



PLANNING COMMITTEE MEETING

AGENDA

13 APRIL 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

13 APRIL 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 13 April 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

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 09/03/16.**

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**

**PC161304-1 BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF
ADDITIONAL BAKERY BUILDING, CAR PARK, ANCILLARY
WORKS, BUSINESS IDENTIFICATION SIGNAGE, AND THE USE
FOR MANUFACTURING SALES AT 85 IRREWARRA SCHOOL
ROAD, IRREWARRA (PP302/2015-1).**

AUTHOR:	Ian Williams	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F15/13130

Location: 85 Irrewarra School Road, Irrewarra

Zoning: Farming Zone

Overlay controls: Heritage Overlay (HO203)

Proposed Amendments: Nil

Purpose: Planning Permit (PP302/2015-1) is sought for Buildings and Works Comprising Construction of Additional Bakery Building, Car Park, Ancillary works, Business Identification Signage, and the use for Manufacturing Sales at 85 Irrewarra School Road, Irrewarra.

Declaration of Interests

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

Summary

- Planning permit (PP302/2015-1) is sought for Buildings and Works Comprising Construction of Additional Bakery Building, Car Park, Ancillary works, Business Identification Signage and the use for Manufacturing Sales at 85 Irrewarra School Road, Irrewarra.
- This application relates to the locally and regionally known brand of 'Irrewarra Estate'.
- The proposal is considered to present an appropriate scale of development which will be able to co-exist harmoniously with surrounding agricultural related land uses.
- The proposal is not considered to be detrimental to the amenity of surrounding properties.
- The proposal includes the provision of 68 on site car parking spaces.
- No objections have been raised from Departments Internal to Council.
- Six (6) letters of objection were initially received in relation to this application. Following mediation with the objectors, one letter of objection was withdrawn. Five (5) letters of objection and five (5) letters of support, one of which was from Richard Riordan MP, have been received.

Background

This application relates to the locally and regionally known brand of 'Irrewarra Estate'. Irrewarra currently produces 20,000 loaves of handmade sourdough bread per week and two (2) tonnes of granola, using linseeds grown in Birregurra and Victorian wheat milled in Bridgewater.

Due to increased demand for the product, Irrewarra Estate expanded in 2007 into a leased shed in Colac East operating two bakeries. Irrewarra Estate has now outgrown this site and is seeking alternative premises within Irrewarra. Irrewarra Estate has been successful in obtaining funding from the Australian and Victorian Governments through the GRIIF fund for the expansion of production and tourism visitation. The owners have advised that demand for customers to visit the bakery is very high and the building of the Warncoort NBN tower would allow for expansion of the existing Irrewarra site through access to high speed internet.

On 22/10/1999 planning permit PP286/1999-1 was granted for the "Construction of 'Irrewarra Estate' – Bakery, Vineyard, Milk Processing Facility and Residence". The "winery and cheese-making complex" shown on the endorsed plans was not constructed and neither was the homestead, however the remainder of the elements of this permit were completed and as such, the use of the land for a bakery exists at the application site.

The plans endorsed under this application included a homestead to the north east of the site and a bakery, wine tasting and administration building east of the homestead. A sales pavilion was approved along with a winery and cheese making building. Access to the dwelling via Irrewarra School Road and access to the bakery, sales and winery were proposed from the eastern entrance onto Warrowie Road. The proposal included landscaping throughout the site with the existing vegetation reinforced with additional plantings. At the time of determination, it was noted that there was no reference in the permit relating to use, although the conditions attached to the permit suggested that the permit was intended to be a development and use permit. This was clarified by Council's Lawyers by letter dated 24 September 2008.

Conditions were included within the permit in relation to the provision of twenty (20) car parking spaces, amenity, landscaping and a Section 173 Agreement (condition 30). Condition 30 of the permit states:

'The applicant shall enter into a Section 173 Agreement with Council undertaking that no complaints shall be lodged against the responsible operation of the adjacent Martin farm in relation to silage production, animal husbandry, weed spraying regime, calving area or feed mixing. Such Agreement shall be undertaken prior to commencement of the use and be registered on Title. All cost associated in the preparation and registering of such Agreement shall be borne by the applicant.'

Condition 30 was included on the permit as a result of discussions between Council, the applicant and neighbouring objector. The effect of the agreement was to discourage the applicant or their successors in title from making unreasonable complaints about certain farming operations on the adjacent farm. At the time, Council sought legal advice with regard to the validity of this agreement and was advised by the lawyers that;

'this is not a matter which is properly within the ambit of section 173 agreements under the statutory regime contained in the Act'. The legal advice concluded that 'the condition is invalid, means that the condition would not, I believe, be enforced in enforcement action were to be taken to require compliance with condition 30'.

At the time this agreement was not entered into between Council and the owners. Harwood Andrews Lawyers advised Council and the Applicant that the agreement was *ultra vires*. To resolve any potential conflict with this condition and to address neighbours concerns, the owners have recently sought to record the Section 173 Agreement on title. It should also be noted that the terms of the S173 Agreement have never been breached despite its absence from title.

On 15 November 1999, Council clarified in writing with the applicant that the permit allowed for the public to view the bakery operational and purchase bread in association with wine as this would all fall within the broader definition of *'manufacturing sales'*. The inclusion of Condition 30 was also clarified within this letter and Council advised that given the *'weed spraying regime'* this condition should remain unless written confirmation was provided from the adjacent property owner to allow for its removal.

The applicant has recently confirmed with Council that conditions relevant to the works undertaken on site were complied with; specifically condition nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14-17, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29. The applicant has advised that condition 10(e) car-parking was not line marked due to the finished surface being crushed rock and gala gravel. For the use and development undertaken on site, 5 car parks were provided. As the business grew further parking was provided on site. Condition 25 of the permit related to landscaping and the applicant has confirmed that hedging around the building and car park, elm trees to the north of the development for screening was in place within the time specified. Elm tree suckers were allowed to multiply to further screen the dairy and silage pit to the north. Landscaping for the sales pavilion, park/picnic facility, winery, olive grove, grape vines, drive off Warrowie Road and along northern boundary and orchard was not undertaken as these aspects of the development had not been undertaken.

Condition no.26 specified that no trees should be planted within 12m of the northern boundary. The applicant has advised that this was complied with until a shed was erected adjacent to the northern boundary in 2008. The applicant has advised that the trees planted by the neighbouring property owner did not adequately screen the shed and so additional gum trees were planted on the south side of the boundary. These trees are considered to be acceptable to both parties and no additional trees have been planted within 12m of the northern boundary.

It is accepted that not all of the elements of planning permit PP286/1999-1 have been enacted however the conditions relevant to the elements that have been enacted have been complied with. Furthermore, it remains that the use of the land for a bakery is lawful on the land and as such, this is not for consideration under this application.

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 whether the proposal is consistent with the purpose and decision guidelines of the Farming Zone. Also for consideration is whether the proposed development can co-exist with existing agricultural activities on adjacent lots and the potential economic benefit to the shire. It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

Proposal

Planning permission is sought for the construction of an additional bakery building, associated works including car park, driveway, rainwater tanks, solar panels, business identification signage and the use of the land for manufacturing sales.

Buildings and Works

The proposed bakery would be located towards the north eastern side of the lot within close proximity to the existing stables building and would be 37.5m wide, 80m long with a maximum height above natural ground level of 11m. The building would present a number of equally spaced windows, pitched roof with gable ends. The applicant has advised that the building has been designed to have the appearance of a farm out-building, to avoid any significant detrimental impact on the existing heritage place. Solar panels are proposed to the east side of the roof. A metal clad flour silo 3m (w) by 9m (h) is also proposed to be located towards the eastern side. The proposal also includes the restoration of the original stables and the excavation of the foundations of Irrewarra House, the Victorian garden (pathways and beds) in consultation with Heritage Victoria.

The proposed bakery building would contain a dry ingredients room, staff room, granola production and packing room, bread production room, bread packing room, crates room and an area 15.5m by 16.5m to the west to be used for offices/visitors and foyer. The building would be finished in corrugated iron and would be operational as a bakery between the hours of 6am to 2am. The existing bakery building would continue to be used for baking.

Visitors would enter the site via the Irrewarra School Road entrance on the southern boundary and would park within the thirty eight (38) visitor spaces provided to the west of the new bakery building. The visitor entrance will be finished in asphalt with brown gravel. The visitor's car park surface will be finished in white pebble topping to minimise dust.

No lighting is proposed adjacent to any of the property entrances with sensor lighting to internal pathways.

Thirty (30) staff car parking spaces are proposed to be provided on the site and thirty eight (38) visitor spaces. The proposal seeks to provide a total of sixty eight (68) on site car parking spaces. The car parking areas and staff/deliveries entrance will be screened with hedges and tree lined. The staff/deliveries entrance and car parking will be finished in asphalt and accessed via Warrowie Road.

Manufacturing Sales

As part of the proposal, the applicant has advised that there would be an ancillary element of Manufacturing Sales which is defined within the Planning Scheme as;

'Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry'.

The manufacturing sales element would involve the tasting and sale of bread and foods featuring Irrewarra breads, biscuits, granola, Panforte, jams and other similar products (similar to cellar doors) manufactured on site. Seating would be provided internally for approximately thirty five (35) visitors. The manufacturing sales element would be open to the public between 9am and 5pm.

The total anticipated employee numbers at this site by June 2017 is approximately fifty five (55) however due to shifts over an 18 hour period there would be no more than 30 employees on the site at any one time.

The proposal does not require the removal of any trees from the site.

Business Identification Signage

The proposal also includes the display of 2sqm of Business Identification Signage. The applicant has advised that there is already one sign (1sqm) at the entrance on Irrewarra School Road. The proposal includes the display of one additional business identification sign (1sqm) on the corner of Irrewarra School Road and Warrowie Road and one sign (1sqm) indicating the staff entrance and deliveries on Warrowie Road. The proposed sign at the entrance on Irrewarra School Road will comprise two posts and a board and will contain the wording Irrewarra Sourdough Bakery (plus an arrow pointing down Irrewarra School Road saying "entrance").

Site & Surrounds

The site is rectangular in shape and benefits from an area of 22.8 hectares located on the corner of Irrewarra School Road and Warowie Road. Irrewarra School Road and Warowie Road are both Council managed roads. The site is identified on title as Lot: 1 TP: 249861 Parish of Irrewarra, known locally as 85 Irrewarra School Road, Irrewarra.

The statement of significance for the site as included in the Colac Otway Heritage Study is as follows:

"Irrewarra House Estate, located at 85 Irrewarra School Road, Irrewarra, is a second generation homestead complex developed in 1886 for John Calvert whose father settled on the Irrewarra Run in 1840. The complex includes a stable and dairy complex, a bluestone water-tank, the archaeological remains of the residence, and remnant garden layout and plantings. Irrewarra House Estate is of scientific (archaeological and horticultural), aesthetic and historic importance to the Shire of Colac Otway. Irrewarra House Estate is of scientific (archaeological) importance for the potential afforded to gain information about the site, about lifestyles and settlement patterns in the Shire. Irrewarra House Estate is of scientific (horticultural) importance for the survival of many of its plantings, demonstrating both the broad suite of ornamental plants in use in Victorian private gardens including an extensive use of Australian species, the preponderance of which is suggestive of the high priority to trial species, which suited the rural environment. Irrewarra House Estate is of aesthetic importance demonstrated in the design of the stable and dairy complex. Irrewarra House Estate is of historic importance as an illustration of second-generation pastoralist values and aspirations, and provides valuable contrasts to the nearby 1840s Irrewarra Homestead".

The site contains the Irrewarra House Estate which includes the Irrewarra Homestead remains, formal garden remnants, an elm lined driveway, stables and dairy building that was converted for use as a bakery in 1999 and scattered boundary vegetation. The site is relatively flat with a slight fall to the west and north. The site benefits from two existing crossover points along Irrewarra School Road.

The site is currently used for baking associated with the brand name 'Irrewarra Estate'. The existing bakery at 85 Irrewarra School Road commenced operation in 2000. The occupancy permit for the bakery was given by Colac Otway Building Surveyors on 10/07/2000. The applicant has advised that both the Irrewarra site and the Colac East site are operated together with a total of 43 employees that work at both sites depending on time of the year. The applicant has advised that busy times are at Easter, long weekends, Christmas, school holidays and January. Currently approximately 10 staff are present at the Irrewarra site at any one time.

The site is within the cultural sensitive mapped area and the proposed works are defined as a high impact activity. A Cultural Heritage Management Plan is not required as the use of the land for industry has been lawfully operating from this site prior to 28 May 2007.

The application site is relatively flat with a fall from 125m AHD to the west and to the north. The application site and the land surrounding are contained within the Farming Zone. The lots to the immediate south (100 Irrewarra School Road (28.7 hectares) and 70 Irrewarra School Road (28.6 hectares)) contain a dwelling under construction and an existing dwelling respectively. The land to the rear of the application site (29 Irrewarra School Road) is vacant farmland. An irregularly shaped larger lot of 33.4 hectares is located to the north of the application site and contains a dwelling with farm related buildings and dam.

