



# Planning Meeting Agenda

10 February 2026 at 1pm

COPACC Meeting Rooms 1 & 2

# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

**Tuesday 10 February 2026**

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# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Tuesday 10 February 2026 at 1:00 PM.

## **AGENDA**

### **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](https://www.youtube.com) ).

### **3 MEETING ADMINISTRATION**

#### **3.1 Present**

#### **3.2 Apologies**

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

##### ***RECOMMENDATION***

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

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

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.



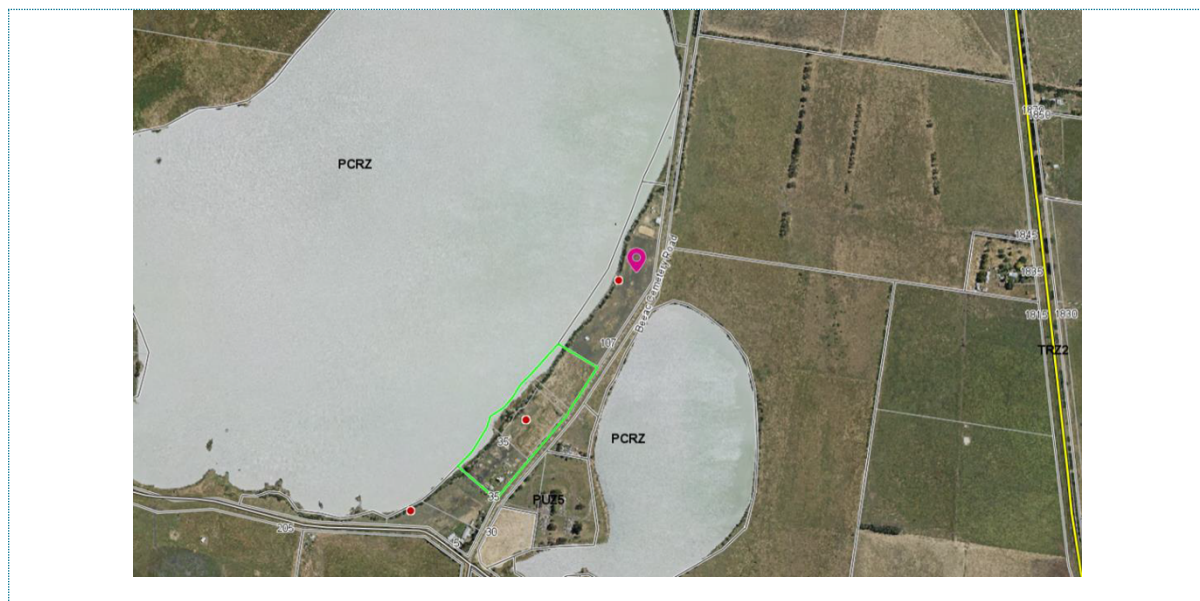
Item: 4.1

## 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]		

## 1. LOCATION PLAN / AERIAL PHOTO

### AERIAL PHOTO



## 2. RECOMMENDATION

*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>
<b>10/2/26</b>	<b>Amended plans endorsed – dwelling increased in size; setbacks altered and septic relocated</b>  <b>Condition 9 amended to delete reference to endorsed plans</b>	<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.***

### **3. PROPOSAL**

This application seeks an amendment to planning permit PP253/2023-1. The original permit allowed the 'use and development of the land for a dwelling and associated works'. The site is in the Farming Zone.

The proposed amendment includes:

#### **Site Plan/Siting**

- Reduced dwelling street setback (Beeac-Cemetery Road) by 3.75m (permitted – 9m; amended - 5.25m)
- Reduced north boundary setback to dwelling by 1.41m (permitted – 52.35m; amended - 50.94m)
- Removal of two car parking spaces to the south of the dwelling.
- Relocated septic tank.

#### **Dwelling Design**

- Amended dwelling floor plan, elevations and roof profile.
- Dwelling gross floor area would increase by approximately 82.9sqm (permitted 119.6sqm; amended 202.5sqm).
- Reduced maximum building height by 1.2m (permitted 4.9m; amended 3.7m).
- Dwelling footing changed from stumps to concrete slab.
- External wall cladding (Metroll Nail Strip) replaced with a mix of materials - gum timber cladding, drystone cladding, render brickwork, rendered finish to unitex polystyrene cladding, rendered finish to blueboard cladding, monoclاد steel cladding.

Under the issued permit, the proposed dwelling would have contained three bedrooms, a family/dining/kitchen area, a bathroom and a verandah. The dwelling would have had a maximum height of 4.9m.

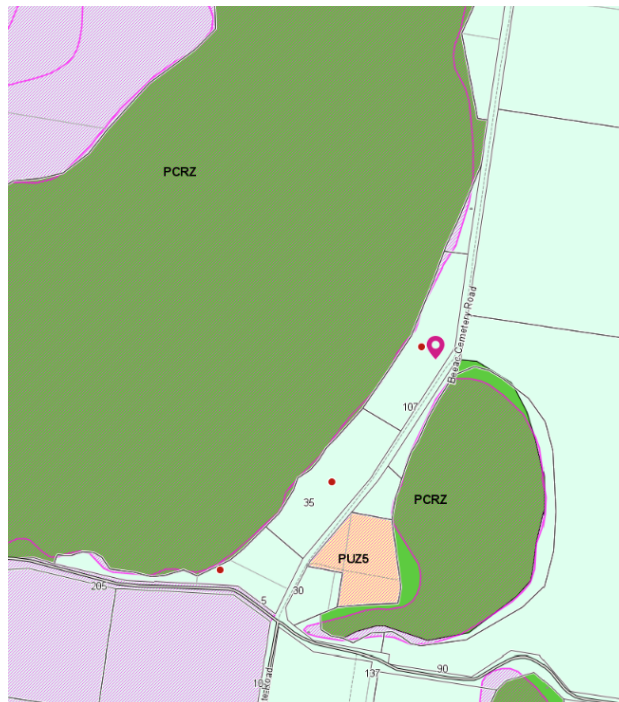
The amended dwelling would contain three bedrooms (including one ensuite), an open plan kitchen/family/meals area, a separate dining room and a separate lounge room, a kitchen, a pantry, a laundry, a bathroom, a toilet, an entrance and a porch. The maximum height of the dwelling would be 3.7m.



## 4. SUBJECT LAND & SURROUNDINGS

The subject site is located on the western side of Beeac Cemetery Road in Beeac, and is broadly rectangular in shape. It contains vegetation towards the western boundary to Lake Cundare, which is listed as a Ramsar site/wetland being on the directory of importance as a wildlife reserve.

Access to the site is via an existing unsealed road adjacent to the eastern boundary. The site, along with the land to the north and south, is located within the Farming Zone (FZ). Land to the west is within the Public Conservation and Resource Zone (PCRZ), whilst land to the east is in both the FZ and PCRZ (as shown below).



## 5. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

It is considered that the proposal generally meets the relevant objectives, strategies and policies of the Planning Policy Framework, notably VPP 11.03-6S (Regional and Local Places), VPP 12.01-1S (Protection of Biodiversity), VPP 12.03-1S and LPP 12.03-1L (River Corridors, Waterways, Lakes and Wetlands), VPP 14.01-1S and LPP 14.01-1L (Protection of Agricultural Land), VPP 15.01-6S and LPP 15.01-6L (Design for Rural Areas) and VPP 15.03-2S (Aboriginal Cultural Heritage).

### Other relevant provisions

It is considered that the proposal generally meets the relevant decision guidelines at Clause 65 of the Colac Otway Planning Scheme.

### Relevant Planning Scheme amendments

Nil

## 6. REFERRALS

### Internal Referrals

The application was referred to the Health Protection Unit, which raised no objection to the proposed amendments.

### External Referrals

No external referrals were required under the provisions of the Farming Zone.

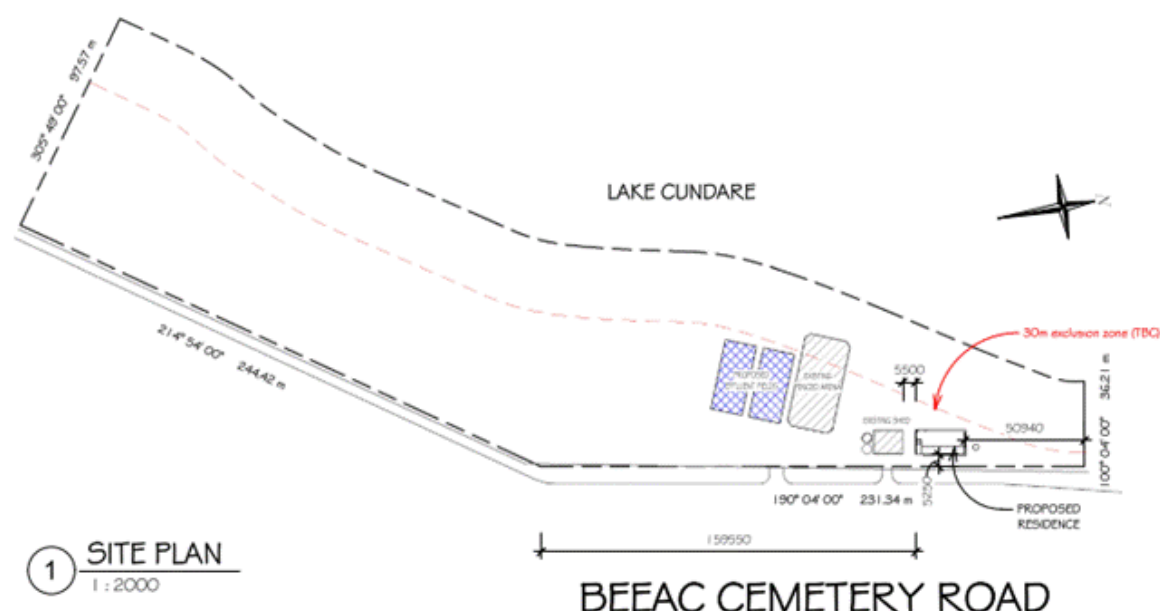
Due to the proximity of the subject site to Lake Cundare, the Department of Climate Change, Energy, the Environment and Water (DCCEEW – an Australian Government department), the Department Energy, Environment and Climate Action (DEECA), and the Corangamite Catchment Management Authority (CCMA) were notified of the original planning application (PP253/2023-1) under the section 52 of *Planning and Environment Act 1987* (the Act). None objected to the original application, with the CCMA and DEECA providing conditions. DCCEEW provided advice on matters relating to the Ramsar site.

The permit conditions provided are considered to remain relevant for the current amendment application and, as such, the amendment application was not referred to any external authorities. The following outlines the previous advice received from the CCMA and DEECA, and assesses the current proposal having regard to that advice.

### **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.*

The proposed amended siting of the dwelling would maintain a 30 metre setback from the top of the bank of Lake Cundare. As such, the requirements of the above condition would be met. The site plan below demonstrates this:



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

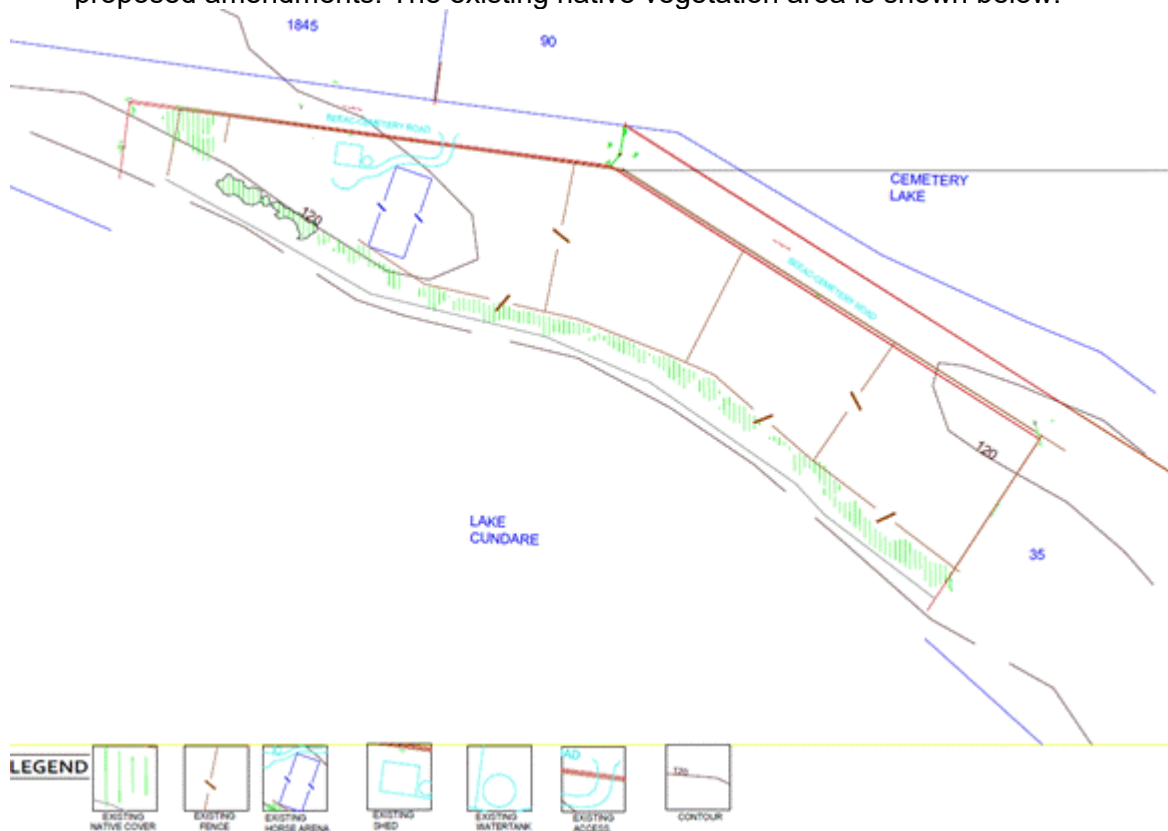
16. *Before works start, the permit holder must advise all persons undertaking the works on site of all relevant permit conditions and associated statutory requirements or approvals.*

The requirements of the above condition can still be met.

17. *Except with the written consent of the responsible authority, within areas of native vegetation to be retained, the following are prohibited:*

- e) Vehicular access*
- e) Trenching or soil excavation*
- e) Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products*
- e) 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.*

The area of native vegetation would remain unaltered. No part of the proposed development would encroach into the restricted native vegetation area as a result of the proposed amendments. The existing native vegetation area is shown below:



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.*

The requirements of the above condition can still be met.

19. *All recommendations and mitigation measures in the Land Capability Assessment Report (Intrax Land, 8 November 2023) must be employed and adhered to.*

The proposed amendment includes a change in the location of the proposed septic tank. The application was referred to Council's Health Protection Unit, which confirmed the LCA provided with the original application would remain relevant. No change is required to the conditions originally provided by the Health Protection Unit. As such, the requirements of the above condition can be met.

## 7. PUBLIC NOTIFICATION & RESPONSE

No public notice of the amended application was given, as it was not considered that the proposed amendments would cause material detriment to any person.

## 8. OFFICER'S ASSESSMENT

### Clause 35.07 – Farming Zone

It is considered that the proposed amendments remain consistent with the use and development approved under the original application, and would also be consistent with the Farm Management Plan submitted with that application. The proposed dwelling would be within the designated area of dwelling construction identified in the Farm Management Plan (see image below).



The proposed amendment would not result in the loss or further fragmentation of productive agricultural land. All decision guidelines under the zone would continue to be met.

The application was referred to Council's Health Protection Unit, which did not object to the proposed amendments. The Land Capability Assessment provided with the original application remains relevant. On-site power is available from power lines along the road and water supply would be from water tanks. As such, the application would meet the requirements for the use of land for a dwelling specified under Clause 35.07-2 (relating to reticulated sewerage, portable water supply and electricity).

The following considers design and sitting issues:

### **Siting**

- Reduced dwelling street setback (Beeac-Cemetery Road) by 3.75m (permitted – 9m: amended - 5.25m)

- Reduced north boundary setback of dwelling by 1.41m (permitted – 52.35m; amended - 50.94m)
- Removal of two car parking spaces to the south of the dwelling.
- Relocated septic tank.

There is a planning permit trigger under the provisions of the Farming Zone for buildings and works within a 20m setback from a road. Under the amended proposal, the dwelling would be located 5.25m from Beeac-Cemetery Road.

The subject site is a linear shaped lot, abutting Lake Cundare. There is a CCMA required restriction in place to maintain a minimum 30 metre setback from the top of the bank of lake. Having regard to the site constraints, under the original application it was considered acceptable to locate the proposed dwelling with a 9m setback from Beeac-Cemetery Road.

The proposed amendment includes an increase in the gross floor area of the dwelling. Due to the site constraints, as discussed above, the only area available for increasing the floorspace of the dwelling is towards the eastern boundary of the site, which would result in a further reduction of the street setback by 3.75m. On balance, and noting the low height of the building, this proposed reduction in the street setback is considered minor having regard to the previously approved street setback (9m). The proposed building materials and colours would remain sympathetic to the surrounding natural environment of the area. On balance, it is considered that no material detrimental impact on the surrounding farming area would be caused by the reduction in street setback.

The proposed north boundary setback (50.94m) would be more than specified minimum 5m setback under the Farming Zone. As such, the proposed reduction in the north boundary setback is considered acceptable.

It is considered that the removal of two car parking spaces, located south of the dwelling, would not cause any material detrimental impact on surrounding properties. Condition 9 would still require suitable construction of a driveway on the land.

As discussed above, the Health Protection Unit did not object to the proposed relocation of the septic tank. The effluent disposal area will remain unaltered.

