

MINUTES of the **PLANNING COMMITTEE OF THE COLAC-OTWAY SHIRE COUNCIL**
held in the COPACC Meeting Room, Rae Street, Colac on 14 October 2008 at 10.30am.

1. PRESENT

Cr. Chris Smith (Mayor)
Cr. Tony Graham
Cr. Fran Lehmann
Cr. Peter Mercer
Cr. Warren Riches
Cr. Carol Wilmink

Tracey Slatter, Chief Executive Officer
Jack Green, General Manger Sustainable Planning and Development
Colin Hayman, General Manager Corporate and Community Services
Ross Goyne, Acting General Manager Infrastructure and Services
Doug McNeill, Manager Planning and Building
Anne Sorensen, Statutory Planning Coordinator
Bronwyn Keenan, Executive Officer Sustainable Planning and Development

2. APOLOGIES

Cr. Joe DiCecco

3. DECLARATION OF INTEREST

NIL

4. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

Item PC081410-4 Paul Brown
Chris Marshall

Item PC081410-7 Bruce Amery

Item PC081410 - 8 Janette Martin
George Gigas
Phillip Hebblethwaite
Pat Breen
John Breese
Chris Stewart
Jack Kraan

5. CONFIRMATION OF MINUTES

- Planning Committee Meeting of the Colac-Otway Shire Council held on the 09/09/08.

Recommendation

That the Planning Committee confirm the above minutes.

Resolution

MOVED Cr Riches seconded Cr Graham that the Planning Committee confirm the above minutes.

CARRIED 6:0

OFFICERS' REPORTS

Sustainable Planning and Development

- PC081410-1 NOVEMBER 2008 PLANNING COMMITTEE
- PC081410-2 PLANNING PERMITS FOR THE MONTH OF SEPTEMBER 2008
- PC081410-3 USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND REMOVAL OF VEGETATION AT 305 SAND PIT ROAD, CHAPPLE VALE
- PC081410-4 PP152/08 - ALTERATIONS AND ADDITIONS TO EXISTING CONVENIENCE SHOP AND RESTAURANT, WAIVER OF CARPARKING, SIGNAGE, ALTERATION TO LIQUOR LICENCE, REMOVAL OF UNDERGROUND PETROL TANK AND ASSOCIATED WORKS AT 35 GREAT OCEAN ROAD, WYE RIVER
- PC081410-5 USE & DEVELOPMENT OF A DWELLING AND ASSOCIATED WORKS AT 788 WILD DOG ROAD, APOLLO BAY
- PC081410-6 PP182/08 - WAIVERING OF CAR PARKING ASSOCIATED WITH BUILDING AND WORKS FOR A MINOR EXTENSION TO THE EXISTING SENIOR CITIZENS CENTRE AT 55-59 HESSE STREET COLAC
- PC081410-7 PP106/08 & PP223/08 - TWO APPLICATIONS FOR TWO LOT SUBDIVISION AT 1A KETTLE STREET, COLAC
- PC081410-8 PP117/08 - USE AND DEVELOPMENT OF 210 PIERCES ROAD, BEEAC (CA141, 149 AND 153, PARISH OF ONDIT) FOR A BROILER FARM ASSOCIATED BUILDINGS AND WORKS, INCLUDING ACCESS AND A DAM, AND A MANAGER'S RESIDENCE
- PC081410-9 PP115/08 - RESUBDIVISION OF 6 LOTS AT 210 PIERCES ROAD, BEEAC

**PC081410-3 USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND
REMOVAL OF VEGETATION AT 305 SAND PIT ROAD, CHAPPLE VALE**

AUTHOR: Anne Sorensen ENDORSED: Doug McNeill
DEPARTMENT: Sustainable Planning and FILE REF: PP119/08
Development

Recommendation(s)

That Planning Committee issue a Refusal to Grant a Planning Permit for the use and development of a dwelling and removal of vegetation at 305 Sand Pit Road, Chapple Vale subject on the following grounds:

- 1. The proposal is inconsistent with the purpose and relevant decision guidelines of the Farming Zone.***
- 2. The size, design and siting of the proposed dwelling is not appropriate and will result in an unacceptable environmental outcome.***
- 3. The removal of vegetation will have a negative impact on the natural environment of the area.***

Resolution

MOVED Cr Wilmlink seconded Cr Riches that Planning Committee issue a Refusal to Grant a Planning Permit for the use and development of a dwelling and removal of vegetation at 305 Sand Pit Road, Chapple Vale on the following grounds:

- 1. The proposal is inconsistent with the purpose and relevant decision guidelines of the Farming Zone.***
- 2. The size, design and siting of the proposed dwelling is not appropriate and will result in an unacceptable environmental outcome.***
- 3. The removal of vegetation will have a negative impact on the natural environment of the area.***

CARRIED 6:0

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**PC081410-4 PP152/08 - ALTERATIONS AND ADDITIONS TO EXISTING CONVENIENCE SHOP AND RESTAURANT, WAIVER OF CARPARKING, SIGNAGE, ALTERATION TO LIQUOR LICENCE, REMOVAL OF UNDERGROUND PETROL TANK AND ASSOCIATED WORKS AT 35 GREAT OCEAN ROAD, WYE RIVER**

AUTHOR: Helen Evans  
DEPARTMENT: Sustainable Planning and Development

ENDORSED: Doug McNeill  
FILE REF: PP152/08

**Recommendation(s)**

That Council's Planning Committee issue a Notice of Decision for planning permit application PP152/08 for alterations and additions to an existing convenience shop and restaurant, waiver of carparking, signage, alteration to liquor licence area, removal of underground petrol tank and associated works at 35 Great Ocean Road, Wye River subject to the following conditions:

