

From: [REDACTED]
To: [planning](#)
Subject: Planning Permit Application No TP24-22 For a 7 lot Subdivision
Date: Sunday, 3 July 2022 18:07:53

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Councillors, Regarding the above application, I feel the land is not suitable for housing because of the flooding there when we have substantial rain, and the extra water the houses would use, and the storm water drains not coping.

The proposed Clarendon Ave extension would become congested with the narrow road and extra traffic and a no through road.

The water that comes down from Symes hill would be diverted by the raised blocks and where would that go.

I feel it is the wrong area for houses and I would definitely be against 2 storey houses for privacy concerns to existing homes, it is more suitable for a Nature Reserve.

Yours sincerely, [REDACTED]

Sent from [Mail](#) for Windows

5 July 2022

5 July 2022

Attention: Mr Adam Moar
Manager Development Services
Yarriambiack Shire Council

Subject: Permit Application - Objection

Planning Permit Application 21H0350
7 Lot Subdivision
At Lot 2 LP91903 Craig Ave. Warracknabeal 3393
Responsible Authority Reference No. TP24-22
SPEAR Reference No. S192927J

Dear Adam,

Reasons for objection to the planning permit for a 7 lot subdivision at Lot 2 Craig Ave Warracknabeal.

Suitability of land for subdivision.

Clause 56.04-1 There is no relevant housing strategy, plan or policy for the area set out in the Yarriambiack Planning scheme.

I would consider this to be a requirement before any subdivision is considered in a town that has many low lying areas and a history of severe flooding. Catastrophic flooding in NSW and Qld must alert us to the need for cautious and thorough planning of potential flood areas, in this instance Warracknabeal.

Lots 1-6 are not suitable for land subdivision due to related issues

Flood records show that Warracknabeal has experienced 14 significant flood events in the past 128 years, all of these events have severely impacted the proposed subdivision area, Lots 1-6 Craig Ave, adjoining homes and many low lying areas of Warracknabeal. The proposed subdivision site is a swamp and natural water way to the Yarriambiack Creek. When heavy rain falls, runoff from hills on the west and flooding from drainage on the south (Mitchell and Symes Avenues) flows into this low lying swamp and flood area. If a large volume of soil filling is required to raise the flood level of the proposed Lots 1-6 development site, flood water will be forced to spread to adjoining properties and low level flood areas of Warracknabeal.

I have lived at [REDACTED] (the lowest adjoining dwelling), for [REDACTED] years and have experienced many severe flooding events in this area. My home has been completely sandbagged three times due to flooding from the back (adjoining fence line to proposed development site) and the front, Craig Ave.

Flooding comes through storm water drains and from the Yarriambiack Creek. Craig Avenue has been closed many times due to severe flooding. I have submitted photos that demonstrate how flooding in Craig Avenue blocks the entry to proposed streets for this development, Clarendon St and the proposed road to Lots 4 and 5. Mitchell Avenue transfers large volumes of runoff and flood water to Symes Avenue and then the land proposed for the development of lots 1-6. This is a natural waterway to the Yarriambiack Creek.

Photos of severe flooding in this area are included in my objection.

Access - The three proposed roads to access Lot 1-6 subdivision - Symes Avenue, Clarendon Avenue and the "no through Road" to Lots 4 and 5 are unsealed, narrow and do not have footpaths, gutters etc. they would be a planning disaster! The no through Road to lots 4 and 5 will be a dangerous bottle neck and would not be suitable for emergency services (ambulance, fire trucks garbage trucks etc) they would have to do a dangerous U turn to leave this street. These vehicles would have to share this narrow road with other vehicles parked and moving!?! Two established residents have garages that back on to Clarendon Ave, this will be difficult and dangerous with large vehicles.

Lot 7 would be more suitable for development as the land is much higher and it is not subject to flooding. Lot 7 would not have an adverse impact on our environment. A dwelling currently exists on Lot 7 at 132 Craig Ave and in previous years homes have been built and occupied on the west side of the proposed no through road to lot 4 and 5. These dwellings have been demolished.

5 July 2022

The existing use and possible future development of the land and nearby land.

The proposed development area for lots 1-6 has never been developed, it has always been a natural swamp and flood land. Aesthetically and environmentally this land should not be disturbed or developed, it is an important home to lots of lovely old native gum trees, natural vegetation, birds, bees snakes, lizards and at times frogs enjoy this wetland. It is a natural environmental corridor to the Yarriambiack Creek and nearby parkland.

This is a quiet area fronting on to farmland and the Yarriambiack Creek. it is better suited to parklands and recreational activities, please do not spoil our beautiful natural environment with a cramped subdivision that will effect adjoining homes. and the natural environment.

The availability of subdivided land in the locality, and the need for the creation of further lots.

Lot 7 would be suitable for subdivision, it is not prone to flooding and would be a more suitable area for development.

The effect of development on the use or development of other land which has a common means of drainage.

This is a grave concern to residents living in adjoining properties. My home will be severely impacted if the proposed subdivision is allowed to go ahead, it has the lowest flood level of the three adjoining homes to the proposed subdivision site. Older homes 124, 126-128 and 130 Craig Ave (and many other low lying dwellings and streets) were built 40+ years ago to a much lower flood level than the proposed subdivision which will adjoin and run completely along the back fence of the three Craig Ave properties. The huge difference in flood levels would cause flooding and run off from the proposed development site to adjoining homes.

Drainage pipes in this area usually seem to become overwhelmed and blocked during flooding events.

The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.

The proposed development site has always been a natural swamp. Native vegetation, trees and existing flora and fauna along with existing snakes and lizards will all be disturbed and adversely impacted. The delivery of loam, use of heavy vehicles, trenching etc will disturb the natural vegetation of this entire site. Adjoining homes will be impacted with flooding, constant noise, lack of privacy.

Disturbance to adjoining fence-lines, existing fences, sewerage mains, power and water connections to essential services on adjoining established properties.

Area and dimensions of each lot in the subdivision.

