

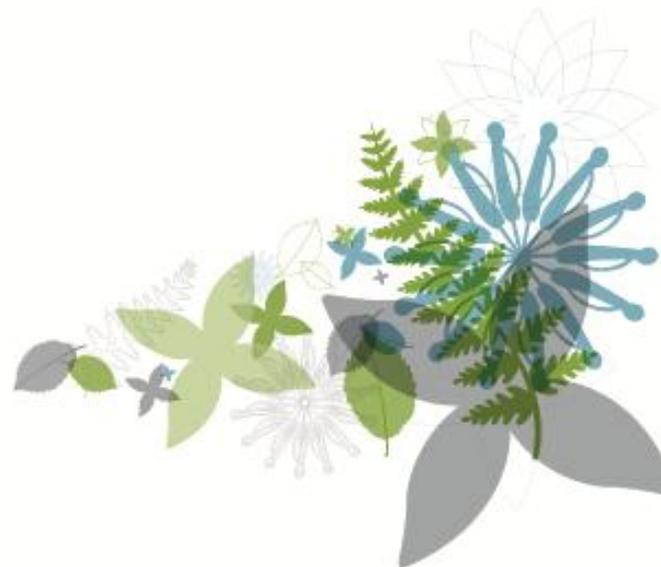


Colac Otway  
SHIRE

**PLANNING COMMITTEE MEETING**  
**MINUTES**

**Tuesday 10 February 2026**  
**at 1:00 PM**

UNCONFIDENTIAL



# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 10 February 2026

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# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at COPACC on Tuesday 10 February 2026 at 1:00 PM.

## MINUTES

### **1 DECLARATION OF OPENING OF MEETING**

#### **OPENING PRAYER**

*Almighty God, we seek your blessing and guidance in our deliberations on behalf of the people of the Colac Otway Shire. Enable this Council's decisions to be those that contribute to the true welfare and betterment of our community.*

AMEN

### **2 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY**

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present.

#### **RECORDING AND PUBLICATION OF MEETINGS**

Please note: All Planning Committee meetings are live streamed and recorded when the meeting is held either at COPACC or online. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Planning meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

As soon as practicable following each open Council and Planning Committee meeting, the live stream recording will be accessible on Council's website. Recordings are also taken to facilitate the preparation of the minutes of open Council and Planning Committee meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be permitted without specific approval by resolution of the relevant Planning Meeting.

This meeting will be livestreamed to the public via Council's YouTube channel (search Colac Otway Shire Council at [www.youtube.com](http://www.youtube.com) ).

### **3 MEETING ADMINISTRATION**

#### **3.1 Present**

Cr Jason Schram (Mayor)  
Cr Phil Howard (Deputy mayor)  
Cr Zoe Hudgell  
Cr Charlie Buchanan  
Cr Mick McCrickard  
Cr Chrissy De Deugd

Andrew Tenni, Chief Executive Officer  
Emma Lowes, General Manager Corporate Services  
Doug McNeill, General Manager Infrastructure and Environment  
Ian Seuren, General Manager Community and Economy  
Anita Craven, Executive Officer Governance  
Matilda Hardy-Smith, Coordinator Council Business  
Steven O'Dowd, Manager Customer and Communications

#### **3.2 Apologies**

Cr Chris Potter

#### **3.3 Confirmation of Minutes**

##### ***RESOLUTION***

***Moved Cr Hudgell, Seconded Cr McCrickard***

***That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 11 November 2025.***

***CARRIED 6 : 0***

#### **3.4 Declarations of Interest**

Nil.

