



Colac Otway
SHIRE

AGENDA

PLANNING COMMITTEE MEETING
OF THE
COLAC-OTWAY SHIRE
COUNCIL

9 SEPTEMBER 2009

at 10:30 AM

COPACC Meeting Rooms

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

COLAC-OTWAY SHIRE PLANNING COMMITTEE MEETING

9 SEPTEMBER 2009

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NOTICE is hereby given that the next *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC Meeting Rooms on 9 September 2009 at 10:30 am.

AGENDA

1. 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 descendents here today.

Colac Otway Shire encourages active community input and participation in Council decisions. The Planning Committee provides an opportunity for both objectors and proponents to address Council for up to five minutes. Priority will be given to people who have advised Council in advance that they wish to address the Planning Committee. Planning Committee meetings also enable Councillors to debate matters prior to decisions being taken.

I ask that we all show respect to each other and respect for the office of an elected representative.

I also would like to inform you that the meeting is being taped. The audio recording of the meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

5. DECLARATION OF INTEREST

6. 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 5 minutes will apply.

7. CONFIRMATION OF MINUTES

- Planning Committee held on the 12/08/09.

Recommendation

That Council confirm the above minutes.

OFFICERS' REPORTS

Sustainable Planning and Development

- PC090909-1 PLANNING & BUILDING STATISTICAL REPORT FOR THE MONTH OF
JULY 2009
- PC090909-2 BUILDINGS AND WORKS FOR THE PURPOSE OF INSTALLING TWO
(2) 10.6M HIGH STORAGE SILOS AT 91-149 FOREST STREET COLAC

**Rob Small
Chief Executive Officer**

**PC090909-1 PLANNING & BUILDING STATISTICAL REPORT FOR THE
MONTH OF JULY 2009**

AUTHOR:	Janole Cass	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN00450

Summary
Planning Statistics

37 Planning Permit applications were received for the period 1st July 2009 to 31st July 2009.
13 Planning Permit applications were determined for the period 1st July 2009 to 31st July 2009.

August Report for Planning Determinations will form part of the October Agenda.

Building Statistics

Please note that the Building Commission Website has been updated to June 2009.

Recommendation(s)

That Council's Planning Committee note the July 2009 statistical report.

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PC090909-2

**BUILDINGS AND WORKS FOR THE PURPOSE OF  
INSTALLING TWO (2) 10.6M HIGH STORAGE SILOS AT 91-  
149 FOREST STREET COLAC**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                            | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | PP233/2009 |

**Location:** 91-149 Forest Street, Colac (Lot 2, LP207690, Parish of Colac)

**Zoning:** Industrial 1 Zone

**Overlays:** Environmental Significance Overlay 2 (Partial)  
Design and Development Overlay 1  
Land Subject to Inundation Overlay (Partial)

**Amendment:** N/A

**Abuts:** Industrial 1 Zone (East)  
Rural Living Zone (South & West)  
Public Park and Recreation Zone (North)

**Restrictive Covenants:** Nil

**Purpose**

This application seeks support for two (2) new silos for storage for milk products associated with the Bulla manufacturing operation.

This application is before Council for consideration as the proposed Silos exceed 8m in height.

**Declaration of Interests**

The author has no pecuniary interest in this application.

**Background**

The subject site has been subject to several Planning Permit Applications including:

- PP212/08 – Permit issued 11 July 2008 for the construction of an airlock to an existing building.
- PP028/04 – Permit issued 5 April 2004 for the addition of a Waste Water Treatment Plant.

**Council Plan / Other Strategies / Policy**

Colac Structure Plan 2007

The Colac Structure Plan's Vision for industrial development in Colac is:

*'A thriving industrial sector that provides opportunities for the development of a range of industries and associated activities, in a location and form that is compatible with surrounding development, and that achieves high quality and sustainable design outcomes.'*

The proposed development is consistent with the vision and objectives of the Colac Structure Plan in that the proposed development will help to maintain the economic viability of the existing industry and will not detract from the built form and landscape of the area.

### **Issues / Options**

Council has the options of:

- a) Supporting the application through the issue of a permit subject to conditions.
- b) Supporting the application with changes.
- c) Refusing to grant a permit.

The key issue is whether the height of the proposed silos (10.6m) is suitable to the subject site and surrounds. The visual impact of the works is considered minimal and the application is supported.

### **Proposal**

The proposal comprises the installation of two (2) 10.6m high storage silos at 91-149 Forest Street, Colac.

