

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL* held at COPACC Meeting Rooms on 9 October 2013 at 10.30 am.

At the commencement of the meeting Cr Stephen Hart advised that he would be chairing the meeting, due to the Mayor, Cr Lyn Russell being unable to do so (as per clause 18(3) of Local Law No. 4).

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 Stephen Hart (Deputy Mayor) – Chaired the meeting
Cr Frank Buchanan
Cr Brian Crook
Cr Michael Delahunty
Cr Chris Smith
Cr Terry Woodcroft

Rob Small, Chief Executive Officer
Jack Green, General Manager Sustainable Planning and Development
Colin Hayman, General Manager Corporate & Community Services
Adam Lehmann, Acting General Manager Infrastructure & Service
Doug McNeill, Manager Planning & Building
Blaithe Butler, Statutory Planning Coordinator
Bron 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.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

5. DECLARATION OF INTEREST

Cr Michael Delahunty:	Use and Development of the Land for a Dwelling, and Associated Works including Site Cut at 240 Tuxion Road, Apollo Bay (PP240/2012-1)
Nature of Disclosure:	Indirect
Type of Indirect Interest:	Section 78B
Nature of Interest:	Produced BAL Report for Development

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

PC130910-4 Chris Straw – Objector
Tim Cobb – Objector
Caroline Wren – Objector
Matthew Payne (Representative of Proponent)

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 14/08/13.**

Resolution

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

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

- PC130910-1 PLANNING & BUILDING STATISTICAL REPORT
- PC130910-2 USE AND DEVELOPMENT OF THE LAND FOR A DWELLING,
AND ASSOCIATED WORKS INCLUDING SITE CUT AT 240
TUXION ROAD, APOLLO BAY (PP240/2012-1).
- PC130910-3 CONSTRUCTION OF A SINGLE-STOREY BUILDING,
REDUCTION IN THE CAR PARKING REQUIREMENT AND
WAIVER OF THE LOADING BAY REQUIREMENT, DISPLAY OF
THREE SIGNS, AND SUBDIVISION OF THE LAND IN TWO (2)
LOTS AT 224-236 MURRAY STREET, COLAC (PP205/2013-1)
- PC130910-4 CONSTRUCTION OF AN EXTENSION TO AN EXISTING
DWELLING AT 33 VISTA AVENUE SKENES CREEK
- PC130910-5 BUILDINGS AND WORKS COMPRISING ALTERATIONS AND
ADDITIONS TO A MINOR SPORTS AND RECREATION FACILITY
AT 118-134 HEARN STREET & 175 QUEEN STREET, COLAC
(PP184/2013)

Rob Small
Chief Executive Officer

PC130910-1 PLANNING & BUILDING STATISITCAL REPORT

AUTHOR:	Tammy Kavanagh	ENDORSED:	Jack Green
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

Recommendation(s)

That Council’s Planning Committee notes the statistical reports for August and September 2013.

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**Resolution**

***MOVED Cr Brian Crook seconded Cr Lyn Russell***

***That Council’s Planning Committee notes the statistical reports for August and September 2013.***

**CARRIED 7 : 0**

**PC130910-2      *USE AND DEVELOPMENT OF THE LAND FOR A DWELLING,  
AND ASSOCIATED WORKS INCLUDING SITE CUT AT 240  
TUXION ROAD, APOLLO BAY (PP240/2012-1).***

|             |                                          |           |            |
|-------------|------------------------------------------|-----------|------------|
| AUTHOR:     | Ian Williams                             | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable<br>Planning &<br>Development | FILE REF: | F12/9612   |

**Recommendation(s)**

***That Council's Planning Committee resolve to issue a Refusal to Grant a Planning Permit (PP240/2012-1) for the use and development of the land for a dwelling at 240 Tuxion Road, Apollo Bay on the following grounds:***

