



**Colac Otway
SHIRE**

AGENDA

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

10 AUGUST 2011

at 10:30 AM

COPACC Meeting Room

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

10 AUGUST 2011

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NOTICE is hereby given that the next *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* will be held in COPACC Meeting Room on 10 August 2011 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.

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

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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 13/07/11.

Recommendation

That Council confirm the above minutes.

OFFICERS' REPORTS

Sustainable Planning and Development

- PC111008-1 PLANNING & BUILDING STATISTICAL REPORT
- PC111008-2 DEVELOPMENT OF TWO (2) SINGLE STOREY SHOPS, DEMOLITION OF THE EXISTING BUILDING, CONSTRUCTION OF REAR CAR PARKING AREA AND A REDUCTION IN THE CAR PARKING REQUIREMENT AT 246-250 MURRAY STREET, COLAC
- PC111008-3 AMENDMENT TO THE EXISTING PERMIT PP344/2005 FOR USE OF THE LAND FOR A LICENSED RESTAURANT & WAIVER OF EIGHT (8) ADDITIONAL CAR SPACES (21 IN TOTAL) AND AN INCREASE IN THE TOTAL NUMBER OF CHAIRS FROM 21 TO 35 AT 43 MAIN STREET, BIRREGURRA

Rob Small
Chief Executive Officer

PC111008-1

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 months of April, May, June & July 2011.

Planning Statistics

35 Planning Permit Applications were received for the period 1 April 2011 – 30 April 2011.
 29 Planning Permit Applications were considered for the period 1 April 2011 – 30 April 2011.

43 Planning Permit Applications were received for the period 1 May 2011 – 31 May 2011.
 36 Planning Permit Applications were considered for the period 1 May 2011 – 31 May 2011.

28 Planning Permit Applications were received for the period 1 June 2011 – 30 June 2011.
 35 Planning Permit Applications were considered for the period 1 June 2011 – 30 June 2011.

25 Planning Permit Applications were received for the period 1 July 2011 – 31 July 2011.
 30 Planning Permit Applications were considered for the period 1 July 2011 – 31 July 2011.

Building Statistics

Please note that the Building Commission website has been updated May 2011.

Attachments

1. Planning and Statistical Report April - July 2011

Recommendation(s)

That Council's Planning Committee note the statistical reports for April, May, June & July 2011.

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## Planning Statistical Report April 2011

| APPLIC NO  | DATE RECEIVED | LOCATION                                 | PROPOSAL                                                                                                                                                                 | DATE ISSUED | ACTUAL TIME | AUTHORITY          | DECISION           |
|------------|---------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|--------------------|--------------------|
| 415/2003-2 | 3 MAR 2011    | 42 GRAVESEND STREET, COLAC               | USE & DEVELOPMENT OF THE LAND FOR (3) THREE DWELLINGS AND A THREE LOT SUBDIVISION - AMENDMENT - BOUNDARY AMENDED IN ACCORDANCE WITH TITLE SURVEY - UNIT 1 REDUCE IN SIZE | 28 APR 2011 | 16          | UNDER DELEGATION   | PERMIT ISSUED      |
| 134/2007-2 | 10 JAN 2011   | 5935 PRINCES HIGHWAY, IRREWARRA          | AMEND SITE & SIZE OF DWELLING, DELETE REFERENCE TO SHEDS AND AMEND PERMIT PREAMBLE                                                                                       | 19 APR 2011 | 8           | UNDER DELEGATION   | PERMIT ISSUED      |
| 197/2007-3 | 21 JAN 2011   | 1 FOREST STREET, COLAC                   | CONSTRUCTION OF AN INDUSTRIAL BUILDING – AMENDMENT TO INCLUDE REPOSITIONED INDUSTRIAL BUILDING AND SIGNAGE.                                                              | 5 APR 2011  | 6           | UNDER DELEGATION   | PERMIT ISSUED      |
| 128/2010-1 | 10 MAY 2010   | 935 COLAC LAVERS HILL ROAD, BARONGAROOK  | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A REPLACEMENT DWELLING                                                                                                | 5 APR 2011  | 99          | UNDER DELEGATION   | PERMIT ISSUED      |
| 216/2010-2 | 28 FEB 2011   | 2/7 NEWCOMBE STREET, MARENGO             | BUILDINGS AND WORKS FOR THE PURPOSE OF CONSTRUCTING ADDITIONS TO AN EXISTING DWELLING - AMENDMENT - EXTEND ROOF OVER BY 6SQM, ADDING TO ROOF AS PER PLANS.               | 4 APR 2011  | 35          | UNDER DELEGATION   | PERMIT ISSUED      |
| 350/2010-1 | 10 DEC 2010   | 5 THE BOULEVARD, WYE RIVER               | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING                                                                    | 4 APR 2011  | 35          | UNDER DELEGATION   | NOTICE OF DECISION |
| 251/2010-1 | 1 SEP 2010    | 1530 OLD BEECH FOREST ROAD, BEECH FOREST | USE & DEVELOPMENT OF THE LAND FOR A DWELLING                                                                                                                             | 4 APR 2011  | 121         | UNDER DELEGATION   | REFUSAL TO GRANT   |
| 269/2010-1 | 16 SEP 2010   | 83 MAIN STREET, BEEAC                    | CONSTRUCTION OF A DWELLING & ASSOCIATED WORKS                                                                                                                            | 18 APR 2011 | 47          | UNDER DELEGATION   | PERMIT ISSUED      |
| 283/2010-1 | 27 SEP 2010   | 150 HART STREET, ELLIMINYT               | TWO (2) LOT SUBDIVISION                                                                                                                                                  | 27 APR 2011 | 73          | UNDER DELEGATION   | PERMIT ISSUED      |
| 292/2010-1 | 13 OCT 2010   | 44 GARDNER STREET, BEECH FOREST          | DEVELOPMENT OF A TWO (2) STOREY DWELLING                                                                                                                                 | 19 APR 2011 | 62          | UNDER DELEGATION   | PERMIT ISSUED      |
| 294/2010-1 | 13 OCT 2010   | 620 LARPENT ROAD, LARPENT                | TWO (2) LOT SUBDIVISION                                                                                                                                                  | 18 APR 2011 | 187         | UNDER DELEGATION   | REFUSAL TO GRANT   |
| 321/2010-1 | 12 NOV 2010   | 425 SEVEN BRIDGES ROAD, GERANGAMETE      | USE & DEVELOPMENT OF THE LAND FOR A DWELLING AND CONSTRUCTION OF A SHED                                                                                                  | 19 APR 2011 | 89          | UNDER DELEGATION   | PERMIT ISSUED      |
| 348/2010-1 | 10 DEC 2010   | 3 CARLISLE GELLIBRAND ROAD, GELLIBRAND   | REMOVAL OF FOUR (4) TREES AT FRONT IN ROAD RESERVE                                                                                                                       | 5 APR 2011  | 35          | UNDER DELEGATION   | PERMIT ISSUED      |
| 351/2010-1 | 23 DEC 2010   | 4695 COLAC LAVERS HILL ROAD, WYELANGTA   | USE & DEVELOPMENT OF THE LAND FOR A DWELLING                                                                                                                             | 18 APR 2011 | 48          | UNDER DELEGATION   | PERMIT ISSUED      |
| 359/2010-1 | 22 DEC 2010   | 416 PRINCES HIGHWAY, COLAC WEST          | DEVELOPMENT OF LAND FOR TWO (2) BUILDINGS TO BE USED FOR TRADE SUPPLIES                                                                                                  | 5 APR 2011  | 27          | UNDER DELEGATION   | PERMIT ISSUED      |
| 361/2010-1 | 23 DEC 2010   | 103 GREAT OCEAN ROAD, APOLLO BAY         | REDEVELOPMENT OF EXISTING SUPERMARKET INTO FOUR SHOPS MULTI-DWELLING DEVELOPMENT & TEN (10) LOT SUBDIVISION                                                              | 19 APR 2011 | 46          | PLANNING COMMITTEE | PERMIT ISSUED      |

