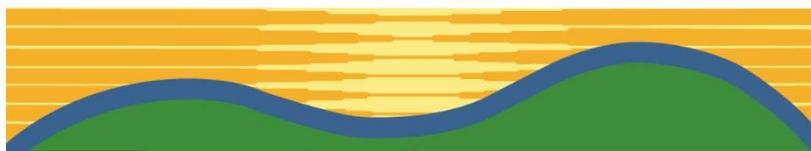


MITCHELL SHIRE COUNCIL



COMMUNITY QUESTIONS AND HEARINGS COMMITTEE

AGENDA

MONDAY 11 NOVEMBER 2019

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 11 November 2019 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 14 October 2019, as circulated, be confirmed.

5 ADVOCACY AND COMMUNITY SERVICES

5.1 TALLAROOK MECHANICS INSTITUTE KITCHEN INSTALLATION

Author: *Jo Wilson - Manager Community Strengthening*

File No: *CP/10/009-04*

Attachments: *Nil*

SUMMARY

The Tallarook Mechanics Institute (TMI) is a building of significance to the local Tallarook community. Established in 1891, the Mechanics Institute and former Free Library has been a continuous hub of community activities in Tallarook. It is located on land owned by Mitchell Shire Council (MSC), which also owns the building. The TMI is managed through a community-based Committee of Management (CoM).

On Saturday 5 May 2018, the community was devastated when a fire destroyed most of the building. Independent building surveyor and heritage advice was sought but unfortunately the building had to be demolished.

The building was insured to cover like-for-like replacement of the original structure. Significant community consultation has been undertaken to understand the needs of the community and to ensure the new building is able to honour the heritage and community value of the original site but also produce a building that can support the needs of the community now and into the future.

The community has been offered a second-hand commercial quality kitchen as a donation. The installation of the second-hand kitchen would replace the kitchen that has been designed into the re-build which is of domestic quality only. The proposed installation of the second-hand kitchen is at a domestic level only but would provide full stainless-steel benchtops and cabinetry as well as commercial quality oven, stove and rangehood.

At a community meeting on Thursday 24 October 2019, the majority of community members in attendance voted that their preference was the installation of the secondhand kitchen.

As the TMI is a Council owned building, the approval for the installation of the second-hand kitchen outside of the insurance re-build approval and contract must be sought as a resolution through Council.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to installation of a second-hand kitchen at the Tallarook Mechanics Institute.

TALLAROOK MECHANICS INSTITUTE KITCHEN INSTALLATION (CONT.)

BACKGROUND

On Saturday 5 May 2018, the TMI was destroyed by fire caused by an electrical fault. The remains of the building were demolished within days of the incident.

Whilst well-insured, recreating the building in a manner which honors its social capital and rich history but also considers a range of new opportunities has required significant community consultation. The local Member of Parliament, Jaclyn Symes, announced government funding of \$200,000 to assist the community to achieve an innovative outcome with the final design. These funds are administered through the Department of Environment, Land, Water and Planning (DELWP).

An architect was appointed to work with the community to achieve a design that best meets the needs of the community and will work flexibly into the future. The final design was outside of the like-for-like scope covered by the Council insurance policy. Therefore \$11,594.93 of additional works will be paid for out of the DELWP grant, along with the architect fees. The remaining DELWP funds will be used for audio visual enhancement as advised by Regional Arts Victoria and for building fit out.

Agreement has been reached with the insurance company and the nominated builder Bay Builders and a contract has been signed between Bay Builders and Council.

ISSUES AND DISCUSSION

The building contract has been finalised and agreed upon. The community has now been offered a donated commercial quality second-hand kitchen to be installed at the TMI. Whilst the community has agreed that the kitchen would be installed to a domestic level only, the flexibility of a stainless-steel kitchen and commercial quality appliances provides the building and CoM the opportunity to broaden the scope of activities offered from the site. Some of the suggested activities have been local start up business utilising the space, programs for disengaged youth and the ability to run functions and events.

The kitchen has been donated by a company called Vicinity and it was previously used at a commercial site at the Emporium building in the Melbourne Central Business District. The kitchen is approximately five years old and includes full stainless-steel benchtops and cabinetry, a commercial quality oven, stove and rangehood, fridges, freezers and zip boiler. The oven has been fully cleaned and converted to LPG connections.

However, the building contractor was reluctant to install a second-hand product due to issues with warranty. Agreement has been reached for the builder to install the donated kitchen, if the associated appliances are certified for installation.

There may be some associated additional costs with having to revise electrical drawings. If the insurance company will not cover these costs, this will be covered by the CoM. The DELWP funding grant cannot be used for this purpose.

CONSULTATION

Significant consultation has been undertaken with the Tallarook community since the fire in May 2018. The majority of community members who have been involved in the

TALLAROOK MECHANICS INSTITUTE KITCHEN INSTALLATION (CONT.)

re-build process have advised that their preference is to have the second-hand kitchen installed.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The TMI re-build is covered through the Mitchell Shire insurance policy. Additional value-added out of scope items have been funded through a DELWP grant. The insurance has advised that there will be no discount for not using the domestic assigned kitchen.

Any additional costs that may be associated with the installation of a second-hand kitchen if approved by Council will be borne by the CoM. The DELWP grant cannot be used for this purpose.

Ongoing replacement of any items such as appliances would be at the cost of Council as per the maintenance and upkeep of Council assets.

POLICY AND LEGISLATIVE IMPLICATIONS

Nil

RISK IMPLICATIONS

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Builder will not install a second-hand product	High	CoM will undertake installation at their cost with a certified builder	CoM resources
Secondhand appliances fail	Medium	All appliances will be certified prior to installation. Any subsequent failure and replacement costs would be covered by MSC as per asset management process	Yes

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The installation of a commercial quality kitchen within the TMI will offer the local community the opportunity to broaden its activities available on site and increase

TALLAROOK MECHANICS INSTITUTE KITCHEN INSTALLATION (CONT.)

partnerships with social enterprises therefore increasing social sustainability in the local area.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

Nil

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

The Tallarook community has worked collaboratively with Mitchell Shire Council on the re-build process for the TMI. Significant negotiations and collaboration have occurred in partnership with the insurance company and appointed contractors Bay Builders.

The CoM has received a generous donation of a second-hand kitchen for installation at the TMI, that will broaden the scope of activities that can be offered from the site. It has been agreed that if approved, the installation of the commercial quality kitchen and appliances will be installed to domestic level only.

As the TMI is a Council owned asset, approval is sought from Council for the installation of a second-hand product into the new build.

Due to the significant commitment of members of the CoM and the broader community and the level of research undertaken to ensure the appropriateness of the kitchen that is on offer, it is recommended that Council approve the installation of the second-hand kitchen.

6 DEVELOPMENT AND INFRASTRUCTURE

6.1 WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4)

Author: *Paul Bezemer - Senior Strategic Planner*

File No: *PL/13/075*

Attachments: 1. *Development Plan Completed*
2. *Submissions*

SUMMARY

In accordance with Clause 43.04 (Development Plan Overlay – Schedule 4 “Wallan”) of the *Mitchell Planning Scheme*, an application for a Development Plan approval has been submitted by Reeds Consulting on behalf of the landowner.

The Development Plan Overlay requires the approval of a Development Plan prior the issue of any planning permits for the subdivision of land at 40 Macsfield Road in Wallan.

Whilst no statutory public exhibition of the Development Plan is required, notification was provided to relevant agencies and surrounding landowners with the prepared Development Plan being placed on public exhibition between 8 July 2019 and 5 August 2019. In response to this notification, a total of fourteen (14) submissions were received (Attachment 2). Most of the submissions relate to the proposed drainage strategy and the restoration of Hernes Swamp which is a matter of significance for the Northern Growth Corridor.

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RECOMMENDATION

THAT Council officers provide a report to Council in relation to Wallara Waters Phase 2 Development Plan (DPO4).

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

BACKGROUND

Subject Site and Surrounding Land

The Wallara Waters Estate has a total site area of over 200 hectares. The site abuts the Hume Freeway to the west, the Hadfield Road reservation to the south (unconstructed future arterial road), the Wallan Wastewater Treatment Plant and Newbridge Estate to the east and Wallan-Whittlesea Road to the north.

The site is located within the Urban Growth Boundary and the North Growth Corridor Plan designates this land as Existing Urban to reflect the site being in the Mixed-Use Zone (MUZ). The abutting land to the south is within the future Precinct Structure Plan area of Beveridge North East and the land on the eastern side of the railway line is identified as an investigation area for the future Beveridge Intermodal Freight Terminal.

Relevant Planning History

The Wallara Waters Estate has had an extensive planning history. This Estate is one of the largest individual developments in Wallan and will play an important role in providing supply to accommodate the growing housing needs of the township. The information below is a high-level summary of the planning history of Wallan East and should be read in conjunction with *Figure 1*:

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

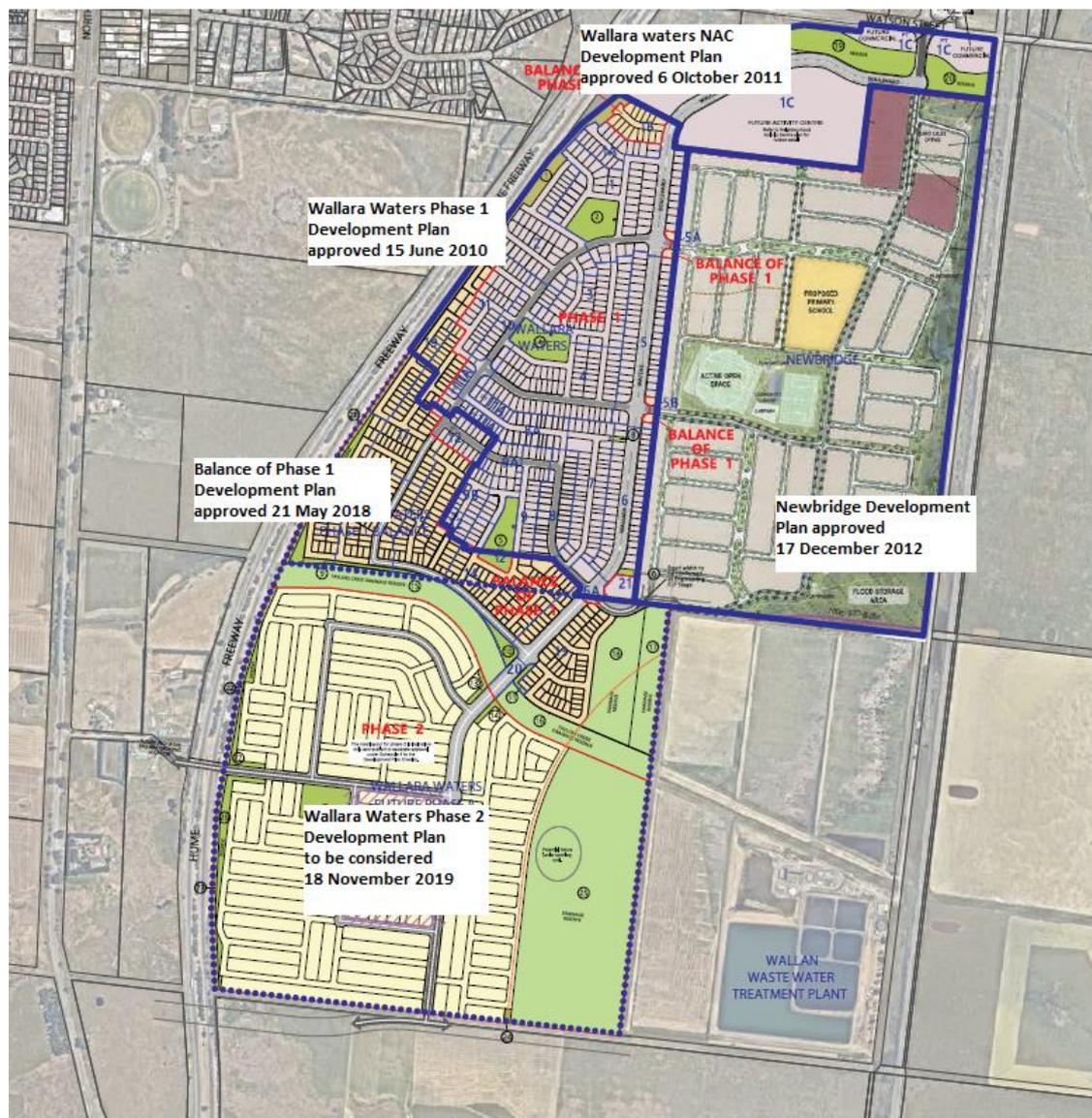


Figure 1: Wallan East Planning Context

- The land referred to as the Wallara Waters Estate was rezoned to the Mixed-Use Zone prior to the introduction of the new format planning schemes across Victoria in 1997.
- The Development Plan Overlay was also applied to the Wallara Waters Estate. The requirements for a development plan application have remained largely unchanged since the introduction of the new format planning scheme.
- The development plan for “Phase 1” was approved on 15 June 2010, identifying the development of 600 residential lots.
- The activity centre development was approved on 6 October 2011, that will allow for future commercial uses and provide for community uses, including a medical centre and childcare centre.
- The “Balance of Phase 1” development plan was approved on 21st May 2018, allowing an additional 365 residential lots to be developed.

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

- At full development, the Wallara Waters Estate will accommodate close to 2,000 residential allotments and have an estimated population of over 6,000 people.
- Combined with the Newbridge development to the east, the Wallan East area could accommodate in the order of 3,000 lots with a total population of approximately 9,000 people.
- The future Wallan East PSP and developments around Station Street will further boost numbers to approximately 5,000 houses and 15,000 residents east of the Hume Freeway, once all land has been developed.

Proposed Development Plan

The proposed Development Plan (Attachment 1) will provide a master planned subdivision that will facilitate the development of land to accommodate approximately 1080 residential lots.

The Phase 2 land comprises a total area of 90.13 hectares which will provide for the following:

- 68.96 hectares of net developable land (for residential purposes) which will accommodate 1080 residential allotments at a dwelling density of 15.6 lots per hectare (average lots size of 430 square metres).
- 17.70 hectares of land is set aside for drainage services including Taylors Creek which is a tributary to the Merri Creek.
- 3.5 hectares reserved for a future Primary School and 1.0 hectare reserved for a Community Facility.
- 2.48 hectares of unencumbered reserves.

The proposed Development Plan includes a planning assessment report and the following background technical documents:

- Traffic Impact Assessment, GTA Consultants, 3 June 2019
- Traffic Noise Assessment, MarshallDay, 30 May 2019
- Landscape Master plan, Group GSA, 19 November 2018
- Biodiversity Assessment, Ecolink Consulting, September 2018
- Community Infrastructure Assessment, ASR Research, January 2018

CONSULTATION**Exhibition of Development Plan DPO4 – Wallara Waters Phase 2**

In accordance with the *Planning and Environment Act 1987* and the *Mitchell Planning Scheme*, there was no requirement to formally exhibit the Development Plan documentation and consider submissions.

However, it was determined by officers to notify surrounding landowners of the proposed Development Plan, along with the relevant agencies and stakeholders. A process of non-statutory public notice of the proposed Development Plan was undertaken. The Development Plan was placed on formal exhibition from 8 July

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

2019, until 5 August 2019 in accordance with the *Mitchell Shire Community Framework 2014*. Exhibition comprised:

- Direct notification of relevant referral agencies and adjoining landowners (20).
- Advertisement in the North Central Review (9 July 2019).
- Public Notice on site (8 July 2019).
- Electronic copies of the documentation were made available on Council's website.
- Hard copies of the documentation were made available at the Wallan Planning and Building Office.

Submission Review

A total of fourteen (14) submissions were received. Seven (7) submissions from agencies, six (6) submissions are from groups interested in the future restoration of Hernes Swamp and one (1) submission from the landowner south of Hadfield Road.

ISSUES AND DISCUSSION

Drainage and Hernes Swamp Restoration

On 18 December 2009, Melbourne Water approved the overall drainage scheme (# 6530 Wallan Airfield Strategy) which outlined floodplain modifications for Wallan Creek and Taylors Creek. This strategy informed the drainage works associated with the existing development for Wallara Waters Phase 1 and the Balance of Phase 1, which have been designed and constructed. The exhibited drainage plan for the Phase 2 development was also based on this strategy.

The exhibited strategy relied on deepening of the outfall waterway channel (Taylors Creek) to create a higher capacity outflow towards the railway line and eventually into the Merri Creek.

Through submissions to this development plan, the Nature Glenelg Trust, Friends of Wallan Creek, Wallan Environment Group, the Merri Creek Management Committee and Yarra Valley Water have commented on the exhibited drainage strategy. The submissions were concerned about the environmental impacts on both the restoration of Hernes Swamp and Merri Creek that could result as a consequence of the drainage strategy.

Council officers have met with the developer, consultants, Melbourne Water and Yarra Valley Water to discuss this issue.

The requirements for the development plan as listed in the DPO4 schedule are that the development plan must show:

- Road reservations, widths and alignments.
- The number and size of allotments to be created.
- The nature and use of all lots.
- A comprehensive landscape plan.

The Development Plan does not need to have a detailed drainage plan, determining the outfall levels at the exact height and location, which have caused the submitters to respond.

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

Melbourne Water has commenced working on a hydraulic study in September 2019 for the broader catchments in the Wallan area (which currently comprises six (6) separate drainage strategies). This study will lead to a Development Services Scheme, which will inform the final drainage plan for this Development Plan, future Precinct Structure Plans being Wallan South and Wallan East as well as the Wallan Regional Park study undertaken by DELWP.

The 17.7 hectares designated for a drainage reserve as shown on the proposed Development Plan has been deemed adequate to provide for a sufficient drainage solution by Melbourne Water.

The specific drainage solution of either deepening the outfall and creating new wetlands or through a more swamp-like approach will need to be resolved as part of a future planning permit application.

The Development Plan for Phase 2 can be approved without a detailed drainage strategy for this development. More work will be undertaken with the relevant agencies to ensure an outcome is achieved that can work from both a drainage and environmental perspective.

Whilst acknowledging this specific development is not responsible for all drainage matters within the Taylors Creek catchment, it is considered appropriate that this development plan can be approved on the understanding that a broader and more strategic response is underway from Melbourne Water in relation to the water planning for the entire catchment.

“Southern Access Link” / Macsfield Road Bridge

Through this development, it is proposed to construct a “Southern Access Link” which is a two-lane connector road that will be in the general vicinity of the existing Macsfield Road alignment that provides for the construction of a bridge across the Hume Freeway and construction of a new intersection at the Northern Highway / Macsfield Road.

The landowner, VicRoads and Council entered into an agreement in August 2017 (Section 173 AQ622691) requiring the owner to construct and complete the Southern Access Link, at their own cost (currently estimated at \$16,000,000), to the satisfaction of VicRoads prior to the issue of a Statement of Compliance for the 871st residential lot within Wallara Waters. This agreement also imposed construction timeframes being:

- a) Construction of the Southern Access Link commences by 1 November 2024; and
- b) Construction of the Southern Access Link is completed to the satisfaction of VicRoads by 1 November 2026.

There is existing planning permission within the Wallara Waters Estate to deliver 965 residential lots through the Phase 1 and Balance of Phase 1 areas that will trigger the requirement for the Southern Access Link to be delivered. Approval of the Phase 2 Development Plan will enable the developer to proceed with detailed design and construction of the Macsfield Road bridge.

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

The Traffic Impact Assessment Report (TIAR) submitted with the proposal anticipates an additional 505 / 591 peak hour vehicle movements (AM and PM peak hour) and an additional 6,337 daily vehicle movements will be generated as a result of the additional residential allotments. The TIAR identifies that there is adequate capacity in the road network, including the Macsfield Road connection, to accommodate the additional traffic to be generated.

The proposed Development Plan will provide the following key road links:

- Macsfield Road and Macsfield Road bridge, connecting the Northern Highway with Wallara Waters Boulevard.
- The extension of the Wallara Waters Boulevard to the future Hadfield Road alignment to the south.

Hadfield Road will be a future east-west arterial road with the alignment forming the southern boundary of the Wallara Waters Estate. No concept plans or delivery timeframes have been identified at this stage. The delivery of this road would be the responsibility of Regional Roads Victoria and the North Growth Corridor Plan identifies this road as being included within the Principal Road Network.

Potential Primary School and Community Centre

The Development Plan shows a Potential Community node, including an option for a 3.5-hectare future government primary school site, if required by the Department of Education and Training. The Victorian School Building Authority (VSBA) has submitted to this development plan, expressing an interest in locating a future primary school on this site. There will be future discussion between the proponent, the VSBA and Council about the potential delivery of this school.

The Development Plan shows a potential option for a future Community Facility required by Council of approximately 1.0 ha. Council's Community Services Department has expressed an interest in this site. Negotiations on acquiring the land for this purpose are ongoing as provision of this land to Council is not covered by an existing Section 173 Agreement.

