

# **MINUTES**

## **SECTION 86 DEVELOPMENT ASSESSMENT COMMITTEE MEETING**

**Wednesday 18 April, 2018**  
North Wing Room 2 & 3  
Darley Civic and Community Hub,  
182 Halletts Way, Darley  
5.00pm

### **MEETING OPENING**

Councillor Cr Tatchell as the Chair welcomed all and opened the meeting at 5.08 pm.

### **ATTENDANCE**

Cr. Paul Tatchell	Councillor – Central Moorabool Ward
Cr. John Keogh (Deputy Mayor)	Councillor – East Moorabool Ward
Cr. Jarrod Bingham	Councillor – East Moorabool Ward
Cr. Tonia Dudzik	Councillor – East Moorabool Ward
Cr. David Edwards	Councillor – East Moorabool Ward
Mr. Satwinder Sandhu	General Manager Growth & Development
Mr. Robert Fillisch	Manager Statutory Planning and Community Safety
Mr. Peter Cuddy	Senior Development Engineer Engineering Services
Ms. Bronwyn Southee	Coordinator Statutory Planning
Ms. Judy Lotz	Minute taker

### **APOLOGIES**

NIL

### **2. RECORDING OF MEETING**

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting:

- The Moorabool News; and
- The Star Weekly.

### **3. CONFIRMATION OF PREVIOUS MEETING MINUTES**

#### **Resolution:**

**Moved: Cr. Edwards**

**Seconded: Cr. Bingham**

**That the minutes of the Section 86 Development Assessment Committee for 21 March 2018, be confirmed with the following amendment to the recommendation in the resolution of Item 5.4 Planning Permit Application PA2017-198 – Staged Four (4) Lot Subdivision and Removal of Vegetation (15 Trees), at 6 Berry Street, Ballan to correct the wording from Council issue an Approval to Grant a Planning Permit, to read Council issue a Notice of Decision to Grant a Permit.**

**CARRIED.**

#### 4. CONFLICT OF INTEREST

Cr Sullivan declared a direct conflict in relation to item 5.3 of the agenda via email prior to this meeting.

#### 5. GROWTH & DEVELOPMENT REPORTS

- 5.1 Planning Permit Application PA2016 273 – Partial Demolition and Page 4  
Development of Two Dwellings at 62 Grant Street, Bacchus Marsh.
- 5.2 Planning Permit PA2017 057 – Development of two (2) dwellings behind an Page 5  
existing dwelling at 5 O'Hagan Place, Bacchus Marsh.
- 5.3 Planning Permit Application PA2017 273 – Development of a Page 8  
Telecommunications Facility at Sullivans Road, Millbrook.
- 5.4 Planning Permit Application PA2017 201 – Development of a Single Page 10  
Dwelling and Associated Outbuildings at Lot 2 Grose Road, Gordon.

#### PRESENTATIONS/DEPUTATIONS

##### List of Persons making Presentations/Deputations to a planning item listed on the agenda:

Individuals seeking to make a presentation to the Council on a planning item listed on the agenda for consideration at the meeting will be heard by the Council immediately preceding consideration of the Council Officer's report on the planning item.

Item No	Description	Name	Applicant/Objector
5.2	Planning Permit PA2017 057 – Development of two (2) dwellings behind an existing dwelling at 5 O'Hagan Place, Bacchus Marsh.	Robert Eskdale	Speaking on behalf of Applicant
5.2	Planning Permit PA2017 057 – Development of two (2) dwellings behind an existing dwelling at 5 O'Hagan Place, Bacchus Marsh.	Bill Abdou	Speaking on behalf of (BnM Homes Pty Ltd)
5.2	Planning Permit PA2017 057 – Development of a Single Dwelling and Associated Outbuildings at Lot 2 Grose Road, Gordon.	Gail Skinner	Objector
5.4	Planning Permit Application PA2017 201 – Development of a Single Dwelling and Associated Outbuildings at Lot 2 Grose Road, Gordon.	Margaret Lay	Objector
5.4	Planning Permit Application PA2017 201 – Development of a Single Dwelling and Associated Outbuildings at Lot 2 Grose Road, Gordon.	David Plenderleith	Applicant

## **GROWTH & DEVELOPMENT REPORTS**

### **Item 5.1 Planning Permit Application PA2016 273 – Partial Demolition and Development of Two Dwellings at 62 Grant Street, Bacchus Marsh.**

#### **Resolution:**

**Moved:** Cr. Dudzik

**Seconded:** Cr. Keogh

That, having considered all relevant matters as required by the Planning and Environment Act 1987, under Section 60 Council issue a Refusal to Grant Permit PA2016 273; Partial Demolition and Development of Two Dwellings at Lot 2 on PS 318296D, 62 Grant Street, Bacchus Marsh 3340, on the following grounds:

1. The proposal does not respect the neighbourhood character or amenity of the area.
2. The proposal does not comply with relevant policies for heritage conservation in the State and Local Planning Policy Frameworks of the Moorabool Planning Scheme.
3. The proposal does not meet the purpose of the Heritage Overlay.
4. The proposal does not comply with the relevant provisions of Clause 55.
5. The proposed reduction in car parking for the existing office is not appropriate.