### **Dwelling Design**

- Amended dwelling floor plan, elevations and roof profile.
- Dwelling gross floor area would increase by approximately 82.9sqm (permitted 119.6sqm; amended 202.5sqm)
- Reduced maximum building height by 1.2m (permitted 4.9m; amended 3.7m)
- Dwelling footing changed from stumps to concrete slab.
- External wall cladding (Metroll Nail Strip) replaced with mix of materials - gum timber cladding, drystone cladding, render brickwork, rendered finish to unitex polystyrene cladding, rendered finish to blueboard cladding, monoclاد steel cladding.

It is considered that the proposed dwelling would have an acceptable low scale design, with an environmentally sympathetic colour scheme. The proposed use of a mix of construction materials would add character to the dwelling design. The proposed reduction in maximum building height, and the selection of a muted and non-reflective colour scheme, would mitigate the visibility of proposed dwelling from surrounding properties.

The CCMA was notified of the original application under section 52 of the Act and did not object to the proposal subject to a condition being included in the event a permit was issued. The provided condition did not specify any minimum finished floor level or require the dwelling



to be on stumps. The only condition was to maintain a 30 metre setback from the top of the bank of Lake Cundare, to align with Clause 14.02-1S (Catchment Planning and Management) of the Colac Otway Shire Planning Scheme, which states:

*Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:*

- *Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,*
- *Minimise erosion of stream banks and verges, and*
- *Reduce polluted surface runoff from adjacent land uses.*

The proposed dwelling location would still comply with the specified 30 metre setback from the top of the bank and clause 14.02-1S requirements would be achievable t.

## **9. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.



ER STAMP

DESIGN NOTE:

- Council report and consent required. Refer to approved documents from Council
- Build over easement required. Refer to approved plans and relevant authority

SITE AREAS:	
Site area:	500.00m <sup>2</sup>
Building area:	0.00m <sup>2</sup>
Coverage:	0.00%
Permeability:	0.00%
GAP:	
Gap:	25%
Gap area:	500.00m <sup>2</sup>
Garden area:	0.00m <sup>2</sup>
Garden area %:	0.00%



TERMITE REQUIREMENTS

The site is not in a designated termite risk area and therefore is not subject to termite management construction requirements

APPLICABLE

BUSHFIRE REQUIREMENTS

The site is not in a designated bushfire prone area and therefore is not subject to bushfire construction requirements

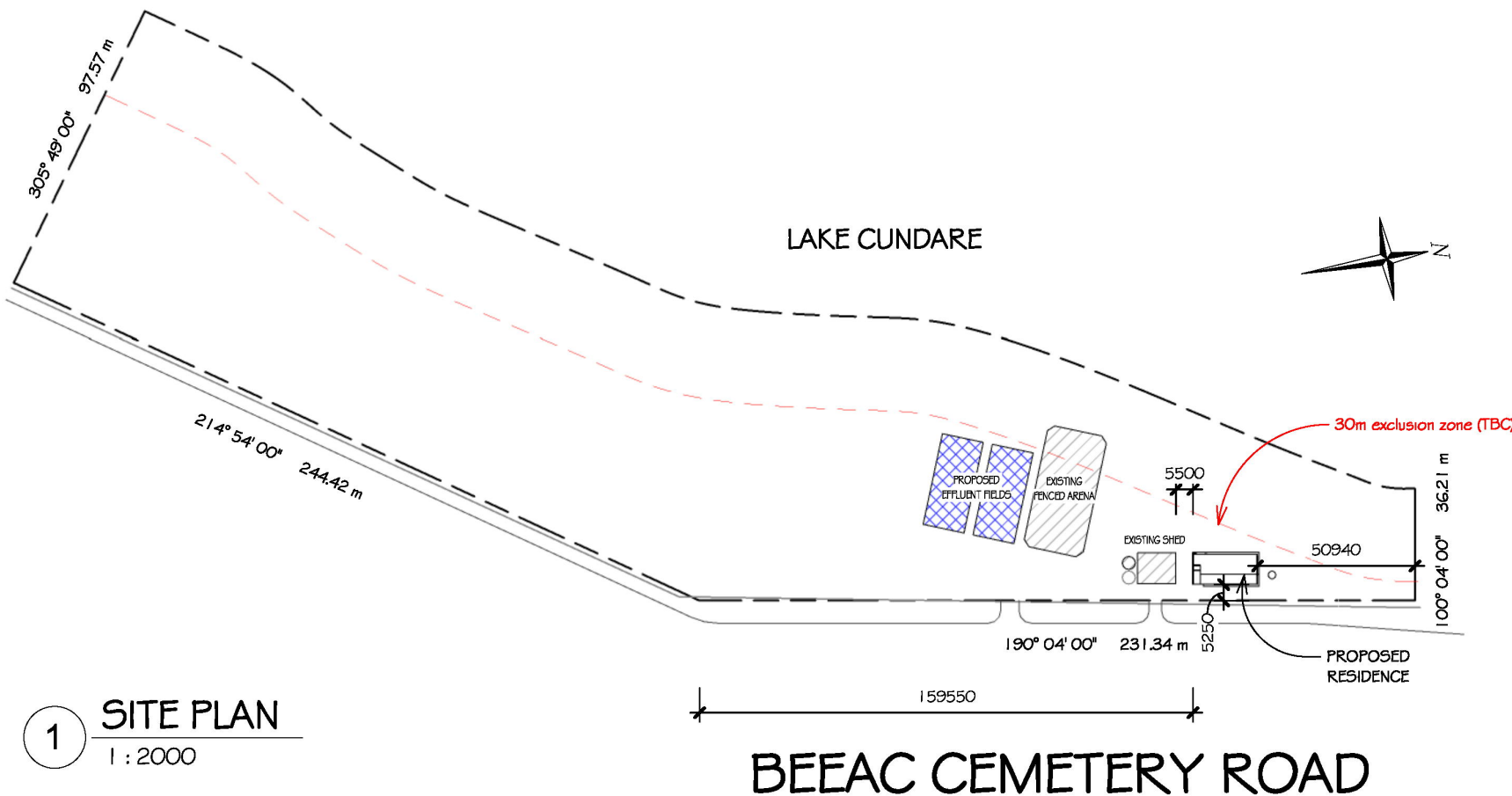
APPLICABLE

BUILDING REGULATION PART 10: SITE

150	Termite Risk Area	--: TO BE CHECKED
151	Construction in termite risk area	--: TO BE CHECKED
152	Significant termite risk	--: TO BE CHECKED
153	Building on flood-prone land	--: TO BE CHECKED
154	Building on designated land or flood-prone land	--: TO BE CHECKED

BUILDING REGULATION PART 5: SITING CHECKLIST

73	Maximum Street Setbacks	--: TO BE CHECKED
74	Minimum Street Setbacks	--: TO BE CHECKED
75	Building Height	--: TO BE CHECKED
76	Site Coverage	--: TO BE CHECKED
76A	Minimum Garden Area	--: TO BE CHECKED
77	Permeability	--: TO BE CHECKED
78	Car Parking	--: TO BE CHECKED
79	Side and Rear Setbacks	--: TO BE CHECKED
80	Walls and Canopies	--: TO BE CHECKED
81	Daylighting	--: TO BE CHECKED
82	Shading of Existing North-Facing Habitable Room Windows	--: TO BE CHECKED
83	Overshadowing of Recreational Private Open Space	--: TO BE CHECKED
84	Overlooking	--: TO BE CHECKED
85	Daylight to Habitable Room Windows	--: TO BE CHECKED
86	Private Open Space	--: TO BE CHECKED



1 SITE PLAN  
1 : 2000

I/WE HAVE CHECKED THE PLANS AND AGREE THEY ACCURATELY DEPICT THE HOUSE FOR CONSTRUCTION. ANY VARIATIONS REQUESTED AFTER SIGNING WILL INCUR A PROCESSING FEE IN ADDITION TO THE COST OF THE VARIATION ITEMS AND ANY FURTHER PLANS TO BE PREPARED.

OWNER SIGNED: ..... DATE: .....  
OWNER SIGNED: ..... DATE: .....

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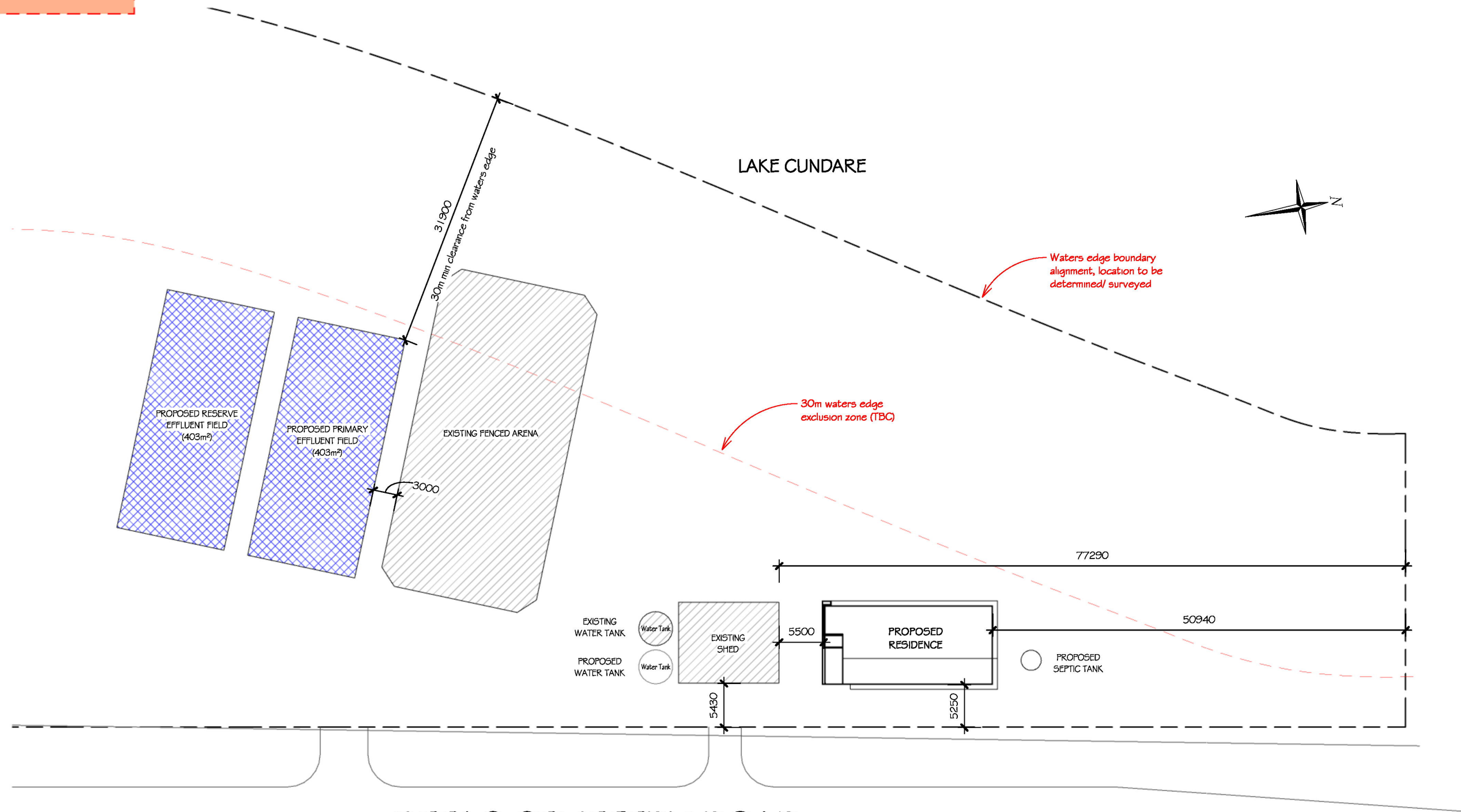
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DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

LOCATION: No. 107 Beeac Cemetery Road, Beeac 3251
ISSUE DATE: 12 September 2025
ISSUE STATUS: Concept only - Not for Construction

SHEET SIZE:	SHEET NO:
A3	A01.1
DCS JOB NO:	REVISION:
25440	

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2 PART SITE PLAN  
1 : 500

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DRAWN	AR
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Building Practitioners Board Reg No DP - AD1195	

[Redacted Name]

LOCATION: No. 107 Beeac Cemetery Road, Beeac 3251  
ISSUE DATE: 12 September 2025  
ISSUE STATUS: Concept only - Not for Construction

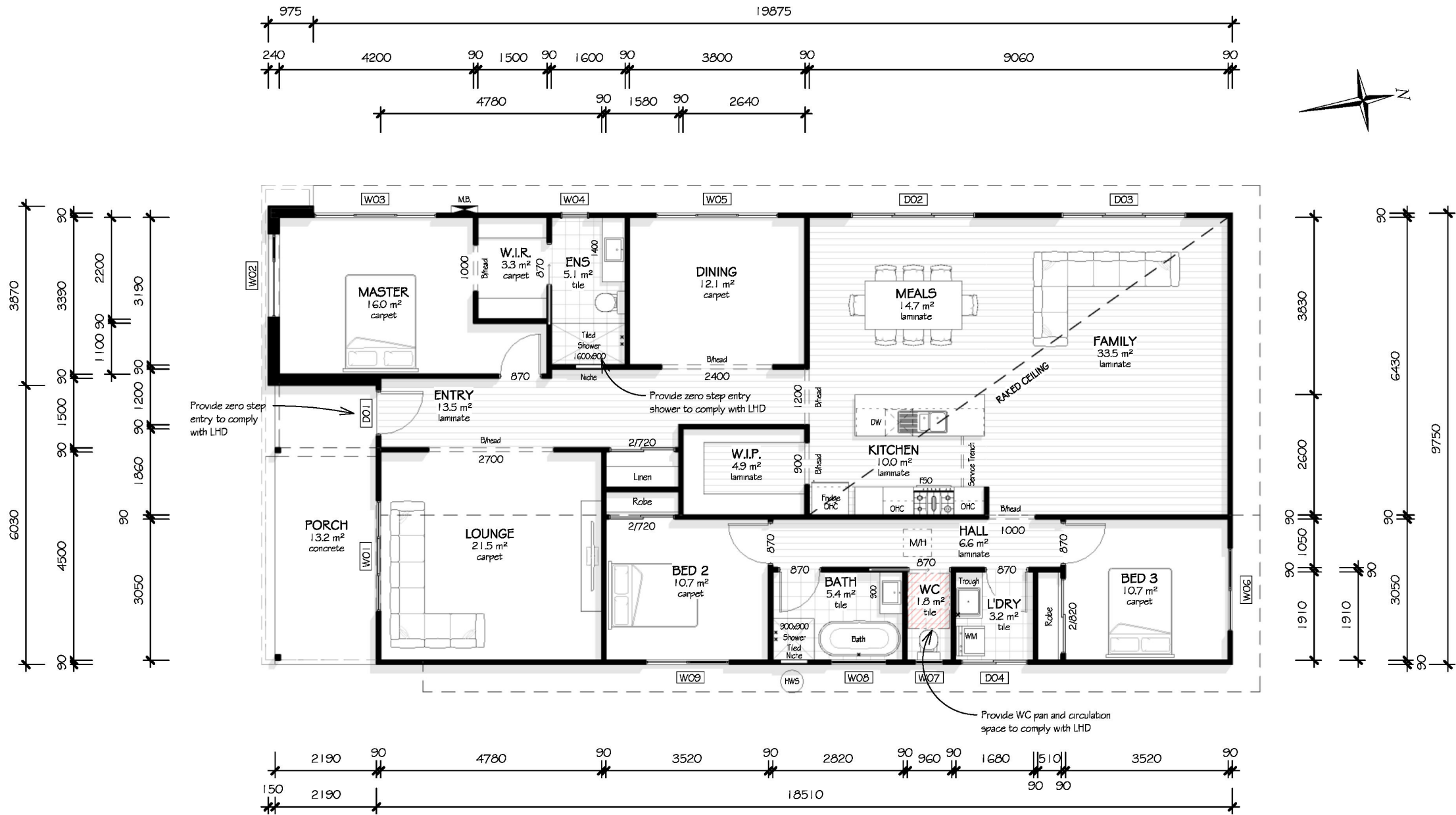
I/WE HAVE CHECKED THE PLANS AND AGREE THEY ACCURATELY DEPICT THE HOUSE FOR CONSTRUCTION. ANY VARIATIONS REQUESTED AFTER SIGNING WILL INCUR A PROCESSING FEE IN ADDITION TO THE COST OF THE VARIATION ITEM/S AND ANY FURTHER PLANS TO BE PREPARED.  
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OWNER SIGNED: .....DATE: .....

