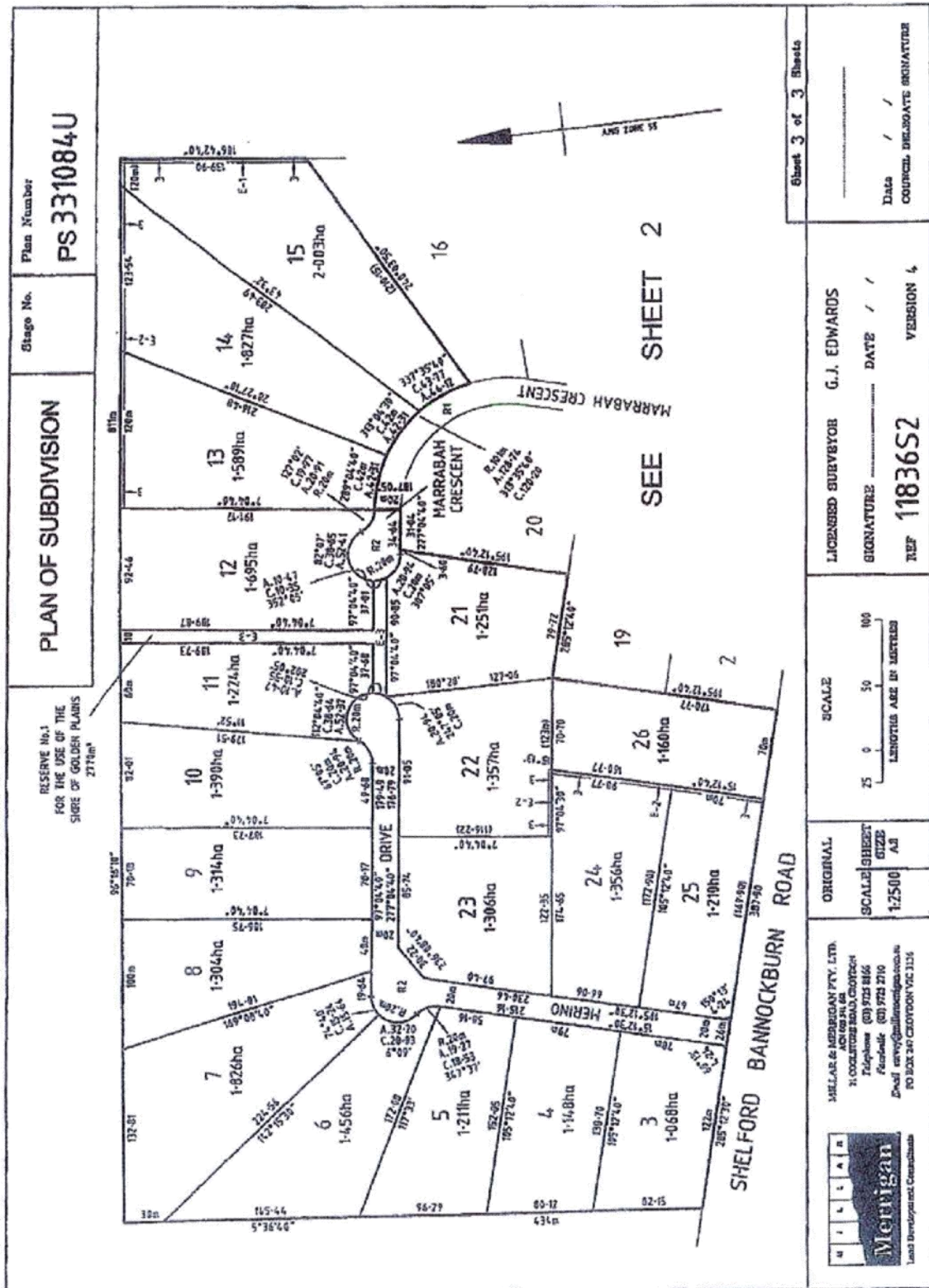
Street Address: 8 MERINO DRIVE TEESDALE VIC 3328

