

PLANNING COMMITTEE MEETING

AGENDA

9 MARCH 2016

at 10:30 AM

COPACC



Our Vision

A sustainable community with a vibrant future.

Our Mission

Council will work with our community and partners to provide:

- Innovative leadership, good governance and financial accountability
- Value for money, accessible and appropriately targeted services
- A strong advocacy and engagement approach to achieve a truly liveable community

Our Values

Council will achieve its Vision and Mission by acting with:

- Respect
- Integrity
- Goodwill
- Honesty
- Trust

Our Strategic Direction

The four pillars of our Council Plan indicate our key strategic direction for 2013-2017.

An underlying principle in the development of the Council Plan was to more effectively integrate service delivery.

Pillar 1: Good Governance

Pillar 2: A Planned Future

Pillar 3: A Place to Live and Grow

Pillar 4: A Healthy Community and Environment

Our Councillors

Cr Frank Buchanan (Mayor), Cr Brian Crook, Cr Michael Delahunty, Cr Stephen Hart, Cr Lyn Russell, Cr Chris Smith, Cr Terry Woodcroft (Deputy Mayor).



Planning Committee Meeting

Welcome

Welcome to this Meeting of the Colac Otway Shire Council Planning Committee.

Planning Committee meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way.

The Planning Committee makes decisions on planning permit applications where the proposals are outside of the delegation for decisions by planning officers.

About this meeting

There are a few things to know about today's meeting.

The agenda itemises all the matters to be discussed by the Committee.

Each report is written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. The Committee will consider the report and either accept the recommendation or make amendments to it. All decisions of the Committee are adopted if they receive a majority vote from the Councillors present at the meeting.

A copy of the decision on any planning permit applications determined by the Committee, together with information relating to opportunities for review of these decisions by the Victorian Civil and Administrative Tribunal (VCAT) are circulated to all applicants and objectors after the meeting.

Recording of Meetings

All Council and Committee meetings are audio recorded. 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.

Hearing of Submissions

The proponent and/or submitter may, at the approval of the Chairperson, be given an opportunity to have their views heard by the Planning Committee regarding an item listed on the agenda.

A written request should be received by Council two (2) days prior to the Planning Committee Meeting. The deadline for requests to be heard will close at 5.00pm on the Monday prior to each Meeting (except when Monday is a public holiday the close off will be Tuesday at 5.00pm).

One speaker on behalf of each party/group will be given the opportunity to be heard within a time restriction of 5 minutes. The applicant will be heard last, after any objectors.

All speakers are to be present at the beginning of the Planning Committee Meeting being held at 10.30am.

When the relevant item is listed for discussion, the Mayor/Chairperson will call your name and ask you to address the Committee.

COLAC-OTWAY SHIRE PLANNING COMMITTEE MEETING

9 MARCH 2016

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NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in COPACC on 9 March 2016 at 10.30am.

AGENDA

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

3. APOLOGIES

Cr Lyn Russell

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 community input and participation in Council decisions.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

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.

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5. DECLARATION OF INTEREST

6. CONFIRMATION OF MINUTES

- **Planning Committee held on the 09/12/2015.**

Recommendation

That Council confirm the above minutes.

7. 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 5 minutes will apply.

**Sue Wilkinson
Chief Executive Officer**

**PC160903-1 BUILDINGS AND WORKS COMPRISING THE ERECTION OF A
TELECOMMUNICATIONS FACILITY (35 METRE HIGH MONOPOLE)
AND ASSOCIATED WORKS AT 61 GELLIBRAND RIVER ROAD,
CARLISLE RIVER (PP305/2015-1)**

AUTHOR:	Helen Evans	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F15/13158

Location: 61 Gellibrand River Road, Carlisle River

Zoning: Township Zone (TZ)
Adjacent Road Zone Category 1 (RDZ1)

Overlay controls: Bushfire Management Overlay (BMO)
Environmental Significance Overlay Schedule 3 (ESO3)

Proposed Amendments: Nil

Purpose: A planning permit is sought for buildings and works associated with the erection of a telecommunications facility at 61 Gellibrand River Road, Carlisle River. The facility would comprise a 35 metre high monopole and associated antennas, equipment cabinet and related works.

This application is before the Planning Committee as the proposed structure would be in excess of twenty (20) metres in height.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Summary

- The application seeks a planning permit for the development of a telecommunication facility (35 metre high monopole) and associated antennas, equipment cabinets and works at 61 Gellibrand River Road, Carlisle. A permit is not required to use the land for this purpose, as there is an existing Telstra Exchange on the land.
- The application has been submitted because Telstra, through the Mobile Black Spot Programme, has identified Carlisle River as a regional community that currently has inadequate mobile phone coverage. The proposed facility is designed to provide essential coverage in the Carlisle township and to improve mobile communications performance across the region.
- The application site is located within the Township Zone, on the east side of Gellibrand River Road. The site is covered by the Bushfire Management Overlay and Environmental Significance Overlay Schedule 3 (Declared Water Supply Catchments).

- The application was advertised by sending notice to property owners and occupiers within a one kilometre radius, with a sign also posted on the Gellibrand River Road frontage of the site for a period of 14 days. In addition, an advertisement was placed in the Colac Herald. No objections have been received to the application.
- The proposal is considered to generally comply with the Planning Scheme provisions, and would achieve an acceptable outcome in the Township Zone and the Environmental Significance Overlay.
- Whilst the monopole would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

Background

As a result of a number of natural disasters in recent times and Australia's increasing reliance on mobile phones, governments at all levels are supporting increased access to telecommunications services in regional communities.

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire, such as Apollo Bay, Barongarook, Barwon Downs, Cape Otway, Carlisle River, Gellibrand, Kawarren and Yeodene that do not have reliable mobile coverage, which limits the capacity for these communities to communicate effectively in emergency situations, such as on high fire risk days. The lack of mobile coverage in these areas also limits the potential benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways to use that technology.

Telstra is participating in one of the largest ever expansions of mobile coverage in regional and remote Australia, through the Federal Government's Mobile Black Spot Programme.

The Mobile Black Spot Programme will improve mobile phone coverage and competition in regional and remote Australia, including along major transport routes, in small communities and in locations prone to experiencing natural disasters. The Guidelines aim to ensure the Programme is delivered as efficiently and effectively as possible, and that it achieves maximum value for money. In its submission to the Mobile Blackspot Programme Discussion Paper, the Victorian Government identified public safety and economic development as key drivers for the installation of new telecommunications facilities in regional areas. This means a focus on disaster-prone area coverage, busy transport corridors and populated black spots.

Telstra proposes building 429 new 3G/4G base stations over the next three years, plus a further 250 4G data only small cells. Over 400 communities which currently have no coverage in or around their towns will benefit from this new service. Telstra has advised in the submitted application that it understands how important high-speed mobile can be to supporting local businesses, tourism and education, and therefore is continuing the expansion of the 4G and 4GX services.

Telstra has also advised that it will be offering other carriers the opportunity to use space on its towers to install their own equipment, thereby allowing all carriers to invest in expanding their coverage in regional Australia.

In February 2014, the Carlisle River Community Group (CRCG) submitted an application in response to the Government's Mobile Black Spot Programme Discussion Paper highlighting Carlisle River as a priority location for the provision of telecommunications services. The CRCG based its application on a number of factors, including the need for reliable telecommunications during times of emergency such as bushfires. The CRCG noted that Carlisle River is amongst one of the 52 most high fire risk areas in Victoria according to the 2009 Victorian Bushfires Royal Commission Final Report (VBRC). The CRCG stated:

"The only way for Carlisle River to receive mobile phone coverage is through government funding. We are not commercially viable for the mobile network operators."

In its submission, the CRCG stated that:

"The residents of Carlisle River support unanimously the call for a base station in the town. We have worked strenuously to press our case for this since news of government funding became public."

Telstra has advised that is aware of the Carlisle River community's requests for more reliable mobile communications and met with the local community in Gellibrand in 2014 to listen to its concerns. It notes that Carlisle River was identified as a mobile network black spot during Round One of the Federal Government's Black Spot Programme and was one of the 499 sites that were successful in being funded for build.

At the Colac Otway Shire Ordinary Council Meeting on 22 July 2015, the commitment of the Federal Government to funding \$100 million for mobile telecommunications black spots was tabled. Council stated that:

"This announcement follows significant advocacy on this issue by the Colac Otway Shire Council."

"Given the significant fire risk faced by these communities each summer, the telecommunication demands of our burgeoning tourism industry and the influx of tourists into these parts of the region throughout the year, Council believes that this is a significant and much needed outcome for our residents, business owners and visitors alike."

What is 4GX?

When analogue television was switched off in Australia, the spectrum it was running on – 700MHz – became available. Telstra took up twice as much of this superior spectrum as any other carrier to deliver 4GX. 4GX uses superior 700MHz spectrum that can go further than existing 4G frequencies, creating extra 4G coverage in rural and regional areas.

Issues / Options

Council has the options of:

- a) Supporting the application subject to conditions;
- b) Supporting the application subject to conditions with changes;
- c) Refusing to grant a permit.

Key issues in the consideration of this application relate to the visual impact of the development and the need for such a facility in this area.

As noted above, there is a critical need for improved telecommunications in the Shire, and the proposed facility would be of significant benefit to the local community. It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

Proposal

A planning permit is sought for the erection of a telecommunications facility, which is defined in the Planning Scheme as:

“Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.”

The proposed telecommunications facility would comprise a 35 metre high concrete monopole. Attached to the top of the monopole would be a headframe accommodating four (4) Omni antennas and two (2) twin tower mast amplifiers. The base of two of the antennas would start at 36.7m high. The application proposes that the monopole and antennae would be painted pale eucalypt.

Associated facilities would include an existing exchange shelter, which would be retained and used to house the electrical equipment associated with the facility; an existing post and wire fence which would be upgraded; a 450 millimetre pale eucalypt cable tray between the monopole and the equipment shelter; and a GPS antenna which would be installed on the equipment shelter.

Three trees are proposed to be planted along the north boundary on the adjoining property at 59 Gellibrand River Road, subject to landowner consent.

The proposed facility would be located approximately 11m from the Gellibrand River Road frontage and 3.5m from the lot's northern boundary.

Access to the site would be via an existing entrance from Gellibrand River Road. Access within the site to the proposed lease area is grassed; the submitted application does not propose all-weather access, as the proposed tower would not generate regular traffic.

The proposed facility would be powered by an existing overhead electricity supply into the equipment shelter. The proposal does not require the removal of any native vegetation from the land.

Upon completion of the works, the facility would require six monthly maintenance visits and would remain unattended at all other times.

Site & Surrounds

The proposed facility would be located in a leased compound area on a larger landholding identified as Lot 1 TP392335. The overall lot is 1.6ha in area, with the existing area leased to Telstra having an area of 185.8m² and dimensions of 15.2m x 12.19m. The leased area is located in the northwest corner of the lot, with frontage to the road. The balance of the lot is vacant the land used for grazing. The site located on the eastern side of Gellibrand River Road, approximately 170m north of School Road.

The leased area is developed with an existing Telstra Exchange and a toilet constructed in colorbond pale eucalypt. Access to the site is off Gellibrand River Road. There are no restrictions or covenants registered on the title. Two caveats, related to the lease by Telstra Corporation, are recorded on the title.

Gellibrand River Road is the main road through Carlisle. The application site is located in the 'township' area of Carlisle, between the Recreation Reserve and School Road. The site and surrounding area is relatively flat. The site has an established landscaping along the south and north boundaries.

The site and surrounding land to the north, east and south is zoned Township (TZ) and the land to the west on the opposite side of Gellibrand River Road is zoned Farming (FZ). The site is not identified as being in an area of cultural heritage sensitivity.

The closest dwellings to the application site are located 20m to the north and 130m to the south.

The applicant submits that the site is acceptable for the following reasons:

- a) The proposed site would provide the optimal quality of service, as required by Telstra across the Carlisle area.
- b) The net community benefit from the provision of essential telecommunications service to Carlisle River and the protection of the environment from any adverse impacts.

Site Selection Criteria

Telstra commenced the site selection process with a search of potential sites that would meet the network's technical requirements, with a view to also having the least possible impact on the surrounding area. Telstra has advised that it applies and evaluates a range of criteria as part of this site selection process. It assesses the technical viability of potential sites through the use of computer modelling tools that produce predictions of the coverage that may be expected from these sites, as well as from the experience and knowledge of the radio engineers.

There are also a number of other important criteria that Telstra uses to assess options and select sites that may be suitable for a proposed new facility. These take into account factors other than the technical performance of the site, and include:

- The potential to co-locate on an existing telecommunications facility.
- The potential to locate on an existing building or structure.
- Visual impact and the potential to obtain relevant town planning approvals.
- Proximity to community sensitive locations and areas of environmental heritage.
- The potential to obtain tenure at the site.
- The cost of developing the site and the provision of utilities (power, access to the facility and transmission links).

In addition to the above criteria, Telstra is also contracted to meet objectives of the Mobile Black Spot Programme. The parameters for the Programme were set by the Federal Government. A number of factors determined which areas received funding, including the lack of outdoor coverage and the number of people who would benefit from a new facility. In the Mobile Black Spot Programme Discussion, Australian Government Department of Communications 2013, it states that:

“The Mobile Black Spot Programme will improve mobile phone coverage and competition in regional and remote Australia, including along major transport routes, in small communities and in locations prone to experiencing natural disasters. The Guidelines aim to ensure the Programme is delivered as efficiently and effectively as possible, and achieve maximum value for money.”

Telstra has advised that, in deciding upon the location of a new facility for Carlisle River, it has carefully assessed all of the above criteria.

Alternative options

The following alternative sites were considered as part of the process:

- 50 Gellibrand River Road, Carlisle River
This option would involve a new 35m monopole located at 50 Gellibrand River Road, Carlisle, on farmland opposite the subject site. This alternative was not pursued as there were concerns about the visibility of the facility, as it would be more exposed than the subject site due to the existing vegetation. Further to this, a lease would be required, as well as new underground trenching for power and fibre, and a new access track. This site was considered inferior to the subject site, which already has established services and a lease agreement in place.
- CFA Shed with rooftop radio antenna, 55 Gellibrand River Road, Carlisle River
This option, located in the Public Park and Recreation Zone, was considered due to the potential for a co-location with existing radio communications equipment. However, it was found that co-location on the rooftop of the shed would not be viable, as the height is too low to meet the coverage objectives and the structure is not suitable to support a facility.

As there is no viable existing infrastructure within Carlisle River to achieve a co-location, a new structure is required. In this case, Telstra concluded that a new facility at the existing Telstra exchange at 61 Gellibrand River Road would be the most appropriate option to pursue when all factors, including the Black Spot Programme parameters, radio design, site construction and planning environmental issues, were considered.

Public Notice

Public notice of the application was given in accordance with Section 52 of the *Planning and Environment Act* by sending a copy of the notice to property owners and occupiers within a one kilometre radius, and by posting a sign on the Gellibrand River Road frontage of the site for a period of 14 days. In addition, a public notice was placed in the Colac Herald. No objections were received.

Referrals

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Barwon Water and Wannon Water under the provisions of ESO3 (as Determining Referral Authorities). The Department of Environment, Land, Water and Planning (previously DEPI) was also notified of the application under Section 52 of the Act, in accordance with the provisions of ESO3 (as a Recommending Referral Authority), and VicRoads was also notified under Section 52 of the Act as the proposal is adjacent to a Road Zone Category 1 (RDZ1).

Wannon Water did not object to the proposal, subject to conditions being imposed in the event a permit is issued. These have been included in the recommendation at the end of this report. Barwon Water did not object to the proposal and did not require any conditions to be imposed.

The Department of Environment, Land, Water and Planning has not responded to the referral. As the referral was carried out under Section 52, it is considered that a decision can reasonably be made without a response.

VicRoads responded requesting that two conditions relating to the vehicle crossover to the site be imposed.

The application was also referred internally to Council's Infrastructure Unit. No objection was raised.

Planning Controls

The land is in the Township Zone (TZ), and is subject to the Environmental Significance Overlay (ESO3) and Bushfire Management Overlay (BMO). A planning permit is required under the following provisions:

- Clause 32.05-8 – buildings and works associated with Section 2 Use (Township Zone)
- Clause 42.01-2 – buildings and works (ESO3)
- Clause 52.19-2 - building and works for a telecommunications facility

The applicant has questioned the requirement for a permit under clauses 32.05-8 and 42.01-2, and provided legal advice it obtained that disputes the findings of a VCAT decision that found that there are permit triggers for telecommunications facilities under the zone and overlay provisions, as well as under clause 52.19. Council officers also sought advice and, having reviewed the VCAT decision and all advice received, consider that the application should be assessed on the basis of all the permit triggers listed above.

a. State and Local Planning Policy

The State and Local Planning Policy Frameworks seek to ensure the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices, which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The following policies are relevant to the consideration of this application:

- Clause 12 – Environmental and Landscape Values
- Clause 13 – Environmental Risks
- Clause 15 – Built Environment and Heritage
- Clause 19.03-4 – Telecommunications
- Clause 21.02 – Vision
- Clause 21.03-8 – Smaller Townships

Clause 19.03-4 (Telecommunications) has the following objective:

“To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.”

Clause 19.03-4 lists a number of strategies on how this objective can be achieved, including to “ensure that modern telecommunications are widely accessible to business, industry and the community” and to seek “a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure”.

The clause states that a Planning Scheme should not prohibit the use of land for a telecommunications facility in any zone.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the shire.

The proposal is considered to accord with the principles of the State and Local Planning Policy Frameworks. The applicant has investigated other nearby sites and found that no other option would be as suitable to provide the extent of service required to the area.

It is considered that the applicant has provided an appropriate and reasonable justification for the selection of the subject site. It is also considered that, whilst the monopole would be visible, there would be no unreasonable adverse visual impact to the environment because of this proposal.

- b. Clause 62 - Uses, buildings, works, subdivisions and demolition not requiring a permit
Clause 62 provides exemptions to permit requirements for telecommunications facilities when the requirements of Clause 52.19 are met. In this instance, clause 52.19 requirements have not been satisfied and therefore a planning permit is required for an extension to the existing telecommunications facility.

As noted above, having reviewed the legal advice provided by the applicant and the VCAT decision referred to in that advice, and having also obtained separate advice, Council officers consider that there are permit triggers under the zone and overlay, as well as under clause 52.19.

- c. Zoning

The land is zoned Township Zone (TZ). The purpose of the zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.

As a Telstra Exchange already exists on the lot, it is considered that the use of the land for a telecommunications facility is already established and a planning permit is not required to use the land for this purpose. However a planning permit is required under the provisions of clause 32.05-8 for the buildings and works associated with the telecommunications facility, as clause 52.19 has not been satisfied.

d. Overlays

i. Environmental Significance Overlay (ESO3)

The site is covered by the Environmental Significance Overlay (Schedule 3). The purpose of this overlay is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Environmental objective to be achieved

- *To protect the public health of communities that depend on water from declared water supply catchments.*
- *To protect and maintain water quality and water yields in the declared water supply catchments.*
- *To ensure that subdivision, land use and development meets the requirements of any Land Use Determination.*
- *To provide for appropriate land use and development within these declared water supply catchments.*
- *To manage the impact of incremental development on water quality and yield.*

A planning permit is required under the provisions of clause 42.01-2 for buildings and works associated with the telecommunications facility as clause 52.19 has not been satisfied.

ii. Bushfire Management Overlay (BMO)

This site is covered by the Bushfire Management Overlay (BMO). The purpose of this overlay is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Under the provisions of the BMO, a planning permit is not required for buildings and works associated with a telecommunications facility.

e. Particular Provisions

Clause 52.19, which relates to 'Telecommunications Facility', is relevant in the consideration of this application. The purpose of this provision is:

- *To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To ensure the application of consistent provisions for telecommunications facilities.*

- *To encourage an effective state-wide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.*

Under the provisions of Clause 52.19-2, a permit is required to construct a building or construct or carry out works for a telecommunications facility. It is considered that a permit is required for the monopole and associated equipment under the provisions of clause 52.19, as it is not identified as a Low Impact Facility or other exempt facility listed under clause 52.19-2.

