



Colac Otway  
SHIRE

**PLANNING COMMITTEE MEETING**

**AGENDA**

**WEDNESDAY 10 APRIL 2019**

**AT 4PM**

**COPACC**

# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

10 APRIL 2019

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## COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on 10 April 2019 at 4pm.

### AGENDA

#### 1. I DECLARE THIS MEETING OPEN

##### 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 & LEAVE OF ABSENCE

#### 4. WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants 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. DECLARATIONS OF INTEREST**

**6. CONFIRMATION OF MINUTES**

- **Planning Committee held on 14 November 2018.**

**Recommendation**

***That the Planning Committee confirm the above minutes.***

**7. 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 five minutes will apply.

PLANNING COMMITTEE

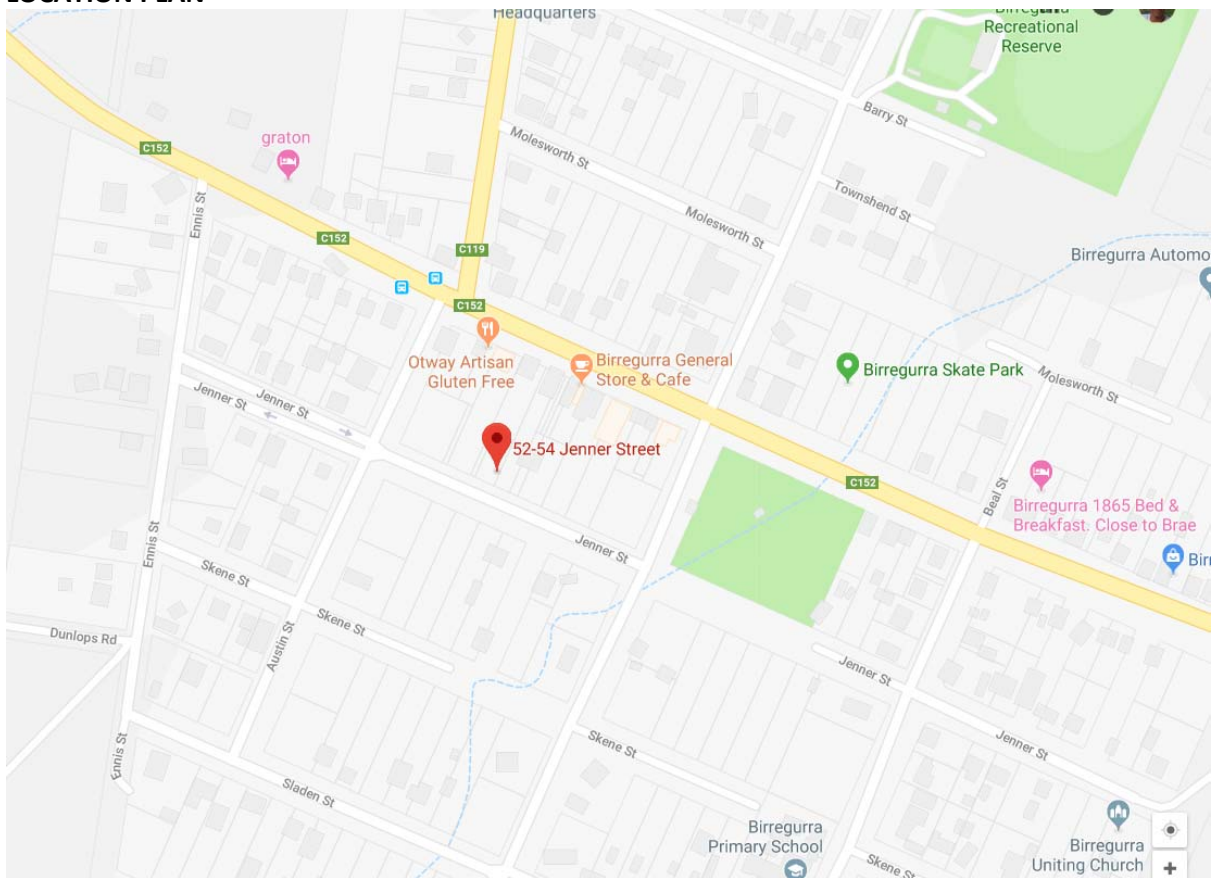
# TELECOMMUNICATIONS FACILITY (20M MONOPOLE) - 52-54 JENNER STREET, BIRREGURRA

PC191004-1

<b>ADDRESS AND PROPERTY DETAILS</b>	52-54 Jenner Street, Birregurra	<b>GENERAL MANAGER</b>	Ian Seuren
<b>PREPARED BY</b>	Ian Williams	<b>TRIM FILE</b>	F18/9265
<b>DIVISION</b>	Development & Community Services	<b>CONFIDENTIAL</b>	No
<b>PERMIT TRIGGERS</b>	Clause 34.01-4 (C1Z) – Buildings and Works; Clause 43.02-2 (DDO15) – Buildings and Works: Clause 52.19-1 (Telecommunications Facility) – Buildings and Works Associated with Telecommunications Facility		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Proposal that may have an effect on the broader community		
<b>APPLICATION NUMBER</b>	PP186/2018-1		
<b>PROPOSAL</b>	Telecommunications Facility (20m Monopole)		
<b>ZONE</b>	Commercial 1 Zone (C1Z)	<b>OVERLAYS</b>	Vegetation Protection Overlay (VPO3); Design and Development Overlay (DDO15)
<b>COVENANTS</b>	No		
<b>LIST OF ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Application Form</li> <li>2. Application Plans and Photomontage</li> </ol>		
<b>CULTURAL HERITAGE</b>	Not within an area of cultural heritage sensitivity .		

# 1. LOCATION PLAN / AERIAL PHOTO

## LOCATION PLAN



## AERIAL PHOTO



## 2. EXECUTIVE SUMMARY

Planning permission is sought for the construction of a 20 metre high Telstra telecommunications facility (monopole) at 52-54 Jenner Street, Birregurra. The proposal forms part of the Federal Government's Mobile Black Spot Program, which includes the provision of mobile phone coverage to the Birregurra regional community. Whilst Council has consistently supported proposals associated with this program, in this case there is concern about the height and visual prominence of the proposed monopole given the proximity of the site to the Heritage Precinct of Main Street and the resultant potential impact of the proposed telecommunications facility on the heritage area.

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impacts (including for example, visual impact and flood or fire hazard), a particular proposal would provide a net community benefit.

It is considered that an appropriate balance must be struck between any potential visual impacts on the heritage precinct of Birregurra and the overall net community benefit from the provision of modern communications infrastructure within the township. The proposed facility would inevitably be seen due to its height, which is required to achieve its purpose. In this case, it is considered that the proposed monopole would be materially detrimental to the overall appearance of the Heritage Precinct of Main Street, Birregurra. On this basis it is considered that the application should be refused.

As Telstra is the existing owner of the site, it is natural that the company would opt to develop on this site rather than acquire land elsewhere. However, this is not considered justification to allow a facility that would cause material detriment to the heritage values of the town. The applicant has been advised that an alternative site, further away from the heritage precinct of Main Street, would be likely to be considered more favourably.

## 3. RECOMMENDATION

***That Council's Planning Committee resolves to refuse to grant a planning permit for the construction of a Telecommunications Facility (20m monopole) and associated equipment at 52-54 Jenner Street, Birregurra for the following reasons:***

- 1. The proposed telecommunications facility, which would have a detrimental visual impact on adjacent land within the Birregurra Main Street Heritage Precinct, does not accord with the purpose of Clause 52.19-2 (Telecommunications Facility) of the Colac Otway Planning Scheme, or the principles for the design, siting, construction and operation of a telecommunications facility set out in 'A Code of Practice for Telecommunications Facilities in Victoria' (July 2004).***
- 2. The proposed facility would result in an incongruous form of development out of keeping with the character of the area, being of a design and scale that would be detrimental to the heritage place and cultural identity of the area. As such, the proposal is contrary to the objectives and strategies of Clause 15.01-1S (Urban Design), Clause 15.01-5S (Neighbourhood Character), Clause 15.03-1S (Heritage Conservation) and Clause 22.01-7 (HO303 - Birregurra Main Street Precinct, Birregurra) of the planning scheme.***



3. *The proposal does not strike an appropriate balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure. As such, the proposal is contrary to the objectives and strategies of Clause 19.03-4S (Telecommunications) of the Colac Otway Planning Scheme.*
4. *The proposed telecommunications facility is contrary to Clause 21.03-4 (Birregurra) of the planning scheme, the Birregurra Structure Plan (2013) and the Birregurra Neighbourhood Character Study (2012), which seek to retain and protect the township's significant and contributory heritage places and articulate Birregurra's history in the public realm, and ensure new development provides a sympathetic design response to existing heritage buildings.*

## 4. OPTIONS

Council has the options of:

- a) Granting a Permit subject to conditions;
- b) Refusing to Grant a Permit on specified planning grounds.

It is considered that the proposal should be refused for the reasons outlined in this report.

## 5. RELEVANT BACKGROUND

The applicant has advised that Telstra participates in one of the largest ever expansions of mobile coverage in regional and remote Australia, through the Federal Government's Mobile Black Spot Program. This includes the provision of necessary mobile phone coverage to the Birregurra regional community.

In addition to extending mobile coverage through the rollout of new towers, Telstra also proposes high powered boomer cells, low cost signal repeaters, new 4G small cells that provide localised 4G, "Blue tick" phones designed for improved reception in rural areas and next generation solar power mobile sites.

The current proposal would form part of Telstra's NextG network solution to the Birregurra district and surrounding areas, and would deliver essential mobile services (voice calling, SMS), as well as live video calling, video-based content and high-speed wireless internet.

### Site Selection

The applicant has advised that the proposed location would deliver the required technical coverage for the area. The proposed location in Birregurra is the site of the existing Telstra Exchange, which the applicant has advised was the site of a temporary 10m high pole facility a few years ago (there does not appear to be a Council permit for this). The applicant considers that the significant community benefits of the preferred location would outweigh any visual impacts caused by the proposed facility.



Telstra commenced the site selection process with a search of potential sites that would meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area.

Telstra assesses the technical viability of potential sites through the use of computer modelling considering a number of criteria, to assess options and select sites that may be suitable including:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

Telstra is also contracted to meet objectives of the Mobile Black Spot Program, with parameters set by the Federal Government. A number of factors determined which areas receive funding, including the lack of outdoor coverage and the number of people who would benefit from a new facility.

