

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at COPACC on 14 April 2010 at 10.30am

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

Cr Lyn Russell (Mayor)
Cr Frank Buchanan
Cr Brian Crook
Cr Stephen Hart
Cr Stuart Hart
Cr Geoff Higgins
Cr Chris Smith

Jack Green, Acting Chief Executive Officer
Colin Hayman, General Manager, Corporate and Community Services
Neil Allen, General Manager, Infrastructure and Service
Doug McNeill, Manager Planning and Building
Bronwyn Keenan, Executive Assistant

3. APOLOGIES

Rob Small, Chief Executive Officer

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. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council 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.

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.'

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 10/03/10.**

Resolution

MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

PC101404-1	PLANNING & BUILDING STATISTICAL REPORT
PC101404-2	DEVELOPMENT OF A TELECOMMUNICATIONS TOWER (40M) AND ASSOCIATED EQUIPMENT SHELTER AT 5930 GREAT OCEAN ROAD YUULONG
PC101404-3	CONSTRUCTION OF A DWELLING AND REMOVAL OF NATIVE VEGETATION AT 44 MORLEY AVENUE, WYE RIVER
PC101404-4	INTERNAL ALTERATIONS AND EXTENSION TO THE EXISTING BUILDING AND WAIVER OF CAR PARKING AT 75 CORANGAMITE STREET, COLAC.
PC101404-5	CONSTRUCTION OF TWO (2) WAREHOUSES FOR TIMBER STORAGE AND WAIVER OF CAR PARKING SPACES AT 7-15 FOREST STREET, COLAC.

Jack Green
Acting Chief Executive Officer

PC101404-1 *PLANNING & BUILDING STATISTICAL REPORT*

AUTHOR:	Janole Cass	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN000450

Recommendation(s)

That Council’s Planning Committee note the statistical report.

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**Resolution**

***MOVED Cr Brian Crook seconded Cr Stephen Hart that Council’s Planning Committee note the statistical report.***

***CARRIED 7 : 0***

**PC101404-2**     *DEVELOPMENT OF A TELECOMMUNICATIONS TOWER (40M)  
AND ASSOCIATED EQUIPMENT SHELTER AT 5930 GREAT  
OCEAN ROAD YUULONG*

|             |                                          |           |            |
|-------------|------------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                              | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | PP353/2009 |

**Recommendation(s)**

***That Council's Planning Committee resolve to grant Planning Permit PP353/2009 for the buildings and works associated with the Construction of a Telecommunications Facility (40 metre high monopole tower) and associated shelter at Lot 1 TP370829, Parish of Wangerrip, 5930 Great Ocean Road, Yuulong, 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. No additional antennas, aerials, satellite dishes or the like are permitted to be installed on the tower without further planning approval from the responsible authority***
- 3. The nature and colour of building materials employed in the construction of the buildings and works hereby permitted must be harmonious and blend into the surrounding environment to the satisfaction of the Responsible Authority.***
- 4. Stormwater discharged from the buildings and works hereby permitted must only be disturbed across the property by sheet flow (.e. along a contour) or to a legal point of discharge as approved by the responsible authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge any septic effluent disposal system to the satisfaction of the responsible authority.***
- 5. All excavation works upon the subject land must be kept to the absolute practicable minimum and to the satisfaction of the Responsible Authority.***
- 6. Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
- 7. The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
- 8. If the telecommunications facility is no longer in use, the installation must be decommissioned and removed to the satisfaction of the responsible authority.***

9. ***The use must not detrimentally affect the amenity of the neighbourhood, to the satisfaction of the responsible authority including through the:***
  - (a) Transportation of any material, goods or commodity to or from the land.***
  - (b) Appearance of any stored goods and material.***
  - (c) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit and oil.***
  
10. ***The telecommunications facility must 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, ARPANSA, May 2002 to the satisfaction of the responsible authority.***
  
11. ***This permit will expire if one of the following circumstances applies:***
  - a) The development is not started within two years of the date of this permit.***
  - b) The development is not completed within four 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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Resolution

MOVED Cr Frank Buchanan seconded Cr Stuart Hart that Council's Planning Committee resolve to grant Planning Permit PP353/2009 for the buildings and works associated with the Construction of a Telecommunications Facility (40 metre high monopole tower) and associated shelter at Lot 1 TP370829, Parish of Wangerrip, 5930 Great Ocean Road, Yuulong, 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. ***No additional antennas, aerials, satellite dishes or the like are permitted to be installed on the tower without further planning approval from the responsible authority***

3. ***The nature and colour of building materials employed in the construction of the buildings and works hereby permitted must be harmonious and blend into the surrounding environment to the satisfaction of the Responsible Authority.***

4. ***Stormwater discharged from the buildings and works hereby permitted must only be disturbed across the property by sheet flow (.e. along a contour) or to a legal point of discharge as approved by the responsible authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge any septic effluent disposal system to the satisfaction of the responsible authority.***
5. ***All excavation works upon the subject land must be kept to the absolute practicable minimum and to the satisfaction of the Responsible Authority.***
6. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
7. ***The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
8. ***If the telecommunications facility is no longer in use, the installation must be decommissioned and removed to the satisfaction of the responsible authority.***
9. ***The use must not detrimentally affect the amenity of the neighbourhood, to the satisfaction of the responsible authority including through the:***
 - (a) ***Transportation of any material, goods or commodity to or from the land.***
 - (b) ***Appearance of any stored goods and material.***
 - (c) ***Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit and oil.***
10. ***The telecommunications facility must 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, ARPANSA, May 2002 to the satisfaction of the responsible authority.***
11. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The development is not started within two years of the date of this permit.***
 - b) ***The development is not completed within four 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.***