| APPLIC NO  | DATE RECEIVED | LOCATION                              | PROPOSAL                                                                | DATE ISSUED | ACTUAL TIME | AUTHORITY          | DECISION      |
|------------|---------------|---------------------------------------|-------------------------------------------------------------------------|-------------|-------------|--------------------|---------------|
| 363/2010-1 | 23 DEC 2010   | 49 GRANT STREET, FORREST              | CONSTRUCTION OF NEW AMENITIES BUILDING FOR EXISTING DSE DEPOT.          | 19 APR 2011 | 30          | UNDER DELEGATION   | PERMIT ISSUED |
| 7/2011-1   | 12 JAN 2011   | 505 RIFLE BUTTS ROAD, WHOOREL         | CONSTRUCTION OF TWO STOCK DAMS                                          | 15 APR 2011 | 24          | UNDER DELEGATION   | PERMIT ISSUED |
| 13/2011-1  | 21 JAN 2011   | 6180 GREAT OCEAN ROAD, APOLLO BAY     | EXTENSION TO AN EXISTING STORE ROOM (ANCILLARY TO FOUR (4) UNITS)       | 18 APR 2011 | 26          | UNDER DELEGATION   | PERMIT ISSUED |
| 27/2011-1  | 11 FEB 2011   | 16 WARNCOORT CEMETERY ROAD, WARNCOORT | USE & DEVELOPMENT OF LAND FOR A DWELLING                                | 15 APR 2011 | 35          | UNDER DELEGATION   | PERMIT ISSUED |
| 41/2011-1  | 25 FEB 2011   | 39 OCEAN PARK DRIVE, MARENGO          | CONSTRUCTION OF ONE SINGLE DWELLING                                     | 5 APR 2011  | 18          | UNDER DELEGATION   | PERMIT ISSUED |
| 43/2011-1  | 3 MAR 2011    | 71 DENNIS STREET, COLAC               | WAIVER OF CARPARKING, BUILDING & WORKS                                  | 13 APR 2011 | 19          | PLANNING COMMITTEE | PERMIT ISSUED |
| 60/2011-1  | 16 MAR 2011   | 5 IRREWARRA STATION ROAD, IRREWARRA   | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A STORAGE SHED       | 19 APR 2011 | 34          | UNDER DELEGATION   | PERMIT ISSUED |
| 67/2011-1  | 24 MAR 2011   | 695 COLAC BALLARAT ROAD, ONDIT        | ADDITION TO EXISTING DWELLING                                           | 18 APR 2011 | 25          | UNDER DELEGATION   | PERMIT ISSUED |
| 69/2011-1  | 29 MAR 2011   | 35 SHORTS ROAD, ELLIMINYT             | CONSTRUCT FARM STORAGE SHED                                             | 19 APR 2011 | 21          | UNDER DELEGATION   | PERMIT ISSUED |
| 76/2011-1  | 7 APR 2011    | 6 KARLSON STREET, SKENES CREEK        | RETROSPECTIVE APPROVAL FOR BUILDINGS AND WORKS TO THE EXISTING DWELLING | 20 APR 2011 | 13          | UNDER DELEGATION   | PERMIT ISSUED |
| 79/2011-1  | 8 APR 2011    | 9/186 MURRAY STREET, COLAC            | DISPLAY OF REPLACEMENT SIGNAGE                                          | 19 APR 2011 | 11          | UNDER DELEGATION   | PERMIT ISSUED |
| 81/2011-1  | 12 APR 2011   | 8 ACACIA CLOSE, ELLIMINYT             | DEVELOPMENT OF LAND FOR A DWELLING                                      | 19 APR 2011 | 7           | UNDER DELEGATION   | PERMIT ISSUED |
| 82/2011-1  | 11 APR 2011   | 235 MCKAYS ROAD, IRREWARRA            | AIRCRAFT HANGER                                                         | 20 APR 2011 | 9           | UNDER DELEGATION   | PERMIT ISSUED |
|            |               |                                       | <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b>                    |             | 42          |                    |               |

## Planning Statistical Report May 2011

| APPLIC NO  | DATE RECEIVED | LOCATION                             | PROPOSAL                                                                                                                                         | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION           |
|------------|---------------|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|--------------------|
| 311/2005-3 | 22 MAR 2011   | 4 MCLELLAN COURT, WYE RIVER          | TWO (2) LOT SUBDIVISION & DEVELOPMENT OF TWO (2) DWELLINGS – AMENDMENT REMOVE ROOF DECK, ADD DECK TO FRONT AND LOWER BUILDING HEIGHT.            | 16 MAY 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED      |
| 183/2006-2 | 1 APR 2011    | 21 MITCHELL GROVE, SEPARATION CREEK  | EXTENSION TO DWELLING - AMENDMENT TO CONDITIONS                                                                                                  | 18 MAY 2011 | 47          | UNDER DELEGATION | PERMIT ISSUED      |
| 304/2006-4 | 1 APR 2011    | 11 MOTTS LANE, SKENES CREEK          | THE DEMOLITION OF THE EXISTING DWELLING AND DEVELOPMENT OF A NEW DWELLING AND THE ERECTION OF A SOLID BOUNDARY FENCE (RETROSPECTIVE) - AMENDMENT | 3 MAY 2011  | 5           | UNDER DELEGATION | PERMIT ISSUED      |
| 231/2008-2 | 15 APR 2011   | 202A POUND ROAD, ELLIMINYT           | TWENTY EIGHT (28) LOT SUBDIVISION - AMENDMENT APPLICATION TO REMOVE THE REFERENCE TO PUBLIC OPEN SPACE IN CONDITION 1                            | 3 MAY 2011  | 18          | UNDER DELEGATION | REFUSAL TO GRANT   |
| 21/2009-2  | 19 APR 2011   | 275 BARRYS ROAD, BARONGAROOK WEST    | TWO (2) LOT RE-SUBDIVISION (BOUNDARY RE-ALIGNMENT) AMENDMENT                                                                                     | 18 MAY 2011 | 29          | UNDER DELEGATION | PERMIT ISSUED      |
| 273/2009-2 | 21 FEB 2011   | 44 MORLEY AVENUE, WYE RIVER          | CONSTRUCTION OF A DWELLING, REMOVAL OF A TREE AND NATIVE VEGETATION                                                                              | 26 MAY 2011 | 94          | UNDER DELEGATION | PERMIT ISSUED      |
| 240/2010-1 | 25 AUG 2010   | 20 PASCOE STREET, APOLLO BAY         | PROPOSED GARAGE TO EXISTING BUILDING                                                                                                             | 12 MAY 2011 | 235         | UNDER DELEGATION | REFUSAL TO GRANT   |
| 284/2010-1 | 28 SEP 2010   | 4990 GREAT OCEAN ROAD, SUGARLOAF     | TWO (2) LOT RE-SUBDIVISION                                                                                                                       | 6 MAY 2011  | 146         | UNDER DELEGATION | WITHDRAWN          |
| 324/2010-1 | 19 NOV 2010   | 505 PRINCES HIGHWAY, LARPENT         | SUBDIVISION – REALIGNMENT OF BOUNDARY                                                                                                            | 9 MAY 2011  | 61          | UNDER DELEGATION | PERMIT ISSUED      |
| 325/2010-1 | 12 NOV 2010   | 90 WOODROWVALE ROAD, ELLIMINYT       | RE-SUBDIVIDE THE LAND INTO TWO (2) LOTS                                                                                                          | 23 MAY 2011 | 158         | UNDER DELEGATION | PERMIT ISSUED      |
| 337/2010-1 | 1 DEC 2010    | 2340 COLAC FORREST ROAD, GERANGAMETE | SUBDIVISION – REALIGNMENT OF BOUNDARY                                                                                                            | 26 MAY 2011 | 96          | UNDER DELEGATION | PERMIT ISSUED      |
| 340/2010-1 | 1 DEC 2010    | 464 MURRAY STREET, COLAC             | TWO (2) LOT SUBDIVISION                                                                                                                          | 30 MAY 2011 | 122         | UNDER DELEGATION | NOTICE OF DECISION |
| 345/2010-1 | 8 DEC 2010    | 16 SAUNDERS STREET, COLAC EAST       | CONSTRUCTION OF A WAREHOUSE                                                                                                                      | 9 MAY 2011  | 98          | UNDER DELEGATION | PERMIT ISSUED      |
| 353/2010-1 | 15 DEC 2010   | 65 CASPARS ACCESS, FORREST           | NEW GARAGE TO REPLACE EXISTING SHED PLUS NEW SHED FOR EQUIPMENT & GENERAL STORAGE                                                                | 3 MAY 2011  | 54          | UNDER DELEGATION | PERMIT ISSUED      |
| 2/2011-1   | 4 JAN 2011    | 70 ROWLANDS ROAD, BARWON DOWNS       | SINGLE DWELLING – REPLACEMENT OF HOLIDAY HOME, ADDITION OF STORAGE SHED                                                                          | 17 MAY 2011 | 47          | UNDER DELEGATION | NOTICE OF DECISION |
| 15/2011-1  | 15 JAN 2010   | 87-95 BROMFIELD STREET, COLAC        | TWO (2) LOT SUBDIVISION                                                                                                                          | 27 MAY 2011 | 132         | UNDER DELEGATION | PERMIT ISSUED      |



| APPLIC NO  | DATE RECEIVED | LOCATION                              | PROPOSAL                                                                                              | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION           |
|------------|---------------|---------------------------------------|-------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|--------------------|
| 31/2011-1  | 14 FEB 2011   | 7 HUGH MURRAY DRIVE, COLAC EAST       | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A SHED AND OFFICE                                  | 9 MAY 2011  | 83          | UNDER DELEGATION | PERMIT ISSUED      |
| 32/2011-1  | 16 FEB 2011   | 801 TIMBOON COLAC ROAD, JANCOURT EAST | CONSTRUCTION OF A DAM                                                                                 | 9 MAY 2011  | 10          | UNDER DELEGATION | PERMIT ISSUED      |
| 33/2011-1  | 28 FEB 2011   | 18A TRAFALGAR STREET, APOLLO BAY      | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A GARAGE OUTSIDE OF THE APPROVED BUILDING ENVELOPE | 16 MAY 2011 | 17          | UNDER DELEGATION | PERMIT ISSUED      |
| 35/2011-1  | 18 FEB 2011   | 20 ELSINORE STREET, COLAC             | CONSTRUCTION OF 2 SINGLE STOREY UNITS                                                                 | 27 MAY 2011 | 66          | UNDER DELEGATION | NOTICE OF DECISION |
| 46/2011-1  | 8 MAR 2011    | 8 CORAGULAC BEEAC ROAD, CORAGULAC     | ADDITION TO EXISTING OFFICE BUILDING                                                                  | 3 MAY 2011  | 56          | UNDER DELEGATION | PERMIT ISSUED      |
| 54/2011-1  | 8 MAR 2011    | 39A MURRAY STREET, COLAC              | DISPLAY OF SIGNAGE                                                                                    | 10 MAY 2011 | 25          | UNDER DELEGATION | PERMIT ISSUED      |
| 58/2011-1  | 7 MAR 2011    | 1370 PRINCES HIGHWAY, PIRRON YALLOCK  | CONSTRUCT A FARM SHED                                                                                 | 9 MAY 2011  | 33          | UNDER DELEGATION | PERMIT ISSUED      |
| 60/2011-2  | 28 APR 2011   | 5 IRREWARRA STATION ROAD, IRREWARRA   | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A STORAGE SHED - AMENDMENT                         | 3 MAY 2011  | 6           | UNDER DELEGATION | PERMIT ISSUED      |
| 71/2011-1  | 30 MAR 2011   | 1426 PRINCES HIGHWAY, PIRRON YALLOCK  | CONSTRUCTION OF A MACHINERY/HAY SHED                                                                  | 9 MAY 2011  | 11          | UNDER DELEGATION | PERMIT ISSUED      |
| 73/2011-1  | 5 APR 2011    | 305 FOREST STREET SOUTH ELLIMINYT     | CONSTRUCT A 3 BAY CAR GARAGE/MACHINERY/HAY SHED                                                       | 9 MAY 2011  | 34          | UNDER DELEGATION | PERMIT ISSUED      |
| 77/2011-1  | 7 APR 2011    | 71 GRAVESEND STREET, COLAC            | TWO (2) LOT SUBDIVISION                                                                               | 26 MAY 2011 | 14          | UNDER DELEGATION | PERMIT ISSUED      |
| 83/2011-1  | 11 APR 2011   | 30 ROSENEATH ROAD, WARNCOORT          | CONSTRUCT A CARPORT                                                                                   | 3 MAY 2011  | 22          | UNDER DELEGATION | PERMIT ISSUED      |
| 89/2011-1  | 15 APR 2011   | 25-29 HESSE STREET, COLAC             | DEMOLITION OF EXISTING GARDEN SHED & CONSTRUCTION OF NEW GARDEN SHED                                  | 9 MAY 2011  | 24          | UNDER DELEGATION | PERMIT ISSUED      |
| 95/2011-1  | 29 APR 2011   | 885 GREAT OCEAN ROAD, APOLLO BAY      | ALTERATION & ADDITION TO EXISTING DWELLING & RETAINING WALL                                           | 12 MAY 2011 | 13          | UNDER DELEGATION | PERMIT ISSUED      |
| 97/2011-1  | 29 APR 2011   | 374-376 MURRAY STREET, COLAC          | BUILDINGS AND WORKS COMPRISING ALTERATIONS TO THE FRONT FAÇADE OF THE EXISTING BUILDING               | 9 MAY 2011  | 10          | UNDER DELEGATION | PERMIT ISSUED      |
| 98/2011-1  | 29 APR 2011   | 374-376 MURRAY STREET, COLAC          | ERECTION OF BUSINESS IDENTIFICATION SIGNAGE                                                           | 9 MAY 2011  | 10          | UNDER DELEGATION | PERMIT ISSUED      |
| 100/2011-1 | 3 MAY 2011    | 2 FULFORD CRESCENT, ELLIMINYT         | DEVELOPMENT OF THE LAND FOR A DWELLING                                                                | 23 MAY 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED      |