The decision guidelines of Clause 52.19 state that before deciding on an application, consideration should be given to:

- *The principles for the design, siting, construction and operation of a Telecommunications Facility set out in A Code of Practice for Telecommunications Facilities in Victoria;*
- *The effect of the proposal on the adjacent land;*
- *If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.*

'A Code of Practice for Telecommunications Facilities in Victoria' (July 2004) is an incorporated document in the Colac Otway Planning Scheme pursuant to Clause 81. The purpose of the code is to:

- *Set out circumstances and requirements under which land may be developed for a telecommunications facility without the need for a planning permit.*
- *Set out principles for the design, siting, construction and operation of a telecommunications facility which a responsible authority must consider when deciding on an application for a planning permit.*

The principles in the Code of Practice for Telecommunications Facilities in Victoria are:

- *A telecommunications facility should be sited to minimise visual impact.*
- *Telecommunications facilities should be co-located wherever practical.*
- *Health Standards for exposure to radio emissions will be met.*
- *Disturbance and risk relating to siting and construction should be minimized.*
- *Construction activity and site location should comply with State environmental protection policies and best practice environmental management guidelines.*

Cultural Heritage

The site is not identified as being in an area of cultural heritage sensitivity.

Consideration of the Proposal

It is considered that the proposed monopole would be consistent with the purpose of the zone provisions, as it would provide for improved telecommunications which would be beneficial to the Carlisle River area and surrounds. The proposed tower would provide the level of service coverage required, whilst having a minimal impact on the surrounding area. The proposed development, whilst close to the dwelling at 59 Gellibrand River Road, would satisfy the health standards for exposure to radio emissions and the applicant has offered to plant additional landscaping on the neighbouring land, thereby giving the owner control of the landscaping.

The submitted application indicates that it is proposed to paint the monopole and other structures in colorbond pale eucalypt. Whilst it is considered it may be acceptable to paint the lower section of the monopole and the other structures to blend the proposed works in to the surrounding landscape, it is considered that a grey/natural colouring of the monopole may be more appropriate to blend into the natural sky colours. This was agreed to by the applicant and therefore it is recommended that amended plans confirming the colour be required should a permit be granted.

As previously noted, other candidate sites were examined within the search area for co-location opportunities. It is considered that the applicant has looked at all potential options. As co-location is not a feasible option, the proposal would ensure the proposed telecommunications equipment would be located at a point that allows for suitable signal dispersal to the surrounding area.

It is considered that the telecommunications equipment would conserve the landscape setting of the immediate and surrounding area. Existing vegetation along the road frontage approaching the site would assist in screening most of the monopole when close by, except for when immediately in front of the site; however, it is noted that the monopole would be visible from a distance due to its height.

It is considered that the proposed monopole would be consistent with the provisions of the Township Zone, occupying a small area (15m by 12m) and not utilising any additional land to that currently leased, thereby leaving the vacant Township zoned land available for development if proposed by the owner. Overall it is considered that the proposal is consistent with the objective of the Township Zone, under the purpose that allows *"a limited range of other non-residential uses to serve local community needs in appropriate locations"*.

Principles in the Code of Practice for Telecommunications Facilities in Victoria

a. A telecommunications facility should be sited to minimise visual impact

The ground level equipment would be housed in the existing pale eucalypt coloured equipment shelter at the base of the proposed pole. The medium scale height, use of a monopole (as opposed to a larger bulkier lattice tower or guyed mast) and colouring would assist in the reduction of visual impact from afar. The facility would be kept within an existing fenced compound, with the feeders required to facilitate the proposal accommodated internally within the new monopole.

It is considered that the existing vegetation cover along Gellibrand River Road, on the approach from the north to the subject site, would provide sufficient screening of the facility to reduce any potential visual impact.

It is also considered that views on the approach from the south on Gellibrand River Road would be contained due to the gentle undulating terrain, a meandering road and roadside vegetation. Views to the west would be preserved and uninterrupted to areas of picturesque farmland with a backdrop of the prominent ridgelines of the Otways. The site would become visible at the intersection of Gellibrand River Road and School Road, adjacent to 83 Gellibrand River Road, approximately 180m to the proposed facility. Views at this location would be ameliorated by the proposed monopole's setback 11.5 metres from the road and a backdrop of vegetation.

The two most exposed views to the facility would be a long range view from Moomowroong Road, and a short range view from 59 Gellibrand River Road.

Whilst the 35 metre monopole would be visible from Moomowroong Road, it would be viewed within the context of a backdrop of trees and the hills of the Otways. This would assist in the screening the lower two thirds of the facility, and would break up the profile of the structure. Additionally internal views from Carlisle River Primary School would be screened by its mature European boundary vegetation.

To further address the visual impact, Telstra has proposed to paint the monopole and associated equipment pale eucalypt in order to further assimilate it into its immediate landscape. As noted above, it is not considered that this painting is required. In this context, it is considered that the visual impact on this particular area would be acceptable, particularly given it would result in the provision of essential, dedicated and reliable voice communication and high speed wireless broadband to Carlisle River.

The residence adjoining the site at 59 Gellibrand River Road is set back approximately 20m from the location of the proposed facility. The land at 59 Gellibrand River Road is densely vegetated with mature trees, which would generally provide good screening of the telecommunications facility from within the property. The residence is sited fronting Gellibrand River Road and has one habitable room window in the southern elevation facing the subject site. An exposed area, void of vegetation, exists for approximately 10 metres on the boundary fence. Telstra has approached the landowners and offered to provide a row of planting on their property, along the boundary fence, to address the exposed section and to provide additional screening to the south window, driveway and entry to the residence. No objection has been received from this adjoining landowner. As no approach has been made to Council to formally address this matter, and the landscaping discussed between Telstra and the landowner would be outside the application site, it is considered that the planting of the trees would be a private arrangement between Telstra and the adjoining landowner.

It is accepted that the proposed monopole, due to its height, proximity and location would inevitably be seen from adjacent and surrounding roads. This would be unavoidable. Whilst the top section of the tower would be evident from a distance, it is considered that the proposed location would strike an acceptable balance between visual impact and community benefit.

On balance, it is considered that the proposed telecommunications facility would be acceptably sited to minimise visual impact on the landscape setting and that it would not unreasonably compromise existing landscape views.

b. Telecommunications facilities should be co-located wherever practical

As noted earlier in this report, other candidate sites were examined within the search area to meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered. The applicant has advised that no co-location opportunities, other than co-locating with the existing exchange facility, were deemed to be available and suitable. As such, it is considered that a new structure is required to provide coverage.

In view of this, it is considered that the applicant has considered the option of co-location on this site and Principle B has been addressed.

c. Health standards for exposure to radio emissions will be met

The applicant has advised that the installations are designed and certified by qualified professionals in accordance with all relevant Australian Standards. This is considered to ensure that the telecommunication facility would not result in any increase in the level of risk to the public.

The applicant has advised that the proposal has been designed and would be installed to satisfy the requirements contained within Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz, ARPANSA, May 2002 (Standard).

As part of the application submission, the applicant has included an Electromagnetic Energy (EME) Report. The report demonstrates that the proposed facility would comply with the Standard, with the maximum predicted EME equating to 0.083% of the maximum public exposure limit, which would be a minimal change from the existing exposure level of 0.082%. This is considered to be substantially less than the 1% of the minimum allowable exposure limit (where 100% of the limit is still considered to be safe).

d. Disturbance and risk relating to siting and construction should be minimised

It is considered that the immediate area already comprises a modified environment. It is considered that any disturbance to the site would be minimal and limited to the compound area, given its proximity to the road frontage. The applicant has advised construction activities would be limited to installation and intermittent maintenance. There would be limited excavation and formwork required to install the monopole. Once the facility is operational, maintenance inspections would typically be carried out every six months.

It is not anticipated the proposal would materially affect the site or the surrounding area.

e. Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines

The construction of the proposed facility is designed to be carried out in accordance with relevant Occupational Health and Safety Guidelines.

The proposal has been assessed against the relevant criteria and policies as detailed above. It is considered overall that the purpose of the Code of Practice would be satisfied.

It is also considered that the proposed monopole would satisfactorily address the principles for design, siting, construction and operation of the Code of Practice for a telecommunications facility.

The application was referred to Barwon Water, Wannon Water, and the Department of Environment, Land, Water and Planning under the provisions of ESO3. No objection has been raised by either Barwon Water or Wannon Water, subject to conditions from Wannon Water which have been included in the recommendation at the end of this report. VicRoads provided conditions should the application be allowed, requiring an upgrade of the vehicle crossover. No response was received from the Department of Environment, Land, Water and Planning.

Council Plan / Other Strategies / Policy

A Planned Future

The Council Plan contains a strategy to: *“Facilitate the development of infrastructure for business investment, growth and liveability.”* Within this strategy there is an action to: *“Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage”*. There is also a strategy to: *“Meet our statutory obligations for community safety, security and responses to emergency situations”*. As noted in this report, it is considered that the proposal would assist in achieving these outcomes for the community

Financial & Other Resource Implications

The proposal raises no financial or resourcing implications for Council.

Risk Management & Compliance Issues

If the proposal was to proceed, it would contribute significantly to enhancing the capacity of the local community and fire agencies to communicate in emergency situations, which is particularly important for the Shire given its high bushfire risk.

Environmental Consideration / Climate Change

Any relevant environmental considerations have been addressed within this report.

Communication Strategy / Consultation Period

Public notice of the application was required in accordance with Section 52 of the *Planning and Environment Act*, as discussed earlier in the report. This involved letters to owners and occupiers of properties within 1 kilometre of the site, a site notice and an advertisement in the Colac Herald.

Conclusion

It is considered that allowing the proposal would improve telecommunications service coverage in this part of the Shire and would also help progress Federal Government's Mobile Black Spot Programme. The Carlisle River community lodged a submission to the Mobile Coverage Programme Discussion Paper noting the need for communication to be improved in this area. Given this, and the fact that no objections have been received, it is considered that this proposal is a development that the community would benefit from and wants to see implemented. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, and zoning and overlay provisions.

Having given due regard to the matters discussed above, it is considered that the application could reasonably be allowed, subject to conditions.

Attachments

1. PP305 2015-1 Application for Planning Permit

Recommendation(s)

That Council's Planning Committee resolves to issue a Planning Permit for Buildings and Works Comprising the Erection of a Telecommunications Facility (35 Metre High Monopole) and Associated Works at 61 Gellibrand River Road, Carlisle River (Lot 1 TP392335 Parish of Newlingrook) subject to the following conditions:

Amended Plans

- 1. Prior to the commencement of development, 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) Annotations confirming the monopole would be its natural concrete colour and the triangular headframe would be its natural steel colour.***

Endorsed Plans

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

Amenity

- 3. The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective to the satisfaction of the Responsible Authority.***
- 4. The permitted telecommunications facility and associated equipment must be maintained in good condition to the satisfaction of the Responsible Authority.***

Removal of Facility

- 5. In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be reinstated, all to the satisfaction of the Responsible Authority.***

VicRoads conditions

- 6. The crossover and driveway are to be upgraded to the satisfaction of the Roads Corporation and the Responsible Authority and at no cost to the Roads Corporation.***
- 7. The driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).***

Wannon Water conditions

- 8. Movement of soil, sediment and nutrients from the property during development and use of the property must be minimised.***

- 9. The developer is to ensure the 100mm AC water main located along the front of the property is protected from damage likely to be caused by the passage of heavy machinery over it during construction of the Telecommunications Facility.**

