

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at COPACC on 10 March 2010 at 10.30 am.

1. OPENING PRAYER

Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.

AMEN

2. PRESENT

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

Rob Small, Chief Executive Officer
Jack Green, General Manager, Sustainable Planning and Development
Colin Hayman, General Manager, Corporate and Community Services
Neil Allen, General Manager, Infrastructure and Services
Doug McNeill, Manager Planning and Building
Anne Sorensen, Statutory Planning Coordinator
Bronwyn Keenan, Executive Assistant

3. APOLOGIES

Nil

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendents here today.

Colac Otway Shire encourages active community input and participation in Council decisions. The Planning Committee provides an opportunity for both objectors and proponents to address Council for up to five minutes. Priority will be given to people who have advised Council in advance that they wish to address the Planning Committee. Planning Committee meetings also enable Councillors to debate matters prior to decisions being taken.

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

I also would like to inform you that the meeting is being taped. The audio recording of the meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

5. DECLARATION OF INTEREST

Nil

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

PC101003-3 Mr John Modra on behalf of Wayne Gardner
PC101003-4 Mr Peter Smith
Mr John Modra on behalf of Wayne Gardner
Mr Bert Franke

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 11/11/09.**

Resolution

It was noted by the Mayor that the date on the Agenda was incorrect.

MOVED Cr Brian Crook seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

PC101003-1 PLANNING & BUILDING STATISTICAL REPORT
PC101003-2 BUSINESS IDENTIFICATION SIGNAGE & WAIVING OF FOUR (4)
CAR PARKING SPACES AT 265-281 MURRAY STREET, COLAC.
PC101003-3 REMOVAL OF NATIVE VEGETATION (TIMBER HARVESTING)
AT 35 UPPER GELLIBRAND ROAD, BARRAMUNGA
PC101003-4 REMOVAL OF NATIVE VEGETATION (TIMBER HARVESTING)
AT 255 UPPER GELLIBRAND ROAD, BARRAMUNGA

Rob Small
Chief Executive Officer

PC101003-1 PLANNING & BUILDING STATISTICAL REPORT

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

Recommendation(s)

That Council’s Planning Committee note the statistical reports.

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**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Geoff Higgins***

***That Council’s Planning Committee note the statistical reports.***

**CARRIED 7 : 0**

**PC101003-2 BUSINESS IDENTIFICATION SIGNAGE & WAIVING OF FOUR (4) CAR PARKING SPACES AT 265-281 MURRAY STREET, COLAC.**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Ros Snaauw                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP21/07-3  |

**Recommendation(s)**

***That Council’s Planning Committee grant a Notice of Decision to amend Planning Permit PP21/07 for the Use and Development of Retail Premise, Trade Supplies, Ancillary Timber Yard, Waiving of Car Parking and Bicycle Parking and Advertising Signage – Amendment at 265-281 Murray Street subject to the following conditions:***

**AMENDED PLANS**

- Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***

- a) **Location of all external plant and equipment**
- b) **Relocation of the rubbish storage area away from the residential interface**
- c) **The provision of left turn only signs at the rear exit points along Skene Street**
- d) **The provision of signage for the Skene Street car parking area indicating it is a staff only car park**
- e) **The provision of a left turn only sign at the exit of the car park onto Murray Street.**
- f) **The provision of two bicycle parking spaces in the staff parking area**
- g) **The provision of stop signs at the car park exit points**
- h) **A maximum speed limit of 15 kilometres per hour be imposed on the internal access roads and car parking areas within the development. Speed limits are to be clearly sign posted.**
- i) **Provision of an acoustic fencing along the western boundary where it adjoins residential dwellings. The acoustic fence must be erected to minimum height of 2 metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be to the satisfaction of the responsible authority.**

#### **LANDSCAPING**

2. **Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. This plan must be prepared by a qualified Landscape Architect who is a member of the Australian Institute of Landscape Architects, or a person with a suitable background in horticultural science or an allied field to the satisfaction of the Responsible Authority.**