SHEET SIZE:	SHEET NO:
A3	A01.2
DCS JOB NO:	REVISION:
25440	

ER STAMP

AREA SCHEDULE		
Name	Area	Squares
LIVING	189.3 m <sup>2</sup>	20.4
PORCH	13.2 m <sup>2</sup>	1.4
Grand total	202.5 m <sup>2</sup>	21.8

ABBREVIATIONS:	
CRS	- Centres
CPD	- Cupboard
DP	- Downpipe
DW	- Dishwasher
FFL	- Finished floor level
F50	- Freestanding oven
G	- Gas meter
HP	- Hot plate
HWS	- Hot water service
LHD	- Livable housing design
MB	- Meter box
OHC	- Overhead cupboard
OHS	- Overhead shelving
UBO	- Underbench oven
R/A	- Return air
S/D	- Sliding door
SPD	- Spreader downpipe
S/S	- Service stack
WO	- Wall oven
WM	- Washing machine
Woh	- Whole-of-Home



1 GROUND FLOOR PLAN  
1 : 100

REFER TO FOOTING DESIGN DRAWING FOR ADDITIONAL DIMENSIONS  
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Bacchus Marsh Homes Pty Ltd  
VIC - CDB-U 69385  
GJ JOB NO: au151-13

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Building Practitioners Board  
Reg No DP - AD1195

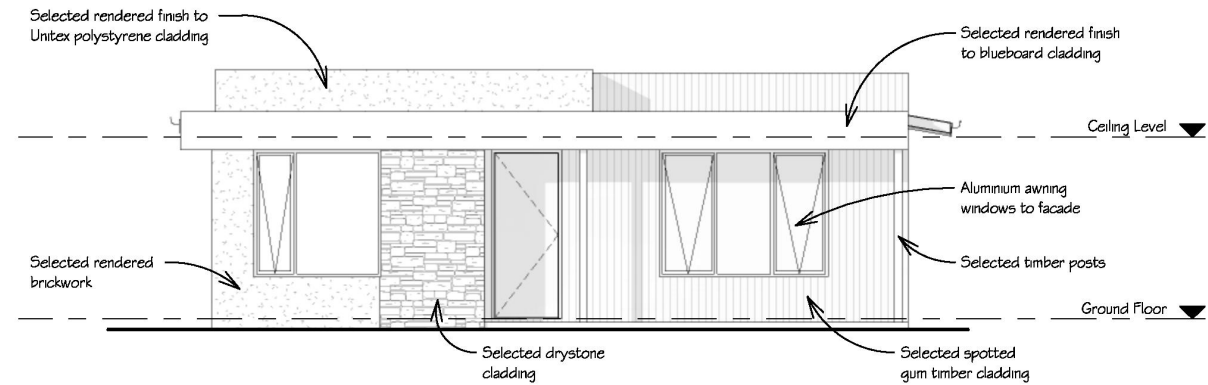
LOCATION: No. 107 Beeac Cemetery Road, Beeac 3251  
ISSUE DATE: 12 September 2025  
ISSUE STATUS: Concept only - Not for Construction

SHEET SIZE: A3  
SHEET NO: A03.2  
DCS JOB NO: 25440  
REVISION:

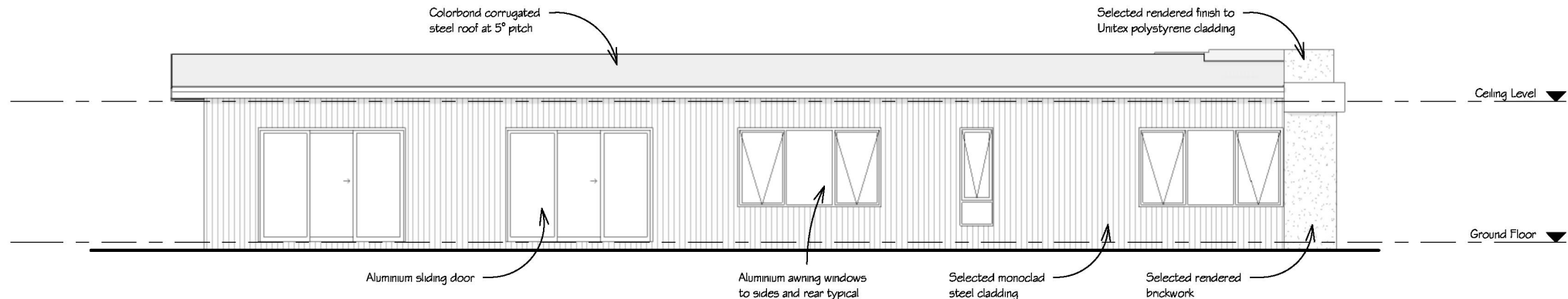
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1 SOUTH ELEVATION  
1 : 100



2 WEST ELEVATION  
1 : 100

**CLADDING NOTE:** All cladding to be installed in accordance with manufacturer's requirements & N.C.C specifications.

BRICKWORK LINTELS:		
Steel lintel (Gr. 300 MPa)	Supporting single skin masonry	
	Max. clear span (mm) ≤600mm of masonry over opening	Max. clear span (mm) >600mm of masonry over opening
100x100x6 EA	3350	2900
100x100x8 EA	3600	3040
150x100x10 UA	4200	3650

Openings ≤ 1.0m - 100mm min. bearing - Openings > 1.0m - 150mm min. bearing  
All lintels to comply with N.C.C. 5.6.7, AS 4100 & AS 2699.3

**POLYSTYRENE CLADDING NOTE:** Selected polystyrene cladding to be Unitek Base Board External Polystyrene wall cladding system by Unitek Granular Marble Pty. Ltd, or an accredited similar system approved by the Victorian Building Authority. Polystyrene articulation joints to be installed in accordance with manufacturer's requirements & N.C.C specifications.

**WEEPHOLE NOTE:** Weepholes to comply with N.C.C. 5.7.5 located in course above flashing/DPCs with a minimum height of 50mm and the width of the mortar joint located at 1.2m max centres. Weepholes are not required above openings less than 1.2m wide, beneath window and door sills and where the level of external impervious surface is elevated for the purpose of step-free access required by H&P1.

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**G.J. Gardner.** **HOMES**

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Building Practitioners Board Reg No DP - AD1195	

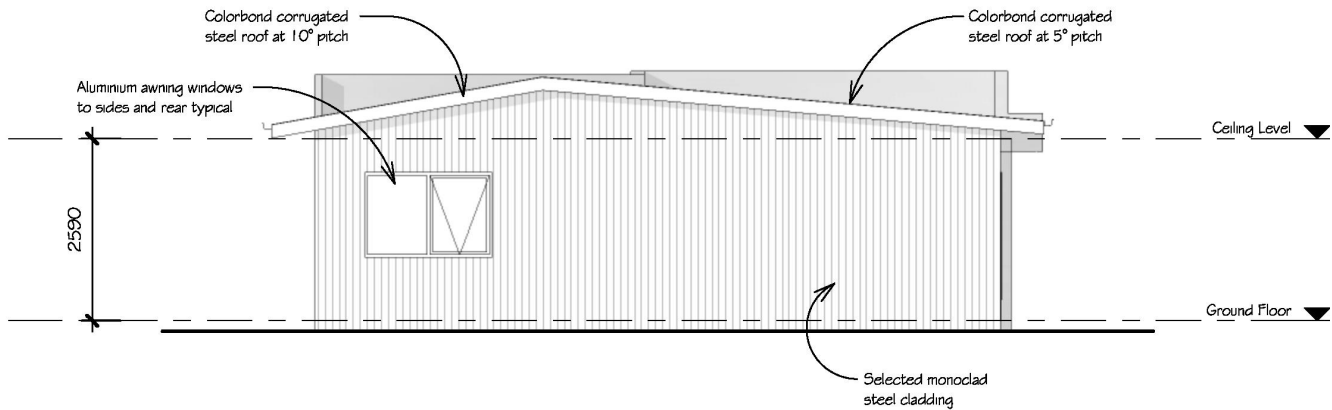
LOCATION: No. 107 Beeac Cemetery Road, Beeac 3251
ISSUE DATE: 12 September 2025
ISSUE STATUS: Concept only - Not for Construction

SHEET SIZE: <b>A3</b>	SHEET NO: <b>A04.1</b>
DCS JOB NO: <b>25440</b>	REVISION:

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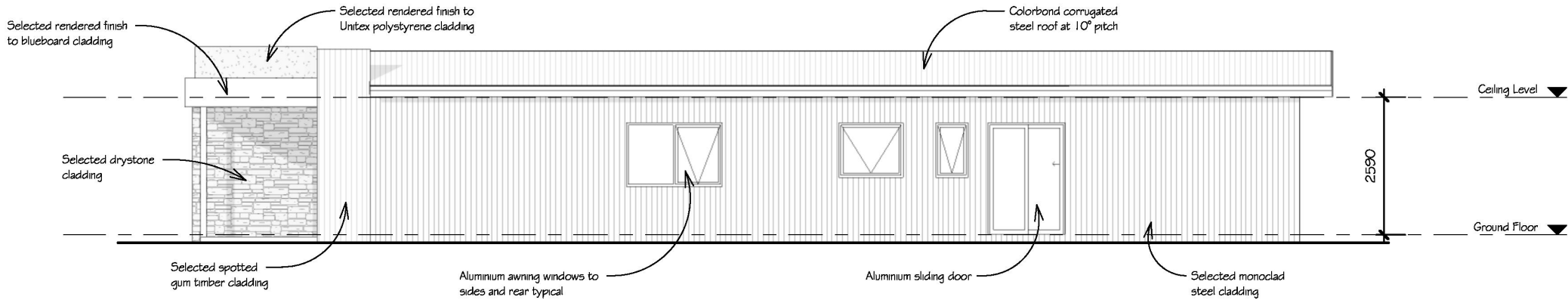


3 NORTH ELEVATION  
1 : 100

CLADDING NOTE: All cladding to be installed in accordance with manufacturer's requirements & N.C.C specifications.		
BRICKWORK UNTELS:		
	Supporting single skin masonry	
Steel lintel (Gr. 300 MPa)	Max. clear span (mm) ≤600mm of masonry over opening	Max. clear span (mm) >600mm of masonry over opening
100x100x6 EA	3350	2900
100x100x8 EA	3600	3040
150x100x10 UA	4200	3650
Openings ≤ 1.0m - 100mm min. bearing - Openings > 1.0m - 150mm min. bearing All lintels to comply with N.C.C. 5.6.7, AS 4100 & AS 2609.3		

**POLYSTYRENE CLADDING NOTE:** Selected polystyrene cladding to be Unitek Base Board. External Polystyrene wall cladding system by Unitek Granular Marble Pty. Ltd, or an accredited similar system approved by the Victorian Building Authority. Polystyrene articulation joints to be installed in accordance with manufacturer's requirements & N.C.C specifications.

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4 EAST ELEVATION  
1 : 100

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LOCATION: No. 107 Beeac Cemetery Road, Beeac 3251
ISSUE DATE: 12 September 2025
ISSUE STATUS: Concept only - Not for Construction

SHEET SIZE: <b>A3</b>	SHEET NO: <b>A04.2</b>
DCS JOB NO: <b>25440</b>	REVISION:

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		



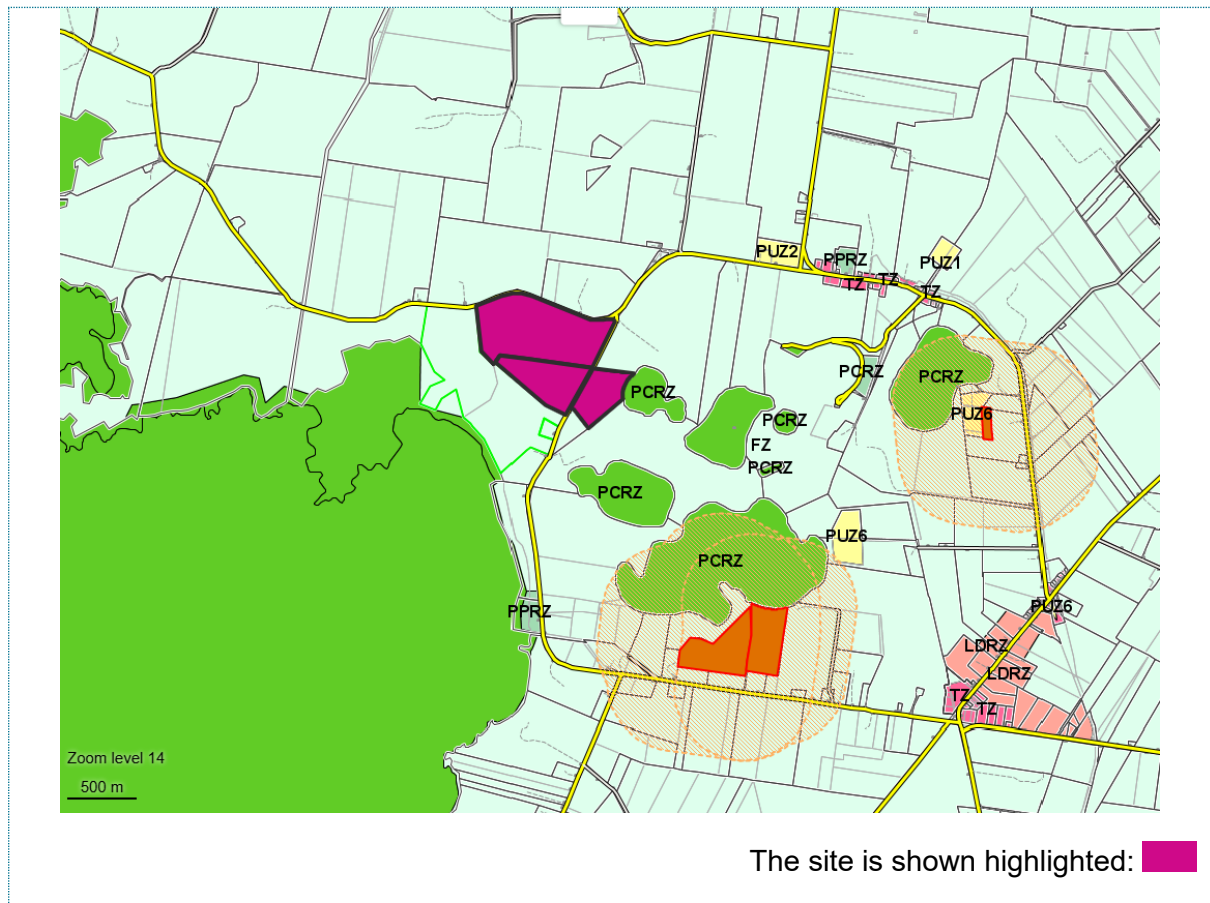
Item: 4.2

**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>	<ol style="list-style-type: none"><li>1. Aerial Plan of Subdivision [4.2.1 - 1 page]</li><li>2. Plan of Subdivision [4.2.2 - 1 page]</li><li>3. Cover Letter [4.2.3 - 8 pages]</li></ol>		

## 1. LOCATION PLAN / AERIAL PHOTO

### LOCATION PLAN



## AERIAL PHOTO



## 2. RECOMMENDATION

***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**

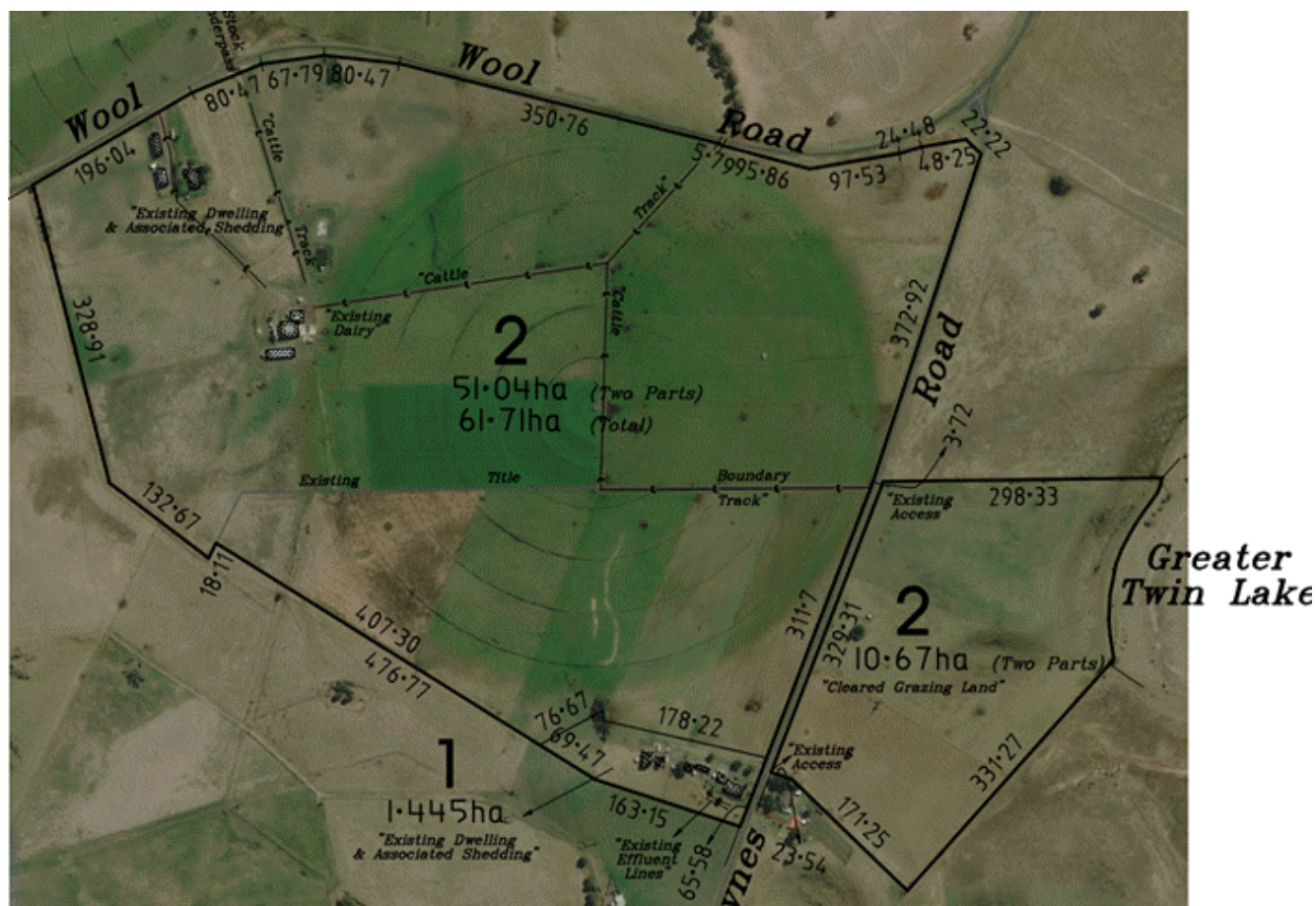
- 1. Prior to any changes being made to the existing wastewater management systems, approval from Council's Health Protection Unit is required.**

### **3. PROPOSAL**

This application seeks a permit for the re-subdivision of two existing lots, to excise a dwelling, associated shedding, effluent field and power supply from the balance of the land. That dwelling and associated infrastructure would all be within proposed Lot 1, on approximately 1.445ha.