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.**

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. VicRoads has advised, in relation to condition 6, that the crossover must be treated with an all-weather seal or some other durable surface.**

~~~~~



Planning Enquiries  
 Phone: (03) 5232 9412 L.L.  
 Web: www.colacotway.vic.gov.au.L.L

|                               |              |
|-------------------------------|--------------|
| Office Use Only               | Fee: \$ 609  |
| Application No.: PP305/2015-1 | Receipt No.: |
| Date Lodged: 22/12/15         | Ward:        |
| Date Allocated: / /           | Zone(s):     |
| Allocated to:                 | Overlay(s):  |

## Application for Planning Permit

Use this form to make an application for a planning permit and to provide the information required by section 47 of the *Planning and Environment Act 1987* and regulations 15 and 38 of the *Planning and Environment Regulations 2005*.

Supplementary information requested in this form should be provided as an attachment to your application.  Please print clearly or complete the form electronically (refer to How to complete the Application for Planning Permit form).

### Privacy notice

**▲** Information collected with this application will only be used to consider and determine the application. It will be made available for public inspection in accordance with section 51 of the *Planning and Environment Act 1987*.

### Need help with the application?

If you need help to complete this form, read *How to complete the Application for Planning Permit form*. For more information about the planning process, refer to *Planning: a Short Guide*. These documents are available from your local council, the Planning Information Centre (Ph: 03 9637 8610, 8 Nicholson Street, Melbourne), or [www.dse.vic.gov.au/planning](http://www.dse.vic.gov.au/planning).

Contact council to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

- ① Has there been a pre-application meeting with a council officer?

Yes  No

If yes, with whom?: Blathin Butler

Date: / / 2015

### The land

- ② Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address

|                                 |                                     |
|---------------------------------|-------------------------------------|
| Street No.: 61                  | Street Name: Gellibrand River Road, |
| Suburb/Locality: Carlisle River |                                     |
| Postcode: 3 2 3 9               |                                     |

Formal Land Description

**▲** This information can be found on the certificate of title.

|                      |                                                             |              |
|----------------------|-------------------------------------------------------------|--------------|
| Lot No.: 1           | on Lodged Plan, Title Plan or Subdivision Plan No.: 392335N |              |
| OR                   |                                                             |              |
| Crown Allotment No.: | Section No.:                                                | Parish Name: |

- ③ Title information.

Attach a full, current copy of title information for each individual parcel of land, forming the subject site.

- ④ Describe how the land is used and developed now.

eg. single dwelling, three dwellings, shop, factory, medical centre with two practitioners, licensed restaurant with 80 seats.

|                           |
|---------------------------|
| Existing Telstra Exchange |
|---------------------------|

- ⑤ Plan of the land.

Attach a plan of the existing conditions. Photos are also helpful.

## The proposal

**▲** You must give full details of your proposal and attach the information required to assess the application.

If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This will delay your application.

- ⑥ For what use, development or other matter do you require a permit?

Read *How to complete the Application for Planning Permit form* if you need help in describing your proposal.

Buildings and Works associated with the development of a Telecommunications Facility pursuant to Clause 52.19 of the Colac Otway Shire Planning Scheme.

- ⑦ Additional information about the proposal.

Contact council or refer to council planning permit checklists for more information about council's requirements.

Attach additional information providing details of the proposal, including:

- Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
- Plans showing the layout and details of the proposal.
- If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).

- ⑧ Encumbrances on title.

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation on title such as an easement or building envelope?

- No, go to 9.
- Yes,  Attach a copy of the document (instrument) specifying the details of the encumbrance.
  - Does the proposal breach, in any way, the encumbrance on title?
    - No, go to 9.
    - Yes, contact council for advice on how to proceed before continuing with this application.

**▲ Note**

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the *Planning and Environment Act 1987*). Contact council and/or an appropriately qualified person for advice.

## Costs of buildings and works/permit fee

Most applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact council to determine the appropriate fee.

- ⑨ Estimated cost of development for which the permit is required.

Cost \$ 200,000.00

**▲** You may be required to verify this estimate.

Write 'NIL' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

- ⑩ Do you require a receipt for the permit fee?

Yes  No

### Contact, applicant and owner details

11 Provide details of the contact, applicant and owner of the land.

**Contact**

The person you want Council to communicate with about the application.

Name: Emily Wardlaw

Organisation (if applicable): Excomm Integrated Services

Postal address: Shop 3, 157 Martin Street, Brighton

Postcode: 3 1 8 6

Contact phone: 0422685472

Mobile phone:

Email: emily@acquirecomm.com.au

Fax:

Indicate preferred contact method

**Applicant**

The person or organisation who wants the permit.

Same as contact. If not, complete details below.

Name:

Organisation (if applicable): Telstra Corporation Ltd

Postal address:

Postcode:

**Owner**

The person or organisation who owns the land.

Same as contact  Same as applicant

Where the owner is different from the applicant or contact, provide the name of the person or organisation who owns the land.

Name (if applicable): Ian Gregory and Elvie Hume

Organisation (if applicable):

Postal address: 40 Moomowrong Road, Carlisle River

Postcode: 3 2 3 9

### Checklist

12 Have you?

Filled in the form completely?

Paid or included the application fee?

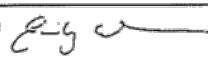
Attached all necessary supporting information and documents?

Completed the relevant council planning permit checklist?

Signed the declaration on the next page?

## Declaration

- 13 This form must be signed. Complete one of A, B or C
- ⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

|                                                                                                                                                                                                                                                       |                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A Owner/Applicant</b></p> <p>I declare that I am the applicant and owner of the land and all the information in this application is true and correct.</p>                                                                                       | <p>Signature</p> <p>Date: <input type="text"/> / <input type="text"/> / <input type="text"/></p>                                     |
| <p><b>B Owner</b></p> <p>I declare that I am the owner of the land and I have seen this application.</p>                                                                                                                                              | <p>Signature</p> <p>Date: <input type="text"/> / <input type="text"/> / <input type="text"/></p>                                     |
| <p><b>Applicant</b></p> <p>I declare that I am the applicant and all of the information in this application is true and correct.</p>                                                                                                                  | <p>Signature</p> <p>Date: <input type="text"/> / <input type="text"/> / <input type="text"/></p>                                     |
| <p><b>C Applicant</b></p> <p>I declare that I am the applicant and:</p> <ul style="list-style-type: none"> <li>I have notified the owner about this application;</li> <li>and all the information in this application is true and correct.</li> </ul> | <p>Signature </p> <p>Date: 1 7 / 1 2 / 2 0 1 5</p> |

## Lodgement

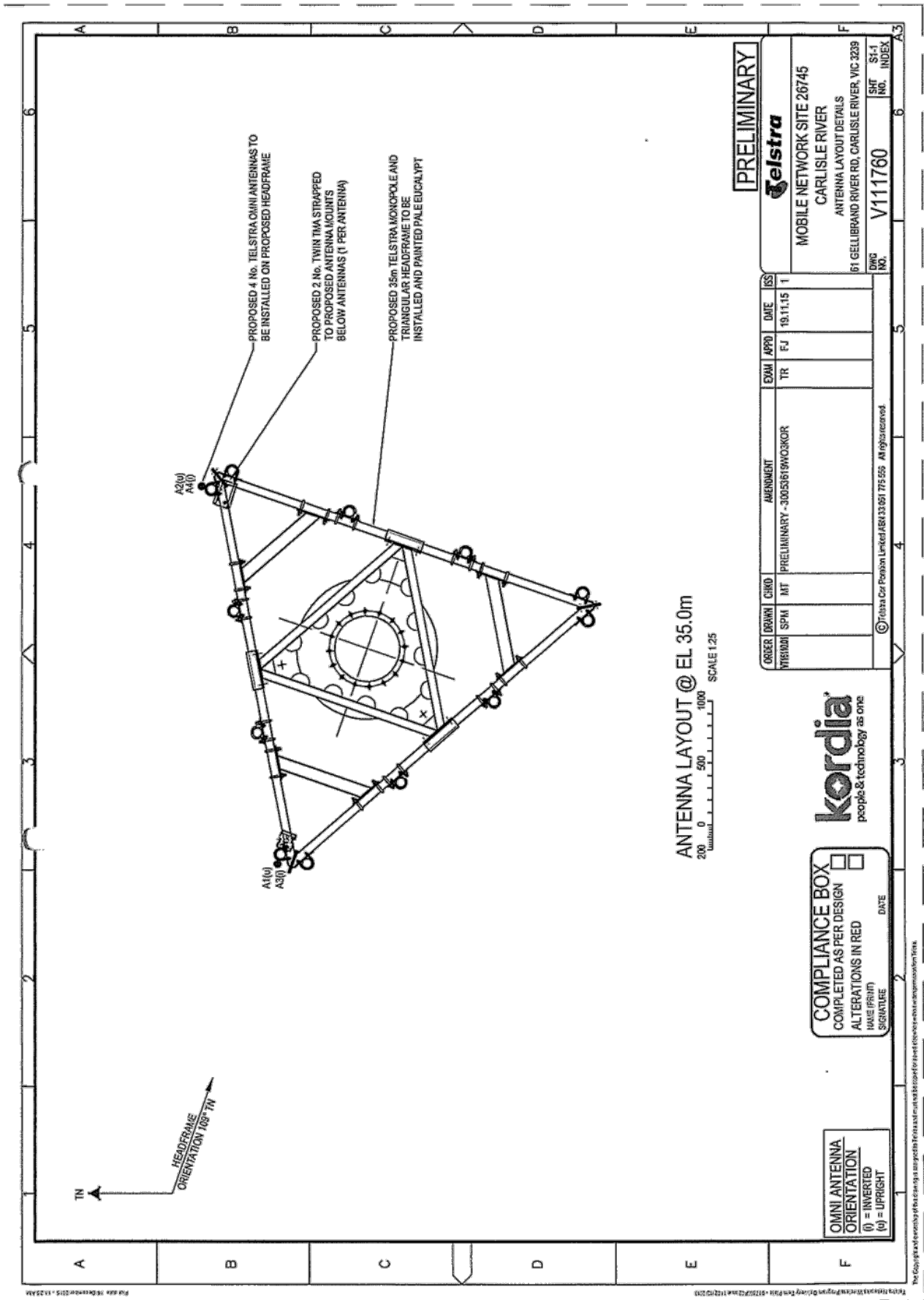
Lodge the completed and signed form and all documents with:

Colac-Otway Shire ☐☐  
 PO Box 283, ☐COLAC VIC 3250☐  
 2-6 Rae Street, COLAC VIC 3250☐☐  
 Telephone: (03) 5232 9412 ☐☐  
 Fax: (03) 5232 1046 ☐☐  
 Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) ☐☐  
 TTY: (03) 5231 6787☐☐

For help or more information

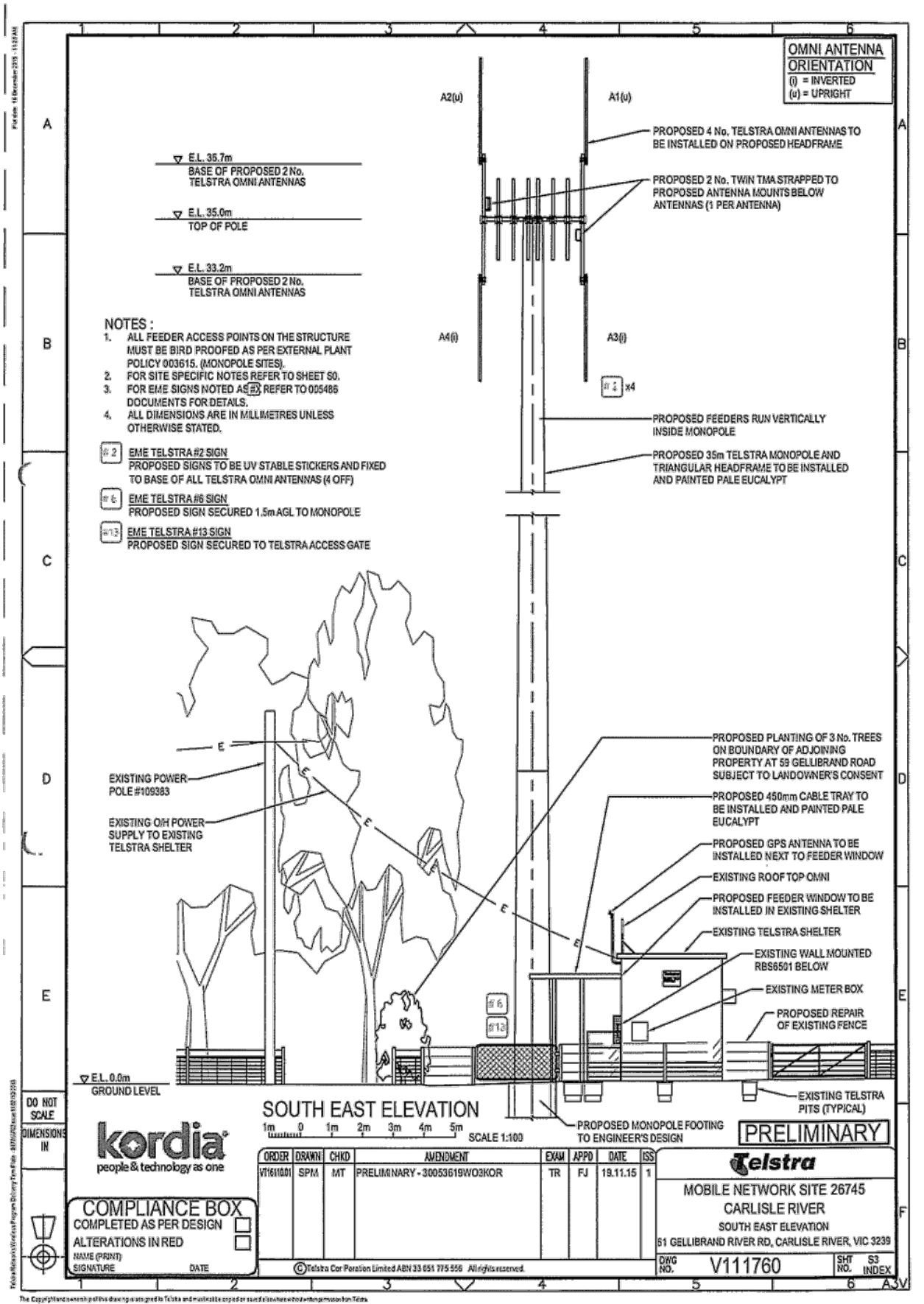












**PC160903-2 RESUBDIVISION OF THE LAND, USE AND DEVELOPMENT OF LAND FOR  
A CAMPING AND CARAVAN PARK, ALTERATION OF ACCESS AND  
DISPLAY OF ILLUMINATED BUSINESS IDENTIFICATION SIGN AT 15 & 17  
IRREWILLIPE ROAD ELLIMINYT (PP100/2015)**

|             |                                  |           |             |
|-------------|----------------------------------|-----------|-------------|
| AUTHOR:     | Helen Evans                      | ENDORSED: | Brydon King |
| DEPARTMENT: | Development & Community Services | FILE REF: | F15/3859    |

**Location:** 15 and 17 Irrewillipe Road Elliminyt

**Zoning:** General Residential 1 Zone (GRZ1)  
Adjacent to Road Zone Category 1 (RDZ1)

**Overlay controls:** Development Plan Overlay Schedule 2 (DPO2)

**Proposed Amendments:** Nil

**Purpose:** A planning permit is sought to re-subdivide two existing lots, and to use and develop the larger of the resultant lots as a Camping and Caravan Park. In addition, the application seeks a permit to alter the access onto Irrewillipe Road (RDZ1) and to display an externally illuminated business identification sign.

This application is before the Planning Committee as twelve (12) objections have been received.

It is recommended that the application is allowed and a Notice of Decision to Grant a Permit is issued.

**Declaration of Interests**

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

**Summary**

- A planning permit is sought to re-subdivide two existing lots, with areas of 0.5ha and 0.6ha, into two lots of 8090m<sup>2</sup> and 3411m<sup>2</sup>, and to use and develop the larger lot as a Camping and Caravan Park. In addition, the application seeks a permit to alter the access onto Irrewillipe Road (RDZ1) and to display an externally illuminated business identification sign.
- The land is zoned General Residential 1 Zone and subject to Development Plan Overlay Schedule 2. The land is adjacent to Road Zone Category 1.
- Thirteen objections were initially received to this application. Following a Consultation Meeting between the applicant and objectors on 18 August 2015, which was facilitated by Council, one objection was withdrawn after minor variations to the proposal were made by the applicant to address some of the issues raised.
- The objections relate to concerns about increased noise and traffic, permanent residency in the caravan park, neighbourhood amenity, parking, park management/noise curfew, illuminated signage, devaluation of properties and the surrounding area, and the proposal having no regard to the Development Plan for this area.

- Thirty-eight letters of support for the application have also been received. Of these, twenty-three were from properties within 280m of the subject site.
- The application was referred externally to VicRoads and Barwon Water, and internally to Council's Infrastructure, Environment, Health Protection, and Recreation, Arts and Culture Units. No objections were received from any of the external authorities or from the Council Units consulted.
- On balance, it is considered that the proposed re-subdivision, and the use and development of the larger lot as a Camping and Caravan Park, would provide an acceptable outcome on an underutilised piece of land within a developed and serviced location.
- With appropriate controls, it is considered that the proposal could be considered to be generally in accordance with the approved Development Plan for the area.
- As such, it is considered that a Notice of Decision to Grant a Permit could reasonably be issued in this case.

### **Background**

As noted above, the application site is within an area covered by a Development Plan Overlay (DPO2). This overlay was applied to various sites in Colac and Elliminyt in 2009 through planning scheme amendment C55. A Development Plan for the block of land in which the current application site is located was adopted by Council at its Ordinary Council meeting on 22 October 2014.

The purpose of a Development Plan Overlay (DPO) is to ensure that any future subdivision of land is well planned and makes provision for well-connected road and pedestrian access, public open space and other community infrastructure. In this instance, the Development Plan Overlay seeks to ensure that fragmented lots are not subdivided and developed independently of each other, and instead are well integrated. In deciding to proceed with preparing Development Plans for some of the land covered by DPO2 in recent years, it was noted that integrated subdivision layouts help to avoid the adverse social impacts of past subdivision patterns and would allow many landlocked lots to be capable of further development.

A Development Plan has been adopted for the block of land in which the current application site is located. The aim of the Development Plan is to guide the form of future development by providing a strategic 'road map' for how land in the precinct could be developed through co-ordination of vehicle and pedestrian access and open space.

DPO2 states that development and subdivision must be consistent with an approved Development Plan. It does not trigger a planning permit requirement itself, but requires any application for development or subdivision considered by Council to be consistent with the approved plan.

### **Issues / Options**

Council has the options of:

- a) Supporting the application subject to conditions;
- b) Supporting the application subject to conditions with changes;
- c) Refusing to grant a permit.

Key issues in the consideration of this application relate to potential neighbourhood amenity impact, traffic and noise issues caused by the proposed use and development, and compliance with the approved Development Plan.

It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

### **Proposal**

The application has a number of elements, as outlined below.

#### *Subdivision*

It is proposed to re-subdivide two existing lots at Nos. 15 and 17 Irrewillipe Road. The existing lots have areas of 0.5ha and 0.6ha. The re-subdivision would result in 17 Irrewillipe Road becoming a larger lot of 8090m<sup>2</sup>, with an irregular battle-axe shape, and 15 Irrewillipe Road being reduced to 3411m<sup>2</sup>. The land to be transferred as a result of the re-subdivision is the rear section of 15 Irrewillipe Road and 1.2m off the common boundary between the existing dwellings/lots. Proposed Lot 1 (17 Irrewillipe Road) would have a frontage of 39.73m and a depth of 138.42m. The back of the lot would be 82.55m wide. Lot 2 (15 Irrewillipe Road) would be rectangular in shape with a frontage of 42.41m and a depth of 80.42m.

The purpose of the subdivision is to provide additional land for the proposed Camping and Caravan Park use at 17 Irrewillipe Road. 15 Irrewillipe Road would retain the existing dwelling and a shed fronting onto Irrewillipe Road, and would continue to be used for residential purposes.

#### *Use and Development of the Land for a Camping and Caravan Park*

It is proposed to use and develop the land at 17 Irrewillipe Road as a Camping and Caravan Park, providing 8 onsite cabins and 25 caravan/camping sites. The caravan park facilities would all be located behind the existing dwelling, which is located towards the front of the site. Facilities associated with the Camping and Caravan Park would include the existing swimming pool, a games room (which would be provided by converting part of the existing shed, which is located behind the dwelling), and a playground and jumping pillow area immediately north of the existing shed. Other facilities would include a BBQ area, camp kitchen and amenities block, which would generally be located in the centre of the proposed park. Vehicle access to the park would be provided via Irrewillipe Road, along the eastern boundary of the site. The driveway would be 6m wide, with the existing dwelling verandah encroaching into this driveway by up to 0.5m. A footpath would be provided adjacent to the driveway.

A bitumen/concrete driveway would be provided through to the camping/caravan area, with the access tracks in and around the site being compacted gravel. Compacted gravel car spaces would be provided adjacent to the cabin sites, whilst the other sites would be grass with gravel as required. A standing area which would accommodate seven car spaces, or three small vehicles (or a car and van) is also proposed in front of the dwelling. One metre wide strips of landscaping are proposed along the west and eastern boundaries.

Elevations of the proposed buildings and cabins have not been provided at this time; however the applicant has advised that the overall height of each cabin (and amenities building) would not exceed 5.1m above ground level. The size of the cabins would be 9.7m x 4.70m. Each cabin would be capable of accommodating up to 6 people.

Each caravan site would be grassed and/or surfaced with gravel to ensure an all-weather surface. The dimensions of each site would be 8m wide by 9.7m deep. Each site would be capable of accommodating one 6m x 3.3m car space, as well as the caravan/camping facility.

The amenities block would be 12m long by 4.57m wide, and would provide male, female and disabled facilities, totaling ten toilets and seven showers. Laundry facilities would also be available in this building.

External lighting of the entrance and holiday park would be provided and controlled with sensors or an automatic timer to meet safety and accessibility requirements. Lighting around the park would generally comprise combined power outlet and light bollards for customer connection. Lighting would be baffled to ensure light spillage would not occur to surrounding properties or be hazardous to vehicles.

The owner of 17 Irrewillipe Road intends to operate the caravan park and does not propose to employ any additional staff. The existing dwelling would also act as an office and reception area, with no external alterations proposed to the dwelling. The owner has advised that general office hours would be 8am to 6pm and late check-ins could be accommodated by prior arrangement.

The application includes a copy of the proposed park rules and conditions to control the activities and potential disturbance to the neighbourhood amenity. It is the intention of the applicant not to let out the cabins or sites for permanent residential use; however it is noted that the *Residential Tenancies Act 1997* (Clause 518) states that "A planning scheme or permit under the *Planning and Environment Act 1987* whether made before or after the commencement of this section cannot limit the duration of residency in a caravan park."

#### *Alteration to the Access onto RDZ1*

There is no proposed alteration to the single access point of access to 15 Irrewillipe Road.

17 Irrewillipe Road currently has two (2) single vehicle crossovers onto the road (a RDZ1). To facilitate the Camping and Caravan Park use, it is proposed to alter the most easterly access to create a double access point of 10.5m wide, with a separator providing an 'in and out' access/egress for the vehicles associated with the caravan park. Both the west and east crossovers would be constructed with a bitumen/concrete crossover to the road pavement.

#### *Display of an externally illuminated business identification sign.*

It is proposed to display an externally illuminated sign at the easterly entrance to 17 Irrewillipe Road. The business identification sign, which would have two sections, would have the dimensions of 1200mm x 900mm and 1200mm x 250mm. The sign would have a total height of 3m and be externally illuminated. The sign would be visible from both directions. The sign would be illuminated from dusk until not later than 10.30pm.

#### **Site & Surrounds**

The site is located on the northern side of Irrewillipe Road, between Main Street and Hart Street, Elliminyt. The application site comprises two existing lots, specifically identified as Lot 1 PS309192 (15 Irrewillipe Road) and Lot 2 PS449041 (17 Irrewillipe Road).

15 Irrewillipe Road is an almost rectangular shape, with a frontage to Irrewillipe Road of 43.61m and a depth ranging between 138.42m and 144.42m, providing a total area of 6167m<sup>2</sup>. This lot is developed with a brick dwelling fronting Irrewillipe Road and shedding, and has a large open area with scattered trees at the back of the lot. An existing single vehicle crossover onto Irrewillipe Road provides access.

17 Irrewillipe Road is also rectangular in shape with a frontage to Irrewillipe Road of 38.53m and a depth of 138.42m, providing a total area of 5333m<sup>2</sup>. This lot is developed with a brick dwelling, shedding and a swimming pool, and has a large open area with scattered trees at the back of the lot. Two existing single vehicle crossovers onto Irrewillipe Road provide access.

Both lots have a 3m drainage easement adjacent to the north boundary. The surrounding properties comprise large residential lots developed with dwellings.

The application site is approximately 180m from Colac Lavers Hill Road. Both Colac Lavers Hill Road and Irrewillipe Road are VicRoads (RDZ1) roads. Irrewillipe Road to the south of the site is a sealed road with underground drains and grass verges on the north side, and concrete kerb and channel on the southern side. There are no footpaths constructed along Irrewillipe Road, which is a main road to Carlisle and surrounding areas to the southwest of Colac.

A convenience shop is located on the corner of Irrewillipe Road and Colac Lavers Hill Road, together with the Elliminyt Primary School, a fitness centre and the Elliminyt Hall. All surrounding land is zoned General Residential (GRZ1). Residential development on the southern side of Irrewillipe Road is at a higher density than the northern side. The lots on the northern side of Irrewillipe Road are generally developed with large single dwellings, with large empty spaces behind the dwelling.

As noted earlier in this report, the two lots that form the subject of this application, as well as surrounding larger lots, form part of the Development Plan Overlay (DPO Area 4). Reticulated water, sewer, power and gas are available to the site.

#### **Public Notice**

Public notice of the application was given in accordance with Section 52 of the *Planning and Environment Act* by sending a copy of the notice to all property owners and occupiers in the block bounded by Main Street, Aireys Street, Hart Street and Irrewillipe Road, as well as all property owners and occupiers on the southern side of Irrewillipe Road between Main Street and Hart Street Elliminyt. A sign was also placed on both lots that form the application site for a period of 14 days. At the end of the public notice period, thirteen (13) objections and thirty-eight (38) letters of support had been received.

Following receipt of the objections, the applicant amended the application plans to include additional parking within the site, altered the park rules to limit the use of the swimming pool, provided clarification regarding the permanent residency within the park, provided details of emergency assembly, provided advice about the proposed drainage of the site, and gave a response about how the proposal responds to the Development Plan Overlay.

On 18 August 2015, Council arranged a Consultation Meeting to allow the applicant to discuss the proposal with the objectors. The aim of the Consultation Meeting was to bring the objectors, submitters and the applicant together so that each party was fully informed about the proposal, and the objections and submissions. Following the Consultation Meeting, the applicant made further changes to the night-time curfew (reducing it to 10.30pm, with and lighting to be switched off by 10.30pm). One objection was withdrawn, with twelve (12) objections maintained to the application.

The objections are summarised as follows:

- a. Increased noise and traffic; potential traffic management issues including pedestrian movements; parking; traffic maneuverability; increased traffic; concerned about no change to entrance given busy road; queried whether there would be any parking on Irrewillipe Road; heavy traffic increasing risk to road users and pedestrians; concerns for pedestrians on roadside; no footpath – risk to pedestrians; queried whether visitor car parking sufficient (this comment related to the proposal showing 2 visitor spaces, which was initially advertised).



Comment

Council's Infrastructure Unit initially required kerb and channel construction within the road reserve at the front of the site to provide car parking. However, the applicant added additional parking onsite and the provision of kerb and channel at the frontage in order to provide for expected short term car parking (i.e. potential customers who wish to make enquiries) is no longer required given the level of onsite short term car parking now proposed. Ten visitor spaces could be made available if required. The applicant has advised that the customer would be asked to nominate the number of car spaces required at the time of booking to allow monitoring of the parking.

- b. Caravan park would disturb the amenity of the residential area; negatively impact the amenity of the residential area; privacy reduced.

Comment

As part of the application, the applicant has submitted a set of 'Park Rules and Conditions'. These rules and conditions state that occupancy in the park is conditional upon the occupant complying with the rules and conditions. Matters such as security, alcohol consumption, behaviour, noise, pets, waste, speed limits, parking and visitor notification are all addressed within the rules and conditions. The site is within an established residential area, although currently the area is underutilised with single dwellings on lots ranging between 800m<sup>2</sup> and 1.2ha in area. Residents currently enjoy the openness on the larger lots; however the Elliminyt area is in a transitional period where development is encouraged in serviced residential areas to fully utilise the infrastructure available and to reduce the demand on the rural areas.

The objectors suggested that the residential zone was not an appropriate zone for this type of activity, and that it should be provided for on the outskirts of town. The rural zones, however, do not have the infrastructure available to service a caravan park. A caravan park is a form of accommodation that can be granted a permit in the residential zone if it is considered to respect the character of the area. The caravan park would intensify the use of the land for accommodation purposes behind the existing dwelling located to the front of the site, and would not be highly visible or dominant from Irrewillipe Road thereby respecting the existing character of the area. The site would be fenced with a solid 1.8m high fence around the boundary.

- c. Is this site appropriate for a caravan park?; more appropriate non-residential locations in Colac and Elliminyt, commercial business or residential area?; business in residential zone that does not serve the community needs; inappropriate use in zone

Comment

The use of the land as a caravan park is a commercialised form of an accommodation use. A Camping and Caravan Park is a Section 2 Use (permit required) in a residential zone. As noted above, it is considered an acceptable use of the land in this instance.

- d. Opportunity to have a noise curfew; noise disturbance; increased noise levels; noise disturbance

Comment

The initial application offered a noise curfew of 11pm; however, following the Consultation Meeting, the applicant amended the 'Park Rules and Conditions' to propose a noise curfew commencing at 10.30pm and lasting until 7am. It is worthwhile noting that this curfew does not apply to dwellings in the residential area.



e. Permanent or non-permanent residents

Comment

The applicant has advised that the intention is to create a family friendly holiday park and no permanent residents would be permitted. It is considered by the owners that allowing permanent residents would detract from the primary focus of the proposed facility, which would be to provide safe, attractive and comfortable accommodation for families and visitors requiring self-contained facilities, with the cabins anticipated as core business. Although the owners would accept a restriction to prohibit permanent residents, as noted above the *Residential Tenancies Act 1997* (Cl 518) specifies that "a planning scheme or permit under the *Planning and Environment Act 1987* whether made before or after the commencement of this section cannot limit the duration of residency in a caravan park".

It is therefore not considered that this is a matter that can be addressed under planning controls.

f. Maximum capacity of the park?

Comment

Eight (8) onsite cabins and twenty-five (25) caravan/camping sites are proposed. Each cabin would be able to accommodate six (6) persons.

g. What are the emergency procedures

Comment

The applicant has submitted details of the emergency assembly and evacuation plan in the 'Park Rules and Conditions'.

h. Headlights into residence when exiting the property, illuminated signage also of concern

Comment

The applicant has advised that the owner has met directly with the objector concerned and offered to undertake landscaping and/or fencing across the front of the objector's site should a permit be granted. The applicant advised that the objector declined this offer and advised that he would approach the owner directly in the future should car headlights cause amenity concerns in the future.

i. Illuminated signage will create amenity issues for nearby neighbours; illuminated signs and lighting does not fit in residential area

Comment

The lighting within the property itself would be low bollard style lights to provide visibility within the pedestrian areas of the park. Each light pedestal would not exceed 1.01m and would not illuminate beyond the property boundary due to the low wattage proposed. The signage at the front of the site would be externally illuminated and turned off at 10.30pm. All time-switch dependent lighting would be turned off at 10.30pm.

j. Devaluation of homes and competition to existing caravan parks; devalue surrounding land; decrease the value of property.

Comment

The applicant has submitted a letter from a local real estate agent advising that the proposed caravan park would not impact on the surrounding land values. That aside, this is not a material planning consideration.

k. Drainage concerns

Comment

Council's Infrastructure Unit has reviewed the application and recommended conditions that would address any drainage issues. The site has access to a drainage easement, which currently has no infrastructure in it. The easement runs to the east towards Main Street. Any land to the north of the site which cannot fall to Irrewillipe Road could fall to infrastructure placed in this easement. If approved, all drainage is to be engineer designed to ensure that no detrimental impact is experienced by adjoining land and that the limited drainage capacity in Irrewillipe Road is not adversely affected. In other words, the onsite capacity of the drainage system would be designed to be more than adequate to cater for the increased runoff expected as a result of this development.

l. Caravan park does not fit with DPO; no consideration for the road; sets precedent for having no regard to DPO

Comment

This is addressed in the overlay section of this report below.

m. How big can the caravan park become?

Comment

Council can only consider the proposed use and development of the caravan park as submitted in the application. Any changes to the use or development would be subject to future planning permission.

**Referrals**

In accordance with Section 55 of the Planning and Environment Act, the application was referred to VicRoads. Barwon Water was notified in accordance with Section 52 of the Act. No objections have been raised from any external referral authorities, subject to permit conditions which have been included in the recommendation at the end of this report.

The application was also referred internally to Council's Infrastructure, Environment, Health Protection, and Recreation, Arts and Culture Units. No objections were received, subject to conditions being imposed should a permit be issued. These conditions have been included in the recommendation at the end of this report.

**Planning Controls**

The land is in the General Residential 1 Zone (GRZ1) and adjacent to Road Zone Category 1, and is subject to the Development Plan Overlay (DPO2). A planning permit is required under the following provisions:

- Clause 32.08-1 – Use of the Land for Camping and Caravan Park - General Residential Zone
- Clause 32.08-2 – Buildings and Works Associated with a Camping and Caravan Park - General Residential Zone
