



PLANNING COMMITTEE MEETING

AGENDA

WEDNESDAY 13 JUNE 2018

AT 4PM

COPACC

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

13 JUNE 2018

TABLE OF CONTENTS

OPENING PRAYER..... 3
PRESENT 3
APOLOGIES..... 3
MAYORAL STATEMENT 3
DECLARATIONS OF INTEREST 4
CONFIRMATION OF MINUTES..... 4
VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS 4

OFFICER REPORTS

PC181306-1 TELECOMMUNICATIONS FACILITY AT 90 OLD COACH ROAD, SKENES
CREEK (PP140/2017-1) 5
PC181306-2 EXTENSION TO SHED AND WAIVER OF 23 CAR SPACES AT 7-15
FOREST STREET, COLAC (PP76/2018-1) 45

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

NOTICE is hereby given that the next *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* will be held at COPACC on 13 June 2018 at 4pm.

AGENDA

1. I DECLARE THIS MEETING OPEN

OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

3. APOLOGIES

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

Colac Otway Shire encourages community input and participation in Council decisions.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

5. DECLARATIONS OF INTEREST

6. CONFIRMATION OF MINUTES

- **Planning Committee held on 14 February 2018.**

Recommendation

That the Planning Committee confirm the above minutes.

7. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of five minutes will apply.

PLANNING COMMITTEE

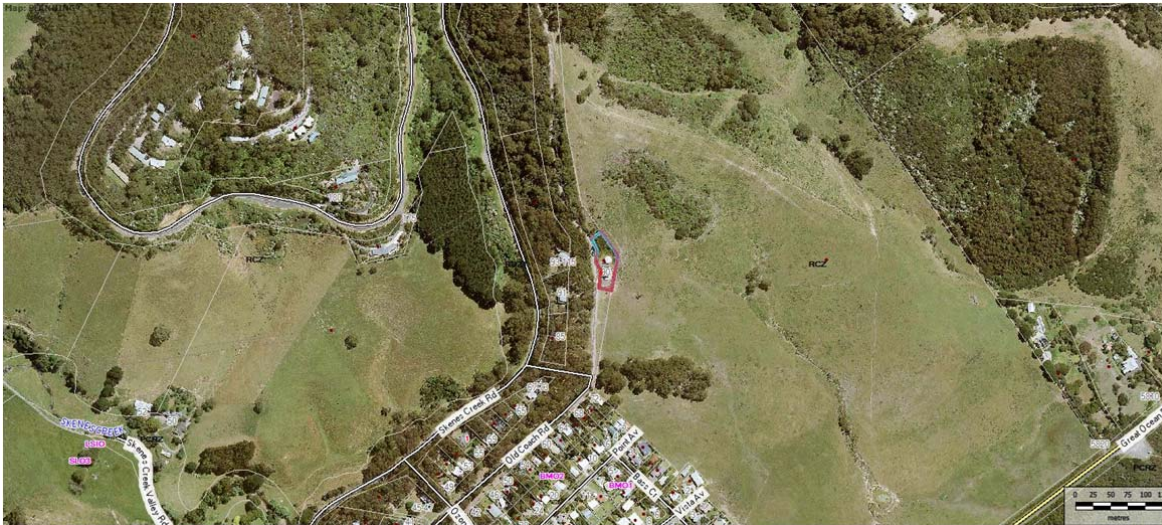
TELECOMMUNICATIONS FACILITY AT 90 OLD COACH ROAD, SKENES CREEK (PP140/2017-1)

PC181306-1

ADDRESS AND PROPERTY DETAILS	90 Old Coach Road, Skenes Creek	GENERAL MANAGER	Gareth Smith
PREPARED BY	Helen Evans	TRIM FILE	F17/6110
DIVISION	Development & Community Services	CONFIDENTIAL	No
PERMIT TRIGGERS	RCZ (use, and buildings and works); EMO1 and SLO3 (buildings and works including vegetation removal); VPO2 and Clause 52.17 (native vegetation removal); and Clause 52.19 (buildings and works for a Telecommunications Facility)		
TRIGGER FOR DETERMINATION BY COMMITTEE	Four objections received		
APPLICATION NUMBER	PP140/2017-1		
PROPOSAL	Use and Development of the Land for a Telecommunications Facility (25m Steel Lattice Tower) and associated works including Removal of Native Vegetation		
ZONE	Rural Conservation Zone (RCZ)	OVERLAYS	Erosion Management Overlay Schedule 1 (EMO1); Vegetation Protection Overlay Schedule 2 (VPO2); Significant Landscape Overlay Schedule 3 (SLO3); and Bushfire Management Overlay
COVENANTS	Barwon Water is the Crown Land Administrator and the land has a status of a Reservation - MI128619F, 6/8/16 – temporary water supply		
LIST OF ATTACHMENTS	<ol style="list-style-type: none"> 1. Application Form 2. Application Plans 3. Applicant's Photomontages 4. Site Visit Photographs 		
CULTURAL HERITAGE	Not applicable		

1. LOCATION PLAN / AERIAL PHOTO

LOCATION PLAN



AERIAL PHOTO



2. EXECUTIVE SUMMARY

A planning permit is sought to use and develop the subject land for a Telecommunications Facility (25m Steel Lattice Tower) and associated works, including the removal of native vegetation.

The site is located northwest of the residential area of Skenes Creek on land managed by Barwon Water, which provides water storage facilities for the Skenes Creek area. Notice of the application was given to surrounding landowners and four (4) objections were received.

The CFA has recommended that a solid fence be constructed around the tower to reduce the likelihood of the tower being damaged during a bushfire event.

Consideration of this application must have regard to competing objectives, namely the importance of the landscape significance of the Great Ocean Road and the potential visual impact the proposed telecommunications facility would have on this landscape, versus the need to service the area to ensure that adequate telecommunication facilities are provided. The concerns of local residents about the potential impacts of the proposed facility on their properties has also been a key consideration when assessing the proposal but, following a site visit and having regard to planning policy on the provision of such facilities, it is considered that any impacts would be acceptable.

On balance, whilst acknowledging that the proposed facility would be visible from the Great Ocean Road, it is considered a Notice of Decision to Grant a Permit could reasonably be issued for the proposed Telecommunications Facility.

3. RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Permit for the Use and Development of the Land for a Telecommunications Facility (25m Steel Lattice Tower) and Associated Works including Removal of Native Vegetation at 90 Old Coach Road, Skenes Creek (Crown Allotment 7A, Section 3, Parish of Krambruk), subject to the following conditions:

Amended Plans

- 1. Prior to the commencement of development, 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, but modified to show:***
 - a) The Bushfire Management Plan in the Bushfire Management Statement prepared by South Coast Bushfire Consultants (Version No. 2, dated 27/02/2018) amended at section 7, page 20 to show the location and dimensions of the 2.4m high colorbond fence, and with the defendable space reduced to the area marked blue in the Biodiversity Assessment Report on page 3.***
 - b) The Overall Site Plan amended to reduce the defendable space area to correspond with the Biodiversity Report and the revised Bushfire Management Plan.***

Endorsed Plans

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 3. The removal of native vegetation must be in accordance with the endorsed plan to the satisfaction of the Responsible Authority.***

Landslip Mitigation

- 4. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment by CivilTest (reference 1160740-1A, dated 4/9/17) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

Amenity

5. ***The nature and colour of building materials employed in the construction of the lattice tower and the associated structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
6. ***The telecommunications facility and associated development hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Access

7. ***Prior to the commencement of development, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.***
8. ***The driveway must be constructed to an all-weather standard to the satisfaction of the Responsible Authority and must have a minimum width of 3 metres.***

Old Coach Road

9. ***Prior to the commencement of works, photos and a written report on the condition of Old Coach Road must be submitted to the Responsible Authority.***
10. ***Upon completion of the construction of the telecommunications facility hereby permitted, a further written report and photos of the condition of Old Coach Road must be submitted to the Responsible Authority. If these demonstrate that the road condition has been damaged during the construction period, the road must be re-instated to its pre-construction condition at the applicant's expense, to the satisfaction of the Responsible Authority. The works required to re-instate the road must be undertaken within one month of the applicant being advised that re-instatement works are required, or such alternative timeframe as is agreed in writing by the Responsible Authority.***

Stormwater

11. ***Stormwater discharge must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point may occur within five metres of the lowest property boundaries.***

Removal of Facility

12. ***In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be re-instated, all to the satisfaction of the Responsible Authority.***

Vegetation

13. ***Prior to commencement of the vegetation removal, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the Responsible Authority.***

Offset Requirements

14. ***To offset the removal of 0.038 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the 'Permitted clearing of native vegetation – Biodiversity assessment guidelines' (DEPI 2013) and 'Native vegetation gain scoring manual' (DEPI 2013) as specified below:***

General offset

A general offset of 0.014 general biodiversity equivalence units with the following attributes:

- **be located within the Corangamite Catchment Management Authority boundary or Colac Otway Shire municipal district**
 - **have a strategic biodiversity score of at least .458.**
- 15. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. The offset evidence can be:**
- a) a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan and/or**
 - b) an allocated credit extract from the Native Vegetation Credit Register.**

A copy of the offset evidence will be endorsed by the Responsible Authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

- 16. In the event that a security agreement is entered into as per condition 15, the applicant must provide the annual offset site condition report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.**

CFA conditions

- 17. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible 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.**
- 18. The Bushfire Management Plan at Section Seven, Page 20 of the Bushfire Management Statement prepared by South Coast Bushfire Consultants must be endorsed to form part of the permit and must not be altered without the written consent of the CFA and the Responsible Authority.**

Expiry

- 19. This permit will expire if one of the following circumstances applies:**
- a) The development is not commenced within two years of the date of this permit.**
 - b) The development and vegetation removal are not completed, and the use has not commenced, within four years of the date of this permit.**

In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition.

Notes

- 1. Prior to the commencement of development, an application to undertake works within the**

- road reserve must be submitted to and approved by the Council.*
2. *The proposed facility must be designed in accordance with relevant Occupational Health and Safety Guidelines.*
 3. *It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L014620.*

4. OPTIONS

Council has the options of:

- a) Issuing a Notice of Decision to Grant a Permit subject to the recommended conditions;
- b) Issuing a Notice of Decision to Grant a Permit subject to the recommended conditions with changes;
- c) Refusing to grant a permit on specified planning grounds.

The key issues for consideration when assessing this application relate to whether the provisions of Clause 52.19 (Telecommunications Facility) of the Planning Scheme have been addressed and the potential visual impact of the proposed development, having particular regard to the sensitive area in which the facility would be located.

It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

5. RELEVANT BACKGROUND

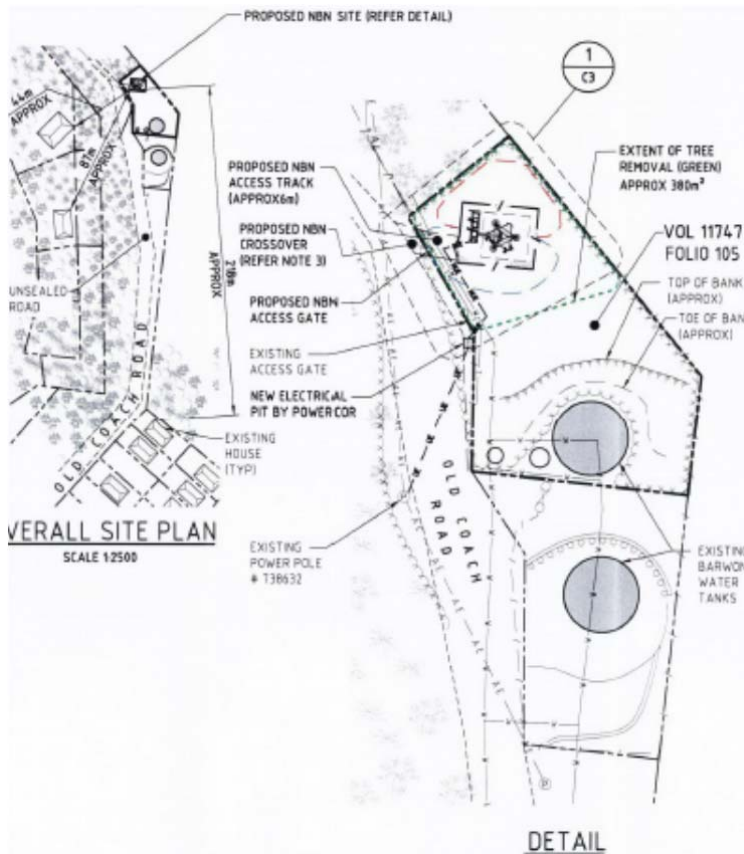
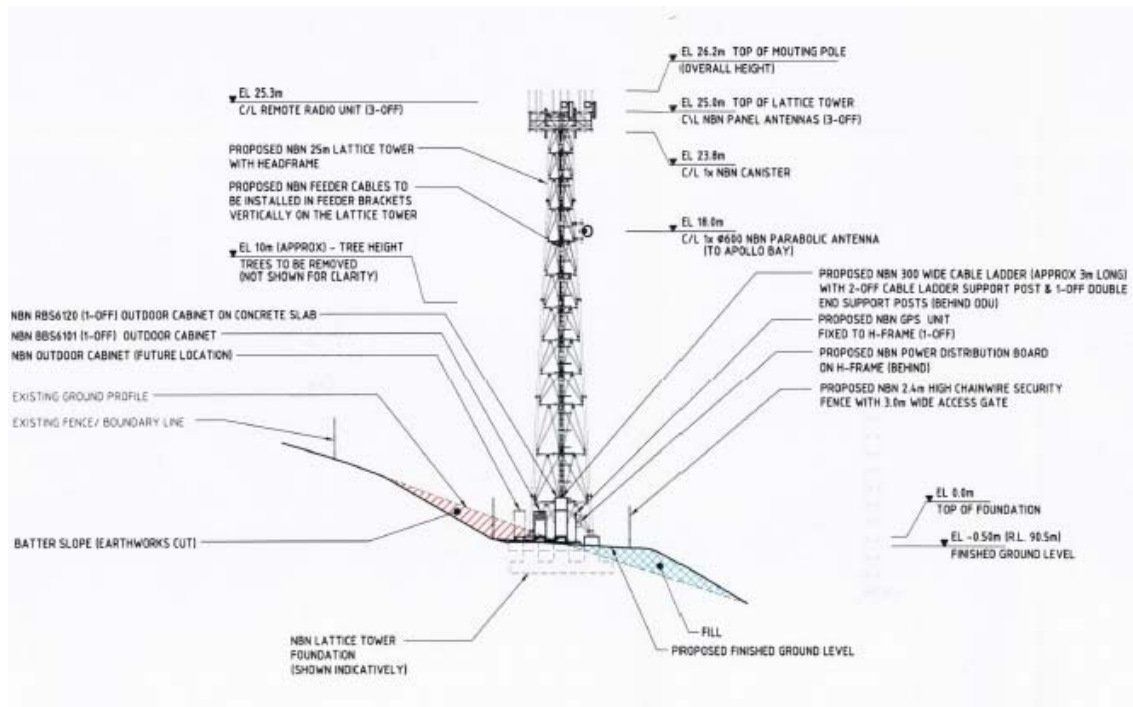
The proposed telecommunications facility would form part of the National Broadband Network (NBN) upgrade of the existing telecommunications network, which is intended to provide access to fast, affordable and reliable internet and landline phone services. When selecting sites, NBN has regard to factors such as the ability to meet the required coverage and technical objectives, opportunities for co-location, the surrounding landscape and community needs.

