

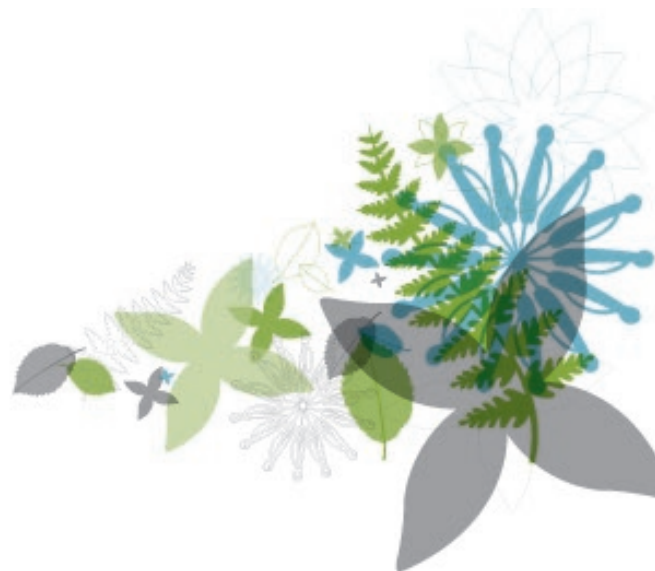


Colac Otway
SHIRE

PLANNING COMMITTEE MEETING
MINUTES

Tuesday 8 April 2025
at 1:00 PM

UNCONFIRMED



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 8 April 2025

TABLE OF CONTENTS

1 Declaration of Opening of Meeting	3
2 Welcome and Acknowledgement of Country	3
3 Meeting Administration	4
3.1 Present	4
3.2 Apologies	4
3.3 Confirmation of Minutes	4
3.4 Declarations of Interest	4
4 Officer Planning Reports	5
4.1 PP28/2025 - 185 Dunlops Road Birregurra - Use and Development of a Replacement Dwelling and Associated Works	5
4.2 PP26/2024-2 - 185 Wickhams Road, Murroon - Construction of Replacement Dwelling, Vegetation Removal and Associated Works	9
4.3 PP380/2021-3 - 6150 Great Ocean Road Apollo Bay - Use and Development of a Dwelling Including Outbuilding, Associated Works Including Retaining Walls and Creation of Access to a Road in Transport Zone 2	21
4.4 PP8/2025-1 - 600 Carlisle Road, Irrewillipe East – Construction of Replacement Dwelling	27
4.5 PP56/2024-1 - 5650 Great Ocean Road WONGARRA – Use and Development of a Dwelling Including Associated Works and Vegetation Removal	30

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 April 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).

3 MEETING ADMINISTRATION

3.1 Present

Cr Jason Schram (Mayor)
Cr Phil Howard (Deputy Mayor)
Cr Chris Potter
Cr Zoe Hudgell
Cr Charlie Buchanan
Cr Mick McCrickard

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

3.2 Apologies

Anne Howard, Chief Executive Officer
Cr Chrissy De Deugd

3.3 Confirmation of Minutes

RESOLUTION

Moved Cr Hudgell, Seconded Cr McCrickard

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

CARRIED 6 : 0

3.4 Declarations of Interest

Nil.

Item: 4.1

PP28/2025 - 185 Dunlops Road Birregurra - Use and Development of a Replacement Dwelling and Associated Works

ADDRESS AND PROPERTY DETAILS	185 Dunlops Road, Birregurra Lot 1 PS523189 V/F: 10806/650 Parish of Yeo	APPLICATION NUMBER	PP28/2025-1
PROPOSAL	Use and Development of Replacement Dwelling and Associated Works		
PERMIT TRIGGERS	Clause 35.07-2 – Use of Land for a Dwelling – FZ Clause 35.07-4 – Buildings and Works – FZ		
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Farming Zone		
ZONE	Farming Zone	OVERLAYS	Nil
COVENANTS	Section 173 Agreement - AC781233C 5/4/2004 - relating to future subdivision of the land and to land management.		
CULTURAL HERITAGE	N/A		
OFFICER	Helen Evans	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		
ATTACHMENTS	Application Plans		

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That the Planning Committee resolves to Grant a Permit for the Use and Development of a Replacement Dwelling and Associated Works at 185 Dunlops Road, Birregurra (Lot 1 PS523189 V/F 10806/650 Parish of Yeo), 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 use of the replacement 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 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.***
 - 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 firefighting purposes.***
 - d) The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

Removal of Existing Dwelling

- 3. *Prior to the commencement of the use of the replacement dwelling hereby permitted, the existing dwelling must be demolished, and removed in its entirety from the land , to the satisfaction of the Responsible Authority.***

Construction Management Plan

- 4. *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 Construction Management Plan must include, but not be limited to:***
 - a) Details of hours of construction.***

- b) *Details of the construction program and traffic management details.*
 - c) *Details of methods to contain runoff, sedimentation, dust and mud within the land, and of the method and frequency of clean up procedures to ensure the road reserves are kept safe and clean, and of how litter, concrete, and other construction waste will be managed and disposed of including how chemical contamination on site will be managed.*
 - d) *Details of how a chemical contamination on site will be managed.*
 - e) *Details of a liaison officer for contact by residents and the Responsible Authority in the event queries or problems are experienced.*
5. *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.*

