

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

Rob Small, Chief Executive Officer  
Jack Green, General Manager Sustainable Planning and Development  
Rick Morrow, Acting General Manager Corporate & Community Services  
Neil Allen, General Manager Infrastructure & Services  
Doug McNeill, Manager Planning and 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

PC110902-2 Peter McKay on behalf of Don McKay Farm Supplies Pty Ltd

## 7. CONFIRMATION OF MINUTES

- Planning Committee held on the 19/01/11.

### Resolution

***MOVED Cr Geoff Higgins seconded Cr Lyn Russell that Council confirm the above minutes.***

***CARRIED 7 : 0***

## OFFICERS' REPORTS

### Sustainable Planning and Development

|            |   |
|------------|---|
| PC110902-1 | PLANNING & BUILDING STATISTICAL REPORT  |
| PC110902-2 | AMENDMENT TO EXISTING PLANNING PERMIT SEEKING RETROSPECTIVE APPROVAL FOR SIX PELLET SILOS AT 152 POUND ROAD, ELLIMINYT (PP269/2004-2)           |
| PC110902-3 | AMENDMENT TO PLANNING PERMIT FOR A REFUSE TRANSFER STATION - PROPOSED CHANGES TO OPERATION HOURS -10-18 ARTHUR COURT, APOLLO BAY (PP280/2007-2) |
| PC110902-4 | USE AND DEVELOPMENT AS A SHOP AND OFFICE AND REDUCTION OF TWO (2) CAR SPACES - 63 MAIN STREET, BIRREGURRA (PP290/2010)                          |
| PC110902-5 | USE OF THE LAND FOR A MUSEUM AND A REDUCTION IN CAR PARKING AT 42 CLARK STREET, COLAC EAST (PP320/2010-1)                                       |

**Rob Small**  
**Chief Executive Officer**

**PC110902-1**     *PLANNING & BUILDING STATISTICAL REPORT*

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

**Recommendation(s)**

***That Council Planning Committee note the statistical report.***

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**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Stephen Hart that Council Planning Committee note the statistical report.***

***CARRIED 7 : 0***

**PC110902-2**     *AMENDMENT TO EXISTING PLANNING PERMIT SEEKING  
RETROSPECTIVE APPROVAL FOR SIX PELLET SILOS AT 152  
POUND ROAD, ELLIMINYT (PP269/2004-2)*

|             |                                          |           |              |
|-------------|------------------------------------------|-----------|--------------|
| AUTHOR:     | Carl Menze                               | ENDORSED: | Jack Green   |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | PP269/2004-2 |

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit for the Use and Development of a Pellet Silo at 152 Pound Road, Elliminyt subject to the following conditions:***

1. Within three (3) months of the issue of the permit, 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 three silos proposed adjacent the west property boundary relocated to a more appropriate position a minimum of 10m from the west property boundary and in a position where they result in minimal visual intrusion to adjoining residential properties.
  - b) Relocation of the existing three silos on the western boundary (only if proposed by the applicant), consistent with the requirements of Condition 1a) above.
  - c) The accurate height of the three 4.45m diameter silos.
2. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans shall not be altered or modified without the prior written consent of the Responsible Authority.
3. The silos must be relocated within six (6) months of the date of this amended permit.
4. The development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - transport of materials, goods or commodities to or from the land
  - appearance of any building, works or materials
  - emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil presence of vermin

5. All run off from storm water, including overflow from water storage, shall be taken to a legal point of discharge to the satisfaction of the Responsible Authority.
6. Silos must not be located closer than 3.6 metres to the western property boundary.
7. This permit will expire if one of the following circumstances applies:
  - a) The development is not started within two (2) years of the date of this permit.
  - b) The development is not completed within four 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.

| Date of amendment | Brief description of amendment                                                                                                                                     |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9 February 2011   | <ul style="list-style-type: none"> <li>• Approval of additional six (6) silos.</li> <li>• Condition 1 amended to require amended plans to be submitted.</li> </ul> |