- Clause 32.08-4 – Subdivision – General Residential Zone

- Cause 52.05 – Advertising Signage
- Clause 52.29 – Alteration to Access to RDZ1 and Subdivision Adjacent to RDZ1 – Land Adjacent Road Zone Category 1

Clause 43.04-1 (DPO2) does not trigger a planning permit requirement, but does specify that “a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

*This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.*

*A permit granted must:*

- *Be generally in accordance with the development plan.*
- *Include any conditions or requirements specified in a schedule to this overlay.”*

a. State and Local Planning Policy

The State and Local Planning Policy Framework seeks to ensure the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices, which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The following policies are relevant to the consideration of this application:

- Clause 11.05-1 – Regional Settlement Networks
- Clause 11.05-4 – Regional Planning Strategies and Principles
- Clause 11.07-7 – A Diversified Economy
- Clause 17.01-1 – Business
- Clause 17.03-1 – Facilitating Tourism
- Clause 21.02-2 – Land Use vision
- Clause 21.03-1 – General
- Clause 21.03-2 – Colac
- Clause 21.05-4 - Tourism

In general terms, the State planning policies described above seek to provide for appropriately located supplies of residential land within established areas in existing settlements, to reduce the pressure for fringe development to meet community needs in accordance with the relevant regional growth plan. The policies seek to direct residential development and infrastructure within defined settlement boundaries of existing settlements that are capable of accommodating growth. The policies add that development should be sensitively sited and designed to respect the character of settlements.

Specifically in relation to the Great Ocean Road Region, the State policies seek to ensure that development responds to the identified landscape character of the area, directing urban growth to strategically identified areas.

The local planning policies seek to encourage future residential development in existing zoned and serviced areas, to avoid an oversupply of residential zoned land and to make the most effective use of infrastructure services to meet the needs of the existing and future population.

This type of proposal seeks to provide accommodation for visitors to the area, being a new accommodation facility within an established low density residential area which has the infrastructure available to service the development.

It would also promote economic growth in the Colac township, whilst offering a type of service to visitors that is currently limited in Colac.

Overall, it is considered that the proposal is in accord with the principles of the State and Local Planning Policy Frameworks.

b. Zoning

The land is zoned General Residential 1 Zone (GR1Z). The purpose to the zone is:

- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

A planning permit is required under the provisions of Clause 32.08-1 of the General Residential Zone for the use of land for a Camping and Caravan Park. A 'Camping and Caravan Park' is nested in 'accommodation', which is a section 2 use (permit required). Therefore a planning permit is required to use the land for a Camping and Caravan Park.

Camping and Caravan Park is defined as:

*"Land used to allow accommodation in caravans, cabins, tents, or the like."*

A planning permit is also required under the provisions of Clause 32.08-2 of the General Residential 1 Zone for the subdivision of the land. An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56.

In addition, Clause 32.08-6 of the General Residential Zone triggers a requirement for a planning permit to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

c. Overlays

i. Development Plan Overlay Schedule 2 (DPO2)

The site is covered by the Development Plan Overlay – Schedule 2 (DPO2). The purpose of this overlay is:

- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if it is generally in accordance with a development plan.*

*A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.*

*This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority. A permit granted must:*

- *Be generally in accordance with the development plan.*
- *Include any conditions or requirements specified in a schedule to this overlay.*

As previously discussed, this overlay does not trigger a requirement for a planning permit. However, when a planning permit is required, this overlay must be considered to ensure that any permit is generally in accordance with the development plan.

A development plan for this area has been prepared and was adopted by Council at its Ordinary Council meeting on 22 October 2014. The adopted development plan identifies that a proposed local road network is to be provided; part of this would run east/west approximately through the centre of the existing lots that form the subject of this application.

d. Particular Provisions

i. Clause 52.05 – Advertising Signage

Signs in the General Residential Zone are in Category 3 of clause 52.05 (High Amenity Areas – Medium Limitation). This provision seeks to ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which they are displayed or the surrounding area.

ii. Clause 52.06 – Car Parking

It is a requirement that:

*“Where a use of land is not specified in Table 1 [in clause 52.06] or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority”.*

There is no specified car parking rate for a Camping and Caravan Park; therefore the applicant must demonstrate that adequate parking would be provided, to the satisfaction of the Responsible Authority.

iii. Clause 52.29 – adjacent Road Zone Category 1

Clause 52.29 seeks:

- *To ensure appropriate access to identified roads.*

- *To ensure appropriate subdivision of land adjacent to identified roads.*

A permit is required to:

- *Create or alter access to:*
  - *A road in a Road Zone, Category 1.*

iv. Clause 56 – Residential Subdivision

The General Residential Zone states that a permit is required to subdivide land and that a Clause 56 assessment is required except for when there is an existing dwelling and car parking space on each lot.

In this instance, both of the existing lots has an existing dwelling and car parking space, and therefore no assessment against Clause 56 is required.

### **Consideration of the Proposal**

The key considerations in this case are whether the proposed use and development of a Camping and Caravan Park on this residential land in the General Residential Zone is acceptable and whether the proposed park, including the proposed re-subdivision of two existing lots, would be generally in accordance with the approved Development Plan. In addition, consideration must be given to the potential impacts of the proposed use and development on the character and amenity of the area, as well as to the social and economic benefits that may be associated with the proposal.

#### General Residential Zone – Use, Development and Subdivision

A planning permit is required under the provisions of:

- Clause 32.08-1 for the use of the land for a Camping and Caravan Park
- Clause 32.08-2 for the subdivision of the land
- Clause 32.08-6 for the construction of a building or the construction or carrying out works for a use in Section 2 (permit required) of Clause 32.08-1.

‘Camping and Caravan Park’ is nested in ‘accommodation’, and ‘accommodation’ is a section 2 (permit required) use in the General Residential Zone. ‘Camping and Caravan Park’ is defined as *“land used to allow accommodation in caravans, cabins, tents, or the like”*.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 (‘ResCode’). In this case, a clause 56 assessment is not required as there would be an existing dwelling on each lot.

It is considered that, in the event a permit is issued, the proposed re-subdivision of the land should occur before the development commences, as the proposal has been assessed on this basis.

A condition has been included in the recommendation at the end of the report to ensure that this would occur.

On balance, the proposed use, development and subdivision is considered to be consistent with the purpose and objectives of the General Residential Zone. The zone encourages a variety of accommodation types to cater for a range of different needs, including short-term accommodation at a lower cost. It is considered that the proposed Camping and Caravan Park would provide such accommodation and that the park would be well screened from the road due to the existing dwellings fronting onto Irrewillipe Road.

All proposed buildings, such as the cabins and amenities block, would be single-storey and therefore would blend with the typical low scale development in the surrounding area. The cabins would be sited in two rows, with sufficient space around the buildings to ensure that the use and development would not appear too intensive within the site. The proposed buildings would also all be movable/relocatable and therefore could be easily moved should the caravan park use cease in the future.

The applicant has submitted the caravan park rules which would address noise and nuisance matters, and the park would have onsite management. The amenities block and gathering areas (such as the bbq and playground area) would be located within the middle of the site, which would provide some buffer to the neighbouring properties.

Park rules have also been submitted with the application and propose a noise curfew of 10.30pm. It is also proposed that the external lighting would be controlled with sensors and/or an automatic timer to satisfy safety and accessibility requirements. Lighting would be baffled, to ensure spillage would not occur onto surrounding properties.

Landscaping is also proposed throughout the lot and, if approved, permit conditions would require the implementation of the landscaping.

The proposed subdivision would transfer land from one existing developed residential lot to another, to provide additional land to be utilised as part of the caravan park. Each lot would be capable of further subdivision and would not be inconsistent with the existing lot density in the vicinity. A permit is required for the subdivision of the land; however as each lot contains an existing dwelling, the provisions of Clause 56 (requiring a 'ResCode' assessment of the proposed subdivision) do not apply. The pattern of the proposed subdivision would provide opportunity for the proposed use of the land at 17 Irrewillipe Road as a Camping and Caravan Park, whilst maintaining the 'status quo' at the Irrewillipe Road frontage. As noted earlier in this report, whilst reduced in size, 15 Irrewillipe Road would continue to be used as a lot for a single dwelling.

The proposed caravan park use would not be highly visible from Irrewillipe Road, apart from the proposed signage, vehicle access points and parking areas to provide access to the site.

The applicant has drawn attention to the many sporting and community events held in and around the Colac district, which attract visitation from outside of the area, and noted that it is important that all visitor groups have a variety of accommodation options to encourage greater length of stay in the area. This development, if approved, although some distance from the Colac commercial area, would be a positive addition to the Shire's current accommodation stock and would increase the number of travelers able to stay in Colac and surrounds. This would provide an increase in economic activity for Colac and Elliminyt, which would be a benefit to the Shire.

Letters of both support and objection to the application were received. Some objectors are concerned with the potential for accommodation in the proposed park being used by some clientele as long term residences. As noted earlier in this report, whilst the owners would accept a restriction to prohibit permanent residents, the *Residential Tenancies Act 1997* (CI 518) specifies "a planning scheme or permit under the *Planning and Environment Act 1987* whether made before or after the commencement of this section cannot limit the duration of residency in a caravan park".

The submitters also raised concerns about the amenity of the area being impacted by noise and other issues such as increased traffic and lighting.

The applicant has submitted to Council a copy of the proposed park rules, which include a noise curfew between 10.30am and 7am daily, and has provided details of the proposed external lighting (either being of low emission or set to a 10.30pm turn off switch in order to address the surrounding residents' concerns). Of note is the fact that these proposed park rules are likely to be more stringent than the typical limitations in a residential area.

#### Development Plan Overlay

The site is covered by the Development Plan Overlay – Schedule 2 (DPO2). Although this overlay control does not trigger a requirement for a planning permit, when a planning permit is required under another provision the overlay control must be considered to ensure that any permit is generally in accordance with the development plan.

A development plan has been prepared for this area, which was adopted by Council at its October 2014 Council meeting. The adopted development plan shows a proposed local road network running east/west through the centre of the existing lots that form the subject of this application.

The approved development plan is a concept plan, which proposes a road network along defined property boundaries with the exception of the location of the proposed road running east/west through the subject site. This east/west road does not follow any definitive boundary alignment and therefore the exact location of the proposed road network will, to some degree, be guided by future planning applications received in this vicinity, to ensure that there is sufficient connectivity through each lot developed.

The site plan submitted with the application identifies and provides details of the proposed road alignment, noting that no buildings are proposed within this area. It is proposed to locate the playground/jumping pillow area and 7 camping sites and/or 3 parking spaces within that section.

Given the exact location of the subject site within the DPO area, the provision of the future road proposed as part of the development plan is not required at this point in time and not likely to be required until such time as other land within the DPO area is developed in accordance with the development plan. For example, no road access is currently available to the proposed road through the application site. The potential access points to the DPO area identified in the development plan would be from Aireys Street and Hart Street. The subject site is basically reliant on at least 4 or 5 other landholders acting on the development plan before the road is required through the subject site. There is potential for all other land to be developed around the subject site without the road being constructed; however this would result in dead-ends and the road design not being in generally in accordance with the development plan.

It is unknown whether the proposed road is likely to be required in 2 or 20 years' time. Council needs to consider whether it is appropriate to restrict the type of development currently proposed during this time, particularly when the proposed caravan park proposal would not create any permanent structures that would be costly to remove, i.e. all cabins and the amenity building could be relocated or removed. Whilst it is not an ideal scenario, it is considered that the proposed use and development could operate on the basis that the applicant enters into a Section 173 agreement to develop the road at such time that a neighbouring lot is developed with a road and there is a need to construct the road through the subject land.

Council officers discussed this matter with the owner and applicant, and the owner indicated that this was something to which he could agree. It is considered that ensuring the road would be constructed, if and when required, is the only way that the current proposal could be considered to be generally in accordance with the development plan.



Council officers sought legal advice on the requirements to reduce any potential risk implications to Council in the future. The recommended permit conditions were reliant on the written agreement of the landowner to these conditions. In the event that the owner did not agree, it would have raised the question of whether the proposal would be *'generally in accordance with the development plan'*.

The owner did consent to the agreement and therefore two conditions are included in the recommendation at the end of this report, to facilitate compliance in accordance with the development plan. The first condition seeks an amended plan that demonstrates how the Camping and Caravan Park use could continue with the road constructed through the site. (The alternative of the use ceasing upon the road construction was also put to the owner).

This plan will ultimately be referred to as the 'stage 2 plan', which would come into effect upon the construction of the road through the site. The second condition requires the owner to enter into a section 173 Agreement with Council agreeing to the construction of the road if one of a number of specified triggers occurs, i.e. the land the subject of the permit is developed for multi-lot residential purposes; or the land adjacent to the site is developed for multi-lot residential purposes in accordance with specified triggers (see condition 19 in the recommendation at the end of this report).

### Signage

Signage in the General Residential Zone is subject to the provisions of Category 3 of clause 52.05 (Advertising Signs - High Amenity Areas - Medium Limitation). This seeks to ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which they are displayed or the surrounding area.

It is proposed to display an externally illuminated sign at the easterly entrance to 17 Irrewillipe Road. The business identification sign, which would have two sections, would have dimensions of 1200mm x 900mm, and 1200mm x 250mm. The sign would have a total height of 3m and would be externally illuminated between dusk and 10.30pm. The 1200 x 900mm sign details have not been finalised at this stage; the lower 1200mm x 250mm would contain the words 'no vacancy/vacancy'.

It is considered that the proposed sign would be orderly and would not detract from the area. The sign is proposed to be floodlit. It is considered that the signage would be of adequate size to allow enough time for the vehicles to slow down and identify the park entrance.

### Car Parking

It is a requirement of the Planning Scheme that:

*"Where a use of land is not specified in Table 1 [to clause 52.06] or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority".*

In this case, there is no specified car parking rate for a Camping and Caravan Park, and therefore the applicant must demonstrate that adequate parking would be provided to Council's satisfaction. The applicant has advised that the proposal would include 1 space per cabin/site. This would be consistent with Road Traffic Authority Guidelines, which are the industry standard guidelines for such developments. Further to this, the plans show a further seven additional spaces available at the front of the site adjacent to the office (which would be located within the dwelling) and the potential use of camping site 15 for additional parking if required.

Clause 52.29 – Access onto RDZ1

A permit is required to alter an existing access to a RDZ1, and to subdivide land adjacent to a RDZ1. The application was referred to VicRoads under Section 55 of the Act. VicRoads did not have any objections to the proposal, subject to conditions being included on any planning permit issued.

**Council Plan / Other Strategies / Policy**

**A Planned Future**

Creates an attractive shire with quality buildings and spaces, accessible travel and transport, and a community that has the services and facilities it needs now and in the future; supports a prosperous economy where trade, manufacturing and business activity flourishes.

The Council Plan identifies that there are significant differences in the supply of residential property within the Shire, which will have a major influence during the next five to ten years due to changing needs. New development opportunities have been identified in Elliminyt and the coastal areas, while the established areas of Colac and the rural areas have relatively low numbers of new dwellings expected over the forecast period.

This proposal would assist in providing a varied type of accommodation within an established residential area of Elliminyt.

**Financial & Other Resource Implications**

The proposal raises no financial or resourcing implications for Council.

**Risk Management & Compliance Issues**

The proposal raises no Risk Management or Compliance implications for Council.

**Environmental Consideration / Climate Change**

Any relevant environmental considerations have been addressed within this report.

**Communication Strategy / Consultation Period**

Public notice of the application was required, and carried out, in accordance with Section 52 of the *Planning and Environment Act*, as discussed earlier in the report.

Letters of objection, and support, were received to the application. A Consultation meeting, which was attended by the applicant and objectors/submitters, was facilitated by Council. Details of outstanding objections are set out in some detail earlier in this report.

**Conclusion**

A planning permit is sought for the re-subdivision of land into two (2) lots, and the use and development of the larger of the resultant lots as a Camping and Caravan Park. In addition, a permit is sought for the alteration of the access to a Road Zone Category 1 (Irrewillipe Road) and for the display of an externally illuminated business identification sign.

On balance, the proposal is considered acceptable, having regard to the fact that the land is suitably zoned to allow for this type of subdivision and accommodation use. The site is located within the established township of Elliminyt, which allows for a diversity of housing types, and allows for a limited range of other non-residential uses to serve local community needs in appropriate locations, subject to meeting the zone and overlay provisions.

It is considered that, subject to the conditions contained in the recommendation below, the proposal would not cause any significant detriment to the character of the area to a degree that would warrant a refusal of the application. It is therefore recommended that a Notice of Decision to Grant a Permit be issued.

#### **Attachments**

1. Colac\_DPO\_Area 4 & 5 - Nov 7 FINAL
2. PP100 2015-1 Planning Application
3. PP100 2015-1 Planning Application (cont'd)
4. PP100 2015-1 A3 Plans

#### **Recommendation(s)**

***That Council's Planning Committee resolves to issue a Notice of Decision to Grant a Planning Permit for the Re-Subdivision of the Land into Two (2) Lots, Use and Development of One Lot (No. 17) as a Camping and Caravan Park, Alteration to Access to a Road in a Road Zone Category 1, and Display of an Externally Illuminated Business Identification Sign at 15 and 17 Irrewillipe Road Elliminyt (Lot 2 PS449041 and Lot 1 PS309192) subject to the following conditions:***

#### **Amended Plans**

1. ***Prior to the commencement of the development hereby permitted, 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) ***Full details of the proposed signage (with maximum dimensions of 1200mm x 900mm and 1200mm x 250mm, and a total height of 3m), including wording, size, design, siting and lighting detail.***
  - b) ***Elevations and floor plans of the proposed buildings (moveable dwellings/cabins, amenities room etc.)***
  - c) ***A site plan showing solid fencing around side and rear boundary to a height of 1.8m (excluding the first 10m of the side boundaries at the Irrewillipe Road frontage)***
  - d) ***A 'Stage 2 Layout Plan' of the site, showing the Camping and Caravan Park layout post road construction, which provides an indicative Stage 2 site layout of the proposed caravan park showing the locations of uses and buildings, setbacks to the road, and any safety, acoustic, crossing and/or other measures required to facilitate the ongoing use.***
  - e) ***A documented complaint management process to deal with potential neighbourhood amenity impacts such as patron noise and waste management.***

#### **Endorsed plans**

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

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.***

***Creation of Title***

4. ***Prior to the commencement of the development hereby permitted, the land must be re-subdivided in accordance with this permit under the provisions of the Subdivision Act 1988 to the satisfaction of the Responsible Authority, and a copy of the new title must be submitted to the Responsible Authority.***

***Amenity***

5. ***The Camping and Caravan Park hereby permitted must be managed in accordance with the endorsed Park Rules and conditions.***
6. ***The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:***
- ***transport of materials, goods or commodities to or from the land;***
  - ***appearance of any building, works or materials;***
  - ***emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.***
  - ***storage and collection of waste/rubbish***
7. ***At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring that the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the Responsible Authority.***
8. ***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.***
9. ***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.***
10. ***No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.***
11. ***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.***

***Signage***

12. ***The signage must be constructed and maintained to the satisfaction of the Responsible Authority.***
13. ***The signage hereby permitted must not contain any flashing lights, and must only be illuminated between dusk and 10.30pm.***

### **Landscaping**

14. ***Prior to the commencement of the development hereby permitted, 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 survey (including botanical names) of all existing vegetation to be retained and/or removed***
- ***buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary***
- ***details of surface finishes of pathways and driveways***
- ***a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant***
- ***landscaping and planting within all open areas of the site***

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

15. ***Prior to the initial occupation of any part of the development hereby permitted, with the exception of the existing dwelling as a single unit of accommodation, 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 Management**

16. ***Prior to the commencement of the development hereby permitted, a stormwater management plan showing how the site would be drained without cause of nuisance to neighbouring properties must be submitted to and approved by the Responsible Authority. The plan must consider onsite reuse or detention of stormwater. All drainage must be engineer designed to ensure that the onsite capacity of the drainage system will be more than adequate to cater for the expected runoff as a result of this development. Once approved to the satisfaction of the Responsible Authority, the plan will be endorsed and form part of the permit.***

17. ***Prior to the commencement of the use, the site must be drained in accordance with the endorsed plans to the satisfaction of the Responsible Authority.***

### **Car Parking and Access Lanes**

18. ***Prior to the commencement of the use hereby permitted, the area/s set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:***

- ***Constructed;***
- ***Properly formed to such levels that they can be used in accordance with the plans;***
- ***Surfaced with an all-weather seal coat or cement stabilised where there is a gravel finish to guard against loss of amenity;***

- **Drained;**
- **Properly illuminated with lighting designed, baffled and located to prevent any adverse effect on adjoining land.**

**Car spaces, access lanes and driveways must be kept available, in a continuously useable condition and drained to prevent diversion of flood or drainage waters, for these purposes at all times.**

**All to the satisfaction of the Responsible Authority.**

#### **S173 Agreement**

19. **Prior to the commencement of the development, the owner of proposed Lot 1 must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority.**

**The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of Lot 1 so as to run with the land, and must provide for the following:**

- **The road is to be constructed to the standard of a local road to the satisfaction of Council at the happening of one of the following events:**
  - a) **The land the subject of the permit is developed for multi-lot residential purposes; or**
  - b) **The land adjacent to the site is developed for multi-lot residential purposes in accordance with (i) or (ii) below:**
    - i. **The road is constructed to the western boundary of subject land and the land on the eastern side of the subject site has approval for development and a road is not constructed to that site from the north direction**
    - ii. **The road is constructed to the eastern boundary of subject land and the land on the western side of the subject site has approval for development and the road is not constructed from the west direction and,**  
**the Responsible Authority considers the road is necessary or appropriate to continue a length of road to provide access to the relevant parcel of adjoining land to be developed.**
- **The road must be constructed within 12 months of the giving of written notice by Council of one of the triggering events. The Responsible authority may, at its discretion, grant a further extension to this time upon receipt of a written request from the owner explaining why the timeframe cannot be satisfied.**
- **In the event that the notice to construct the road is given by Council in accordance with this agreement the Owner must, within three months of the triggering of the event, reconfigure the caravan park in accordance with plans to be submitted to the responsible authority, which plans must be generally in accordance with the Stage 2 layout plan under condition 1 of the permit.**

- ***The owner is to bear the cost of all actions required to give effect to the redesign of the site and the construction of the road.***
- ***The owner is to vest the constructed road in Council, without cost to Council.***

***This agreement will end:***

- a) ***In accordance of the provisions of the Act; or***
- b) ***In the event the approved 'Area 4' plan to Schedule 2 to the Development Plan Overlay is amended by the responsible authority so as to remove the requirement for a road to be constructed through the subject land; or***
- c) ***At the cessation of the use and development of the land for a Camping and Caravan Park.***

***The agreement will be registered on Title of proposed Lot 1 in accordance with Section 181 of the Planning and Environment Act 1987.***

#### ***Servicing Authorities***

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.***

#### ***VicRoads conditions***

23. ***The crossovers and driveways are to be constructed generally in accordance with the 'Site Plan Proposed Caravan Park V3', dated 29.04.2015, to the satisfaction of the Roads Corporation and the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.***
24. ***Prior to the commencement of the use hereby approved, the driveways, crossovers and associated works must be provided and available for use and be:***
  - a) ***Formed to such levels and drained so that they can be used in accordance with the plan.***
  - b) ***Treated with an all-weather seal or some other durable surface.***
25. ***Driveways must be maintained in a fit and proper state so as to not compromise the ability of vehicles to enter and exit the site in a safe manner nor compromise the operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).***

26. *Signage shall be wholly located within the property and shall be designed and constructed (including illumination) so as to avoid the possibility of distracting or dazzling drivers.*

**Expiry**

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

- *The plan of subdivision is not certified within two years of the date of the permit.*
- *The development, including signage, and/or use has not commenced within two years of the date of this permit.*
- *The development, including signage, is not completed within four years of the date of this permit.*
- *A statement of compliance is not issued within five years of the date of certification of the Plan.*

*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 commencement of the development, it will be necessary to apply for and obtain building approval.*
2. *The use of the land as a caravan park requires registration with Council under Residential Tenancies Act 1997, and must comply with Caravan Parks and Movable Dwellings Registration and Standards Regulations 2000.*
3. *As there is a swimming pool associated with the use and development allowed by this permit, there may be specific obligations under Public Health and Wellbeing Regulation 2009 relating to Aquatic Facilities.*
4. *The proposed development requires the construction of a crossover. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation), which should be contacted prior to commencing any works.*
5. *The applicant is advised, in relation to condition 16 site has access to a drainage easement which currently has no infrastructure placed in it which runs to the east towards Main Street. Any land to the north of the site which cannot fall to Irrewillipe Road can fall to infrastructure placed in this easement.*

