

# **Planning Delegated Committee Meeting Agenda**

**Wednesday 8 December 2021 at 7pm**

**Held online and livestreamed at [mrsc.vic.gov.au](https://www.mrsc.vic.gov.au)**

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO.
1.	Acknowledgement of Country	1
2.	Recording and livestreaming of this Committee Meeting	1
3.	Present	1
4.	Apologies	1
5.	Declaration of conflicts of interest	1
6.	Purpose of Committee	1
7.	Adoption of Minutes	1
8.	Gisborne Futures - Update	2
9.	Macedon Ranges Planning Scheme Amendment C127macr - Exhibition and submissions from Macedon Ranges Shire Heritage Study (2019)	6
10.	Hearing of submitters	14
	10.1 Hearing of submitters in relation to Planning Scheme Amendment C143macr	
	10.2 Hearing of submitters in relation to McKim Road DP – 8 & 10 McKim Road DP/2013/6/A	
	10.3 Hearing of submitters in relation to McKim Road DP – 11 McKim Road DP/2013/6/B	
	10.4 Hearing of submitters in relation to PLN/2016/524/B – 600 Couangalt Road, Gisborne	
	10.5 Hearing of submitters in relation to PLN/2021/100 – 35 Calthorpe Street, Gisborne	
11.	Planning Scheme Amendment C143macr Bunjil Creek Bluestone Bridge and Channel and Trees in Howey Reserve – Heritage Overlay	15
12.	Application for a Development Plan Amendment – DP/2013/6/A - 8 and 10 McKim Road, Gisborne	18
13.	Application for a Development Plan Amendment – DP/2013/6/B - 11 Mckim Road, Gisborne	20
14.	Application for a Planning Permit PLN/2016/524/B 600 Couangalt Road, Gisborne	22
15.	Application for a Planning Permit PLN/2021/100 - 35 Calthorpe Street, Gisborne	24

**1. ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Countries. Council acknowledges that those attending today's meeting are gathering on the land of the Wurundjeri Woi Wurrung Peoples. Council pays its respects to their Elders past, present and emerging and any Aboriginal and/or Torres Strait Islander People who may be here today.

**2. RECORDING AND LIVE STREAMING OF THIS COMMITTEE MEETING**

This meeting will be held online and streamed live on the internet.

The meeting will be recorded. The recording will be available on Council's website within 48 hours of the end of the meeting.

**3. PRESENT**

**4. APOLOGIES**

**5. DECLARATION OF CONFLICTS OF INTEREST**

**6. PURPOSE OF PLANNING DELEGATED COMMITTEE**

Council established the Planning Delegated Committee to provide a regular forum for hearing from people who have made a submission to Council or who are an applicant or objector in relation to a planning permit application.

The Committee is authorised to determine statutory planning applications and Planning Scheme amendments only in relation to *the Planning and Environment Act 1987*. Its purpose is to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters, planning applications and to determine other planning matters.

**7. ADOPTION OF MINUTES**

Planning Delegated Committee Meeting: **Wednesday 10 November 2021**

**Recommendation:**

**That the minutes of the Planning Delegated Committee of the Macedon Ranges Shire Council held on Wednesday 10 November 2021, as circulated be confirmed.**

<b>8.</b>	<b>GISBORNE FUTURES - UPDATE</b>
<b>Officer:</b>	<b>Isobel Maginn, Senior Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

### **Purpose and Overview**

This report provides an update on the Gisborne Futures Councillor Reference Group (CRG) and a community update on the Gisborne Futures Project.

### **Recommendation:**

**That the Planning Delegated Committee notes:**

- 1. That the Gisborne Futures Councillor Reference Group met on the following occasions over the past 12 months: December 2020 and January, February, March, April, May, July and August 2021.**
- 2. Council's decision of the Scheduled Council Meeting of 24 November 2021 for the Gisborne Futures Councillor Reference Group to meet as required.**
- 3. That in future submitters and email subscribers will be provided quarterly updates on the progress of Gisborne Futures.**

---

### **Background**

At the Ordinary Council Meeting of 22 August 2018 it was resolved:

**That Council endorse the Terms of Reference as attached to this report for the following Councillor Project Groups:**

- 1. Gisborne Structure Plan and Gisborne Town Centre Urban Design Framework CPG:**
- 2. Romsey Issues and Options Paper CPG**
- 3. Woodend, Macedon, Mount Macedon and Lancefield Heritage Study**
- 4. Appoint the following Councillors to the respective Councillor Project Groups**
  - Gisborne Structure Plan and Gisborne Town Centre Urban Design Framework CPG – South Ward Councillors**
  - Romsey Issues and Options Paper CPG – East Ward Councillors**

A Councillor Project Group (CPG) for the Gisborne Futures project was formed with the purpose to:

- Inform and update ward councillors of the project progress and gain feedback and
- Discuss strategic issues relevant to the project.

At the Scheduled Council Meeting of 25 November 2020, a report on Council's Advisory Committees and Working Groups was presented with a recommendation that Council appoint delegates for the next 12 months to a number of advisory committees and external committees and organisations.