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. *The design, installation or alteration of any wastewater disposal system for any building on the land must comply with EPA Guideline for Onsite Wastewater Management' (May 2024), to the satisfaction of the Responsible Authority.*

Expiry

8. *This permit will expire if one of the following circumstances applies:*
- a) *The development is 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 proposed demolition and development.***
- 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 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 updated or amended at the wastewater permit application stage.***

CARRIED 6 : 0

Item: 4.2

PP26/2024-2 - 185 Wickhams Road, Murroon - Construction of Replacement Dwelling, Vegetation Removal and Associated Works

ADDRESS AND PROPERTY DETAILS	185 Wickhams Road MURROON PC: 159278 V/F: 9649/934 Parish of Murroon	APPLICATION NUMBER	PP26/2024-2
PROPOSAL	Construction of Replacement Dwelling, Vegetation Removal and Associated Works (Amendment Application)		
PERMIT TRIGGERS	<p>Clause 35.07-4 – Buildings and Works – FZ (including works to create detached garage, due to setback from road)</p> <p>Clause 42.01-2 – Buildings and Works – ESO3</p> <p>Clause 44.01-2 – Buildings and Works, and Vegetation Removal – EMO1</p> <p>Clause 44.06-2 – Buildings and Works – BMO</p>		
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Farming Zone		
ZONE	Farming Zone	OVERLAYS	<p>Environmental Significance Overlay, Schedule 3 (ESO3) – Declared Water Supply Catchments – 100%</p> <p>Erosion Management Overlay, Schedule 1 (EMO1) – 100%</p> <p>Bushfire Management Overlay (BMO) – 90.22%</p>
COVENANTS	N/A		

**CULTURAL
HERITAGE**

N/A

OFFICER

Ian Williams

**GENERAL
MANAGER**

Ian Seuren

DIVISION

Community and Economy

ATTACHMENTS

1. Plans [4.2.1 - 9 pages]

RECOMMENDATION

That the Planning Committee:

RECOMMENDATION A

Resolves to Grant a Permit for the Construction of a Replacement Dwelling, Vegetation Removal and Associated Works at 185 Wickhams Road MURROON (PC: 159278 V/F: 9649/934 Parish of Murroon), subject to the following conditions:

Endorsed Plans

1. ***The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
2. ***The removal of vegetation must be in accordance with the endorsed plans to the satisfaction of the Responsible Authority, unless otherwise exempt from the requirement for a planning permit under the Colac Otway Planning Scheme.***

Dwelling Infrastructure

3. ***Prior to the initial occupation of the replacement 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 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.***
 - 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 firefighting purposes.***

- d) *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

Removal of Existing Dwelling

4. *The existing dwelling must not be occupied after use of the replacement dwelling hereby permitted commences. The existing dwelling, including the car port but excluding the existing garage which may be retained and altered as shown on the endorsed plans, must be removed from the land within sixty days of occupation of the replacement dwelling hereby permitted to the satisfaction of the Responsible Authority.*

Compliance with Geotechnical Assessment

5. *The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment produced by Provincial Geotechnical Pty. Ltd. (Reference 22235L v3, dated 21 March 2024) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.*

Stormwater

6. *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.*
7. *During construction works, 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) to the satisfaction of the Responsible Authority.*

Wastewater

8. *A domestic wastewater management system must be constructed concurrently with the replacement 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.*
9. *All works and development associated with this permit must be carried in accordance with the Land Capability Assessment produced by Provincial Geotechnical Pty. Ltd. (Ref. No. 22234L, dated 1/2/2024 and revised 23/2/2024) unless otherwise agreed in writing by the Responsible Authority.*

Barwon Water conditions

10. *The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:*

- i) **Wastewater treatment is to achieve a minimum water quality standard of 20mg/L BOD, 30mg/L SS, i.e. secondary treatment, via an EPA approved all-wastewater treatment system.**
- ii) **Effluent disposal must be designed and installed by a wastewater irrigation expert in accordance with the EPA's Code of Practice – Onsite Wastewater Management, 2016 Publication 891.4 (as updated or replaced) and the relevant Australian Standard(s) and to the satisfaction of Colac Otway Shire Environmental Health Officer.**
- iii) **All components of the wastewater management system including the effluent disposal area must be located at least 50m from any surface waterway and 30m from any dam.**
- iv) **All stormwater must be directed away from the effluent disposal area and roof stormwater must not be disposed to the effluent disposal area.**
- v) **Monitoring, Operation and Maintenance must be undertaken in accordance with the EPA's Code of Practice – Onsite Wastewater Management, 2016 Publication 891.4 (as updated or replaced) and the relevant Australian Standard(s) and to the satisfaction of Colac Otway Shire Environmental Health Officer.**
- vi) **The effluent disposal field must be protected by being isolated from any building, driveway, livestock, and vehicles.**
- vii) **The existing wastewater management system must be decommissioned to the satisfaction of Colac Otway Shire Environmental Health Officer Prior to a certificate of occupancy being issued for the replacement dwelling.**
- viii) **Sediment control measures as outlined in the EPA's publication No. 275 Sediment Pollution Control shall be employed during the demolition of the existing dwelling, vegetation clearing and construction of the replacement dwelling and maintained until all disturbed areas have regenerated.**
- ix) **A minimum 10 metre wide buffer strip of riparian/native vegetation must be established and maintained either side of the drainage line located on the property. The buffer strip must be fenced off to prevent stock access. A plan detailing the location and type of fencing and native vegetation planting must be submitted to and approved by Barwon Water. The approved plan must be implemented within 2 years of the permit being issued.**
- x) **Prior to a certificate of occupancy being issued for the replacement dwelling the owner must enter into an agreement with the Responsible Authority and Barwon Water in accordance with Section 173 of the Planning and Environment Act 1987 requiring that:**
 - a) **The Owner is to enter into a service contract to have any wastewater treatment facility and effluent disposal system for the dwelling inspected and maintained in accordance with the EPA Certificate of Approval for the installed system.**