**Plans**

1. *Prior to the commencement of the re-development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must generally be in accordance with the plans submitted with the application, but modified to show:*
  - i. *Full set of plans drawn to scale showing a reduction in the ground level deck area to allow for the manoeuvring of cars in the parking area;*
  - ii. *Removal of the protruding seat in the northeast corner of the lot;*
  - iii. *Full details of business identification signage that does not exceed 3 square metres per premises;*
  - iv. *Redesign of the car parking area directly in front of the site to include the closing of the exit onto the Great Ocean Road, to show a total of eight (8) carspaces including one (1) disabled car space, clearly delineating the boundary between the road reserve and property boundary.*
2. *The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.*

**Signs**

3. *The location and details of the sign and its structure as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
4. *All signs must be constructed and maintained to the satisfaction of the Responsible Authority.*

5. ***The signs must not contain any flashing light and must not be illuminated by external or internal light except with the written consent of the Responsible Authority***

#### **Drainage**

6. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

#### **Earthworks related to underground petrol tank**

7. ***At the completion of works associated with the removal of the underground petrol tank, an Environmental Site Assessment must be undertaken by a suitably qualified professional to demonstrate that any potential risk from contamination is of low probability in respect to human and environmental health to the satisfaction of the Responsible Authority.***
8. ***The area where the underground petrol tank is to be removed must be re-established with asphalt to the satisfaction of the Responsible Authority.***

#### **Liquor licence**

9. ***The provision and or consumption of liquor within the development hereby permitted must be subject to the issue of a Liquor Licence, pursuant of the provision of the Liquor Control Reform Act, 1988, as amended.***
10. ***The premises must be operated in strict conformity with all requirements of the Liquor Licence.***
11. ***The hours of the on premises liquor licence allowing service of alcohol within the restaurant, on Sunday from 10am to 11pm, Good Friday and Anzac Day from 12noon to 11pm and on any other day from 7am to 11pm.***
12. ***Alcohol consumption must be strictly limited to only those areas marked in red on the endorsed plan to the satisfaction of the Responsible Authority.***

#### **Carparking, loading and access**

13. ***Loading and unloading of all goods, materials and items must be carried out on the site within the defined loading bay on the endorsed plan to the satisfaction of the Responsible Authority.***
14. ***The loading bay area must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
15. ***Prior to the commencement of works, a detailed construction plan for the carparking area adjacent to the subject site must be submitted for approval by the Responsible Authority. When approved, the plan will be endorsed and form part of the planning permit. The plan must include the parking reconfigured in front of the site to and include:***
  - ***Closing the exit point to the Great Ocean Road;***



- **Forming 8 x 90 degree parks spaces – one being disabled to the satisfaction of the responsible authority;**
  - **Signage and line marking;**
  - **Drainage; and**
  - **Landscaping.**
16. **Prior to the commencement of works, detailed plans for the parking and access arrangement on the Great Ocean Road reserve must be approved by VicRoads.**
17. **Prior to the re-commencement of the use and once the buildings reconstruction is completed, the carparking area between the site and Great Ocean Road be constructed in accordance with the plans endorsed as part of this permit.**
18. **Prior to the commencement of the redevelopment, the owner/applicant must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 stating that:**
- i. **the land between the building the eastern property boundary be kept free and available for the use of carparking and vehicular access as part of the carparking area between the lot and the Great Ocean Road to the satisfaction of the Responsible authority.**
  - ii. **within 3 months of the final inspection/occupancy permit being issued for the redevelopment approved under Planning Permit PP152/08, the owner must make a contribution of \$50,000 to Council towards pedestrian linkages in and around Wye River. This contribution may be made in instalments if agreed to in writing by the Responsible Authority.**
19. **Evidence of lodging of this agreement in accordance within Section 181 of the Planning and Environment Act 1987 must be submitted to the Responsible Authority. All costs associated with the agreement will be met by the owner/applicant.**

#### **Effluent Disposal & Health**

20. **Soil in the rear effluent field must be replaced with good quality soil, with a soil percolation rate of at least 75mm per hour to the satisfaction of Council's Environmental Health Officer.**
21. **It will be the responsibility of the applicant or owners that if the effluent treatment system does not perform as expected, alterations will be made to remedy the problem or reduce the activity of the premises hereby approved to reduce the amount of waste water produced to that which can be disposed of within the title boundary in accordance with the EPA Guideline – Publication 891 – Septic Tank Code of Practice.**
22. **A waste water storage tank shall be installed that will hold at least 1,000 litres of waste water as a backup for any system failure or to allow waste water produced at times of peak activity to be evenly distributed across the effluent disposal fields.**

23. *The septic system shall be monitored on a daily basis for performance and records kept of the output and the amount of any waste water kept in the storage tanks to the satisfaction of the Responsible Authority.*
24. *Recommendations contained in the Land Capability Assessment No E8098 dated 22 May 2008 by Provincial Geotechnical Pty Ltd in relation to the use of detergents and maintenance of the septic system are to be included in the septic tank application when submitted for approval to the Environmental Health Department of the Colac Otway Shire.*
25. *The applicant must liaise with the Council's Food Safety Officer when designing and before any works are commenced on the kitchen and food preparation areas.*
26. *A food safety plan must be submitted for the new premises and a suitable number of staff trained in food handling techniques before the premises can be legally registered or operate under new proprietors.*

**Conditions required by Department of Sustainability and Environment**

27. *No works are to occur on the adjoining Crown Land without seeking the written consent from the Department of Sustainability and Environment.*
28. *All works must be conducted within the private land. There should be no movement of materials, equipment or vehicles through the adjoining Crown Land.*
29. *No materials, buildings, equipment or vehicles associated with the works are to be stored on the adjoining Crown Land during the construction or demolition works.*
30. *All excess and waste materials, including felled trees, must be disposed of correctly to ensure no materials escape into the adjoining Crown land. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust is created.*
31. *Provision for public access to the adjoining Crown land must be maintained throughout the construction period to the satisfaction of the responsible authority in consultation with the Department of Sustainability and Environment*
32. *The department would like input into any advertising signs located on the north boundary of the property, to ensure that no offensive signs or signs that imply ownership of the adjoining public open space are erected.*