In terms of the current application, the applicant has advised that the subject site would be the most appropriate location to establish a facility to provide high speed wireless broadband coverage to Skenes Creek. In addition, the applicant has advised that this would also serve as a key communications anchor point for other NBN wireless facilities in the wider Colac Otway Shire Council region.

6. PROPOSAL

A planning permit is sought for the use and development of a telecommunications facility comprising a 25m high steel lattice tower and ancillary components. These include antennae and an outdoor equipment cabinet, which would be enclosed within a compound measuring 8m x 10m (80m² fenced area) located north of two Barwon Water tanks on the subject site. A permit is also required for the proposed earthworks and removal of native vegetation.

The proposed NBN Fixed Wireless facility at Skenes Creek is also designed to be a critical connection point for a proposed facility at Montrose Avenue, Apollo Bay.



A Telecommunications Facility is defined as "land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment,

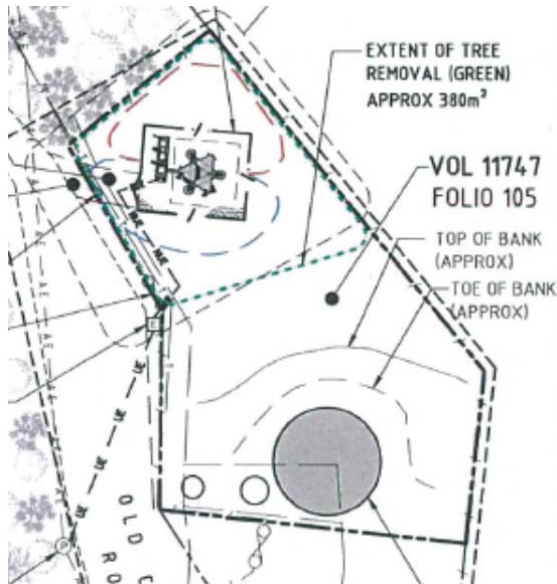
apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network”.

The proposed tower that forms the subject of this application would be constructed in steel and would accommodate:

- three (3) x panel antennae measuring approximately 750mm x 300mm x 115mm at 25 metres in height;
- one (1) x radio communications dish antenna (1 x 600mm) at 18 metres;
- three (3) x remote radio units mounted behind the panel antennae; and
- three (3) ground level cabinets (1 future).

The total overall height of the facility would be 26.2 metres. Associated facilities would include ground level cabinets, cable ladder and a power distribution board, within an 8m x 10m compound enclosed by a 2.4m high, pale green eucalypt colorbond security fence with 3.0m wide access gate. The compound would be located within the existing Barwon Water fenced compound, at the back/northern end. Due to the slope of the land, there would be "batter slope" earthworks which would require cutting to the northern side of the facility and filling on the southern side, as indicated on the plans above. Some of the earthworks would include cut and fill exceeding 1m in height or depth.

Native vegetation removal would also be required to be removed from the site. The required offsets would be purchased from the Victorian native vegetation credit register.



Plan showing extent of vegetation removal/defendable space area

The proposed NBN network compound would be accessed by a proposed new crossover to the site via a 6 metre access track directly off Old Coach Road. The facility would be powered by underground power cable from an existing power source 40m away. It is expected that noise and vibration emissions associated with the proposed facility would be limited to the construction phase (7am to 6pm). Once installed, only low level noise is expected from the air conditioning associated with the equipment units (this is considered to be comparable to domestic units and background noise levels).

7. SUBJECT LAND & SURROUNDINGS

The lot is formally referred to as Crown Allotment 7A, Section 3, Parish of Krambruk. The lot has an area of 1056m², with frontage to Old Coach Road. The subject site is located on the east side of Old Coach Road and is 46m from the nearest dwelling. The site is approximately 850 metres north-east of the intersection of the Great Ocean Road and Skenes Creek Road, Skenes Creek.

The site is a Crown Land reservation, which is currently administered by Barwon Water and used as a water storage facility. It currently contains two water tanks and native vegetation. The southernmost tank is constructed of steel and is 10m in height, whilst the northernmost tank is marginally lower in height.

Surrounding land to the east is used for grazing purposes, whilst the land to the west is used for residential purposes. There are two existing dwellings in the vicinity of the site, with another under construction. The edge of the main residential part of Skenes Creek is approximately 210 metres to the south. Old Coach Road is quite steep up to the site, with a height difference of approximately 30 metres from the subject site down to the edge of the main residential area. The site of the proposed facility is also approximately 780 metres north of the Great Ocean Road.

8. PLANNING SCHEME PROVISIONS

State Planning Policy Framework

The State Planning Policy Framework (SPPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development policies. The policies considered relevant to the application are identified below:

- Clause 12 – Environmental and Landscape Values
- Clause 13.03-2 – Erosion and Landslip
- Clause 13.05 – Bushfire
- Clause 15 – Built Environment and Heritage
- Clause 19.03-4 – Telecommunications

Local Policy Planning Framework (LPPF), including the Municipal Strategic Statement (MSS)

The Local Planning Policy Framework (LPPF) sets a local and regional strategic policy context for the Shire. The policies considered relevant to the application are identified below:

- Clause 21.02 – Vision
- Clause 21.03-3 – Apollo Bay and Marengo (including Skenes Creek)
- Clause 21.04-8 – Landscape Character

Other relevant provisions

Zones and Overlays

The subject site is within the Rural Conservation Zone (RCZ) and is covered by the Vegetation Protection Overlay Schedule 2 (VPO2 – Roadside Vegetation), Significant Landscape Overlay

Schedule 3 (SLO3 – Apollo Bay Coastal Valley and Hills Precinct), Erosion Management Overlay (EMO1) and the Bushfire Management Overlay.

Particular Provisions

Clause 52.17 – Native Vegetation

A permit is required for the removal of native vegetation.

Clause 52.19 - Telecommunications Facility is relevant in the consideration of this application. The purpose of this provision is:

- *To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To ensure the application of consistent provisions for telecommunications facilities.*
- *To encourage an effective state-wide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.*

Under the provisions of Clause 52.19-2, a permit is required to construct a building or construct or carry out works for a Telecommunications Facility which is not a *Low Impact Facility*. The proposed facility is considered to require a permit under the provisions of Clause 52.19, as it is not identified as a Low Impact Facility or other exempt facility listed under Clause 52.19-2.

The decision guidelines of Clause 52.19 state that before deciding on an application, consideration should be given to:

- *The principles for the design, siting, construction and operation of a Telecommunications Facility set out in A Code of Practice for Telecommunications Facilities in Victoria;*
- *The effect of the proposal on the adjacent land;*
- *If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.*

'A Code of Practice for Telecommunications Facilities in Victoria' (July 2004) is an incorporated document in the Colac Otway Planning Scheme pursuant to Clause 81. The purpose of the code is to:

- *Set out circumstances and requirements under which land may be developed for a telecommunications facility without the need for a planning permit.*
- *Set out principles for the design, siting, construction and operation of a telecommunications facility which a responsible authority must consider when deciding on an application for a planning permit.*

The principles in the Code of Practice for Telecommunications Facilities in Victoria are:

- *A telecommunications facility should be sited to minimise visual impact.*
- *Telecommunications facilities should be co-located wherever practical.*
- *Health Standards for exposure to radio emissions will be met.*
- *Disturbance and risk relating to siting and construction should be minimized.*

- *Construction activity and site location should comply with State environmental protection policies and best practice environmental management guidelines.*

Relevant Planning Scheme amendments

There are no current planning scheme amendments relevant to the proposal.

9. OFFICER'S ASSESSMENT

Key issues for consideration relate to the potential visual impact of the proposed lattice tower, having regard to the significance of the Great Ocean Road and the proximity to some dwellings, and whether the proposal adequately addresses the provisions of Clause 52.19 (Telecommunications Facility) of the Colac Otway Planning Scheme. Also relevant to consideration of the application are the implications of the proposed native vegetation removal.

It is considered that Clause 52.19 relating to telecommunication facilities has been adequately addressed. Whilst the visibility of the facility from the Great Ocean Road is of some concern, on balance it is considered that the proposed siting of the tower, which would be of lower height than proposed elsewhere, would ensure an acceptable balance is achieved between visual impact and community benefit. Allowing the proposal would improve telecommunications coverage in this part of the Shire.

It is considered that the proposal would be acceptable in terms of the purposes of the overlays affecting the site, noting that none of the referral authorities has raised any objection to the proposal and the submitted Geotechnical Assessment has confirmed that the proposal would be acceptable from a landslip perspective.

It is also considered that the proposal would not prejudice the purpose of the Rural Conservation Zone, given that the proposed tower would be sited together with other infrastructure which services Skenes Creek township.

Given the extent of the proposed works, the principles for the design, siting, construction and operation of a Telecommunications facility set out in *'A Code of Practice for Telecommunications Facilities in Victoria'* have been considered in the assessment of this proposal:

A telecommunications facility should be sited to minimise visual impact, and co-location

There are no practical co-location options here. A new structure is therefore required to be constructed to provide coverage for the NBN fixed wireless service.

The visual impact of the proposal would be minimised by the subject site being well removed from the bulk of the residential area of Skenes Creek. The closest dwellings (being 93-115, 91 and 85 Old Coach Road) to the proposed telecommunication facility are provided with screening by existing mature trees along the western side of Old Coach Road.

It is considered that the main issue is to strike an appropriate balance between any visual impacts and the overall community benefits from the provision of modern communications infrastructure. Photomontages of the facility from various angles were included as part of the application. These demonstrate the visual presence of the facility and how it would sit in the existing landscape. It is noted that the view of the Victorian Civil and Administrative Tribunal (VCAT), which has been upheld

on numerous occasions, is that such facilities will inevitably be seen due to their height and the function they serve.

The potential visual impact of the proposed tower when viewed from the Great Ocean Road is discussed later in this report.

It is considered that the proposed facility would have limited visual impact on the existing landscape setting as seen by local residents and people passing through the area. The development should not unduly impact upon the character of Skenes Creek and surrounds. The objections received are from landowners located immediately adjacent the site and are mainly concerned with the potential visual impact from their respective properties. It is acknowledged that the proposed facility would be close to their dwellings and partially visible through the existing trees; however the bulk of the tower would be screened from the dwellings. A site visit was undertaken to the two constructed dwellings and, whilst the tower would be visible, it is not considered that it would cause significant detrimental impact to the view lines available from the dwellings.

The upper section of the tower would be fully visible if driving up to Old Coach Road; however only the top of the tower would silhouette the ridgeline due to the hill backdrop.

Health standards for exposure to radio emissions

There is a clear regulatory standard to protect the health and safety of those who may be affected by the operation of a telecommunications network or facility from the potential impacts of electromagnetic radiation. The standard has been effectively incorporated into the Victorian planning framework through clause 52.19 of all Victorian planning schemes and the requirements of '*A Code of Practice for Telecommunications Facilities in Victoria*'.