Land within the Rural Living Zone is located 450m to the east. Approximately 1140m to the south on the corner of Princes Highway and Warrowie Road is the site of AKD sawmills; this is also within the Farming Zone.

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, and by posting a sign on the frontage of the site for a period of 14 days. Public notice was not required to be placed in the Colac Herald. At the end of the public notice period, six (6) objections and five (5) letters of support had been received.

On 09 March 2016, Council arranged a mediation meeting. The purpose of the meeting was to bring the objectors, submitters and the applicant together so that each party was fully informed about the proposal, the objections and submissions. Following the meeting, one letter of objection was formally withdrawn. Five letters of objection remain in relation to this proposal and one letter of support. One of the letters of support is from the Member for Polwarth, Richard Riordan MP.

The objections are summarised as follows:

- a) *The business would not be viable and it would be wrong to grant a permit to greatly enlarge an industrial production in what is an 'out of zone' at 85 Irrewarra School Road.*

Consideration has been given within this report as to whether an alternative site, such as land within the Industrial Zones of Colac would be more appropriate for the proposed development. This site was selected as the applicants have a direct relationship with farming in the Irrewarra area, and have done so for a number of family generations; hence the Irrewarra brand. The applicant has expressed the desire to reaffirm the values of 'paddock to plate' and wish to build upon the earlier planning approval in 1999 which allowed for the use of the site for a bakery with ancillary structures. It has always been the owner's intention to develop this site to its full potential whilst being mindful of surrounding agricultural land uses. The proposal would operate in a similar way to other cellar door sales which operate within Colac and the surrounding region and these uses operate in a harmonious way with nearby agricultural activity. It is considered that the proposed expansion of the bakery would not be indifferent to such uses and would present a suitable natural environment for visitors to enjoy the natural landscape setting, the products manufactured and to experience local heritage. It is considered that tourism visitation numbers would be limited if the development was proposed within an Industrial zone of Colac. Given the nature of the proposed development and the applicant's desire to show the product in a natural environment, it is considered that development in this location, subject to conditions recommended within this report, is acceptable and could be supported.

The proposal would support an existing industry within Colac region which would be to the benefit of the local economy and tourism within the region.

The proposal is not considered to negatively impact on the ability of surrounding land to be farmed and would support the economy whilst providing an additional tourist attraction. The proposal supports a farm-related retailing business that could adjust to market changes when and if required. The proposal is not considered to compromise the use of the site for agriculture or on surrounding farm land; this is further considered later in this report.

The site of the proposed works are approximately 200m from the nearest residential dwelling to the north at 205 Warrowie Road. Landscaping along the northern boundary and additional landscaping within the site is considered to offer an appropriate buffer between the application site and the nearby more sensitive agricultural and residential land uses to ensure that these co-exist in a harmonious way.

- b) The proposal will infringe on rights of local farmers and will interfere with the way existing farmers operate in terms of cattle movement, breeding, machinery use, herbicides etc. The integrity of the farming zone needs to be protected.*

It is acknowledged within this report that the land owners are aware of their legal obligations under the Section 173 Agreement and therefore cannot make unreasonable complaints about farming operations on the adjacent farm to the north. Irrespective of such a legal agreement on title, provided pesticides etc. are contained within lot boundaries, there are no rights afforded to neighbouring properties to complain about agricultural smells or noise etc. from agricultural activity within the Farming Zone, as these are part and parcel of the day to day farming operations. It is acknowledged that baking from this site (albeit not to the same scale), has been operational on this site since 1999. It is also considered that the proposed intensification of this use would still be able to operate in a harmonious way and would be compatible with nearby agricultural activity. The applicants have advised that at no time have they objected to silage production, animal husbandry, weed spraying, calving or feed mixing on the adjacent agricultural land.

Given the right to farm the land and the fact that complaints cannot be justified on the basis of lawful agricultural use within the farming zone, it is considered that the proposal would not infringe on rights of local farmers in any way and will not interfere with the way existing farmers operate in terms of cattle movement, breeding, machinery use, herbicides etc.

The Rural Land Strategy identifies that farm consolidation and expansion is fundamental to the long term protection of the agricultural base of the Shire. It is accepted that the proposal would remove agricultural land from primary production and this could potentially prevent the expansion of the neighbouring farming land to the north and west, which in itself could be considered to be detrimental to the long term viability of the agricultural land and the net community benefit. The application site is identified within the Rural Land Strategy as land of 'medium agricultural capability'. There are two higher quality categories, known as 'high agricultural capability' and 'strategic significance'. Land of medium agricultural capability is suited to less intensive industries such as grazing and cropping and low agricultural capability land has few options other than grazing.

The lots surrounding the application site all have the potential to be consolidated with surrounding Farming Zone land to allow for future expansion opportunities.

Given the potential for agricultural expansion without the application site, it is considered that the proposal would not negatively impact on the future potential of neighbouring farms to expand.

It is also considered that given the nature of the existing bakery use, which operates in a contained controlled environment, the proposed expansion of the existing bakery facility would be able to operate in harmony with nearby farming operations without there being a direct conflict. Given the nature of the product which requires grain etc, it is considered that the proposal would ultimately support and enhance agricultural production.

- c) Potential traffic impacts resulting in increased use of Irrewarra School Road by visitors, buses, trucks and the visitor entry/exit point should be deleted from the proposal.*

There are two existing crossovers onto Irrewarra School Road; one which is currently used by existing bakery staff and one which is an agricultural entrance. The proposed driveways on Irrewarra School Road would utilise the existing crossovers and are considered to be in the most suitable locations, being an appropriate distance from the Irrewarra School Road intersection with Warrowie Road whilst being a suitable distance from nearby driveways and half way along the property boundary. The visitor exit driveway is an existing driveway and has been in this location since the 1880's (being the back entrance to the stables).

Council's Infrastructure Department has reviewed this application and no objection is raised to the proposed location of the driveway on Irrewarra School Road or the Warrowie Road entrance subject to conditions recommended within this report. Any potential increase in traffic generation as a result of the proposal is not considered to be detrimental to residential amenity in the context of the surrounding rural setting.

- d) Amenity concerns to nearby dwellings in relation to noise and lights etc.*

The applicant has advised that on site lighting will be very subtle and contained to low level sensor lights. The lighting proposed on site includes pathway lighting, staff entranceway lighting, lights in the forecourt in front of offices/visitor area (facing into the site). The building is considered to be appropriately recessed from Warrowie Road and Irrewarra School Road to negate any potential impact and on balance it is considered that light spill or glare from this site will not be detrimental to surrounding residential properties.

The proposed bakery building would operate between the hours of 6am to 2am which is consistent with the current arrangements and this would be within a contained environment whereby windows and doors are closed. It is anticipated that additional noise from this site would be generated from motor vehicles and delivery trucks accessing the site however this is not considered to be significant. All staff and deliveries to the site are proposed via Warrowie Road. Warrowie Road is already used by AKD, dairy tankers, stock trucks, tractors and agricultural equipment. The applicant has advised that one of the main ingredients, flour, will be stored in on site silos requiring one flour delivery every three weeks. Whilst it is accepted that the proposal would result in additional traffic generation to the site, this is not considered to be significantly harmful to warrant the refusal of planning permission.

Appropriate conditions have been recommended to ensure that all external lighting is designed, baffled and located so as to prevent any adverse effect on adjoining land and all security alarms or similar devices installed are to be of a silent type in accordance with any current standards.

- e) *The additional driveways would result in the loss of agricultural land and should be repositioned from Irrewarra School Road.*

The driveway off Irrewarra School Road is a historic driveway that has been used for over a century and is considered to be an asset to the site and one of the main attractions. It is lined with historic trees, as such to prevent the use of this driveway would be unreasonable to the land owner. Council's Infrastructure Department has considered the location of the access onto Irrewarra School Road and no objection has been raised. The utilization of the existing driveway off Irrewarra School Road is not considered to result in the loss of any agricultural land and is considered to be acceptable.

- f) *The proposal will have a detrimental effect on the Farming Zone and conflicts with State and Local Planning Policy.*

The proposal is considered to positively respond to the State and Local Planning Policy. The broader direction of the State and Local Planning Policy seeks to ensure that Council's support development which will provide economic benefits while not adversely affecting farmland of strategic significance. In addition to the above, the State and Local Provisions seek to encourage agricultural tourism development to maximise employment and to encourage tourist related development in association with agricultural enterprises in appropriate locations where development does not compromise the use of land for agriculture as a means of assisting and diversifying the agricultural economy.

Consideration has been given in this report as to the impact that the proposed intensification of the existing industrial land use and the impact that the visitor attraction may have on the existing farming activity within the immediate and surrounding area and the Farming Zone generally.

There are many examples throughout Colac Otway Shire and Victoria whereby non-agricultural based land uses harmoniously interact and co-exist alongside intensive agricultural uses. The application site and the land surrounding it is contained within the Farming Zone whereby there is a reasonable expectation that agricultural activity, whether it is cattle or crops will be occurring. Whilst industrial baking from this site, albeit not to the same degree, has been operational since 1999, on balance it is considered that the proposed intensification of this use would be able to operate in a harmonious way and would be compatible with nearby agricultural activity. The existing vegetation cover and suitable separation distances from the lot boundaries would assist in negating any potential impact that the proposed development may have on the continuation of primary production on adjacent land. In view of this, the potential impacts are not considered to be significant to warrant the refusal of this application.

It is also considered that given the nature of the existing bakery use, which operates in a contained controlled environment, the proposed expansion of the existing bakery facility would be able to operate in harmony with nearby farming operations without there being a direct conflict. Given the nature of the product it is considered that the proposal could ultimately support and enhance agricultural production within the immediate and surrounding area.

- g) The proposal would set an unwelcome precedent and would allow for the owners to take an unfair advantage with regard to reduced rates.*

Each planning application determined by Council is considered on its individual merits and support or otherwise of this application does not follow that similar applications submitted to Council would have the same outcome. The potential for reduced rates is not a valid planning objection and is not for consideration under this application.

- h) The existing use is not lawful as the existing use has not complied with earlier permit conditions. The applicant has previously not complied with conditions on the permit in relation to landscaping and the Section 173 Agreement.*

The 1999 planning permit (PPA/286/99) allowed for the: "Construction of 'Irrewarra Estate' – Bakery, Vineyard, Milk Processing Facility and Residence". The use of the land for a bakery therefore exists on the land and this is not for consideration under this application. The 1999 planning permit contained a number of permit conditions in relation to the use. Condition 30 of this permit required the applicant to enter into a Section 173 Agreement with Council undertaking that no complaints shall be lodged against the reasonable operation of the adjacent Martin farm in relation to silage production, animal husbandry, weed spraying regime, calving area or feed mixing.

Council was subsequently advised by Harwood Andrews that the terms of the Section 173 Agreement were ultra vires (beyond Councils legal power or authority) and as such, Council did not enforce that this agreement be signed and placed on title. Despite its deficiencies the applicant advised Council by email dated 02 March 2016 action was being taken to have the Agreement executed.

It is accepted that not all of the elements of planning permit PP286/1999-1 have been enacted however the conditions relevant to the elements have been enacted by the owners.

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- i) *More information should have been provided in the application and the application advertised in the local newspaper.*

The applicant has submitted additional written detailed information with regard to this proposal and this information has been provided to all objectors. Council considers that subject to the recommended permit conditions, suitable detail has been provided to allow Council to make a balanced decision in relation to this proposal. Any deficiencies in the level of information provided can be addressed by permit condition.

Notice of this application was given in accordance with Section 52 of the Planning and Environment Act by placing a notice on the land and by sending notification letters to surrounding properties. There is no requirement under the Planning and Environment Act for this application to be advertised in the local newspaper.

- j) *There will be an impact on wastewater.*

The applicant has advised that a bakery is essentially a dry process with very little water used for cleaning as floors and benches are kept dry. There will be provision for two showers on site which is considered to be adequate. The applicant has also advised that the site benefits from two underground water tanks with rainwater collected in tanks, filtered and used in baking. Council's Environmental Health Department have reviewed this application and raise no objection subject to the inclusion of permit conditions requiring the submission of a 'Standard' Land Capability Assessment in accordance with Colac Otway, Domestic Wastewater Management Plan prior to the commencement of any development on site. The condition continues that all works must be carried out in conformity with the Land Capability Assessment Report endorsed under this permit.

Letters of Support

The letter of support are summarised as follows:

- a. There has been a loss of jobs in agriculture over the last 50 years and the proposal will bring jobs to regional and rural areas.
- b. Irrewarra Sourdough injects \$1.5 million in wages to the Colac region annually.
- c. The business supports agriculture as it value adds to wheat, gain, nuts and fruit.
- d. They are leading examples of the 'paddock to plate' movement, connecting city residents to farming without harming agriculture.
- e. The existing business has co-existed with agriculture for over 16 years.
- f. The majority of their 60 acre site will continue to be sown with a wheat crop and the intention is to use this wheat to create an 'estate grown' loaf.

