



**Planning Delegated Committee Meeting**

**9 September 2020**

Virtual Meeting

**MINUTES**

**NOTICE IS HEREBY GIVEN THAT A PLANNING DELEGATED COMMITTEE MEETING  
WILL BE HELD AS A VIRTUAL MEETING ON 9 SEPTEMBER 2020 AT 7:00PM.**

<h1>MINUTES</h1>
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## 1. OPENING DECLARATION

**Councillors:** *"We, the Councillors of the City of Ballarat, declare that we will carry out our duties in the best interests of the community, and through collective leadership will maintain the highest standards of good governance."*

**Mayor:** *"I respectfully acknowledge the Wadawurrung and Dja Dja Wurrung People, the traditional custodians of the land, and I would like to welcome members of the public in the gallery."*

## 2. APOLOGIES FOR ABSENCE

### 2.1 Present

Mayor Cr Ben Taylor  
Cr Samantha McIntosh  
Cr Belinda Coates  
Cr Mark Harris  
Cr Des Hudson  
Cr Amy Johnson  
Cr Daniel Moloney  
Cr Jim Rinaldi  
Cr Grant Tillett

Ms Janet Dore - Chief Executive Officer  
Mr Darren Sadler – Acting Director Infrastructure and Environment  
Mr Neville Ivey - Director Community Development  
Mr Sean Portelli - Director Business Services  
Ms Angelique Lush - Director Development and Planning  
Mr Cameron Gray - Director Innovation and Organisational Improvement  
Ms Natalie Robertson – Executive Manager Development Facilitation  
Ms Lisa Kendal – Manager Strategic Planning

### 2.2 Apologies

Nil

## 3. DECLARATION OF CONFLICT OF INTERESTS

Nil

## 4. CONFIRMATION OF MINUTES

Nil

## 5. OFFICER BRIEFING

Nil

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## **6. PLANNING SPECIAL COMMITTEE REPORTS**

### **6.1. WASTEWATER TREATMENT PLANT BUFFER AREA (ES04) AMENDMENT**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Virginia McLeod – Senior Strategic Planner

#### **EXECUTIVE SUMMARY**

Central Highlands Water (CHW) has requested that the Environmental Significance Overlay – Schedule 4 (Waste Water Treatment Plant Buffer) be updated and improved, requiring a planning scheme amendment.

The proposed amendments to Environmental Significance Overlay – Schedule 4 (ESO4) are:

1. Inclusion of an exemption for vegetation management.
2. Updating the information required to be submitted with an application for a planning permit.
3. Establishing CHW as a referral authority for applications within the ESO4.
4. Updating the decision guidelines.

City of Ballarat supports the changes proposed by CHW. The changes are largely administrative in nature and will improve the operation of the ESO4 for CHW and provide improved guidance for decision-making for the City of Ballarat and stakeholders.

City of Ballarat proposes to include the changes to the ESO4 as part of planning scheme amendment C215ball, subject to advice from the Department of Environment, Land, Water and Planning (DELWP). Amendment C215ball implements a new planning policy framework, introduces new township plans adopted by Council and fixes existing planning scheme mapping anomalies. Council resolved to seek authorisation for C215ball in October 2018. City of Ballarat has been working to prepare this amendment with DELWP and intends to lodge for authorisation in September 2020.

#### **RESOLUTION:**

**The Planning Delegated Committee resolves to:**

1. **Undertake Community Consultation with regard to proposed amendment to the Environmental Significance Overlay – Schedule 4.**
2. **Note the request from Central Highlands Water to amend the Environmental Significance Overlay – Schedule 4.**
3. **Seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment, pursuant to Section 8A of the Planning and Environment Act 1987, to amend Environmental Significance Overlay – Schedule 4 in accordance with Attachments 1 and 2.**
4. **Place the Amendment on exhibition pursuant to Section 19 of the Planning and Environment Act 1987.**

**Moved: Cr Grant Tillett**

**CARRIED**

**Seconded: Cr Mark Harris**

**6.2. PLP2020294 114 WEBSTER STREET LAKE WENDOUREE**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Rachel Blackwell – Coordinator Statutory Planning

**EXECUTIVE SUMMARY**

On 21 May 2020 an application was lodged for partial demolition and alteration and additions to a dwelling, on land at 114 Webster Street, Lake Wendouree. The Application was advertised, and Council has received two (2) objections.

A consultation meeting was not held due to the COVID-19 Pandemic. Objectors were contacted by the officer directly to discuss the concerns raised in their submissions and were advised that the application had been called in by Council and would be considered at a Special Planning Committee.

Massing and perspective images were submitted to Council prior to the Special Planning Committee Meeting. This information was distributed to objectors prior to the meeting to inform any submissions. A copy of these images are provided as **Attachment 2**. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit subject to conditions.

**RESOLUTION:**

**The Planning Delegated Committee resolves to:**

**Issue a Notice of Decision to Grant a Planning Permit PLP/2020/294 for the land located at 114 Webster Street, Lake Wendouree for the Partial demolition and alteration and additions to a dwelling, subject to the following Conditions:**

**1. Buildings and works**

The use development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. All buildings and works must be constructed and/or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority.

**2. Heritage (Demolition)**

Demolition is permitted to sections of the building as identified in the approved demolition plan to the satisfaction of the Responsible Authority.

**3. Permit Expiry (Development only)**

This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit;
- (b) The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months

after the permit expires (for a request to extend the time to complete the development).

Notes:

- **Building Act 1993**

**Building Approvals**

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the Building Act 1993, Building Regulations 2018 and Building Code of Australia 2019.

**ResCode**

ResCode has not been assessed as part of this planning application.

**Heritage Note**

Under the terms of the Heritage Act 2017 there is blanket protection for all historical archaeological sites in Victoria, including sites that are not included in the Victorian Heritage Register or Heritage Inventory. Section 123 of the Heritage Act 2017 stipulates that it is an offence to knowingly or negligently disturb any historical archaeological site unless Consent has been obtained from the Executive Director, Heritage Victoria. Penalties apply.

If historical archaeological remains, including artefacts, are uncovered at any time during works, it is necessary for all activities to cease and for the City of Ballarat and Heritage Victoria to be notified immediately. In this case, a program of archaeological investigations and recording may be required in consultation with Heritage Victoria.

**Moved: Cr Des Hudson**

**CARRIED**

**Seconded: Cr Daniel Moloney**

**7. GENERAL BUSINESS - MATTERS ARISING FROM THE AGENDA**

Nil

**8. CLOSE**

The Mayor declared the meeting closed at 8:23 PM.

Confirmed this

day of

2021.

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Mayor