



Colac Otway
SHIRE

PLANNING COMMITTEE MEETING

MINUTES

Wednesday 13 July 2022

at 4:00 PM

by videoconference

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Wednesday 13 July 2022

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the *PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL* held by videoconference on Wednesday 13 July 2022 at 4:00 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 PRESENT

Cr Kate Hanson (Mayor)
Cr Graham Costin (Deputy Mayor)
Cr Jamie Bell
Cr Stephen Hart
Cr Joe McCracken
Cr Chris Potter
Cr Margaret White

Anne Howard, Chief Executive Officer
Lenny Jenner, Acting General Manager Corporate Services
Bryan Lancaster, Acting General Manager Infrastructure and Operations
Ian Seuren, General Manager Community and Economy
Marlo Emmitt, Manager Governance and Communications
Lyndal Redford, Council Business Officer

3 APOLOGIES AND LEAVES OF ABSENCE

Nil

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past, present and emerging and welcomes any descendants here today.

RECORDING AND PUBLICATION OF MEETINGS

Please note: Planning Committee meetings are live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. 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 of 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 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 was livestreamed to the public via Council's YouTube channel (search Colac Otway Shire Council at www.youtube.com).

5 DECLARATIONS OF INTEREST

Nil

6 CONFIRMATION OF MINUTES

- Scheduled Planning Committee meeting held on 8 June 2022.
- Unscheduled Planning Committee meeting held on 29 June 2022.

RESOLUTION

MOVED Cr Chris Potter, SECONDED Cr Margaret White

That the Planning Committee confirm the minutes of the:

- 1. Scheduled Planning Committee meeting held on 8 June 2022.*
- 2. Unscheduled Planning Committee meeting held on 29 June 2022.*

CARRIED 7 : 0

7 VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

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

Item 8.1 PP301/2022-1 - 5-7 Skene Street Birregurra - Removal of Vegetation (3 Trees)

Objector: Trevor Hodson

Applicant: Rod Devlin

Item: 8.1

PP301/2022-1 - 5-7 Skene Street Birregurra - Removal of Vegetation (3 Trees)

ADDRESS AND PROPERTY DETAILS	5-7 Skene Street BIRREGURRA Lot 2 PS: 833731 V/F: 12321/292 Parish of Birregurra	APPLICATION NUMBER	PP301/2021-1
PROPOSAL	Removal of Three (3) Trees		
PERMIT TRIGGERS	Clause 42.02 (VPO3): a planning permit is required for tree removal		
TRIGGER FOR DETERMINATION BY COMMITTEE	More than three (3) objections received		
ZONE	Township Zone (TZ)	OVERLAYS	Vegetation Protection Overlay, Schedule 3 (VPO3) - Birregurra Tree Protection Area Heritage Overlays: HO98 - Catholic Church and Presbytery, 5-11 Skene Street HO304 –Birregurra Church Precinct, Birregurra Design and Development Overlay, Schedule 13 (DDO13) - Birregurra Preferred Character Area C (Roadknight Street Entry and South of Main Street)
COVENANTS	No		
CULTURAL HERITAGE	The subject site is in an area of cultural heritage sensitivity; however, tree removal is not a high impact activity under the <i>Aboriginal Heritage Regulations 2018</i> .		

Item: 8.1

PP301/2022-1 - 5-7 Skene Street Birregurra - Removal of Vegetation (3 Trees)

OFFICER	Vikram Kumar	GENERAL MANAGER	Ian Seuren
DIVISION	Development and Community Services		
ATTACHMENTS	1. Site Plan [8.1.1 - 1 page] 2. Draft Conditions if Permit Issued - Not Officer Recommendation [8.1.2 - 1 page]		

RESOLUTION

MOVED Cr Margaret White, SECONDED Cr Chris Potter

That the Planning Committee resolves to Refuse to Grant a Permit for the removal of three (3) trees at 5-7 Skene Street, Birregurra (Lot 2 PS: 833731 V/F: 12321/292), on the following grounds:

- 1. The proposed removal of three established mature trees, which are in a publicly prominent location and could be retained with pruning, would be detrimental to the character of the area. As such, the proposed tree removal is contrary to the objectives of the Vegetation Protection Overlay, Schedule 3 (Birregurra Tree Protection Area) and of Clause 11.03-6L of the Colac Otway Planning Scheme, which seek to protect tree vegetation for its aesthetic value and its contribution to the landscape character of Birregurra, and to encourage the retention of trees where possible.*

Cr Graham Costin foreshadowed he would move an alternative motion in the event that the motion currently before Council was lost.

CARRIED 6 : 1

The meeting was declared closed at 4.27pm.

CONFIRMED AND SIGNED at the meeting held on 14 September 2022.

.....*Ell Henson*.....**MAYOR**