Referrals

This application was not required to be referred externally. The application was referred internally to Council's Infrastructure, Environment and Health Protection Units. No objections were received, subject to conditions being imposed should a permit be issued. These conditions have been included in the recommendation section at the end of this report.

The application was also referred to Councils Heritage Advisor, whose comments are discussed later in this report.

Planning Controls

The land is in the Farming Zone (FZ) and is subject to the Heritage Overlay (HO203). A planning permit is required under the following provisions:

- Clause 35.07-4 - Buildings and works Section 2 Use (FZ)
- Clause 35.07-1 – Use of the land for Manufacturing Sales (FZ)
- Clause 43.01-1 – Buildings and Works (HO203)
- Clause 43.01-1 – Construct or Display a Sign (HO203)
- Clause 52.05 – Business Identification Sign

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 12 Environmental and Landscape Values
 - Clause 12.04-2 Landscapes
- Clause 13 Environmental Risks
 - Clause 13.04 Noise and air
- Clause 14 Natural Resource Management
 - Clause 14.01-1 Protection of Agricultural Land
 - Clause 14.01-2 Sustainable Agricultural Land Use
- Clause 15 Built Environment and Heritage
 - Clause 15.01-1 Urban Design
 - Clause 15.02-1 Energy and Resource Efficiency
 - Clause 15.03-1 Heritage Conservation
- Clause 17 Economic Development
 - Clause 17.01-1 Business
 - Clause 17.03-1 Facilitating Tourism
- Clause 18 Transport
 - Clause 18.02-5 Car Parking
- Clause 19 Infrastructure
 - Clause 19.03 Development Infrastructure
 - Clause 19.03-2 Water Supply, Sewerage and Drainage
 - Clause 19.03-3 Stormwater
- Municipal Strategic Statement
 - Clause 21.03-1 General
 - Clause 21.04-3 Vegetation
 - Clause 21.04-8 Landscape Character
 - Clause 21.04-9 Cultural Heritage
 - Clause 21.05-1 Agriculture
 - Clause 21.05-3 Manufacturing
 - Clause 21.05-4 Tourism
- Local Planning Policies
 - Clause 22.01 Heritage Places and Areas

It is considered that the proposal generally meets the objectives and strategies of the relevant State and Local planning policies.

The proposal would support an existing industry within Colac to the benefit of the local economy. The broader direction of the State and Local Planning Policy seeks to protect high quality productive farmland which is of strategic significance in the local or regional context from unplanned loss. The policy adds that there should be a strict interpretation of the Farming Zone provisions to ensure that incompatible land uses do not negatively impact on the ability to farm. The permanent removal of productive agricultural land must not be undertaken without consideration of its economic importance for the agricultural sector. The policy adds that Council's should support development which will provide economic benefits while not adversely affecting farmland of strategic significance. The State and Local Planning Policies seek to support farm-related retailing that adjusts to market changes.

The State and Local provisions seek to encourage agricultural tourism development to maximise employment. The Policy also encourages tourism related development in association with agricultural enterprises in appropriate locations as a means of assisting and diversifying the agricultural economy, where development does not compromise the use of land for agriculture.

The State and Local Policies seek to protect landscapes and significant open spaces that contribute to character, identity and sustainable environments and to conserve places of heritage significance and retain those elements that contribute to the importance of the heritage place. Planning should achieve high quality design and architecture that contributes positively to local character and sense of place and enhances liveability, diversity, amenity and safety of the public realm whilst minimising detrimental impact on neighbouring properties.

Colac Otway Rural Land Strategy (2007)

The Rural Land Strategy (2007) is a reference document as listed under Clause 21.07 and identifies the application site as being of a 'medium agricultural capability' but does not identify the site as being farmland of 'Strategic Significance'. The Strategy identifies that "farmland of strategic significance" is due to the high value dairying and associated manufacturing which provides a significant economic benefit to the region. It has a pattern of subdivision favourable for sustainable agricultural production and the current land use, agricultural capability and rainfall provides an environment in which farm businesses are able to respond quickly to market signals and capitalise on seasonal opportunities.

Colac Structure Plan 2007

The Colac Otway Structure Plan 2007 is a reference document as listed under Clause 21.07. The Plan provides key recommendations in response to the main issues identified through early consultation with the community, agency stakeholders and Council representatives.

The Colac Otway Structure Plan 2007 identifies the vision for Colac as:

'a thriving town with a vibrant town centre that takes pride in its Lakeside location, is responsive to the housing needs of its residents and offers a variety of opportunities for employment and economic development'.

It is noted that work has recently commenced on the Colac 2050 project, which will ultimately supersede the 2007 Structure Plan.

b. Zoning

The land is zoned Farming Zone (FZ). The purpose to 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 the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A planning permit is required under the provisions of Clause 35.07-4 for buildings and works associated with a Use in Section 2 and under the provisions of Clause 35.07-1 for the use of the land for 'manufacturing sales'. The use of the land for a bakery, contained within the broader land use term 'Industry' exists on the land and as such, a planning permit is not required for the bakery use.

c. Overlays

The site is covered by the Heritage Overlay (HO203). The purpose of this overlay is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

A planning permit is required under the provisions of Clause 43.01-1 for buildings and works and to construct or display a sign.

d. Particular Provisions

i. Clause 52.05 – Advertising Signs

The purpose of this clause seeks to:

- *To regulate the display of signs and associated structures.*

- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

Signage in the Farming Zone is Category 4 – Sensitive Areas. Business identification signage requires a planning permit under Section 2 to this Clause whereby the total advertisement area of all signage to each premises must not exceed 3sqm.

ii. Clause 52.06 – Car Parking

The purpose of this clause seeks to:

- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Clause 52.06 of the Car Parking provision within the Planning Scheme requires four (4) car parking spaces to each 100sqm of leasable floor area for manufacturing sales and 2.9 car spaces to each 100sqm of net floor area for industry. Clause 52.06-5 stipulates that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

iii. Clause 52.07 - Loading and unloading of vehicles

The purpose of this clause seeks to:

- *To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.*

The provisions of this Clause require 27.4sqm loading area for 2,600sqm and an additional 18sqm for every additional 1,800sqm or part.

iv. Clause 52.10 Uses with Adverse Amenity Potential

The purpose of this clause seeks:

- *To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.*

While the Bakery use is established it is worth noting that the setback distance for a Bakery from a residential zone is 100m. The site is more than 4km from a residential zone.

v. Clause 52.34 Bicycle Parking

The purpose of this clause seeks to:

- To encourage cycling as a mode of transport.
- To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Under this Clause, one (1) bicycle space is required for each 1,000sqm of net floor area for an industry.

Consideration of the Proposal

Under the provisions of the zone, a planning permit is required for buildings and works and for the use of the land for manufacturing sales. The buildings and works proposed under this application would facilitate the further growth and expansion of the established bakery on this site whilst supporting a long established industry in the Colac/Irrewarra area. The existing Irrewarra bakery is considered to provide significant economic and employment benefits to the Colac region and the current application seeks to build upon this established brand on a site which has previously had planning approval for a similar scale of development.

Farming Zone

The *Purpose* and *Decision Guidelines* of the Farming Zone set out the criteria against which applications within the Farming zone should be considered. Whilst it could be argued that the application site could be better utilised for productive agricultural land, it must be noted that the use of the land for a bakery exists on this site and has done so for a number of years. The application site is identified within the Rural Land Strategy not as being of land of 'high agricultural capability' or land of 'Strategic Significance', but as land of 'medium agricultural capability'. Land of high agricultural capability is generally suited to a wider range of agricultural uses than land of medium and low agricultural capability. Land of high agricultural capability can generally support more intensive uses e.g. dairying, horticulture, whereas land of *medium agricultural capability*, (which the application site is) is more suited to less intensive industries such as grazing and cropping and low agricultural capability land has few options other than grazing.

The existing lot is not considered to be a large lot in terms of land within the Farming Zone. The land contains a number of existing structures and trees which are covered by the Heritage Overlay; the majority of which are located within the north east corner. The proposed bakery would also be located within the north east corner of the site adjacent to the buildings of historic significance and would comprise approximately 25% of the site area. In view of this, the proposed location on the site is considered to be appropriate with the remainder of the lot retained for cropping.

The proposed building would present an appearance of a farm out-building being finished in corrugated iron. In the context of agricultural buildings, the size of the built form is not considered to be overly dominant and would be 37.5m wide, 80m long with a maximum height above natural ground level of 11m. In the broader context of the site (which is relatively flat) and in conjunction with the existing and proposed additional vegetation cover, it is considered the proposed built form would not have a detrimental impact on the surrounding natural landscape setting or the significance of the heritage place.

Consideration needs to be given to the impact the proposed intensification of the existing industrial use and visitor attraction may have on the existing farming activity within the immediate and surrounding area. There are many examples throughout Colac Otway Shire and Victoria whereby non-agricultural based land uses harmoniously interact and co-exist alongside intensive agricultural uses. The application site and the land surrounding is all contained within the Farming Zone whereby there is a reasonable expectation that agricultural activity whether it be cattle or crops, will be occurring at some point. The applicant is aware of the nature of agricultural operations on adjacent land and is also aware that unreasonable complaints about farming operations on adjacent farms cannot be justified. Whilst baking from this site to a lesser degree has been operational since 1999, on balance it is considered that the proposed intensification of this use would still be able to operate in a harmonious way and would be compatible with nearby agricultural activity. The existing vegetation cover and suitable separation distances from the lot boundaries would both assist in negating any potential impact that the proposed development may have on the continuation of primary production on adjacent land. The potential impacts are not considered to be significant to warrant the refusal of this application.

It is also considered that given the nature of the existing bakery use, which operates in a contained controlled environment, the proposed expansion of the facility would operate in harmony with nearby farming operations without there being a direct conflict. In addition, given the source of bakery ingredients comes from agriculture the proposal would ultimately support and potentially enhance agricultural production within the region.

The Rural Land Strategy identifies that farm consolidation and expansion is fundamental to the long term protection of the agricultural base of the Shire. Objectors raised concerns that the proposal has the potential to prevent the expansion of the neighbouring farming land to the north and west, which would be detrimental to the long term viability of the agricultural land. The existing farming land to the north at 205 Warrowie Road Irrewarra is 33.4 hectares and the land to the immediate west at 29 Irrewarra School Road is 7 hectares, both of these lots are in separate ownership. There are a further three lots of 17.8 hectares, 3.5 hectares and 5.9 hectares between the application site and the Colac Ballarat Road.

These lots all have the potential to be consolidated with surrounding Farming Zone land should the need arise, to allow for future expansion opportunities. The applicant has confirmed that many of the surrounding farms are relatively small in size and farm owners have businesses that focus on off-farm activities e.g. contract harvesting etc. The applicant has confirmed that currently parts of the application site are leased to a neighbouring farmer for agriculture (cropping) and this is proposed to continue. This is a clear indication that the application site can remain to be utilised for agricultural purposes. Given the potential for agricultural expansion without the application site, it is considered that the proposal would not negatively impact on the future potential of neighbouring farms to expand.

The proposal includes an element of Manufacturing Sales which is defined within the Planning Scheme as *'Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry'*. Manufacturing Sales is a Section 2 Permit required Use within the Farming Zone and would allow the applicant to sell bread and bread related products to tourists when they visit the site (not dissimilar to cellar door sales). The proposed manufacturing sales component would operate in conjunction with the tourism element and on balance is considered to be an acceptable use on the site.

Alternate location

In the determination of this application, consideration has been given as to whether an alternative site, such as land within the Industrial Zones of Colac would be more appropriate for the proposed development. The applicants have a direct relationship with farming in the Irrewarra area, and have done so for a number of family generations; hence the Irrewarra brand. The applicant has expressed the desire to reaffirm the values of *'paddock to plate'* and wish to build upon the earlier 1999 planning approval which allowed for the use of the site for a bakery.

The applicant has advised that the proposal would function in a similar way to cellar door sales which operate within Colac and the surrounding region. These uses operate in a harmonious way with nearby agricultural activity and it is considered that the proposed expansion of the bakery would not be different. It is considered that the proposal would have a lesser impact than cellar door sales, as these can often involve additional entertainment such as live music over weekends. Furthermore, it is considered that tourism visitation numbers would not be as significant if the development was proposed within an Industrial zone of Colac. Given the nature of the product and the applicant's desire to show this in a natural environment, it is considered that development in this location, subject to conditions recommended within this report, is considered to be acceptable and should be supported.

Economy

The State and Local Planning Policy framework seeks to encourage the retention of employment to support rural communities. The applicant has advised that the total employees by June 2017 will be approximately 55, however due to shifts over an 18 hour period there will be no more than 30 employees at the site at any one time. The proposal would contribute to a strong and innovative economy ultimately assisting the economic well-being of the Colac region by supporting and fostering economic growth and development.