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**Resolution**

***MOVED Cr Chris Smith seconded Cr Lyn Russell that Council defer this item for one month.***

***CARRIED 7 : 0***

**PC110902-3**     *AMENDMENT TO PLANNING PERMIT FOR A REFUSE  
TRANSFER STATION - PROPOSED CHANGES TO OPERATION  
HOURS - 10-18 ARTHUR COURT, APOLLO BAY (PP280/2007-2)*

|             |  |           |              |
|-------------|--|-----------|--------------|
| AUTHOR:     | Ros Snaauw                               | ENDORSED: | Jack Green   |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | PP280/2007-2 |

**Recommendation(s)**

***That Council's Planning Committee issue a Notice of Decision to grant an amended Planning Permit PP280/2007-2 to increase operational times for a refuse transfer station at 10-18 Arthur Court, Apollo Bay subject to the following conditions:***

1. ***Before the use and/or 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 then form part of the permit and may not be further modified without the written consent of the Responsible Authority. 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) ***detail the surface treatment of the area set aside for future use;***
  - b) ***detail all waste storage areas and the maximum height of stockpiles.***
  
2. ***Before the development starts, a landscape plan (generally in accordance with landscape plan drawing 31-211994-C006 dated 3/4/08 by GHD) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:***
  - a) ***a survey (including botanical names) of all existing vegetation to be retained and/or removed;***
  - b) ***details of surface finishes of pathways and driveways;***
  - c) ***include a mixture of trees and shrubs along the boundary fences to assist in screening the operation of the transfer station from the public road;***
  - d) ***a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes at maturity, and quantities of each plant;***
  - e) ***details of in-ground irrigation systems;***
  - f) ***details of how the area for future use is to be landscaped and maintained.***

***Three (3) sets of all plans must be professionally prepared and presented with the following information and in the following format:***

- ***Drawn to an accurate and clearly legible scale on maximum A1 size and minimum A3 size sheets;***

- ***Include a north arrow, site location, scale drawing, date, drawing no. and the author/designer details;***
- ***Be neatly drawn and presented;***
- ***Be reproducible and legible in a black and white format (eg plan should not rely on colour reproduction for coding or interpretation).***

***Before the occupation of the buildings commences all landscape works forming part of the endorsed Landscape Plans must be completed. The works must then be maintained to the satisfaction of the responsible authority for the minimum period of 24 months. At the written request of the owner, the responsible authority may defer the implementation of the landscaping works due to water restrictions.***

3. ***All vegetation screening and landscaping must be undertaken using species that are indigenous to the area. Note: Discuss appropriate species with the Southern Otway Landcare Network, Apollo Bay, 52376504.***
4. ***Before the development starts, a schedule of construction materials, external finishes and colours must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed to form part of the permit.***
5. ***The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans shall not be altered or modified without the further consent of the Responsible Authority. The buildings and works hereby permitted must be entirely located within the surveyed boundaries on Lot 25 PS 601893. Building and works must not commence without either the site being pegged out by a Licensed Land Surveyor or the permit holder has obtained written advice from a Licensed Land Surveyor to ensure that the buildings and/or works are fully located within the dimensioned boundaries of the designated lot and in accordance with the endorsed plans.***
6. ***The facility may only operate between the hours of:***  
  
***6.00 am and 7.00 pm Monday to Friday***  
***8.00 am and 5.00 pm Weekends and public holidays***  
  
***and may only be open to the public between the hours of:***  
  
***10.00 am and 3.00 pm 7 days a week between the 1 December and the end of Easter; and Monday to Friday and Sunday between the end of Easter and 30 November.***  
  
***without the further written consent of the Responsible Authority.***
7. ***No materials are to be received on the site which would require a licence under the Dangerous Goods Act 1995.***
8. ***All site fencing shall:***
  - a) ***consist of black or green PVC plastic coated mesh with support poles of similar colour or other material approved by the Responsible Authority in writing;***