In the *Mobile Black Spot Program Discussion*, Australian Government Department of Communications 2013, it states that:

*"The Mobile Black Spot Programme will improve mobile phone coverage and competition in regional and remote Australia, including along major transport routes, in small communities and in locations prone to experiencing natural disasters. The Guidelines aim to ensure the Programme is delivered as efficiently and effectively as possible, and achieve maximum value for money."*

#### Co-location Opportunities

##### 19 Strachan Street, Birrequorra VIC 3242

The 40m high NBN monopole at this site was discounted, as the height on the monopole that was offered by NBN was below 31.9m or above 44.4m (which would require structural changes to the existing facility and further planning permission). The facility at 19 Strachan Street has reservations down to 31.9m, i.e. NBN or others carriers have reserved this area for their own future equipment.

The applicant has advised that the existing 40m monopole would be overloaded should Telstra place further equipment upon this site and has provided advice from NBN which confirms that the tower would be overloaded with Telstra's equipment. The advice from NBN concludes that the existing monopole would be 79% loaded with the existing and proposed NBN antennae and equipment. The information provided also acknowledges that there are areas of the monopole reserved for future carriers (not Telstra). NBN advice states that a preliminary comparison of ESA (Effective Sail Area) of NBN existing, proposed and future antennae/equipment on the pole would be approximately 130% loaded, i.e. more than for which the pole was originally designed. The NBN advice adds that the combined NBN (existing, proposed and future) loading scenario will exceed the pole intended design capacity even before considering Telstra equipment. The Telstra proposed antennae would be at EL30 (below EL31.9m offered by NBN), and Telstra's proposed RVVPX310.11B-T2 antennae would be three times larger than NBN's antennae. The load scenario for NBN (existing, proposed and future) plus the proposed Telstra equipment would result in a pole which would be 190% overloaded. NBN has advised that any loading scenario above 125% loaded would require strengthening of the pole and foundation, which is not a viable option. On this basis, the NBN site has been discounted.

### 28-30 Strachan Street, Birregurra

There is an existing approved telecommunication facilities at 28-30 Strachan Street, Birregurra (at the rear of the Birregurra Community Health Centre), comprising a 20m communications pole.

The applicant has advised that the pole would need to be replaced by a higher 35m pole if it was to be successfully used by all providers. This site is located within the Township Zone and in close proximity to the main commercial strip of Birregurra town centre, much of which is covered by the Heritage Overlay. As such, a higher pole is not considered appropriate in this location, and would create a dominant visual presence close to the town and nearby residential properties.

### 95 Trasks Road, Warncoort

This location was not considered suitable to deliver the required technical coverage for the area, being located approximately 8.7km to the west of Birregurra Township. This site was discounted as Telstra requires a more centralised location and one that would provide a higher level of mobile coverage.

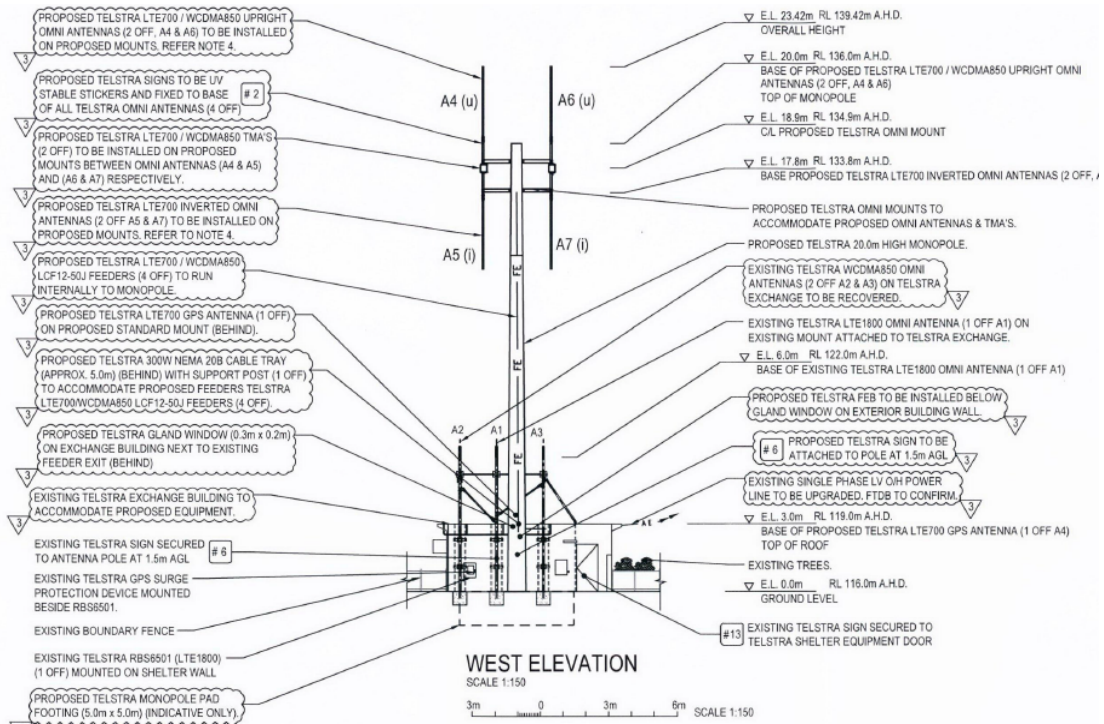
### 175 Trasks Road, Warncoort

The applicant has advised that this location would not deliver the required technical coverage for the area, being located approximately 8.7km to the west of Birregurra Township. This site was therefore discounted, given that mobile coverage from here would be insufficient.

## **6. PROPOSAL**

Planning permission is sought for the construction of a 20 metre high Telstra telecommunications facility (monopole) at 52-54 Jenner Street, Birregurra. The proposed facility would be located within Lot 2 TP838453 and would include the following:

- Four (4) omni-directional antennae on the proposed standard mount and ancillary equipment;
- The existing Telstra exchange building would be used to accommodate proposed electrical equipment associated with the facility;
- Access would be provided from Jenner Street via an existing access track;
- The total overall height, including antennae, would be 23.42m.



## 7. SUBJECT LAND & SURROUNDINGS

The subject site, which is rectangular in shape, is located within the Commercial Zone of Birregurra, backing onto the rear of properties within Main Street. Properties to the north within Main Street are covered by a Heritage Overlay (HO303). Surrounding land to the north is characterised by commercial land uses, whilst land to the south is within the Township Zone. The subject site is currently used as a Telstra Exchange and is accessed from Jenner Street, via an existing crossover.



## 8. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

The State Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development policies. The policies considered relevant to the application are identified below:

- 11.01 - Victoria
- 11.01-1s - Settlement
- 15.01-1s - Urban Design
- 15.01-5S - Neighbourhood Character
- 15.03 - Heritage
- 15.03-1s - Heritage Conservation
- 17 - Economic Development
- 17.02 - Commercial
- 17.02-1s - Business
- 19.02 - Community Infrastructure
- 19.03 - Development Infrastructure
- 19.03-5s - Telecommunications

### Local Policy Planning Framework (LPPF), including the Municipal Strategic Statement (MSS)

The Local Planning Policy Framework (LPPF) sets a local and regional strategic policy context for the Shire. The policies considered relevant to the application are identified below:

- 21.02 - Vision
- 21.02-1 - Municipal Vision
- 21.03 - Settlement
- 21.03-1 - General
- 21.03-4 - Birregurra
- 21.05 - Economic Development

### Other relevant provisions

Clause 52.19 - Telecommunications Facility is relevant to the consideration of this application. A key purpose of this provision is to ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs and to encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

'A Code of Practice for Telecommunications Facilities in Victoria' (July 2004) is an incorporated document in the Colac Otway Planning Scheme pursuant to Clause 72.04. The principles in 'A Code of Practice for Telecommunications Facilities in Victoria' are:

- A telecommunications facility should be sited to minimise visual impact.
- Telecommunications facilities should be co-located wherever practical.
- Health Standards for exposure to radio emissions will be met.
- Disturbance and risk relating to siting and construction should be minimised.
- Construction activity and site location should comply with State environmental protection policies and best practice environmental management guidelines.

Under the provisions of Clause 52.19-2 (Telecommunications Facility), a permit is required to construct a building or construct or carry out works for a Telecommunications Facility which is not a Low Impact Facility. The proposed monopole and associated equipment require a planning permit under the provisions of Clause 52.19, as the proposed facility is not identified as a Low Impact Facility or other exempt facility listed under Clause 52.19-2.

Clause 62 provides exemptions to permit requirements for Telecommunications Facilities when the requirements of Clause 52.19 are met. In this instance, Clause 52.19 requirements have not been satisfied and therefore a planning permit is required for the construction of the proposed telecommunications facility.

### **Relevant Planning Scheme amendments**

There are no Planning Scheme amendments relevant to the consideration of this application.

## **9. OFFICER'S ASSESSMENT**

The key issues for consideration in the determination of this application are whether the proposal adequately addresses the provisions of Clause 52.19 (Telecommunications Facility), the potential visual impact of the monopole and the need for such a facility in this part of the Shire.

The township of Birregurra is within the Federal Government Mobile Black Spot Program, being one of the third round priority sites. In this location, it is considered that there is a critical need for improved telecommunications which would be of significant benefit to the community. It is acknowledged that the limited coverage in Birregurra and surrounding townships should be improved to ensure reliable communication in emergency situations such as bushfire.

The *Birregurra Structure Plan (2013)* and the *Birregurra Neighbourhood Character Study (2012)* are reference documents under the provisions of Clause 21.07 of the Colac Otway Planning Scheme. Under the heading '*Physical Services and Utilities*', the Structure Plan seeks:

*"To ensure an efficient and cost effective provision of physical infrastructure that addresses the ongoing needs of the community, while protecting the landscape and township character values of Birregurra."*

Under the heading '*Landscape and Environment*', the Structure Plan identifies a strategy to:

*"Protect and enhance the landscape character and view lines of township entrances as defining elements of the north, east and west gateways."*

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. It is acknowledged that there is a need for improved infrastructure to contribute to the economic development of Birregurra; however this should not be to the detriment of the township character.



VCAT cases over a long period have consistently agreed with the principle that, in order to perform their service function, telecommunications facilities will by their nature and required use be visible infrastructure. Corporation Ltd v Mildura RCC [2009] VCAT 1928 (16 September 2009) and Optus Mobile Pty Ltd v Ballarat CC [2010] VCAT 661 (9 June 2010) noted that *“It has to be appreciated that facilities of this sort are necessarily visible”*.

