



**Colac Otway
SHIRE**

AGENDA

**PLANNING COMMITTEE MEETING
OF THE
COLAC-OTWAY SHIRE
COUNCIL**

9 JUNE 2010

at 10:30 AM

COPACC

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 JUNE 2010

TABLE OF CONTENTS

OFFICERS' REPORTS

PC100906-1	PLANNING & BUILDING STATISTICAL REPORT.....	5
PC100906-2	REDEVELOPMENT OF EXISTING SUPERMARKET AND CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY .	14

NOTICE is hereby given that the next *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC on 9 June 2010 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. 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 14/04/10.

Recommendation

That Council confirm the above minutes.

OFFICERS' REPORTS

Sustainable Planning and Development

PC100906-1 PLANNING & BUILDING STATISTICAL REPORT
PC100906-2 REDEVELOPMENT OF EXISTING SUPERMARKET AND
CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT
SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY

Rob Small
Chief Executive Officer

PC100906-1

PLANNING & BUILDING STATISTICAL REPORT

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

Summary

This report provides statistics relating to the month of April and May 2010.

Planning Statistics – April 2010

39 Planning Permit applications were received for the period 1 April 2010 to 30 April 2010.

33 Planning Permit applications were considered for the period 1 April 2010 to 30 April 2010.

Planning Statistics – May 2010

60 Planning Permit applications were received for the period 1 May 2010 to 31 May 2010.

35 Planning Permit applications were considered for the period 1 May 2010 to 31 May 2010.

Building Statistics

Please note that the Building Commission Website has been updated to March 2010.

Attachments

1. PLANNING STATISTICAL REPORT FOR APRIL 2010
2. PLANNING STATISTICAL REPORT FOR MAY 2010

Recommendation(s)

