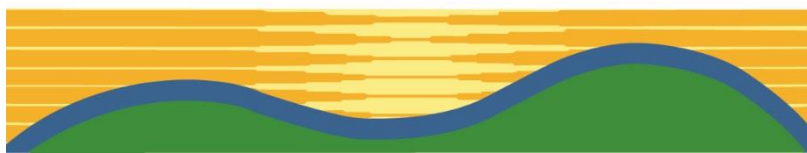


# MITCHELL SHIRE COUNCIL



## COMMUNITY QUESTIONS AND HEARINGS COMMITTEE

### AGENDA

**MONDAY 10 DECEMBER 2018**

**7.00pm**

**NOTICE IS HEREBY GIVEN** that **Community Questions and Hearings Committee** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High St, Broadford**, on **Monday 10 December 2018** commencing at **7.00pm**.

**DAVID TURNBULL  
CHIEF EXECUTIVE OFFICER**



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**1 WELCOME AND GOVERNANCE DECLARATION**

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

**2 APOLOGIES AND LEAVE OF ABSENCE****3 DISCLOSURE OF CONFLICTS OF INTEREST**

*In accordance with section 79 of the Local Government Act 1989.*

**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

*In accordance with Clause 66 of Local Law No. 4 – Meeting Procedures.*

**RECOMMENDATION**

**THAT** the Minutes of the Community Questions and Hearings Committee held 12 November 2018, as circulated, be confirmed.

**5 DEVELOPMENT AND INFRASTRUCTURE**

**5.1 PLANNING PERMIT APPLICATION PLP206/18 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AT 8 EDEN PLACE, WALLAN**

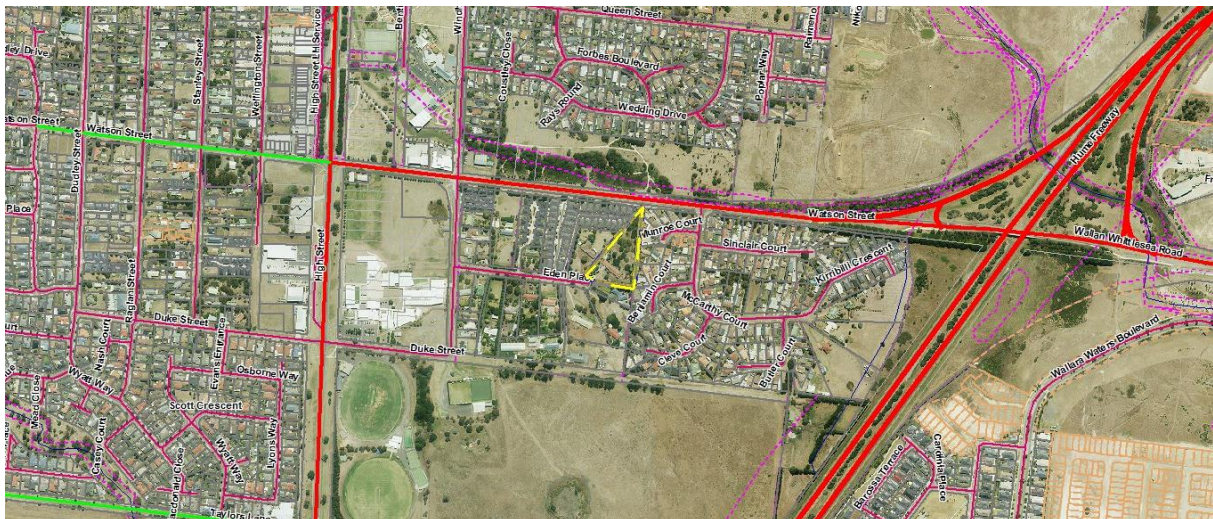
**Author:** Holly Sawyer - Senior Statutory Planner

**File No:** PLP206/18

**Attachments:** Nil

<b>Property No.:</b>	109437
<b>Title Details:</b>	Lot 8 on Plan of Subdivision 144554 Volume 09549 Folio 735
<b>Applicant:</b>	2181 Planning
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlays:</b>	Development Plan Overlay – Schedule 15
<b>Objections Received:</b>	Four objections received
<b>Cultural Heritage Management Plan Required:</b>	No, the subject site is not located within an area of Aboriginal cultural heritage sensitivity
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

**SITE MAP**



**SUMMARY**

The application is seeking approval for the development of the land for 32 double storey dwellings. The land is located within the General Residential Zone – Schedule 1 and is affected by the Development Plan Overlay – Schedule 15 of the Mitchell Planning Scheme.

PLANNING PERMIT APPLICATION PLP206/18 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AT 8 EDEN PLACE, WALLAN (CONT.)

