

OFFICIAL

Planning Delegated Committee Meeting

Minutes

14 August 2024 at 6:30pm

**Council Chamber, Town Hall, Sturt Street,
Ballarat**



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1. ACKNOWLEDGEMENT OF COUNTRY



The City of Ballarat acknowledges the Traditional Custodians of the land we live and work on, the Wadawurrung and Dja Dja Wurrung People, and recognises their continuing connection to the land and waterways. We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

2. APOLOGIES FOR ABSENCE

2.1 Present

Cr Des Hudson (Mayor)
Cr Daniel Moloney
Cr Ben Taylor
Cr Samantha McIntosh
Cr Belinda Coates
Cr Mark Harris
Cr Amy Johnson
Cr Peter Eddy
Cr Tracey Hargreaves

Mr Evan King - Chief Executive Officer
Ms Bridget Wetherall - Director Infrastructure and Environment
Mr Matthew Wilson - Director Community Wellbeing
Ms Natalie Robertson - Director Development and Growth
Mr Martin Darcy - Director Economy and Experience
Mr Cameron Montgomery - Executive Manager Governance and Risk
Ms Rosie Wright - Coordinator Risk, Governance and Compliance

2.2 Apologies

Nil

3. DECLARATION OF CONFLICT OF INTERESTS

Nil

4. CONFIRMATION OF MINUTES

RESOLUTION:

That the Minutes of the Planning Delegated Committee Meeting on 10 July 2024 as circulated be confirmed.

Moved: Cr Samantha McIntosh
Seconded: Cr Mark Harris

CARRIED
(PDC20/24)

5. OFFICER BRIEFING

Nil

6. PLANNING DELEGATED COMMITTEE REPORTS

6.1. GROWTH AREAS FRAMEWORK PLAN

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Fiona Koutsivos – Principal Planner Sustainable Growth

Public representation was made by Jackson Zaal (representing Beveridge Williams) and Matt Agterhuis (representing Integra).

PURPOSE

1. The purpose of the report is to:
 - a. Provide an update on the consultation process undertaken for the draft Growth Areas Framework Plan.
 - b. Outline the relevant changes made to the revised Growth Areas Framework Plan in response to the consultation process.
 - c. Outline the next steps to implement the recommendations of the Growth Areas Framework Plan.
 - d. Seek Council adoption of the revised Growth Areas Framework Plan.

RESOLUTION:

- 65. That the Planning Delegated Committee:**
- 65.1 Adopt the attached Growth Areas Framework Plan (revised August 2024).**
 - 65.2 Authorise Council officers to engage with State Government authorities to progress implementation of the Growth Areas Framework Plan, including actions listed within the Implementation Plan.**
 - 65.3 Immediately commence future Precinct Structure Plan work including early technical reports for the Western Growth Area, noting simultaneous preparation of multiple Precinct Structure Plan's can be supported through demonstrated need and strategic policy.**
 - 65.4 Authorise the establishment of a Housing and Growth Portfolio, with at least two Councillor representatives, to review matters related to Growth Areas, including Precinct Structure Planning together with housing analysis from both infill and greenfield and report six monthly to Council.**
 - 65.5 Note that consideration of a policy amendment to implement the Growth Areas Framework Plan into the Ballarat Planning Scheme will be the subject of a separate report and recommendations to Council.**

Moved: Cr Ben Taylor
Seconded: Cr Peter Eddy

CARRIED
(PDC21/24)

Upon being put to the meeting, the Motion was declared carried. Cr Mark Harris called for a Division.

For the Motion were: Cr Amy Johnson, Cr Belinda Coates, Cr Ben Taylor, Cr Daniel Moloney, Cr Des Hudson, Cr Peter Eddy, Cr Samantha McIntosh and Cr Tracey Hargreaves

Against the Motion was: Cr Mark Harris

Abstained from the Motion were: Nil

6.2. HOUSING STRATEGY

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Peter Dreimanis – Strategic Planner

Public representation was made by Leah Clark (representing Inception Planning), George Fong (representing Committee for Ballarat), Joseph van Dyk, Stuart Kelly, and Geoff Carter.