| APPLIC NO  | DATE RECEIVED | LOCATION                       | PROPOSAL                                               | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION      |
|------------|---------------|--------------------------------|--------------------------------------------------------|-------------|-------------|------------------|---------------|
| 101/2011-1 | 3 MAY 2011    | 12 FULFORD CRESCENT, ELLIMINYT | DEVELOPMENT OF THE LAND FOR A DWELLING                 | 23 MAY 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED |
| 102/2011-1 | 3 MAY 2011    | 6 FULFORD CRESCENT, ELLIMINYT  | DEVELOPMENT OF THE LAND FOR A DWELLING                 | 23 MAY 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED |
| 109/2011-1 | 5 MAY 2011    | 28 SCANLAN DRIVE, ELLIMINYT    | CONSTRUCTION OF A SINGLE DWELLING AND ASSOCIATED WORKS | 23 MAY 2011 | 18          | UNDER DELEGATION | PERMIT ISSUED |
|            |               |                                |                                                        |             |             |                  |               |
|            |               |                                | <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b>   |             | <b>52</b>   |                  |               |

## Planning Statistical Report June 2011

| APPLIC NO  | DATE RECEIVED | LOCATION                                   | PROPOSAL                                                                                            | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION            |
|------------|---------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------|-------------|------------------|---------------------|
| 244/2007-2 | 17 MAR 2011   | 675 SKENES CREEK ROAD, SKENES CREEK NORTH  | CONSTRUCTION OF A DWELLING – AMENDMENT                                                              | 23 JUN 2011 | 56          | UNDER DELEGATION | PERMIT ISSUED       |
| 314/2007-2 | 9 FEB 2011    | 50 BINGAMI ROAD, YEODENE                   | USE & DEVELOPMENT OF A PAINTBALL FACILITY – AMENDMENT – TWO ADDITIONAL ACTIVITIES                   | 14 JUN 2011 | 0           | UNDER DELEGATION | WITHDRAWN           |
| 57/2009-1  | 30 MAR 2009   | 42 KARINGAL DRIVE, WYE RIVER               | DEVELOPMENT OF A DWELLING, REMOVAL OF VEGETATION AND ASSOCIATED WORKS                               | 20 JUN 2011 | 611         | UNDER DELEGATION | REFUSAL TO GRANT    |
| 103/2010-2 | 17 MAY 2011   | 48 KARINGAL DRIVE, WYE RIVER               | CONSTRUCTION OF ONE DWELLING, REMOVAL OF THREE (3) TREES, RETAINING WALL AND ASSOCIATED WORKS       | 27 JUN 2011 | 22          | UNDER DELEGATION | PERMIT ISSUED       |
| 177/2010-1 | 1 JUL 2010    | 25 MAIN ROAD, GELLIBRAND                   | CONSTRUCTION OF A COMMUNITY BUILDING                                                                | 21 JUN 2011 | 192         | UNDER DELEGATION | NOTICE OF DECEISION |
| 244/2010-1 | 26 AUG 2010   | 49 COSTIN STREET, APOLLO BAY               | SUBDIVIDE THE LAND INTO FIVE (5) LOTS                                                               | 16 JUN 2011 | 6           | UNDER DELEGATION | PERMIT ISSUED       |
| 304/2010-2 | 1 JUN 2011    | 44-48 MURRAY STREET, COLAC EAST            | PROPOSED CHANGES TO CAR WASH - AMENDMENT                                                            | 21 JUN 2011 | 21          | UNDER DELEGATION | PERMIT ISSUED       |
| 338/2010-2 | 26 MAY 2011   | 35 MOORE STREET, COLAC                     | CONSTRUCT A VERANDAH – AMENDMENT                                                                    | 10 JUN 2011 | 15          | UNDER DELEGATION | PERMIT ISSUED       |
| 347/2010-1 | 9 DEC 2010    | 11 GARDNER STREET, BEECH FOREST            | BUILDINGS AND WORKS COMPRISING ALTERATIONS AND ADDITIONS TO EXISTING DWELLING AND ASSOCIATED WORKS. | 1 JUN 2011  | 52          | UNDER DELEGATION | PERMIT ISSUED       |
| 358/2010-1 | 20 DEC 2010   | 1686 BIRREGURRA FORREST ROAD, BARWON DOWNS | EXTENSION TO EXISTING DWELLING, IN 2 STAGES AND CONSTRUCT A NEW SHED                                | 9 JUN 2011  | 16          | UNDER DELEGATION | PERMIT ISSUED       |
| 22/2011-1  | 7 FEB 2011    | 5470 GREAT OCEAN ROAD, YUULONG             | CONSTRUCTION OF A SHED                                                                              | 24 JUN 2011 | 42          | UNDER DELEGATION | WITHDRAWN           |
| 27/2011-2  | 2 MAY 2011    | 16 WARNCOORT CEMETERY ROAD, WARNCOORT      | AMENDMENT TO THE DESIGN OF THE DWELLING                                                             | 20 JUN 2011 | 49          | UNDER DELEGATION | PERMIT ISSUED       |
| 29/2011-1  | 14 FEB 2011   | 790 BLUE JOHANNA ROAD, JOHANNA             | CONSTRUCTION OF A DWELLING & MINOR ASSOCIATED EARTHWORKS                                            | 20 JUN 2011 | 56          | UNDER DELEGATION | PERMIT ISSUED       |
| 47/2011-1  | 4 MAR 2011    | 38 KARINGAL DRIVE, WYE RIVER               | CONSTRUCTION OF RETAINING WALL & ASSOCIATED DRAINAGE ENGINEERING FOR EXISTING DRIVEWAY              | 21 JUN 2011 | 109         | UNDER DELEGATION | PERMIT ISSUED       |
| 56/2011-1  | 11 MAR 2011   | 110 IRREWILLIPE ROAD, ELLIMINYT            | CONSTRUCT AN ADDITION TO THE EXISTING SHED/WORKSHOP                                                 | 28 JUN 2011 | 66          | UNDER DELEGATION | PERMIT ISSUED       |
| 62/2011-1  | 18 MAR 2011   | 45 MAHONEYS ROAD, ELLIMINYT                | EXTENSION TO EXISTING DWELLING                                                                      | 21 JUN 2011 | 95          | UNDER DELEGATION | PERMIT ISSUED       |
| 65/2011-1  | 23 MAR 2011   | 80 SLATER STREET, ELLIMINYT                | CONSTRUCT A FARM SHED AND CARRY OUT EARTHWORKS (DAM)                                                | 1 JUN 2011  | 43          | UNDER DELEGATION | PERMIT ISSUED       |

