

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

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

**3. APOLOGIES**

Nil

**4. MAYORAL STATEMENT**

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

Colac Otway Shire encourages active community input and participation in Council decisions. 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

Cr Stephen Hart:	Proposed Amendment To An Existing Permit Allowing The Conversion Of An Outbuilding To Tourist Accommodation At 3229 Great Ocean Road, Glenaire
Nature of Disclosure:	Indirect
Type of Indirect Interest:	78C
Nature of Interest:	An Objector has created and provided me with a website for no charge.

## 6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

Item PC100812-3 Ros Denney  
Bruce Costin

Item PC100812-4 Liz Connor  
Juliet & Charles Le Feuvre – submitted in writing read by the Mayor  
Wye River & Separation Creek Progress Association – submitted in writing read by the Mayor  
Maree Charalambous  
Will Pearce

## 7. CONFIRMATION OF MINUTES

- Planning Committee held on the 10/11/10.

### **Resolution**

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

***CARRIED 7 : 0***

## **OFFICERS' REPORTS**

### **Sustainable Planning and Development**

- PC100812-1 PLANNING & BUILDING STATISTICAL REPORT
- PC100812-2 DEVELOPMENT OF A DWELLING AND REMOVAL OF THREE (3)  
NATIVE TREES AT 48 KARINGAL DRIVE, WYE RIVER
- PC100812-3 PROPOSED AMENDMENT TO AN EXISTING PERMIT  
ALLOWING THE CONVERSION OF AN OUTBUILDING TO  
TOURIST ACCOMMODATION AT 3229 GREAT OCEAN ROAD,  
GLENAIRE
- PC100812-4 BUILDINGS AND WORKS FOR THE PURPOSE OF  
CONSTRUCTING A DWELLING AT 23 ILUKA AVENUE, WYE  
RIVER

**Rob Small**

Chief Executive Officer

**PC100812-1**     *PLANNING & BUILDING STATISTICAL REPORT*

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

**Recommendation(s)**

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

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**Resolution**

***MOVED Cr Stephen Hart seconded Cr Stuart Hart  
That Council Planning Committee note the statistical report.***

***CARRIED 7 : 0***

**PC100812-2**      *DEVELOPMENT OF A DWELLING AND REMOVAL OF THREE  
(3) NATIVE TREES AT 48 KARINGAL DRIVE, WYE RIVER*

|             |                                          |           |            |
|-------------|------------------------------------------|-----------|------------|
| AUTHOR:     | Ros Snaauw                               | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | PP103/2010 |

**Recommendation(s)**

***That Council Planning Committee resolve to grant a permit for the Development of a Dwelling and the removal of three (3) native trees at 48 Karingal Drive, Wye River subject to the following conditions:***

- 1. Prior to the commencement of the development, amended plans must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must generally be in accordance with the plans submitted with the application, but modified to show car parking being contained within the property boundary***
- 2. Before the development starts, colour samples of all external roof and wall finishes must be submitted to the Responsible Authority for consideration. When approved, such information will be endorsed and will form part of the permit issued.***
- 3. 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.***
- 4. No trenching, soil excavation, storage or dumping of tools, equipment or waste is to occur on native vegetation without the written consent of the Responsible Authority.***
- 5. Sediment movement and erosion must be controlled onsite, and not have opportunity to move offsite or away from the immediate construction area.***
- 6. All environmental weeds as outlined in "Environmental Weeds of the Colac Otway Shire" brochure must be controlled on the property at all times and prevented from spreading to neighbouring land to the satisfaction of the responsible authority.***
- 7. No environmental weeds as referred to in "Environment Weeds of the Colac Otway Shire" brochure will be planted on or allowed to invade the site.***
- 8. An all waste septic tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.***

9. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
10. ***An application to construct a vehicle crossing must be lodged and approved by the Responsible Authority prior to the commencement of works with the maximum grade 1 in 8 (12.5%).***
11. ***The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority with driveway cuts to be avoided where possible.***
12. ***Maximum batter slopes to be 1 vertical to 2 horizontal, unless in sound rock where the batter slopes may be increased to 1 vertical and 1 horizontal.***
13. ***Stormwater discharge from the approved stormwater detention system must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge the septic effluent disposal system.***
14. ***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.***
15. ***The proponent must follow the recommendations contained in the Landcapability Assessment Report undertaken by Provincial Geotechnical Pty Ltd, Report Number F9039 dated 26 June 2009 and Geotechnical Assessment of Landslide Risk undertaken by Provincial Geotechnical Pty Ltd, Report Number A0094 dated 25 February 2010.***
16. ***All external cladding and roofing of the dwelling hereby permitted shall be of a non reflective material which will effectively blend the development in with the natural colours of the surrounding landscape (ie not white, off-white, beige, cream, fawn, light yellow or similar colour, galvanised or zincalume, gull grey or any other unsuitable colours) to the satisfaction of the Responsible Authority.***