Item: 4.1

**PP253/2023-2 - 107 Beeac Cemetery Road BEEAC - Dwelling in Farming Zone**

<b>ADDRESS AND PROPERTY DETAILS</b>	107 Beeac Cemetery Road BEEAC PC: 382962S V/F: 12563/998	<b>APPLICATION NUMBER</b>	PP253/2023-2
<b>PROPOSAL</b>	Use and Development of Land for a Dwelling and Associated Works		
<b>PERMIT TRIGGERS</b>	Use of land for a dwelling in the Farming Zone Building and works associated with a Section 2 (permit required) use, and within specified setbacks, in the Farming Zone		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Dwelling in the Farming Zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Floodway Overlay
<b>COVENANTS</b>	Nil		
<b>CULTURAL HERITAGE</b>	Whilst the land is in an area of cultural heritage sensitivity, the use and development of a single dwelling is not a high impact activity.		
<b>OFFICER</b>	Archna Rani	<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy		
<b>ATTACHMENTS</b>	1. Plans [4.1.1 - 5 pages]		

## **RESOLUTION**

*Moved Cr Howard, Seconded Cr Hudgell*

*That the Planning Committee resolves to Grant an Amended Permit for the use and development of land at 107 Beeac Cemetery Road, Beeac (PC: 382962S V/F: 12563/998) for a dwelling and associated works, subject to the following conditions:*

### *Amended Plans*

- 1. Prior to the commencement of development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans, which must be drawn to scale with dimensions, must be generally in accordance with the plans submitted with the application, but modified to show:
  - a) The lot boundary as shown on title plan PC382962S V/F: 12563/998 Parish of Ondit.**

### *Endorsed Plans*

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

### *Construction Management Plan*

- 3. Prior to the commencement of any works relating to the development, unless otherwise approved in writing by the Responsible Authority, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must describe the erosion and sediment control techniques that will be used and detail how the site will be managed prior to and during the construction period, including requirements for managing runoff, dust, construction wastes and litter. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Colac Otway Shire drains and/or watercourses at any time during construction or operation to the satisfaction of the Responsible Authority.*
- 4. All works must be undertaken in accordance with the approved Construction Management Plan. The developer must ensure that all contractors are aware of the requirements of the approved Construction Management Plan and understand how to implement them.*

### *Construction of Fence*

- 5. Prior to the commencement of development, permanent stockproof fencing that is permeable for native fauna must be installed along the western side of the vegetation along the frontage of Lake Cundare which forms part of the Western District Lakes Ramsar Site. Development, excavation, construction works or activities, grade changes, surface treatments, storage and movement of construction materials and vehicles of any kind must not occur on or over, and must be excluded from, any areas inside the lake frontage protection fencing. The vegetation must be protected during and post fencing works.*

## **Wastewater**

6. ***A domestic wastewater management system must be constructed concurrently with the dwelling/building hereby permitted, so that all wastewater is at all times contained within the curtilage of the site. The design and installation of any wastewater disposal system for any building on the land must comply with the EPA Guidelines for Onsite Wastewater Management (May 2024, or as amended) and the EPA Effluent Dispersal and Recycling Systems Guidance (May 2024, or as amended), to the satisfaction of the Responsible Authority.***
7. ***All works and development associated with this permit must be carried out in accordance with the Land Capability Assessment prepared by Intrax Consulting Engineers Pty Ltd (Ref. No. 205307 - PRJ1064151-GEO-REP-01, dated 8/11/2023) or as otherwise agreed in writing by the Responsible Authority.***
8. ***The number of bedrooms must not exceed 3.***

## **Access**

9. ***Prior to the commencement of the use of the dwelling, the driveway must be constructed to an all-weather standard and with a minimum width of 3m, to the satisfaction of the Responsible Authority.***

## **Drainage**

10. ***All stormwater runoff from the development, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
11. ***The site must be developed and managed to ensure there is no stormwater pollution through the contamination of runoff by chemicals, sediments, wastes or pollutants in accordance with 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) at any time during construction and operation, to the satisfaction of the Responsible Authority.***

## **Stormwater Management Plan**

12. ***Prior to the commencement of development, a Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The Stormwater Management Plan must show how the developed site will be effectively drained without causing detrimental downstream effects. The plans must provide for a maximum site discharge rate that accords with the Infrastructure Design Manual (IDM) adopted by Council (2019, Local Government Infrastructure Design Association, or as amended). All works, including the stormwater detention system, must be undertaken in accordance with the approved Stormwater Management Plan to the satisfaction of the Responsible Authority.***
13. ***Within five (5) business days of the installation of the stormwater detention system, notice of its installation must be given to the Responsible Authority and an inspection must be requested. The written approval of the Responsible Authority to the stormwater detention system must be obtained prior to occupation of the development.***