Open Space and Community Infrastructure Levy

Prior to development commencing in the Wallara Waters Estate, an agreement was entered into by the landowner and Council on 9 October 2009, pursuant to section 173 of the *Planning and Environment Act 1987* (Section 173 AG804301F). This agreement, amongst other things, identified agreed development contributions towards open space and community infrastructure. The agreed contributions are as follows:

- Provision of public open space will equate to 8% of the total area of land and in accordance with an open space plan prepared in 2008.
- The agreement also outlines that encumbered open space must have only half its actual land area calculated to the total open space area.

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

- Community Development Levy of \$500 per residential lot.

Within the existing S173 Agreement it states that “*any Public Open Space which is Encumbered Public Open Space must have only half of its actual land area attributed to the calculation of the total Public Open Space required to be provided under this Agreement.* Although this approach would not be accepted by today’s standards, this development plan applies the open space required as per the existing agreement. The applicant does not propose to amend the existing agreement and arrangements in place for the delivery of public open space.

With regard to the spatial distribution of open space, the majority of residential allotments will be within 400 metres walking distance of an open space reserve.

There is also the opportunity to connect the wetlands, creek corridor and landscape interface with the noise attenuation wall via an off-road link that can be constructed as part of the landscaping works in these areas. This will encourage residents to actively use the open space areas within the development.

The additional 1080 residential allotments proposed in the Phase 2 Development Plan area would result in the collection of \$540,000 for community infrastructure (\$500 per lot). This could be used towards acquisition of the land for a future Community Facility mentioned above.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Population growth will create an additional demand for services, which Council provides. As the population of Wallan continues to grow, it is vital that Council plan for service provision accordingly.

Financial contributions will be collected through the Community Development Levy in accordance with the existing section 173 Agreement (AG804301F) entered into on 9 October 2009. The contributions to be collected for community infrastructure from Phase 2 will be \$540,000 and could be used towards the provision of the Community Centre as discussed in the Issues and Discussion section of this report.

POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan

The proposed Development Plan is generally consistent with the strategic objective of responsible planning and the following key strategies within the Council Plan 2017-2021:

Strategic Objective: *To demand best practice outcomes when planning for future growth.*

Key Strategies:

3.1 – Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.

3.2 – Plan for a diversity of housing and households.

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

State Planning Policy Framework

The following Clauses within the State Planning Policy Framework (SPPF) are considered relevant to this proposal:

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 19 - Infrastructure

The proposed Development Plan is consistent with the relevant SPPF and will deliver on the State's vision to encourage population growth as identified in *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* and will facilitate additional residential development close to public transport networks.

Local Planning Policy Framework

The following Clauses within the State Planning Policy Framework (SPPF) are considered relevant to this proposal:

- Clause 21.02 - Settlement
- Clause 21.06 – Built Environment and Heritage
- Clause 21.07 – Housing
- Clause 21.10 – Infrastructure
- Clause 21.11-9 - Wallan

The proposed Development Plan is consistent with the relevant LPPF and the Wallan Structure Plan. The residential development provides a diversity of housing types which will be within close proximity to existing / future services, open space and public transport linkages.

Mixed Use Zone

The subject site is located within the Mixed-Use Zone and the purpose of this includes (but is not excluded to) the following:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.

The proposed Development Plan is consistent with the intent of the Mixed-Use Zone. The proposed subdivision density is consistent with the existing residential

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

development being delivered in Wallara Waters (within the Phase 1 area) and will deliver a similar product to the emerging character of the area.

Overlays

- Development Plan Overlay – Schedule 4 (Wallan) applies to the entire site.
- Vegetation Protection Overlay – Schedule 2 (Freeway Environs Protection) – applies to land approximately 100m either side of the Hume Freeway. The proposed Development Plan includes an encumbered open space reserve along the length of the Hume Freeway which enables vegetation planting and a pedestrian and cycle network which is considered consistent with the objectives of this overlay.
- Floodway Overlay – applies to Taylors Creek with approximately 40m of land either side of Taylors Creek. Land Subject to Inundation Overlay – applies to a large extent of the eastern portion of the site. The drainage strategy will need to identify measures to address flood mitigation and water quality treatment to the satisfaction of Melbourne Water and Council prior to development commencing in the Phase 2 area.

Particular Provisions (Clause 56)

The Development Plan Overlay requires that residential subdivision in the Mixed-Use Zone must meet the requirements of Clause 56 as specified in the zone. A detailed assessment of the proposed Development Plan against the requirements within Clause 56 will be undertaken as part of a future planning permit application.

The proposed Development Plan was submitted with a planning report that included an assessment against Clause 56. The information submitted is considered sufficient to demonstrate the ability for future planning permit applications to be assessed against the requirements of Clause 56 and that the proposed Development Plan generally meets the relevant objectives.

RISK IMPLICATIONS

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Environment – Environmental/flooding implications	Moderate	Allows Melbourne Water to undertake a strategic hydraulic study for the full catchment, which will inform not only the Wallara Waters area but also Wallan South and Wallan East PSPs.	Yes

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The proposed residential development cannot occur without first obtaining a planning permit. The planning permit application will be required to consider the detailed

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4) (CONT.)

nature of key environmental matters and drainage requirements prior to any future subdivision permits.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The provision of a primary school and community centre within this development plan will greatly benefit the children and young people within the full Wallan East community.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

In accordance with the requirements at Schedule 4 of the Development Plan Overlay within the *Mitchell Planning Scheme*, Development Plan approval has been requested to facilitate the future residential subdivision of the land at 40 Macsfield Road in Wallan

As part of the Development Plan assessment process, non-statutory notification was provided to agencies and surrounding landowners which included an exhibition period between 6 July and 5 August 2019. In total fourteen (14) submissions were received by Council.

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

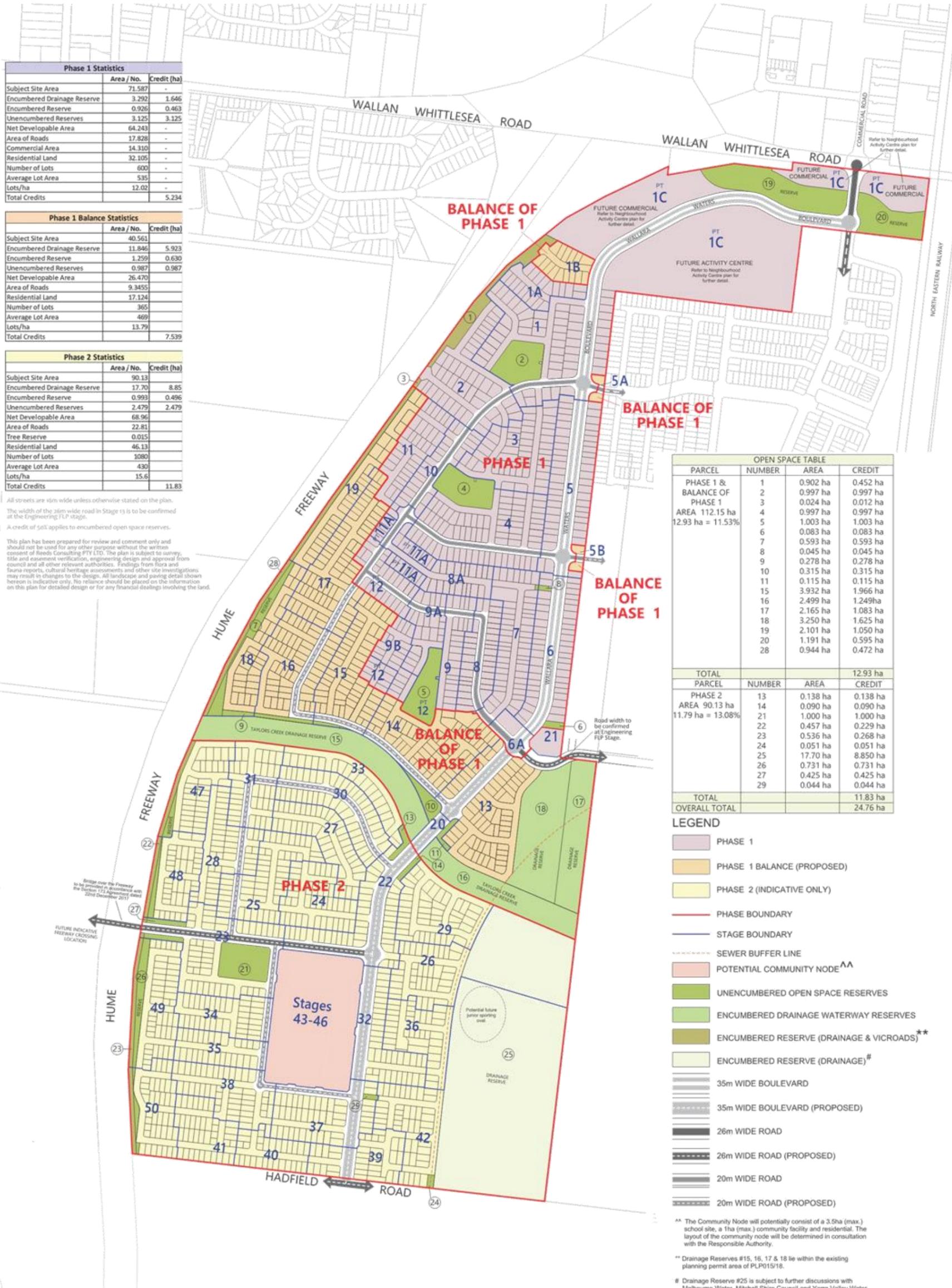
11 NOVEMBER 2019

6.1

WALLARA WATERS PHASE 2 DEVELOPMENT PLAN (DPO4)

Attachment No: 1

Development Plan Completed



Phase 1 Statistics		
	Area / No.	Credit (ha)
Subject Site Area	71.587	-
Encumbered Drainage Reserve	3.292	1.646
Encumbered Reserve	0.926	0.463
Unencumbered Reserves	3.125	3.125
Net Developable Area	64.243	-
Area of Roads	17.828	-
Commercial Area	14.310	-
Residential Land	32.105	-
Number of Lots	600	-
Average Lot Area	535	-
Lots/ha	12.02	-
Total Credits		5.234

Phase 1 Balance Statistics		
	Area / No.	Credit (ha)
Subject Site Area	40.561	-
Encumbered Drainage Reserve	11.846	5.923
Encumbered Reserve	1.259	0.630
Unencumbered Reserves	0.987	0.987
Net Developable Area	26.470	-
Area of Roads	9.3455	-
Residential Land	17.124	-
Number of Lots	365	-
Average Lot Area	469	-
Lots/ha	13.79	-
Total Credits		7.539

Phase 2 Statistics		
	Area / No.	Credit (ha)
Subject Site Area	90.13	-
Encumbered Drainage Reserve	17.70	8.85
Encumbered Reserve	0.993	0.496
Unencumbered Reserves	2.479	2.479
Net Developable Area	68.96	-
Area of Roads	22.81	-
Tree Reserve	0.015	-
Residential Land	46.13	-
Number of Lots	1080	-
Average Lot Area	430	-
Lots/ha	15.6	-
Total Credits		11.83

All streets are 40m wide unless otherwise stated on the plan.
 The width of the 26m wide road in Stage 13 is to be confirmed at the Engineering FLP stage.
 A credit of 56% applies to encumbered open space reserves.
 This plan has been prepared for review and comment only and should not be used for any other purpose without the written consent of Reeds Consulting Pty Ltd. The plan is subject to survey, title and easement verification, engineering design and approval from council and all other relevant authorities. Findings from flora and fauna reports, cultural heritage assessments and other site investigations may result in changes to the design. All landscape and paving detail shown hereon is indicative only. No reliance should be placed on the information on this plan for detailed design or for any financial dealings involving the land.