**Conditions Required by the Country Fire Authority**

17. ***Water Supply Requirements***
  - 17.1 ***A static water supply such as a tank must be provided and must meet the following requirements:***
    - 17.1.1 ***A minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting.***
    - 17.1.2 ***The water supply must be located within 60 metres of the dwelling.***
    - 17.1.3 ***Fire brigade vehicles must be able to get to within four metres of the water supply outlet as indicated on the wildfire development plan.***

- 17.1.4** *The water supply must be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below ground water pipelines must be installed to the following depths:*
- *Subject to vehicle traffic – 300mm*
  - *Under houses or concrete slabs – 75mm*
  - *All other locations – 225mm*
  - *All fixed above ground water pipelines and fittings, including water supply, must be constructed of non corrosive and non combustible materials or protected from the effects of radiant heat and flame.*
- 17.2** *If the static water supply is above ground the following additional standards apply:*
- 17.2.1** *All above ground static water supply must provide at least one 64mm 3 thread/25mm x 50mm nominal bore British Standard Pipe (BSP), round male coupling (see Appendix A: Figure 2).*
- 17.2.2** *the average grade must be no more than 1 in 7 (14.4%)(8.1<sup>0</sup>) with a maximum of no more than 1 in 5 (20%)(11.3<sup>0</sup>) for no more than 50 metres.*
- 17.2.3.** *dips must have no more than a 1 in 8 (12.5%)(7.1<sup>0</sup>) entry and exit angle.*
- 18. Access Requirements**
- 18.1** *Access to the dwelling must be designed to allow emergency vehicles access. The minimum design requirements are as follows:*
- 18.1.1** *curves in driveway must have a minimum inner radius of ten metres;*
- 18.1.2** *the average grade must be no more than 1 in 7 (14.4%)(8.1<sup>0</sup>) with a maximum of no more than 1 in 5 (20%) (11.3<sup>0</sup>) for no more than 50 metres;*
- 18.1.3** *dips must have no more than a 1 in 8 (12.5%)(7.1<sup>0</sup>) entry and exit angle.*
- 19. Vegetation Management Requirements**
- 19.1** *The wildfire management plan dated 8 September 2010 must be endorsed as part of the Permit.*
- 19.2.** *The vegetation management areas as indicated on the wildfire management plan be maintained to the following standard:*
- Inner Zone**
- A distance of 10 metres around the proposed dwelling or to the property boundary (whichever is the lesser) must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the responsible authority.*
- *Grass must be no more than 100mm in height.*

- *Leaf litter must be less than 10mm deep.*
- *There must be no elevated fuel on at least 50% of the Inner zone. On the remaining 50% the inner zone, elevated fuel must be at most, sparse, with very little dead material.*
- *Dry shrubs must be isolated in small clumps more than 10m away from the dwelling.*
- *Trees must not overhang the roofline of the dwelling.*

**Outer Zone**

*Vegetation in outer zones, as specified in the wildfire development plan must be maintained to the following requirements during the declared ‘Fire Danger Period’ to the satisfaction of the responsible authority.*

- *Grass must be no more than 100mm in height.*
- *Leaf litter must be less than 20mm deep.*
- *There must be no elevated fuel on at least 50% of the outer zone area.*
- *Clumps of dry native shrubs must be isolated from one another by at least ten metres.*

**22. Expiry of Permit**

*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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**Resolution**

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

***That Council Planning Committee resolve to grant a permit for the Development of a Dwelling and the removal of three (3) native trees at 48 Karingal Drive, Wye River subject to the following conditions:***

1. ***Prior to the commencement of the development, amended plans must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies provided. The plans must generally be in accordance with the plans submitted with the application, but modified to show car parking being contained within the property boundary***