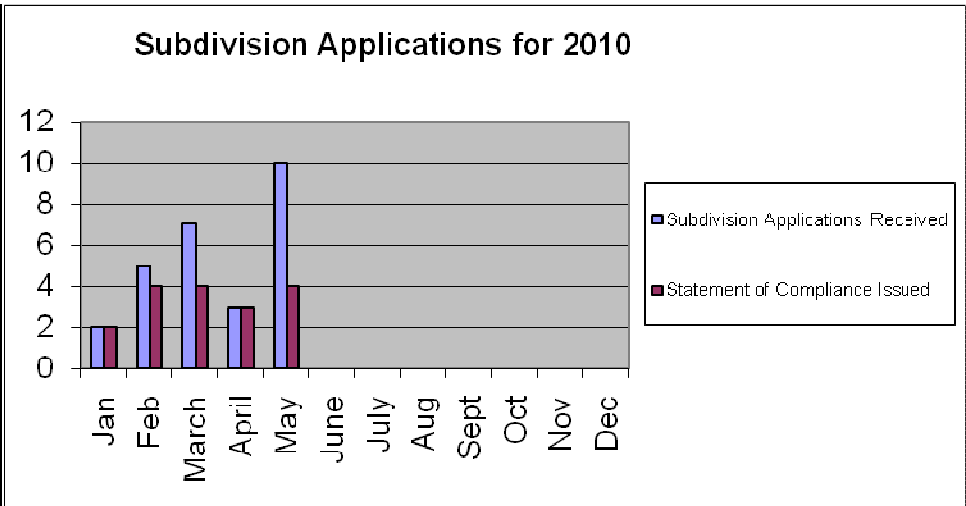
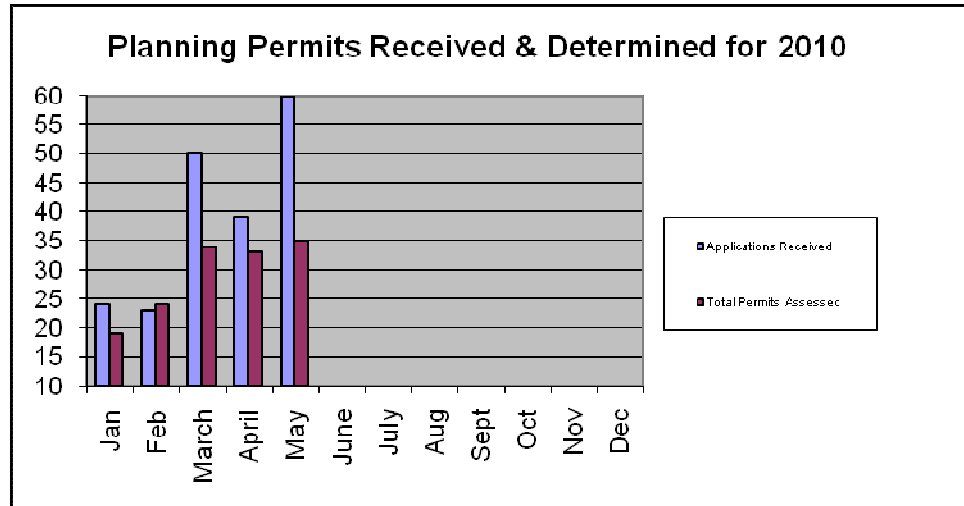
That Council’s Planning Committee note the statistical report.

~~~~~\ ~~~~~

## Planning Statistical Report April 2010

| APPLIC NO  | DATE RECEIVED | LOCATION                                    | PROPOSAL                                                                                                     | DATE ISSUED | ACTUAL TIME | AUTHORITY          | DECISION       |
|------------|---------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------|-------------|--------------------|----------------|
| 377/2005-2 | 11 MAY 09     | 80 OLD HORDERN VALE ROAD ACCESS, APOLLO BAY | CONSTRUCTION OF A DWELLING, ASSOCIATED WORKS AND REMOVAL OF NATIVE VEGETATION – AMENDMENT                    | 1 APRIL 10  | 87          | UNDER DELEGATION   | PERMIT ISSUED  |
| 250/2007-2 | 4 JAN 10      | 16 BARRAND STREET, APOLLO BAY               | THREE (3) LOT SUBDIVISION – AMENDMENT                                                                        | 6 APR 10    | 92          | UNDER DELEGATION   | PERMIT ISSUED  |
| 74/2009-1  | 26 MAR 09     | 570 DEVONDALE ROAD, CHAPPLE VALE            | CONSTRUCTION OF A DWELLING, ASSOCIATED WORKS, ACCESS, SITE & REMOVAL OF NATIVE VEGETATION FROM ROAD RESERVE  | 28 APR 10   | 81          | UNDER DELEGATION   | PERMIT REFUSED |
| 180/2009-1 | 9 JUN 09      | 43-117 MURRAY STREET, COLAC                 | TO REMOVE & MAINTAIN VEGETATION                                                                              | 15 APR 10   | 17          | UNDER DELEGATION   | PERMIT ISSUED  |
| 192/2009-1 | 15 JUN 09     | 145 DIVISION ROAD, MURROON                  | CONSTRUCTION & USE OF A SINGLE STOREY DWELLING                                                               | 16 APR 10   | 232         | UNDER DELEGATION   | PERMIT ISSUED  |
| 196/2009-1 | 18 JUN 09     | 70 CHRISTIES ROAD, ELLIMINYT                | SIXTY-NINE (69) LOT SUBDIVISION                                                                              | 7 APR 10    | 252         | UNDER DELEGATION   | PERMIT REFUSED |
| 226/2009-2 | 29 MAR 10     | 49-51 NELSON STREET APOLLO BAY              | USE & DEVELOPMENT OF LAND FOR A CHURCH HALL AS A PLACE OF ASSEMBLY & SIGNAGE – AMENDMENT                     | 15 APR 10   | 17          | UNDER DELEGATION   | PERMIT ISSUED  |
| 273/2009-1 | 11 SEP 09     | 44 MORLEY AVENUE, WYE RIVER                 | CONSTRUCTION OF A DWELLING & REMOVAL OF A TREE AND VEGETATION                                                | 14 APR 10   | 78          | PLANNING COMMITTEE | PERMIT REFUSED |
| 291/2009-1 | 12 OCT 09     | 395 COLAC FORREST ROAD, YEO                 | EXTENSION TO AN EXISTING DWELLING AND DEVELOPMENT OF A SHED                                                  | 28 APR 10   | 31          | UNDER DELEGATION   | PERMIT ISSUED  |
| 294/2009-1 | 15 OCT 09     | 15 HORDERN VALE ROAD, HORDERN VALE          | DEVELOPMENT USE OF DWELLING & SHED                                                                           | 9 APR 10    | 151         | UNDER DELEGATION   | PERMIT ISSUED  |
| 307/2009-1 | 3 NOV 09      | 224-236 MURRAY STREET, COLAC                | INSTALLATION OF ADVERTISING SIGNAGE                                                                          | 16 APR 10   | 72          | UNDER DELEGATION   | PERMIT ISSUED  |
| 314/2009-1 | 9 NOV 09      | 15 PORCUPINE LANE, FORREST                  | TWO (2) LOT SUBDIVISION                                                                                      | 7 APR 10    | 129         | UNDER DELEGATION   | PERMIT ISSUED  |
| 326/2009-1 | 24 NOV 09     | 58 MAIN STREET, BIRREGURRA                  | THREE (3) LOT SUBDIVISION                                                                                    | 8 APR 10    | 53          | UNDER DELEGATION   | PERMIT ISSUED  |
| 336/2009-1 | 4 DEC 09      | 150 ILETTS ROAD, DREEITE                    | REALIGNMENT OF BOUNDARIES TO CREATE TWO (2) LOTS                                                             | 8 APR 10    | 98          | UNDER DELEGATION   | PERMIT ISSUED  |
| 353/2009-1 | 17 DEC 09     | 5930 GREAT OCEAN ROAD, YUULONG              | DEVELOPMENT OF A TELECOMMUNICATIONS TOWER (40m) AND ASSOCIATED EQUIPMENT SHELTER                             | 14 APR 10   | 41          | PLANNING COMMITTEE | PERMIT ISSUED  |
| 361/2009-1 | 7 JAN 10      | 32-52 HEARN STREET, COLAC                   | THREE (3) LOT SUBDIVISION                                                                                    | 8 APR 10    | 72          | UNDER DELEGATION   | PERMIT ISSUED  |
| 1/2010-1   | 4 JAN 10      | 66 DOWLING STREET, COLAC                    | CONSTRUCTION OF THREE (3) DWELLINGS                                                                          | 22 APR 10   | 58          | UNDER DELEGATION   | PERMIT ISSUED  |
| 7/2010-1   | 18 JAN 10     | 13 FORBES STREET, COLAC                     | THREE (3) LOT SUBDIVISION                                                                                    | 28 APR 10   | 76          | UNDER DELEGATION   | PERMIT ISSUED  |
| 11/2010-1  | 15 JAN 10     | 7-15 FOREST STREET, COLAC                   | CONSTRUCTION OF TWO (2) WAREHOUSES FOR TIMBER STORAGE, AN OFFICE ADDITION AND A WAIVER OF CAR PARKING SPACES | 14 APR 10   | 34          | PLANNING COMMITTEE | PERMIT ISSUED  |
| 13/2010-1  | 18 JAN 10     | 75 CORANGAMITE STREET, COLAC                | EXTENSION TO BUILDING AND WAIVER OF CAR PARKING                                                              | 14 APR 10   | 66          | PLANNING COMMITTEE | PERMIT ISSUED  |

| APPLIC NO                                            | DATE RECEIVED | LOCATION                           | PROPOSAL                                                    | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION      |
|------------------------------------------------------|---------------|------------------------------------|-------------------------------------------------------------|-------------|-------------|------------------|---------------|
| 20/2010-1                                            | 27 JAN 10     | 96 MARRINER STREET,<br>COLAC EAST  | TWO (2) LOT SUBDIVISION                                     | 28 APR 10   | 40          | UNDER DELEGATION | PERMIT ISSUED |
| 25/2010-1                                            | 4 FEB 10      | 33 MAIN STREET, BEEAC              | RELOCATION OF DWELLING & SHED                               | 15 APR 10   | 70          | UNDER DELEGATION | PERMIT ISSUED |
| 29/2010-1                                            | 3 FEB 10      | 35-39 MAIN STREET,<br>BIRREGURRA   | CONSTRUCTION OF A ROTUNDA                                   | 8 APR 10    | 64          | UNDER DELEGATION | PERMIT ISSUED |
| 31/2010-1                                            | 10 FEB 10     | 135 WOODROWVALE<br>ROAD, ELLIMINYT | USE & DEVELOPMENT OF A DWELLING & SHED                      | 23 APR 10   | 18          | UNDER DELEGATION | PERMIT ISSUED |
| 32/2010-1                                            | 10 FEB 10     | 230 KILLALA ROAD,<br>APOLLO BAY    | EXTENSION TO EXISTING SHED                                  | 28 APR 10   | 12          | UNDER DELEGATION | PERMIT ISSUED |
| 39/2010-1                                            | 22 FEB 10     | 102 FOREST STREET,<br>COLAC EAST   | CONSTRUCTION OF A WORKSHOP (MECHANICAL REPAIRS) &<br>OFFICE | 28 APR 10   | 33          | UNDER DELEGATION | PERMIT ISSUED |
| 47/2010-1                                            | 10 MAR 10     | 455 EURACK ROAD,<br>EURACK         | CONSTRUCTION OF A STORAGE SHED                              | 29 APR 10   | 50          | UNDER DELEGATION | PERMIT ISSUED |
| 48/2010-1                                            | 10 MAR 10     | 23-27 ENNIS STREET,<br>BIRREGURRA  | CONSTRUCTION OF A STORAGE SHED                              | 8 APR 10    | 29          | UNDER DELEGATION | PERMIT ISSUED |
| 49/2010-1                                            | 10 MAR 10     | 102 HARRIS ROAD,<br>ELLIMINYT      | CONSTRUCTION OF A DWELLING & SHED                           | 6 APR 10    | 11          | UNDER DELEGATION | PERMIT ISSUED |
| 61/2010-1                                            | 16 MAR 10     | 12 BANKSIA DRIVE,<br>ELLIMINYT     | EXTENSION TO DWELLING                                       | 8 APR 10    | 22          | UNDER DELEGATION | PERMIT ISSUED |
| 63/2010-1                                            | 6 APR 10      | 8 BANKSIA DRIVE,<br>ELLIMINYT      | CONSTRUCTION OF A DWELLING                                  | 22 APR 10   | 15          | UNDER DELEGATION | PERMIT ISSUED |
| 70/2010-1                                            | 17 MAR 10     | 100 DENNIS STREET,<br>COLAC        | PAINTING OF EXTERNAL SCOUT HALL WALLS                       | 14 APR 10   | 28          | UNDER DELEGATION | PERMIT ISSUED |
| 83/2010-1                                            | 1 APR 10      | 445 BIRREGURRA ROAD,<br>BIRREGURRA | CONSTRUCTION OF A NEW KILN                                  | 23 APR 10   | 17          | UNDER DELEGATION | PERMIT ISSUED |
| <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b> |               |                                    |                                                             |             | <b>65</b>   |                  |               |



[Pulse Building Statistics](#)

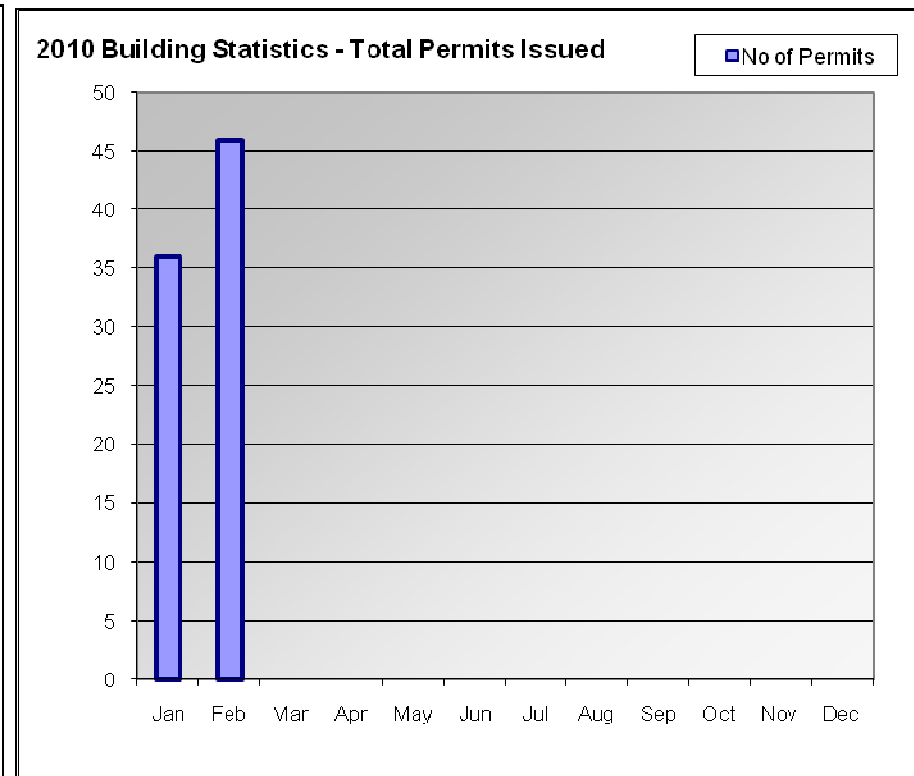
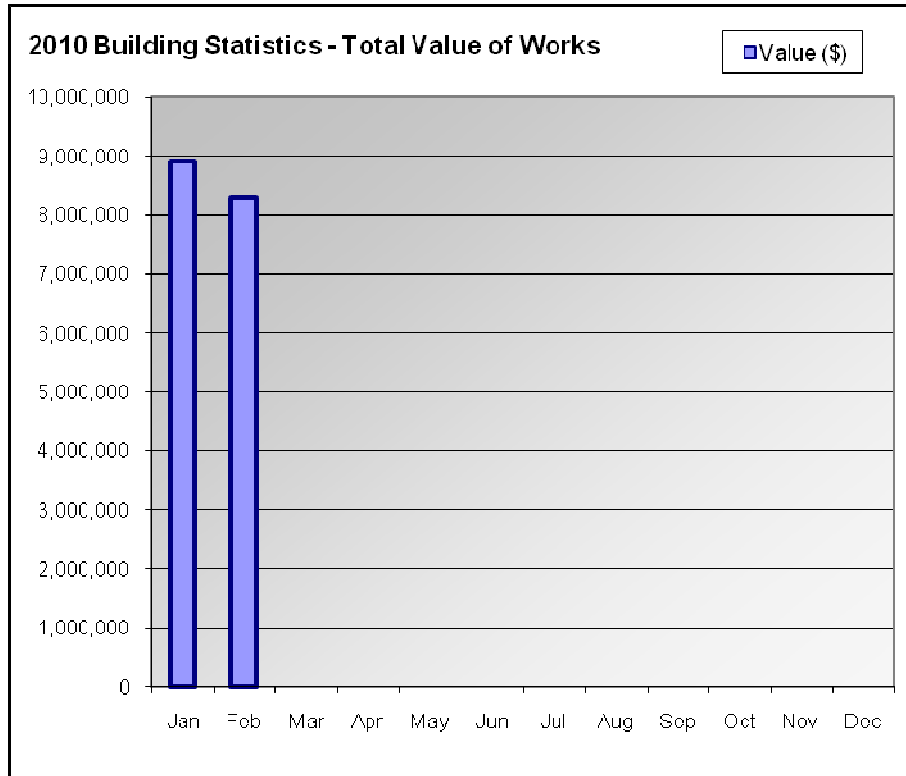
[Financial Yr Stats](#)

[Pulse Building Reports](#)

|               | Domestic  |                  | Residential* |            | Commercial |                  | Retail   |                | Industrial |                | Hospital/HealthCare |            | Public Buildings |                  | Municipal Totals |                   |
|---------------|-----------|------------------|--------------|------------|------------|------------------|----------|----------------|------------|----------------|---------------------|------------|------------------|------------------|------------------|-------------------|
|               | No of BP  | Value (\$)       | No of BP     | Value (\$) | No of BP   | Value (\$)       | No of BP | Value (\$)     | No of BP   | Value (\$)     | No of BP            | Value (\$) | No of BP         | Value (\$)       | No of BP         | Value (\$)        |
| Jan           | 28        | 4,006,262        | 0            | 0          | 3          | 2,156,102        | 0        | 0              | 1          | 700,000        | 0                   | 0          | 4                | 2,044,000        | 36               | 8,906,364         |
| Feb           | 35        | 4,714,164        | 0            | 0          | 5          | 1,116,245        | 2        | 202,000        | 1          | 200,000        | 0                   | 0          | 3                | 2,063,065        | 46               | 8,295,474         |