OPEN SPACE TABLE			
PARCEL	NUMBER	AREA	CREDIT
PHASE 1 & BALANCE OF PHASE 1	1	0.902 ha	0.452 ha
	2	0.997 ha	0.997 ha
	3	0.024 ha	0.012 ha
AREA 112.15 ha	4	0.997 ha	0.997 ha
12.93 ha = 11.53%	5	1.003 ha	1.003 ha
	6	0.083 ha	0.083 ha
	7	0.593 ha	0.593 ha
	8	0.045 ha	0.045 ha
	9	0.278 ha	0.278 ha
	10	0.315 ha	0.315 ha
	11	0.115 ha	0.115 ha
	15	3.932 ha	1.966 ha
	16	2.499 ha	1.249 ha
	17	2.165 ha	1.083 ha
	18	3.250 ha	1.625 ha
	19	2.101 ha	1.050 ha
	20	1.191 ha	0.595 ha
	28	0.944 ha	0.472 ha
TOTAL			12.93 ha

PARCEL	NUMBER	AREA	CREDIT
PHASE 2	13	0.138 ha	0.138 ha
AREA 90.13 ha	14	0.090 ha	0.090 ha
11.79 ha = 13.08%	21	1.000 ha	1.000 ha
	22	0.457 ha	0.229 ha
	23	0.536 ha	0.268 ha
	24	0.051 ha	0.051 ha
	25	17.70 ha	8.850 ha
	26	0.731 ha	0.731 ha
	27	0.425 ha	0.425 ha
	29	0.044 ha	0.044 ha
TOTAL			11.83 ha
OVERALL TOTAL			24.76 ha

- LEGEND**
- PHASE 1
 - PHASE 1 BALANCE (PROPOSED)
 - PHASE 2 (INDICATIVE ONLY)
 - PHASE BOUNDARY
 - STAGE BOUNDARY
 - SEWER BUFFER LINE
 - POTENTIAL COMMUNITY NODE^{AA}
 - UNENCUMBERED OPEN SPACE RESERVES
 - ENCUMBERED DRAINAGE WATERWAY RESERVES
 - ENCUMBERED RESERVE (DRAINAGE & VICROADS)^{**}
 - ENCUMBERED RESERVE (DRAINAGE)[#]
 - 35m WIDE BOULEVARD
 - 35m WIDE BOULEVARD (PROPOSED)
 - 26m WIDE ROAD
 - 26m WIDE ROAD (PROPOSED)
 - 20m WIDE ROAD
 - 20m WIDE ROAD (PROPOSED)

^{AA} The Community Node will potentially consist of a 3.5ha (max.) school site, a 1ha (max.) community facility and residential. The layout of the community node will be determined in consultation with the Responsible Authority.
^{**} Drainage Reserves #15, 16, 17 & 18 lie within the existing planning permit area of PLP015/18.
[#] Drainage Reserve #25 is subject to further discussions with Melbourne Water, Mitchell Shire Council and Yarra Valley Water in terms of the design of the reserve.

OVERALL DEVELOPMENT PLAN
 WALLARA WATERS ESTATE, WALLAN

SCALE 1:4000 SHEET A1
 REF 20569/ODP VERSION P DATE 21/10/19
 G:\20569\ODP\Current\Dev Plans from 06-09\Overall Development Plan\ODP\A1.dgn

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MITCHELL SHIRE COUNCIL

**Community Questions and Hearings Committee
Meeting Attachment**

DEVELOPMENT AND INFRASTRUCTURE

11 NOVEMBER 2019

6.1

**WALLARA WATERS PHASE 2 DEVELOPMENT
PLAN (DPO4)**

Attachment No: 2

Submissions

Attachment: Submission Summary Table – DPO4 Wallara Waters

#	Submitter	Summary	Officer Response	Status
1	Melbourne Water (MW)	<p>Prior to commencement of works, in the interim it is expected that upstream properties conduct an ecological study to determine the flow regime and its impacts caused by the development.</p> <p>Requirements for the herbaceous wetland i.e. water depth, quality, frequencies of dry and wet phase.</p> <p>Developer is to negotiate with downstream landowners to obtain a free draining outfall through their property.</p> <p>Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of the overland flows.</p>	No action from Council required at this point in time.	Consent with conditions for a future planning permit.
2	Department of Transport (DoT)	<p>Subdivision stages containing bus stops must be referred to DoT.</p> <p>Location of the bus stops should be noted on the subdivision plan.</p>	No action from Council required at this point in time.	Consent with conditions for a future planning permit.
3	Yarra Valley Water (YVW) <i>05 August 2019</i>	<p>The landowners must enter into an agreement with Yarra Valley Water.</p> <p>Sewer buffer must be maintained between Wastewater Treatment Plant.</p>	No action from Council required at this point in time	Consent with conditions for a future planning permit.

#	Submitter	Summary	Officer Response	Status
4	EPA	<p>Construction and post-construction activities must be in accordance with EPA Construction Techniques for Sediment Pollution Control.</p> <p>Supports the nominated 700m buffer distance between the wastewater treatment plant and the development.</p> <p>Supporters the sound barrier requirements to block noise from the Hume Freeway.</p>	No action from Council required at this point in time.	Consent with conditions for a future planning permit.
5	Nature Glenelg Trust	<p>DP is contrary to Planning Scheme Provisions and Strategies.</p> <p>Would like drainage strategy to be reworked as it has no consideration for the current Hernes Swamp footprint.</p> <p>Key design problems: Eastern drainage reserve of Phase 2 is within the former footprint of Hernes Swamp and this area is still prone to inundation after heavy rainfall. Therefore, as the drainage plans interfere with the natural topography, the surface of the natural wetland and its functioning will be disrupted.</p> <p>Proposed infill areas of Phase 2: the finished surface level of these reclaimed areas will be problematic for future drainage management. This will lead to knock-on effects: capacity pressure on Taylors Creek, will reduce the potential options in terms of restoration efforts.</p> <p>Alternative solution:</p>	<p>It is proposed to not endorse the current drainage strategy proposal. MW and YVW have stated that enough land has been set aside to provide a drainage solution. The detailed design can be subject to further discussion.</p> <p>MW will undertake hydrology study of the full catchment area which form the basis for any future works.</p>	Resolved.

#	Submitter	Summary	Officer Response	Status
		<p>Stormwater from the Phase 2 development to be discharged in the Phase 2 eastern drainage reserve at natural surface level and allowed to inundate across this site and adjacent Yarra Valley land earmarked for wetland restoration.</p> <p>Would like DP on hold or at least for Council to not approve the drainage plans to enable enough revisions.</p>		
6	Friends of Wallan Creek	<p>Requests for DP to be put on hold until feasibility study for a Southern Regional Park is completed (with State Government budget).</p> <p>Allowing Phase 2 to go ahead beforehand will put at risk the possibility for this major environmental and social asset to the established.</p>	<p>Land set aside for drainage is sufficient to be able to provide a solution.</p> <p>Feasibility study completion is still years away. Land already rezoned for mixed use purposes is ready to be developed.</p>	Resolved.
7	Wallan Environment Group	<p>Request drainage works to be postponed until feasibility study for the Southern Regional Park takes place. The Phase 2 area is suitable for proposed wetland restoration. Significant flora and fauna sightings at the site that would be affected.</p> <p>The wetlands' natural functioning cannot happen if Taylors Creek is deepened. Quick drainage equals no ecological benefit.</p>	It is recommended that the drainage strategy will not be approved now.	Resolved.

#	Submitter	Summary	Officer Response	Status
8	Claudia and David James	Same as objection 6 – refer to above comments.	It is recommended that the drainage strategy will not be approved now.	Resolved.
9	Akron Property Group Developer of Deloraine Farm, 500 Old Hume Highway	Stormwater outflows onto Akron site in an unregulated / unmanaged manner. Suggest drainage outflows should be managed via the Taylors Creek reserve. Objects to Hadfield Road alignment being located outside of the Hadfield Road reserve, in particular within land owned by Akron. No reason for deviation in road reserve. DP does not reflect long established road connection of north south arterial road between Wallara Waters and Akron site. DP is proposing a T intersection only.	It is recommended that the drainage strategy will not be approved now. Hadfield Road alignment will not be decided through this DP and is removed from the final version. However, initial discussion with VicRoads confirms the preference of having the full road and batter within 1 landholding which will extend over existing road reservation. Intersection into Akron site is not part of this DP and will not be shown on the DP map.	Resolved.
10	Merri Creek Management Committee (MCMC)	Potential for Swamp to be restored is compromised by Drainage Strategy. Lowering of level of Taylors Creek and the level of the discharge point is not compatible with the restoration of Hernes Swamp. Risk of soil erosion and sediment pollution is not addressed.	It is recommended that the drainage strategy will not be approved now.	Resolved.

#	Submitter	Summary	Officer Response	Status
		<p>No inclusion of management of bulk earthworks and management of erosion and sediment pollution risk in DP.</p> <p>Suggestions: Drainage Strategy be reviewed and revised to retain potential to restore Hernes Swamp. Soils investigation should be undertaken to identify risk of highly erosive dispersive soils. Development Plan should include section on bulk earthworks.</p>		
11	YVW – Property Manager 200 South Station Street.	<p>Owner of Wallan Wastewater Treatment Plant. Deepening of Taylors Creek will limit restoration ability of Hernes Swamp.</p> <p>YVW are working with developers in area as a project partner to consider the drainage options available for Hernes Swamp.</p> <p>Alternative options currently being considered as part of Wallan Restorative Project and Upper Merri Creek Integrated Water Management Plan Pilot.</p>	It is recommended that the drainage strategy will not be approved now.	Resolved.
12	BEAM	<p>BEAM supports the Nature Glenelg Trusts proposal to revisit the drainage plans for Phase 2 and seek the full plan to be put on hold, or at least not approve the drainage plans, and for Mitchell Shire to play an active role in facilitating development in and around Hernes Swamp that is consistent with the wetland restoration plan.</p>	It is recommended that the drainage strategy will not be approved now.	Resolved.

