

1. OPENING PRAYER

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

2. PRESENT

Cr Lyn Russell (Mayor)
Cr Frank Buchanan
Cr Michael Delahunty
Cr Stephen Hart
Cr Chris Smith

Rob Small, Chief Executive Officer (*absent 10.30am – 10.43am*)
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
Blathin Butler, Statutory Planning Coordinator
Bron Keenan, Executive Officer Sustainable Planning & Development

3. APOLOGIES

Cr Brian Crook

4. MAYORAL STATEMENT

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

Doug McNeill:	Increase capacity of restaurant, reduction of car parking requirement, increase the licensed area for sale and consumption of liquor, and buildings and works associated with the conversion of an outbuilding into a dwelling at 16 Grant Street, Forrest (PP100/2013)
Nature of Disclosure:	Indirect
Type of Indirect Interest:	Section 78B
Nature of Interest:	Friend of applicant – not involved in permit assessment or preparation of Report

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

PC131113-2 Shelly Fanning – Applicant

PC131113-3 Emma Ashton - Owner

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 09/10/13.**

Resolution

MOVED Cr Stephen Hart seconded Cr Frank Buchanan that Council confirm the above minutes.

CARRIED 5 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

- PC131311-1 PLANNING & BUILDING STATISTICAL REPORT
- PC131311-2 USE AND DEVELOPMENT OF THE LAND FOR A DWELLING,
AND ASSOCIATED WORKS INCLUDING SITE CUT AT 240
TUXION ROAD, APOLLO BAY (PP240/2012-1).
- PC131311-3 INCREASE CAPACITY OF RESTAURANT, REDUCTION OF CAR
PARKING REQUIREMENT, INCREASE THE LICENSED AREA
FOR SALE AND CONSUMPTION OF LIQUOR, AND BUILDINGS
AND WORKS ASSOCIATED WITH THE CONVERSION OF AN
OUTBUILDING INTO A DWELLING AT 16 GRANT STREET,
FORREST (PP100/2013)

Rob Small
Chief Executive Officer

PC131311-1 PLANNING & BUILDING STATISTICAL REPORT

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

Recommendation(s)

That Council’s Planning Committee take note of the statistical report for October 2013.

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**Resolution**

***MOVED Cr Stephen Hart seconded Cr Frank Buchanan***

***That Council’s Planning Committee take note of the statistical report for October 2013.***

***CARRIED 5 : 0***

**PC131311-2      *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 10.35 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 |

Discussion was held regarding the proposal of a new recommendation.

MOTION - MOVED Cr Chris Smith seconded Cr Stephen Hart that Council defer this item for one month to allow the applicant to respond and also to allow all Councillors to be present on this vote. This motion was opposed by Cr Frank Buchanan and passed with no vote recorded and further discussion was held.

SUSPENSION OF STANDING ORDERS - MOVED Cr Chris Smith seconded Cr Frank Buchanan that Standing Orders be suspended to enable discussion on the proposed new recommendation with the applicant prior to making a decision.

RESUMPTION OF STANDING ORDERS - MOVED Cr Stephen Hart seconded Cr Chris Smith that Standing Orders be resumed to continue the meeting.

CARRIED 4 : 0

Resolution

MOVED Cr Chris Smith seconded Cr Stephen Hart

That Council’s Planning Committee defer this item for one month to allow the applicant to respond and also to allow all Councillors to be present on this vote.

CARRIED 3 : 1

Cr Michael Delahunty returned to the Council Chambers at 11.08am.