| Mar           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Apr           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| May           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Jun           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Jul           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Aug           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Sep           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Oct           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Nov           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Dec           |           |                  |              |            |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| <b>Totals</b> | <b>63</b> | <b>8,720,426</b> | <b>0</b>     | <b>0</b>   | <b>8</b>   | <b>3,272,347</b> | <b>2</b> | <b>202,000</b> | <b>2</b>   | <b>900,000</b> | <b>0</b>            | <b>0</b>   | <b>7</b>         | <b>4,107,065</b> | <b>82</b>        | <b>17,201,838</b> |

\*Multi-Development

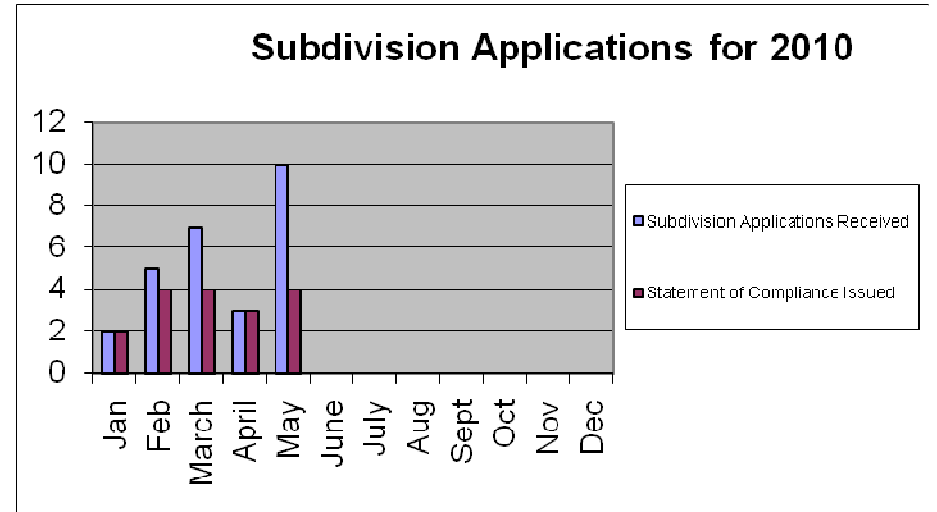
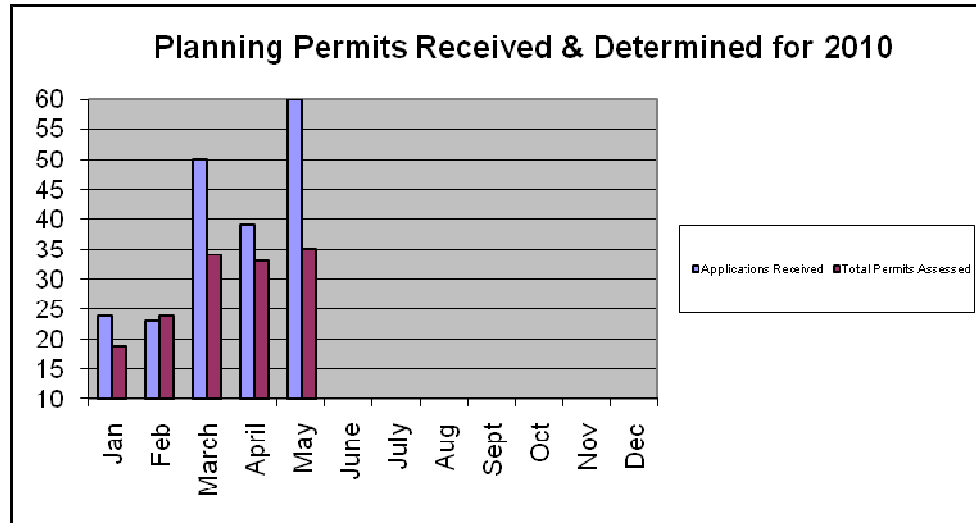




## Planning Statistical Report May 2010

| APPLIC NO  | DATE RECEIVED | LOCATION                              | PROPOSAL                                                                                              | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION            |
|------------|---------------|---------------------------------------|-------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|---------------------|
| 27/1994-2  | 2 MAR 2010    | 65-71 GREAT OCEAN ROAD, APOLLO BAY    | LIQUOR LICENCE – AMENDMENT TO RED LINE AREA                                                           | 11 MAY 2010 | 27          | UNDER DELEGATION | PERMIT ISSUED       |
| 37/2001-2  | 6 APR 2010    | 2-18 OLD COAH ROAD, SKENES CREEK      | THIRTY (30) LOT STAGED SUBDIVISION – AMENDMENT                                                        | 14 MAY 2010 | 9           | UNDER DELEGATION | PERMIT ISSUED       |
| 334/2005-3 | 12 MAR 2010   | 27 MURRAY STREET, COLAC               | EXTENSION TO TRADING HOURS & LIQUOR LICENCE – AMENDMENT                                               | 13 MAY 2010 | 35          | UNDER DELEGATION | PERMIT ISSUED       |
| 276/2007-2 | 18 MAR 2010   | 145 AIRE SETTLEMENT ROAD, JOHANNA     | USE & DEVELOPMETN OF A DWELLING – AMENDMENT (DESIGN AND SITING)                                       | 13 MAY 2010 | 43          | UNDER DELEGATION | PERMIT ISSUED       |
| 120/2008-2 | 22 APR 2010   | 54 HART STREET, COLAC                 | DEVELOPMENT OF FIVE (5) UNITS AND FIVE (5) LOT SUBDIVISION – AMENDMENT                                | 11 MAY 2010 | 19          | UNDER DELEGATION | PERMIT ISSUED       |
| 99/2009-1  | 16 APR 2010   | 40 KARINGAL DRIVE, WYE RIVER          | CONSTRUCTION OF A DOUBLE STOREY DWELLING                                                              | 13 MAY 2010 | 27          | UNDER DELEGATION | PERMIT ISSUED       |
| 335/2009-1 | 4 DEC 2009    | 4 HEWITT STREET, COLAC                | CONSTRUCTION OF FOUR (4) UNITS & FOUR (4) LOT SUBDIVISION                                             | 11 MAY 2010 | 42          | UNDER DELEGATION | PERMIT ISSUED       |
| 12/2010-1  | 15 JAN 2010   | 3040 COLAC FORREST ROAD, FORREST      | CONSTRUCTION OF A NEW DWELLING                                                                        | 6 MAY 2010  | 36          | UNDER DELEGATION | PERMIT ISSUED       |
| 19/2010-2  | 14 APR 2010   | 485 RIFLE BUTTS ROAD, WHOOREL         | CONSTRUCTION OF AN OUTBUILDING – AMENDMENT                                                            | 11 MAY 2010 | 27          | UNDER DELEGATION | PERMIT ISSUED       |
| 33/2010-1  | 12 FEB 2010   | 695 COLAC BALLARAT ROAD, ONDIT        | DEVELOPMENT OF A FARM SHED, TWO (2) WATER TANKS & HORSE EXERCISE YARD                                 | 21 MAY 2010 | 42          | UNDER DELEGATION | PERMIT ISSUED       |
| 36/2010-1  | 18 FEB 2010   | 45 EVERETT CRESCENT, BARONGAROOK WEST | USE AND DEVELOPMENT OF A DWELLING                                                                     | 13 MAY 2010 | 36          | UNDER DELEGATION | PERMIT ISSUED       |
| 53/2010-1  | 11 MAR 2010   | 1/90-94 MURRAY STREET, COLAC          | RETROSPECTIVE SIGNAGE & ALTERATIONS & PAINTING TO EXISTING BUILDING & WAIVERING OF FIVE (5) CARSPACES | 17 MAY 2010 | 0           | UNDER DELEGATION | PERMIT NOT REQUIRED |
| 54/2010-1  | 15 MAR 2010   | 115 MELVILLE ROAD, SWAN MARSH         | CONSTRUCTION OF A STORAGE SHED                                                                        | 11 MAY 2010 | 47          | UNDER DELEGATON  | PERMIT ISSUED       |
| 60/2010-1  | 17 MAR 2010   | 16 HENNIGAN CRESCENT, FORREST         | EXTENSION TO EXISTING DWELLING                                                                        | 11 MAY 2010 | 55          | UNDER DELEGATION | PERMIT ISSUED       |
| 62/2010-1  | 17 MAR 2010   | 140 ACKERLEYS ROAD, BARONGAROOK WEST  | EXTENSION TO EXISTING DWELLING                                                                        | 13 MAY 2010 | 32          | UNDER DELEGATION | PERMIT ISSUED       |
| 66/2010-1  | 22 MAR 2010   | 425 GELLIBRAND EAST ROAD, GELLIBRAND  | ALTERATIONS & ADDITIONS TO EXISTING DWELLING                                                          | 13 MAY 2010 | 52          | UNDER DELEGATION | PERMIT ISSUED       |
| 71/2010-1  | 24 MAR 2010   | 30 AROONA COURT, FORREST              | CONSTRUCTION OF A STORAGE SHED                                                                        | 6 MAY 2010  | 16          | UNDER DELEGATION | PERMIT ISSUED       |
| 76/2010-1  | 1 APR 2010    | 60 DRAPERS ROAD, COLAC EAST           | EXTENSION TO EXISTING DWELLING                                                                        | 11 MAY 2010 | 40          | UNDER DELEGATION | PERMIT ISSUED       |
| 84/2010-1  | 6 APR 2010    | 42-44 MURRAY STREET, COLAC            | MINOR ALTERATION – REMOVAL OF EXISTING DOOR TO REPLACE WITH WINDOW                                    | 6 MAY 2010  | 30          | UNDER DELEGATION | PERMIT ISSUED       |
| 85/2010-1  | 6 APR 2010    | 50 BANKSIA DRIVE, ELLIMINYT           | CONSTRUCTION OF A DWELLING                                                                            | 13 MAY 2010 | 15          | UNDER DELEGATION | PERMIT ISSUED       |

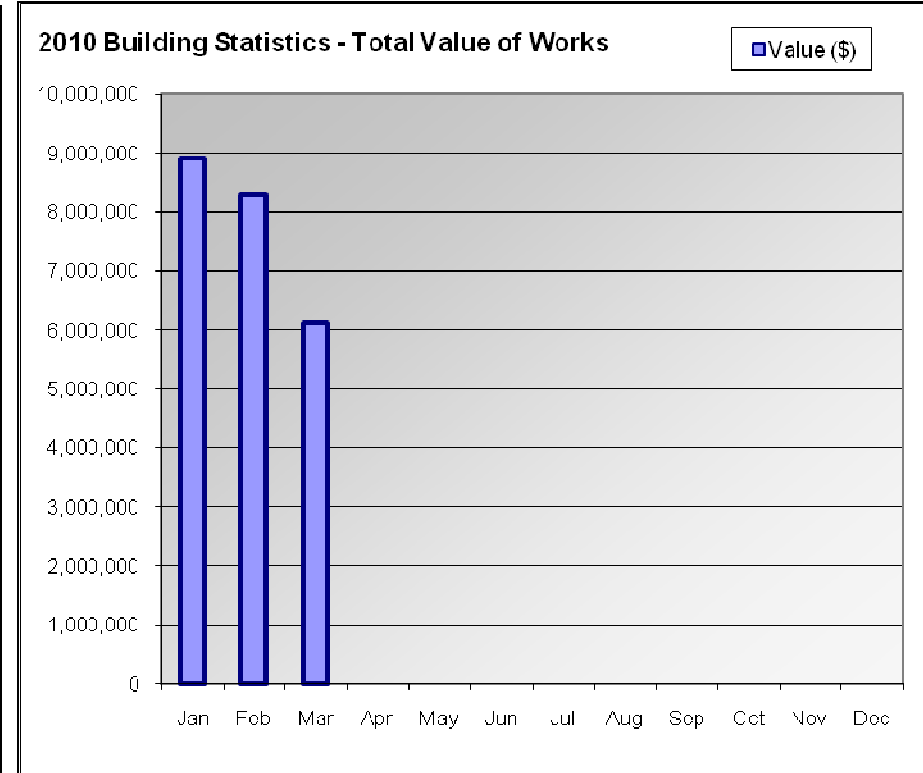
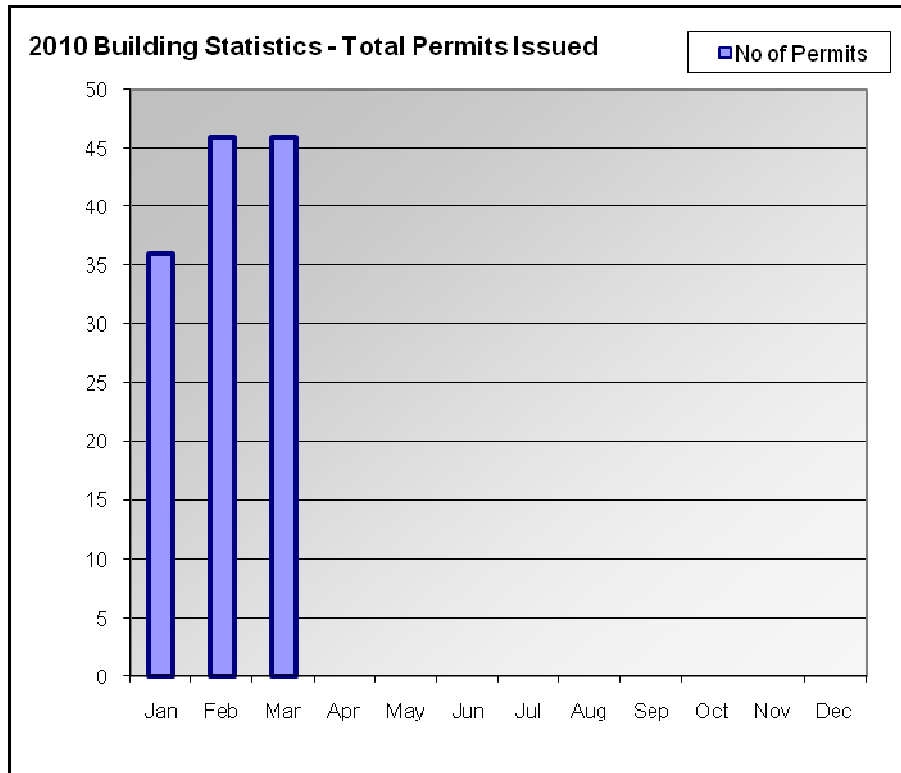
| APPLIC NO  | DATE RECEIVED | LOCATION                            | PROPOSAL                                                                                                           | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION      |
|------------|---------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|---------------|
| 108/2010/1 | 30 APR 2010   | 5 OLIVE STREET,<br>SEPARATION CREEK | CONSTRUCTION OF AN INGROUND SWIMMING POOL                                                                          | 14 MAY 2010 | 14          | UNDER DELEGATION | PERMIT ISSUED |
| 126/2010-1 | 6 MAY 2010    | 225 CANTS ROAD,<br>ELLIMINYT        | EXTENSION TO EXISTING DWELLING – VERANDAH                                                                          | 14 MAY 2010 | 8           | UNDER DELEGATION | PERMIT ISSUED |
| 89/2009-2  | 11 MAY 2010   | 382 PRINCES HIGHWAY,<br>COLAC WEST  | DEVELOPMENT OF A SHED FOR MANUFACTURING – AMENDMENT                                                                | 28 MAY 2010 | 17          | UNDER DELEGATION | PERMIT ISSUED |
| 205/2009-3 | 17 MAY 2010   | 1/90-94 MURRAY STREET,<br>COLAC     | BUSINESS IDENTIFICATION SIGNAGE & ALTERATION & PAINTING TO EXISTING BUILDING & WAIVERING OF CARPARKING - AMENDMENT | 28 MAY 2010 | 11          | UNDER DELEGATION | PERMIT ISSUED |
| 330/2009-2 | 5 MAY 2010    | 515 GREAT OCEAN ROAD,<br>APOLLO BAY | CONSTRUCTION & USE OF A DWELING, GARAGE & LOFT – AMENDMENT                                                         | 28 MAY 2010 | 23          | UNDER DELEGATION | PERMIT ISSUED |
| 46/2010-1  | 9 MAR 2010    | 5 NELSON STREET,<br>APOLLO BAY      | TWO (2) LOT SUBDIVISION                                                                                            | 28 MAY 2010 | 41          | UNDER DELEGATION | PERMIT ISSUED |
| 51/2010-1  | 15 MAR 2010   | 135 FRY'S ROAD,<br>KAWARREN         | EXTENSION TO DWELLING, DEVELOPMENT OF A SHED & REMOVAL OF NATIVE VEGETATION                                        | 28 MAY 2010 | 59          | UNDER DELEGATION | PERMIT ISSUED |
| 65/2010-1  | 22 MAR 2010   | 152 DRAPERS ROAD,<br>COLAC EAST     | INCREASE TO LIQUOR LICENCE AREA                                                                                    | 28 MAY 2010 | 45          | UNDER DELEGATION | PERMIT ISSUED |
| 75/2010-1  | 1 APR 2010    | 260 QUEEN STREET,<br>ELLIMINYT      | CONSTRUCTION OF BOUNDARY FENCE AND ADDITION TO EXISTING DWELLING (PERGOLA)                                         | 31 MAY 2010 | 60          | UNDER DELEGATION | PERMIT ISSUED |
| 86/2010-1  | 9 APR 2010    | 180 WICKHAMS ROAD,<br>MURROON       | CONSTRUCTION OF A GARAGE                                                                                           | 28 MAY 2010 | 8           | UNDER DELEGATION | PERMIT ISSUED |
| 96/2010-1  | 11 MAY 2010   | 110 MAMRE ROAD,<br>NALANGIL         | EXTENSION TO EXISTING DWELLING                                                                                     | 28 MAY 2010 | 17          | UNDER DELEGATION | PERMIT ISSUED |
| 107/2010-1 | 28 APR 2010   | 21 HARRISON STREET,<br>MARENGO      | CONSTRUCTION OF A DWELLING                                                                                         | 31 MAY 2010 | 33          | UNDER DELEGATION | PERMIT ISSUED |
| 112/2010-1 | 29 APR 2010   | 1-59 RIFLE BUTTS ROAD,<br>COLAC     | CONSTRUCTION OF A SWIMMING POOL & SAFETY BARRIER                                                                   | 28 MAY 2010 | 29          | UNDER DELEGATION | PERMIT ISSUED |
| 127/2010-1 | 10 MAY 2010   | 490 PRINCES HIGHWAY,<br>COLAC WEST  | CONSTRUCTION OF SEATING AREA ADJACENT TO EXISTING BBQ AREA                                                         | 28 MAY 2010 | 18          | UNDER DELEGATION | PERMIT ISSUED |
| 131/2010-1 | 10 MAY 2010   | 30 PANORAMA CRESCENT,<br>MARENGO    | BALCONY ADDITION TO EXISTING DWELLING                                                                              | 28 MAY 2010 | 18          | UNDER DELEGATION | PERMIT ISSUED |
|            |               |                                     | <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b>                                                               |             | <b>29</b>   |                  |               |



[Pulse Building Statistics](#)     
 [Financial Yr Stats](#)     
 [Pulse Building Reports](#)

|               | Domestic  |                   | Residential* |               | Commercial |                  | Retail   |                | Industrial |                | Hospital/HealthCare |            | Public Buildings |                  | Municipal Totals |                   |