| APPLIC NO  | DATE RECEIVED | LOCATION                                   | PROPOSAL                                                                              | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION            |
|------------|---------------|--------------------------------------------|---------------------------------------------------------------------------------------|-------------|-------------|------------------|---------------------|
| 66/2011-1  | 23 MAR 2011   | 81-91 HEARN STREET, COLAC                  | TWO (2) LOT SUBDIVISION                                                               | 15 JUN 2011 | 57          | UNDER DELEGATION | PERMIT ISSUED       |
| 70/2011-1  | 29 MAR 2011   | 125 ROBINSON ROAD, BARONGAROOK             | CONSTRUCT AN EXTENSION TO THE EXISTING DWELLING                                       | 30 JUN 2011 | 62          | UNDER DELEGATION | PERMIT ISSUED       |
| 75/2011-1  | 8 APR 2011    | 375 FRY'S ROAD, KAWARREN                   | USE & DEVELOPMENT OF THE LAND FOR THE PURPOSES OF CONSTRUCTING A DWELLING             | 23 JUN 2011 | 15          | UNDER DELEGATION | PERMIT ISSUED       |
| 78/2011-1  | 9 APR 2011    | 605 DEWINGS BRIDGE ROAD, GERANGAMETE       | FLAT & GABLED ROOFED STEEL STRUCTURES ATTACHED TO REAR AND FRONT OF EXISTING DWELLING | 1 JUN 2011  | 0           | UNDER DELEGATION | PERMIT NOT REQUIRED |
| 91/2011-1  | 18 APR 2011   | 261-263 MURRAY STREET, COLAC               | CONSTRUCT ALTERATIONS AND ADDITIONS TO THE EXISTING RESTAURANT                        | 20 JUN 2011 | 6           | UNDER DELEGATION | PERMIT ISSUED       |
| 93/2011-1  | 15 APR 2011   | 4755 PRINCES HIGHWAY, BIRREGURRA           | USE & DEVELOPMENT OF THE LAND FOR A DWELLING                                          | 3 JUN 2011  | 12          | UNDER DELEGATION | PERMIT ISSUED       |
| 99/2011-1  | 2 MAY 2011    | 36 SCANLAN DRIVE, ELLIMINYT                | CONSTRUCT A SINGLE DWELLING                                                           | 2 JUN 2011  | 7           | UNDER DELEGATION | PERMIT ISSUED       |
| 105/2011-1 | 29 APR 2011   | 120A WILSON STREET, COLAC                  | ERECTION OF A STORAGE SHED                                                            | 1 JUN 2011  | 0           | UNDER DELEGATION | WITHDRAWN           |
| 111/2011-1 | 10 MAY 2011   | 38 FULFORD CRESCENT, ELLIMINYT             | CONSTRUCT A SINGLE DWELLING                                                           | 9 JUN 2011  | 36          | UNDER DELEGATION | PERMIT ISSUED       |
| 117/2011-1 | 16 MAY 2011   | 30 SCANLAN DRIVE, ELLIMINYT                | CONSTRUCT A SINGLE DWELLING                                                           | 2 JUN 2011  | 17          | UNDER DELEGATION | PERMIT ISSUED       |
| 120/2011-1 | 16 MAY 2011   | 34 SCANLAN DRIVE, ELLIMINYT                | CONSTRUCT A SINGLE DWELLING                                                           | 2 JUN 2011  | 17          | UNDER DELEGATION | PERMIT ISSUED       |
| 121/2011-1 | 17 MAY 2011   | 1588 BIRREGURRA FORREST ROAD, BARWON DOWNS | CONSTRUCT AN OUTBUILDING (GARAGE/SHED) ANCILLARY TO THE EXISTING DWELLING             | 9 JUN 2011  | 2           | UNDER DELEGATION | PERMIT ISSUED       |
| 122/2011-1 | 13 MAY 2011   | 240 BAYNES ROAD, ALVIE                     | CONSTRUCT ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING                          | 28 JUN 2011 | 26          | UNDER DELEGATION | PERMIT ISSUED       |
| 123/2011-1 | 1 JUN 2011    | 165 SINCLAIR STREET, SOUTH COLAC           | CONSTRUCT A SINGLE DWELLING                                                           | 1 JUN 2011  | 0           | UNDER DELEGATION | PERMIT ISSUED       |
| 129/2011-1 | 26 MAY 2011   | 215 BARRYS ROAD, ELLIMINYT                 | CONSTRUCT A REPLACEMENT FARM MACHINERY SHED                                           | 9 JUN 2011  | 15          | UNDER DELEGATION | PERMIT ISSUED       |
| 135/2011-1 | 31 MAY 2011   | 95 CHRISTIES ROAD, ELLIMINYT               | BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A DRESSAGE ARENA                   | 9 JUN 2011  | 9           | UNDER DELEGATION | PERMIT ISSUED       |
| 137/2011-1 | 25 MAY 2011   | 1 MITCHELL COURT, MARENGO                  | EXTENSION TO THE EXISTING DWELLING INCLUDE A DECK                                     | 17 JUN 2011 | 23          | UNDER DELEGATION | PERMIT ISSUED       |

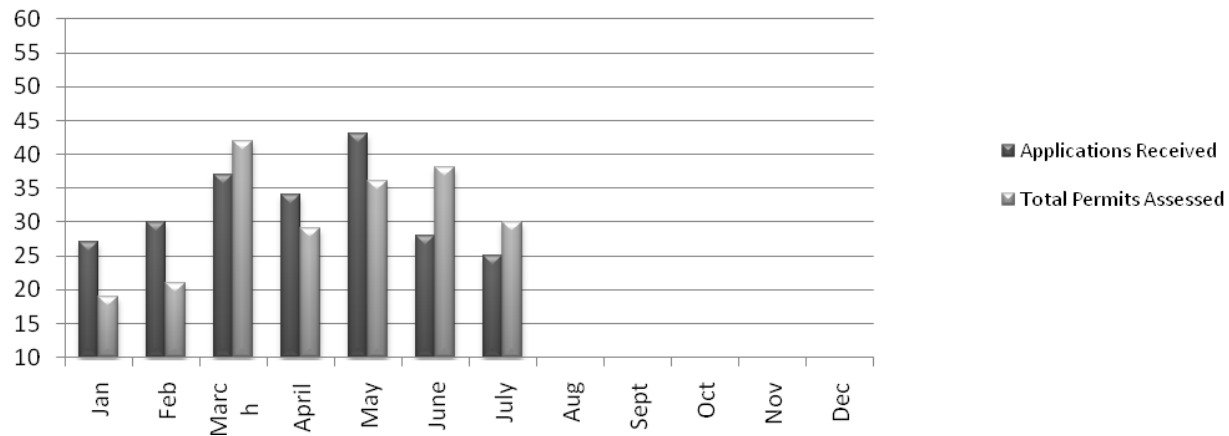
| APPLIC NO  | DATE RECEIVED | LOCATION                 | PROPOSAL                                        | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION      |
|------------|---------------|--------------------------|-------------------------------------------------|-------------|-------------|------------------|---------------|
| 144/2011-1 | 7 JUN 2011    | 75 CANTS ROAD, ELLIMINYT | CONSTRUCT AN EXTENSION TO THE EXISTING DWELLING | 28 JUN 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED |
|            |               |                          |                                                 |             |             |                  |               |
|            |               |                          | AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS   |             | 51          |                  |               |

