

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 Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft
Sue Wilkinson, Chief Executive Officer
Doug McNeill, A/General Manager Sustainable Planning and Development
Colin Hayman, General Manager Corporate & Community Services
Phil Corluka, General Manager Infrastructure & Service
Blaithin Butler, A/Manager Planning & Building
Jane Preston-Smith, 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 community input and participation in Council decisions.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

5. DECLARATION OF INTEREST

<i>Cr Lyn Russell:</i>	<i>Construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (PP244/2014-1)</i>
<i>Nature of Disclosure:</i>	<i>Indirect Interest</i>
<i>Type of Indirect Interest:</i>	<i>78A</i>
<i>Nature of Interest:</i>	<i>Own Telstra shares 78A indirect financial interest – Telstra own site and will receive rent from tower being sited on that land.</i>

<i>Cr Stephen Hart:</i>	<i>Construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (PP244/2014-1)</i>
<i>Nature of Disclosure:</i>	<i>Indirect Interest</i>
<i>Type of Indirect Interest:</i>	<i>78A</i>
<i>Nature of Interest:</i>	<i>The subject site is owned by Telstra. Telstra will likely receive rent income if the permit is granted. As I own Telstra shares this gives me an indirect financial interest.</i>

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

PC150804-1 Objector Bob Prince

PC150804-1 Applicant David Hughes - Aurecon

7. CONFIRMATION OF MINUTES

- Planning Committee held on the 11/03/15.

MOVED Cr Stephen Hart seconded Cr Lyn Russell that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

- PC150804-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (40 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 105 CORUNNUN ROAD COROROOKE (PP247/2014-1)
- PC150804-2 DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (25 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 35 WARRION HILL ROAD, WARRION (PP246/2014-1)
- PC150804-3 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (35 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 335 SWAN MARSH ROAD SWAN MARSH (PP253/2014-1)
- PC150804-4 CONSTRUCTION OF A FIVE (5) METRE EXTENSION TO EXISTING TELECOMMUNICATIONS FACILITY WITH ANCILLARY ANTENNAS AND EQUIPMENT CABINETS AT 45 GARDNER STREET, BEECH FOREST (PP244/2014-1).
- PC150804-5 DEVELOPMENT OF THE LAND FOR A TELECOMMUNICATIONS FACILITY (50M HIGH LATTICE TOWER), ASSOCIATED ANTENNAS AND EQUIPMENT CABINETS AT 385 WONGA ROAD, GELLIBRAND (PP260/2014-1).
- PC150804-6 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 175 TRASKS ROAD WARNCOORT (PP259/2014-1)
- PC150804-7 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 50 BARONGAROOK ROAD, BARONGAROOK (PP266/2014-1)
- PC150804-8 PLANNING & BUILDING STATISTICAL REPORT

Sue Wilkinson
Chief Executive Officer

PC150804-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (40 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 105 CORUNNUN ROAD COROROOKE (PP247/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Original Recommendation(s)

That Council's Planning Committee resolves to issue a Notice of Decision to Grant a Permit for the use and development of a telecommunication facility (40 metre high lattice tower), associated antennas, equipment cabinets and works at 105 Corunnun Road Cororooke (Lot 1 TP669102) subject to the following conditions:

Endorsed plans

- 1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
- 3. The telecommunications facility and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Landscaping

- 4. Prior to commencement of the development hereby permitted, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:***
 - a) a survey (including botanical names) of all existing vegetation to be retained along the northern and eastern boundary of the lot;***
 - b) the location of the accessway and its width;***
 - c) a planting schedule of all proposed trees and shrubs, including botanical names, common names, sizes at maturity, and quantities of each plant;***
 - d) screen landscaping along the northern boundary creating two vegetation stands to effectively screen the tower from the dwelling located at 70 Corunnun Road and the driveway entrance at 80 Corunnun Road, to the satisfaction of the Responsible Authority.***

One stand must extend from the north-east corner of the site to the west for a minimum length of 15m and the second stand must be sited directly opposite the driveway at 80 Corunnun Road and must extend along the boundary for a minimum length of 15m;

- e) the utilisation of indigenous species adapted to local soils and climate conditions, thereby reducing maintenance, including fertilising and watering, and ensuring growth at a much quicker rate than species that are not from the area;***
- f) a cross-section plan demonstrating how the proposed plantings at full maturity will effectively screen the development in accordance with this condition, taking into account the topography.***