2. ***Before the development starts, colour samples of all external roof and wall finishes must be submitted to the Responsible Authority for consideration. When approved, such information will be endorsed and will form part of the permit issued.***
3. ***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.***
4. ***No trenching, soil excavation, storage or dumping of tools, equipment or waste is to occur on native vegetation without the written consent of the Responsible Authority.***
5. ***Sediment movement and erosion must be controlled onsite, and not have opportunity to move offsite or away from the immediate construction area.***
6. ***All environmental weeds as outlined in "Environmental Weeds of the Colac Otway Shire" brochure must be controlled on the property at all times and prevented from spreading to neighbouring land to the satisfaction of the responsible authority.***
7. ***No environmental weeds as referred to in "Environment Weeds of the Colac Otway Shire" brochure will be planted on or allowed to invade the site.***
8. ***An all waste septic tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.***
9. ***Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.***
10. ***An application to construct a vehicle crossing must be lodged and approved by the Responsible Authority prior to the commencement of works with the maximum grade 1 in 8 (12.5%).***
11. ***The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority with driveway cuts to be avoided where possible.***
12. ***Maximum batter slopes to be 1 vertical to 2 horizontal, unless in sound rock where the batter slopes may be increased to 1 vertical and 1 horizontal.***
13. ***Stormwater discharge from the approved stormwater detention system must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge the septic effluent disposal system.***

14. **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.**
15. **The proponent must follow the recommendations contained in the Landcapability Assessment Report undertaken by Provincial Geotechnical Pty Ltd, Report Number F9039 dated 26 June 2009 and Geotechnical Assessment of Landslide Risk undertaken by Provincial Geotechnical Pty Ltd, Report Number A0094 dated 25 February 2010.**
16. **All external cladding and roofing of the dwelling hereby permitted shall be of a non reflective material which will effectively blend the development in with the natural colours of the surrounding landscape (ie not white, off-white, beige, cream, fawn, light yellow or similar colour, galvanised or zincalume, gull grey or any other unsuitable colours) to the satisfaction of the Responsible Authority.**

**Conditions Required by the Country Fire Authority**

**17. Water Supply Requirements**

**17.1 A static water supply such as a tank must be provided and must meet the following requirements:**

**17.1.1 A minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting.**

**17.1.2 The water supply must be located within 60 metres of the dwelling.**

**17.1.3 Fire brigade vehicles must be able to get to within four metres of the water supply outlet as indicated on the wildfire development plan.**

**17.1.4 The water supply must be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below ground water pipelines must be installed to the following depths:**

- **Subject to vehicle traffic – 300mm**
- **Under houses or concrete slabs – 75mm**
- **All other locations – 225mm**
- **All fixed above ground water pipelines and fittings, including water supply, must be constructed of non corrosive and non combustible materials or protected from the effects of radiant heat and flame.**

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

**17.2.1 All above ground static water supply must provide at least one 64mm 3 thread/25mm x 50mm nominal bore British Standard Pipe (BSP), round male coupling (see Appendix A: Figure 2).**

**17.2.2 the average grade must be no more than 1 in 7 (14.4%)(8.1<sup>0</sup>) with a maximum of no more than 1 in 5 (20%)(11.3<sup>0</sup>) for no more than 50 metres.**

**17.2.3. dips must have no more than a 1 in 8 (12.5%)(7.1<sup>0</sup>) entry and exit angle.**

**18. Access Requirements**

**18.1 Access to the dwelling must be designed to allow emergency vehicles access. The minimum design requirements are as follows:**

**18.1.1 curves in driveway must have a minimum inner radius of ten metres;**

**18.1.2 the average grade must be no more than 1 in 7 (14.4%)(8.1<sup>0</sup>) with a maximum of no more than 1 in 5 (20%) (11.3<sup>0</sup>) for no more than 50 metres;**

**18.1.3 dips must have no more than a 1 in 8 (12.5%)(7.1<sup>0</sup>) entry and exit angle.**

**19. Vegetation Management Requirements**

**19.1 The wildfire management plan dated 8 September 2010 must be endorsed as part of the Permit.**

**19.2. The vegetation management areas as indicated on the wildfire management plan be maintained to the following standard:**

**Inner Zone**

**A distance of 10 metres around the proposed dwelling or to the property boundary (whichever is the lesser) must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the responsible authority.**

- Grass must be no more than 100mm in height.**
- Leaf litter must be less than 10mm deep.**
- There must be no elevated fuel on at least 50% of the Inner zone. On the remaining 50% the inner zone, elevated fuel must be at most, sparse, with very little dead material.**
- Dry shrubs must be isolated in small clumps more than 10m away from the dwelling.**
- Trees must not overhang the roofline of the dwelling.**