## Planning Statistical Report July 2011

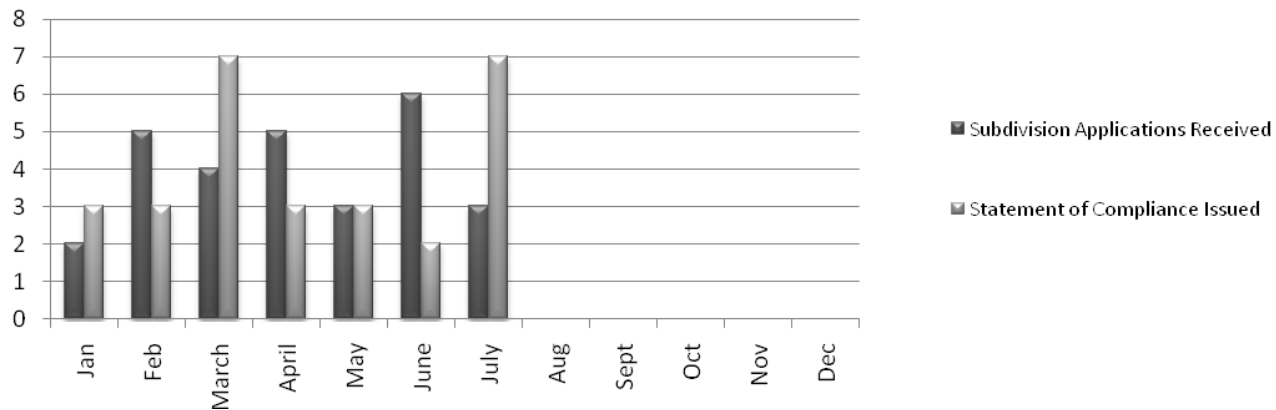
| APPLIC NO  | DATE RECEIVED | LOCATION                           | PROPOSAL                                                                                                                                                 | DATE ISSUED  | ACTUAL TIME | AUTHORITY        | DECISION           |
|------------|---------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------|------------------|--------------------|
| 122/2005-2 | 23 JUN 2011   | 320 PRINCES HIGHWAY, COLAC WEST    | TWENTY THREE (23) LOT SUBDIVISION – AMENDMENT                                                                                                            | 5 JUL 2011   | 12          | UNDER DELEGATION | PERMIT ISSUED      |
| 215/2006-2 | 20 APR 2011   | 71 JENNER STREET, BIRREGURRA       | TWO (2) LOT SUBDIVISION – AMENDMENT                                                                                                                      | 18 JUL 2011  | 89          | UNDER DELEGATION | WITHDRAWN          |
| 21/2007-4  | 7 APR 2011    | 265-281 MURRAY STREET, COLAC       | USE & DEVELOPMENT OF A RETAIL PREMISE, TRADE SUPPLIES, ANCILLARY TIMBER YARD, WAIVING OF CAR PARKING & BICYCLE PARKING & ADVERTISING SIGNAGE – AMENDMENT | 6 JUL 2011   | 55          | UNDER DELEGATION | PERMIT ISSUED      |
| 48/2008-2  | 31 JAN 2011   | 17 DUNOON ROAD, WYE RIVER          | CONSTRUCTION OF DWELLING (REMOVAL OF EXISTING DWELLING) – AMENDMENT                                                                                      | 25 JUL 2011  | 14          | UNDER DELEGATION | PERMIT ISSUED      |
| 346/2008-2 | 7 JUN 2011    | 635 LIGHTHOUSE ROAD, CAPE OTWAY    | CONSTRUCTION & USE OF A DWELLING - AMENDMENT                                                                                                             | 20 JUL 2011  | 19          | UNDER DELEGATION | PERMIT ISSUED      |
| 118/2010-2 | 23 FEB 2011   | 4 MULLER ROAD, SKENES CREEK        | REMOVAL OF TREES & CONSTRUCTION OF A TWO (2) STOREY DWELLING ALSO TO BE USED FOR SHORT TERM ACCOMMODATION – AMENDMENT                                    | 6 JUL 2011   | 83          | UNDER DELEGATION | PERMIT ISSUED      |
| 142/2010-1 | 21 MAY 2010   | 30 BUCHANAN STREET, BEECH FOREST   | RE-ALIGNMENT OF TITLE BOUNDARIES                                                                                                                         | 29 JUL 2011  | 312         | UNDER DELEGATION | REFUSAL TO GRANT   |
| 212/2010-2 | 14 JUN 2011   | 15 SKENES STREET, COLAC            | CHANGE OF USE TO A FUNERAL PARLOUR, BUILDINGS AND WORKS AND REDUCTION OF CAR PARKING - AMENDMENT                                                         | 6 JUL 2011   | 22          | UNDER DELEGATION | PERMIT ISSUED      |
| 346/2010-1 | 8 DEC 2010    | 1-19 COSTIN STREET, APOLLO BAY     | USE & DEVELOPMENT OF THE LAND FOR PLUMBING & GARDEN SUPPLIES                                                                                             | 11 JUL 2011  | 118         | UNDER DELEGATION | PERMIT ISSUED      |
| 44/2011-1  | 2 MAR 2011    | 85 & 265 OAKLEYS ROAD, YEO         | USE & DEVELOPMENT OF THE LAND FOR A DWELLING & SHED                                                                                                      | 29 JULY 2011 | 80          | UNDER DELEGATION | PERMIT ISSUED      |
| 48/2011-2  | 20 JUN 2011   | 229-239 MURRAY STREET, COLAC       | DISPLAY OF SIGNAGE - AMENDMENT                                                                                                                           | 12 JUL 2011  | 4           | UNDER DELEGATION | PERMIT ISSUED      |
| 49/2011-1  | 2 MAR 2011    | 55 CORANGAMITE STREET, COLAC       | DISPLAY OF SIGNAGE                                                                                                                                       | 11 JUL 2011  | 55          | UNDER DELEGATION | PERMIT ISSUED      |
| 64/2011-1  | 22 MAR 2011   | 1965 CARLISLE ROAD, CARLISLE RIVER | ADDITION TO EXISTING DWELLING & REMOVAL THREE (3) TREES                                                                                                  | 14 JUL 2011  | 44          | UNDER DELEGATION | PERMIT ISSUED      |
| 80/2011-1  | 11 APR 2011   | 6 STATION STREET, FORREST          | REMOVAL OF CARRIAGEWAY EASEMENT CREATED BY INSTRUMENT B676130                                                                                            | 14 JUL 2011  | 88          | UNDER DELEGATION | PERMIT ISSUED      |
| 84/2011-1  | 12 APR 2011   | 115 HICKEYS CUTTING, SKENES CREEK  | ADDITIONS TO DWELLING                                                                                                                                    | 14 JUL 2011  | 50          | UNDER DELEGATION | PERMIT ISSUED      |
| 90/2011-1  | 15 APR 2011   | 25 CAMPBELL COURT, APOLLO BAY      | TWO (2) LOT SUBDIVISION                                                                                                                                  | 29 JULY 2011 | 22          | UNDER DELEGATION | NOTICE OF DECISION |

| APPLIC NO  | DATE RECEIVED | LOCATION                                  | PROPOSAL                                                                                                                                | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION      |
|------------|---------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|---------------|
| 103/2011-1 | 3 MAY 2011    | 38 MURRELL STREET, BIRREGURRA             | SUBDIVIDE LAND INTO TWO (2) LOTS                                                                                                        | 14 JUL 2011 | 51          | UNDER DELEGATION | PERMIT ISSUED |
| 107/2011-1 | 4 MAY 2011    | 300 SPEEDWAY ROAD, BUNGADOR               | CONSTRUCT A SHED ASSOCIATED WITH AN EXISTING DWELLING                                                                                   | 5 JUL 2011  | 43          | UNDER DELEGATION | PERMIT ISSUED |
| 125/2011-1 | 19 MAY 2011   | 2030 COLAC BALLARAT ROAD, BEEAC           | SIGNAGE                                                                                                                                 | 14 JUL 2011 | 13          | UNDER DELEGATION | PERMIT ISSUED |
| 136/2011-1 | 30 MAY 2011   | 40 BURTONS LANE, BARONGAROOK              | CONSTRUCT AN EXTENSION TO THE EXISTING DWELLING                                                                                         | 29 JUL 2011 | 33          | UNDER DELEGATION | PERMIT ISSUED |
| 140/2011-1 | 3 JUN 2011    | 92-98 FOREST STREET, COLAC EAST           | EXTENSION TO EXISTING BUILDING                                                                                                          | 29 JUL 2011 | 53          | UNDER DELEGATION | PERMIT ISSUED |
| 141/2011-1 | 6 JUN 2011    | 43 GELLIBRAND STREET, COLAC               | DISPLAY OF SIGNAGE                                                                                                                      | 11 JUL 2011 | 5           | UNDER DELEGATION | PERMIT ISSUED |
| 142/2011-1 | 3 JUN 2011    | 630 GELLIBRAND RIVER ROAD, CARLISLE RIVER | CONSTRUCT A SHED FOR FARM STORAGE                                                                                                       | 14 JUL 2011 | 20          | UNDER DELEGATION | PERMIT ISSUED |
| 143/2011-1 | 7 JUN 2011    | 50 BAGGOTTS ROAD, CORAGULAC               | BUILDINGS & WORKS COMPRISING ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING AND THE CONSTRUCTION OF AN OUTBUILDING (GARAGE/CARPORT) | 6 JUL 2011  | 29          | UNDER DELEGATION | PERMIT ISSUED |
| 149/2011-1 | 10 JUN 2011   | 1845 COLAC LAVERS HILL ROAD, KAWARREN     | CONSTRUCTION OF HAY/MACHINERY SHED                                                                                                      | 22 JUL 2011 | 14          | UNDER DELEGATION | PERMIT ISSUED |
| 156/2011-1 | 28 JUN 2011   | 190 COLLINS ROAD, IRREWARRA               | CONSTRUCT A SHED                                                                                                                        | 22 JUL 2011 | 24          | UNDER DELEGATION | PERMIT ISSUED |
| 158/2011-1 | 29 JUN 2011   | 50 HESSE STREET, COLAC                    | DISPLAY A BUSINESS IDENTIFICATION SIGN                                                                                                  | 11 JUL 2011 | 4           | UNDER DELEGATION | PERMIT ISSUED |
| 160/2011-1 | 6 JUL 2011    | 20 FULFORD CRESCENT, ELLIMINYT            | CONSTRUCT A SINGLE DWELLING                                                                                                             | 25 JUL 2011 | 6           | UNDER DELEGATION | PERMIT ISSUED |
| 161/2011-1 | 7 JUL 2011    | 110-116 MURRAY STREET, COLAC              | INCREASE THE AREA THAT LIQUOR IS ALLOWED TO BE SUPPLIED UNDER THE EXISTING LICENCE (BOTTLESHOP COVERED DRIVE THROUGH AREA)              | 20 JUL 2011 | 13          | UNDER DELEGATION | PERMIT ISSUED |
| 163/2011-1 | 8 JUL 2011    | 15 FULFORD CRESCENT, ELLIMINYT            | CONSTRUCT A SINGLE STOREY DWELLING                                                                                                      | 20 JUL 2011 | 5           | UNDER DELEGATION | PERMIT ISSUED |
|            |               |                                           |                                                                                                                                         |             |             |                  |               |
|            |               |                                           | <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b>                                                                                    |             | <b>46</b>   |                  |               |