The tourism industry is a very important contributor to employment in the Shire and this has demonstrated consistent growth over the past two decades. Whilst tourism activities are often seasonal, there are opportunities to add variety to the Shire's attractions that would encourage the development of year round activities. The proposal would assist in providing an additional tourist attraction within the Colac region which would be beneficial to the area as a whole.

The proposal is considered to allow for the expansion of the bakery whilst providing for a suitably managed tourist attraction within an agricultural area. The State and Local Planning Policy seeks to *'encourage tourist related development in association with agricultural enterprises in appropriate locations where development does not compromise use of land for agriculture'*.

Given the location and nature of the built form on the land, the heritage provisions and the existing lease arrangements which allow for cropping on the remainder of the land to remain, it is considered that the proposal would not compromise the future use of the site for agricultural purposes.

The policy also seeks to *'encourage the development of small-scale activities, which are related to locally produced arts, crafts or products as a diversification of the economy'*.

The proposed small scale tourism element of this proposal is considered to positively respond to State and Local policy, providing for the development of an agricultural based tourism industry whilst assisting the diversification of the agricultural economy. It is considered that the proposal would support the local economy while not adversely affecting farmland of strategic significance, water catchments or environmental and landscape attributes of the immediate and surrounding area.

Heritage

Council's Heritage Advisor has considered the application and has advised of the following;

"Although a large addition to this site, the proposed bakery building has been sympathetically placed and designed to minimise impacts on the heritage significance of the place. The building will be located in an open paddock area a good distance from but connected visually to the heritage stables and the remains of the Victorian garden and house foundations. The placement of the building in this location will not require the removal of any significant fabric or vegetation. The placement of the building in the former working yard of the homestead, behind the homestead is appropriate and will retain the understanding of the use of different areas of the property. Located behind the former homestead, it will also not detract from significant views to the homestead ruins or from the important driveway approach to the property off Irrewarra Road.

The proposed form of the new industrial building is not unlike a large shearing shed in form with its intersecting gable roofs and a hip at one end. This form is appropriate to the former farm use of the property. The pitched roof also reduces the overall bulk of the building. The materials used will be corrugated iron cladding to the walls and roof. This is suited to the understanding of the building as an outbuilding and is sympathetic to the historical use and appearance of building on the site. The timber framed, symmetrically placed windows and openings is also sympathetic to the style of the original buildings. The proposed new bakery will be distinguishable as new and will not obscure the understanding of the house ruins, driveway and existing stables as the remaining original features of the property.

The visitor and staff car parking is proposed either side of the new building, away from any existing significant features and to the rear of the former homestead ruins and significant garden. The car parking areas will be obscured in views within and to the site by hedge plantings. This car parking has been sympathetically designed and is considered appropriate in heritage terms.

The building although obvious in some views to the property from Irrewarra School Road and Warrowie Road, will have little impact on the principle and most significant view of the property from the tree lined driveway. This driveway will also remain as the main entry for visitors, retaining this ceremonial approach to the former homestead.

In keeping with the heritage landscape, trees will be used to line the new delivery driveway from Warrowie Road and the new visitor exit driveway to Irrewarra School Road. The trees lining these driveways will be more sparse than the existing front driveway so will not compete with the traditional main entry to the property which will remain the dominant entry and readable as the original main entry.

Views to the proposed new building from the two roads will be partly obscured by these tree lined driveways as well as new planting and hedge reinstatement on the Irrewarra

School Road side. This new planting will reduce the impact the new building has on views and will also soften the impact of the building in views from within the site. The view of the existing significant stables, while not as clear as the existing, will still be visible from both roads and from the main front driveway.

I have no heritage concerns with proposed signage at the corner of Irrewarra School Road and Warrowie Road or along Warrowie Road. This signage will be well away from the significant features of the site and will therefore not impact on significant views.

It is commended that the project also involves exposing the foundations of Irrewarra House and the remains of the Victorian garden (pathways and beds). It is also proposed that the garden be restored with interpretation signage. This work is being done in conjunction with Heritage Victoria and Archlink. In addition, the elm avenue has been restored by removal of suckers in 2000 and will be irrigated and replanted in part where trees have died as part of this development project.

I am supportive of the proposed Industrial Bakery building and associated landscaping at 85 Irrewarra School Road, Irrewarra. Although this is a large addition to the site that will dominate some views, the proposal has been designed to minimise impact on the significant features of the place and retain the ability to read the history of the place. The proposed new building is compatible with the history and historic features of the place in placement, form and materials and will ensure the ongoing maintenance of the whole site. The existing converted stables will not be made redundant as a result of the proposal, but will remain a key focus of the Irrewarra Bakery operations providing an important venue for visitor access and events.

The project also incorporates some good conservation outcomes with restoration and maintenance of the elm avenue, uncovering the homestead ruins and garden layout and reinstatement of original garden elements”.

In light of the above, it is considered that the proposed built form and the works associated with this proposal would respond in a positive way to the conservation and significance of the heritage place. The lot is of a suitable area (22.8 hectares) to accommodate the proposed built form within an area of the site which currently contains existing buildings of historic significance. The proposal is considered to retain valued historic elements on the site that contribute to the importance and significance of the heritage place. The proposed development is considered to respond in a positive way to the landscape setting, the purpose and decision guidelines of the farming zone and the heritage controls.

Amenity

Consideration should be given as to whether the proposed intensification of the existing use on the land in conjunction with increased visitor numbers would be detrimental to any surrounding residential properties or farming activities.

The site of the proposed works would be located approximately 200m from the nearest residential dwelling to the north at 205 Warrowie Road. Landscaping along the northern boundary and additional landscaping within the site is considered to offer an appropriate buffer between the application site and the nearby more sensitive agricultural and residential land uses.

The proposal additional bakery building would be operational between the hours of 6am to 2am which is consistent with the current arrangements for onsite baking.

The tourism related use and the manufacturing sales would be open to the public between the hours of 9am to 5pm. This is not considered to present any significant increase in noise levels other than through the movement of cars and delivery vehicles to and from the site. The applicant has anticipated a maximum number of 35 visitors to the site on any given day. Seating will be provided internally for the visitors and visitors would be served tastings of products such as breads, biscuits, granola, Panforte and jams. The proposed tourism element and manufacturing sales is not considered to be detrimental to any surrounding residential properties or farming activities on neighbouring land.

The proposal does not include any bright lights, with lighting limited to low level footpath lighting which is lit by sensors. No lighting is proposed adjacent to any of the site entrances along Irrewarra School Road or Warrowie Road. The site of the proposed works are approximately 200m from the nearest residential dwelling to the north at 205 Warrowie Road. There is also a dwelling currently under construction at 100 Irrewarra School Road which is approximately 342m to the south. To prevent light spill to the neighbouring farming land, the proposed building would contain limited window openings with the office windows facing into the site. The offices would be in use between the hours of 9am to 5pm and as such, it is considered that any lighting from within the site would not have a detrimental impact on surrounding properties.

Tourists would visit the site throughout the day with access from Irrewarra School Road. Staff would be on four shifts throughout the day and as such it is considered that there will be no rush of vehicles from or to the site at any one time. All staff and deliveries to the site are proposed via Warrowie Road. Warrowie Road is already used by AKD, dairy tankers, stock trucks, tractors and agricultural equipment. The applicant has advised that one of the main ingredients flour will be stored in on site silos requiring one flour delivery every three weeks. Whilst it is accepted that the proposal would result in additional traffic movements to the site, this is not considered to be significantly harmful to warrant the refusal of planning permission.

Wastewater

The intensification of the baking operations in conjunction with additional staff numbers and the potential for 35 visitors on any given day is likely to result in an increase in waste water from this site. Council's Health Protection Unit has considered this application and does not raise any objection to the proposal subject to conditions requiring the submission of a *'Standard' Land Capability Assessment in accordance with Colac Otway, Domestic Wastewater Management Plan prior to the commencement of the development.* In view of this, it is considered that the proposal is not considered to present any off-site effects such as degradation of soil or water quality and land salinization to the detriment of the productive agricultural land surrounding this site.

Car Parking

The proposal seeks to provide a total of 68 on site car parking spaces. Visitors would enter the site via Irrewarra School Road and would park within the thirty eight (38) visitor car parking spaces. The visitor entrance would be finished in asphalt with brown gravel to a create country style entrance. The visitor's car park surface will be finished in white pebble topping to ensure no dust is generated. Council's Infrastructure Department have reviewed this application and note that the car parking area is to be pebble topped which is acceptable. Visitors would exit the site east of the entry point along Irrewarra School Road. Thirty (30) staff car parking spaces are also proposed to be provided on the site.

The car parking areas and staff/deliveries entrance will be screened with hedges and tree lined in keeping with the heritage of the site. The staff/deliveries entrance and car parking area will be finished in asphalt. The proposed crossover for heavy vehicles is proposed to be constructed to Council Standards for heavy vehicle use.

To allow Council to calculate the required number of car parking spaces under the existing and proposed use of the land, the areas of the building proposed to be used for a) Manufacturing Sales, b) existing bakery (Industry) and c) proposed bakery (Industry) were identified on the submitted plans. Clause 52.06 of the car parking provision within the planning scheme requires four (4) car parking spaces to each 100sqm of leasable floor area for manufacturing sales and 2.9 car spaces to each 100sqm of net floor area for industry.

The application identifies an area of 90sqm for manufacturing sales which sets a requirement for 3 car parking spaces. The remainder of the site is proposed to be used for industry and occupies an area of 1910sqm which sets a requirement for 55 car spaces. A total of 68 car parking spaces have been provided on the land for visitors and staff. This is considered to be acceptable to address the requirements of Clause 52.06.

Council's Infrastructure Department have reviewed this application and no objection has been raised to this part of the proposal subject to permit conditions which have been recommended within this report.

Loading and Unloading

The loading/unloading area has not been clearly shown on the site plan, however it is considered that there is adequate area on site and adjacent to the proposed new industrial building to address the requirements of this provision. The appropriate amended plans condition has been recommended within this report to ensure that details of the precise location are provided prior to the commencement of the development.

Council's Infrastructure Department note that the car park area appears to be dimensionally inadequate to cater for semi-trailer turning. Amended plans are required to be submitted to adequately demonstrate this. The appropriate condition to address this has been recommended within this report.

Business Identification Signage

The proposal includes the display of one additional business identification sign (1sqm) on the corner of Irrewarra School Road and Warrowie Road and a business identification sign (1sqm) indicating the staff entrance and deliveries on Warrowie Road. The applicant has advised that there is already one 1sqm sign at the entrance on Irrewarra School Road. The proposed sign on the corner of Irrewarra School Road and Warrowie Road will comprise two posts and a board and will contain the wording Irrewarra Sourdough Bakery (plus an arrow pointing down Irrewarra School Road saying "entrance").

The proposed signage and its location are considered to be acceptable in the context of the Farming zone and heritage controls. It is not considered that these aspects would be detrimental to the character and appearance or the significance of the heritage place.

Bicycle Provision

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

The use of the land for Industry (Bakery) sets a requirement for one (1) bicycle space to each 1000sqm of net floor area for employees. In this instance, the proposal sets a requirement for two bicycle spaces. It is considered that there is adequate on site area to accommodate two bicycles, however to ensure compliance with this provision, two spaces are required to be shown on the amended plans.

Council Plan / Other Strategies / Policy

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 Council should promote local business, services and foster employment opportunities. This proposal would assist in providing additional employment opportunities within an established industry in Colac.

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 carried out as discussed earlier in the report.

Conclusion

A planning permit is sought for buildings and works comprising construction of additional bakery building, car park, ancillary works, business identification signage and use for manufacturing sales at 85 Irrewarra School Road, Irrewarra. On balance, the proposal is considered acceptable having regard to the matters considered within this report.

It is considered that, subject to the conditions contained in the recommendation below, the proposal would not cause any significant detriment to the surrounding land within the Farming Zone or the character of the area to a degree that would warrant a refusal of the application. It is therefore recommended that a Planning Permit be issued.

Attachments

1. PP302 2015-1 Application for Planning Permit

Recommendation(s)

That Council's Planning Committee resolves to issue a Notice of Decision to grant a Planning Permit PP302/2015-1 for Buildings and Works Comprising Construction of Additional Bakery Building, Car Park, Ancillary Works, Business Identification Signage and Use for Manufacturing Sales at 85 Irrewarra School Road, Irrewarra at 85 Irrewarra School Road, Irrewarra (Lot: 1 TP: 249861 Parish of Irrewarra) subject to the following conditions:

Conditions:

Amended Plans

1. Prior to commencement of the use and 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) External materials and colours of all buildings and works.**
- b) Ablution facilities for all visitors and staff.**
- c) Details of the type and location of all external lighting within the site.**
- d) The location of 2 bicycle spaces.**
- e) Internal layout of the building nominating areas for seating and manufacturing sales.**
- f) Details of the extent and method of excavation of the foundations of Irrewarra House and the Victorian garden (pathways and beds).**
- g) Turning templates to show how a semi-trailer will turn within the site.**
- h) On site loading and unloading areas.**
- i) Elevations including dimensions and supports of the two proposed business identification signs.**

To the satisfaction of the Responsible Authority.