**Conditions required by Country Fire Authority**

**Water Supply Requirements**

33. *A static water supply must meet the following requirements:*
  - *a minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting;*
  - *the water supply must be located within 60 metres of the building;*

- **fire brigade vehicles must be able to get to within four metres of the water supply outlet;**
- **the water supply must be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below-ground water pipelines must be installed to the following depths:**
  - a. **subject to vehicle traffic - 300 mm**
  - b. **under houses or concrete slabs - 75 mm**
  - c. **all other locations - 225 mm**
  - d. **all fixed above-ground water pipelines and fittings, including water supply, must be constructed of non-corrosive and non-combustible materials or protected from the effects of radiant heat and flame.**

**If the static water supply is above ground the following additional standards must apply:**

- **all above-ground static water supply must provide at least one 64 mm. 3 thread/25 mm x 50 mm nominal bore British Standard Pipe (BSP), round male coupling (see Appendix A: Figure 2);**
- **all pipe work and valving between the water supply and the outlet must be no less than 50 mm nominal bore;**
- **if less than 20 metres from the building, each outlet must face away from the building to allow access during emergencies.**

#### **Access Requirements**

- 34. Access to the development must be designed to allow emergency vehicles access. The minimum design requirements are as follows:**
- **curves in driveway must have a minimum inner radius of ten metres;**
  - **the average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres;**
  - **dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.**
- 35. If the driveway from the road to the building and water supply, including gates, bridges and culverts, is greater than 30 m long, the driveway:**
- **must be designed, constructed and maintained for a load limit of at least 15 tonnes’;**
  - **be all weather construction; and**
  - **must provide a minimum trafficable width of 3.5 metres, and**
  - **be clear of encroachments 4 metres vertically (see Appendix A: Figure 3).**

#### **Vegetation Management Requirements**

- 36. A distance of 30 metres around the proposed building or to the property boundary (whichever is the lesser) must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the responsible authority.**
- **Grass must be no more than 100mm in height**
  - **Leaf litter must be less than 10mm deep**

- ***There must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be at most, sparse, with very little dead material.***
- ***Dry shrubs must be isolated in small clumps more than ten metres away from the building.***
- ***Trees must not overhang the roofline of the building.***

**Conditions required by Environment Protection Authority**

37. ***The installation and/or decommissioning of underground petroleum storage tanks should be in accordance with EPA Publication 888 Guidelines on Design, Installation and management Requirements for Underground Petroleum Storage Systems.***
38. ***All contaminated stormwater or sediment arising from the proposal must be retained on the premises.***
39. ***There should be no odours offensive to the senses of humans beyond the boundary of the premises.***
- If at any stage the site sewage treatment facilities exceed a design or actual flow rate of 5000 litres per day, the works become scheduled under the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 and will require a works approval.***

**Condition required by Corangamite Catchment Management Authority**

40. ***The proponent should consider developing a flood action plan designed to minimise damage to the contents and fittings of the building during a flood.***

**Expiry**

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

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

**Notes -**

- ***The holder of this permit must obtain the necessary Building and Health Approvals prior to the commencement of any buildings and works.***
- ***A Permit to install an all waste septic tank system must be lodged and approved by the Responsible Authority prior to the commencement of works. Such system must be designed and installed to the satisfaction of the Responsible Authority before a Permit to Use the waste septic tank system can be issued.***

- ***Non-flammable features such as tennis courts, swimming pools, dams, patios, driveways, or paths should be incorporated into the vegetation management plan, especially on the north and western sides of the proposed building.***
- ***Features with high flammability such as coir doormats, firewood stacks should not be located near the building during the fire danger period.***
- **Note for medium category of bushfire attack - The land is in a bushfire prone area designated under regulation 804 of the Building Regulations 2006. Low forest or woodland is the predominant vegetation within 100 metres of the proposed building which corresponds to a medium category of bushfire attack under AS 3959.**
- ***The applicable 1% Annual Exceedance Probability (AEP) flood level is 3.2m Australian Height Datum (AHD). This site is located entirely within the 1% AEP flood extent. The Authority has obtained this level from recorded peak levels of a flood that occurred in April 1985. Based on topographical data for the site, the 1985 flood would have resulted in flooding approximately 500mm above the floor level of the existing building (floor level 220mm above ground level). 35 Great Ocean Road is subject to flooding and is known to have been affected during a flood that occurred in April 1985. The peak recorded level for that flood is 3.3m AHD upstream of the Great Ocean road, resulting in flooding up to 600mm deep on the property.***

### **Resolution**

**MOVED** Cr Lehmann seconded Cr Riches that Council's Planning Committee issue a Notice of Decision for planning permit application PP152/08 for alterations and additions to an existing convenience shop and restaurant, waiver of carparking, signage, alteration to liquor licence area, removal of underground petrol tank and associated works at 35 Great Ocean Road, Wye River subject to the following conditions:

### **Plans**

1. ***Prior to the commencement of the re-development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must generally be in accordance with the plans submitted with the application, but modified to show:***
  - i. ***Full set of plans drawn to scale showing a reduction in the ground level deck area to allow for the manoeuvring of cars in the parking area;***
  - ii. ***Removal of the protruding seat in the northeast corner of the lot;***
  - iii. ***Full details of business identification signage that does not exceed 3 square metres per premises;***
  - iv. ***Redesign of the car parking area directly in front of the site to include the closing of the exit onto the Great Ocean Road, to show a total of eight (8) carspaces including one (1) disabled car space, clearly delineating the boundary between the road reserve and property boundary.***

