

1. OPENING PRAYER

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

AMEN

2. PRESENT

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

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

3. APOLOGIES

Cr Stephen Hart
Cr Stuart Hart
Rob Small, Chief Executive Officer

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 13/10/10.**

Resolution

MOVED Cr Geoff Higgins seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 5:0

OFFICERS' REPORTS

Sustainable Planning and Development

PC101011-1	PLANNING & BUILDING STATISTICAL REPORT
PC101011-2	WAIVER OF CAR PARKING REQUIREMENT FOR ADDITIONAL STORAGE AREA AT 76 CORANGAMITE STREET, COLAC (COPACC)
PC101011-3	WAIVER OF CAR PARKING REQUIREMENT IN ASSOCIATION WITH THE USE OF THE SITE AS A RESTAURANT AND A LIQUOR LICENCE AT 1/137 GREAT OCEAN ROAD, APOLLO BAY
PC101011-4	USE OF THE LAND FOR A FUNERAL PARLOUR, BUILDING AND WORKS AND REDUCTION OF CAR PARKING AT 15 SKENE STREET COLAC
PC101011-5	DEVELOPMENT OF THE LAND FOR SEVEN DWELLINGS AND USE FOR CRISIS ACCOMMODATION AT 10 MARTIN STREET APOLLO BAY

- PC101011-6 DEVELOPMENT OF TWO OUTBUILDINGS (STORAGE) AND
THE WAIVER OF CAR SPACES AT 18 GRANT STREET,
FORREST
- PC101011-7 USE OF THE LAND FOR TRADE SUPPLY AND REDUCTION OF
CARPARKING REQUIREMENT AT 52A RAE STREET, COLAC

Rob Small
Chief Executive Officer

PC101011-1 *PLANNING & BUILDING STATISTICAL REPORT*

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

Recommendation(s)

That Council’s Planning Committee note the statistical report.

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**Resolution**

***MOVED Cr Brian Crook seconded Cr Geoff Higgins  
That Council’s Planning Committee note the statistical report.***

***CARRIED 5 : 0***

**PC101011-2**     *WAIVER OF CAR PARKING REQUIREMENT FOR ADDITIONAL STORAGE AREA AT 76 CORANGAMITE STREET, COLAC (COPACC)*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP292/2010 |

**Recommendation(s)**

***That Council’s Planning Committee resolves to issue a Notice of Decision to Grant a Planning Permit for a waiver of the car parking requirement at 76 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. 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***

~~~~~  
Resolution

MOVED Cr Frank Buchanan seconded Cr Brian Crook

That Council’s Planning Committee resolves to issue a Notice of Decision to Grant a Planning Permit for a waiver of the car parking requirement at 76 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. 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

CARRIED 5 : 0

PC101011-3 *WAIVER OF CAR PARKING REQUIREMENT IN ASSOCIATION WITH THE USE OF THE SITE AS A RESTAURANT AND A LIQUOR LICENCE AT 1/137 GREAT OCEAN ROAD, APOLLO BAY*

AUTHOR:	Carl Menze	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	PP288/2010

Recommendation(s)

That Council's Planning Committee resolves to issue a Notice of Decision to grant a Planning Permit for a waiver of car parking in association with the use of the land for a restaurant, and restaurant and cafe liquor licence for Shop 1, 137 Great Ocean Road, Apollo Bay subject to the following conditions:

- 1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 2. No more than 21 seats may be made available inside and 8 seats on the kerbside area may be available at any one time to patrons associated with the restaurant, without the written consent of the responsible authority.***
- 3. A permit must be obtained to enable part of the road reservation to be used for seating of patrons in accordance with Council's Local Laws prior to the commencement of the use of the land for a restaurant.***
- 4. The premises may be used for the consumption of liquor only within the following hours:***
 - a) Monday to Saturday - 7:30 am to 6:30 pm***
 - b) Sunday - Closed***
- 5. The provision and or consumption of liquor within the development hereby permitted must be subject to the issue of a Restaurant and Cafe Liquor licence, pursuant of the provision of the Liquor Control Reform Act, 1988, as amended.***
- 6. 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.