As part of the application submission, the applicant has included an Electromagnetic Energy (EME) Report. The report demonstrates that the proposed facility would comply with the Standard, with the maximum predicted EME equating to 0.25% of the maximum public exposure limit. This is considered to be substantially less than the 1% of the minimum allowable exposure limit (where 100% of the limit is still considered to be safe). In view of the above, it is considered that Principle C has been addressed.

Disturbance and risk relating to siting and construction should be minimised

Given the nature of the works, it is considered that any disturbance to the site would be minimal and limited to the proposed compound area, the power line and the access track. The installation of the facility could be undertaken at any time and it is not anticipated it would affect the use of the site or the surrounding area. In view of this, it is considered that Principle D has been addressed.

Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines

It is recommended that a note on any permit issued highlight the need to ensure that the construction of the proposed facility is designed in accordance with relevant Occupational Health and Safety Guidelines.

EMO1

Under the provisions of EMO1, a planning permit is required for the buildings and works including the removal of vegetation if the roots below ground level are not retained. In accordance with the requirements of this overlay, the applicant has submitted a Geotechnical Assessment by CivilTest (reference 1160740-1A, dated 4/9/17) and Form A (dated 3/10/2017). The report concluded that the proposal should be allowed as the calculated risk is within the acceptable range. As such, it is considered that the proposal is acceptable from a landslip risk perspective.

VPO2 & Clause 52.17 (Native Vegetation)

It is proposed to remove 380m² of native vegetation, which would result in the proposed removal of 0.015 habitat hectares. The applicant has advised that it is proposed that the required offsets would be purchased from the Victorian native vegetation credit register. Council's Environment Unit has advised that the vegetation proposed to be removed is not significant and therefore no objection is raised to the applicant's request to remove the vegetation subject to offsets being provided.

BMO

Although a permit is not required in the BMO for the construction of a telecommunications facility, it is considered appropriate to ensure that the facility would be able to maintain its functionality during a bushfire event and provide the necessary telecommunications to keep persons in the area informed. The applicant submitted a Bushfire Management Statement that assessed the potential for radiant heat exposure to the tower and supporting infrastructure.

It is considered that the site would be exposed to high levels of radiant heat due to the limited availability for defensible space. A colorbond steel framed fence (2.4m high) is proposed to be constructed to deflect radiant heat exposure from the site. Colorbond steel has been tested under bushfire simulated conditions and found to reduce radiant heat levels by at least a factor of two, 9m from a colorbond fence. This reduction in radiant heat levels would enhance the facility's ability to operate when under bushfire attack. In the event a permit is issued, full details of this fence would be required by permit condition.

SLO3

A permit is required for the proposed works and vegetation removal. Under the requirements of this Significant Landscape Overlay (SLO3), the *'landscape character objective'* seeks to ensure that *"development that occurs on hill faces or in other prominent locations is not highly visible and has been sensitively designed"* and *"to protect the clear sweeping views to and from the ocean available from the precinct"*.

The proposed tower would be generally concealed from the Great Ocean Road and would only be visible for a relatively short stretch of 460m along the Great Ocean Road when heading southwest into Skenes Creek or Apollo Bay. Arguably the existing water tanks would have a greater visual presence, due to the bulk and size of the tanks which have a height of up to 10 metres. Whilst the tower would be fully visible, on balance it is considered this would be acceptable as it is likely that people travelling along the Great Ocean Road would either be focussed on the road, looking toward the ocean or recognising that they are approaching the residential area of Skenes Creek.

The proposed colorbond fence to surround the tower facility would also be visible; however it would be constructed in muted tones.

It is considered that the main issue is to ensure that an appropriate balance is struck between any visual impacts and the overall community benefits from modern communications infrastructure. It would be ideal to site a tower in a position where it would not be visible, particularly from the Great Ocean Road but, in order to be able to function and service the community, the applicant has advised that following an assessment of sites in the Skenes Creek area, it was found that the subject site was the only viable option. It is noted that whilst the tower would be visible, the visibility would only be for a relatively short distance along the Great Ocean Road.

Allowing this proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy

Frameworks, the zoning and overlay provisions, and the particular provision for telecommunications facilities.

Having given due regard to the matters discussed above, it is considered that the application could reasonably be allowed, subject to conditions.

10. REFERRALS

Internal Referrals

The application was referred internally to Council's Infrastructure, Environment and Building Units. No objections were raised as a result of these referrals, with the Infrastructure and Environment Units raising no objection subject to permit conditions.

External Referrals

The application was referred externally to the CFA, Barwon Water, the Western Coastal Board and the Department of the Environment, Land, Water and Planning (DELWP) for comment. The CFA and Barwon Water raised no objection, whilst no response was received from DELWP or the Western Coastal Board.

11. PUBLIC NOTIFICATION & RESPONSE

Public notice was carried out on 20 September 2017. Public notice included registered post to surrounding owners and occupiers, a sign onsite, and notice in the Colac Herald and Apollo Bay News sheet. The application received four objections. The objections were made on the following grounds:

- **Large structure very close to a dwelling**
It is acknowledged that the proposed facility would be close to some dwellings and partially visible through the existing trees; however the bulk of the tower would be screened from the dwellings. A site visit was undertaken to the two existing dwellings and, whilst the tower would be visible, it is not considered that it would cause significant detrimental impact to the view lines available from the dwellings.
- **Value of our land will reduce**
It has long been held that the loss of property value is not a relevant planning consideration and this has been re-iterated in many VCAT decisions relating to telecommunications facilities.
- **Clustering of infrastructure is unsightly**
The existing water tanks and proposed tower would be located together just outside the township zoned area. Whilst it is acknowledged that grouping the existing water tanks and proposed tower may be unsightly to the residents of nearby properties using the road, it is considered reasonable to cluster the infrastructure together to prevent sprawl of servicing infrastructure. Skenes Creek does not benefit from any industrial zoned land to locate this type of facility.
- **Health concerns from radio-activity emissions**
The Code of Practice requires a telecommunications facility to 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 set by ARPANSA (May 2002). This issue has been the subject of numerous VCAT determinations where the Tribunal has found that a telecommunications facility is obliged to meet the relevant standards that apply. As part of the application submission, the applicant has included an Electromagnetic Energy (EME) Report. The report states that the proposed facility would comply with the Standard, with the maximum predicted EME equating to 0.25% of the maximum public exposure limit.

- **Effectiveness of the facility when reliant on line of sight.**
The applicant has advised that the facility has been designed at the necessary height to achieve maximum coverage to local dwellings.
- **Additional antennas later if the tower is erected**
It is possible the tower, if approved, may be a co-location opportunity for other carriers. Concern about what may happen in the future is not relevant to the assessment of the current application. This application needs to be assessed and decided on its merits.
- **Why not elsewhere away from residences**
Council must assess the application before it and the applicant has advised that no existing co-location facilities are available to service this area.
- **The tower will be visible from the heritage listed Great Ocean Road and drastically impact on the visual amenity of the area, and create a steel eyesore in what is otherwise a natural bushland setting.**

This matter is discussed in the assessment against the Significant Landscape Overlay Schedule 3.

- **Destruction of habitat corridor**
The removal of the native vegetation has been discussed in the assessment against VPO2 and Clause 52.17 above.
- **Why not a monopole?**
This was a question raised during the Consultation Meeting. The applicant subsequently advised that “the lattice tower is necessary due to construction difficulties with the steep slope making accessibility to the site difficult. The proposed lattice tower will literally be hand built, with small sections being able to be readily brought to the site. A monopole is built with precast sections, and it was assessed that the usual truck and crane required to assemble a monopole could not access the site. We submit again the lattice tower is quite transparent when seen from a distance, and as such should not be a strong visual presence at the proposed location. We have noted that the closest views from the nearest dwellings will be largely, if not completely, obstructed by the vegetation between the locations”.

A consultation meeting, attended by the applicant and objectors and facilitated by Council, was held onsite late in 2017, but no changes were subsequently made to the proposal and no objections were withdrawn following the meeting.

12. DECLARATION OF INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Planning Enquiries
 Phone (03) 5232 9412
 Web www.colacotway.vic.gov.au

Office Use Only		Fee:	\$
Application No.:	Receipt No.:		
Date Lodged: / /	Ward:		
Date Allocated: / /	Zone(s):		
Allocated to:	Overlay(s):		

Application for Planning Permit

Use this form to make an application for a planning permit and to provide the information required by section 47 of the *Planning and Environment Act 1987* and regulations 15 and 38 of the *Planning and Environment Regulations 2005*.

Supplementary information requested in this form should be provided as an attachment to your application. Please print clearly or complete the form electronically (refer to How to complete the Application for Planning Permit form).

Privacy notice

▲ Information collected with this application will only be used to consider and determine the application. It will be made available for public inspection in accordance with section 51 of the *Planning and Environment Act 1987*.

Need help with the application?

If you need help to complete this form, read *How to complete the Application for Planning Permit form*. For more information about the planning process, refer to *Planning: a Short Guide*. These documents are available from your local council, the Planning Information Centre (Ph: 03 9637 8610, 8 Nicholson Street, Melbourne), or www.dse.vic.gov.au/planning.

Contact council to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

- ① Has there been a pre-application meeting with a council officer?

Yes No

If yes, with whom?: Blathin Butler, Helen Evans, Ian Williams

Date: 2 5 / 1 1 / 2 0 1 5

The land

- ② Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address

Street No.: Street Name: 90 Old Coach Road

Suburb/Locality: Skenes Creek Postcode: 3 2 4 2

Formal Land Description

▲ This information can be found on the certificate of title.

Lot No.: on Lodged Plan, Title Plan or Subdivision Plan No.:

OR

Crown Allotment No.: 7A Section No.: 3 Parish Name: Krambruk

- ③ Title information.

Attach a full, current copy of title information for each individual parcel of land, forming the subject site.

- ④ Describe how the land is used and developed now.

eg. single dwelling, three dwellings, shop, factory, medical centre with two practitioners, licensed restaurant with 80 seats.

Barwon Water water supply depot and associated water tanks and utilities.

- ⑤ Plan of the land.

Attach a plan of the existing conditions. Photos are also helpful.

The proposal

▲ You must give full details of your proposal and attach the information required to assess the application.

If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This will delay your application.

- 6 For what use, development or other matter do you require a permit?

Read *How to complete the Application for Planning Permit form* if you need help in describing your proposal.

Use and development for a telecommunications facility comprising a 25 metre steel lattice tower, associated antennas and equipment units.

- 7 Additional information about the proposal.

Contact council or refer to council planning permit checklists for more information about council's requirements.

Attach additional information providing details of the proposal, including:

- Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
- Plans showing the layout and details of the proposal.
- If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).

- 8 Encumbrances on title.

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation on title such as an easement or building envelope?

- No, go to 9.
- Yes, Attach a copy of the document (instrument) specifying the details of the encumbrance.
- Does the proposal breach, in any way, the encumbrance on title?
- No, go to 9.
- Yes, contact council for advice on how to proceed before continuing with this application.

▲ Note

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the *Planning and Environment Act 1987*). Contact council and/or an appropriately qualified person for advice.

Costs of buildings and works/permit fee

Most applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact council to determine the appropriate fee.

- 9 Estimated cost of development for which the permit is required.

Cost \$ 230,000.00

▲ You may be required to verify this estimate.

Write 'NIL' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

- 10 Do you require a receipt for the permit fee?

Yes No

Contact, applicant and owner details

11 Provide details of the contact, applicant and owner of the land.

Contact

The person you want Council to communicate with about the application.

Name:	David Hughes
Organisation (if applicable):	Aurecon
Postal address:	PO Box 23061
Docklands VIC	Postcode: 8 0 1 2
Contact phone:	9975 3165 <input checked="" type="checkbox"/>
Mobile phone:	0408 055217 <input type="checkbox"/>
Email:	david.hughes@aurecongroup.com <input checked="" type="checkbox"/>
Fax:	9975 3444 <input type="checkbox"/>

Indicate preferred contact method

Applicant

The person or organisation who wants the permit.

Same as contact. If not, complete details below.

Name:	
Organisation (if applicable):	Aurecon, for nbn
Postal address:	PO Box 23061
Docklands VIC	Postcode: 8 0 1 2

Owner

The person or organisation who owns the land.

Same as contact Same as applicant

Where the owner is different from the applicant or contact, provide the name of the person or organisation who owns the land.

Name (if applicable):	Crown Land
Organisation (if applicable):	Barwon Region Water
Postal address:	55-67 Ryrie Street
Geelong	Postcode: 3 2 2 0

Checklist

12 Have you?

<input checked="" type="checkbox"/>	Filled in the form completely?
<input type="checkbox"/>	Paid or included the application fee?
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Attached all necessary supporting information and documents?
<input checked="" type="checkbox"/>	Completed the relevant council planning permit checklist?
<input checked="" type="checkbox"/>	Signed the declaration on the next page?

Declaration

13 This form must be signed.
Complete one of A, B or C

▲ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

A Owner/Applicant

I declare that I am the applicant and owner of the land and all the information in this application is true and correct.

Signature

Date: / /

B Owner

I declare that I am the owner of the land and I have seen this application.

Signature

Date: / /

Applicant

I declare that I am the applicant and all of the information in this application is true and correct.

Signature

Date: / /

C Applicant

I declare that I am the applicant and:
• I have notified the owner about this application,
• and all the information in this application is true and correct.