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

### **Signs**

3. ***The location and details of the sign and its structure as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
4. ***All signs must be constructed and maintained to the satisfaction of the Responsible Authority.***
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### **Drainage**

6. ***All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

### **Earthworks related to underground petrol tank**

7. ***At the completion of works associated with the removal of the underground petrol tank, an Environmental Site Assessment must be undertaken by a suitably qualified professional to demonstrate that any potential risk from contamination is of low probability in respect to human and environmental health to the satisfaction of the Responsible Authority.***
8. ***The area where the underground petrol tank is to be removed must be re-established with asphalt to the satisfaction of the Responsible Authority.***

### **Liquor licence**

9. ***The provision and or consumption of liquor within the development hereby permitted must be subject to the issue of a Liquor Licence, pursuant of the provision of the Liquor Control Reform Act, 1988, as amended.***
10. ***The premises must be operated in strict conformity with all requirements of the Liquor Licence.***
11. ***The hours of the on premises liquor licence allowing service of alcohol within the restaurant, on Sunday from 10am to 11pm, Good Friday and Anzac Day from 12noon to 11pm and on any other day from 7am to 11pm.***
12. ***Alcohol consumption must be strictly limited to only those areas marked in red on the endorsed plan to the satisfaction of the Responsible Authority.***

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  - ***Closing the exit point to the Great Ocean Road;***
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  - ***Landscaping.***
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  - ii. ***within 3 months of the final inspection/occupancy permit being issued for the redevelopment approved under Planning Permit PP152/08, the owner must make a contribution of \$50,000 to Council towards pedestrian linkages in and around Wye River. This contribution may be made in instalments if agreed to in writing by the Responsible Authority.***
19. ***Evidence of lodging of this agreement in accordance within Section 181 of the Planning and Environment Act 1987 must be submitted to the Responsible Authority. All costs associated with the agreement will be met by the owner/applicant.***

#### **Effluent Disposal & Health**

20. ***Soil in the rear effluent field must be replaced with good quality soil, with a soil percolation rate of at least 75mm per hour to the satisfaction of Council's Environmental Health Officer.***

21. ***It will be the responsibility of the applicant or owners that if the effluent treatment system does not perform as expected, alterations will be made to remedy the problem or reduce the activity of the premises hereby approved to reduce the amount of waste water produced to that which can be disposed of within the title boundary in accordance with the EPA Guideline – Publication 891 – Septic Tank Code of Practice.***
22. ***A waste water storage tank shall be installed that will hold at least 1,000 litres of waste water as a backup for any system failure or to allow waste water produced at times of peak activity to be evenly distributed across the effluent disposal fields.***
23. ***The septic system shall be monitored on a daily basis for performance and records kept of the output and the amount of any waste water kept in the storage tanks to the satisfaction of the Responsible Authority.***
24. ***Recommendations contained in the Land Capability Assessment No E8098 dated 22 May 2008 by Provincial Geotechnical Pty Ltd in relation to the use of detergents and maintenance of the septic system are to be included in the septic tank application when submitted for approval to the Environmental Health Department of the Colac Otway Shire.***
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26. ***A food safety plan must be submitted for the new premises and a suitable number of staff trained in food handling techniques before the premises can be legally registered or operate under new proprietors.***

**Conditions required by Department of Sustainability and Environment**

27. ***No works are to occur on the adjoining Crown Land without seeking the written consent from the Department of Sustainability and Environment.***
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29. ***No materials, buildings, equipment or vehicles associated with the works are to be stored on the adjoining Crown Land during the construction or demolition works.***
30. ***All excess and waste materials, including felled trees, must be disposed of correctly to ensure no materials escape into the adjoining Crown land. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust is created.***
31. ***Provision for public access to the adjoining Crown land must be maintained throughout the construction period to the satisfaction of the responsible authority in consultation with the Department of Sustainability and Environment***



32. *The department would like input into any advertising signs located on the north boundary of the property, to ensure that no offensive signs or signs that imply ownership of the adjoining public open space are erected.*

**Conditions required by Country Fire Authority**

**Water Supply Requirements**

33. *A static water supply must meet the following requirements:*
- *a minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting;*
  - *the water supply must be located within 60 metres of the building;*
  - *fire brigade vehicles must be able to get to within four metres of the water supply outlet;*
  - *the water supply must be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below-ground water pipelines must be installed to the following depths:*
    - a. *subject to vehicle traffic - 300 mm*
    - b. *under houses or concrete slabs - 75 mm*
    - c. *all other locations - 225 mm*
    - d. *all fixed above-ground water pipelines and fittings, including water supply, must be constructed of non-corrosive and non-combustible materials or protected from the effects of radiant heat and flame.*

*If the static water supply is above ground the following additional standards must apply:*

- *all above-ground static water supply must provide at least one 64 mm. 3 thread/25 mm x 50 mm nominal bore British Standard Pipe (BSP), round male coupling (see Appendix A: Figure 2);*
- *all pipe work and valving between the water supply and the outlet must be no less than 50 mm nominal bore;*
- *if less than 20 metres from the building, each outlet must face away from the building to allow access during emergencies.*

**Access Requirements**

34. *Access to the development must be designed to allow emergency vehicles access. The minimum design requirements are as follows:*
- *curves in driveway must have a minimum inner radius of ten metres;*
  - *the average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres;*
  - *dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.*
35. *If the driveway from the road to the building and water supply, including gates, bridges and culverts, is greater than 30 m long, the driveway:*
- *must be designed, constructed and maintained for a load limit of at least 15 tonnes’;*

- *be all weather construction; and*
- *must provide a minimum trafficable width of 3.5 metres, and*
- *be clear of encroachments 4 metres vertically (see Appendix A: Figure 3).*