With regard to the proximity to the Heritage Precinct, the application site is set back approximately 90m from Main Street. In support of this proposal, the applicant has provided realistic photomontages which are shown below.



It is inevitable that, in this location, the proposed monopole would be visible from Main Street. Given the scale and projecting height of the antennae above the roofline of properties within the commercial precinct, it is considered that the proposal would be harmful to the heritage significance of Main Street, dramatically changing the character and appearance of the immediate and surrounding area. Given the proximity to the heritage precinct, it is considered that the proposal would not strike an acceptable balance between minimising visual impact and the need for height to allow for the effective operation of the proposed telecommunications facility.



While the facility would be somewhat visible to all of the surrounding area, it is acknowledged that effort has been made to minimise these impacts with the selection of a slim-line monopole structure 20m high. The nearest residence is located approximately 20m to the east of the proposed site. Although the proximity to this dwelling is close, the dwelling does not have its main aspects looking out onto the facility.

However, whilst it is agreed that the proposed grey colouring and materials to be used would assist in blending the structure with the surrounding natural sky/landscape setting, it is considered that the potential harm created to the heritage precinct would far outweigh the economic benefit.

### **Principles in the Code of Practice for Telecommunications Facilities in Victoria**

a. *A telecommunications facility should be sited to minimise visual impact*

A determining factor in the consideration of this proposal is to strike an appropriate balance between any potential visual impacts and the overall net community benefit from the provision of modern communications infrastructure within this part of the Shire. The proposed facility would inevitably be seen, due to its height and the function it is required to serve; however, given the proximity to the Heritage Precinct, it is considered that the monopole and associated antennae would be materially detrimental to the overall appearance of the site and the surrounds. The surrounding commercial uses within Main Street comprise low scale, single-storey buildings typical of Birregurra. Whilst the subject site is set back from Main Street and the monopole would be relatively low for a telecommunications facility at 20m high (with antennae reaching a height of 23.42m) it is considered that the proposed location would present an awkward juxtaposition between the site and the historic character which should be preserved.

With regard to the proximity to the heritage place, it is acknowledged within Principle 1 that:

- *A telecommunications facility should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage place. A heritage place is a heritage place listed in the schedule to the Heritage Overlay.*
- *A telecommunications facility mounted on a building should be integrated within the design and appearance of the building.*
- *Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility.*
- *The relevant officer of the Responsible Authority should be consulted before any street tree is pruned, lopped, destroyed or removed.*
- *A telecommunication facility should be located so as to minimise any interruption to a significant view of a heritage place, a landmark, a streetscape, a street scene, vista or a panorama whether viewed from public or private land.*

As noted above, it is acknowledged that every effort has been made to reduce the visual impact of the monopole through its slim-line design and grey colour. Despite this, it is not considered that the proposed facility would be sited to minimise interruption to the significant view of a heritage place from the streetscape, whether viewed from public or private land. It is considered that an appropriate balance would not be achieved by this proposal and, as such, the proposal is not considered to comply with Principle A.



b. *Telecommunications facilities should be co-located wherever practical*

The applicant has explored the avenue of co-location at existing sites in Birregurra and has advised that there are no practical co-location options available. As such, a new structure is required to provide the desired level of coverage.

c. *Health standards for exposure to radio emissions will be met*

The applicant has advised that the proposed monopole would be designed and installed to satisfy the requirements contained with Radiation Protection Standard — Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300 GHz, ARPANSA, May 2002 (Standard). It is considered this would ensure that the proposed monopole and associated equipment cabinets would not result in any increase in the level of risk to the public.

An Electromagnetic Energy (EME) report has been produced for the Telecommunications Facility and a copy of this has been provided with the planning application. The submitted EME report shows that the proposed facility would comply with the Standard, with the maximum predicted EME equating to 0.073% of the maximum exposure limit within 50m of the site. This would be substantially less than 1% of the maximum allowable exposure limit (where 100% of the limit is still considered to be safe).

The proposal is considered to address the requirements of Principle C.

d. *Disturbance and risk relating to siting and construction should be minimised*

The site of the proposed works is largely cleared land. Any further disturbance to the existing site would be minimal and limited to the building activities within the proposed compound area. The installation of the proposed facility could be undertaken at any time and it is not anticipated that it would affect the use of the site or the surrounding area.

The proposal is considered to address the requirements of Principle D.

e. *Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines*

The construction of the proposed facility would be carried out in accordance with relevant Occupational Health and Safety Guidelines. The proposal is considered to address the requirements of Principle E.

Council has encouraged the applicant to re-consider the viable alternative sites within Birregurra, particularly the land adjacent to 19 Strachan Street which currently contains a 40m high monopole. Whilst the applicant has explored co-location at this site (which has been discounted for the reasons given in this report), the applicant has not explored further the potential for a separate Telstra monopole in this location, preferring to explore the option of utilising the Telstra owned land at 52-54 Jenner Street. In summary, whilst Council is supportive of the Black Spot Program, in this case it is considered that the potential impact on the heritage place outweighs the net community benefit and that an alternative site should be found within the township for the proposed facility.

## **10. REFERRALS**

### **Internal Referrals**

The application was referred internally to Council's Building and Infrastructure Units. No objections were raised.

### **External Referrals**

This application was not required to be externally referred.

## **11. PUBLIC NOTIFICATION & RESPONSE**

Public notice was not given for this application as an application under any provision of the planning scheme to use or develop land for a Telecommunications Facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications Facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program, as in this case.

## **12. DECLARATION OF INTEREST**

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



Planning Enquiries  
Phone: (03) 5232 9400  
Web: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)

Clear Form

Office Use Only

Application No.:

Date Lodged: / /

\$1510 ▶

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

⚠ Questions marked with an asterisk (\*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet.

ℹ Click for further information.

## The Land ℹ

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address \*

Unit No.:	St. No.: 52-54	St. Name: Jenner Street
Suburb/Locality: Birregurra		Postcode: 3242

Formal Land Description \*  
Complete either A or B.

⚠ This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A   Lodged Plan  Title Plan  Plan of Subdivision

OR

B

## The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

ℹ For what use, development or other matter do you require a permit? \*

Building and works comprising a 20m telecommunications monopole (Telstra).

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

ℹ Estimated cost of any development for which the permit is required \*

⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.

### Existing Conditions 1

Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Telstra Exchange.

Provide a plan of the existing conditions. Photos are also helpful.

### Title Information 1

Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

### Applicant and Owner Details 1

Provide details of the applicant and the owner of the land.

**Applicant \***

The person who wants the permit.

Name: Title: First Name: Surname:

Organisation (if applicable): Telstra Corporation C/- Visionstream Pty Ltd

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: Locked Bag 4001

Suburb/Locality: Moorabbin State: Vic Postcode: 3189

Please provide at least one contact phone number \*

Contact information for applicant OR contact person below

Business phone: Email: clinton.northey@visionstream.com.au

Mobile phone: 0414 367 361 Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details\* Same as applicant

Name: Title: Mr First Name: Clinton Surname: Northey

Organisation (if applicable): Visionstream Pty Ltd

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name: Locked Bag 4001

Suburb/Locality: Moorabbin State: Vic Postcode: 3189

**Owner \***

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name: Title: First Name: Surname:

Organisation (if applicable): Telstra Corporation

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: 242 St. Name: Exhibition Street

Suburb/Locality: Melbourne State: Vic Postcode: 3030

Owner's Signature (Optional): Date: day / month / year



### Declaration **i**

This form must be signed by the applicant\*

**⚠** Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant, and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: 

Date: 2/8/2018  
day / month / year

### Need help with the Application? **i**

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No  Yes If 'Yes', with whom?:   
Date:  day / month / year

### Checklist **i**

Have you:

- Filled in the form completely?
- Paid or included the application fee? **⚠** Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
- Provided all necessary supporting information and documents?
  - A full, current copy of title information for each individual parcel of land forming the subject site.
  - A plan of existing conditions.
  - Plans showing the layout and details of the proposal.
  - Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
  - If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).
- Completed the relevant council planning permit checklist?
- Signed the declaration above?

### Lodgement **i**

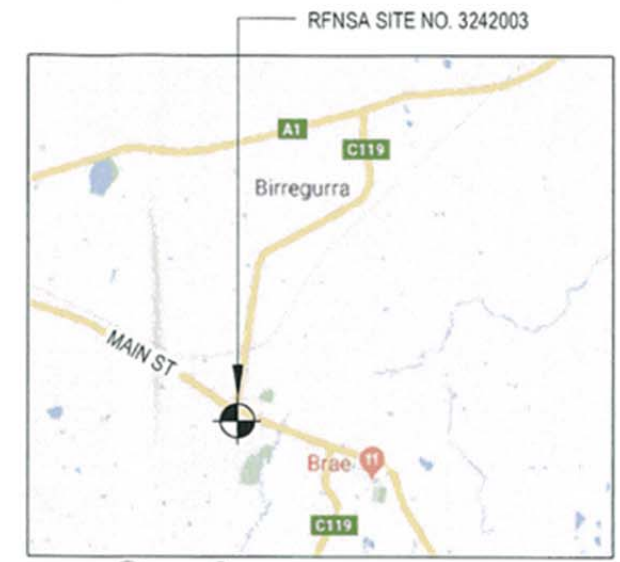
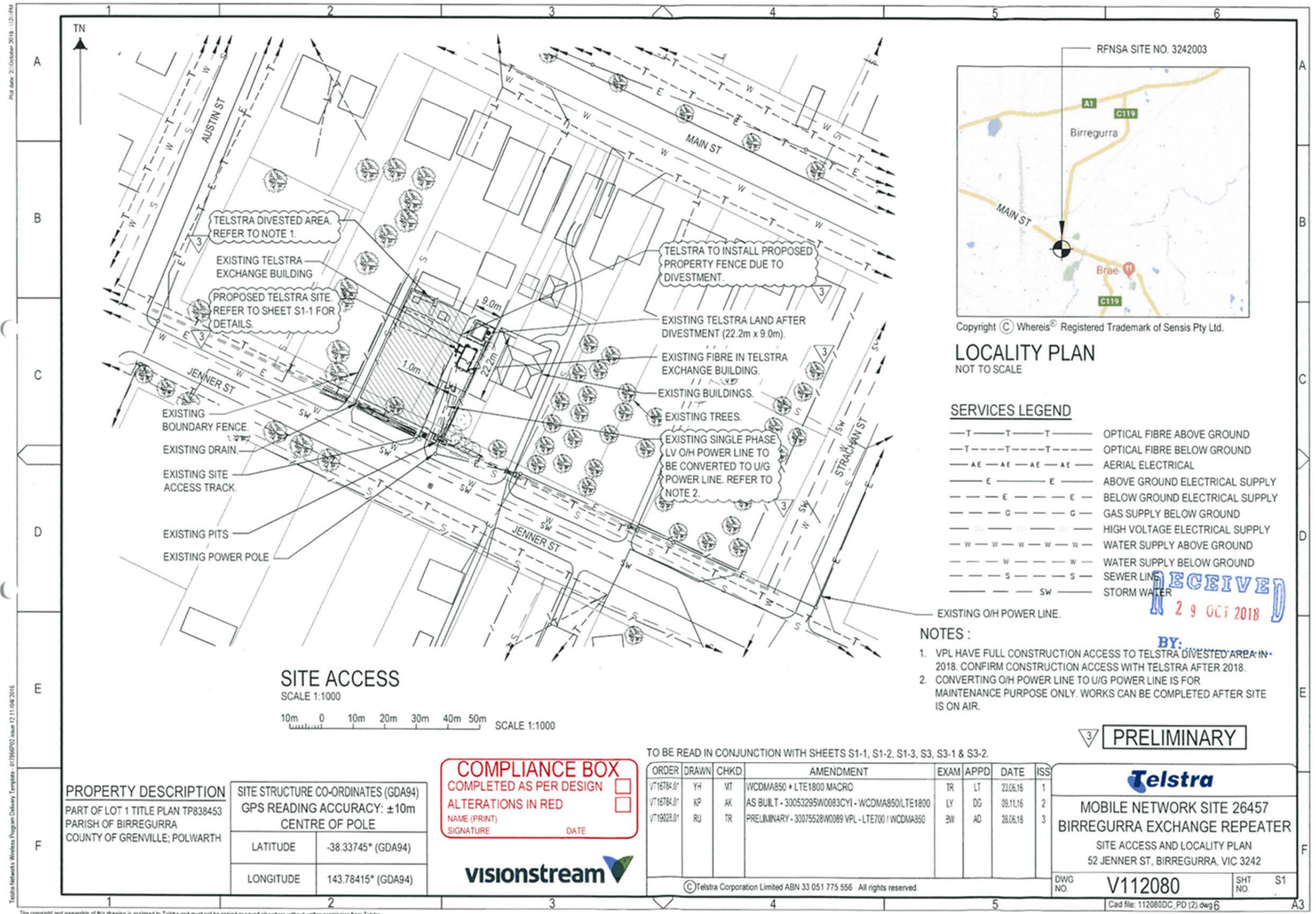
Lodge the completed and signed form, the fee and all documents with:

Colac Otway Shire  
PO Box 283  
Colac VIC 3250  
2-6 Rae Street  
Colac VIC 3250

Contact information  
Phone: (03) 5232 9400  
Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

Deliver application in person, by post or by electronic lodgement.





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**LOCALITY PLAN**  
NOT TO SCALE

**SERVICES LEGEND**

- T — T — T — OPTICAL FIBRE ABOVE GROUND
- - - T - - - T - - - OPTICAL FIBRE BELOW GROUND
- AE - AE - AE - AE - AERIAL ELECTRICAL
- E - E - E - E - ABOVE GROUND ELECTRICAL SUPPLY
- - - E - - - E - - - BELOW GROUND ELECTRICAL SUPPLY
- G - G - G - G - GAS SUPPLY BELOW GROUND
- H V - H V - H V - H V - HIGH VOLTAGE ELECTRICAL SUPPLY
- W - W - W - W - W - WATER SUPPLY ABOVE GROUND
- - - W - - - W - - - W - WATER SUPPLY BELOW GROUND
- S - S - S - S - SEWER LINE
- SW - SW - SW - SW - STORM WATER

**NOTES:**

1. VPL HAVE FULL CONSTRUCTION ACCESS TO TELSTRA DIVESTED AREA IN 2018. CONFIRM CONSTRUCTION ACCESS WITH TELSTRA AFTER 2018.
2. CONVERTING O/H POWER LINE TO U/G POWER LINE IS FOR MAINTENANCE PURPOSE ONLY. WORKS CAN BE COMPLETED AFTER SITE IS ON AIR.

**RECEIVED**  
29 OCT 2018

BY:

**SITE ACCESS**



**PROPERTY DESCRIPTION**  
PART OF LOT 1 TITLE PLAN TP838453  
PARISH OF BIRREGURRA  
COUNTY OF GRENVILLE; POLWARTH

<b>SITE STRUCTURE CO-ORDINATES (GDA94)</b>	
GPS READING ACCURACY: ±10m CENTRE OF POLE	
LATITUDE	-38.33745° (GDA94)
LONGITUDE	143.78415° (GDA94)

**COMPLIANCE BOX**  
COMPLETED AS PER DESIGN   
ALTERATIONS IN RED   
NAME (PRINT) \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



TO BE READ IN CONJUNCTION WITH SHEETS S1-1, S1-2, S1-3, S3, S3-1 & S3-2.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
V716784.01	YH	MT	WCDMA850 + LTE1800 MACRO	TR	LT	23.05.16	1
V716784.01	KP	AK	AS BUILT - 30053295W0083CY1 - WCDMA850/LTE1800	LY	DG	09.11.16	2
V719023.01	RJ	TR	PRELIMINARY - 30075528W0089 VPL - LTE700 / WCDMA850	SW	AD	28.05.18	3

**PRELIMINARY**



**MOBILE NETWORK SITE 26457**  
**BIRREGURRA EXCHANGE REPEATER**  
SITE ACCESS AND LOCALITY PLAN  
52 JENNER ST, BIRREGURRA, VIC 3242

DWG NO. **V112080**

SHT NO. **S1**

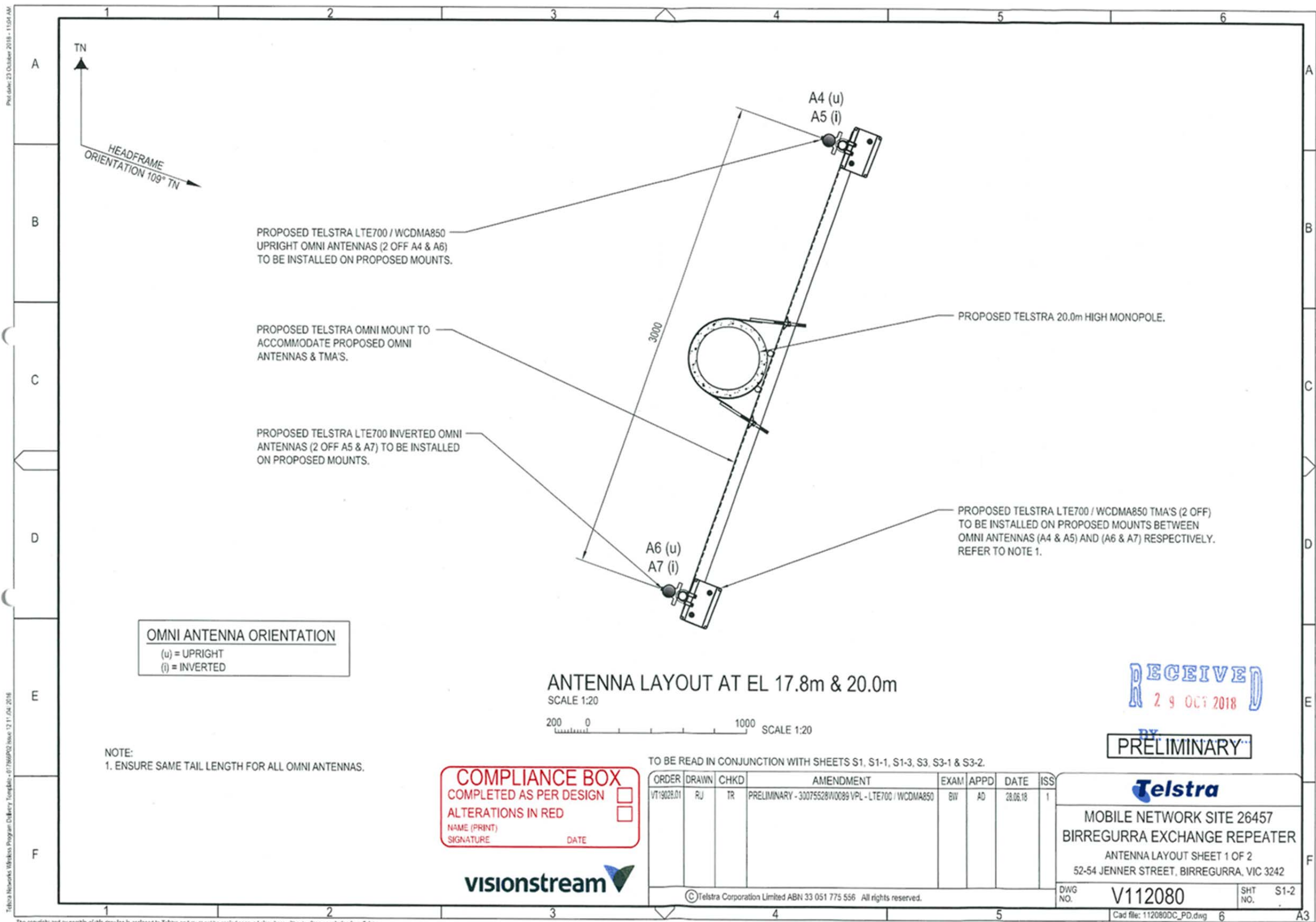
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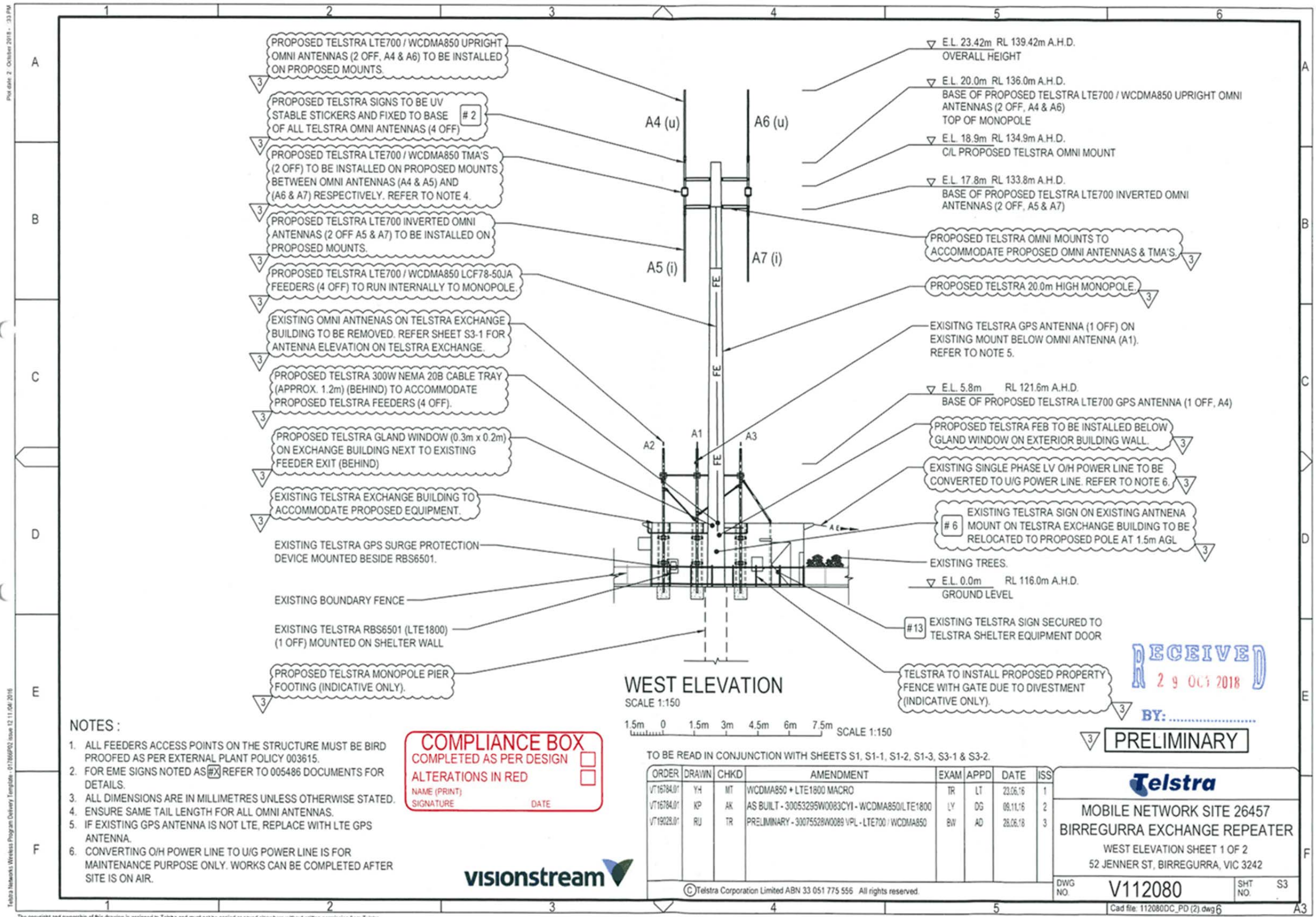