### Planning Permits Received & Determined for 2011



### Subdivision Applications for 2011

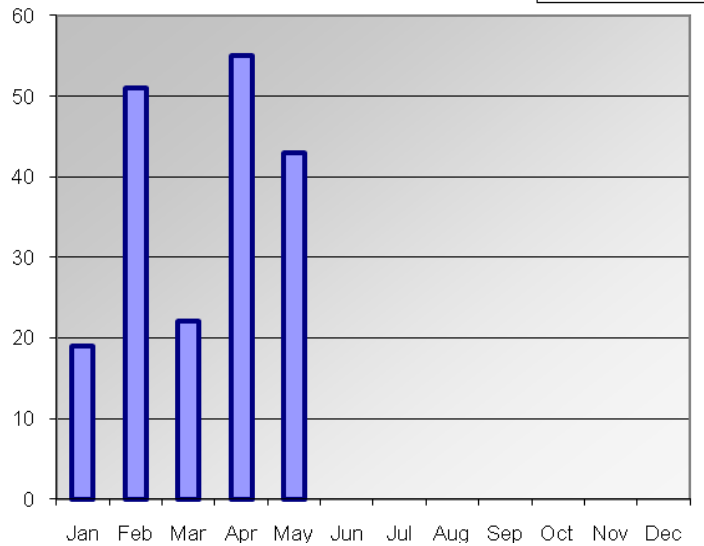




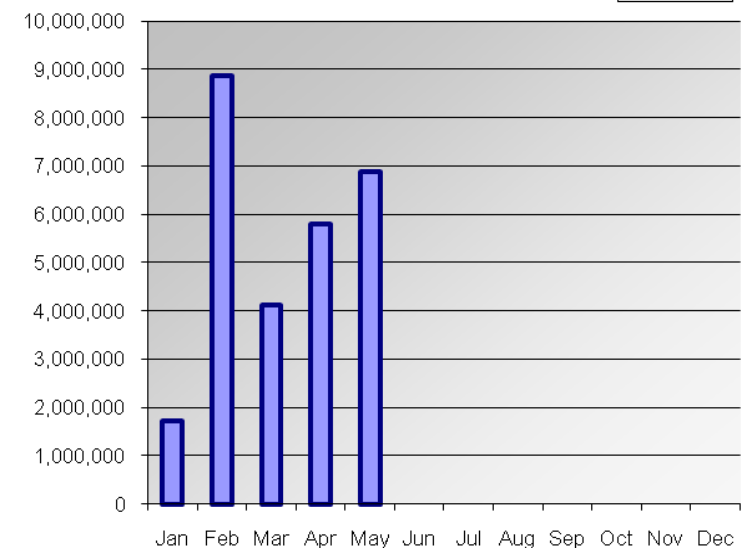
|               | Domestic   |                   | Residential* |                  | Commercial |                  | Retail   |                  | Industrial |               | Hospital/HealthCare |            | Public Buildings |                  | Municipal Totals |                   |
|---------------|------------|-------------------|--------------|------------------|------------|------------------|----------|------------------|------------|---------------|---------------------|------------|------------------|------------------|------------------|-------------------|
|               | 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           | 15         | 1,566,668         | 0            | 0                | 3          | 121,755          | 0        | 0                | 0          | 0             | 0                   | 0          | 1                | 46,000           | 19               | 1,734,423         |
| Feb           | 35         | 5,918,526         | 2            | 0                | 8          | 314,660          | 1        | 2,500,000        | 0          | 0             | 0                   | 0          | 5                | 143,611          | 51               | 8,876,797         |
| Mar           | 20         | 3,423,427         | 0            | 0                | 0          | 0                | 0        | 0                | 0          | 0             | 0                   | 0          | 2                | 703,262          | 22               | 4,126,689         |
| Apr           | 41         | 5,016,744         | 0            | 0                | 7          | 335,388          | 0        | 0                | 1          | 29,000        | 0                   | 0          | 6                | 414,814          | 55               | 5,795,946         |
| May           | 33         | 4,299,163         | 1            | 1,230,000        | 5          | 836,000          | 2        | 250,000          | 0          | 0             | 0                   | 0          | 2                | 277,368          | 43               | 6,892,531         |
| Jun           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Jul           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Aug           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Sep           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Oct           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Nov           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| Dec           |            |                   |              |                  |            |                  |          |                  |            |               |                     |            |                  |                  |                  |                   |
| <b>Totals</b> | <b>144</b> | <b>20,224,528</b> | <b>3</b>     | <b>1,230,000</b> | <b>23</b>  | <b>1,607,803</b> | <b>3</b> | <b>2,750,000</b> | <b>1</b>   | <b>29,000</b> | <b>0</b>            | <b>0</b>   | <b>16</b>        | <b>1,585,055</b> | <b>190</b>       | <b>27,426,386</b> |

\*Multi-Development

2011 Building Statistics - Total Permits Issued



2011 Building Statistics - Total Value of Works



**PC111008-2 DEVELOPMENT OF TWO (2) SINGLE STOREY SHOPS,  
DEMOLITION OF THE EXISTING BUILDING,  
CONSTRUCTION OF REAR CAR PARKING AREA AND A  
REDUCTION IN THE CAR PARKING REQUIREMENT AT  
246-250 MURRAY STREET, COLAC**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP3/2011   |

**Location:** 246-250 Murray Street, Colac

**Zoning:** Business 1 Zone (B1Z)

**Overlay controls:** Heritage Overlay 305 (HO305)

**Proposed Amendments:** Nil

**Abuts:** Road Zone 1 (RDZ1)

**Restrictive Covenants:** No

**Purpose:**

An application has been submitted for the demolition of the existing building, redevelopment of the land for two (2) single storey shops, construction of rear car parking for nine (9) car spaces, and a reduction in the car parking requirement of 30 car spaces.

This application is before Council for consideration as the proposal seeks a reduction of the car parking requirement of 30 spaces.

It is recommended that a Planning Permit be issued subject to conditions.

**Declaration of Interests**

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

**Summary**

- The proposal is a redevelopment of the site by demolishing the existing building and redeveloping the land with two single storey shops.
- The existing building is setback from Murray Street, is currently unoccupied but previously used as a landscaping/gardens supplies business. The site is included in the Heritage Overlay – HO305 (Murray Street Precinct), however, the existing building is not a contributory building nor does it have any architectural or heritage significance which makes it suitable for demolition.
- There is no formal car parking on site and access to the site has been via the laneway at the rear. The reduction of thirty (30) car parking spaces is considered to be acceptable given that the requirement for car spaces in the planning scheme for a shop is generally considered excessive and the draft Apollo Bay and Colac Car Parking Study recommends a reduction in car parking requirements for a shop use.

Nine (9) car spaces will be provided on-site and on-street parking facilities are available within close proximity of the site.

- Given the above, it is recommended that a planning Permit be issued subject to conditions.

### **Background**

There are no previous planning permit applications on record for the subject land.

### **Issues / Options**

Council has the options of:

- a) Supporting the application by the granting of a Planning Permit subject to conditions;
- b) Supporting the application with changes;
- c) Refusing to grant a permit.

The key issue is whether a waiver of car parking spaces is justified.

It is recommended that Option (a) is supported.

### **Proposal**

The applicant seeks approval for the development of two (2) single storey shops, demolition of the existing building, construction of rear car parking and a reduction in the car parking requirement.

The proposed shops are single storey and built to the front property boundary with a verandah extending over the footpath. The proposed shops sit side by side with individual pedestrian access from Murray Street. The front facade of the proposed building incorporates a rendered brick parapet at a maximum height of 5.85m above ground level. A pitched colourbond roof sits behind the parapet and as such will not be visible from the streetscape.

The proposed shops have floor areas of 221.91sqm and 270.24sqm respectively. Each shop is provided with a bathroom and also rear access to the car parking area.

The proposal incorporates the construction of a car park at the rear of the site accessed via the rear laneway. A total of nine (9) spaces are provided within the proposed car park, one (1) of which is a disabled space with dimensions in accordance with the new building regulations. A 3.6 x 7.6m loading bay is also located within the rear parking area.

The applicant seeks approval for a reduction of 30 car parking spaces from the Planning Scheme requirement that cannot be provided on the site.

### **Site & Surrounds**

The site is located on the southern side of Murray Street, Colac approximately 30m east of the Hart Street intersection. The site comprises of three (3) separate allotments with a total land area of 671.4sqm.

The site contains a single storey building setback 17.5m from the front property boundary. The existing building is built to the eastern property boundary and setback approximately 1.2m from the western property boundary. A 2m high security fence currently exists along the front property boundary.

The rear of the site is used as an informal car parking area with a compacted gravel surface however no parking spaces are marked out as such. Access to the car parking area is provided via a 40m laneway which leads to Hart Street to the west.

The properties adjacent to the east and west are developed with single storey buildings which are used as a plumbing supplies shop and a pizza shop. The surrounding area is generally zoned Business 1 Zone and forms part of the Colac retail precinct.

### **Public Notice**

While the demolition and buildings and works are exempt from public notice under the zone and overlay, the reduction of car parking is not exempt and therefore, public notice of the application was given in accordance with Section 52 of the Planning and Environment Act by sending letters to adjoining owners/occupiers and by placing a sign on-site. The applicant has provided a Statutory Declaration stating that the advertising has been carried out in accordance with Council's requirements.

No objections have been received.

### **Referrals**

The application was not referred to any external referral authorities.

The application was referred internally to the Infrastructure, Building and Health Departments. Both the Building and Health Department have no objections to the proposal and do not require any specific conditions to be placed on any permit issued. Council's Development Engineer has no objection to the proposal subject to conditions.

The application was referred to Council's Heritage Advisor as the site is located within the Heritage Overlay Schedule 305 (Murray Street Precinct). The Heritage Advisor has no objection to the demolition of the existing building and views the proposed replacement building as an appropriate design response with respect to the area's heritage significance.

### **Planning Controls**

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

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

- Clause 11.05 – Regional Development
- Clause 15 – Built Environment and Heritage
- Clause 17.01 – Commercial
- Clause 21.02-2 – Land Use Vision
- Clause 21.03-2 – Colac
- Clause 22.01-9 – HO305 – Murray Street Precinct, Colac

The above polices, including the Colac Structure Plan, encourage the concentration of retail, commercial, accommodation, administration and entertainment activities in the Colac Town Centre.

These policies also support the co-location, multiple use and sharing of facilities, and seek to minimise the effects of commercial development on the amenity of the neighbouring area. The policies encourage the efficient provision of car parking and promote high quality urban design outcomes.

The proposal is considered to accord with the principles of the State and Local Planning Policy Framework. The proposed use assists in meeting the community's need for business related uses, in particular commercial and social facilities. It also assists in further consolidating and building upon the importance of Colac as a regional centre. The site is appropriately located within the town centre and within walking distance to other commercial, recreational and commercial facilities.

b. Zone provisions

The purpose of the Business 1 Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

A 'shop' is a Section 1 Use (Permit not required) under the Business 1 Zone provisions.

Planning approval is required to construct a building or to construct or carry out works pursuant to Clause 34.01-4 of the Colac Otway Planning Scheme.

c. Overlay Provisions

The purpose of the Heritage Overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

A permit is required to demolish or remove a building and to construct a building or construct or carry out works pursuant to Clause 43.01-1 of the Colac Otway Planning Scheme.

d. Particular Provisions – Clause 52.06 Car parking

Pursuant to Clause 52.06 of the Colac Otway Planning Scheme, a 'shop' attracts a car parking rate of eight (8) spaces per 100sqm of leasable floor area.

The proposed shops have a combined leasable floor area of 492.15sqm generating a car parking requirement of 39 spaces. The applicant seeks a reduction of 30 car spaces and proposes to provide nine (9) car spaces, including one (1) disabled car space on site.

