



Planning Meeting Agenda

16 September 2025 at 1pm

COPACC Meeting Rooms 1 & 2

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 16 September 2025

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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 16 September 2025 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, present and emerging.

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).

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 12 August 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.

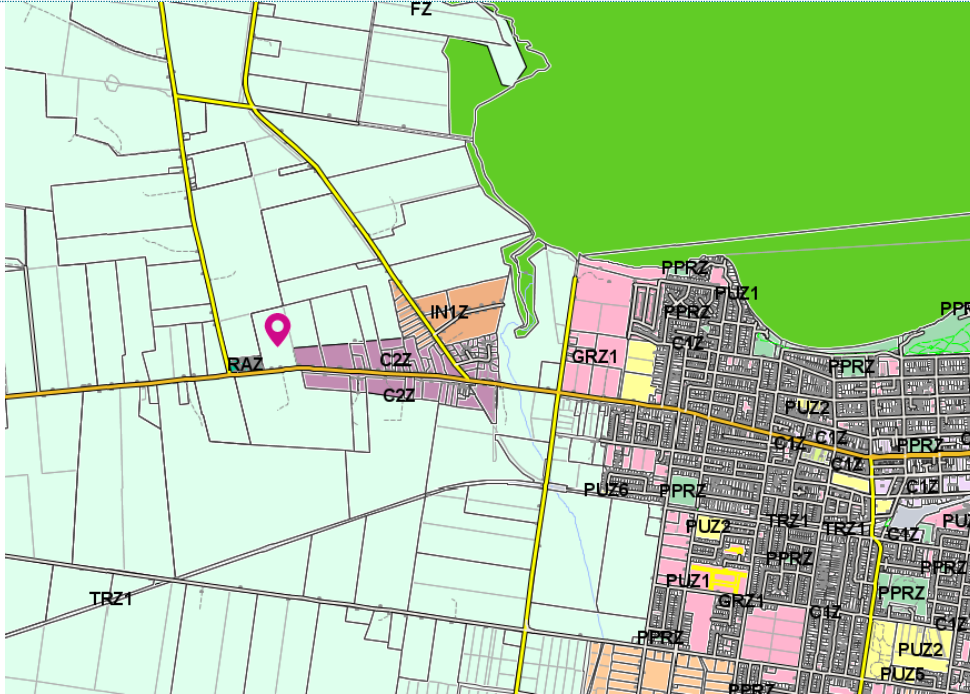
Item: 4.1

PP117/2025-1 - 470 Princes Highway COLAC WEST - Re-subdivision of Land and Creation of Access to a Road in Transport Zone 2

ADDRESS AND PROPERTY DETAILS	470 Princes Highway, Colac West Lots 1, 2 and 3 TP: 663968 V/F: 8377/650 and Lot 2 PS415425 V/F: 10420/727	APPLICATION NUMBER	PP117/2025-1
PROPOSAL	Re-Subdivision of Land and Creation of Access to a Road in a Transport Zone 2		
PERMIT TRIGGERS	<p>Clause 35.07-3 - Farming Zone – subdivision of land</p> <p>Clause 52.29 - Land Adjacent to the Principal Road Network - create or alter access to a road in a Transport Zone 2</p> <p>Clause 52.29 - Land Adjacent to the Principal Road Network - subdivision of land adjacent to a road in a Transport Zone 2</p>		
TRIGGER FOR DETERMINATION BY COMMITTEE	Subdivision of land in the Farming Zone to excise a dwelling		
ZONE	Farming Zone (FZ) – partial Adjacent to a Transport Zone 2 (TRZ2)	OVERLAYS	Nil
COVENANTS	Nil		
CULTURAL HERITAGE	N/A		
OFFICER	Julia Repusic	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		
ATTACHMENTS	<ol style="list-style-type: none"> 1. Aerial Image Showing Proposed Subdivision [4.1.1 - 1 page] 2. Plan of Subdivision [4.1.2 - 2 pages] 		

