

PLANNING COMMITTEE MEETING

MINUTES

WEDNESDAY 14 NOVEMBER 2018

AT 4PM

COPACC

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

14 NOVEMBER 2018

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at
COPACC on 14 November 2018 at 4pm.

MINUTES

1. I DECLARE THIS MEETING OPEN

As the position of Mayor and therefore Chair of the Planning Committee meeting became vacant at 6am of the day of the election of Mayor, Chief Executive Peter Brown opened the meeting and was Acting Chair until the Committee considered the appointment of a Chair for the term of this meeting.

2. APPOINTMENT OF CHAIR

The Chief Executive called for nominations for Chair of the Planning Committee for this meeting.

NOMINATION – Cr Joe McCracken

MOVED Cr Chris Potter

Having received no further nominations, Cr Joe McCracken was duly elected Chair of the Planning Committee for the duration of this meeting.

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

3. PRESENT

Cr Brian Crook
Cr Kate Hanson
Cr Stephen Hart
Cr Joe McCracken
Cr Chris Potter
Cr Jason Schram
Cr Chris Smith

Peter Brown, Chief Executive
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Ian Seuren, General Manager, Development & Community Services
Sarah McKew, Manager, Governance & Communications
Doug McNeill, Manager, Planning Building and Health
Blaithin Butler, Statutory Planning, Coordinator
Lyndal McLean, Governance Coordinator
Sarah Osborne, Communications Officer

4. APOLOGIES AND LEAVE OF ABSENCE

Nil

5. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

I would like to start today by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of 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 unauthorized recording of the meeting.

6. DECLARATIONS OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

- Planning Committee Meeting held on 11 July 2018.

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Kate Hanson

That the Planning Committee confirm the above minutes.

CARRIED 7 : 0

8. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of five minutes will apply.

Objector: Danielle Stevens

Objector: Peter Murnane

Applicant: David Quelch

PLANNING COMMITTEE

CONSTRUCTION OF FOUR (4) DWELLINGS - 17 THOMSON STREET, APOLLO BAY

PC181411-1

ADDRESS AND PROPERTY DETAILS	17 Thomson Street, Apollo Bay	GENERAL MANAGER	Ian Seuren
PREPARED BY	Helen Evans	TRIM FILE	F17/6220
DIVISION	Development & Community Services	CONFIDENTIAL	No
PERMIT TRIGGERS	Four or more objections		
TRIGGER FOR DETERMINATION BY COMMITTEE	GRZ1 – Clause 32.08-6 – construct two or more dwellings on a lot DDO6 – Clause 43.02-2 –construct a building or construct or carry out works		
APPLICATION NUMBER	PP146/2017-1		
PROPOSAL	Construction of four (4) dwellings		
ZONE	General Residential (GRZ1)	OVERLAYS	Design and Development Schedule 6 (DDO6: Apollo Bay - Medium Density Residential Area)
COVENANTS	No		
LIST OF ATTACHMENTS	1. PP146/2017- 17 Thomson Street Apollo Bay - Amended Plans		
CULTURAL HERITAGE	Not applicable		

RECOMMENDATION

That Council resolves to issue a Notice of Decision to Grant a Permit for the construction of four two-storey dwellings at 17 Thomson Street Apollo Bay (Crown Allotment 3 Section 16 Township of Apollo Bay Parish of Krambruk) subject to the following conditions:

Endorsed Plans

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

Landscaping

2. *Prior to commencement of the development, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:*
 - a) *A survey (including botanical names) of all existing vegetation to be retained and/or removed;*
 - b) *Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;*
 - c) *Details of surface finishes of pathways and driveways;*
 - d) *A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;*
 - e) *Landscaping and planting within all open areas of the site;*
 - f) *The provision of at least one canopy tree that can grow to a minimum height of 6 metres (minimum two metres tall when planted) within the front setback area and each of the secluded private open spaces.*

An in-ground irrigation system is to be provided to all landscaped areas.

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

3. *Prior to occupation of any part 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.*

Stormwater

4. *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.*
5. *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 equal to the pre-development 5 year storm (20% AEP) and detain the post development 10 year storm (10% AEP). The stormwater detention system must be implemented as part of the development in accordance with the approved plan.*

Within one week of the installation of the stormwater detention system, notice of its installation must be given to the Responsible Authority, an inspection must be requested and the written approval of the Responsible Authority must be obtained.

6. *The site must be developed and managed to ensure there is no stormwater pollution through the contamination of runoff by chemicals, sediments, wastes or pollutants in accordance with 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) at any time during construction or operation, to the satisfaction of the Responsible Authority.*

7. *The site during construction must be developed and managed to ensure that no contaminants, including but not limited to chemicals, sediments, wastes or pollutants, are deposited by vehicles on the abutting roads when vehicles are leaving the property, to the satisfaction of the Responsible Authority.*

Access

8. *Prior to the completion of the development, a new vehicle crossing must be constructed at right angles to the road to suit the proposed driveway to the satisfaction of the Responsible Authority. The vehicle crossings must maintain a minimum 1.0m offset from any existing trees or utility service assets to the satisfaction of the Responsible Authority.*
9. *The driveway must be constructed to an all-weather hard surface standard to the satisfaction of the Responsible Authority and must have a minimum width of 3 metres.*

Expiry

10. *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.*

In accordance with section 69 of the Planning and Environment Act 1987, an application may be made to the Responsible Authority to extend the periods referred to in this condition.

Notes

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

ALTERNATIVE MOTION

MOVED Cr Chris Smith seconded Cr Stephen Hart

That Council resolves to refuse to grant a permit for the construction of four two-storey dwellings at 17 Thomson Street Apollo Bay (Crown Allotment 3 Section 16 Township of Apollo Bay Parish of Krambruk) for the following reason:

1. *The proposed development, by reason of its scale and density, would constitute an overdevelopment of the site that would fail to respect the neighbourhood character of the area. As such, the proposal is contrary to the purpose of the General Residential Zone, the design objectives of Design and Development Overlay Schedule 6 (DDO6: Apollo Bay – Medium Density Residential Area), and the purpose of Clause 55 (Two or More Dwellings on a Lot and Residential Buildings) including the neighbourhood character objectives of Clause 55.02-1.*

CARRIED 4 : 3

DIVISION

For the Motion: Cr Chris Smith, Cr Stephen Hart, Cr Joe McCracken, Cr Chris Potter

Against the Motion: Cr Jason Schram, Cr Brian Crook, Cr Kate Hanson

The meeting was declared closed at 4:55pm

CONFIRMED AND SIGNED at the meeting held on 10 April 2019