~~~~~  
**Resolution**

***MOVED Cr Geoff Higgins seconded Cr Brian Crook***

***That Council's Planning Committee resolves to issue a Notice of Decision to grant a Planning Permit for a waiver of car parking in association with the use of the land for a restaurant, and restaurant and cafe liquor licence for Shop 1, 137 Great Ocean Road, Apollo Bay subject to the following conditions:***

- 1. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 2. No more than 21 seats may be made available inside and 8 seats on the kerbside area may be available at any one time to patrons associated with the restaurant, without the written consent of the responsible authority.***
- 3. A permit must be obtained to enable part of the road reservation to be used for seating of patrons in accordance with Council's Local Laws prior to the commencement of the use of the land for a restaurant.***
- 4. The premises may be used for the consumption of liquor only within the following hours:***
  - a) Monday to Saturday - 7:30 am to 6:30 pm***
  - b) Sunday - Closed***
- 5. The provision and or consumption of liquor within the development hereby permitted must be subject to the issue of a Restaurant and Cafe Liquor licence, pursuant of the provision of the Liquor Control Reform Act, 1988, as amended.***
- 6. 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***

***CARRIED 5 : 0***

**PC101011-4**     *USE OF THE LAND FOR A FUNERAL PARLOUR, BUILDING AND WORKS AND REDUCTION OF CAR PARKING AT 15 SKENE STREET COLAC*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Anne Sorensen                      | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP212/2010 |

**Note:** *An amended recommendation was placed into the Agenda by the officers. This new recommendation was developed as a result of further discussions with the applicant prior to the Planning Committee meeting and subsequent to the distribution of the original Agenda.*

**Recommendation(s)**

***That Council's Planning Committee resolves to grant a Planning Permit for the use of the land for a Funeral Parlour, building and works and reduction of car parking at 15 Skene Street, Colac subject to the following conditions:***

1. ***Before the development start(s), 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 prepared by G De La Rue Architect Ref: 10:30 dated 02/08/10 submitted with the application but modified to show:***
  - a) ***the deletion of car park 1 in the secondary car park.***
2. ***The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***
3. ***Before the use commences, the owner must either consolidate both crown allotments or enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 to provide that neither Crown Allotment may be independently disposed of unless the use of the land approved by PP212/2010 for a Funeral Parlour ceases. Before the use commences, application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Planning and Environment Act. The permit holder must pay the reasonable costs of the preparation, execution and registration of the Section 173 agreement.***
4. ***The pulpit and façade of the organ pipes must not be removed from their current location within the Church to the satisfaction of the Responsible Authority.***

5. ***Prior to the commencement of the building and works, and the removal of the organ console, the pulpit and pipe mechanism must be photographically recorded; the organ console must be photographically recorded in its current location to allow for the potential accurate reinstatement of the organ in its original location if so required in the future. Three copies of this photographic record should be prepared with one submitted to the Responsible Authority, one kept with the organ console and one retained by the permit holder for their records.***
6. ***The external and internal colour scheme of the Church and the external colour scheme of the Hall must not be altered without the further written approval of the Responsible Authority.***
7. ***The hall is only permitted to be used in conjunction with the use of the land for a Funeral Parlour. The hall must not be used independently as a place of assembly without the further written consent of the Responsible Authority.***
8. ***The existing brick fence along the Skene, Manifold and Grant Street must be retained and kept in good repair to the satisfaction of the Responsible Authority.***
9. ***A fence (or landscape treatment such as a solid hedge) and gate should be provided to secure entry and exit to the main and secondary car parking areas to prevent access by non authorised persons outside of operating hours to the satisfaction of the Responsible Authority.***
10. ***Funeral services may only be held between the hours of 8.30am to 5.30pm. This condition does not apply to other activities associated with the approved use.***
11. ***Prior to the commencement of the development, 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 be generally in accordance with the landscape concept plan dated 02/08/10 prepared by Geoff De La Rue, except that the plan must show:***
  - a) ***A survey (including botanical names) of all existing vegetation to be retained and/or removed (any trees to be removed must be supported by an Arborist's report);***
  - 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) ***Landscaping must comprise of a mixture of canopy trees throughout the car parking areas and shrubs and ground cover, and plantings to achieve a visual barrier along the eastern property boundary;***
  - e) ***Clear identification of existing mature trees to be protected as required by condition 15 during the construction of the car park.***