At this meeting it was resolved that the Gisborne Futures CPG would be expanded to include all nine Councillors as delegates and the meeting schedule amended to occur monthly.

The last community update on the Gisborne Futures Project was provided at the Scheduled Council Meeting held on 24 March 2021 where Council noted a summary of the feedback received in response to the community consultation process undertaken from July to September 2020. There has been no further community updates provided on the project since this meeting.

### **Discussion**

The CPG meetings have been an opportunity to provide Councillors a comprehensive summary of key themes and issues, officer responses and detailed submission summaries resulting from the consultation process that occurred from July to September 2020 on the Gisborne Futures project.

The table below identifies CPG meetings that have taken place over the last 12 months.

<b>Date</b>	<b>Topic</b>
15 December 2020	Meeting of Gisborne Futures CPG
19 January 2021	Meeting of Gisborne Futures CPG
16 February 2021	Meeting of Gisborne Futures CPG
16 March 2021	Meeting of Gisborne Futures CPG
23 March 2021	Meeting of Gisborne Futures CPG
13 April 2021	Meeting of Gisborne Futures CPG
11 May 2021	Meeting of Gisborne Futures CPG
18 May 2021	Meeting of Gisborne Futures CPG
25 May 2021	Meeting of Gisborne Futures CPG
June 2021	No CPG held
6 July 2021	Meeting of Gisborne Futures CPG
17 August 2021	Meeting of Gisborne Futures CPG
September 2021	No CPG held
October 2021	No CPG held

CPG meetings were not held in June, September or October 2021 at the discretion of Councillors.

The CPG meetings are guiding Councillors through each submission and how officers are proposing to respond. A consultation report is being prepared for a future Scheduled Council Meeting that will include a summary of all submissions and officer responses to these, proposed changes to the plans and further work to be completed. Once completed the consultation report will guide the next stage of the Gisborne Futures project, including a revised Draft.

As noted above the community have not been provided an update on Gisborne Futures since March 2021. Officers are also suggesting that as part of this report, Council resolves to provide quarterly community updates regarding the progress of Gisborne Futures.

### **Consultation and engagement**

No consultation or engagement was required in the preparation of this report.

### **Collaboration**

Collaboration was not required in relation to this report.

### **Innovation and continuous improvement**

This report is consistent with the principles outlined in the *Local Government Act 2020*.

### **Relevant law**

There are no legislative implications or risk associated with Council noting this report.

This report does not have any direct or indirect human rights implications under the *Charter of Human Rights and Responsibilities Act 2006*.

### **Relevant regional, state and national plans and policies**

N/A

### **Relevant Council plans and policies**

Council Plan - Strategic objective 4. Deliver strong and reliable government

*We will demonstrate the qualities of good governance, including a clear vision and culture, transparency, respect, consistency, accountability and responsiveness.*

Community Engagement Policy:

*Principle 5: Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making.*

### **Financial viability**

There are no resource, IT or asset management implications associated with

this report.

**Sustainability implications**

This report is provided for Council's information only. As such, there are no social or environmental issues that may be impacted by the outcome of this report.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>9.</b>	<b>MACEDON RANGES PLANNING SCHEME AMENDMENT C127MACR - EXHIBITION AND SUBMISSIONS FROM MACEDON RANGES SHIRE HERITAGE STUDY (2019)</b>
<b>Officer:</b>	<b>Dannielle Orr, Strategic Planner - Heritage</b>
<b>Council Plan relationship:</b>	<b>2. Healthy Environment, Healthy People 4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>1. Redacted submissions 2. Summary of submissions &amp; officer response 3. Revised amendment documentation (tracked changes)</b>

### **Purpose and Overview**

This report considers the submissions made through the exhibition of Planning Scheme Amendment C127macr - Macedon Ranges Shire Heritage Study Woodend, Lancefield, Macedon and Mount Macedon Heritage Study (2019). As a result of exhibition a number of changes are proposed as post exhibition changes. Four submissions remain unresolved and it is recommended that the Planning Delegated Committee progress the amendment to an independent Planning Panel for consideration.

### **Recommendation**

**That the Planning Delegated Committee:**

- 1. Adopts the post exhibition changes to Amendment C127macr as set out in Attachments 1 and 3;**
  - 2. Requests that the Minister for Planning appoint an independent Planning Panel under Part 8 of the *Planning and Environment Act 1987*, to consider all submissions to Amendment C127macr to the Macedon Ranges Planning Scheme;**
  - 3. Refers all submissions to Amendment C127macr to the appointed Panel in accordance with Section 23 of the *Planning and Environment Act 1987*; and**
  - 4. Notifies all submitters of the resolution.**
- 

### **Background**

The Macedon Ranges Shire Heritage Study: Woodend, Lancefield, Macedon and Mount Macedon Heritage Study (2019) was commissioned in 2018 and completed by GJM Heritage. The Heritage Study can be viewed on Council's website at <https://www.mrsc.vic.gov.au/Build-Plan/Heritage-Protection-and-Planning/Heritage-Studies/Woodend-Lancefield-Macedon-and-Mt-Macedon-Heritage-Study-2019>.