- b) *be at least 2.4 metres high;*
  - c) *be maintained to prevent uncontrolled access by livestock or people;*
  - d) *kept clean and litter free.*
9. *External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.*
10. *The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:*
- a) *transport of materials, goods or commodities to or from the land*
  - b) *appearance of any building, works or materials*
  - c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*
  - d) *presence of vermin*
11. *The permit holder shall ensure no foreign material including but not limited waste, clay or stones is carried from the site and deposited on the surrounding public roads by vehicles leaving the site. All trucks leaving the site must ensure waste materials are covered so the waste is contained within the trucks.*
12. *Ensure that no waste containing oil, foam, grease, scum or litter is discharged to the stormwater drainage system from the premises.*
13. *Ensure that all stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system.*
14. *Sediment movement and erosion must be controlled onsite at all times, and not have the opportunity to move offsite or away from the immediate construction area with all being carried out in accordance with 'Noseda Industrial Estate – Stage 1, Apollo Bay Site Management Plan, prepared Peter Berry and Associates Pty Ltd, July 2008'. The 'Noseda Industrial Estate- Stage 1, Apollo Bay Site Management Plan, prepared by Peter Berry and Associates Pty Ltd, must not be altered without the written consent of the Responsible Authority.*
15. *All stormwater treatment measures must be in accordance with the recommendations listed in the GHD Memorandum dated 25 January 2008 for the Apollo Bay Transfer Station – Water Quality Modelling to Dean Wearne, from Clare Stephenson, Environmental Engineer, GHD without the written consent of the Responsible Authority.*
16. *Operations must be in accordance with the submitted Environmental Management Plan 'Appendix B Environmental Management of Application for Planning Permit, Construction and Operation of Apollo Bay Transfer Stations, December 2007'. The Environmental Management Plan may not be altered without the written consent of the Responsible Authority.*
17. *All works must be carried out in accordance with 'Report on Apollo Bay Transfer Station, Geotechnical Investigation, prepared by GHD, dated January 2008'.*



18. ***The permit holder must implement the recommendations of the Acid Sulphate Soil Assessment produced by GHD in December 2008 without the written consent of the Responsible Authority.***
19. ***Any extension of the use or development in the area marked on the endorsed plans for future use must obtain relevant planning approvals.***
20. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
21. ***Vehicular crossings must be constructed to the road to suit the proposed driveway to the satisfaction of the Responsible Authority.***
22. ***The driveway must/should enter the roadway perpendicular to the roads centre line and be in a safe location for users, pedestrians, cyclists and motorists by consideration of both vertical and horizontal sight distance to the satisfaction of the Responsible Authority.***
23. ***The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
24. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
25. ***Prior to commencement of the development, a stormwater detention system designed by a qualified engineer must be lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed predevelopment stormwater discharge volume to the satisfaction of the Responsible Authority, once approved such design must be endorsed and must form part of the permit issued.***
26. ***Prior to commencement of the use, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:-***
  - a) ***constructed to the satisfaction of the Responsible Authority.***
  - b) ***properly formed to such levels that they can be used in accordance with the plans.***
  - c) ***surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel to the satisfaction of the Responsible Authority.***
  - d) ***drained and maintained to the satisfaction of the Responsible Authority.***
  - e) ***line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.***
  - f) ***clearly marked to show the direction of traffic along access lanes and driveways.***

***Parking areas and access lanes must be kept available for these purposes at all times.***
27. ***No fewer than five car parking spaces must be provided on the land for the use and or development, including one space clearly marked for use by disabled persons.***

- 28. ***Loading and unloading of all goods, materials and items must be carried out on the site within the defined loading bay on the endorsed plan to the satisfaction of the Responsible Authority.***
- 29. ***The loading bay area must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
- 30. ***This permit will expire if one of the following circumstances applies:***
  - a) ***the development is not started within two years of the date of this permit.***
  - b) ***the development is not completed within four years of the date of this permit.***
- 31. ***Facility operator bulk transfer units (hook lift trucks) are required to traverse set approved heavy vehicle routes as detailed below:***
  - a) ***Trucks entering and exiting in a southerly direction – Great Ocean Road, Nelson Street, Seymour Crescent and Montrose Avenue.***
  - b) ***Trucks entering and exiting in a northerly direction – Great Ocean Road, Cawood Street, Costin Street and Montrose Avenue.***

