

7<sup>th</sup> September, 2020




Planning Department,  
Bass Coast Shire.,  
P.O. Box 118,  
WONTAGGI. VIC. 3995.

Dear Sir / Madam

RE: APPLICATION No.: 200257 - 3 McCauley View; Dalyston – Subdivision of Land into 2 lots  
200258 - 32 McRae Drive; Dalyston – Subdivision of Land Into 2 Lots

I am writing to express our concern of the abovementioned residential sites being “Subject to an Application for Sub-Division”.

We purchased our land in the “Cloverdale Estate” after spending many weekends travelling from Melbourne to Dalyston driving around the estate we noticed and loved the relaxed country feel and seeing mainly seniors like ourselves we loved the area immediately. We looked at other homes being built in the estate that have already built and occupied and decided “Yes” as we are seniors ourselves a nice single storey home will go well in the Cloverdale Estate. *“Described by Bass Coast Planning as a “hamlet” with Strategies to maintain Dalyston as a small residential community” and “accommodate population growth without compromising the village character” – “Maintain Dalyston as a small residential community” “Protect and enhance the village character of Dalyston”. “Retaining the existing township character”. “Encouraging High Quality Residences”* This is for us we thought !

After which we decided on a lovely block looking towards Kilcunda in the latest of blocks released that had just come onto the market in June, 2020 –  This is a small pocket in the Cloverdale estate off McRae Drive with 10 blocks of land feeding towards the road. We decided that this was the one for us – Lovely nice quiet area - we have just settled on this land today - Monday 7<sup>th</sup> September, 2020. The development of Dalyston largely influenced us to purchase here with its rural setting, that offers us a village-like character.

Only now (to our dismay) have we found out that the owners had put into council an intent to Subdivide 7 lots in this small pocket into 14 lots (Application No.) 190349 - 28/30/32 & 34 McRae and 3/5/7 McCauley View on the 4<sup>th</sup> November, 2019 – Application withdrawn 15.01.2020. (Was this withdrawn back then in January, so as not to arouse any suspicion of “Any Activity with Council in the last 125 days (for our Section 32) Title Search” ?

- 34 McRae Drive – has since Lodged Application 200020 20.01.2020 – Issued 12.06.2020 - Land now Sold mid August 2020 This block is only 308m<sup>2</sup> – Possibly only allowing for a Double Storey Townhouse to be built on such a small block and corner block at that (adequate car Parking hopefully included within the block) – or will it be street parking in McCauley View and being a corner allotment will mean cars will be parked on the nature strip and road blocking all who are entering into McCauley View. – And if these corner blocks have no adequate onsite parking and McRae Drive being a main road McCauley View will be the only option for parking on road, and/or their nature strip. Of this block that has already been subdivided and sold there is approximately 2 metre wide easement running down the length of the block leaving only an available 10 metre width for a house or a unit (leaving easement clear) plus will leave a minimum for a driveway of 3 metres wide ? This would possibly only allow for a single garage to be built on the site with any extra cars parking in the street plus visitors ?

During our many weekend visits we were looking at this estate – not once did we see any “Notice of Application for Planning Permit” signs on or around this particular block (34 McRae Drive). Even looking back at photos we have taken of the area including the block we eventually purchased we cannot see any visible Notices on this particular corner block. And to make matters even more infuriating this is the same family (Landowners) that sold us our block and although they had “Approval” already on 12<sup>th</sup> June, 2020 they - nor the Real Estate Agent did not mention to us that this block would be subdivided into 2 lots.

- NOW – we see the abovementioned applications  
200257 -3 McCauley View and  
200258 -32 McRae Drive

Have been submitted/lodged to council on 7<sup>th</sup> August, 2020 which was after we have signed our Contract of Sale and paid our full deposit monies – without either the Landowner/s nor the Real Estate Agent advising us of this intent. As I am under the belief that this is also part of the same ownership that sold us our land and subdivided Number 34 McRae Drive without notifying us – I believe is very deceitful. We have settled on our land today and have not been notified by anyone that this application has been lodged. These blocks would also only leave room to build a townhouse with a narrow driveway for the car parking as one of these also has a wider easement running along the length of the block. To fit a home or unit on a small 300m<sup>2</sup> block with off street parking would mostly need to be 2 storey encroaching on our privacy, solar and quiet enjoyment.