- 1. The proposed development, due to its scale, design and prominence, does not accord with relevant State and local planning policies, which seek to ensure that development is of an appropriate scale, sensitively sited and designed, respects the coastal landscape character, maintains the visual qualities of the Great Ocean Road coastline, the natural beauty of the area and protects the Otway foothills as a scenic, undeveloped backdrop to Apollo Bay and Marengo. As such, the proposal is contrary to clauses 12.02-1, 12.02-2, 12.02-6, 12.04-2, 21.03-1, 21.03-3 and 65 of the Colac Otway Planning Scheme.***
- 2. The proposed development does not accord with the purpose and relevant decision guidelines of the Rural Conservation Zone, set out in Clause 35.06 and the Significant Landscape Overlay Schedule 3 of the Planning Scheme, given that:***
  - It has not been adequately demonstrated that the proposed dwelling and outbuilding would conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.***
  - The proposal would not minimise the adverse impacts of siting, design, height, bulk, and colours and materials.***
- 3. The proposed development does not accord with Council's adopted Apollo Bay Structure Plan, which seeks to ensure that proposals make a positive contribution to realising a vision for the area whilst protecting the Otway foothills as a scenic, undeveloped backdrop to Apollo Bay.***
- 4. The proposed development, due to its scale and design, would not be recessive in the landscape or positively reflect the natural beauty of the surrounds and does not accord with the Great Ocean Road Region Landscape Assessment Study (GORRLAS - 2003) which identifies the landscape as nationally significant and acknowledges that rural-residential development can impact on the naturalness of the setting and detract from the significance of the foothills.***

- 5. ***The proposal does not adequately demonstrate that the location of the proposed effluent field would comply with Environmental Protection Authority Guidelines.***

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Having declared a conflict of interest Cr Michael Delahunty left Council Chambers at 10.40 am

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|----------------------------|---|
| Cr Michael Delahunty: | Use and Development of the Land for a Dwelling, and Associated Works including Site Cut at 240 Tuxion Road, Apollo Bay (PP240/2012-1) |
| Nature of Disclosure: | Indirect |
| Type of Indirect Interest: | Section 78B |
| Nature of Interest: | Produced BAL Report for Development |

Resolution

MOVED Cr Frank Buchanan seconded Cr Terry Woodcroft

That this item be withdrawn by request of the applicant and to be brought back to the next Planning Committee meeting.

CARRIED 6 : 0

Cr Michael Delahunty returned to Council Chambers at 10:51 AM

PC130910-3 CONSTRUCTION OF A SINGLE-STOREY BUILDING, REDUCTION IN THE CAR PARKING REQUIREMENT AND WAIVER OF THE LOADING BAY REQUIREMENT, DISPLAY OF THREE SIGNS, AND SUBDIVISION OF THE LAND IN TWO (2) LOTS AT 224-236 MURRAY STREET, COLAC (PP205/2013-1)

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Ian Williams | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/7375 |

Recommendation(s)

That Council's Planning Committee resolves to Grant Planning Permit PP205/2013-1 to develop land for office and retail use, reduce the car parking and waive the loading bay requirements, display of signage, subdivide the land into two (2) lots with associated consolidation at 224-236 Murray Street, Colac subject to the following conditions:

Endorsed Plans

- 1. The development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***
- 2. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.***
- 3. The location and details of the signage and any supporting structures, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.***

DEVELOPMENT CONDITIONS

Amenity

- 4. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
- 5. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority, pursuant to clause 34.01-4 of the Colac Otway Planning Scheme.***
- 6. All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and must be connected to a security service.***

7. ***All external plant and equipment must be visually screened to the satisfaction of the Responsible Authority.***

Landscaping

8. ***Prior to occupation of the development, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

Contamination of land

9. ***Prior to the commencement of development, or within such other timeframe as is agreed in writing by the Responsible Authority, evidence must be provided to the Responsible Authority that demonstrates that the land is not contaminated. In the event contamination is found that requires remediation works, details of those works (including timescales) must be submitted to the Responsible Authority. All remediation works must be carried out in accordance with legislative requirements, to the satisfaction of the Responsible Authority and the EPA.***

Signage

10. ***Prior to the display of any signage, plans showing full details of the materials and colours proposed must be submitted to in writing by the Responsible Authority. Once approved, these plans will be endorsed and will form part of the permit.***
11. ***The signage must not be illuminated by external or internal light except with the prior written consent of the Responsible Authority.***
12. ***All signage must be constructed and maintained to the satisfaction of the Responsible Authority.***

Infrastructure conditions

13. ***Prior to the initial occupation of the development hereby permitted, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.***
14. ***Prior to initial occupation of the development hereby permitted, a revised traffic management plan must be submitted to and approved by the Responsible Authority. Once approved, the traffic management plan will be endorsed and will form part of the permit. The revised traffic management plan must include detail about the loading and unloading requirements of the site and the proposed loading provisions. All loading and unloading must thereafter take place in accordance with the endorsed plan.***
15. ***All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