### **Consideration of the Proposal**

#### Buildings and Works

The proposed building is of a contemporary built form and style which picks up some key elements of the area's historical past. Overall the building is of a low scale and shall fit neatly within the existing streetscape.

The front facade of the building is constructed predominately of rendered brick work and large areas of glazing. A parapet above the verandah extends to a height of 5.85m above the ground, providing interest to the front facade as well as concealing the pitched roof form behind. A colourbond verandah also adds articulation and visual interest to the front facade. Each individual shop is provided with clearly defined entrances.

The presence of large areas of glazing on the front facade contributes to an active street frontage and also allows for increased public safety as passive observation of the public area can occur from within the proposed shops.

#### Heritage Significance

The proposed building will not detract from the heritage significance of the Murray Street precinct. Heritage Overlay 305 relates to the Murray Street Precinct extending from Queen Street in the east to Corangamite Street in the west. The Statement of Significance for this precinct reads as;

*'Colac's Murray Street Precinct extends from Queen Street in the east to Corangamite Street in the west. The Murray Street Precinct is of historic and architectural importance to the Shire of Colac Otway. The Murray Street Precinct is of historic importance through association with Colac's late nineteenth and early twentieth century period of prosperity and consolidation as a large regional service centre for the surrounding rich agricultural and grazing district. The Murray Street Precinct is of historic importance in demonstrating a palimpsest of Colac's growth as a regional centre over a fifty year period, through the nineteenth century civic and financial buildings constructed to the east near Barongarook Creek, and the early twentieth century and inter-war retail that followed later as Colac's industries expanded and its population grew. The Murray Street Precinct is architecturally important in illustrating the development of civic pride, authority and community solidarity in a regional nineteenth century Anglo-Celtic farming community, demonstrated in the clustering of a series of elegant architect-designed nineteenth century Victorian Italianate civic and government buildings near the entrance to the commercial area, adjacent to the bridge over Barongarook creek. The Murray Street Precinct is of architectural importance in exhibiting twentieth century styles, including Art Nouveau and Arts and Craft, that demonstrate the prosperity of the period and the confidence held in Colac's continued growth by those who constructed these commercial premises.'*

Council's Heritage Advisor provided the following comments on the application:

*"I have reviewed the photograph of the building proposed for demolition at 246-250 Murray Street, Colac and confirm that it is a non contributory building in the Murray Street Heritage Overlay Precinct. Demolition of this existing building is therefore supported on heritage grounds.*

*I have also reviewed the proposed elevations for the replacement buildings at the site and advise that I believe they are sympathetic to the heritage streetscape. The proposed new buildings are appropriate in scale, form and setback and do not copy heritage detailing. The proposed parapets are a contemporary interpretation of the heritage parapets in the streetscape and are therefore appropriate. The only suggestion I would make would be to provide a plinth to the shopfront windows (rather than the glazing extending to the floor) as this is more in keeping with the street patterning of heritage shopfronts (and as provided on the shops either side of the subject site). Otherwise I am happy with the proposed new shops which will make a better contribution to the heritage streetscape than the existing building on the site."*

The proposed building is considered to be respectful of the precinct's heritage significance through a contemporary built form which does not mimic the past. The building is of a scale which is in keeping with surrounding buildings and as such will blend in with the existing streetscape. It is noted that neither of the adjoining properties are developed with buildings that are deemed individually significant from a heritage perspective.

The existing building on-site does not contribute to the area's heritage significance and as such its demolition is considered acceptable.

Condition 1 in the recommendation requires that an amended plan be submitted for approval which shows the incorporation of a plinth to the shop front windows.

#### Car Parking and Access

Pursuant to Clause 52.06 of the Colac Otway Planning Scheme, a 'shop' attracts a car parking rate of eight (8) spaces per 100sqm of leasable floor area. The proposed shops have a combined leasable floor area of 492.15sqm generating a car parking requirement of 39 spaces. The applicant seeks a reduction in the car parking requirement of 30 spaces resulting in the provision of nine (9) on-site spaces including one (1) disabled space.

The State Government Advisory Committee Report (Review of Parking Provisions in the Victoria Planning Provisions, August 2007) discusses a range of matters including a review of land use terms and car parking requirements. The report recommends the provision for a shop of four (4) car spaces to each 100sqm of leasable floor area.

If the rate proposed by the Advisory Committee Report was applied in this instance, the proposal would generate a car parking requirement for the shop of 19 car spaces, therefore requiring a reduction of ten (10) parking spaces given a total of nine (9) are provide on-site.

Although the State Government has not incorporated the recommendations of the Advisory Committee Report into planning schemes it is widely accepted through VCAT determinations that the car parking requirements for retail type activities are unrealistic and that the lesser rates recommended by the Advisory Committee are generally more appropriate.

The Draft Parking Strategy - Colac and Apollo Bay Parking Study indicates that on-street parking demand along Murray and Hart Streets in the vicinity of the subject site is low with parking utilisation between 50% to 75%. With respect to car parking rates, the report states;

*'Given the often unique circumstances associated with different new developments, it is not always the case that one parking rate fits all developments in all locations. As an alternative, Clause 52.06-6 of the Colac Otway Shire Planning Scheme enables Parking Precinct Plans to be prepared. These are locally prepared strategic plans that contain parking provisions for an area or 'precinct'. They allow all the parking issues arising in a precinct to be considered and a strategy to be implemented to address them.*

*Specifically, this approach would allow the adoption of parking rates which recognise that:*

- The actual demand for parking for retail uses in the Colac Commercial Centre is lower than the rate specified by the Victorian Government (refer to Table 2.7 which provides a comparison between the proposed Victorian Government rates and the demand based empirical rates which have been calculated from the 2009 parking surveys and described in detail in the Issues and Opportunities Paper prepared for the Colac Commercial Centre).'*

The report recommends that a rate of three (3) spaces per 100sqm of floor area for a shop be incorporated in the Colac Commercial Centre Parking Precinct Plan. If the rate proposed by the Draft Parking Strategy was applied in this instance the proposal would generate a car parking requirement for the shop of 14 car spaces, therefore requiring a reduction of five (5) parking spaces given a total of nine (9) are provide on-site.

Overall, the proposed reduction of 30 car parking spaces is considered to be acceptable. Sufficient on-site parking is provided and ample on-street parking is available along Murray Street and Hart Street. Furthermore, it is noted that the Draft Parking Strategy identifies the demand based parking rate for a shop in Colac being 1.7 spaces per 100sqm of floor area for a shop, based on surveys undertaken as part of the research (which would result in a requirement of 8 spaces if this rate was to be applied, which would be met by the proposal). The proposed car park area will be shared by both shops and may in the future facilitate expansion of car parking facilities depending on the redevelopment of surrounding land and willingness of adjoining landowners.

The proposed car park has meets the requirements of Clause 52.06 with respect to parking space and access way dimensions.

#### Loading Bay and Access

In accordance with Clause 52.07, the proposal incorporates a 7.6m x 3.6m loading bay within the rear car park. Whilst this loading bay may obstruct the parking spaces, it is envisaged that deliveries are most likely to occur at times outside the peak use of the shops. The submitted plans also demonstrate that delivery vehicles can enter and exit the loading bay in a forward motion.

#### Consolidation of Lots

The subject site is comprised of three (3) side by side allotments of varying dimensions. As such, the proposed buildings straddle the exiting lot boundary which is not considered to be a desirable planning outcome. Therefore a condition will be placed on a permit, if issued, requiring all three (3) allotment to be consolidated prior to the completion of the development.



**Corporate Plan / Other Strategies / Policy**

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

*'The Colac Town Centre will be a prosperous and thriving precinct, supported by smaller scale commercial and retail development in specifically targeted locations to provide convenience services for the Colac and Elliminyt communities.'*

The proposed car parking reduction will allow for the shop use to commence. The proposed use as a shop is consistent with the vision and objectives of the Colac Structure Plan in that the proposed development will help to maintain the economic viability of the existing commercial precinct and will not detract from the built form and heritage aesthetics of the area. The proposal represents a significant investment and commitment to provide additional services within Colac to the benefit of the greater community.

**Financial & Other Resource Implications**

There are no financial implications arising from this report.

**Risk Management & Compliance Issues**

There are no risk management or compliance implications arising from this report.

**Environmental Consideration / Climate Change**

There are no environmental or climate change implications arising from this proposal.

**Communication Strategy / Consultation Period**

Community consultation in the form of public notification has been undertaken as part of this assessment process.

**Conclusion**

The provision of nine (9) on-site parking spaces is considered to be adequate given the availability of on-street parking and the likely parking demand being minimal.

