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C O U N C I L

Minutes

Special Council Meeting

9 September 2020

it's in the making

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Item 128/20 Planning Application – Pig Abattoir (processing up to 2,000 tonnes of product per annum) | 345 Ten Mile Track SPRINGFIELD, Lot 1 Ten Mile Track SPRINGFIELD, Prosperity Road SPRINGFIELD (CT 243489/1) and Ten Mile Track SPRINGFIELD (Council Road Reserve) 4

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Special Council Meeting Minutes 9 September 2020

Meeting Opened: 4:01pm

Present: Crs Greg Howard (Mayor), Dale Jessup (Deputy Mayor), Jerrod Nichols, Wendy McLennan, Murray Lade, Jan Hughes, Edwina Powell, Mervyn Chilcott (arrived 4.07pm)

General Manager: Tim Watson, Director – Community & Development: Rohan Willis, Town Planner: Thomas Wagenknecht, Director – Works & Infrastructure: Dwaine Griffin

Apologies: Cr Leonie Stein

INTEREST DECLARED

Cr Howard Item 128 (Pecuniary)

Cr Hughes Item 128 (Immaterial)

***Councillors were reminded that they are acting as a Planning Authority for Item 128*

Mayor Howard declared a Pecuniary Interest in Item 128, vacated the Chair and left the Meeting prior to discussion (4.02pm)

Councillor Hughes declared an interest in Item 128, but stated it was immaterial and did not leave the Meeting.

Deputy Mayor Jessup took the Chair (4.02pm)

Item 128/20

Planning Application – Pig Abattoir (processing up to 2,000 tonnes of product per annum) | 345 Ten Mile Track SPRINGFIELD, Lot 1 Ten Mile Track SPRINGFIELD, Prosperity Road SPRINGFIELD (CT 243489/1) and Ten Mile Track SPRINGFIELD (Council Road Reserve)

Reporting Officer: Town Planner: Thomas Wagenknecht
Ref: DOC/20/9259 | PLA/2020/51

Purpose

The purpose of this report is for Council to consider a proposal for the construction of a pig abattoir with the capacity to process up to 2,000 tonnes of meat product per annum at 345 Ten Mile Track, Springfield. Vehicle access would be upgraded and provided to the facility from Ten Mile Track (Council maintained road). Wastewater generated by the activity would be managed and processed on site and utilised to irrigate land within the site subsequent to satisfactory treatment.

Cr Chilcott joined the Meeting (4.07pm)

Recommendation

It is recommended that the proposal for the construction of a pig abattoir with the capacity to process up to 2,000 tonnes of meat product per annum at the subject land, be approved subject to the following conditions:

Decision

MOVED: Cr McLennan | SECONDED: Cr Nichols

It is recommended that the proposal for the construction of a pig abattoir with the capacity to process up to 2,000 tonnes of meat product per annum at the subject land, be approved subject to the following conditions:

PERMIT PART A

1. *Basis of Approval*

The use and development is approved and must be undertaken in accordance with the Endorsed Documents, except where specified otherwise in this permit and documents lodged with this application (PLA/2020/51). Any substantial variation from this application will require the further planning consent of the Council.

2. *Permit Conditions – Environment Protection Authority*

The person responsible must comply with the conditions contained in Schedule 2 of Permit Part B (Permit Conditions – Environmental No. 10214), which the Board of the Environment Protection Authority has required the planning authority to include in this permit, pursuant to Section 25(5) of the *Environmental Management and Pollution Control Act 1994*, dated 3 September 2020.

3. Construction of Access – Ten Mile Track

- a) Prior to the commencement of the approved use, and unless as otherwise specified below at i.-iv. (inclusive), vehicle access to the subject land from the road verge of Ten Mile Track must be designed and constructed, complete with signage and line marking, in accordance with Council's rural road property access requirements.
 - i. be provided with a 9 metre radius for the left turn entrance from Ten Mile Track;
 - ii. not be built with a driveway culvert;
 - iii. locate any gate at least 20 metres from the road verge of Ten Mile Track; and
 - iv. be constructed with a minimum width of 5.5 metres.
- b) All minor works in the road reserve of Ten Mile Track described in (a) must be undertaken by, or under the supervision of, a tradesman/contractor who is registered with the Council as a "Registered Contractor" or a person who is otherwise approved by the Council's Director of Infrastructure to undertake the works.
- c) All works and requirements identified in (a) and (b) will be at cost to the person responsible.

4. Construction of Vehicle Parking and Internal Access

Prior to the commencement of the approved use, and to the satisfaction of Council's Town Planner, areas set aside for the parking of vehicles, together with the aisles and access lanes, must be:

- a) constructed, drained and maintained as necessary to minimise:
 - i. the formation of potholes and depressions according to the nature of the subgrade and vehicles which will use the areas; and
 - ii. the emission of dust or the discharge of uncontrolled drainage; and
- b) marked or provided with clear physical means to delineate vehicle parking spaces.

5. Warning Signage Installation and Tree Removal

- a) Prior to the commencement of the approved use:
 - i. curve warning signage must be installed within the road reserve of Ten Mile Track on each approach of the bend just north of the proposed access;
 - ii. one lane bridge warning signage must be installed at the approaches to the Great Forester River (approximately 500 metres north of the proposed access) in accordance with AS 1742.2; and
 - iii. the large eucalypt tree identified as approximately 70 metres north of the proposed access within the road reserve of Ten Mile Track be removed.
- b) Installation of signs identified in (a) above must be located and installed to the satisfaction of the Council's Director of Infrastructure.
- c) All costs associated with signage required in (a) and (b) above will be at cost to the person responsible.

NOTE: For the purpose of this permit “**the person responsible**”, depending on the context, means:

- a) The person who has and takes the benefit of this permit for the undertaking of the use or development authorised pursuant to it;
- b) The person or persons who undertake development or use pursuant to this permit; and
- c) Servants, agents and contractors, in each case of such persons.

ADVISORY NOTES

(i) Permission in Writing

Any reference to the need for Council approval of a matter or thing prescribed under the conditions pertinent to this permit requires such approval to be given in writing.

(ii) Objections to Proposal

This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.

(iii) Appeal Provisions

Attention is directed to sections 61 and 62 of the *Land Use Planning and Approvals Act 1993* (as amended) which relate to appeals. These provisions should be consulted directly, but the following provides a guide as to their content:

A planning appeal may be instituted by lodging a notice of appeal with the Clerk of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the planning authority serves notice of the decision on the applicant.

(iv) Permit Commencement

This permit takes effect 14 days after the date of Council’s notice of determination or at such time as any appeal to the Resource Management and Planning Appeal Tribunal is abandoned or determined. If an applicant is the only person with a right of appeal pursuant to section 61 of the *Land Use Planning and Approvals Act 1993* and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing.

(v) Period of Approval

Pursuant to Section 53(5) the *Land Use Planning and Approvals Act 1993*, this approval will lapse after a period of two (2) years from:

- (a) the date on which the permit is granted; or
- (b) if an appeal has been instituted against the planning authority’s decision to grant the permit, the date of the determination or abandonment of the appeal,

if the use or development is not substantially commenced within that period.

(vi) Other Approvals

This permit does not imply that any other approval required under any other by-law or legislation has been granted. At least the following additional approvals may be required before construction commences:

- (a) Works in a Council Road Reserve Approval
- (b) Building approval
- (c) Plumbing approval

CARRIED

Mayor Howard returned to the Meeting at this stage (4.30pm)

Time Meeting Closed: 4:30 pm

Minutes Confirmed: 21 September 2020

Minute No: 131/20

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Mayor