Proposed Lots 1-5 - are made up of five 13.5m X 39.2m lots adjoining my back fence, if approved this would potentially lead to multiple dwellings being constructed within very close proximity, five dwellings within (40.2m) of my adjoining back fence-line. The proposed lots are very narrow and would lead to:- lack of privacy poor access, overcrowding, noise and disruptions to the supply of essential services - power, water etc. Dwellings would be very dense and ridiculously close to my back fence-line and block out my view of beautiful big gum trees and the skyline. Sunlight to my back garden, lawn and outdoor entertainment area will be negatively impacted. I will be exposed to constant noise and close structures.

The design and siting of buildings having regard to safety and the risk of spread of fire.

Overcrowding of small lots will cause dwellings to be cramped and difficult for access of emergency vehicles.

Fire trucks and ambulances would not be able to access the rear of adjoining properties.

Long, narrow lots will provide poor access. No through roads will be dangerous and cause bottlenecks to traffic and emergency services, garbage trucks, residents and visitors.

5 July 2022

The availability and provisions utility services, water, sewerage, drainage, electricity and gas.

Utility services would need to be developed independently of existing dwellings on the adjoining fence line. Greater demand on water, power, drainage, gas and sewerage, as the proposed development area and adjoining homes are on the end of the supply line for the provision of water, sewerage, drainage and essential services..

Drainage is very poor in Warracknabeal as the whole town is very flat. Most of the flooding in Warracknabeal washes back through drainage pipes and rises into gutters.

Minimum disturbance to adjoining fence-lines, existing fences, sewerage mains, power and water connections to essential services on adjoining established properties.

Treatment of sewage and sullage.

This is a specialised area that would need to be thoroughly planned and implemented by appropriate bodies. Plans must ensure that adjoining dwellings should not be affected by the treatment of sewage and sullage. This will need to be monitored carefully as it is a very sensitive issue and can cause lots of problems.

Whether, in relation to subdivision plans, native vegetation can be protected through subdivision & siting of open space areas.

The proposed subdivision plans for Lots 1-6 will require a huge amount of filling to raise Lots 1-6 up to the required flood level. The filling and heavy machinery required to shift soil will damage and destroy natural vegetation and native grasses. Development noise and activity will cause disturbance to the native birds and wildlife in their natural corridor to the Yarriambiack Creek. Snakes and lizards have always lived in this area and are not to be disturbed. Native grasses large gum trees and existing vegetation will be impacted and destroyed by filling of low areas, large machinery, diggers and heavy machinery subdivision process. Lots 1, 2 and 4 will be squashed in between lots 3 and 5 as well as established homes, they will have very poor siting of open space areas.

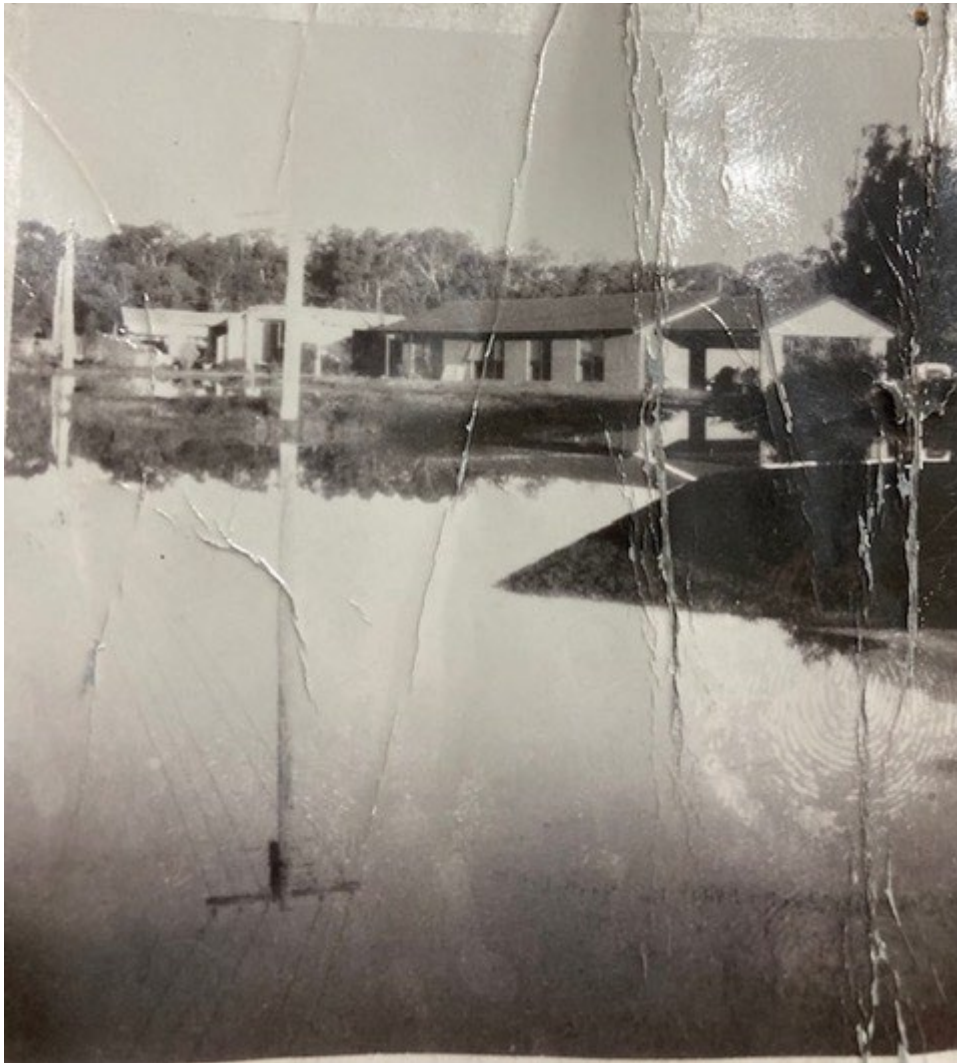
Photos to support my objection to Planning Permit Application No TP24-22

- 1 - 1974 flooding of Craig Avenue and closed entrance to proposed road to Lots 4 and 5
- 2 - 19/01/2011 126 - 128 Craig Ave Fully sand bagged. Flooding through drainage pipes.
- 3 - 19/01/2011 128 to 132 Craig Ave, blocked entrance to Lots 4 & 5. Sandbags stopping town drainage from back flooding.
4. - 19/01/2011 Craig Avenue completely flooded. All areas of W'beal and roads to Warracknabeal shut due to flooding.
- 5 - 18/01/2011 Craig Ave, levee banks being built.
- 6 - 18/01/2011 [redacted] mailbox in flood area, flood water to the north past sand bags.
- 7 - 18/01/2011 Closed entrance to Clarendon Ave road proposed road
- 8 - 18/01/20011 Six kilometres of levee banks being constructed along the Yarriambiack Creek in Warracknabeal in 2 to 3 days..