|---------------|-----------|-------------------|--------------|---------------|------------|------------------|----------|----------------|------------|----------------|---------------------|------------|------------------|------------------|------------------|-------------------|
|               | No of BP  | Value (\$)        | No of BP     | Value (\$)    | No of BP   | Value (\$)       | No of BP | Value (\$)     | No of BP   | Value (\$)     | No of BP            | Value (\$) | No of BP         | Value (\$)       | No of BP         | Value (\$)        |
| Jan           | 28        | 4,006,262         | 0            | 0             | 3          | 2,156,102        | 0        | 0              | 1          | 700,000        | 0                   | 0          | 4                | 2,044,000        | 36               | 8,906,364         |
| Feb           | 35        | 4,714,164         | 0            | 0             | 5          | 1,116,245        | 2        | 202,000        | 1          | 200,000        | 0                   | 0          | 3                | 2,063,065        | 46               | 8,295,474         |
| Mar           | 30        | 3,682,282         | 1            | 10,000        | 6          | 246,720          | 2        | 239,000        | 0          | 0              | 0                   | 0          | 7                | 1,931,805        | 46               | 6,109,807         |
| Apr           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| May           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Jun           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Jul           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Aug           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Sep           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Oct           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Nov           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| Dec           |           |                   |              |               |            |                  |          |                |            |                |                     |            |                  |                  |                  |                   |
| <b>Totals</b> | <b>93</b> | <b>12,402,708</b> | <b>1</b>     | <b>10,000</b> | <b>14</b>  | <b>3,519,067</b> | <b>4</b> | <b>441,000</b> | <b>2</b>   | <b>900,000</b> | <b>0</b>            | <b>0</b>   | <b>14</b>        | <b>6,038,870</b> | <b>128</b>       | <b>23,311,645</b> |

\*Multi-Development



PC100906-2

**REDEVELOPMENT OF EXISTING SUPERMARKET AND  
CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT  
SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO  
BAY**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Anne Sorensen                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | PP255/2009 |

**Location:** 103-109 Great Ocean Road Apollo Bay (Lot1, TP697698, Parish of Krambruk)

**Zoning:** Business 1 Zone

**Overlay controls:** Design and Development Overlay – Schedule 5 – Apollo Bay Town Centre

**Proposed Amendments:** N/A

**Purpose:**

This application is seeking approval for the redevelopment of the existing supermarket and the construction of six dwellings on the first and second levels of the development. Subdivision of the land into seven lots is proposed to provide separate title to each dwelling and the supermarket at 103-109 Great Ocean Road, Apollo Bay. The application is before the Planning Committee as the height of the proposed development exceeds 8 metres.

**Declaration of Interests**

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

**Summary**

- The application seeks approval for the refurbishment of the existing supermarket and intensification of the land use by the addition of dwellings on the first and second levels of the development.
- The site is situated in the heart of the commercial precinct of Apollo Bay in a location where the planning controls encourage the consolidation and higher built form of development, providing the development is of a high architectural quality and reflects the coastal characteristics of the town.
- Public notice of the application was given and no objections have been received.
- The development will present as a dominant feature in the streetscape given the height and architectural styles of the existing buildings nearby. It is considered that the Apollo Bay Structure Plan 2007 and the Design and Development Overlay Schedule 5 (DDO5) anticipate that there will be a regeneration and change to the existing streetscape character given that the planning controls support higher building forms of contemporary design within this commercial precinct.
- It is recommended that a planning permit be issued subject to conditions - some of which require modification to certain elements of the built form to ensure compliance with the DDO5.

## **Background**

The site contains an existing supermarket which is single storey and built to the street frontage of the Great Ocean Road. Access to the rear of the site is provided from Pascoe Street into an area used for storage and loading/unloading activities. The existing footprint of the supermarket is approximately 601m<sup>2</sup> in area with approximately 390m<sup>2</sup> used for retail and 211m<sup>2</sup> used for storage.

## **Issues / Options**

Council has the options of:

- Supporting the application through the issue of a planning permit subject to conditions;
- Refuse to grant a planning permit.

## **Proposal**

The application proposes to redevelop the existing supermarket including internal and external upgrades and construct six dwellings above the ground level supermarket. Subdivision of the land into seven lots is proposed to provide separate title to each of the dwellings and the supermarket.

The refurbishment of the existing supermarket will involve a re-fit to the internal floor layout including cold storage areas, new shelving and check-out facilities. The net floor area of the supermarket will be 570m<sup>2</sup>. Two customer entry points will be provided at the Great Ocean Road frontage and the loading/unloading facilities will be upgraded at the rear of the site.

Six dwellings will be constructed on the upper levels, above the existing supermarket. There will be four 2-bedroom dwellings on the first level and two 3-bedroom dwellings on the second level. Access to the dwellings will be via external stairways.

The dwellings will be orientated east-west along the site with provision made for outdoor decking and light wells. The development has been designed so that the first and second levels are recessed 3 metres and 6 metres from the street frontage respectively. The upper levels have pergolas which project approximately 1.8 metres into the above setbacks.

The development will have a total width of 20 metres, a length of 30 metres and a height of 10.5 metres. The external building material will consist of joint cement sheeting, colourbond roofing material, pre-cast concrete walls, aluminium, glass panels and glazed balustrades.

A total of eleven on-site car spaces, which includes two car stackers, are proposed for the residential component at the rear of the site to be accessed from Pascoe Street.

## **Site & Surrounds**

The site is situated on the western side of the Great Ocean Road with an overall area of 1140m<sup>2</sup>, is rectangular in shape with a frontage of 20 metres to Great Ocean Road and a frontage of 3.7 metres to Pascoe Street.

The site contains an existing supermarket that fronts Great Ocean Road. The rear portion of the site is used for storage and loading/unloading facilities. The existing supermarket is single storey and built to the street frontage with a verandah extending out from the building across the footpath. The existing development has large glass windows and doors located on its front facade.

The site is located in the heart of the commercial precinct of Apollo Bay with nearby buildings being used for commercial purposes. The Apollo Bay Hotel is located on the southern side of the site and individually listed in the Heritage Overlay of the planning scheme. A takeaway food outlet is located on the northern property boundary.

A motel complex is situated to the south-west of the site while the CFA station is located to the north-west. The site sits opposite the foreshore with views across to the ocean.

### **Public Notice**

Public notice of the application was given in accordance with Section 52 of the Planning and Environment Act by sending a copy of the notice to adjoining and opposite property owners and occupiers and a sign was placed on both road frontages of the site for a period of 14 days.

At the conclusion of the notification period no objections were received. A letter was submitted from an adjoining property owner who requested that all works take place in accordance with building and safety regulations.

### **Referrals**

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Powercor, Barwon Water and Telstra. The application was also referred internally to Council's Infrastructure and Building Departments. No objections were received subject to conditions being imposed should a permit be issued.

### **Planning Controls**

The land is included in the Business 1 Zone and subject to the Design and Development Overlay – Schedule 5 – Apollo Bay Town Centre under the Colac Otway Planning Scheme. A planning permit is required for building and works pursuant to Clause 34.01-4 and Clause 43.02. A permit is required to subdivide land pursuant to Clause 34.01-3.

The use of the land for a supermarket currently exists and the use of the land for a dwelling is as of right providing the development complies with the condition *“any frontage at ground level must not exceed 2 metres”*.

#### **a. State and Local Planning Policy Framework**

The State and Local Planning Policy Framework provides the strategic direction for the consideration of land use and development proposals. The following policies are considered relevant to the consideration of this application:

Clause 14 – Settlement  
Clause 15.08 – Coastal Areas  
Clause 16.02 – Medium Density Housing  
Clause 16.05 – Affordable Housing  
Clause 17.02 – Business  
Clause 17.04 – Tourism  
Clause 19.03 – Design and Built form  
Clause 21.03-3 – Apollo Bay and Marengo

This proposal is considered consistent with the broader principles of the State and Local Planning Policy framework as it proposes to upgrade and modernise an existing commercial building and intensify the use of the site by facilitating residential development through the addition of upper levels. The design of the building and use of modern materials results in a contemporary building form. Given the presence the development will have it has the potential to influence the future character of the streetscape within which it sits.



b. Zoning

The site is included in the Business 1 Zone. The key objective in relation to this proposal is:

- To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

Consideration of the following decision guidelines is required in the assessment of the proposal:

- Provision of car parking, pedestrian movement and public transport;
- The streetscape, including design of verandahs, access, protection of active frontages for pedestrians, treatment of built form, illumination of buildings;
- Design of buildings to provide for solar access;
- Availability of and connection to services;
- Objectives, standards and decision guidelines of Rescode.

c. Overlays Provisions

This site is subject to the Design and Development Overlay – Schedule 5 – Apollo Bay Town Centre (DDO5).

The design objectives of the DDO5 are:

- To protect the existing low scale coastal character and identity of Apollo Bay;
- To ensure that new development in Apollo Bay is consistent with and acts to consolidate the character of Apollo Bay as a coastal town;
- To ensure that upper levels are well articulated to respect the character of the area.

Under the DDO5, buildings and works are required to satisfy the following criteria:

- Buildings must not exceed a height of 10.5 metres;
- Buildings greater than 8 metres in height must have a street setback at the upper level of 3 metres (other than for a transparent balcony structure);
- All buildings should provide for:
  - Simple building details and a mix of contemporary and traditional coastal materials, textures and finishes;
  - Colours and finishes that compliment those occurring naturally in the area;
  - Articulated roof forms and facades, incorporating setbacks to upper levels to reduce building bulk and overshadowing, and shop front windows at street level in commercial areas.
  - Commercial buildings orientated towards the street and provide the entrance to the building directly from the street frontage and constructed to the property boundary.
  - Water sensitive urban design features incorporated into the design, where practical.

The building design is contemporary in nature and presents a predominantly glass facade to the street frontage and a flat roof line. The materials proposed to be used in the development comprise of: glass and aluminium, precast concrete, textured cement sheet and powder coated colourbond with a proposed colour scheme of predominantly grey shades. The materials proposed to be used in the building are contemporary and the glass facade has the potential to be highly reflective given the extent of glass proposed. The side walls (north and south) are predominately precast concrete.

It is proposed to incorporate a wave design on the side walls to reduce the visual bulk of the development.

The overall height of the built form does not exceed the 10.5 metres required by the overlay and the external walls of the upper levels are recessed by the required 3 metres. Transparent balconies are proposed on first and second levels, with glazed balustrades along the street frontage.

While the DDO5 makes an exception for transparent balcony structures to encroach into the setback, it makes no other exceptions for other structures including the following:

- On the second level of the development, the staircase proposed to provide access to Units 5 and 6 protrudes completely into the 3 metre setback required by the overlay. This presents as a solid structure from the streetscape and an alternative design solution is required to ensure compliance with the overlay.
- It is also proposed to construct a louvered pergola over the deck over the first and second level balconies. This structure protrudes 1.8 metres into the required 3 metre setback of the overlay.
- The external wall presenting to the streetscape on the northern and southern sides of the development does not comply with the 3 metre setback for the upper levels required under the overlay. This element will present as a solid wall from either approach along the Great Ocean Road and effectively minimises the effect of a recessed or stepping back of the upper levels.

It is considered that the staircases at ground level should be recessed flush with the ground level frontage to avoid interruption of the streetscape and creation of unsafe areas as a result of their projection.

The non-conforming elements of the development discussed above can be addressed by including conditions on any planning permit issued.

d. Relevant Particular Provisions

Car parking requirements are set out at Clause 52.06. Where the floor area of an existing use is not increased, no additional car parking is required providing the existing number of car spaces is not reduced.

The floor area of the existing supermarket is not being increased, in fact, there is a slight overall reduction in the floor area due to the internal and external alterations. No formal parking for customers has been provided on-site in association with the existing supermarket use, however, the proposal proposes to utilise the area at the rear of the existing building for car parking required for the residential component of the development.

As the proposal is within the Business 1 Zone, car parking requirements are set by the table to Clause 52.06 which requires that two spaces be provided for each dwelling proposed. The planning application proposes six dwellings (four 2-bedroom and two 3-bedroom), therefore twelve car spaces are required.

As the site is within a Business Zone, the standards of Rescode do not strictly apply to this site, however, in accordance with the decision guidelines, consideration is to be given to the objectives, standards and decision guidelines of Clause 55 (Rescode).

If the car parking requirements under Clause 55 are applied, one space is required for each two bedroom dwelling; two spaces are required for each three bedroom dwelling and one visitor space per five dwellings. Under Rescode a total of nine car spaces should be provided.

The application provides for eleven car spaces, two of which are proposed to be car stackers on the site at the rear of the supermarket. The provision of 11 car spaces satisfies the Rescode requirement of the planning scheme.

### **Consideration of the Proposal**

The proposed development is contemporary in design, use of colours and building materials. It will have a dominant presence in the streetscape given the architectural styles and height of the adjacent buildings and those nearby. The Apollo Bay Hotel, which is situated on the corner of the Great Ocean Road and Moore Street, is individually listed as a significant heritage building in Apollo Bay and is regarded to be *“aesthetically important through the building’s contribution to the streetscape, and as a central element in Apollo Bay’s main street.”*

The Apollo Bay Hotel is single storey and setback between 0.5-1 metres from the adjoining property boundary. The adjoining development to the north is built on the common property boundary. The maximum height of the adjoining two single storey buildings would be in the order of 5 metres. Further to the north of the site, most buildings are two stories in height along that section of the streetscape.

The proposed development will have a height of 5 metres at the street frontage (this includes the transparent balustrade of the balcony). The building will then step back 3 metres at the 5 metres mark and a further 3 metres at 8.5 metre mark. With the above setbacks, the bulk of the building occupies the mid section of the site and presents as a graduated form from the front of the site and both approaches along Great Ocean Road. The proposed amendments identified in the above section such as the removal/increased setback of the pergolas, setback of the stairwell and the recessing of the side walls will reduce the visual bulk and appearance of the building.

The DDO5 makes provision for buildings with three levels providing the built form is recessed in accordance with the set criteria. The Apollo Bay Structure Plan 2007 encourages higher built form within the Business 1 Zone providing the development complements the character of the township. The structure plan emphasises the need to step development to match the height of adjoining properties and providing building setbacks can minimise amenity impacts. With the modifications proposed, it is considered the proposed development satisfies these objectives.

### **Corporate Plan / Other Strategies / Policy**

The Apollo Bay Structure Plan 2007 provides guidance in the assessment of this application.

The structure plan provides direction in relation to building heights in the town centre, building design and streetscape character.

The following structure plan objectives are considered relevant:

- Consolidate the town centre of Apollo Bay and provide a greater diversity of housing and accommodation at higher densities within and in close proximity to the commercial area;
- Require new development and streetscape works in the Apollo Bay town centre to build on and reinforce the fishing village coastal character of the township, and contribute to the creation of a vibrant public realm.

- Achieve excellent architectural quality in new development or improvements to existing buildings in the town centre of Apollo Bay, drawing on the existing valued qualities of the centre and setting a new direction in the use of innovative, high quality design.

In the Structure Plan the site is situated in Section A of the 'Buildings in the Town Centre Plan' on page 71. The notation in relation to Section A is to allow up to 8 metres at the street frontage with a recessed upper level and up to 10.5 metres provided the building is set back from the street boundary by at least 3 metres. This is consistent with the DDO5 criteria.

#### **Financial & Other Resource Implications**

The proposal raises no financial or resourcing implications for Council.

#### **Risk Management & Compliance Issues**

There are no risk management or compliance implications for Council.

#### **Environmental Consideration / Climate Change**

The site currently contains an existing development at ground level which is being refurbished and sits at 4.4 metres AHD. The proposed additions to the first and second levels raise no major concerns in relation to climate change or sea level rise.

#### **Communication Strategy / Consultation Period**

Public notice of the application was required in accordance with Section 52 of the Planning and Environment Act as discussed earlier in the report. No objections were received; therefore no further consultation was required.

#### **Conclusion**

The development proposal with the modifications proposed will comply with the planning provisions of the scheme including the Apollo Bay Structure Plan and DDO5. The planning provisions provide scope to consider a development that is contemporary in design that includes the use of modern elements such as glass and precast concrete.

The development, given its architectural design and use of materials, will have a significant presence in the streetscape, particularly as the existing development nearby is low scale and of a different architectural style however it is considered that the structure plan and DDO5 anticipate changes to the existing streetscape character given the support for higher building forms.

