

**CITY OF
BALLARAT**



Planning Special Committee Meeting

29 July 2020

Virtual Meeting

MINUTES
Public Copy

MINUTES OF A MEETING OF BALLARAT CITY COUNCIL PLANNING SPECIAL COMMITTEE HELD VIRTUALLY VIA TEAMS ON WEDNESDAY 29 JULY 2020 AT 7:18PM

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| <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 this evening"*

2. APOLOGIES FOR ABSENCE**2.1 Present**

Mayor Ben Taylor
Cr Samantha McIntosh
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
Mr James Guy – Executive Manager Economic Partnerships
Ms Lisa Kendal – Manager Strategic Planning

2.2 Apologies

Cr Belinda Coates
Cr Mark Harris

Moved: Cr Amy Johnson

Seconded: Cr Jim Rinaldi

CARRIED

3. DISCLOSURE OF INTEREST

Nil

4. CONFIRMATION OF MINUTES**RESOLUTION**

That the minutes of the Planning Special Committee Meeting held on 15 July 2020 as circulated be confirmed.

Moved: Cr Grant Tillett

Seconded: Cr Daniel Moloney

CARRIED

MATTERS ARISING FROM THE MINUTES

Nil

5. OFFICER BRIEFING

Lisa Kendal, Manager Strategic Planning

6. PLANNING SPECIAL COMMITTEE REPORTS**6.1. C212ball – Lofven Street Permanent HO**

Division: Development and Planning
Director: Angelique Lush
Author/Position: Vanessa O'Shea – Strategic Planner
Lisa Kendal – Manager Strategic Planning

Motion

The matter be deferred to allow Council Officers to provide Council Officers with more time to progress negotiations with the Department of Environment Land, Water and Planning to facilitate public ownership of the identified heritage place.

Moved: Cr Grant Tillett

Seconded: Cr Samantha McIntosh

CARRIED

RESOLUTION:

The Planning Special Committee resolves to:

- 1. Request the Minister for Planning to appoint an independent Planning Panel pursuant to Section 23 and the provisions of Part 8 of the *Planning and Environment Act 1987* to consider the submissions received to Amendment C212ball to the Ballarat Planning Scheme.**
- 2. Notify submitters of Council's resolution to request the appointment of an independent Planning Panel by the Minister of Planning for Planning Scheme Amendment C212ball.**

EXECUTIVE SUMMARY

In January 2019, the City of Ballarat was informed that partial demolition of a shed with potential heritage significance had taken place, located on the boundary of 113 Lofven Street and Crown Allotment 22C Section AA Nerrina.

A Heritage Citation was completed including a Statement of Significance which determined that the site is significant at a local level. On 3 April 2019 Council resolved to seek authorisation from the Minister for Planning and to place the amendment on exhibition.

Public exhibition was held from 28 May to 30 June 2020 and two submissions were received. One submission has been resolved and the other is unresolved.

This report recommends that Council request that the Minister for Planning appoint an independent Planning Panel to consider the unresolved submission and make recommendations to Council.

6.2. C220ball – Dowling Forest Planning Controls

Division: Development and Planning
Director: Angelique Lush
Author/Position: Virginia McLeod, Senior Strategic Planner
Lisa Kendal –Manager Strategic Planning

RESOLUTION

- 1. Note revised planning control recommendations for Dowling Forest, as outlined in the Dowling Forest Equine Precinct Planning Controls Review Final Report, City of Ballarat (June 2020).**
- 2. Proceed to place Amendment C220ball, modified in accordance with the *Dowling Forest Equine Precinct Planning Controls Review Final Report, City of Ballarat (June 2020)* and proposed response to community consultation feedback as detailed in this report, on exhibition pursuant to Section 19 of the *Planning and Environment Act 1987*.**

Moved: Cr Grant Tillett

Seconded: Cr Daniel Moloney

CARRIED

EXECUTIVE SUMMARY

On 16 October 2019, Planning Special Committee considered the results of the Dowling Forest Precinct Planning Controls Review and resolved to proceed with Planning Scheme Amendment C220ball.

City of Ballarat subsequently applied for and received conditional authorisation from the Department of Environment Land, Water and Planning (DELWP) in December 2019. The authorisation conditions required City of Ballarat to reconsider the proposed land use planning zone, with consideration of the most appropriate use of the Victorian Planning Provisions. A review has now been completed and a new report "Dowling Forest Equine Precinct Planning Controls Review Final Report, City of Ballarat (June 2020)" (herein

referred to as the City of Ballarat Review 2020) (Attachment 1) has been prepared to reflect these changes, replacing the earlier report "Dowling Forest Precinct Review Final Report, Spiire (October 2019) (herein referred to as the Spiire Review, 2019).

The City of Ballarat Review 2020 proposes changes to planning controls which remove restrictions of the current SUZ13 relating to use and develop of land for thoroughbred horse training by licenced trainers - continuing to respond to the desired outcomes of the Spiire Review 2019 whilst aligning with requirements of planning legislation and having the best chance of successfully progressing to an approved planning scheme amendment.

Community and stakeholder consultation on the revised proposal was also undertaken and a number of submissions received.

This report recommends Council proceed with Amendment C220ball as detailed in the City of Ballarat Review 2020, subject to minor modifications as proposed in response to the submissions (see Attachment 5), and place Amendment C220ball on public exhibition.

7. GENERAL BUSINESS – MATTERS ARISING FROM THE AGENDA

Nil

8. CLOSE

The mayor declared the meeting closed at 8.18pm.