5 July 2022

Photo 1 - 1974 flooding of Craig Avenue and closed entrance to proposed road to Lots 4 and 5



5 July 2022

Photo 2 - 19/01/2011 126 - 128 Craig Ave Fully sand bagged. Flooding through drainage pipes.



5 July 2022

Photo 3 - 19/01/2011 128 to 132 Craig Ave, blocked entrance to Lots 4 & 5. Sandbags stopping town drainage from back flooding.



5 July 2022

Photo 4. - 19/01/2011 Craig Avenue completely flooded. All areas of Warracknabeal and roads to Warracknabeal shut due to flooding.



5 July 2022

Photo 5 - 18/01/2011 Craig Ave, levee banks being breached





5 July 2022

Photo 6 - 18/01/2011 [redacted] mailbox in flood area, flood water to the north past sand bags.





5 July 2022

Photo 7 - 18/01/2011 Closed entrance to Clarendon Ave road proposed road



5 July 2022

Photo 8 - 18/01/20011 Levee banks being constructed along the Yarriambiack Creek, failing to manage inundation



Yarriambiack Shire Council
P.O Box 243
Warracknabeal, 3393
Email: planning@yarriambiack.vic.gov.au

ATT: CEO and Manager Development Services,

We, [REDACTED], the owner's and occupier's of [REDACTED] Craig Avenue, Warracknabeal, are officially submitting our objection for the proposed subdivision as listed:

Planning Permit Application No TP24-22
For a 7 lot subdivision
At lot 2 LP91903, Craig Ave, Warracknabeal

We have owned and lived in our property since 2002, during these 20 years we have seen numerous stormwater flooding events that have directly impacted the area proposed for lots 1-6. We strongly believe our experiences living next to this area will provide you and your fellow councilors a valuable insight into the unsuitability of this area for development.

Our points for lodging our objection are included below:

STORM WATER DRAINAGE & FLOODING

1. The proposed development of lots 1 through 6 are of great concern to local residents as they are located in an area frequently inundated with stormwater.
2. During flooding or any significant rain event the area proposed for subdivision becomes inundated with runoff from the agricultural land located to the west and any stormwater from surrounding homes and streets that is unable to run effectively into the Yarriambiack Creek.
3. The area has always been a Natural pathway for water making its way to the Yarriambiack Creek.
4. Wimmera Catchment Management Authority have in the past expressed concern with any changes to the area having detrimental effects on the movement of stormwater.
5. The Storm water pipe installed along the south side of Clarendon Avenue commonly holds some amount of water and is unable to drain effectively. When the Yarriambiack creek is at a full level, during flood or rain events the pipe becomes full and the area proposed for subdivision will remain flooded until water can move more freely into the creek. Effectively "Lot 1-6" becomes a stormwater overflow area. In 2010 when the property at 122 Craig Avenue was built, Wimmera Catchment Management Authority was involved with the need to install this pipe, with concerns over the raised road height (for driveway access to new property) greatly reducing stormwater runoff.

6. If the area were to be developed the existing neighboring properties located along Craig & Symes Avenues will be directly impacted by the reduced natural movement of excess water. Thus creating additional or increased flooding to their properties. Particularly with any future dwellings further contributing to increased stormwater and runoff.

BUILDINGS, FLOOD LEVELS & PRIVACY:

We also have great concern over future development of the sites impacting our rights to privacy. With the proposed flood levels increasing land height by 300mm and then building floor height a further 300mm. The additional 600mm (minimum) of height to new properties will definitely impact our lifestyle and privacy.

Should new dwellings be constructed at flood level heights we will have;

- Loss of privacy, with new homes having clear sight into our backyards and rear facing windows.
- New homes will be completely overlooking our entire blocks. Further reducing our privacy, our yards, bbq areas, patios, bathrooms, living areas, sheds & clotheslines becoming fully visible to potential neighbors and their visitors.
- Our yards and home will be overshadowed by homes built to much higher levels than our own
- Our rear fencing will also be impacted with the added weight of landfill and the disturbance of adjoining land through building foundations, heavy machinery use etc.

CLARENDON AVENUE & STREET SCAPE:

- Is currently a NO THROUGH ROAD and there is no proposal to change this. You can see on the plan that Clarendon Ave goes through to symes avenue, this is NOT the case and never has been. It was never sign posted or sealed until the property at 122 Craig Ave was built. The bitumen, gutters and storm water pipes only go as far as our back garage. And the “back paddock” is fenced off.
- The application states that “Clarendon Avenue will be extended as far as required to provide access lots 1-3.” With this limited access and no through traffic, access for emergency services; SES, CFA, AMBULANCE and also GARBAGE TRUCK access would be near impossible. These vehicles (and others) would be forced to reverse out onto Craig Avenue, further increasing the risk to local traffic, pedestrians, children and the elderly all of whom use the area.
- The road would definitely have to continue through to Symes Avenue to provide good traffic management, in doing so the removal of significant vegetation would be required.
- Clarendon Avenue is only narrow, parking provisions would need to be made possible within lot boundaries, any on street parking would create single lane traffic adding to further congestion
- Visually 3 narrow blocks will only be an eyesore with buildings appearing Bulky and jammed in. Not staying true to our rural Lifestyle of living.