- b) *The Owner must provide to Barwon Water and the Responsible Authority an annual report on the condition and operation of the wastewater treatment system which documents the effluent quality achieved and provides laboratory, inspection and maintenance reports for the preceding 12 months.*
- c) *The Owner shall have the wastewater treatment facility desludged at least once every 3 years or as otherwise determined by Council's Environmental Health Officer. Evidence of this desludging shall be provided in the annual report referred to in Clause (b) herein.*
- d) *The Owner shall carry out any works considered necessary by the service contractor to ensure the satisfactory operation of the wastewater treatment facility and effluent disposal system.*
- e) *The Owner will maintain all drainage lines at all times to divert surface water and subsurface water clear of the effluent disposal field.*
- f) *The Owner and the Responsible Authority agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant to Section 181 of the Planning and Environment Act 1987.*
- g) *The Owner shall meet all costs of inspections, reports and works referred to in Clauses (a), (b), (c), (d), and (e) herein and all costs of the Responsible Authority in relation to stamping and registration of this Agreement.*
- h) *The Owner shall not sell or enter into any contract to sell the land until this Agreement has been registered pursuant to Clause (f) herein.*

11. *Barwon Water require the Section 173 to be signed by the Authorised Officer and to state the following:*

Signed, sealed, and delivered on behalf of the Barwon Water by the authorised officers under an instrument of delegation dated _____ date:

CFA conditions

12. *The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*

Endorsement of the Bushfire Management Plan

13. *Before development starts, the Bushfire Management Plan prepared by South Coast Bushfire Consultants, Ref: 2023-166, Version 1, dated 1 September 2023 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.*

Expiry

14. 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 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 replacement dwelling and for the alterations to the existing building to create a detached garage. Approval of the demolition of the existing dwelling will also be required before demolition works commence.**
- 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 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 at the wastewater permit application stage. Secondary treatment may be requested by the water authorities, as the location is within a declared water supply catchment.**

Barwon Water

- 5. The applicant is encouraged to contact the local Landcare Network or Corangamite Catchment Management Authority to enquire about grant funding that may be available to complete the fencing and native vegetation planting required to protect the drainage line/waterway on the property. Should you require any further information please contact, Asset Systems & Environment at 55-67 Ryrie Street, Geelong. Ph: 1300 656 007.**

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of Responsible authority that approved the amendment</i>	<i>Section of the Act under which the permit has been amended</i>
08/04/2025	<ul style="list-style-type: none">• <i>Preamble amended</i>• <i>Amended plans endorsed, with minor changes to footprint and previously retained garage replaced by shed.</i>• <i>Condition 8 updated.</i>• <i>Typographical error corrected in Note 4.</i>	Colac Otway Shire Council	Section 74

RECOMMENDATION B

Authorises officers to amend the Barwon Water conditions cited above should amended or updated conditions be received from that statutory authority prior to the decision being issued after the Planning Committee meeting, and also to make any consequential changes to the table of amendments.

RESOLUTION

Moved Cr Potter, Seconded Cr McCrickard

That the Planning Committee resolves to grant a permit for the construction of a replacement dwelling, vegetation removal and associated works at 185 Wickhams Road, Murroon (PC: 159278 V/F: 9649/934 Parish of Murroon), subject to the following conditions:

Endorsed Plans

- 1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.*
- 2. The removal of vegetation must be in accordance with the endorsed plans to the satisfaction of the Responsible Authority, unless otherwise exempt from the requirement for a planning permit under the Colac Otway Planning Scheme.*

Dwelling Infrastructure

- 3. Prior to the initial occupation of the replacement 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 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.