CARRIED 7 : 0

PC101404-3 *CONSTRUCTION OF A DWELLING AND REMOVAL OF NATIVE VEGETATION AT 44 MORLEY AVENUE, WYE RIVER*

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Carl Menze | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP273/2009 |

Recommendation(s)

That Council resolve to issue a Notice of Refusal for Planning Permit Application PP273/09 for the construction of a dwelling and the removal of native vegetation at 44 Morley Avenue, Wye River on the following grounds;

- 1. The proposal fails to meet the objectives and the Modified Rescode Standards of the Neighbourhood Character Overlay Schedule 1.*
- 2. The proposed dwelling will present as a dominant building when viewed from Morley Avenue to the detriment of the existing and preferred Neighbourhood Character of the area.*

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**Resolution**

*MOVED Cr Brian Crook seconded Cr Frank Buchanan that Council resolve to issue a Notice of Refusal for Planning Permit Application PP273/09 for the construction of a dwelling and the removal of native vegetation at 44 Morley Avenue, Wye River on the following grounds;*

- 1. The proposal fails to meet the objectives and the Modified Rescode Standards of the Neighbourhood Character Overlay Schedule 1.*
- 2. The proposed dwelling will present as a dominant building when viewed from Morley Avenue to the detriment of the existing and preferred Neighbourhood Character of the area.*

**CARRIED 4 : 3**

**PC101404-4**     *INTERNAL ALTERATIONS AND EXTENSION TO THE EXISTING BUILDING AND WAIVER OF CAR PARKING AT 75 CORANGAMITE STREET, COLAC.*

|             |                                    |           |             |
|-------------|------------------------------------|-----------|-------------|
| AUTHOR:     | Ros Snaauw                         | ENDORSED: | Jack Green  |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP13/2010-1 |

**Recommendation(s)**

***That Council’s Planning Committee grant a Planning Permit for the Alterations and Extension to the Building and Waiving of car parking at 75 Corangamite 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.     All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.**
- 3.     All staff vehicles and other vehicles used in the operation of the use must be parked on-site.**
- 4.     This permit will expire if one of the following circumstances applies:**
  - a)     The development is not started within two years of the date of this permit.**
  - b)     The development is not completed within four 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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Resolution

MOVED Cr Geoff Higgins seconded Cr Stuart Hart that Council’s Planning Committee grant a Planning Permit for the Alterations and Extension to the Building and Waiving of car parking at 75 Corangamite 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. All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.
3. All staff vehicles and other vehicles used in the operation of the use must be parked on-site.
4. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four 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.

CARRIED 7 : 0

PC101404-5 *CONSTRUCTION OF TWO (2) WAREHOUSES FOR TIMBER STORAGE AND WAIVER OF CAR PARKING SPACES AT 7-15 FOREST STREET, COLAC.*

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Carl Menze | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP11/2010 |

Recommendation(s)

That the Planning Committee resolve to grant a Permit for the construction of two (2) warehouses for timber storage and a waiver of car parking spaces at 7-15 Forest Street, Colac subject to the following conditions:

1. ***Before the development starts, 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) ***Shed 1 setback a minimum of 5.0m from the Bruce Street property boundary.***
 - (b) ***Landscaping within the 5.0m setback with an emphasis on native vegetation capable of providing a visual screen between proposed Shed 1 and the Bruce Street streetscape.***
2. ***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.***
3. ***Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:***
 - (a) ***a survey (including botanical names) of all existing vegetation to be retained and/or removed;***
 - (b) ***details of surface finishes of pathways and driveways;***
 - (c) ***a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.***
 - (d) ***Canopy trees to a minimum height of 1.5 metres tall when planted;***

All species selected must be to the satisfaction of the Responsible Authority.

4. ***Before the use of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.***
5. ***The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***
6. ***Stormwater must be discharged to the existing on-site drainage system, limiting flows to no more than 64l/s/ha.***
7. ***Heavy vehicle manoeuvring must only occur within the boundaries of the subject site.***
8. ***The colour of building materials employed in the construction of the buildings and works hereby permitted must be of muted earthy tones to the satisfaction of the Responsible Authority.***
9. ***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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### **Resolution**

***AMENDMENT - MOVED Cr Frank Buchanan seconded Cr Stuart Hart that the Planning Committee resolve to grant a Permit for the construction of two (2) warehouses for timber storage and a waiver of car parking spaces at 7-15 Forest Street, Colac subject to the following conditions:***

1. ***Before the development starts, 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 landscaping within the 1.0m setback with an emphasis on native vegetation capable of providing a visual screen between proposed Shed 1 and the Bruce Street streetscape.***

2. ***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.***
  3. ***Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:***
    - a) ***a survey (including botanical names) of all existing vegetation to be retained and/or removed;***
    - b) ***details of surface finishes of pathways and driveways;***
    - c) ***a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.***
    - d) ***Canopy trees to a minimum height of 1.5 metres tall when planted;***
- All species selected must be to the satisfaction of the Responsible Authority.***
4. ***Before the use of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.***
  5. ***The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***
  6. ***Stormwater must be discharged to the existing on-site drainage system, limiting flows to no more than 64l/s/ha.***
  7. ***Heavy vehicle manoeuvring must only occur within the boundaries of the subject site.***
  8. ***The colour of building materials employed in the construction of the buildings and works hereby permitted must be of muted earthy tones to the satisfaction of the Responsible Authority.***
  9. ***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.***

**CARRIED 6 : 1**

***DIVISION called by Cr Stephen Hart***

***For the Motion: Cr Brian Crook, Cr Geoff Higgins, Cr Chris Smith, Cr Frank Buchanan, Cr Stuart Hart, Cr Lyn Russell***

***Against the Motion: Cr Stephen Hart***