**EPA**

- 32. ***There will be no discharge or seepage of waste (particularly leachate from the green waste) from the premises to land, groundwater or surface waters.***
- 33. ***Any contaminated stormwater must be managed to ensure no discharge to the environment occurs.***
- 34. ***Any noise created at the site should be controlled in accordance with permissible levels of the State Environment Protection Policy (Noise from Commerce, Industry and Trade) No N-1 as a guide and EPA Interim Guidelines from Control of Noise from Industry in Country Victoria N3/89.***

**CCMA**

- 35. ***The flow capacity of Drainage Easement E-8 must not be reduced.***

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

- ***Condition 6 amended to show extended facility operating hours to now appear as 6am to 7pm Monday to Friday and operation hours to the public 10am to 3pm, 7 days a week between 1 December and the end of Easter and Monday to Friday and Sunday between the end of Easter and 30 November.***
- ***A new condition 31 was added to ensure that facility operator bulk transfer units (hook lift trucks) traverse set approved heavy vehicle routes, and the remainder of the conditions were renumbered accordingly.***

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**Resolution**

**MOVED Cr Frank Buchanan seconded Cr Geoff Higgins that Council's Planning Committee issue a Notice of Decision to grant an amended Planning Permit PP280/2007-2 to increase operational times for a refuse transfer station at 10-18 Arthur Court, Apollo Bay subject to the following conditions:**

- 1. Before the use and/or 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 then form part of the permit and may not be further modified without the written consent of the Responsible Authority. 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) detail the surface treatment of the area set aside for future use;**
  - b) detail all waste storage areas and the maximum height of stockpiles.**
  
- 2. Before the development starts, a landscape plan (generally in accordance with landscape plan drawing 31-211994-C006 dated 3/4/08 by GHD) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:**
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;**
  - b) details of surface finishes of pathways and driveways;**
  - c) include a mixture of trees and shrubs along the boundary fences to assist in screening the operation of the transfer station from the public road;**
  - d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes at maturity, and quantities of each plant;**
  - e) details of in-ground irrigation systems;**
  - f) details of how the area for future use is to be landscaped and maintained.**

**Three (3) sets of all plans must be professionally prepared and presented with the following information and in the following format:**

- Drawn to an accurate and clearly legible scale on maximum A1 size and minimum A3 size sheets;**
- Include a north arrow, site location, scale drawing, date, drawing no. and the author/designer details;**
- Be neatly drawn and presented;**
- Be reproducible and legible in a black and white format (eg plan should not rely on colour reproduction for coding or interpretation).**

***Before the occupation of the buildings commences all landscape works forming part of the endorsed Landscape Plans must be completed. The works must then be maintained to the satisfaction of the responsible authority for the minimum period of 24 months. At the written request of the owner, the responsible authority may defer the implementation of the landscaping works due to water restrictions.***

- 3. All vegetation screening and landscaping must be undertaken using species that are indigenous to the area. Note: Discuss appropriate species with the Southern Otway Landcare Network, Apollo Bay, 52376504.***
- 4. Before the development starts, a schedule of construction materials, external finishes and colours must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed to form part of the permit.***
- 5. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans shall not be altered or modified without the further consent of the Responsible Authority. The buildings and works hereby permitted must be entirely located within the surveyed boundaries on Lot 25 PS 601893. Building and works must not commence without either the site being pegged out by a Licensed Land Surveyor or the permit holder has obtained written advice from a Licensed Land Surveyor to ensure that the buildings and/or works are fully located within the dimensioned boundaries of the designated lot and in accordance with the endorsed plans.***
- 6. The facility may only operate between the hours of:***  