It is recommended that a planning permit be issued subject to conditions and the recommended modification to the built form.

#### **Attachments**

Nil

#### **Recommendation(s)**

***That Council's Planning Committee resolve to issue a Planning Permit for the redevelopment of the existing supermarket and the construction of six dwellings and a seven lot subdivision in accordance with the following conditions:***

1. **Before the development start(s), 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 end walls adjacent to 95-101 and 111-117 Great Ocean Road, Apollo Bay at the streetscape frontage must be stepped back three metres at the first level and six metres at the second level to accord with the proposed external building line.**
  - b) **In conjunction with (a) the balconies for units 1 and 4 on the first and units 5 and 6 on the second level are to provide a transparent balustrade return on the end walls for a length of three metres;**
  - c) **the staircases at ground level to be flush with the external front wall with a transparent door providing direct access from the street into each of the stair cases;**
  - d) **deletion of the pergola on the first and second levels or alternatively further setback to comply with the setback requirements of the DD05;**
  - e) **the staircase on the second level to be recessed flush with the front external wall;**
  - f) **siting of all plant and equipment for minimal impact of all adjoining properties. Full details of acoustic screening to all plant and equipment to meet the Australian Standard for Sound Emissions.**
  - g) **colours and materials, including non-reflective roofing;**
  - h) **a designated loading bay and entry/exit signs;**
  - i) **all external lighting;**
2. **The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.**
3. **Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:**
  - a) **A staging plan for all construction phases including indicative dates for commencement and completion;**
  - b) **Intended access for construction vehicles;**
  - c) **Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact (e.g. retaining walls, protective scaffolding, etc);**
  - d) **Details of actions to be implemented in the event of damage to abutting assets;**
  - e) **Details of where construction personnel will park;**
  - f) **Hours/days of construction;**
  - g) **Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;**
  - h) **Details of site cleanliness and clean up regimes;**

- i) Material storage;*
- j) Dust suppression.*

***When approved this Construction Management Plan shall form part of this permit as it relates to the development.***

- 4. All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***
- 5. During the construction phase of the development, the following conditions must be met:***
  - a) Only clean rainwater shall be discharged to the stormwater drainage system;*
  - b) Stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;*
  - c) Vehicle borne material from the premises shall not accumulate on the roads abutting the site;*
  - d) All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;*
  - e) Fencing is to be fitted and installed so as to ensure safe access for pedestrians;*
  - f) All litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site.*

***to the satisfaction of the Responsible Authority.***

- 6. Before the use commences, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***
  - a) constructed to conform with AS2890.7 standards;*
  - b) properly formed to such levels that they can be used in accordance with the plans;*
  - c) surfaced with concrete or asphalt;*
  - d) drained and maintained;*
  - e) line marked to indicate each car space and all access lanes and designated loading bay;*
  - f) clearly marked to show the direction of traffic along access land and driveways;*
  - g) constructed with entry/exit signs provided at the Pascoe Street entry;*

***to the satisfaction of the Responsible Authority.***

***Car spaces, access lanes and driveways must be kept available for these purposes at all times.***

- 7. No fewer than 11 car parking spaces (including two car stackers) must be provided on the land for the development.***

8. ***The mechanical stackers must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.***
9. ***Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.***
10. ***Prior to the commencement of the development, a stormwater detention system must be designed by a qualified engineer and lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed pre-development stormwater discharge volume and a maximum discharge rate of 30 litres per second per hectare is not exceeded, to the satisfaction of the Responsible Authority. Once approved such design must be endorsed and must form part of the permit. On site stormwater treatment is to comply with the Environment Protection Authority requirements and include water sensitive urban design techniques.***
11. ***The site must be drained to the satisfaction of the Responsible Authority and no storm water, sullage, sewerage or polluted drainage may drain or discharge from the land to adjoining properties.***
12. ***All run off from stormwater must be taken to a legal point of discharge to the satisfaction of the Responsible Authority, and the hard stand areas of the development must be designed to incorporate water sensitive urban design principles to the satisfaction of the responsible authority. Drainage plans must be submitted to the responsible authority for approval prior to commencement of the development.***
13. ***Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining properties.***
14. ***The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land.***
15. ***The loading bay is to be effectively screened from adjoining properties and roadways to the satisfaction of the Responsible Authority.***
16. ***The loading bay must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
17. ***The amenity of the area must not be detrimentally affected by the use or development 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.*
- to the satisfaction of the Responsible Authority.*
18. *Provision must be made for waste receptacles for each of the occupancies within the common property area, specifically allocated to each lot, to the satisfaction of the responsible authority.*
  19. *A private contractor must be engaged to collect all rubbish from bins within the car park. No rubbish bins are to be placed on the footpath or out the front of the site for collection. All rubbish collection must be carried out from within the site.*
  20. *Before the plan of subdivision can be certified, 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 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 all lots and common property, as well as specific allocation of car spaces to lots (including car stacker units).*
  21. *The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.*
  22. *The applicant or owner must pay to Council the equivalent to five per cent of the site value of all land in the subdivision. This payment must be made before a Statement of Compliance is issued and is varied under Section 19 of the Subdivision Act 1988, as amended.*
  23. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to Barwon Water, Telstra, Powercor in accordance with Section 8 of that Act.*

**Conditions Required By Barwon Water:-**

**General**

24. *Easements shall be created over all existing and proposed sewers located within the subdivision in favour of the Barwon Region Water Authority as shown on attached plan.*
25. *The certified plan must create implied easements under Section 12(2) of the Subdivision Act, over all proposed existing water and sewerage works within the subdivision.*
26. *The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing reticulation sewers located within the subdivision. The width of the easement shall be 2.0m wide centrally located over the existing 150mm gravity sewer at the rear of the development.*
27. *The creation of a Body Corporate to encumber all lots within the subdivision.*

**Water**



28. **The payment of New Customer Contributions for each additional lot created and/or each additional metered connection for water supply within the subdivision.**
29. **The provision and installation of individual water meters to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. A dimensioned plan showing location of all meters relative to the allotment boundaries, and its numbers(s), is to be submitted. Note that tapplings and services are not to be located under existing or proposed driveways.**
30. **An additional tapping(s) is to be supplied to service the proposed development. A dimensioned plan showing location of all new tapplings relative to the allotment boundaries is to be submitted.**
31. **Barwon Water's records indicate that an existing water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.**

#### **Sewer**

32. **The provision of sewerage services to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. Individual allotment house connection drains are to be provided for and extend into each allotment.**
33. **The payment of a New Customer Contributions for sewer for each addition lot created and/or each additional metered connections within the subdivision.**
34. **Any existing house connection branch that is to be utilized for additional connections or altered to serve the development is to be CCTV inspected with the report and/or video submitted to Barwon Water for condition assessment. If it is deemed by Barwon Water that the branch is unsatisfactory for use, it is to be removed and replaced at the developer's expense. Also, any existing house connection drain that traverses through the proposed allotments shall be relocated so not to inhibit future development.**

#### **Conditions Required By Powercor:-**

35. **The applicant shall:-**
  - a) **Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.**
  - b) **Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.**

- c) ***Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.***
  - d) ***Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.***
  - e) ***Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the Electricity Industry Act 2000.***
  - f) ***Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.***
  - g) ***Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.***
  - h) ***Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.***
  - i) ***Provide to Powercor Australia Ltd., a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.***
36. ***This permit will expire for the subdivision if one of the following circumstances applies:***
- a) ***The plan is not certified within two (2) years of the date of the issue of the permit.***
  - b) ***A Statement of Compliance is not issued within five (5) years of the date of Certification of the Plan.***

***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.***

37. ***This permit will expire for the development 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 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.***