**Attachments**

Nil

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Planning Permit for the demolition of the existing building, redevelopment of the land for two (2) single storey shops, construction of a car park at the rear car and a reduction of 30 car spaces at 246-250 Murray Street, Colac subject to 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 front windows facing Murray Street with a plinth (sill) at a similar height to those of the abutting buildings.*****
- 2. *The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

3. ***Before the development starts, colour samples of all external roof and wall finishes sympathetic to the heritage significance of the area must be submitted to the Responsible Authority for consideration. When approved, such information will be endorsed and will form part of this permit.***
4. ***Prior to the development being completed Lots 1, 2 & 3 on TP222426 comprising the subject land known as 246-250 Murray Street, Colac must be consolidated into a single allotment. Written evidence must be provided prior to the occupation or use of the building confirming that the lots have been consolidated.***
5. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
6. ***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.***
7. ***Prior to the 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 seal-coat to the satisfaction of the Responsible Authority.***
  - d. ***Drained and maintained to the satisfaction of the Responsible Authority.***
  - e. ***Marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.***
8. ***External lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.***
9. ***The 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 products, grit or oil***
  - d. ***Presence of vermin***
10. ***This permit will expire if one of the following circumstances applies:***
  - a. ***The development is not started within two (2) years of the date of this permit.***
  - b. ***The development is not completed within four (4) years of the date of this permit.***

***The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three (3) months afterwards***

**Permit Notes:**

***Report and consent under building regulation 507/513 will be required for the verandah over a footpath having a height less than 3.0m above the footpath.***

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PC111008-3

AMENDMENT TO THE EXISTING PERMIT PP344/2005 FOR USE OF THE LAND FOR A LICENSED RESTAURANT & WAIVER OF EIGHT (8) ADDITIONAL CAR SPACES (21 IN TOTAL) AND AN INCREASE IN THE TOTAL NUMBER OF CHAIRS FROM 21 TO 35 AT 43 MAIN STREET, BIRREGURRA

| | | | |
|-------------|------------------------------------|-----------|--------------|
| AUTHOR: | Carl Menze | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP344/2005-2 |

Location: 43 Main Street, Birregurra

Zoning: Township Zone (TZ)

Overlay controls: Nil

Proposed Amendments: Nil

Abuts: Road Zone 1 (RDZ1)

Restrictive Covenants: No

Purpose:

An application has been submitted to amend an existing planning permit at 43 Main Street, Birregurra. Planning Permit PP344/2005 was issued on 27 March 2006 for:

“Use of the land for a Licensed Restaurant & Waiver of Thirteen (13) Car Spaces in accordance with the endorsed plans.”

The proposal seeks to amend this permit by increasing the number of seats from 21 to 35 and waiving an additional eight (8) car spaces.

This application is before Council for consideration as the proposal seeks a reduction of the car parking requirement.

It is recommended that a Planning Permit be issued subject to conditions.

Declaration of Interests

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

Summary

- The application proposes an increase in the number of allowable seats from 21 to 35 and a subsequent waiver of eight (8) car parking spaces.
- The site is located within the heart of the commercial centre of Birregurra and is consistent with the further consolidation and development of the centre.
- The application was advertised and no objections were received.

- The waiver of car parking spaces is considered to be justified given the use is existing and ample on-street parking facilities are available within close proximity of the site.
- It is recommended that a planning permit be issued subject to conditions.

Background

The history of the site is as follows;

- PP344/05 issued for a licensed restaurant however the sale of liquor did not commence, therefore the liquor licence component of the permit expired.
- PP239/2010 issued on 20 January 2011 for a Restaurant and Cafe Liquor License. As part of this application the applicant also sought to increase the number of seats from 21 to 35, however the application did not clearly define this aspect of the proposal and as such a permit was only issued for a Liquor License.

Issues / Options

Council has the options of:

- a) Supporting the application by the granting of a Planning Permit subject to conditions;
- b) Supporting the application with changes;
- c) Refusing to grant a permit.

The key issue is whether the increase in seating is acceptable and whether a waiver of additional car parking spaces is justified.

It is recommended that Option (a) is supported.

Proposal

The applicant seeks to amend Planning Permit PP344/2005 by increasing the number of seats available to the public from 21 to 35 and waiving an additional eight (8) car spaces.

The premise is currently used as a shop and restaurant known as "Birregurra Farm Foods" and also contains a dwelling within the existing building.

Condition 7 of PP344/2005 states;

"The number of tables and chairs as shown on the endorsed plan must not increase without the written consent of the responsible authority."

The plans endorsed under PP344/2005 clearly delineate a total of 21 seats available to the public. The plans also includes the following notation "21 pax in total", pax is an abbreviation of passengers or in this instance patrons.

As a result of the proposed increase in seats/patrons, an additional eight (8) car spaces are generated in accordance with Clause 52.06 of the Colac Otway Planning Scheme. As the additional spaces cannot be provided on-site, a waiver of car spaces is also sought.

Site & Surrounds

The subject site is located on the south west side of Main Street, Birregurra on the corner of Strachan Street. The lot has an area of 845sqm and is developed with a single storey building utilised as a shop, restaurant and dwelling. The property is located at the south eastern extremity of Birregurra commercial precinct.

Public Notice

Public notice of the application was given in accordance with Section 52 of the Planning and Environment Act by sending letters to adjoining owners/occupiers and by placing a sign on-site. The applicant has provided a Statutory Declaration stating that the advertising has been carried out in accordance with Council's requirements.

No objections have been received.

Referrals

The application was referred internally to Council's Infrastructure, Building and Health Departments. No objections were raised subject to several conditions being placed on any approval issued.

Planning Controls

a. State and Local Planning Policy Framework

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

- Clause 11.05 – Regional Development
- Clause 17.01 – Commercial
- Clause 21.02-2 – Land Use Vision
- Clause 21.03-4 – Birregurra
- Clause 22.05-4 – Tourism

The proposal is considered to accord with the principles of the State and Local Planning Policy Framework. The proposed use assists in meeting the community's need for business related uses, in particular commercial and social facilities. It also assists in further consolidating and building upon the importance of the Birregurra commercial/business centre.

b. Zone provisions

The purpose of the Township Zone (TZ) is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage residential development that respects the neighbourhood character.

Both a 'shop' and 'restaurant' uses are Section 2 uses (permit required) under the Township Zone provisions.

c. Overlay Provisions

The site is not covered by any Overlay provisions.

d. Particular Provisions – Clause 52.06 Car parking

Pursuant to Clause 52.06 of the Colac Otway Planning Scheme, a 'restaurant' attracts a car parking rate of 0.6 spaces to each seat available to the public. The proposal increases the number of seats from 21 to 35 (14 additional seats) therefore generating an additional car parking requirement of 8 spaces. The applicant seeks an additional reduction in the car parking requirement of eight (8) spaces which results in an overall reduction of 21 spaces.

Consideration of the Proposal

The provision of 14 additional seats within the restaurant is not considered to result in a use that exceeds the capacity of the premises or puts excessive demand on existing resources within the Birregurra Township, including the availability of on-street parking spaces. The applicant seeks the additional seating primarily to allow for special events to occur on-site such as weddings or other functions. Whilst the applicant may only wish to utilise the full amount of seating at certain times, the application must be assessed on the basis that a total of 35 seats are available at all times.

As the site is already approved to be utilised as a restaurant (licensed), the main consideration for Council is whether the waiver of an additional eight (8) spaces is appropriate.

Pursuant to Clause 52.06 of the Colac Otway Planning Scheme a 'restaurant' attracts a car parking rate of 0.6 spaces to each seat available to the general public. Therefore the additional 14 seats generate a car parking requirement of eight (8) spaces.

The State Government Advisory Committee Report (Review of Parking Provisions in the Victoria Planning Provisions, August 2007) discusses a range of matters including a review of land use terms and car parking requirements. The report recommends the provision for a restaurant of 0.4 spaces to each patron permitted.

If the rate proposed by the Advisory Committee Report was applied in this instance, the proposal would generate an additional car parking requirement for the restaurant of 5 car spaces. Based on this rate the 35 seats would generate an overall car parking requirement of 14 spaces. It is noted that the original permit was issued for a waiver of 13 car spaces.

Although the State Government has not incorporated the recommendations of the Advisory Committee Report into planning schemes it is widely accepted through VCAT determinations that the car parking requirements for retail type activities are unrealistic and that the lesser rates recommended by the Advisory Committee are generally more appropriate.

Main Street, Birregurra is provided with an abundance of on-street parking spaces in the form of 90° angle parking along the south west side and parallel parking along the north east side. A service road on the north east side of the road also provides parallel parking opportunities. Parking in the form of 90° angle parking is also provided along Strachan Street in the vicinity of the subject site.

Overall the waiver of the eight (8) additional parking spaces (21 in total) is considered to be appropriate. Significant on-street parking exists within the vicinity of the site and there is no evidence to suggest that this parking is insufficient based on current demand. The waiver of parking will allow for the existing restaurant use to continue on a more viable basis which will add to the diversity of the commercial precinct within the town centre. If a waiver were not allowed, the viability of the existing business could be jeopardised.

Overall the increase in seating for the restaurant is suitable and consistent with other uses within the Birregurra town centre.

Corporate Plan / Other Strategies / Policy

The Birregurra Structure Plan is currently being developed which will set a strategic blueprint for land use planning and development in Birregurra. The draft plan was released for public comment in October 2010 and there is not considered to be any implications for this proposal.

Financial & Other Resource Implications

There are no financial implications arising from this report.

Risk Management & Compliance Issues

There are no risk management or compliance implications arising from this report.

Environmental Consideration / Climate Change

There are no environmental or climate change implications arising from this proposal.

Communication Strategy / Consultation Period

Community consultation in the form of public notification has been undertaken as part of this assessment process.

Conclusion

The increase in seating from 21 to 35 and the subsequent waiver of eight (8) parking spaces is considered to be acceptable given the availability of on-street parking and the likely parking demand being minimal.

Attachments

Nil

Recommendation(s)

That Council's Planning Committee resolves to issue an Amended Planning Permit for the Use of the land for a Licensed Restaurant & Waiver of eight (8) additional car spaces (21 in total) and an increase in the total number of seats from 21 to 35 at 43 Main Street, Birregurra subject to the following conditions:

1. 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 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.

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

4. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
(a) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

5. The use of the land for the purpose of an on-premises license must only be between the hours of:

- 9.00am to 11.00pm (Monday to Sunday)

These hours can only be varied, changed or extended with the written approval of the responsible authority.

6. Provision shall be made for the disposal of waste within the site to the satisfaction of the responsible authority.

7. The number of tables and chairs as shown on the endorsed plan must not be altered without the written consent of the responsible authority.

8. No permanently fixed sound amplification equipment, juke boxes or loud speakers shall be used for the purpose of announcements, broadcasts, playing of music (whether recorded or otherwise) or similar purposes so as to be audible on adjoining public or private land.

9. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be carried out entirely within the site and be conducted as to cause minimum interference with other vehicular traffic.

10. The applicant shall make whatever improvements are necessary to the existing septic system to ensure that all waste water generated on the property is retained within the title boundaries.

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