***6.00 am and 7.00 pm Monday to Friday***  
***8.00 am and 5.00 pm Weekends and public holidays***

***and may only be open to the public between the hours of:***

***10.00 am and 3.00 pm 7 days a week between the 1 December and the end of Easter; and Monday to Friday and Sunday between the end of Easter and 30 November.***

***without the further written consent of the Responsible Authority.***
- 7. No materials are to be received on the site which would require a licence under the Dangerous Goods Act 1995.***
- 8. All site fencing shall:***
  - a) consist of black or green PVC plastic coated mesh with support poles of similar colour or other material approved by the Responsible Authority in writing;***
  - b) be at least 2.4 metres high;***
  - c) be maintained to prevent uncontrolled access by livestock or people;***
  - d) kept clean and litter free.***

9. ***External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.***
10. ***The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
  - a) ***transport of materials, goods or commodities to or from the land***
  - b) ***appearance of any building, works or materials***
  - c) ***emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***
  - d) ***presence of vermin***
11. ***The permit holder shall ensure no foreign material including but not limited waste, clay or stones is carried from the site and deposited on the surrounding public roads by vehicles leaving the site. All trucks leaving the site must ensure waste materials are covered so the waste is contained within the trucks.***
12. ***Ensure that no waste containing oil, foam, grease, scum or litter is discharged to the stormwater drainage system from the premises.***
13. ***Ensure that all stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system.***
14. ***Sediment movement and erosion must be controlled onsite at all times, and not have the opportunity to move offsite or away from the immediate construction area with all being carried out in accordance with 'Noseda Industrial Estate – Stage 1, Apollo Bay Site Management Plan, prepared Peter Berry and Associates Pty Ltd, July 2008'. The 'Noseda Industrial Estate- Stage 1, Apollo Bay Site Management Plan, prepared by Peter Berry and Associates Pty Ltd, must not be altered without the written consent of the Responsible Authority.***
15. ***All stormwater treatment measures must be in accordance with the recommendations listed in the GHD Memorandum dated 25 January 2008 for the Apollo Bay Transfer Station – Water Quality Modelling to Dean Wearne, from Clare Stephenson, Environmental Engineer, GHD without the written consent of the Responsible Authority.***
16. ***Operations must be in accordance with the submitted Environmental Management Plan 'Appendix B Environmental Management of Application for Planning Permit, Construction and Operation of Apollo Bay Transfer Stations, December 2007'. The Environmental Management Plan may not be altered without the written consent of the Responsible Authority.***
17. ***All works must be carried out in accordance with 'Report on Apollo Bay Transfer Station, Geotechnical Investigation, prepared by GHD, dated January 2008'.***
18. ***The permit holder must implement the recommendations of the Acid Sulphate Soil Assessment produced by GHD in December 2008 without the written consent of the Responsible Authority.***

19. ***Any extension of the use or development in the area marked on the endorsed plans for future use must obtain relevant planning approvals.***
20. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
21. ***Vehicular crossings must be constructed to the road to suit the proposed driveway to the satisfaction of the Responsible Authority.***
22. ***The driveway must/should enter the roadway perpendicular to the roads centre line and be in a safe location for users, pedestrians, cyclists and motorists by consideration of both vertical and horizontal sight distance to the satisfaction of the Responsible Authority.***
23. ***The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
24. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
25. ***Prior to commencement of the development, a stormwater detention system designed by a qualified engineer must be lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed predevelopment stormwater discharge volume to the satisfaction of the Responsible Authority, once approved such design must be endorsed and must form part of the permit issued.***
26. ***Prior to commencement of the use, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:-***
  - a) ***constructed to the satisfaction of the Responsible Authority.***
  - b) ***properly formed to such levels that they can be used in accordance with the plans.***
  - c) ***surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel to the satisfaction of the Responsible Authority.***
  - d) ***drained and maintained to the satisfaction of the Responsible Authority.***
  - e) ***line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.***
  - f) ***clearly marked to show the direction of traffic along access lanes and driveways.******Parking areas and access lanes must be kept available for these purposes at all times.***
27. ***No fewer than five car parking spaces must be provided on the land for the use and or development, including one space clearly marked for use by disabled persons.***
28. ***Loading and unloading of all goods, materials and items must be carried out on the site within the defined loading bay on the endorsed plan to the satisfaction of the Responsible Authority.***