Endorsed Plans

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

Amenity

- 3. All 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.**
- 4. 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.**
- 5. The manufacturing sales use hereby approved must only operate between the hours of 9am to 5pm.**
- 6. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
 - a. transport of materials, goods or commodities to or from the land;**
 - b. appearance of any building, works or materials;**
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
 - d. presence of vermin;**

7. ***No more than thirty five (35) seats may be made available at any one time to patrons on the premises, unless otherwise approved in writing by the Responsible Authority.***

Signage

8. ***The signage must not contain any flashing lights and must not be illuminated by external or internal lights except with the written consent of the Responsible Authority.***
9. ***All signage must be constructed and maintained to the satisfaction of the Responsible Authority.***

Land Capability

10. ***Prior to the commencement of the development, a 'Standard' Land Capability Assessment in accordance with Colac Otway, Domestic Wastewater Management Plan is required to be submitted to and approved in writing by the Responsible Authority. Unless otherwise agreed in writing, all works and development associated with this permit must be carried out in strict conformity with the Land Capability Assessment Report endorsed under this permit.***

Food Safety

11. ***All food preparation, storage and receiving areas must be constructed in accordance with the Australian Food Safety Standards (Food Standards Code 3.2.3).***

Infrastructure

12. ***Prior to commencement of the development, vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.***
13. ***Stormwater discharge must only be distributed across the property by sheet flow (i.e. along a contour) or to a legal point of discharge as approved by the Responsible Authority. No sheet flow discharge point may occur within five metres of the lowest property boundaries and any discharge point must not be located so as to surcharge the septic effluent disposal system.***

Landscaping

14. ***Prior to commencement of the development, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:***
- a. ***details of surface finishes of pathways and driveways***
 - b. ***a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant within the site.***
All species selected must be to the satisfaction of the Responsible Authority.

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

Heritage

16. The excavation of the Irrewarra House and the Victorian garden foundations must be undertaken to the satisfaction of the Responsible Authority in consultation with Heritage Victoria.

Expiry

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

- a. The development is not started within two years of the date of this permit.**
- b. The development and signage is not completed within four years of the date of this permit.**