~~~~~\ ~~~~~

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
Rob Small, Chief Executive Officer
Neil Allen, General Manager Infrastructure & Services
Colin Hayman, General Manager Corporate & Community Services
Doug McNeill, Acting General Manager Sustainable Planning & Development
Anne Sorensen, Acting Manger Planning & Building
Bronwyn Keenan, Executive Officer Sustainable Planning & Development.

3. APOLOGIES

Nil

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

Nil

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 12/05/10.**

Resolution

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

PC100906-1 PLANNING & BUILDING STATISTICAL REPORT
PC100906-2 REDEVELOPMENT OF EXISTING SUPERMARKET AND
CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT
SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY

Rob Small
Chief Executive Officer

PC100906-1 *PLANNING & BUILDING STATISTICAL REPORT*

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

Resolution

MOVED Cr Frank Buchanan seconded Cr Stuart Hart that Council's Planning Committee note the statistical report.

CARRIED 7 : 0

~~~~~\ ~~~~~

**PC100906-2**      *REDEVELOPMENT OF EXISTING SUPERMARKET AND CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Anne Sorensen                      | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP255/2009 |

**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Geoff Higgins***

***That Council's Planning Committee resolve to issue a Planning Permit for the redevelopment of the existing supermarket and the construction of six dwellings and a seven lot subdivision in accordance with the following conditions:***

1. ***Before the development start(s), 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 end walls adjacent to 95-101 and 111-117 Great Ocean Road, Apollo Bay at the streetscape frontage must be stepped back three metres at the first level and six metres at the second level to accord with the proposed external building line.***

- b) In conjunction with (a) the balconies for units 1 and 4 on the first and units 5 and 6 on the second level are to provide a transparent balustrade return on the end walls for a length of three metres;*
  - c) the staircases at ground level to be flush with the external front wall with a transparent door providing direct access from the street into each of the stair cases;*
  - d) deletion of the pergola on the first and second levels or alternatively further setback to comply with the setback requirements of the DD05;*
  - e) the staircase on the second level to be recessed flush with the front external wall;*
  - f) siting of all plant and equipment for minimal impact of all adjoining properties. Full details of acoustic screening to all plant and equipment to meet the Australian Standard for Sound Emissions.*
  - g) colours and materials, including non-reflective roofing;*
  - h) a designated loading bay and entry/exit signs;*
  - i) all external lighting;*
- 2. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.**
- 3. Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:**
- a) A staging plan for all construction phases including indicative dates for commencement and completion;*
  - b) Intended access for construction vehicles;*
  - c) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact (e.g. retaining walls, protective scaffolding, etc);*
  - d) Details of actions to be implemented in the event of damage to abutting assets;*
  - e) Details of where construction personnel will park;*
  - f) Hours/days of construction;*
  - g) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;*
  - h) Details of site cleanliness and clean up regimes;*
  - i) Material storage;*
  - j) Dust suppression.*

**When approved this Construction Management Plan shall form part of this permit as it relates to the development.**

4. ***All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***
5. ***During the construction phase of the development, the following conditions must be met:***
  - a) ***Only clean rainwater shall be discharged to the stormwater drainage system;***
  - b) ***Stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;***
  - c) ***Vehicle borne material from the premises shall not accumulate on the roads abutting the site;***
  - d) ***All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
  - e) ***Fencing is to be fitted and installed so as to ensure safe access for pedestrians;***
  - f) ***All litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site.***

***to the satisfaction of the Responsible Authority.***
6. ***Before the use commences, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***
  - a) ***constructed to conform with AS2890.7 standards;***
  - b) ***properly formed to such levels that they can be used in accordance with the plans;***
  - c) ***surfaced with concrete or asphalt;***
  - d) ***drained and maintained;***
  - e) ***line marked to indicate each car space and all access lanes and designated loading bay;***
  - f) ***clearly marked to show the direction of traffic along access land and driveways;***
  - g) ***constructed with entry/exit signs provided at the Pascoe Street entry;***

***to the satisfaction of the Responsible Authority.***

***Car spaces, access lanes and driveways must be kept available for these purposes at all times.***
7. ***No fewer than 11 car parking spaces (including two car stackers) must be provided on the land for the development.***

8. ***The mechanical stackers must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.***
9. ***Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.***
10. ***Prior to the commencement of the development, a stormwater detention system must be designed by a qualified engineer and lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed pre-development stormwater discharge volume and a maximum discharge rate of 30 litres per second per hectare is not exceeded, to the satisfaction of the Responsible Authority. Once approved such design must be endorsed and must form part of the permit. On site stormwater treatment is to comply with the Environment Protection Authority requirements and include water sensitive urban design techniques.***
11. ***The site must be drained to the satisfaction of the Responsible Authority and no storm water, sullage, sewerage or polluted drainage may drain or discharge from the land to adjoining properties.***
12. ***All run off from stormwater must be taken to a legal point of discharge to the satisfaction of the Responsible Authority, and the hard stand areas of the development must be designed to incorporate water sensitive urban design principles to the satisfaction of the responsible authority. Drainage plans must be submitted to the responsible authority for approval prior to commencement of the development.***
13. ***Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining properties.***
14. ***The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land.***
15. ***The loading bay is to be effectively screened from adjoining properties and roadways to the satisfaction of the Responsible Authority.***
16. ***The loading bay must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
17. ***The amenity of the area must not be detrimentally affected by the use or development 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.*

*to the satisfaction of the Responsible Authority.*

18. *Provision must be made for waste receptacles for each of the occupancies within the common property area, specifically allocated to each lot, to the satisfaction of the responsible authority.*
19. *A private contractor must be engaged to collect all rubbish from bins within the car park. No rubbish bins are to be placed on the footpath or out the front of the site for collection. All rubbish collection must be carried out from within the site.*
20. *Before the plan of subdivision can be certified, 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 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 all lots and common property, as well as specific allocation of car spaces to lots (including car stacker).*
21. *The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.*
22. *The applicant or owner must pay to Council the equivalent to five per cent of the site value of all land in the subdivision. This payment must be made before a Statement of Compliance is issued and is varied under Section 19 of the Subdivision Act 1988, as amended.*
23. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to Barwon Water, Telstra, Powercor in accordance with Section 8 of that Act.*

**Conditions Required By Barwon Water:-**

**General**

24. *Easements shall be created over all existing and proposed sewers located within the subdivision in favour of the Barwon Region Water Authority as shown on attached plan.*
25. *The certified plan must create implied easements under Section 12(2) of the Subdivision Act, over all proposed existing water and sewerage works within the subdivision.*
26. *The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing reticulation sewers located within the subdivision. The width of the easement shall be 2.0m wide centrally located over the existing 150mm gravity sewer at the rear of the development.*

27. ***The creation of a Body Corporate to encumber all lots within the subdivision.***

#### **Water**

28. ***The payment of New Customer Contributions for each additional lot created and/or each additional metered connection for water supply within the subdivision.***
29. ***The provision and installation of individual water meters to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. A dimensioned plan showing location of all meters relative to the allotment boundaries, and its numbers(s), is to be submitted. Note that tapplings and services are not to be located under existing or proposed driveways.***
30. ***An additional tapping(s) is to be supplied to service the proposed development. A dimensioned plan showing location of all new tapplings relative to the allotment boundaries is to be submitted.***
31. ***Barwon Water's records indicate that an existing water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.***

#### **Sewer**

32. ***The provision of sewerage services to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. Individual allotment house connection drains are to be provided for and extend into each allotment.***
33. ***The payment of a New Customer Contributions for sewer for each addition lot created and/or each additional metered connections within the subdivision.***
34. ***Any existing house connection branch that is to be utilized for additional connections or altered to serve the development is to be CCTV inspected with the report and/or video submitted to Barwon Water for condition assessment. If it is deemed by Barwon Water that the branch is unsatisfactory for use, it is to be removed and replaced at the developer's expense. Also, any existing house connection drain that traverses through the proposed allotments shall be relocated so not to inhibit future development.***

**Conditions Required By Powercor:-****35. The applicant shall:-**

- a) *Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.*
- b) *Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.*
- c) *Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.*
- d) *Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.*
- e) *Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the Electricity Industry Act 2000.*
- f) *Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*
- g) *Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.*
- h) *Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- i) *Provide to Powercor Australia Ltd., a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

**36. This permit will expire for the subdivision if one of the following circumstances applies:**

- a) *The plan is not certified within two (2) years of the date of the issue of the permit.*

- b) A Statement of Compliance is not issued within five (5) years of the date of Certification of the Plan.**

**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.**

- 37. This permit will expire for the development 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 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**