The application was advertised by mail to adjoining landowners and occupiers, with a sign displayed fronting Eden Place. A total of four objections have been received at the time of writing this report.

## SITE AND SURROUNDS

### Subject Site Description



The subject site is located on the northern side of Eden Place, at the eastern end of the court. The land is triangular in shape, with a narrow street frontage in relation to its side and rear boundaries, with the land covering an area of 8678sqm.

The site currently contains a single dwelling and associated outbuildings located within the southern portion of the site. Access to the site is afforded via a single crossover to Eden Place.

The topography of the site undulates slightly, with the land falling towards the north to Watson Street. The site contains a number of trees throughout the property, which appear to be mostly planted.

### Surrounding Area

The subject site is located at the end of a court bowl (Eden Place) where a variety of housing types exist, including semi-detached unit development in amongst full detached single dwellings on larger, almost semi-rural style configurations.

The landscape is mostly flat, except for slight undulations, fall towards the north.

## PROPOSAL

The application seeks approval for the buildings and works to construct 32 double storey dwellings. The proposal seeks to demolish the existing dwellings and outbuildings and clear the site of vegetation.

All but two proposed dwellings will obtain vehicle access from a common property driveway, which branches into two sections from a single point of entry from Eden Place. The other two dwellings are to access Eden Place directly via a double crossover. Six visitor parking spaces are proposed, which are located along the common property driveway.

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PLANNING PERMIT APPLICATION PLP206/18 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AT 8 EDEN PLACE, WALLAN (CONT.)

Three different floor layouts have been proposed, with single car garages proposed for most dwellings but no provisions for visitor parking.

Dwelling type 1 contains open dining, kitchen and living area, bedroom 1, bathroom and garage within the ground floor and an additional three bedrooms and two bathrooms to the first floor. Notation on the floor plans for this dwelling indicate that the garage measures 5.4m in width (which is 100mm less than the double garage requirements).

Dwelling type 2 is proposed to contain an open living, dining and kitchen area, garage, bedroom and two bathrooms to the ground floor, with the first floor to contain two additional bedrooms and another bathroom. The garage dimensions indicate that the garage is intended to accommodate a single car.

Dwelling type 3 is to contain an open living, dining and kitchen area with a bathroom, study and garage to the ground floor, with two bedrooms and a bathroom to the first floor. This dwelling type has a single car garage.

The building design of dwelling types 1 and 2 are to contain a more traditional style, with modern materials. These dwellings will contain a pitched roof, with black brickwork to the ground floor and light grey/cream render to the first floor. Trims are to be dark grey or black.

Dwelling type 3 is to be of a more modern design, with a flat roof and square set shape proposed. External materials are consistent with dwelling types 1 and 2.

### **HEARING AND CONSIDERATION OF SUBMISSIONS**

Council has established the Community Questions and Hearings Committee to hear and report to Council on submissions received by Council under section 223 of the *Local Government Act 1989* and on objections and submissions received in relation to planning permit applications under the *Planning and Environment Act 1987*.

The applicant and any relevant submitters to the application have been invited to attend this meeting of the Community Questions and Hearings Committee to make a brief presentation in support of their application and submission.

### **RECOMMENDATION**

**THAT** Council officers provide a report to Council in relation to Planning Application PLP206/18 for the development of the land for multiple dwellings at 8 Eden Place, Wallan.



**5.2 PLANNING PERMIT APPLICATION P307127/12.01 FOR THE USE OF THE LAND FOR CAMPING AND USE OF EXISTING BUILDINGS FOR A HOST FARM AND FUNCTION CENTRE (AMENDMENT) AT 160 SCOTTS ROAD, TALLAROOK**