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

Notes

- 1. A separate application to install an all waste septic tank system is required to be submitted to and approved by Council's Environmental Health Department prior to the commencement of works. The design and installation of any wastewater disposal system for any building on the land must comply with the Code of Practice Onsite Wastewater Management (891.3) and the Land Capability Report required to be provided under this permit.**
- 2. Prior to commencement of the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.**
- 3. This permit does not authorise the commencement of any building works. Prior to commencement of the development, it will be necessary to apply for and obtain building approval for the proposed development.**

~~~~~\ ~~~~~





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

|                               |                            |
|-------------------------------|----------------------------|
| Office Use Only               | Fee: \$758.00              |
| Application No.: PP302/2015-1 | Receipt No.: #395785       |
| Date Lodged: / /              | Ward:                      |
| Date Allocated: / /           | Zone(s): COLAC OTWAY SHIRE |
| Allocated to:                 | Overlay(s):                |

18 DEC 2015  
 RECEIVED

## 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?: Ian Williams, Michael Swanson

Date: 04 / 11 / 2015

### The land

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

Street Address

Street No.: 85

Street Name: Irrewarra School Road

Suburb/Locality: Irrewarra

Postcode: 3249

Formal Land Description

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

Lot No.:

on Lodged Plan, Title Plan or Subdivision Plan No.:

OR

Crown Allotment No.: 6 & 7

Section No.: 10

Parish Name: Irrewarra

- 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.

The land has been used since 1999 as a bakery with offices (with up to 25 employees), manufacturing sales and tastings and is still used as such. Part of the land is used for agricultural purposes.

- 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.

The site is subject of the COS Heritage Overlay (H203) as such a permit is required pursuant to clause 43.01.1 of the COS Planning Scheme for the construction of an additional bakery building and works on the site associated with the building including car parking and additional driveway, archaeological work, rainwater tanks and solar panels on roof, landscaping and signs

The bakery building is a building associated with a permitted (PPA/286/99) Section 2 Clause 35.07-1 Farming Zone use (Industry) and as such a permit is required for the construction of the building pursuant to 35.07-4.

- 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 \$ 500,000.00

**▲** 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:                         | Bronwynne Calvert                  |                          |                                     |   |
| Organisation (if applicable): | Irrewarra Estate Ply Ltd           |                          |                                     |   |
| Postal address:               | 85 Irrewarra School Road Irrewarra |                          |                                     |   |
| Postcode:                     | 3                                  | 2                        | 4                                   | 9 |
| Contact phone:                | 52 33 6219                         | <input type="checkbox"/> | } Indicate preferred contact method |   |
| Mobile phone:                 | 0407 388 219                       | <input type="checkbox"/> |                                     |   |
| Email:                        | info@irrewarra.com.au              | <input type="checkbox"/> |                                     |   |
| Fax:                          | 52 33 6390                         | <input type="checkbox"/> |                                     |   |

### Applicant

The person or organisation who wants the permit.

Same as contact. If not, complete details below.

|                               |  |
|-------------------------------|--|
| Name:                         |  |
| Organisation (if applicable): |  |
| 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):         |  |
| Organisation (if applicable): |  |
| Postal address:               |  |
| Postcode:                     |  |

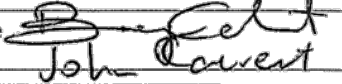
## Checklist

12 Have you?

|                                     |                                                              |
|-------------------------------------|--------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Filled in the form completely?                               |
| <input checked="" type="checkbox"/> | Paid or included the application fee?                        |
| <input checked="" type="checkbox"/> | Attached all necessary supporting information and documents? |
| <input checked="" type="checkbox"/> | Completed the relevant council planning permit checklist?    |
| <input checked="" type="checkbox"/> | 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: 17/12/2015</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: / /</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: / /</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: / /</p>                                                                                            |

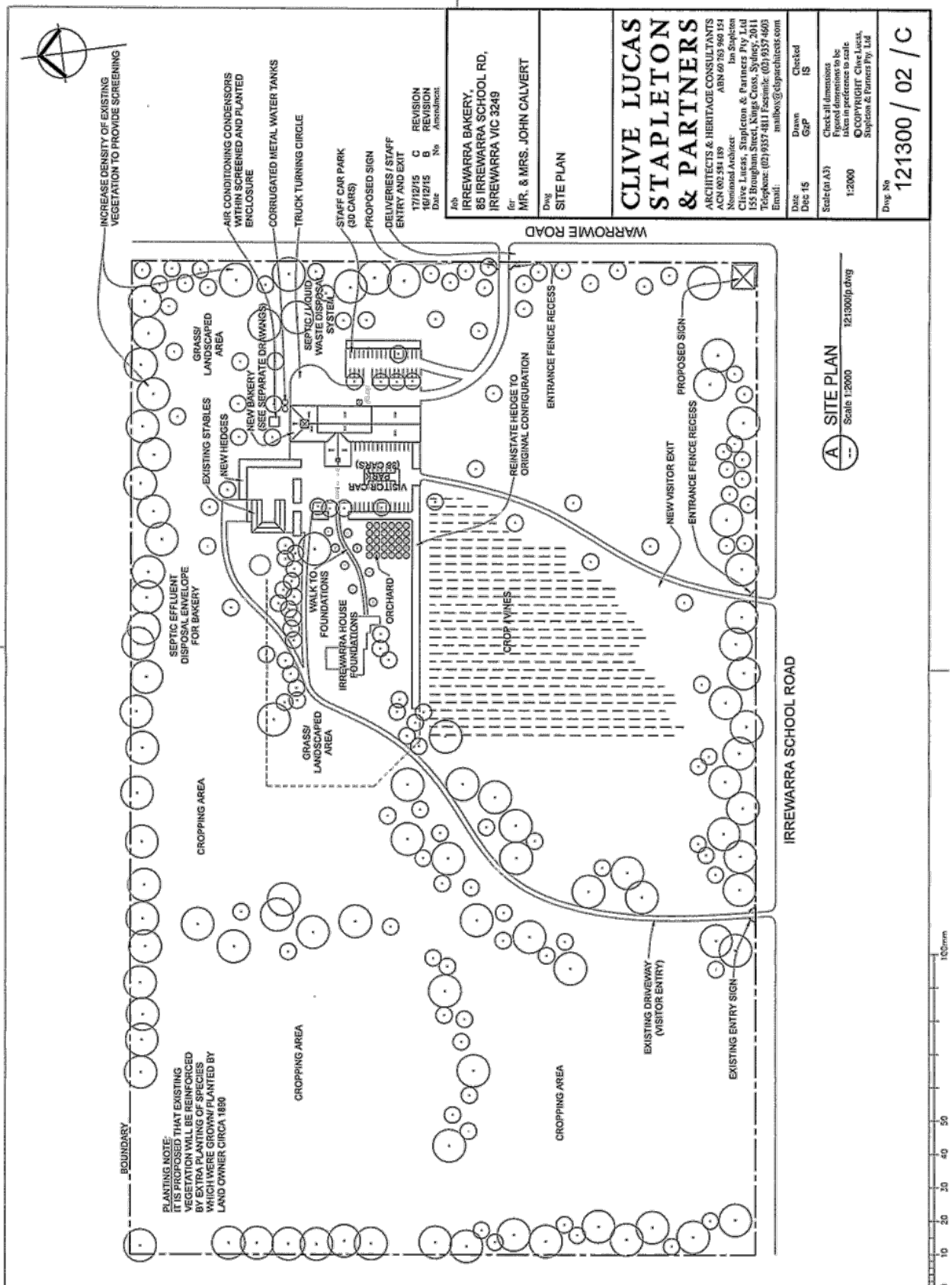
## Lodgement

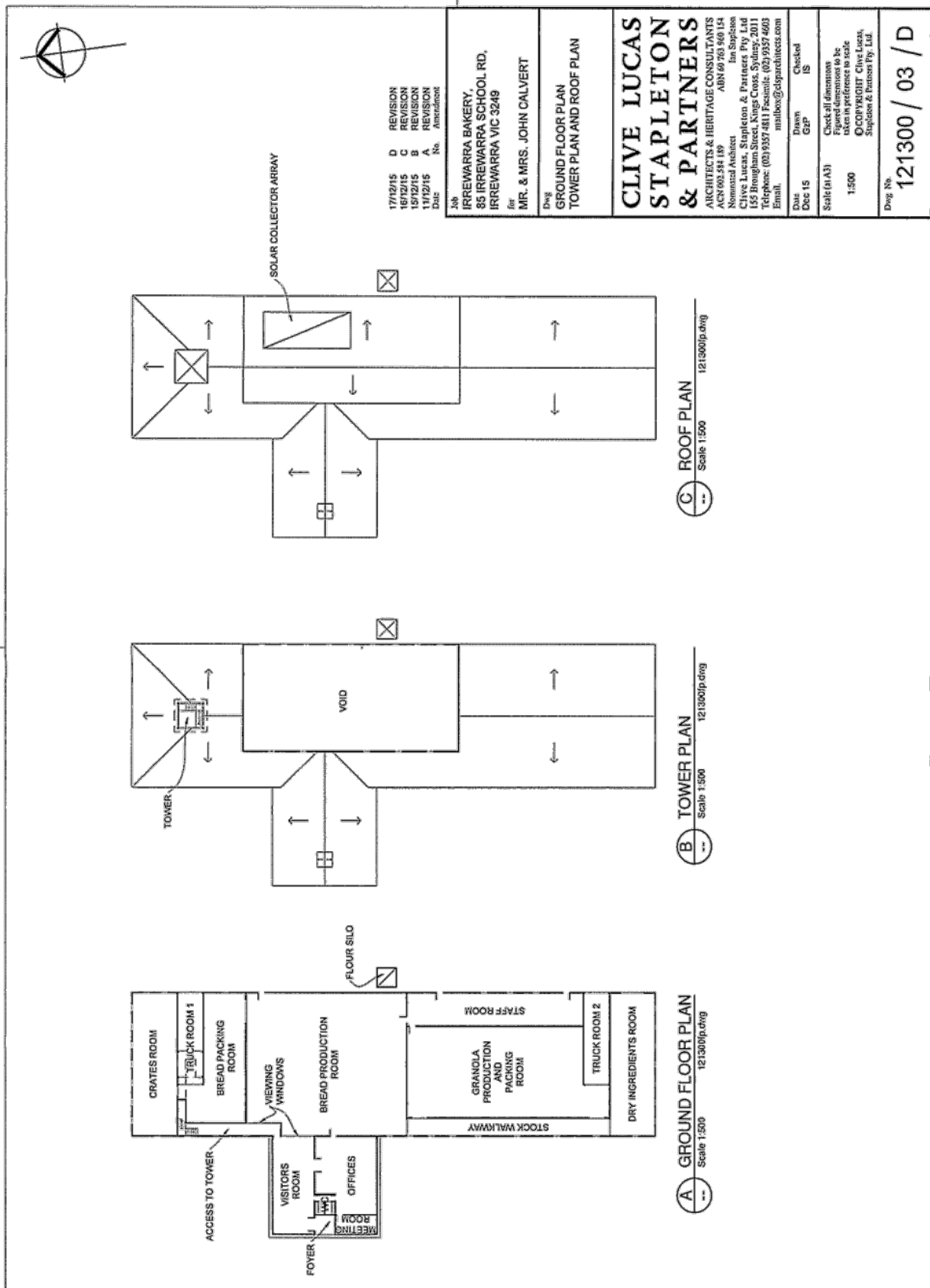
Lodge the completed and signed form and all documents with:

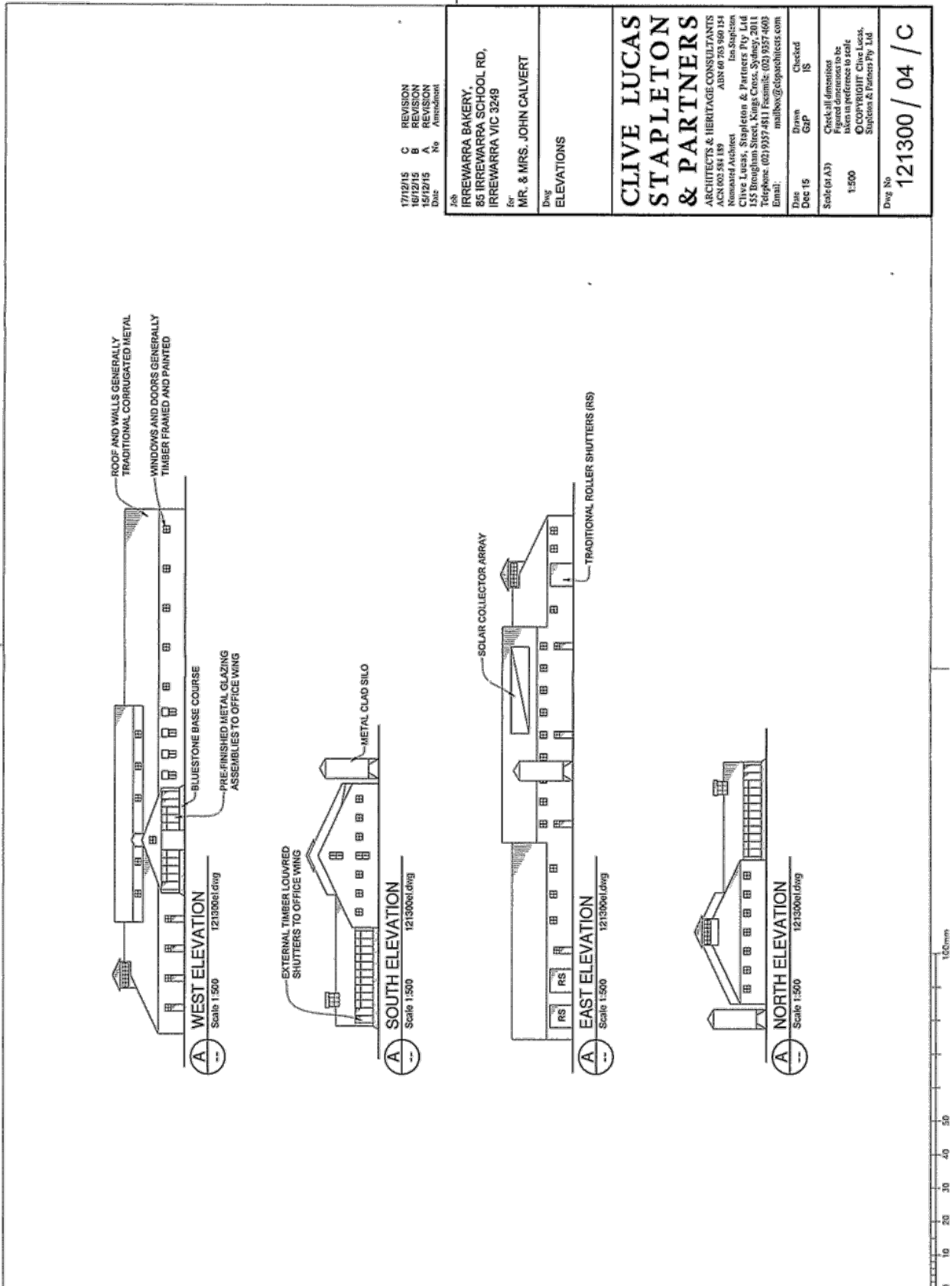
Colac-Otway Shire ☐☐  
 PO Box 283, ☐COLAC VIC 3250☐  
 2-6 Rae Street, COLAC VIC 3250☐☐  
 Telephone: (03) 5232 9412 ☐☐  
 Fax: (03) 5232 1046 ☐☐  
 Email: inq@colacotway.vic.gov.au ☐☐  
 TTY: (03) 5231 6787☐☐

For help or more information









| Date     | By | Revision |
|----------|----|----------|
| 17/12/15 | C  | REVISION |
| 16/12/15 | B  | REVISION |
| 15/12/15 | A  | REVISION |

Job  
 IRREWARRA BAKERY,  
 85 IRREWARRA SCHOOL RD,  
 IRREWARRA VIC 3248

For  
 MR. & MRS. JOHN CALVERT

Dwg  
 ELEVATIONS

# CLIVE LUCAS STAPLETON & PARTNERS

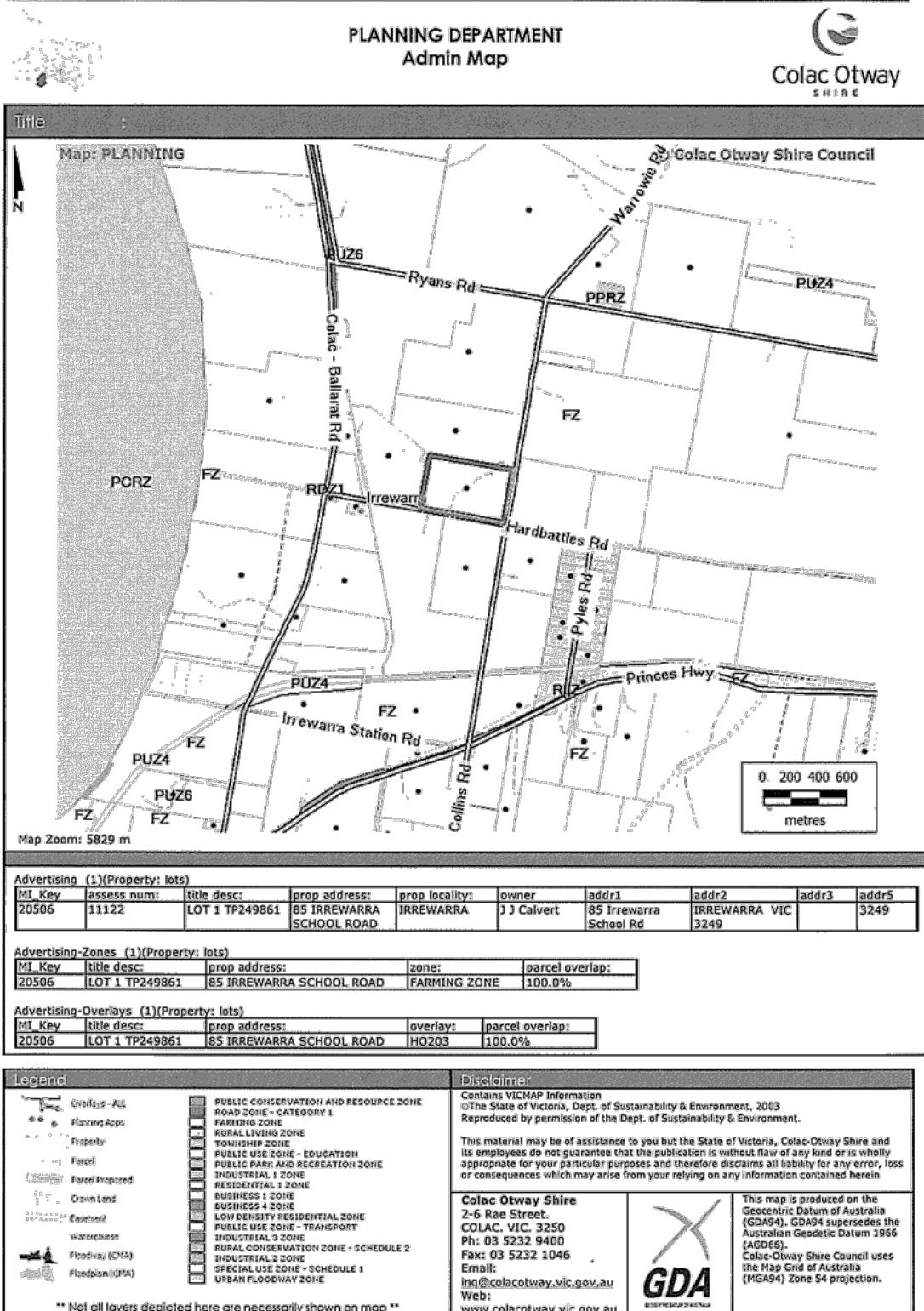
ARCHITECTS & HERITAGE CONSULTANTS  
 ACN 002 584 189  
 Nominated Architect  
 Clive Lucas, Stapleton & Partners Pty Ltd  
 135 Brougham Street, Kings Cross, Sydney, 2011  
 Telephone: (02) 9557 4911 Facsimile: (02) 9557 4909  
 Email: mail@clivestapleton.com.au

Date  
 Dec 15  
 Drawn  
 G&P  
 Checked  
 IS

Scale (or A3)  
 1:500  
 Check all dimensions  
 before construction  
 is taken in reference to site  
 ©COPYRIGHT Clive Lucas  
 Stapleton & Partners Pty Ltd

Dwg No  
 121300 / 04 / C

Created by planning on Tuesday, 22 March 2016





**PC161304-2 PLANNING AND BUILDING STATISTICAL REPORT**

|             |                                  |           |             |
|-------------|----------------------------------|-----------|-------------|
| AUTHOR:     | Jane Preston-Smith               | ENDORSED: | Brydon King |
| DEPARTMENT: | Development & Community Services | FILE REF: | F15/9436    |

**Purpose**

Planning Statistics

23 Planning Permit Applications were received for the period of 1 February 2016 to 29 February 2016.

35 Planning Permit Applications were considered for the period 1 February 2016 to 29 February 2016.

Building Statistics

The building statistics shown in the attachments are updated to 29 February 2016.

**Attachments**

1. Planning and Building Statistical Report February 2016

**Recommendation(s)**

***That Council notes the Planning and Building Statistical report for the month of February 2016.***