Signature *Dylan*

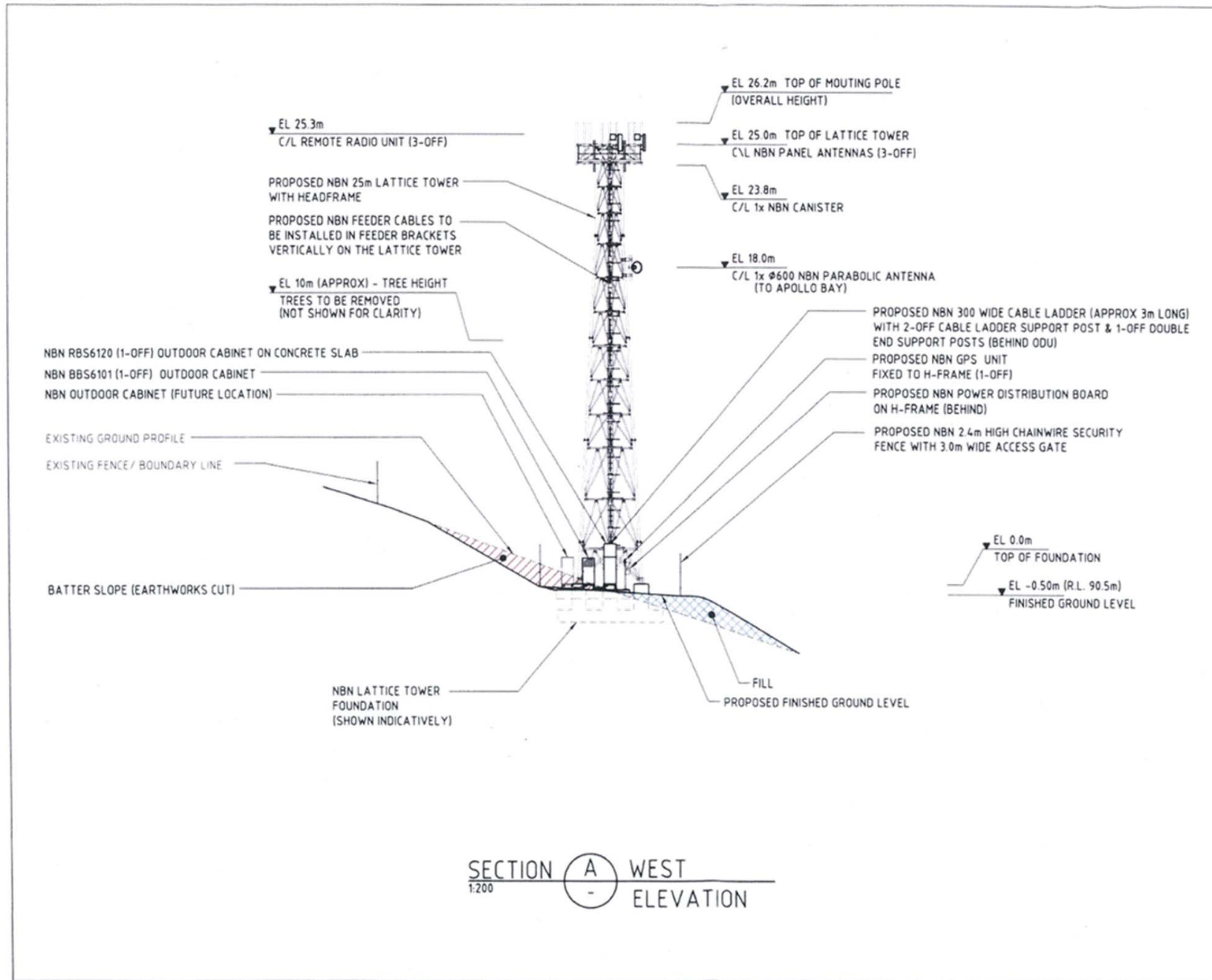
Date: 30 / 05 / 2017

Lodgement

Lodge the completed and signed form and all documents with:

Colac-Otway Shire Council
PO Box 283, COLAC VIC 3250
2-6 Rae Street, COLAC VIC 3250
Telephone (03) 5232 9412
Fax (03) 5232 1046
Email inq@colacotway.vic.gov.au
TTY: (03) 5231 6787

For help or more information



SECTION (A) WEST ELEVATION
1:200



Project
 NATIONAL BROADBAND NETWORK
 SITE No: 3ABA-51-02-SKEN
 SKENES CREEK
 90 OLD COACH ROAD
 SKENES CREEK
 VIC 3233

PRELIMINARY

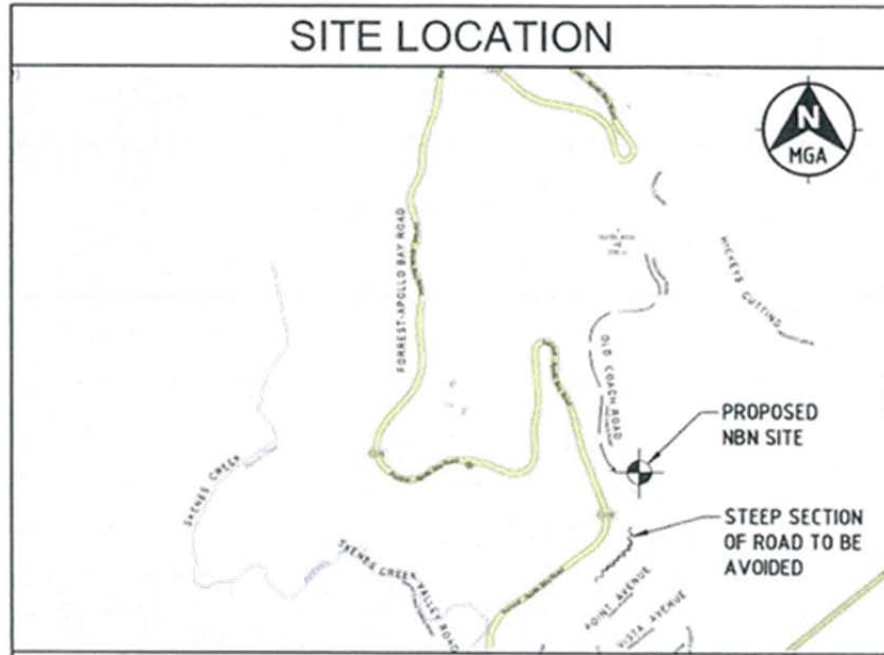
04	24/05/17	PRELIMINARY ISSUE
03	02/06/16	PRELIMINARY ISSUE
02	31/05/16	PRELIMINARY ISSUE
01	26/05/16	PRELIMINARY ISSUE



DESIGNER	DT
CHECKED	JR
APPROVED	GM

Drawing Title
SITE ELEVATION AND DETAILS

Drawing No	Revision
3ABA-51-02-SKEN-C4	04

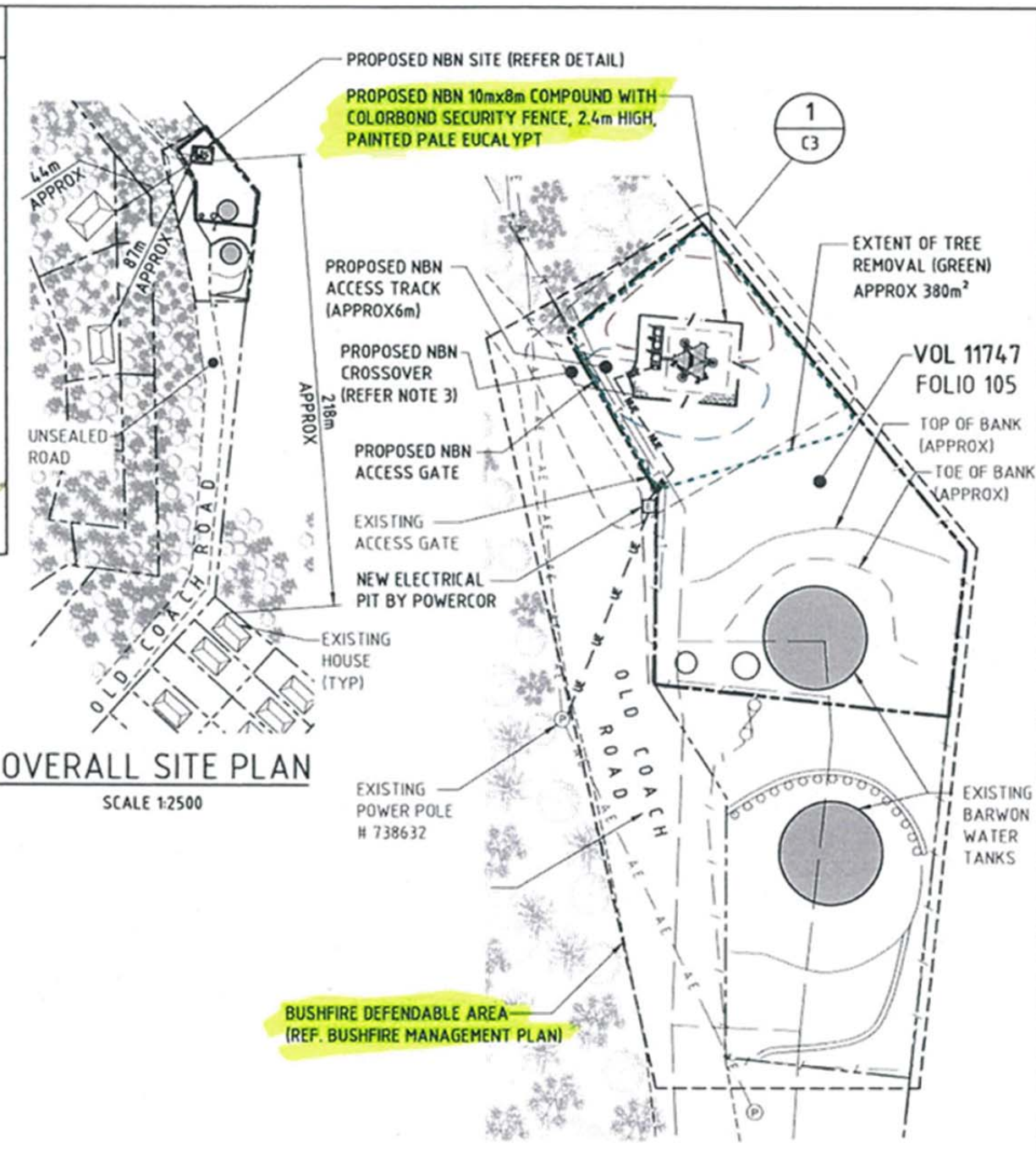


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SITE CO-ORDINATES	
LATTICE TOWER LOCATION	
DATUM: MGA (GDA94)	ZONE: 55
LATITUDE	-38.717597°
LONGITUDE	143.715719°
EASTING	214 447
NORTHING	5 709 439

LEGEND

	PROPOSED ACCESS GATE
	ELECTRICAL CABLE PIT
	EXISTING ACCESS GATE
	EXISTING POWER POLE
	UN SURVEYED TREES
	EXTENT OF SURVEYED TREES
	TOP OF BANK
	TOE OF BANK
	EXISTING U/G WATER LINE
	EXISTING U/G TELSTRA CABLE
	EXISTING FENCE
	EXISTING OVERHEAD ELECTRICAL LINE
	NBN UNDERGROUND ELECTRICAL CABLE
	UNDERGROUND ELECTRICAL ROUTE (POWERCOR)
	PROPERTY BOUNDARY
	DIRECTION OF ACCESS ROUTE



DETAIL
SCALE 1:500

- NOTES:**
1. THE NBN CONSUMERS MAINS ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
 2. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED.
 3. EXISTING UNDERGROUND SERVICES UNDER PROPOSED CUT TO CREATE ACCESS.