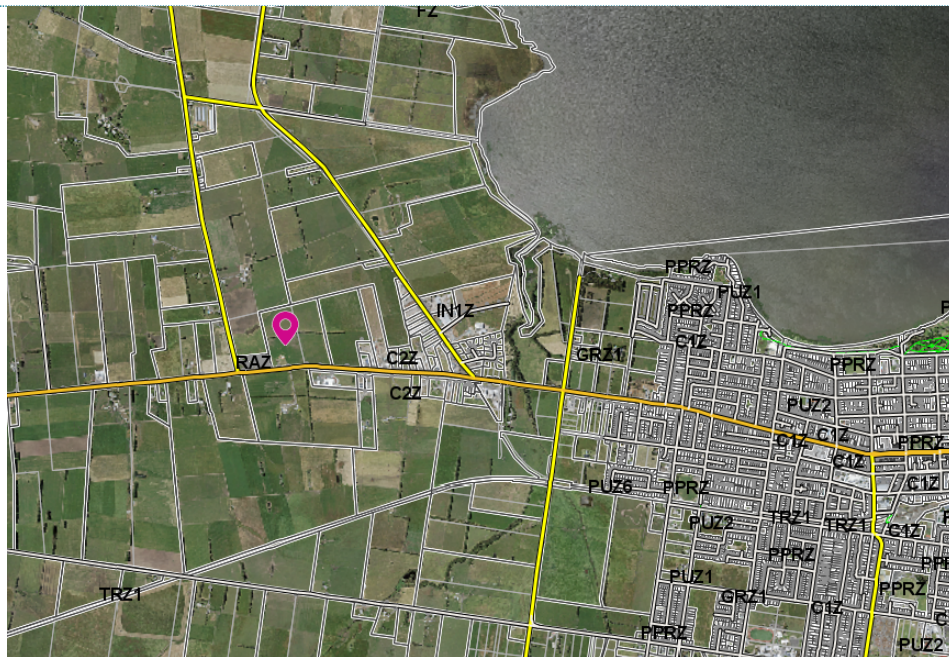
1. LOCATION PLAN / AERIAL PHOTO

LOCATION PLAN

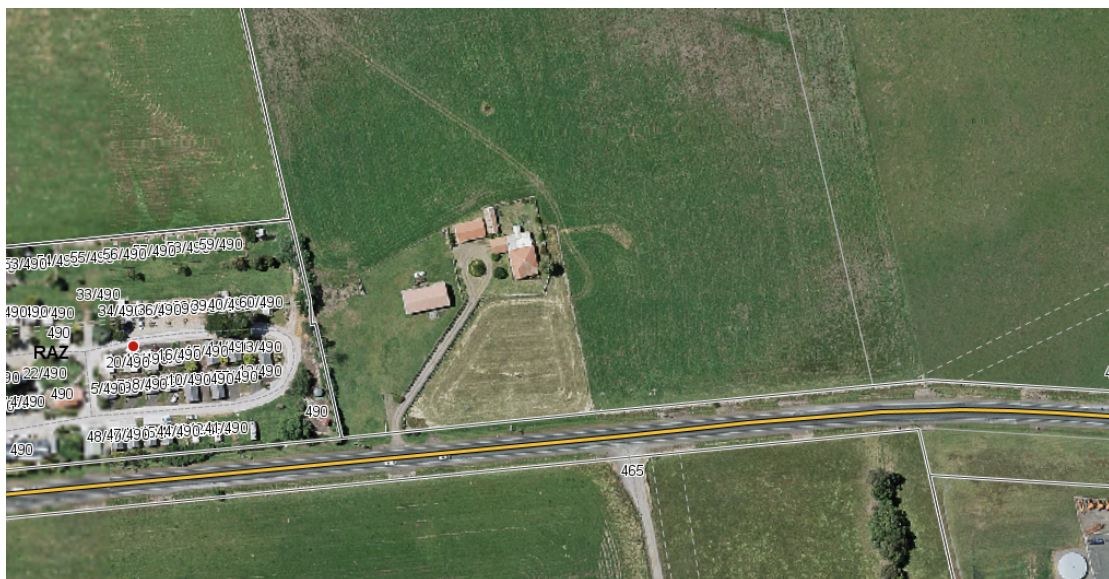


Subject property marked with pink pin

AERIAL PHOTO



Property marked with a pink pin.