**When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with the landscape plan submitted with the application, but modified to include details of the screening vegetation proposed along the western boundary of the site. The vegetation should grown to a minimum height of 3 metres.**

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

3. **Before the use starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.**
4. **The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.**

#### **MATERIALS**

5. **Before the development starts, a schedule of construction materials, external finishes and colours (incorporating samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.**

**CONSTRUCTION MANAGEMENT**

6. ***Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:***
- a) ***A staging plan for all construction phases including indicative dates for commencement and completion.***
  - b) ***Intended access for construction vehicles.***
  - c) ***Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact.***
  - d) ***Details of actions to be implemented to in the event of damage to abutting assets.***
  - e) ***Details of where construction personnel will park.***
  - f) ***Hours/days of construction.***
  - g) ***Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site.***
  - h) ***Details of site cleanliness and clean up regimes.***
  - i) ***Material storage.***
  - j) ***Dust suppression.***

***When approved this Construction Management Plan shall form part of this permit as it relates to the development.***

7. ***All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***
8. ***During the construction phase of the development, the following conditions must be met:***
- (a) ***only clean rainwater shall be discharged to the stormwater drainage system;***
  - (b) ***stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;***
  - (c) ***vehicle borne material from the premises shall not accumulate on the roads abutting the site;***
  - (d) ***all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
  - (e) ***fencing is to be fitted and installed so as to ensure safe access for pedestrians; and,***
  - (f) ***all litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site;***

***to the satisfaction of the Responsible Authority.***

**CAR PARKING AND ACCESS**

9. ***Before the use commences, the areas 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*
- d) drained*
- e) line marked to indicate each car space and all access lanes*
- f) clearly marked to show the direction of traffic along access lanes and driveways*

*to the satisfaction of the Responsible Authority.*

*Car spaces, access lanes and driveways must be kept available for these purposes at all times.*

10. *Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.*

#### **DRAINAGE**

11. *The site must be drained to the satisfaction of the Responsible Authority and no storm water, sullage, sewerage or polluted drainage may drain or discharge from the land to adjoining properties.*

#### **RESTRICTION OF DELIVERY HOURS**

12. *Deliveries to the site must be restricted to the following hours:*
- 7am– 5:30pm Monday to Friday.*

#### **GENERAL**

13. *All external walls on or facing property boundaries must be cleaned and finished to the satisfaction of the Responsible Authority.*
14. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land or road reserve.*
15. *The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land.*
16. *All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the Responsible Authority.*
17. *The acoustic fencing required along the western boundary where it adjoins residential dwelling must be constructed (at the developers cost) and prior to the commencement of use to the satisfaction of the responsible authority.*
18. *The amenity of the area must not be detrimentally affected by the use or development 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;*

*to the satisfaction of the Responsible Authority.*

#### **ADVERTISING SIGNAGE**

**19. The signs must not:**

- a) *Contain any flashing or intermittent light.*
- b) *Alter its message or move in part or whole.*
- c) *Not represent devices used by police or other emergency vehicles.*

#### **PERMIT EXPIRY**

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

- a) *The development and/ or use 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.*

