

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 Stephen Hart (Mayor)
Cr Frank Buchanan
Cr Brian Crook
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 & Building
Katrina Kehoe, Executive Officer Sustainable Planning & Development

3. APOLOGIES

Patrick Cauchi, Statutory Planning Coordinator

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 Lyn Russell:	PC121306-2. Use & development of the land for a Residential Building (accommodation associated with a Primary health Care Facility) at 6 Miller Street Colac.
Nature of Disclosure:	Indirect
Type of Indirect Interest:	Section 78B
Nature of Interest:	Indirect interest because of conflicting duties as I am a Public Trustee of the Colac Area Health Foundation.

Cr Chris Smith:	PC121306-2 Use & Development of the land for a Residential building for CAH 6 Miller Street
Nature of Disclosure:	Direct
Type of Direct Interest:	
Nature of Interest:	Board Member of Colac Area Health

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

PC121306-2 Geoff De La Rue Architect - Applicant on behalf of Colac Area Health
 PC121306-2 Jenny Labourne - Colac Area Health

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 11/04/12.**

Resolution

MOVED Cr Lyn Russell seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

PC121306-1 PLANNING & BUILDING STATISTICAL REPORT
PC121306-2 USE & DEVELOPMENT OF THE LAND FOR A RESIDENTIAL
BUILDING (ACCOMMODATION ASSOCIATED WITH A PRIMARY
HEALTH CARE FACILITY) AT 6 MILLER ST COLAC (PP196/2011)

Rob Small
Chief Executive Officer

PC121306-1 *PLANNING & BUILDING STATISTICAL REPORT*

AUTHOR:	Janole Cass	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

Recommendation(s)

That Council’s Planning Committee note the statistical reports.

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**Resolution**

***MOVED Cr Frank Buchanan seconded Cr Brian Crook  
That Council’s Planning Committee note the statistical reports.***

***CARRIED 7 : 0***

**PC121306-2** *USE & DEVELOPMENT OF THE LAND FOR A RESIDENTIAL BUILDING (ACCOMMODATION ASSOCIATED WITH A PRIMARY HEALTH CARE FACILITY) AT 6 MILLER ST COLAC (PP196/2011)*

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/1753   |

|                            |                                                                                                                                                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cr Lyn Russell:            | PC121306-2. Use & development of the land for a Residential Building (accommodation associated with a Primary health Care Facility) at 6 Miller Street Colac. |
| Nature of Disclosure:      | Indirect                                                                                                                                                      |
| Type of Indirect Interest: | Section 78B                                                                                                                                                   |
| Nature of Interest:        | Indirect interest because of conflicting duties as I am a Public Trustee of the Colac Area Health Foundation.                                                 |

|                          |                                                                                             |
|--------------------------|---------------------------------------------------------------------------------------------|
| Cr Chris Smith:          | PC121306-2 Use & Development of the land for a Residential building for CAH 6 Miller Street |
| Nature of Disclosure:    | Direct                                                                                      |
| Type of Direct Interest: |                                                                                             |
| Nature of Interest:      | Board Member of Colac Area Health                                                           |

**Having declared a Conflict of Interest Cr Lyn Russell and Cr Chris Smith left Council Chambers at 10.34am.**

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Original Recommendation(s)

That Council's Planning Committee resolve to issue a Planning Permit for the use and development of the land for a residential building (accommodation associated with a primary health care facility) at 6 Miller Street, Colac (C/A 1 Section 48 Parish of 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 (dated 15 May 2012) with the application but modified to show:***
 - a. a front entry door onto Forbes Street for the unit 3 so as to provide street integration. The front door is to be provided off the family room with a foot path from Forbes Street.***

- b. a schedule of colours, materials and finishes.*
 - c. a revised landscaping plan generally in accordance with the proposed landscape layout drawn by G De La Rue dated 22 May 2012 but showing a footpath from Forbes Street to the new front door as required by Condition 1(a), and the Gleditsia Tricanthos "Sunburst" plant species replaced with another species.*
- 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. The landscaping shall be established within 6 months of commencement of the use hereby permitted and shall be maintained to the satisfaction of the Responsible Authority.*
- 4. All service meters must be located in the front of the units in a location easily accessible to the various authorities.*
- 5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.*
- 6. All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.*
- 7. Prior to commencement of the development, a stormwater detention system designed by a qualified engineer must be lodged with the Responsible Authority verifying that the stormwater discharge volume from the land does not exceed 32 litres per second per hectare to the satisfaction of the Responsible Authority. Once approved such design must be endorsed and must form part of the permit.*
- 8. The driveway and car park area must be constructed to an all weather concrete surface to the satisfaction of the Responsible Authority.*
- 9. Prior to the commencement of the use of the buildings hereby approved, the obsolete vehicle crossovers on Miller Street and Forbes Street must be removed and reinstated to concrete footpath and nature strip to the satisfaction of the responsible authority at the expense of the applicant.*
- 10. 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.*
 - c. The use is not commenced within four years of the date of this permit.*

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

Notes

- 1. Building approval is required prior to commencement of construction.**
- 2. An application to construct a vehicle crossing must be lodged and approved by the Responsible Authority prior to the commencement of works.**

Resolution

MOVED Cr Geoff Higgins seconded Cr Stuart Hart that:

Council's Planning Committee resolve to issue a Planning Permit for the use and development of the land for a residential building (accommodation associated with a primary health care facility) at 6 Miller Street, Colac (C/A 1 Section 48 Parish of 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 (dated 15 May 2012) with the application but modified to show:

- a. a schedule of colours, materials and finishes.**
- b. a revised landscaping plan generally in accordance with the proposed landscape layout drawn by G De La Rue dated 22 May 2012 but with the *Gleditsia Tricanthos* "Sunburst" plant species replaced with another species.**
- 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. The landscaping shall be established within 6 months of commencement of the use hereby permitted and shall be maintained to the satisfaction of the Responsible Authority.**
- 4. All service meters must be located in the front of the units in a location easily accessible to the various authorities.**
- 5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.**
- 6. All run off from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.**

- 7. Prior to commencement of the development, a stormwater detention system designed by a qualified engineer must be lodged with the Responsible Authority verifying that the stormwater discharge volume from the land does not exceed 32 litres per second per hectare to the satisfaction of the Responsible Authority. Once approved such design must be endorsed and must form part of the permit.**
- 8. The driveway and car park area must be constructed to an all weather concrete surface to the satisfaction of the Responsible Authority.**
- 9. Prior to the commencement of the use of the buildings hereby approved, the obsolete vehicle crossovers on Miller Street and Forbes Street must be removed and reinstated to concrete footpath and nature strip to the satisfaction of the responsible authority at the expense of the applicant.**
- 10. 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.**
 - c. The use is not commenced within four years of the date of this permit.**

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

Notes

- 1. Building approval is required prior to commencement of construction.**
- 2. An application to construct a vehicle crossing must be lodged and approved by the Responsible Authority prior to the commencement of works.**

CARRIED 3 : 2

DIVISION called by Cr Stuart Hart

For the Motion: Cr Geoff Higgins, Cr Stuart Hart, Cr Stephen Hart

Against the Motion: Cr Brian Crook, Cr Frank Buchanan

Cr Lyn Russell returned to Council Chambers at 10:52 AM

Cr Chris Smith did not return to Council Chambers prior to close of the meeting.