29. ***The loading bay area must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
30. ***This permit will expire if one of the following circumstances applies:***
  - a) ***the development is not started within two years of the date of this permit.***
  - b) ***the development is not completed within four years of the date of this permit.***
31. ***Facility operator bulk transfer units (hook lift trucks) are required to traverse set approved heavy vehicle routes as detailed below:***
  - a) ***Trucks entering and exiting in a southerly direction – Great Ocean Road, Nelson Street, Seymour Crescent and Montrose Avenue.***
  - b) ***Trucks entering and exiting in a northerly direction – Great Ocean Road, Cawood Street, Costin Street and Montrose Avenue.***

***EPA***

32. ***There will be no discharge or seepage of waste (particularly leachate from the green waste) from the premises to land, groundwater or surface waters.***
33. ***Any contaminated stormwater must be managed to ensure no discharge to the environment occurs.***
34. ***Any noise created at the site should be controlled in accordance with permissible levels of the State Environment Protection Policy (Noise from Commerce, Industry and Trade) No N-1 as a guide and EPA Interim Guidelines from Control of Noise from Industry in Country Victoria N3/89.***

***CCMA***

35. ***The flow capacity of Drainage Easement E-8 must not be reduced.***

***THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:***

- ***Condition 6 amended to show extended facility operating hours to now appear as 6am to 7pm Monday to Friday and operation hours to the public 10am to 3pm, 7 days a week between 1 December and the end of Easter and Monday to Friday and Sunday between the end of Easter and 30 November.***
- ***A new condition 31 was added to ensure that facility operator bulk transfer units (hook lift trucks) traverse set approved heavy vehicle routes, and the remainder of the conditions were renumbered accordingly.***

***CARRIED 7 : 0***

**PC110902-4** *USE AND DEVELOPMENT AS A SHOP AND OFFICE AND REDUCTION OF TWO (2) CAR SPACES - 63 MAIN STREET, BIRREGURRA (PP290/2010)*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Ros Snaauw                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP290/2010 |

**Recommendation(s)**

***That Council's Planning Committee resolves to grant a Planning Permit for the use and development of the land as a shop and office and reduction of two (2) car spaces at 63 Main Street, Birregurra subject to the following conditions:***

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with *the plans submitted with the application* but modified to show:
  - a) Colour schedule of walls and trims clearly labelled.
  - b) Material used for replacing the roof to be the same as the existing material (corrugated sheet cladding) and clearly labelled.
2. ***The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
3. ***Unless with the written consent of the responsible authority, operational hours for the shop and office shall be limited to:***
  - ***Monday to Sunday - 9:00 am to 5:00 pm***
4. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
5. ***The verandah (including any below verandah advertising signage) must maintain a clearance height of 2.5 metres above the footpath.***
6. ***If at any time the rear car park is proposed to be used by the public, the owner must formally construct and seal the car park and accessway in asphalt or similar to the satisfaction of the Responsible Authority.***



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

- ***The development is not started within two (2) years of the date of this permit.***
- ***The use and development is not completed within four (4) years of the date of this permit.***

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

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**Resolution**

***MOVED Cr Lyn Russell seconded Cr Stephen Hart that Council's Planning Committee resolves to grant a Planning Permit for the use and development of the land as a shop and office and reduction of two (2) car spaces at 63 Main Street, Birregurra subject to the following conditions:***