Client:

Client:

Client:

Project: NATIONAL BROADBAND NETWORK
 SITE No: 3ABA-51-02-SKEN
 SKENES CREEK
 90 OLD COACH ROAD
 SKENES CREEK
 VIC 3233

PRELIMINARY

95 16.02.20 PLAN AMENDED
84 06.05.17 PRELIMINARY ISSUE
83 02.06.16 PRELIMINARY ISSUE
82 21.05.16 PRELIMINARY ISSUE
81 26.05.16 PRELIMINARY ISSUE
Rev Date Revision Details

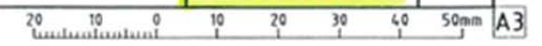
Aurecon Australia Pty Ltd ABN 54 005 139 873

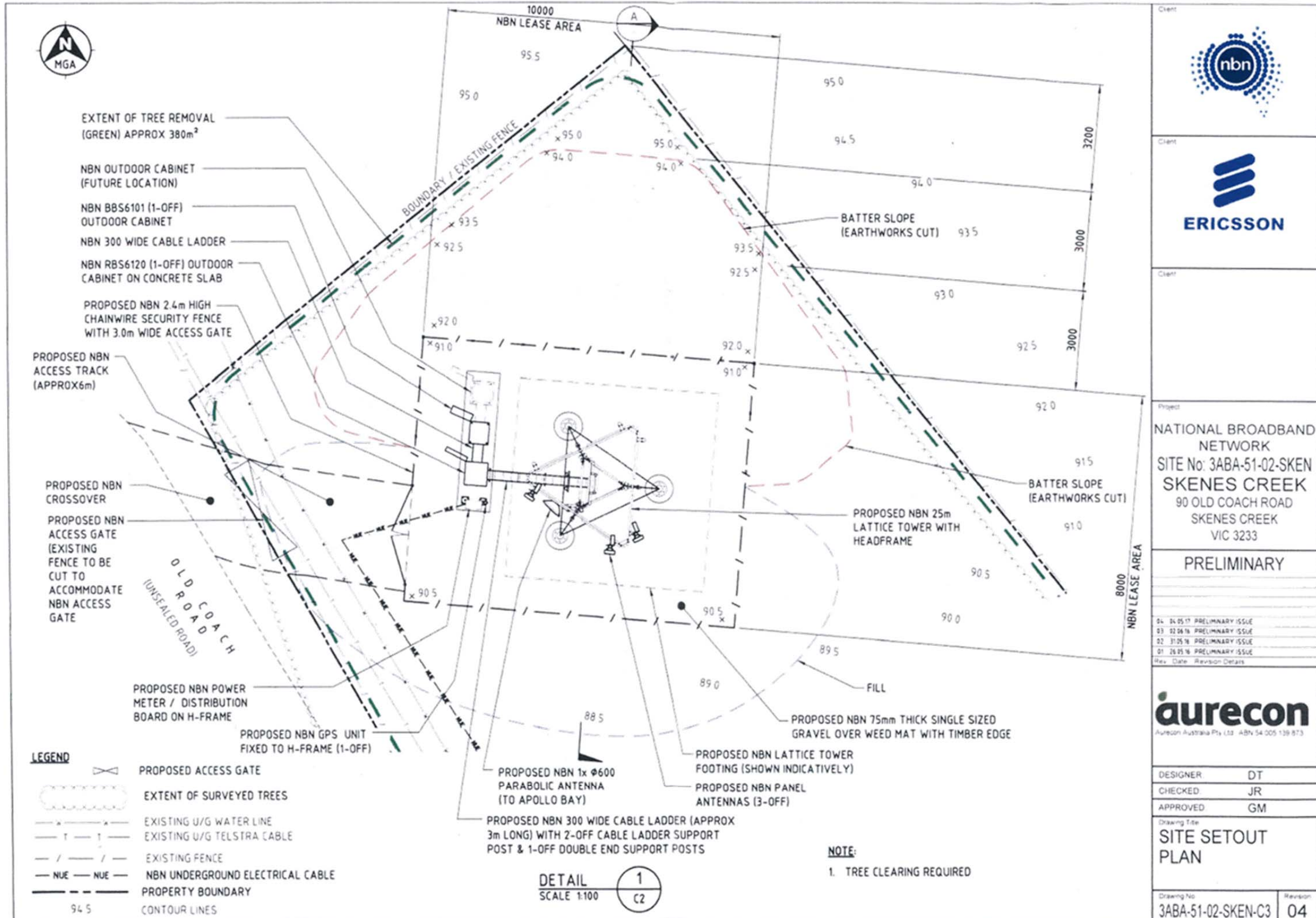
DESIGNER: DT
 CHECKED: JR
 APPROVED: GM

Drawing Title: **OVERALL SITE PLAN**

Drawing No: **3ABA-51-02-SKEN-C2** Revision: **05**

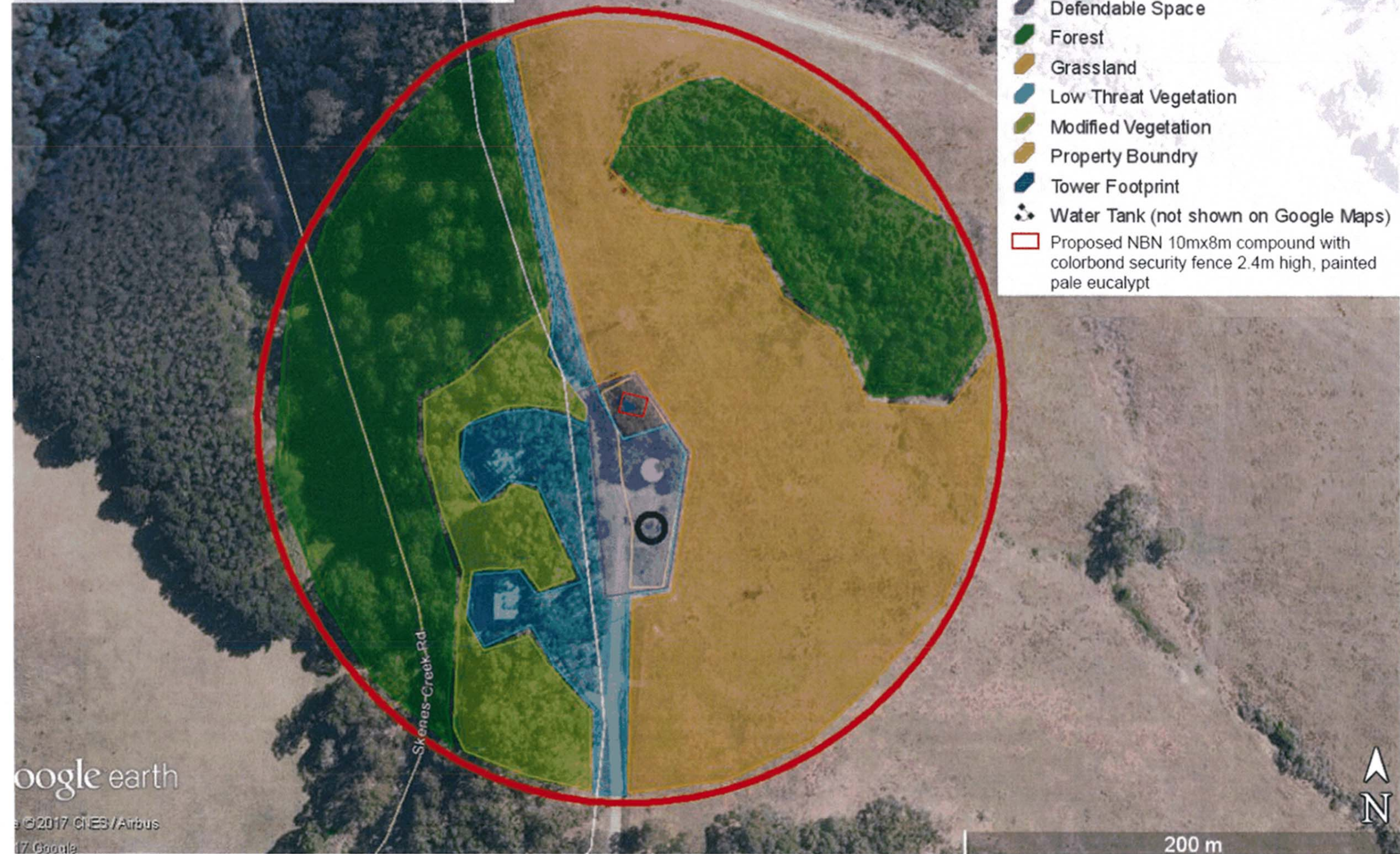
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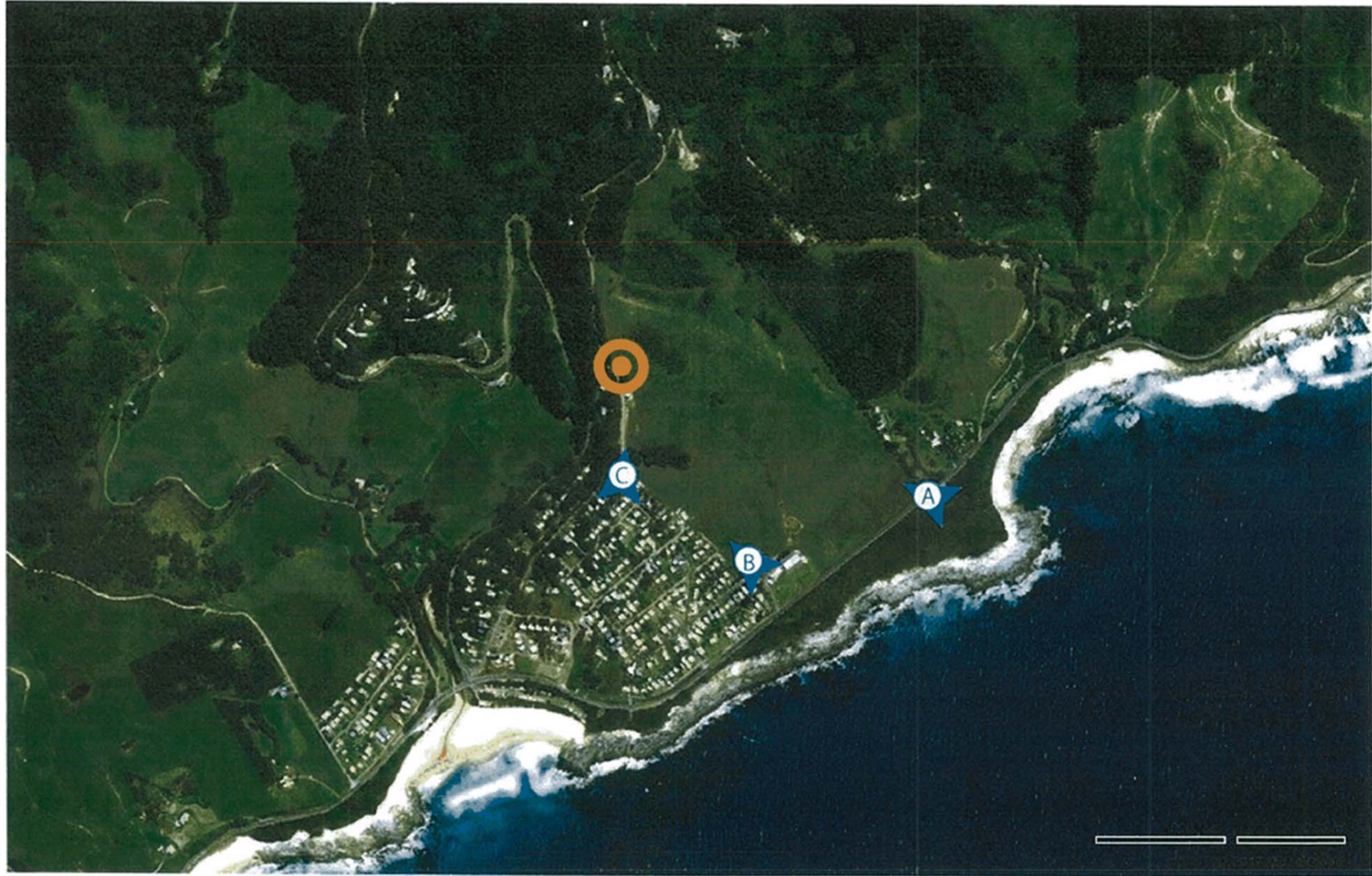




Bushfire Hazard Site Assessment

0 Old Coach Rd, Skenes Creek





aurecon

Project: NBN 25m High Lattice Tower
Site Code: 3ABA-51-02-SKEN
Location: 90 Old Coach Road
Skenes Creek VIC 3233
Image: Bing 2017

 Proposed Monopole Location
 View location





aurecon



5820 Great Ocean Road

Project: NBN 25m High Lattice Tower
Site Code: 3ABA-51-02-SKEN
Location: 90 Old Coach Road
Skenes Creek VIC 3233



aurecon



5820 Great Ocean Road
Close-up

Project: NBN 25m High Lattice Tower
Site Code: 3ABA-51-02-SKEN
Location: 90 Old Coach Road
Skenes Creek VIC 3233



aurecon



1 Surf Avenue

Project: NBN 25m High Lattice Tower
Site Code: 3ABA-51-02-SKEN
Location: 90 Old Coach Road
Skenes Creek VIC 3233



aurecon

 73 Old Coach Road

Project: NBN 25m High Lattice Tower
Site Code: 3ABA-51-02-SKEN
Location: 90 Old Coach Road
Skenes Creek VIC 3233



Water Tank

from Upper level deck of 93-115 Old Coach Rd



Water Tank

PHOTOS TAKEN FROM HERE



93-115 Old Coach Rd





from drive of 91 Old Coach Rd



from deck entry of 91 Old Coach



91 Old coach rd



from drive of 91 Old coach rd



91 Old coach



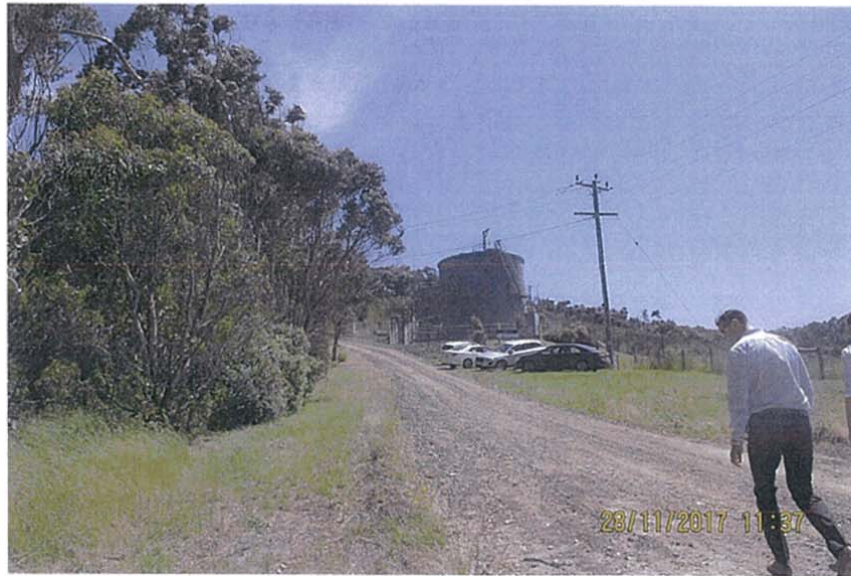
from deck of 91 Old Coach Rd



Sitting on deck of 91 Old Coach
(chairs on deck).