**Outer Zone**

**Vegetation in outer zones, as specified in the wildfire development plan must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the responsible authority.**

- Grass must be no more than 100mm in height.**
- Leaf litter must be less than 20mm deep.**
- There must be no elevated fuel on at least 50% of the outer zone area.**
- Clumps of dry native shrubs must be isolated from one another by at least ten metres.**

**22. Expiry of Permit**

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

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

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

**CARRIED 7 : 0**

**PC100812-3**     *PROPOSED AMENDMENT TO AN EXISTING PERMIT  
ALLOWING THE CONVERSION OF AN OUTBUILDING TO  
TOURIST ACCOMMODATION AT 3229 GREAT OCEAN ROAD,  
GLENAIRE*

|             |  |           |              |
|-------------|--|-----------|--------------|
| AUTHOR:     | Ian Williams                             | ENDORSED: | Jack Green   |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | PP326/2003-3 |

**Recommendation(s)**

***That Council's Planning Committee issue a Notice of Decision to grant an amended Planning Permit PP326/2003-3 to convert the outbuilding to tourist accommodation – amendment at 3229 Great Ocean Road, Glenaire, 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) deleted
  - (b) the colours proposed to be used externally on the buildings. Such colours shall distinguish the accommodation buildings from the adjoining residence.
  - (c) the relocation of the water pump to under the elevated water tank
  - (d) deleted
  - (e) details of all external plant and equipment to both units, including air conditioning units.
2. Prior to the commencement of any works, a Contaminated Site Assessment shall be undertaken by an experienced Environment Auditor registered pursuant to the Environmental Protection Act and prepared to the satisfaction of the responsible authority. The assessment, when satisfactory to the responsible authority shall be endorsed and form part of this permit. Any further assessment or remediation works, if required, must be completed prior to commencement of any works and to the satisfaction of the responsible authority.
3. The layout of the site and size of the proposed buildings and works as shown on the endorsed plans shall not be altered or modified without the consent of the Responsible Authority.

4. **Access onto and within the property shall be constructed to the satisfaction of the Responsible Authority and to the standard shown on the endorsed plans.**
5. **The surface of the car park area must be treated to the satisfaction of the Responsible Authority to prevent dust causing loss of amenity to the neighbourhood.**
6. **In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.**
7. **No fewer than three (3) car parking spaces must be provided on the land for the use and or development.**
8. **An all-waste septic tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.**
9. **A permit to install an all waste septic tank system must be lodged and approved by the Responsible Authority prior to the commencement of works. Such system must be designed and installed to the satisfaction of the responsible authority before a Permit to Use the waste septic tank can be issued.**
10. **The proposed septic tank system must not be located within 60m metres of the bank of any surface waters, unless the liquid waste is treated to the satisfaction of the responsible authority. Any such reduction in distance to the surface waters will be at the discretion of the responsible authority.**
11. **All run-off from storm water, including overflow from water storage and waste-water, shall be taken to a legal point of discharge to the satisfaction of the Responsible Authority.**
12. **All development and works associated with this permit shall be carried out in strict conformity with the recommendations of the Geotechnical Assessment for Slope Stability prepared by Bruce Hollioake and Partners dated 15 January 2004.**
13. **The accommodation units must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the Responsible Authority. Any provision of reticulated electricity must not unreasonably impact on the existing infrastructure and be to the satisfaction of the Responsible Authority and Powercor.**
14. **The accommodation units must have a potable water supply with adequate storage for domestic use as well as for fire fighting purposes to the satisfaction of the Responsible Authority.**
15. **The minimum amount of stored water exclusively for fire fighting purposes shall be 10,000 litres with a 64mm 3 threads/25mm round thread male coupling with the CFA fitting at the bottom of the storage facility.**