Aerial image zoomed in to show dwelling at 470 Princes Highway

2. RECOMMENDATION

That the Planning Committee resolves to Grant a Permit for the re-subdivision of the land at 470 Princes Highway, Colac West (Lot 1 TP: 663968 V/F: 8377/650 Parish of Nalangil) and the creation of access to a road in a Transport Zone 2 subject to the following conditions:

Amended Plans

- 1. Prior to certification of the plan of subdivision under the Subdivision Act 1988, 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) A shared access serving Lot 1 and Lot 2, in accordance with conditions 5 and 6 of this permit.***

Endorsed Plans

- 2. 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.***

Easements

- 3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***

Consolidation

- 4. Prior to certification of the Plan of Subdivision under the Subdivision Act 1988, the existing lots forming proposed Lot 2 on the plan of subdivision endorsed under this permit (i.e., part of Lot 1 TP663968 V/F: 8377/650, Lot 2 TP663968 V/F: 8377/650 and Lot 2 PS415425 V/F: 10420/727) must be consolidated under the provisions of the Subdivision Act 1988 to the satisfaction of the Responsible Authority.***

Department of Transport conditions

- 5. Lot 1 and Lot 2 on PS929216W must share the same accessway to the Princes Highway, to the satisfaction of the Responsible Authority and the Head, Transport for Victoria.***
- 6. Prior to certification of the Plan of Subdivision under the Subdivision Act 1988, amended plans must be submitted to and approved by the Head, Transport for Victoria. The plans must be generally in accordance with the plans submitted with the application however modified to show:***
 - a) Lot 1 and Lot 2 on PS929216W must share the same accessway to the Princes Highway***
- 7. Prior to a Statement of Compliance being issued for the Plan of Subdivision, all works to comply with the approved plans from above must be constructed and maintained generally in accordance with the design of a Typical Rural Driveway***

Access to Properties (see attached drawing GD4010), to the satisfaction of the Responsible Authority and the Head, Transport for Victoria.

Servicing Authorities

- 8. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.***
- 9. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.***
- 10. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***

Expiry

- 11. 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.

3. PROPOSAL

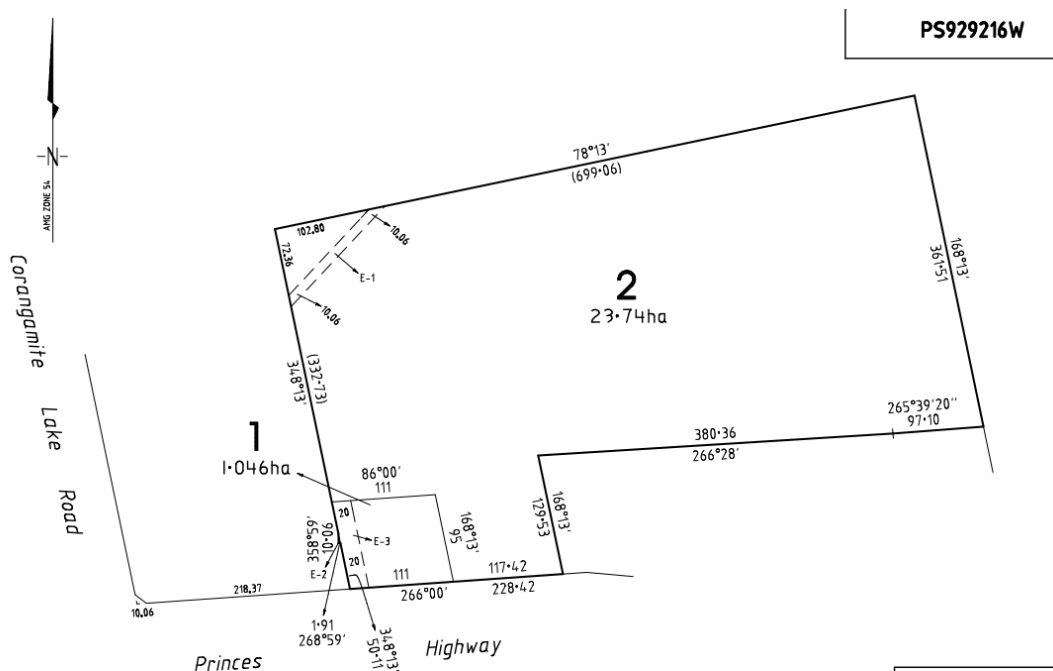
This application is for the excision of the dwelling at 470 Princes Highway from the remainder of the lot on which it is sited. It is also proposed to consolidate the balance of the lot with adjacent agricultural land, to create an agricultural holding of 23.74ha.

