

# MITCHELL SHIRE COUNCIL



## COMMUNITY QUESTIONS AND HEARINGS COMMITTEE

### AGENDA

**MONDAY 23 NOVEMBER 2020**

**7.00pm**

**NOTICE IS HEREBY GIVEN** that Community Questions and Hearings Committee of the Mitchell Shire Council will be held **online**, on **Monday 23 November 2020** commencing at **7.00pm**.

**BRETT LUXFORD**  
**CHIEF EXECUTIVE OFFICER**

By attending this meeting, you agree to be filmed. An audio and digital recording is made of all public Council and Committee Meetings, streamed live and published on Council's website. By participating in proceedings including during question time or in making a submission regarding an item before Council you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication. Meeting recordings can be located at [www.mitchellshire.vic.gov.au](http://www.mitchellshire.vic.gov.au).

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**1 WELCOME**

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

**2 GOVERNANCE DECLARATION****3 APOLOGIES AND LEAVE OF ABSENCE****4 DISCLOSURE OF CONFLICTS OF INTEREST****5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****RECOMMENDATION**

**THAT** the Minutes of the Community Questions and Hearings Committee held 14 September 2020, as circulated, be confirmed.

## 6 DEVELOPMENT AND INFRASTRUCTURE

### 6.1 PLANNING PERMIT APPLICATION PLP121/20 FOR A MULTI LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION AT 540 DAVIDSON STREET BROADFORD

**Author:** *Rees May - Statutory Planner*

**File No:** *PLP121/20*

**Attachments:** *Nil*

<b>Property No.:</b>	114415
<b>Title Details:</b>	Lot A on Plan of subdivision 131010 (Volume 09390 Folio 840)
<b>Applicant:</b>	Ruschmeyer Nominees Pty Ltd C/- Urban Design and Management Pty Ltd
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlays:</b>	None
<b>Objections Received:</b>	No objections were received
<b>Cultural Heritage Management Plan Required:</b>	A portion of the site is found within an area of Aboriginal Cultural Heritage Sensitivity. The application has been accompanied by a Cultural Heritage Management Plan that has been approved by the Registered Aboriginal Party
<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 PLP121/20 FOR A MULTI LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION AT 540 DAVIDSON STREET BROADFORD (CONT.)

## 1. Site Map



## 2. Summary

- 2.1 Council has received an application for a multi lot subdivision and removal of native vegetation at 540 Davidson Street, Broadford. The site is subject to the General Residential Zone and is not affected by any planning scheme overlays.
- 2.2 The application was advertised by sending letters to adjoining landowners and occupiers and placing a notice on the site. No objections were received.

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PLANNING PERMIT APPLICATION PLP121/20 FOR A MULTI LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION AT 540 DAVIDSON STREET BROADFORD (CONT.)

### **3. Consultation**

- 3.1 The applicant has 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.

### **4. Policy and Legislative Implications**

- 4.1 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*.

### **5. Alignment to Council Plan**

- 5.1 The proposed subdivision aligns with the Council Plan objectives and key strategies to plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.

### **6. Conflict of Interest**

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

### **7. Discussion**

#### **Consideration of Submissions**

##### Subject Site Description

- 7.1 The subject site is located at 540 Davidson Street, Broadford and is legally described as Lot A on Plan of subdivision 131010 (Volume 09390 Folio 840). The subject site is a vacant, generally rectangular allotment located on the corner of Broadford-Wandong Road and Davidson Street. The site has a maximum length of approximately 330 metres and a maximum width of approximately 52m, with a land area of 1.536 hectares.
- 7.2 The site contains a slope to the south-east, with Davidson Street located on the high side of the property. Vegetation within the site is restricted to a single tree in the north-eastern corner of the site. The below image shows the subject site.



PLANNING PERMIT APPLICATION PLP121/20 FOR A MULTI LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION AT 540 DAVIDSON STREET BROADFORD (CONT.)



### Surrounding Area

- 7.3 The surrounding area consists of an established residential neighbourhood with lots to the north and west being of a standard quarter acre size. Land to the south and east contains slightly larger allotments, with land areas typically around 400sqm. The surrounding subdivision pattern is regular with the road layout maintaining a grid pattern with lot frontages consistent throughout the area. Vegetation within the area is found mostly within road reserves to the south-west and north-east, with private land also containing a high degree of landscaping. Street trees are scattered throughout the area.
- 7.4 Sunday Creek is located to the east of the subject site, with a number of tributaries crossing the landscaping with a high number of native trees found along the creek banks and reserves. The topography of the site slopes down into the creek. The Broadford golf course is located to the south-west of the Broadford- Wandong Road and Davidson Street intersection.

### Proposal

- 7.5 The application is proposing a multi lot subdivision and removal of native vegetation. The proposal includes the creation of five lots that will be accessible via a common property accessway from Davidson Street. The lots will vary in size from 591m<sup>2</sup> to 682m<sup>2</sup>. All lots will contain building envelopes with a four-metre setback from the common property accessway. The building envelopes will also assist in protecting vegetation to the rear of the site.
- 7.6 A 1.7 metre width footpath will be provided along the frontage of the site. a total of three native trees are proposed to be remove. Two of the trees are

PLANNING PERMIT APPLICATION PLP121/20 FOR A MULTI LOT SUBDIVISION AND REMOVAL OF NATIVE VEGETATION AT 540 DAVIDSON STREET BROADFORD (CONT.)

to be removed to allow for the construction of the footpath and the third tree to be removed located within proposed lot 5. The below image shows the layout of the proposed subdivision layout.



**RECOMMENDATION**

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a report in respect of Application No. PLP121/20 for a multi lot subdivision and removal of native vegetation at Lot A on Plan of subdivision 131010 (Volume 09390 Folio 840), known as 540 Davidson Street, Broadford.

**7 SUBMISSIONS****PUBLIC PARTICIPATION FORUM****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 7 December 2020 at Mitchell Civic Centre, 113 High St, Broadford.

**11 CLOSE OF MEETING**