The Heritage Study focused on the towns of Woodend, Lancefield, Macedon and Mount Macedon and meets an action identified in the *Macedon Ranges*



*Heritage Strategy* 2014-2018 to review previous heritage work and identify gaps in heritage protection. The heritage study reviewed 56 places previously identified in the *Macedon Ranges Cultural Heritage and Landscape Study* 1994, and of these, 33 heritage sites were documented for their significance.

The Victoria Police Residence at 59 Victoria Street Macedon was the subject of a standalone amendment and has been now been permanently protected through Amendment C125<sup>macr</sup>. ‘Carramar’ at 20 Bowen Street Woodend is temporarily protected (under C132<sup>macr</sup>) pending the completion of Amendment C127<sup>macr</sup>.

At the Ordinary Council Meeting of April 2019 it was resolved to:

1. **Adopt the Woodend, Lancefield, Macedon and Mount Macedon Heritage Study Final Report.**
2. **Request the Minister for Planning authorise preparation of Planning Scheme Amendment C127 to the Macedon Ranges Planning Scheme to apply the Heritage Overlay to 32 individual places (provided in attachment 1).**
3. **Request the Minister for Planning to undertake Planning Scheme Amendment C132 to the Macedon Ranges Planning Scheme under section 20(4) of the Planning and Environment Act 1987, to apply an interim Heritage Overlay on 20 Bowen St, Woodend whilst permanent controls are progressed.**
4. **Authorise Council officers to prepare Amendment documents for authorisation and exhibition of Amendment C127.**
5. **Under s19 of the Planning and Environment Act 1987 inform all affected land owners of Planning Scheme Amendment C127 and thank them for their participation.**
6. **Notify remaining land owners and occupiers not proposed to be included in Amendment C127 of the outcome of the study, and thank them for their cooperation and time in assisting Council with this Study.**
7. **Refer to future budget process/es:**
  - a) **the eighteen (18) properties identified in this study for consideration for inclusion in a Significant Landscape Overlay, and;**
  - b) **A future Lancefield Township Gap Study.**

The Minister authorised Amendment C127<sup>macr</sup> on 11 March 2020, initially subject to seven conditions, which was later revised to six conditions with one to be read as advice on 30 October 2020. These conditions were satisfied by Council on 7 May 2021.

### **Discussion**

A total of 15 submissions were received during and following the exhibition period (refer Attachment 1). These submissions have now been placed on Council’s

website. In accordance with the *Planning and Environment Act 1987* and the Macedon Ranges Shire Privacy Policy, with personal and identifying information redacted. They are also available to be viewed at Council Offices.

The submissions raise a variety of issues such as the strategic justification of the Heritage Study, organisation of the planning scheme for the Heritage Overlay, down to site-specific issues such as the extent of the Heritage Overlay curtilage, the impact of changes to properties (alterations, additions etc.), and proposed permit triggers for trees, outbuildings etc.

In addition, three places had verbal queries or other circumstances brought to Council officer's attention during the exhibition of Amendment C127macr.

Table one below identifies the properties where no changes to the exhibited documents are proposed.

Table one: Properties where no changes are proposed to exhibition documents.

<b>Property</b>	<b>Submission received</b>
HO321 Annie Vale Farm Complex 158 (part) Mahers Road, Lancefield	No
HO322 Lancefield Railway Station (Former) & Railway Line Remnants 36 (part), 42 & 68A (part) Main Road, Lancefield	No
HO323 Lancefield Presbyterian Manse (Former) 3416 Melbourne Lancefield Road, Lancefield	Yes No changes proposed
HO324 Newland Farm Complex 46 Millers Lane, Lancefield	Yes No changes proposed
HO325 Macedon Cemetery 54 Bent Street, Macedon	No
HO326 House 29-31 Margaret Street, Macedon	No
HO327 Penola 222 (part) Alton Road, Mount Macedon	No
HO328 Cheniston 20 Cheniston Road, Mount Macedon	No
HO329 Ard Rudah 51 Devonshire Lane, Mount Macedon	No
HO330 Marnanie 53 Devonshire Lane, Mount Macedon	No
HO331 Glen Drouitt 51 Glen Drouitt Road, Mount Macedon	No
HO332 Dreamthorpe 455 Mount Macedon Road, Mount Macedon	No
HO333 Mount Macedon Presbyterian Church (Former) 682 Mount Macedon Road, Mount Macedon	No

HO335 Craigielea 109 (part) Mountains Road, Mount Macedon	No
HO337 Carramar 20 Bowen Street, Woodend	Yes No changes proposed
HO338 Woodend Catholic Primary School (Former) 16 Brooke Street, Woodend	No
HO339 Blanchwood 18 Brooke Street, Woodend	No
HO340 Manchester Unity Convalescent Home (Former) 8 Carlisle Street, Woodend	No
HO341 Lyndhurst 6-8 Collier Street, Woodend	No
HO342 Zion Baptist Chapel (Former) 2\TP856403 Colwells Road, Woodend	No
HO343 Pindari 2-8 Dickens Street, Woodend	No
HO345 Woodend Masonic Lodge No. 403 35 (part) Forest Street, Woodend	Yes No changes proposed
HO346 St Andrews Presbyterian Church (Former) 37 (part) Forest Street, Woodend	No
HO349 St Ambrose Catholic Church Complex 16 and 18 (part) Templeton Street, Woodend	No
HO350 Springfield State School No. 1963 (Former) 3 Clarkes Lane, Woodend North	No

Discussions with the owners of Carramar: 20 Bowen Street, Woodend, were unable to resolve the Statement of Significance (SoS) and curtilage changes in full. Whilst some agreement was obtained between officers, GJM Heritage and owners, this report recommends no post exhibition changes be made at this time. The independent Planning Panel will consider the submission in full and may recommend changes to be made.