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

- 12. The landscaping shown on the endorsed plans must be established prior to the commencement of the use and maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***
- 13. Before the commencement of the development of the car parking area, a 'Tree Protection Zone' must be established around the existing mature trees identified on the endorsed Landscape Plan. The tree protection zone is to be calculated by being the radius 12 times the diameter at Breast Height (DBH). A tree protection fence must be erected around the existing mature trees to provide for a 'Tree Protection Zone'. The fence must be to the satisfaction of the Responsible Authority and remain in place until construction of the car parking areas is complete. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Responsible Authority.***
- 14. Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:***
  - a) A staging plan for all construction phases including indicative dates for commencement and completion;***
  - b) Intended access for construction vehicles;***
  - c) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact (e.g. retaining walls, protective scaffolding, etc);***
  - d) Details of actions to be implemented in the event of damage to abutting assets;***
  - e) Details of where construction personnel will park;***
  - f) Hours/days of construction;***
  - g) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;***
  - h) Details of site cleanliness and clean up regimes;***
  - i) Material storage;***
  - j) Dust suppression.***

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

- 15. All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***

16. ***During the construction phase of the development, the following conditions must be met:***
- a) ***Only clean water shall be discharged to the stormwater drainage system;***
  - b) ***Stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;***
  - c) ***Vehicle borne material from the premises shall not accumulate on the roads abutting the site;***
  - d) ***All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;***
  - e) ***Fencing is to be fitted and installed so as to ensure safe access for pedestrians;***
  - f) ***All litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site.***

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

17. ***Before the use commences, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***
- a) ***designed and constructed to conform with AS/NZ2890.1:2004 Australian standards;***
  - b) ***disabled spaces and access ways designed and constructed to conform with AS/NZ2890.6:2009 Australian standards;***
  - c) ***properly formed to such levels that they can be used in accordance with the plans;***
  - d) ***surfaced with an all weather surface;***
  - e) ***drained and maintained;***
  - f) ***line marked to indicate each car space and all access lanes and designated loading bay;***
  - g) ***clearly marked to show the direction of traffic along access land and driveways;***
  - h) ***constructed with entry/exit signs provided at the Skene and Manifold Street entries;***
  - i) ***all existing vehicle crossings and property entry/exit points that are not required are to be removed and reinstated;***

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

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

18. ***The areas set aside for the parking of vehicles and access ways approved must be constructed to a sealed surface within four (4) years of the commencement of the use to the satisfaction of the Responsible Authority.***
19. ***No fewer than 52 car parking spaces must be provided on the land.***
20. ***Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening not required must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.***
21. ***All run off from stormwater must be taken to a legal point of discharge to the satisfaction of the Responsible Authority and the hard stand areas of the development must be designed to incorporate water sensitive urban design principles to the satisfaction of the Responsible Authority. Drainage plans must be submitted to the Responsible Authority for approval prior to commencement of the development and demonstrate that a maximum discharge rate of 30 litres per second per hectare is not exceeded.***
22. ***Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining properties.***
23. ***The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land or in the streets nearby.***
24. ***The amenity of the area must not be detrimentally affected by the use or development through the:***
  - a) ***Transport of materials, goods or commodities to or from the land;***
  - b) ***Appearance of any building, works or materials;***
  - c) ***Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;***
  - d) ***Presence of vermin.******to the satisfaction of the Responsible Authority.***
25. ***All infectious waste must be handled in accordance with Health Regulations and collected on a regular basis by a private contractor for disposal.***
26. ***Prior to the commencement of the use, the kitchen must be of a standard that meets the Health Regulations for the preparation and serving of food to the public to the satisfaction of the Responsible Authority.***

27. *This permit will expire for the use and development if one of the following circumstances applies:*

- a) *The use and development is not commenced within two years of the date of this permit;*
- b) *The use and development is not completed within four years of the date of this permit;*