#	Submitter	Summary	Officer Response	Status
13	Department of Environment Land, Water, Planning (DELWP)	Remediation of revegetation works should be done with indigenous species of local provenance. Standard best practise should be implemented to minimise the spread of weeds and soil pathogens through movement of soil on and offsite.	Changes to the species list in the Landscape Masterplan have been made. The best practise comment will be applied at the later, subdivision stage.	Resolved.
14	Victorian School Building Authority (VSBA)	VSBA is seeking to identify a suitable location for a potential future government primary school east of the Hume Freeway at Wallan to cater for anticipated future demand. State Government policy now requires any identified primary school site to also include provision for a kindergarten on, or adjacent to, the site.	Council is excited to hear the interest in a potential future school site and Officers will work with the VSBA in further resolving any remaining issues.	Resolved and will be further discussed with the VSBA and the developer.

6.2 PLANNING PERMIT APPLICATION PLP047/19 FOR THE DEVELOPMENT OF THE LAND FOR A FOOD AND DRINK PREMISES (FOOD VANS), DEMOLITION WITHIN THE HERITAGE OVERLAY, SALE AND CONSUMPTION OF LIQUOR, ALTERATION OF ACCESS TO A ROAD ZONE – CATEGORY 1 AND REDUCTION OF CAR PARKING REQUIREMENTS AT 33-37 SYDNEY STREET KILMORE

Author: Holly Sawyer - Senior Statutory Planner

File No: PLP047/19

Attachments: Nil

Property No.:	106613, 118311
Title Details:	Lot 1 on Title Plan 014176V Volume 10450 Folio 955, Land in Plan of Consolidation 351319U Volume 10015 Folio 075
Applicant:	Plan Urban Pty Ltd
Zoning:	Commercial 1 Zone
Overlays:	Heritage Overlay (HO99), Design and Development Overlay – Schedule 4
Objections Received:	17 objections received
Cultural Heritage Management Plan Required:	Not required
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP047/19 FOR THE DEVELOPMENT OF THE LAND FOR A FOOD AND DRINK PREMISES (FOOD VANS), DEMOLITION WITHIN THE HERITAGE OVERLAY, SALE AND CONSUMPTION OF LIQUOR, ALTERATION OF ACCESS TO A ROAD ZONE – CATEGORY 1 AND REDUCTION OF CAR PARKING REQUIREMENTS AT 33-37 SYDNEY STREET KILMORE (CONT.)

SUMMARY

The application is seeking approval for the development of the land for a food and drink premises (food vans), demolition within the heritage overlay, sale and consumption of liquor, alteration of access to a Road Zone – Category 1 and reduction of car parking requirements. The land is located within the Commercial 1 Zone and is affected by the Heritage Overlay (HO99) and Design and Development Overlay – Schedule 4 of the Mitchell Planning Scheme.

The application was advertised via letters to adjoining landowners and occupiers and a sign was displayed on the property. A total of 17 objections have been received at the time of writing this report.

SITE AND SURROUNDS

Subject Site Description

The subject site is located on the western side of Sydney Street and consists of two title lots. The site contains 33 Sydney Street (Land in Plan of Consolidation 351319U) and 37 Sydney Street (Lot 1 on Title Plan 014176V), with both lots containing existing buildings.

33 Sydney Street currently contains a commercial building with a number of tenancies fronting Sydney Street (some currently vacant). 33 Sydney Street contains a land area of 3,165 sqm, with four shipping containers also located within the rear of the site. With existing vehicle access located on Sydney Street, this part of the site currently contains 12 car parking spaces within the front setback of the existing building.

37 Sydney Street is the smaller of the two parcels, with a land area of approximately 644sqm. 37 Sydney Street currently contains an existing food van fronting Sydney Street and a structure to the rear of the van. This structure previously formed the rear of a two-storey shop that was demolished due to unsafe structural integrity. The remaining building was retained as it was deemed structurally sound at the time. The Mitchell Shire Heritage Citations 2013 provide the following description of 37 Sydney Street (pg. 204-205):

This building was known as 'Commercial House'. The 1982 Heritage Study states that this building, erected for John Bruce, was one of a pair. The southern half was demolished around 1917. The northern building was erected by Bruce's brother-in-law, Donald McGregor, and is the extant building at 37 Sydney Street. Some tenants of this building included in the late 1850s Donald McGregor, jeweller and watchmaker, Leonard Stimson, grocer, in the mid-1860s; Terence Joseph Geoghegan, draper, in the 1870s; Alfred McKenzie Luckie, draper, to the late 1890s; Margaret Tuckwell's Coffee Palace from 1903 to 1912; William Crilley, saddler from 1913 to 1936; and later, McLean's pie shop.

PLANNING PERMIT APPLICATION PLP047/19 FOR THE DEVELOPMENT OF THE LAND FOR A FOOD AND DRINK PREMISES (FOOD VANS), DEMOLITION WITHIN THE HERITAGE OVERLAY, SALE AND CONSUMPTION OF LIQUOR, ALTERATION OF ACCESS TO A ROAD ZONE – CATEGORY 1 AND REDUCTION OF CAR PARKING REQUIREMENTS AT 33-37 SYDNEY STREET KILMORE (CONT.)



Street view of the subject site dated May 2015 (Google Maps).



Street view of the subject site dated May 2018 (Google Maps).

PLANNING PERMIT APPLICATION PLP047/19 FOR THE DEVELOPMENT OF THE LAND FOR A FOOD AND DRINK PREMISES (FOOD VANS), DEMOLITION WITHIN THE HERITAGE OVERLAY, SALE AND CONSUMPTION OF LIQUOR, ALTERATION OF ACCESS TO A ROAD ZONE – CATEGORY 1 AND REDUCTION OF CAR PARKING REQUIREMENTS AT 33-37 SYDNEY STREET KILMORE (CONT.)

Surrounding Area

The subject site is located centrally within the Kilmore commercial precinct along Sydney Street. The immediately surrounding area is characterised by 19th and early 20th century buildings with varying land uses, including hotels, residences, food and drink premises (cafes) and offices. All buildings within the surrounding area contain zero street setbacks, with the majority of parking provided on-street.

The Sydney Street area is affected by the Heritage Overlay HO99, which is a large precinct with a number of individually noted properties (including 37 Sydney Street, as discussed above). The precinct is *characterized by the commercial and civic centre properties, constructed over a period of about fifty years, either side of Sydney Street with a concentration of predominantly nineteenth and some very early twentieth century buildings. A total of 52 important heritage places have been identified. The National Estate citation states that the relatively intact commercial streetscape of Sydney Street represents the early character of Kilmore in the nineteenth century, and, based on the evidence presented here, this opinion is still intact* (Mitchell Shire Heritage Citations 2013, pg. 211).

PROPOSAL

The application is seeking approval for the development of the land for a food and drink premises (food vans), demolition within the heritage overlay, sale and consumption of liquor, alteration of access to a Road Zone – Category 1 and reduction of car parking requirements. The details of the proposal are as follows:

Food and drink premises

The proposal is seeking to use the majority of the existing building on 33 Sydney Street for a food van 'park'. This will include permanent and temporary food vans within the warehouse area of the building (the existing takeaway premises and office tenancy are to remain as is) and to the north of the building within 37 Sydney Street which will require the demolition of the extant structure.

Entry to the building is proposed via the Sydney Street car parking area and down the side of the subject site. Pedestrian entry will be available via the door fronting Sydney Street from the car park and from the outdoor van area within 37 Sydney Street. Seating areas are proposed to be interspersed between the indoor and outdoor vans and within a proposed outdoor dining area on the western side of the building. An indoor kids play area and ancillary bar will be located within the existing structure.

The proposed works to the western end of the building including the outdoor eating area and the outdoor kids play area. These works will be set upon a new retaining wall to accommodate the site slope, although this will restrict access from the rear of the site into the building except for a section adjacent to the existing roller door on the western wall of the building which will be level with the ground. Additional doors and windows will be installed on the northern wall to provide access and sunlight to the indoor dining and van area.

A bin enclosure is proposed to the south of the outdoor dining area, with collection proposed within the car parking area by a private collector.

PLANNING PERMIT APPLICATION PLP047/19 FOR THE DEVELOPMENT OF THE LAND FOR A FOOD AND DRINK PREMISES (FOOD VANS), DEMOLITION WITHIN THE HERITAGE OVERLAY, SALE AND CONSUMPTION OF LIQUOR, ALTERATION OF ACCESS TO A ROAD ZONE – CATEGORY 1 AND REDUCTION OF CAR PARKING REQUIREMENTS AT 33-37 SYDNEY STREET KILMORE (CONT.)

The proposal has listed the following operating hours:

- Tuesday – Sunday 11am to 12am.

Sale and consumption of liquor

The proposal is seeking to include a red line around the indoor and outdoor van areas and the outdoor dining area. The sale and consumption would be onsite only and served between the hours of 11am to 12am Tuesday to Sunday.

Alteration to a Road Zone – Category 1 and car parking

The application is seeking to reduce the car parking requirement for the proposal. The existing 12 car parking spaces are proposed to be retained as is.

Whilst the locations of the crossovers will remain as is, the southern crossover is proposed to be changed to ingress only and the northern crossover egress only.

Demolition

The proposal is seeking to demolish the extant building on 37 Sydney Street to accommodate access for the food vans and provide space for the outdoor van and dining area. The demolition also seeks to remove the canopy that exists between the extant building and the building at 33 Sydney Street.

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 objectors 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 the application and submissions.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application PLP047/19 for the development of the land for a food and drink premises (food vans), demolition within the heritage overlay, sale and consumption of liquor, alteration of access to a Road Zone – Category 1 and reduction of car parking requirements at Lot 1 on Title Plan 014176V Volume 10450 Folio 955 and Land in Plan of Consolidation 351319U Volume 10015 Folio 075, known as 33-37 Sydney Street Kilmore.