- The proposal will also greatly increase the noise in the area through any construction, which could go on for years with 5 building blocks proposed. Then ongoing residential noise with 5 homes jammed into a relatively small area.

PROPOSED NEW ROAD:

The proposed new road would also have to continue through to Symes avenue to provide good traffic management. If it were to dead end, as proposed, this would make vehicle U turning difficult/dangerous, considering on street parked vehicles and provision for nature strips. The concerns would be similar to those listed above for Clarendon Avenue.

ENVIRONMENTAL FACTORS:

The proposed area for lots 1-6, and lengthening of Clarendon Avenue has many established gum trees and natural flora and fauna, the removal of them would have a negative impact to the native birds and wildlife in their natural corridor to the yarriambiack creek.

IN CONCLUSION:

Flooding has been a hot topic in the media in recent years, particularly in NSW & QLD. With many of the flood issues evolving from poor planning and building in inappropriate areas. Ideally we would not like to see a repetition of this in our own town.

We have included a few photos to help support our objection. And further increase your understanding of the land proposed for subdivision.

Image 1.

Shows Clarendon Avenue with stormwater running from the area proposed for subdivision towards the Creek. You can see the ripples in the water indicating quite a flow.



Image 2.

Looking up Clarendon Avenue from the creek side of Craig Ave, the stormwater is unable to move through to the Creek. Thus completely flooding the intersection of Craig & Clarendon Ave.



Image3.

Shows Symes Avenue flooded with stormwater which is draining into the proposed area for subdivision and down the “proposed new road”



Image 4 & 5 Looking from symes avenue directly towards the area for proposed lots 1-6, clearly flooded with stormwater unable to drain effectively to the creek.





9 August 2022

Mr Adam Moar
Manager Development Services
Yarriambiack Shire Council

Dear Sir,

**Navigating the
cities of tomorrow.**

**Planning Permit Application Number | TP24-22
Proposal | 7 Lot Subdivision
Address | Lot 2 LP91903 Craig Avenue, Warracknabeal**

I refer to the above planning application for the subdivision of the land into 7 lots, which was recently on public exhibition.

I act on behalf of the owner and occupier of the land [REDACTED] Craig Avenue, Warracknabeal, [REDACTED] [REDACTED], which immediately [REDACTED] of the land subject to the application. The property shares an interface of ~40m along this boundary. [REDACTED] I have lived on the property since the [REDACTED]s and has an intimate knowledge of the physical context of the surrounding land and the implications of weather events, including flooding, that has significantly impacted the area and her property.

[REDACTED] has previously submitted an objection to this application on 5 July 2022, expressing her overall concerns and sharing anecdotal examples of the complex environmental conditions that apply to the land which may be exacerbated by the proposal. This submission is made in addition to [REDACTED] original letter and seeks to address / expand the relevant planning concerns that we believe Council should have regard for in its consideration of the application.

We note that the proposal relates to the creation of six (6) new lots on a small part of the land that forms the Subject Site that is zoned General Residential Zone 1 (GRZ1). The proposed six lots will range in size from 522sqm to 533sqm, with a single lot at 8,374sqm. The balance of the land (119.4ha) will be retained for farming purposes, including retention of the existing dwelling.

Having regard for the material submitted as part of the planning application (contained on Council's website) and the provisions of the Yarriambiack Planning Scheme it is considered that the proposal has failed to respond to the existing physical context of the land (including neighbourhood character) and inadequate information has been provided to determine whether the proposal will result in detrimental impacts on the amenity of the surrounding properties.

More specifically, the proposal has failed to adequately address the State Planning Policy in terms of balancing competing planning objectives, as well as the objectives, standards and application requirements of Clause 56 of the Planning Scheme in relation to the subdivision of land for more than 3 lots.

In our view the proposal has failed to adequately respond to the following provisions of the Planning Scheme:





- Clause 56.01 (Subdivision Site And Context Description And Design Response) – No site analysis plan or design response plan is provided as part of the application, which is necessary to address the application requirements of Clause 56.01-1 and Clause 56.01-2.

Any proposed subdivision must be derived from a thorough analysis of the site's existing opportunities and physical constraints, including investigations in relation to overland flow, neighbourhood character, prevailing subdivision pattern, water management systems, environmental constraints, etc.

**Navigating the
cities of tomorrow.**

The proposed subdivision design appears to have been based upon limited information and site analysis. More specifically the response appears to simply apply an opportunistic approach to 'squeeze' five (5) lots into an area of GRZ1 land that does not appear to be encumbered by any existing vegetation, having little regard for neighbourhood character and servicing of the site.

- Clause 56.03-5 (Neighbourhood Character objective) – The proposed lot sizes and design fails to respond to the location of the land at the edge of the urban and rural interface of the township. While the land subject to the proposed six (6) lots is zoned GRZ1 the land forms part of a rural area at the north/western outskirts of the township.

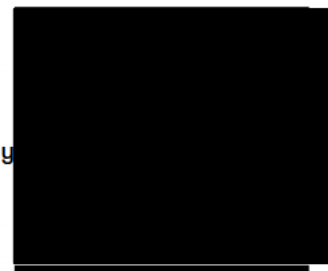
It is considered that the proposed lot sizes and layout fails to provide an appropriate transition between rural and urban uses, in terms of subdivision pattern and layout. It is considered that lot sizes of between 522-533sqm should be directed to other locations in the township that do not have an immediate rural interface. Should subdivision of the land proceed in this location larger lot sizes should be considered to better respond to the existing and surrounding subdivision pattern and manage character impacts of urban development at the edge of the rural landscape.

- Clause 56.04-1 Lot diversity & Distribution objectives – As outlined above it is considered that the proposed lot sizes are too small in this location and larger lot sizes that are more consistent to respond to the prevailing subdivision pattern, providing a transition between the rural and urban edge of the township would be a more appropriate design response.

We also note the land is not serviced by public transport or any immediate public amenities or access to services that would suggest the location is appropriate for a higher density outcome in this location.

