

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** held at COPACC Meeting Rooms on 11 February 2015 at 10.30am.

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 Frank Buchanan (Mayor)
Cr Brian Crook
Cr Michael Delahunty
Cr Stephen Hart
Cr Lyn Russell
Cr Chris Smith
Cr Terry Woodcroft
Sue Wilkinson, Chief Executive Officer
Doug McNeill, A/General Manager Sustainable Planning and Development
Carmen Lawrence, A/General Manager Corporate & Community Services
Phil Corluka, General Manager Infrastructure & Service
Blaithin Butler, A/Manager Planning & Building
Jane Preston-Smith, 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 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

Nil.

6. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

Nil.

7. CONFIRMATION OF MINUTES

- **Planning Committee held on the 17/12/14.**

Resolution

MOVED Cr Lyn Russell seconded Cr Stephen Hart that Council confirm the above minutes.

CARRIED 7 : 0

OFFICERS' REPORTS

Sustainable Planning and Development

- PC151102-1 PLANNING & BUILDING STATISTICAL REPORT
- PC151102-2 CONSTRUCTION OF DWELLING AND ASSOCIATED WORKS
INCLUDING SITE CUT AND REMOVAL OF NATIVE
VEGETATION (8 TREES) AT 11 KOONYA AVENUE, WYE RIVER
(PP97/2014-1)

Sue Wilkinson
Chief Executive Officer

PC151102-1 PLANNING & BUILDING STATISTICAL REPORT

AUTHOR:	Melanie Duve	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

Recommendation(s)

That Council’s Planning Committee take note of the statistical report for December 2014.

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**Resolution**

***MOVED Cr Terry Woodcroft seconded Cr Brian Crook***

***That Council’s Planning Committee take note of the statistical report for December 2014.***

**CARRIED 7 : 0**

**PC151102-2 CONSTRUCTION OF DWELLING AND ASSOCIATED WORKS INCLUDING SITE CUT AND REMOVAL OF NATIVE VEGETATION (8 TREES) AT 11 KOONYA AVENUE, WYE RIVER (PP97/2014-1)**

|             |                                    |           |              |
|-------------|------------------------------------|-----------|--------------|
| AUTHOR:     | Ian Williams                       | ENDORSED: | Doug McNeill |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F14/4325     |

**Recommendation(s)**

***That Council's Planning Committee resolves to grant a planning permit for the construction of a dwelling and associated works including site cut and removal of native vegetation (8 trees) at 11 Koonya Avenue, Wye River 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.***
- 2. The removal of native vegetation must be in accordance with the endorsed plan to the satisfaction of the Responsible Authority.***

***Creation of Carriageway Easement***

- 3. Prior to commencement of the development hereby permitted, the carriageway easement allowed by planning permit PP98/2014 must be created and a copy of the title must be submitted to the Responsible Authority.***

***Access***

- 4. Prior to commencement of the development, access must be constructed in accordance with the endorsed plans.***
- 5. Prior to the commencement of the development the applicant must submit detailed design drawings of the protection barrier/retaining wall to the south of the proposed car parking area. The retaining wall must be designed by a suitably qualified engineer and be able to sustain vehicular impact from a light vehicle at low speed. All works must be undertaken in accordance with these design drawings to the satisfaction of the Responsible Authority.***

***Stormwater***

- 6. 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.***
- 7. Prior to the commencement of the 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 50 litres per second per hectare to the 10 year storm (10% AEP). All works must be undertaken in accordance with the stormwater detention system to the satisfaction of the Responsible Authority.***

**Geotechnical Assessment**

8. ***The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment of Landslide Risk by Saunders Consulting Group (dated 26 August 2013, reference 80808) and the addendum letter dated 16 July 2014, or any Geotechnical Practitioner engaged to review those assessments submitted with the application.***

**Wastewater**

9. ***The design and installation of any wastewater disposal system for any building on the land must comply with the Septic Tanks Code of Practice, (On-site Domestic Wastewater Management), February, 2013, (Publication No 891.3) published by the Environment Protection Authority.***
10. ***All works and development associated with this permit must be carried out in strict conformity with the Land Capability Assessment and Septic Design LCA80808-A (January 2015) by Saunders Structural Works.***
11. ***An all waste septic tank disposal system must be constructed concurrently with the new dwelling, so that all liquid waste is at all times contained within the title boundary. The septic tank system must be designed and installed to the satisfaction of the Responsible Authority.***

**Vegetation**

12. ***Prior to commencement of the vegetation removal, the boundaries of all vegetation stands to be removed and retained must be clearly marked on the ground or marked with tape or temporary fencing to the satisfaction of the Responsible Authority.***
13. ***Unless otherwise approved in writing by the Responsible Authority, no trenching, soil excavation, storage or dumping of equipment or waste is to occur within areas of existing native vegetation on the site***
14. ***Vegetation removal and disposal must not cause damage to vegetation stands to be retained, to the satisfaction of the Responsible Authority.***

**Landscaping**

15. ***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.***

**CFA conditions**

16. ***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 on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.***
17. **Bushfire Management Plan**  
***Before the development starts, a bushfire management plan must be***

*submitted to and endorsed by the Responsible Authority. The plan must show the following bushfire mitigation measures, unless otherwise agreed in writing by the CFA and the Responsible Authority:*

**a) Defendable space**

*Show an area of defendable space being from the proposed building to the property boundaries where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:*

- *Grass must be short cropped and maintained during the declared fire danger period.*
- *All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.*
- *Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.*
- *Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.*
- *Shrubs must not be located under the canopy of trees.*
- *Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.*
- *Trees must not overhang or touch any elements of the building.*
- *The canopy of trees must be separated by at least 5 metres.*
- *There must be a clearance of at least 2 metres between the lowest tree branches and ground level.*

**b) Construction standards**

*Nominate a minimum Bushfire Attack Level of BAL – 29 that the building will be designed and constructed.*

**c) Water supply**

*Show 10,000 litres of effective water supply for fire fighting purposes which meets the following requirements:*

- *Is stored in an above ground water tank constructed of concrete or metal.*
- *All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.*

*The water supply must also –*

- *Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64mm CFA 3 thread per inch male fitting).*
- *As indicated in the BMO assessment dated November 2014 pg 12 point 5 the static water supply outlet shall be located adjacent to the driveway at Koonya Ave.*
- *The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.*
- *Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.*

***Any pipework and fittings must be a minimum of 65mm (excluding the CFA coupling).***

**d) Access**

***There are no access conditions for this application.***

***Expiry***

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

- a) The development and tree removal is not commenced within two years of the date of this permit.***
- b) The development and tree removal 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. This permit does not authorise the commencement of any building works. Prior to commencement of the development, it will be necessary to apply for and obtain building approval for the proposed development.***
- 2. This permit does not allow the removal of the roots of vegetation, for which a planning permit would be required under the provisions of the Erosion Management Overlay. Further permission will be required if it is proposed to remove any roots.***

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Resolution

MOVED Cr Lyn Russell seconded Cr Terry Woodcroft That Council’s Planning Committee resolves to grant a planning permit for the construction of a dwelling and associated works including site cut and removal of native vegetation (8 trees) at 11 Koonya Avenue, Wye River 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.***
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Stormwater

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CARRIED 7 : 0