~~~~~




7 November 2014
COLAC
 DPO Area 4 & DPO Area 5
 Level 1, 6 Riverside Quay Southbank, VIC 3006
 t 9695 3025 f 9695



The logo for 'mesh' is located to the right of the contact information. It features a stylized, interconnected network of lines forming a mesh pattern, with the word 'mesh' in a bold, lowercase font below it.

ROD BRIGHT & ASSOCIATES PTY. LTD.
LAND SURVEYORS & TOWN PLANNERS
A.C.N. 007 206 975 A.B.N. 50 007 206 975

26 Murray Street,
Colac 3250
P.O. Box 371

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REF:15-03

19 August 2015

RECEIVED
19 AUG 2015

BY:.....

Ms Helen Evans
Statutory Planner
Colac Otway Shire
P.O. Box 283
COLAC VIC 3250

Dear Helen,

Re: 17 IRREWILLIPE ROAD ELLIMINYT PP100/2015-1
A & D BROWN - PLANNING PERMIT APPLICATION
PROPOSED CARAVAN PARK AND TWO LOT RE-SUBDIVISION
MEDIATION MEETING

Thankyou for the opportunity to hear surrounding residents' concerns and also expressions of support regarding the proposed holiday park.

Following on from comments made at the meeting, the curfew time within the park rules as been amended to 10:30pm to enable the park manager to commence rounds at 10:00pm and quieten any groups to ensure full cooperation with the curfew by 10:30pm. Any time-switch dependant lighting, such as the sign light adjacent to the road frontage, will also be turned off at 10:30pm.

The concerns of Mr McDonald at 14 Irrewillipe Road regarding potential impact of headlights are acknowledged and Adam Brown will approach Mr McDonald directly to ascertain whether there are opportunities for landscaping or fencing that could be mutually agreed. We will provide further advice to the planning department regarding outcomes from these negotiations.

We look forward to final determination of the permit application at the October Planning Committee meeting.

Yours faithfully,



Katy Bright,
ROD BRIGHT & ASSOCIATES

Enc.
Copy: A & D Brown

Incorporating the Colac Office of Meudell Gillespie & Co.

PARK RULES AND CONDITIONS

The park rules complement the Crown Land [reserves] Act 1978, Crown land [reserves] Regulations 1997 and the Residential Tenancies [Caravan parks and moveable Dwelling Registration & Standards] Regulations 1999.

OCCUPANCY IN THE PARK IS CONDITIONAL UPON THE OCCUPANT COMPLYING WITH THE FOLLOWING:

A SITES OCCUPIER MUST

- Use the site, the holiday park and facilities properly and ensure that their visitors do the same
- Not do anything in or near the site or holiday park which interferes with the privacy and peace and quiet of other occupants of the holiday park or with their proper use and enjoyment of the park.
- Keep the site clean and tidy.
- Not erect any structure without the consent of the park manager.
- Pay the rent, hiring and other charges, [including visitor fees] on the due date.
- Abide by the direction of staff or agent of the park in the upholding of the park rules and conditions.

THE FOLLOWING PARK RULES ARE TO BE OBSERVED BY OCCUPIERS .

Park security – security officers and park staff make regular patrols of the park. For any assistance telephone security personnel immediately on the phone numbers listed above.

Air conditioners and heaters must be turned off when not in dwelling.

Alcohol may be consumed on your site but not in public areas including swimming pool area play ground .

Amenities Children under 6 years of age must be accompanied by an adult to amenities & camp kitchen areas.

Dishwashing in amenities is prohibited. Smoking in amenities, camp kitchen and cabins is prohibited.

No washing of clothing in showers permitted. Amenity blocks are closed when cleaning in progress.

Application customers who wish to rebook accommodation or a site for any period during the year including the peak season are required to lodge the applicable holding deposit prior to departure .

Allocation of any particular site is not guaranteed and no site deferrals will be allowed . Please refer to the fee schedule sheet for further conditions.

Ball games should not be played near cabins, sites, BBQ area, or amenities blocks where damage may occur and other site occupiers enjoyment may be affected .

Behaviour All site occupiers have the right to the peaceful and quiet enjoyment of their site . Excessive noise, unruly behaviour or bad language will not be tolerated at any time .

Noise is defined as anything audible from the adjoining site.. Noise is required to cease by 10:30pm.

Park quiet time 10.30pm–7am . Site occupiers in breach of this condition will be evicted immediately . No refunds.

Bicycles, Roller blades , skate boards , scooters and like may be used during daylight hrs only.

Park entry, exit ,swimming pool and amenities areas are to be keep clear at all times . Bicycle helmets must be worn at all times.

Caravans All caravans must be sited with drawbar facing the road .

Carpet No external carpet permitted . Approved grass friendly annexe matting or shade cloth only to be used on site .

Clothes lines Clothes lines are not permitted to be attached to or supported by trees .

Dogs and Cats Site occupiers or their visitors are not permitted to bring domestic animals into the park .

[Guide dogs allowed].

Electricity connection leads must be of a rating of 15 amps. Un-occupied vans /tents must be disconnected from electricity and water supplies. All leads and hoses must be rolled up and stored in caravans /tents.

Emergency Assembly Area Assembly point is between games room and pool entrance .

Fences Permanent fences , other barriers or wind breaks are not permitted . An approved temporary fence may be allowed at managements discretion ,but must be removed when the site is unoccupied .

Firearms Guns , rifles , longbow , crossbows , spear guns , or other weaponry , poisons , traps and snares are not permitted within the park area .

Fire Bans — In accordance with C.F.A. Regulations , the use of portable gas BBQs & appliances such as gas cook tops , lights , fridges , is not permitted on days of total fire bans in the park areas , Includes caravans , annexes , tents , or in the open .

Fireworks Fire works are not permitted within the park area .

Garbage, Recycling& hard rubbish — Bins are located in park for disposal of park garbage , and recycled materials .

Management encourages recycling of bottles ,containers , cardboard and paper .

Campers are requested to wrap and tie garbage before placing in park bins .

No hard rubbish i.e. mattresses , fridges , furniture , carpet , pallets , e.c.t. to be left in park .

Gazebos, Awnings and like structures may only be erected with consent of management during peak season when the site is occupied, providing sufficient space is reserved for car park.

Gazebos, etc. Must be fully disassembled, including poles & removed when the site is unoccupied.

Park staff may remove any structure that does not comply.

No responsibility taken by management for any damage caused in the removal.

Generators Use of generators is prohibited.

Hazards Swimming pool, all children under the age of 16 must be accompanied by an adult for supervision and obey pool rules at all times. Pool open hours are from 8.00am to 8.00pm. Daylight hrs in winter.

Hazardous items At no time may flammable liquids be stored in or on your site.

To avoid under ground electricity and water services, pegs, stakes may be driven into the ground to a depth not more than 400mm.

Insurance Park management accepts no responsibility for campers property at any time.
All caravans should be fitted with a smoke alarm and fire extinguisher.

Messages /Mails Messages for campers will be placed on notice board at park office.

Emergency messages may be delivered to site occupiers.

Non- Compliance with park rules and conditions may result in cancellation of your site booking and forfeiture of all fees.

Playgrounds are provided for younger children and may be used during daylight hours only.

Use of playgrounds is at users own risk. No ball games are permitted within these areas.

Property storage Patrons are advised to ensure their property and valuables are stored securely at all times. No excess property to be stored under vans or annexes.

Park management accepts no responsibility for patrons property.

Residential use is not permitted.

Site occupancy Courtesy When moving throughout the park, patrons should at all times respect the privacy of others. Access through occupied sites is restricted to campers occupying that site.

Site occupancy — Management reserves the right to restrict the number of persons and vehicles on any site or in any area of the park. The basis of site hire is 2 adults and their dependant children under the age of 18 years of age and one car only.

Site Responsibilities — The registered site holder is responsible at all times for all persons associated with his or her site. Children under 18 years of age are not to be delegated responsibility for any site. Minors

Speed limits Vehicles ,bicycles ,skate boards ,, scooters ,and like must not exceed 5kpa within park boundaries.

Subletting is prohibited No occupant may make a change to any other person for the right to occupy the site . Site rentals are not transferrable .

Tents No additional tents or like structures allowed on caravan sites.

The site must not be occupied by any more persons than there are beds in the dwelling .I.e. visitors to a site may not erect a tent in addition to the principal occupants dwelling.

Site Assistance If assistance is requested to put your caravan on site , CHP or its staff accept no responsibility if any accidental damage occurs .

Under ground services Pegs or stakes may be driven into the ground to a depth not more than 400mm to avoid underground services .

Vegetation Pruning or removal of trees or shrubs within the park is prohibited .

Vehicle Parking All vehicles within the park boundaries must be registered to a site.

Only one vehicle may be parked at a site .