- Clause 56-04-2 – Lot Area & Building Envelopes objectives – No building envelopes are included in the proposed subdivision plan. We note that the proposed lots will be provided with a width of 13.5m. While the lots may be able to accommodate an envelope of 10m wide, it is considered that the provision of such an envelope would not allow sufficient landscaping on either side of the envelope to support neighbourhood character outcomes.

It is considered wider lots should be provided to ensure that greater separation between building form could be achieved and additional landscaping provided between lots. Provision of a landscape master plan for the proposed subdivision may assist with amenity considerations between proposed and existing lots.





Further it is considered that building envelopes should be provided on the proposed plan of subdivision to provide greater certainty for the location of building form and ensure that impact on the amenity of the adjoining residential properties may be appropriately managed.

- Clause 56.05-1 – Integrated urban landscape objective; Clause 56.06-4 Neighbourhood street network objectives; and Clause 56.06-7 Neighbourhood Street network detail objective – We note that the proposal includes the construction of a new road to service lots 4,5 and 6, and it is unclear whether adequate turning area is provided for vehicles accessing these lots.

Navigating the cities of tomorrow.

We also note that the report accompanying the application suggest that Clarendon Avenue will be constructed, however no details of proposed road treatments are provided including whether kerb and channel is proposed or pedestrian paths and landscaping to ensure a safe pedestrian and vehicular environment.

- Land Subject to Inundation Overlay (LSIO) and Clause 56.07 – Integrated Water Management – No details of how the proposal will respond to the LSIO or manage / change stormwater or provide adequate drainage infrastructure to service the site and surrounds.

We note the planning report that accompanied the permit application states that the proposal is compatible with the LSIO and will not adversely affect the surrounding area, it is unclear how this is justified as no technical analysis is provided.

Having regard for the presence of the LSIO and the anecdotal evidence provided by [REDACTED], it is considered that a full and thorough assessment of the existing conditions and formal analysis of all stormwater and flooding considerations is necessary before further consideration of the application may proceed.

- Clause 56.09 – Utilities – No details of site servicing is provided including how augmentation will be undertaken to service the proposed lots.

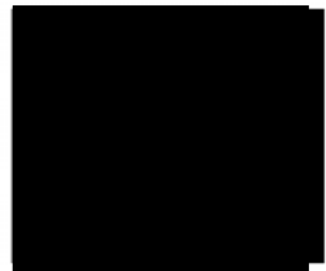
Having regard for the above it is considered that the proposal should not be supported in its current form and that further detailed analysis is required to be undertaken to respond to the context of the land, in particular neighbourhood character, lot design and storm water management.

Regards,

[REDACTED]

cc.

[REDACTED]



[REDACTED]
[REDACTED]
Warracknabeal, 3393 VIC

10 September 2024

Development & Environmental Services
ATT: Adam Moar, James Thomas, Tammy Smith

Yarriambiack Shire Council
P.O Box 243
Warracknabeal 3393 VIC
Email: planning@yarriambiack.vic.gov.au

FURTHER OBJECTIONS TO AMENDED APPLICATION FOR A PLANNING PERMIT

Reference No: **TP24-22**
Proposal: **5-lot Subdivision and creation of carriageway easement**
Address: **Craig Avenue Warracknabeal VIC 3393**

We [REDACTED] are still in objection to the above mentioned application. Our initial objection dated 5th July 2022 still expresses many of our concerns, and we expect all of our points are still considered current and directly related to this new application. However, since viewing the new application and revised plans we do have some additional points to be included.

- 1.a) We will refer to correspondence from us to the shire dated 7th March 2024 & 27th May 2024 regarding the unapproved dumping and levelling of soil on the land proposed for subdivision. NO permit was obtained for this to occur. We were assured that the soil would be removed, as per no permit protocol. This has not been the case. The soil remains on the site.
- 1.b) Our concerns over possible contaminates in the soil have also not been addressed. Recent contact with the EPA informed us that a soil test was to be carried out by the Shire. We have not been informed of any taking place. If details and test results could be provided, we can be assured our concerns have been addressed.
2. **Clause 56.08-1** *“Any works associated with the subdivision will be subject to site management controls to the satisfaction of the Yarriambiack Shire Council”*. We raise the concern here that the subdivision has not yet been approved however works have commenced and continued without approval and against direct orders from the Shire to cease works. If the permit is granted how can we trust that plans and direct orders will be followed?
3. **Clause 56.07-1, 56.07-3, 56.07-4** The application contains no clear answer as how they will manage the placement and/or Construction of infrastructure to be connected and or managed. Further raising our initial concerns from the original application that there has been no consideration for “Storm Water Drainage & Flooding”.
4. **6. Planning Provisions - Land subject to Inundation Overlay, Page 27** as stated by the applicants *“the land will be capable of maintaining the free passage and temporary storage of floodwaters and minimising flood damage.”* And *“will not cause any significant rise in flood level or flow velocity”*. Similarly **8. Particular Provisions - Comment** *“The proposal will not adversely impact water quality or the natural physical features nor the quality of the stormwater within and exiting the site”*. The Application shows no way of proving or ensuring this will be the case. We remind you of the photos included in our previous

objection. The area proposed for subdivision is clearly flooded. During large rain events storm water will channel down Coral, Menin & Symes Avenues before dispersing in the area proposed for the 6 lot subdivision, thus alleviating flash flooding to the properties located along these Avenues. With the proposed development storm water will have significantly less area to disperse to and it would also contribute the amount of storm water in the area further increasing risk of flash flooding to homes.

5. **Clause 56.06-7** *“the extension of Clarendon Avenue will be designed and constructed in accordance with the requirements of Yarriambiack Shire”*. This further raises our concerns from our initial Objection *“Clarendon Avenue & Street Scape”* Still no details are provided as to how this will be achieved. We understand that detailed design plans are usually submitted to shire after a planning permit is issued, however given the nature of the land proposed for subdivision, we feel this is a matter that should be considered very seriously at this early stage. With the submission of a detailed traffic Management Plan outlining safe movement for not only light vehicles, but Emergency Vehicles, garbage trucks ETC.