#### Post exhibition Changes

A number of changes are proposed to the amendment documentation in response to submissions and queries. A summary of the submissions and queries with the officer response is provided at Attachment 2.

In summary the post exhibition changes are summarised below in Table Two and detailed in Attachment 3.

Table two: Summary of post exhibition changes

<b>Property</b>	<b>Change Proposed</b>	<b>Document Changes</b>	<b>Outcome</b>
HO319 The Grange Farm Complex 153(part) Collivers Road, Lancefield	Agreed changes to the Statement of Significance (SoS)	Changes to SoS, Clause 43.01 and Clause 72.04	Issue considered resolved
HO320 Blois Cottage Farm Complex 114 (part) High Street, Lancefield	Agreed changes to the SoS	Changes to SoS, Clause 43.01 and Clause 72.04	Issue considered resolved
HO334 Sefton 864 Mount Macedon Road, Mount Macedon	Agreed changes to the SoS	Changes to SoS, Clause 43.01 and Clause 72.04	Part of Submission resolved
HO336 Ard Choille Cottage, Stables, Fernery & Garden 80 (part) Turner Avenue, Mount Macedon	Agreed changes to the (SoS)	Changes to SoS, Clause 43.01 and Clause 72.04	Submission considered resolved
HO344 Woodend Racecourse (Former) 1-29 Forest Street and 11 (part) Davy Street	Agreed changes to the SoS	Changes to SoS, Clause 43.01 and Clause 72.04	Submission considered resolved
HO347 Campaspe House 29 Goldies Lane, Woodend	Agreed changes to the SoS and curtilage of HO	Changes to SoS, Clause 43.01, Clause 72.04 and Map 24	Submission considered resolved
HO348 Flint Hill 65 (part) Romsey Road, Woodend	Agreed changes to the SoS and curtilage of HO	Changes to SoS, Clause 43.01, Clause 72.04 and Map 24	Submission considered resolved

Discussions with the owners of Sefton at 864 Mount Macedon Road, Mount Macedon, were able to resolve agreed changes to the SoS. The submission is considered unresolved as the owner is requesting that Council prepare an Incorporated Plan for the property which is considered outside the scope of this amendment.

It is the officer recommendation that all submissions and queries be referred to the independent Planning Panel, for their expert advice to Council.

### **Consultation and engagement**

Amendment C127macr was exhibited for a period of 6 weeks, from Thursday 3

June to Friday 16 July 2021. All amendment documents were on display, as required but subject to COVID-19 restrictions, in the four Council locations at Kyneton, Lancefield, Romsey and Woodend. During this period, all amendment documents were also available online at Council’s and DELWP’s websites. The following table details what other consultation was undertaken during this period for Amendment C127macr.

Table three: Amendment C127macr Consultation

<b>Who</b>	<b>When</b>	<b>How</b>	<b>What</b>
Macedon Ranges Heritage Council	18 May 2021	Meeting	Discussion and information about the Amendment C127macr exhibition
60 affected property owners / occupiers	25 May 2021	Mail	Full amendment documentation specific to each property.
41 Ministers, pre-scribed authorities, and other stakeholders	25 May 2021	Mail	Documentation as prescribed under the <i>Planning and Environment Act 1987</i>
Macedon Ranges Shire Council	31 May – 20 July 2021	Website	Full amendment documentation through the ‘Have your Say’ platform
Notice of Preparation of Amendment C127macr	1 June 2021	Newspapers	- <i>Midland Express</i> - <i>Free Press</i> - <i>Star Weekly</i>
	3 June 2021	Gazette	Victorian Government Gazette

In addition, the *Midland Express* compiled its own 2-page spread on Amendment C127macr, ‘Heritage Protection Ahead’, on Tuesday 8 June 2021.

Due to the ongoing COVID-19 situation, no in-person ‘drop-in’ sessions were held. Site visits, online and phone meetings were offered to each property owner in order to resolve as many issues as possible during and following the exhibition period. Site visits and online meetings were held in July, August and October 2021 in line with COVID restrictions.

### **Collaboration**

Collaboration with other councils, governments and/or statutory bodies, aside from the required consultation as described above, has not been necessary in relation to this report.