16. ***Prior to the commencement of development, a stormwater detention system designed by a qualified engineer must be submitted to and approved by the Responsible Authority. The design must provide for a maximum site discharge rate of 35 litres per second per hectare to the 10 year storm (10% AEP).***
17. ***Prior to the occupation of the development hereby permitted, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***
 - (a) ***Constructed;***
 - (b) ***Properly formed to such levels that they can be used in accordance with the plans;***
 - (c) ***Surfaced with asphalt or concrete;***
 - (d) ***Drained;***
 - (e) ***Line-marked to indicate each car space and all access lanes***
 - (f) ***Clearly marked to show the direction of traffic along access lanes and driveways;***

all to the satisfaction of the Responsible Authority

SUBDIVISION CONDITIONS

Easements

18. ***Prior to the certification of the plan of subdivision under the Subdivision Act 1988, all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge, must be created to the satisfaction of the Responsible Authority.***

Consolidation of land

19. ***Within 6 months of the commencement of the development, the southern section of CA5 SEC 23 Parish of Colac and Lot 1 TP583533, Parish of Colac must be consolidated under the provisions of the Subdivision Act 1988 to the satisfaction of the Responsible Authority.***

Utility Providers

20. ***The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
21. ***All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***
22. ***The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***

Telecommunications

23. ***The owner of the land must enter into an agreement with:***
- a) ***a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and***
 - b) ***a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.***
24. ***Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:***
- a) ***a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and***
 - b) ***a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.***

Expiry

25. ***This permit will expire if one of the following circumstances applies:***
- a) ***The development has not commenced within two (2) years of the date of this permit;***
 - b) ***The plan of subdivision has not been certified within two (2) years of the date of this permit;***
 - c) ***The development is not completed within four (4) years of the date of this permit;***
 - d) ***A statement of compliance is not issued within five years of the date of certification.***

The Responsible Authority may extend the periods referred to if a request is made in writing within six (6) months of the date of expiry,, or if the request for the extension of time is made within 12 months after the permit expires and the development had started lawfully before the permit expired.

Signage expiry

26. ***The signage element of this permit will expire if the signage is not completed within two 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 six (6) months afterwards.***

Notes

- 1. This permit does not authorise the commencement of any building construction works. Prior to commencement of the development, it will be necessary to apply for and obtain any required building approval.***
- 2. Prior to commencement of works, an application to undertake works within the road reserve must be submitted to and approved by the Council.***

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**Resolution**

***MOVED Cr Brian Crook seconded Cr Lyn Russell***

***That Council's Planning Committee resolves to Grant Planning Permit PP205/2013-1 to develop land for office and retail use, reduce the car parking and waive the loading bay requirements, display of signage, subdivide the land into two (2) lots with associated consolidation at 224-236 Murray Street, Colac subject to the following conditions:***

**Endorsed Plans**

- 1. The development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***
- 2. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.***
- 3. The location and details of the signage and any supporting structures, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.***

**DEVELOPMENT CONDITIONS****Amenity**

- 4. External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.***
- 5. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority, pursuant to clause 34.01-4 of the Colac Otway Planning Scheme.***

6. ***All security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and must be connected to a security service.***
7. ***All external plant and equipment must be visually screened to the satisfaction of the Responsible Authority.***

#### **Landscaping**

8. ***Prior to occupation of the development, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

#### **Contamination of land**

9. ***Prior to the commencement of development, or within such other timeframe as is agreed in writing by the Responsible Authority, evidence must be provided to the Responsible Authority that demonstrates that the land is not contaminated. In the event contamination is found that requires remediation works, details of those works (including timescales) must be submitted to the Responsible Authority. All remediation works must be carried out in accordance with legislative requirements, to the satisfaction of the Responsible Authority and the EPA.***

#### **Signage**

10. ***Prior to the display of any signage, plans showing full details of the materials and colours proposed must be submitted to in writing by the Responsible Authority. Once approved, these plans will be endorsed and will form part of the permit.***
11. ***The signage must not be illuminated by external or internal light except with the prior written consent of the Responsible Authority.***
12. ***All signage must be constructed and maintained to the satisfaction of the Responsible Authority.***

#### **Infrastructure conditions**

13. ***Prior to the initial occupation of the development hereby permitted, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.***
14. ***Prior to initial occupation of the development hereby permitted, a revised traffic management plan must be submitted to and approved by the Responsible Authority. Once approved, the traffic management plan will be endorsed and will form part of the permit. The revised traffic management plan must include detail about the loading and unloading requirements of the site and the proposed loading provisions.***