We now believe that this intent was there the entire time once these blocks were released with titles as the initial lodgement to subdivide these 7 blocks into 14 blocks was lodged with council as mentioned above on 4<sup>th</sup> November, 2019 and withdrawn on 15<sup>th</sup> January, 2020. – Again, I stress that this was not at all mentioned in our Section 32 given to us when we signed the Contract of Sale and before settlement – by neither the Vendors nor the selling Real Estate Agent. (possibly because the necessary 125 days had elapsed from application was withdrawn).

If the abovementioned planning subdivision is Issued it will make matters worse with Parking in McCauley View because No. 32 McRae Drive will have Two very small (300 m<sup>2</sup>) blocks & No. 34 McRae Drive (Already approved and Sold) on opposite corners creating a complete traffic jam at the entrance of McCauley view with an average of 2 cars per household this would be at least 8 x Cars plus any visitors on these 2 corner allotments subdivided into 4 blocks. (Number 34 McRae Drive already approved and sold). – If these households parked on McRae Drive this is a major road/ thoroughfare and would make the road very dangerous – reasons they would mostly all park in McCauley View and / or park on Nature strips.

Due to the Landowners initial / intent to sub divide these blocks last year in 2019 before Titles were released – We are fearful that they will then once these latest 2 applications above have been approved we are very concerned they will then apply for Number 7 McCauley View and No. 28 McRae Drive to be also subdivided as per their intentions last year in 2019 before withdrawing same. – We do not want to be closed in nor have our Privacy compromised by being enclosed with units / townhouses on 10 or 12 blocks (300m2) within the lovely little pocket of Cloverdale (*Our Little "Hamlet"*) estate that we have just purchased and settled on (This is under a One acre parcel of land that has the potential if council approves to turn into 10 – 12 Blocks) ? This would be average 24 – 30 cars in the street plus visitors – not counting the house blocks on the other side of the road in McCauley View.

Townhouses will overshadow our home we are hoping to build and as we are Seniors and wishing to stay in the estate for 20 years or more we cannot build 2 storey because of our age therefore a nice "Quality" single storey on a beautiful block has been our wishes / dreams – but now the fear that we could be overshadowed by Town houses and/or units is greatly distressing us. We believe this will devalue our house and land should we go ahead and build the "Quality" home that we were hoping.

With so many still vacant blocks of land in the Cloverdale Estate I wouldn't have thought it necessary to start dividing up the blocks into smaller lots (compromising the "Village Character" – used to describe Dalyston) that which only allows for small units or 2 storey townhouses including car parking on the land - would not even be viable on the small 300m2 blocks. The streets and nature strips at front of homes and surroundings will be a mess and chaotic with cars and parking – mostly in McCauley View.

Why is there a need to increase the density of the Estate / Area when it is not close to Shops or major schools. - There is more than enough still vacant blocks in the estate to satisfy demand for quite a few years yet. With another subdivision being planned for Dalyston in Station Street.

We do understand that there needs to be a couple of small blocks for the estate of which has been subdivided already in Barrier Avenue, (338m2 Sold 18.02.2020) and now this one I mentioned above sold at 34 McRae Drive, (308m2 now sold) but please if you do want just a few smaller blocks please spread them out - **Please do not allow them all to be sub divided in the one small pocket cluster/ area.** - Which looks to be the intention to occur here in this small pocket of land, with us at Number

As we live in Melbourne and are still in COVID19 Stage 4 lockdown in Melbourne and have only just taken ownership of our block [REDACTED] – we do not know how / when / if we were going to get any notification of the intention of this current application to sub divide and or how we can lodge an objection within the timeframe ?? – And we are unable to travel down every weekend to see if a "Notice of Subdivision" sign has been placed on any of the blocks that application has been lodged for on 7<sup>th</sup> August, 2020. (Again we did not see a notice placed at Number 34 McRae Drive).