16. The paved area, roof sails, awnings, exterior walls and other external features of the accommodation units and fencing shall be constructed of non-reflective materials which will effectively blend the development in with the natural colours of the surrounding landscape.
17. Within 3 months of the date of issue of this amended permit, 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 plan must:
  - a) Show plantings of a suitable species, at a suitable location around the accommodation units to soften their impact on the landscape; and
  - b) Have regard to wildfire safety.
  - c) Screen the water and gas tanks, the south end of the accommodation unit and the existing dwelling at 3229 Great Ocean Road from the adjacent dwelling at 3227 Great Ocean Road.
18. The landscaping shall be established within 6 months of commencement of the use hereby permitted and shall be permanently maintained to the satisfaction of the Responsible Authority.
19. If the development authorised by this permit is not completed by 19 September 2011, this permit shall expire, unless an extension of time is approved by the Responsible Authority. The written request for an extension of time must be received before 3 months have elapsed after the date of expiry.
20. Within 3 months of the date of issue of this amended permit, the existing light affixed to the rear of Unit 2 shall be appropriately shielded so as to prevent light spill and glare to the adjacent dwelling at 3227 Great Ocean Road.
21. The secondary access lane located to the south of 3227 Great Ocean Road, shall not be used by residents of the accommodation units or in association with the accommodation units and shall only be used by CFA vehicles in an emergency, by gas supply vehicles for the filling of the gas tanks and for general farm purposes. The secondary access lane shall not be used for any other service vehicles associated with the use without the written consent of the Responsible Authority.
22. Within 3 months of the date of issue of this amended permit a sample of the glass with obscure film attached to be used on the loft windows to the south west elevation shall be submitted to and approved by the Responsible Authority. When approved, the sample will be endorsed and will then form part of the permit. The sample must be consistent with the level of obscurity already used on the loft windows to the south west elevation. The obscure film shall not be removed from the loft windows without the written consent of the Responsible Authority.

23. The awning windows to the south west elevation shall be prevented from opening by more than 8cm along the bottom edge without the written consent of the Responsible Authority.
24. Should at any time in the future the internal loft floor be extended over the existing internal void towards the northern end of unit 1, then the remaining 30cm of clear glazing to the south west elevation shall be obscured to a level to match the existing obscurity of the windows at this level, to the satisfaction of the Responsible Authority.

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Having declared a conflict of interest Cr Stephen Hart left Council Chambers at 10:39am

**Resolution**

***MOVED Cr Stuart Hart seconded Cr Brian Crook***

***That Council's Planning Committee issue a Notice of Decision to grant an amended Planning Permit PP326/2003-3 to convert the outbuilding to tourist accommodation – at 3229 Great Ocean Road, Glenaire, 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) ***deleted***
  - (b) ***the colours proposed to be used externally on the buildings. Such colours shall distinguish the accommodation buildings from the adjoining residence.***
  - (c) ***the relocation of the water pump to under the elevated water tank***
  - (d) ***deleted***
  - (e) ***details of all external plant and equipment to both units, including air conditioning units.***
2. ***Prior to the commencement of any works, a Contaminated Site Assessment shall be undertaken by an experienced Environment Auditor registered pursuant to the Environmental Protection Act and prepared to the satisfaction of the responsible authority. The assessment, when satisfactory to the responsible authority shall be endorsed and form part of this permit. Any further assessment or remediation works, if required, must be completed prior to commencement of any works and to the satisfaction of the responsible authority.***



3. ***The layout of the site and size of the proposed buildings and works as shown on the endorsed plans shall not be altered or modified without the consent of the Responsible Authority.***
4. ***Access onto and within the property shall be constructed to the satisfaction of the Responsible Authority and to the standard shown on the endorsed plans.***
5. ***The surface of the car park area must be treated to the satisfaction of the Responsible Authority to prevent dust causing loss of amenity to the neighbourhood.***
6. ***In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.***
7. ***No fewer than three (3) car parking spaces must be provided on the land for the use and or development.***
8. ***An all-waste septic tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.***
9. ***A permit to install an all waste septic tank system must be lodged and approved by the Responsible Authority prior to the commencement of works. Such system must be designed and installed to the satisfaction of the responsible authority before a Permit to Use the waste septic tank can be issued.***
10. ***The proposed septic tank system must not be located within 60m metres of the bank of any surface waters, unless the liquid waste is treated to the satisfaction of the responsible authority. Any such reduction in distance to the surface waters will be at the discretion of the responsible authority.***
11. ***All run-off from storm water, including overflow from water storage and waste-water, shall be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
12. ***All development and works associated with this permit shall be carried out in strict conformity with the recommendations of the Geotechnical Assessment for Slope Stability prepared by Bruce Hollioake and Partners dated 15 January 2004.***
13. ***The accommodation units must be connected to a reticulated electricity supply or have an alternative energy source to the satisfaction of the Responsible Authority. Any provision of reticulated electricity must not unreasonably impact on the existing infrastructure and be to the satisfaction of the Responsible Authority and Powercor.***
14. ***The accommodation units must have a potable water supply with adequate storage for domestic use as well as for fire fighting purposes to the satisfaction of the Responsible Authority.***

