

Submitters Delegated Committee Meeting Minutes

Wednesday 2 December 2020 at 6pm

Held online and livestreamed at mrsc.vic.gov.au

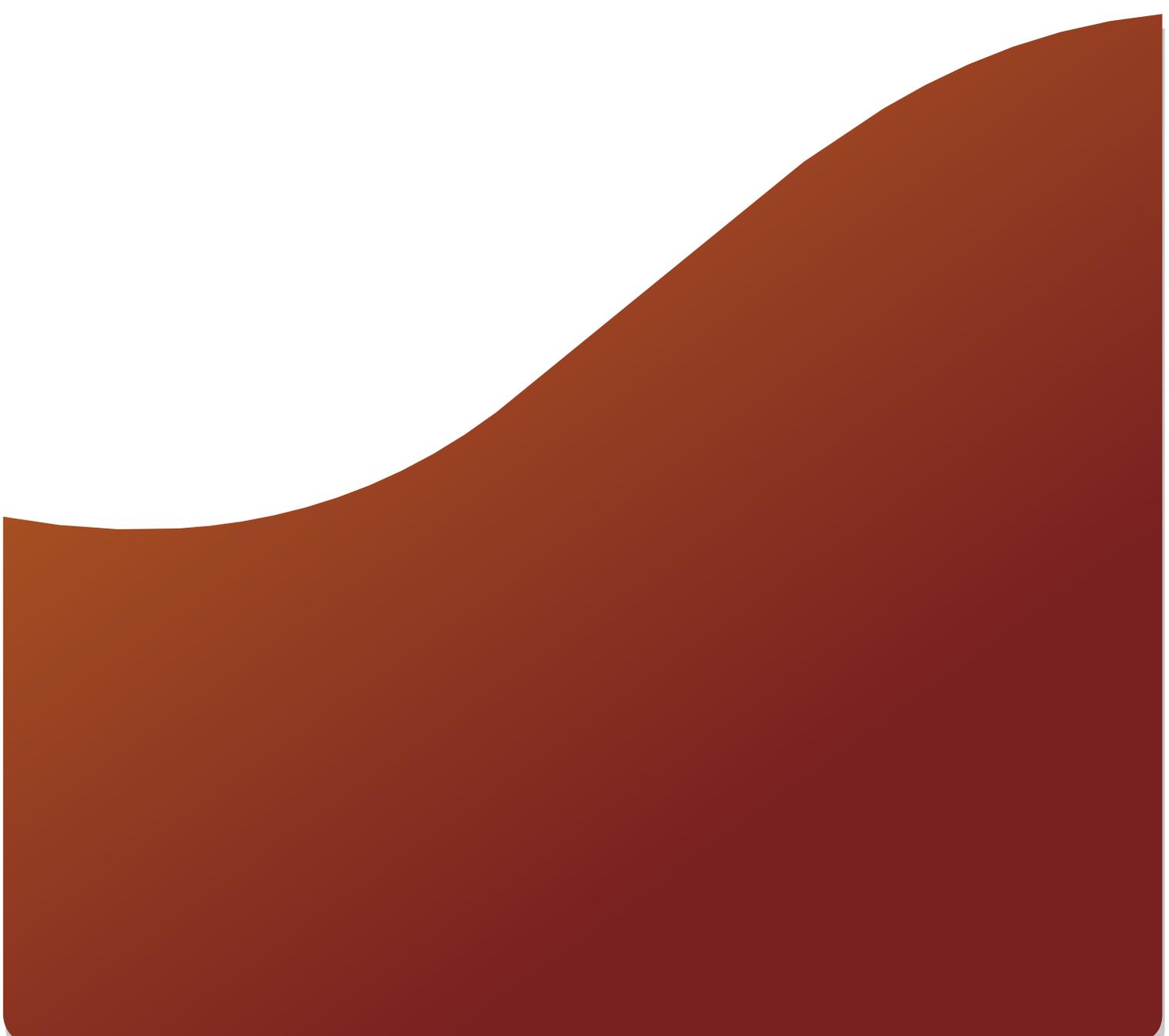


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ACKNOWLEDGEMENT OF COUNTRY

The chairperson, Cr Anderson, gave the Acknowledgement of Country:

To start the official proceedings I would like to acknowledge that Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Country whose ancestors and their descendants are the traditional owners of this Country. We acknowledge that they have been custodians for many centuries and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

1. RECORDING AND LIVE STREAMING OF THIS COMMITTEE MEETING

The chairperson advised those present that the meeting would be recorded and streamed live on the internet in accordance with Council's *'Live Streaming and Publishing Recording of Meetings'* Protocol, which can be viewed on Council's website. The recording would be bookmarked, archived and made available on Council's website 48 hours after the meeting.

The chairperson noted the meeting was being held online and Councillors were attending via electronic means.

The meeting was conducted in accordance with Council's Governance Rules and Submitters Delegated Committee Guidelines, noting that as indicated in some parts of the agenda, procedures were slightly modified to ensure the meeting remained compliant but could run effectively in the online environment.

As the meeting was held online there was no one present in the public gallery.

The chairperson reminded those present that Local Government decision making, unlike State and Federal Government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

2. PRESENT

| | |
|------------------------------|------------|
| Cr Annette Death | East Ward |
| Cr Geoff Neil | East Ward |
| Cr Bill West | East Ward |
| Cr Dominic Bonanno | South Ward |
| Cr Rob Guthrie | South Ward |
| Cr Jennifer Anderson (Mayor) | West Ward |
| Cr Mark Ridgeway | West Ward |
| Cr Janet Pearce | West Ward |

In Attendance

| | |
|-------------------|---|
| Mr John Nevins | Acting Chief Executive Officer |
| Ms Angela Hughes | Director Planning and Environment |
| Mr John Hausler | Director Corporate and Community |
| Ms Kate Young | Manager, Legal and Corporate Governance |
| Ms Lauren Reader | Coordinator Governance |
| Mr Brad Tellis | Coordinator Customer Service |
| Ms Wendy Le Brocq | Customer Service Officer |

3. APOLOGIES

Cr Anne Moore

South Ward

4. DECLARATION OF CONFLICTS OF INTEREST

Cr Anderson advised the meeting she had a general conflict of interest in relation to agenda item 7: PLN/2015/204 – 2-4 Davy Street Woodend, which she had provided in writing to the CEO prior to the meeting.

5. ADOPTION OF MINUTES

Submitters Delegated Committee Meeting: Wednesday 2 September 2020

Officer Recommendation:

That the minutes of the Submitters Delegated Committee Meeting of the Macedon Ranges Shire Council held on Wednesday 2 September 2020 as circulated be confirmed.

It was moved by Cr Ridgeway and seconded by Cr Guthrie that the Officer Recommendation be adopted.

CARRIED

Suspension of Standing Orders

6.13pm: It was moved by Cr Pearce and seconded by Cr Bonanno that standing orders be suspended in order to hear from submitters regarding items on the agenda.

CARRIED

6. HEARING OF SUBMITTERS

6.15pm: Having previously declared a conflict of interest in relation to agenda item 7, Cr Anderson left the meeting.

The Deputy Mayor, Cr Ridgeway, assumed the chair.

| Item | Submitters |
|-------------|-------------------|
|-------------|-------------------|

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|----------|--|
| 7 | Two submitters addressed the Committee |
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6.38pm: Cr Anderson returned to the meeting and assumed the Chair.

| | |
|----------|---|
| 8 | Five submitters addressed the Committee |
|----------|---|

Resumption of Standing Orders

7.42pm: It was moved by Cr Guthrie and seconded by Cr Ridgeway that standing orders be resumed in order to consider Officer Recommendations regarding the items on the agenda.