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

~~~~~  
Resolution

MOVED Cr Chris Smith seconded Cr Frank Buchanan

That Council's Planning Committee resolves to grant a Planning Permit for the use of the land for a Funeral Parlour, building and works and reduction of car parking at 15 Skene Street, Colac subject to the following conditions:

1. ***Before the development start(s), 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 prepared by G De La Rue Architect Ref: 10:30 dated 02/08/10 submitted with the application but modified to show:***
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 - 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) ***Landscaping must comprise of a mixture of canopy trees throughout the car parking areas and shrubs and ground cover, and plantings to achieve a visual barrier along the eastern property boundary;***
 - e) ***Clear identification of existing mature trees to be protected as required by condition 15 during the construction of the car park.***

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

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- 13. Before the commencement of the development of the car parking area, a 'Tree Protection Zone' must be established around the existing mature trees identified on the endorsed Landscape Plan. The tree protection zone is to be calculated by being the radius 12 times the diameter at Breast Height (DBH). A tree protection fence must be erected around the existing mature trees to provide for a 'Tree Protection Zone'. The fence must be to the satisfaction of the Responsible Authority and remain in place until construction of the car parking areas is complete. The ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered regularly to the satisfaction of the Responsible Authority.***
- 14. Prior to commencement of any construction on this site, a detailed Construction Management Plan must be submitted to and approved by the Responsible Authority. This plan must detail the following:***
 - a) A staging plan for all construction phases including indicative dates for commencement and completion;***
 - b) Intended access for construction vehicles;***
 - c) Engineering assessment of assets that will be impacted on by construction and recommended techniques to minimise any adverse impact (e.g. retaining walls, protective scaffolding, etc);***
 - d) Details of actions to be implemented in the event of damage to abutting assets;***
 - e) Details of where construction personnel will park;***
 - f) Hours/days of construction;***
 - g) Phone numbers of on-site personnel or other supervisory staff to be contactable in the event of issues arising on site;***
 - h) Details of site cleanliness and clean up regimes;***
 - i) Material storage;***
 - j) Dust suppression.***

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

- 15. All development and works must be carried out in accordance with the Construction Management Plan required by the above condition and endorsed under this permit, to the satisfaction of the Responsible Authority.***
- 16. During the construction phase of the development, the following conditions must be met:***

- a) *Only clean water shall be discharged to the stormwater drainage system;*
- b) *Stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;*
- c) *Vehicle borne material from the premises shall not accumulate on the roads abutting the site;*
- d) *All machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;*
- e) *Fencing is to be fitted and installed so as to ensure safe access for pedestrians;*
- f) *All litter (including items such as cement bags, food packaging and plastic strapping) must be contained on site.*

to the satisfaction of the Responsible Authority.

17. *Before the use commences, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:*

- a) *designed and constructed to conform with AS/NZ2890.1:2004 Australian standards;*
- b) *disabled spaces and access ways designed and constructed to conform with AS/NZ2890.6:2009 Australian standards;*
- c) *properly formed to such levels that they can be used in accordance with the plans;*
- d) *surfaced with an all weather surface;*
- e) *drained and maintained;*
- f) *line marked to indicate each car space and all access lanes and designated loading bay;*
- g) *clearly marked to show the direction of traffic along access land and driveways;*
- h) *constructed with entry/exit signs provided at the Skene and Manifold Street entries;*
- i) *all existing vehicle crossings and property entry/exit points that are not required are to be removed and reinstated;*

to the satisfaction of the Responsible Authority.

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

18. *The areas set aside for the parking of vehicles and access ways approved must be constructed to a sealed surface within four (4) years of the commencement of the use to the satisfaction of the Responsible Authority.*

19. ***No fewer than 52 car parking spaces must be provided on the land.***
20. ***Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening not required must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.***
21. ***All run off from stormwater must be taken to a legal point of discharge to the satisfaction of the Responsible Authority and the hard stand areas of the development must be designed to incorporate water sensitive urban design principles to the satisfaction of the Responsible Authority. Drainage plans must be submitted to the Responsible Authority for approval prior to commencement of the development and demonstrate that a maximum discharge rate of 30 litres per second per hectare is not exceeded.***
22. ***Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining properties.***
23. ***The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land or in the streets nearby.***
24. ***The amenity of the area must not be detrimentally affected by the use or development through the:***
 - a) ***Transport of materials, goods or commodities to or from the land;***
 - b) ***Appearance of any building, works or materials;***
 - c) ***Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;***
 - d) ***Presence of vermin.******to the satisfaction of the Responsible Authority.***
25. ***All infectious waste must be handled in accordance with Health Regulations and collected on a regular basis by a private contractor for disposal.***
26. ***Prior to the commencement of the use, the kitchen must be of a standard that meets the Health Regulations for the preparation and serving of food to the public to the satisfaction of the Responsible Authority.***