Park management may grant permission for an additional vehicle [to be parked on site.] fees apply.

Visitor vehicles are to use parking provided.

Visitors notification Where the site is to be occupied by person other than the registered site holders the park must be advised in advance. Visitors may only occupy accommodation or a site if within the permitted capacity. They must register at the office and pay the respective fee upon arrival .

Visitors arriving late may register by placing names and site number in return key slot at main office.

A visitor to site / cabin is generally defined as staying one or two nights only. For longer stays , intended visitors must apply for their own site / cabin . Visitors to a site may not erect a tent in addition to the principal occupants dwelling.

Unregistered occupants / visitors will be charged penalty rates or evicted from the park.

Water usage Adhere to water restrictions . When water restriction apply , notices are displayed within the amenity blocks and the park office . Sprinklers or fixed irrigation systems are not allowed at any time . Hand held hose with trigger gun only may be used . Grey water can be applied to vegetation . Taps must be turned off and hoses disconnected when site vacated .

Jumping pillow Operating hours are 8.00am to 8.00pm . Daylight hours in winter months.

EMERGENCY EVACUATION PROCEDURES

When officially advised that an EMERGENCY exists you should:

Gather your family.

Turn off power and gas to your site if safe to do so.

Secure your valuables.

Walk to nearest assembly area located between the games room and the pool entry.

Wait for instructions from emergency services.

IN A LIFE THREATENING EMERGENCY DIAL 000 FOR FIRE, POLICE, AND AMBULANCE,
any time day or night for 24 hour service and notify Park Management or security staff
by phoning 52 313228 or mobile 0405 523676.

ADAM BROWN [General Manager 2015]

RECEIVED VIA SPEAR 10 AUGUST 2015

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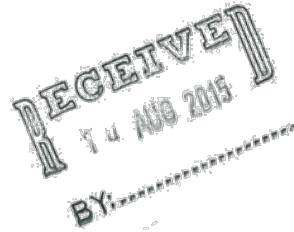
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REF: 15-03

10 August 2015

Ms Helen Evans
Statutory Planner
Colac Otway Shire
P.O. Box 283
COLAC VIC 3250



Dear Helen,

Re: 17 IRREWILLIPE ROAD ELLIMINYT PP100/2015-1
A & D BROWN - PLANNING PERMIT APPLICATION
PROPOSED CARAVAN PARK AND TWO LOT RE-SUBDIVISION
RESPONSE TO SUBMISSIONS

We refer to submissions following the public consultation process and your letter of 29 July. Thank you for the opportunity to respond and we offer the following clarification:

1. Permanent residents:

The intention is for a family friendly holiday park and no permanent residents will be permitted. It is considered that allowing permanent residents will detract from the primary focus of the proposed facility which will be to provide safe, attractive and comfortable accommodation for families and visitors requiring self-contained facilities, with the cabins anticipated as core business. Although Adam and Davida Brown would accept a restriction to prohibit permanent residents, the *Residential Tenancies Act 1997* (Cl. 518) specifies "a planning scheme or permit under the *Planning and Environment Act 1987* whether made before or after the commencement of this section cannot limit the duration of residency in a caravan park".

2. Pedestrian safety:

Periods of more intensive occupation are expected on weekends, and during school holiday periods. A number of objections allege the increase in traffic will cause unsafe circumstances for children walking to/from school. We reiterate that the internal road design will ensure all vehicles may leave the site in a forward direction. Pedestrian and road safety is regulated by the current road and traffic laws, and will not change as a result of the caravan park.

3. Swimming Pool hours:

The "Park Rules" have been amended to include a provision that the pool may be used by park visitors between the hours of 8am and 8pm in Summer, and be restricted to daylight hours at other times of the year.

Incorporating the Colac Office of Meudell Gillespie & Co.

RECEIVED VIA SPEAR 10 AUGUST 2015

4. Emergency Egress:

The emergency assembly point is near the swimming pool and games room. Should the main entry driveway be blocked, guests will be able to evacuate on foot past the west side of the dwelling.

5. Car Parking:

It is intended that the capacity of on-site parking will ensure that vehicles will not be parked on Irrewillipe Road. Vehicles associated with the park will be discouraged from parking on the road as it may obstruct visibility for entry/exit into the park. Amendments to the plan have been made to increase the number of car spaces on-site. If, during peak times, additional spaces are required, caravan sites will be reserved for overflow parking instead of being made available for vans. Visitors will be required to nominate the number of car spaces required at the time of booking.

6. Stormwater:

As indicated on the site plan, drainage will be collected, directed and connected to the drainage easement and infrastructure to the north (rear) of the site, not Irrewillipe Road. The development will also include sewer construction and connection at the north-east corner of the site, to extend to the existing mains sewer at Main Street. This will provide for the holiday park and benefit adjacent landholders by reducing infrastructure costs as part of future subdivision of land in accordance with the approved development plan for the area.

We note the stormwater drain on Irrewillipe Road is covered, not open, adjacent to 17 Irrewillipe Road (the drain is open further west).

7. Kerb and channel:

Having regard to the availability of car parking within the site (point 5 above) and the drainage plan to direct stormwater north of the site away from Irrewillipe Road, we object to any requirement to construct kerb and channel along the property frontage road reserve. Given that most visitors will arrive via Main Street from the East, it is unlikely that vehicles will undertake a U-turn and park on the north side of Irrewillipe Road. Kerb and channel in this location will be inconsistent with the remaining street treatment.

8. Development Plan Overlay:

The Browns confirm they do not wish to prevent future development in accordance with the DPO, either intentionally or as an indirect result of this permit application.

There are alternative entry & road connection points for land east of the subject land for connection into the internal road, and our clients ask that they are not 'forced' to extend the road internally through the holiday park if surrounding land can be accessed for subdivision at alternative points, and the park is operating successfully at that time and catering for the needs of the Colac community.

pg 2 of 3

RECEIVED VIA SPEAR 10 AUGUST 2015

The "extent of DPO road delineation" referred to on the plan shows an approximate 1 metre offset to the northern boundary of Lot 2. This has been shown to cater for variations in future specific road design parameters and surveying accuracy. Future subdivision design can ensure the road reserve will extend to the lot boundary (or the allotment can be extended to the road) to give road abuttal.

We offer the following covenant to be included in the permit (and registered on title as an agreement under Section 173 of the *Planning and Environment Act 1987*) as a basis for a mutual agreement in relation to the future road, should the permit be issued:

- *When road access is required to facilitate subdivision of land contained in Lot 2 PS738554P to achieve the subdivision pattern generally in accordance with the approved plan DPO Area 4 (7 November 2014), and road connection is available from land contained in Lot 3 PS513223, the owner of land contained in Lot 1 PS738554P will, within 12 months of written instruction from Colac Otway Shire:*
 - *Apply for a planning permit to subdivide the land and create road reserve with road abuttal to create access to land contained in Lot 2 PS738554P generally in accordance with the approved DPO Area 4 plan.*
 - *Agree to construct the road in accordance with the standards required by the responsible authority and specified in the permit as conditions.*

The agreement should also include a sunset clause causing the agreement to end should the land cease operating as a caravan park etc. In this instance, if the park were to cease operating in the current proposed configuration and roads were in place at the property boundary then the Browns would agree to construct the full road at that time.

We trust this information clarifies the intentions of the project and relieves some of the concerns expressed by residents. We reiterate our clients' intentions of this being a positive development for the area and will benefit the wider community.

Please also note Councillors and objectors would be welcome to visit the site prior to the application being determined at a planning committee meeting, and we can facilitate this if required.

Yours faithfully,



Katy Bright,
ROD BRIGHT & ASSOCIATES
Eng.
Copy: A & D Brown

Pg 3 of 3

RECEIVED VIA SPEAR 4 JUNE 2015
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REF: 15-03

4 June 2015

Ms Helen Evans
Statutory Planner
Colac Otway Shire
P.O. Box 283
COLAC VIC 3250

Dear Helen,

Re: 17 IRREWILLIPE ROAD ELLIMINYT PP100/2015-1
A & D BROWN - PLANNING PERMIT APPLICATION
PROPOSED CARAVAN PARK AND TWO LOT RE-SUBDIVISION
REQUEST FOR FURTHER INFORMATION

We refer to your letter of 25 May requesting further information in relation to the above permit application, and offer the following response:

1. The sign light will be connected to a sensor and timer, switching on at dusk and turning off at, or prior to, 11.00pm.
2. Elevations of the buildings and cabins are unavailable at this time. Provision of this detail from Jayco requires our client to formally engage Jayco to commence construction with associated payment, which cannot reasonably be required prior to the planning permit being issued.

The amenities building floor plan and kitchen floor plan have been amended, also resulting in a change to the orientation of the kitchen and BBQ area as shown on the updated site plan. These changes have been updated in SPEAR.

On the following page is a photo of a similar style of cabin to that proposed (except veranda steps to be located at the side). External finishes can be a mix of weathertex vertical board cladding, colorbond™ steel, and aluminium steel. Our clients currently anticipate the use of weathertex cladding, which will be painted to achieve a muted, non-reflective natural tone, and consistent theme across the holiday park. The roof is likely to be colorbond "woodland grey" or similar.

The overall height of each cabin will not exceed 5.1 metres above ground level, based on proposed 400mm footings, 2.4m wall height to ceiling, and a roof pitch of maximum 24 degrees.

We respectfully request that these final plan details be required by Colac Otway Shire prior to commencement of works as a condition of the planning permit, if issued.

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Figure 1: Similar cabin design

3. VicRoads have advised that a traffic management plan will not be required for the proposal (see attached email). However, they raised a concern querying availability of parking or standing area(s) for towed caravans. We have rectified this and indicated a modified parking and access arrangement at the front of the site, with the plans amended accordingly.
4. The intent of the approved Development Plan Overlay is acknowledged. However, if the proposed road was compulsory acquired and constructed through the projected alignment within the park, it would not continue to operate as planned due to safety and privacy considerations. If this was to occur, options include purchasing neighbouring land and modifying the site configuration (the cabins, including the amenities block, can be moved). The business will be interconnected with the use of the existing dwelling for on-site management and separation of the dwelling, particularly given the proposed access point from Irrewillipe Road, is likely to be detrimental to the success of the park. In such a situation, an additional dwelling could conceivably be developed, although this approach would be based on the business and economic assessment at that time.

The intention is to establish a long-term successful business. The holiday park will not prevent sequential residential development to other land within the DPO area as the road would necessarily commence at the Aireys Street connection point and extend south and east. The land at no 17 & no 5 (land to east of no 17) Irrewillipe Road would logically be one of the last to voluntarily participate in the scheme due to reliance on consecutive road construction and lot yield to road frontage ratios. Pedestrian access points as suggested on the DPO will not be restricted by the park.

Pg 2 of 3

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Ultimately, the long term future of the business and the full implementation of the DPO will be dependent on a mix of economic, planning and land use factors, and continual assessments of the mix by the relevant land holders over time.

We trust this information clarifies the intentions of the permit application.

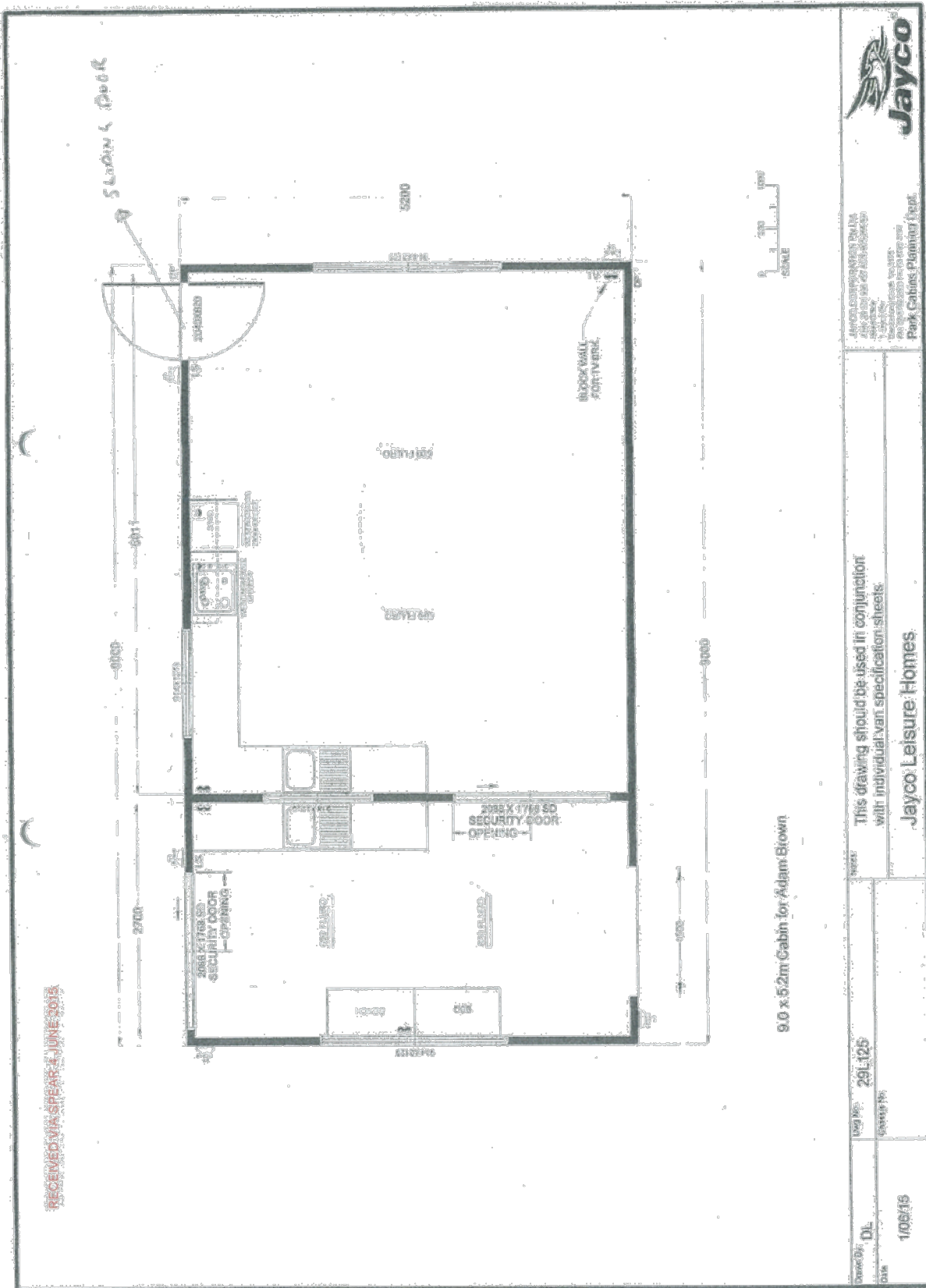
Yours faithfully,



Katy Bright,
ROD BRIGHT & ASSOCIATES

Enc.

Copy: A & D Brown



RECEIVED VIA SPEAR 1 MAY 2015



Application for Planning Permit for a Subdivision

Supplied by: Katy Bright
Submitted Date: 01/05/2015

Application Details

Application Type: Planning Permit for a Subdivision: Version 1
Applicant Reference Number: 15-03
Application name or Estate name: Colac Holiday Park
Responsible Authority Name: Colac Otway Shire
Responsible Authority Reference Number(s): (Not Supplied)
SPEAR Reference Number: S067067P
Application Status: Submitted
Planning Permit Issue Date: NA
Planning Permit Expiry Date: NA

The Land

Primary Parcel: 17 IRREWILLIPE ROAD, ELLIMINYT VIC 3250
Lot 2/Plan PS449041
SPI 2/PS449041
CPN 9854
Zone: 32.08 General Residential Zone
Overlay: 43.04 Development Plan
Parcel 2: 15 IRREWILLIPE ROAD, ELLIMINYT VIC 3250
Lot 1/Plan PS309192
SPI 1/PS309192
CPN 9852
Zone: 32.08 General Residential Zone
Overlay: 43.04 Development Plan

The Proposal

Plan Number: PS738554P
Number of lots: 2
Proposal Description: Two lot re-subdivision, Use and Develop the land for a caravan and camping park, Alter access to the Irrewillipe Road (RDZ1), Display a business identification sign (externally illuminated).

Estimated cost of the development for which a permit is required \$ 800,000

Existing Conditions

Existing Conditions Description: Existing dwellings. Refer to attached submission.
Title Information - Does the proposal breach an encumbrance on Title?: The proposal does not breach an encumbrance on title, such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope.

Applicant Contact
RECEIVED VIA SPEAR 1 MAY 2015
Applicant Contact:

Ms: Katy Bright
Rod Bright and Associates Pty Ltd
26 Murray Street, Colac, VIC, 3250
Business Phone: (03)5231 4883
Mobile Phone: 0415 635 420
Fax: (03)5231 4883
Email: katy.bright@primus.com.au

Applicant
Applicant

Adam & Davina Brown
17 Irrewillipe Road, Elliminyt, VIC, 3250 Australia
Mobile Phone: 0405523676

Owner
Owner 1
Owner 2

Davina Brown
17 Irrewillipe Road, Elliminyt, VIC, 3250 Australia
Joan McKean
15 Irrewillipe Road, Elliminyt, VIC, 3250 Australia

Declaration

I, Katy Bright, declare that I have notified the owner(s) about this application.
I, Katy Bright, declare that all the information supplied is true.