15. ***The minimum amount of stored water exclusively for fire fighting purposes shall be 10,000 litres with a 64mm 3 threads/25mm round thread male coupling with the CFA fitting at the bottom of the storage facility.***
16. ***The paved area, roof sails, awnings, exterior walls and other external features of the accommodation units and fencing shall be constructed of non-reflective materials which will effectively blend the development in with the natural colours of the surrounding landscape.***
17. ***Within 3 months of the date of issue of this amended permit, 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 plan must:***
  - a) ***Show plantings of a suitable species, at a suitable location around the accommodation units to soften their impact on the landscape; and***
  - b) ***Have regard to wildfire safety.***
  - c) ***Screen the water and gas tanks, the south end of the accommodation unit and the existing dwelling at 3229 Great Ocean Road from the adjacent dwelling at 3227 Great Ocean Road.***
18. ***The landscaping shall be established within 6 months of commencement of the use hereby permitted and shall be permanently maintained to the satisfaction of the Responsible Authority.***
19. ***If the development authorised by this permit is not completed within two (2) years, this permit shall expire, unless an extension of time is approved by the Responsible Authority. The written request for an extension of time must be received before 3 months have elapsed after the date of expiry.***
20. ***Within 3 months of the date of issue of this amended permit, the existing light affixed to the rear of Unit 2 shall be appropriately shielded so as to prevent light spill and glare to the adjacent dwelling at 3227 Great Ocean Road.***
21. ***Within 3 months of the date of issue of this amended permit a sample of the glass with obscure film attached to be used on the loft windows to the south west elevation shall be submitted to and approved by the Responsible Authority. When approved, the sample will be endorsed and will then form part of the permit. The sample must be consistent with the level of obscurity already used on the loft windows to the south west elevation. The obscure film shall not be removed from the loft windows without the written consent of the Responsible Authority. A sign shall be erected on the gate that indicates that it is not to be used at any time for the purpose of access by patrons of the accommodation.***
22. ***Within 3 months of the date of issue of this amended permit a sample of the glass with obscure film attached to be used on the loft windows to the south west elevation shall be submitted to and approved by the Responsible Authority. When approved, the sample will be endorsed and***

*will then form part of the permit. The sample must be consistent with the level of obscurity already used on the loft windows to the south west elevation. The obscure film shall not be removed from the loft windows without the written consent of the Responsible Authority.*

23. *The awning windows to the south west elevation shall be prevented from opening by more than 8cm along the bottom edge without the written consent of the Responsible Authority.*
24. *Should at any time in the future the internal loft floor be extended over the existing internal void towards the northern end of unit 1, then the remaining 30cm of clear glazing to the south west elevation shall be obscured to a level to match the existing obscurity of the windows at this level, to the satisfaction of the Responsible Authority.*

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**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

| <i>Date of amendment</i> | <i>Brief description of amendment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>14.05.2008</i>        | <p><i>Plans amended and the following conditions amended:</i></p> <ul style="list-style-type: none"> <li><i>• 1a deleted</i></li> <li><i>• 1c amended</i></li> <li><i>• 1d added</i></li> <li><i>• 1e added</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>08.12.2010</i>        | <p><i>Plans amended to include the following:</i></p> <ul style="list-style-type: none"> <li><i>• Alterations to the internal loft plan,</i></li> <li><i>• Replacement of the privacy screens to the southwest elevation with obscured film,</i></li> <li><i>• Change to the colour of the roof and south west elevation to colourbond windspray,</i></li> <li><i>• The relocation of the water tanks and,</i></li> <li><i>• The reposition of the external staircase including privacy screen.</i></li> </ul> <p><i>The following conditions have been added; 20, 21, 22, 23 and 24 and Condition 1(d) has been deleted.</i></p> |

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**CARRIED 6 : 0**

**Cr Stephen Hart returned to Council Chambers at 10.59am**

**PC100812-4** *BUILDINGS AND WORKS FOR THE PURPOSE OF CONSTRUCTING A DWELLING AT 23 ILUKA AVENUE, WYE RIVER*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Carl Menze                         | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | PP173/2010 |