PC131311-3 INCREASE CAPACITY OF RESTAURANT, REDUCTION OF CAR PARKING REQUIREMENT, INCREASE THE LICENSED AREA FOR SALE AND CONSUMPTION OF LIQUOR, AND BUILDINGS AND WORKS ASSOCIATED WITH THE CONVERSION OF AN OUTBUILDING INTO A DWELLING AT 16 GRANT STREET, FORREST (PP100/2013)

| | | | |
|-------------|------------------------------------|-----------|------------|
| AUTHOR: | Carl Menze | ENDORSED: | Jack Green |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F13/3913 |

Recommendation(s)

That Council’s Planning Committee resolves to grant planning permit PP100/2013 to increase in the capacity of restaurant to 60 patrons, a reduction in the car parking requirement, an increase the licensed area for sale and consumption of liquor, and for buildings and works associated with the conversion of an existing building into a dwelling at 16 Grant Street, Forrest subject to the following conditions:

Amended plans

- 1. Prior to patron numbers being increased as allowed by this permit, 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) The driveway excluded from the licensed area.***
 - b) The western boundary of the licensed area relocated to provide a 5m landscaped buffer with the neighbouring residential property.***
 - c) The external seating area for the restaurant limited to the gravelled area adjacent to the restaurant building, apart from when functions are held.***
 - d) The number of seats, as shown on the site plan, reduced to 60.***

Endorsed Plans

- 2. The area in which liquor is allowed to be consumed or supplied under a licence hereby permitted must not be altered without the written consent of the Responsible Authority.***
- 3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***

Traffic Management Plan

- 4. Prior to patron numbers being increased as allowed by this permit a traffic management plan addressing the traffic and risk factors associated with the application must be submitted to and approved by the Responsible Authority. When approved, the traffic management plan will be endorsed and will form part of the permit. The plan must demonstrate how traffic will be managed and how alternative modes of transport will be encouraged for functions and during certain times of the year, e.g. school holidays, public holiday weekends and known events such as the Forrest 6 hour mountain bike event.**

Hours of operation

- 5. The use hereby permitted must operate only between the hours of:**
 - Sunday Between 10 am and 11 pm**
 - Good Friday Between 12 noon and 11 pm**
 - On any other day Between 7 am and 11 pm**

Patron Numbers

- 6. No more than 60 patrons may be present on the premises at any one time unless the prior approval of the Responsible Authority is obtained to a variation via the submission of a planning application.**

Limit on functions

- 7. No more than four (4) functions, when the primary use is for a single or private event, can be conducted on the premises in any calendar year unless otherwise approved in writing by the Responsible Authority.**

Amenity

- 8. The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users.**
- 9. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.**
- 10. No external sound amplification equipment or loud sound speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose in the outdoor seating area of the restaurant after 8.00pm.**
- 11. Prior to the extended licensed area hereby permitted being brought into use, a landscape plan for landscaping along the western boundary of the site 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 show:

- (a) a survey (including botanical names) of all existing vegetation to be retained and/or removed within the 5m buffer area adjacent to the western boundary***
- (b) a planting schedule of all proposed trees and shrubs, including botanical names, common names, sizes at maturity, and quantities of each plant within the 5m buffer area adjacent to the western boundary***

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

- 12. Prior to the extended licensed area hereby permitted being brought into use 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.***

Septic

- 13. Prior to the patron numbers being increased from 30 patrons, the existing septic system must be upgraded to the satisfaction of the Responsible Authority to ensure that as much as possible of the waste water generated by the premises is retained within the property boundaries.***

CFA conditions

Defendable Space

- 14. Before the occupation of the dwelling starts, and at all times thereafter, vegetation on the land must be maintained to at least the following standard:***

Inner Zone – extending from the dwelling and studio to all property boundaries

- a) Within 10 metres of a building, flammable objects such as plants, mulches and fences must not be located close to vulnerable parts of the building such as windows, decks and eaves.***
- b) Trees must not overhang the roofline of the building, touch walls or other elements of the dwelling.***
- c) Grass must be no more than 5 centimetres in height and all leaves and vegetation debris are to be removed at regular intervals.***
- d) Shrubs must not be planted under trees and separated by at least 1.5 times their mature height.***
- e) Plants greater than 10 centimetres in height at maturity must not be placed directly in front of a window or other glass feature.***

- f) Tree canopy separation of 2 metres and the overall canopy cover of no more than 15 per cent at maturity.*
- g) Tree branches below 2 metres from ground level must be removed.*

Construction

15. A site assessment for the purpose of determining the bushfire attack level for the site has been considered as part of the application for the planning permit.