Proposed Lot 2 (61.71ha in two parts – 51.04ha on west side of Baynes Road and 10.67ha on the east side of Baynes Road) would contain cleared grazing land, existing paddocks, another existing dwelling and associated farm shedding, an existing dairy, irrigation plant and farm tracks. In addition, a water bore on eastern side of Baynes Road would be transferred to proposed Lot 2.





#### 4. SUBJECT LAND & SURROUNDINGS

In terms of the existing lots that form the subject of this application, Lot 2 on PS317741P comprises 25.78ha of cleared grazing land with an existing dwelling and associated shedding.

Lot 1 on TP110145W comprises 37.38ha of cleared grazing land, also with an existing dwelling and associated shedding. In addition, this lot contains a disused farm dairy.

The land is currently used for beef grazing but was formerly a dairying property.

The subject land is marked below in pink, with land in the same ownership marked with an orange 'x'. Dwellings are displayed with a grey square. The current total landholdings are described below:

Address	Area	Number of lots	Comments
255 Wool Wool Road	37.5ha	1	House
15 O'Sheas Road	22.3ha	2	House
280 Wool Wool Road	60.4ha	2	House

Address	Area	Number of lots	Comments
290 Wool Wool Road	8.9ha	1	Vacant – appears landlocked without 280 Wool Wool Road
245 Baynes Road	25.6ha	1	House – 2 parts either side of Baynes Road.



Surrounding land is used for either agricultural purposes or rural residential purposes. There are dwellings in separate ownership in the vicinity of the site.

A recent re-subdivision resulting in a dwelling excision was approved to the south, at 215 Baynes Road (ref. PP272/2023).

## 5. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

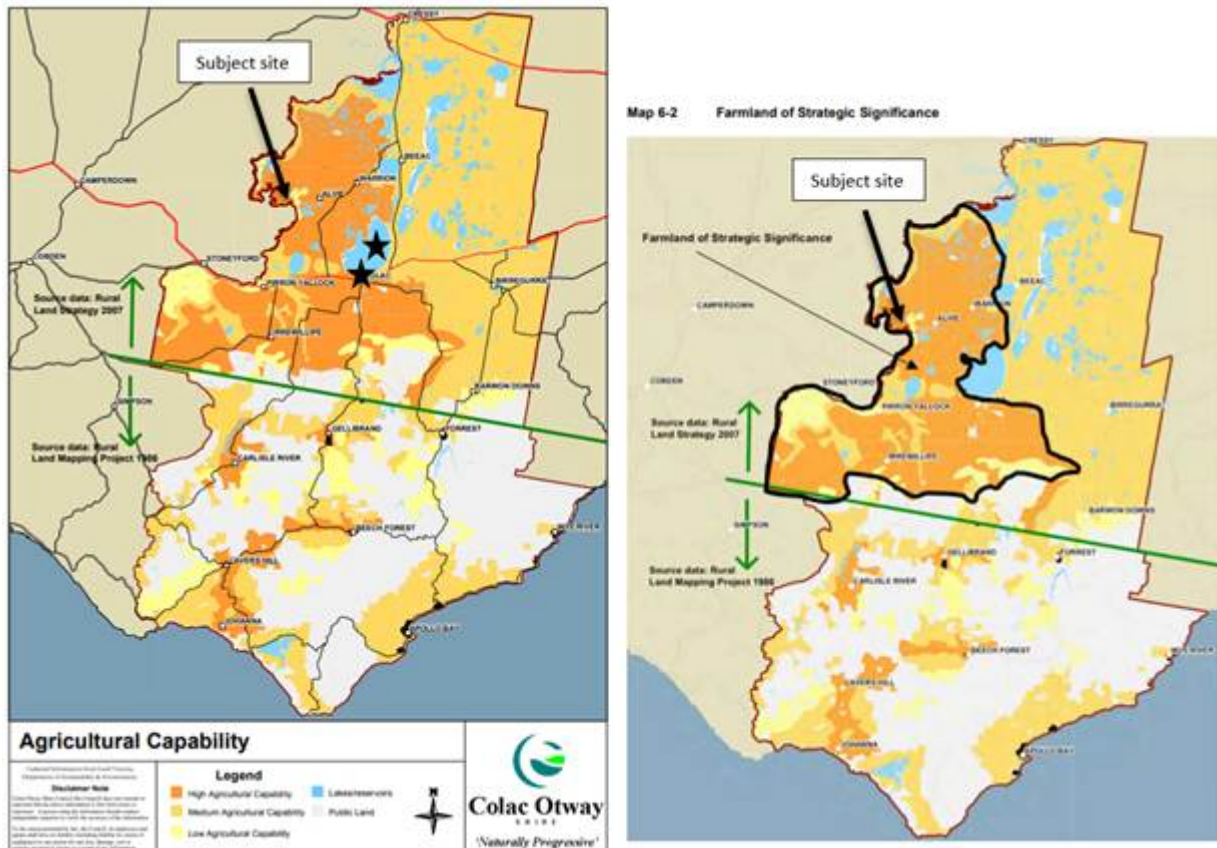
It is considered that the proposal generally meets the relevant objectives, strategies and policies of the Planning Policy Framework, notably clauses:

- 02.02 – Vision
- 11.03-6S – Regional and Local Places
- 13.03-1S – Floodplain Management
- 14.01-1S – Protection of Agricultural Land



- 14.01-1L – Protection of Agricultural Land
- 14.01-2S – Sustainable Agricultural Land Use

The site is identified as being of high agricultural significance within the Colac Otway Shire *Rural Land Strategy* (2007), which is a background document listed in the schedule to Clause 72.08 of the Colac Otway Shire Planning Scheme. This area is considered 'farmland of strategic significance' regionally, due to the high value dairying and associated manufacturing which provides significant economic benefit to the region.



## Other relevant provisions

Nil

## Relevant Planning Scheme amendments

Nil.

## 6. REFERRALS

### Internal Referrals

The application was referred to Council's Infrastructure Department and Health Protection Unit. No objection was raised to the proposal, subject to conditions which have been included within the recommendation earlier in this report.

### External Referrals

The application was referred to the Corangamite Catchment Management Authority (CCMA) and the Department of Energy, Environment and Climate Action (DEECA), neither of which raised any objection.

Clause 66.01-1 (Subdivision Referrals) applies. Under this clause, applications for two lot subdivisions, boundary realignments, and subdivisions that result in each lot containing an existing dwelling do not have to be referred to the servicing authorities (Powercor and Barwon Water) provided the conditions at clause 66.01-1 are included on any permit issued. Clause 66.01-1 also states that these conditions do not apply to a permit granted to subdivide land into lots each containing an existing dwelling.

The requirement to impose the mandatory telecommunications conditions does not apply to proposals to subdivide land in a rural zone if the responsible authority is satisfied that connection to telecommunication services is not warranted. In this case, it is understood that the dwellings are already connected to telecommunication services.

## 7. PUBLIC NOTIFICATION & RESPONSE

The application is exempt from public notice under Clause 44.04-3 (LSIO), but is not exempt under the provisions of the Farming Zone, SLO1 or ESO2.

The application was advertised to surrounding properties and a site notice was displayed on the land for a period of 14 days. At the end of the public notice period, no objections had been received.

## 8. OFFICER'S ASSESSMENT

### Farming Zone

The land is located within the Farming Zone. In this area, under the provisions of the zone, the minimum lot size for subdivision is 40 hectares. Clause 35.07-3 states a permit may be issued to create smaller lots if:

- the proposed subdivision is to create a lot for an existing dwelling, provided the subdivision is only for two lots, or
- if it is a re-subdivision of existing lots and the number of lots is not increased.

Both of these provisions allow a permit to be issued for the proposed re-subdivision, if it is considered acceptable.

The subject site currently comprises two lots of 25.78ha and 37.38ha. The smaller of these contains one dwelling and shedding, which it is proposed be excised on a lot of 1.445ha. The larger lot would increase to 61.71ha, following the proposed re-subdivision. This existing lot also contains an existing dwelling and associated shedding, along with the disused farm dairy. Following the proposed re-subdivision, a dwelling would be located on each lot (as is the existing situation).

The proposal seeks to transfer agricultural land into a larger holding with a dwelling and create a smaller rural residential lot separated from the agricultural land. Whilst the land is located in an area classified as 'farmland of strategic significance', within which dwelling excisions should generally not be supported, in this case it is considered that the subdivision would support the consolidation of agricultural land. The proposal would create a larger agricultural holding on land that is already developed with a dwelling and has infrastructure to support the agricultural use. The proposed re-subdivision would increase the agricultural landholding to 61.71ha on a permanent basis, with the applicants agreeing to a section 173 agreement that prevents further subdivision of the land to create additional lots. This section 173 agreement would be registered on the title of proposed Lot 2.

It is noted that a section 173 agreement can provide for more restrictive provisions than those in the planning scheme or a permit, such as prohibiting or placing greater restrictions on a use or development than is otherwise allowed. In this case, it is considered that there would be a direct connection between the proposed voluntary agreement and the specific planning outcomes sought to be achieved for the land over which the agreement would be recorded. The applicant has agreed to enter into a section 173 agreement and is aware of the implications, it is considered reasonable to assess the proposed re-subdivision of the land on that basis. To ensure that the section 173 agreement is entered into as offered by the applicant, it is recommended that a permit condition require the execution and registration of the agreement.

The purpose of the zone is set out in clause 35.07 and is, in summary, to preserve agricultural activities. The scheme also states that subdivision should promote effective land management practices and infrastructure provision.

It is considered that the re-subdivision of the land as proposed would not impact on the agricultural use of the land and therefore would meet the criteria and objectives of the Farming Zone.

*Whether the use or development will support and enhance agricultural production.*

The applicant has stated that there would be no change to the agricultural production of the land because of the proposed subdivision. On balance, the proposal is considered acceptable as the re-subdivision would result in an increase in the amount of agricultural land being held within the agricultural holding, and would provide linkages to adjoining land within the same agricultural holding.

*Whether the use or development will permanently remove land from agricultural production.*

The proposed subdivision would not permanently remove land from agricultural production, as the majority of the land has been used for agricultural by the current owner for some time. Whilst not ideal within the Farming Zone, proposed Lot 1 - with the existing dwelling located in the southeast corner - could be used for a rural lifestyle allotment. On balance, with the creation of a 61.71ha lot (proposed Lot 2) and a section 173 agreement preventing future subdivision that would create additional lots, it is considered that the productive agricultural use of Lot 2 would be secured into the future.

*The potential for the use of development to limit the operation and expansion of adjoining and nearby agricultural uses.*

There is no proposed development associated with the application. Whilst the proposal would result in the creation of a rural living lot, on balance it is not considered that the proposed re-subdivision should have an effect on the operation and expansion of adjoining and nearby agricultural uses, as the dwelling already exists.

*The capacity of the site to sustain the agricultural use.*

Not applicable. The use of the land within both proposed allotments would remain as it is currently.

*The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*

The re-subdivision of that land would result in a water bore, currently located on the land to the east of Baynes Road, being transferred to the larger agricultural lot.

*Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*

The current layout has all existing shedding and the dwelling infrastructure on proposed Lot 1 located in the southeast corner of the land. As such, no material fragmentation of the land would occur as a result of the proposed re-subdivision.

*Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.*

Not applicable, as the built form already exists.

*Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*

All built form is established, as are the agricultural activities. Any future purchasers of Lot 1 would have a clear picture of the farming activity within which the dwelling exists. The existing dwelling on proposed Lot 1 is located in the southeast corner of the land, neatly providing a level of separation from agricultural use. The other dwelling located on proposed Lot 2 would continue to be utilised to support the agricultural activity.

*Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*

As previously noted, all built form is existing and, whilst the proposal would result in an existing dwelling and associated infrastructure being contained within a smaller land parcel, the balance of the land would be consolidated resulting in a net benefit, i.e., productive agricultural land being contained within a dedicated agricultural allotment also developed with a dwelling.

*The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

Whilst it could be argued that the proposal would result in a proliferation of dwellings, the dwellings are in a small cluster (four) and topographically located on higher ground than the majority of the agricultural land.

A permit was recently issued (ref. PP272/2023) on the adjacent land to the south, resulting in a similar outcome of a dwelling being excised and located on a small land area. For PP272/2023, the larger lot of 55ha did not contain a dwelling; however, with the current application, a dwelling exists on the proposed larger lot of 61ha (i.e., there are already two dwellings on the land).

The minimum lot size for dwellings within this part of the Farming Zone is 40 hectares. Any application for a dwelling on an adjoining or nearby allotment under the 40 hectare minimum lot size would be subject to a planning permit application and an assessment against the relevant planning policy.

For the reasons outlined above, on balance it is considered that the re-subdivision as proposed would achieve an acceptable outcome.

### **Land Subject to Inundation, Schedule 1 (LSIO1)**

The subject site is partly covered by the LSIO1. The proposed re-subdivision would result on all land within the LSIO1 land being located on the agricultural lot. The existing dwellings are both outside the LSIO1 area.

The application was referred to the CCMA, which raised no objection and did not require any planning permit conditions to be imposed.

As such, the proposed subdivision of land is considered to be acceptable in terms of the provisions of the LSIO1.

### **Environmental Significance Overlay Schedule 2 - Lakes, Wetlands and Watercourses (ESO2)**

The subject site is partly covered by the ESO2. The proposed re-subdivision would result on all of the land within ESO2 being located within the agricultural lot. The existing dwellings are both outside the ESO2 area.

The application was referred to DEECA, which raised no objection and did not require any planning permit conditions to be imposed.

As such, the proposed subdivision of land is considered to be acceptable in terms of the provisions of the ESO2.

## **9. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

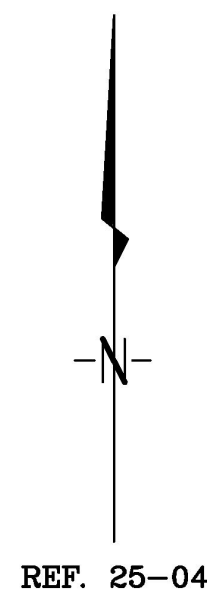


**PLAN OF PROPOSED SUBDIVISION  
PART OF CROWN PORTION B  
SECTION 12  
PARISH OF WARRION  
COUNTY OF POLWARTH**

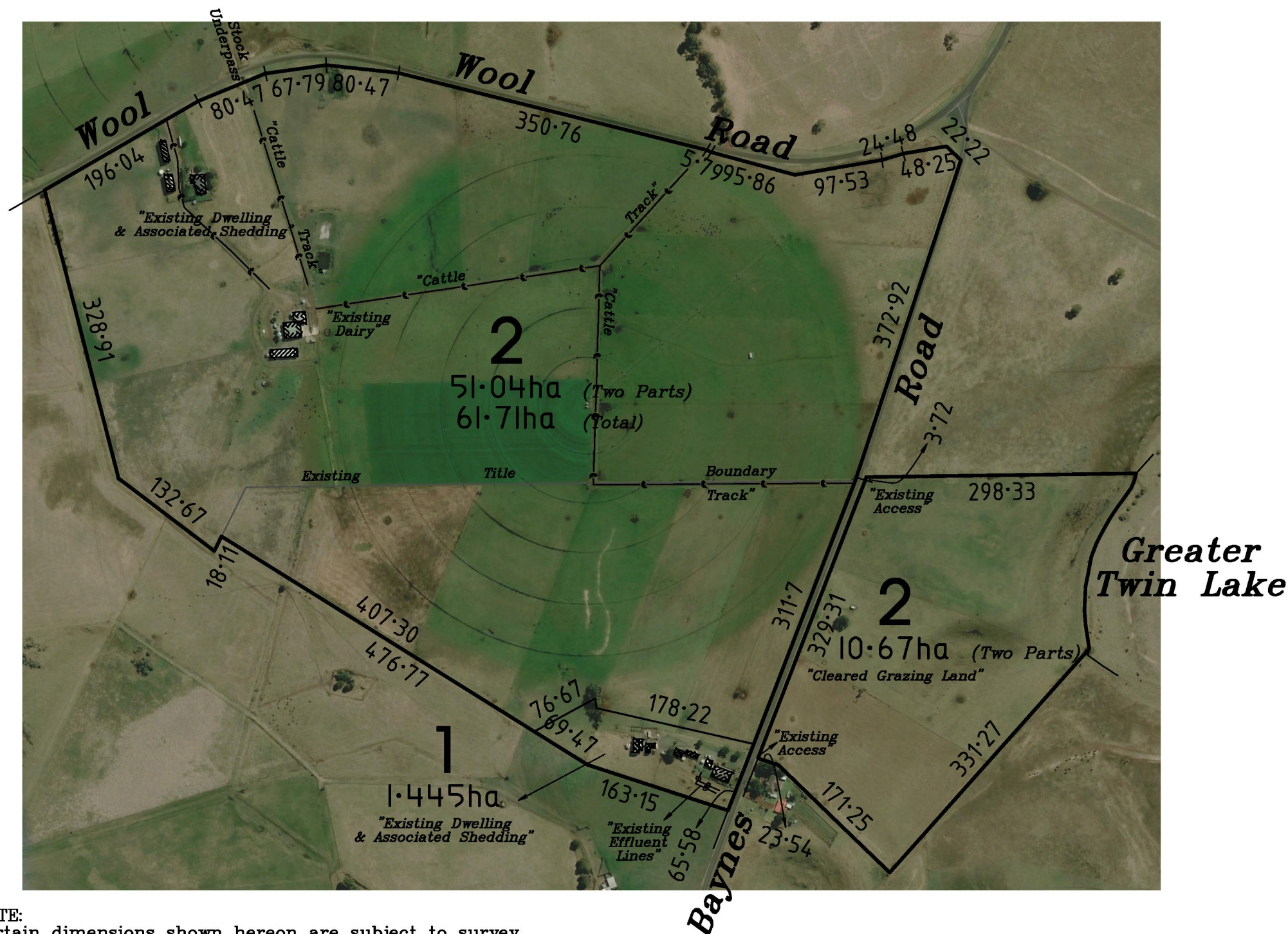
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**26 MURRAY STREET COLAC 3250**  
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### Existing Conditions Diagram



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NOTE:  
 Certain dimensions shown hereon are subject to survey.  
 Certain areas shown hereon are subject to survey.  
 Land contained within C/T Vol. 10091 Fol. 548 and Vol. 10081 Fol. 628.

