



Colac Otway
SHIRE

PLANNING COMMITTEE MEETING

MINUTES

Wednesday 10 May 2023

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Wednesday 10 May 2023

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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 Wednesday 10 May 2023 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 Chris Potter (Mayor)
Cr Max Arnott
Cr Tosh-Jake Finnigan
Cr Kate Hanson (by videoconference)
Cr Stephen Hart (by videoconference)
Cr Margaret White

Anne Howard, Chief Executive Officer
Andrew Tenni, General Manager Corporate Services
Ian Seuren, General Manager Community and Economy
Marlo Emmitt, Manager Governance and Communications
Lyndal McLean, Coordinator Council Business

3 APOLOGIES AND LEAVES OF ABSENCE

Cr Graham Costin: Prior to the meeting Cr Graham Costin declared a general conflict of interest pursuant to section 127 of the *Local Government Act 2020* for item 8.1 PP101/2020-1 - 979 Corangamite Lake Road Coragulac, and as such was an apology for the meeting.

Cr Graham Costin	Item 8.1 - PP101/2020-1 - 979 Corangamite Lake Road CORAGULAC
Nature of Disclosure	General conflict of interest
Nature of Interest	A member of my family assisted the applicant to submit the original application.

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: All 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 or mode.

By participating in open Planning Committee 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. Audio recordings are also taken to facilitate the preparation of the minutes of open Council meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

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

The Mayor advised the meeting that there was only one item on the agenda and as Cr Graham Costin has a conflict of interest in this matter (as detailed below) he would be apology for the meeting.

Cr Graham Costin	Item 8.1 - PP101/2020-1 - 979 Corangamite Lake Road CORAGULAC
Nature of Disclosure	General conflict of interest
Nature of Interest	A member of my family assisted the applicant to submit the original application.

6 CONFIRMATION OF MINUTES

- Planning Committee Meeting held on 8 February 2023.

RESOLUTION

MOVED Cr Tosh-Jake Finnigan, SECONDED Cr Margaret White

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 8 February 2023.

CARRIED 6 : 0

7 VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

Nil

Item: 8.1

PP101/2020-1 - 979 Corangamite Lake Road CORAGULAC

ADDRESS AND PROPERTY DETAILS	979 Corangamite Lake Road, Coragulac Lots 1, 2 and 3 TP663499W (V/F: 8213/973)	APPLICATION NUMBER	PP101/2020-1
PROPOSAL	Use and Development of Land for a Dwelling		
PERMIT TRIGGERS	<p>Clause 35.07-1 - Farming Zone – Use of the land for a dwelling, for a store and associated works</p> <p>Clause 35.07-4 - Farming Zone – Building and works associated with a Section 2 (permit required) use; within specified setbacks; and within 500m of the nearest title boundary of land on which a work authority has been granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.</p> <p>Clause 42.01-2 – ESO2 – Buildings and works</p> <p>Clause 42.03-2 – SLO1 – Buildings and works</p>		
TRIGGER FOR DETERMINATION BY COMMITTEE	<p>Deferred at Planning Committee on 7 December 2022 (until May 2023 meeting at the latest), to allow the applicant to engage consultants to assess landfill gas and contamination risk.</p> <p>Original report: officer recommendation for refusal of an application for a dwelling in the Farming Zone</p>		
ZONE	Farming Zone	OVERLAYS	<p>Environmental Significance Overlay, Schedule 2 (ESO2)</p> <p>Significant Landscape Overlay, Schedule 1 (SLO1)</p> <p>Part Land Subject to Inundation Overlay, Schedule 1 (LSIO) - 4.42%</p>
COVENANTS	<p>None.</p> <p>Note: a right of carriageway exists over 977 Corangamite Lake Road to access the subject site.</p>		

**CULTURAL
HERITAGE**

The subject site is in an area of cultural heritage sensitivity; however, construction of a single dwelling is not a high impact activity under the Aboriginal Heritage Regulations 2018. With regards to use of land for a store (for purposes associated with the applicant's business, rather than ancillary to the dwelling), the land has already been subject to significant ground disturbance. As such, it is considered that the proposal would fall within the exemption under Regulation 58(4) which states, inter alia, that if the whole of the activity area for an activity requiring statutory authorisation has been subject to significant ground disturbance, that activity is not a high impact activity.

OFFICER

Ravi Ayyagari

**CHIEF
EXECUTIVE
OFFICER**

Anne Howard

DIVISION

Planning and Strategic Focus

ATTACHMENTS

Previous Planning Committee report

RESOLUTION

MOVED Cr Stephen Hart, SECONDED Cr Max Arnott

That the Planning Committee resolves to:

- 1. Defer consideration of the application for the use and development of the land at 979 Corangamite Lake Road, Coragulac for a dwelling and store for a further three months, until the August 2023 Planning Committee meeting, to allow further time for the applicant to provide the requested information relating to landfill gas risk and contamination.*
- 2. Consider an officer report on the application when the requested information has been supplied to officer's satisfaction or no later than the scheduled August 2023 Planning Committee meeting, whichever occurs first.*

CARRIED 6 : 0

The meeting was declared closed at 4.16pm.

CONFIRMED AND SIGNED at the meeting held on 9 August 2023.


.....MAYOR