- a) The construction of the dwelling must be to a bushfire attack level of BAL 12.5 in accordance with the relevant sections to AS3959-2009.*

Static Water Supply

16. The site plan provided by the applicant on 17/9/2013 as 'Attachment 4 Version 2' is endorsed as showing the approved location of the static water supply. Prior to the initial occupation of the dwelling a static water supply must be provided on the land and must meet all of the following requirements:

- a) The water supply must have a minimum capacity of 10,000 litres that is maintained solely for fire fighting purposes.*
- b) The water supply must be stored in an above ground water tank constructed of concrete, steel or corrugated iron.*
- c) The water supply must be located within 60 metres of the outer edge of the dwelling (including any obstructions).*
- d) The water supply outlet/s must be attached to the water tank and must face away from the building if located less than 20 metres from the building to enable access during emergencies.*
- e) All pipework between the water supply and the outlet/s must be a minimum of 64mm nominal bore.*
- f) All fixed above-ground water pipelines and fittings must be of non-corrodible and non-combustible materials.*
- g) The water supply must:
 - i. Be located so that fire brigade vehicles are able to get to within 4 metres of the water supply outlet.*
 - ii. Incorporate an additional 64mm (minimum) gate or ball valve and 64mm (fixed size), 3 threads per inch, male fitting to suit a CFA coupling.*
 - iii. Incorporate a vortex inhibitor or additional water must be provided to ensure that the volume of water available is not restricted by a vortex. Refer to Section 5 of AS.2419 for requirements for vortex inhibitors.*
 - iv. Incorporate an additional ball or gate valve to provide access to the water by the resident of the dwelling.**
- h) The water supply outlet must not be obstructed by vegetation, buildings, fences or other structures.*

- i) All below-ground water pipelines must be installed to at least the following depths:**
 - i. Subject to vehicle traffic: 300mm**
 - ii. Under dwellings or concrete slabs: 75mm**
 - iii. All other locations: 225mm**
- j) The water supply must be readily identifiable from the building or appropriate signage must be provided which:**
 - i. Has an arrow pointing to the location of the water supply.**
 - ii. Has dimensions of not less than 310mm high and 400mm long.**
 - iii. Is red in colour, with a blue reflective marker attached.**
 - iv. Is labelled with a 'W' that is not less than 15cm high and 3cm thick.**

Access

17. Before the occupation of the dwelling starts access to the static water supply outlet must be provided and must be designed to allow emergency vehicle access. The design of the access (including gates, bridges and culverts) must comply with the following minimum requirements:

- a) Curves in driveway must have a minimum inner radius of 10 metres.**
- b) The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50 metres.**
- c) Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.**
- d) Designed, constructed and maintained for a load limit of at least 15 tonnes and be of all-weather construction.**
- e) Have a minimum trafficable width of 3.5 metres and be substantially clear of encroachments for at least 0.5 metres on each side.**
- f) Be clear of encroachments at least 4 metres vertically.**

Mandatory Condition – Maintenance of bushfire mitigation measures

18. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply, and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Expiry

- 19. This permit will expire if one of the following circumstances applies:**
- a) The use and 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.