### **No Works Within 30 Metres of Waterway**

14. **Unless otherwise approved by the Responsible Authority, no earthworks or construction activity is permitted to take place within 30 metres of the waterway.**

#### **Corangamite Catchment Management Authority (CCMA) condition**

15. **The proposed building envelope maintain a 30 metre setback from the top of the bank of Lake Cundare to align with Clause 14.02-1S of the Colac Otway Shire Planning Scheme.**

#### **Department of Energy, Environment and Climate Action (DEECA) conditions**

16. **Before works start, the permit holder must advise all persons undertaking the works on site of all relevant permit conditions and associated statutory requirements or approvals.**
17. **Except with the written consent of the responsible authority, within areas of native vegetation to be retained, the following are prohibited:**
- a) **Vehicular access**
  - b) **Trenching or soil excavation**
  - c) **Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products**
  - d) **Entry and exit pits for the provision of underground services**
  - e) **Any other actions or activities that may result in adverse impacts to retained native vegetation.**
18. **Best practice sedimentation and pollution control measures must be undertaken at all times, in accordance with Environment Protection Authority (EPA) guidelines to prevent offsite impacts to waterways and wetlands. Polluted and/or sediment laden run-off must not be discharged into drains or watercourses.**
19. **All recommendations and mitigation measures in the Land Capability Assessment Report (Intrax Land, 8 November 2023) must be employed and adhered to.**

#### **Expiry**

20. **This permit will expire if one of the following circumstances applies:**
- a) **The development is not commenced within three years of the date of this permit.**
  - b) **The development is not completed and the use has not commenced within five 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.**

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

<b>Date of amendment</b>	<b>Brief description of amendment</b>	<b>Name of responsible authority that approved the amendment</b>	<b>Section of the Act under which the permit has been amended</b>
10/2/26	<p><b>Amended plans endorsed – dwelling increased in size; setbacks altered and septic relocated</b></p> <p><b>Condition 9 amended to delete reference to endorsed plans</b></p>	<b>Colac Otway Shire Council</b>	<b>Section 74</b>

**Notes**

1. ***This permit does not authorise the commencement of any building works. Prior to the commencement of development, it will also be necessary to obtain a building permit for the dwelling.***
2. ***Prior to preparing drainage plans, a legal point of discharge (LPoD) must be obtained in accordance with Building Regulation 133. A copy of the LPoD, which incurs a fee in accordance with the Building Regulations, must be submitted with the engineering plans.***
3. ***At least seven (7) days before any works start, an Asset Protection Permit must be obtained from Council. Council infrastructure must be maintained in a safe condition during the construction period. Any damage caused by these works to Council assets must be reinstated to the satisfaction of the Council prior to the completion of works.***
4. ***A separate application to install/alter an onsite wastewater management system must be submitted to and approved by Council’s Health Protection Unit prior to the commencement of works. The Health Protection Unit reserves the right to request that the Land Capability Assessment be amended or updated by a suitably qualified person and submitted for approval, to support a detailed system design and proposed site plan at the wastewater permit application stage.***
5. ***In relation to the RAMSAR wetland, attention is drawn to the fact that the owner is responsible for complying with the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), and, where necessary, to refer their project to the Department of Climate Change, Energy, the Environment and Water (DCCEEW).***
6. ***This permit does not allow the removal or destruction of any native vegetation, including the native grasses identified in the Farm Management Report.***

7. ***In the event more than 100 birds are kept on the land (excluding emus or ostriches, to which a separate number applies), a planning permit would be required for the poultry farm element of the use.***