6. **6. Planning Provision - General residential Zone, Page 8: Clause 32.08 point 2** *“To encourage development that respects the neighbourhood character of the area”*. This criteria is not being fulfilled at all. Comments made in **Clause 56.04-2** *“All Lots are Capable of containing a 10x15m rectangle”*. This is not in keeping with the neighbourhood at all and will ultimately detract from the overall character and appearance of area. With majority of dwellings in the immediate area being much larger with appealing street scape.

7. **10. Conclusion** *“The proposed subdivision will have a positive outcome with regard to state and local planning policies and will have no foreseeable negative impacts on the existing dwelling and agricultural use of the land on lot 9 or the physical features of the site or surrounding land. On this basis, the proposed subdivision should be supported subject to fair and reasonable conditions.”*

It is clear the subdivision will not impact the dwelling on lot 9 nor the agricultural land surrounding it. And yes It could have a positive outcome to local planning Policies, with the addition of building blocks, but at what cost to existing homes, particularly when local flooding occurs. We trust careful consideration will be taken over our many concerns. And that you will be *“fair and reasonable”* with your decisions.

With Regards



Reference: **TP24-22**

Property : 5352

15th September,2024

Mr Adam Moar
Manager Development Services

Mr James Thomas
Development Services officer/Student Planner

Members of Yarriambiack Council's Planning team.

Objection to amended application for a planning permit

Reference No: **TP24-22**

Proposal: **5-lot subdivision and creation of carriageway easement**

Address: **Craig Ave Warracknabeal Vic 3393**

I have viewed the amended Planning Permit application listed above. My objection and those previously submitted by:-


still stand. These two directors have worked in Dubi, Australia and other countries, they have a very in depth understanding of Property development and Laws.

Thank you Adam for extending the Objection Date to 25/09/2024, there has been a lot of information to wade through and process in a short amount of time.

Planning Report

The application for a Planning Permit for this subdivision should not be approved by Yarriambiack Shire Council. The main concern being severe flooding that occurs in the proposed subdivision area.

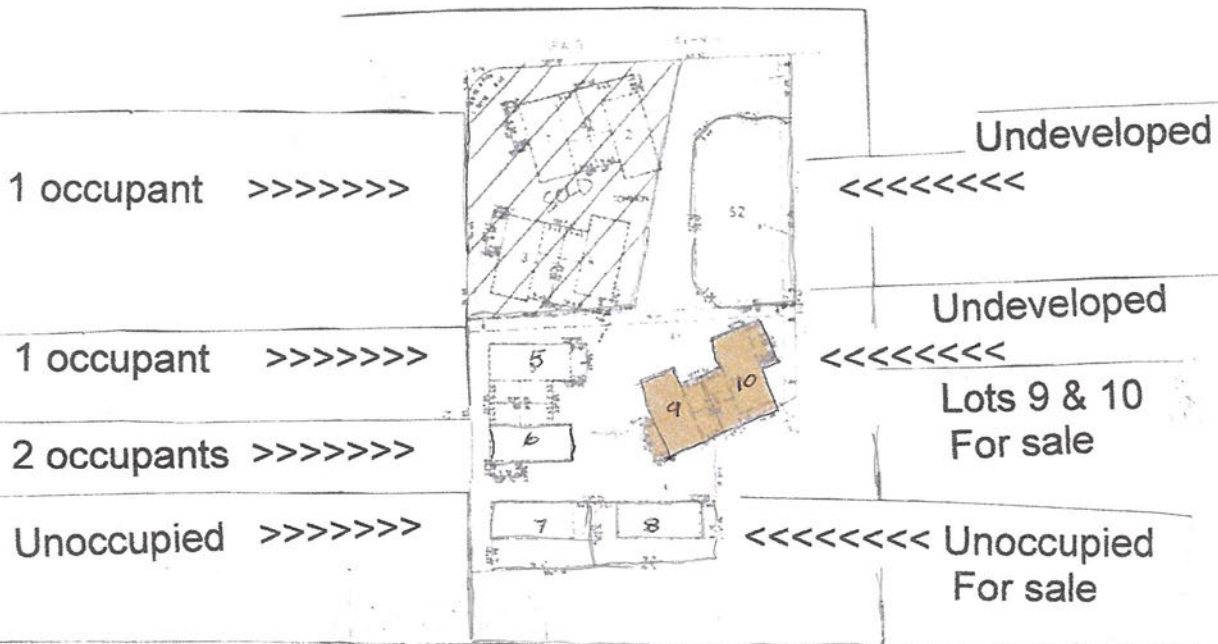
We also object and question the importation of fill to the lot which we understand represents unpermitted earthworks undertaken during March 2024. It is unclear where this fill was sourced from and whether it is suitably clean. It may also place adjoining Craig Avenue dwellings 124 to 130, at an increased risk of inundation during flood events if the earthworks and related drainage impacts were not considered and approved by Council. If these earthworks did in fact require a planning permit we request Council direct the owner to remove the fill and reinstate the original levels so our property is not placed at increased risk during floods.

At 122 Craig Avenue there is a dormant, poorly occupied 10 lot subdivision. There seem to be 3 adults and 1 child presently living there, all other units are empty or for sale. Lots 9, 10 and S2 have not been developed and two of these have been for sale for approx 12 months. 122 Craig Ave was subdivided approximately 15 yrs ago and is on the opposite side of Clarendon Avenue to the proposed 5 Lot Craig Ave subdivision. Another subdivision in such close proximity in this area of Warracknabeal would be inappropriate as very limited interest has been evident.

Yarriambiack Council's Development Team must be aware that the development of housing in Warracknabeal needs to take place in more suitable areas of the town that are closer to - The Education Precinct, Hospital, Aged Care Facilities and Senior Citizens Venues, Woodbine, and businesses in Scott Street.