~~~~~

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
Rob Small, Chief Executive Officer
Neil Allen, General Manager Infrastructure & Services
Colin Hayman, General Manager Corporate & Community Services
Doug McNeill, Acting General Manager Sustainable Planning & Development
Anne Sorensen, Acting Manger Planning & Building
Bronwyn Keenan, Executive Officer Sustainable Planning & Development.

3. APOLOGIES

Nil

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

Nil

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 12/05/10.**

Resolution

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

PC100906-1 PLANNING & BUILDING STATISTICAL REPORT
PC100906-2 REDEVELOPMENT OF EXISTING SUPERMARKET AND
CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT
SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY

Rob Small
Chief Executive Officer

PC100906-1 *PLANNING & BUILDING STATISTICAL REPORT*

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

Resolution

MOVED Cr Frank Buchanan seconded Cr Stuart Hart that Council's Planning Committee note the statistical report.

CARRIED 7 : 0

~~~~~\ ~~~~~

**PC100906-2**      *REDEVELOPMENT OF EXISTING SUPERMARKET AND CONSTRUCTION OF SIX DWELLINGS AND A SEVEN LOT SUBDIVISION AT 103-109 GREAT OCEAN ROAD, APOLLO BAY*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Anne Sorensen                      | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP255/2009 |

**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Geoff Higgins***

***That Council's Planning Committee resolve to issue a Planning Permit for the redevelopment of the existing supermarket and the construction of six dwellings and a seven lot subdivision in accordance with the following conditions:***

1. ***Before the development start(s), 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 end walls adjacent to 95-101 and 111-117 Great Ocean Road, Apollo Bay at the streetscape frontage must be stepped back three metres at the first level and six metres at the second level to accord with the proposed external building line.***

- b) In conjunction with (a) the balconies for units 1 and 4 on the first and units 5 and 6 on the second level are to provide a transparent balustrade return on the end walls for a length of three metres;*
  - c) the staircases at ground level to be flush with the external front wall with a transparent door providing direct access from the street into each of the stair cases;*
  - d) deletion of the pergola on the first and second levels or alternatively further setback to comply with the setback requirements of the DD05;*
  - e) the staircase on the second level to be recessed flush with the front external wall;*
  - f) siting of all plant and equipment for minimal impact of all adjoining properties. Full details of acoustic screening to all plant and equipment to meet the Australian Standard for Sound Emissions.*
  - g) colours and materials, including non-reflective roofing;*
  - h) a designated loading bay and entry/exit signs;*
  - i) all external lighting;*
- 2. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.**
- 3. Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:**
- a) A staging plan for all construction phases including indicative dates for commencement and completion;*
  - b) Intended access for construction vehicles;*
  - c) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact (e.g. retaining walls, protective scaffolding, etc);*
  - d) Details of actions to be implemented in the event of damage to abutting assets;*
  - e) Details of where construction personnel will park;*
  - f) Hours/days of construction;*
  - g) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;*
  - h) Details of site cleanliness and clean up regimes;*
  - i) Material storage;*
  - j) Dust suppression.*

**When approved this Construction Management Plan shall form part of this permit as it relates to the development.**



- 4. All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.**
- 5. During the construction phase of the development, the following conditions must be met:**
- a) Only clean rainwater shall be discharged to the stormwater drainage system;**
  - b) Stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;**
  - c) Vehicle borne material from the premises shall not accumulate on the roads abutting the site;**
  - d) All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;**
  - e) Fencing is to be fitted and installed so as to ensure safe access for pedestrians;**
  - f) All litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site.**
- to the satisfaction of the Responsible Authority.**
- 6. Before the use commences, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:**
- a) constructed to conform with AS2890.7 standards;**
  - b) properly formed to such levels that they can be used in accordance with the plans;**
  - c) surfaced with concrete or asphalt;**
  - d) drained and maintained;**
  - e) line marked to indicate each car space and all access lanes and designated loading bay;**
  - f) clearly marked to show the direction of traffic along access land and driveways;**
  - g) constructed with entry/exit signs provided at the Pascoe Street entry;**
- to the satisfaction of the Responsible Authority.**
- Car spaces, access lanes and driveways must be kept available for these purposes at all times.**
- 7. No fewer than 11 car parking spaces (including two car stackers) must be provided on the land for the development.**

8. ***The mechanical stackers must be routinely serviced and maintained to the satisfaction of the responsible authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.***
9. ***Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.***
10. ***Prior to the commencement of the development, a stormwater detention system must be designed by a qualified engineer and lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed pre-development stormwater discharge volume and a maximum discharge rate of 30 litres per second per hectare is not exceeded, to the satisfaction of the Responsible Authority. Once approved such design must be endorsed and must form part of the permit. On site stormwater treatment is to comply with the Environment Protection Authority requirements and include water sensitive urban design techniques.***
11. ***The site must be drained to the satisfaction of the Responsible Authority and no storm water, sullage, sewerage or polluted drainage may drain or discharge from the land to adjoining properties.***
12. ***All run off from stormwater must be taken to a legal point of discharge to the satisfaction of the Responsible Authority, and the hard stand areas of the development must be designed to incorporate water sensitive urban design principles to the satisfaction of the responsible authority. Drainage plans must be submitted to the responsible authority for approval prior to commencement of the development.***
13. ***Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining properties.***
14. ***The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land.***
15. ***The loading bay is to be effectively screened from adjoining properties and roadways to the satisfaction of the Responsible Authority.***
16. ***The loading bay must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
17. ***The amenity of the area must not be detrimentally affected by the use or development 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.*

*to the satisfaction of the Responsible Authority.*

18. *Provision must be made for waste receptacles for each of the occupancies within the common property area, specifically allocated to each lot, to the satisfaction of the responsible authority.*
19. *A private contractor must be engaged to collect all rubbish from bins within the car park. No rubbish bins are to be placed on the footpath or out the front of the site for collection. All rubbish collection must be carried out from within the site.*
20. *Before the plan of subdivision can be certified, 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 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 all lots and common property, as well as specific allocation of car spaces to lots (including car stacker).*
21. *The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.*
22. *The applicant or owner must pay to Council the equivalent to five per cent of the site value of all land in the subdivision. This payment must be made before a Statement of Compliance is issued and is varied under Section 19 of the Subdivision Act 1988, as amended.*
23. *The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to Barwon Water, Telstra, Powercor in accordance with Section 8 of that Act.*

**Conditions Required By Barwon Water:-**

**General**

24. *Easements shall be created over all existing and proposed sewers located within the subdivision in favour of the Barwon Region Water Authority as shown on attached plan.*
25. *The certified plan must create implied easements under Section 12(2) of the Subdivision Act, over all proposed existing water and sewerage works within the subdivision.*
26. *The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing reticulation sewers located within the subdivision. The width of the easement shall be 2.0m wide centrally located over the existing 150mm gravity sewer at the rear of the development.*

27. ***The creation of a Body Corporate to encumber all lots within the subdivision.***

#### **Water**

28. ***The payment of New Customer Contributions for each additional lot created and/or each additional metered connection for water supply within the subdivision.***
29. ***The provision and installation of individual water meters to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. A dimensioned plan showing location of all meters relative to the allotment boundaries, and its numbers(s), is to be submitted. Note that tapplings and services are not to be located under existing or proposed driveways.***
30. ***An additional tapping(s) is to be supplied to service the proposed development. A dimensioned plan showing location of all new tapplings relative to the allotment boundaries is to be submitted.***
31. ***Barwon Water's records indicate that an existing water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.***

#### **Sewer**

32. ***The provision of sewerage services to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. Individual allotment house connection drains are to be provided for and extend into each allotment.***
33. ***The payment of a New Customer Contributions for sewer for each addition lot created and/or each additional metered connections within the subdivision.***
34. ***Any existing house connection branch that is to be utilized for additional connections or altered to serve the development is to be CCTV inspected with the report and/or video submitted to Barwon Water for condition assessment. If it is deemed by Barwon Water that the branch is unsatisfactory for use, it is to be removed and replaced at the developer's expense. Also, any existing house connection drain that traverses through the proposed allotments shall be relocated so not to inhibit future development.***

**Conditions Required By Powercor:-****35. The applicant shall:-**

- a) *Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.*
- b) *Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.*
- c) *Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.*
- d) *Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.*
- e) *Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the Electricity Industry Act 2000.*
- f) *Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.*
- g) *Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.*
- h) *Obtain Powercor Australia Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.*
- i) *Provide to Powercor Australia Ltd., a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.*

**36. This permit will expire for the subdivision if one of the following circumstances applies:**

- a) *The plan is not certified within two (2) years of the date of the issue of the permit.*

- b) A Statement of Compliance is not issued within five (5) years of the date of Certification of the Plan.**

**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.**

- 37. This permit will expire for the development 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 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**

~~~~~