**CARRIED 6 : 0**

UNCONFIRMED

Item: 4.2

**PP207/2025-1 - 245 Baynes Road and 255 Wool Wool Road ALVIE - Re-subdivision of Land into Two (2) Lots**

<b>ADDRESS AND PROPERTY DETAILS</b>	245 Baynes Road and 255 Wool Wool Road ALVIE  Lot 2 PS: 317741 V/F: 10091/548, and Lot 1 TP: 110145 V/F: 10081/628 Parish of Warrion	<b>APPLICATION NUMBER</b>	PP207/2025-1
<b>PROPOSAL</b>	Re-Subdivision of Land into Two (2) Lots		
<b>PERMIT TRIGGERS</b>	Clause 35.07-3 – FZ – Subdivision of land Clause 42.01-2 – ESO2 – Subdivision of land Clause 44.04-3 – LSIO – Subdivision of land		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Subdivision of land in the Farming Zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Part Significant Landscape Overlay, Schedule 1 (SLO1 – Valleys, Hills and Plains Landscape Precinct)  Part Environmental Significance Overlay, Schedule 2 (ESO2 – Lakes, Wetlands and Watercourses)  Part Land Subject to Inundation Overlay, Schedule 1 (LSIO1)
<b>COVENANTS</b>	There is a section 173 agreement under the <i>Planning and Environment Act</i> 1987 (ref. AE835410S, dated 11/01/2007) registered on the title of Lot 1, TP110145W. The agreement		

## Item: 4.2

# PP207/2025-1 - 245 Baynes Road and 255 Wool Wool Road ALVIE - Re-subdivision of Land into Two (2) Lots

	refers to the construction, maintenance and management of a cattle underpass constructed under the adjacent Wool Wool Road.		
<b>CULTURAL HERITAGE</b>	The site is within an area of cultural heritage sensitivity; however, the proposal is not a high impact activity and therefore a Cultural Heritage Management Plan is not required.		
<b>OFFICER</b>	Helen Evans	<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy		
<b>ATTACHMENTS</b>	1. Aerial Plan of Subdivision [4.2.1 - 1 page] 2. Plan of Subdivision [4.2.2 - 1 page] 3. Cover Letter [4.2.3 - 8 pages]		

## RESOLUTION

*Moved Cr McCrickard, Seconded Cr Hudgell*

*That the Planning Committee resolves to Grant a Permit for the re-subdivision of the land at 245 Baynes Road and 255 Wool Wool Road ALVIE (Lot 2 PS317741 V/F: 10091/548, and Lot 1 TP110145 V/F: 10081/628 Parish of Warrion) to create two lots, subject to the following conditions:*

### *Endorsed Plan*

- 1. The layout and site dimensions of the subdivision hereby permitted, as shown on the endorsed plan/s, must not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plan/s.*

### *Agreement under Section 173 of the Planning and Environment Act 1987*

- 2. Prior to the issue of a statement of compliance under the Subdivision Act 1988, the owner of the land must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain*

**covenants to be registered on the title of Lot 2 so as to run with the land, and must provide for the following:**

- a) **Lot 2 will not be further subdivided so as to increase the number of lots.**

**Wastewater**

3. **Any works associated with the subdivision hereby permitted must not alter or interfere with existing wastewater management systems, unless approved by the Responsible Authority.**

**Expiry**

4. **This permit will expire if one of the following circumstances applies:**
  - a) **The plan of subdivision is not certified within two years of the date of the permit.**
  - b) **A statement of compliance is not issued within five years of the date of certification of the plan.**

**The Responsible Authority may extend the period for certification referred to if a request is made in writing before the permit expires, or within six months afterwards.**

**Note**

1. **Prior to any changes being made to the existing wastewater management systems, approval from Council's Health Protection Unit is required.**