- 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 firefighting purposes.***
- d) The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

Removal of Existing Dwelling

- 4. The existing dwelling must not be occupied after use of the replacement dwelling hereby permitted commences. The existing dwelling, including the car port, must be removed from the land within sixty days of occupation of the replacement dwelling hereby permitted to the satisfaction of the Responsible Authority.***

Compliance with Geotechnical Assessment

- 5. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment produced by Provincial Geotechnical Pty. Ltd. (Reference 22235L v3, dated 21 March 2024) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

Stormwater

- 6. 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.***
- 7. During construction works, 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) to the satisfaction of the Responsible Authority.***

Wastewater

- 8. A domestic wastewater management system must be constructed concurrently with the replacement 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.***
- 9. All works and development associated with this permit must be carried in accordance with the Land Capability Assessment produced by Provincial Geotechnical Pty. Ltd. (Ref. No. 22234L, dated 1/2/2024 and revised 23/2/2024) unless otherwise agreed in writing by the Responsible Authority.***

Barwon Water conditions

10. The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:

- i) Sewage, sullage and other liquid wastes from the development must be treated to a minimum standard of 20mg/L BOD, 30mg/L TSS, and 10 cfu/100mL E.coli and retained onsite in accordance with the EPA 'Guideline for onsite wastewater management' (May 2024 as updated or replaced) (OWMS guidance); EPA Guideline for effluent dispersal and recycling systems' (May 2024 as updated or replaced) (ERDS guidance); and the relevant Australian Standards and to the satisfaction of the Colac Otway Shire Environmental Health Officer.**
- ii) Effluent disposal must be designed and installed by a wastewater irrigation expert in accordance with the EPA 'Guideline for onsite wastewater management' (May 2024 as updated or replaced), EPA 'Guideline for effluent dispersal and recycling systems' (May 2024 as updated or replaced) and the relevant Australian Standard(s) and to the satisfaction of Colac Otway Shire Environmental Health Officer.**
- iii) All components of the wastewater management system including the effluent disposal area must be located at least 50m from any surface waterway and 30m from any dam.**
- iv) All stormwater must be directed away from the effluent disposal area and roof stormwater must not be disposed to the effluent disposal area.**
- v) Monitoring, Operation and Maintenance must be undertaken in accordance with the EPA 'Guideline for onsite wastewater management' (May 2024 as updated or replaced), EPA 'Guideline for effluent dispersal and recycling systems' (May 2024 as updated or replaced) and the relevant Australian Standard(s) and to the satisfaction of Colac Otway Shire Environmental Health Officer.**
- vi) The effluent disposal field must be protected by being isolated from any building, driveway, livestock, and vehicles.**
- vii) The existing wastewater management system must be decommissioned to the satisfaction of Colac Otway Shire Environmental Health Officer Prior to a certificate of occupancy being issued for the replacement dwelling.**
- viii) Sediment control measures as outlined in the EPA 'Construction-guide to preventing harm to people and the environment' (publication 1820.1 June 2021) shall be employed during the demolition of the existing dwelling, garage, vegetation clearing and construction of the replacement dwelling and garage and maintained until all disturbed areas have regenerated.**
- ix) A minimum 10 metre wide buffer strip of riparian/native vegetation must be established and maintained either side of the drainage line located on the property. The buffer strip must be fenced off to prevent stock access. A plan detailing the location and type of fencing and native vegetation planting must be submitted to and approved by Barwon Water. The**

approved plan must be implemented within 2 years of the permit being issued.

- x) Prior to a certificate of occupancy being issued for the replacement dwelling the owner must enter into an agreement with the Responsible Authority and Barwon Water in accordance with Section 173 of the Planning and Environment Act 1987 requiring that:**
- a) The Owner is to enter into a service contract to have any wastewater treatment facility and effluent disposal system for the dwelling inspected and maintained in accordance with the EPA Certificate of Approval for the installed system.**
 - b) The Owner must provide to Barwon Water and the Responsible Authority an annual report on the condition and operation of the wastewater treatment system which documents the effluent quality achieved and provides laboratory, inspection and maintenance reports for the preceding 12 months.**
 - c) The Owner shall have the wastewater treatment facility desludged at least once every 3 years or as otherwise determined by Council's Environmental Health Officer. Evidence of this desludging shall be provided in the annual report referred to in Clause (b) herein.**
 - d) The Owner shall carry out any works considered necessary by the service contractor to ensure the satisfactory operation of the wastewater treatment facility and effluent disposal system.**
 - e) The Owner will maintain all drainage lines at all times to divert surface water and subsurface water clear of the effluent disposal field.**
 - f) The Owner and the Responsible Authority agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant to Section 181 of the Planning and Environment Act 1987.**
 - g) The Owner shall meet all costs of inspections, reports and works referred to in Clauses (a), (b), (c), (d), and (e) herein and all costs of the Responsible Authority in relation to stamping and registration of this Agreement.**
 - h) The Owner shall not sell or enter into any contract to sell the land until this Agreement has been registered pursuant to Clause (f) herein.**

- 11. Barwon Water require the Section 173 to be signed by the Authorised Officer and to state the following:**

Signed, sealed, and delivered on behalf of the Barwon Water by the authorised officers under an instrument of delegation dated _____ date:

CFA conditions

- 12. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the**

responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Endorsement of the Bushfire Management Plan

- 13. Before development starts, the Bushfire Management Plan prepared by South Coast Bushfire Consultants, Ref: 2023-166, Version 1, dated 1 September 2023 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.**

Expiry

- 14. 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 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 replacement dwelling and for the alterations to the existing building to create a detached garage. Approval of the demolition of the existing dwelling will also be required before demolition works commence.**
- 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 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 at the wastewater permit application stage. Secondary treatment may be requested by the water authorities, as the location is within a declared water supply catchment.**