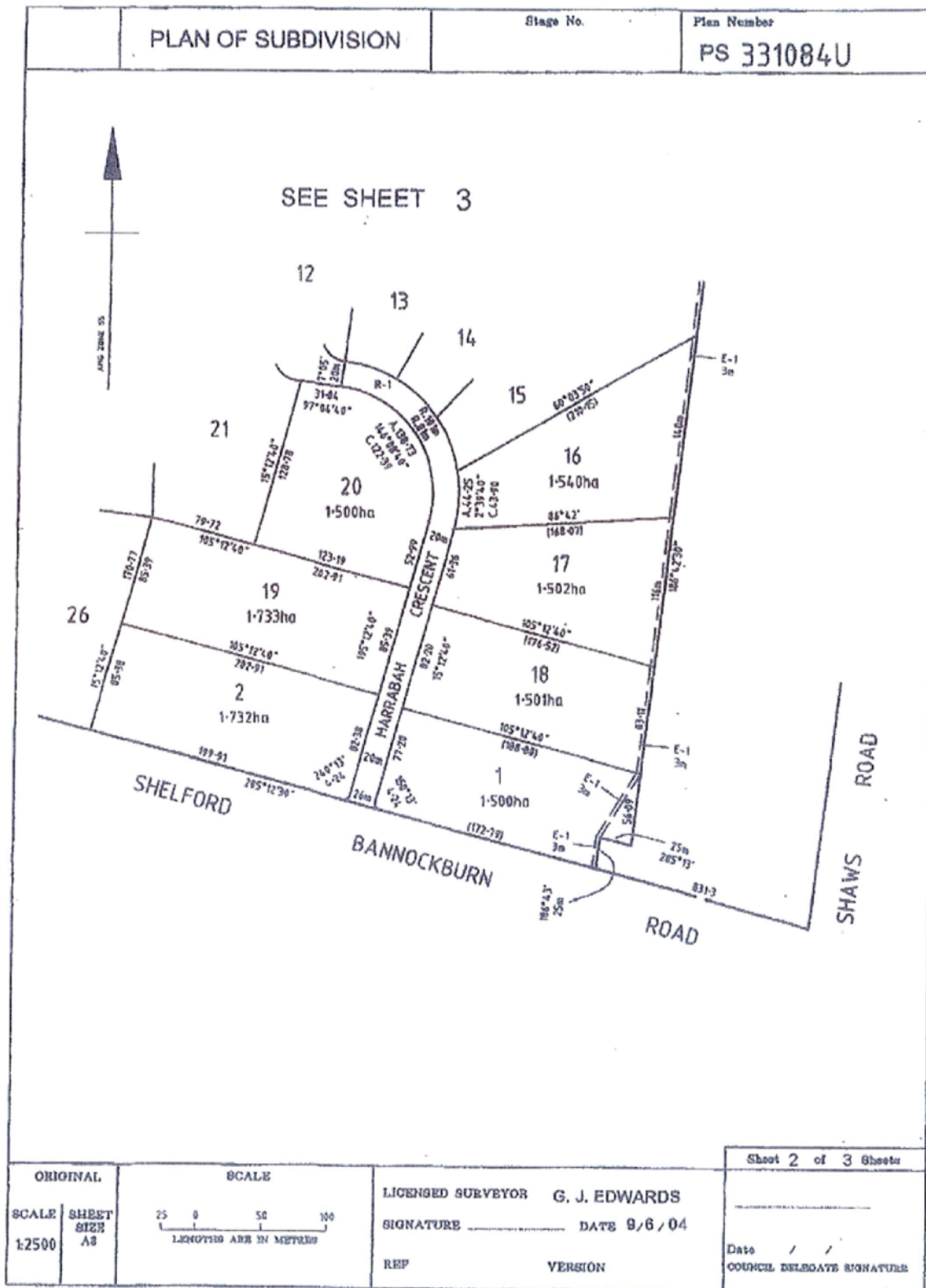
DOCUMENT END

Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd  
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<b>PLAN OF SUBDIVISION</b>		STAGE No.	LTO USE ONLY EDITION 2	PLAN NUMBER PS331084U
<b>LOCATION OF LAND</b>		<b>COUNCIL CERTIFICATION AND ENDORSEMENT</b>		
Parish: CARRAH Township: _____ Section: _____ Crown Allotment: _____ Crown Portion: 58 (part) LTO Base Record: PARISH (2355) Title Reference: V.9419 F.654, V.9419 F.655, V.9419 F.656, V.9419 F.657 Last Plan Reference: LP 134618 LOTS 1-4 Postal Address: Shelford - Bannockburn Road (at time of subdivision) Teesdale AMG Co-ordinates E 238800 (of approx. centre of land in plan) N 5787700 Zone: 55		COUNCIL NAME: Shire of Leigh <span style="float: right;">RECEIVED No 390</span> <del>1. This plan is certified under section 6 of the Subdivision Act 1988.</del> <del>2. This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</del> <b>APPLIES TO MASTER PLAN (STAGE 2) ONLY</b> OPEN SPACE (i) A requirement for public open space under section 10 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage ..... Council delegate _____ Council seal _____ Date 15 / 04 / _____ Re-certified under section 11(7) of the Subdivision Act 1988. Council delegate _____ Council seal _____ Date / / _____		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
IDENTIFIER	COUNCIL/ BODY/ PERSON	<b>STAGING</b> This is/ is-not a staged subdivision. Planning Permit No. 368		
R1 R2 RESERVE NO.1	SHIRE OF GOLDEN PLAINS SHIRE OF GOLDEN PLAINS SHIRE OF GOLDEN PLAINS	<b>DEPTH LIMITATION</b> Does not apply		