**NOTES :**

1. ALL FEEDERS ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTED AS #X REFER TO 005486 DOCUMENTS FOR DETAILS.
3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
4. ENSURE SAME TAIL LENGTH FOR ALL OMNI ANTENNAS.
5. IF EXISTING GPS ANTENNA IS NOT LTE, REPLACE WITH LTE GPS ANTENNA.
6. CONVERTING O/H POWER LINE TO U/G POWER LINE IS FOR MAINTENANCE PURPOSE ONLY. WORKS CAN BE COMPLETED AFTER SITE IS ON AIR.

**COMPLIANCE BOX**  
 COMPLETED AS PER DESIGN   
 ALTERATIONS IN RED   
 NAME (PRINT) \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



**WEST ELEVATION**  
 SCALE 1:150



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2, S1-3, S3-1 & S3-2.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
V16784.01	YH	MT	WCDMA850 + LTE1800 MACRO	TR	LT	23.06.16	1
V16784.01	KP	AK	AS BUILT - 30053295W0083CY1 - WCDMA850/LTE1800	LY	DG	09.11.16	2
V19029.01	RJ	TR	PRELIMINARY - 30075528W0089 VPL - LTE700 / WCDMA850	BW	AD	28.06.18	3

**Telstra**

**MOBILE NETWORK SITE 26457**  
**BIRREGURRA EXCHANGE REPEATER**  
 WEST ELEVATION SHEET 1 OF 2  
 52 JENNER ST, BIRREGURRA, VIC 3242

DWG NO. **V112080** SHT NO. S3

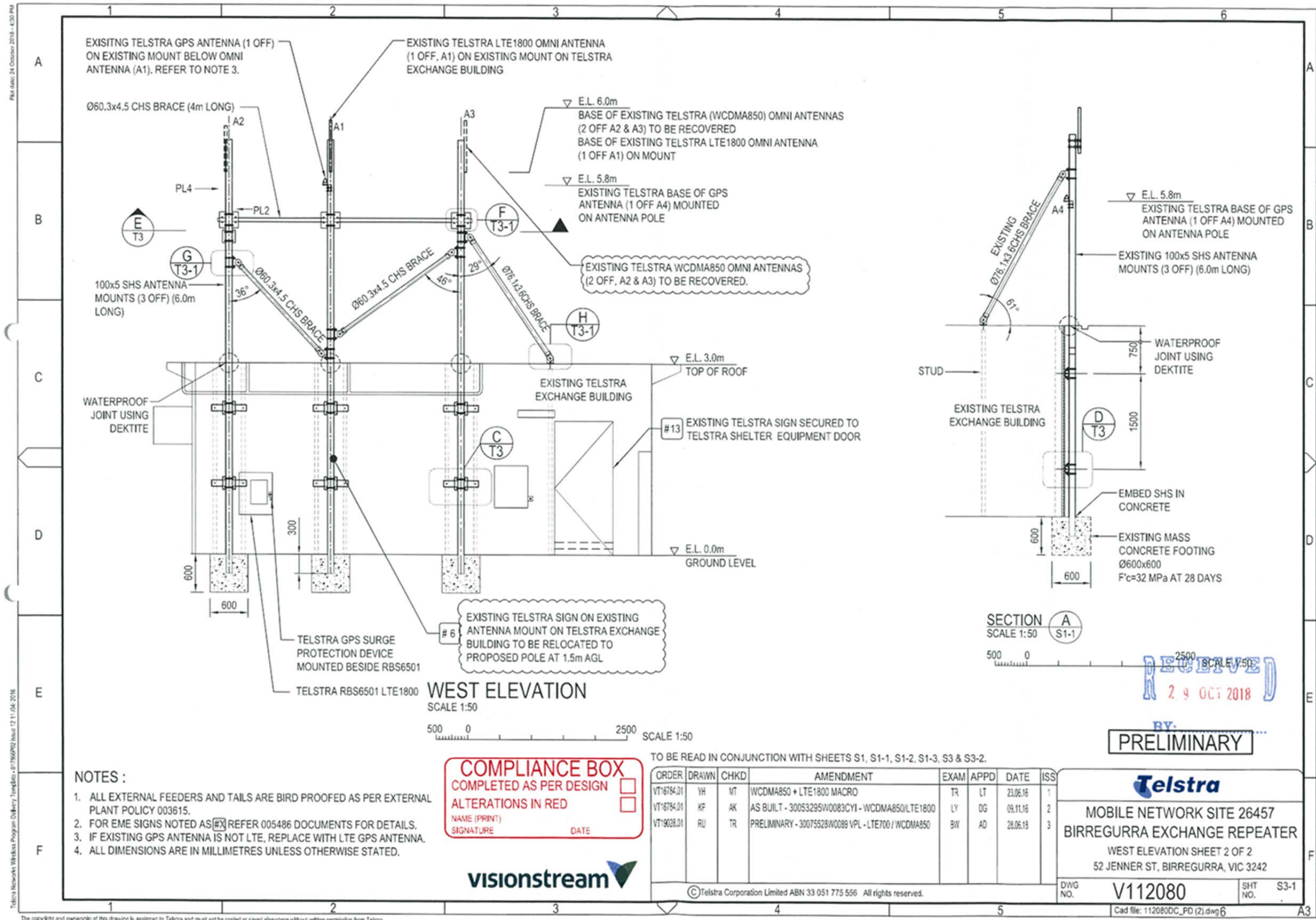
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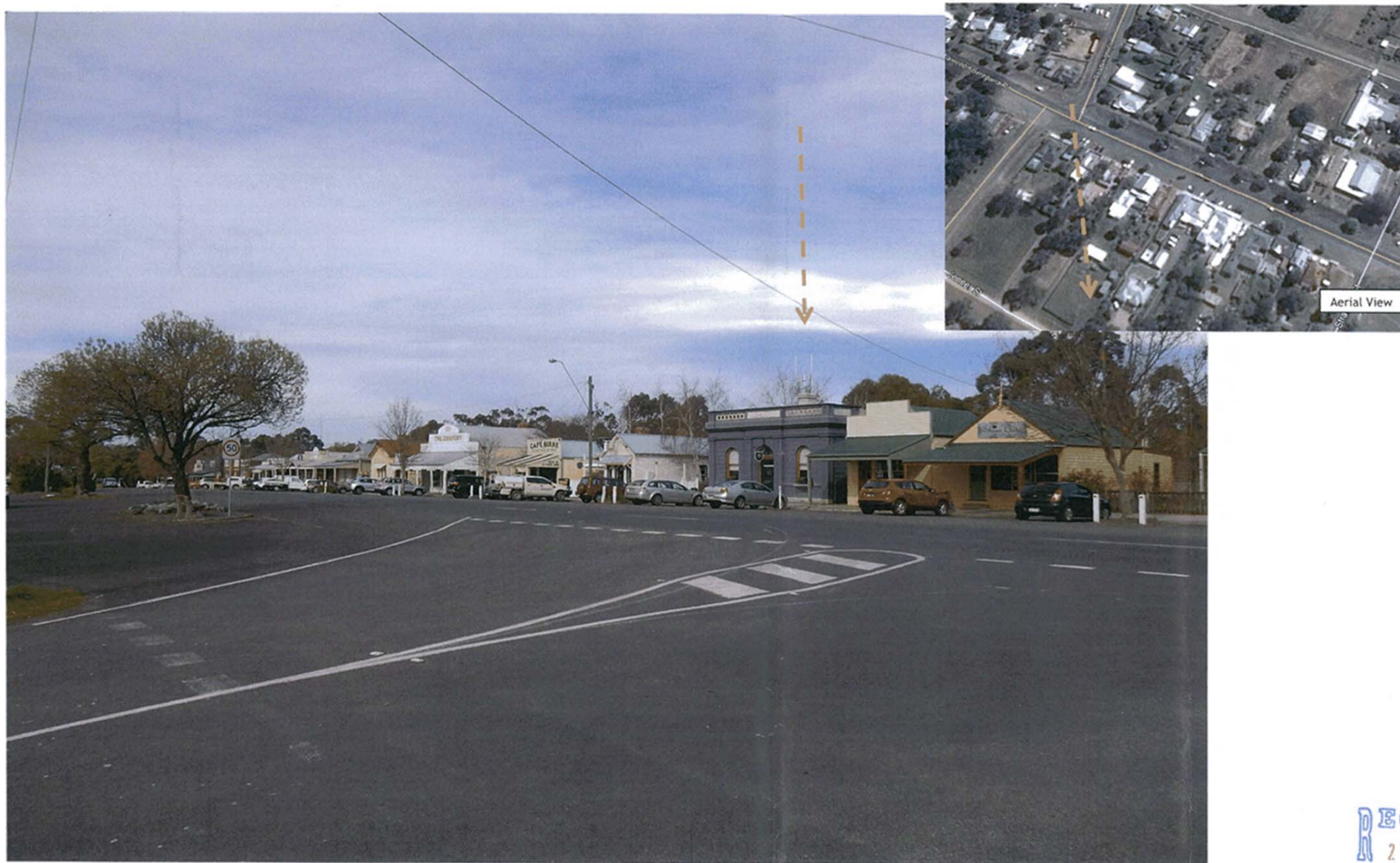
Telstra Networks Wireless Program Delivery Template - 017668PQ issue 12 11 04 2016

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BY: .....