**Recommendation(s)**

***That Council resolve to issue a Notice of Refusal for Planning Permit Application PP173/2010 for the construction of a dwelling at 23 Iluka 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 proposal fails to meet the objectives and relevant decision guidelines of the Significant Landscape Overlay Schedule 2.***
- 3. The proposed dwelling represents an overdevelopment of the site to the detriment of the existing and preferred character of the site and surrounds.***
- 4. The proposed dwelling will present as a dominant building when viewed from sections of the Great Ocean Road and the Wye River foreshore to the detriment of the existing and preferred landscape of the area.***
- 5. The proposal will set an undesirable precedent for the area with respect to its non-compliance to the Modified Rescode Standards of the Neighbourhood Character Overlay Schedule 1.***

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**Resolution**

***MOVED Cr Stephen Hart seconded Cr Stuart Hart***

***That Council’s Planning Committee resolves to issue a Notice of Decision to grant a Planning Permit for the buildings and works for the purpose of constructing a dwelling at 23 Iluka Avenue, Wye River subject to the following conditions:***

- 1. Prior to commencement of the development, a stormwater detention system designed by a qualified engineer must be lodged with the Responsible Authority verifying that post development stormwater discharge volume from the land does not exceed pre-development stormwater discharge volume to the satisfaction of the Responsible Authority, once approved such design must be endorsed and must form part of the permit issue.**
- 2. Prior to the commencement of the use, a landscaping plan to the satisfaction of the responsible authority must be drawn to scale with dimensions and three copies must be submitted to the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
  - a survey (including botanical names) of all existing vegetation to be retained.**
  - a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant, with a total area of not less than the area cleared.****All species selected must indigenous to the area and be to the satisfaction of the Responsible Authority.**
- 3. Prior to the commencement of the use, the applicant must give notice to the Responsible Authority of the installation of the stormwater detention system in compliance with the approved design and must request inspection and written approval by the Responsible Authority.**
- 4. The landscaping must be established within six (6) months from the date of completion of the development, and must be maintained thereafter to the satisfaction of the Responsible Authority.**
- 5. 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.**
- 6. The nature and colour of cladding and roofing materials employed in the construction of the buildings and works hereby permitted must be consistent with the Elevation Plans No. WD05E and WD06E prepared by Mark J Gratwick Architects 13/9/10.**
- 7. All glazed areas must be tinted to a tone which will blend with the surrounding landscape to the satisfaction of the Responsible Authority.**
- 8. Access onto and within the property must be constructed to the satisfaction of the Responsible Authority.**
- 9. Vehicular crossings must be constructed to the road to suit the proposed driveway to the satisfaction of the Responsible Authority.**
- 10. The driveway must enter the roadway perpendicular to the roads centre line and be in a safe location for users, pedestrians, cyclists and motorists by consideration of both vertical and horizontal sight distance to the satisfaction of the Responsible Authority.**

- 11. The driveway must be constructed to an all weather surface to the satisfaction of the Responsible Authority with a cross fall of 0.03m/m for sealed driveways and 0.06m/m for unsealed driveways.**
- 12. Driveway cuts must be avoided where possible.**
- 13. Planting of vegetation in all the exposed soil disturbed in the construction of the driveway must be undertaken to the satisfaction of the Responsible Authority.**
- 14. Driveway drains shall discharge into road table drains for positive grades.**
- 15. Stormwater discharge from the approved stormwater detention system must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point must be permitted within five (5) metres of the lowest property boundaries and any discharge point must not be located so as to surcharge the septic effluent disposal system.**
- 16. The proponent must strictly follow the recommendations contained in the Geotechnical Risk Assessment Report Number 15406 by P J Ytrup & Associates dated August 2003 and the Land Capability Assessment by Provincial Geotechnical P/L dated 18 August 2010, Ref H0053.**
- 17. Retaining walls must be constructed to support cut excavations greater than 0.5m high. Such retaining walls must be at least to ground level and designed by a qualified Engineer and constructed to the satisfaction of the Geotechnical Engineer. The design must give due consideration to forces associated with soil creep and translational failure. Retaining walls must be constructed prior to the commencement of use of the dwelling.**
- 18. Fill placed below the dwelling shall be adequately drained to prevent saturation and shall be retained by an engineer designed retaining wall in accordance of the recommendations contained in the Geotechnical Risk Assessment No 15406 by P J Ytrup & Associates dated August 2003.**
- 19. An all waste tank disposal system is to be constructed concurrently with the new dwelling, such that all liquid waste must at all times be contained within the curtilage of the title. Such system must be designed and installed to the satisfaction of the Responsible Authority.**
- 20. A Permit to Install an all waste septic system must be lodged and approved by the Responsible Authority prior to the commencement of works. Such system must be designed and installed to the satisfaction of the Responsible Authority before a Permit to Use the waste septic tank system can be issued.**