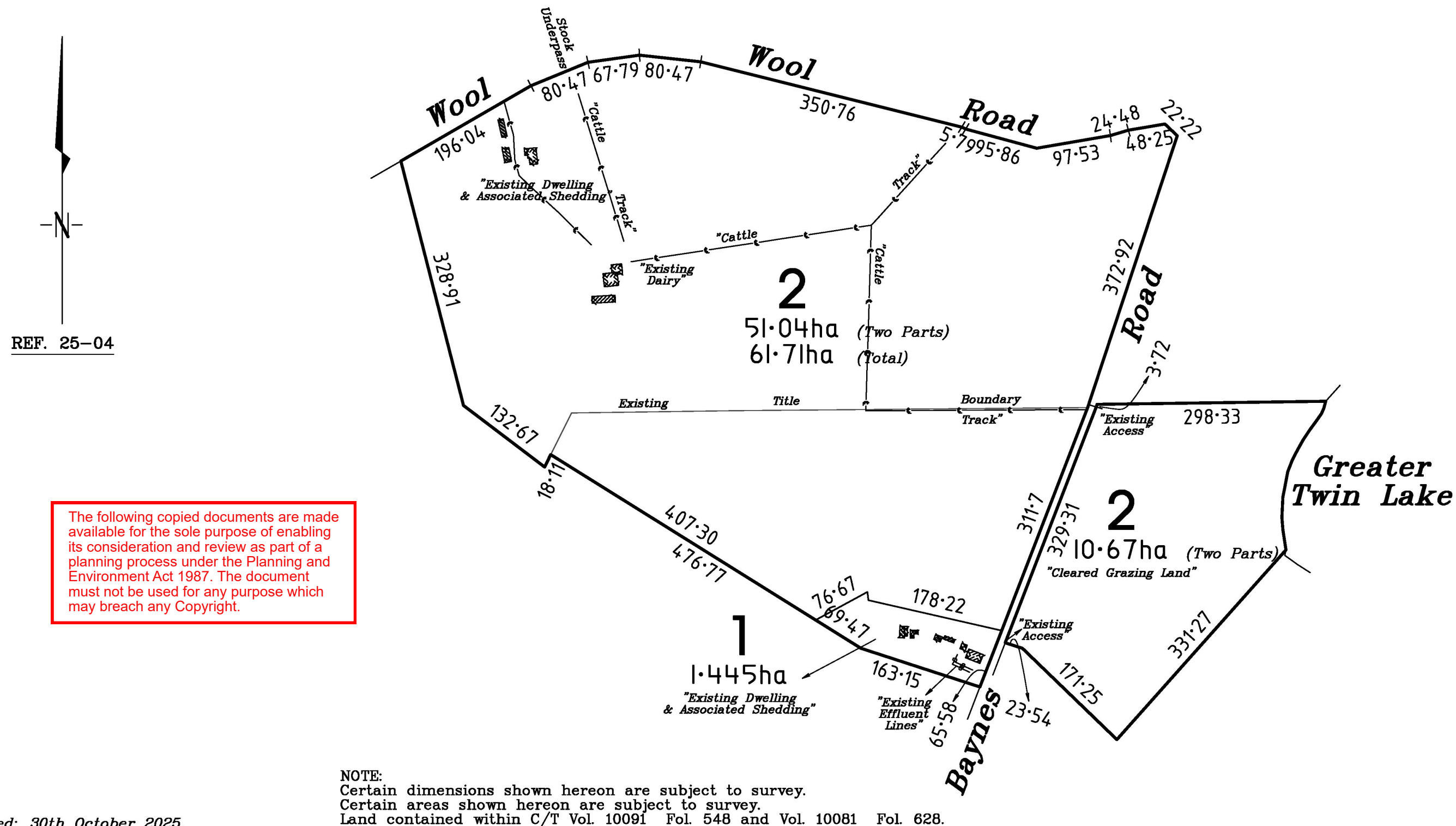
*Dated: 30th October 2025.*



**PLAN OF PROPOSED SUBDIVISION  
PART OF CROWN PORTION B  
SECTION 12  
PARISH OF WARRION  
COUNTY OF POLWARTH**

**SCALE 1:5000** (Original Sheet Size A3)

**ROD BRIGHT & ASSOCIATES PTY LTD**  
LICENSED SURVEYORS & TOWN PLANNERS  
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26 Murray Street,  
Colac 3250  
P.O. Box 371

Tel. (03) 5231 4883  
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29th October 2025.

REF: 25-04

Planning Coordinator,  
Colac Otway Shire,  
P.O. Box 283,  
**COLAC...VIC. 3250**

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Dear Sir,

**RE: PLAN SHOWING PROPOSED SUBDIVISION  
PART OF CROWN PORTION B – SECTION 12  
PARISH OF WARRION  
245 BAYNES ROAD, ALVIE  
C/T Vol. 10091 Fol. 548 AND Vol. 10081 Fol. 628**  
[REDACTED]

Please find enclosed a summary page of the Planning Permit Application of the Plan of Proposed Subdivision for the above property, which has been submitted to Colac Otway Shire using SPEAR.

The application comprises the following documents:-

- Planning Permit Application;
- Copy of Titles;
- Plan of Proposed Subdivision and
- Existing Conditions Diagram.

We have requested our client to forward to you their payment of \$1,496.10 covering the Planning Permit Fees upon receipt of your invoice.

We await receipt of the Planning Permit in due course and offer the following in support of our application.

The property currently consists of two titles. Certificate of Title Vol. 10091 Fol. 548 (being Lot 2 on PS317741P) is in the name of [REDACTED] comprises 25.78ha of cleared grazing land with an existing dwelling and associated shedding. Certificate of Title Vol. 10081 Fol. 628 (being Lot 1 on TP110145W) is in the name of [REDACTED] comprises of 37.38ha of cleared grazing land with an existing dwelling and associated shedding along with the farm dairy. There is a Section 173 Agreement also attached to this title relating to a cattle underpass providing direct access to a title north of Wool Wool Road. No change to this agreement is proposed as part of this application, nor does the agreement prohibit what is being applied for.

**Incorporating the Colac Office of Meudell Gillespie & Co.**

ROD BRIGHT & ASSOCIATES PTY. LTD.  
 PERMIT APPLICATION FOR 245 Baynes Road, Alvie (Ref: 25-04)

This permit application seeks approval to realign the boundary such that the existing dwelling, associated shedding, effluent fields and power supply are all within the proposed Lot 1 on approximately 1.445ha. The proposed Lot 2 will contain the cleared grazing land, existing paddock configuration, existing dwelling and associated farm shedding, existing dairy, irrigation plant, water bore on eastern side of Baynes Road and the farm tracks, linking this part of the farm to the rest. The dwelling on the proposed Lot 1 will stay in the ownership of [REDACTED] for the immediate future. The proposed Lot 2 and the remaining surrounding farmland is in the process of being sold.

Certificate of Title Vol. 10091 Fol. 548 has been in the ownership of [REDACTED] or almost 30 years. The home is built from remnants that could be salvaged from the original Wool Wool homestead which was significantly burnt in the 1920's, Our clients have lived in this dwelling and milked on the farm for much of this time, only transitioning into beef and fodder since 2016. Certificate of Title Vol. 10081 Fol. 628 has been in the same ownership for the past 14 years but the house was resided in by our client's father who passed away this year, so was used by our client as part of the larger dairy farm. The [REDACTED] family have been farming in the Alvie district since 1907 but with our client's children having all left home this will be the end of an era.

Approval of this application enables our client to remain living in their home whilst consolidating the bulk of the farmland into a large holding making it attractive to the prospective purchasers.

The subdivision design is based on ensuring privacy around the existing dwelling whilst incorporating as much valuable farmland and the existing farm tracks into Lot 2 as feasible for sale.

The following information is provided in accordance with clauses 14.01-1S, 14.01-1L, 14.01-2S, and 35.07 of the Colac Otway Planning Scheme. This description should be read in conjunction with the Plan Showing Proposed Subdivision provided in our submission.

### Planning Policy Framework

#### *14.01-1S Protection of agricultural land.*

The objective is to protect the state's agricultural base by preserving productive farmland. In considering a proposal to subdivide council should consider the:

<b>Desirability and impacts of removing the land from primary production, given its agricultural productivity.</b>
<b>The Proposed Lot 1 is intended to include the dwelling, associated shedding and as little cleared grazing land as reasonable. It is generally acknowledged that a dwelling and associated gardens and outbuildings, are not primary producing in their own right. This title of 25.78ha containing the dwelling, is little more than a lifestyle allotment today with off-farm income, or additional unencumbered land nearby, required to ensure its viability. The reduction of area around this dwelling to reflect a lifestyle farmer, and incorporating the productive farmland into the larger holding, all linked via existing farm tracks and keeping the existing bore with the larger farm and its</b>

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 PERMIT APPLICATION FOR 245 Baynes Road, Alvie (Ref: 25-04)

centre pivot is a positive outcome for the farm zone and farming community in general.

**Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.**

The dwelling is existing with a reasonable surrounding buffer, protecting it from the surrounding farmland and similarly protecting the surrounding farmland from the dwelling. We contest that the boundary realignment maintains reasonable land values for our client. The additional dwelling adds to the cost of the land, despite the lack of value to any perspective purchaser who will also have the dwelling and dairy accessed off of Wool Wool Road. Upon approval of this application, any perspective purchaser will be able to focus on their core business of farming without the concern of poor tenants etc. not paying rent or destroying the dwelling, or not being able to afford to purchase 245 Baynes Road title due to the increased cost resulting from the unnecessary dwelling and shedding. In the future when selling the farming business, the land will be sold at market value based on the projected return the farming enterprise can generate, not some inflated price due to unnecessary infrastructure.

**Compatibility between the proposed or likely development and the existing use of the surrounding land.**

The existing dwelling has an existing garden and tree plantations around them acting as a buffer from much of the surrounding farmland. The proposed Lot 1 takes into account these existing features, ensuring privacy for both parties and surrounding landholdings, whilst also leaving sufficient space to enable further plantings if required. The two uses (rural residential and farming) are clearly delineated with this application only seeking to reflect that through a subdivision.

**The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.**

Not applicable as the application is for a subdivision, so approval of such has no impact on the above either way.

**Land Capability**

We contest that approval of the subdivision increases the productivity and capability of the land. Farm expansion is preferable through the purchase of land within close proximity. This is sound business practice as economy of scale enables the purchaser the ability to generate greater revenue, produce much of their own fodder and herd replacement from less infrastructure, thereby reducing the input costs required to run the operation. The consolidation of the two farming parcels is also beneficial in producing a large useable parcel of farmland largely unencumbered with costly, duplicated infrastructure.

*14.01-1L Protection of Agricultural Land.*

*Subdivision Strategies*

The objective is to discourage subdivision unless the subdivision will:

**Ensure that lots resulting from subdivision are of a sufficient size to benefit agricultural production or environmental protection.**

We contend that in most instances in the Colac Otway Shire, dwellings on lots of 40ha or less, in many cases are of a lifestyle nature more often than not, with the landholders requiring off-farm income. Unless that dwelling is associated with an intensive agricultural business it is to the community's benefit that the area around the dwelling be reduced, with the farmland incorporated into the adjoining holdings and utilised for farming as intended. Similarly, this proposal enables our client to retain valuable and productive farmland with the dwelling, dairy and irrigation as can be viewed in the Existing Conditions Diagram.



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 PERMIT APPLICATION FOR 245 Baynes Road, Alvie (Ref: 25-04)

<b>Avoid localised concentration of dwellings in agricultural areas.</b>
Not applicable as the application is not seeking to create additional dwellings.

<b>Discourage the realignment of boundaries that will create small lots for existing dwellings unless the re-subdivision contributes to the restructure and/or consolidation of agricultural holdings into larger farming units.</b>
Aerial imagery and the Existing Conditions Diagram can confirm that the dwelling and proposed area associated with the Proposed Lot 1 is designed to minimise impact on the adjoining farming operation. The Proposed Lot 2 with an existing dwelling, shedding, dairy, irrigation pivot, farm tracks and cleared grazing land, ensures the working farm is not fragmented when sold, instead reflecting the existing uses.

<b>Ensure that small lot subdivisions or excisions facilitate sustainable rural production and do not prejudice surrounding rural activities.</b>
It is generally recognised that where just 40 years ago, 150 – 250 acres was more than sufficient to run a viable dairy farm in this district, these properties are fast becoming unsustainable as farms within their own rights, the way that milk companies and the cost of production are heading, as well as technology and productivity advancements. It is very unlikely that this trend will be reversed and as such it is not necessary to keep existing dwellings that remain in a habitable condition associated with the surrounding land holdings.
Reflecting what has already been occurring for some time now, a disassociation between dwelling and surrounding farmland is a positive outcome for all concerned. This offers security for the productive farmland by consolidating it into a larger holding.
This parcel is already of a small size and as such unattractive for any perspective purchaser in establishing a farming operation, as would be the only expectation should the subdivision be refused by council. Instead, realigning the boundaries to reflect existing uses, is the only logical way to deal with parcels of this nature, for the reasons just listed.

<b>Discourage boundary realignments if they rely on land that was previously a road reserve, utility lot, crown land or are of insufficient size to support a dwelling.</b>
Not applicable.

#### *14.01-25 Sustainable agricultural land use.*

The objective is to encourage sustainable agricultural land use. Amongst other things council are to provide strategies to:

<b>Assist genuine farming enterprises to embrace opportunities and adjust flexibly to market changes.</b>
The proposed Lot 1 contains the existing dwelling with the applicable infrastructure already existing. It is approximately 6.5km from the township of Cororooke and accordingly plays an important role in the sustainability of the town, the Alvie School, CFA, Sporting Club and its wider community. The proposed Lot 2 will be utilised for agricultural purposes, in conjunction with surrounding farmland.

<b>Facilitate ongoing productivity and investment in high value agriculture.</b>
We contend that the investment placed in the land will increase as a result of approval to this application.

#### Zone

##### *35.07 Farming Zone.*

The purpose of the zone is set out in clause 35.07 and is in summary to preserve

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 PERMIT APPLICATION FOR 245 Baynes Road, Alvie (Ref: 25-04)

agricultural activities. The scheme also sets out that subdivision should promote effective land management practices and infrastructure provision. It is held that the subdivision as proposed will not impact on the agricultural use of the land and therefore meets the criteria and objectives of the Farming Zone.

The land is within the Farming Zone of the Colac Otway Shire Planning Scheme and under this zone the minimum lot size for subdivision is 40 hectares. The local and state planning policy for Colac Otway Shire allows for lots to be less than the minimum lot size under certain criteria. Dot point number 1 under Clause 35.07-3 notes a permit may be issued to create smaller lots if the subdivision is to create a lot for an existing dwelling, provided the subdivision is only for two lots. Alternatively, dot point number 2 under Clause 35.07-3 notes a permit may be issued to create smaller lots if the subdivision is the re-subdivision of existing lots and the number of lots is not increased. This application ensures both dot points within the clause can be met in this scenario.

As described above, it is held that the subdivision as proposed will not impact on the agricultural use of the land and therefore meets the criteria and objectives of the Farming Zone.

- 1.1 The subject site is currently described in C/T Vol. 10081 Fol. 628 and C/T Vol. 10091 Fol. 548 both in the name [REDACTED]
- 1.2 The land is irregular in shape and fronts both Baynes and Wool Wool Roads.
- 1.3 The site is located on the southern side of Wool Wool Road and straddles Baynes Road, approximately 6.5km northwest of the Township of Cororooke.
- 1.4 The land is predominately cleared grazing land with two existing dwellings, associated shedding, a dairy, an irrigation system, farm tracks and cleared grazing land as shown on the "Existing Conditions Diagram".
- 1.5 Topography of the subject land and surrounding area is recognised around the state as green gently rolling hills with rich volcanic soil. The high point of this property is near the Greater Twin Lake and falls approximately 10 metres to the west towards Lake Corangamite.

**Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:**

Compliance with the relevant objectives of Clause 35.07-6 is indicated below.

#### Agricultural Issues

Whether the use or development will support and enhance agricultural production.

- As we are subdividing to reflect the existing uses, there will be no change to the agricultural production of the land, only a change in ownership.

Whether the use or development will permanently remove land from agricultural production.

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- As previously advised, we are working within what already exists i.e.: the proposed Lot 1 will contain the dwellings and associated shedding. The proposed Lot 2, as mentioned, will be used for agricultural purposes and contain the dwelling, dairy and working farm.

The potential for the use of development to limit the operation and expansion of adjoining and nearby agricultural uses.

- The existing dwelling has an existing garden and tree plantations around it acting as a buffer to the surrounding farmland. The proposed Lot 1 takes into account these existing features and increases the available area to enable further plantings if required, ensuring privacy for both parties and surrounding landholdings.

The capacity of the site to sustain the agricultural use.

- The land has capacity for sustained agricultural use as it features farming tracks and fences all in good condition and will be complementary to the future purchaser's existing farming operations.

The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

- Not applicable as we are working within existing conditions, only changing the ownership patterns.

### Dwelling Issues

Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

- Not applicable as the dwellings are existing, along with the infrastructure associated with it.

Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the land.

- As previously mentioned, our client has operated their farming enterprise from the primary residence on the proposed Lot 1, with his father living in the dwelling on the proposed Lot 2. A farm of this size does not require a second dwelling for worker accommodation or other use. Therefore, refusal of a permit to subdivide and forcing the sale of the land as it exists fragments the working farm and is beneficial to no one.

Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

- The dwelling exists, as too are the adjacent activities providing good transparency for prospective purchasers.

Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

- The dwelling is existing, with a reasonable buffer surrounding it, protecting it

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from the surrounding farmland and similarly protecting the surrounding farmland from the dwelling.

The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

- Not applicable as already discussed, the dwellings are existing. Each existing lot has an existing dwelling and each resultant lot will also have a dwelling.

### Decision Guidelines

The decision guidelines require the Responsible Authority to have regard to a number of issues associated with the preservation of rural land prior to considering applications of the type. These include State and Local policies, Catchment and land protection issues, land capabilities and rural land use.

In this particular application it is held that the proposal meets state and local policies because it is explicitly outlined in the planning scheme. The issues associated with land capability, drainage etc. are not affected by this subdivision, primarily because we are working within what already exists.

The significant issues are considered to be those listed under the heading "Rural Issues"; these issues pertain to the long-term operation of the farm for agricultural purposes and whether the proposal impacts on this operation. No discernable additional impact will occur as a result of the proposed subdivision. Rural production from the land will not alter after the subdivision takes place as we are not applying to create or change anything that is not already in existence.

### Overlays

*Land Subject to Inundation Overlay.*

The southwestern corner of the property close to the Lake Corangamite wetlands is subject to the Land Subject to Inundation Overlay. A permit is required to subdivide land impacted by this overlay. The subdivision proposal in no way affects this overlay.

*Significant Landscape Overlay (SLO1).*

The western side of the property and the eastern side close to the Greater Twin Lake is subject to the Significant Landscape Overlay. A permit is required and a landscaping plan needed, to show how any affected area will be remediated. No development is proposed as part of this subdivision and as such the proposal in no way affects the overlay.

*Environmental Significance Overlay (ESO2).*

The eastern side of the property close to the Greater Twin Lake is subject to the Environmental Significance Overlay. A permit is required to subdivide land impacted by this overlay but given no development is proposed as part of the subdivision, the proposal in no way affects the overlay.

*Aboriginal Cultural Heritage Sensitivity*

The subject land is affected by an area of Cultural Heritage Sensitivity surrounding the

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Greater Twin Lake. A Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Regulations 2007* is not required as a 2-lot subdivision is not deemed an activity of "high impact" under Regulation 46 of the *Aboriginal Heritage Regulations 2007*.

#### Other legislation

##### *Designated Bushfire Prone Area.*

The entire land is located in a Designated Bushfire Prone Area. Consideration to state bushfire planning policy clause 13.02-1S is required as part of decision making under the *Planning and Environment Act 1987*. The DBPA largely relates to the construction of dwellings. This application does not include any development proposal. The risk of life prior to and subsequent to approval of this application will not change in any way.

#### Summary

This type of application is permitted under the provisions of the Colac Otway Shire Planning Scheme, under the Farming Zone. It is considered to be a relatively straight forward application that meets the relevant criteria and policies of the scheme. It will not have an impact on farm production from the land and will provide for improved utilization of the current land holding for agricultural purposes.

Yours faithfully,



A.E. Bright,  
ROD BRIGHT & ASSOCIATES  
encl.



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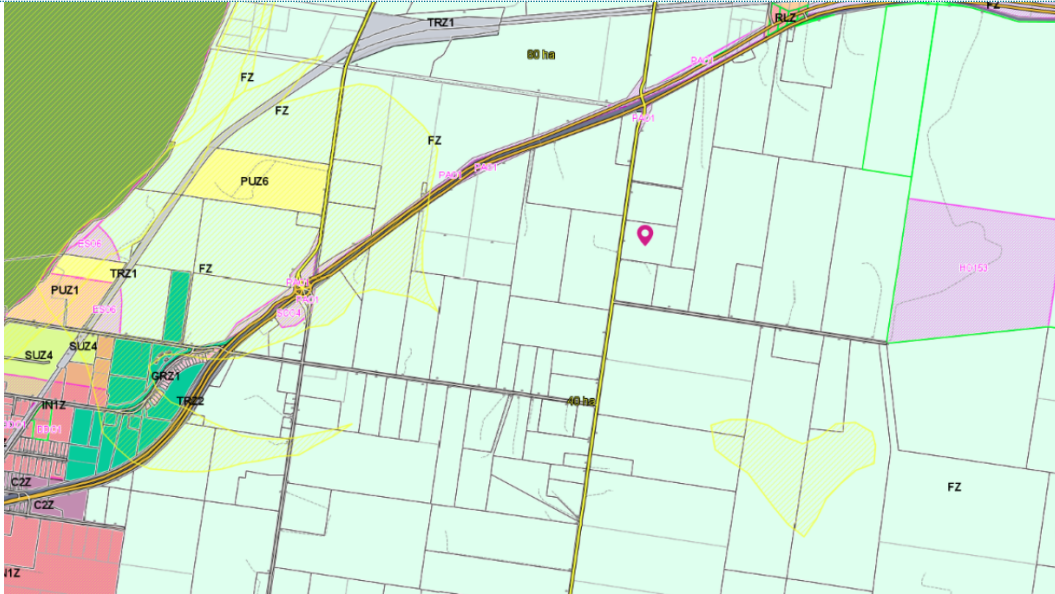
Item: 4.3

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

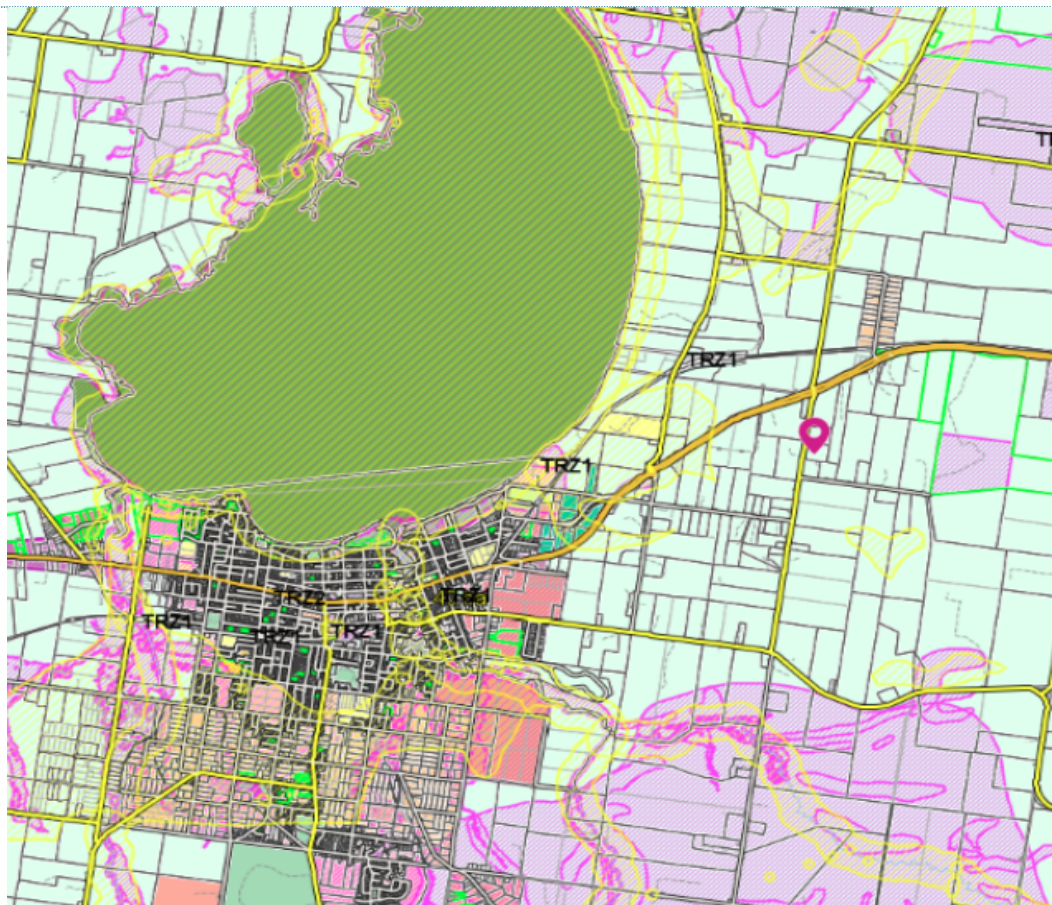
<b>ADDRESS AND PROPERTY DETAILS</b>	85 Collins Road IRREWARRA Lot 3 PS210337, V/F: 9795/200	<b>APPLICATION NUMBER</b>	PP178/2025-1
<b>PROPOSAL</b>	Use and Development of a Dwelling and Associated Works		
<b>PERMIT TRIGGERS</b>	Clause 35.07-1 - Use of land for a dwelling in the Farming Zone Clause 35.07-4 - 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]		

## 1. LOCATION PLAN / AERIAL PHOTO

### LOCATION PLAN



*Location of the site to the south of Princes Highway*



*Location of the site to the east of Colac*



## AERIAL PHOTO



## 2. RECOMMENDATION

***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.***

## 3. PROPOSAL

Planning permission is sought for the use and development of a dwelling on a lot of just under 6ha (59681.2 sqm) at 85 Collins Road, Irrewarra. The site is vacant, and it is proposed that a dwelling and outbuilding be constructed towards the southwest corner of the lot.

The applicant has advised that the land is currently used as a commercial beef/cattle operation and that the use would not be changed.

A Land Capability Assessment (LCA) has been submitted, with the site having a sensitivity rating of 'moderate' under Council's Domestic Wastewater Management Plan IDWMP).

The dwelling, which would be single-storey, would contain three bedrooms, three toilets and two bathrooms, a laundry room, an open plan living/meals/kitchen area, an alfresco area and a double garage. The maximum building height would be 5.042m.

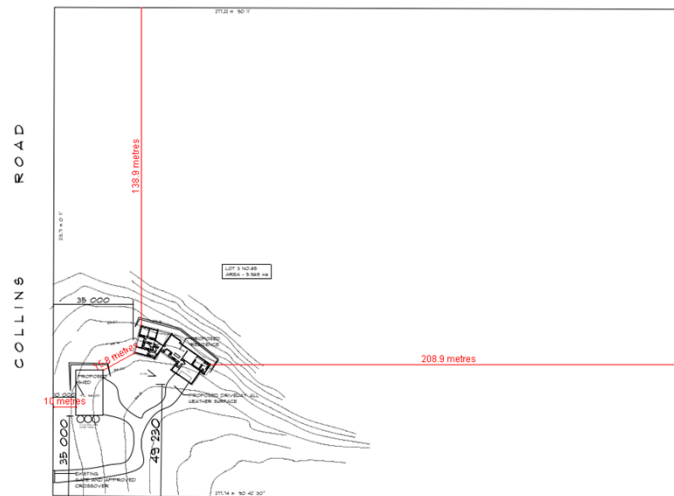
The proposal includes an outbuilding associated with the dwelling, with dimensions of 12m by 20m (240sqm in area) and a maximum building height of 5.336m.

The existing access and driveway would continue to be used, with upgrades as necessary. Three water tanks would be installed for potable water and fire-fighting purposes.

The proposed dwelling would have the following (approximate) setbacks:

- 138.9m from the northern boundary.
- 208.9m from the eastern boundary.
- 30m from the western boundary to Collins Road.
- 10m from the southern boundary.
- approximately 137.43m from the nearest dwelling in separate ownership to the west; approximately 166m from the nearest dwelling to the south; and approximately 220m from the nearest dwelling to the northwest.
- more than 1km from the nearest title boundary of land subject to a permit for a wind energy facility.

- More than 500m from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.



*Proposed site plan, showing setbacks from boundaries*



*Setbacks from a dwelling not in same ownership and waterbodies*

## 4. SUBJECT LAND & SURROUNDINGS

The subject land, which is on the east side of Collins Road, is vacant. The owner of the subject land also owns an adjacent lot which is developed with a single dwelling and an outbuilding.

Access is via Collins Road. In the event a permit is issued, the crossover would have to be upgraded using concrete or asphalt.

Land immediately around the site is in the Farming Zone and surrounding lots are generally similar in size or larger than the subject land. These lots have been developed with single dwellings and ancillary outbuildings.

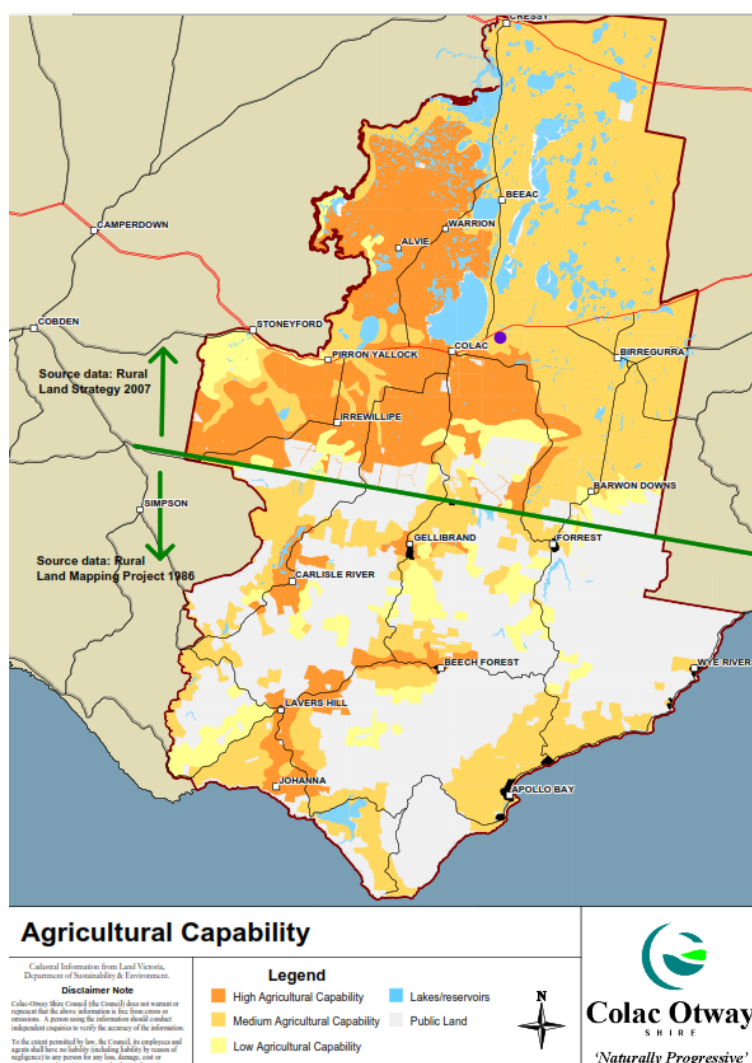
## 5. PLANNING SCHEME PROVISIONS

### Planning Policy Framework

It is considered that the proposal generally meets the relevant objectives, strategies and policies of the Planning Policy Framework, notably clauses 02.03-3 (Environmental Risks and Amenity), 14.01-1S and 14.01-1L (Protection of Agricultural Land), and 15.01-6S and 15.01-6L (Design for Rural Areas).

## Other relevant provisions

The *Rural Land Strategy* 2007 shows the subject site is located within an area of medium agricultural capability, as shown by the purple dot below, and outside the area of Farmland of Strategic Significance identified within that Strategy.



## Relevant Planning Scheme amendments

Nil

## 6. REFERRALS

### Internal Referrals

The application was referred internally to Council's Health Protection Unit and Infrastructure Department. No objections were raised to the proposal, subject to conditions which have been included within the recommendation earlier in this report.

### External Referrals

No external referrals were required.

## 7. PUBLIC NOTIFICATION & RESPONSE

This application was advertised to surrounding properties and a site notice was displayed on the land for a period of 14 days. At the end of the public notice period, one (1) objection had been received.

The objection letter raises concerns about inconsistency with the purpose of the Farming Zone, fragmentation of agricultural land and the potential for the proposal to act as a precedent for lifestyle development, and potential impacts on the agricultural and rural character of the area. The objector has requested that Council either refuse the application or impose strict conditions (including a legal agreement preventing future subdivision and additional dwellings).

Note: under the current provisions of the Farming Zone, the land could not be subdivided. Planning permission would be required if any additional dwellings (other than potentially a small second dwelling) are proposed on the land.

## 8. OFFICER'S ASSESSMENT

### Farming Zone

The purpose of the zone of most relevance to the proposal is the requirement to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

Before deciding on an application to use land, or to construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate, the decision guidelines set out within Clause 35.07-6. The following is an assessment against the relevant decision guidelines.

#### General issues

The subject site is not located within a special water supply catchment area. The site has sufficient capacity to accommodate the proposed use and development, including the disposal of effluent, without adversely impacting on adjacent properties or existing uses.

The land is currently used for agricultural purposes, and the applicant has advised that this use would remain unchanged. The land is classified as having '*medium*' agricultural capability and is not identified as productive farmland of strategic significance.

It is considered that the proposal would be compatible with adjoining and nearby land uses. Although within the Farming Zone, this vacant lot is one of several similarly sized rural living style properties in the area. The aerial image earlier in this report shows that all lots immediately surrounding the subject lot have been developed with single dwellings and associated outbuildings.

#### Agricultural issues and the impacts from non-agricultural uses

As outlined in the above assessment, the applicant has advised that the agricultural use of the land would remain unchanged following the construction of the dwelling.

Whilst it is acknowledged that introducing a residential use on this relatively small lot would reduce the land available for agriculture, the site is not located within an area of high agricultural productivity from a strategic perspective and it is noted that the subject land is the last lot in the area without a dwelling.