27. ***This permit will expire for the use and development if one of the following circumstances applies:***
 - a) ***The use and development is not commenced within two years of the date of this permit;***
 - b) ***The use and development is not completed within four years of the date of this permit;***

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

CARRIED 5 : 0

PC101011-5 *DEVELOPMENT OF THE LAND FOR SEVEN DWELLINGS AND USE FOR CRISIS ACCOMMODATION AT 10 MARTIN STREET APOLLO BAY*

AUTHOR:	Anne Sorensen	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	PP259/2009

Recommendation(s)

That Council’s Planning Committee resolves to issue a refusal to grant a Planning Permit PP259/2009-01 for the development of seven dwellings and use for crisis accommodation at 10 Martin Street, Apollo Bay on the following grounds:

- 1. The proposal is not consistent with relevant State and Local Planning Policy, in particular Clauses 12.02-6, 15.01-2, 16.01-1, 16.01-4, 16.01-5 and 16.02-2.***
- 2. The proposed development does not comply with the purpose of the Residential 1 Zone and all of the objectives of ResCode.***
- 3. The proposal is contrary to the objectives of the Design and Development Overlay – Schedule 6 (Medium Density Residential Areas).***
- 4. The application presents an inappropriate design and built form that will not make a positive contribution to the streetscape and the preferred neighbourhood character of the area.***
- 5. The size and siting of the dwellings is inadequate in achieving an acceptable standard of liveability for occupants or residential amenity for short term or longer term occupancy.***

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**Resolution**

***MOVED Cr Chris Smith seconded Cr Frank Buchanan***

***That Council’s Planning Committee withdraw Item PC101011-5 - Development of the Land for Seven Dwellings and Use For Crisis Accommodation at 10 Martin Street Apollo Bay.***

***CARRIED 5 : 0***

**PC101011-6**     *DEVELOPMENT OF TWO OUTBUILDINGS (STORAGE) AND THE WAIVER OF CAR SPACES AT 18 GRANT STREET, FORREST*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Ros Snaauw                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP169/2010 |

**Recommendation(s)**

***That Council’s Planning Committee resolves to grant a Notice of Decision for a permit for the use and development of two outbuildings for a store and waiver of car spaces at 18 Grant Street, Forrest 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. Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
- 3. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority.***
- 4. The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
- 5. 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.***
- 6. The outbuildings are to be used for storage only.***
- 7. 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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Resolution

MOVED Cr Geoff Higgins seconded Cr Brian Crook

That Council's Planning Committee resolves to grant a Notice of Decision for a permit for the use and development of two outbuildings for a store and waiver of car spaces at 18 Grant Street, Forrest 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. Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
- 3. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority.***
- 4. The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority.***
- 5. 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.***
- 6. The outbuildings are to be used for storage only.***
- 7. 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.

CARRIED 5 : 0

PC101011-7 *USE OF THE LAND FOR TRADE SUPPLY AND REDUCTION OF CARPARKING REQUIREMENT AT 52A RAE STREET, COLAC*

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Helen Evans | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP297/2010 |

Recommendation(s)

That Council’s Planning Committee resolves to grant a Planning Permit for the use of the building as a Trade Supply and a reduction of car parking requirement at 52A Rae Street, Colac subject to the following conditions:

- 1. The use and or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 2. The use must be managed so that the amenity of the area is not detrimentally affected, through the:***
 - Transport of materials, goods or commodities to or from the land***
 - Appearance of any building, works or materials***
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil***
- 3. Loading and unloading of all goods, materials and items must be carried out on the site within the defined loading bay on the endorsed plan to the satisfaction of the Responsible Authority.***
- 4. The loading bay area must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
- 5. No fewer than three car parking spaces must be provided on the land for the use hereby permitted.***
- 6. This permit will expire if the use of the land hereby permitted has not commenced within two years of the date of this permit. The Responsible Authority may extend the period if a request is made in writing before the permit expires, or within three months afterwards.***

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**Resolution**

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

***That Council's Planning Committee resolves to grant a Planning Permit for the use of the building as a Trade Supply and a reduction of car parking requirement at 52A Rae Street, Colac subject to the following conditions:***

- 1. The use and or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 2. The use must be managed so that the amenity of the area is not detrimentally affected, through the:***
  - Transport of materials, goods or commodities to or from the land***
  - Appearance of any building, works or materials***
  - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil***
- 3. Loading and unloading of all goods, materials and items must be carried out on the site within the defined loading bay on the endorsed plan to the satisfaction of the Responsible Authority.***
- 4. The loading bay area must remain free and available for this purpose at all times to the satisfaction of the Responsible Authority.***
- 5. No fewer than three car parking spaces must be provided on the land for the use hereby permitted.***
- 6. This permit will expire if the use of the land hereby permitted has not commenced within two years of the date of this permit. The Responsible Authority may extend the period if a request is made in writing before the permit expires, or within three months afterwards.***

***CARRIED 5 : 0***