

MINUTES

1. PRESENT

Cr. Chris Smith (Mayor)
Cr. Joe Di Cecco
Cr. Tony Graham
Cr. Fran Lehmann
Cr. Peter Mercer
Cr. Warren Riches

Tracey Slatter, Chief Executive Officer
Jack Green, General Manager Sustainable Planning and Development
Gary Dolan, General Manager Infrastructure
Colin Hayman, General Manager Corporate and Community Services
Doug McNeill, Manager Planning and Building
Bronwyn Keenan, Executive Officer Sustainable Planning and Development

2. APOLOGIES

NIL

3. DECLARATION OF INTEREST

Item PC081202 – 2 Cr. Warren Riches
Nature of Interest - Nearby Landowner

4. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

Item PC081202 - 2 Graham McCready
Jack Kraan

5. CONFIRMATION OF MINUTES

- Planning Committee Meeting of the Colac-Otway Shire Council held on the 12/02/08.

Recommendation

That the Planning Committee confirm the above minutes.

Resolution

Moved Cr Riches seconded Cr Mercer that the Planning Committee confirm the above minutes.

CARRIED: 6:0

OFFICERS' REPORTS

SUSTAINABLE PLANNING AND DEVELOPMENT

The Mayor advised that the reports would not be considered in the order listed on the Agenda.

PC081103-2	PP230/07 EXTENSION TO EXTRACTION AREA OF QUARRY, 75 POTTERS ROAD, ONDIT	12
PC081103-1	PLANNING PERMITS FOR THE MONTH OF FEBRUARY 2008	3

ABORIGINAL HERITAGE**7. Aboriginal Heritage**

- a) *Development must cease immediately upon the discovery of any Aboriginal cultural material, and Aboriginal Affairs Victoria and the Framlingham Aboriginal Trust must be immediately notified of any such discovery.*
- b) *Development of the subject land must cease immediately upon discovery of any suspected human remains. The Police or State Coroner's Office must be informed of the discovery without delay. If there are reasonable grounds to suspect that the remains are Aboriginal, the discovery must also be reported to Aboriginal Affairs Victoria and the Framlingham Aboriginal Trust.*
- c) *Officers of Aboriginal Affairs Victoria and the Framlingham Aboriginal Trust must be permitted access to the site at any reasonable time, for the purpose of monitoring adherence to the above conditions.*

HOURS OF OPERATION

8. *The hours of operation shall be between 6.00am and 6.00pm Monday to Saturday, inclusive, but not including public holidays, and these hours shall not be altered without the written approval of the Responsible Authority.*
9. *Blasting shall only occur between the hours of 11.00am to 3.00pm Monday to Friday without further written approval of the Responsible Authority.*

TRAFFIC/ACCESS/PARKING

10. *Potters Road, from the Ondit Warrion Road to the vehicle entry point on the western boundary of the site, shall be maintained to the satisfaction of the Responsible Authority.*
11. *The wheels of all trucks leaving the site shall be clean to the satisfaction of the Responsible Authority so that the deposition of waste material on public roads is prevented. All trucks leaving the site shall be loaded securely so that materials do not spill onto public roads. On dry windy days, loads shall be thoroughly wetted or adequately covered to prevent dust emissions. The permit holder shall promptly remove quarry material deposited on public roads from wheels or loads, to the satisfaction of the Responsible Authority.*

AMENITY/LIGHTING

12. *Blasting monitoring will be conducted in the vicinity of the houses of L Riches (170 Ondit Warrion Road, Ondit) and K Prime (90 Potters Road, Ondit), to the satisfaction of the Responsible Authority. All blasting shall be recorded and records of all readings shall be kept to the satisfaction of the Responsible Authority, and made available to it on request.*
13. *No crushing of stockpiled material may be undertaken within 200 metres of any dwelling on an adjacent property to the satisfaction of the Responsible Authority.*
14. *The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:*
 - a) *transport of materials, goods or commodities to or from the land*
 - b) *appearance of any building, works or materials*

- c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil*
 - d) *presence of vermin*
15. *Any outdoor lighting must be designed and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land owners.*
16. *The site, including all buildings, works and landscaping, shall be maintained in a neat, tidy and safe condition in accordance with the endorsed plans to the satisfaction of the Responsible Authority.*