### **Innovation and continuous improvement**

A number of property owners have raised the idea of a Council-funded heritage scheme, to encourage the restoration and maintenance of properties under the

Heritage Overlay. A government-funded grants program, 'Living Heritage Grants', exists for places on the state Victorian Heritage Register, however there is no equivalent municipal scheme to support properties under the local heritage overlay. A number of councils in Victoria run incentive schemes such as a 'Heritage Restoration Loan Scheme'. It is recommended that these various schemes be reviewed as part of the next iteration of the Heritage Strategy, to determine whether such a scheme may be appropriate for Macedon Ranges Shire.

### **Relevant law**

Amendment C127macr complies with the requirements of the *Planning and Environment Act 1987* and *Regulations 2015*. This includes the provisions relaxed by the *COVID-19 Omnibus (Emergency Measures) Act 2020*, to allow for online display of amendment information.

It does not have any direct or indirect human rights implications under the *Charter of Human Rights and Responsibilities Act 2006*.

### **Relevant regional, state and national plans and policies**

The adopted State policy, the *Macedon Ranges Statement of Planning Policy* (SoPP), has now been implemented into the Macedon Ranges Planning Scheme through Amendment VC185 (30 April 2021). Amendment C127macr gives effect to Objective 5 of the SoPP, which is 'to recognise, conserve and enhance the declared area's significant post-contact cultural heritage values' (Policy Domain 'Post-contact cultural heritage').

### **Relevant Council plans and policies**

Amendment C127macr delivers on Aim 4 of the adopted *Macedon Ranges Heritage Strategy 2014-2018*, to 'ensure adequate protection is applied to sites of heritage significance in the Shire'.

### **Financial viability**

Amendment C127macr costs have been included in the budget for the Strategic Planning unit for 2021/22. Once in effect, the Heritage Overlays will trigger permit applications on the affected land for a range of activities or works that can change or permanently alter a heritage place and vegetation. It is expected that the increased workload will be able to be accommodated within the current resource and administration costs of the Strategic and Statutory Planning units.

### **Sustainability implications**

Amendment C127macr is expected to have a positive social and environmental impact by protecting and promoting places of cultural heritage significance in the municipality and encouraging their retention. It may result in some additional economic costs to property owners in applying for planning permits, engaging heritage consultants, and funding maintenance and renovation costs of heritage places. A Council-funded heritage scheme as described above may assist to alleviate some of these costs to the community.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

## **10. HEARING OF SUBMITTERS**

For the purpose of hearing from those making submissions, the Planning Delegated Committee may suspend standing orders for the purposes of allowing a member of the public to address the meeting.

In accordance with the Planning Committee Guidelines, each speaker will be allocated a maximum of three (3) minutes to speak to their submission.

In the case of joint submissions, a maximum of three (3) minutes will be allocated persubmission, up to a maximum of nine (9) minutes, and one person should be nominated to speak on behalf of the submitters.

- 10.1 Hearing of submitters in relation to Planning Scheme Amendment C143macr**
- 10.2 Hearing of submitters in relation to planning permit McKim Road DP – 8 & 10 McKim Road DP/2013/6/A**
- 10.3 Hearing of submitters in relation to planning permit McKim Road DP – 11 McKim Road DP/2013/6/B**
- 10.4 Hearing of submitters in relation to planning permit PLN/2016/524/B – 600 Couangalt Road, Gisborne**
- 10.5 Hearing of submitters in relation to planning permit PLN/2021/100 – 35 Calthorpe Street, Gisborne**



<b>11.</b>	<b>PLANNING SCHEME AMENDMENT C143MACR BUNJIL CREEK BLUESTONE BRIDGE AND CHANNEL AND TREES IN HOWEY RESERVE – HERITAGE OVERLAY</b>
<b>Officer</b>	<b>Jack Wiltshire – Strategic Planner</b>
<b>Council Plan relationship</b>	<b>1. Connecting Communities</b>
<b>Attachments</b>	<b>Submissions received</b>

### **Purpose and Overview**

To hear from submitters in relation to Planning Scheme Amendment C143macr.

### **Recommendation**

#### **That the Planning Delegated Committee:**

- 1. Notes the submissions received in relation to Planning Scheme Amendment C143macr; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the Scheduled Council Meeting to be held on 15 December 2021.**

---

### **Background**

Council is seeking to permanently protect Gisborne’s Bunjil Creek Bridge and bluestone channel and three historically significant trees located in Howey Reserve before works commence on the Kilmore Road and Melbourne Road Intersection Upgrade.

This important entrance to Gisborne is identified by Council and the community as having local aesthetic and historical significance.

A planning scheme amendment, C143macr, has progressed to introduce a new Heritage Overlay to the Bunjil Creek Bridge and bluestone channel. It will also extend an existing Heritage Overlay to include two oaks and one elm tree that align with the existing heritage avenue in Howey Reserve.