**CARRIED.**

#### **Report Authorisation:**

**Authorised by:**

**Name:** Satwinder Sandhu

**Title:** General Manager Growth and Development

**Date:** 18 April, 2018



**Item 5.2 Planning Permit PA2017 057 – Development of two (2) dwellings behind an existing dwelling at 5 O’Hagan Place, Bacchus Marsh.**

***Consideration of Deputations – Planning Permit Application No. PA2017 057***

*Gail Skinner addressed Council as an objector to the granting of a planning permit for the application.*

*Robert Eskdale addressed Council and spoke on behalf of the applicant to the granting of a planning permit for the application.*

*Bill Abdou addressed Council as spoke on behalf of BnM Homes Pty Ltd to the granting of a planning permit for the application.*

*The business of the meeting then returned to the agenda.*

**Resolution:**

**Moved: Cr. Bingham**

**Seconded: Cr. Edwards**

**That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Notice of Decision to Grant a Permit for PA 2017 057 at Lot 15 on PS 127805, 5 O’Hagan Place Bacchus Marsh VIC 3340 subject to the following conditions:**

**Endorsed Plans**

- 1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application or some other specified plans but modified to show:**
  - a) A landscape plan in accordance with Condition 11. The landscape plan must provide a generous number of canopy trees across the site and to achieve a balance between the open space and built form.**
  - b) The WIR and ensuite in Dwelling 2 reversed so that the ensuite is not abutting the common property access way.**
  - c) Security lighting along the common property access way.**
  - d) Six cubic metres of externally accessible storage for the existing dwelling, No. 1.**
  - e) Bin and recycling enclosures for all dwellings (clearly marked).**
  - f) All plans must show the development within the true title boundaries, not the fenced boundaries, and all relevant calculations in relation to the site adjusted accordingly.**

**Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to 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.**

## **Amenity**

- 2. Any external lighting must be provided with suitable baffles and located so that no direct light is emitted outside the site.**

## **Landscape Plans**

- 3. Before the occupation of the development or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**

## **Infrastructure Conditions**

- 4. The common property driveway must be constructed in reinforced concrete to a depth of 125 mm. The layout of the driveway must be designed and constructed in accordance with Clause 52.06-8 of the Moorabool Planning Scheme.**
- 5. The development must be provided with a drainage system constructed to a design approved by the Responsible Authority, and must ensure that:**
  - a) The development as a whole must be self-draining.**
  - b) Volume of water discharging from the development in a 10% AEP storm shall not exceed the 20% AEP storm prior to development. Peak flow must be controlled by the use of a detention system located and constructed to the satisfaction of the Responsible Authority.**
  - c) All units must be provided with a stormwater legal point of discharge at the low point of each potential lot, to the satisfaction of the Responsible Authority.**
- 6. Stormwater runoff must meet the “Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999)”.**
- 7. Storm water drainage from the development must be directed to a legal point of discharge to the satisfaction of the Responsible Authority. A legal point of discharge permit must be taken out prior to the construction of the stormwater drainage system.**
- 8. Prior to the commencement of the development, design computations for drainage of the whole site must be prepared and submitted to the Responsible Authority for approval.**
- 9. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**
- 10. Sediment discharges must be restricted from any construction activities within the property in accordance with the relevant Guidelines including “Construction Techniques for Sediment Control” (EPA 1991) and “Environmental Guidelines for Major Construction Sites” (EPA 1995).**
- 11. A landscape plan must be prepared and submitted to the responsible authority for approval detailing all proposed landscaping and proposed tree removal, ensuring that no tree or shrub is planted over existing or proposed drainage infrastructure and easements. The landscape plan must include a plant legend with botanical name, quantity, pot size at time of planting and details of ground treatments.**

12. Prior to the commencement of the development, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing change to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

13. Prior to the commencement of the development, plans and specifications of all road and drainage works must be prepared and submitted to the responsible authority for approval, detailing but not limited to the following:

- a) Location of vehicle crossings.
- b) Details of the underground drainage.
- c) Location of drainage legal points of discharge.
- d) Standard details for vehicle crossing and legal point of discharge.
- e) Civil notes as required to ensure the proper construction of the works to the satisfaction of the responsible authority.

14. 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.

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the timeframes as specified in Section 69 of the Planning and Environment Act 1987.

**CARRIED.**

**Report Authorisation:**

Authorised by:



Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 18 April, 2018

**Item 5.3 Planning Permit Application PA2017 273 – Development of a Telecommunications Facility at Sullivans Road, Millbrook.**

Cr Sullivan declared a direct conflict to this item via email prior to this meeting.

**Resolution:**

**Moved: Cr. Dudzik**

**Seconded: Cr. Edwards**

**That, having considered all matters as prescribed by the Planning and Environment Act, Council issues Planning Permit PA2017273; Development of a Telecommunications Facility at Lot 1 on TP 613612M, Sullivans Road, Millbrook VIC 3352 subject to the following conditions:**

**Endorsed Plans**

- 1. The 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. All buildings and works must be located clear of any easements or water and sewer mains or septic tank and effluent lines unless written approval is provided by the relevant authority.**

**Materials and Colour**

- 2. All external areas of the proposed building/s are to be clad with non-reflective materials except with the written consent of the Responsible Authority.**

**Telecommunications Conditions**

- 3. All noise emanating from any mechanical plant on the site must comply with the Environment Protection Authority's (EPA's) regulations and Council Environmental Health department requirements.**
- 4. The telecommunications facility must comply with "A Code of Practice for Telecommunications Facilities in Victoria (July 2004)".**
- 5. The telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard- Maximum exposure Levels to Radiofrequency Fields-3kHz to 300 GHz.**

**Infrastructure Conditions**

- 6. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).**
- 7. Unless otherwise approved by the responsible authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.**



8. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.
9. The applicant is to upgrade the existing crossover to a sealed standard to the satisfaction of the responsible authority.
10. The proponent, at their cost, must construct an all-weather access track from the proposed access point on Sullivans Road to the site of the works, to the satisfaction of the responsible authority. An asset protection permit must be obtained from the responsible authority prior to the commencement of the development.

#### **Central Highlands Water Conditions**

11. Erosion control measures must be undertaken to reduce the movement of soil from the site by rain or flowing water.
12. Sediment control measures must be undertaken to minimise the impacts of erosion by capturing sediment before it is discharged to the environment.

#### **Expiry Conditions**

13. This permit will expire if one the following circumstances apply:
  - a. The development is not started within two years of the date of this permit; or
  - b. The development is not completed within four years of the date of this permit.

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the timeframes as specified in Section 69 of the Planning and Environment Act 1987.

**CARRIED.**

#### **Report Authorisation:**

Authorised by:



Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 18 April, 2018

**Item 5.4 Planning Permit Application PA2017 201 – Development of a Single Dwelling and Associated Outbuildings at Lot 2 Grose Road, Gordon.**

***Consideration of Deputations – Planning Permit Application No. PA2017 201.***

*Margaret Lay addressed Council as an objector to the granting of a planning permit for the application.*

*David Plenderleith addressed Council as the applicant to the granting of a planning permit for the application.*

*The business of the meeting then returned to the agenda.*

**Resolution:**

**Moved: Cr. Keogh**

**Seconded: Cr. Bingham**

**That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue Notice of Decision for PA2017201; development of a single dwelling and associated carport and shed at Lot 2 Grose Road, Gordon on TP 803464E subject to the following conditions:**

**Endorsed Plans**

- 1. The 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. All buildings and works must be located clear of any easements or water and sewer mains or septic tank and effluent lines unless written approval is provided by the relevant authority.**

**Materials and Colour**

- 2. All external walls and roof areas of the proposed building/s are to be clad with non-reflective materials except with the written consent of the Responsible Authority.**

**Infrastructure Conditions**

- 3. Storm water drainage from the proposed buildings and impervious surfaces must be directed to the legal point of discharge to the satisfaction of the Responsible Authority. A legal point of discharge permit must be taken out prior to the construction of a stormwater drainage system.**
- 4. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).**

5. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.
6. Prior to the commencement of the development and post completion, notification including photographic evidence must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

#### **Barwon Water Conditions**

7. The proposed dwelling must be connected to a reticulated sewerage system.
8. No stormwater is to be discharged less than 100 metres from a waterway unless into an approved drainage system.
9. Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, must be employed and maintained until the disturbed area has been permanently stabilised and/or revegetated.

#### **Country Fire Authority**

10. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.
11. The Bushfire Management Plan (prepared by Regional Planning & Design Pty Ltd, Bushfire Management Statement – 2 Grose Rd, Gordon Ref No.17.202 – Figure 7, (dated 15/02/2018) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

#### **Expiry Conditions**

This permit will expire if one the following circumstances apply:

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

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the timeframes as specified in Section 69 of the Planning and Environment Act 1987.

**CARRIED.**

#### **Report Authorisation:**

Authorised by:



Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 18 April, 2018

### **UPDATE ON TRENDS, ISSUES AND OTHER MATTERS**

Robert Fillisch, Manager Statutory Planning and Community Safety provided the Committee with a verbal update on various other Planning Permit Applications that are currently in the system.

### **DATE OF NEXT MEETING**

Wednesday 16 May, 2018

5.00pm

North Wing Room 2 & 3

Darley Civic and Community Hub, 182 Halletts Way, Darley

### **MEETING CLOSURE**

The Chair thanked all Committee members and attendees and closed the meeting at 6.05 pm.