- 21. No trenching, soil excavation, storage or dumping of tools, equipment or waste is to occur outside the construction zone without the written consent of the Responsible Authority.**
- 22. All environmental weeds as outlined in “Environmental Weeds of the Colac Otway Shire” brochure must be controlled on the property at all times and prevented from spreading to neighbouring land to the satisfaction of the responsible authority;**
- 23. No environmental weeds as referred to in “Environmental Weeds of the Colac Otway Shire” brochure will be planted on or allowed to invade the site.**

#### **CFA Conditions**

- 24. A static water supply, such as a tank, must be provided and must meet the following requirements:**
  - a. A minimum of 10,000 litres on-site static storage must be provided on the lot and be maintained solely for fire fighting.**
  - b. The water supply must be located within 60 metres of the dwelling.**
  - c. Fire brigade vehicles must be able to get within four metres of the water supply outlet as indicated on the wildfire development plan.**
  - d. The water supply must be readily identifiable from the building or appropriate signage (see Appendix A: Figure 1) must point to water supply. All below ground water pipelines must be installed to the following depths:**
    - i. Subject to vehicle traffic – 300mm**
    - ii. Under houses or concrete slabs – 75mm**
    - iii. All other locations – 225mm**
    - iv. All fixed above ground water pipelines and fittings, including water supply, must be constructed of non-corrosive and non-combustible materials or protected from the effects of radiant heat and flame.**
- 25. If the static water supply is above ground the following additional standards apply:**
  - a. All above ground static water supply must provide at least one 64mm 3 thread/25mm x 50mm nominal bore British Standard pipe (BSP), round male coupling (see Appendix A: Figure 2).**
  - b. All pipe work and valving between the water supply and the outlet must be no less than 50mm nominal bore.**
  - c. If less than 20 metres from the building, each outlet must face away from the building to allow access during emergencies.**

- 26. Access to the dwelling must be designed to allow emergency vehicles access. The minimum design requirements are as follows:**
- a. Curves in driveway must have minimum inner radius of ten metres;**
  - b. The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres;**
  - c. Dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.**
- 27. If the driveway from the road to the dwelling and water supply, including gates, bridges and culverts, is greater than 30m long, the driveway:**
- a. Must be designed, constructed and maintained for a load limit of at least 15 tonnes, and**
  - b. Be all weather construction; and**
  - c. Must provide a minimum trafficable width of 3.5 metres, and**
  - d. Be clear of encroachments four metres vertically (see Appendix A: Figure 3).**
- 28. The wildfire management plan 24 August 2010 must be endorsed as part of the Permit.**
- 29. The vegetation management areas as indicated on the wildfire management plan shall be maintained to the following standard:**
- Inner Zone**
- a. A distances of 10 metres around the proposed dwelling or to the property boundary whichever is the lesser must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the Responsible Authority.**
    - i. Grass must be no more than 100mm in height.**
    - ii. Leaf litter must be less than 10mm deep.**
    - iii. There must be no elevated fuel on at least 50% of the Inner zone. On the remaining 50% the inner zone, elevated fuel must be at most, sparse, with very little dead material.**
    - iv. Dry shrubs must be isolated in small clumps more than 10m away from the dwelling.**
    - v. Trees must not overhang the roofline of the dwelling**
- Outer Zone**
- b. Vegetation in outer zones, as specified in the wildfire development plan must be maintained to the following requirements during the declared 'Fire Danger Period' to the satisfaction of the Responsible Authority.**
    - i. Grass must be no more than 100mm in height.**
    - ii. Leaf litter must be less than 20mm deep.**
    - iii. There must be no elevated fuel on at least 50% of the outer zone area.**
    - iv. Clumps of dry native shrubs must be isolated from one another by at least ten metres.**



***Permit Expiry***

***30. This permit will expire if the development is not completed within 18 months of the date of this permit.***

***CARRIED 5 : 2***

***DIVISION called by Cr Stuart Hart***

***For the Motion: Cr Brian Crook, Cr Geoff Higgins, Cr Frank Buchanan, Cr Stuart Hart, Cr Stephen Hart***

***Against the Motion: Cr Chris Smith, Cr Lyn Russell***