PURPOSE

1. The purpose of this report is to:
 - a. Provide an update on the consultation process undertaken for the draft Ballarat Housing Strategy 2041 and Neighbourhood Character Study.
 - b. Outline the relevant changes made to the revised draft Ballarat Housing Strategy 2041 and Neighbourhood Character Study in response to the consultation process.
 - c. Outline the next steps to implement the recommendations of the Ballarat Housing Strategy 2041 and Neighbourhood Character Study.
 - d. Seek adoption of the Ballarat Housing Strategy 2041 and the Neighbourhood Character Study.

RESOLUTION:

- 69. That the Planning Delegated Committee:**
- 69.1 Adopt the *Ballarat Housing Strategy 2041 and Neighbourhood Character Study*.**
- 69.2 Authorise Council Officers to engage with State Government authorities to progress implementation of the *Ballarat Housing Strategy 2041*, including all actions listed within the Implementation Plan, including the implementation of the Housing Framework Plan into the Ballarat Planning Scheme.**
- 69.3 Note that consideration of a Policy Amendment to implement the Ballarat Housing Strategy into the Ballarat Planning Scheme will be the subject of a separate report and recommendations to Council.**

Moved: Cr Des Hudson
Seconded: Cr Belinda Coates

CARRIED
(PDC22/24)

6.3. PLANNING SCHEME AMENDMENT C254BALL: HOUSING STRATEGY AND GROWTH AREAS FRAMEWORK PLAN IMPLEMENTATION

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Evan Burman – Principal Strategic Planner and Urban Designer

PURPOSE

1. The purpose of this report is to:
 - Request the Minister for Planning authorise the preparation and exhibition of Ballarat Planning Scheme Amendment C254ball (the Amendment) that proposes to implement the *Ballarat Housing Strategy 2041 (2024)* and the *Growth Areas Framework Plan (2024)* into the Ballarat Planning Scheme.
 - Outline the changes proposed to the Ballarat Planning Scheme as part of Ballarat Planning Scheme Amendment C254ball.
 - Outline the steps in the planning scheme amendment process.

RESOLUTION:

42. That the Planning Delegated Committee resolves to:
 - 42.1 Note the adopted *Ballarat Housing Strategy 2041 (2024)* and *Growth Areas Framework Plan (2024)* and acknowledge the importance of progressing the implementation of the strategies into the Ballarat Planning Scheme to give statutory weight to those strategies in order to manage the challenges facing Ballarat's population and housing growth.
 - 42.2 Acknowledge that further strategic work is required to bring the *Ballarat Housing Strategy 2041 (2024)* and *Growth Areas Framework Plan (2024)* into full effect.
 - 42.3 Seek authorisation from the Minister for Planning to prepare Ballarat Planning Scheme Amendment C254ball to implement the recommendations of the *Ballarat Housing Strategy 2041 (2024)* and *Growth Areas Framework Plan (2024)* into the planning scheme pursuant to 8A of the *Planning and Environment Act 1987* as attached, and to place the Amendment as attached on exhibition pursuant to section 19 of the *Planning and Environment Act 1987*.
 - 42.4 Authorise the Director Development and Growth to undertake administrative changes that do not change the intent of Planning Scheme Amendment C254ball.

Moved: Cr Daniel Moloney
Seconded: Cr Ben Taylor

CARRIED
(PDC23/24)

6.4. BRIDGE MALL AMENDMENT C243BALL

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Evan Burman – Principal Strategic Planner

Public representation was made by Helen Turley.