*All loading and unloading must thereafter take place in accordance with the endorsed plan.*

15. *All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.*
16. *Prior to the commencement of development, a stormwater detention system designed by a qualified engineer must be submitted to and approved by the Responsible Authority. The design must provide for a maximum site discharge rate of 35 litres per second per hectare to the 10 year storm (10% AEP).*
17. *Prior to the occupation of the development hereby permitted, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:*
  - (a) *Constructed;*
  - (b) *Properly formed to such levels that they can be used in accordance with the plans;*
  - (c) *Surfaced with asphalt or concrete;*
  - (d) *Drained;*
  - (e) *Line-marked to indicate each car space and all access lanes*
  - (f) *Clearly marked to show the direction of traffic along access lanes and driveways;*

*all to the satisfaction of the Responsible Authority*

### **SUBDIVISION CONDITIONS**

#### **Easements**

18. *Prior to the certification of the plan of subdivision under the Subdivision Act 1988, all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge, must be created to the satisfaction of the Responsible Authority.*

#### **Consolidation of land**

19. *Within 6 months of the commencement of the development, the southern section of CA5 SEC 23 Parish of Colac and Lot 1 TP583533, Parish of Colac must be consolidated under the provisions of the Subdivision Act 1988 to the satisfaction of the Responsible Authority.*

#### **Utility Providers**

20. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.*

21. ***All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***
22. ***The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***

### **Telecommunications**

23. ***The owner of the land must enter into an agreement with:***
  - a) ***a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and***
  - b) ***a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.***
24. ***Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:***
  - a) ***a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and***
  - b) ***a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.***

### **Expiry**

25. ***This permit will expire if one of the following circumstances applies:***
  - a) ***The development has not commenced within two (2) years of the date of this permit;***
  - b) ***The plan of subdivision has not been certified within two (2) years of the date of this permit;***
  - c) ***The development is not completed within four (4) years of the date of this permit;***
  - d) ***A statement of compliance is not issued within five years of the date of certification.***

***The Responsible Authority may extend the periods referred to if a request is made in writing within six (6) months of the date of expiry,, or if the request for the extension of time is made within 12 months after the permit expires and the development had started lawfully before the permit expired.***

**Signage expiry**

- 26. The signage element of this permit will expire if the signage is not completed within two 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 six (6) months afterwards.***

**Notes**

- 1. This permit does not authorise the commencement of any building construction works. Prior to commencement of the development, it will be necessary to apply for and obtain any required building approval.***
- 2. Prior to commencement of works, an application to undertake works within the road reserve must be submitted to and approved by the Council.***

**CARRIED 7 : 0**

**PC130910-4 CONSTRUCTION OF AN EXTENSION TO AN EXISTING DWELLING AT 33 VISTA AVENUE SKENES CREEK**

|             |                                    |           |            |
|-------------|------------------------------------|-----------|------------|
| AUTHOR:     | Helen Evans                        | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/7375   |

**Recommendation(s)**

***That Council’s Planning Committee resolves to issue a Notice of Decision to Grant Planning Permit PP149/2012-1 for buildings and works comprising extensions to an existing dwelling at 33 Vista Avenue, Skenes Creek subject to the following conditions:***

***Endorsed Plan***

- 1. The development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

***Removal of Car Port***

- 2. Prior to the commencement of work on the extension hereby permitted, the car port and deck structure shown to be removed on the endorsed plans must be demolished in its entirety, to the satisfaction of the Responsible Authority.***

***Landscaping***

- 3. The established landscaping along the southern boundary of the site must be retained and maintained to the satisfaction of the Responsible Authority.***

***Drainage***

- 3. All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

***Expiry***

- 4. This permit will expire if one of the following circumstances applies:***
  - a) The development is not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.***

**Note**

1. ***This development has been assessed under the provisions of Clause 54 of the Colac Otway Planning Scheme.***

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Recommendation(s)

AMENDMENT - MOVED Cr Michael Delahunty seconded Cr Brian Crook

That Council's Planning Committee resolves to issue a Notice of Decision to Grant Planning Permit PP149/2012-1 for buildings and works comprising extensions to an existing dwelling at 33 Vista Avenue, Skenes Creek subject to the following conditions:

Removal of Car Port

1. ***Prior to the commencement of work on the extension hereby permitted, the car port and deck structure shown to be removed on the endorsed plans must be demolished in its entirety, to the satisfaction of the Responsible Authority.***

Endorsed Plan

2. ***The development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Landscaping

3. ***The established landscaping along the southern boundary of the site must be retained and maintained to the satisfaction of the Responsible Authority.***

Drainage

3. ***All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

Expiry

4. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The development is not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Note

- 1. This development has been assessed under the provisions of Clause 54 of the Colac Otway Planning Scheme.***

CARRIED 4 : 3

DIVISION called by Cr Chris Smith

For the Motion: Cr Brian Crook, Cr Lyn Russell, Cr Michael Delahunty, Cr Frank Buchanan

Against the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Terry Woodcroft

PC130910-5 BUILDINGS AND WORKS COMPRISING ALTERATIONS AND ADDITIONS TO A MINOR SPORTS AND RECREATION FACILITY AT 118-134 HEARN STREET & 175 QUEEN STREET, COLAC (PP184/2013)

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Carl Menze | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F11/2683 |

Recommendation(s)

That Council's Planning Committee resolves to grant Planning Permit PP184/2013 for buildings and works comprising extensions and alterations to the existing Minor Sports and Recreation Facility at 118-134 Hearn Street & 175 Queen Street, Colac subject to the following conditions:

Endorsed Plans

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

Drainage

- 2. All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***

Access and Parking

- 3. A minimum of 13 on-site bicycle parking spaces must be provided on the subject land.***
- 4. Prior to commencement of the development hereby permitted, the access, car parking and bicycle parking areas must be constructed in accordance with the endorsed plans.***
- 5. Prior to the commencement of development a Traffic Management Plan, setting out traffic management actions for occasions when major spectator events are held at the Bluewater Fitness Centre, must be submitted to and approved by the Responsible Authority. This plan must identify overflow parking locations and set out how parking for events would be managed to avoid impacts on surrounding roads. When approved, the Traffic Management Plan for major spectator events will be endorsed and will form part of the permit. All large scale spectator events must thereafter be managed in accordance with the endorsed Traffic Management Plan.***

Loading and unloading

6. ***The loading and unloading of goods from service vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.***
7. ***Loading and unloading must not take place during school drop off and pick up times.***

Landscaping

8. ***Prior to occupation of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

Expiry

9. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The development has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Note/s

1. ***This permit does not authorise the commencement of any building construction works. Prior to commencement of the development, it will be necessary to apply for and obtain any required building approval.***
2. ***No works within road reserve may occur prior to obtaining a 'works within road reserve permit' from the Council.***

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**Resolution**

**MOVED Cr Brian Crook seconded Cr Lyn Russell**

**That Council's Planning Committee resolves to grant Planning Permit PP184/2013 for buildings and works comprising extensions and alterations to the existing Minor Sports and Recreation Facility at 118-134 Hearn Street & 175 Queen Street, Colac subject to the following conditions:**

**Endorsed Plans**

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

**Drainage**

- 2. All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.**

**Access and Parking**

- 3. A minimum of 13 on-site bicycle parking spaces must be provided on the subject land.**
- 4. Prior to commencement of the development hereby permitted, the access, car parking and bicycle parking areas must be constructed in accordance with the endorsed plans.**
- 5. Prior to the commencement of development a Traffic Management Plan, setting out traffic management actions for occasions when major spectator events are held at the Bluewater Fitness Centre, must be submitted to and approved by the Responsible Authority. This plan must identify overflow parking locations and set out how parking for events would be managed to avoid impacts on surrounding roads. When approved, the Traffic Management Plan for major spectator events will be endorsed and will form part of the permit. All large scale spectator events must thereafter be managed in accordance with the endorsed Traffic Management Plan.**

**Loading and unloading**

- 6. The loading and unloading of goods from service vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.**
- 7. Loading and unloading must not take place during school drop off and pick up times.**

**Landscaping**

8. ***Prior to occupation of the development hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.***

**Expiry**

9. ***This permit will expire if one of the following circumstances applies:***
  - a) ***The development has not commenced 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 six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.***

**Note/s**

1. ***This permit does not authorise the commencement of any building construction works. Prior to commencement of the development, it will be necessary to apply for and obtain any required building approval.***
2. ***No works within road reserve may occur prior to obtaining a 'works within road reserve permit' from the Council.***

**CARRIED 7 : 0**