Corangamite Lake Road

1
1.046ha

2
23.74ha

Proposed access drive/gate location to benefit proposed Lot 1



Lot 1 TP: 663968 470 Princes Highway currently contains a dwelling, outbuildings and agricultural land.

Following the re-subdivision that forms the subject of this application proposed Lot 1, which would contain the dwelling and associated services, would have an area of 1.046ha. Proposed Lot 2 would be 8.26ha of vacant, agricultural land. This 8.26ha of agricultural land would be consolidated with land to the east in the same ownership, to form a 23.74ha agricultural landholding.

Background

This application is the last of a series of three subdivision applications relating to land at 470, 430 and 412 Princes Highway, as described below. The first two applications (PP39/2025-1 and PP69/2025-1) have been permitted under delegation and, in effect, regularised a zoning anomaly and separated land in the Farming Zone from land in the Commercial 2 Zone.

The result of the three applications would be the creation of one lot for the dwelling, one lot for the land in the Commercial 2 Zone and one agricultural lot.

First Application

PP39/2025-1 realigned the boundary of 430 Princes Highway and 412 Princes Highway, to correct an anomaly and ensure the boundary between the two lots aligned with the zone boundary.



Second Application

PP69/2025-1 separated land in the Commercial 2 Zone from land in the Farming Zone, at 430 and 470 Princes Highway.



Third (Current) Application

As noted above, the current application seeks to excise the existing dwelling and consolidate land in the Farming Zone to create a 23.74ha landholding. This application also seeks permission for the creation of access to a road in a Transport 2 Zone.



4. SUBJECT LAND & SURROUNDINGS

The subject site is situated on the northern side of the Princes Highway, west of Colac CBD.

Lot 1 TP: 663968 contains a dwelling and associated outbuildings. The dwelling has an existing crossover, which provides access to the Princes Highway. The crossover is sited approximately 21m from the western boundary of the site. The crossover is approximately 3.5m wide at the property boundary.

The remainder of the site, and land in the same ownership in the Farming Zone to the east, is used for agricultural purposes. There is a stand of vegetation in the middle of the site and a drainage line within the northwest corner of the site.

Land use surrounding the site is varied. The site itself is used for rural residential and agricultural purposes. The site to the west (490 Princes Highway), which is occupied by the Colac Caravan Park, has a number of cabins located on the site. Land to the east and southeast is in the Commercial 2 Zone, which stretches through to Deans Creek. Land uses within the Commercial 2 Zone range from industrial to manufacturing, restricted retail and storage.

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 02.03-1 (Settlement), 14.01-1S and 14.01-1L (Protection of Agricultural Land) and 15.01-3S (Subdivision).

Other relevant provisions

The Rural Land Strategy is a background document to the Colac Otway Planning Scheme. This strategy identifies the land as being of high agricultural capability and within Farmland of Strategic Significance.

Relevant Planning Scheme amendments

Nil

6. REFERRALS

Internal Referrals

The application was referred internally to the Infrastructure Department, which did not raise any objections or require any conditions to be imposed.

External Referrals

As the application proposes a new access to, and a subdivision adjacent to, the Princes Highway - which is within a Transport 2 Zone - the application was referred to the Department of Transport and Planning.

