



Colac Otway
SHIRE

PLANNING COMMITTEE MEETING

MINUTES

Wednesday 8 May 2019

at 4:00 pm

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Wednesday 8 May 2019

TABLE OF CONTENTS

1 Declaration of Opening of Meeting	3
2 Present.....	3
3 Apologies and Leaves of Absence	3
4 Welcome and Acknowledgement of Country.....	4
5 Declarations of Interest	4
6 Confirmation of Minutes	4
7 Verbal Submissions from applicants/objectors	5
8 Officer Planning Reports.....	6
8.1 Eight (8) lot subdivision, associated works and native vegetation removal at 3036 Colac Forrest Road, Forrest	6

COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held at
COPACC on Wednesday 8 May 2019 at 4:00pm.

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 PRESENT

Cr Brian Crook
Cr Kate Hanson
Cr Stephen Hart
Cr Chris Potter
Cr Jason Schram (Mayor)
Cr Chris Smith

Peter Brown, Chief Executive
Errol Lawrence, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Ian Seuren, General Manager, Development & Community Services
Lyndal McLean, Governance Coordinator
Lyndal Redford, Governance Officer
Alison Martin, Coordinator, Communications
Doug McNeill, Manager, Planning, Building & Health
Blaithin Butler, Statutory Planning Coordinator
Ian Williams, Senior Statutory Planner
Vikram Kumar, Statutory Planner
Dora Novak, Environment Coordinator
Tim Brain, Development Engineer
Tony Gullone, Health Protection Coordinator

3 APOLOGIES AND LEAVES OF ABSENCE

Cr Joe McCracken

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

I would like to start this evening by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

5 DECLARATIONS OF INTEREST

Nil

6 CONFIRMATION OF MINUTES

- Planning Committee Meeting held on 10 April 2019.

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Chris Potter

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 10 April 2019.

CARRIED 6 : 0

7 VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of five minutes will apply.

Objector: John Cameron

Applicant: Katy Bright, Rod Bright & Associates (on behalf of Newlands Pastoral Co.)

Item: 8.1

Eight (8) lot subdivision, associated works and native vegetation removal at 3036 Colac Forrest Road, Forrest

ADDRESS AND PROPERTY DETAILS	3036 Colac Forrest Road, Forrest	APPLICATION NUMBER	PP253/2017-1
PROPOSAL	Eight (8) lot subdivision, associated works and native vegetation removal		
PERMIT TRIGGERS	Clause 32.05-5 (TZ) – Subdivision; Clause 44.01-5 (EMO) – Subdivision; Clause 44.06-2 (BMO) – Subdivision; Clause 52.29 – Subdivision and Alteration of Access to RDZ1; and Clause 52.17 – Native Vegetation		
TRIGGER FOR DETERMINATION BY COMMITTEE	Number of objections (7) Note: Council resolution required for VCAT appeal against failure to determine		
ZONE	Township Zone; Adjacent Road Zone Category 1	OVERLAYS	Erosion Management Overlay (EMO1) and Bushfire Management Overlay (BMO)
COVENANTS	Nil		
CULTURAL HERITAGE	No		
OFFICER	Ian Williams	GENERAL MANAGER	Ian Seuren
DIVISION	Development & Community Services		
ATTACHMENTS	<ol style="list-style-type: none"> 1. P P 253 2017 - 3036 Colac Forrest Road Forrest - Application Form [8.1.1] 2. P P 253 2017 - 3036 Colac Forrest Road Forrest - Application Plans [8.1.2] 3. P P 253 2017 - 3036 Colac Forrest Road Forrest - Copy of Title [8.1.3] 		

RESOLUTION

MOVED Cr Chris Potter, SECONDED Cr Brian Crook

That Council advises the Victorian Civil and Administrative Tribunal (VCAT) that:

- A. Had an appeal not been lodged, it would have resolved to issue a Notice of Decision to Refuse to Grant a Permit for an Eight (8) Lot Subdivision, Associated Works and Native Vegetation Removal at 3036 Colac-Forrest Road, Forrest, on the following grounds:*
- 1. The proposal fails to provide an adequate drainage and effluent disposal design taking into account the topography of the land, the presence of an ephemeral waterway and the density of the development.*
 - 2. The proposed subdivision fails to adequately address the requirements of Clause 56.07-4 (Urban Runoff Management Objectives) of the Colac Otway Planning Scheme, which seeks to minimise inconvenience to residents from urban runoff and to ensure that the street operates adequately during major storm events and provides for public safety.*
 - 3. The proposal fails to adequately address the requirements of Clause 56.07-3 (Waste Water Management Objective) of the Planning Scheme, which seeks to provide a waste water system for the lots that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.*
 - 4. The proposed vegetation loss fails to comply with the application requirements specified in the 'Guidelines for the removal, destruction or lopping on native vegetation' (Department of Environment, Land, Water and Planning, 2017) as set out in Clause 52.17 (Native Vegetation) of the Planning Scheme.*
- B. Council considers the subdivision of the subject land into residential lots to be acceptable and appropriate in principle, subject to drainage and wastewater concerns being appropriately addressed (which may require a reduction in the number of lots).*

AMENDMENT

MOVED Cr Stephen Hart

To change the word 'may' to 'will' in point B.

LAPSED due to no seconder

The recommendation was voted on and CARRIED 5 : 1

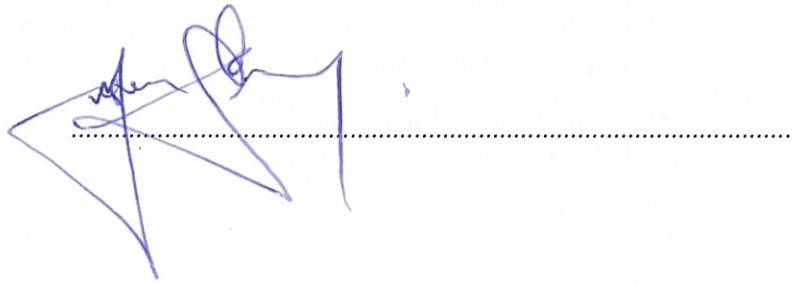
DIVISION

For the motion: Cr Chris Smith, Cr Chris Potter, Cr Stephen Hart, Cr Brian Crook, Cr Kate Hanson

Against the motion: Cr Jason Schram

The Meeting was declared closed at 4.55pm.

CONFIRMED AND SIGNED at the meeting held on 12 JUNE 2019

A handwritten signature in blue ink is written over a horizontal dotted line. The signature is stylized and appears to be a name, possibly 'M. J. ...'. The dotted line extends to the right of the signature.