1. ***Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with *the plans submitted with the application* but modified to show:***
  - a) ***Colour schedule of walls and trims clearly labelled.***
  - b) ***Material used for replacing the roof to be the same as the existing material (corrugated sheet cladding) and clearly labelled.***
2. ***The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
3. ***Unless with the written consent of the responsible authority, operational hours for the shop and office shall be limited to:***
  - ***Monday to Sunday - 9:00 am to 5:00 pm***
4. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
5. ***The verandah (including any below verandah advertising signage) must maintain a clearance height of 2.5 metres above the footpath.***

6. ***If at any time the rear car park is proposed to be used by the public, the owner must formally construct and seal the car park and accessway in asphalt or similar to the satisfaction of the Responsible Authority.***
7. ***This permit will expire if one of the following circumstances applies:***
  - ***The development is not started within two (2) years of the date of this permit.***
  - ***The use and development is not completed within four (4) years of the date of this permit.***

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

**CARRIED 7 : 0**

**PC110902-5**     *USE OF THE LAND FOR A MUSEUM AND A REDUCTION IN CAR PARKING AT 42 CLARK STREET, COLAC EAST (PP320/2010-1)*

|             |                                    |           |              |
|-------------|------------------------------------|-----------|--------------|
| AUTHOR:     | Ian Williams                       | ENDORSED: | Jack Green   |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP320/2010-1 |

**Recommendation(s)**

***That Council's Planning Committee resolve to issue a Planning Permit for the use of the land as a museum and a reduction in the level of car parking in accordance with the following conditions:***

1. The use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
3. The use must be managed so that the amenity of the area is not detrimentally affected, through the:
  - (a) transport of materials, goods or commodities to or from the land,
  - (b) appearance of any building, works or materials,
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,
  - (d) presence of vermin.
4. Prior to commencement of the use, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:-
  - (a) Constructed to the satisfaction of the Responsible Authority.
  - (b) Properly formed to such levels that they can be used in accordance with the plans.
  - (c) Surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel to the satisfaction of the Responsible Authority.
  - (d) Drained and maintained to the satisfaction of the Responsible Authority.
  - (e) Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

- (f) Clearly marked to show the direction of traffic along access lanes and driveways.

Parking areas and access lanes must be kept available for these purposes at all times.

5. Vehicles under the control of the operator of the use or the operator's staff must not be parked on the nearby roads.
6. No fewer than thirty (30) car parking spaces must be provided on the land for the use including one (1) space clearly marked for the disabled.

#### Expiry of the permit

7. This permit will expire if the use is not started within two (2) years of the date of this permit. The Responsible Authority may extend this period if a request is made in writing before the permit expires, or within three months afterwards.

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#### Resolution

***MOVED Cr Chris Smith seconded Cr Lyn Russell that Council's Planning Committee resolve to issue a Planning Permit for the use of the land as a museum and a reduction in the level of car parking in accordance with the following conditions:***

1. The use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
2. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
3. The use must be managed so that the amenity of the area is not detrimentally affected, through the:
  - (a) transport of materials, goods or commodities to or from the land,
  - (b) appearance of any building, works or materials,
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,
  - (d) presence of vermin.
4. Prior to commencement of the use, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:-
  - (a) Constructed to the satisfaction of the Responsible Authority.

- (b) Properly formed to such levels that they can be used in accordance with the plans.**
- (c) Surfaced with an all-weather sealcoat or surfaced with crushed rock or gravel to the satisfaction of the Responsible Authority.**
- (d) Drained and maintained to the satisfaction of the Responsible Authority.**
- (e) Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.**
- (f) Clearly marked to show the direction of traffic along access lanes and driveways.**

**Parking areas and access lanes must be kept available for these purposes at all times.**

- 5. Vehicles under the control of the operator of the use or the operator's staff must not be parked on the nearby roads.**
- 6. No fewer than thirty (30) car parking spaces must be provided on the land for the use including one (1) space clearly marked for the disabled.**

**Expiry of the permit**

- 7. This permit will expire if the use is not started within two (2) years of the date of this permit. The Responsible Authority may extend this period if a request is made in writing before the permit expires, or within three months afterwards.**

***CARRIED 7 : 0***