The Department of Transport and Planning raised no objection subject to conditions being included on any permit issued. These include a requirement that the two lots proposed must share the same accessway.

7. PUBLIC NOTIFICATION & RESPONSE

COMMUNICATION

Notification of the application was sent to the owners and occupiers of surrounding properties, and a notice was displayed on the site for a period of 14 days. No objections were received.

8. OFFICER'S ASSESSMENT

As noted above, this is one of a series of applications to re-subdivide land to properly reflect both the zoning of the land and current land uses. This current application seeks to excise the dwelling from Lot 2 PS929214B, with both lots being in the Farming Zone, creating two new lots.

The applicant has noted that the three-stage approach being undertaken will reduce the number of titles to a minimum appropriate to the different land uses - one for the dwelling, one for the commercial land, and one consolidated parcel for grazing land to be sold or leased to the neighbouring farm.

Whilst dwelling excisions in the Farming Zone needs to be carefully assessed, in this case it is considered reasonable to grant a permit given the associated intention to consolidate agricultural land to create a larger lot for farming purposes. Also of note is the location of the site on the Princes Highway, near other development. On balance, it is considered that the proposed outcome would be consistent with the purpose of the zone, and planning policy 14.01-1L (Protection of Agricultural Land), which seeks to ensure lots resulting from subdivision are of a sufficient size to benefit agricultural production. The proposal would

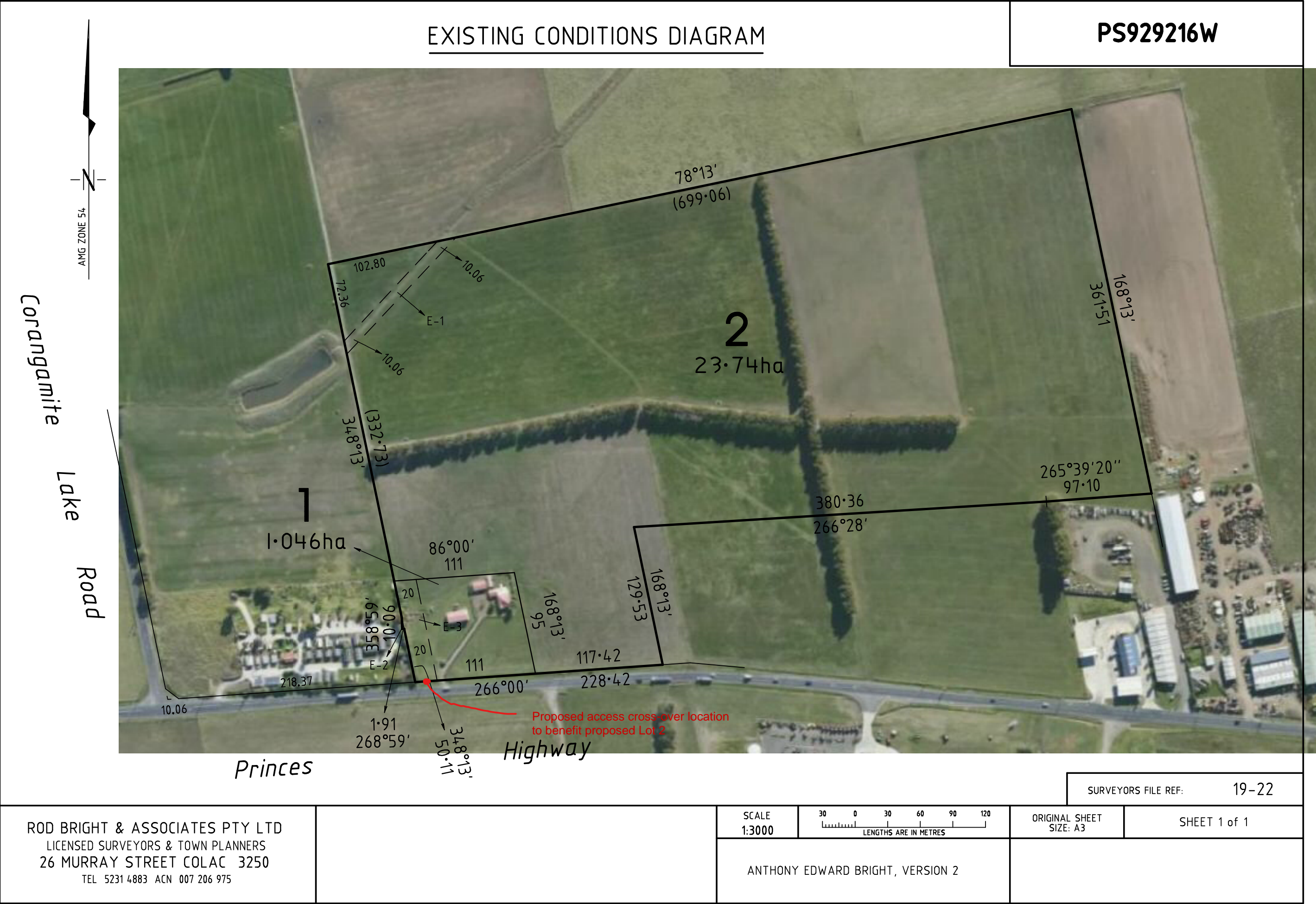
consolidate existing agricultural lots into a larger farming unit, which is beneficial from an agricultural perspective and therefore helps to justify the proposed excision of the dwelling. It is noted that, if a dwelling is proposed on the 23.74ha lot in the future, this would trigger the requirement for a planning permit as the lot would be less than the minimum size (40 hectares) at which a dwelling would be an 'as-of-right' use.