Notes

- 1. The provision and or consumption of liquor within the development hereby permitted must not commence until such time as a Liquor Licence has been issued, pursuant to the Liquor Control Reform Act 1988, as amended.**
- 2. 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(s).**
- 3. This development has not been assessed under the provisions of Clause 54 or 55 of the Colac Otway Planning Scheme. The relevant Building Surveyor will be required to undertake an assessment against the building regulations and to contact the Municipal Building Surveyor in relation to any variations.**
- 4. All works concerning improvements to the septic system will be subject to a separate approval by Council's Health Department. The applicant must liaise closely with the Council's Health Department to ensure that all, or as much as possible, of the waste water generated by the premises is retained within the property boundaries. Such improvements to the effluent system may include the provision of a holding tank for excess effluent in times of heavy usage and the construction of an effluent disposal field designed to maximise the usage of the effluent within the property boundaries.**

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|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Doug McNeill:              | Increase capacity of restaurant, reduction of car parking requirement, increase the licensed area for sale and consumption of liquor, and buildings and works associated with the conversion of an outbuilding into a dwelling at 16 Grant Street, Forrest (PP100/2013) |
| Nature of Disclosure:      | Indirect                                                                                                                                                                                                                                                                |
| Type of Indirect Interest: | Section 78B                                                                                                                                                                                                                                                             |
| Nature of Interest:        | Friend of applicant – not involved in permit assessment or preparation of Report                                                                                                                                                                                        |

### **Resolution**

#### ***MOVED Cr Stephen Hart seconded Cr Frank Buchanan***

***That Council's Planning Committee resolves to grant planning permit PP100/2013 to increase in the capacity of restaurant to 60 patrons, a reduction in the car parking requirement, an increase the licensed area for sale and consumption of liquor, and for buildings and works associated with the conversion of an existing building into a dwelling at 16 Grant Street, Forrest subject to the following conditions:***

#### ***Amended plans***

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#### ***Endorsed Plans***

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**Traffic Management Plan**

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**Hours of operation**

5. **The use hereby permitted must operate only between the hours of:**
  - **Sunday**                      **Between 10 am and 11 pm**
  - **Good Friday**              **Between 12 noon and 11 pm**
  - **On any other day**        **Between 7 am and 11 pm**

**Patron Numbers**

6. **No more than 60 patrons may be present on the premises at any one time unless the prior approval of the Responsible Authority is obtained to a variation via the submission of a planning application.**

**Limit on functions**

7. **No more than four (4) functions, when the primary use is for a single or private event, can be conducted on the premises in any calendar year unless otherwise approved in writing by the Responsible Authority.**

**Amenity**

8. **The owner/operator must take all responsible measures to ensure that patrons consuming alcohol remain within the licensed area, so as not to breach conditions of the liquor licence, and that patrons' behaviour is acceptable, so as not to create a nuisance to pedestrians or road users.**
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***All species selected must be to the satisfaction of the Responsible Authority.***

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#### **Septic**

- 13. Prior to the patron numbers being increased from 30 patrons, the existing septic system must be upgraded to the satisfaction of the Responsible Authority to ensure that as much as possible of the waste water generated by the premises is retained within the property boundaries.***

#### **CFA conditions**

##### **Defendable Space**

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***Inner Zone – extending from the dwelling and studio to all property boundaries***

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- b) Trees must not overhang the roofline of the building, touch walls or other elements of the dwelling.***
- c) Grass must be no more than 5 centimetres in height and all leaves and vegetation debris are to be removed at regular intervals.***
- d) Shrubs must not be planted under trees and separated by at least 1.5 times their mature height.***



- e) *Plants greater than 10 centimetres in height at maturity must not be placed directly in front of a window or other glass feature.*
- f) *Tree canopy separation of 2 metres and the overall canopy cover of no more than 15 per cent at maturity.*
- g) *Tree branches below 2 metres from ground level must be removed.*

### **Construction**

**15. A site assessment for the purpose of determining the bushfire attack level for the site has been considered as part of the application for the planning permit.**

- a) *The construction of the dwelling must be to a bushfire attack level of BAL 12.5 in accordance with the relevant sections to AS3959-2009.*