#### **Vegetation Management Requirements**

36. *A distance of 30 metres around the proposed building or to the property boundary (whichever is the lesser) must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the responsible authority.*
- *Grass must be no more than 100mm in height*
  - *Leaf litter must be less than 10mm deep*
  - *There must be no elevated fuel on at least 50% of the area. On the remaining 50% the elevated fuel must be at most, sparse, with very little dead material.*
  - *Dry shrubs must be isolated in small clumps more than ten metres away from the building.*
  - *Trees must not overhang the roofline of the building.*

#### **Conditions required by Environment Protection Authority**

37. *The installation and/or decommissioning of underground petroleum storage tanks should be in accordance with EPA Publication 888 Guidelines on Design, Installation and management Requirements for Underground Petroleum Storage Systems.*
38. *All contaminated stormwater or sediment arising from the proposal must be retained on the premises.*
39. *There should be no odours offensive to the senses of humans beyond the boundary of the premises.*

*If at any stage the site sewage treatment facilities exceed a design or actual flow rate of 5000 litres per day, the works become scheduled under the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 and will require a works approval.*

#### **Condition required by Corangamite Catchment Management Authority**

40. *The proponent should consider developing a flood action plan designed to minimise damage to the contents and fittings of the building during a flood.*

**Expiry**

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

- ***The development is not started within two years of the date of this permit.***
- ***The development is not completed within four years of the date of this permit.***

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

**Notes -**

- ***The holder of this permit must obtain the necessary Building and Health Approvals prior to the commencement of any buildings and works.***
- ***A Permit to install an all waste septic tank system must be lodged and approved by the Responsible Authority prior to the commencement of works. Such system must be designed and installed to the satisfaction of the Responsible Authority before a Permit to Use the waste septic tank system can be issued.***
- ***Non-flammable features such as tennis courts, swimming pools, dams, patios, driveways, or paths should be incorporated into the vegetation management plan, especially on the north and western sides of the proposed building.***
- ***Features with high flammability such as coir doormats, firewood stacks should not be located near the building during the fire danger period.***
- ***Note for medium category of bushfire attack - The land is in a bushfire prone area designated under regulation 804 of the Building Regulations 2006. Low forest or woodland is the predominant vegetation within 100 metres of the proposed building which corresponds to a medium category of bushfire attack under AS 3959.***
- ***The applicable 1% Annual Exceedance Probability (AEP) flood level is 3.2m Australian Height Datum (AHD). This site is located entirely within the 1% AEP flood extent. The Authority has obtained this level from recorded peak levels of a flood that occurred in April 1985. Based on topographical data for the site, the 1985 flood would have resulted in flooding approximately 500mm above the floor level of the existing building (floor level 220mm above ground level). 35 Great Ocean Road is subject to flooding and is known to have been affected during a flood that occurred in April 1985. The peak recorded level for that flood is 3.3m AHD upstream of the Great Ocean road, resulting in flooding up to 600mm deep on the property.***

**CARRIED 6:0**

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PC081410-6 PP182/08 - WAIVERING OF CAR PARKING ASSOCIATED WITH BUILDING AND WORKS FOR A MINOR EXTENSION TO THE EXISTING SENIOR CITIZENS CENTRE AT 55-59 HESSE STREET COLAC

AUTHOR: Helen Evans
DEPARTMENT: Executive

ENDORSED: Doug McNeil
FILE REF: PP182/08

Recommendation(s)

That Planning Committee issue a Planning Permit for Waivering of Car Parking Associated with building and works for a minor extension to the existing senior citizens centre at 55-59 Hesse Street, Colac, subject to the following conditions:

1. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
2. *All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.*
3. *All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.*
4. *This permit will expire if one of the following circumstances applies:*
 - a) *The development is not started within two years of the date of this permit.*
 - b) *The development is not completed within four years of the date of this permit.*

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

Resolution

MOVED Cr Lehmann seconded Cr Mercer that Planning Committee issue a Planning Permit for Waivering of Car Parking Associated with building and works for a minor extension to the existing senior citizens centre at 55-59 Hesse Street, Colac, subject to the following conditions:

1. *The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
2. *All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.*
3. *All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.*
4. *This permit will expire if one of the following circumstances applies:*
 - a) *The development is not started within two years of the date of this permit.*

- b) *The development is not completed within four years of the date of this permit.***

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

CARRIED 6:0

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9. This permit will expire after two (2) years if the relevant plan of subdivision is not certified by the Responsible Authority, unless an extension of time is approved by the Responsible Authority. The written request for extension of time must be received before 3 months have elapsed after the date of expiry.

**Notes-**

- *The developer must mark street numbers for all lots in the subdivision in accordance with the Shire's street numbering scheme to the satisfaction of the Responsible Authority.*
- *Access to proposed lot 2 must be from Wilson Street via a single width driveway of 3m.*

**Recommendation 2 relating to permit application PP106/08**

That Planning Committee issue a Notice of Decision to Grant a Planning Permit for a Two (2) lot subdivision of 1A Kettle Street, Colac subject to the following conditions:

1. Before the plan of subdivision can be certified, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show an amended building envelope to exclude the area covered by the sewer easement on the eastern boundary of the lot.
2. Before the plan of subdivision can be certified, the applicant must provide a copy of the title demonstrating that the title has been issued for the subdivision approved in accordance with Planning Permit PP223/08.
3. Plans submitted for certification must meet the requirements of the Subdivision Act 1988, as amended.
4. The Statement of Compliance will not be issued prior to all conditions in relation to subdivision on the subject Planning Permit being complied with to the satisfaction of the Responsible Authority.
5. Plans lodged for certification pursuant to the provisions of the subdivision Act 1988, as amended, must include a separate sheet which delineates a building envelope within each proposed lot, to the satisfaction of the Responsible Authority.
6. The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.



8. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
9. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the Relevant Authority in accordance with Section 8 of that Act.
10. This permit will expire after two (2) years if the relevant plan of subdivision is not certified by the Responsible Authority, unless an extension of time is approved by the Responsible Authority. The written request for extension of time must be received before 3 months have elapsed after the date of expiry.

**Notes –**

- *The developer must mark street numbers for all lots in the subdivision in accordance with the Shire's street numbering scheme to the satisfaction of the Responsible Authority.*
- *Access to the new lots should be gained from a single width driveway of 3m width.*

**Resolution 1 relating to permit application PP223/08**

MOVED Cr Lehmann seconded Cr Wilmink that Planning Committee issue a Notice of Decision to Grant a Planning Permit for a Two (2) lot subdivision of 1A Kettle Street, Colac subject to the following conditions:

1. Before the plan of subdivision can be certified, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show an amended building envelope to exclude the area covered by the sewer easement on the eastern boundary of the lot.
2. Plans submitted for certification must meet the requirements of the Subdivision Act 1988, as amended.
3. The Statement of Compliance will not be issued prior to all conditions in relation to subdivision on the subject Planning Permit being complied with to the satisfaction of the Responsible Authority.
4. Plans lodged for certification pursuant to the provisions of the subdivision Act 1988, as amended, must include a separate sheet which delineates a building envelope within each proposed lot, to the satisfaction of the Responsible Authority.
5. The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
7. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
8. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the Relevant Authority in accordance with Section 8 of that Act.
9. This permit will expire after two (2) years if the relevant plan of subdivision is not certified by the Responsible Authority, unless an extension of time is approved by the Responsible Authority. The written request for extension of time must be received before 3 months have elapsed after the date of expiry.

**Notes-**

- *The developer must mark street numbers for all lots in the subdivision in accordance with the Shire's street numbering scheme to the satisfaction of the Responsible Authority.*
- *Access to proposed lot 2 must be from Wilson Street via a single width driveway of 3m.*

**Resolution 2 relating to permit application PP106/08**

**MOVED** Cr Lehmann seconded Cr Wilmlink that Planning Committee issue a Notice of Decision to Grant a Planning Permit for a Two (2) lot subdivision of 1A Kettle Street, Colac subject to the following conditions:

1. Before the plan of subdivision can be certified, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show an amended building envelope to exclude the area covered by the sewer easement on the eastern boundary of the lot.
2. Before the plan of subdivision can be certified, the applicant must provide a copy of the title demonstrating that the title has been issued for the subdivision approved in accordance with Planning Permit PP223/08.
3. Plans submitted for certification must meet the requirements of the Subdivision Act 1988, as amended.
4. The Statement of Compliance will not be issued prior to all conditions in relation to subdivision on the subject Planning Permit being complied with to the satisfaction of the Responsible Authority.

5. Plans lodged for certification pursuant to the provisions of the subdivision Act 1988, as amended, must include a separate sheet which delineates a building envelope within each proposed lot, to the satisfaction of the Responsible Authority.
6. The subdivision as shown on the endorsed plan must not be altered save, with the written consent of the Responsible Authority.
7. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
8. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
9. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the Relevant Authority in accordance with Section 8 of that Act.
10. This permit will expire after two (2) years if the relevant plan of subdivision is not certified by the Responsible Authority, unless an extension of time is approved by the Responsible Authority. The written request for extension of time must be received before 3 months have elapsed after the date of expiry.

**Notes –**

- *The developer must mark street numbers for all lots in the subdivision in accordance with the Shire's street numbering scheme to the satisfaction of the Responsible Authority.*
- *Access to the new lots should be gained from a single width driveway of 3m width.*

**CARRIED 5:1**

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PC081410-8 PP117/08 - USE AND DEVELOPMENT OF 210 PIERCES ROAD, BEEAC (CA141, 149 AND 153, PARISH OF ONDIT) FOR A BROILER FARM ASSOCIATED BUILDINGS AND WORKS, INCLUDING ACCESS AND A DAM, AND A MANAGER'S RESIDENCE

AUTHOR: Anne Sorensen
DEPARTMENT: Sustainable Planning and
Development

ENDORSED: Doug McNeill
FILE REF: PP117/08

Recommendation(s)

That the Planning Committee issue a Notice of Decision to Grant a Permit for the use and development of 210 Pierces Road, Beeac (CA 141, 149, and 153, Parish of Ondit) for the purposes of a Class B Broiler Farm, associated buildings and works, including access and a dam, and a Managers dwelling subject to the following conditions:

- 1. Before the use and development commences, the following documents to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority for approval and be approved by the Responsible Authority:**
 - 1.1 Amended plans which must be drawn to scale and with dimensions. Three copies must be provided and the plans must be generally in accordance with the plans submitted with the application but modified to show:**
 - 1.1.1 The access road must be set 30 metres north of the southern common property boundary;**
 - 1.1.2 the type, specifications and location of all external flood and security lighting to be used including provision for light baffling to ensure all light is contained within the property boundary;**
 - 1.1.3 deletion of the spent litter pads;**
 - 1.1.4 stormwater wetland treatment pond and other drainage;**
 - 1.1.5 location, dimensions and specifications of any dams to be constructed on site.**
 - 1.2 Environmental Management Plan (EMP) which is site specific;**
 - 1.3 Water Use and Re-use Plan addressing stormwater, rainwater and reticulated water use and re-use issues including a plan for the management of areas from which water is proposed to be harvested. The plan must also detail arrangements for the provision on site of an emergency water supply;**
 - 1.4 Amended Landscape Plan which must be site specific and have due regard to the visual impact of the sheds and other buildings, including consideration of bunding and mounding. The Landscape Plan must show the location and type of all proposed screen and other plantings and landscaping, anticipated tree or shrub height and width at maturity, timetables for plantings and arrangements for maintenance of the landscaped areas. All trees and shrubs included in the Landscape Plan must be indigenous to the locality. The Landscape Plan must show:**

- 1.4.1 ***A 15 metre wide landscaping strip along the southern common property boundary commencing at the Weering School Road frontage to the edge of the western property boundary;***
- 1.4.2 ***A 15 metre wide landscaping strip along the Weering School Road frontage from the southern common property boundary for a distance of 500 metres.***
- 1.4.3 ***A 10 metre wide landscaping strip, setback approximately 10 metres from the sheds, around the perimeter of the shed complex.***
- 1.4.4 ***The landscaping strips must contain a mixture of canopy trees and shrubs to ensure effective screening.***

When approved, the Landscape Plan will be endorsed by the Responsible Authority and will then form part of this permit.