SURVEY This plan is / is-not based on survey This survey has been connected to permanent marks no(s) in Proclaimed Survey Area No.				
<b>EASEMENT INFORMATION</b>				
LEGEND: A-Appurtenant Easement E-Encumbering Easement R-Encumbering Easement (Road)				
Easement Reference	Purpose	Width (metres)	Origin	Land Benefited/ in Favour Of
E-1	Drainage	3	This plan	Land in this plan, Shire of Golden Plains
R-1	Way, Drainage	See Diag	This plan	Land in this plan
E-2	DRAINAGE	3	THIS PLAN	SHIRE OF GOLDEN PLAINS
E-3	DRAINAGE SUPPLY OF WATER ELECTRICITY & TELECOMMUNICATIONS	SEE DIAG	THIS PLAN	SHIRE OF GOLDEN PLAINS
LTO use only Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date 18 / 07 / 95				
<b>THIS IS AN LR COMPILED PLAN</b> CHECKED 17 / 6 / 2004 <b>Helen Lymbouris</b> Assistant Registrar of Titles Sheet 1 of 3 Sheets				
I.G.BISHOP and A.A.JEFFREYS PTY.LTD. CONSULTANT SURVEYORS 33 LYDIARD STREET SOUTH BALLARAT 3350 Ph.(053) 323557		LICENSED SURVEYOR (PRINT) A. A. Jeffreys SIGNATURE _____ DATE 26 / 1 / 94 REF. S9 17650 VERSION 2		
		DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3		







**MODIFICATION TABLE**

**RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN  
 MASTER PLAN (STAGE 1) REGISTERED DATE 27/07/95 TIME 11:00  
 WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.  
 NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.**

**PLAN NUMBER  
 PS 331084U**

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT S2	LOT 3 TO 15 (B.I.) & 21 TO 26 (B.I.)	STAGE 2	PS 331084US2	17/06/04	11.22	2	H.L.