**Author:** *Holly Sawyer - Senior Statutory Planner*

**File No:** *P307127/12.01*

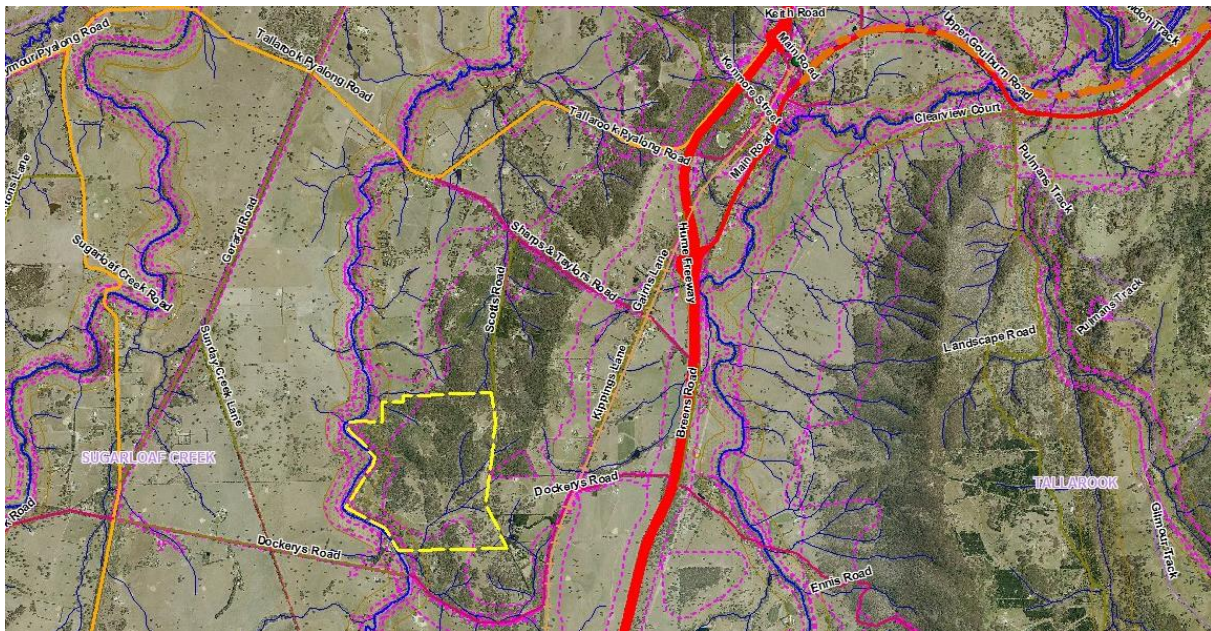
**Attachments:** *Nil*

**Reference:** *P307127/12.01*

<b>Property No.:</b>	104014
<b>Title Details:</b>	Crown Allotments 24A, 28, 28A and 28B Parish of Lowry Volume 09778 Folio 230 Crown Allotment 23 Parish of Lowry Volume 10641 Folio 326
<b>Applicant:</b>	Plan-It Rural Pty Ltd
<b>Zoning:</b>	Farming Zone
<b>Overlays:</b>	Bushfire Management Overlay Erosion Management Overlay Land Subject to Inundation Overlay Environmental Significance Overlay – Schedule 3
<b>Objections Received:</b>	Eight, at the time of this report
<b>Cultural Heritage Management Plan Required:</b>	No, the uses are located outside of the area of cultural heritage sensitivity
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION P307127/12.01 FOR THE USE OF THE LAND FOR CAMPING AND USE OF EXISTING BUILDINGS FOR A HOST FARM AND FUNCTION CENTRE (AMENDMENT) AT 160 SCOTTS ROAD, TALLAROOK (CONT.)

## SITE MAP



## SUMMARY

The application is seeking to amend planning permit P307127/12 to include the use of the land for camping and to increase the patron numbers for the host farm and function centre already approved under the permit.

The land is located within the Farming Zone and is affected by the Bushfire Management Overlay, Erosion Management Overlay, Land Subject to Inundation Overlay and the Environmental Significance Overlay – Schedule 3 of the Mitchell Planning Scheme.

The application was advertised by mail to adjoining landowners and occupiers. A total of eight objections have been received at the time of writing this report.

## SITE AND SURROUNDS

### Subject Site Description

The site is located at 160 Scotts Road Tallarook and consist of Crown Allotments 23, 24A, 28, 28A and 28B, Parish of Lowry. The site is irregular in shape, with a total site area of approximately 203ha. The site is accessed via Scotts Road, which runs in a southerly direction from Sharps and Taylors Road to Dockerys Road. Scotts Road is adjacent to the eastern boundary of the site, with the western boundary of the site abutting Sunday Creek.

The subject site is undulating in nature and is heavily vegetated, especially throughout the sloping areas of the site and along Sunday Creek. Areas predominately cleared of vegetation within the site have been utilised for pasture and are currently grazed by goats. A number of outbuildings are found on the site for the purpose of feed storage and animal shelters.

PLANNING PERMIT APPLICATION P307127/12.01 FOR THE USE OF THE LAND FOR CAMPING AND USE OF EXISTING BUILDINGS FOR A HOST FARM AND FUNCTION CENTRE (AMENDMENT) AT 160 SCOTTS ROAD, TALLAROOK (CONT.)

The site also contains two dwellings that are currently incorporated into the existing use of the land for a host farm (guest accommodation) which is conducted in association with the agricultural use of the land (goat husbandry). The site is also currently used as a function centre (such as weddings, dinners, small parties, educational events and conferences) within the larger of the existing dwellings. There are existing car parking areas around each dwelling.