deck facing road 91 Old Coach.
(Kitchen windows in corner)



looking west toward tower



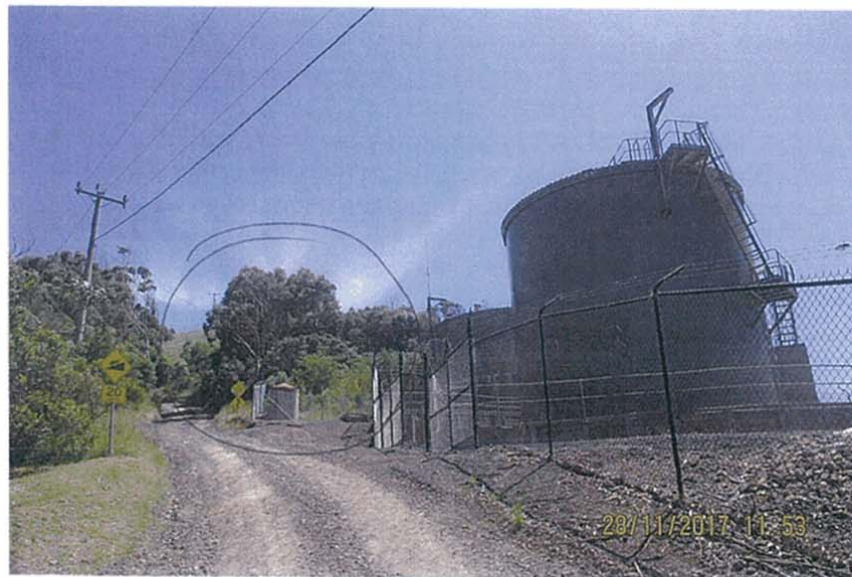
from Adjacent Rd looking to 93-115 Old Coach



Looking thru to 93 Old Coach from RD adjacent
Tower Site.



Site



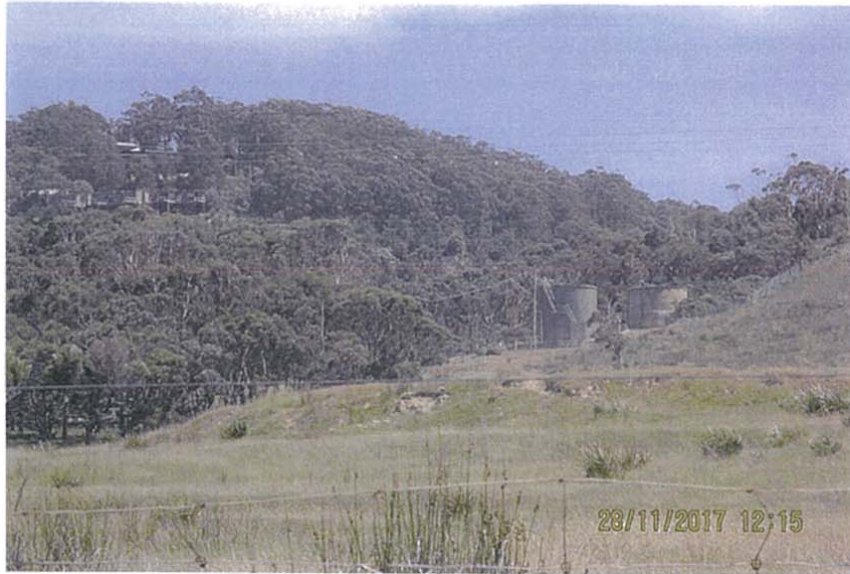
Tower location



Top of Rd.



From Great Ocean Rd



from Gt Ocean Rd

PLANNING COMMITTEE

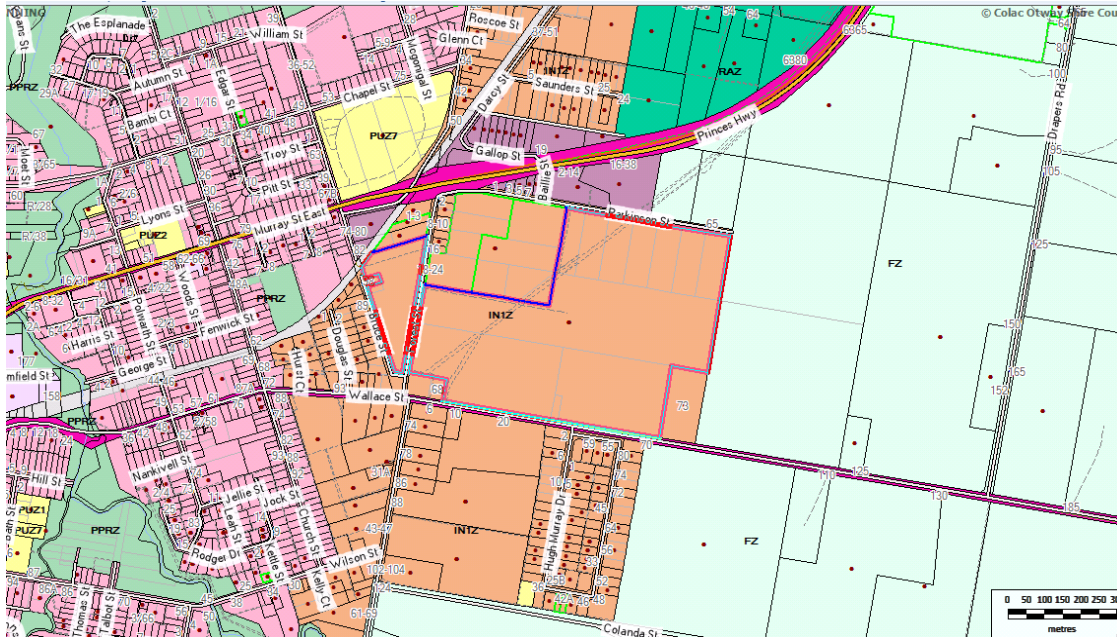
EXTENSION TO SHED AND WAIVER OF 23 CAR SPACES AT 7-15 FOREST STREET, COLAC (PP76/2018-1)

PC181306-2

ADDRESS AND PROPERTY DETAILS	7-15 Forest Street, Colac	GENERAL MANAGER	Gareth Smith
PREPARED BY	Ian Williams	TRIM FILE	F18/3314
DIVISION	Development & Community Services	CONFIDENTIAL	No
PERMIT TRIGGERS	Clause 33.01-4 – Industrial 1 Zone - Building or Works, Clause 43.02-2 – Design and Development Overlay (DDO1) - Buildings and Works and Clause 52.06 – Car Parking Reduction (23 Spaces)		
TRIGGER FOR DETERMINATION BY COMMITTEE	Waiver of five or more car parking spaces		
APPLICATION NUMBER	PP76/2018-1		
PROPOSAL	Extension to Dry Sticker Shed and Waiver of Car Parking (23 Spaces)		
ZONE	Industrial 1 Zone	OVERLAYS	Design and Development Overlay Schedule 1
COVENANTS	Nil		
LIST OF ATTACHMENTS	<ol style="list-style-type: none"> 1. Application Form 2. Application Plans 		
CULTURAL HERITAGE	Not located within an Area of Cultural Heritage Sensitivity .		

1. LOCATION PLAN / AERIAL PHOTO

LOCATION PLAN



AERIAL PHOTO



2. EXECUTIVE SUMMARY

Planning permission is sought by AKD for a 38m by 38m, by 13.9m high, extension to the 'dry sticker shed' which has recently been constructed. This application is before the Planning Committee as the applicant has sought to waive the associated requirement to provide 23 car parking spaces on the land. It is considered that the proposed car parking waiver could reasonably be allowed given the nature of the activities on the land, which are unlikely to result in any additional on-site car parking demand.

It should also be noted that AKD owns land to the west of Forest Street, of which large areas are available for staff car parking.

The proposed extension would assist with promoting sustainable growth and development of a major employer in regional Victoria within a location where utilities, transport, infrastructure and services are already available. It is considered that the proposal would contribute to the economic wellbeing of the existing facility and the local community. The proposed extension would be acceptably sited amongst existing industrial development on the site, and the scale and design of the additional development would be consistent with existing built form.

3. RECOMMENDATION

That Council resolves to Grant a Permit for an Extension to a Dry Sticker Shed and Reduction in Car Parking (23 Spaces) at 7-15 Forest Street (Lot 1 TP: 162902 Parish of Colac), 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.***

Amenity

- 2. Any external lighting on the development hereby permitted must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
- 3. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.***

Expiry

- 4. This permit will expire if one of the following circumstances applies:***
 - a) The development is not commenced within two (2) years of the date of this permit.***
 - b) The development is not completed within four (4) years of the date of this permit.***

In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition.

Notes

- 1. This permit does not authorise the commencement of any building works. Prior to the commencement of development, it will be necessary to apply for and obtain building approval for the proposed extension.***

4. OPTIONS

Council has the options of:

- Issuing a Permit subject to the recommended conditions;
- Issuing a Permit subject to the recommended conditions with changes;
- Refusing to grant a permit on specified planning grounds.

It is considered that the proposed extension to the dry sticker shed would be acceptable. It is also considered that, given the location of the premises, the proposed waiver of the parking requirement would not cause any

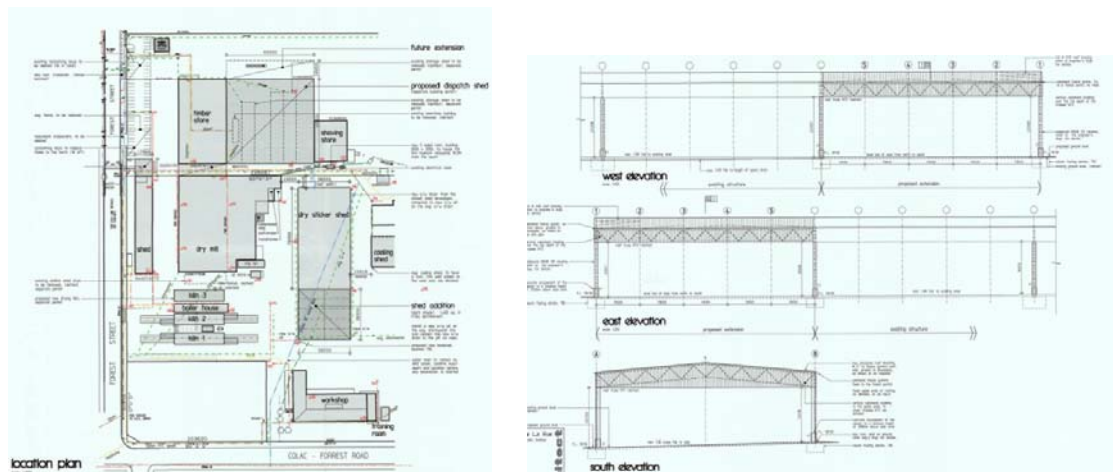
significant detriment and could reasonably be allowed. As such, it is recommended that Option a) is supported for the reasons outlined in this report.

5. RELEVANT BACKGROUND

Associated Kiln Driers Pty Ltd (AKD) is a major employer within Colac and currently operates from land to the west and east of Forest Street. The subject site is used to process, store and dispatch timber. The western portion of the subject site comprises a mix of sheds, storage areas, parking and access ways associated with the timber business. The eastern portion of the site is currently cleared vacant land that was previously a timber plantation. The AKD land located on the western side of Forest Street is used for offices and car parking ancillary to the primary timber processing use.

6. PROPOSAL

Planning permission is sought for a 38m by 38m, by 13.9m high, extension to the southern end of the 'sticker shed' which is currently under construction (approved under PP252/2016-2). The proposed extension would be located approximately 75m from the southern property title boundary with Colac-Forrest Road.



The proposed extension would be used for the storage of timber products which are currently stored outside waiting for processing. The extension would be finished to match the existing structure, with a zincalume roof and colorbond walls. The proposal would not result in any additional employees.

7. SUBJECT LAND & SURROUNDINGS

The site is located on the east side of Forest Street and the north side of Colac-Forrest Road in Colac. The proposed extension would be located on one title at 7-15 Forest Street (Lot 1 TP162902). The application lot forms part of a number of parcels which have a combined frontage to Forest Street of approximately 245 metres and a combined area of approximately 20.4ha. The land at 7-15 Forest Street also has a frontage to Colac-Forrest Road of approximately 300 metres. No restrictions or covenants affect these titles.

8. PLANNING SCHEME PROVISIONS

State Planning Policy Framework

It is considered that the proposal generally meets the relevant objectives, strategies and policies of the State Planning Policy Framework, notably Clause 11.01 (Victoria), Clause 13.04-1 (Noise Abatement), Clause 13.04-2 (Air Quality), Clause 17.02 (Industry), Clause 17.02-1 (Industrial Land Development), Clause 17.02-2 (Design of Industrial Development), Clause 18.02-5 (Car Parking) and Clause 19.03 (Development Infrastructure).