### Proposed 20m Monopole Installation - Birregurra

Indicative view from Main Street, approximately 155m north from the proposed site.







## Proposed 20m Monopole Installation - Birregurra

Indicative view from Main Street, approximately 110m north east from the proposed site.

RECEIVED  
29 OCT 2018

BY: .....



PLANNING COMMITTEE

# USE OF LAND FOR INDUSTRY (POTATO PROCESSING) AND REDUCTION IN PARKING (20 SPACES) - 150 SEVEN BRIDGES ROAD, GERANGAMETE

PC191004-2

<b>ADDRESS AND PROPERTY DETAILS</b>	150 Seven Bridges Road, Gerangamete	<b>GENERAL MANAGER</b>	Ian Seuren
<b>PREPARED BY</b>	Ian Williams	<b>TRIM FILE</b>	F18/14630
<b>DIVISION</b>	Development & Community Services	<b>CONFIDENTIAL</b>	No
<b>PERMIT TRIGGERS</b>	Clause 35.07-1 (FZ) – Use of land for Industry; Clause 42.03-2 (SLO) – Buildings and Works; Clause 44.01-1 (EMO) - Buildings and Works; Clause 44.06-2 (BMO) – Buildings and Works; and Clause 52.06 (Car Parking)		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Reduction in car parking of 20 spaces from specified standard		
<b>APPLICATION NUMBER</b>	PP312/2018-1		
<b>PROPOSAL</b>	Use of Land for Industry (Potato Processing), Associated Works and Reduction in Car Parking from Specified Standard (20 Spaces)		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Significant Landscape Overlay, Schedule 1 (SLO1), Erosion Management Overlay (EMO1) and Bushfire Management Overlay (BMO)
<b>COVENANTS</b>	No		
<b>LIST OF ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Application Form</li> <li>2. Application Plans</li> </ol>		
<b>CULTURAL HERITAGE</b>	Site is not in area of cultural heritage sensitivity .		



# 1. LOCATION PLAN / AERIAL PHOTO

## LOCATION PLAN



## AERIAL PHOTO



## 2. EXECUTIVE SUMMARY

Planning permission is sought for the use of existing buildings on the land for potato processing. The landowners have a 25 year licence (with 24 years to run) to grow coloured potatoes and wish to value add to this product with the introduction of a crisp/chip processing plant. In terms of the use, it is considered that the proposal would help build a strong and innovative business, fostering growth by building on the strengths of the agricultural base to achieve a high economic potential. The proposal would value-add to local rural production, promote innovation and diversification, improve the sustainability of rural industry and provide local employment.

The proposed use requires 29 car parking spaces to be provided on the land to meet the specified standard for industry in the planning scheme. Nine spaces are proposed, with the application seeking a reduction of 20 car parking spaces from the specified standard.

It is recommended that a permit be issued for the proposed use, including the car parking reduction, for the reasons outlined in this report.

## 3. RECOMMENDATION

***That Council's Planning Committee resolves to grant a permit for the use of land for industry (potato processing), associated works and reduction in car parking from the specified standard, subject to the following conditions:***

### ***Endorsed Plans***

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

### ***Compliance with Geotechnical Assessment***

- 2. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment prepared by 2020 Engineering Solutions (reference ES18157, dated 24/07/2018) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

### ***Wastewater***

- 3. A domestic wastewater management system must be constructed concurrently with the alterations to the building to facilitate the potato processing use, so that all liquid waste is at all times contained within the curtilage of the lot. The design and installation of any wastewater disposal system for any building on the land must comply with the septic tanks 'Code of Practice - Onsite Wastewater Management', July 2016 (EPA Publication No. 891.4, or as amended), to the satisfaction of the Responsible Authority.***

### ***Access***

- 4. Prior to commencement of the use hereby permitted, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.***
- 5. The driveway must be constructed to an all-weather standard to the satisfaction of the Responsible Authority and must have a minimum width of 3 metres.***

### ***Car Parking***

- 6. Prior to the commencement of the use, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***
  - a) Constructed;***

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

*The areas must be constructed, and drained to prevent diversion of flood or drainage waters, and maintained in a continuously useable condition to the satisfaction of the Responsible Authority. Car parking spaces, access lanes and driveways must be kept available for these purposes at all times.*

#### **Loading**

- 7. *The loading and unloading of goods from service vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land to the satisfaction of the Responsible Authority.*
- 8. *The loading bay must remain free for the purpose of loading and unloading at all times.*

#### **Stormwater**

- 9. *Stormwater discharge must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point may occur within five metres of the lowest property boundaries and any discharge point must not be located so as to surcharge the septic effluent disposal system.*
- 10. *The site must be developed and managed to ensure there is no stormwater pollution through the contamination of runoff by chemicals, sediments, wastes or pollutants in accordance with 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) at any time during construction or operation, to the satisfaction of the Responsible Authority.*

#### **Amenity**

- 11. *The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:*
  - a) *transport of materials, goods or commodities to or from the land;*
  - b) *appearance of any building, works or materials;*
  - c) *emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;*
  - d) *presence of vermin.*
- 12. *External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land, to the satisfaction of the Responsible Authority.*
- 13. *All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and must be connected to a security service.*

#### **CFA conditions**

- 14. The Bushfire Management Plan at Attachment Four, pages 29, 30, 31 and 32 of the Bushfire Management Statement prepared by M Delahunty (dated 8/8/2018) must be endorsed to form part of the permit and must not be altered without the written consent by the CFA and the Responsible Authority.**
- 15. The Bushfire Emergency Plan (version V2 and dated 17/01/2019) must be endorsed to form part of the permit.**

#### **Expiry**

- 16. This permit will expire if one of the following circumstances applies:**
  - a) The development has 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.**

***In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition.***

#### **Notes**

- 1. This permit does not authorise the commencement of any building works. Prior to commencement of the development, it will be necessary to apply for and obtain a building permit for the proposed works.**
- 2. A separate application to install a domestic wastewater management system must be submitted to and approved by Council's Health Protection Unit prior to the commencement of works. The current application form is available on Council's website.**
- 3. The use allowed by this permit is required to comply with all relevant State legislation, including the Food Act 1984. Trading must not commence until the premise has been registered under the Food Act 1984 by Council's Health Protection Unit.**

## **4. OPTIONS**

Council has the options of:

- a) Granting a Permit subject to conditions;
- b) Refusing to Grant a Permit.

It is considered that the proposal should be allowed and a permit issued for the reasons outlined in this report.

## **5. RELEVANT BACKGROUND**

The owners of the subject land have been growing potatoes at this site for over 30 years and have worked with the Victorian State Agricultural Department for over 20 years developing new varieties of potatoes. They have a 25 year licence (with 24 years to run) to grow coloured potatoes and wish to value add to this product with the introduction of a crisp/chip processing plant.

The proposed potato crisp/chip processing plant would provide an alternative enterprise to help maintain the viability of the existing agricultural business on the land, adding value to the potatoes produced by the owners. The owners currently grow approximately 1,500 tonnes of potatoes per annum and carry approximately 300 head of stock. In 2016 they launched the brand and product DK's Purple Potato Chips, producing approximately 200,000 packets of crisps/chips over 3 trial runs.

The applicant has advised that the property at 150 Seven Bridges Road sits within the Colac Otway Potato Protection District (PPD). There are only three declared PPDs in Victoria, one of which is in the Colac Otway Shire. (This area of Victoria is identified as a PPD against parasites as per the Department of Environment and Primary Industries).

## 6. PROPOSAL

Planning permission is sought for the use of existing buildings on the land for potato processing. The plant would be within an existing agricultural building located 134m from the northern boundary and 31m from the western boundary. The applicant has advised that previously the farm was a dairy and potato farm. With the move over the years from dairy to beef cattle and the focus on potatoes, there is ample existing shedding to allow for the proposed use without the loss of any agricultural land. This proposal would allow the broader agricultural land use to continue to operate, together with a value adding industry.

Production of purple potato crisps/chips includes cutting washed potatoes prior to frying, spinning the crisps/chips in a centrifuge (minimise the oil content), then inspecting and seasoning, before automatically packing into bags, weighing and boxing. The applicant has advised that no noise should be audible outside the processing area and no odour produced as a result of the process. To minimise dust, the inside of the building and outside the processing plant would be concreted. The proposed hours would be 6am to 8pm, Monday to Saturday inclusive.

The introduction of the crisp/chip processing plant would result in the creation of seven new jobs, with six staff employed to operate the plant and one administration person. No retail sales are proposed from the farm, only wholesale, with 2 delivery trucks and 2 wholesale trucks visiting the site per week. The type of products used would include purple potatoes (max. 200 tonnes p.a.), Australian sunflower or olive oil (7,000 litres), sea salt (2 pallets), LPG Gas (10,000 litres), cardboard boxes (11,000) and foil bags (100,000).

The residual products as a result of the process would include used vegetable oil and potato material, which the applicant has advised would be used on the farm as cattle feed or stock feed. Any other waste, including small amounts of packaging, would be added to farm waste, which is currently placed in a skip and sent to a licensed facility for disposal.

No additional signage is proposed under this application.