~~~~~\) ~~~~~

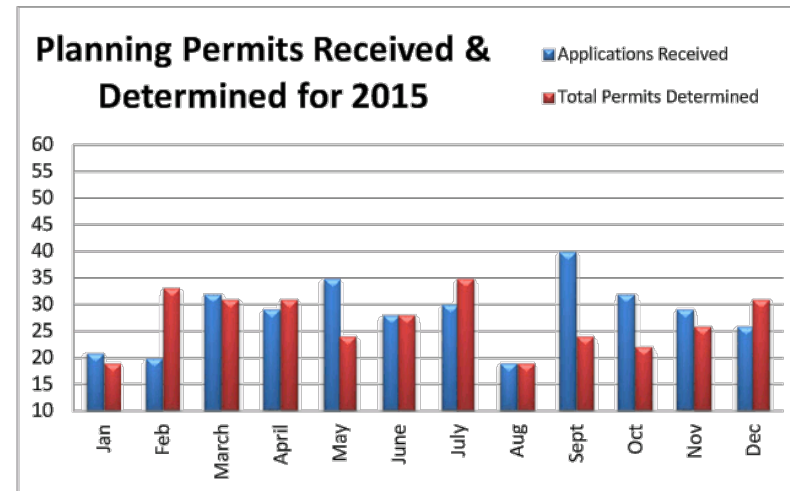
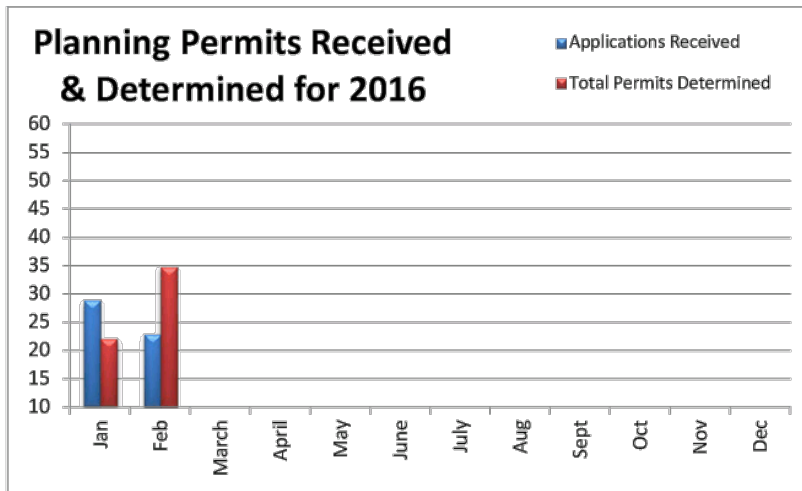
| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (DETERMINATIONS) | | | | | | |
|--|---------------|---------------------------------|---|----------------|-----------------|------------------------------------|
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| 241/2014 | 29 NOV 2014 | 6545 HAMILTON HIGHWAY CRESSY | USE AND DEVELOPMENT OF THE LAND FOR A SERVICE STATION AND CREATION OF TWO ACCESSES ONTO A ROAD IN A ROAD ZONE CATEGORY 1 | 75 | 29 FEB 2016 | PERMIT ISSUED DELEGATE |
| 304/2015 | 16 DEC 2015 | 20 WARROWIE ROAD IRREWARRA | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF WATER TANKS AND PUMP HOUSE FOR FIREFIGHTING PURPOSES | 51 | 5 FEB 2016 | PERMIT ISSUED DELEGATE |
| 242/2015 | 06 OCT 2015 | 41 & 43 GELLIBRAND STREET COLAC | BUILDINGS AND WORKS COMPRISING REINSTATEMENT OF WALL AND FENCE AT 43 GELLIBRAND STREET, AND EXTENSION OF BUILDING AND USE OF THE LAND FOR A DWELLING AT 41 GELLIBRAND STREET | 28 | 3 FEB 2016 | PERMIT ISSUED DELEGATE |
| 27/2016 | 03 FEB 2015 | 238-240 MURRAY STREET COLAC | PARTIAL DEMOLITION OF WALL AND ERECTION OF REPLACEMENT COLORBOND FENCE | 2 | 4 FEB 2016 | PERMIT ISSUED DELEGATE
VICSMART |
| 195/2015 | 11 AUG 2015 | 27-29 MORLEY AVENUE, WYE RIVER | CONSTRUCTION OF DWELLING, REMOVAL OF NATIVE VEGETATION (8 TREES) AND VARIATION TO RESTRICTION ON TITLE (SITE ACCESS ENVELOPE LOCATION AND DEFINITION OF BUILDING) | 133 | 5 FEB 2016 | PERMIT ISSUED DELEGATE |
| 274/2015 | 12 NOV 2015 | 389 BLUE JOHANNA ROAD JOHANNA | VARIATION TO WORDING OF RESTRICTIVE COVENANT BURDENING LOT 2 ON PLAN OF SUBDIVISION PS516905A (TO ALLOW DEVELOPMENT OUTSIDE THE BUILDING ENVELOPE ON LOT 2 WITH THE WRITTEN APPROVAL OF THE RESPONSIBLE AUTHORITY) AND CONSTRUCTION OF AN AGRICULTURAL BUILDING | 68 | 5 FEB 2016 | PERMIT ISSUED DELEGATE |
| 12/2016 | 19 JAN 2016 | 9/186-190 MURRAY STREET COLAC | BUILDINGS AND WORKS COMPRISING REPLACEMENT AUTOMATIC TELLER MACHINE (ATM) AND ALTERATIONS TO FAÇADE | 13 | 8 FEB 2016 | PERMIT ISSUED DELEGATE
VICSMART |
| 23/2016 | 29 JAN 2016 | 9 SELWOOD STREET COLAC | CONSTRUCTION OF FENCE AND DRIVEWAY | 6 | 8 FEB 2016 | PERMIT ISSUED DELEGATE
VICSMART |

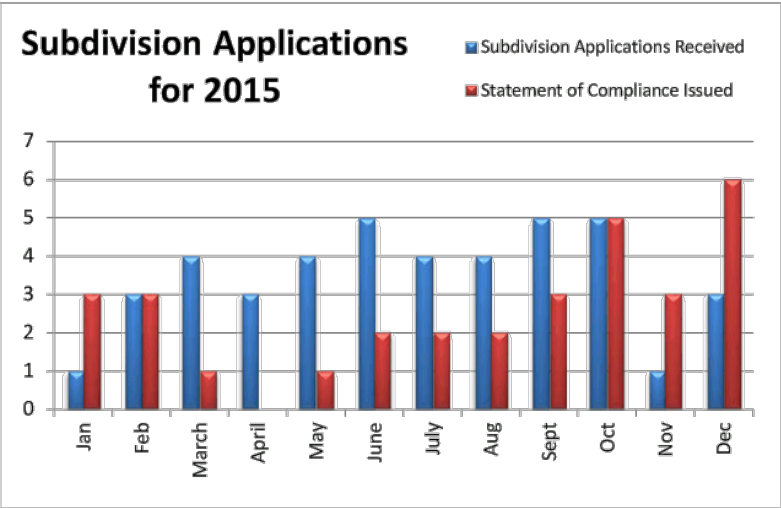
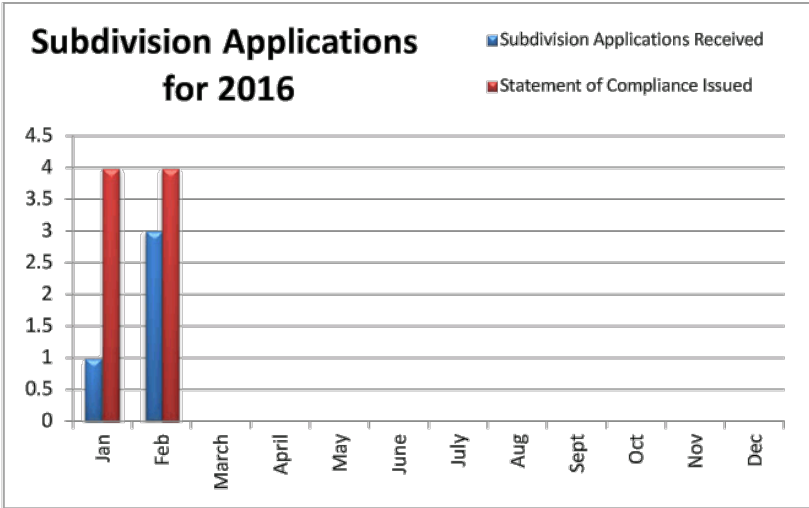
| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (DETERMINATIONS) | | | | | | |
|--|---------------|--------------------------------------|--|----------------|-----------------|-----------------------------|
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| 290/2015 | 30 NOV 2015 | 585 CORANGAMITE LAKE ROAD COROROOKE | CONSTRUCTION OF A SECOND DWELLING AND GARAGE, AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 | 12 | 16 FEB 2016 | PERMIT ISSUED DELEGATE |
| 266/2015 | 30 OCT 2015 | 35 EVERETT CRESCENT BARONGAROOK WEST | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF OUTBUILDING | 67 | 9 FEB 2016 | PERMIT ISSUED DELEGATE |
| 279/2015 | 13 NOV 2015 | 27 HARRIS ROAD ELLIMINYT | SUBDIVISION OF LAND INTO FIVE (5) LOTS | 87 | 9 FEB 2016 | PERMIT ISSUED DELEGATE |
| 7/2016 | 15 JAN 2016 | 15 COADS LANE ONDIT | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF SHED | 27 | 11 FEB 2016 | PERMIT ISSUED DELEGATE |
| 216/2015 | 09 SEP 2015 | 3 HENNIGAN CRESCENT FORREST | BUILDINGS AND WORKS COMPRISING RELOCATION OF EXISTING OUTBUILDING, CONSTRUCTION OF DETACHED GARAGE, AND EXTENSIONS TO DWELLING AND OUTBUILDING | 57 | 11 FEB 2016 | PERMIT ISSUED DELEGATE |
| 265/2015 | 30 OCT 2015 | 5 JOSEPH COURT KENNETT RIVER | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF DWELLING AND VARIATION OF SECTION (C) OF THE RESTRICTIVE COVENANT BURDENING LOT 12 (VOLUME 10123 FOLIO 500) ON PLAN OF SUBDIVISION 304966 | 63 | 11 FEB 2016 | PERMIT ISSUED DELEGATE |
| 2/2016 | 04 JAN 2016 | 2730 COLAC FORREST ROAD FORREST | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF AGRICULTURAL SHED | 38 | 12 FEB 2016 | PERMIT ISSUED DELEGATE |
| 158/2008-2 | 9 DEC 2015 | 14A TULLOH STREET ELLIMINYT | SEVEN LOT SUBDIVISION AND CREATION OF A ROAD - AMENDMENT TO DELETE CONDITIONS 1(B) AND 3, AND TO VARY CONDITION 8(C) | 65 | 12 FEB 2016 | PERMIT ISSUED DELEGATE |

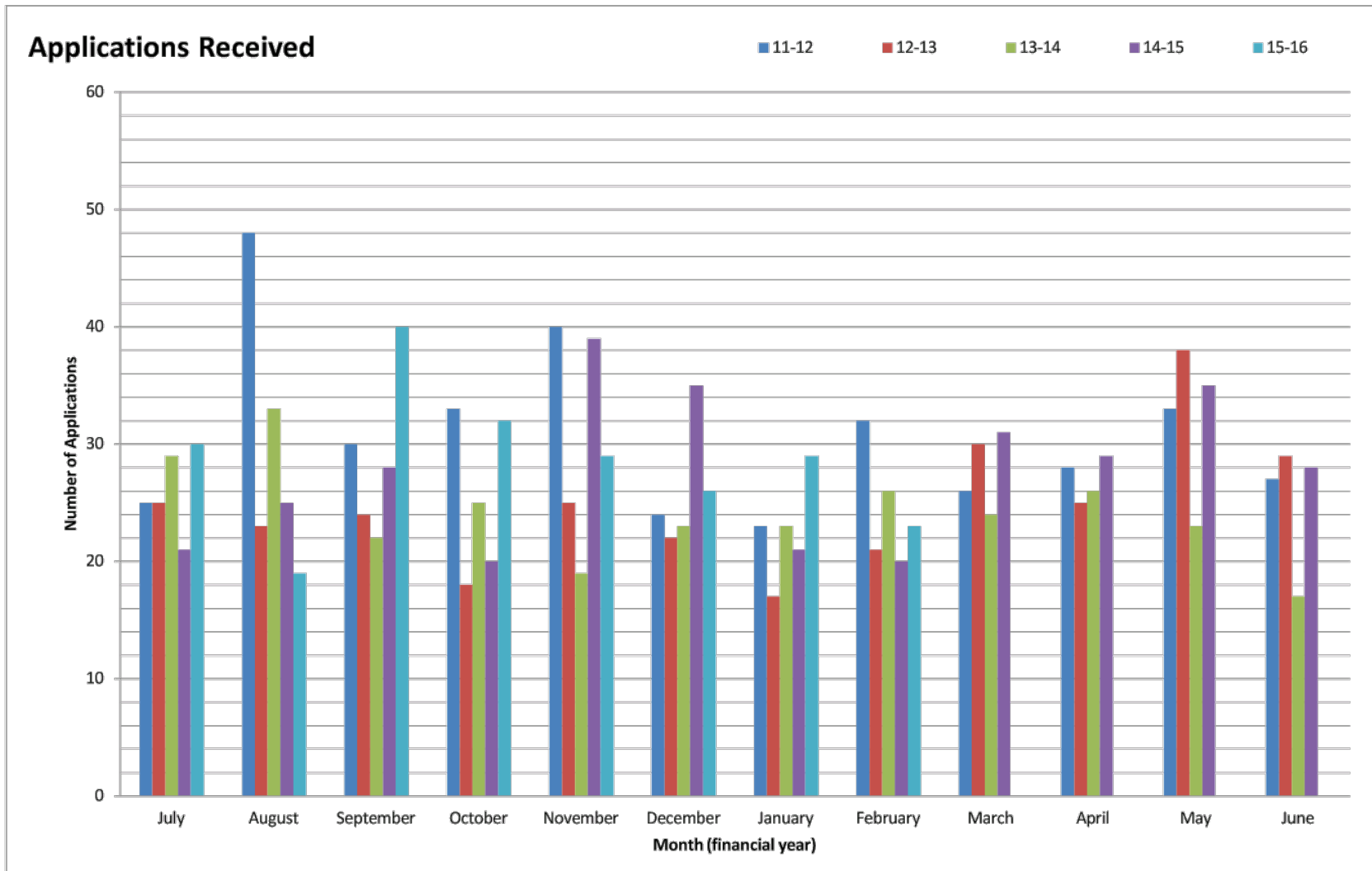
| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (DETERMINATIONS) | | | | | | |
|--|---------------|--------------------------------|---|----------------|-----------------|--------------------------------|
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| 197/2015-2 | 05 FEB 2016 | 335 PHILLIPS TRACK FERGUSON | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF AGRICULTURAL SHED | 14 | 16 FEB 2016 | AMENDED PERMIT ISSUED DELEGATE |
| 273/2015 | 11 NOV 2015 | 3 MYERS STREET COLAC | REMOVAL OF BUILDING ENVELOPE RESTRICTION | 85 | 19 FEB 2016 | PERMIT ISSUED DELEGATE |
| 10/2016 | 15 JAN 2016 | 5355 PRINCES HIGHWAY WARNOOORT | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF AGRICULTURAL SHED | 32 | 16 FEB 2016 | PERMIT ISSUED DELEGATE |
| 267/2015 | 29 OCT 2015 | 200 WICKHAMS ROAD MURROON | BUILDINGS AND WORKS COMPRISING EXTENSION TO DWELLING | 29 | 19 FEB 2016 | PERMIT ISSUED DELEGATE |
| 314/2015 | 23 DEC 2015 | 11 MOTTS LANE SKENES CREEK | BUILDINGS AND WORKS COMPRISING EXTENSION TO DWELLING | 51 | 18 FEB 2016 | PERMIT ISSUED DELEGATE |
| 303/2015 | 21 DEC 2015 | 95 CHRISTIES ROAD ELLIMINYT | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF A DRESSAGE ARENA | 59 | 18 FEB 2016 | PERMIT ISSUED DELEGATE |
| 22/2016 | 29 JAN 2016 | 95 MAIN STREET BIRREGURRA | DEMOLITION OF AN OUTBUILDING | 24 | 22 FEB 2016 | PERMIT ISSUED DELEGATE |
| 294/2015 | 03 DEC 2015 | 23 TELFORD STREET MARENGO | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF GARAGE | 11 | 24 FEB 2016 | PERMIT ISSUED DELEGATE |
| 166/2015 | 07 JUL 2015 | 23 POINT AVENUE SKENES CREEK | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF GARAGE AND REMOVAL OF VEGETATION | 124 | 23 FEB 2016 | PERMIT ISSUED DELEGATE |