Barwon Water

5. The applicant is encouraged to contact the local Landcare Network or Corangamite Catchment Management Authority to enquire about grant funding that may be available to complete the fencing and native vegetation planting required to protect the drainage line/waterway on the property. Should you require any further information please contact, Catchment & Waterways Team at 55-67 Ryrie Street Geelong Ph: 1300 656 007.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of Responsible authority that approved the amendment	Section of the Act under which the permit has been amended
08/04/2025	<ul style="list-style-type: none">• Preamble amended• Amended plans endorsed, with minor changes to footprint and previously retained garage replaced by shed.• Condition 4 amended to delete reference to garage retention.• Conditions 8 and 10 updated to reference current guidance and standards.• Typographical error corrected in Note 4.	Colac Otway Shire Council	Section 74

CARRIED 6 : 0

Item: 4.3

**PP380/2021-3 - 6150 Great Ocean Road Apollo Bay -
Use and Development of a Dwelling Including
Outbuilding, Associated Works Including Retaining
Walls and Creation of Access to a Road in Transport
Zone 2**

ADDRESS AND PROPERTY DETAILS	6150 Great Ocean Road, Apollo Bay Lot 1 TP 573434 V/F 8627/189 Parish of Krambruk	APPLICATION NUMBER	PP380/2021-3
PROPOSAL	Use and Development of a Dwelling Including Outbuilding, Associated Works Including Retaining Walls and Creation of Access to a Road in Transport Zone 2 (Amendment Application)		
PERMIT TRIGGERS	<p>RCZ - Clause 35.06-1 – use of the land for a dwelling.</p> <p>RCZ - 35.06-5 – construction of a dwelling and outbuilding; buildings and works within 100m of a dwelling not in the same ownership; buildings and works within 100m of a waterway.</p> <p>SLO3 – Clause 42.03-2 – buildings and works associated with the dwelling.</p> <p>SLO5 – Clause 42.03-2 – buildings and works associated with the shed and driveway.</p> <p>EMO1 – Clause 44.01-2 - buildings and works.</p> <p>BMO – Clause 44.06-2 – buildings and works associated with accommodation.</p> <p>Clause 52.29-2 – Land Adjacent to the Principal Road Network – creation or alteration of access to the TRZ2.</p>		
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Rural Conservation Zone		
ZONE	Rural Conservation Zone	OVERLAYS	Significant Landscape Overlay, Schedule 3 (SLO3); Significant Landscape Overlay, Schedule 5 (SLO5);

Erosion Management Overlay, Schedule 1 (EMO1); Bushfire Management Overlay (BMO)

COVENANTS	Not applicable		
CULTURAL HERITAGE	The site is within an area of cultural heritage sensitivity, but the proposal is not classed as a high impact activity.		
OFFICER	Helen Evans	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		
ATTACHMENTS	Application Plans		

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That the Planning Committee resolves to Issue an Amended Permit for the Use and Development of a Dwelling Including Outbuilding, and Associated Works Including Retaining Walls and Creation of Access to a Road in Transport Zone 2 at 6150 Great Ocean Road, Apollo Bay (Lot 1 TP 573434 V/F: 8627/189 Parish of Krambruk), 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 occupation of the dwelling hereby permitted, the following must be provided to the satisfaction of the Responsible Authority:*
 - Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.*
 - The dwelling 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.*

- *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.*
- *The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

Compliance with Landslip Risk Assessment

3. *The approved development must be carried out on the site in accordance with the recommendations of the Landslip Risk Assessment prepared by Albrecht Engineering Pty Ltd (ref. 968A.5, dated 9 January 2025) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.*

Access

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 3.5m 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.*

Retaining Walls

7. *All retaining walls on site, including those providing support to proposed structure, effluent treatment beds and driveways, must be designed and approved for life greater than that of the proposed building and to withstand the surge load from development activities, and must be constructed of non-combustible material to the satisfaction of the Responsible Authority.*

Wastewater

8. *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.*

9. *All works and development associated with this permit must be carried in accordance with the Land Capability Assessment produced by Provincial Geotechnical Pty Ltd (Ref. No. 12110C, V2 November 2021) unless otherwise agreed in writing by the Responsible Authority.*

Land Management Plan

10. *The management of the land and the activities on the site must be conducted in accordance with the Land Management Plan 2024-2034, prepared by Beacon Ecological (Version 5, dated 2 January 2025) and endorsed as part of this permit, or in accordance with any amendment to that plan or any replacement Land Management Plan subsequently endorsed, to the satisfaction of the Responsible Authority.*
11. *An Annual Report against the requirements of the endorsed Land Management Plan must be prepared and submitted to the Responsible Authority for the first five years following completion of the dwelling hereby permitted, and thereafter at the reasonable request of the Responsible Authority. Reports are to be submitted prior to the anniversary date of the endorsement of the Land Management Plan. The following must be included:*
- a) permit holder*
 - b) planning permit number*
 - c) reporting year (1-5)*
 - d) date report is submitted*
 - e) who completed the report*
 - f) condition of site against each management commitment*
 - g) actions taken during the year to achieve the management commitment*
 - h) photographs which clearly depict management actions undertaken for the previous year.*

Section 173 Agreement – Land Management Plan

12. *Prior to the commencement of any works, 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 the property so as to run with the land, and must provide for the following:*
- The land must be managed in accordance with the Land Management Plan endorsed as part of planning permit PP380/2021-3, or in accordance with any amendment to that plan or any replacement Land Management Plan subsequently endorsed as part of a planning permit, to the satisfaction of the Responsible Authority. The revegetation must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.*

The agreement will be registered on title in accordance with Section 181 of the Planning and Environment Act 1987.