**CARRIED 6 : 0**

Item: 4.3

**PP178/2025-1 - 85 Collins Road Irrewarra - Use and Development of single dwelling**

<b>ADDRESS AND PROPERTY DETAILS</b>	85 Collins Road IRREWARRA Lot 3 PS210337, V/F: 9795/200	<b>APPLICATION NUMBER</b>	PP178/2025-1
<b>PROPOSAL</b>	Use and Development of a Dwelling and Associated Works		
<b>PERMIT TRIGGERS</b>	Clause 35.07-1 - Use of land for a dwelling in the Farming Zone Clause 35.07-4 - Building and works comprising the construction of a dwelling in the Farming Zone		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	Dwelling in the Farming Zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Nil
<b>COVENANTS</b>	Nil		
<b>CULTURAL HERITAGE</b>	Nil		
<b>OFFICER</b>	Qiong (Chris) Hu	<b>GENERAL MANAGER</b>	Ian Seuren
<b>DIVISION</b>	Community and Economy		
<b>ATTACHMENTS</b>	1. Plans [4.3.1 - 8 pages]		

## **RESOLUTION**

*Moved Cr Howard, Seconded Cr Buchanan*

*That the Planning Committee resolves to issue a Notice of Decision to Grant a Permit for the use and development of a dwelling at 85 Collins Road Irrewarra (Lot 3, PS210337, V/F 09795/200), subject to the following conditions:*

### *Endorsed Plans*

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

### *Dwelling Infrastructure*

- 2. The dwelling hereby permitted must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.*
- 3. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.*
- 4. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

### *Access*

- 5. Prior to the commencement of development, unless otherwise agreed in writing by the Responsible Authority, a concrete/asphalt vehicular access from the roadway to the property boundary must be constructed to the satisfaction of the Responsible Authority.*
- 6. Prior to the commencement of the use hereby permitted, unless otherwise approved in writing by the Responsible Authority, a concrete/asphalt driveway must be constructed to an all-weather standard and with a minimum width of 3m, to the satisfaction of the Responsible Authority.*

### *Stormwater*

- 7. All stormwater runoff from the development, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.*
- 8. The site must be developed and managed to ensure there is no stormwater pollution through the contamination of runoff by chemicals, sediments, wastes or pollutants in accordance with 'Best Practice Environmental Management Guidelines for Stormwater Management and Construction Techniques for Sediment Pollution Control' (EPA) at any time during construction or operation to the satisfaction of the Responsible Authority.*

### *Wastewater*

- 9. A domestic wastewater management system must be constructed concurrently with the dwelling hereby permitted, so that all wastewater is at all times contained within the curtilage of the site. The design and installation of any*

*wastewater disposal system for any building on the land must comply with the EPA Guidelines for Onsite Wastewater Management (May 2024, or as amended) and the EPA Effluent Dispersal and Recycling Systems Guidance (May 2024, or as amended), to the satisfaction of the Responsible Authority.*

10. *All works and development associated with this permit must be carried out in accordance with the Land Capability Assessment prepared by Landtech Consulting (Ref. No. 853249, dated October 27, 2025) or as otherwise agreed in writing by the Responsible Authority.*

#### **No Gas Connection**

11. *Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.*

#### **Expiry**

12. *This permit will expire if one of the following circumstances applies:*
  - a) *The development is not commenced within three years of the date of this permit.*
  - b) *The development is not completed and the use has not commenced within five years of the date of this permit.*

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

#### **Notes**

1. *This permit does not authorise the commencement of any building works. Prior to the commencement of development, it will also be necessary to obtain a building permit for the proposed dwelling and outbuilding.*
2. *A works within road reserve permit is required prior to any works being undertaken on Council managed road reserves within the Colac Otway Shire*
3. *Prior to preparing drainage plans, a legal point of discharge (LPoD) must be obtained in accordance with Building Regulation 133. A copy of the LPoD, which incurs a fee in accordance with the Building Regulations, must be submitted with the engineering plan.*
4. *A separate application to install/alter an onsite wastewater management system must be submitted to and approved by Council's Health Protection Unit prior to the commencement of works. The Health Protection Unit reserves the right to request that the Land Capability Assessment (LCA) be amended or updated by a suitably qualified person and submitted for approval at the wastewater permit application stage. The LCA must be accompanied by a detailed system design if required by the Health Protection Unit.*

**CARRIED 6 : 0**

*The meeting was declared closed at 1.12pm*

**CONFIRMED AND SIGNED** at the meeting held on 10 March 2026

.....**MAYOR**