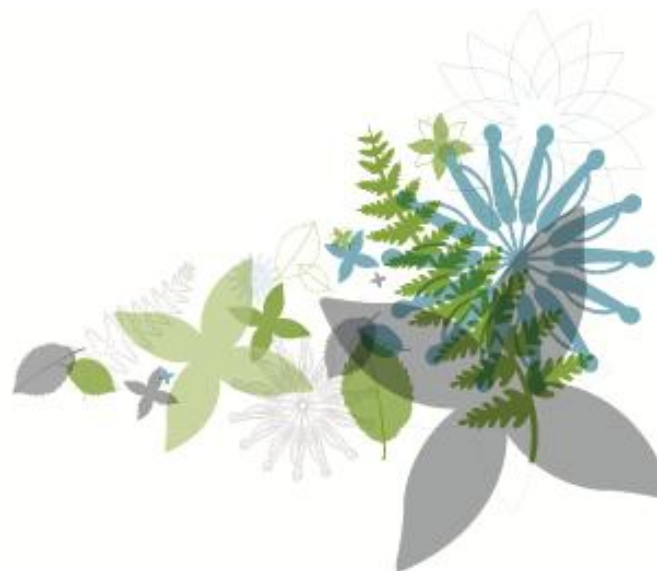




Colac Otway  
SHIRE

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

**Tuesday 8 July 2025**  
**at 1:00 PM**



# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 8 July 2025

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# COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at COPACC on Tuesday 8 July 2025 at 1:00 PM.

## MINUTES

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

#### **OPENING PRAYER**

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

AMEN

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

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past, 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](https://www.youtube.com) ).

### **3 MEETING ADMINISTRATION**

#### **3.1 Present**

Cr Phil Howard (Deputy Mayor)  
Cr Chris Potter  
Cr Zoe Hudgell  
Cr Charlie Buchanan  
Cr Mick McCrickard  
Cr Chrissy De Deugd

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

#### **3.2 Apologies**

Cr Jason Schram (Mayor)

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

##### **RESOLUTION**

***Moved Cr Potter, Seconded Cr McCrickard***

***That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 13 May 2025.***

***CARRIED 6 : 0***

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

Nil.

Item: 4.1

## PP226/2024-1 - 25 Whytcross Lane Birregurra - Use and development of the land for a dwelling

<b>ADDRESS AND PROPERTY DETAILS</b>	25 Whytcross Lane BIRREGURRA Lot 1 TP: 17242 V/F: 10516/697 Parish of Birregurra	<b>APPLICATION NUMBER</b>	PP226/2024-1
<b>PROPOSAL</b>	Use and development of the land for a dwelling		
<b>PERMIT TRIGGERS</b>	Clause 35.07-1 - use of land for a dwelling in the Farming Zone Clause 35.07-4 – construction of a dwelling and associated works in the Farming Zone		
<b>TRIGGER FOR DETERMINATION BY COMMITTEE</b>	An application for a dwelling in the Farming Zone		
<b>ZONE</b>	Farming Zone	<b>OVERLAYS</b>	Part Land Subject to Inundation Overlay (LSIO1) - 41.02%
<b>COVENANTS</b>	None		
<b>CULTURAL HERITAGE</b>	The site within an area of cultural heritage sensitivity; however, the proposal is not defined as 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>Proposed Site Layout [4.1.1 - 1 page]</li> <li>Dwelling Plans [4.1.2 - 5 pages]</li> <li>Planning Report [4.1.3 - 8 pages]</li> <li>Farm Management Plan [4.1.4 - 23 pages]</li> </ol>		

Consideration of this application was deferred at the Council meeting held on 24 June 2025, to allow Councillors to undertake a site visit before determining the application. That site visit took place on 4 July.

## **RESOLUTION**

*Moved Cr Buchanan, Seconded Cr Hudgell*

*That Council resolves to Grant a Permit for the use and development of a dwelling at 25 Whytcross Lane, Birregurra (Lot 1 TP17242 V/F: 10516/697 Parish of Birregurra), 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. Prior to the commencement of the use of the dwelling hereby permitted, the following must be provided to the satisfaction of the Responsible Authority:***
  - a) Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.***
  - b) The dwelling must be connected to a reticulated sewerage system or if 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.***
  - c) 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.***
  - d) The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

### ***Access***

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

### ***Stormwater***

- 5. 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.***
- 6. 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**

- 7. 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.**
- 8. All works and development associated with this permit must be carried in accordance with the Land Capability Assessment produced by EnProve AG & Environment (dated 12 February 2025) unless otherwise agreed in writing by the Responsible Authority. A reserve land application area must be provided where trench or bed systems are installed.**

#### **No Gas Connection**

- 9. 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.**

#### **Landscaping**

- 10. Prior to commencement of the development, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan, which must be generally in accordance with 'Map 2: Farm Map' and 'Map 3: Proposed Property Layout' in the submitted Farm Management Plan prepared by EnProve Ag and Environment, must be drawn to scale with dimensions and must show:**
  - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed.**
  - b) buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.**
  - c) a planting schedule of all proposed trees, shrubs and ground covers, including details of the "revegetation" shown on Map 2 and Map 3 in the submitted Farm Management Plan. The planting schedule must include botanical names, common names, sizes at maturity, and quantities of each plant.**
  - d) landscaping and planting to mitigate the impact of the dwelling from public vantage points.**
  - e) details of surface finishes of pathways and driveways.**

**All species selected must be to the satisfaction of the Responsible Authority.**

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

#### **Expiry**

- 12. This permit will expire if one of the following circumstances applies:**

- a) *The development has not commenced within two years of the date of this permit.*
- b) *The development is not completed and the use has not commenced within four years of the date of this permit.*

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

#### **Notes**

1. *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. *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.*

**CARRIED 5 : 1**

<i>For</i>	<i>Against</i>
<i>Cr Buchanan</i>	<i>Cr Potter</i>
<i>Cr Hudgell</i>	
<i>Cr McCrickard</i>	
<i>Cr De Deugd</i>	
<i>Cr Howard</i>	



*The meeting was declared closed at 1.09pm*

**CONFIRMED AND SIGNED** at the meeting held on 12 August 2025.

.....**MAYOR**