PURPOSE

1. The purpose of the report is to:
 - a. Consider all submissions received to Planning Scheme Amendment C243ball (the Amendment) pursuant to section 22(1) of the *Planning and Environment Act 1987*.
 - b. Determine whether to split the Amendment into two parts being Planning Scheme Amendment C243ball Part 1 and Planning Scheme Amendment C243ball Part 2 based on the submissions received.
 - c. Determine whether to request the Minister for Planning appoint an Independent Planning Panel to consider submissions and Planning Scheme Amendment C243ball Part 1.
 - d. Consider endorsing a response to issues raised in submissions to form the basis of Councils position at the Panel hearing.

RESOLUTION:

- 33. That the Planning Delegated Committee resolves to:**
- 33.1 Consider all submissions received to Ballarat Planning Scheme Amendment C243ball pursuant to section 22(1) of the *Planning and Environment Act 1987*.**
- 33.2 Acknowledge Council officers' response to issues raised in the objecting submissions received for Ballarat Planning Scheme Amendment C243ball.**
- 33.3 Split Ballarat Planning Scheme Amendment C243ball into two parts being:**
- **Part 1 – amends the Heritage Overlay (HO176) boundary that applies to the Bridge Mall to exclude a non-contributory building, updates the Heritage Citation and Statement of Significance for the Bridge Mall and Bakery Hill Precinct (HO176), and proposes to revise heritage gradings, introducing a contemporary and compliant system of gradings.**
 - **Part 2 - implements the recommendations of the Bridge Mall Built Form Framework (Urbis, 2023) by updating the Design and Development Overlay (DDO1 Bridge Mall) to provide improved design and development guidance for new development proposals in the Bridge Mall.**
- 33.4 Postpone further action on the Design and Development Overlay component of Ballarat Planning Scheme Amendment C243ball (Part 2) until the flooding project and associated planning scheme amendment has been through public exhibition.**
- 33.5 Request the Minister for Planning appoint an Independent Planning Panel to consider submissions in relation to Part 1 in accordance with Section 23 of the *Planning and Environment Act 1987*.**
- 33.6 Authorise the Director Development and Growth to undertake administrative changes that do not change the intent of the Amendments.**
- 33.7 Notify submitters of Council's resolution to split the Amendment and request the appointment of an Independent Planning Panel for Ballarat Planning Scheme Amendment C243ball Part 1 by the Minister for Planning.**

**Moved: Cr Samantha McIntosh
Seconded: Cr Daniel Moloney**

**CARRIED
(PDC24/24)**

6.5. PLAN FOR VICTORIA - CITY OF BALLARAT SUBMISSION

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Joanna Cuscaden – Executive Manager Development Facilitation

PURPOSE

1. The purpose of this report is to present a submission to the Planning Delegated Committee for adoption, which is in response to the Victorian Government's current public consultation process for the Plan for Victoria and the more recently released Housing Targets.

RESOLUTION:

21. That the Planning Delegated Committee resolves to:

21.1 Adopt and submit the Plan for Victoria Submission to the Minister for Planning as attached.

Moved: Cr Daniel Moloney
Seconded: Cr Belinda Coates

CARRIED
(PDC25/24)

6.6. HERITAGE VICTORIA PERMIT APPLICATION P39923 - BALLARAT RAILWAY COMPLEX, CITY OF BALLARAT WRITTEN SUBMISSION

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Annabel Neylon – Coordinator Heritage

Public representation was made by Gerald Jenzen (representing Save Our Station), Stuart Kelly (representing Ballarat Heritage Watch), and Bernadette Cheesman.

PURPOSE

1. The purpose of this report is for the Planning Delegated Committee to determine a position on Heritage Victoria (HV) Permit P39923 regarding the Lydiard Street Intersector Gates and associated mechanisms and fabric.

RESOLUTION:

22. That the Planning Delegated Committee resolves to:

- 22.1 Endorse and submit the written submission to Heritage Victoria as presented in the attachment to this report.**

Moved: Cr Mark Harris
Seconded: Cr Samantha McIntosh

CARRIED
(PDC26/24)

7. GENERAL BUSINESS - MATTERS ARISING FROM THE AGENDA

Nil

8. CLOSE

The Mayor declared the meeting closed at 9:26 pm.