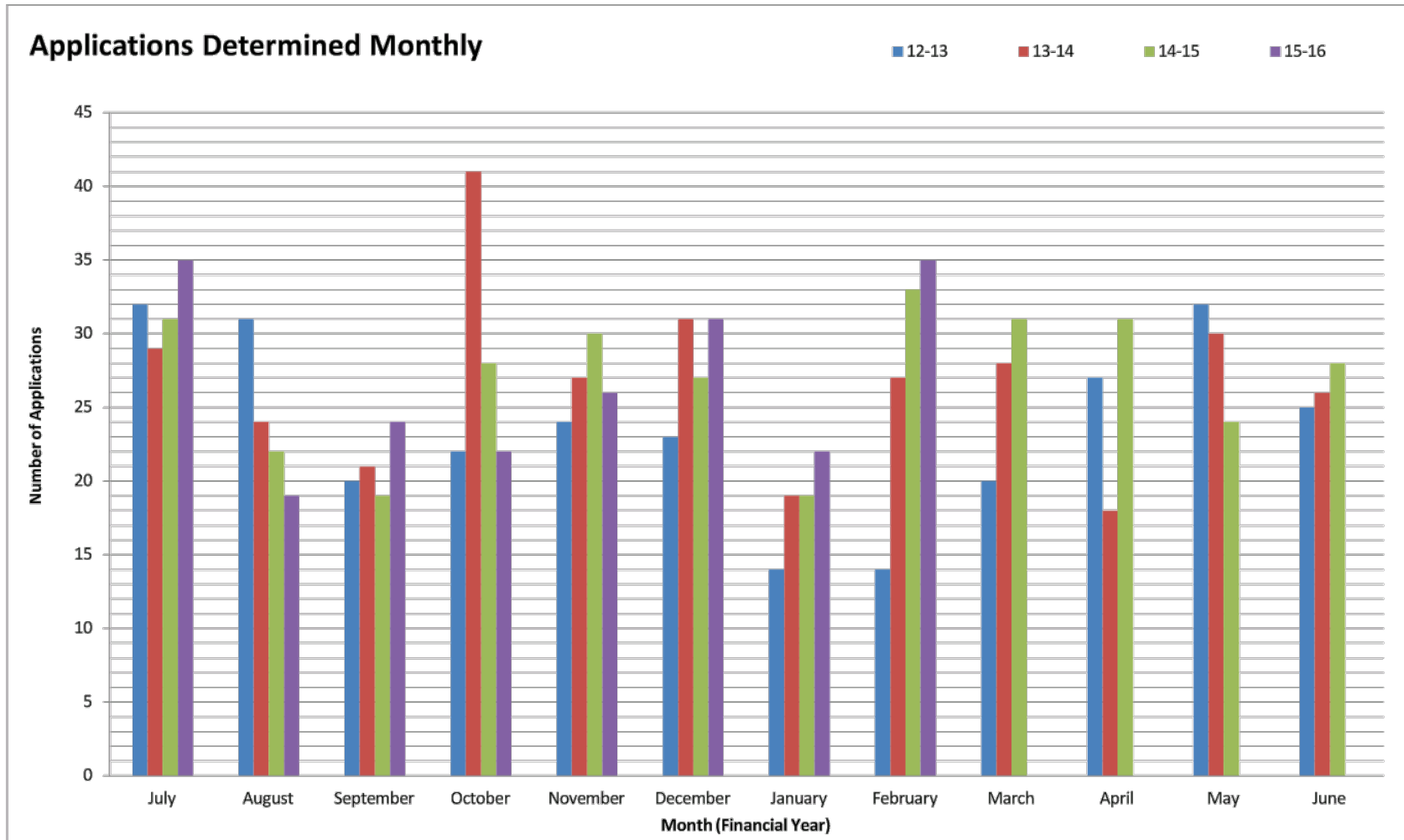
| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (DETERMINATIONS) | | | | | | |
|--|---------------|---|--|----------------|-----------------|-----------------------------|
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| 313/2015 | 23 DEC 2015 | 100 WILSON STREET COLAC | SUBDIVISION OF THE LAND INTO TWO (2) LOTS | 40 | 24 FEB 2016 | PERMIT ISSUED DELEGATE |
| 272/2015 | 10 NOV 2015 | 3 & 5 JARVER CLOSE COLAC | SUBDIVISION OF LAND INTO THREE (3) LOTS | 83 | 25 FEB 2016 | PERMIT ISSUED DELEGATE |
| 238/2015 | 29 SEP 2015 | 70 MAIN STREET BIRREGURRA (ADJACENT TO ROADKNIGHT STREET) | USE AND DEVELOPMENT OF A DWELLING, AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 | 102 | 25 FEB 2016 | PERMIT ISSUED DELEGATE |
| 3/2016 | 05 JAN 2016 | 4 TIGER LANE SKENES CREEK | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF DECK | 23 | 25 FEB 2016 | PERMIT ISSUED DELEGATE |
| 254/2015 | 21 OCT 2015 | 210 PENNYROYAL WYMBOLIEL ROAD MURROON | BUILDINGS AND WORKS COMPRISING EXTENSIONS AND ALTERATIONS TO DWELLING, AND CONSTRUCTION OF AGRICULTURAL SHED | 79 | 29 FEB 2016 | PERMIT ISSUED DELEGATE |
| 207/2015 | 02 SEPT 2015 | 15 GREAT OCEAN ROAD SKENES CREEK | BUILDINGS AND WORKS COMPRISING FIRST FLOOR EXTENSION TO DWELLING | 26 | 29 FEB 2016 | PERMIT ISSUED DELEGATE |
| 256/2015 | 23 OCT 2015 | 33 MCRAE ROAD WYE RIVER | RE-SUBDIVISION OF TWO (2) LOTS (BOUNDARY REALIGNMENT) | 55 | 29 FEB 2016 | PERMIT ISSUED DELEGATE |
| 225/2015-1 | 15 SEP 2015 | 10 SCHOOL ROAD KAWARREN | BUILDINGS AND WORKS COMPRISING OF TEMPORARY DEPENDENT PERSON'S UNIT | 85 | 18 FEB 2016 | PERMIT ISSUED DELEGATE |
| AVERAGE STATUTORY DAYS TO DETERMINE PLANNING APPLICATIONS | | | | 52 | | |

| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (DETERMINATIONS) | | | | | | |
|--|---------------|------------------------------|--------------------------|----------------|-----------------|-----------------------------|
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| PLANNING STATISTICAL REPORT – FEBRUARY 2016 - (PERMITS NOT REQUIRED, WITHDRAWN AND LAPSED APPLICATIONS) | | | | | | |
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
| 268/2015 | 09 NOV 2015 | 72 MURRAY STREET COLAC | CONSTRUCTION OF DWELLING | 0 | 23 FEB 2016 | LAPSED |
| 114/2015 | 15 MAY 2015 | 24 GAMBIER STREET APOLLO BAY | TWO (2) LOT SUBDIVISION | 84 | 04 FEB 2016 | WITHDRAWN |
| AVERAGE STATUTORY DAYS (ALL APPLICATIONS) | | | | 42 | | |









BUILDING DEPARTMENT REPORT – TOTAL BUILDING PERMITS 2016 (YEAR TO DATE)

| | New Dwelling | | Domestic (Other) | | New Commercial | | Commercial (Other) | | New Public/Health | | Public/Health (Other) | | Municipal Totals | |
|--------------|--------------|------------------|------------------|------------------|----------------|----------------|--------------------|------------|-------------------|---------------|-----------------------|------------|------------------|------------------|
| | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) |
| Jan | 6 | 2,374,542 | 15 | 881,131 | 2 | 270,000 | 0 | - | 1 | 50,000 | 0 | - | 24 | 3,575,673 |
| Feb | 8 | 1,841,050 | 14 | 463,073 | 2 | 133,000 | 0 | - | 0 | - | 0 | - | 24 | 2,437,123 |
| Mar | | | | | | | | | | | | | | |
| Apr | | | | | | | | | | | | | | |
| May | | | | | | | | | | | | | | |
| Jun | | | | | | | | | | | | | | |
| Jul | | | | | | | | | | | | | | |
| Aug | | | | | | | | | | | | | | |
| Sep | | | | | | | | | | | | | | |
| Oct | | | | | | | | | | | | | | |
| Nov | | | | | | | | | | | | | | |
| Dec | | | | | | | | | | | | | | |
| Total | 14 | 4,215,592 | 29 | 1,344,204 | 4 | 403,000 | 0 | - | 1 | 50,000 | 0 | - | 48 | 6,012,796 |

Note: Figures for November may change at next report due to private surveyors lodging permits after report completed

BUILDING DEPARTMENT REPORT – YEARLY COMPARISON (CURRENT YEAR TO DATE)

| | New Dwelling | | Domestic (Other) | | New Commercial | | Commercial (Other) | | New Public/Health | | Public/Health (Other) | | Municipal Totals | |
|-------------|--------------|------------|------------------|------------|----------------|------------|--------------------|------------|-------------------|------------|-----------------------|------------|------------------|------------|
| | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) | No. | Value (\$) |
| 2011 | 130 | 34,883,520 | 259 | 11,427,948 | 11 | 4,897,695 | 21 | 1,768,619 | 1 | 550,000 | 15 | 2,041,271 | 437 | 55,569,053 |
| 2012 | 112 | 37,509,600 | 259 | 9,248,333 | 12 | 9,024,422 | 22 | 2,272,199 | 2 | 2,913,411 | 15 | 4,057,333 | 422 | 65,025,298 |
| 2013 | 113 | 30,065,304 | 252 | 11,629,479 | 8 | 620,000 | 24 | 1,526,120 | 7 | 3,849,610 | 10 | 6,707,886 | 414 | 54,398,399 |
| 2014 | 103 | 33,310,220 | 248 | 9,141,465 | 6 | 6,185,846 | 15 | 1,032,065 | 7 | 641,868 | 13 | 12,890,553 | 392 | 63,202,017 |
| 2015 | 97 | 25,064,524 | 307 | 12,328,475 | 7 | 2,508,183 | 24 | 3,447,364 | 3 | 220,634 | 12 | 2,135,742 | 450 | 45,704,922 |
| 2016 | 14 | 4,215,592 | 29 | 1,344,204 | 4 | 403,000 | 0 | - | 1 | 50,000 | 0 | - | 48 | 6,012,796 |

Note: Current year figures are to date only.

| Definition
(Examples) | New Dwelling | Domestic (Other) | New Commercial | Commercial (Other) | New Public/Health | | Public/Health (Other) |
|--------------------------|--------------|---|---|--|---|--------------------------------------|-----------------------------|
| | | Dwellings
Multi Development
Re-Erection | Extension/Alteration
Verandah/Deck
Shed/Garage
Swimming Pool | Office
Shop
Restaurant
Factory /Warehouse | Extension/Alteration
Fit Out
Demolition | Hospital
Medical Clinic
School | Hall
Church
Utilities |