6.3 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 (PERMIT AMENDMENT) AT 160 SCOTTS ROAD TALLAROOK

Author: *Holly Sawyer - Senior Statutory Planner*

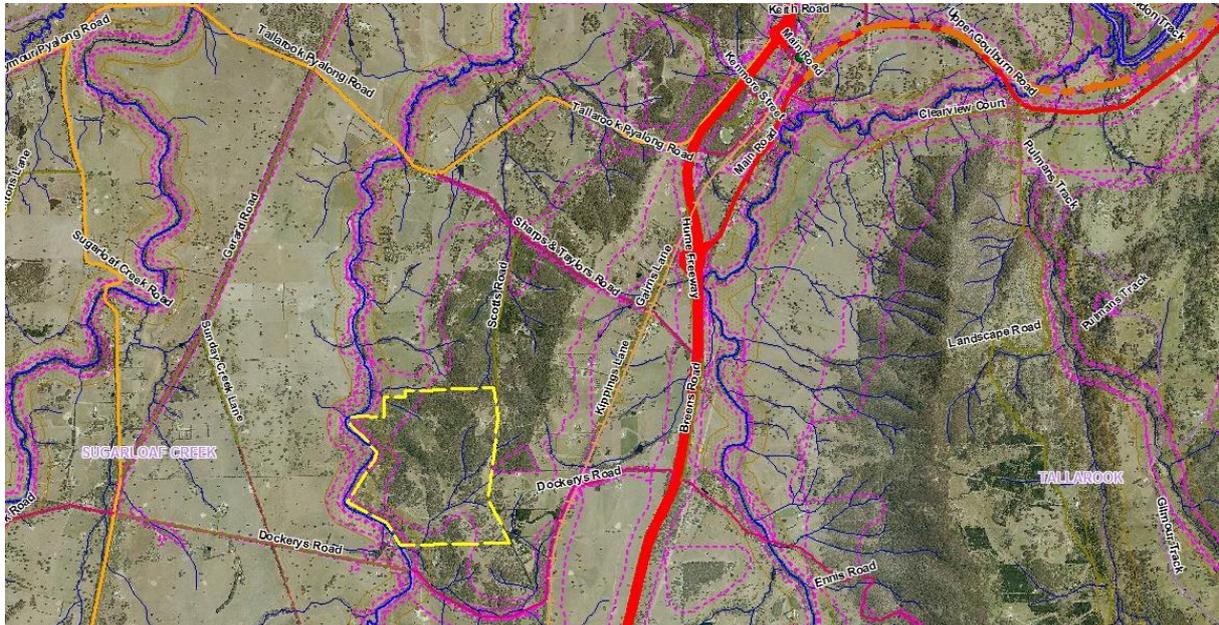
File No: *P307127/12.01*

Attachments: *Nil*

Property No.:	104014
Title Details:	Crown Allotments 24A, 28, 28A and 28B Parish of Lowry Volume 09778 Folio 230 Crown Allotment 23 Parish of Lowry Volume 10641 Folio 326
Applicant:	Plan-It Rural Pty Ltd
Zoning:	Farming Zone
Overlays:	Bushfire Management Overlay Erosion Management Overlay Land Subject to Inundation Overlay Environmental Significance Overlay – Schedule 3
Objections Received:	Eight, at the time of preparing this report
Cultural Heritage Management Plan Required:	No, the uses are located outside of the area of cultural heritage sensitivity
Officer Declaration of Conflict of Interest:	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 (PERMIT AMENDMENT) AT 160 SCOTTS ROAD TALLAROOK (CONT.)

SITE MAP



SUMMARY

The application is seeking to amend planning permit P307127/12 which permits the use of the land and existing buildings for a host farm and function centre. The application for amendment sought 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 consists 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

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 (PERMIT AMENDMENT) AT 160 SCOTTS ROAD TALLAROOK (CONT.)

goats. A number of outbuildings are found on the site for the purpose of feed storage and animal shelters.

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. This land within the PCRZ 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. Several 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 (see attachment 1) 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;

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 (PERMIT AMENDMENT) AT 160 SCOTTS ROAD TALLAROOK (CONT.)

- 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;
- 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 objectors 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 the application and submissions.

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 (PERMIT AMENDMENT) AT 160 SCOTTS ROAD TALLAROOK (CONT.)

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application P307127/12.01 to amend an existing permit for the use of existing buildings for a host farm and function centre to include the use of the land for camping at Crown Allotments 24A, 28, 28A and 28B Parish of Lowry Volume 09778 Folio 230 and Crown Allotment 23 Parish of Lowry Volume 10641 Folio 326, known as 160 Scotts Road Tallarook.

6.4 PLANNING PERMIT APPLICATION PLP162/19 FOR SUBDIVISION OF THE LAND AT 475 ARKELLS LANE WANDONG

Author: *Enes Bilgic - Statutory Planner*

File No: *PLP162/19*

Attachments: *Nil*

Reference: *PLP162/19*

Property No.:	108767
Title Details:	Lot 1 on TP 800879B Volume 10630 Folio 155
Applicant:	Eric Salter
Zoning:	Farming Zone – Schedule 1
Overlays:	Bushfire Management Overlay Erosion Management Overlay – Schedule 1 Vegetation Protection Overlay – Schedule 1
Objections Received:	No objections have been received, letters sent to adjoining neighbours and notification sign facing Arkells Lane
Cultural Heritage Management Plan Required:	No, not in an area of Aboriginal Cultural Heritage Significance
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP162/19 FOR SUBDIVISION OF THE LAND AT 475 ARKELLS LANE WANDONG (CONT.)

SITE MAP



SUMMARY

Council has received an application for a three-lot subdivision of the land at 475 Arkells Lane, Wandong. The application is seeking to create two additional lots, each in excess of 40 hectares. One proposed lot will have an existing dwelling with an overall lot area of 40.10 hectares and the additional proposed lots will have lot area of 40.10 hectares and 41.82 hectares.

The application was advertised by letter to surrounding properties and a notification sign on site facing Arkells Lane, Wandong. No objections were received.

This report recommends that Council resolve to issue a Notice of Refusal to Grant a Planning Permit for Planning Application PLP162/19. Refusal is recommended as the proposed subdivision is not consistent with relevant Planning Policy Framework and the purpose of the Farming Zone, as it fragments productive agricultural land and will adversely affect the agricultural viability of the surrounding agricultural land. Further, the subdivision proposes conflict between residential uses and agricultural uses.

SITE AND SURROUNDS

Subject Site Description

The subject land is legally described as Lot 1 on Title Plan 800879B and is located at 475 Arkells Lane, Wandong. The land currently contains a single dwelling located within the north western portion of the irregularly shaped lot, having a land area of approximately 126 hectares.

The land mostly flat to the east and becomes undulating to the west. Heavy patches of vegetation can be found along the southern portion and centre of the subject site.

A watercourse traverses the northern portion of the site and terminates near the existing dwelling. Several dams are scattered throughout the property. The applicant has described the land being used for cattle and sheep grazing.

PLANNING PERMIT APPLICATION PLP162/19 FOR SUBDIVISION OF THE LAND AT 475 ARKELLS LANE WANDONG (CONT.)

PROPOSAL

The applicant is seeking Council approval for a three-lot subdivision. Details are as follows:

Lot 1

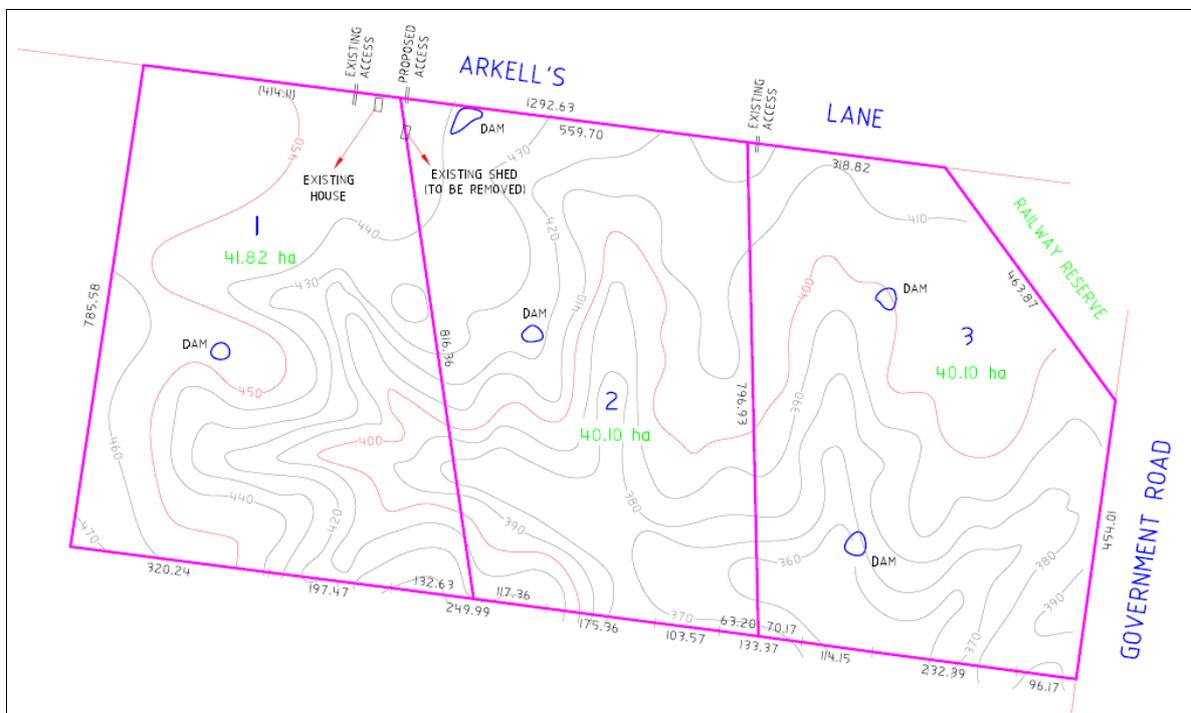
- Contains existing dwelling, a dam and outbuilding located on the boundary of lot 1 and 2.
- Proposed to have a frontage of 414.11 metres and a lot depth along the western boundary of 785.58 metres with an overall area of 41.82 hectares.

Lot 2

- Contains two existing dams and there are currently no existing structures.
- Proposed to have a lot frontage facing Arkells Lane of 559.70 metres and lot depth along the eastern boundary of 796.9 metres with an overall lot size of 40.10 hectares.

Lot 3

- Contains two existing dams and abuts a railway reserve along the north east corner. No existing structures are on the proposed lot.
- Proposed to have a frontage of 318.82 metres and a lot depth of 796.9 metres along the western boundary.



Plan of Proposed Subdivision

HEARING AND CONSIDERATION OF SUBMISSIONS

PLANNING PERMIT APPLICATION PLP162/19 FOR SUBDIVISION OF THE LAND AT 475 ARKELLS LANE WANDONG (CONT.)

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 objectors 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 the application and submissions.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application PLP162/19 for subdivision of the land at Lot 1 on TP 800879B (Volume 10630 Folio 155), known as 475 Arkells Lane Wandong.