### Car Parking Reduction

The area of the existing building to be used for potato processing is 1,000 square metres. As such, in order to accord with the specified parking standard in Clause 52.06 (Car Parking), 29 car parking spaces should be provided on the land to support the use. The applicant proposes 9 on site car parking spaces and has advised that the proposed reduction of 20 spaces would be reasonable as the site would not be open to members of the public, with the only visitors being people on business. In support of the proposal, the applicant has undertaken a 'car parking demand assessment'.



## 7. SUBJECT LAND & SURROUNDINGS

The lot has an area of 82ha, with a further 23 hectares over Crown Allotment 59B (to the east), and has a frontage of 1100m onto Seven Bridges Road. The site is located on the southern side of Seven Bridges Road is currently used for agricultural purposes - potato growing and 300 beef cattle.

The site contains an existing dwelling, with agricultural buildings located towards the north-western corner and centrally located dams, plus scattered vegetation. The photograph below shows the existing agricultural buildings on the land.



Surrounding land is used for agricultural purposes with some lots containing dwellings, the closest being at 215 Seven Bridges Road (325m) and the next closest being 140 Seven Bridges Road located 595m to the south.

## 8. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

The State Planning Policy Framework (PPF) seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development policies. The policies considered relevant to the application are identified below:

- Clause 12.05-2S - Landscapes
- Clause 13.02-1S - Bushfire Planning
- Clause 13.04-2S Erosion and Landslip
- Clause 13.05-1S - Noise abatement
- Clause 13.07-1S - Land Use Compatibility
- Clause 14.01-1S - Protection of Agricultural Land
- Clause 14.01-2S - Sustainable Agricultural Land Use
- Clause 17.01 – Employment

### **Local Policy Planning Framework (LPPF), including the Municipal Strategic Statement (MSS)**

The Local Planning Policy Framework (LPPF) sets a local and regional strategic policy context for the Shire. The policies considered relevant to the application are identified below:

- Clause 21.02 - Vision
- Clause 21.04-5 - Erosion
- Clause 21.05-1 - Agriculture
- Clause 21.05-3 – Industry

### **Other relevant provisions**

#### Clause 52.06 (Car Parking)

A key purpose of this provision is to ensure an appropriate number of car parking spaces are provided having regard to the demand likely to be generated, the activities on the land and the nature of the locality. The provision also seeks to ensure that the design and location of car parking is of a high standard, creates a safe environment for users, and enables easy and efficient use. The area of the building proposed to be used for industry is 1,000 square metres, resulting in a total on-site requirement for the proposed use of 29 car parking spaces.

### **Relevant Planning Scheme amendments**

There are no Planning Scheme amendments relevant to the consideration of this application.

## **9. OFFICER'S ASSESSMENT**

State and local planning policy seeks to avoid the permanent removal of productive agricultural land from the state's agricultural base. Local planning policy seeks to provide for innovative agricultural activities that do not detract from the long-term sustainability of large-scale agriculture. Local policy also seeks to support the development of industries that introduce diversity to the economy and contribute to value adding industries. The subject site is in an area of productive agricultural land of strategic significance and, as such, loss of land in this area to a use unrelated to agriculture is generally resisted unless the proposal would materially and appropriately add to the economic base of the shire.

The current proposal would utilise an existing agricultural building and produce from the subject site, and avoid the permanent removal of productive agricultural land from the state's agricultural base. It is not considered that the small scale nature of the potato processing and associated infrastructure would negatively impact on the ability to farm the remaining land parcel. The broader use of the land would be maintained for agriculture, with the proposed use assisting with maintaining the viability of the farmland.

The proposed use would be undertaken within an existing building, with only concrete ground works external to the building to mitigate dust nuisance. It is not considered that the proposed works would significantly alter the external appearance of the building or the natural landscape setting.

The proposal would build on the strengths of the agricultural base to achieve a high economic potential. It would provide local value-adding to rural production and rural industry, promote innovation and diversification, improve the sustainability of rural industry and provide local employment.



It is not considered that the proposed potato processing plant would result in any significant detrimental impact on the adjoining landowners through increased noise or light emissions. The application site is approximately 105 hectares in area, being one of three dairy farm properties along this 4.8 kilometre road. To avoid any potential noise issues and safeguard the amenity of any residential dwellings in the area, the use would be contained within the existing building.

No native vegetation removal is required under this application. The existing farm buildings are considered to be reasonably screened from public view by the roadside vegetation to the north and on the western side by the cypress trees.

#### Erosion Management Overlay

In support of this application, a Geotechnical Assessment prepared by 2020 Engineering Solutions (reference ES18157, dated 24/07/2018) has been provided. The report concludes that the proposal should be allowed as the calculated risks are within the acceptable range. The submitted Form A verifies that the Geotechnical Assessment prepared for the planning application for the site confirms the land can meet the acceptable risk criteria specified in the schedule to Clause 44.01 of the Colac Otway Planning Scheme, taking into account the total development and site disturbance proposed.

#### Bushfire Management Overlay

The applicant has provided a Bushfire Management Statement, which satisfactorily demonstrates that the relevant policies have been addressed and that bushfire protection measures could be adequately implemented. The CFA has considered this proposal and raised no objection.

#### Car Parking

The area of the existing building proposed to be used for industry is 1,000 square metres. Under the provisions of Clause 52.06, there is a requirement for 2.9 car spaces to each 100sqm of net floor area; as such, 29 car parking spaces are required to be provided on the land to meet the standard. The applicant has proposed 9 on site car parking spaces and therefore a reduction of 20 spaces from the specified standard is being sought. The applicant considers that the proposed reduction is reasonable as the site would not be open to members of the public, with any visitors being on business. In support of the proposal, the applicant has undertaken a '*car parking demand assessment*' which clarifies the following:

- The level of staff on site is not likely to increase above 7, with each staff member working a day shift.
- No retail sales are proposed from the site.
- It is anticipated that there would be occasional business visitors to the site, with the car parking proposed being adequate to support this demand.
- The subject site is located within the Farming Zone, being accessible via an access track which is over 100m in length. Should there be an unforeseen parking requirement, this could be adequately catered for on the farm property without impacting on traffic on the roadway.
- The application site is not located within a residential area and, as such, it is not anticipated that the reduction from the specified car parking requirement would have an impact on local traffic management.

Council's Infrastructure Department has considered this proposal and no objection was raised subject to conditions being included on any permit issued.

## 10. REFERRALS

### Internal Referrals

The application was referred internally to Council's Building, Environment, Health, Infrastructure and Economic Development Units. No objections were raised subject to conditions being included on any permit issued.

### External Referrals

This application was referred externally to the CFA under Section 55 of the *Planning and Environment Act 1987* (the Act). The Environmental Protection Authority (EPA) and Corangamite Catchment Management Authority (CCMA) were notified of the application under Section 52 of the Act. No objections were received, subject to conditions being included on any permit issued.

## 11. PUBLIC NOTIFICATION & RESPONSE

Notice of the application was sent to the surrounding property owners and occupiers, and a sign was erected on site for a period of 14 days. No objections were received.

## 12. DECLARATION OF INTEREST

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

018/138463



Planning Enquiries  
 Phone: (03) 5232 9400  
 Web: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)

Clear Form

Office Use Only

Application No.:

Date Lodged: / /

# Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

**▲** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

**▲** Questions marked with an asterisk (\*) must be completed.

**▲** If the space provided on the form is insufficient, attach a separate sheet.

**■** Click for further information.

SCANNED

COLAC OTWAY SHIRE  
 20 DEC 2010  
 RECEIVED DESTROY

## The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address \*

Unit No.:	St. No.: 150	St. Name: Seven Bridges Road
Suburb/Locality: GERANGAMETE		Postcode:

**Formal Land Description \***  
 Complete either A or B.

**▲** This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.:   Lodged Plan  Title Plan  Plan of Subdivision No.:

OR

B Crown Allotment No.: 59a & 59b Section No.:

Parish/Township Name: Yaughter

## The Proposal

**▲** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**■** For what use, development or other matter do you require a permit? \*

This application is for the installation of a potato chip processing plant within the existing shed structure at 150 Seven Bridges Road, Gerangamete.

The proposal is for a clean room to be constructed and a chip processing plant to be installed within the current shed structure. The clean room would take up around 20% of the current shed and would be constructed of fire proof panels.

The aim of the processing plant is to value add to product grown on the farm properties.

There is no plan to have retail sales on site and the product would be sold through distributed and wholesale sales only.

The plant would employ an additional seven staff on a part time/ casual basis to begin with.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

**■** Estimated cost of any development for which the permit is required \*

Cost \$ 120,000

**▲** You may be required to verify this estimate. Insert '0' if no development is proposed.

### Existing Conditions **I**

Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

150 Seven Bridges road is 105 ha property which is currently ran as a potato farm and cattle property. The business currently grows 1,500 tonnes of potatoes per annum and runs 300 beef cattle. There is currently a residential house and extensive farm shedding on the property

Provide a plan of the existing conditions. Photos are also helpful.

### Title Information **I**

Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

### Applicant and Owner Details **I**

Provide details of the applicant and the owner of the land.

#### Applicant \*

The person who wants the permit.

Please provide at least one contact phone number \*

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

#### Owner \*

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Title: Mr First Name: Peter Surname: Scott

Organisation (if applicable): PG & SL Scott Pty Ltd t/a The Yaughar Farm Settlement

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: 150 St. Name: Seven Bridges Rd

Suburb/Locality: GERANGAMETE State: VIC Postcode:

Contact information for applicant OR contact person below

Business phone: 03 5236 687 Email: pg\_sl\_scott@hotmail.com

Mobile phone: Fax:

Contact person's details\* Same as applicant

Name:

Title: Mrs First Name: Janet Surname: Forbes

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: 26 St. Name: Chapel Street

Suburb/Locality: Colac State: Vic Postcode: 3250

Name: Same as applicant

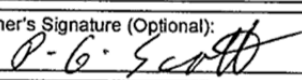
Title: Mr First Name: Peter Surname: Scott

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: 150 St. Name: Seven Bridges Road

Suburb/Locality: Gerangamete State: Vic Postcode: 3249

Owner's Signature (Optional):  Date: 17/12/2018  
day / month / year





## Declaration **i**

This form must be signed by the applicant \*

**▲** Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

*P. G. Scott*

Date: 17/12/2018

day / month / year

## Need help with the Application? **i**

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No

Yes

If 'Yes', with whom?: Michael Swanson

Date:

day / month / year

## Checklist **i**

Have you:

Filled in the form completely?

Paid or included the application fee?

