



## STRATHBOGIE SHIRE COUNCIL

### PLANNING COMMITTEE

# AGENDA

MEETING TO BE HELD ON TUESDAY 28 MAY 2019  
AT THE EUROA COMMUNITY CONFERENCE CENTRE  
COMMENCING AT 4.00 P.M.

<b>Chair:</b>	Malcolm Little	(Hughes Creek Ward)
<b>Councillors:</b>	Amanda McClaren	(Lake Nagambie Ward)
	Debra Bower	(Lake Nagambie Ward)
	John Mason	(Seven Creeks Ward)
	Kate Stothers	(Honeysuckle Creek Ward)
	Alistair Thomson	(Mount Wombat Ward)
	Graeme (Mick) Williams	(Seven Creeks Ward)

<b>Officers:</b>	Steve Crawcour - Chief Executive Officer
	Phil Howard - Director, Innovation and Performance
	David Roff - Group Manager, Corporate and Community
	Jeff Saker - Group Manager, Community Assets
	Emma Kubeil - Manager, Planning and Investment
	Trish Hall - Technical Officer, Planning

#### **Business:**

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'I acknowledge the Traditional Owners of the land on which we are meeting.  
I pay my respects to their Elders, past and present'*
3. Apologies
4. Confirmation of Minutes of the Planning Committee meeting held on Tuesday 23 April 2019
5. Disclosure of Interests

6. Planning Reports
7. Other Business

Steve Crawcour  
**CHIEF EXECUTIVE OFFICER**

17 May 2019

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting, as per Local Law No. 1 - Meeting Procedure (2014) or as updated from time to time through Council Resolution

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<b>6. Planning Reports</b>				
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<b>7. Other Business</b>				
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7.2 (DIP-PH)		Planning Applications Received - 11 April to 15 May 2019		4

**PLANNING COMMITTEE REPORT NO. 1 (TECHNICAL OFFICER - TRISH HALL)**

**7. OTHER BUSINESS**

**7.1 Waiver of Planning Application Fees  
- Planning Permit Application P2019-042 - Use of Land to Amend a Liquor Licence ~ 7-9 Queen Street, Avenel VIC 3664 (Avenel Bowls Club)**

**Author and Department**

Technical Officer / Planning and Investment Department

**Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*.

**Summary**

This report is presented to Council for decision in relation to the waiver of fees for a planning permit application.

**RECOMMENDATION**

**For Decision.**

**Background**

An application is expected to be submitted to Council in the future for the use of land to amend a liquor licence.

The Avenel Bowls Club is applying to amend the boundary of their current liquor license to include the enclosed spectator viewing area, surrounding the clubs bowling green. The amendment of the red line plan in accordance with the requirements of the Victorian Liquor License Commission will allow consumption of liquor in the spectator viewing areas and this will assist in the sale of liquor at the clubhouse. The proceeds of liquor sales allows the Avenel Bowling Club to raise funds for the maintenance and general improvements of the green, gardens, clubhouse and surrounding areas.

The request is for a full waiver of planning application fees for the amount of \$1286.10.

**Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

**Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is not inconsistent with Council Policies, key strategic documents and the Council Plan.

7.1 Waiver of Planning Application Fees  
- Planning Permit Application P2019-042 - Use of Land to Amend a Liquor  
Licence ~ 7-9 Queen Street, Avenel VIC 3664 (Avenel Bowls Club) (cont.)

**Best Value / National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

**Financial / Budgetary Implications**

The author of this report considers that the request, other than the immediate cost of \$1286.10 in fees which would not be received, has no significant financial/budgetary implications for Council or the broader community than a regular application.

**Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

**Environmental / Amenity Implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

**Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Legal / Statutory Implications**

In considering a request to waive fees for an application lodged under Section 47 of the *Planning and Environment Act 1987*, a fee can only be waived in the following circumstances pursuant to Section 20 of the *Planning and Environment Regulations (Fees) 2016*:

- (a) *an application is withdrawn and a new application is submitted in its place; or*
- (b) *in the opinion of the responsible authority or the Minister the payment of the fee is not warranted because—*
  - (i) *of the minor nature of the consideration of the matter decided or to be decided; or*
  - (ii) *the requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or*
- (c) *in the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists—*
  - (i) *the proper development of the State, region or municipal district; or*
  - (ii) *the proper development of part of the State, region or municipal district; or*

7.1 Waiver of Planning Application Fees  
- Planning Permit Application P2019-042 - Use of Land to Amend a Liquor  
Licence ~ 7-9 Queen Street, Avenel VIC 3664 (Avenel Bowls Club) (cont.)

- (iii) *the preservation of buildings or places in the State, region or municipal district which are of historical or environmental interest; or*
- (d) *the application relates to land used exclusively for charitable purposes.*

Consideration for the fee waiver could be made under Section 20(d) of the regulations. The application relates to land used exclusively for charitable purposes. The Avenel Bowls Club is run entirely by volunteers with 40 members. The members ensure the green, gardens; clubhouse and surrounding areas are well maintained. The clubhouse is also used by the broader community for charitable events.

**Consultation**

The author of this report considers that the matter under consideration did not warrant a community consultation process.

**Attachments**

Nil

**PLANNING COMMITTEE REPORT NO. 2 (DIRECTOR, INNOVATION AND PERFORMANCE - PHIL HOWARD)**

**7.3 Planning Applications Received**  
**- 11 April to 15 May 2019**

Following are listings of Planning Applications Received for the period 11 April to 15 May 2019.

**RECOMMENDATION**

**That the report be noted.**

***THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT ..... P.M.***

## **PLANNING APPLICATIONS RECEIVED**

Friday, 12 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
100 Watkins Road, Creek Junction VIC 3669	P2017-047 - 1	Development of land for a shed	Jace King	\$0.00*

Tuesday, 16 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
88-96 Birkett Street, Euroa VIC 3666	P2018-093 - 1	Use and development of land for industry (repair and assembly) metal products and associated signage and a reduction in car parking requirements	Troy Spencer	\$0.00*

Thursday, 18 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
2042 Creightons Creek Road, Creightons Creek VIC 3666	P2019-041	Development of land to an extension to a dwelling	Virginia Jackson	\$300,000.00
40 Goulburn Views Drive, Kirwans Bridge VIC 3608	P2019-043	Development of land for an extension to a dwelling	Kym Bailey	\$250,000.00

Tuesday, 23 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
7 Granite Court, Euroa VIC 3666	P2018-119 - 1	Use and development of land for a dwelling and shed	WALKER, Ebony Blaise	\$0.00*

Friday, 26 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
85 Grant Street, Mangalore VIC 3663	P2019-045	Development of land for two carports	GIBBENS, Rodney Peter	\$7,000.00



Monday, 29 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
5 Hyacinth Street, Violet Town VIC 3669	P2018-166 - 1	Two (2) lot re-subdivision and creation of access to Road Zone Category 1	Paul Smithwick	\$0.00*

Tuesday, 30 April 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
320 Habel Road, Nagambie VIC 3608	P2019-044	Development of land for a shed	Kristy Gunn	\$23,153.00

Wednesday, 1 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
1371 Euroa-Mansfield Road, Gooram VIC 3666	P2019-038	Use and development of land for a dwelling, carriageway easement and business identification signage	Mr Troy Spencer	\$380,000.00

Friday, 3 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
274 Drysdale Road, Euroa VIC 3666	P2017-128 - 3	Use and development of land for an extension to an existing shed	Craig Lord	\$0.00*

Wednesday, 8 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
94 Ballantynes Road, Nagambie VIC 3608	P2017-067 - 1	Two (2) lot subdivision and construction of a dwelling	Lorraine and Robert Cubbin	\$0.00*

Monday, 13 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
899 Carmodys Road, Longwood VIC 3665	P2018-152 - 1	Three (3) lot subdivision	Mr Troy Spencer	\$0.00*

Tuesday, 14 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
540 Tames Road, Strathbogie VIC 3666	P2019-048	Development of land for a fence for an outdoor spa	Cedric Yeo	\$2,000.00

Wednesday, 15 May 2019

Site Address	Application Number Display	Application Description	Applicant Name	Cost Of Works
325 Aerodrome Road, Mangalore VIC 3663	P2019-049	Development of land for a aircraft storage hanger	Warren Blyth	\$76,477.27

\*NB – '\$0.00 in Cost of Works means either no development, endorsement of plans or amendment to the original permit

Example Legend	Description
P2014-001	Planning permit application
P2014-001-1	Proposed amendment to a planning permit