As soon as it is possible (with COVID19) we were planning on looking for and engaging a builder to begin our process of building our dream home – but this worry of possible 2 x lots per block sub division in this small area is of a major concern to us planning our home and life.

I have attached a copy of the plan with Highlighted Notes - Our Block Highlighted in Blue

Already Subdivided and Sold Block - 34 McRae Drive – Highlighted in Green.

Application to Subdivide - 200257 & 200258 Highlighted in Yellow.

Withdrawn Application - 190349 – Asterisk in Pink - No 7 McCauley & 28 McRae.

I am concerned that somehow this was / has always been a plan for this pocket of land and not noted on the Section 32 and our Contract of Sale – because I have been trying to find out from council why the numbers in this small street “McCauley View” are missing as we have in this pocket

Number 6 – 8 – 10 - McCauley View (where is Number 2 & 4) ?

Number 3 – 5 – 7 - McCauley View (where is Number 1) ?

Number 28 – 30 – 32 - McCauley View (where is Numbers 12 – 14 – 16 – 18 – 20 – 22 – 24 – 26)

And numbers 9 – 11 – 13 – 15 – 17 – 19 – 21 – 23 – 25 – 27 – 29 – 31)

The vacant land across the road from us is “Storm Water Drain” that would probably never be built on – we were also told that this is the end of the township zone – and advertising from the Real Estate Agents state that views are forever – even if the farmland across the road is going to be subdivided it will be many many years away – this we are aware of may happen in the long term future but not in the near future so why then would these street numbers be unallocated and/or why did they not use numbers relevant to the street (McCauley View) ? For the number of blocks allotted when the land was developed.?

Hoping that someone in your department can assist me with my queries and lead me to the correct area to lodge my objections for this current application and assist with how I can keep informed should any further applications occur which will inflict upon our personal living space and lives.

We do feel that we have been taken advantage of by having our block sold to us first along with Number 30 McRae Drive, and now for the Landowner/s to begin drip feeding the remaining blocks they own by sub-dividing into Lots of 2 on each of the remaining blocks – as I now have a feeling that they also own the blocks on the other two corners Number 7 McCauley and Number 28 McRae – so what will be next – an Application to sub divide these also ? - Please take a look at this very seriously and if “Cloverdale Estate” does need some smaller blocks allow it to be dotted throughout the Estate not all down in the one end (Stage 5) area especially our little pocket [REDACTED] which would see us dwarfed and locked in by Town Houses / or units – with No sunlight / Solar or even Parking and Quiet enjoyment of our home. Approval of this and any other sub division application within this small parcel of land – would dominate the area by having so many smaller blocks near each other and would encourage much smaller homes / units within this boundary and cause havoc on the surrounding streets and the streetscape. There is no logical reason to increase the traffic flow by subdividing these blocks and others within close proximity, and again losing the “Village Character” of Dalyston as described in the Bass Coast – Dalyston Structure Plan 2018.

We paid a premium price for our purchase of [REDACTED] for what we believe at the time to be a premium block of land within a small pocket of blocks and the potential to build a lovely home to see us throughout our retirement years. Having lived in Melbourne suburbs all our lives and wishing to move to enjoy a country feel in a lovely little township (Dalyston) – we chose here instead of the busier nearby Wonthaggi township – this is our idyllic lifestyle in a tiny “Hamlet / Country Village” feel. We didn’t pay this premium to invest and make money we purchased for our own happy upcoming very near future retirement years.

Awaiting your response and some guidance. As we are eager to begin our building process but fearful of being unhappy and blocked in by units/townhouses and excess traffic etc.

Kindest Regards.

[REDACTED]