REHABILITATION

17. *Disused quarry areas shall be rehabilitated at the earliest opportunity following removal of the material extracted and to the satisfaction of the Responsible Authority, in accordance with the rehabilitation plan which shall not be altered without the approval of the Responsible Authority.*

CONSULTATION

18. *There shall be available at all times for the use of residents of neighbouring properties a telephone number or numbers ("the Hotline") so that they can call to register any complaint or comment about the operation of the site. A permanent register of all calls to this Hotline shall be maintained by the permit holder which register shall be available at all times for inspection by the Responsible Authority.*
19. *The Responsible Authority shall provide for secretarial support for a Quarry Consultative Committee, comprising;*
- a. *A Convenor and one person (who may be the Secretary) nominated by and representing the Responsible Authority.*
 - b. *One or two representatives of the permit holder.*
 - c. *A representative of the Department of Natural Resources and Environment (with quarry responsibility).*
 - d. *Two representatives of local residents.*
19. *Meetings of the Quarry Consultative Committee shall be convened on a regular basis and at least twice per year by the Responsible Authority, and shall be attended by at least one representative of the Responsible Authority and at least one representative of the permit holder to the satisfaction of the Responsible Authority.*
20. *The Consultative Committee shall record and consider all matters raised by representatives which reasonably pertain to the impact of the quarry operations and the permit holder shall have regard to the recommendations of the Consultative Committee, to the satisfaction of the Responsible Authority.*
21. *The reasonable costs of the Consultative Committee shall be borne by the permit holder to the satisfaction of the Responsible Authority.*

DEPARTMENT OF PRIMARY INDUSTRIES CONDITIONS:

22. *The use and development of the subject land must not commence until the Work Authority is granted in accordance with the requirements of the Extractive Industries Development Act 1995.*
23. *This permit will expire if the Work Authority for the use issued under the provisions of the Extractive Industries Development Act 1995 is cancelled in accordance with Section 24 of this Act.*

DEPARTMENT OF SUSTAINABILITY & ENVIRONMENT CONDITIONS:

24. *Within 12 months of the date of the permit, a plan of offset sites must be submitted to and approved by the Department of Sustainability and Environment, for the purpose of referencing in an agreement under section 173 of the Planning and Environment Act 1987. Once approved, the plan will be endorsed and will then form part of the permit.*

The plan of offset sites must clearly define the "offset sites" and must show the Boundaries of the "offset sites". The "offset sites" must include all areas within the yellow polygons, purple polygons and orange cross-hatched polygons, as shown in figure 3 of the approved Management Plan for the Corangamite Skink and Native

Vegetation Offsets: Readymix Quarry and Proposed Southern Development Area, Colac, Victoria (Biosis Research June 2007; Project no. 6475).

25. *Within 12 months of the date of the permit, the offset sites must be legally secured, by means of the registration on title of an agreement under Section 173 of the Planning and Environment Act 1987. The agreement must define the "offset sites" as the areas shown as such on the plan of offset sites endorsed as part of this permit. The agreement must covenant that:*
 - a) *The owner will manage the offset sites for biodiversity, conservation and net gain purpose, in accordance with the approved Management Plan for the Corangamite Skink and Native Vegetation Offsets: Readymix Quarry and Proposed Southern Development Area, Colac Victoria (Biosis Research: June 2007; Project no. 6475 [referred to hereafter as "the Management Plan]).*
 - b) *Following the completion of all management actions specified in the Management Plan, the owner will use all reasonable endeavours to maintain the quality and quantity of native vegetation and to maintain habitat for the Corangamite Water Skink within the offset sites in perpetuity, to the satisfaction of the responsible Authority and the Department of Sustainability and Environment.*
 - c) *No indigenous native vegetation will be removed, destroyed or lopped within the offset sites, without the prior written permission of the responsible authority.*
 - d) *No non-indigenous vegetation will be planted within the offset sites.*
 - e) *No buildings or other infrastructure (other than bored or overhead) will be constructed or installed within the offset sites.*

SOUTHERN RURAL WATER CONDITIONS:

26. *The proponent must meet obligations as outlined in Report 1 "Assessment of Water Management and Associated Potential Environmental Impacts in Support of the Proposed Development of the Readymix Quarry, Colac, Victoria" by Golder Associates Pty Ltd, March 2007" to the satisfaction of the relevant Authority (Southern Rural Water).*
27. *Groundwater monitoring and quality sampling as outlined in Report 1 and within the Work Plan must be reported to Southern Rural Water half-yearly.*
28. *Southern Rural Water must be notified if groundwater monitoring or sampling reports anomalous results.*
29. *The quarry must provide an estimate of groundwater dewatering and industrial use around the site to Southern Rural Water on at least an annual basis (July to June).*
30. *If adverse impacts are encountered by neighbouring groundwater users, the quarry is responsible for reinstating supply, or ensuring an alternate source of supply.*

DSE NOTE

- a) *The use and development of the subject land must at all times be in accordance with the Work Authority, including the Approved Work Plan, issued pursuant to the Extractive Industries Development Act 1995.*

Resolution

MOVED Cr Riches seconded Cr Di Cecco that Council's Planning Committee resolve to issue a Notice of Decision to Grant a Permit for Planning Permit Application PP230/07 for the extension to the extraction area of the quarry at 75 Potters Road, Ondit, subject to the following conditions:

COLAC OTWAY SHIRE CONDITIONS:

1. *The use and development of the subject land must at all times be in accordance with the Work Authority, including the Approved Work Plan and Environmental Program & Monitoring Plan, issued pursuant to the ['Extractive Industries Development Act 1995'](#).*
2. *The layout of the site and works permitted must be carried out in accordance with the endorsed plans and must not be altered or modified without the further written consent of the Responsible Authority.*

PRIOR TO WORK COMMENCING

3. *Prior to the use commencing, the 2m high bund wall shall be constructed in accordance with the recommendations of the Watson Moss Growcott report dated 29 May 2007, to the satisfaction of the Responsible Authority.*

4. ***Prior to the commencement of the use a landscape plan prepared by a suitably qualified and experienced person or firm must be submitted to and approved by the Responsible Authority. Unless such later date is agreed to by the Responsible Authority, the landscaping in accordance with the endorsed plan must be commenced prior to the commencement of any works and completed within one year of commencement. The landscape plan must:***
 - e. ***Provide detail of planting along property boundaries to act as a visual screen.***
 - f. ***Show trees for retention***
 - g. ***Include a detailed planting schedule with an emphasis on indigenous species and show the location and size at planting of plants listed within the schedule***
 - h. ***Staging of planting***
5. ***All landscaping shall be monitored, maintained and where necessary, renewed by the permit holder to the satisfaction of the Responsible Authority. Landscape areas shall be appropriately fenced to ensure that damage from stock grazing within the site is avoided.***
6. ***Prior to any use or development commencing, an Emergency Management Plan and Fire Prevention Plan must be developed for the site to the satisfaction of the Responsible Authority and the Country Fire Authority.***

ABORIGINAL HERITAGE

7. ***Aboriginal Heritage***
 - a) ***Development must cease immediately upon the discovery of any Aboriginal cultural material, and Aboriginal Affairs Victoria and the Framlingham Aboriginal Trust must be immediately notified of any such discovery.***
 - b) ***Development of the subject land must cease immediately upon discovery of any suspected human remains. The Police or State Coroner's Office must be informed of the discovery without delay. If there are reasonable grounds to suspect that the remains are Aboriginal, the discovery must also be reported to Aboriginal Affairs Victoria and the Framlingham Aboriginal Trust.***
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CARRIED 6:0

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**PC081103-1 PLANNING PERMITS FOR THE MONTH OF FEBRUARY 2008**

AUTHOR: Stefanie Riches                      ENDORSED: Jack Green  
DEPARTMENT: Sustainable Planning and      FILE REF: GEN00450  
Development

**Recommendation(s)**

***That Council's Planning Committee note the February 2008 statistical report.***

**Resolution**

***MOVED Cr Riches seconded Cr Di Cecco that Council's Planning Committee note the February 2008 statistical report.***

**CARRIED 6:0**

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