#### **CONDITIONS REQUIRED BY VICROADS**

- 21. A right turn lane shall be provided on the Princes Highway (Murray Street) to cater for vehicles from the east turning into the site car park. The right turn lane must be integrated with the existing painted median to the west and with the existing right turn lane at the Grant Street intersection.**
- 22. The egress driveway crossover between the site car park and Princes Highway (Murray Street) shall be shaped, signed and line-marked to VicRoads' satisfaction to ensure that traffic movement is left turn only.**
- 23. The development must not proceed until a functional layout of the right turn land and driveway works is approved in writing by VicRoads. All road works must be carried out to VicRoads' satisfaction and at no cost to VicRoads.**
- 24. The applicant or the applicant's contractor must contact the Manager Program Delivery, VicRoads- South Western Region (telephone 5225 2525) at least 2 weeks prior to commencing work within the Princes Highway (Murray Street) reserve to discuss construction arrangements.**
- 25. Prior to commencing work within the Princes Highway (Murray Street) reserve, the developer or developer's contractor must:**
  - *Obtain the written consent of the Coordinating Road Authority (VicRoads) in accordance with Section 63(1) of the Road Management Act 2004;*
  - *Ensure that any consultants and or contractors engages in the design or construction process are approved by VicRoads;*
  - *Provide evidence that the developer/ developer's contractor has public liability insurance for at least \$10 m for the duration of the proposed works;*

- *Ensure that detailed design plans of works on Princes highway (Murray Street) are forwarded to VicRoads' South Western region office for approval;*
- *Prepare a specification for the works in accordance with the relevant sections of the VicRoads Standards Specification for Road Works;*
- *Demonstrate that all works will be administered in accordance with quality assurance principles;*
- *Ensure that work site practices are in accordance with the VicRoads Road works Signing Code of Practice.*

**CAR PARKING AND ACCESS**

26. *Vehicles under the control of the operator of the use or the operator's staff must not be parked on the nearby roads.*

**ADVERTISING EXPIRY**

27. *This permit, as it relates to advertising signage, expires 15 years after the date it is issued.*

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*This Permit has been amended as follows:*

| <i>Date of Amendment</i> | <i>Brief Description of Amendment</i>                                                                           |
|--------------------------|-----------------------------------------------------------------------------------------------------------------|
| <i>10 March 2010</i>     | <i>Included Condition 26 &amp; 27 and allowed the waiver of 4 carspaces and additional advertising signage.</i> |

*Date Issued: 12 July 2007*  
*Date Amended: 10 March 2010*

**NOTE:**

- a. *Developer is encouraged to make a voluntary contribution to Council for the waiving of car parking associated with this permit.*
- b. *The permit holder is encouraged to utilise car parking at the front of the building for staff parking when staff spaces at the rear of the building are fully occupied.*

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Resolution

MOVED Cr Geoff Higgins seconded Cr Brian Crook

That Council's Planning Committee grant a Notice of Decision to amend Planning Permit PP21/07 for the Use and Development of Retail Premise, Trade Supplies, Ancillary Timber Yard, Waiving of Car Parking and Bicycle Parking and Advertising Signage – Amendment at 265-281 Murray Street subject to the following conditions:

AMENDED PLANS

1. ***Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
 - a) ***Location of all external plant and equipment***
 - b) ***Relocation of the rubbish storage area away from the residential interface***
 - c) ***The provision of left turn only signs at the rear exit points along Skene Street***
 - d) ***The provision of signage for the Skene Street car parking area indicating it is a staff only car park***
 - e) ***The provision of a left turn only sign at the exit of the car park onto Murray Street.***
 - f) ***The provision of two bicycle parking spaces in the staff parking area***
 - g) ***The provision of stop signs at the car park exit points***
 - h) ***A maximum speed limit of 15 kilometres per hour be imposed on the internal access roads and car parking areas within the development. Speed limits are to be clearly sign posted.***
 - i) ***Provision of an acoustic fencing along the western boundary where it adjoins residential dwellings. The acoustic fence must be erected to minimum height of 2 metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be to the satisfaction of the responsible authority.***

LANDSCAPING

2. ***Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. This plan must be prepared by a qualified Landscape Architect who is a member of the Australian Institute of Landscape Architects, or a person with a suitable background in horticultural science or an allied field to the satisfaction of the Responsible Authority.***

When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must be generally in accordance with the landscape plan submitted with the application, but modified to include details of the screening vegetation proposed along the western boundary of the site. The vegetation should grown to a minimum height of 3 metres.

All species selected must be to the satisfaction of the Responsible Authority.
3. ***Before the use starts, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.***
4. ***The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

MATERIALS

5. ***Before the development starts, a schedule of construction materials, external finishes and colours (incorporating samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.***

CONSTRUCTION MANAGEMENT

6. ***Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:***
 - a) ***A staging plan for all construction phases including indicative dates for commencement and completion.***
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 - c) ***Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact.***
 - d) ***Details of actions to be implemented to in the event of damage to abutting assets.***
 - e) ***Details of where construction personnel will park.***
 - f) ***Hours/days of construction.***
 - g) ***Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site.***
 - h) ***Details of site cleanliness and clean up regimes.***
 - i) ***Material storage.***
 - j) ***Dust suppression.***

When approved this Construction Management Plan shall form part of this permit as it relates to the development.

7. ***All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***
8. ***During the construction phase of the development, the following conditions must be met:***
 - (a) ***only clean rainwater shall be discharged to the stormwater drainage system;***
 - (b) ***stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;***
 - (c) ***vehicle borne material from the premises shall not accumulate on the roads abutting the site;***
 - (d) ***all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
 - (e) ***fencing is to be fitted and installed so as to ensure safe access for pedestrians; and,***
 - (f) ***all litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site;***

to the satisfaction of the Responsible Authority.

CAR PARKING AND ACCESS

9. *Before the use commences, the areas 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*
 - d) *drained*
 - e) *line marked to indicate each car space and all access lanes*
 - f) *clearly marked to show the direction of traffic along access lanes and driveways*

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

10. *Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.*

DRAINAGE

11. *The site must be drained to the satisfaction of the Responsible Authority and no storm water, sullage, sewerage or polluted drainage may drain or discharge from the land to adjoining properties.*

RESTRICTION OF DELIVERY HOURS

12. *Deliveries to the site must be restricted to the following hours:*
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GENERAL

13. *All external walls on or facing property boundaries must be cleaned and finished to the satisfaction of the Responsible Authority.*
14. *Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land or road reserve.*
15. *The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay[s] and must not disrupt the circulation and parking of vehicles on the land.*
16. *All waste material not required for further on-site processing must be regularly removed from the site to the satisfaction of the Responsible Authority.*

17. *The acoustic fencing required along the western boundary where it adjoins residential dwelling must be constructed (at the developers cost) and prior to the commencement of use to the satisfaction of the responsible authority.*
18. *The amenity of the area must not be detrimentally affected by the use or development 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;*
- to the satisfaction of the Responsible Authority.*

ADVERTISING SIGNAGE

19. *The signs must not:*
- a) Contain any flashing or intermittent light.*
 - b) Alter its message or move in part or whole.*
 - c) Not represent devices used by police or other emergency vehicles.*

PERMIT EXPIRY

20. *This permit will expire if one of the following circumstances applies:*
- a) The development and/ or use 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.*

CONDITIONS REQUIRED BY VICROADS

21. *A right turn lane shall be provided on the Princes Highway (Murray Street) to cater for vehicles from the east turning into the site car park. The right turn lane must be integrated with the existing painted median to the west and with the existing right turn lane at the Grant Street intersection.*
22. *The egress driveway crossover between the site car park and Princes Highway (Murray Street) shall be shaped, signed and line-marked to VicRoads' satisfaction to ensure that traffic movement is left turn only.*
23. *The development must not proceed until a functional layout of the right turn land and driveway works is approved in writing by VicRoads. All road works must be carried out to VicRoads' satisfaction and at no cost to VicRoads.*
24. *The applicant or the applicant's contractor must contact the Manager Program Delivery, VicRoads- South Western Region (telephone 5225 2525) at least 2 weeks prior to commencing work within the Princes Highway (Murray Street) reserve to discuss construction arrangements.*
25. *Prior to commencing work within the Princes Highway (Murray Street) reserve, the developer or developer's contractor must:*

- *Obtain the written consent of the Coordinating Road Authority (VicRoads) in accordance with Section 63(1) of the Road Management Act 2004;*
- *Ensure that any consultants and or contractors engages in the design or construction process are approved by VicRoads;*
- *Provide evidence that the developer/ developer’s contractor has public liability insurance for at least \$10 m for the duration of the proposed works;*
- *Ensure that detailed design plans of works on Princes highway (Murray Street) are forwarded to VicRoads’ South Western region office for approval;*
- *Prepare a specification for the works in accordance with the relevant sections of the VicRoads Standards Specification for Road Works;*
- *Demonstrate that all works will be administered in accordance with quality assurance principles;*
- *Ensure that work site practices are in accordance with the VicRoads Road works Signing Code of Practice.*

CAR PARKING AND ACCESS

26. *Vehicles under the control of the operator of the use or the operator’s staff must not be parked on the nearby roads.*

ADVERTISING EXPIRY

27. *This permit, as it relates to advertising signage, expires 15 years after the date it is issued.*

This Permit has been amended as follows:

| <i>Date of Amendment</i> | <i>Brief Description of Amendment</i> |
|--------------------------|---|
| <i>10 March 2010</i> | <i>Included Condition 26 & 27 and allowed the waiver of 4 carspaces and additional advertising signage.</i> |

Date Issued: 12 July 2007
Date Amended: 10 March 2010

NOTE:

- a. *Developer is encouraged to make a voluntary contribution to Council for the waiving of car parking associated with this permit.*
- b. *The permit holder is encouraged to utilise car parking at the front of the building for staff parking when staff spaces at the rear of the building are fully occupied.*

CARRIED 7 : 0

PC101003-3 *REMOVAL OF NATIVE VEGETATION (TIMBER HARVESTING)
AT 35 UPPER GELLIBRAND ROAD, BARRAMUNGA*

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Helen Evans | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP320/2009 |

Recommendation(s)

That Council’s Planning Committee resolve to issue a Refusal to Grant a Planning Permit for native vegetation removal (timber harvesting) at 35 Upper Gellibrand Road, Barramunga, on the following grounds:

- 1. The clearfelling of vegetation and harvesting, followed by regeneration, may negatively impact on rare or threatened species and associated habitat.***
- 2. The conservation significance of the vegetation has been assessed as High and Very High in the Otway Ranges bioregion based on the presence of threatened species habitat and clearing of this vegetation is generally not permitted in accordance with Victoria’s Native Vegetation Management – a Framework of Action and not permitted in accordance with the Corangamite Native Vegetation Plan.***
- 3. The proposal cannot satisfy the requirements of Victoria’s Native Vegetation Management – a Framework of Action and the Corangamite Native Vegetation Plan as native forest timber harvesting ceased on public land in the Otway Ranges bioregion in 2008.***
- 4. The proposal does not comply with Clause 15.09 and 52.17 of the Colac Otway Planning Scheme which specifies that planning and responsible authorities must have regard for Victoria’s Native Vegetation Management – a Framework for Action.***
- 5. The proposal is not consistent with the Net Gain Approach of the Framework.***
- 6. The proposal has the potential to negatively impact on water quality and water yield in a Declared Water Catchment area.***

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**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Brian Crook That Council’s Planning Committee resolve to issue a Refusal to Grant a Planning Permit for native vegetation removal (timber harvesting) at 35 Upper Gellibrand Road, Barramunga, on the following grounds:***