Authorised by
Organisation

Katy Bright
Rod Bright and Associates Pty Ltd

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Certificate type: titles Matter: 15-03

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10663 FOLIO 320

Security no : 124055019388V
Produced 30/04/2015 01:12 pm

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 449041G.
PARENT TITLE Volume 10009 Folio 771
Created by Instrument PS449041G 20/07/2002

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

DAVINA LOUISE BROWN of 17 IRREWILLIPE ROAD ELLIMINYT VIC 3250
AE263895A 28/03/2006

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE263896X 28/03/2006
WESTPAC BANKING CORPORATION

MORTGAGE AE379085R 26/05/2006
WESTPAC BANKING CORPORATION

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS449041G FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 17 IRREWILLIPE ROAD ELLIMINYT VIC 3250

DOCUMENT END

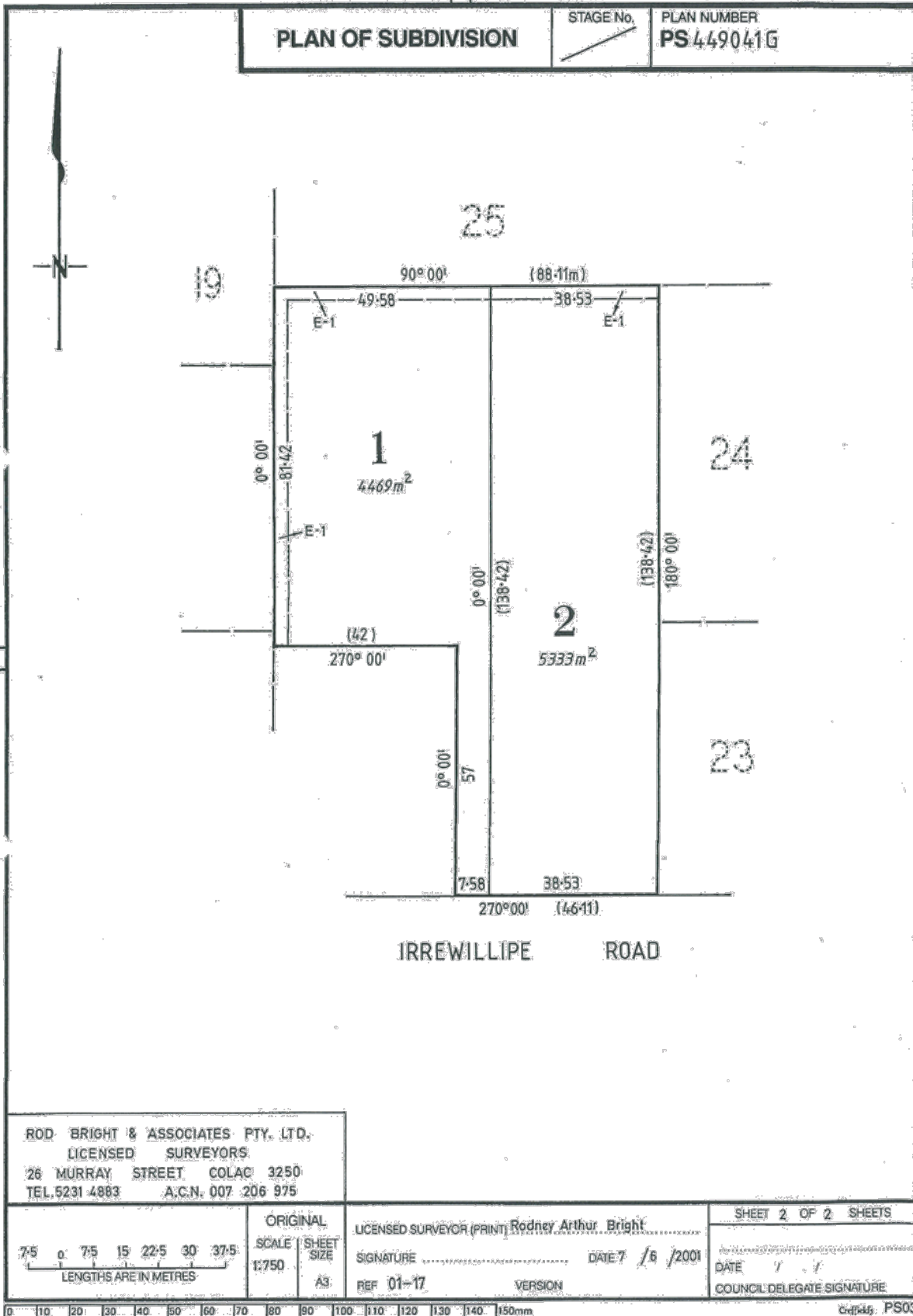
Report PC160903-2 - RESUBDIVISION OF THE LAND , USE AND DEVELOPMENT OF LAND FOR A CAMPING AND CARAVAN PARK, ALTERATION OF ACCESS AND DISPLAY OF ILLUMINATED BUSINESS IDENTIFICATION SIGN AT 15 & 17 IRREWILLIPE ROAD ELLIMINYT (PP100/2015)

Delivered by LANDATA@ Land Victoria timestamp 30/04/2015 13:13 Page 1 of 2
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PLAN OF SUBDIVISION		STAGE No.	LTO USE ONLY EDITION 1	PLAN NUMBER PS449041G
LOCATION OF LAND		COUNCIL CERTIFICATION AND ENDORSEMENT		
PARISH: ELLIMINYT TOWNSHIP: _____ SECTION: B CROWN ALLOTMENT: 22 (PART) CROWN PORTION: _____ LTO BASE RECORD: DCMB(Rural) & LITHO (Sheet 2) TITLE REFERENCES: C/T.VOL.10009 FOL-771 LAST PLAN REFERENCE/S: PS305870U (Lot 2) POSTAL ADDRESS: 17 Irrewillipe Road (At time of subdivision) ELLIMINYT 3249 AMG Co-ordinates (of approx centre of land in plan) E 725 340 N 5750950 ZONE: 54		COUNCIL NAME: COLAC OTWAY SHIRE COUNCIL REF: SUB 041/01 1. This plan is certified under Section 6 of the Subdivision Act 1988. 2. This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6: 7/7/01 3. This is a statement of compliance issued under Section 21 of the Subdivision Act 1988. OPEN SPACE: (i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage _____ Council Delegate _____ Council Seal _____ Date 2 / 8 / 01 Re-certified under Section 11(7) of the Subdivision Act 1988: Council Delegate _____ Council Seal _____ Date _____		
VESTING OF ROADS AND/OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON	STAGING This is not a staged subdivision. Planning permit No. _____		
NIL	NIL	DEPTH LIMITATION: Does not apply.		
		SURVEY: THIS PLAN IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) _____ IN PROCLAIMED SURVEY AREA No. _____		
EASEMENT INFORMATION				LTO USE ONLY
LEGEND A = Appurtenant Easement E = Encumbering Easement R = Encumbering Easement (Road)				STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	Drainage	3'	PS305870U	Shire of Colac
				RECEIVED: <input checked="" type="checkbox"/> DATE: 11/7/02
				LTO USE ONLY PLAN REGISTERED TIME 10:51 am. DATE: 20/7/02 Assistant Registrar of Titles SHEET 1 OF 2 SHEETS
ROD BRIGHT & ASSOCIATES PTY. LTD. LICENSED SURVEYORS 26 MURRAY STREET COLAC 3250 TEL 5231 4883 A.C.N. 007 206 975		LICENSED SURVEYOR (PRINT) Rodney Arthur Bright SIGNATURE _____ DATE 7/6/2001 REF: 01-17 VERSION _____		DATE _____ COUNCIL DELEGATE SIGNATURE: ORIGINAL SHEET SIZE A3

G:\TM6\PS01

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Certificate type: titles Matter: 15-03

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958.

VOLUME 10038 FOLIO 421

Security no. : 124055023697M
Produced 30/04/2015 09:36 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 309192S.
PARENT TITLE Volume 09871 Folio 887
Created by instrument PS309192S 07/10/1991

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

JOAN MARGARET MCKEAN of IRREWILLIPE RD. ELLIMINYT 3249
X127380T 31/10/2000

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AF807905N 29/04/2008

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

MORTGAGE AG527531F 26/05/2009

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS309192S FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional Information: (not part of the Register Search Statement)

Street Address: 15 IRREWILLIPE ROAD ELLIMINYT VIC 3250

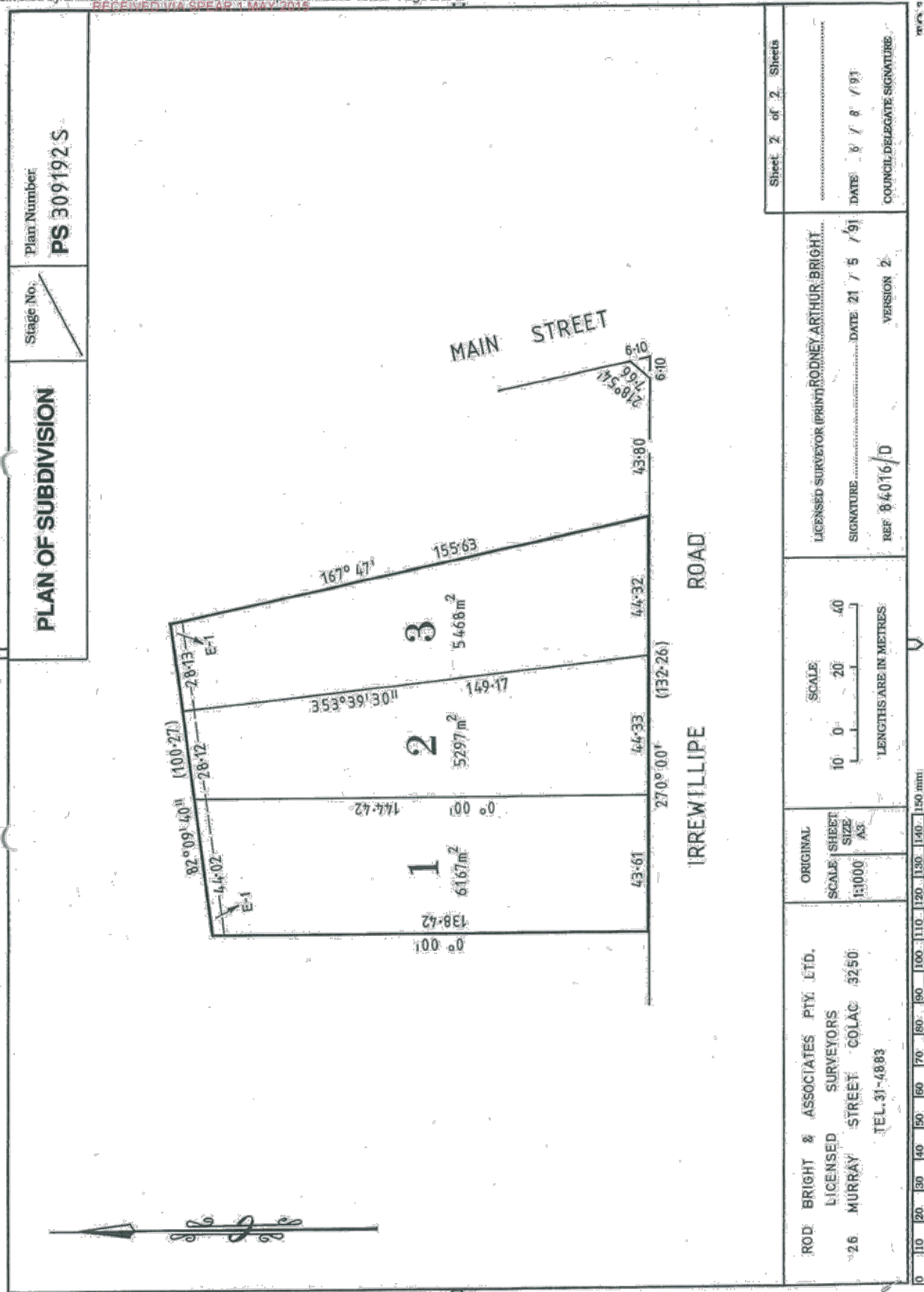
DOCUMENT END

Jeilvered by LANDATA@ Land Victoria timestamp 30/04/2015 15:30 Page 1 of 2
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PLAN OF SUBDIVISION		STAGE NO. EDITION 1	LTO use only	Plan Number PS 309192 S
Location of Land Parish: ELLIMINYT Township: _____ Section: B Crown Allotment: Part of 23, 24 and 25 Crown Portion: _____ LTO Base Record: ELLIMINYT (Sheet 2) (2-5 B & C) Title Reference: C/T.VOL.9871 FOL.887 Last Plan Reference: L.P.214197 A LOT B Postal Address: Irrewillipe Road ELLIMINYT 3249 (at time of subdivision) AMG Co-ordinates E 725 450 Zone: 54 (of approx. centre of land) N 5750 950 (2 place)		Council Certificate and Endorsement Council Name: SHIRE OF COLAC Ref: 603 70 7 91 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6: _____ 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE: (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage _____ Council delegate _____ Council seal _____ Date 6 / 8 / 91 Recertified under section 11(7) of the Subdivision Act 1988. Council Delegate _____ Council Seal _____ Date _____		
Vesting of Roads and/or Reserves Identifier Council/Body/Person NIL NIL		Notations Staging This is is not a staged subdivision. Planning Permit No. 0628 Depth Limitation Does not apply.		
Easement Information Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		LTO use only Statement of Compliance/Exemption Statement Received <input checked="" type="checkbox"/> Date 9 / 7 / 91		
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE	3	THIS PLAN	SHIRE OF COLAC
ROD BRIGHT & ASSOCIATES PTY. LTD. LICENSED SURVEYORS 26 MURRAY STREET COLAC 3250. TEL. 31-4883		LICENSED SURVEYOR (PRINT) RODNEY ARTHUR BRIGHT SIGNATURE: _____ DATE 21 / 5 / 91 REF: 84016/D VERSION 2		LTO use only PLAN REGISTERED TIME: DATE 7 / 10 / 91 _____ Assistant Registrar of Titles. Sheet 1 of 2 Sheets
		COUNCIL DELEGATE SIGNATURE Original sheet size A3		

TOT

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KP SERIES pedestal

K-Mac Powerheads' pedestal series (KP Series) has been specifically designed for the harsh environment of caravan parks.

The almost indestructible polyethylene pedestal can be fitted with up to four single phase 15A outlets (three phase outlets available upon request). All switches and outlets are mounted in a stylish but robust weatherproof enclosure (IPX4) to ensure a safe and reliable power supply to your customers.

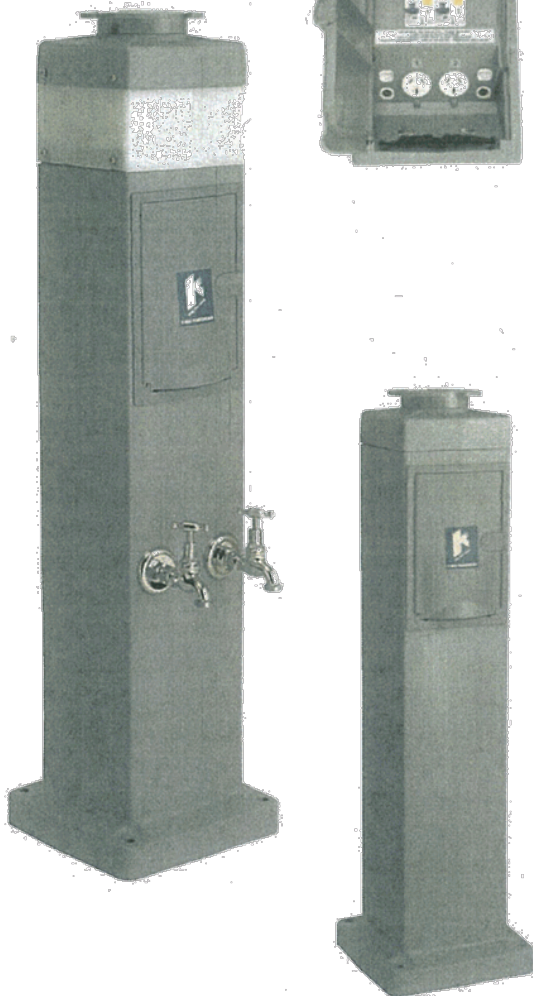
The streamlined, opaque light diffuser constructed from the same highly vandal resistant polyethylene, makes a perfect option for soft vicinity lighting. Add the TV, data, telecom, water and sullage options - what more could your customer want?

In keeping with today's trend toward a "user pays" system, the KP Series can also be fitted with single phase and three phase kWh meters. Existing unmetered KP Series powerheads can now be upgraded to metered heads...

- Upgrade on site
- Very Easy
- Very Fast
- You save \$\$\$

In addition, our "Utiligy" Automated Meter Reading (AMR) solution offers you a system that enables remote reading of meters utilising your existing power cables. No new cabling is required and labour costs are reduced! (See Utiligy brochure for more information).

The fully optioned, safe and stylish KP Pedestal Series will give you, even in the harshest conditions, the maintenance-free longevity you would expect from a K-Mac Powerheads' product.



K-Mac Powerheads



RECEIVED VIA SPEAR 1 MAY 2015

KP SERIES pedestal

WHY CHOOSE K-MAC POWERHEADS?

WE'RE SERIOUS ABOUT SAFETY
Every K-Mac Powerhead is manufactured to a certificate of compliance and conforms to ASNZ53001-2001.

QUALITY AND SERVICE
K-Mac Powerheads and Clipsal's unique alliance =

- Highest quality electrical components;
- 'Never ending' after sales support.

MAINTENANCE:
• Fast and accessible component replacement.

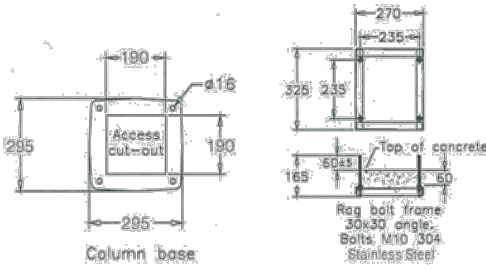
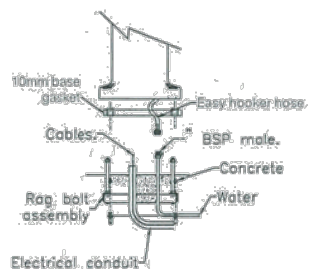
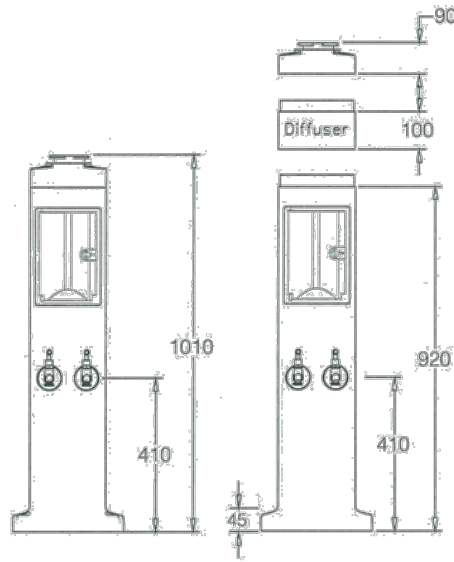
IF EXPERIENCE COUNTS
• We've been manufacturing service pillars for over 50 years.

CUSTOM BUILD
• If it's not in our standard range, just ask us and we'll build it for you.

GUARANTEES
• 10 years on the polyethylene shell.
• 5 years on the Clipsal electronic safety switch.
• Where we use steel - it's Stainless Steel.

PEACE OF MIND - NO RISK
If you're not satisfied with the performance of your K-Mac Powerhead, just return it to us within 30 days of purchase and we'll refund your money.

IT'S ALSO ABOUT GIVING
K-Mac Powerheads are proud members and supporters of:
• Caravanning Australia Ltd & State Associations.
• Big 4 Holiday Parks.
• Family Parks of Australia.
• Top Tourist Parks of Australia.



MATERIALS
Moulded from engineering grade polyethylene, fire retardant with UV stabilisers, in aesthetically pleasing ghost gum grey (10 year guarantee).

OUTLETS
• Up to two 15A single phase outlets per housing; a maximum of four outlets per pedestal.
• A range of 3 phase outlets and IEC309 outlets (international) available.

KEY SWITCHED OUTLETS
Keyed option to shut off power to outlets.

LOCKABLE HOUSING DOOR
Lockable option for fully sprung self-closing door; keyed alike or different.

SAFETY SWITCHES
Clipsal Electronic Series (5 year guarantee).

METERING OPTION
Electronic kWh meters to measure the electricity consumption for each customer.

LIGHT (MAX 60W)
• Manual switch.
• Photo cell (auto)
• 24 hour timer.

TELEVISION/PHONE/DATA
One to four TV/data/telecom outlets (Shuttered RJ45).

POWER LEAD HOLDER/EXTENSION
• Convenient powerlead holder comes standard on all models.
• A powerlead extension is optional and suspends powerleads off the ground up to a height of 2 meters.

WATER TAPS
Two or four fully plumbed 12mm chrome taps complete with "easy connect" flexible hose.

SULLAGE BRANCH
One to four-way grey water sullage pipes can be fitted discretely in the base of the pedestal.

MOUNTING OPTIONS
1. Ragbolt assembly for new concrete pad mounting. A cost saving method. Fast and secure. Free mounting template supplied. (See drawing).
2. Bolt onto existing concrete pad using own fixings.

Distributed by:

K-MAC POWERHEADS
PO Box 628, Geelong, VIC 3220 ABN 93 028 225 555
Phone 03 5221 5327 Email sales@knac-powerheads.com
Sales 1800 639 609 Website www.knac-powerheads.com
Mobile 0417 379 772
Fax 03 5222 6971

K-Mac Powerheads

AN INVESTMENT BUILT ON SOLID FOUNDATIONS

As the leading manufacturer of RV's and Leisure Homes, you know you're getting innovative designs, quality build and ongoing support when you invest in a Jayco Leisure Home.

We have been manufacturing Leisure Homes for over 33 years and that's why you will find them in most parks across Australia, including the 3 leading holiday chains -- Big 4 Holiday Parks, Top Tourist & Family Parks. Our experience in the RV market has ensured Jayco lead the design evolution with a wide range of Leisure Homes to suit all levels of accommodation, whether it be for a great little overnight unit or a luxury resort style cabin. Jayco Leisure Homes have a plan to suit.

