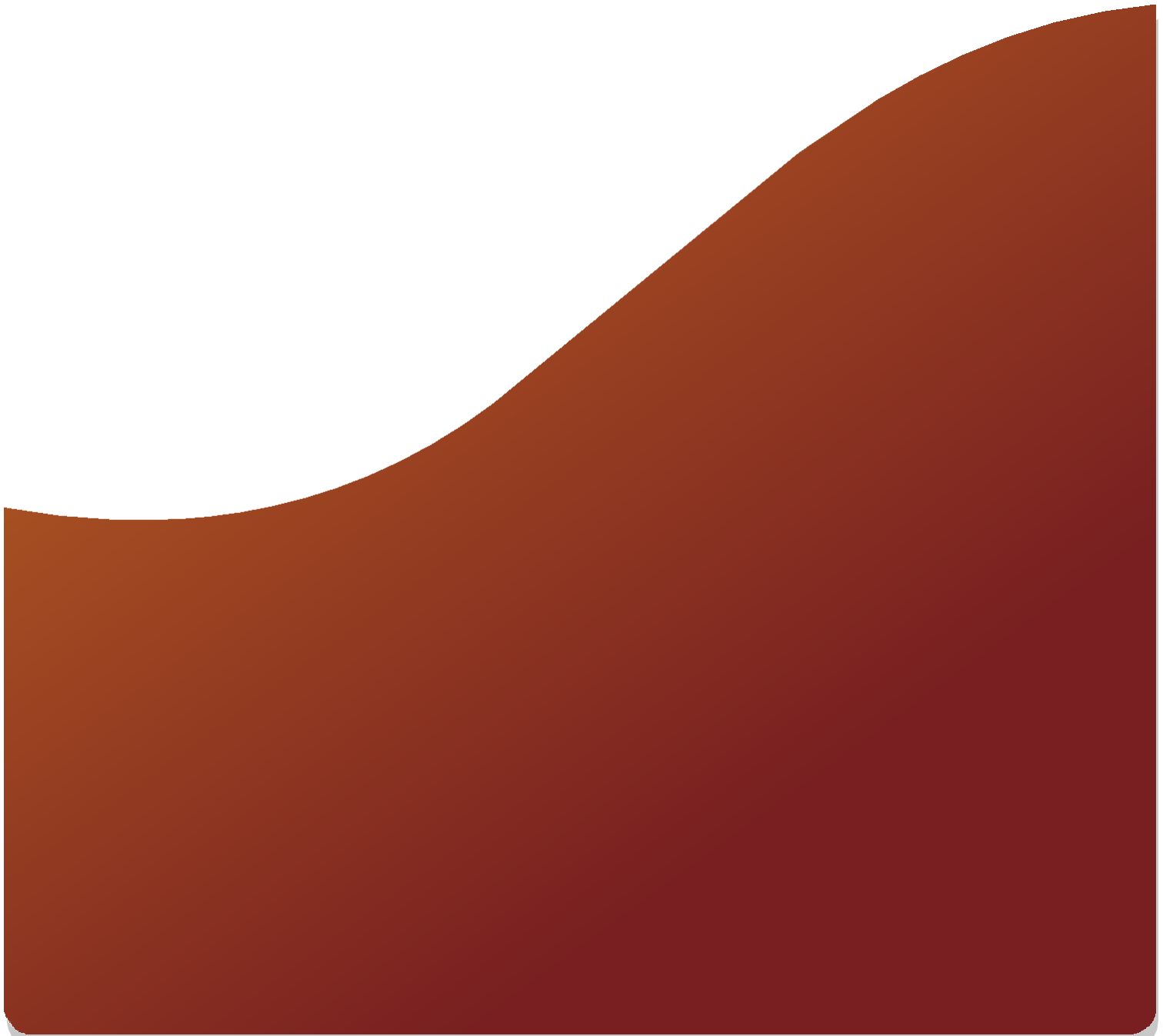


Planning Committee Meeting Minutes

Wednesday 11 August 2021 at 6pm

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



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1. ACKNOWLEDGEMENT OF COUNTRY

Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Countries. Council acknowledged that those who attended the meeting are gathering on their land. Council paid its respects to their Elders past, present and emerging and any Aboriginal and/or Torres Strait Islander People who may have been present.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Moore

That the Committee appoints Deputy Mayor, Cr Mark Ridgeway, to chair the meeting at any time at which the Mayor is not present.