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

- 5. Prior to commencement of the development, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

Removal of facility

- 6. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Barwon Water conditions

- 7. The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:***
- a) The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching***
 - b) Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields***
 - c) Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.***

Expiry

- 8. This permit will expire if one of the following circumstances applies:***
- a) The development is not commenced within two years of the date of this permit.***
 - b) The development is not completed and/or the use has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

- 1. Prior to commencement of the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.***

MOTION – MOVED Cr Stephen Hart seconded Cr Terry Woodcroft that this application be deferred until after the last item to allow Council officers time to obtain information regarding the width of the property.

CARRIED 7 : 0

Considered after Item 8 – PC150804-8 Planning & Building Statistical Report

**MOTION – MOVED Cr Chris Smith
That Council Planning Committee resolves to reject a permit for a telecommunications tower due to the visual impact issues.**

The motion lapsed due to lack of a seconder.

**MOTION – OFFICER RECOMMENDATION WITH AMENDMENT – MOVED Cr Stephen Hart Seconded Cr Chris Smith
That Item 4(d) be changed from 15 metre landscaping to 80 metres (northeast corner).**

LOST: 2 : 5

Division called by Cr Stephen Hart

For the Motion: Cr Stephen Hart, Cr Chris Smith

Against the Motion: Cr Michael Delahunty, Cr Brian Crook, Cr Terry Woodcroft, Cr Lyn Russell, Cr Frank Buchanan

Resolution

MOVED Cr Brian Crook Seconded Cr Terry Woodcroft

That Council's Planning Committee resolves to issue a Notice of Decision to Grant a Permit for the use and development of a telecommunication facility (40 metre high lattice tower), associated antennas, equipment cabinets and works at 105 Corunnun Road Cororooke (Lot 1 TP669102) subject to the following conditions:

Endorsed plans

- 1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.**

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.**
- 3. The telecommunications facility and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.**

Landscaping

4. ***Prior to commencement of the development hereby permitted, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:***
- a) ***a survey (including botanical names) of all existing vegetation to be retained along the northern and eastern boundary of the lot;***
 - b) ***the location of the accessway and its width;***
 - c) ***a planting schedule of all proposed trees and shrubs, including botanical names, common names, sizes at maturity, and quantities of each plant;***
 - d) ***screen landscaping along the northern boundary creating two vegetation stands to effectively screen the tower from the dwelling located at 70 Corunnun Road and the driveway entrance at 80 Corunnun Road, to the satisfaction of the Responsible Authority. One stand must extend from the north-east corner of the site to the west for a minimum length of 15m and the second stand must be sited directly opposite the driveway at 80 Corunnun Road and must extend along the boundary for a minimum length of 15m;***
 - e) ***the utilisation of indigenous species adapted to local soils and climate conditions, thereby reducing maintenance, including fertilising and watering, and ensuring growth at a much quicker rate than species that are not from the area;***
 - f) ***a cross-section plan demonstrating how the proposed plantings at full maturity will effectively screen the development in accordance with this condition, taking into account the topography.***

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

5. ***Prior to commencement of the development, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

Removal of facility

6. ***In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Barwon Water conditions

7. ***The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:***
- a) ***The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching***
 - b) ***Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields***

- c) ***Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.***

Expiry

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

- a) ***The development is not commenced within two years of the date of this permit.***
- b) ***The development is not completed and/or the use has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

- 1. Prior to commencement of the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.**

CARRIED 5 : 2

Division called by Cr Chris Smith

For the Motion: Cr Michael Delahunty, Cr Brian Crook, Cr Terry Woodcroft, Cr Lyn Russell, Cr Frank Buchanan

Against the Motion: Cr Stephen Hart, Cr Chris Smith

PC150804-2 DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (25 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 35 WARRION HILL ROAD, WARRION (PP246/2014-1)

AUTHOR:	Ian Williams	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Resolution

MOVED Cr Michael Delahunty seconded Cr Terry Woodcroft

That Council's Planning Committee resolves to issue a Planning Permit for the development of a telecommunication facility (25 metre high monopole) and associated antennas, equipment cabinets and works at 35 Warrion Hill Road, Warrion (LOT 3 TP851647) subject to the following conditions:

Endorsed plans

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the monopole and associated structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
- 3. The telecommunications facility and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Removal of facility

- 4. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Expiry

- 5. This permit will expire if one of the following circumstances applies:***
 - a) The development is not commenced within two years of the date of this permit.***
 - b) The development is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

CARRIED 6 : 0

Division called by Cr Michael Delahunty

***For the Motion: Cr Michael Delahunty, Cr Terry Woodcroft, Cr Lyn Russell,
Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart***

Against the Motion: Nil

Abstained: Cr Chris Smith

***As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law
No 4 councillors must vote by a show of hands.***

***As Cr Chris Smith did not raise his hand to vote it has been recorded that he
abstained from voting.***

PC150804-3 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (35 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 335 SWAN MARSH ROAD SWAN MARSH (PP253/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Resolution

MOVED Cr Terry Woodcroft seconded Cr Lyn Russell

That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunication facility (35 metre high monopole) and associated antennas, equipment cabinets and works at 335 Swan Marsh Road, Swan Marsh (Lot 1 TP590938B) subject to the following conditions:

Endorsed Plans

- 1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
- 3. The monopole and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Access

- 4. Prior to the commencement of the development hereby permitted, vehicular access in accordance with the submitted plans must be constructed to the satisfaction of the Responsible Authority.***

Removal of facility

- 5. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Expiry

- 6. This permit will expire if one of the following circumstances applies:***
 - a) The development is not commenced within two years of the date of this permit.***
 - b) The development is not completed and the use has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

- 1. Prior to commencement of development, an application to undertake works within the road reserve must be submitted to and approved by the Council.***

CARRIED 6 : 0

Division called by Cr Stephen Hart

***For the Motion: Cr Michael Delahunty, Cr Terry Woodcroft, Cr Lyn Russell,
Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart***

Against the Motion: Nil

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

PC150804-4 CONSTRUCTION OF A FIVE (5) METRE EXTENSION TO EXISTING TELECOMMUNICATIONS FACILITY WITH ANCILLARY ANTENNAS AND EQUIPMENT CABINETS AT 45 GARDNER STREET, BEECH FOREST (PP244/2014-1).

AUTHOR:	Ian Williams	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Having declared a conflict of interest in this item, Cr Lyn Russell left the meeting at 11.12am.

Cr Lyn Russell:	Construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (PP244/2014-1)
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78A
Nature of Interest:	Own Telstra shares 78A indirect financial interest – Telstra own site and will receive rent from tower being sited on that land.

Having declared a conflict of interest in this item, Cr Stephen Hart left the meeting at 11.12am.

Cr Stephen Hart:	Construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (PP244/2014-1)
Nature of Disclosure:	Indirect Interest
Type of Indirect Interest:	78A
Nature of Interest:	78A : The subject site is owned by Telstra. Telstra will likely receive rent income if the permit is granted. As I own Telstra shares this gives me an indirect financial interest.

Resolution

MOVED Cr Michael Delahunty seconded Cr Chris Smith

That Council's Planning Committee resolves to issue a Planning Permit for the construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (LOT 1: TP114028) subject to the following conditions:

Endorsed Plans

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.**

3. ***The telecommunications facility and associated development hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Expiry

4. ***This permit will expire if one of the following circumstances applies:***
- a. ***The development is not commenced within two years of the date of this permit.***
 - b. ***The development is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

CARRIED 4 : 0

Division called by Cr Michael Delahunty

For the Motion: Cr Michael Delahunty, Cr Terry Woodcroft, Cr Brian Crook, Cr Frank Buchanan

Against the Motion: Nil

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

Cr Lyn Russell and Cr Stephen Hart returned to the meeting at 11.16am.

PC150804-5 DEVELOPMENT OF THE LAND FOR A TELECOMMUNICATIONS FACILITY (50M HIGH LATTICE TOWER), ASSOCIATED ANTENNAS AND EQUIPMENT CABINETS AT 385 WONGA ROAD, GELLIBRAND (PP260/2014-1).