We have a range of 1, 2 & 3 bedroom layouts available, some with 2 bathrooms, spas and other luxury options. Our cabins come fully furnished with lounge suites, dining tables, chairs, beds, wardrobes, window & floor coverings. We can also supply modern appliances such as washing machines, dishwashers, LCD TV's, cushions and even wall art. Jayco also offer a range of interior design options including plaster, fully tiled bathrooms, spa baths, luxury kitchens and more.

Your options are endless and our design team can work with you to customise a specific layout and theme for your Leisure Home to complement your park.

Our Leisure Homes are also manufactured in a dedicated under cover, modern production plant by local tradesmen ensuring there will be no work days lost due to inclement weather.



"PROUDLY SUPPLYING CARAVAN PARKS WITH PARK CABINS SINCE 1981"

CUSTOMISED DESIGNS
 Customise a layout to suit your individual needs

NATIONWIDE SUPPORT
 Prompt backup Service

WARRANTY PROGRAM
 12 Month Warranty 24 Month Structural Warranty

BETTER VALUE
 Make your investment dollar go further





PHOTOGRAPHY: JAMES WATSON

LEISURE HOME LAYOUTS 2015

20 Series

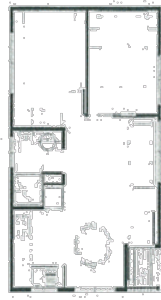
20.2.A

6.70m x 3.35m



20.36.A

7.15m x 4.57m

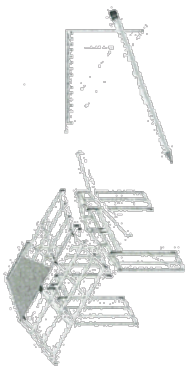


20.8.A

8.80m x 4.00m



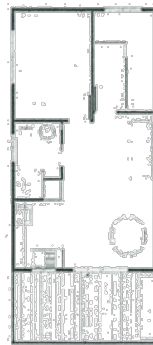
Design Flexibility
If you want to us for a layout to suit your particular needs, please call us to discuss your requirements



30 Series

30.1.B

9.70m x 4.70m



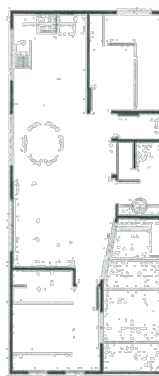
30.6.A

11.00m x 5.20m



30.6.B

11.00m x 5.20m



30.9.A

12.00m x 4.70m



40 Series

40.0.A

12.20m x 5.20m



40.2.A

13.00m x 4.70m



40.4.A

13.40m x 4.70m



40.5.A

13.70m x 5.20m



40.8.A

14.60m x 5.20m



40.8.B

14.60m x 5.20m



40.9.A

15.00m x 5.20m



**For more
Leisure Home
floor plans, please visit
www.jayco.com.au**

Amenities



10:0.AMEN
3.00m x 2.70m

10:9.AMEN
6.00m x 2.70m

30:0.AMEN
9.20m x 4.57m

*Amenities units show an optional exterior cladding and balcony.

Games Room

40:6.GAMES
12.20m x 5.20m

Duplex

30:3.DUPLX
10.0m x 4.70m

30:9.BUNK
12.0m x 5.20m

Bunk House

Limited Mobility Units MAY 2015

More parks are looking to satisfy the requirements of disabled or limited mobility customers. Jayco has developed a number of floor plans with these customers in mind:

- With a combination of layouts and the special features available, a physical disability should not prevent your clients from enjoying a great holiday in any of our great locations. In fact, a caravan park holiday might just become one of the best vacations they'll ever experience!



20:36.DIS
7.16m x 4.57m

30:0.DIS
9.20m x 4.70m

3 PEOPLE

4 PEOPLE

40:1.DIS
12.50m x 5.20m

Features

- Large accessible bathroom
- Graded tile flooring in bathroom
- Stainless steel handrails
- Folding seat in shower
- New floor grates system
- Wider doorways
- Accessible light switches & power points
- Accessible wardrobes

6 PEOPLE

FEATURES

AVAILABLE OPTIONS

Interior	Painted ceilings
Interior walls and ceilings finished in plaster / gyprock	Interior walls finished in snowflake wall paper
900mm x 2400mm flat wall (stained or painted)	Painted timberwork on depressions, architraves
Carpet	Roller blinds
Wall lights above lounge	Ceiling fans & wall fans
Privacy lights to bunk beds	2.5 seater couch with pull-out bed
Diner options as per our website (chairs, lights etc).	Diner spring mattresses with steel frame bed
Perspex benchtop	Full height wardrobes
Lockable fold up bunk	Storage drawers under bunks
1.550mm x 500mm wall mirror	Kitchen
Washinghouse larger fridge / freezer from 230 litres	Various cooking appliances available
Under bench oven and gas electric ovens	6 microwave
Dishie or Fisher & Paykel dishwasher	Slide out rangehood
1 1/2 bowl sink	Bathroom
Shower curtain	Sliding glass shower door
Semi frameless shower doors	Larger seamless fiberglass shower inserts
Fully tiled showers	Poly marble shower bases
Tiled shower floors	Tiled ensuite floors
Light heated	30 litre electric hot water service (storage type)
Exterior	Optional cladding
Colourbond, Weatherex, Cedar, Vinyl, Hardiplank & combinations.	Variety of rooflines including single & double skillion
15 degree open gable roof	Timber balustrade options:
Vertical, Federation & Boxed cross	Marringaride stainless steel balustrade
2, 3 & 4 panel sliding glass door options	Underfloor polystyrene insulation (R1.4 or R2.4)
Double glazed or comfort seal windows	Electrical
LED lighting	Hanging lights
Track lighting	TVs & DVD players
Extra TV coax points	Extra power points (internal & external)
Washing machine / clothes dryer	

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FEATURES

STANDARD INCLUSIONS

Interior	Cathedral internal ceiling (stained)
Stained timber doorways, architraves	Painted internal doors
Heavy duty vinyl flooring	Blockout curtains & privacy screens
Fluorescent roof lighting	Provision for air conditioner
Smoke detector fitted in lounge area	2.5 seater couch or modular lounge
Dining table and vinyl covered chairs	TV / DVD shelf
Queen size ensemble beds	Full width laminated bed head
Besides shelves	Wall lights to main bed
1/2 Height wardrobes	Dresser with mirror & power point above*
Powder coated steel frame bunks*	Interlocking mattresses to bunks
Kitchen	Washinghouse 230 litre fridge / freezer (in most models)*
Washinghouse 4 burner gas cooktop	Rangehood vented to exterior
Laminated bench tops	Fully tiled splashback to kitchen bench area
Single bowl kitchen sink with thick mixer	Main venttain blind to sink window
Bathroom	Full height 760 x 900 moulded fiberglass shower with lip bath
Hinged shower glass door	Flick mixer to vanity & shower
Dual flush toilet	Ceramic vanity basin
Mirror and power point above vanity	Down light above vanity
Double towel rail	Light and exhaust fan on same switch
Rinnai external instantaneous gas hot water system	Exterior
Weatherboard profile external aluminum cladding (cream)	Treated pine balustrade with horizontal rails*
Colourbond roofing	12 degree open gable roof
Powder coated aluminum windows with flyscreens (select colours)	Lockable security door
Laminated timber decking to balconies	Exterior lights to be on standard switch
R2.5 Comfort seal insulation bats and insulation in ceiling	Fiberglass insulation bats and insulation in exterior walls
Power connection via single junction box	Duralgal chassis
Electrical	Fluorescent lighting
TV cookpoint	Power points as per plan

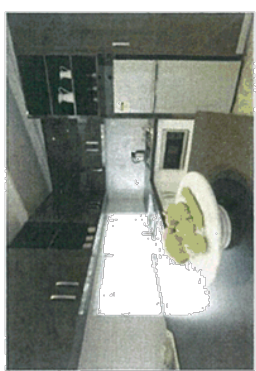
* layout applicable



Standard: Horizontal balcony and aluminum cladding exterior



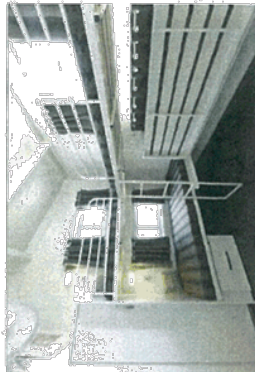
Standard: Modular lounge



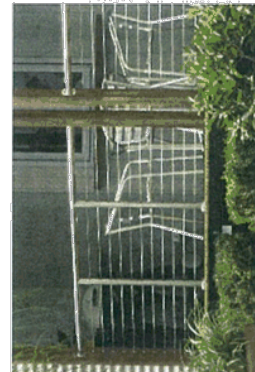
Standard: Kitchen design



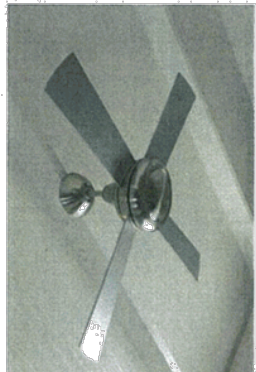
Standard: Bedhead & bedside shelf



Options: Fold up bunk for porta cot provision



Options: Stainless steel balustrade

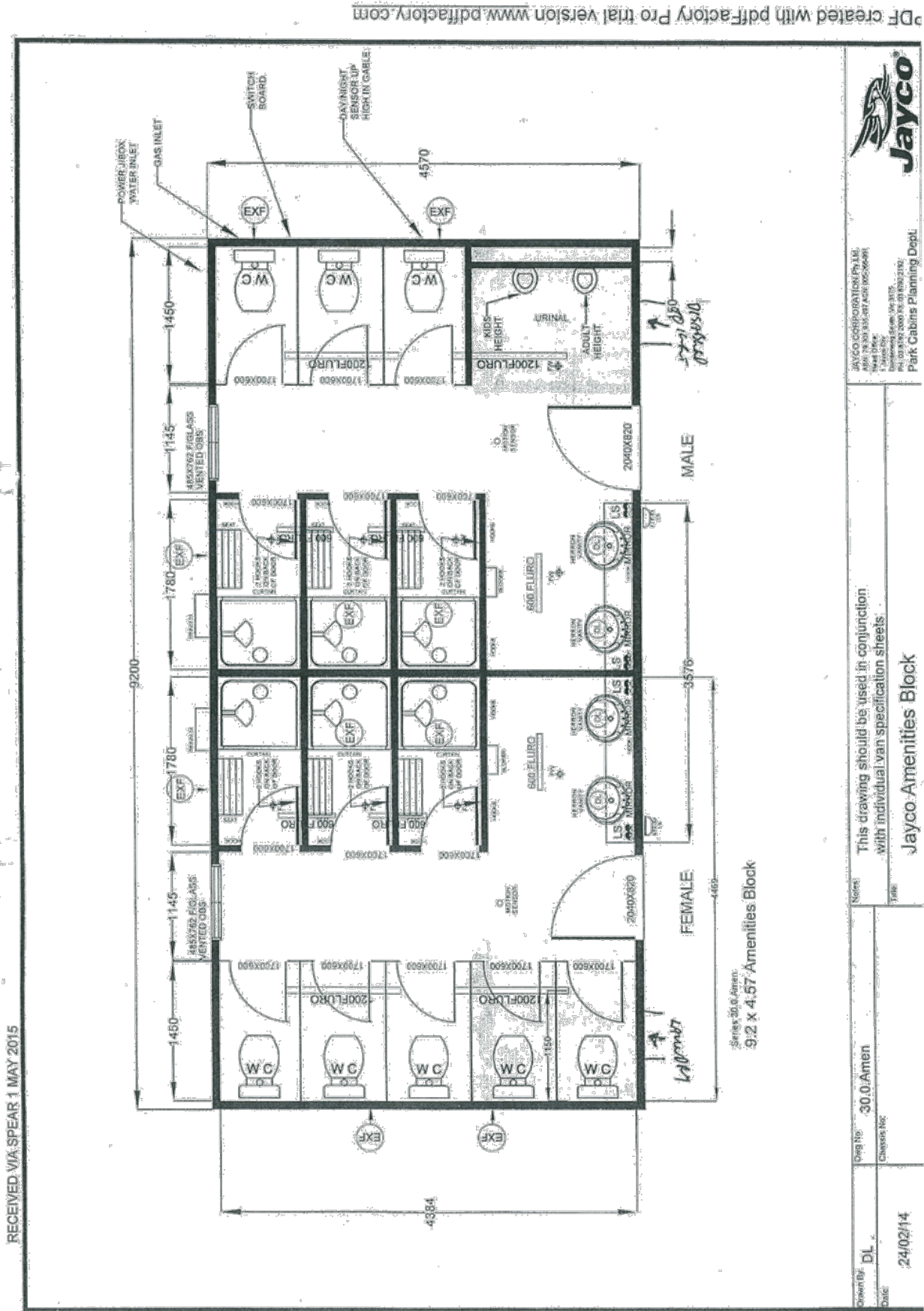


Options: Ceiling fans



Options: Various cooking appliances

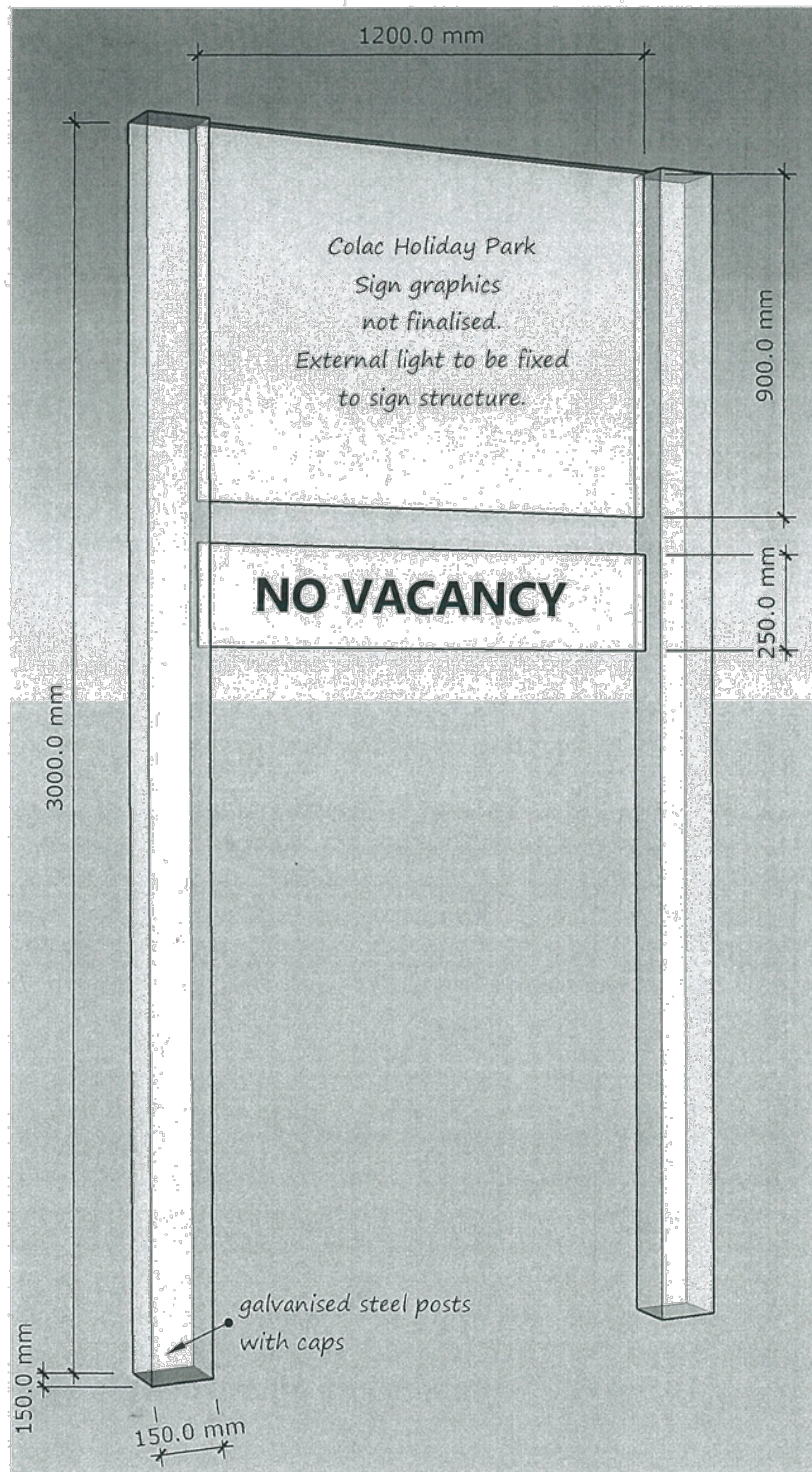
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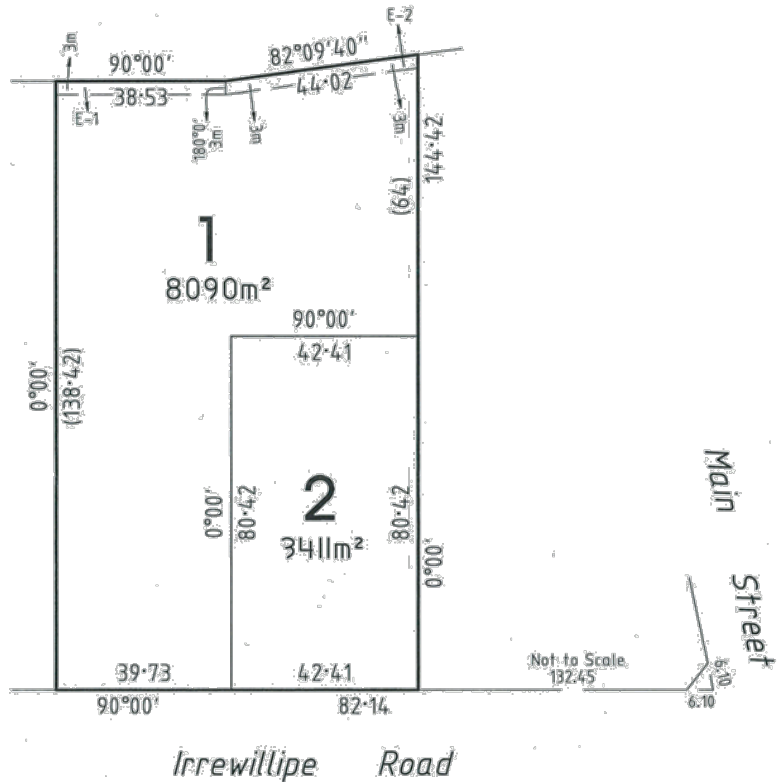
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PROPOSED BUSINESS IDENTIFICATION SIGN
PRELIMINARY DESIGN
COLAC HOLIDAY PARK 17 IRREWILLIPE ROAD, ELLIMINYT
A & D BROWN

RECEIVED VIA SPEAR-1 MAY 2015

PLAN OF SUBDIVISION	Stage No.	Plan Number PS738554P
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ROD BRIGHT & ASSOCIATES PTY LTD
 LICENSED SURVEYORS & TOWN PLANNERS
 26 MURRAY STREET COLAC 3250
 TEL 5231 4883 ACN 007 206 975

ORIGINAL	SCALE
SCALE 1:1000	SHEET SIZE A3
SCALE 10' 0 10 20 30 40 LENGTHS ARE IN METRES	

LICENSED SURVEYOR (PRINT) ANTHONY EDWARD BRIGHT
 SIGNATURE _____ DATE _____
 REF: 15-03 VERSION _____

Sheet 2 of 2 sheets
 DATE _____
 COUNCIL DELEGATE SIGNATURE _____
 Original sheet size A3