**▲** Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site.

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

Completed the relevant council planning permit checklist?

Signed the declaration above?

## Lodgement **i**

Lodge the completed and signed form, the fee and all documents with:

Colac Otway Shire  
PO Box 283  
Colac VIC 3250  
2-6 Rae Street  
Colac VIC 3250

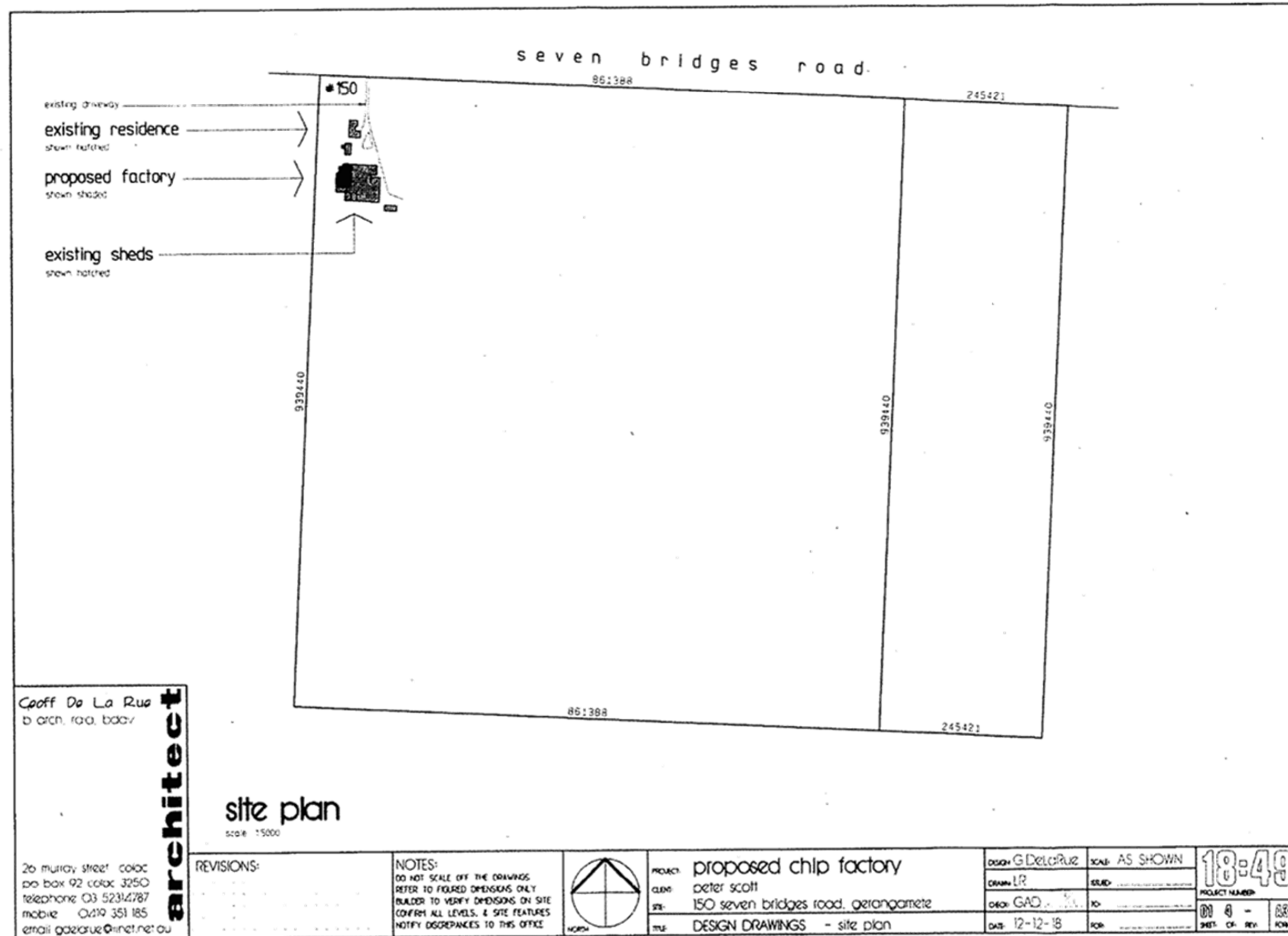
Contact information

Phone: (03) 5232 9400

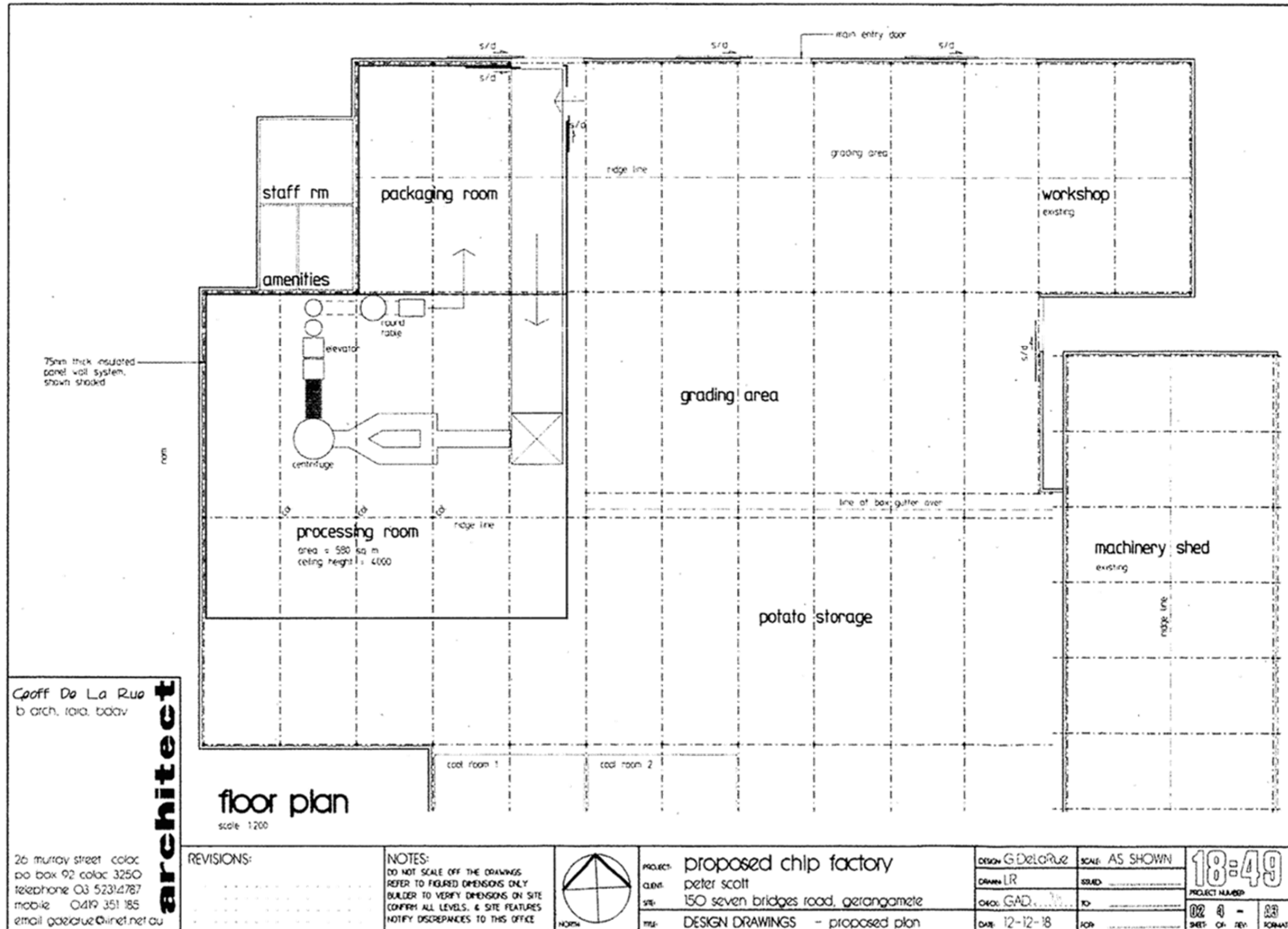
Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

Deliver application in person, by post or by electronic lodgement.

D18/138463



D18/138463



Cooff De La Rue  
b arch. 101a. boav

**architect**

26 murray street colac  
po box 92 colac 3250  
telephone 03 52314787  
mobile 0419 351 185  
email p.delarue@inet.net.au

REVISIONS:

NOTES:  
DO NOT SCALE OFF THE DRAWINGS  
REFER TO FIGURED DIMENSIONS ONLY  
BUILDER TO VERIFY DIMENSIONS ON SITE  
CONFIRM ALL LEVELS, & SITE FEATURES  
NOTIFY DISCREPANCIES TO THIS OFFICE



PROJECT: proposed chip factory  
CLIENT: peter scott  
SITE: 150 seven bridges road, gerangamete  
TYPE: DESIGN DRAWINGS - proposed plan

DESIGN: G. Delarue  
DRAWN: LR  
CHECK: GAD  
DATE: 12-12-18

SCALE: AS SHOWN  
ISSUED: \_\_\_\_\_  
FO: \_\_\_\_\_  
FOR: \_\_\_\_\_

**18:49**

PROJECT NUMBER

02 4 - 03  
SHEET OF REV. 03/04



D18/138463

outline of existing shed complex, all to remain as is

nominal line of insulated panel enclosure to the new chip factory, shown dotted

**west elevation**  
scale 1:200

outline of existing shed complex, all to remain as is

3 no existing sliding doors, all to remain as is

nominal line of insulated panel enclosure to the new chip factory, shown dotted

**north elevation**  
scale 1:200

Coeff De La Rue  
to arch, raia, baav

architect

REVISIONS: ..... ..... .....	NOTES: DO NOT SCALE OFF THE DRAWINGS REFER TO FIGURED DIMENSIONS ONLY BUILDER TO VERIFY DIMENSIONS ON SITE CONFIRM ALL LEVELS, & SITE FEATURES NOTIFY DISCREPANCIES TO THIS OFFICE	 NORTH	PROJECT: <b>proposed chip factory</b> CLIENT: peter scott SITE: 150 seven bridges road, gerangamete TITLE: DESIGN DRAWINGS - proposed elevations	DESIGN: G DeLaRue DRAWN: LR CHECK: GAD DATE: 12-12-18	SCALE: AS SHOWN ISSUED: ..... NO ..... FOR .....	<div style="font-size: 24px; font-weight: bold;">18-49</div> PROJECT NUMBER 04 4 - A3 SHEET OF REV FORMAT
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