### Surrounding Area

The surrounding area is found within common zoning (Farming Zone), with two pockets of Public Conservation and Resource Zone (PCRZ) found to the east and south of the site. The land within the PCRZ located immediately east of the subject site is identified as the Lowry Bushland Reserve. Sunday Creek is found running north-south and is located immediately to the west of the subject site. A number of drainage lines are found within the vicinity of the subject site and typically act as tributaries to Sunday Creek.

The surrounding area consists of a range of lot sizes, with lots to the east typically used for rural-residential purposes along Kippings Lane. Land to the west contains larger allotments that are generally used for agricultural purposes with some dwellings interspersed within the area.

The topography of the surrounding area is undulating, with vegetation across the landscape varying. To the north and south of the subject site, vegetation is quite dense, with areas of cleared land between the patches. Land along Kippings Lane and to the west of the subject site contains scattered vegetation and is generally clear of trees.

### **PROPOSAL**

The application is seeking to amend the planning permit under Section 72 of the *Planning and Environment Act 1987* to include the use of the land for camping and to increase the host farm use.

The details of the proposed camping use are as follows:

- Introduction of camping sites to support the host farm use already approved;
- Eleven unpowered campsites are proposed to be located central to the subject site, with each site containing a radius of approximately 25 metres (although there is no formal boundary for each site);
- Campsites will include firepits and purpose made cut-off oil drums, with most sites also containing picnic tables and non-potable water supplies;
- Maximum of 120 persons on site at any one time for the proposed camping use;
- Campsites are to be accessed via existing tracks associated within the existing agricultural land use;
- Campers will have the option to bring their own camping equipment or hire equipment from the permit holder (including portable toilets, generators, gas bottles, drinking water and/or firewood);
- No chainsaws are permitted to be brought onto the site by campers;

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PLANNING PERMIT APPLICATION P307127/12.01 FOR THE USE OF THE LAND FOR CAMPING AND USE OF EXISTING BUILDINGS FOR A HOST FARM AND FUNCTION CENTRE (AMENDMENT) AT 160 SCOTTS ROAD, TALLAROOK (CONT.)

- Campers will also be given the option of renting a purpose-built 'Big Tiny Home' which can be towed to the relevant campsite for the duration of the campers stay. As these are built on trailers and are non-permanent structures, they do not constitute buildings and works as part of the proposal.

The proposed changes to the planning permit in relation to increasing the function centre and host farm use are as follows:

- Amend condition 2 (which currently allows for no more than seven guests to be accommodated in the smaller dwelling/cottage and 15 guests to be accommodated in the larger dwelling/homestead at any one time) to allow for nine guests in the smaller dwelling and 20 guests to the larger dwelling. The increased numbers are proposed to be facilitated through the reconfiguration to the bedding options available within the existing structures, rather than making structural changes to the dwellings;
- Amend condition 3 (which currently allows no more than 40 patrons to attend the site for functions) to increase the maximum number of patrons to 80. The increased number is justified as a result of increased demand for outdoor settings for certain types of functions. An area of approximately 900sqm directly south of the larger dwelling is proposed to be used for the increased patrons.
- Amended condition 9 (which currently requires an area to be set aside for 12 parking spaces) to require the provision of 24 spaces in accordance with the increased patron numbers. This will be facilitated through the existing parking area which has ample space for additional car spaces.
- There are no proposed changes to the frequency of functions per annum (currently restricted at ten functions per year).

## HEARING AND CONSIDERATION OF SUBMISSIONS

Council has established the Community Questions and Hearings Committee to hear and report to Council on submissions received by Council under section 223 of the *Local Government Act 1989* and on objections and submissions received in relation to planning permit applications under the *Planning and Environment Act 1987*.

The applicant and any relevant submitters to the application have been invited to attend this meeting of the Community Questions and Hearings Committee to make a brief presentation in support of their application and submission.

## RECOMMENDATION

**THAT** Council officers provide a report to Council in relation to Planning Application P307127/12.01 for the use of the land for camping and the use of existing buildings for a host farm and function centre (amendment) at 160 Scotts Road, Tallarook.

## **6 SUBMISSIONS**

### **PUBLIC PARTICIPATION FORUM**

*In accordance with Clause 65 of the Meeting Procedure Local Law 2014.*

## **7 QUESTION TIME**

## **8 COMMUNITY PRESENTATIONS**

## **9 DATE OF NEXT MEETING**

Meetings of the Community Questions and Hearings Committee are scheduled for the second Monday of the month. If no submissions are scheduled to be heard at a particular meeting of the Committee, the meeting will be cancelled. The next meeting of the Community Questions and Hearings Committee is scheduled for 7.00pm on Monday 11 February 2019 at Mitchell Civic Centre, 113 High St, Broadford.

## **10 CLOSE OF MEETING**