Local Policy Planning Framework (LPPF), including the Municipal Strategic Statement (MSS)

It is considered that the proposal generally meets the relevant objectives, strategies and policies of the Local Planning Policy Framework, notably Clause 21.03-2 (Colac), Clause 21.05-2 (Timber Production) and Clause 21.05-3 (Manufacturing).

The Colac Otway Structure Plan 2007 is a reference document as listed under Clause 21.07. The vision expressed for Colac is:

‘Colac will be a thriving town with a vibrant town centre that takes pride in its Lakeside location, is responsive to the housing needs of its residents and offers a variety of opportunities for employment and economic development’.

The proposal is considered to be consistent with the preferred direction as set out within the Structure Plan. It is noted that work is ongoing on the Colac 2050 Plan, which will ultimately supersede the 2007 Structure Plan.

Other relevant provisions

Industrial 1 Zone

A key purpose of this zone is to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities. A permit is required to construct a building or construct or carry out works in an Industrial 1 Zone pursuant to Clause 33.01-4.

Design and Development Overlay (DDO1 – Colac Eastern Entrance and Industrial Area)

The Design Objectives from Schedule 1 seek to ensure that the industrial area on the eastern entrance to Colac is retained for the development of large scale industrial uses on large lots so that views of the lake are preserved and the quality of buildings and works do not detract from the landscape character of this entrance to town. A permit is required for buildings and works under this overlay, pursuant to Clause 43.02-2.

Clause 52.06 – Car Parking – A key purpose of this provision is to ensure the appropriate number of car parking spaces is provided having regard to the demand likely to be generated, the activities on the land and the nature of the locality. The provision also seeks to ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use. Under the provisions of Clause 52.06, a warehouse (which includes ‘store’) has a parking requirement of 2 car spaces to each premises plus 1.5 car spaces to each 100sqm of net floor area. On this basis 23 car spaces are required to be provided on site to support the proposed extension.

Clause 52.10 - Uses with Adverse Amenity Potential

The proposed extension to the ‘sticker shed’ would not be used for purposes specified in this clause and, as such, further consideration against this clause is not required.

Relevant Planning Scheme amendments

There are no relevant planning scheme amendments relating to the application site or any relevant provisions in the planning scheme.

9. OFFICER'S ASSESSMENT

The use of the land for industry and associated warehousing is established on the site and this has been ongoing for many years. The proposed extension would be ancillary to the existing industrial use of the site as a timber mill and would not introduce any new use or processes.

The extension to the existing, recently constructed storage building would be situated amongst existing industrial buildings on the land and is required to provide for undercover storage on this site. It is not considered that the height of the proposed extension (13.9m) would have any material impact on the arrival experience into Colac from the east, or present a harmful impact on views of the lake to the north. It is considered that the proposed extension would not be harmful to the surrounding industrial character of the eastern entrance to Colac, with the scale, height, bulk and mass acceptable in the context of the existing industrial development, matching the height of the building to the north.

This application is before the Planning Committee as the applicant has sought to waive the requirement to provide 23 car parking spaces on site. It is considered that the proposed waiver of 23 car parking spaces could reasonably be allowed given the extension would not result in an increase in the number of employees or present an increase in on site car parking demand. The proposed extension would facilitate undercover loading and unloading of timber products, which are currently stored outside waiting processing.

In this instance, it is considered sufficient justification has been provided to allow a waiver of 23 car parking spaces for this proposal and that it would be reasonable that no additional onsite parking be required. It is not considered that there would be a deficiency of parking or any material impact on local amenity as a result of waiving the parking requirement. It is also noted that there would be ample space available on-site should there be any instance where additional parking is required in the future. It should also be reiterated that AKD owns land on the western side of Forest Street which provides a significant number of staff car parking spaces.

Given the relatively small additional covered area proposed under this application, no additional loading area is required to be provided as suitable provision would continue to be made on site.

It is considered that the proposal would contribute to the economic wellbeing of the existing AKD facility and the local community. The proposed extension would be suitably sited amongst existing development on the site, and the scale and design of the extension would be consistent with the existing built form.

10. REFERRALS

Internal Referrals

This application was referred internally to Council's Building and Infrastructure Units. No objection was raised and no conditions were recommended for inclusion on any permit issued.

External Referrals

The application was not required to be referred externally. The application was not referred to the EPA as there would be no change to the current operations and, as such, no change to the current EPA permits for the operation. The sawmill use is established on this site and this element of the use is located outside the 500 metre threshold to a residential zone. As such, it is considered that the provisions of Clause 52.10 (Uses with Adverse Amenity Potential) are satisfied and referral to the EPA under Clause 66.02-7 is not required.

11. PUBLIC NOTIFICATION & RESPONSE

Public notice of this application was not considered to be necessary. The application is exempt from public notice under Clause 33.01-4 of the Industrial 1 Zone, as the building would not be within 30 metres of land (not a road) which is in a residential zone. Whilst the application is not exempt from notice under the provisions of the DDO1 overlay and Clause 52.06, it is considered that the proposed extension and the waiver of 23 car parking spaces would not cause material detriment to any adjacent landowners. In addition, no new industrial use with adverse amenity potential is proposed under this application and the proposed extension would be sited amongst existing industrial development of similar scale and proportions. On the basis of the above, public notice was not required to be given.

12. DECLARATION OF INTEREST

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Application for Planning Permit

If you need help to complete this form, read *How to Complete the Application for Planning Permit form*.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

Questions marked with an asterisk (*) are mandatory and must be completed.

The Land

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 26-64	St. Name: Forest Street
Suburb/Locality Colac		Postcode: 3250

Formal Land Description *
Complete either A or B.

⚠ This information can be found on the certificate of title.

A	Lot No.: 1	<input type="radio"/> Lodged Plan	<input checked="" type="radio"/> Title Plan	<input type="radio"/> Subdivision Plan	No.: TP162902N
OR					
B	Crown Allotment No.: 8 Part		Section No.: 30		
Parish/Township Name: Colac					

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This will delay your application.

② For what use, development or other matter do you require a permit? *

If you need help about the title, read:
How to Complete the Application for Planning Permit Form

Construction of an addition to the Dry Sticker Shed, and waiver of car parking.
<input checked="" type="checkbox"/> Provide additional information providing details of the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

③ Estimated cost of development for which the permit is required *

Cost \$ 550,000.00	⚠ You may be required to verify this estimate.
Insert '0' if no development is proposed (eg, change of use, subdivision, removal of covenant, liquor licence)	

Existing Conditions

④ Describe how the land is used and developed now *
eg vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Timber Mill - timber storage
<input checked="" type="checkbox"/> Provide a plan of the existing conditions. Photos are also helpful.

Title Information

5 Encumbrances on title *

If you need help about the title, read: *How to Complete the Application for Planning Permit Form*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
 No
 Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

Applicant and Owner Details

6 Provide details of the applicant and the owner of the land.

Applicant *

The person or organisation who wants the permit.

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Please provide at least one contact phone number *

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		
Title: Mr	First Name: Geoffrey	Surname: De La Rue
Organisation (if applicable): Architect		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO Box 92
Suburb/Locality: COLAC	State: VIC	Postcode: 3250
Contact person's details *		
		Same as applicant (if so, go to 'contact information') <input checked="" type="checkbox"/>
Name:		
Title:	First Name: Geoffrey	Surname: De La Rue
Organisation (if applicable): Architect		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.:	St. Name: PO Box 92
Suburb/Locality: COLAC	State: VIC	Postcode: 3250
Contact Information		
Business Phone: 5231 4787	Email: gdelarue@inet.net.au	
Mobile Phone: 0419 351 185	Fax:	
Name: <input type="checkbox"/> Same as applicant		
Title: Mr	First Name: Shane	Surname: Vicary
Organisation (if applicable): AKD Softwoods		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 7-15	St. Name: Forest Street
Suburb/Locality: Colac	State: VIC	Postcode: 3250
Owner's Signature (Optional):		Date:
		day / month / year

Declaration

7 This form must be signed by the applicant

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date: 22 Feb 2018

day / month / year

Need help with the Application?

If you need help to complete this form, read *How to complete the Application for Planning Permit Form* or contact Council's planning department. General information about the planning process is available at <http://www.dse.vic.gov.au/planning>

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

- 8 Has there been a pre-application meeting with a Council planning officer? *

No

Yes

If 'yes', with whom?: Ian Williams

Date: 14 Feb 2018


day / month / year

Checklist

- 9 Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A Full, current copy of title information for each individual parcel of land, forming the subject site.

A plan of the existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit check list.

If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).

Completed the relevant Council planning permit checklist?

Signed the declaration (section 7)?

Lodgement

Lodge the completed and signed form and all documents with:

Colac Otway Shire Council

PO Box 283 Colac 3250 VIC

2 - 6 Rae Street, Colac 3250 VIC

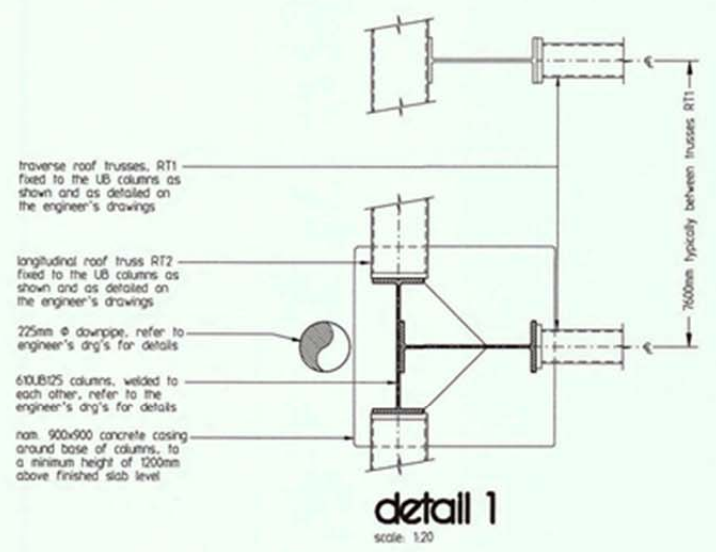
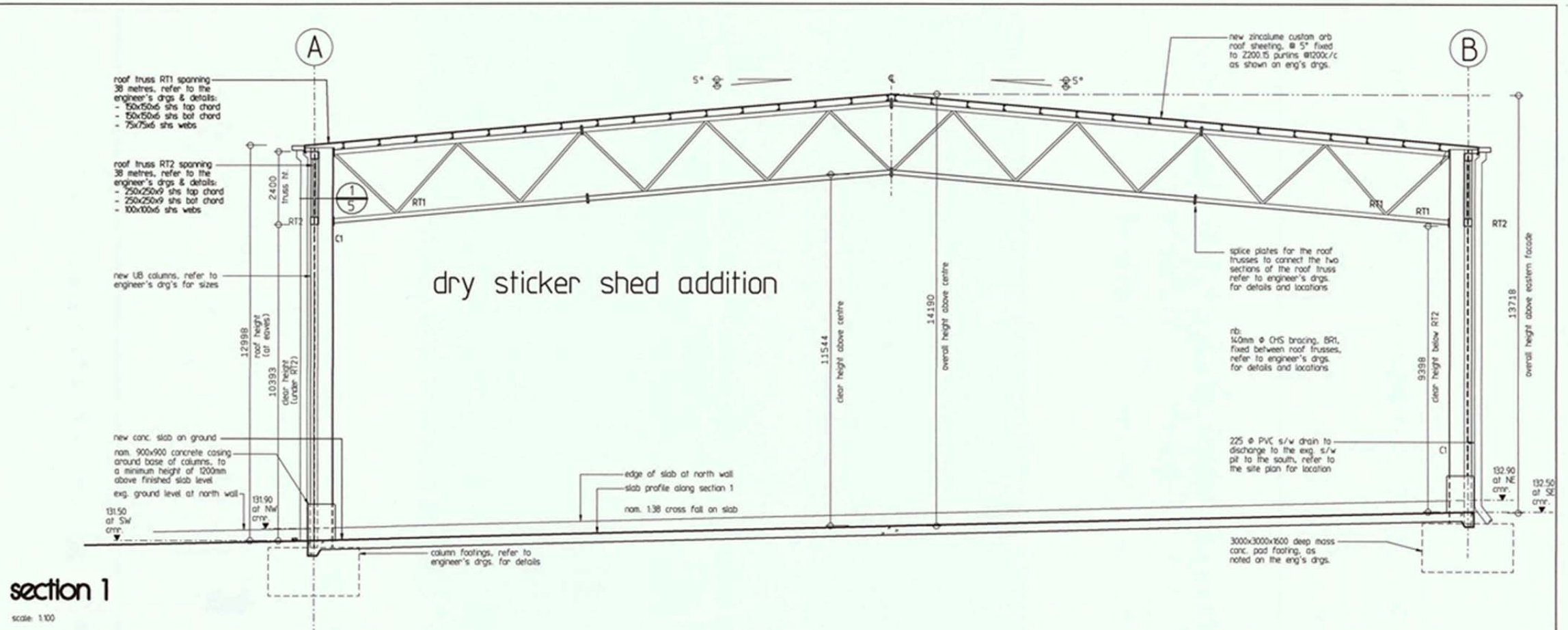
Contact information:

Telephone: 03 5232 9400

Fax: 03 5232 1046

Email: inq@colacotway.vic.gov.au

TTY: (03) 5231 6787



Goff De La Rue
b arch, rala, bday

architect

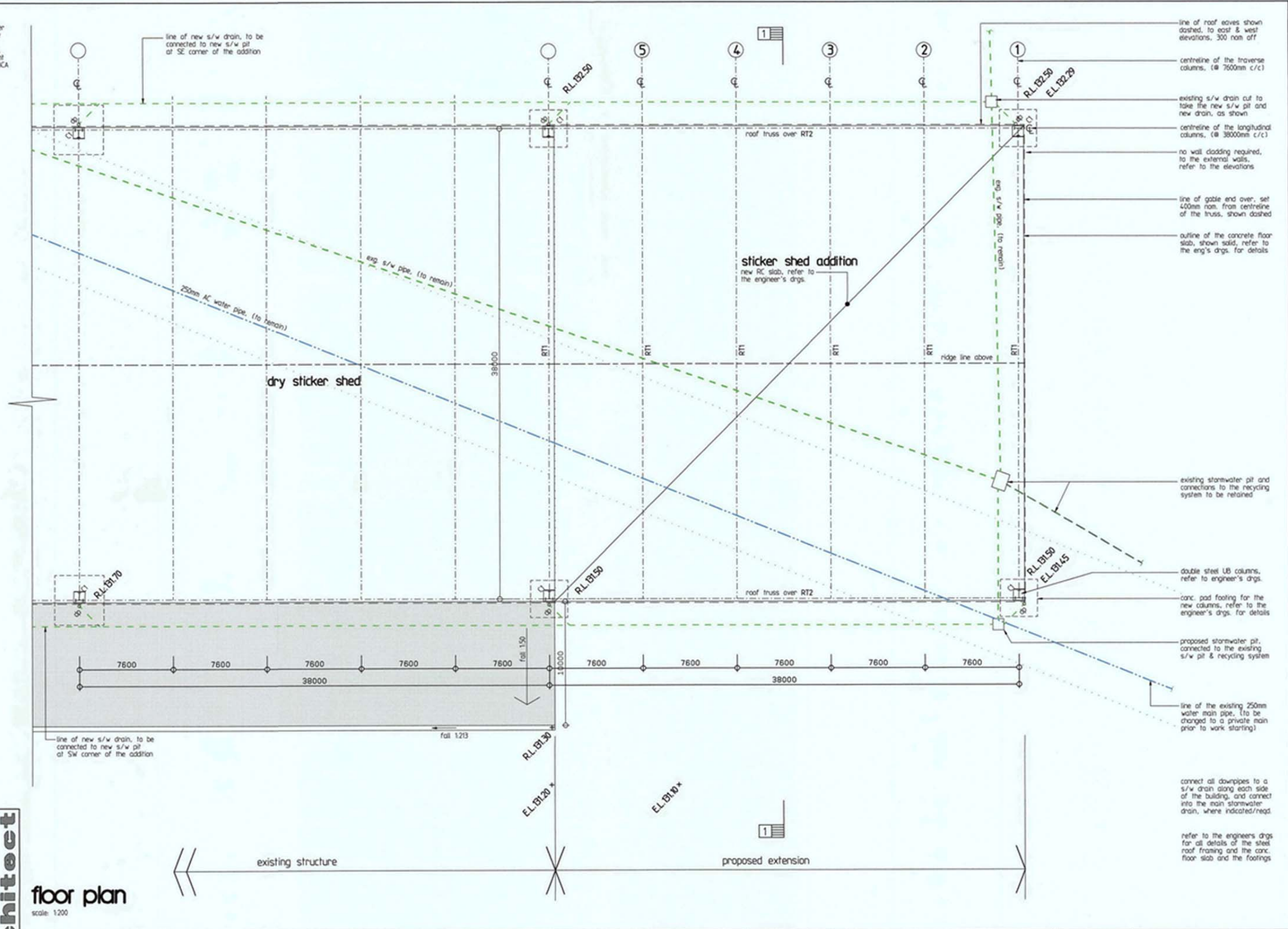
26 murray street colac
po box 92 colac 3250
telephone 03 52314787
mobile 0419 351 185
email gdelarue@inet.net.au

REVISIONS:	NOTES:
	DO NOT SCALE OFF THE DRAWINGS REFER TO FIGURED DIMENSIONS ONLY BUILDER TO VERIFY DIMENSIONS ON SITE CONFIRM ALL LEVELS & SITE FEATURES NOTIFY DISCREPANCIES TO THIS OFFICE

PROJECT: sticker shed addition	DESIGN: G.DeLaRue	SCALE: AS SHOWN	18:06
CLIENT: AKD softwoods	DRAWN: LR	ISSUED:	PROJECT NUMBER
SITE: 18-24 forest street, colac	CHECK: GAD	DATE: 20-02-18	FOR: []
TITLE: WORKING DRAWINGS - sections and details	DATE: 20-02-18	FOR: []	FORMAT: []

notes:

allow to install a sprinkler system to the entire new addition, (or extend the existing dry risk system), all to satisfy the relevant Aust Standard and the BCA refer to drgs./details by others



- line of roof eaves shown dashed, to east & west elevations, 300 non off
- centreline of the traverse columns, @ 7600mm c/c
- existing s/w drain cut to take the new s/w pit and new drain, as shown
- centreline of the longitudinal columns, @ 38000mm c/c
- no wall cladding required, to the external walls, refer to the elevations
- line of gable end over, set 400mm non. from centreline of the truss, shown dashed
- outline of the concrete floor slab, shown solid, refer to the eng's drgs. for details
- existing stormwater pit and connections to the recycling system to be retained
- double steel UB columns, refer to engineer's drgs.
- conc. pad footing for the new columns, refer to the engineer's drgs. for details
- proposed stormwater pit, connected to the existing s/w pit & recycling system
- line of the existing 250mm water main pipe, (to be changed to a private main prior to work starting)
- connect all downpipes to a s/w drain along each side of the building, and connect into the main stormwater drain, where indicated/read
- refer to the engineers drgs for all details of the steel roof framing and the conc. floor slab and the footings

Cooff De La Rue
b arch, rala, bdav

architect

26 murray street colac
po box 92 colac 3250
telephone: 03 52314787
mobile: 0419 351 185
email: gdelarue@inet.net.au

floor plan
scale: 1:200

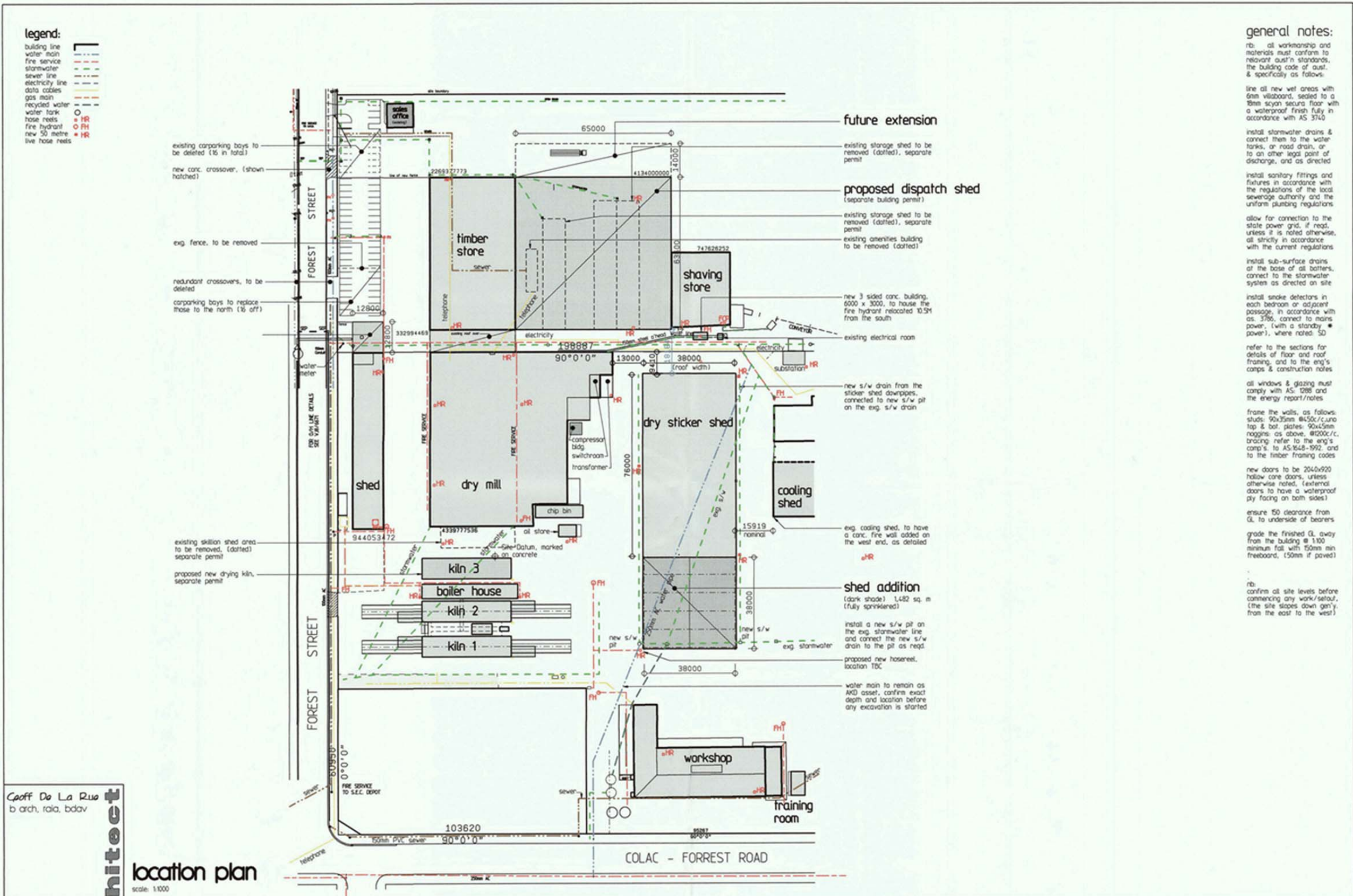
REVISIONS:

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BUILDER TO VERIFY DIMENSIONS ON SITE
CONFIRM ALL LEVELS & SITE FEATURES
NOTIFY DISCREPANCIES TO THIS OFFICE



PROJECT: sticker shed addition
CLIENT: AKD softwoods
SITE: 18-24 forest street, colac
TITLE: DESIGN DRAWINGS - proposed floor plan

DESIGN: G.DeLaRue	SCALE: AS SHOWN	18:06
DRAWN: LR	REVISIONS:	
CHECK: GAD	DATE: 20-02-18	PROJECT NUMBER:
DATE: 20-02-18	FOR:	SHEET OF REV. FORMAT



general notes:

- nb: all workmanship and materials must conform to relevant australian standards, the building code of australia & specifically as follows:
- line all new wet areas with 6mm vitaboard, sealed to a 18mm scyon secura floor with a waterproof finish fully in accordance with AS 3740
- install stormwater drains & connect them to the water tanks, or road drain, or to an other legal point of discharge, and as directed
- install sanitary fittings and fixtures in accordance with the regulations of the local sewerage authority and the uniform plumbing regulations
- allow for connection to the state power grid, if read, unless it is noted otherwise, all strictly in accordance with the current regulations
- install sub-surface drains at the base of all batters, connect to the stormwater system as directed on site
- install smoke detectors in each bedroom or adjacent passage, in accordance with as 3786, connect to mains power, (with a standby power), where noted 50
- refer to the sections for details of floor and roof framing, and to the eng's comp's & construction notes
- all windows & glazing must comply with AS 1288 and the energy report/notes
- frame the walls, as follows: studs: 90x25mm @450c/c; rona top & bot plates: 90x45mm; noggins: as above, @200c/c; bracing: refer to the eng's comp's to AS 1648-1992 and to the timber framing codes
- new doors to be 2040x920 hollow core doors, unless otherwise noted, (external doors to have a waterproof ply facing on both sides)
- ensure 50 clearance from GL to underside of bearers
- grade the finished GL away from the building @ 1:100 minimum fall with 150mm min freeboard, (50mm if paved)
- nb: confirm all site levels before commencing any work/setout, (the site slopes down gently from the east to the west)

Cooff De La Rue
b arch, raia, bday

architect

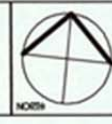
26 murray street colac
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telephone 03 5234787
fax 03 5232 1252
mobile 0419 351 185
email cde@clruce@inet.net.au

location plan
scale: 1:1000

REVISIONS:

NOTES:

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CONFIRM ALL LEVELS & SITE FEATURES
NOTIFY DISCREPANCIES TO THIS OFFICE



PROJECT: sticker shed addition
CLIENT: AKD softwoods
SITE: 18-24 forest street, colac
TITLE: WORKING DRAWINGS - proposed site plan

DESIGN: G.DeLaRue	SCALE: AS SHOWN
DRAWN: LR	CHECK: GAD
DATE: 20-02-18	FOR:

18:06

PROJECT NUMBER:

SHEET: OF: REV: FORNAT: