



**Colac Otway  
SHIRE**

**AGENDA**

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

**14 APRIL 2010**

**at 10:30 AM**

**COPACC**

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.

**COLAC-OTWAY SHIRE PLANNING COMMITTEE MEETING**

**14 APRIL 2010**

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NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in COPACC on 14 April 2010 at 10.30 am.

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## **AGENDA**

### **1. OPENING PRAYER**

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

**AMEN**

### **2. PRESENT**

### **3. APOLOGIES**

### **4. MAYORAL STATEMENT**

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

Colac Otway Shire encourages active community input and participation in Council decisions. Council meetings provide one of these opportunities as members of the community may ask questions to Council either verbally at the meeting or in writing.

Please note that some questions may not be able to be answered at the meeting, these questions will be taken on notice. Council 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.

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the meeting. In some circumstances the recording may be disclosed, such as where Council is compelled to do so by court order, warrant, subpoena or by any other law, such as the Freedom of Information Act 1982.'

### **5. DECLARATION OF INTEREST**

## 6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of 5 minutes will apply.

## 7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 10/03/10.**

### **Recommendation**

***That Council confirm the above minutes.***

## **OFFICERS' REPORTS**

### **Sustainable Planning and Development**

PC101404-1	PLANNING & BUILDING STATISTICAL REPORT
PC101404-2	DEVELOPMENT OF A TELECOMMUNICATIONS TOWER (40M) AND ASSOCIATED EQUIPMENT SHELTER AT 5930 GREAT OCEAN ROAD YUULONG
PC101404-3	CONSTRUCTION OF A DWELLING AND REMOVAL OF NATIVE VEGETATION AT 44 MORLEY AVENUE, WYE RIVER
PC101404-4	INTERNAL ALTERATIONS AND EXTENSION TO THE EXISTING BUILDING AND WAIVER OF CAR PARKING AT 75 CORANGAMITE STREET, COLAC.
PC101404-5	CONSTRUCTION OF TWO (2) WAREHOUSES FOR TIMBER STORAGE AND WAIVER OF CAR PARKING SPACES AT 7-15 FOREST STREET, COLAC.

**Rob Small**  
**Chief Executive Officer**

**PC101404-1**

**PLANNING & BUILDING STATISTICAL REPORT**

AUTHOR:	Janole Cass	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	GEN000450

**Summary**

This report provides statistics relating to the month of March 2010.

Planning Statistics

50 Planning Permit applications were received for the period 1 March 2010 to 31 March 2010.

34 Planning Permit applications were determined for the period 1 March 2010 to 31 March 2010.

Building Statistics

Please note that the Building Commission Website has been updated to January 2010.

**Attachments**

1. Planning Statistical Report March 2010

**Recommendation(s)**

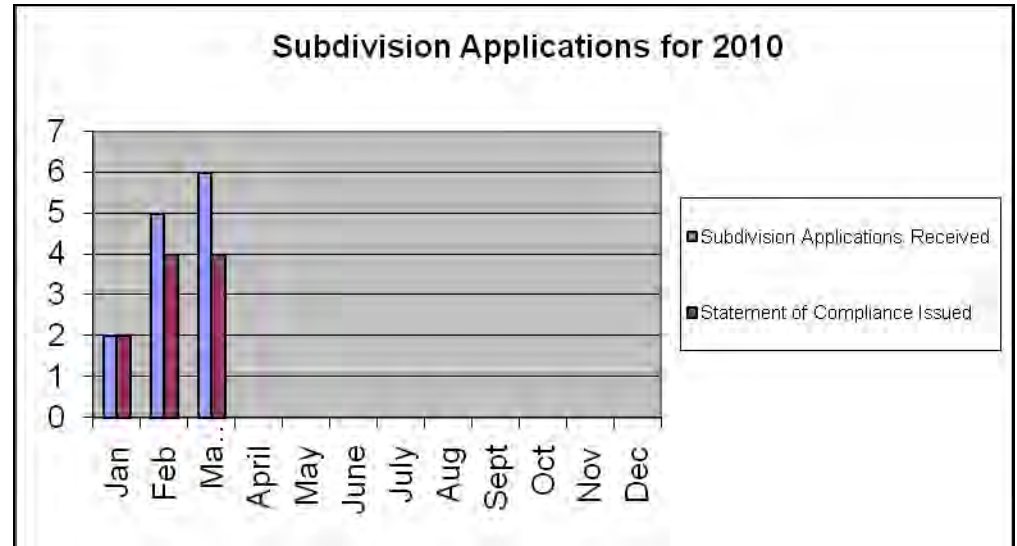
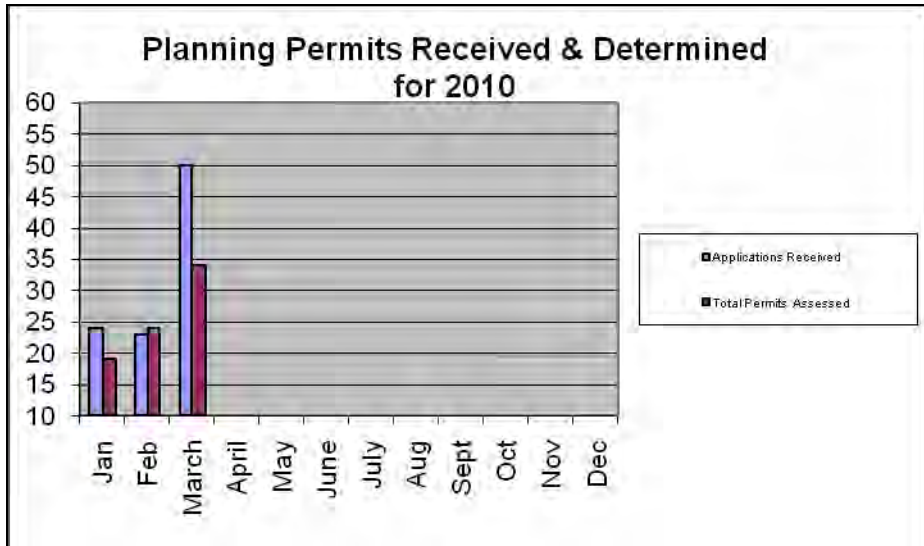
***That Council's Planning Committee note the statistical report.***

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## Planning Statistical Report March 2010

| APPLIC NO  | DATE RECEIVED | LOCATION                                               | PROPOSAL                                                                                                              | DATE ISSUED | ACTUAL TIME | AUTHORITY          | DECISION           |
|------------|---------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------|-------------|--------------------|--------------------|
| 21/2007-3  | 24 NOV 08     | 265-281 MURRAY STREET COLAC                            | BUSINESS IDENTIFICATION SIGNAGE AND DISPENSATION OF FOUR (4) CAR PARKING SPACES – AMENDMENT                           | 10 MAR 10   | 45          | PLANNING COMMITTEE | NOTICE OF DECISION |
| 161/2008-2 | 13 NOV 09     | 45 TALBOT STREET, ELLIMINYT                            | USE & DEVELOPMENT OF THE LAND FOR A DWELLING & SHED                                                                   | 17 MAR 10   | 56          | UNDER DELEGATION   | PERMIT ISSUED      |
| 380/2008-2 | 11 JAN 10     | 435 SUNNYSIDE ROAD, WONGARRA                           | DEVELOPMENT OF A SHED – AMENDMENT                                                                                     | 2 MAR 10    | 11          | UNDER DELEGATION   | PERMIT ISSUED      |
| 199/2009-1 | 23 JUN 09     | 9 RAMSDEN AVENUE, APOLLO BAY                           | TWO (2) LOT SUBDIVISION                                                                                               | 19 MAR 10   | 231         | UNDER DELEGATION   | REFUSAL TO GRANT   |
| 261/2009-1 | 1 SEP 09      | 34 GREAT OCEAN ROAD, MARENGO                           | DEVELOPMENT OF THE LAND COMPRISING THE CONSTRUCTION OF A SINGLE STOREY DWELLING (REPLACEMENT) AND VEGETATION REMOVAL. | 2 MAR 10    | 63          | UNDER DELEGATION   | PERMIT ISSUED      |
| 277/2009-1 | 18 SEP 09     | 195 ROBINSON ROAD, BARONGARROK                         | CONSTRUCTION OF A SHED                                                                                                | 19 MAR 10   | 10          | UNDER DELEGATION   | PERMIT ISSUED      |
| 279/2009-1 | 8 OCT 09      | 192-194 MURRAY STREET, COLAC                           | CONSTRUCTION OF A NEW DOORWAY FOR BUSINESS ACCESS                                                                     | 2 MAR 10    | 131         | UNDER DELEGATION   | PERMIT ISSUED      |
| 298/2009-1 | 21 OCT 09     | 30 GREAT OCEAN ROAD, APOLLO BAY                        | CONSTRUCTION OF A PUBLIC PEDESTRIAN/CYCLE PATH                                                                        | 5 MAR 10    | 92          | UNDER DELEGATION   | PERMIT ISSUED      |
| 305/2009-1 | 29 OCT 09     | 55 JONES ROAD, STONYFORD                               | USE & DEVELOPMENT OF A STORE (RETROSPECTIVE)                                                                          | 2 MAR 10    | 44          | UNDER DELEGATION   | PERMIT ISSUED      |
| 317/2009-1 | 15 DEC 09     | BARHAM RIVER ROAD RESERVE – GAMBIER STREET, APOLLO BAY | CONSTRUCTION OF A FISHING PLATFORM                                                                                    | 2 MAR 10    | 38          | UNDER DELEGATION   | PERMIT ISSUED      |
| 320/2009-1 | 13 NOV 09     | 35 UPPER GELLIBRAND ROAD, BARRAMUNGA                   | TIMBER HARVESTING (NATIVE VEGETATION)                                                                                 | 10 MAR 10   | 57          | PLANNING COMMITTEE | REFUSAL TO GRANT   |
| 321/2009-1 | 13 NOV 09     | 255 UPPER GELLIBRAND ROAD, BARRAMUNGA                  | TIMBER HARVESTING (NATIVE VEGETATION)                                                                                 | 10 MAR 10   | 57          | PLANNING COMMITTEE | REFUSAL TO GRANT   |
| 325/2009-1 | 24 NOV 09     | 116 WILSON STREET, COLAC                               | TWO (2) LOT SUBDIVISION                                                                                               | 2 MAR 10    | 74          | UNDER DELEGATION   | PERMIT ISSUED      |
| 329/2009-1 | 11 DEC 09     | 66A MOORE STREET, COLAC                                | TWO (2) LOT SUBDIVISION                                                                                               | 3 MAR 10    | 101         | UNDER DELEGATION   | PERMIT ISSUED      |
| 330/2009-1 | 30 NOV 09     | 515 GREAT OCEAN ROAD, APOLLO BAY                       | CONSTRUCTION & USE OF A DWELLING AND GARAGE/LOFT                                                                      | 2 MAR 10    | 46          | UNDER DELEGATION   | PERMIT ISSUED      |
| 331/2009-1 | 11 MAR 10     | 25 GREAT OCEAN ROAD, WYE RIVER                         | SITING OF AN UNMOVABLE DWELLING                                                                                       | 24 MAR 10   | 13          | UNDER DELEGATION   | APPLICATION LAPSED |
| 341/2009-1 | 10 DEC 09     | 1 SURF AVENUE SKENES CREEK                             | CONSTRUCTION OF AN OUTBUILDING (STUDIO)                                                                               | 15 MAR 10   | 51          | UNDER DELEGATION   | PERMIT ISSUED      |
| 344/2009-1 | 8 DEC 08      | 9 THOMAS STREET, COLAC                                 | CONSTRUCTION OF A SHED                                                                                                | 19 MAR 10   | 44          | UNDER DELEGATION   | PERMIT ISSUED      |
| 345/2009-1 | 5 JAN 10      | 110 BROUGHTONS ACCESS, SKENES CREEK                    | CONSTRUCTION OF A SHED                                                                                                | 2 MAR 10    | 29          | UNDER DELEGATION   | PERMIT ISSUED      |

| APPLIC NO                                            | DATE RECEIVED | LOCATION                                      | PROPOSAL                                                                                                     | DATE ISSUED | ACTUAL TIME | AUTHORITY        | DECISION         |
|------------------------------------------------------|---------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------|-------------|------------------|------------------|
| 347/2009-1                                           | 14 DEC 09     | 590 SWAN MARSH ROAD,<br>SWAN MARSH            | TWO (2) LOT SUBDIVISION                                                                                      | 4 MAR 10    | 59          | UNDER DELEGATION | PERMIT ISSUED    |
| 356/2009-1                                           | 17 DEC 09     | 1701 BIRREGURRA FORREST ROAD,<br>BARWON DOWNS | CONSTRUCTION OF TRANSPORTABLE DWELLING & TRIMMING OF TWO TREES                                               | 15 MAR 10   | 45          | UNDER DELEGATION | PERMIT ISSUED    |
| 003/2010-1                                           | 8 JAN 10      | 21 SLADEN STREET,<br>BIRREGURRA               | EXTENSION TO EXISTING DWELLING                                                                               | 4 MAR 10    | 53          | UNDER DELEGATION | PERMIT ISSUED    |
| 006/2010-1                                           | 12 JAN 10     | 2 PIERCES ROAD, BEEAC                         | ADDITION TO EXISTING DWELLING                                                                                | 19 MAR 10   | 38          | UNDER DELEGATION | PERMIT ISSUED    |
| 021/2010-1                                           | 29 JAN 10     | 15 GELLIBRAND VALLEY ROAD,<br>GELLIBRAND      | EXTENSION TO EXISTING DWELLING                                                                               | 19 MAR 10   | 32          | UNDER DELEGATION | PERMIT ISSUED    |
| 022/2010-1                                           | 1 FEB 10      | 200 MORRISSYS ROAD,<br>BEEAC                  | ADDITION TO EXISTING DWELLING                                                                                | 3 MAR 10    | 29          | UNDER DELEGATION | PERMIT ISSUED    |
| 026/2010-1                                           | 4 FEB 10      | 160 SINCLAIR STREET SOUTH,<br>COLAC           | CONSTRUCTION OF A DWELLING                                                                                   | 19 MAR 10   | 39          | UNDER DELEGATION | PERMIT ISSUED    |
| 034/2010-1                                           | 9 FEB 10      | 20 OCEAN PARK DRIVE,<br>MARENGO               | REMOVAL OF VEGETATION                                                                                        | 15 MAR 10   | 10          | UNDER DELEGATION | PERMIT ISSUED    |
| 041/2010-1                                           | 24 FEB 10     | 21 GREAT OCEAN ROAD,<br>APOLLO BAY            | PAINTING OF EXTERIOR OF BUILDING                                                                             | 19 MAR 10   | 10          | UNDER DELEGATION | PERMIT ISSUED    |
| 323/2007-1                                           | 30 NOV 07     | 7 RIDGE DRIVE, KENNETT RIVER                  | CONSTRUCTION OF A DWELLING                                                                                   | 31 MAR 10   | 21          | UNDER DELEGATION | REFUSAL TO GRANT |
| 21/2009-1                                            | 27 JAN 09     | 275 BARRYS ROAD,<br>BARONGAROOK               | TWO (2) LOT RE-SUBDIVISION (BOUNDARY RE-ALIGNMENT)                                                           | 31 MAR 10   | 398         | UNDER DELEGATION | REFUSAL TO GRANT |
| 287/2009-1                                           | 1 OCT 09      | 170 BUSTY ROAD, APOLLO BAY                    | ALTERATIONS & ADDITIONS TO EXISTING DWELLING & CONSTRUCTION OF A STORAGE SHED                                | 25 MAR 10   | 116         | UNDER DELEGATION | PERMIT ISSUED    |
| 15/2010-1                                            | 18 JAN 10     | 245 BIRREGURRA FORREST ROAD,<br>BIRREGURRA    | USE AND DEVELOPMENT OF THE SITE FOR THE PURPOSE OF CONSTRUCTING A DWELLING AND ASSOCIATED OUTBUILDING (SHED) | 31 MAR 10   | 53          | UNDER DELEGATION | PERMIT ISSUED    |
| 30/2010-1                                            | 10 FEB 10     | 235 MCKAYS ROAD,<br>IRREWARRA                 | DEVELOPMENT OF A VERANDAH TO FLIGHT HUT                                                                      | 26 MAR 10   | 43          | UNDER DELEGATION | PERMIT ISSUED    |
| 35/2010-1                                            | 18 FEB 10     | 1 ACACIA CLOSE, ELLIMINYT                     | DEVELOPMENT OF THE LAND FOR A DWELLING                                                                       | 26 MAR 10   | 35          | UNDER DELEGATION | PERMIT ISSUED    |
| <b>AVERAGE DAYS TO PROCESS PLANNING APPLICATIONS</b> |               |                                               |                                                                                                              |             | <b>64</b>   |                  |                  |



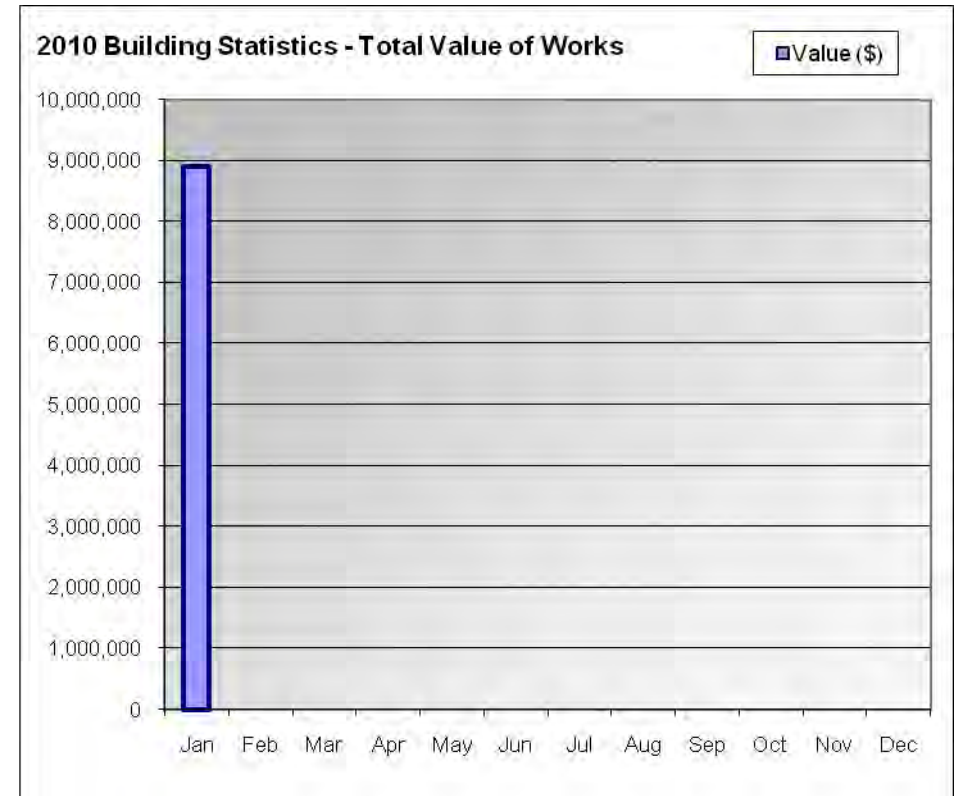
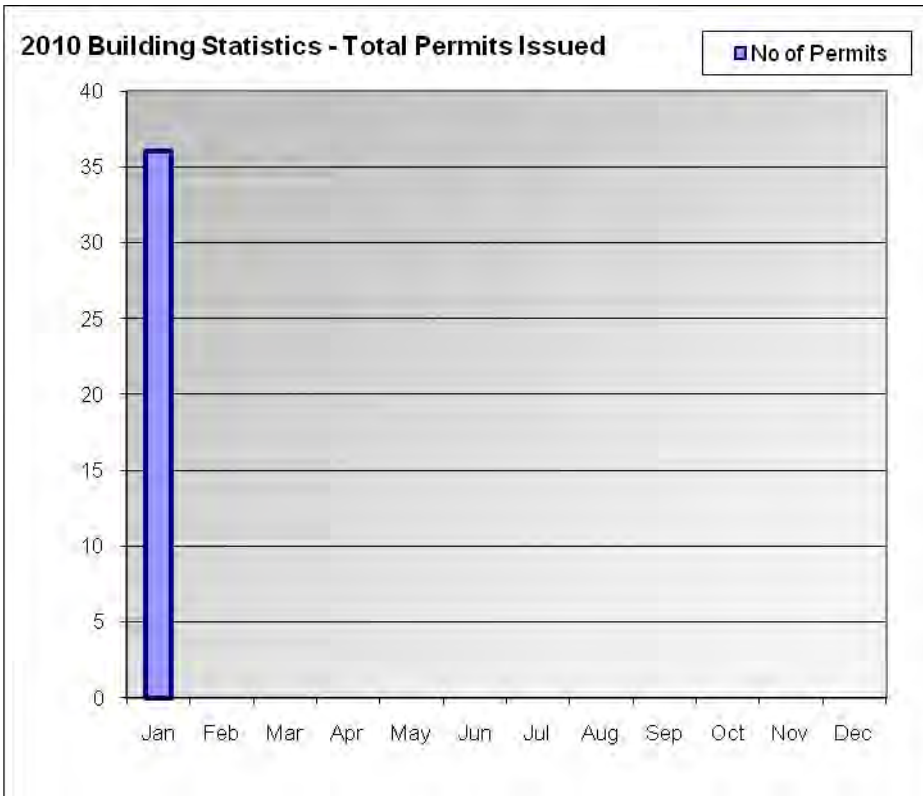
[Pulse Building Statistics](#)

[Financial Yr Stats](#)

[Pulse Building Reports](#)

|               | Domestic  |                  | Residential* |            | Commercial |                  | Retail   |            | Industrial |                | Hospital/HealthCare |            | Public Buildings |                  | Municipal Totals |                  |
|---------------|-----------|------------------|--------------|------------|------------|------------------|----------|------------|------------|----------------|---------------------|------------|------------------|------------------|------------------|------------------|
|               | No of BP  | Value (\$)       | No of BP     | Value (\$) | No of BP   | Value (\$)       | No of BP | Value (\$) | No of BP   | Value (\$)     | No of BP            | Value (\$) | No of BP         | Value (\$)       | No of BP         | Value (\$)       |
| Jan           | 28        | 4,006,262        | 0            | 0          | 3          | 2,156,102        | 0        | 0          | 1          | 700,000        | 0                   | 0          | 4                | 2,044,000        | 36               | 8,906,364        |
| Feb           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Mar           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Apr           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| May           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Jun           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Jul           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Aug           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Sep           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Oct           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Nov           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| Dec           |           |                  |              |            |            |                  |          |            |            |                |                     |            |                  |                  |                  |                  |
| <b>Totals</b> | <b>28</b> | <b>4,006,262</b> | <b>0</b>     | <b>0</b>   | <b>3</b>   | <b>2,156,102</b> | <b>0</b> | <b>0</b>   | <b>1</b>   | <b>700,000</b> | <b>0</b>            | <b>0</b>   | <b>4</b>         | <b>2,044,000</b> | <b>36</b>        | <b>8,906,364</b> |





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**PC101404-2                    DEVELOPMENT OF A TELECOMMUNICATIONS TOWER  
(40M) AND ASSOCIATED EQUIPMENT SHELTER AT 5930  
GREAT OCEAN ROAD YUULONG**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                           | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | PP353/2009 |

**Location:**                    **5930 Great Ocean Road Yuulong (Lot 1 TP370829 Parish of Wangerrip)**

**Zoning:**                    **Farming Zone**

**Overlay controls:**                    **Erosion Management Overlay Schedule 1 (EMO1)  
Wildfire Management Overlay (WMO)**

**Proposed Amendments:**    **Nil**

**Purpose:**

This application is seeking approval for buildings and works associated with the construction of a telecommunication facility which consists of a 40 metre high monopole tower and associated equipment shelter.

Consideration of this application by the Planning Committee is required as the proposed structure is in excess of eight (8) metres in height.

**Declaration of Interest**

The Officer has no pecuniary interest in this matter.

**Summary**

The proposal generally complies with the planning scheme provisions and achieves an appropriate outcome in a Farming Zone. Notice of the application was given with no objections being received. It is considered the structure will not be visually intrusive and it is recommended that a Planning permit be issued.

**Background**

There is no background relevant to this proposal.

**Issues / Options**

Council has the options of:

- Supporting the application through the issue of a Planning Permit subject to conditions;
- Supporting the application with changes;
- Refusing to grant a permit.

The key issue relating to this application is the potential adverse visual amenity impacts due to the height of the tower.

**Proposal**

Planning approval is sought for use of the land for a telecommunications facility and buildings and works associated with the use.

Proposed works include the erection of a 40 metre high monopole with an associated equipment shelter which measures 7.5m<sup>2</sup> in area in the north east corner of the site. This facility would be housed within a fenced security compound measuring 9m x 5.5m. This part of the site is currently vacant.

The development is proposed to be located approximately 57 metres north of the existing dwelling on the same lot and approximately 120 metres from the Great Ocean Road.

The monopole and fence will be constructed of grey galvanised steel, whilst the shelter shed will be constructed of paperbark colorbond steel.

The facility will achieve Optus coverage objectives for the Yuulong area by improving phone and data services.

Vehicular access to the site will be directly off Adams and Timmis Road.

**Site & Surrounds**

The site is situated on the corner of the Great Ocean Road and Adam and Timmis Road, Yuulong. The area of the lot is 41.50ha and the proposed tower is to be located behind an existing dwelling in the northeast corner of the lot.

The land is undulating to steep and it is proposed to site the tower approximately 57 metres north of the dwelling behind large mature cypress trees. The trees will provide some screening of the base of the monopole and the equipment shelter. A number of outbuildings are also located behind the trees and cannot be seen from the Great Ocean Road.

Land surrounding the site to the north, south and west is zoned Farming Zone and the land on the east side of Great Ocean Road is zoned Rural Conservation Zone. Land to the west and north is developed with timber plantations, whilst land to the south is native vegetation and the land to the east is a mix of native vegetation and cleared grazing land. The nearest dwelling is approximately 400 metres away.

**Public Notice**

Notice of the application was given in February 2010 in accordance with Section 52 of the Planning and Environment Act to all adjoining and opposite owners and occupiers. A sign was also placed on site and public notice was placed in the Colac Herald.

At the conclusion of the notification period, no objections were received.

**Referrals**

The application was referred internally to the Building and Infrastructure Departments both of which have no objection to the proposal.

**Planning Controls**

The land is included in the Farming Zone and is subject to the Erosion Management Overlay Schedule 1 and Wildfire Management Overlay. A planning permit is required for the use as well as the buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are not met.

a) State and Local Planning Policy Framework

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

- Clause 11 - Introduction, Goals and Principles
- Clause 18.13 – Telecommunications
- Clause 21.04-5 - Erosion

The proposal is considered to accord with the principles of the State and Local Planning Policy Framework. The applicant has investigated all other current communications sites with a similar distance and orientation to the Yuulong area and found that no such facilities were able to provide the service required to the area and as a result is pursuing a greenfield site.

The applicant has provided an appropriate and reasonable justification for locating the facility at the subject site. It is considered there will be no negative impact to the environment by way of this proposed telecommunications facility. With regard to the potential visual impact, it is acknowledged that the tower is likely to be partly visible when travelling along the Great Ocean Road for approximately 500 metres however the provision of a telecommunications facility such as this will provide for improved phone and data communications in the Yuulong area.

b) Zoning

The land is zoned Farming Zone (FZ). The purpose to the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision
- To protect and enhance natural resources and the biodiversity of the area

Planning approval is required to use the land for a telecommunications facility and associated buildings and works as the exemptions listed in Clause 52.19 have not been met. The proposed telecommunication facility is considered to be consistent with the purpose of the zone as it provides for improved telecommunications which will be beneficial to the Yuulong community. The proposed tower facility is located so as to provide the level of service coverage required, and is sited so as to provide the least impact on the surrounding area, utilising the existing landscaping in the area to assist in screening. The grey colouring to be used in the tower construction will assist in blending the structure in with the natural background and the footprint required to develop the facility is minimal. It is considered that the proposed telecommunication facility will not impact on any surrounding uses.

c) Overlay Provisions

This site is included in the Wildfire Management Overlay (WMO). Under the WMO, no permit is triggered for buildings and works associated with a Telecommunications Facility.

This site is subject to the Erosion Management Overlay Schedule 1 (EMO1). The purpose of this overlay is to protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

A permit is required for buildings and works under Clause 44.04-1. A geotechnical report was provided with the application prepared by Civiltest Pty Ltd, dated 22 December 2009. The report concludes that this site is of Low Risk of Landslide.

d) Relevant Particular Provisions

**Clause 52.19 Telecommunications Facility**

The purpose of this provision is:

- To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs;
- To ensure the application of consistent provisions for telecommunications facilities;
- To encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987; and
- To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

A permit is required to construct a building or construct or carry out works for a Telecommunications Facility.

The Decision guidelines of Clause 52.19 state that before deciding on an application, consideration be given to:

- The principles for the design, siting, construction and operation of a Telecommunications Facility set out in A Code of Practice for Telecommunications Facilities in Victoria;
- The effect of the proposal on the adjacent land;
- Decision guidelines of relevant overlays.

The principles in the Code of Practice are:

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

The applicant's assessment of how the proposal meets those stated principles is shown in the attachments to this report. In summary however the following points are made:

- The tower is proposed approximately 120 metres from the Great Ocean Road. The large trees in close proximity can be used to screen the facility. Together, due to the terrain, road angles and vegetation the facility is expected to be significantly screened when travelling along the Great Ocean Road.
- Existing communication sites were investigated and it was found that no such facilities were available in the Yuulong area that would provide adequate service.
- The maximum cumulative radio frequency electromagnetic energy (EME) levels at 1.5m above ground level, is estimated to be 0.007% of the ARPANSA public exposure limit.
- Disturbance to the site is expected to be minimal and construction will be undertaken in accordance with the relevant OH&S guidelines.

The applicant has investigated all other current communications sites with a similar distance and orientation to the Yuulong area and found that no such facilities were able to provide the service required to the area and as a result is pursuing a greenfield site.

At 5965 Great Ocean Road are two existing towers and after investigation it was found that both of these towers do not have the height Optus require to achieve their coverage objectives and service to this part of the Great Ocean Road. The Telstra tower is 22 metres in height and the other is a 20 metre lattice tower. This tower is an emergency services facility owned by the Department of Justice. The possibility of replacing this tower has been explored and was dismissed for the following reasons;

- The emergency services tower is a light weight design and is not structurally adequate to accommodate further equipment or be raised
- Emergency service coverage would need to be provided at all times and therefore the coverage would not be available during the time of replacement
- As an alternative option, the possibility of constructing a new tower and then decommissioning the emergency services tower was also explored. Due to the sloping topography of the land in the immediate area, this would result in any new facility being within 50 metres of the Telstra tower and due to the height required of the Optus tower, it is possible that Optus' tower could interfere with the service provided from the Telstra tower.

The tower at 5102 Great Ocean Road was also investigated however this site is outside the area that Optus are seeking to cover.

It is considered that the proposed facility has satisfactorily addressed the principles for design, siting, construction and operation of the Telecommunications facility as set out in the Code of the Practice.

#### **Consideration of the Proposal**

The application included a photo montage of the visual impact of the tower on the surrounding area particularly when along the Great Ocean Road towards the site. It is considered that the facility would be designed, sited and constructed in a manner which will minimise visual impact, and will assist in improving the phone and internet service in the Yuulong area.

It is considered the proposal reflects a reasonable balance between the provision of services and the need to protect the environment and it is therefore recommended the application be supported.

#### **Corporate Plan / Other Strategies / Policy**

Any relevant policy issues have already been addressed earlier in this report.

#### **Financial & Other Resource Implications**

This proposal raises no financial or resourcing implications for Council for the consideration of the planning application.

#### **Risk Management & Compliance Issues**

This proposal raises no risk management or compliance implications for Council.

#### **Environmental Consideration / Climate Change**

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

#### **Communication Strategy / Consultation Period**

Public notice of the application was required as noted earlier in the report.

**Conclusion**

Planning approval is required for the use and development of the land for a telecommunications facility.

Support for the proposal will improve the Optus phone and broadband internet service coverage in the Yuulong area. The proposal is generally consistent with the State and Local Planning Policy Framework, zoning requirements, current local policies and overlay requirements.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

**Attachments**

Nil

**Recommendation(s)**

***That Council's Planning Committee resolve to grant Planning Permit PP353/2009 for the buildings and works associated with the Construction of a Telecommunications Facility (40 metre high monopole tower) and associated shelter at Lot 1 TP370829, Parish of Wangerrip, 5930 Great Ocean Road, Yuulong, subject to the following conditions:***

- 1. 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.***
- 2. No additional antennas, aerials, satellite dishes or the like are permitted to be installed on the tower without further planning approval from the responsible authority***
- 3. The nature and colour of building materials employed in the construction of the buildings and works hereby permitted must be harmonious and blend into the surrounding environment to the satisfaction of the Responsible Authority.***
- 4. Stormwater discharged from the buildings and works hereby permitted must only be disturbed across the property by sheet flow (.e. along a contour) or to a legal point of discharge as approved by the responsible authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge any septic effluent disposal system to the satisfaction of the responsible authority.***
- 5. All excavation works upon the subject land must be kept to the absolute practicable minimum and to the satisfaction of the Responsible Authority.***
- 6. Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
- 7. The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
- 8. If the telecommunications facility is no longer in use, the installation must be decommissioned and removed to the satisfaction of the responsible authority.***



- 9. ***The use must not detrimentally affect the amenity of the neighbourhood, to the satisfaction of the responsible authority including through the:***
  - (a) ***Transportation of any material, goods or commodity to or from the land.***
  - (b) ***Appearance of any stored goods and material.***
  - (c) ***Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste product, grit and oil.***
  
- 10. ***The telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002 to the satisfaction of the responsible authority.***
  
- 11. ***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.***

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**PC101404-3 CONSTRUCTION OF A DWELLING AND REMOVAL OF  
NATIVE VEGETATION AT 44 MORLEY AVENUE, WYE  
RIVER**

|             |                                       |           |            |
|-------------|---------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                            | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | PP273/2009 |

**Location:** 44 Morley Avenue, Wye River

**Zoning:** Township Zone (TZ)

**Overlays:** Neighbourhood Character Overlay Schedule 1 (NCO1)  
Significant Landscape Overlay Schedule 2 (SLO2)  
Erosion Management Overlay Schedule 1 (EMO1)  
Wildfire Management Overlay (WMO)  
Design and Development Overlay Schedule 4 (DDO4)

**Amendment:** N/A

**Restrictive Covenants:** Nil

**Purpose:**

An application has been submitted for the construction of a dwelling and associated vegetation removal at 44 Morley Avenue, Wye River.

This application is before Council for consideration as the proposed dwelling exceeds 8m in height.

It is recommended that the application be refused as the proposal fails to meet key objectives of the Neighbourhood Character Overlay predominately relating to building height and visual dominance on the streetscape.

**Summary**

The design of the built form is not consistent with the objectives of the Neighbourhood Character Overlay as it does not comply with the setbacks and height controls and presents as a three level development. Although amended plans have been received with a view to reduce the overall height of the dwelling, the amendment does not address the major concerns with the built form. It is recommended that the planning permit application be refused.

**Declaration of Interests**

The author has no pecuniary interest in this application.

**Background**

Planning Permit PP267/2001 was issued on 31 January 2002 for the construction of a dwelling. The permit was extended once and subsequently expired in 2006 without being acted upon. The two storey dwelling approved under this permit had a maximum height of 7m above natural ground level and presented as bulky and unarticulated when viewed from the Morley Street frontage.

**Issues / Options**

Council has the options of:

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

The key issue is whether the dwelling satisfies the Neighbourhood Character Overlay given the height of the proposed dwelling (9.7m) and the three (3) storey appearance from the street.

**Proposal**

The proposal seeks approval for the construction of a two (2) storey dwelling with an undercroft garage and the removal of native vegetation. The proposed dwelling is to comprise of;

Sub Floor/Undercroft

- Double Garage
- Entry and Porch

Ground Floor

- Family/Living Room
- Kitchen and Meals
- Laundry
- Front Deck

First Floor

- Four (4) bedrooms
- Ensuite
- Bathroom
- Terrace off Master Bedroom

The proposed dwelling is setback a minimum of 4.5m from the front property boundary and 14m from Morley Avenue itself due to the presence of a 10m wide road reserve. The dwelling is setback 10m from the west property boundary, 3m from the north (rear) property boundary and 13m from the east property boundary. The proposal incorporates the construction of two (2) crossovers off Morley Avenue.

The proposal requires the removal of one (1) Eucalyptus tree and an area of small shrubs and planted vegetation within the area designated for effluent disposal. Four (4) medium to large Eucalypts located within the north east setbacks of the site are to be retained.

**Site & Surrounds**

The subject site is a corner allotment, located on the northern side of Morley Avenue, Wye River. The site is irregular in shape with an overall site area of 773sqm. The site is vacant and contains five (5) medium to large Eucalypts within the north east setbacks. The site slopes significantly downward from north to south by 10m.

The site is located approximately 750m north of the Wye River shore. Morley Avenue is partially sealed and veers off to a gravel surface in front of the subject site that leads to a private road at its western end. There is an existing cut-in access referred to as a driveway that appears to have been the old access to a disused carriageway track linking the properties on the higher part of the hill to the main access road. This track has not been used for a number of years since the private road has been formed and topped with gravel.

Adjoining properties are developed in the following way:

- 44A Morley Avenue (North) is developed with a single storey weatherboard dwelling which fronts the private road to the north. The dwelling incorporates an elevated deck at its rear which will directly abut the proposed dwelling.
- 42 Morley Avenue (East) is developed with a double storey weatherboard dwelling which is setback some 40m from the Morley Avenue frontage.
- 67 Morley Avenue (South) opposite the subject site is developed with a multi level dwelling which is not visible from the streetscape.
- The Otway National Park is situated immediately to the west of the subject site.

The surrounding area is characterised by residential dwellings set amongst a hilly vegetated landscape. Dwellings are generally double storey in order to take advantage of the exceptional views available from the majority of properties. The Great Ocean Road is the defining feature of the area.

### **Public Notice**

Public Notice of the application was required in accordance with Section 52 of the Planning and Environment Act 1987.

The application underwent public notification by means of mail to adjoining and surrounding owners/occupiers. The applicant has provided a Statutory Declaration stating that the advertising has been carried out in accordance with Council's requirements. No objections have been received to date.

### **Referrals**

The application was referred to Council's Building, Health and Infrastructure Departments. None of the Departments object to the proposal providing certain conditions are placed on any approval issued.

Pursuant to Section 55 of the Planning and Environment Act, the application was referred to the CFA for comment. The CFA does not object to the proposal providing certain conditions are placed on any approval issued including the requirement that the submitted Wildfire Management Plan be endorsed as part of the Permit.

### **Planning Controls**

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

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

- Clause 15 – Environment
- Clause 16.01 – Residential Development for Single Dwellings
- Clause 19.03 – Design and Built Form
- Clause 21.02 – Land Use Vision
- Clause 21.03.7 – Wye River and Separation Creek

- Clause 21.04-3 – Vegetation
- Clause 21.04-5 – Erosion
- Clause 21.04-8 – Landscape Character

Overall the proposal fails to meet key objectives relating to neighbourhood character and built form of the above State and Local planning policies.

b. Zone provisions

The site is included in the Township Zone and within the Neighbourhood Character Overlay, Significant Landscape Overlay – Schedule 2, Erosion Management Overlay, Wildfire Management Overlay and Design and Development Overlay – Schedule 4.

The objectives of the Township Zone are outlined below;

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

A permit is not required to construct a single dwelling pursuant to Clause 32.05 of the Colac Otway Planning Scheme.

c. Overlay Provisions

*Neighbourhood Character Overlay 1 (NCO1)*

Planning approval is required to construct a building or construct or carry out works pursuant to Clause 43.05 of the Colac Otway Planning Scheme. The purpose of this overlay control is;

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify areas of existing or preferred neighbourhood character.*
- *To ensure that development respects the neighbourhood character.*
- *To prevent, where necessary, the removal of buildings and vegetation before the neighbourhood character features of the site and the new development have been evaluated.*

Schedule 1 to this NCO1 relates to the coastal towns of Skenes Creek, Kennett River, Wye River and Separation Creek.

*Significant Landscape Overlay2 (SLO2)*

Planning approval is required to construct a building or construct or carry out works pursuant to Schedule 2 of Clause 42.03 of the Colac Otway Planning Scheme. Relevant Decision Guidelines are:

- *The impact of the development on the nationally significant Great Ocean Road Region landscape.*
- *Whether the landscaping plan accompanying the application, details existing vegetation, vegetation to be removed, new plantings incorporating native and indigenous species and avoids the use of exotic species.*
- *Whether the vehicle access and storage proposed has been designed to minimise excavation, loss of vegetation and dominance of car storage facilities.*
- *The impact of the proposed development on the conservation of trees.*

- *The impact of the proposed development on natural ground levels and drainage patterns which may have a detrimental impact on the health and viability of surrounding trees.*
- *Whether there is an adequate buffer strip along roads and between private gardens.*

#### *Erosion Management Overlay (EMO)*

Planning approval is required to construct a building or construct or carry out building and works pursuant to Clause 44.01 of the Colac Otway Planning Scheme.

#### *Wildfire Management Overlay (WMO)*

The purpose of the Wildfire Management Overlay is to identify areas where the intensity of wildfire is significant and likely to pose a threat to life and property.

A permit is required to undertake buildings and works pursuant to Clause 44.06-1 of the Colac Otway Planning Scheme.

#### *Design and Development Overlay 4 (DDO4)*

Planning approval is not required to undertake building and works under this overlay provision.

### **Consideration of the Proposal**

#### Neighbourhood Character Overlay 1 (NCO1)

The overall intent of this Overlay is to ensure new development respects the preferred Neighbourhood Character of the site and surrounds.

The Preferred Character Statement (Neighbourhood Character Study 2005, Precinct Brochure) for this area is;

*„This precinct will achieve more consistent native vegetation coverage to provide a unifying feature throughout. Space around dwellings will be sufficient to maintain trees and understory, and minimizes the appearance of bulk and density. On hill slopes, buildings will relate to topography and be set amongst and beneath a dominant, native tree canopy. Buildings and structures in prominent locations when viewed from the Great Ocean Road will be designed to reduce their visual intrusion. Retention and planting of canopy trees in the public domain and around dwellings will be encouraged to establish a consistent tree canopy.“*

A key decision guideline of the Neighbourhood Character Overlay states ‘*Whether the building respects the predominantly low scale forms in the area.*’ The proposed dwelling cannot be regarded as low scale given its overall height (9.7m) above natural ground level and its three (3) storey appearance when viewed from Morley Avenue.

The proposed dwelling fails to satisfy many Objectives of NCO1, and fails to generally satisfy the modifications to Clause 54 standards. The proposal does not comply with the following Standards.

#### *Street Setback – Modified Standard A3*

The proposed dwelling has a minimum setback of 4.5m from the south west corner of the dwelling to the front property boundary. Standard A3 requires a minimum front setback of 7m.

Whilst a 4.5m minimum setback is proposed, the presence of a 10m wide road reserve results in a 14.5m setback from Morley Avenue itself. It is acknowledged that the site is constrained due to its irregular shape, steep topography, the presence of native vegetation within its north east setbacks, and its corner location. Nevertheless, the failure to meet the Standard demonstrates one of several key failures with respect to the NCO1.

#### *Building Height – Modified Standard A4*

The proposed dwelling has a maximum height of 9.7m above natural ground level. Modified Standard A4 requires;

- *The maximum building height should not exceed 8 metres or two storeys, whichever is the lesser.*
- *Buildings are to be stepped to follow the contours of the site.*
- *Changes of building height between existing buildings and new buildings should be graduated by recessing the upper levels from the ground level.*

The proposed dwelling exceeds the maximum height by 1.7m and essentially presents as a three (3) storey dwelling when viewed from Morley Avenue which is not considered acceptable. The height is further exaggerated by the slope of the land and built form of the proposed dwelling. As a result, the proposed dwelling will become an extremely dominant feature upon the surrounding landscape to the detriment of the existing and preferred neighbourhood character of the area.

The applicant has subsequently provided amended plans for consideration which demonstrate potential for a reduction in the overall height of 1.0m. Whilst such a reduction is a positive outcome, it does little to reduce the visual dominance of the dwelling upon the streetscape and still presents as a three storey dwelling.

Overall, the proposal seeks approval for a dwelling which exceeds 8m in height and is greater than two storeys which represents a major non-conformity with Modified Standard A4.

#### *Energy Efficiency – Standard A7*

Standard A7 requires buildings to be:

- *Oriented to make appropriate use of solar energy.*
- *Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.*
- *Living areas and private open space should be located on the north side of the dwelling, if practicable.*
- *Dwellings should be designed so that solar access to north-facing windows is maximised.*

Due to the irregular shape of the site and setbacks required, the proposed dwelling does not fully utilise potential solar access. Living areas are proposed to the south of the dwelling as any living area to the north would result in unreasonable overlooking into the private open space of 44A Morley Avenue. The living area is provided with a north east facing window to gain some direct northern light and the proposed deck does also achieve some direct access to northern light.

Whilst the main living areas are provided with limited northerly light, overall solar access is reasonable given the large windows proposed and the fact that no nearby building shall cast shadows over proposed living areas.



#### *Rear Setback – Modified Standard A10*

The proposed dwelling has a minimum setback of 3m from the rear property boundary. Standard A10 requires a rear setback of 5m plus an additional 0.3m for every 1m over 3.6m up to 6.9m. Therefore the proposed dwelling should be setback 5.9m from the rear property boundary in order to meet the Standard.

The intention of the Modified Standard is to maintain an open landscape and to ensure sufficient space is provided between existing and proposed dwellings. It is acknowledged that the development provides substantial side setbacks of 10m from the west side boundary and 13m from the east.

#### Significant Landscape Overlay 2 (SLO2)

The Significant Landscape Overlay includes seeks to achieve the following general landscape objectives:

- *To protect and enhance the valued characteristics of the nationally significant Great Ocean Road Region landscape.*
- *To ensure that the dominance of vegetation over built form is retained as an element of township character by encouraging retention of existing trees and planting of new indigenous vegetation.*
- *To increase the use of indigenous vegetation to highlight natural features within the precinct.*
- *To retain the contrasts between landscape elements within the precinct.*
- *To ensure that development that occurs on hill faces or in other prominent locations is not highly visible.*
- *To minimise the visual impact of signage and other infrastructure, particularly in coastal areas, hill faces and ridges.*
- *To protect the clear, sweeping views to the ocean available from the precinct.*
- *To retain the dominance of an indigenous natural landscape in coastal areas, between townships, particularly from the Great Ocean Road.*
- *To ensure that fence styles and heights reflect the predominant and preferred character of the townships.*

The subject site is not visible from the Great Ocean Road due to its location, the topography of the land and the dominance of surrounding native canopy vegetation. Only one (1) tree is to be removed with five (5) trees proposed for retention. The trees to be retained appear to be in good health and make a positive contribution to the treed canopy of the area. Furthermore, the proposal provides sufficient space for the planting of additional vegetation which could further add to the landscape character of the surrounding area.

#### Erosion Management Overlay 1 (EMO1)

The applicant has provided a Geotechnical Assessment of Landslide Risk (Provincial Geotechnical Pty Ltd, 18 January 2010, K9030) in accordance with the requirements of this Overlay provision.

The assessment provides the following conclusion:

*„Our assessment has found that there are risks to life and of damage to property on the subject land, due to a conceivable landslip event. The risk associated with building on the site is low to moderate and in quantitative terms, the risk to life is below the recommended “acceptable risk” defined as  $1 \times 10^{-6}$  by the AGS Guidelines.*

*Based on our assessments of the risks, we conclude that there are no geotechnical reasons to prevent the issue of a permit to build on this site, subject to engineering design demonstrating acknowledgement of a low to moderate landslip risk on this site."*

The assessment recommended the proposal be allowed, therefore the development is considered to respond positively to the objectives and decision guidelines of the EMO1.

The applicant has also provided a Land Capability Assessment Report (Provincial Geotechnical Pty Ltd, 18 January 2010, K9031) in accordance with the requirements of this Overlay provision.

The assessment provides the following conclusion:

*„As a result of our investigations we recommend that a sustainable onsite new wastewater management system can be built to meet the needs of a residence on the allotment."*

The Land Capability Assessment has been reviewed by Councils Environmental Health Co-ordinator who has no objection to the grant of a permit subject to conditions.

#### Wildfire Management Overlay (WMO)

The proposed dwelling requires planning approval for its construction pursuant to Clause 44.06 of the Colac Otway Planning Scheme.

The applicant has provided a Wildfire Management Statement (Paul Barnard, Ecotide Pty Ltd, 12 February 2010) which demonstrates that all fire protection requirements for water supply, access, buildings and works, vegetation and any other relevant matter have been considered and incorporated.

The application was referred to the CFA under Section 55 of the Planning and Environment Act. The CFA raised no objection to the proposal pursuant to several conditions being placed on any permit issued including the endorsement of the Wildfire Management Statement as part of the Permit.

#### Access

The proposal incorporates two (2) crossovers, of which the western one is considered unwarranted and excessive. It is considered ingress and egress can be obtained from the central crossover and sufficient space is provided on-site which would allow for vehicles to enter and exit the site in a forward motion. If approval was to be granted a condition could be placed on the permit requiring the deletion of the western crossover and associated driveway.

#### **Corporate Plan / Other Strategies / Policy**

Planning policies relevant to this application have been discussed earlier in the report.

#### **Financial and Other Resource Implications**

There are no financial implications arising from this report.

#### **Risk Management & Compliance Issues**

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

**Environmental and Climate Change Considerations**

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

**Communication Strategy / Consultation**

Public notice of the application was required. All parties will be advised of the decision. All parties have the opportunity to seek a review of Council's decision at the Victorian Civil and Administrative Tribunal.

**Conclusion**

Overall the proposal is not considered to respond positively to the NCO due to its excessive height, 3 storey nature and dominant streetscape appearance. It is acknowledged that attempts have been made to reduce the overall height by 1.0m, however even such a reduction does little to reduce the streetscape appearance of the proposed dwelling. The proposal also fails to meet several other Modified Standards which may be acceptable on their own merits, but overall contribute to a development which fails several key elements of the overlay.

It is recommended that the planning application be refused.

**Attachments**

Nil

**Recommendation(s)**

***That Council resolve to issue a Notice of Refusal for Planning Permit Application PP273/09 for the construction of a dwelling and the removal of native vegetation at 44 Morley Avenue, Wye River on the following grounds;***

- 1. The proposal fails to meet the objectives and the Modified Rescode Standards of the Neighbourhood Character Overlay Schedule 1.***
- 2. The proposed dwelling will present as a dominant building when viewed from Morley Avenue to the detriment of the existing and preferred Neighbourhood Character of the area.***

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**PC101404-4                    INTERNAL ALTERATIONS AND EXTENSION TO THE  
EXISTING BUILDING AND WAIVER OF CAR PARKING AT  
75 CORANGAMITE STREET, COLAC.**

<b>AUTHOR:</b>	Ros Snaauw	<b>ENDORSED:</b>	Jack Green
<b>DEPARTMENT:</b>	Sustainable Planning & Development	<b>FILE REF:</b>	PP13/2010-1

**Location:**                                **75 Corangamite Street, Colac**

**Zoning:**                                    **Residential 1 Zone**

**Overlay controls:**                    **Nil**

**Proposed Amendments:**        **Nil**

**Purpose:**

The application proposes minor extensions to an existing building used as a Funeral Parlour and to waive nineteen (19) car spaces. The application is before Planning Committee due to the requirement for a waiver of car spaces.

**Summary**

- The application proposes minor alterations to the existing building used as a Funeral Parlour to allow for improved layout and function of the business.
- The minor increase in the net floor area generates the need to consider car parking. Given the constraints of the site, no further on-site car parking can be accommodated; therefore a waiver of car parking is required.
- The use of the land has been established for some time and has operated without causing any unreasonable amenity issues with nearby uses. Actual increase in seating capacity generated by the alterations is minor, although car parking is required to be assessed on the total net floor area increase.
- It is considered that a waiver of car parking required to facilitate the minor extension to the existing building is not unreasonable given that the capacity of the operations will only increase marginally and the need for additional parking is minimal. It is recommended that a planning permit be issued for the extension and waiver of car parking.

**Declaration of Interests**

The author has no pecuniary interest in this application.

**Background**

No previous planning approval has been issued for the site. The applicant has advised that the Funeral Parlour has operated from the site for approximately 40 years.

**Issues / Options**

Council has the options of:

- Supporting the application through the issue of a Planning Permit;
- Supporting the application with changes;
- Refusing to grant a permit.

**Proposal**

The application seeks approval for the extension of the Funeral Parlour and to waive nineteen car spaces generated by the additional floor area. The alterations and extension to the building include changes to the internal layout and an increase to the floor area of the viewing room and extension of the chapel into the courtyard. The total increase in floor area will be 65m<sup>2</sup>. The viewing room and chapel extensions to the building cannot be viewed from Corangamite Street as they are within the central court yard and to the rear of the building.

The purpose of the alterations and extensions is to enable refreshments to be served for funerals and wakes.

**Site & Surrounds**

The site is located in the residential area west of Corangamite Street in close proximity to the business area of town. The site is located directly opposite the Colac Otway Shire Council and the Performing Arts Centre. The site is currently developed and used as a Funeral Parlour with a residence attached to the parlour.

The site is flat with access from Corangamite Street and staff access from a laneway to the west of the site.

A four (4) car garage and a double carport provide car parking for staff on site and two spaces are provided for family members of a funeral gathering. Corangamite and Rae Streets provide unrestricted on-street angled parking. Further off-street parking is available in the supermarket car park to the north-east of the site.

**Public Notice**

Public Notice of the application was given pursuant to Section 52 of the Planning and Environment Act 1987 by sending a letter to all adjoining owners/occupiers and placing a notice on the site. No objections were received.

**Referrals**

The application was referred internally to the Building, Health, and Infrastructure Departments who have raised no objection to the proposal subject to conditions being placed into the permit.

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

The following State and Local planning policies are relevant to this proposal:

- Clause 17.01 – Activity Centres
- Clause 17.02 – Business
- Clause 19.03 – Design and Built Form
- Clause 21.03-2 – Colac

The use of the site as a Funeral Parlour currently exists. The approval sought is for the alterations and extension to the built form only which will enable the business to operate in a more effective manner. The proposal is considered consistent with the State and Local planning policy objectives.

**b. Zoning and Overlays**

The site is included in the Residential 1 Zone. Land to the east of the site is zoned Public Use Zone – 6 (Local Government) and land to the north is zoned Public Use Zone – 3 (Health and Community) (Colac Area Health). Land to the north-west is zoned Business 1 Zone.

A planning permit is required under the following clauses:

- Clause 32.01-6 - Building and Works
- Clause 52.06 - Car Parking

Under Clause 52.06 – Car parking, in accordance with the Table to Clause 52.06-5 a Funeral Parlour requires car parking at a rate of 0.3 car spaces to each seat or to each m<sup>2</sup> of net floor area, whichever is greater. Net floor area is defined in the planning scheme as *“the total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs loading bays, access ways or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.”*

Based on the total increase of the net floor area for the Funeral Parlour of 65m<sup>2</sup>, 19.5 car spaces are required. The seating capacity of the Funeral Parlour is 40 seats which would generate the need for 12 car spaces. The extension to the Chapel provides for an additional 10 seats making a total seating capacity of 50 seats. The additional 10 seats equate to a car parking requirement of 3 additional car spaces.

**Consideration of the Proposal**

The proposed alterations and extensions to the existing building will allow the existing use to operate more effectively and raises no planning issues.

The key planning issue is the requirement to waive car parking to facilitate the additional floor area in the minor expansion of the chapel and viewing area. Although the overall increase in the floor area is 65m<sup>2</sup>, the Chapel floor area only increases by 14m<sup>2</sup> and allows an additional increase in existing seating capacity by 10 seats.

The remaining changes allow for slightly larger areas for various rooms that serve different aspects of the business such as the viewing area for the coffin and the new kitchenette.

If the car parking requirements were applied to the increased floor area of the chapel only, then an additional car parking requirement of 4.2 car spaces would be required based on the floor area. If the car parking rates were applied in relation to the additional seating capacity then an additional 3 car spaces would be required. Applying the car parking rate to the floor area that would increase the capacity for seating and generate the need for additional parking would be more realistic and reflective of actual demand.

As Council is aware, AECOM has been engaged to prepare a car parking study for Colac and Apollo Bay townships. Issues and Opportunities papers for the Colac and Apollo Bay Parking Study were made available for public comment on 22 March 2010.

Weekday and weekend surveys were undertaken to assess the demand for existing on-street and off-street car parking in Colac and Apollo Bay. The findings of the surveys for Colac show that in Corangamite Street between Miller and Railway Streets, on the west side of Corangamite Street during the weekday, parking utilisation was between 75%-85% and on a weekend was 85%-100%. On the east side of Corangamite Street parking utilisation was 85%-100% on the weekday and on the weekend was 0%-50%.

The issues and opportunities paper for Colac identifies that over the entire Study Area the demand of on-street parking is fairly modest with a peak parking occupancy of 58%. This site is situated in Area 2 of the study area and it is noted in the paper that on-street parking in Area 2 is generally highly utilised on those streets in close proximity to the hospital which can be accessed via Corangamite Street, Bromfield Street, and Hart Street. It is noted that the streets that experience high rates of on-street parking utilisation tend to have unrestricted on-street parking servicing the neighbouring residential areas.

Although the site is located within an area that has high utilisation rates, it does not necessarily translate to there being a shortage of car parking in the area. The operations of the Funeral Parlour would generate parking need only when a funeral is held. Funerals are held for short periods of time, so demand would fluctuate, depending on the time and day of the service required.

Given the actual increase in the seating capacity of the Funeral Parlour generates the need for 4 additional car spaces, it is considered that it is not unreasonable to waive the car parking requirement given the minor nature of the extensions to the existing building. Higher levels of parking would be available to patrons of the Funeral Parlour within a short walking distance of the site.

#### **Corporate Plan / Other Strategies / Policy**

The Colac Structure Plan is a reference document in the Colac Otway Planning Scheme. It sets out the future development direction for Colac over the next 20 years. The vision for Colac is to create a thriving town and vibrant town centre which responds to the housing needs of its residents and offers a variety of opportunities for employment and economic development. The vision for commercial development is: *'the Colac Town Centre will be a prosperous and thriving precinct, supported by smaller scale commercial and retail development in specifically targeted locations to provide convenience services for the Colac and Elliminyt communities.'* The Colac Structure Plan makes no specific recommendations in relation to car parking requirements.

The Colac and Apollo Bay Car Parking Study Issues and Opportunities paper provides information on utilisation of existing on-street and off-street car parking that is discussed earlier in this report.

#### **Financial & Other Resource Implications**

This proposal raises no financial or resourcing implication for Council.

#### **Risk Management & Compliance Issues**

This proposal raises no risk management or compliance issues.

#### **Environmental Consideration / Climate Change**

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

#### **Communication Strategy / Consultation Period**

Public notice of the application was required with no objection being received.

#### **Conclusion**

The Funeral Parlour has been operating from the existing site for the past 40 years and utilising the existing on-street car parking when services are provided. The increase in the floor area is minor in context to the existing operation and the additional car parking generated by the increase in the seating is not sufficient to warrant refusal of the application.



There is on-street car parking in close proximity of the site that has capacity to accommodate the existing and increased capacity of the business. It is recommended that a planning permit be issued for the alterations and extension of the building and waiver of car parking.

**Attachments**

Nil

**Recommendation(s)**

***That Council's Planning Committee grant a Planning Permit for the Alterations and Extension to the Building and Waiving of car parking at 75 Corangamite Street, Colac subject to the following conditions:***

- 1. 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.***
- 2. 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.***
- 3. All staff vehicles and other vehicles used in the operation of the use must be parked on-site.***
- 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.**

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PC101404-5

**CONSTRUCTION OF TWO (2) WAREHOUSES FOR TIMBER STORAGE AND WAIVER OF CAR PARKING SPACES AT 7-15 FOREST STREET, COLAC.**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP11/2010  |

**Location:** 7-15 Forest Street, Colac

**Zoning:** Industrial 1 Zone (IN1Z)

**Overlays:** Wildfire Management Overlay (WMO)  
Design and Development Overlay Schedule 1 (DDO1)

**Amendment:** N/A

**Abuts:** Public Use Zone 4 (PUZ4)

**Restrictive Covenants:** Nil

**Purpose**

An application has been submitted for the construction of two (2) warehouses for timber storage, an office extension and a waiver of car parking spaces.

This application is before Council for consideration as the proposed warehouse exceeds 8m in height and also seeks a waiver of car parking spaces.

**Summary**

The proposed scale, height and overall size of the warehouses are considered to be in keeping with the existing use and development of the site and surrounds. An additional setback from the Bruce Street frontage is recommended through a condition on a permit, ensuring that landscaping can be provided on-site to soften the buildings' streetscape appearance.

The waiver of car parking is considered to be justified on the basis of the proposed use of the warehouses as the proposal does not actually alter or intensify the sites' usage but merely formalises an area already utilised for the storage of timber.

It is recommended that a planning permit be issued.

**Declaration of Interests**

The author has no pecuniary interest in this application.

**Background**

The planning history of the site is as follows;

- PP189/09 allowed for the construction of a steel clad building addition issued 20 August 2009.
- PP259/04A allowed for the construction of three storage sheds.

## **Issues / Options**

Council has the options of:

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

The key issue is whether the height of the proposed warehouses (9.83m and 9.22m) is appropriate for the subject site and surrounds; and whether a waiver of parking spaces is justified.

## **Proposal**

The proposal comprises the construction two (2) warehouses for timber storage, an office extension and a waiver of car parking spaces as follows:

- A 126m x 24m x 9.8m in height (3024sqm in area) Warehouse (Shed 1) located adjacent to the site's western property boundary;
- A 29.1m x 31.0m x 9.2m in height (902sqm in area) Warehouse (Shed 2) setback 10m from the eastern property boundary adjacent to the existing main building;
- A 4.5m x 9.0m (40.5) office extension to the east of the main building.

Both warehouses and the small office extension are to be constructed of colourbond cladding of an unspecified colour.

The two (2) new warehouses are to be utilised for the storage of processed timber products. Currently, the processed timber is stored outside, therefore, the overall use of the site will remain unchanged.

The additional floor area generates a car parking requirement of 60 spaces which are not proposed to be provided on-site, therefore, the applicant seeks a waiver of the car parking requirement as part of this application.

## **Site & Surrounds**

The subject site is bounded by Forest Street to the east, Bruce Street to the west and 17 Forest Street (AKD property) to the north. The site also abuts the railway line to the north-west. The subject site has a total area of 3.4 ha and is currently utilised as a timber processing facility. The site is irregular in shape narrowing considerably at its southern most point.

The subject site is located in the industrial area south of the Princes Highway that provides for a mix of industrial activities including timber processing, manufacturing of goods and other small industrial activities. There is an existing dwelling on a separate title that is surrounded by the development.

The subject site is supplied with a total of 50 on-site parking spaces in three (3) separate areas. AKD currently employs 29 persons on-site and the proposal does not require or propose any additional staff.

Adjoining properties are developed in the following way:

- Timber processing facilities to the east
- Mix of dwellings in industrial area and small engineering businesses.
- Residential dwelling at 98 Bruce Street.

## **Public Notice**

The proposed building and works aspect of the proposal is exempt from public notification pursuant to Clause 33.01 of the Colac Otway Planning Scheme.

The waiver of carparking spaces is not exempt from public notice, therefore, notice of the application was given in accordance with Section 52 of the Planning and Environment Act by means of a letter to nearby residents and by placing two (2) signs on-site. The applicant has provided a Statutory Declaration stating that the advertising has been carried out in accordance with Council's requirements. No objections have been received.

## **Referrals**

The application was referred to Council's Building and Infrastructure Departments. Neither objects to the proposal however the Infrastructure Department requires conditions to be placed on any permit issued.

The CFA advised that they did not require the application to be referred and had no objection to the proposal.

## **Planning Controls**

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

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

- Clause 17.03 – Industry
- Clause 19.03 – Design and Built Form
- Clause 21.03.2 – Colac
- Clause 21.05.3 - Manufacturing

The proposal is considered to be in keeping with the objectives of the above policies. The proposal does not alter the use of the site, although the provision of additional storage facilities will increase the economic viability of the existing use. The warehouse's built form and style is consistent with existing infrastructure on-site.

### **b. Zone provisions**

The site is included in the Industrial 1 Zone, the Design and Development Overlay – Schedule 1 (Industrial Area on the Eastern Edge of Colac) and the Wildfire Management Overlay.

The objectives of the Industrial 1 Zone are outlined below;

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner that does not affect the safety and amenity of local communities.

A permit is required to undertake buildings and works pursuant to Clause 33.01-4 of the Colac Otway Planning Scheme.

### c. Overlay Provisions

The Design and Development Overlay 1 (DDO1) – Industrial Area on the Eastern Edge of Colac design objective is;

- To ensure that the industrial area on the eastern entrance to Colac is retained for the development of large scale industrial uses on large lots so that views of the lake and the quality of buildings and works do not detract from the landscape character of this entrance to the town.

A permit is required to undertake buildings and works pursuant to Clause 43.02-2 of the Colac Otway Planning Scheme.

The purpose of the Wildfire Management Overlay (WMO) is;

- To identify areas where the intensity of wildfire is significant and likely to pose a threat to life and property.

A permit is required to undertake buildings and works pursuant to Clause 44.06-1 of the Colac Otway Planning Scheme.

Pursuant to Clause 52.06-1 of the Colac Otway Planning Scheme a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

### d. Car parking

Pursuant to Clause 52.06 of the Colac Otway Planning Scheme, a Warehouse use attracts a car parking rate of 1.5 spaces per 100sqm of net floor area. The additional 3,937sqm of net floor area generates a car parking requirement of 60 spaces.

### **Consideration of the Proposal**

The proposed development requires assessment against the provision of the DDO1 which states;

*„Applications should incorporate the following matters in respect to plot ratio, setbacks and lot sizes:*

- *All buildings and works are to be set back 20 metres from the road frontage and only landscaping, visitor car parking and access ways is to be located within the setback area.*
- *All staff parking and loading bays are to be located to the side or rear of any buildings.*
- *The plot ratio for buildings and works is not to exceed 40 % of the site area.*
- *Buildings should not exceed a height of 8 metres above natural ground level.*
- *Landscaping is to be provided in accordance with a landscape plan approved to the satisfaction of the responsible authority. The landscape plan is to provide a range of trees, shrubs and ground cover to create a „garden“ appearance for the development. Landscaping is to be completed within 6 months of the development or works being constructed.“*

### Setbacks

The subject site is constrained by its irregular shape, dual street frontage (Forest and Bruce Streets), railway line to the north-west, the dwelling at 98 Bruce Street (development surrounding this dwelling) and existing buildings and infrastructure on-site.

Given the constraints of the site it is appropriate to support a departure from the prescribed setbacks of the overlay for the warehouses.

A setback of 20 metres in this instance cannot be achieved due to the site constraints, existing layout of the site. The fact that the site is bounded by two (2) roads severely limits the development of the site's southern section if the 20m setback were to be enforced. The width of this portion of the site is 50 metres. The intent of the 20m setback is to provide sufficient space for on-site parking facilities and landscaping to soften the appearance of industrial buildings.

Shed 2 is setback 10 metres to Forest Street and approximately 90 metres to the Bruce Street frontage. The warehouse is designed to sit between existing buildings which requires the front facade to be consistent with the adjoining building to the north. The proposed front setbacks are considered acceptable and will ensure the new building does not dominate the Forest Street streetscape.

Shed 1 is proposed to be setback 1m from the Bruce Street frontage. Such a setback does not allow for sufficient landscaping, to be provided on-site to soften the building's appearance given the overall scale and height of the built form. The proposal is currently relying on the existing planting of street trees along Bruce Street to soften the impact. When assessing the impact of the built form in accordance with the objectives of the DDO1, it is considered that the proposed setback does not provide sufficient space for landscaping on-site and the resultant impact of the built form on the streetscape would be in conflict with the objectives of the DDO1.

The existing building to the north west of proposed Shed 1 is setback 5.4m from the Bruce Street frontage. A similar setback for Shed 1 would provide sufficient space for landscaping which would be capable of softening the building's visual appearance. Furthermore, a 5m setback would reduce the visual dominance of the warehouse when viewed from Bruce Street keeping in mind that Shed 1 has an external wall height of 7.2 m and overall height of 9.2m to the roof pitch. A setback of 5 metres can be accommodated on the site without unnecessarily interfering with the overall use of the site. Therefore, it is recommended that a condition is included on any Permit issued requiring Shed 1 to be setback a minimum of 5m from the Bruce Street property boundary along with a requirement for adequate landscaping to be provided.

The subject site has a total area of 39,634sqm. The proposal will result in a total building area of 10,511sqm which equates to a plot ratio of 26.5%, well below the 40% maximum required by the overlay.

#### Building height

The proposal incorporates the construction of two (2) separate warehouses. The large rectangular warehouse (shed 2) adjacent to Bruce Street has a maximum height of 9.2m to the roof pitch and an external wall height of 7.1m. The square warehouse (shed 1) adjacent to Forest Street has a maximum height of 9.83m to the roof pitch and an external wall height of 7.1m.

The height of the proposed warehouses is consistent with existing buildings on-site and on surrounding industrial properties. The subject site is large enough to accommodate the built form and still have areas that have no structures. The proposed warehouses will fit proportionally on the site and will not be out of character with other development within the industrial precinct.

### Car parking

The proposal is seeking a waiver of 60 car spaces.

Whilst the net floor area is increased, it is noted that the proposal does not actually intensify the sites' usage. The warehouses are required for the storage of processed timber products which are currently stored uncovered in the same location as the proposed buildings.

The subject site is currently provided with 50 onsite parking spaces in three (3) separate areas. A total of 29 staff are employed on-site, which is not to be increased by the proposal. The provision of 50 spaces for 29 staff plus visitors is considered to be sufficient.

The applicant has indicated that there is the potential for a future 20 space car park to be created to the north of the existing residence on Bruce Street if demand develops in the future. At this stage there is no evidence to suggest that such car parking is required. Several site inspections have revealed that existing on-site parking spaces are not fully utilised. Furthermore, on-street parking demand appeared to be low.

It is acknowledged that the future use of the site could change for one reason or another. If the proposed warehouse were at some stage proposed to be used for 'Industry' such a use could not commence unless sufficient additional on-site parking were provided or if a planning permit was granted to waive the parking requirements.

### **Corporate Plan / Other Strategies / Policy**

#### Colac Structure Plan 2007

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

*„A thriving industrial sector that provides opportunities for the development of a range of industries and associated activities, in a location and form that is compatible with surrounding development, and that achieves high quality and sustainable design outcomes.“*

The proposed development is consistent with the vision and objectives of the Colac Structure Plan in that the proposed development will help to maintain the economic viability of the existing industry and will not detract from the built form and landscape of the industrial area. AKD is one of Colac's Major Businesses employing many local people and attracting business from all over the State. The proposal represents a significant investment and commitment to retaining the industry within Colac to the benefit of the greater community.

### **Financial and Other Resource Implications**

There are no financial implications arising from this report.

### **Risk Management & Compliance Issues**

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

### **Environmental and Climate Change Considerations**

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

### **Communication Strategy / Consultation**

Public notice of the application was required for the waiver of car parking. The applicant will be advised of the decision, and have the opportunity to seek a review of Council's decision at the Victorian Civil and Administrative Tribunal.



## **Conclusion**

Overall the proposal is considered to be a positive outcome and will not result in any detriment to the amenity of the surrounding area or any persons. The proposal will allow for the existing use to continue in an economically viable manner. The warehouses will also assist in improving the visual appearance of the current operation by allowing the timber products to be stored out of sight and the landscaping along the street frontages. The departure in regard to setbacks required by the DDO1 is justified given the constraints of the site and the waiver of car parking is acceptable given the level of existing car parking on-site, the number of current employees and the use of the site.

It is recommended that a planning permit be granted.

## **Attachments**

Nil

## **Recommendation(s)**

***That the Planning Committee resolve to grant a Permit for the construction of two (2) warehouses for timber storage and a waiver of car parking spaces at 7-15 Forest Street, Colac subject to the following conditions:***

- 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) Shed 1 setback a minimum of 5.0m from the Bruce Street property boundary.***
  - (b) Landscaping within the 5.0m setback with an emphasis on native vegetation capable of providing a visual screen between proposed Shed 1 and the Bruce Street streetscape.***
- 2. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***
- 3. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:***
  - (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;***
  - (b) details of surface finishes of pathways and driveways;***

- (c) *a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.*
- (d) *Canopy trees to a minimum height of 1.5 metres tall when planted;*

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

- 4. *Before the use of the development starts the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.*
- 5. *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.*
- 6. *Stormwater must be discharged to the existing on-site drainage system, limiting flows to no more than 64l/s/ha.*
- 7. *Heavy vehicle manoeuvring must only occur within the boundaries of the subject site.*
- 8. *The colour of building materials employed in the construction of the buildings and works hereby permitted must be of muted earthy tones to the satisfaction of the Responsible Authority.*
- 9. *This permit will expire if one of the following circumstances applies:*
  - a) *The development is not started within two (2) years of the date of this permit.*
  - b) *The development is not completed within four (4) years of the date of this permit.*

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

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