At the Ordinary Council Meeting held on 27 May 2020, it was resolved:

#### **That Council:**

- 1. Adopt the Local-Level Heritage Assessment: Bunjil Creek Bridge & Channel, Gisborne, GJM Heritage, April 2020.**
- 2. Request the Minister for Planning authorise the preparation of Planning Scheme Amendment C143macr to the Macedon Ranges**

**Planning Scheme to apply Heritage Overlay (HO351) permanently to the Bunjil Creek Bridge and Channel.**

At the Ordinary Council Meeting held on 24 June 2020, it was resolved:

**That Council:**

- 1. Adopt the Heritage Assessment – Trees at intersection of Bunjil Creek, Gisborne Road and Melbourne Road, Gisborne, Plan Heritage, May 2020.**
- 2. Request the Minister for Planning authorise the preparation of Planning Scheme Amendment C143macr to the Macedon Ranges Planning Scheme to apply Heritage Overlay (HO351) permanently to the Bunjil Creek Bridge and Channel, and identified ‘Ulmus procera’ English Elms and to extend the HO289 Memorial Precinct (Howey Reserve) to cover an additional three trees identified as elms and oaks.**

At the Ordinary Meeting held on 26 August 2020 Council it was resolved:

**That Council:**

- 1. Endorse the agreement ‘in principle’ regarding the heritage features at the Melbourne Road and Kilmore Road Intersection.**
- 2. Direct the Chief Executive Officer to communicate this agreement to Regional Roads Victoria.**
- 3. Direct the Chief Executive Officer to provide a copy of the agreement to the Minister for Planning for consideration with the Ministerial Amendment requests C142macr and C144macr, and application for permanent heritage controls Amendment C143macr.**

Amendment C143macr proposes to:

- Introduce a new Heritage Overlay (HO351) to the 147 year old Bunjil Creek bridge and bluestone channel; and
- Extend Heritage Overlay (HO289) that applies to Howey Reserve to include two oak trees and one elm tree.

Public exhibition of Amendment C143macr commenced on Thursday 30 September 2021 and finished on 12 November 2021.

The exhibition program comprised the following activities:

Direct notification

- 71 letters were sent including an explanatory letter, explanatory report and a copy of notice with each letter to explain the changes proposed to:
  - All land owners and occupiers impacted by the changes.
  - Landowners adjacent or abutting the land impacted by the change.

- relevant government departments and agencies and other stakeholders

Advertisements and publicity

- Public notice in the Government Gazette.
- Notices in local papers – Midland Express and Star Weekly.
- Council's 'Have Your Say' page.
- A notice displayed on site.

**Summary of Submissions**

Nine (9) submission were received during the exhibition of the amendment. They are summarised as follows:

Submission number	Summary of submission regarding amendment	Officer comment
1	Supports the amendment.	Noted
2	Supports the amendment.	Noted
3	Supports the amendment.	Noted
4	Objects to the amendment on the basis that it does not accept the heritage assessment. Conducted its own independent assessment. Suggests there is no valid basis for MRSC's heritage claim.	Noted
5	Supports the amendment.	Noted
6	Supports preserving town character - bluestone bridge is an exceptional example of engineering.	Noted
7	Supports the amendment including: <ul style="list-style-type: none"> <li>• Bridge is of high heritage significance and acts as a gateway entrance to Gisborne.</li> <li>• Disagree with the heritage assessment (age of Bridge) done on behalf of Regional Roads Victoria.</li> <li>• Believes that there are measures that would allow the bridge to meet any requirement to meet the 100 year Flood level.</li> <li>• Believes that these measures can be incorporated into RRV's redesign for the bridge.</li> </ul>	Noted
8	Supports the amendment.	Noted
9	Supports the amendment.	Noted.

**Officer Declaration of Conflict of Interest**

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



<b>12.</b>	<b>APPLICATION FOR A DEVELOPMENT PLAN AMENDMENT – DP/2013/6/A</b>
	<b>8 AND 10 MCKIM ROAD, GISBORNE</b>
<b>Officer</b>	<b>Jack Wiltshire – Strategic Planner</b>
<b>Council Plan relationship</b>	<b>1. Connecting Communities</b>
<b>Attachments</b>	<b>Submissions received</b>

### **Purpose and Overview**

To hear from submitters in relation to Development Plan Amendment Application DP/2013/6/A.

### **Recommendation**

**That the Planning Delegated Committee:**

- 1. Notes the submissions received in relation to Application to Amend Development Plan DP/2013/6/A; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the Scheduled Council Meeting on 15 December 2021.**

---

### **Background**

Application DP/2013/6/A seeks the approval of an amendment of a Development Plan for Area 2 under the Development Plan Overlay Schedule 4 (DPO4) for the land at 8 and 10 McKim Road, Gisborne.

Adjoining and surrounding landholders and occupiers were informed of the application from 8 October 2021 to 28 October 2021. Two (2) submissions have been received.

### **Summary of Proposal**

The application is seeking to amend the existing development plan to reduce the size and capacity of the shared retarding basin, which currently lies between 8 and 10 McKim Road. The application proposes to contain the retarding basin wholly on 10 McKim Road.

As a result the application is seeking to amend the lot design resulting in an additional two (2) lots fronting the proposed extension to Morrow Road (currently unmade). This brings the amount from 21 lots to 23 lots across 8 and 10 McKim Road, Gisborne. Lots at 8 McKim Road would range from 600m<sup>2</sup> – 1457m<sup>2</sup> and lots at 10 McKim Road would range from 506m<sup>2</sup> to 3154m<sup>2</sup>.

### **Planning Permit Trigger/s**

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

The development plan may consist of plans or other documents and may with the agreement of the responsible authority, be prepared and implemented in stages.

The development plan may be amended to the satisfaction of the responsible authority.

### **Summary of Submissions**

Two objections were received to this application. They are summarised as follows:

Submission number	Objection/concern regarding application	Officer comment
1	<ul style="list-style-type: none"><li>• Traffic outcomes.</li><li>• Lack of parks.</li><li>• Concern regarding sound barrier, landscape barrier and what that means for their property.</li><li>• Footpath and intersection provision of Morrow Road.</li></ul>	Noted
2	<ul style="list-style-type: none"><li>• Comments regarding having a centralised basin system, contributions and site history of 11 McKim Road. They are accepting of the lot sizes proposed.</li></ul>	Noted

### **Officer Declaration of Conflict of Interest**

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

<b>13.</b>	<b>APPLICATION FOR A DEVELOPMENT PLAN AMENDMENT – DP/2013/6/B</b>
	<b>11 MCKIM ROAD, GISBORNE</b>
<b>Officer</b>	<b>Jack Wiltshire – Strategic Planner</b>
<b>Council Plan relationship</b>	<b>1. Connecting Communities</b>
<b>Attachments</b>	<b>Submissions received</b>

### **Purpose and Overview**

To hear from submitters in relation to Development Plan Amendment Application DP/2013/6/B.

### **Recommendation**

**That the Planning Delegated Committee:**

- 1. Notes the submission received in relation to Application to Amend Development Plan – DP/2013/6/B; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submission received, for consideration and determination at the Scheduled Council Meeting on 15 December 2021.**

---

### **Background**

Application DP/2013/6/B seeks the approval of an amendment of a Development Plan for Area 2 under the Development Plan Overlay Schedule 4 (DPO4) for the land at 11 McKim Road, Gisborne.

Adjoining and surrounding landholders and occupiers were informed of the application from 8 October 2021 to 28 October 2021. One (1) submission has been received.

### **Summary of Proposal**

The application is seeking to amend the existing development plan to increase the number of lots fronting McKim Road from 4 to 6 lots. It does not propose any changes to any other area of the approved development plan. The size of the lots would change the four lots from around 950m<sup>2</sup> to 6 lots which range from 632m<sup>2</sup> – 640m<sup>2</sup>. The road layout and reserve would not change the overall layout of the development plan.

### **Planning Permit Trigger/s**

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

The development plan may consist of plans or other documents and may with the agreement of the responsible authority, be prepared and implemented in stages.

The development plan may be amended to the satisfaction of the responsible authority.

### **Summary of Submissions**

One objection was received to this application. It is summarised as follows:

Submission number	Objection/concern regarding application	Officer comment
1	<ul style="list-style-type: none"><li>• Traffic outcomes.</li><li>• Lack of parks.</li><li>• Concern regarding sound barrier, landscape barrier and what that means for their property.</li><li>• Footpath and intersection provision of Morrow Road.</li></ul>	Noted.

### **Officer Declaration of Conflict of Interest**

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



<b>14.</b>	<b>APPLICATION FOR A PLANNING PERMIT PLN/2016/524/B</b>
	<b>DEVELOPMENT OF THE LAND FOR A DWELLING (REPLACEMENT DWELLING) AND OUTBUILDING (AMENDMENT SOUGHT TO CONVERT OUTBUILDING TO A BED AND BREAKFAST, AND MODIFICATIONS ASSOCIATED TO PERMIT CONDITIONS)</b>
	<b>600 COUANGALT ROAD, GISBORNE.</b>
<b>Officer</b>	<b>Alexia Paterson, Senior Statutory Planning</b>
<b>Council Plan relationship</b>	<b>1. Connecting Communities</b>
<b>Attachments</b>	<b>Submissions received</b>

### **Purpose and Overview**

To hear from submitters in relation to Planning Application PLN/2016/524/B regarding Development of the land for a dwelling (replacement dwelling) and outbuilding (*Amendment sought to convert 'outbuilding' to a bed and breakfast, and modifications associated to permit conditions*) 600 Couangalt Road, Gisborne.

### **Recommendation**

**That the Planning Delegated Committee:**

- 1. Notes the submissions received in relation to Application for a Planning Permit Application PLN/2016/524/B – Development of the land for a dwelling (replacement dwelling) and outbuilding (Amendment sought to convert 'outbuilding' to a bed and breakfast, and modifications associated to permit conditions; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Council Meeting on 15 December 2021.**

---

### **Background**

The subject site is located on the north side of Couangalt Road within the Rural Conservation Zone. The site is rectangular in shape, flat in topography and approximately 9800m<sup>2</sup> in size. There is an existing dwelling located centrally on the site which was approved under the original permit. Towards the street frontage along the south-west corner of the lot is an existing outbuilding which is the subject of this amendment application.

Vegetation is limited to a few canopy trees dotted around the outbuilding and lining the internal access way. A small amount of domestic gardening surrounds the dwelling. The surrounding area is also zoned Rural Conservation. Lots in

the area are varied in size, but mostly much larger than the subject site. Most lots are occupied by dwellings and associated outbuildings. Large mature domestic gardens with wind breaker arrangements dominate the vegetation character on the surrounding lots. The closest dwelling to the subject building is approximately 60 metres to the south located at 593 Couangalt Road, Gisborne.

### **Summary of Proposal**

The proposal is to amend the endorsed plans to include the following:

- Convert the existing outbuilding to be used as a Bed and Breakfast (as of right use).
- Bed and breakfast building to comprise (2) bedrooms, two (2) sitting areas, ancillary sink/bench, bathroom and wrap around veranda.
- Include two (2) car parking spaces dedicated to this building's use.

### **Planning Permit Trigger/s**

Pursuant to Clause 35.6 Rural Conservation Zone - a permit is required to construct or carry out works.

Pursuant to Clause 42.01 Environment Significance Overlay - a permit is required to construct or carry out works.

### **Summary of Submissions**

One (1) objection was received to this application, and summarised as follows:

- Additional traffic;
- Additional noise;
- Light pollution;
- General concern with people coming and going from the site;

### **Officer Declaration of Conflict of Interest**

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

<b>15.</b>	<b>APPLICATION FOR A PLANNING PERMIT PLN/2021/100</b>
	<b>DEVELOPMENT OF SIX (6) DWELLINGS</b>
	<b>35 CALTHORPE STREET, GISBORNE</b>
<b>Officer</b>	<b>Alexia Paterson, Senior Statutory Planning</b>
<b>Council Plan relationships</b>	<b>1. Connecting communities</b>
<b>Attachments</b>	<b>Submissions received</b>

### **Purpose and Overview**

To hear from submitters in relation to Planning Application PLN/2021/100 regarding Development of six (6) dwellings at 35 Calthorpe Street Gisborne.

### **Recommendation**

**That the Planning Delegated Committee:**

- 1. Notes the submissions received in relation to Application for a Planning Permit Application PLN/2021/100 - Development of six (6) dwellings; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Council Meeting on 15 December 2021.**

---

### **Background**

The subject site is located on the east side of Calthorpe Street at the end of a cul-de-sac and approximately 350 metres south of the main commercial area of the Gisborne Township. The subject site has a frontage of approximately 20 metres to Calthorpe Street and a depth of 100 metres with a total area of 2024m<sup>2</sup>. The site contains an existing dwelling and associated outbuilding/garage that is setback 18.5 metres from Calthorpe Street. The site contains existing vegetation in the form of several significant trees, including a large mature English Oak located at the northern side of the lot. The site has a steep front upward slope before levelling out and contains no prescribed easements.

The surrounding area is within an established residential area covered by the General Residential Zone and is well-serviced by the commercial facilities in the Gisborne Town Centre. Properties along Calthorpe Street take benefit from walking distance to township and easy road access to the Calder Freeway. The surrounding abutting land to the north, south and east are of similar sized allotments containing multiple units of single and double storey dwellings in U-shape or tandem layout arrangement. Further north along the east side of

Calthorpe Street are more recent examples of double storey multi-unit development approvals. The west side of Calthorpe Street remains intact, with larger lots containing a singular dwelling with generous landscaping provisions

The subject site and surrounds are identified in the Gisborne/New Gisborne Framework Plan as medium-density preferred areas.

### **Summary of Proposal**

The proposal is to develop six (6) dwellings on the lot with the following attributes:

- Double storey built form.
- Three (3) bedrooms to each dwelling with exception of Dwelling 5 with 2 bedrooms.
- Each dwelling has open living area, two (2) bathrooms, private open space at ground level.
- All dwellings have a ground floor bedroom, catering for a wider community member needs.
- Development layout is in a tandem format centrally sited on the lot with no walls on boundaries.
- Building heights vary across the site ranging from 7.8m to 8.6m following the slope transition.
- Dwellings are visually contemporary, adopting gable a roof line with expressed eaves and slim lined features, coupled with large openings on both levels. Materials and colours consist of timber cladding, tiles and render for the external walls and metal roofing. Colour tones include varied shades of muted varied greys/ browns and beiges.
- Use of single existing crossover with a realignment for better access.
- Landscaping provided on both sides of the access way and around the perimeter of the lot.
- Retention of three prominent on-site trees, labelled: Tree 1, Tree 10 and Tree 20.
- Full complement of car parking spaces provided including one (1) visitor car space
- Full compliance with the Planning Scheme's Clause 55 numerical standards and objectives provisions, with the exception of overshadowing and landscaping standards. These standards can be complaint via permit conditions.

### **Planning Permit Trigger/s**

Pursuant to clause 32.08. A permit is required for Construction and extension of two or more dwellings on a lot, dwellings on common property and residential building.

### **Summary of Submissions**

Seven (7) objection were received to this application. They are summarised as follows:

- Overdevelopment;

- Visual bulk, too close, out of neighbourhood character;
- Overlooking;
- Overshadowing;
- Increase noise impacts;
- Traffic/street car parking impacts;
- Devaluation of property;
- Loss of trees (resulting in loss of bird life)
- Loss of country feel;
- Loss of long range views- due to double storey built form

**Officer Declaration of Conflict of Interest**

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