CARRIED

2. RECORDING AND LIVE STREAMING OF THIS COMMITTEE MEETING

This meeting was held online and streamed live on the internet. The meeting was recorded and made available on Council's website within 48 hours of the end of the meeting.

3. PRESENT

Cr Jennifer Anderson (Mayor), Cr Mark Ridgeway (Deputy Mayor), Cr Dominic Bonanno, Cr Annette Death, Cr Rob Guthrie, Cr Anne Moore, Cr Geoff Neil, Cr Janet Pearce, Cr Bill West.

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), David Bergin (Interim Manager Statutory Planning), Kate Young (Manager Legal and Corporate Governance), Allison Watt (Coordinator Governance), Jessica Baguley (Senior Governance Officer).

4. APOLOGIES

Angela Hughes (Director Planning and Environment)

5. CONFLICTS OF INTEREST

Nil.

6. PURPOSE OF THE COMMITTEE

The Mayor outlined the purpose of the Planning Delegated Committee which is 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 matter.

7. CONDUCT OF MEETING

The Mayor outlined how the Zoom meeting would work with the large number of participants presenting to the Committee.

8. ADOPTION OF MINUTES

Resolution:

Moved: Cr Ridgeway

Seconded: Cr Death

That the Committee confirms the minutes of the Planning Delegated Committee Meeting held on Wednesday 14 July 2021, with an amendment to the motion by Cr Guthrie that standing orders be resumed in order to consider officers' recommendations regarding items on the agenda.

CARRIED

9. PLN/2020/540 – BOWENS STREET, MALMSBURY

Background

The application proposes re-subdivision of the 29 existing lots into 29 new lots in three (3) stages.

The application was advertised and ten (10) objections were received.

Key issues to be considered relate to the suitability of the proposed lot sizes and lot layouts, and the future servicing of the lots.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is considered appropriate. On balance it is considered that the subdivision is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions. It is recommended that the application be approved subject to the following conditions.

Resolution:

Moved: Cr Ridgeway

Seconded: Cr Guthrie

That Council defer making a decision on the application until the Scheduled Council Meeting on 25 August 2021.

CARRIED

10. PLN/2014/243/A – 386 YOUNGS ROAD, MALMSBURY

Background

Planning Permit PLN/2014/243 was issued on 29 August 2014 allowing buildings and works to construct a building associated with the agricultural use of the land (farm shed).

It is proposed to amend this planning permit to change the use of the farm shed to a dwelling, with associated works and to amend a condition of the planning permit which prohibits human habitation of the building.

The application was advertised. Two (2) objections have been received to date.

Key issues to be considered relate to the impact of the proposal on the agricultural land and the genuine need for a dwelling on the land given scale of agricultural use being proposed for the land and whether proposed agricultural use warrant a dwelling on site.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered not appropriate. It is recommended that a Notice of Decision to Refuse to Grant an Amendment to a Permit be issued.

Resolution:

Moved: Cr Moore

Seconded: Cr Ridgeway

That Council defer making a decision on the application until the Scheduled Council Meeting on 25 August 2021.

CARRIED

SUSPENSION OF STANDING ORDERS

Resolution:

Moved: Cr Guthrie

Seconded: Cr West

6.13pm: That the Committee suspends standing orders to hear from submitters regarding items on the agenda.

CARRIED

11. HEARING OF SUBMITTERS

11.1. and 11.2 –

A total of 18 submitters addressed the Committee in relation to one or both of planning permit applications PLN/2019/571 and PLN/2019/572 – Edgecombe Road, Kyneton

- **Kaye Coulter**
- **Helen Sinnott**
- **Linsey Hart**
- **Chris Turner**

Cr Neil left the meeting at 6.48pm due to technical difficulties.

Cr Neil returned to the meeting at 6.52pm

- **Lee Brennan (on PLN/2019/572 only)**
- **Simon Buckley**
- **Ben Gill on (PLN/2019/572 only)**
- **Karan Hayman**

Cr Moore left the meeting at 7.07pm

Cr Moore returned to the meeting at 7.11pm

Cr Moore left the meeting at 7.14pm
and did not return.

- **Lenka Thompson**
- **Lindy Priest**
- **Susan McNab**

Cr Neil left the meeting at 7.45pm due to
technical difficulties.