CFA conditions

13. ***The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.***

Bushfire Management Plan

14. ***Before the development starts, the Bushfire Management Plan Appendix 2 BMP, Final V4, 2 January 2025 on page 28 of Bushfire Management Statement, 6150 Great Ocean Rd Apollo Bay, prepared by Beacon Ecological, must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.***

Defensible Space for the Shed

15. ***Deleted***

Expiry

16. ***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. ***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 works within road reserve permit is required prior to any works being undertaken on Council managed road reserves within the Colac Otway Shire.***

5. *A separate application to install 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 the Land Capability Assessment to 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 permit application stage.*

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
20/11/2023	<ul style="list-style-type: none"> Permit preamble amended Amended plans endorsed 	Colac Otway Shire Council	74
8/4/2025	<ul style="list-style-type: none"> Amended plans endorsed Conditions 3 and 4 amended/updated Condition 7 inserted Conditions 8, 10, 12 and 14 (previously conditions 6, 8, 10 and 12) updated Condition 15 (previously 13) deleted 	Colac Otway Shire Council	74

THIS PERMIT HAS BEEN CORRECTED AS FOLLOWS

Date of correction	Brief description of correction	Name of responsible authority	Section of the Act under which the permit has been corrected
21/10/2022	<ul style="list-style-type: none"> Correct endorsement of plans Conditions 1 and 14 corrected to include use 	Colac Otway Shire Council	71
8/4/25	<ul style="list-style-type: none"> Condition numbering corrected 	Colac Otway Shire Council	71

CARRIED 6 : 0

Item: 4.4

PP8/2025-1 - 600 Carlisle Road, Irrewillipe East – Construction of Replacement Dwelling

ADDRESS AND PROPERTY DETAILS	600 Carlisle Road IRREWILLIPE EAST Lot 2 LP: 112849 V/F: 9052/381 Parish of Irrewillipe	APPLICATION NUMBER	PP8/2025-1
PROPOSAL	Construction of Replacement Dwelling and Alteration to Access to TRZ2		
PERMIT TRIGGERS	<p>Clause 35.07-4 – Buildings and works comprising construction of a building within 100m of a Transport Zone 2 (TRZ2) – FZ</p> <p>Clause 52.29-2 – Land Adjacent to the Principal Road Network – creation or alteration of access to the TRZ2.</p>		
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Farming Zone		
ZONE	Farming Zone	OVERLAYS	<p>Vegetation Protection Overlay 1 (not relevant to this application)</p> <p>Bushfire Management Overlay – 91.17% (not relevant to this application)</p>
COVENANTS	N/A		
CULTURAL HERITAGE	N/A		
OFFICER	Tom Milverton	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		
ATTACHMENTS	Application Plans		

RESOLUTION

Moved Cr Potter, Seconded Cr Hudgell

That the Planning Committee resolves to Grant a Permit for the Construction of a Replacement Dwelling and Alteration of Access to a Road in a Transport Zone 2 at 600 Carlisle Road, Irrewillipe East (Lot 2 LP: 112849 V/F: 9052/381 Parish of Irrewillipe), subject to the following conditions:

Endorsed Plans

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

Decommissioning of Existing Dwelling

- 2. The existing dwelling must not be occupied after the use of the replacement dwelling hereby permitted commences. The existing dwelling must be decommissioned within thirty days of occupation of the replacement dwelling to the satisfaction of the Responsible Authority.***

Stormwater

- 3. 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.***

Wastewater

- 4. A domestic wastewater management system must be constructed concurrently with the replacement 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.***

Department of Transport conditions

- 5. Prior to the occupation of the replacement dwelling the crossover and driveway must be upgraded to the satisfaction of the Head, Transport for Victoria in accordance with VicRoads guideline drawing GD4010 Typical Access to Rural Properties (attached) to cater for an 8.8m service vehicle as detailed in Table 2 - Access Setout Details as shown on the guideline drawing.***
- 6. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).***

Expiry

7. This permit will expire if one of the following circumstances applies:

- a) The development is not commenced within two years of the date of this permit.**
- b) The development is not completed 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 proposed replacement 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. The LCA must be accompanied by a detailed system design if required by the Health Protection Unit.**

CARRIED 6 : 0

Item: 4.5

PP56/2024-1 - 5650 Great Ocean Road WONGARRA – Use and Development of a Dwelling Including Associated Works and Vegetation Removal