The proposed silos have dimensions measuring 10.6m x 3.85m and are to be located on the south elevation of the existing building, adjacent to four (4) smaller existing silos. The proposed silos are required to increase on-site milk and cream storage, to remove existing delivery scheduling constraints and to improve manufacturing flexibility.

### **Subject Site and Locality**

The subject site is located at the north west corner of the Forest Street and Hearn Street intersection. The site is irregular in shape due to the Barongarook Creek forming the northern property boundary. The site has a total area of 13 hectares and is of a relatively flat topography.

Bulla Dairy Foods utilize the site as a chilled dairy facility which produces a range of milks, creams and cheeses. The dairy facility only occupies a small portion of the site (2.8 hectares) fronting Forest Street. The site contains a large industrial building, several small outbuildings and several silos.

An 81 space car park is located within the eastern frontage of the site. Access to the car park is provided via a dual width crossover off Forest Street.

Delivery access and egress is provided by two (2) separate crossovers off Forest Street, at the north and south of the site frontage. Delivery and loading facilities are provided to the north, west and south of the existing building. An internal accessway around the existing building allows for large delivery vehicles to enter and exit the site in a forward motion.

Surrounding land is predominately undeveloped Industrial and Rural Living land. The nearest dwelling to the existing building is the dwelling at 151-165 Forest Street, approximately 220m to the south.

### **Referrals**

The application was not referred to any internal departments or external authorities.



## Public Notice

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## Consideration of the Proposal

### a. State SPPF and Local Planning Policy Framework LPPF including Municipal Strategic Statement (MSS)

The State and Local policy framework seeks to ensure the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social, and economic factors in the interests of net community benefit and sustainable development. The following policies are relevant to the consideration of this application.

- Clause 17.03 – Industry
- Clause 19.03 – Design and Built Form
- Clause 21.03.2 – Colac
- Clause 21.05.3 - Manufacturing

The proposal is considered to be in keeping with the objectives of the above policies. The proposal does not alter the use of the site, although the provision of additional storage facilities will increase the economic viability of the existing use. The silo's built form and style is consistent with existing infrastructure on-site.

### b. Zone provisions

The objectives of the Industrial 1 Zone are outlined below;

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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 undertake buildings and works pursuant to Clause 33.01-4 of the Colac Otway Planning Scheme.

### c. Overlay Provisions

The design objective of the Design and Development Overlay 1 is;

- To ensure that the industrial area on the eastern entrances to Colac is retained for the development of large scale industrial uses on large lots so that views of the lake and the quality of buildings and works do not detract from the landscape character of this entrance to the town.

A permit is required to undertake buildings and works pursuant to Clause 43.02-2 of the Colac Otway Planning Scheme.

It is noted that the subject site is partially covered by the Environmental Significance Overlay 2 and Land Subject to Inundation Overlay to the north. The proposed building and works do not occur within the area affected by these overlay controls. The overlays are therefore not applicable to this application.

## **Discussion**

The proposed silos are in excess of 8m in height which is considered acceptable in this instance. The proposed silos are to the south of the existing building adjacent to several smaller existing silos. The existing building has a maximum height of 10.6m whilst the loading bay to the south west of the proposed silo has a maximum height of 7.1m. The proposed silos have a maximum height of 10.6m, with some external hand rails and attachments resulting in an overall height of 10.9m. The silos are setback in excess of 60m from the street frontage and in excess of 200m from the nearest dwelling. Due to the nature of surrounding buildings/infrastructure and the distance from the road, the proposed silos will blend in with development on the site and would not be a dominant feature when viewed from outside the site boundaries.

The silos will not intensify the usage of the site, but merely provide additional milk/cream storage facilities. The site is provided with excellent loading facilities, which will not be disrupted by the proposed silo installation.

## **Financial and Other Resource Implications**

Not applicable to this application.

## **Risk Management & Compliance Issues**

Not applicable to this application.

## **Environmental and Climate Change Considerations**

No environmental impacts would result from the proposal. The proposed buildings will not impact on the environmental values of Barongarook Creek.

## **Communication Strategy / Consultation**

No public notice was required for the application.

## **Implementation**

A decision will be issued to the applicant in accordance with the resolution.

## **Conclusion**

Overall the proposal is considered to be a positive outcome and will not result in any detriment to the amenity of the surrounding area or any persons. The proposal will allow for the existing use to continue in an economically viable manner.

## **Recommendation(s)**

***That the Planning Committee resolve to grant a Permit for Buildings and Works for the purpose of installing two (2) 10.6m high storage silos at 91-149 Forest Street, Colac subject to the following conditions:***

- 1. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

**2. This permit will expire if one of the following circumstances applies:**

- a) The development is not started 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.**

**The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.**

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