

Planning Delegated Committee Meeting Minutes

Wednesday 8 December 2021 at 7pm

Held online and livestreamed at 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 were gathered 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.

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 Rob Guthrie (Deputy Mayor), Cr Mark Ridgeway, Cr Dominic Bonanno, Cr Geoff Neil, Cr Janet Pearce, Cr Bill West.

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), Stephen Pykett (Acting Director Planning and Environment), Evert Grobbelaar (Manager Statutory Planning), Rob Ball (Manager Strategic Planning and Environment), Christo Crafford (Coordinator Statutory Planning), Allison Watt (Coordinator Governance), Jessica Baguley (Senior Governance Officer).

4. APOLOGIES

Apologies were received from Cr Annette Death and Cr Anne Moore.

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 submitter in relation to a planning matter.

7. ADOPTION OF MINUTES

Resolution:

Moved: Cr West

Seconded: Cr Ridgeway

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

CARRIED

8. GISBORNE FUTURES – UPDATE

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.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Ridgeway

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.**

CARRIED

9. MACEDON RANGES PLANNING SCHEME AMENDMENT C127MACR – EXHIBITION AND SUBMISSIONS FROM MACEDON RANGES SHIRE HERITAGE STUDY (2019)

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 C125macr. 'Carramar' at 20 Bowen Street Woodend is temporarily protected (under C132macr) pending the completion of Amendment C127macr.

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 C127macr 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.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Pearce

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.**

CARRIED

SUSPENSION OF STANDING ORDERS

Resolution:

Moved: Cr Guthrie

Seconded: Cr Ridgeway

7.07pm: That the Committee suspends standing orders to hear from submitters regarding items on the agenda.

CARRIED

10. HEARING OF SUBMITTERS

One submitter addressed the Committee on Development Plan Amendment DP/2013/6/A – 8 & 10 McKim Road, Gisborne:

- **David Bayley**

One submitter addressed the Committee on Planning Scheme Amendment C143macr Bunjil Creek Bluestone Bridge and Channel and Trees in Howey reserve:

- **Graeme Harding provided a written statement read by Manager Strategic Planning and Environment**

No submitters addressed the Committee on Development Plan Amendment DP/2013/6/B – 11 McKim Road, Gisborne.

One submitter addressed the Committee on planning permit PLN/2016/524/B – 600 Couangalt Road, Gisborne:

- **Nick Hannett (applicant)**

Five submitters addressed the Committee on planning permit PLN/2021/100 – 35 Calthorpe Street, Gisborne:

- **Kate Fitzpatrick**
- **Jennifer Turner (speaking on behalf of Dianne Parker, Ronald Rowley and Beverly Rowley)**
- **Danny Eaton (on behalf of Gabrielle Eaton)**
- **Janice Welsh**
- **Thomas Hams (applicant)**

RESUMPTION OF STANDING ORDERS

Resolution:

Moved: Cr Guthrie

Seconded: Cr West

8:23pm: That the Committee resumes standing orders in order to consider officer recommendations on the items on the agenda.

CARRIED

11. PLANNING SCHEME AMENDMENT C143MACR BUNJIL CREEK BLUESTONE BRIDGE AND CHANNEL AND TREES IN HOWEY RESERVE – HERITAGE OVERLAY

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.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Bonanno

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.**

CARRIED

**12. APPLICATION FOR A DEVELOPMENT PLAN AMENDMENT –
DP/2013/6/A – 8 AND 10 MCKIM ROAD, GISBORNE**

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.

Resolution:

Moved: Cr Ridgeway

Seconded: Cr Guthrie

That the Planning Delegated Committee:

- 1. That the Planning Delegated Committee note the submissions received in relation to Application to Amend Development Plan DP/2013/6/A; and**
- 2. 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.**

CARRIED

**13. APPLICATION FOR A DEVELOPMENT PLAN AMENDMENT –
DP/2013/6/B – 11 MCKIM ROAD, GISBORNE**

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.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Ridgeway

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.**

CARRIED

14. APPLICATION FOR A PLANNING PERMIT PLN/2016/524/B – 600 COUANGALT ROAD

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 9800m² 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.

Resolution:

Moved: Cr Ridgeway

Seconded: Cr West

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.**

CARRIED

**15. APPLICATION FOR A PLANNING PERMIT PLN/2021/100 – 35
CALTHORPE STREET, GISBORNE****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 2024m². 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.

Resolution:

Moved: Cr Guthrie

Seconded: Cr Neil

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.**

CARRIED

The meeting closed at 8.36pm.

**Councillor Jennifer Anderson
Mayor / Chairperson**