The proposed single-storey dwelling, which would have an approximate floor area of 234.76sqm, together with the on-site wastewater treatment system (which would occupy approximately 501 sqm based on the submitted LCA), would result in a total footprint of around 736 sqm, representing approximately 1.2% of the lot area. This is considered an acceptable outcome. The majority of the land would retain its capacity for agricultural activity.

The proposal was publicly advertised for 14 days, during which one objection was received. While it is acknowledged that some impacts on adjoining land may occur due to the proposed residential use, the dwelling would be set back more than 100m from the nearest dwelling not in the same ownership. This separation is considered sufficient to minimise any material impact on the surrounding neighbourhood.

#### Accommodation issues

As noted above, surrounding properties have already been developed with single dwellings and associated outbuildings. The subject land is likely the last remaining lot suitable for a dwelling in this locality.

The submitted LCA confirms that the wastewater could be appropriately managed. Furthermore, as the proposed dwelling would be of a standard size and scale, it is expected that any potential impacts would remain within acceptable limits.

#### Environmental issues

The proposal does not require vegetation removal or significant earthworks. As the land is currently used for agricultural purposes and the existing vegetation is not classified as native, it is considered that the environmental impact of the development would be minimal.

#### Design and siting issues

It is considered that the impact of the siting, design, height, bulk, colours, and materials on the natural environment would be acceptable. The proposed dwelling would be set back more than 100m from any dwelling not in the same ownership. Additionally, setbacks of over 5 metres would be maintained from all property boundaries.

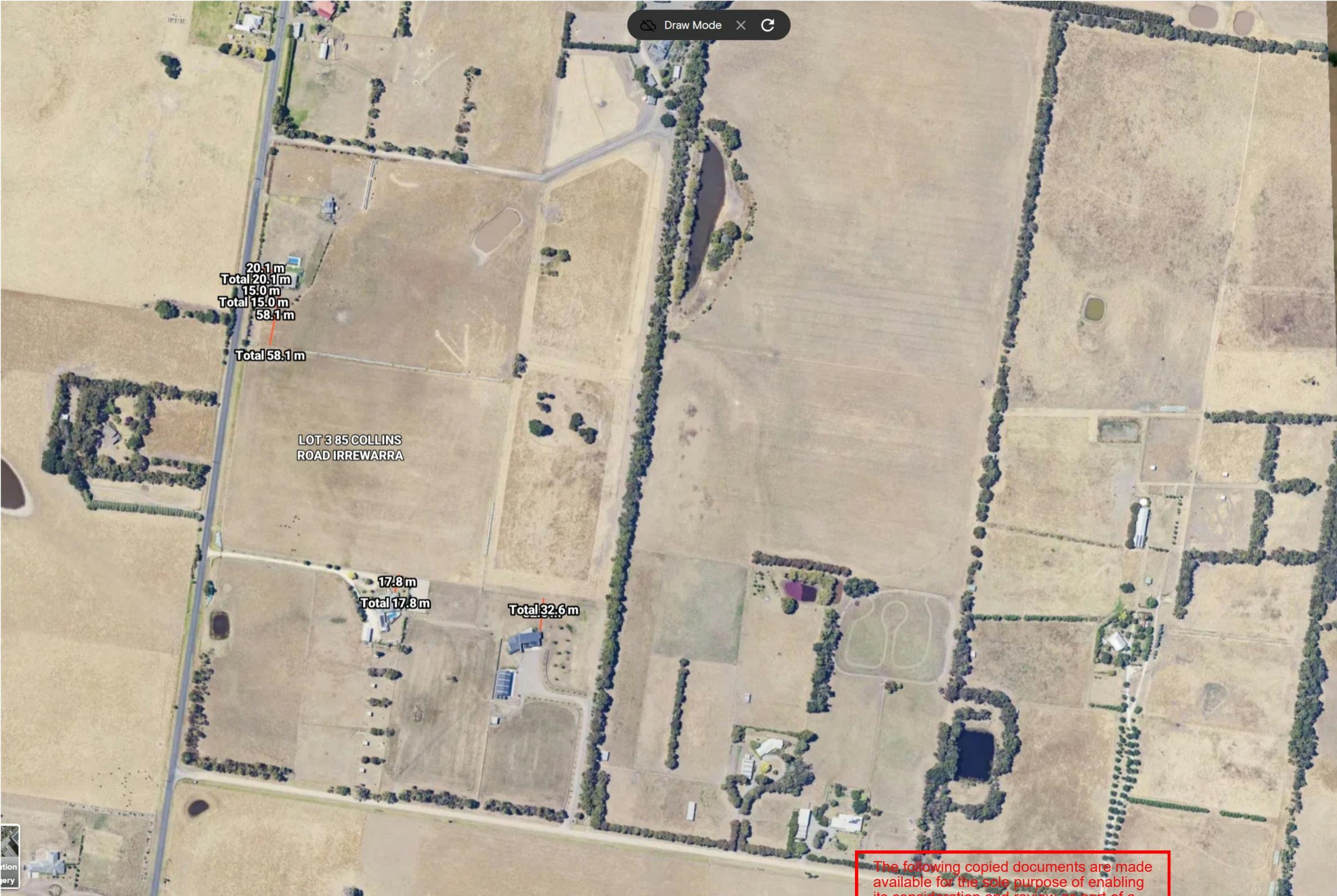
The 10 metre setback of the proposed outbuilding from the road triggers the requirement for a planning permit, but this setback is considered acceptable in the context of the area. As already noted, surrounding properties are developed with single dwellings and outbuildings some of which have relatively small setbacks - including 25 Collins Road, 30 Collins Road, and 45 Collins Road. The dwelling on the subject site would have a setback of more than 20 metres from the road.

Given the pattern of development along the same road, on balance it is considered the setback of 10m for the outbuilding can be accepted.


## **9. OFFICER DIRECT OR INDIRECT INTEREST**

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.





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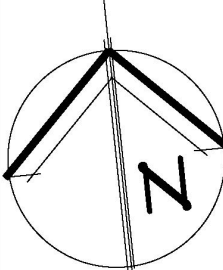


6 ROSE DRIVE  
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email: rhonda@torongadesign.com.au

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# PLANNING DRAWINGS

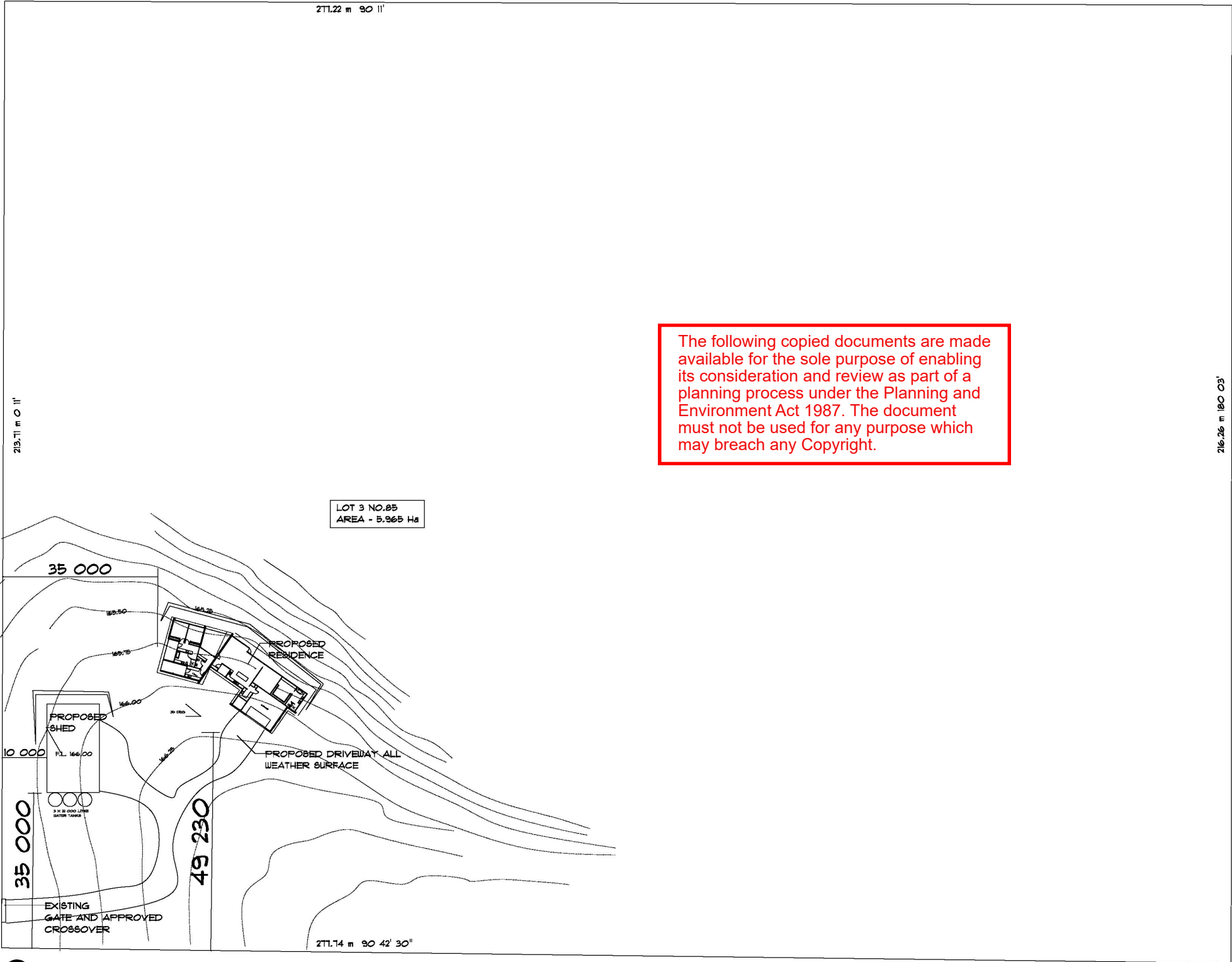
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job name: **proposed RESIDENCE for [redacted] at 85 COLLINS RD IRREWARRA**

date: <b>SEPTEMBER 2025</b>	scale:
drawn by: <b>Rhonda F Gard</b>	plot no: <b>AD DP 1717</b>
sheet no: <b>001</b>	drawing no: <b>025031</b>



COLLINS ROAD



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SITE PLAN 1:1000

**TORONGA BAYVIEW**  
design & drafting

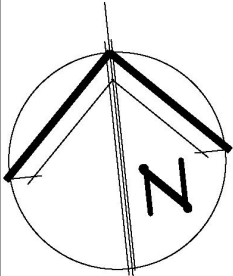
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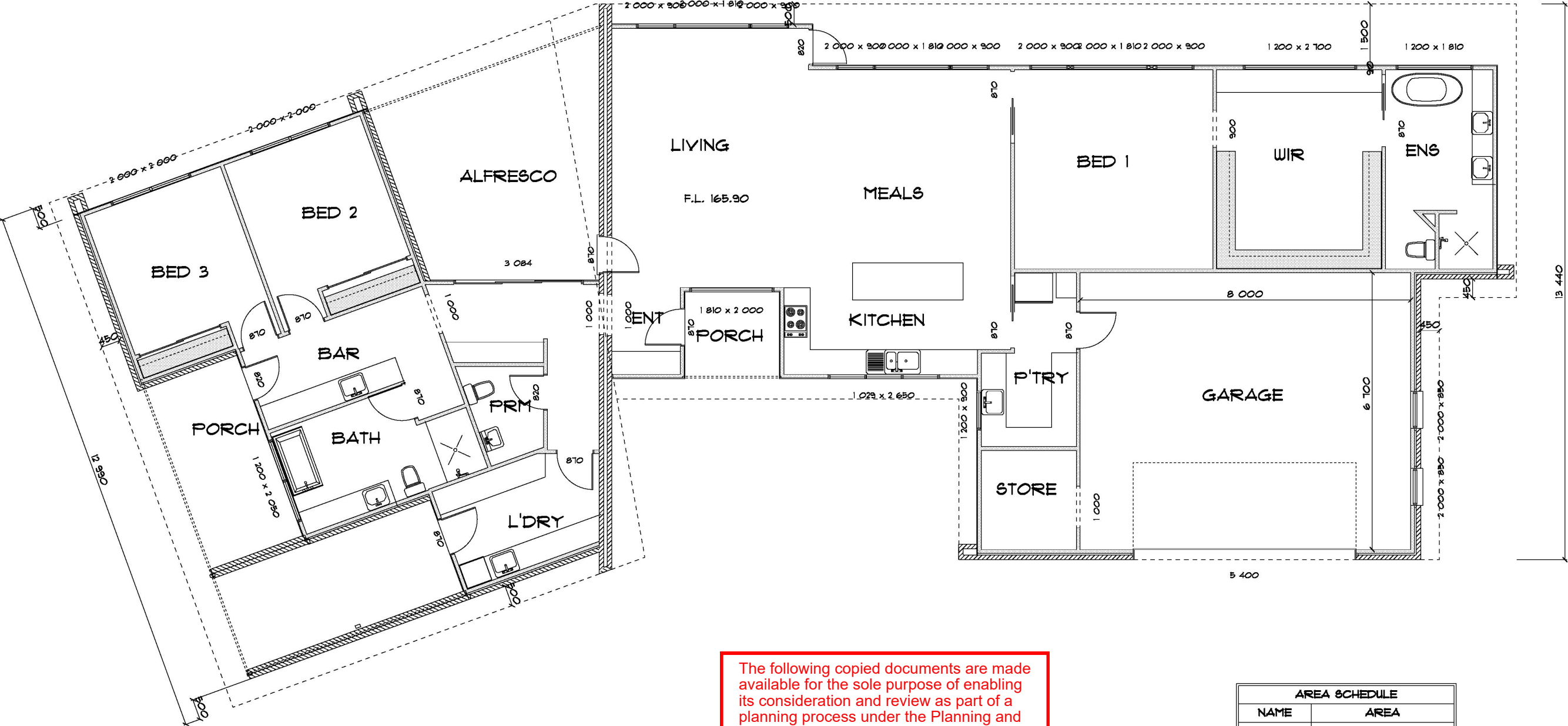
PLANNING  
DRAWINGS

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amendments:

proposed RESIDENCE for [redacted] at  
85 COLLINS RD  
IRREWARRA

date:	SEPTEMBER 2025	scale:	1:1000
drawn by:	Rhonda F Gard	map no:	AD DP 17117
sheet no:	002	drawing no:	025031



FLOOR PLAN 1:100

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AREA SCHEDULE	
NAME	AREA
RESIDENCE	231.76 Sq m. (24.93 eqs.)
GARAGE	58.71 Sq m.
PORCH/S	31.65 Sq m.
ALFRESCO	25.39 Sq m.

TORONGA

BAYVIEW

design & drafting

6 ROSE DRIVE

ELLIMINYT VIC 3250

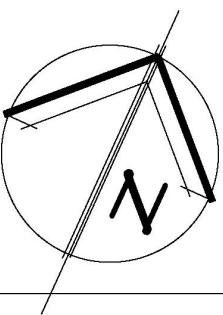
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PLANNING  
DRAWINGS

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amendments:

job name:

proposed RESIDENCE for  
[redacted] at  
85 COLLINS RD  
IRREWARRA

date:

SEPTEMBER 2025

drawn by:

Rhonda F Gard

sheet no:

003

scale:

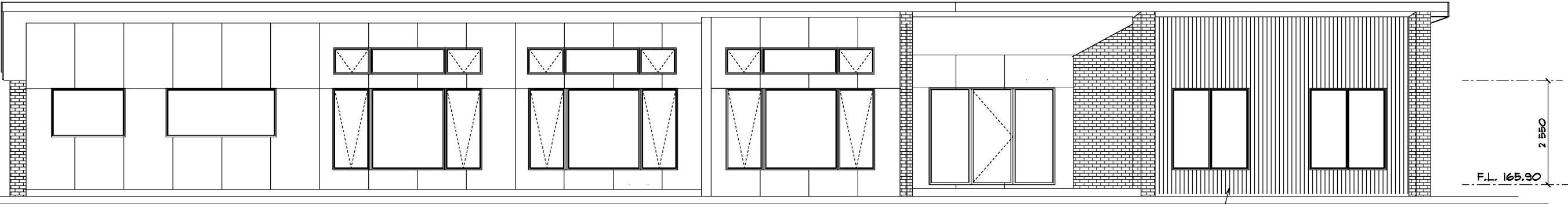
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prop no:

AD DP 1711

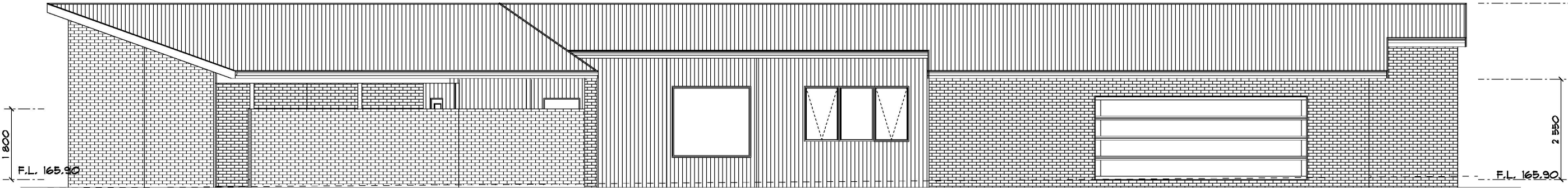
drawing no:

025031



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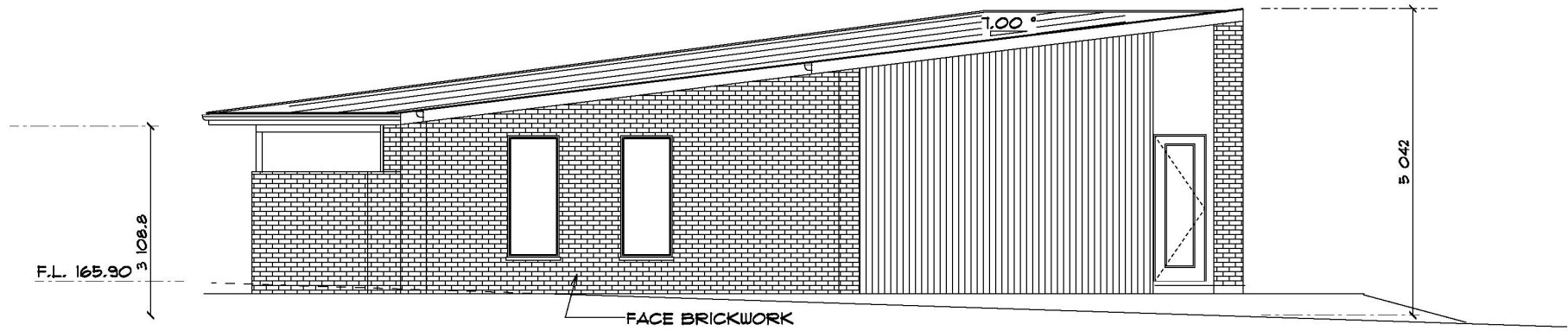
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SOUTH ELEVATION 1:100

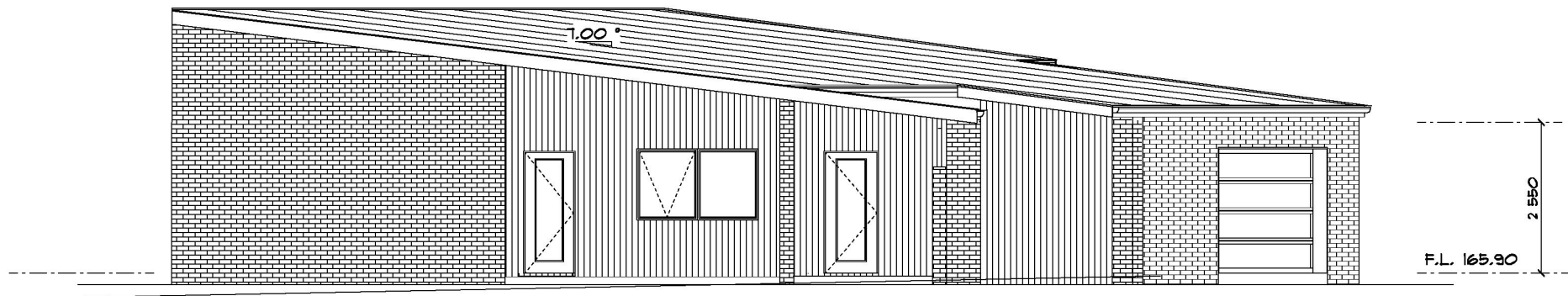
<div><div><div>TORONGA</div><div>BAYVIEW</div><div>design &amp; drafting</div></div><div><div>6 ROSE DRIVE</div><div>ELLIMINYT VIC 3250</div><div>tel: 03 52 316203    mobile: 0411 324 128</div><div>email: rhonda@torongadesign.com.au</div></div></div>	<div><div>THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF THE CONSULTANT AND MUST NOT BE RETAINED, COPIED OR USED WITHOUT THE PERMISSION OF THE AUTHOR</div><div>ALL DIMENSIONS MUST BE CHECKED ON SITE BEFORE COMMENCEMENT OF ANY WORK AND DISCREPANCIES IMMEDIATELY REPORTED TO THE CONSULTANT FOR INTERPRETATION.</div><div>THIS DRAWING IS TO BE READ INCONJUNCTION WITH THE OTHER DRAWINGS IN THIS SET AND STRUCTURAL ENGINEERS DRAWINGS. DO NOT SCALE FROM THE DRAWINGS, REFER TO GIVEN DIMENSIONS</div></div>		PLANNING DRAWINGS		amendments:	date:	scale:	
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						85 COLLINS RD IRREWARRA	drawn by:	dep no:
					sheet no:	drawing no:		
					004	025031		





EAST ELEVATION 1:100

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WEST ELEVATION 1:100

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						sheet no: 005	drawing no: 025031



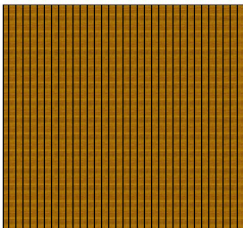
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COLORBOND  
'NIGHT SKY'



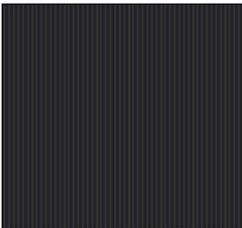
HARIDES FINE  
TEXTURE CLADDING  
PAINTED 'NIGHT SKY'



ALUMINIUM WINDOWS  
AND SLIDING GLASS DOOR  
PANEL LIFT DOOR  
'NIGHT SKY'



SILVERTOP ASH  
SHIPLAP-  
STAINED FINISH



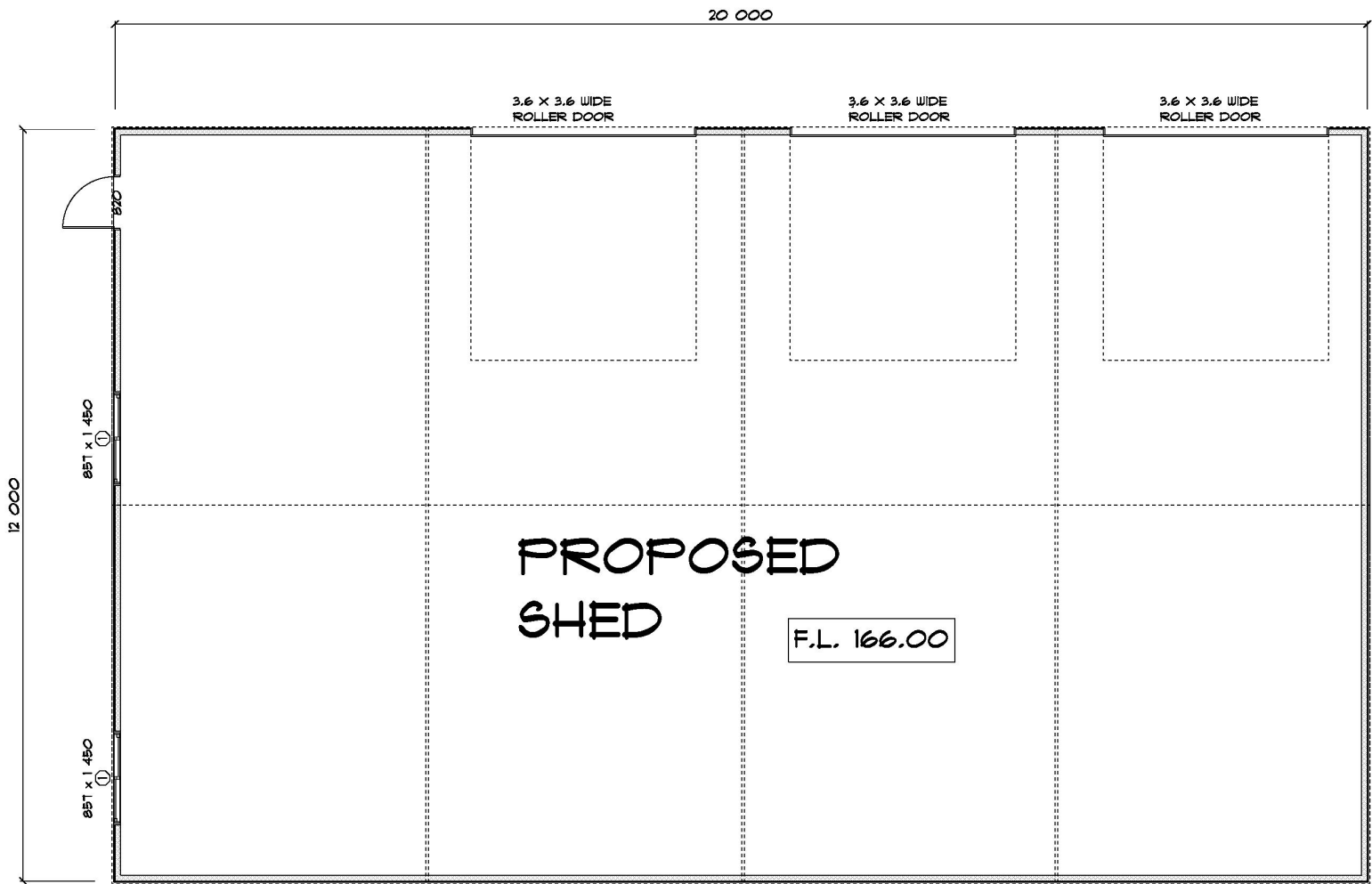
COLORBOND  
CUSTOM ORB ROOF  
SHEETING  
'NIGHT SKY'



FACE BRICKWORK  
RECYCLED RED

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					<div>drawn by: Rhonda F Gard</div>	<div>prep no: AD DP 1717</div>
					<div>sheet no: 006</div>	<div>drawing no: 025031</div>



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FLOOR PLAN 1:100

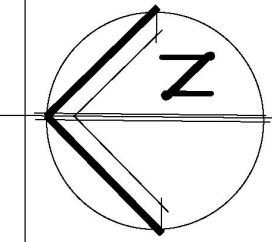
AREA SCHEDULE	
NAME	AREA
PROPOSED SHED	240.0 Sq m.



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ELLIMINYT VIC 3250  
tel: 03 52 316203 mobile: 0411 324 128  
email: ergard@bigpond.com

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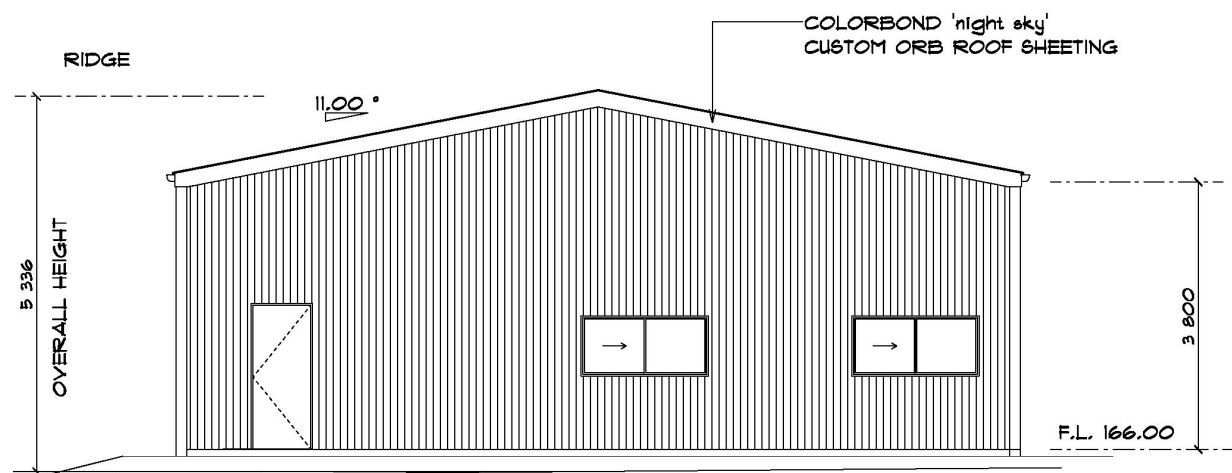
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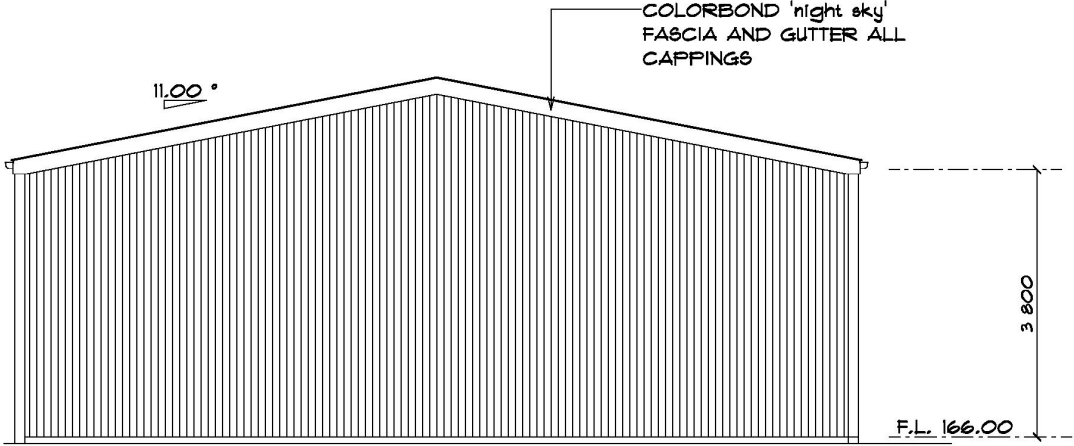
amendments:

job name: proposed RESIDENCE for [redacted] at 85 COLLINS RD IRREWARRA

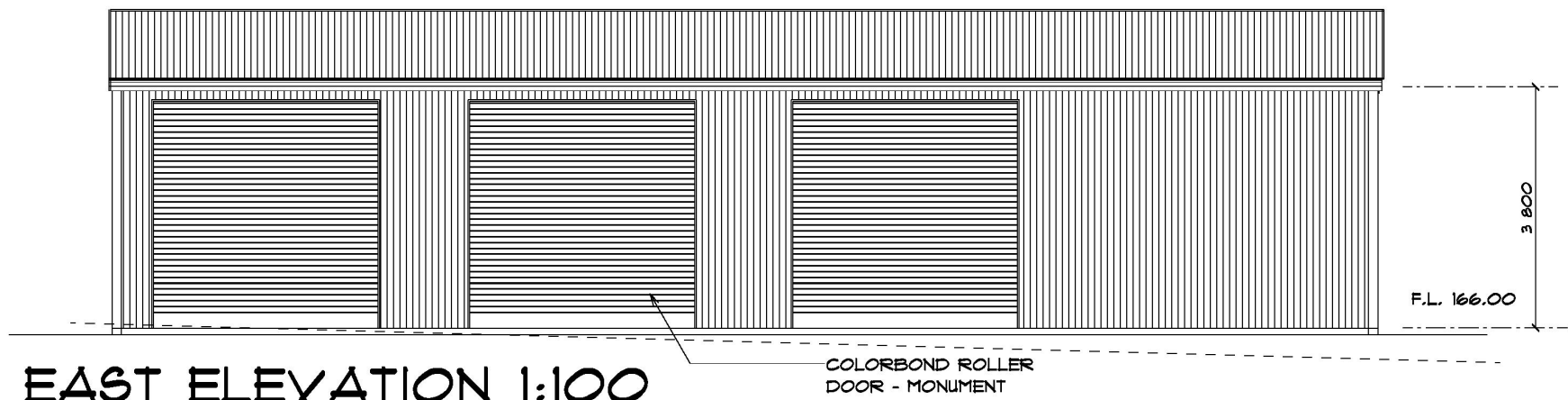
date: SEPTEMBER 2025	scale: 1:100
drawn by: Rhonda F Gard	rbp no: AD DP 1717
sheet no: 001	drawing no: 025031



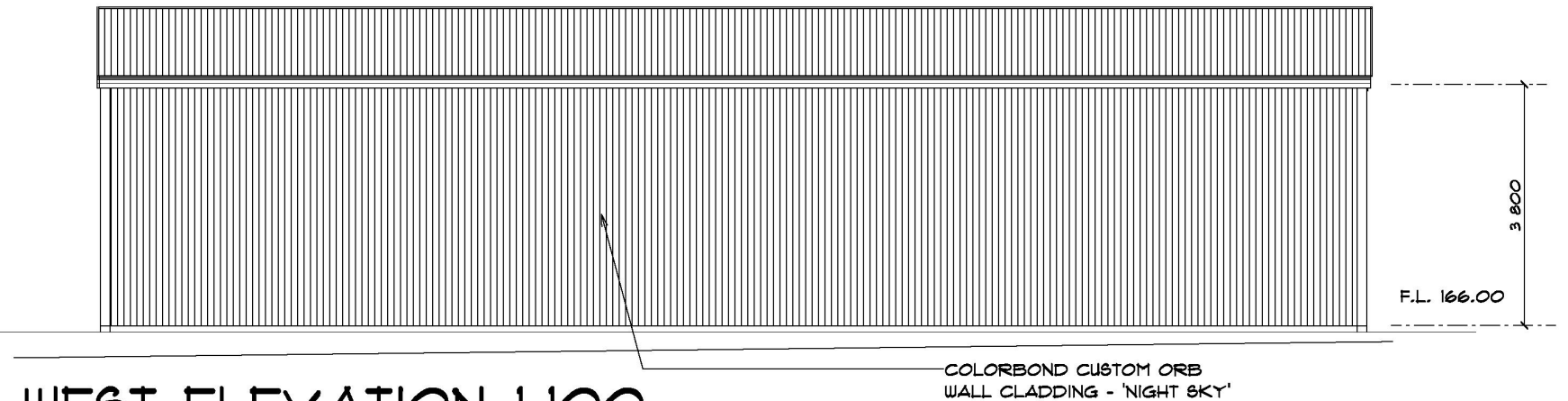
NORTH ELEVATION 1:100



SOUTH ELEVATION 1:100



EAST ELEVATION 1:100



WEST ELEVATION 1:100

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COLOR SCHEDULE:  
COLORBOND CUSTOM ORB  
WALL CLADDING, ROOFING  
FASCIA, GUTTER, ROLLER DOORS  
AND WINDOW  
'NIGHT SKY'

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