122 Craig Avenue Warracknabeal

10 lot subdivision site



Evidence that another subdivision is not required at Craig Avenue, Warracknabeal 3393

122 Craig Avenue was subdivided into 10 lots 15 + years ago.

This poorly occupied and under developed site is evidence that another subdivision is not required at Craig Avenue Warracknabeal

Approximately three adults and 1 child live on this site.

Two Lots 9 & 10 have been for sale for almost twelve months and one other lot is not developed.

Two Units 7 & 8 are unoccupied. One of these is for sale.

**There is not a critical shortage of homes in
Craig Ave. Warracknabeal 3393.**

There are quite a few well presented and reasonably priced homes for sale in this area.

This is a well presented, reasonably priced 3 bedroom home diagonally opposite the proposed 5 Lot Craig Ave development site.

This home has been for sale for approximately 1 year, providing evidence that there is a decline in the need for homes and units in this area.

Members of Yarriambiack Council's Planning team need to be aware that they represent all members of their community when making a critical decision involving a flood prone town.

You need to be aware that sometimes people try to "get rid of" troublesome pockets of land that flood, grow weeds and need extra attention and care. Please do not make the mistake of accepting a parcel of land that is not suitable for subdivision. The whole town of Warracknabeal is flat and susceptible to major flooding. Please, please think carefully about your decision to allow the proposed 5 Lot Craig Ave Subdivision go ahead.



Clause 56.04-1

No public transport is available in this area.

No footpaths, residents walk on roads in Clarendon Ave, Symes Ave and Northern section of Craig Ave - very unsafe to walk on roads without footpaths.

Clause 56.04-5 Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and report identifying:- The common area to be owned by the body corporate, including any streets and open space.

This is a real concern as the rules and laws for the body corporate of subdivisions seem to be very loosely adhered to. Most subdivision sites are poorly maintained as once the lots are sold or partly sold, no-one seems to take responsibility for maintaining a suitable standard of roads, management, insurance, fencing and presentation etc. The 122 Craig Avenue subdivision has never been adequately fenced or properly maintained. Laws must be enforced and followed up by appropriate bodies. The proposed Craig Avenue development must fully document the appropriate laws of Body Corporate and how this is to be enforced and followed up at this site.

Standard C12

The proposed subdivision will destroy the beautiful natural landscape currently enjoyed by residents. The subdivision will be cramped and ugly, destroying the natural beauty of this area.

Clause 56.06-2 Standard C15

122 Craig Avenue subdivision has demonstrated that there is very little interest in purchasing land, units or homes in the northern section of the Craig Avenue area. The proposed site for the 5 lot subdivision is too far from shops and community facilities, Hospital, Education Precinct and facilities for Senior Citizens.

There are no proposed footpaths, shared paths, cycle paths or lanes included in the Craig Avenue Subdivision, safety must be a major consideration! There are no proposed changes to the neighbourhood street network. Clarendon Ave, Symes Avenue and the unnamed street leading to Lot 4 and 5 are very important aspects of this submission. These streets and adjoining streets need to be considered carefully and professionally designed and re submitted. Safety, lack of congestion and clear access of roads for residents and essential services, must be major considerations.

Clause 56.08-1 Standard C26

Site management objectives - Any works associated with the subdivision must be subject to site management controls to the satisfaction of the Yarriambiack Shire Council.

A detailed objection report from our Town Planning Consultant [REDACTED] is attached.

Warracknabeal is not experiencing a shortage of affordable houses.

realestate.com has 84 properties listed for sale in Warracknabeal and district.

The subdivision at 122 Craig Avenue provides evidence of disinterest, there are numerous vacant units and 3 undeveloped lots. Two lots and one unoccupied unit are for sale. Three adults and one child are the entire occupants of this subdivision, fifteen years after it was subdivided.

The subject site is not ideal for subdivision as it is in a critical flood area and needs to be positioned closer to amenities and shops.

[REDACTED] has downplayed the impact of extreme flooding in this area. The proposed subdivision site is a swamp and natural waterway to the Yarriambiack Creek. When heavy rain falls, run off from hills on the west and flooding from drainage on the south (Mitchel and Symes Avenues) flows into the low lying swamp and flood area. During a major flooding event, flood water from this area flows on to impact most areas of the town. Soil that has been placed on lower areas of the proposed subdivision site will cause major flooding in many other low lying areas of Warracknabeal.

This has been explained on Page 1 of my original Planning Objection dated 5 July, 2022.

I have lived at [REDACTED] for [REDACTED] years and am very concerned about many aspects of the proposed subdivision site. I have already been adversely subjected to noise and extreme dust during the delivery of many loads of soil to the proposed development site. The excessive dust has inundated my house, water tank, outdoor living area and furniture. If the Craig Avenue subdivision is approved, two lots will be adjoined to my back fence, with at least 3 more in close proximity, the development will be a nightmare and displays little regard for existing neighbours.

A retainer wall must be placed between existing homes and the proposed development as flood levels will differ.

Thank you for the opportunity to present my objection to the amended application for a planning permit

Reference No TP24-22

5-Lot subdivision and carriageway easement

Warracknabeal Vic

393

[REDACTED]
Warracknabeal 3393



9 August 2022

Mr Adam Moar
Manager Development Services
Yarriambiack Shire Council

Dear Sir,

Navigating the
cities of tomorrow.

Planning Permit Application Number | TP24-22
Proposal | 7 Lot Subdivision
Address | Lot 2 LP91903 Craig Avenue, Warracknabeal

I refer to the above planning application for the subdivision of the land into 7 lots, which was recently on public exhibition.

I act on behalf of the owner and occupier of the land [REDACTED] Craig Avenue, Warracknabeal, [REDACTED] [REDACTED], which immediately adjoins the [REDACTED] of the land subject to the application. The property shares an interface of ~40m along this boundary. [REDACTED] has lived on the property since the [REDACTED] and has an intimate knowledge of the physical context of the surrounding land and the implications of weather events, including flooding, that has significantly impacted the area and her property.

