

MINUTES

SECTION 86 DEVELOPMENT ASSESSMENT COMMITTEE MEETING

Wednesday 15 August, 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 5.00pm.

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
Mr. Robert Fillisch	Manager Statutory Planning and Community Safety
Ms. Bronwyn Southee	Coordinator Statutory Planning
Mrs. Jacque Younger	Minute taker

APOLOGIES

Mr. Satwinder Sandhu	General Manager Growth & Development
----------------------	--------------------------------------

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. Keogh

That the Minutes of the Section 86 Development Assessment Committee for 18 July, 2018 be confirmed as a true and correct record.

CARRIED.

4. CONFLICT OF INTEREST

No conflicts of interest were declared at the meeting.

5. GROWTH & DEVELOPMENT REPORTS

- | | | |
|-----|--|--------|
| 5.1 | Planning Permit PA2018077 - Use of Land for the Keeping of Animals at Camp Road, Bullarto South. | Page 3 |
| 5.2 | Planning Permit PA2013085 – Request for a Fourth Extension of Time for the Use and Development of a Dwelling in the Farming Zone at 218 Little Forest Road, Mount Egerton. | Page 4 |
| 5.3 | Planning Permit Application PA2018001 – Three Lot Subdivision and Development of Two Additional Dwellings at 8 Jopling Street, Ballan. | Page 5 |

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
5.3	Planning Permit Application PA2018001 – Three Lot Subdivision and Development of Two Additional Dwellings at 8 Jopling Street, Ballan.	Edward Pitcher	Objector

GROWTH & DEVELOPMENT REPORTS

Item 5.1 Planning Permit PA2018077 - Use of land for the keeping of animals at Camp Road, Bullarto South

Recommendation

That, having considered all matters as prescribed by the Planning and Environment Act, Council Refuse to Grant a Permit for the use of land for the keeping of animals for the land at Lot 10 on Title Plan 085359L otherwise known as Camp Road, Bullarto South, subject to the following grounds:

1. Western Water as a Section 55 determining referral authority have objected to the application with the following grounds:
 - a) The land is located within a Special Water Supply Catchment Area listed in Schedule 4 of the Catchment and Land Protection Act (Pykes Creek Reservoir and Werribee River Water Supply Catchment) which provided water to a domestic supply. Pursuant to Clause 66.02-5 of the Moorabool Planning Scheme Western Water is a Determining Water Authority.
 - b) The proposal does not provide acceptable outcomes in regards to the State Planning Policy Framework.
 - c) The proposal does not provide acceptable outcomes in regards to the Local Planning Policy Framework.
 - d) The proposal is not in accordance with the purpose or the decision guidelines contained within the Rural Conservation Zone.
 - e) The application has failed to taken into account stocking rates with the capabilities of the land to sustain grazing and the potential impact of overstocking on water quality.
 - f) The proposed use of the land falls within the definition of Intensive Animal Husbandry which is prohibited within the Rural Conservation Zone.

Resolution:

Moved: Cr. Dudzik
Seconded: Cr. Bingham

That Item 5.1 – Planning Application PA2018077 be deferred to allow the applicant to have discussions with Western Water regarding their objection.

The resolution was determined to be CARRIED on a Casting Vote by the Chair.

CARRIED.

Report Authorisation:

Authorised by: 
Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: 15 August, 2018

Item 5.2 Planning Permit PA2013-085 – Request for a Fourth Extension of Time for the Use and Development of a Dwelling in the Farming Zone at 218 Little Forest Road, Mount Egerton

Resolution:

Moved: Cr. Bingham

Seconded: Cr. Edwards

That, having considered all matters as prescribed by the Planning and Environment Act, Council refuse the application to extend the time for commencement of the Planning Permit PA2013-085 on the following grounds:

1. The application does not meet the Kantor tests including no substantial commencement of the development has been undertaken
2. The applicant could be considered warehousing of the permit as no development has commenced.
3. The request for a fourth extension of time to commence is beyond a reasonable amount of time given since the issue of the permit five years ago.
4. The applicant has not submitted plans for endorsement

CARRIED.

Report Authorisation:

Authorised by:



Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 15 August, 2018

Item 5.3 Planning Permit application PA2018001 – Three Lot Subdivision and Development of Two Additional Dwellings at 8 Jopling Street, Ballan.

Consideration of Deputations – Planning Permit Application No. PA2018001

Edwards Pitcher addressed Council as the objector 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. Dudzik

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Refusal to Grant Planning Permit PA2018001 for Three Lot Subdivision and Development of Two Additional Dwellings at Lot 4 on PS 210622J, 8 Jopling Street, Ballan 3342 on the following grounds:

- 1. The application does not satisfy State and local planning policy in the Moorabool Planning Scheme in relation to neighbourhood character.**
- 2. The application does not satisfy the purpose of the General Residential Zone.**
- 3. The application does not satisfy the relevant provisions of Clause 55 of the Moorabool Planning Scheme.**
- 4. The application does not satisfy the relevant provisions of Clause 56 of the Moorabool Planning Scheme.**
- 5. The application is inconsistent with the relevant design objectives in Part 4.2.3 of Ballan Strategic Directions.**

CARRIED.

Report Authorisation:

Authorised by:



Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: 15 August, 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 19 September, 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 5.22pm.