- 1.5 ***Earthworks Plan must be submitted that shows the extent of the earthworks to be undertaken including details on the amount of fill required for the construction of the development. The earthworks plan will be referred to the CCMA for comment.***
2. ***The use and development approved by this permit must at all times be conducted in accordance with the requirements of:***
 - 2.1 ***The Victorian Code for Broiler Farms, September 2001, as amended;***
 - 2.2 ***The Code for Accepted Farming Practice for the Welfare of Poultry, December 2003, as amended:***
 - 2.3 ***Environmental Management Plan,***
 - 2.4 ***Each of the Permit Documents.***

to the satisfaction of the Responsible Authority.
3. ***The layout of the site and size of the buildings and works, as shown on the endorsed plans, must not be altered or modified without the consent in writing of the Responsible Authority.***
4. ***The use permitted by this permit must not commence until the subdivision permitted by Planning Permit PP115/07 has been lodged and registered with Land Victoria and evidence of such provided to the Responsible Authority.***
5. ***The poultry shed must be designed and constructed using a tunnel-vented exhaust system or such other alternative technology which complies with the requirement of the Broiler Code, to the satisfaction of the Responsible Authority.***
6. ***All trees and shrubs included in the endorsed Landscape Plan must be planted prior to the completion of the development and the commencement of the use and must thereafter be maintained to the satisfaction of the Responsible Authority. In the circumstance where there are seasonal conditions that would be unfavourable to the establishment of the landscaping, the permit holder may apply to the Responsible Authority for an extension of time to complete the landscaping.***

7. ***Prior to the commencement of any works pursuant to this permit the permit holder must lodge a landscape performance bond with the Responsible Authority. The bond can be either a monetary contribution or an irrevocable bank guarantee in favour of the Responsible Authority. The bond is to be based on the endorsed Landscape Plan with additional details to be provided to the satisfaction of the Responsible Authority incorporating:***
 - 7.1 ***An estimate of the quantity and type of materials, watering equipment, plants, etc. required; and***
 - 7.2 ***A quotation from a reputable nursery supplier for the implementation of the Landscape Plan identifying the cost for materials, plants and labour. The quotation is to be independently verified to Responsible Authority's satisfaction.***

The bond is to comprise the verified quotation plus a 10% margin for unforeseen costs. When the landscape works are completed to the satisfaction of the Responsible Authority, 85% of the bond will be released. The balance is to be retained as a maintenance bond for a period of three (3) years following the date of release of the 85%. If the landscaping has not been maintained to the Responsible Authority's satisfaction at the end of the three years the maintenance bond is to be applied to upgrade the landscaping.
8. ***Any dam shall be constructed by a suitably qualified and experienced contractor in accordance with Southern Rural Water's guidelines for dam construction and maintained to the satisfaction of the Responsible Authority.***
9. ***All bird litter must be removed from the site as soon as possible after it is removed from the sheds. All trucks removing litter from the site must have covered loads.***
10. ***There shall be no stockpiling of litter on the site and no bird litter may be spread or otherwise disposed on the site.***
11. ***The removal of dry bird litter from the sheds by use of machinery must occur between the hours of 7.00 am and 8.00 pm and no removal may be undertaken on Sundays and Public Holidays including Christmas Day and Good Friday.***
12. ***The permit holder must dispose of dead birds off site using a contractor specialising in this type of disposal or in an alternative manner to the satisfaction of the Responsible Authority. Pending collection for offsite disposal, dead birds must be held in sealed refrigerated containers or otherwise as approved by the Responsible Authority.***
13. ***The use authorized by this permit must be operated as a dry litter poultry operation only and the provision for the collection and disposal of solid wastes and for the collection, treatment and disposal of any liquid wastes to arise from the development and use hereby permitted must comply with all applicable laws and regulations.***

14. ***If the Responsible Authority determines that the amenity of nearby residents is adversely affected in the emission of an unreasonable level of odour from the site the permit holder must immediately and to the satisfaction of the Responsible Authority take such action as is required to prevent those emissions, which may include adjusting stocking density in the sheds, removing litter immediately, or any other actions reasonably required to rectify the emission of offensive odour.***
15. ***The poultry sheds and all feed stores must be vermin and bird proof to the satisfaction of the Responsible Authority.***
16. ***The manner of discharge of all water from the site must be to the satisfaction of the Responsible Authority and the CCMA.***
17. ***Other than the loading and placement of live birds, no deliveries to or removals from the site must take place after 8.00 pm or before 7.00 am on any day without the prior written approval of the Responsible Authority. The only exception to this is in emergency situations when vehicle or plant break down make it necessary for feed to be delivered outside of these times.***
18. ***The permit holder shall require that all contractors and suppliers accessing the site from the Hamilton Highway do so by way of Weering School Road and Barpinba-Poorneet Road.***
19. ***The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be carried on entirely within the site.***
20. ***The surface of the car parking and loading areas and access lanes must be constructed and maintained to the satisfaction of the Responsible Authority to prevent dust and drainage run-off.***
21. ***The driveway entrance on Weering School Road shall be designed in accordance with AS2890.2-2002 and shall be properly maintained to the satisfaction of the Responsible Authority.***
22. ***Security lighting or external floodlighting (if required) must be installed in such a manner that it does not create amenity problems outside the site.***
23. ***All vehicles used in the delivery, pick-up and transportation of live birds must be fitted with high performance sound-reducing mufflers to the satisfaction of the Responsible Authority and the permit holder must use its best endeavours to ensure that such activities do not cause any unreasonable noise impact on the amenity of the surrounding area.***
24. ***The permit holder must use its best endeavours to avoid sanitising sheds with odorous chemicals which give rise to offensive odours being detectible off site. Airborne sprays or chemical odours must not be transmitted beyond the site to the detriment of any person to the satisfaction of the Responsible Authority.***
25. ***All walls of the poultry sheds and other buildings hereby permitted which will be visible from beyond the site must be coloured or painted in non-reflective muted tones to the satisfaction of the Responsible Authority.***