ADDRESS AND PROPERTY DETAILS	5650 Great Ocean Road WONGARRA Lot 2 PS: 735692 V/F: 11822/407 Parish of Krambruk	APPLICATION NUMBER	PP56/2024-1
PROPOSAL	Use and Development of Land for a Dwelling and Associated Works, Removal of Native Vegetation and Creation of Access to Transport Zone 2 (TRZ2)		
PERMIT TRIGGERS	Clause 35.06-1 (RCZ) – Use of land for dwelling Clause 35.06-5 (RCZ) – Buildings and works Clause 42.03-2 (SLO) – Buildings and works, and vegetation removal Clause 44.01-2 (EMO) – Buildings and works, and vegetation removal Clause 44.06-2 (BMO) – Buildings and works Associated with accommodation Clause 52.17 – Native vegetation removal Clause 52.29-2 – Creation of access to a road in TRZ2		
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in Rural Conservation Zone		
ZONE	Rural Conservation Zone	OVERLAYS	Significant Landscape Overlay, Schedule 3 (SLO3) – Apollo Bay Coastal Valley and Hills Precinct Erosion Management Overlay – Schedule 1 (EMO1) Bushfire Management Overlay (BMO)
COVENANTS	N/A		

CULTURAL HERITAGE

No. The subject lot is partially in an area of cultural heritage sensitivity, but not that part of the lot on which the dwelling is proposed.

OFFICER

Ian Williams

GENERAL MANAGER

Ian Seuren

DIVISION

Community and Economy

ATTACHMENTS

1. Plans [4.5.1 - 15 pages]
2. Proposed Access Track [4.5.2 - 3 pages]
3. Applicant Response to SLO3 [4.5.3 - 12 pages]
4. VCAT Appeal Decision PP315/1998-1 [4.5.4 - 14 pages]

RECOMMENDATION

That the Planning Committee resolves to issue a Notice of Decision to Refuse to Grant a Permit for the Use and Development of Land for a Dwelling and Associated Works, Removal of Native Vegetation and Creation of Access to a Road in a Transport Zone 2 at 5650 Great Ocean Road, Wongarra (Lot 2 PS: 735692 V/F: 11822/407 Parish of Krambruk), on the following grounds:

- 1. The proposed development, due to its prominent elevated location, does not accord with planning policies in the Colac Otway Planning Scheme that seek to ensure that development is sensitively sited and respects the coastal landscape character, and maintains the visual qualities of the Great Ocean Road coastline, the natural beauty of the area and protects the ridgelines. As such, the proposal is contrary to clauses 02.03-2, 11.03-5S, 11.03-5R and 15.01-6S, 15.01-6L and 65 of the planning scheme.***
- 2. The proposed development does not accord with the purpose and relevant decision guidelines of the Rural Conservation Zone or the Significant Landscape Overlay, Schedule 3 (SLO3 – Apollo Bay Coastal Valley and Hills Precinct) given that it would not minimise the adverse impacts of siting, design, height, bulk, and colours and materials.***
- 3. The proposed development, due to its prominent elevated location, would not be recessive in the landscape or positively reflect the natural beauty of the surrounds and, as such, does not accord with the Great Ocean Road Region Landscape Assessment Study (GORRLAS - 2003) which identifies the landscape as nationally significant and acknowledges that rural-residential development can impact on the naturalness of the setting and detract from the significance of the foothills.***

RESOLUTION

Moved Cr Howard, Seconded Cr Buchanan

That the Planning Committee resolves to Grant a Permit for the Use and Development of Land for a Dwelling and Associated Works, Removal of Native Vegetation and Creation of Access to a Road in a Transport Zone 2 at 5650 Great Ocean Road, Wongarra (Lot 2 PS: 735692 V/F: 11822/407 Parish of Krambruk), 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.***
- 2. The removal of vegetation must be in accordance with the endorsed plan to the satisfaction of the Responsible Authority.***

Compliance with Geotechnical Assessment

- 3. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment prepared by AGR Geosciences Pty Ltd (Reference No. 23C938LRAv2, dated 20/09/2023 and revised on 03/10/2023) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

Materials

- 4. All external finishes on the dwelling hereby permitted must be in non-reflective, muted tones to blend with the surrounding landscape to the satisfaction of the Responsible Authority.***

Construction Management Plan

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

Access

7. ***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 3.5m to the satisfaction of the Responsible Authority.***

Stormwater

8. ***All runoff from stormwater, including overflow from water storage, must be taken to a legal point of discharge to the satisfaction of the Responsible Authority.***
9. ***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

10. ***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.***
11. ***All works and development associated with this permit must be carried in accordance with the Land Capability Assessment produced by AGR Geosciences Pty Ltd (Ref. No. 23C0941LCA, dated 14/6/23) unless otherwise agreed in writing by the Responsible Authority.***

Protection of Vegetation

12. ***Before the vegetation removal starts, the boundaries of all vegetation to be removed and retained must be clearly marked on the ground with tape or temporary fencing to the satisfaction of the Responsible Authority.***
13. ***Vegetation removal and disposal must not cause damage to vegetation stands to be retained, to the satisfaction of the Responsible Authority. To prevent damage to the remaining vegetation, there must be no temporary or permanent storage of any materials, vehicles or equipment within areas of vegetation identified to be retained in accordance with the endorsed plans. All storage sites must be restricted to existing cleared areas, and must not adversely impact upon native vegetation, including the root zones of existing trees. Such sites must not be located on or near erodible surfaces, surface water runoff areas or areas infested with weeds.***

