

OFFICIAL

Planning Delegated Committee Meeting

Minutes

9 February 2022 at 6:30pm

Virtual Meeting





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1. WELCOME TO 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

Mayor Cr Daniel Moloney
Cr Ben Taylor
Cr Samantha McIntosh
Cr Belinda Coates
Cr Mark Harris
Cr Des Hudson
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
Mr John Hausler - Director Corporate Services
Ms Natalie Robertson - Director Development and Growth
Mr Cameron Montgomery - Executive Manager Governance and Risk

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 8 December 2021 as circulated be confirmed.

Moved: Cr Belinda Coates
Seconded: Cr Peter Eddy

CARRIED
(PDC1/22)

5. OFFICER BRIEFING

Nil

6. PLANNING DELEGATED COMMITTEE REPORTS

6.1. PLP/2021/401 - 3 ALLAN STREET BUNINYONG

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Heath Steward – Principal Statutory Planner

PURPOSE

1. The purpose of this report is to determine a position on Planning Permit Application PLP/2021/401.

RESOLUTION:

That the Planning Delegated Committee:

1. Having caused notice of Planning Permit Application PLP/2020/262 to be given under Section 52 of the Planning and Environment Act 1987; and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Refusal to Grant a Planning Permit under the Ballarat Planning Scheme in respect of the land known and described as 3 Allan Street, Buninyong for a Three (3) lot subdivision subject to the following grounds:
 2. The proposal fails to adhere to the objectives of the Planning Policy Framework of the Ballarat Planning Scheme in respect to the following policies, objectives and strategies:
 3. The proposal is contrary to the objectives of Clause 15.01-3S - Subdivision Design in that the design does not contribute to an attractive, safe, accessible and sustainable neighbourhood as follows:
 - (a) In the development of new residential areas and in the redevelopment of existing areas, the subdivision does not create a liveable and sustainable community and does not lead to a strong sense of place that is functional, safe and attractive.
 - (b) Whilst the Policy seeks a range of lot sizes to suit a variety of dwelling and household types this proposal in effect would be detrimental to existing dwellings and households creating built form bulk and intensification of dwellings that is uncharacteristic to the area.
 - (c) The subdivision would also create a pattern of subdivision uncharacteristic to the area.
 4. The proposal is contrary to the objectives of Clause 15.01-5S Neighbourhood Character in that the design does not support and protect a distinct neighbourhood character as follows:
 - (a) The development does not reinforce a sense of place and the valued features and characteristics of the local environment and place by respecting the:

- i. **Pattern of local urban structure and subdivision.**
 - ii. **Underlying natural landscape character and significant vegetation.**
 - iii. **Neighbourhood character values and subsequent built form that does not reflect the area's identity.**
5. **The proposal is contrary to the objectives of Clause 21.01 Municipal Overview and in particular Clause 21.09 – Local Area in that the development fails to recognise Buninyong's township and rural characteristics including:**
 - a) **The infrastructure limitations unique to this area within the township.**
 - b) **Surroundings residents valued lifestyle choice of a rural setting different to living in urban Ballarat.**
6. **Under the objectives of the Neighbourhood Residential Zone, Schedule 2 (NRZ2), the proposal fails to:**
 - a) **To recognise the area as predominantly single storey residential development and provide for adequate restrictions on title to impose single storey development on the site.**
 - b) **To ensure that development respects the identified garden setting neighbourhood character, generous setbacks particularly to front and rear boundaries and landscape characteristics.**
 - c) **Consider the detriment caused to the outlook from adjoining properties.**
 - d) **Consider the internal detriment development will cause to the existing dwelling given topography and boundary setbacks.**

Moved: Cr Ben Taylor
Seconded: Cr Des Hudson

CARRIED
(PDC2/22)