Cr Neil returned to the meeting at
7.53pm

- **Samantha Sequeira**

- **Alan Kennedy provided a written statement read by the Interim Manager Statutory Planning**
- **Belinda Kelly (on PLN/2019/572 only)**

Cr Neil left the meeting at 8.07pm due to technical difficulties.
Cr Neil returned to the meeting at 8.09pm

- **Jason Eden (on PLN/2019/571 only)**
- **Amy Naivasha (on PLN/2019/572 only)**
- **Bhav Selvalingam (on PLN/2019/572 only)**
- **Doug Mclver (on PLN/2019/572 only)**
- **Lewis McGregor**

RESUMPTION OF STANDING ORDERS

Resolution:

Moved: Cr Guthrie

Seconded: Cr Ridgeway

8.53pm: That the Committee resumes standing orders in order to consider officers' recommendations regarding items on the agenda.

CARRIED

12. APPLICATION FOR PLANNING PERMIT PLN/2019/571 – EDGECOMBE ROAD KYNETON

Background

The subject site is a 1.7 hectare portion of the property which aligns the eastern side of Edgcombe Road just north of the Calder Freeway, 1.6 kilometres north-east of the Kyneton town centre. Pipers Creek Road forms the southern boundary of the development area subject to this application.

The proposed development area otherwise fronts to Edgcombe Road on its western side and a proposed road approved by previous planning permit PLN/2019/573 for the subdivision of the broader parent title into commercial and rural living lots that is currently under appeal to VCAT. The development area for this application is predominantly rectangular in shape and is subject to gentle sloping generally to the north and the east. The land comprises pasture other than three remnant native trees comprising two River Red Gums and one Candlebark tree within its southern side.

A smaller portion of the larger property is located on the southern side of Pipers Creek Road and abuts the Calder Freeway and is subject to concurrent planning permit application PLN/2019/572 for the development of a service station and convenience restaurant that is also included in this Agenda.

The remainder of the larger northern portion of the property extends further north and east with neighbouring properties on those sides being rural residential land other than the Kyneton Golf Course on its north-eastern edge. On the western side of Edgcombe Road are industrial properties fronting that road as well as Saleyards Road including the former Frews abattoir and meatworks site directly opposite the subject land.

Resolution:

Moved: Cr Pearce

Seconded: Cr Ridgeway

- 1. That the Planning Delegated Committee note the submissions received in relation to Application for a Planning Permit for Application PLN/2019/571 – Development of land for Trade Supplies/Restricted Retail Premises, Display of Business Identification Signage, Removal of Native Vegetation, and Creation and Alteration of Access to a Road Zone - Category 1; and**
- 2. That recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 8 September 2021.**

CARRIED

**13. APPLICATION FOR PLANNING PERMIT PLN/2019/572 –
EDGECOMBE ROAD KYNETON****Background**

The site is located to the north of Kyneton, with frontage to Edgecombe Road, a major gateway entrance into the town. It is located adjacent to the Calder Freeway, on the east side of Edgecombe Road, at the intersection of Edgecombe Road and Pipers Creek Road.

The site is irregular in shape and vacant in terms of any buildings. It is an open, gently undulating rural landscape comprising fenced paddocks and some scattered vegetation. Clusters of trees are located along the southern boundary where the site adjoins the Calder Freeway onramp.

Post Office Creek intersects the southern portion of the site and runs in an east-west direction. Land forms part of the largely undeveloped extension of Kyneton township on the north of the Freeway, which partially used for industrial activity, open paddock areas and rural lifestyle living.

Land on the opposite side of Edgecombe Road is zoned Industrial containing various industrial/commercial uses including a small vehicle servicing centre and the former Kyneton abattoir land. A pocket of industrial development is located 1km further west of the site, with some standalone businesses and the industrial precinct, along Saleyards Road.

The southern boundary abuts the Calder Freeway slip lane and Freeway. Across the Freeway to the south is residential land (zoned Neighbourhood Residential Zone) forming the periphery to the established area of the Kyneton Township.

The eastern part of the site and broader eastern hinterland is used for rural residential living, apart from Kyneton Golf Course which is zoned Special Use Zone. Edgecombe Road connects to the established Kyneton township to the south of the Freeway via an overpass. To the north, Edgecombe Road contains rural residential land and farm land.

Resolution:

Moved: Cr Death

Seconded: Cr Neil

- 1. That the Planning Delegated Committee note the submissions received in relation to Application for a Planning Permit Application PLN/2019/572 – Use and Development of the Land for a Service Station and Development of a Restaurant, Alteration of Access to a Road Zone, Category 1 and Display of Business (Illuminated) Identification Signage; and**
- 2. That recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 8 September 2021**

CARRIED

The meeting closed at 8.56pm.

Councillor Jennifer Anderson
Mayor / Chairperson