Landscaping

14. ***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 drawn to scale with dimensions,***

must be generally in accordance with the submitted landscape plan prepared by Alex English Architecture (ref. TPO.02, rev. 04, dated 23/8/24), except that the plan must show:

- a) a survey (including botanical names) of all existing vegetation to be retained and/or removed**
- b) details of surface finishes of pathways and driveways**
- c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at planting and maturity, and quantities of each plant**
- d) landscaping to mitigate the visual impact of the dwelling, including planting within zone 5 on the submitted landscape plan prepared by Alex English Architecture (ref. TPO.02, rev. 04, dated 23/8/24). Plants required for screening the development must be advanced specimens to aid with screening.**

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

- 15. Prior to the initial 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.**

Land Management Plan

- 16. Prior to the commencement of development, a Land Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Land Management Plan will be endorsed and will then form part of the permit. The Land Management Plan must:**
- a) be prepared by a suitably qualified person**
 - b) be submitted in electronic form**
 - c) must include (but not be limited to):**
 - i. site plan to scale and with dimensions**
 - ii. site description**
 - iii. a description of native plant and animals on site and in the area**
 - iv. a description of the site outside the native vegetation areas**
 - v. overall environmental objectives for management of the land and techniques to achieve these objectives**
 - vi. techniques to protect and enhance the biodiversity of the land, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas**
 - vii. methods for the control and eradication of weeds**
 - viii. methods for the control of pest animals**
 - ix. the use of fencing which is permeable for native fauna**
 - x. re-vegetation of the site using native and indigenous species**
 - xi. improving the condition of waterway frontages with vegetation**
 - xii. preventing stock access to waterways and areas of native vegetation**
 - xiii. preventing soil erosion**

- xiv. **bushfire management**
- xv. **identification of land management Issues**
- xvi. **goal setting and specification of actions and implementation and monitoring of the identified actions.**

The management of the land and the activities on the site must be conducted in accordance with the endorsed plan at all times to the satisfaction of the Responsible Authority.

- 17. An Annual Report against the requirements of the endorsed Land Management Plan must be prepared and submitted to the Responsible Authority for the first five years following completion of the dwelling hereby permitted, and thereafter at the reasonable request of the Responsible Authority. Reports are to be submitted prior to the anniversary date of the endorsement of the Land Management Plan. The following must be included:**

- **permit holder**
- **planning permit number**
- **reporting year (1-5)**
- **date report is submitted**
- **who completed the report**
- **condition of site against each management commitment**
- **actions taken during the year to achieve the management commitment**
- **photographs which clearly depict management actions undertaken for the previous year**

Section 173 Agreement

- 18. Prior to the commencement of any works, 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 the property so as to run with the land, and must provide for the following:**

- a) **The land must be managed in accordance with the Land Management Plan endorsed as part of planning permit PP56/2024-1 or in accordance with any amendment to that plan or any replacement Land Management Plan subsequently endorsed as part of a planning permit, to the satisfaction of the Responsible Authority.**

The agreement will be registered on title in accordance with Section 181 of the Planning and Environment Act 1987.

Native Vegetation Removal Offset

- 19. To offset the removal of 0.031 hectares of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:**

A general offset of 0.0007 general habitat units:

- ***located within the Corangamite Catchment Management Authority boundary or Colac Otway Shire municipal district;***
 - ***with a minimum strategic biodiversity score of at least 0.368.***
- 20. *Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of Responsible Authority. This evidence is one or both of the following:***
- ***an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site and/or***
 - ***credit extract(s) allocated to the permit from the Native Vegetation Credit Register.***

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

- 21. *In the event that a security agreement is entered into as per condition 20, the applicant must provide the annual offset site report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.***

Department of Transport and Planning condition

- 22. *Before the works start the existing accessway to Great Ocean Road must be constructed generally in accordance with the design of a Typical Driveway Access to Rural Properties (see attached drawing GD4010) and must kept maintained in a proper state with no compromise to operational road safety, transport efficiency or public safety (e.g. by spilling gravel or mud onto the roadway), all to the satisfaction of and at no cost to the Head, Transport for Victoria, note, this MUST involve:***
- a) ***Treating the surface with an all-weather seal or durable surface to the property boundary.***
 - b) ***Suitable culvert to address the drainage issue.***
 - c) ***The location of any proposed private access gate to be located at the minimum of 15 metres from the edge of road and traffic on Great Ocean Road, to allow for a design vehicle to stop clear of traffic.***

CFA conditions

- 23. *The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.***
- 24. *Before the development starts, the Bushfire Management Plan Appendix 2 BMP, Final V2, 13 February 2024 on page 30 of Bushfire Management Statement, 5650***

Great Ocean Road Wongarra Victoria prepared by Beacon Ecological, must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

Expiry

25. This permit will expire if one of the following circumstances applies:

- a) The development and vegetation removal are not commenced within three years of the date of this permit.**
- b) The development and vegetation removal have not been 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.**
- 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 a domestic 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.**

CARRIED 6 : 0

The meeting was declared closed at 1.33pm

TO BE CONFIRMED AND SIGNED at the meeting held on 13 May 2025.

.....**MAYOR**