AUTHOR:	Ian Williams	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Resolution

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council's Planning Committee resolves to issue a Planning Permit for the development of a telecommunication facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 385 Wonga Road, Gellibrand (Lot 7 LP134441) subject to the following conditions:

Endorsed plans

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the lattice tower and associated structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
- 3. The telecommunications facility and associated development hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Geotechnical Assessment

- 4. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment by Civil (dated 28/01/2015, Reference 1141086) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

Removal of facility

- 5. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Barwon Water conditions

- 6. The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:***
 - a) The permitted building must not be used for any commercial or industrial purpose, except in accordance with the provisions of the Colac Otway Shire Planning Scheme.***
 - b) The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching.***

- c) *Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields.*
- d) *Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.*

Wannon Water conditions

- 7. *Movement of soil, sediment and nutrients from and within the property during development and use of the property must be minimised.*
- 8. *Movement of soil, sediment and nutrients from external underground power line excavation works must be minimised.*
- 9. *Works management plans must be developed by the applicant and endorsed by Wannon Water before works commence.*

Expiry

- 10. *This permit will expire if one of the following circumstances applies:*
 - a) *The development is not commenced within two years of the date of this permit.*
 - b) *The development is not completed within four years of the date of this permit.*

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

CARRIED 6 : 0

Division called by Cr Stephen Hart

For the Motion: *Cr Michael Delahunty, Cr Terry Woodcroft, Cr Lyn Russell, Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart*

Against the Motion: *Nil*

Abstained: *Cr Chris Smith*

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

PC150804-6 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 175 TRASKS ROAD WARNCOORT (PP259/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Resolution

MOVED Cr Brian Crook seconded Cr Stephen Hart

That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunication facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 175 Trasks Road Warncoort (Lot 1 TP249023L) subject to the following conditions:

Endorsed plans

- 1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective to the satisfaction of the Responsible Authority.***
- 3. The permitted telecommunications facility and associated equipment must be maintained in good condition to the satisfaction of the Responsible Authority.***

Access

- 4. Prior to the commencement of the development hereby permitted, vehicular access in accordance with the submitted plans must be constructed to the satisfaction of the Responsible Authority.***

Removal of facility

- 5. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Expiry

- 6. This permit will expire if one of the following circumstances applies:***
 - a) The development is not commenced within two years of the date of this permit.***
 - b) The development is not completed and/or the use has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

- 1. Prior to commencement of the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.**

CARRIED 6 : 0

Division called by Cr Stephen Hart

For the Motion: Cr Stephen Hart, Cr Brian Crook, Cr Lyn Russell, Cr Terry Woodcroft, Cr Michael Delahunty, Cr Frank Buchanan

Against the Motion: Nil

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

PC150804-7 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 50 BARONGAROOK ROAD, BARONGAROOK (PP266/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Resolution

MOVED Cr Brian Crook seconded Cr Terry Woodcroft

That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunications facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 50 Barongarook Road, Barongarook (C/A 9D Parish of Barongarook) subject to the following conditions:

Endorsed plans

- 1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Amenity

- 2. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
- 3. The permitted telecommunications facility and associated equipment must be maintained in good condition to the satisfaction of the Responsible Authority.***

Removal of facility

- 4. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

Barwon Water conditions

- 5. The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:***
 - a) The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching.***
 - b) Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields.***
 - c) Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.***

Expiry

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

- a) The development is not commenced within two years of the date of this permit.**
- b) The development is not completed and/or the use has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

CARRIED 6 : 0

Division called by Cr Stephen Hart

**For the Motion: Cr Michael Delahunty, Cr Terry Woodcroft, Cr Lyn Russell,
Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart**

Against the Motion: Nil

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

PC150804-8

PLANNING & BUILDING STATISTICAL REPORT

AUTHOR:	Melanie Duve	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

Original Recommendation(s)

That Council's Planning Committee note the statistical report for February 2015.

Resolution

MOVED Cr Brian Crook seconded Cr Stephen Hart that Council's Planning Committee note the statistical report for February 2015.

CARRIED 6 : 0

Abstained: Cr Chris Smith

As per Section 90(1) of the Local government Act 1989 and Clause 41 of the Local Law No 4 councillors must vote by a show of hands.

As Cr Chris Smith did not raise his hand to vote it has been recorded that he abstained from voting.

The Meeting Was Declared Closed at 12:02pm

CONFIRMED AND SIGNED at the meeting held on 12 AUGUST 2015

.....**MAYOR**