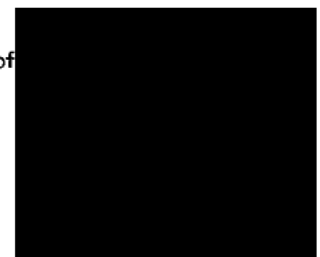
[REDACTED] has previously submitted an objection to this application on 5 July 2022, expressing her overall concerns and sharing anecdotal examples of the complex environmental conditions that apply to the land which may be exacerbated by the proposal. This submission is made in addition to [REDACTED] original letter and seeks to address / expand the relevant planning concerns that we believe Council should have regard for in its consideration of the application.

We note that the proposal relates to the creation of six (6) new lots on a small part of the land that forms the Subject Site that is zoned General Residential Zone 1 (GRZ1). The proposed six lots will range in size from 522sqm to 533sqm, with a single lot at 8,374sqm. The balance of the land (119.4ha) will be retained for farming purposes, including retention of the existing dwelling.

Having regard for the material submitted as part of the planning application (contained on Council's website) and the provisions of the Yarriambiack Planning Scheme it is considered that the proposal has failed to respond the existing physical context of the land (including neighbourhood character) and inadequate information has been provided to determine whether the proposal will result in detrimental impacts on the amenity of the surrounding properties.

More specifically, the proposal has failed to adequately address the State Planning Policy in terms of balancing competing planning objectives, as well as the objectives, standards and application requirements of Clause 56 of the Planning Scheme in relation to the subdivision of land for more than 3 lots.

In our view the proposal has failed to adequately respond to the following provisions of the Planning Scheme:





- Clause 56.01 (Subdivision Site And Context Description And Design Response) - No site analysis plan or design response plan is provided as part of the application, which is necessary to address the application requirements of Clause 56.01-1 and Clause 56.01-2.

Any proposed subdivision must be derived from a thorough analysis of the site's existing opportunities and physical constraints, including investigations in relation to overland flow, neighbourhood character, prevailing subdivision pattern, water management systems, environmental constraints, etc.

**Navigating the
cities of tomorrow.**

The proposed subdivision design appears to have been based upon limited information and site analysis. More specifically the response appears to simply apply an opportunistic approach to 'squeeze' five (5) lots into an area of GRZ1 land that does not appear to be encumbered by any existing vegetation, having little regard for neighbourhood character and servicing of the site.

- Clause 56.03-5 (Neighbourhood Character objective) - The proposed lot sizes and design fails to respond to the location of the land at the edge of the urban and rural interface of the township. While the land subject to the proposed six (6) lots is zoned GRZ1 the land forms part of a rural area at the north/western outskirts of the township.

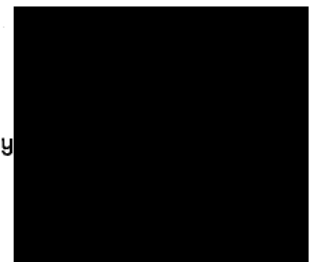
It is considered that the proposed lot sizes and layout fails to provide an appropriate transition between rural and urban uses, in terms of subdivision pattern and layout. It is considered that lot sizes of between 522-533sqm should be directed to other locations in the township that do not have an immediate rural interface. Should subdivision of the land proceed in this location larger lot sizes should be considered to better respond to the existing and surrounding subdivision pattern and manage character impacts of urban development at the edge of the rural landscape.

- Clause 56.04-1 Lot diversity & Distribution objectives - As outlined above it is considered that the proposed lot sizes are too small in this location and larger lot sizes that are more consistent to respond to the prevailing subdivision pattern, providing a transition between the rural and urban edge of the township would be a more appropriate design response.

We also note the land is not serviced by public transport or any immediate public amenities or access to services that would suggest the location is appropriate for a higher density outcome in this location.

- Clause 56.04-2 - Lot Area & Building Envelopes objectives - No building envelopes are included in the proposed subdivision plan. We note that the proposed lots will be provided with a width of 13.5m. While the lots may be able to accommodate an envelope of 10m wide, it is considered that the provision of such an envelope would not allow sufficient landscaping on either side of the envelope to support neighbourhood character outcomes.

It is considered wider lots should be provided to ensure that greater separation between building form could be achieved and additional landscaping provided between lots. Provision of a landscape master plan for the proposed subdivision may assist with amenity considerations between proposed and existing lots.





Further it is considered that building envelopes should be provided on the proposed plan of subdivision to provide greater certainty for the location of building form and ensure that impact on the amenity of the adjoining residential properties may be appropriately managed.

- Clause 56.05-1 – Integrated urban landscape objective; Clause 56.06-4 Neighbourhood street network objectives; and Clause 56.06-7 Neighbourhood Street network detail objective – We note that the proposal includes the construction of a new road to service lots 4,5 and 6, and it is unclear whether adequate turning area is provided for vehicles accessing these lots.

Navigating the cities of tomorrow.

We also note that the report accompanying the application suggest that Clarendon Avenue will be constructed, however no details of proposed road treatments are provided including whether kerb and channel is proposed or pedestrian paths and landscaping to ensure a safe pedestrian and vehicular environment.

- Land Subject to Inundation Overlay (LSIO) and Clause 56.07 – Integrated Water Management – No details of how the proposal will respond to the LSIO or manage / change stormwater or provide adequate drainage infrastructure to service the site and surrounds.

We note the planning report that accompanied the permit application states that the proposal is compatible with the LSIO and will not adversely affect the surrounding area, it is unclear how this is justified as no technical analysis is provided.

Having regard for the presence of the LSIO and the anecdotal evidence provided by [REDACTED] it is considered that a full and thorough assessment of the existing conditions and formal analysis of all stormwater and flooding considerations is necessary before further consideration of the application may proceed.

- Clause 56.09 – Utilities – No details of site servicing is provided including how augmentation will be undertaken to service the proposed lots.

Having regard for the above it is considered that the proposal should not be supported in its current form and that further detailed analysis is required to be undertaken to respond to the context of the land, in particular neighbourhood character, lot design and storm water management.

Regards,

[REDACTED]
Director

cc. [REDACTED] by way of email