CARRIED

7.43pm: Having previously declared a conflict of interest in relation to agenda item 7, Cr Anderson left the meeting.

The Deputy Mayor, Cr Ridgeway, assumed the chair.

7. HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR EXTENSION OF TIME FOR PLANNING PERMIT PLN/2015/204 - 2-4 DAVY STREET WOODEND

Background and Summary of Proposal:

Planning Permit PLN/2015/204 allows the development of the land for fourteen (14) double storey dwellings, construction of associated buildings and work (earthworks, roadworks and fencing), and removal of vegetation including two (2) non-native trees within the Davy Street road reserve, construction of works within the Black Gum Reserve (outlet drains and reserve). The permit was issued on 11 January 2017 at the direction of the Victorian Civil and Administrative Tribunal (VCAT).

An application has been received to extend the time allowed under the planning permit to commence and complete the approved development.

This application has not been advertised, as advertising is not required in this instance.

The application proposes to extend the time allowed under Condition 70 of Planning Permit PLN/2015/204 by two years to commence and complete the approved development.

Officer Recommendations

- 1. That the Submitters Delegated Committee note the application received in relation to the extension of time application for Planning Permit Application PLN/2015/204 - Construction of fourteen (14) double storey dwellings, construction of associated buildings and work (earthworks, roadworks and fencing), and removal of vegetation including two (2) non-native trees within the Davy Street road reserve, construction of works within the Black Gum Reserve (outlet drains and reserve); and the verbal presentations in support of the submission.**
- 2. That recommendations be prepared, based on all relevant information, including the application received, for consideration and determination at the Ordinary Council Meeting on 16 December 2020.**

It was moved by Cr Guthrie seconded by Cr Death that the Officer Recommendations be adopted.

CARRIED

7.46pm: Cr Anderson returned to the meeting and assumed the Chair.

8. HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR A PLANNING PERMIT PLN/2019/573 – EDGECOMBE ROAD, KYNETON

Background and Summary of Proposal:

The application proposes the subdivision of four (4) lots into forty two (42) lots and a drainage reserve in four (4) stages, creation of a vehicular access to a Road Zone, Category 1, removal of native vegetation and creation of easements for the land on Edgcombe Road, Kyneton.

The application has been advertised and the advertising material was made public at this time. Fifteen (15) submissions have been received including ten (10) objections and five (5) submissions in support.

It is proposed to subdivide the land in a combined commercial and rural residential subdivision, as follows:

- A commercial development of 25 lots and a common property lot
- The commercial lot sizes range from 1695m² to 6.417ha.
- A rural residential subdivision of 18 lots
- The rural residential lot sizes range from 2.0ha to 3.476ha.
- Creation of three (3) electricity easements and drainage and sewerage infrastructure
- Set land set aside as a drainage reserve
- No buildings and works are proposed as part of this proposal
- The existing dwelling will be retained on the east portion of the land
- All commercial and rural residential lots will front onto roads
- The commercial and rural residential subdivision accord with the zone boundaries
- The residential subdivision will be in four (4) stages and commercial subdivision is proposed to be in three (3) stages
- Two trees and a small patch (0.022ha) are considered lost (although not to be removed) due to infrastructure impacts.

Officer Recommendations

- 1. That the Submitters Committee note the submissions received in relation to Application for a Planning Permit Application PLN/2019/573 - Subdivision of four (4) lots into forty two (42) lots and a drainage reserve in four (4) stages, creation of a vehicular access to a Road Zone, Category 1, removal of native vegetation and creation of three (3) easements – At Edgcombe Road, Kyneton; and the verbal presentations in support of those submissions.**
- 2. That recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the Ordinary Council Meeting on 16 December 2020.**

It was moved by Cr West seconded by Cr Neil that the Officer Recommendations be adopted.

CARRIED

Closure of Meeting

The meeting closed at 7.47pm

**Councillor Anderson
Chairperson**