26. ***All goods and materials must be stored out of view of so as not to be unsightly when viewed from nearby roads to the satisfaction of the Responsible Authority.***
27. ***Prior to the commencement of the use, the permit holder must enter into an agreement with Barwon Region Water Authority (Barwon Water). The agreement must provide for a centralised potable water storage facility to be established to serve the development authorised by this permit. The agreement shall provide for the taking of up to 25 ML per annum (or such other amount permitted by Barwon Water) during periods where the taking of water will not adversely impact the supply of water to other water users in the vicinity of the development. The agreement shall provide an appropriate mechanism for the operation and maintenance of the storage facility to provide for an equitable sharing of potable water by other water users in this area.***
28. ***An all waste septic tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.***
29. ***A Permit to install an all waste septic tank system must be lodged and approved by the Responsible Authority prior to the commencement of works for the dwelling. Such system must be designed and installed to the satisfaction of the Responsible Authority before a Permit to use the waste septic tank system can be issued.***
30. ***The proposed septic tank system must not be located within 60 metres of the bank of any surface waters, unless the liquid waste is treated to the satisfaction of the Responsible Authority. Any such reduction in distance to the surface waters will be at the discretion of the Responsible Authority.***
31. ***The floor of the managers dwelling must be constructed no lower than 118.0 metres Australian Height Datum.***
32. ***If any works will impact on a waterway or groundwater or will include the use of water for irrigation or commercial purposes from these resources or from a dam, soak or spring, it will be necessary for the land owner or permit holder to apply to Southern Rural Water for a licence in accordance with Section 51 or 67 Water Act 1989.***
33. ***The Barpinba-Poorneet Road approach to the Hamilton Highway intersection shall be widened as necessary to accommodate the turning path of trucks, to the satisfaction of VicRoads and the Responsible Authority.***
34. ***Access off Pierces Road will only be permitted for the approved dwelling. No access will be permitted from Pierces Road to service the Broiler Farm Complex.***
35. ***Access onto Weering School Road must be constructed to the minimum standard for farm access in accordance with the requirements of VicRoads' Guidelines for Truck Access to Rural Properties, April 2006 and allow sufficient storage area to cater for a B-Double to be parked within the gateway area. i.e. 25 metres off the edge of the road to the gate into the property.***

36. ***Access points onto Weering School Road must be constructed with an asphalt overlay over Weering School Road for the length of the road abutting the access point as well as the sealing of the holding area required in Condition 35 to the satisfaction of the Responsible Authority.***
37. ***Any B-Double vehicles 25 metres in length or in excess of 50 tonnes must obtain written consent from the Responsible Authority and VicRoads to use Weering School Road and/or Barpinba-Poorneet Road.***
38. ***The permit holder must prepare and submit to the Responsible Authority a Fire Prevention Plan for approval by the Responsible Authority prior to the commencement of the use hereby permitted. Such a plan, when approved, shall be endorsed and form part of this permit.***
39. ***Prior to the construction of the access road, construction plans must be submitted showing the details of the standard of the access and any drainage requirements, to the satisfaction of the Responsible Authority.***
40. ***This permit will expire if one of the following circumstances applies:***
- i. The development and use are not started within two years of the date of this permit;***
 - ii. The development is not completed within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to is a request is made in writing before the permit expires or within three months thereafter.

Resolution

MOVED Cr Graham seconded Cr Wilmink that the Planning Committee defer consideration of application PP117/08 until such time as an Environmental Risk Assessment is undertaken by the applicant for Broiler Farms A & B and that the two applications be considered concurrently.

CARRIED 5:1

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5. ***The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
6. ***This permit will expire if one of the following circumstances applies:***
  - ***The plan of subdivision is not certified within two (2) years of the date of this permit.***
  - ***A Statement of Compliance is not issued within five years of the date of certification of the subdivision plan.***

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

### **Resolution**

***MOVED Cr Mercer seconded Cr Wilmink that the Planning Committee issue a Notice of Decision to Grant a Permit for the re-subdivision of 210 Pierces Road, Beeac (CA140, 141, 148, 149, 152 and 153, Parish of Ondit) and creation of a carriageway easement subject to the following conditions:***

1. ***Before the plan of subdivision can be certified, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
  - (a) ***The carriageway easement relocated 30 metres off the southern common property boundary***
  - (b) ***The consolidation of CA141, 149 and 153 into a single title and CA 140, 148 and 152 into a single title.***
2. ***The subdivision as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***
3. ***The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the Relevant Authority in accordance with Section 8 of that Act.***
4. ***The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
5. ***This permit will expire if one of the following circumstances applies:***
  - ***The plan of subdivision is not certified within two (2) years of the date of this permit.***
  - ***A Statement of Compliance is not issued within five years of the date of certification of the subdivision plan.***

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

**CARRIED 6:0**

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