6.5 PLANNING PERMIT APPLICATION PLP079/19 FOR THE USE OF THE LAND FOR A STORE (DAMAGED VEHICLE DEPOT) AT 7 OLD HUME HIGHWAY BEVERIDGE

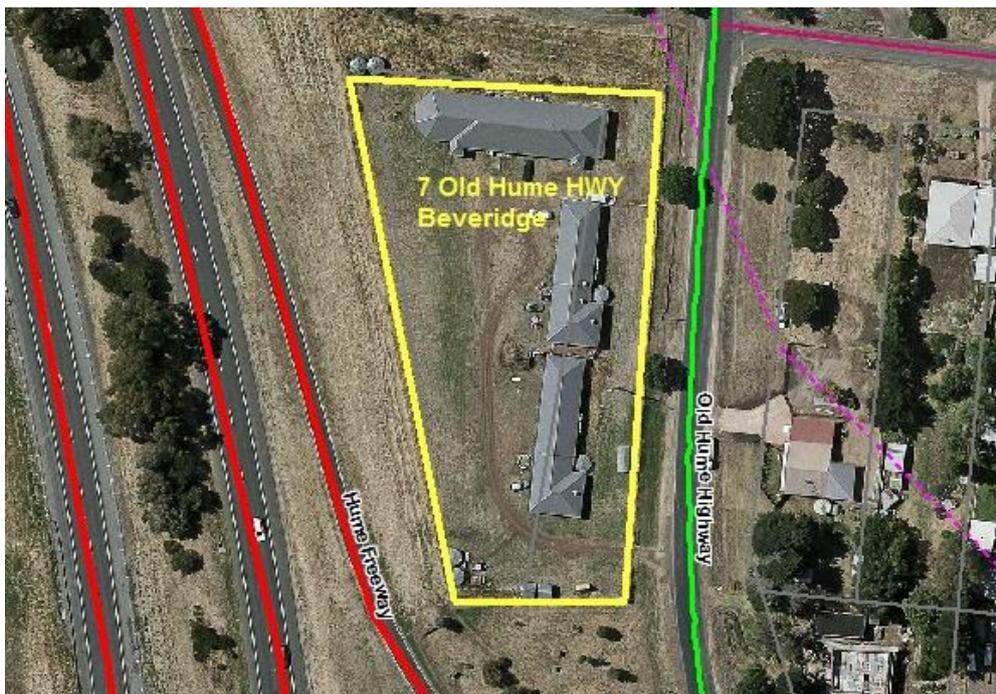
Author: Mathew Mertuszka - Principal Planner

File No: PLP079/19

- Attachments:**
1. Site Plan
 2. Relevant Planning Policies
 3. Supporting Documentation

Property No.:	110043
Title Details:	Land in Plan of Consolidation 355064F
Applicant:	Deltacorp Investments
Zoning:	Township Zone
Overlays:	Vegetation Protection Overlay Public Acquisition Overlay – Schedule 7
Objections Received:	Yes, 7 objections and 1 petition with 100 signatories
Cultural Heritage Management Plan Required:	No, the subject site is not within an area of Aboriginal Cultural Heritage Significance
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP



PLANNING PERMIT APPLICATION PLP079/19 FOR THE USE OF THE LAND FOR A STORE (DAMAGED VEHICLE DEPOT) AT 7 OLD HUME HIGHWAY BEVERIDGE (CONT.)

SUMMARY

This report recommends that Council resolve to issue a Notice of Refusal to Grant a Planning Permit for Planning Application PLP073/17, which proposes to use and develop the land for a store (damaged vehicle depot) at 7 Old Hume Highway, Beveridge.

The application was advertised with seven (7) objections received, including a petition with over 100 signatures. The majority of concerns raised by residents being that the proposal would result in increased traffic, noise, unsightly and general loss of amenity.

SITE AND SURROUNDS

Subject Site Description

The subject site is located at 7 Old Hume Highway, Beveridge and is legally described as Land in Plan of Consolidation 355064F. The land has an area of approximately 4,821 square meters and is irregular in shape. The site is immediately adjacent to the Hume Freeway and is to the west of the old Hume Highway.

The land is currently developed with a partially completed motel consisting of three (3) buildings as well as several water tanks. The site is not serviced by reticulated sewerage or town water but has access to electricity. The land has a fall towards to the west and is cleared of all vegetation. All internal accessways are unsealed and crossovers are informal.

Planning Background

The following planning related outcomes have been determined on the subject land:

- Planning permit application PLP073/17 was refused for the use and development of the land for a motel, function room, care-takers residence and business signage.
- Planning permit PLA304116/05 was issued for use and development of a motel, removal of vegetation and erection of internally illuminated signage on the land on 26 July 2006. This permit has since lapsed with the development not being fully completed.
- Plan of consolidation PCE200330/04 was given SOC and registered on title on 23 April 2004.

Title/Restrictions/Agreements

The title is encumbered by caveats AG621604E and AG771816X that relate to the transfer of land but do not affect the assessment of this application.

Surrounding Area

The subject land is within an area close to the centre of the existing Beveridge township. Land is mostly within the Township Zone and developed with predominantly detached residential uses, all on large parcels of land. The semi-rural character of the town is dictated by the lack of services in the area. Topography is undulating and consists of mostly planted vegetation

PLANNING PERMIT APPLICATION PLP079/19 FOR THE USE OF THE LAND FOR A STORE (DAMAGED VEHICLE DEPOT) AT 7 OLD HUME HIGHWAY BEVERIDGE (CONT.)

PROPOSAL

The proposal is seeking to use the land for a store, with the primary purpose of storing damaged vehicles. Details of the proposal include:

- The storing of up to six (6) damaged vehicles at any given time on the subject land, within designated car spaces adjacent to the existing buildings on site. The vehicles will be stored on an area of crushed rock within the boundaries of the site;
- Vehicles will be stored on premises temporarily for a period up to 48 hours until they are processed by police or insurance companies, then transported to other locations for further processing;
- The tow truck will be stationed at the site and could be deployed 24 hours, seven (7) days a week to transport vehicles to and from the site on an as needs basis;
- The use will require the installation of a 2-metre-high black cyclone fence; however, no permit is required for the installation of the fence. No other works are proposed.

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 objectors 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 the application and submissions

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application No. PLP079/19 for the use and development of the land for a store (damaged vehicle depot) at Land in Plan of Consolidation 355064F, known as 7 Old Hume Highway Beveridge.

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

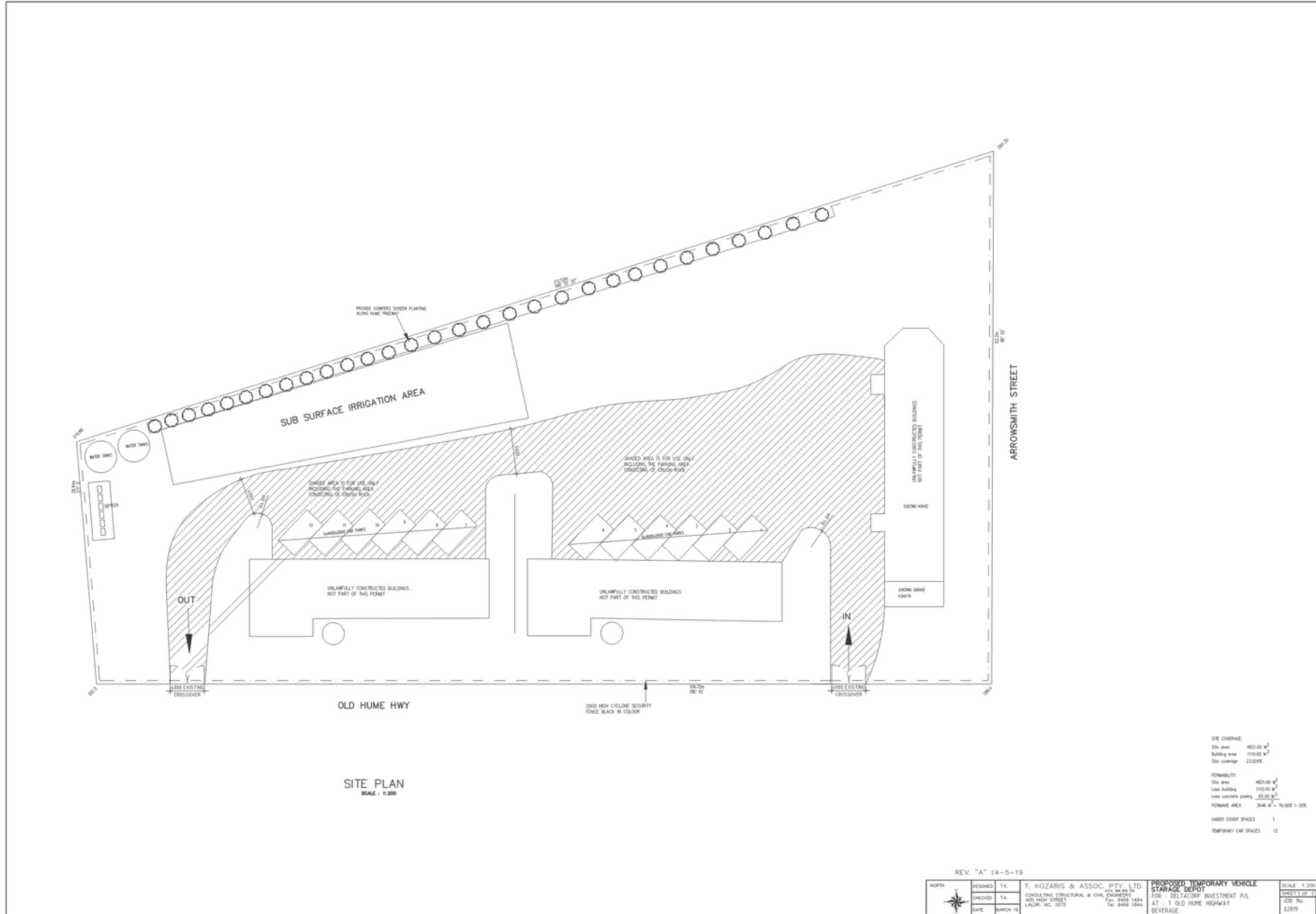
11 NOVEMBER 2019

6.5

**PLANNING PERMIT APPLICATION PLP079/19
FOR THE USE OF THE LAND FOR A STORE
(DAMAGED VEHICLE DEPOT) AT 7 OLD HUME
HIGHWAY BEVERIDGE**

Attachment No: 1

Site Plan



MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

11 NOVEMBER 2019

6.5

**PLANNING PERMIT APPLICATION PLP079/19
FOR THE USE OF THE LAND FOR A STORE
(DAMAGED VEHICLE DEPOT) AT 7 OLD HUME
HIGHWAY BEVERIDGE**