It is not considered that the excision would materially fragment land in the area, as surrounding land is already significantly fragmented and is used for a range of purposes other than farming. Land to the east is used for commercial and industrial purposes while land to the west is used as a camping ground with scattered dwellings on smaller allotments.

Given the benefit to agriculture from the creation of the 23.74ha lot, and the location of the site near other development, it is considered that a permit could reasonably be issued in this case.

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 SUBDIVISION			EDITION 1		PS929216W	
<div>LOCATION OF LAND</div> <div>PARISH: of Nalangil</div> <div>TOWNSHIP: _____</div> <div>SECTION: 16 _____</div> <div>CROWN ALLOTMENT: _____ _____</div> <div>CROWN PORTION: 3(Pt) & 4(Pt) 17(Pt)</div> <div>and Part of Former Govt Road</div> <div>TITLE REFERENCE: Vol. Fol.</div> <div>LAST PLAN REFERENCE: Lot 2 on PS929214B</div> <div>POSTAL ADDRESS: 430 & 470 Princes Highway,</div> <div>(at time of subdivision) Colac West 3250</div> <div>MGA2020 CO-ORDINATES: E: 722 100 ZONE: 54</div> <div>(of approx centre of land in plan) N: 5 754 200</div>			<div>Council Name: Colac Otway Shire</div> <div>SPEAR Reference Number: S246962M</div>			
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER		COUNCIL/BODY/PERSON				
Nil		Nil				
NOTATIONS						
DEPTH LIMITATION						
Does not apply.						
SURVEY:						
This plan is is not based on survey.						
STAGING:						
This is is not a staged subdivision.						
Planning Permit No.						
This survey has been connected to permanent marks No(s). 45						
In Proclaimed Survey Area No. _____						
EASEMENT INFORMATION						
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)						
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of		
E-1	Drain	10.06	LP9167	Lots on LP9167		
E-2	Any Easements	See Diag.	Transfer A772251	Unspecified		
E-3	Carriageway	20	This Plan	Lot 2 on this Plan		
ROD BRIGHT & ASSOCIATES PTY LTD LICENSED SURVEYORS & TOWN PLANNERS 26 MURRAY STREET COLAC 3250 TEL 5231 4883 ACN 007 206 975		SURVEYORS FILE REF: 19-22		ORIGINAL SHEET SIZE: A3	SHEET 1 OF 2 SHEETS	
		ANTHONY EDWARD BRIGHT, VERSION 2				