1. *The clearfelling of vegetation and harvesting, followed by regeneration, may negatively impact on rare or threatened species and associated habitat.*
2. *The conservation significance of the vegetation has been assessed as High and Very High in the Otway Ranges bioregion based on the presence of threatened species habitat and clearing of this vegetation is generally not permitted in accordance with Victoria's Native Vegetation Management – a Framework of Action and not permitted in accordance with the Corangamite Native Vegetation Plan.*
3. *The proposal cannot satisfy the requirements of Victoria's Native Vegetation Management – a Framework of Action and the Corangamite Native Vegetation Plan as native forest timber harvesting ceased on public land in the Otway Ranges bioregion in 2008.*
4. *The proposal does not comply with Clause 15.09 and 52.17 of the Colac Otway Planning Scheme which specifies that planning and responsible authorities must have regard for Victoria's Native Vegetation Management – a Framework for Action.*
5. *The proposal is not consistent with the Net Gain Approach of the Framework.*
6. *The proposal has the potential to negatively impact on water quality and water yield in a Declared Water Catchment area.*

**CARRIED 5 : 2**

**DIVISION called by Cr Chris Smith**

**For the Motion: Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart, Cr Stuart Hart, Cr Lyn Russell**

**Against the Motion: Cr Geoff Higgins, Cr Chris Smith**

**PC101003-4 REMOVAL OF NATIVE VEGETATION (TIMBER HARVESTING)  
AT 255 UPPER GELLIBRAND ROAD, BARRAMUNGA**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP321/2009 |

**Recommendation(s)**

***That Council’s Planning Committee resolve to issue a Refusal to Grant a Planning Permit for native vegetation removal (timber harvesting) at 255 Upper Gellibrand Road, Barramunga, on the following grounds:***

- 1. The clearfelling of vegetation and harvesting, followed by regeneration may negatively impact on rare or threatened species and associated habitat.***
- 2. The conservation significance of the vegetation has been assessed as High and Very High in the Otway Ranges bioregion based on the presence of threatened species habitat and clearing of this vegetation is generally not permitted in accordance with Victoria’s Native Vegetation Management – a Framework of Action and not permitted in accordance with the Corangamite Native Vegetation Plan.***
- 3. The proposal cannot satisfy the requirements of Victoria’s Native Vegetation management – a Framework of Action and the Corangamite Native Vegetation Plan as native forest timber harvesting ceased on public land in the Otway Ranges bioregion in 2008.***
- 4. The proposal does not comply with Clause 15.09 and 52.17 of the Colac Otway Planning Scheme which specifies that planning and responsible authorities must have regard for Victoria’s Native Vegetation Management – a Framework for Action.***
- 5. The proposal is not consistent with the Net Gain Approach of the Framework.***
- 6. The proposal has the potential to negatively impact on water quality and water yield in a Declared Water Catchment area.***

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Resolution

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council’s Planning Committee resolve to issue a Refusal to Grant a Planning Permit for native vegetation removal (timber harvesting) at 255 Upper Gellibrand Road, Barramunga, on the following grounds:

- 1. The clearfelling of vegetation and harvesting, followed by regeneration may negatively impact on rare or threatened species and associated habitat.**
- 2. The conservation significance of the vegetation has been assessed as High and Very High in the Otway Ranges bioregion based on the presence of threatened species habitat and clearing of this vegetation is generally not permitted in accordance with Victoria's Native Vegetation Management – a Framework of Action and not permitted in accordance with the Corangamite Native Vegetation Plan.**
- 3. The proposal cannot satisfy the requirements of Victoria's Native Vegetation management – a Framework of Action and the Corangamite Native Vegetation Plan as native forest timber harvesting ceased on public land in the Otway Ranges bioregion in 2008.**
- 4. The proposal does not comply with Clause 15.09 and 52.17 of the Colac Otway Planning Scheme which specifies that planning and responsible authorities must have regard for Victoria's Native Vegetation Management – a Framework for Action.**
- 5. The proposal is not consistent with the Net Gain Approach of the Framework.**
- 6. The proposal has the potential to negatively impact on water quality and water yield in a Declared Water Catchment area.**

CARRIED 5 : 2

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook, Cr Frank Buchanan, Cr Stephen Hart, Cr Stuart Hart, Cr Lyn Russell

Against the Motion: Cr Geoff Higgins, Cr Chris Smith