### **Static Water Supply**

**16. The site plan provided by the applicant on 17/9/2013 as 'Attachment 4 Version 2' is endorsed as showing the approved location of the static water supply. Prior to the initial occupation of the dwelling a static water supply must be provided on the land and must meet all of the following requirements:**

- a) *The water supply must have a minimum capacity of 10,000 litres that is maintained solely for fire fighting purposes.*
- b) *The water supply must be stored in an above ground water tank constructed of concrete, steel or corrugated iron.*
- c) *The water supply must be located within 60 metres of the outer edge of the dwelling (including any obstructions).*
- d) *The water supply outlet/s must be attached to the water tank and must face away from the building if located less than 20 metres from the building to enable access during emergencies.*
- e) *All pipework between the water supply and the outlet/s must be a minimum of 64mm nominal bore.*
- f) *All fixed above-ground water pipelines and fittings must be of non-corrodible and non-combustible materials.*
- g) *The water supply must:*
  - i. *Be located so that fire brigade vehicles are able to get to within 4 metres of the water supply outlet.*
  - ii. *Incorporate an additional 64mm (minimum) gate or ball valve and 64mm (fixed size), 3 threads per inch, male fitting to suit a CFA coupling.*
  - iii. *Incorporate a vortex inhibitor or additional water must be provided to ensure that the volume of water available is not restricted by a vortex. Refer to Section 5 of AS.2419 for requirements for vortex inhibitors.*
  - iv. *Incorporate an additional ball or gate valve to provide access to the water by the resident of the dwelling.*

- h) The water supply outlet must not be obstructed by vegetation, buildings, fences or other structures.**
- i) All below-ground water pipelines must be installed to at least the following depths:**
  - i. Subject to vehicle traffic: 300mm**
  - ii. Under dwellings or concrete slabs: 75mm**
  - iii. All other locations: 225mm**
- j) The water supply must be readily identifiable from the building or appropriate signage must be provided which:**
  - i. Has an arrow pointing to the location of the water supply.**
  - ii. Has dimensions of not less than 310mm high and 400mm long.**
  - iii. Is red in colour, with a blue reflective marker attached.**
  - iv. Is labelled with a 'W' that is not less than 15cm high and 3cm thick.**

### **Access**

**17. Before the occupation of the dwelling starts access to the static water supply outlet must be provided and must be designed to allow emergency vehicle access. The design of the access (including gates, bridges and culverts) must comply with the following minimum requirements:**

- a) Curves in driveway must have a minimum inner radius of 10 metres.**
- b) The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50 metres.**
- c) Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.**
- d) Designed, constructed and maintained for a load limit of at least 15 tonnes and be of all-weather construction.**
- e) Have a minimum trafficable width of 3.5 metres and be substantially clear of encroachments for at least 0.5 metres on each side.**
- f) Be clear of encroachments at least 4 metres vertically.**

### **Mandatory Condition – Maintenance of bushfire mitigation measures**

**18. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply, and access, must be maintained to the satisfaction of the responsible authority and the relevant fire authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.**

**Expiry**

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

- a) The use and 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.**

**Notes**

- 1. The provision and or consumption of liquor within the development hereby permitted must not commence until such time as a Liquor Licence has been issued, pursuant to the Liquor Control Reform Act 1988, as amended.**
- 2. 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(s).**
- 3. This development has not been assessed under the provisions of Clause 54 or 55 of the Colac Otway Planning Scheme. The relevant Building Surveyor will be required to undertake an assessment against the building regulations and to contact the Municipal Building Surveyor in relation to any variations.**
- 4. All works concerning improvements to the septic system will be subject to a separate approval by Council's Health Department. The applicant must liaise closely with the Council's Health Department to ensure that all, or as much as possible, of the waste water generated by the premises is retained within the property boundaries.**

**Such improvements to the effluent system may include the provision of a holding tank for excess effluent in times of heavy usage and the construction of an effluent disposal field designed to maximise the usage of the effluent within the property boundaries.**

**CARRIED 5 : 0**