



PLANNING COMMITTEE MEETING

MINUTES

WEDNESDAY 13 JUNE 2018

AT 4PM

COPACC

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

13 JUNE 2018

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at
COPACC on 13 June 2018 at 4pm.

MINUTES

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

Cr Kate Hanson
Cr Stephen Hart
Cr Joe McCracken (Mayor)
Cr Chris Potter
Cr Jason Schram
Cr Chris Smith
Cr Terry Woodcroft

Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Gareth Smith, General Manager, Development & Community Services
Lyndal McLean, Acting Governance Officer
Jane Preston-Smith, Executive Officer, Development & Community Services
Sarah Osborne, Acting Communications Coordinator
Bláithín Butler, Statutory Planning Coordinator

3. APOLOGIES

Robert Dobrzynski, Acting Chief Executive Officer

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

I would like to start today by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of 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 unauthorized recording of the meeting.

5. DECLARATIONS OF INTEREST

Nil

6. CONFIRMATION OF MINUTES

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

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That the Planning Committee confirm the above minutes.

CARRIED 7 : 0

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.

Objector: John Woods

Applicant: David Hughes & Matt Evans, Aurecon

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		

RESOLUTION

MOVED Cr Chris Potter seconded Cr Jason Schram

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, defendable space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*
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.*

CARRIED 6 : 1

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.		

RESOLUTION

MOVED Cr Terry Woodcroft seconded Cr Jason Schram

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.*

CARRIED 7 : 0



The meeting was declared closed at 4.51pm

CONFIRMED AND SIGNED at the meeting held on 11 JULY 2018

A handwritten signature in black ink, appearing to read "J. McCracken", written over a horizontal dotted line. The signature is stylized and includes a large loop on the left side.