

# **Planning Delegated Committee Meeting Agenda**

**Planning Delegated Committee Meeting  
Wednesday 12 March 2025 at 7:00 PM  
Held online and livestreamed at [mrsc.vic.gov.au](https://mrsc.vic.gov.au)**



**Notice is hereby given that a Planning Delegated Committee Meeting will be held in the Held online and livestreamed at [mrsc.vic.gov.au](http://mrsc.vic.gov.au) on:  
Wednesday 12 March 2025 at 7:00 PM**

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**Order Of Business**

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## **1 ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

## **2 RECORDING AND LIVESTREAMING OF THIS COMMITTEE MEETING**

This meeting is being recorded and streamed live on the internet, in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings' policy, which can be viewed on Council's website.

## **3 PRESENT**

## **4 APOLOGIES**

## **5 CONFLICTS OF INTEREST**

## **6 PURPOSE OF PLANNING DELEGATED COMMITTEE**

Council established the Planning Delegated Committee to provide a regular forum for hearing from people who have made a submission to Council or who are an applicant or objector in relation to a planning permit application.

The Committee is authorised to determine statutory planning applications and Planning Scheme amendments only in relation to the Planning and Environment Act 1987. Its purpose is to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters, planning applications and to determine other planning matters.

## **7 ADOPTION OF MINUTES**

### **Recommendation**

**That the Committee confirm the minutes of the Planning Delegated Committee of Macedon Ranges Shire Council held on 11 December 2024, as circulated.**

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**8 HEARING OF SUBMITTERS**

<b>8.1</b>	<b>HEARING OF SUBMITTERS - PLN/2023/402 - 131 SHANNONS LANE KERRIE 3434</b>
<b>Officer:</b>	<b>Lipi Patel, Senior Statutory Planning Officer</b>
<b>Attachments:</b>	<b>PLN/2023/402- 131 Shannons Lane Kerrie - Redacted Submissions <a href="#">↓</a></b>

**Summary**

To hear from submitters in relation to Planning Application PLN/2023/402 regarding Use and Development of the land for Group Accommodation at 131 Shannons Lane, Kerrie, 3434.

**Recommendation**

**That the Planning Delegated Committee:**

- 1. Notes that seven submissions were received in relation to Application PLN/2023/402 – Use and Development of land for Group Accommodation; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 9 April 2025.**

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**Background**

The subject site is formally referred to as Lot 1 PS083026, and is one of five lots which make up 131 Shannons Lane, Kerrie. The site is irregular in shape with an area of approximately 35.38 hectares, and is bordered by Shannons Lane to the north-west, and Bolinda Creek to the west/south-west.

The site contains an existing dwelling and associated outbuildings which are located within a clearly defined domestic zone, with a further outbuilding located within the balance of the land which largely comprises open pasture. The site has moderately undulating topography and is heavily vegetated within the south-west portion of the site and along Bolinda Creek.

Vehicle access currently exists via Shannons Lane.

The site is located within the Rural Conservation Zone, with the surrounding area displaying a rural character comprising of larger allotments used for varying forms of agriculture (cattle grazing, small-scale agricultural operations etc.) with some lots containing dwellings and associated outbuildings.

**Summary of proposal**

The application seeks approval for the Use and Development of the land for a group accommodation in the form of four single dwellings (tiny homes) proposed to be located within the north-east section of the site. The dwellings would provide short-stay accommodation by provider 'Shacky'.

Access to the group accommodation would be provided via a new crossover from Shannons Lane with carparking located closer to the site entrance approximately 250 metres from the group accommodation.

An Environmental Management Plan has been provided as part of the application material that outlines strategies, goals and a timeline to manage the land associated with the construction and operation of the group accommodation. A regenerative tree corridor is proposed along the eastern property boundary that would also assist in screening the site from the adjoining property.

**Planning permit trigger/s**

- Clause 35.06-1 (Rural Conservation Zone) – a permit is required to use of land the land for group accommodation.
- Clause 35.06-5 (Rural Conservation Zone) – a permit is required for buildings and works associated with a Section 2 use (group accommodation).
- Clause 42.01-2 (Environmental Significance Overlay- Schedule 5) – a permit is required to construct a building or carry out works for an accommodation (including group accommodation) that is not connected to reticulated sewerage.
- Clause 42.03-2 (Significant Landscape Overlay – Schedule 1)– a permit is required to construct a building or construct or carry out works.

**Summary of submissions**

A total of seven objections were received to this application. The following is a summary of the objections received:

- Notice of the application not sufficient.
- Non-compliance with the planning Scheme regarding number of dwellings.
- Inaccuracies in the planning submission (width of Shannons Lane, surrounding land uses).
- Amenity impacts (increased traffic, noise, visual appearance).
- Impacts on the natural environment and wildlife habitat.
- Fire risk - insufficient access and emergency evacuations.
- Use not consistent with rural character and amenity.
- The precedence set by this application, if approved.

**Officer declaration of conflicts of interest**

All officers involved in preparing this report have declared that they do not have a conflict of interest relating to the subject matter.

Submission 1

D24-8634



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

**Application Number:** PLN/ 2023/402

**Property Address:** 131 Shannons Lane Kerrie VIC 3434

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council's website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council's Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)

**Objection Details**

Ensure that you clearly understand the application prior to objecting. You can view all planning applications at our Gisborne office during business hours. During the 14 day advertising period (where applicable) documents are available to view online at: [mrsc.vic.gov.au/planning-register](https://mrsc.vic.gov.au/planning-register)

**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

1. Inaccuracies in the Planning Permit application.  
"Shannon's Lane is a dual lane unsealed accessway" – It is a single lane road.  
"Neighbouring land uses are predominately rural residential. There are little genuine agricultural enterprises in the surrounding locality" – this is simply not true as all surrounding properties on Shannons Lane run cattle operations and are primary producers.
2. The number of Tiny Houses.  
The new Victorian planning laws relate to a "Small Second Dwelling" not a third, fourth, or fifth. [https://www.planning.vic.gov.au/\\_\\_data/assets/pdf\\_file/0025/691315/DT-P0604-Small-Second-Dwellings\\_Planning-and-building-framework.pdf](https://www.planning.vic.gov.au/__data/assets/pdf_file/0025/691315/DT-P0604-Small-Second-Dwellings_Planning-and-building-framework.pdf).  
I object to any more than 1 tiny house.
3. The application will increase traffic on Shannons Lane, increase fire risk with city guests not being vigilant in fire prone areas, and increase risk to small or young livestock when guest dogs escape.
4. The application is essentially for an "Airbnb" enterprise, but instead of one group of guests there are four. It sets a precedent which will impact on my quiet enjoyment and affect the ambience of the area. The internet is full of examples where rogue Airbnb guests hold noisy parties, invite unregistered guests, terrorise neighbours, cause damage, etc. e.g [https://www.news.com.au/travel/travel-advice/accommodation/airbnb-launches-ne](https://www.news.com.au/travel/travel-advice/accommodation/airbnb-launches-new-support-line-for-annoyed-neighbours/news-story/c51025408c2ca4cf8220beb742483221)  
[w-support-line-for-annoyed-neighbours/news-story/c51025408c2ca4cf8220beb742483221](https://www.news.com.au/travel/travel-advice/accommodation/airbnb-launches-new-support-line-for-annoyed-neighbours/news-story/c51025408c2ca4cf8220beb742483221)

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444

Submission 2

P24-3991

**Submission in response to application for planning permit Reference number PLN/2023/402**

This application is for "Use and Development of Land for Group Accommodation".

[REDACTED] the application and will be directly impacted by the proposed development.

We have carefully considered the Macedon Ranges Planning Policy Framework and support the broad aims of sustainable development which maintains the character and amenity of the region whilst at the same time supporting tourism and hospitality which are important for the economic health of the Shire.

We have confidence that the council will make a considered decision about the impact of this proposed development on the amenity of the rural neighbourhood and share our concerns about the proposal. The proposed 'tiny homes' are close [REDACTED]

It is proposed to position the tiny homes on an exposed windswept hill.

We are not qualified to assess the environmental impact of composting toilets and the proposed grey wastewater system on the environment but trust that the council has access to that expertise.

We have significant concern that the number of persons staying in and around the facility may exceed the expected 2 per tiny home and could be associated with antisocial behaviour. There likely will be limited oversight of behaviour and of compliance with bushfire and other safety concerns in this relatively isolated rural site.

Another major concern relates to the condition of the unsealed Shannons Lane and the resultant increase in traffic resulting from such a development.

Shannons Lane currently carries only local traffic and the increased use by tourist visitors to the site as well as vehicles supporting cleaning, laundry and rubbish removal will result in further deterioration of the road.

In 2023 Shannons Lane was reduced to a condition barely permitting 4-wheel drive access because of erosion caused by water run-off down the steep section of road. It was eventually repaired after several representations to the council but has already started to significantly deteriorate and either access for visitors will be limited, or increased regular Council resources will be necessary to ensure safe access for residents and tourists.

We trust that the Council will carefully consider our concerns and thank you for the opportunity to make this submission.

[REDACTED]



Submission 3

D24-15928



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**Objector Details**

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**Planning Permit Application Details**

**Application Number:** PLN/ 2023/402  
**Property Address:** 131 Shannons Lane, Kerrie, Vic 3434

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**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

[REDACTED]

[REDACTED] We have significant concerns with the above proposal including the following:

1. the application is wildly inaccurate in a number of respects. For example the Planning Report incorrectly states on page 11 that Shannons Lane is "a dual lane unsealed accessway". In fact it is a single lane poorly constructed dirt track. If a car approaches from the opposite direction you have great difficulty creating enough room for the other car to pass. Secondly page 12 states that "Neighbouring land uses are predominately rural residential. There is little genuine agricultural enterprises in the surrounding locality". This statement is patently false. The applicants are fully aware that [REDACTED]

[REDACTED] each time they drive up Shannons Lane or put their bins out or go for a walk. Virtually all of our neighbours are running cattle operations on their properties including at [REDACTED] Thirdly the proposal refers to [REDACTED] from the nearest proposed new residence yet ignores the fact that we have [REDACTED]

[REDACTED] where it is proposed that the 4 new accommodation homes are to be constructed. We are seeking to [REDACTED]

[REDACTED] that the 4 new homes are to be constructed. In these circumstances the proposal would be a substantial imposition and invasion of privacy.

2. the construction of 4 new accommodation houses at 131 Shannons Lane is wholly inappropriate and excessive. All of the surrounding properties only have one residence on them despite being significant landholdings. The proposal is grossly out of character with the single dwelling nature of the surrounding properties.

3. if allowed to proceed the proposal would create substantial additional traffic and noise and would disturb the existing character of the neighbourhood and effect the quiet enjoyment of the neighbourhood by existing residents.

4. with 4 new homes one can expect up to 20 people staying at the properties at any one time plus the existing residents of 131 Shannons Lane. Presumably other friends could also drop in to visit the residents of the 4 homes. Potentially there could be 10+ vehicles entering and exiting the property throughout the day. Shannons Lane is a single lane dirt track and is dangerous enough as it is without all this additional traffic.

5. the area is highly susceptible to fire risk and one may expect that the temporary residents of the 4 new homes will add to this potential fire risk.

6. there are a large number of wombats living along the nature strip between the fence line of 131 Shannons Lane and the Shannons Lane dirt road. This is evident from the 8 or so wombat holes that exist where the proposed new entrance to 131 Shannons Lane is to be constructed. The habitat of those wombats would be threatened if the proposal was allowed to proceed.

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)



Submission 4

D24-9544



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

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**Planning Permit Application Details**

**Application Number:** PLN/ 2023/402  
**Property Address:** 131 Shannons Lane Kerri Vic 3434

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This application come to my attention yesterday. I am very surprised that Council did not require the applicant to notify adjoining and affected neighbours of this application which proposes a very substantial change to land use in this area from the primary production values for which the area is zoned.

Before approving this application, I request Council require the applicant to write to adjoining landowners and potentially affected landowners seeking input and any objection to the application. While I have a number of concerns regarding the application, in the interests of time and noting the closing date for objections, I raise the following objections:

The application is inaccurate in stating that Shannons Lane is a dual carriageway unmade road. Shannons lane is a single lane unmade road. [REDACTED]

[REDACTED] Google maps and other search engines nonetheless direct traffic to use this section of Shannons lane and I regularly have hapless motorists jumping my fences and walking through my property to seek assistance when their car is stuck and understand other neighbours near the corner of Heskett Boundary Road and Shannons lane do also. I do not want to even consider the frequency with which this would occur should this application proceed. Google maps would inevitably direct people coming from the freeway to turn into Heskett Boundary Road and then turn left into the "chute" as it is known locally - being the section of Shannons Lane which is impassable at most times.

This inaccuracy alone in the application is so significant the application should if not be rejected should require amendment before it is approved and if this is the case, I request the Council require the applicant to notify in writing adjoining and affected landowners of which I consider my self one of the amended application. At that time I will avail myself of the opportunity to submit a more considered objection addressing a number of other issues I have with the proposal. Other concerns I will raise for now are broadly in the following categories:

- I note these "tiny houses" are on wheels. The application does not address if the applicant is permitted to relocate the tiny houses on the property from the site shown or if this will be prohibited.

- I am very concerned about fire safety- introducing large numbers of people who will not be aware and engaged in this issue into the area and on local roads. This application if approved will introduce a disproportionately large number of additional vehicles; most of which will be unfamiliar with driving on unmade roads; using Shannons Lane which as noted above is a single lane gravel road. If guests in an emergency try to exit via Heskett boundary road end of Shannons lane, catastrophic results could ensue as they will get stuck. Locals know this. Visitors are prone to doing anything. In this regard I note phone reception in this area is patchy at best, but could also be described as non existent. I can only use wifi calling at my property as I have zero reception.

Another risk associated with introducing large numbers of people unfamiliar with this environment not even discussed in the application. Again, I request the applicant be required to notify in writing all adjoining and affected landowners before this proposal is approved. Heskett Boundary Road has a very active Fireguard Group and it may be, given the significance of this application that the members of our Fireguard group may wish to make a joint objection.

- I am concerned this application, if approved, will introduce more dirt bikes and 4WD enthusiasts to the area who tear up Heskett Boundary Road and destroy the road and adjoining vegetation through the forest.

- the council will be aware this is an area of significant environmental value. Locals are passionate about the area we live in and protecting those values. This is not just a NIMBY response. Restrictions on residential development are exceptionally tight with good reason - we don't all always like that but we can respect the reasons for it. I must say, I would be less inclined to object to this proposal if this application was to provide tiny houses to those in need of permanent accomodation. People who live in the area tend to know and care for the area and quickly become aware of issues associated with fire safety and lack of mobile communications. Introducing short stay on this scale in what is an environmentally sensitive area (as recognised by the number of overlays in place), a high risk fire area, with minimal phone reception and all the attendant risks that brings is not something I can support.

Submission 5

D24-9543



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**Objector Details**

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**Planning Permit Application Details**

**Application Number:** PLN/ 2023/402

**Property Address:** 131 Shannon's Lane Kerrie

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**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

Points for objection:

████████████████████ and was not notified of application by council

My understanding of planning laws is that only one small dwelling may be erected on a property in addition to main house

Increased traffic a risk to wildlife; noise pollution; damage to unsealed roads (note Shannon's Lane is a single lane road) very poor condition. This also poses further risk during fire season.

With reference to wildlife: there are koalas; wombats and phascogales in the area; extra traffic increases the risk to native habitat of threatened species.

The idea of holiday rentals goes against the quiet lifestyle enjoyed by the majority of inhabitants of the area. I bought in this location specifically because the various overlays would protect this lifestyle.

Allowing the application to go through could create a 'if they can do , we can do it mentality.

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444



Submission 6

D24-17715



26/01/2024



Re. PLN/2023/402  
 131 Shannon's Lane  
 KERRIE 3434



our objections to the proposed use of land at this property for four 'Tiny Houses'.



area is comprised of farms, . In our case, It is not a suitable environment for the creation of a mini housing estate.

2/ Shannons Lane is a gravel road of variable condition; locals rely on it as one of two roads for evacuation in an emergency. The increase in traffic resulting from the proposal, ( visitors' cars, garbage collection, cleaning staff, linen management, toilet maintenance) will contribute to deterioration of the road, particularly during periods of high rainfall.

3/ This area is already subject to significant 4WD and motorcycle incursions, with consequent road damage. The proposal would potentially increase this activity, to the detriment of the bush environment, increased risks to native animals, and contribute to the spread of weeds such as blackberry and broome.

4/ In 2023, we had discussions with Parks Victoria as how this area might best be protected from 4WD/motorcycle incursions; we strongly object to any proposal that would nullify potential solutions as discussed with Parks Victoria.

5/ Should this proposal be approved, it would set a precedent for future similar developments, with the inevitable degradation of our country environment and potential reduction in productive farming and agricultural activities.

6/ On paper, the current owners appear to be well qualified to maintain their rural environment. However, should they sell the property, any future owners might not be able to guarantee an appropriate level of environmental guardianship, and once this is lost, the loss is likely to be permanent, to the detriment of the local community.

7/ The 'Notice for Application of a Planning Permit' has not been displayed appropriately, being set back from the road on a recessed gate. Hence, many people, myself included, may have passed by without noticing the sign, and thus reducing the potential for local objections to be made in a timely manner.

We strongly recommend that Council reject this Application for four tiny houses.



Submission 7

P24-3937

[REDACTED] We are [REDACTED]  
[REDACTED] We object to the application on the grounds that  
shannons lane is inappropriate for more traffic .

[REDACTED]