

OFFICIAL

# **Planning Delegated Committee Meeting**

## **Minutes**

**13 September 2023 at 6:30pm**

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



**ORDER OF BUSINESS:**

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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 Tracey Hargreaves

Mr Evan King - Chief Executive Officer  
Mr Les Stokes - Acting 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  
Ms Lyndsay Leingang - Administration Officer Statutory Compliance  
Mr Stephen Wright - Administration Assistant Compliance

### 2.2 Apologies

Cr Peter Eddy

### RESOLUTION:

**That the apology be accepted.**

**Moved: Cr Belinda Coates**  
**Seconded: Cr Amy Johnson**

**CARRIED**  
**(PDC17/23)**

### 3. DECLARATION OF CONFLICT OF INTERESTS

Nil

### 4. CONFIRMATION OF MINUTES

#### RESOLUTION:

That the Minutes of the Planning Delegated Committee Meeting on 9 August 2023 as circulated be confirmed.

**Moved: Cr Tracey Hargreaves**

**Seconded: Cr Belinda Coates**

**CARRIED  
(PDC18/23)**

### 5. OFFICER BRIEFING

Nil

## 6. PLANNING DELEGATED COMMITTEE REPORTS

### 6.1. BALLARAT PLANNING SCHEME AMENDMENT C240BALL: FIVE HERITAGE PLACES AND ONE RESIDENTIAL HERITAGE PRECINCT

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Kellie Jantzen - Principal Strategic Planner

Ron Selkirk, Stuart Kelly, Craig Fletcher, and Brian Pola made public representations.

#### PURPOSE

1. To consider all submissions received to Planning Scheme Amendment C240 pursuant to section 22(1) of the *Planning and Environment Act 1987*.
2. To determine whether to request the Minister for Planning appoint an Independent Planning Panel to consider submissions and Planning Scheme Amendment C240.
3. To consider endorsing a response to the issues raised in submissions, including recommended changes to Planning Scheme Amendment C240, to form the basis of Council's position at the Panel hearing.
4. To acknowledge the fire and demolition of the former Miner's Right/John Pearce House at 89 Magpie Street, Golden Point, and to note that consideration of heritage protection for the site will be undertaken when determination to adopt the amendment, make changes to the amendment, or abandon the amendment is sought.

#### MOTION:

**That the Planning Delegated Committee:**

1. **Consider all submissions received to Planning Scheme Amendment C240 pursuant to section 22(1) of the Planning and Environment Act 1987.**
2. **Acknowledge Council officer response to issues raised in the one objecting submission received for Planning Scheme Amendment C240.**
3. **Request the Minister for Planning appoint an Independent Planning Panel for Planning Scheme Amendment C240ball pursuant to Section 23 and the provisions of Part 8 of the Planning and Environment Act 1987.**
4. **Authorise the Director Development and Growth to undertake administrative changes that do not change the intent of Planning Scheme Amendment C240 and present these changes to the Independent Planning Panel.**
5. **Notify submitters of Council's resolution to request the appointment of an Independent Planning Panel for Planning Scheme Amendment C240ball by the Minister for Planning.**

6. **Acknowledge the fire and demolition of the former Miner's Right/John Pearce House at 89 Magpie Street, Golden Point and support officers presenting to the Independent Planning Panel, Council's continued support of the application of Heritage Overlay (HO228) to 89 Magpie Street, Golden Point.**
7. **Note that a further report for consideration of the application of the Heritage Overlay will be provided to Council once the Independent Planning Panel is completed, and recommendations have been provided.**

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

**LOST**

**RESOLUTION:**

**That Council suspend Standing Orders at 8:10pm to prepare an alternate motion.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Daniel Moloney**

**CARRIED**  
**(PDC19/23)**

**RESOLUTION:**

**That Council resume Standing Orders at 8:17pm.**

**Moved: Cr Mark Harris**  
**Seconded: Cr Ben Taylor**

**CARRIED**  
**(PDC20/23)**

**RESOLUTION:**

**That the Planning Delegated Committee:**

1. **Defer the item pending mediation with submitters and land holders.**

**Moved: Cr Ben Taylor**  
**Seconded: Cr Amy Johnson**

**CARRIED**  
**(PDC21/23)**

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

### **GB64/23 Cr Samantha McIntosh**

Cr McIntosh requested that an update of the Heritage Gap Study be presented at a future Briefing.

## **8. CLOSE**

**The Mayor declared the meeting closed at 8:25pm.**