**Attachment No: 2
Relevant Planning Policies**

The following clauses of the SPPF and LPPF are considered relevant to this application	
Clause - 11.03-3S Peri Urban Areas	The objective of this policy is: <i>Enhance the character, identity, attractiveness and amenity of peri-urban towns</i>
Clause 13.05-1S – Noise Abatement	The objective of this policy is: <i>Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area</i>
Clause 13.07-1S – Land Use Compatibility	The objective of this policy is: <i>To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.</i> <i>Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by: Directing land uses to appropriate locations. Using a range of building design, urban design, operational and land use separation measures.</i>
Clause 17.03-2S – Industrial Development Siting	The objective of this policy is: <i>Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres</i>
Clause 21.06-1 - Urban environment	The objectives of this policy is: <i>To enhance the presentation of towns and their main road entrances; and</i> <i>To enhance the safety of neighbourhood</i>
Clause 21.08-1 - Economic growth	The objective of this policy is: <i>To facilitate new development and employment opportunities in business, industry and tourism.</i>
Clause 21.11-1 – Beveridge	The objective of this policy is: <i>Provide for a level of population that will achieve a 'self-contained township' with a full range of urban and community facilities.</i> <i>Ensure that development of this area is adequately serviced and integrated with the existing Beveridge township</i>

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

11 NOVEMBER 2019

6.5

**PLANNING PERMIT APPLICATION PLP079/19
FOR THE USE OF THE LAND FOR A STORE
(DAMAGED VEHICLE DEPOT) AT 7 OLD HUME
HIGHWAY BEVERIDGE**

Attachment No: 3

Supporting Documentation

T. KOZARIS & ASSOCIATES PTY LTD
CONSULTING STRUCTURAL & CIVIL ENGINEERS
405 HIGH STREET, LALOR VIC 3075
Phone 9466 1844 Fax 9466 1484
Mob 0412 568575

Mathew Mertuszka
Mitchell Shire Council
Town Planning Department

14 May 2019

Dear Mathew

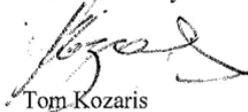
RE: PLANNING Application No. 079/19
7 Old Hume Highway, Beveridge

In reference to the letter dated the 22 March 2019 for additional information

- Item.1. a. Refer to plan indicating area to be used part of this planning application.
- b. Refer to plan indicating direction of flow of traffic and access way with turning Circle
- c. Refer to plan indicating landscaping screening cars from Hume freeway.

Could you please provide extension of time for the additional information which you may further require?

Yours Faithfully



Tom Kozaris

Deltacorp Investments Pty Ltd

10 -14 Salicki Avenue
Epping VIC 3076
PH: 03 9401 1212

19 March 2019

Town Planning Officer
Planning & Building Office
Mitchell Shire
4A & 4B, 61 High Street
WALLAN VIC 3756



Town Planning Application by Deltacorp Investments Pty Ltd
Property: 7 Old Hume Highway, Beveridge

The following information is provided in support of the Application by Deltacorp Investments Pty Ltd.

The Property referred above is the proposed site of the Town Planning Application that is proposed to be operated as an approved Vic Roads Towing and Storage Depot (the business).

The business entails the towing of damaged motor vehicles to the depot following motor vehicle accidents. Vic Roads provides on allocation tow number authorising the tow from the motor vehicle accident scene. The motor vehicles are then held at the site for only a temporary period to enable the transfer of the damaged vehicles during normal business hours to where the owner or insurer directs.

The business operates as follows: -

- Towing and Temporary Storage Facility.
- The hours of operation are normal business hours Monday to Friday from 8:00am to 5:00pm.
- The business is open during these hours to enable contact with customers and/or the insurers.
- The towing service of the business is available on a 24-hour call to service the public to enable motor vehicles owned by the public to be towed 24-hour hours a day.
- The tow truck driver lives at the Depot in the residence on the property.
- The business activity outside normal business hours is just the towing of motor vehicles to the depot for storage tile normal business hours when the customer organises the destination of the vehicle.
- The gates and business only open during business hours. At all other times the area is locked and secure save for the gates being opened to enable towed vehicles to be securely placed in the property.
- The property also has 2 undercover parking spaces for motor vehicles that may need cover owing to the Police wanting to inspect vehicles for forensic evidence reasons.
- Motor vehicles are normally then towed to a location nominated by the Insurer or Owner, or other salvage yard, within 24 to 48 hours once authorised during business hours.
- The property is properly secured with locked gates and fencing.

- A maximum of 3 to 6 motor vehicles would be expected to be stored temporarily. Very often motor vehicles are towed directly to other premises as directed by the owner or Insurer.
- No salvage or repairing will be done at the property. The business does not involve this work.
- Benefits to the public:
 - Area lacks towing services
 - No present approved Vic Road Depot at Kalkallo, Beveridge or Mickleham
 - Closest tows now are from Wallan, Kilmore or Kinglake and cost to public is high.

Yours faithfully
Deltacorp Investments Pty Ltd



Con Donchos - Director

6.6 PLANNING PERMIT APPLICATION PLP035/19 FOR THE USE OF THE LAND FOR ANIMAL KEEPING AND ASSOCIATED BUILDINGS AND WORKS AT 10 STONE JUG LANE MIA MIA

Author: Rees May - Statutory Planner

File No: PLP035/19

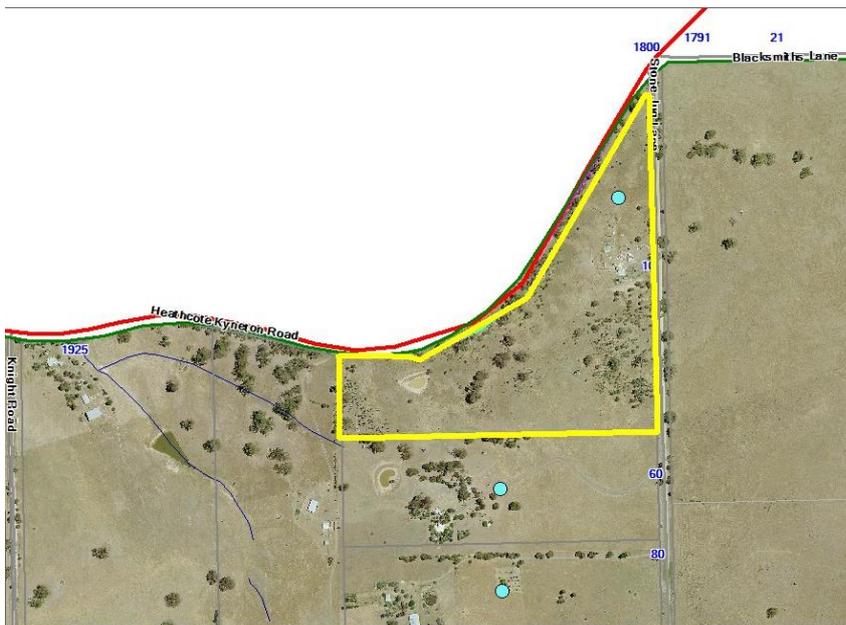
Attachments: Nil

Reference: PLP035/19

Property No.:	113933
Title Details:	Lot 1 on Plan of Subdivision 424781D (Volume 10511 Folio 180)
Applicant:	Karen Elizabeth Barber
Zoning:	Farming Zone
Overlays:	Environmental Significance Overlay – Schedule 2
Objections Received:	Four objections have been received.
Cultural Heritage Management Plan Required:	No. The subject site is not located within an area of Cultural Heritage Significance.
Officer Declaration of Conflict of Interest:	No officers involved in the preparation of this report have any direct or indirect interest in this matter

SITE MAP

10 Stone Jug Lane, Mia Mia



PLANNING PERMIT APPLICATION PLP035/19 FOR THE USE OF THE LAND FOR ANIMAL KEEPING AND ASSOCIATED BUILDINGS AND WORKS AT 10 STONE JUG LANE MIA MIA (CONT.)

SUMMARY

The application seeks permission to use the land for animal keeping and associated buildings and works at 10 Stone Jug Lane, Mia Mia. The land is included in the Farming Zone and is subject to the Environmental Significance Overlay. The application is retrospective in nature with the use already occurring on the site.

The application was advertised by sending letters to adjoining landowners and occupiers and placing a notice on the site. A total of four objections were received.

SITE AND SURROUNDS

Subject Site Description

The subject site is located at 10 Stone Jug, Mia Mia and is legally described as Lot 1 on Plan of Subdivision 424781D (Volume 10511 Folio 180). The subject site is irregular in shape and has an overall area of 12.45 hectares. The subject site has frontage onto Stone Jug Lane to the east of the site and frontage onto Heathcote Kyneton Road to the north.

The subject site currently contains a dwelling in the northern portion of the site. Surrounding the dwelling is a number of yards used as dog runs. Each of these yards include shelters for the dogs. An agricultural shed is also located on the site towards the north-west of the existing dwelling. The site also contains an amount of native vegetation scattered throughout the site, with most of the vegetation located to the south of the dwelling. A dam is also located in the western portion of the site.

The subject site is accessible via an existing vehicle crossover onto Heathcote Kyneton Road. The topography of the site is undulating with a slight slope from the south-east towards the north-west of the site.

PROPOSAL

The proposal is seeking retrospective approval for the use of the land for domestic animal husbandry (dog breeding) associated buildings and works. The applicant is proposing to breed border collie dogs. The proposal is for a total of eight (8) dogs (including 6 fertile female and 2 males) that will be used for breeding purposes. The applicant has advised a maximum of three litters will be produced each year.

The application seeks to retain the existing dog runs and shelter buildings. The dogs that are proposed to be kept and bred from the subject site will be housed in 6 separate fenced yards. Each yard will contain a shelter for each dog, along with bedding and access to food and water.

The applicant has advised that up to three litters will occur each year and puppies will be re-homed between 8 and 16 weeks of age.

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*.

PLANNING PERMIT APPLICATION PLP035/19 FOR THE USE OF THE LAND FOR ANIMAL KEEPING AND ASSOCIATED BUILDINGS AND WORKS AT 10 STONE JUG LANE MIA MIA (CONT.)

The applicant and objectors 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 the application and submissions.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to Planning Application No. PLP035/19 for the use of the land for animal keeping and associated buildings and works at Lot 1 on Plan of Subdivision 424781D (Volume 10511 Folio 180), known as 10 Stone Jug Lane, Mia Mia.

7 SUBMISSIONS

PUBLIC PARTICIPATION FORUM

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

8 QUESTION TIME

9 COMMUNITY PRESENTATIONS

10 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 9 December 2019 at Mitchell Civic Centre, 113 High St, Broadford.

11 CLOSE OF MEETING