

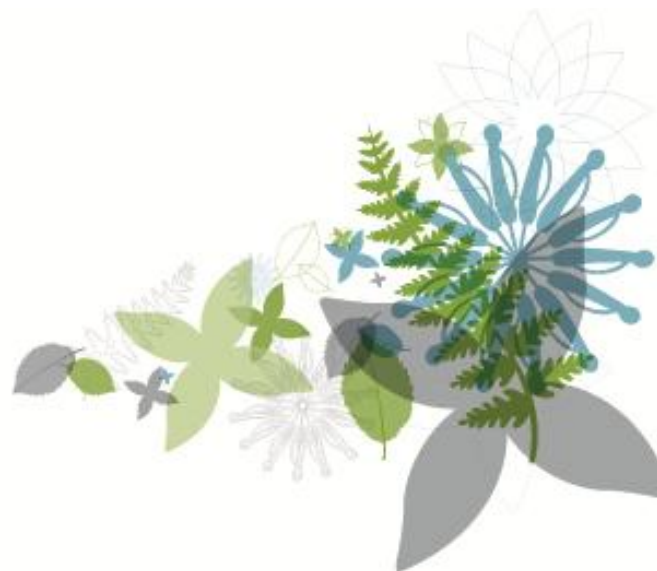


Colac Otway
SHIRE

PLANNING COMMITTEE MEETING
MINUTES

Tuesday 13 October 2026
at 1:00 PM

UNCONFIRMED



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 13 October 2026

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** held at COPACC on Tuesday 13 October 2026 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 and present.

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, Chief Executive Officer
Emma Lowes, General Manager Corporate Services
Doug McNeill, General Manager Infrastructure and Environment
Heidi Taylor, Acting General Manager Community and Economy
Anita Craven, Executive Officer Governance
Matilda Hardy-Smith, Coordinator Council Business

3.2 Apologies

Cr Chrissy De Deugd
Ian Seuren, General Manager Community and Economy

3.3 Confirmation of Minutes

RESOLUTION

Moved Cr Howard, Seconded Cr Hudgell

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 8 September 2026.

CARRIED 6 : 0

3.4 Declarations of Interest

Nil.

Item: 4.1

PP110/2026-1 - 1195 Larpent Road LARPENT - Construction of a Dwelling (FZ) and Creation of Access

ADDRESS AND PROPERTY DETAILS	1195 Larpent Road LARPENT CA C Sec 30, V/F: 8560/023	APPLICATION NUMBER	PP110/2026-1										
PROPOSAL	Use and Development of Land for a Dwelling												
PERMIT TRIGGERS	<table><tr><th>Planning scheme clause</th><th>Matter for which a permit has been applied:</th></tr><tr><td>35.07-1 (FZ)</td><td>Use of land for a dwelling in the Farming Zone</td></tr><tr><td>35.07-4 (FZ)</td><td>Construction or carrying out of buildings and works associated with a use (dwelling) in Section 2 of Clause 35.07-1</td></tr><tr><td></td><td>Construction of a building within 100m of a road in a Transport Zone 2</td></tr><tr><td>Clause 52.29</td><td>Creation of access to a road in a Transport Zone 2</td></tr></table>			Planning scheme clause	Matter for which a permit has been applied:	35.07-1 (FZ)	Use of land for a dwelling in the Farming Zone	35.07-4 (FZ)	Construction or carrying out of buildings and works associated with a use (dwelling) in Section 2 of Clause 35.07-1		Construction of a building within 100m of a road in a Transport Zone 2	Clause 52.29	Creation of access to a road in a Transport Zone 2
Planning scheme clause	Matter for which a permit has been applied:												
35.07-1 (FZ)	Use of land for a dwelling in the Farming Zone												
35.07-4 (FZ)	Construction or carrying out of buildings and works associated with a use (dwelling) in Section 2 of Clause 35.07-1												
	Construction of a building within 100m of a road in a Transport Zone 2												
Clause 52.29	Creation of access to a road in a Transport Zone 2												
TRIGGER FOR DETERMINATION BY COMMITTEE	Use and development of a dwelling in the Farming Zone												
ZONE	Farming Zone	OVERLAYS	N/A										
COVENANTS	S173 Agreement relating to a cattle underpass under Larpent Road Crown Grant relating to water and mining rights and electricity transmission.												
CULTURAL HERITAGE	N/A												

Item: 4.1

PP110/2026-1 - 1195 Larpent Road LARPENT - Construction of a Dwelling (FZ) and Creation of Access

OFFICER	Archna Rani	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		

RESOLUTION

Moved Cr Potter, Seconded Cr McCrickard

That the Planning Committee resolves to Grant a Permit for the use and development of land for a dwelling and creation of access to a road in a Transport Zone 2 at 1195 Larpent Road, Larpent (CA C Sec 30, V/F: 8560/023) 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. The dwelling hereby permitted 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.*
- 3. 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.*
- 4. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.*

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 and operation, to the satisfaction of the Responsible Authority.*

Wastewater

7. ***A domestic wastewater management system must be constructed concurrently with the dwelling hereby permitted, so that all wastewater is at all times contained within the curtilage of the site. The design and installation of any wastewater disposal system for any building on the land must comply with the EPA Guidelines for Onsite Wastewater Management (May 2024, or as amended) and the EPA Effluent Dispersal and Recycling Systems Guidance (May 2024, or as amended), to the satisfaction of the Responsible Authority.***

No Gas Connection

8. ***Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.***

Internal Access

9. ***Prior to the commencement of the use hereby permitted, unless otherwise approved in writing by the Responsible Authority, the driveway must be constructed to an all-weather standard and with a minimum width of 3m, to the satisfaction of the Responsible Authority.***

Department of Transport and Planning conditions

10. ***Prior to construction of the dwelling commencing (or unless otherwise agreed to in writing by the Head, Transport for Victoria), the proposed accessway onto Carlisle - Colac Road (Underwoods Road) must be constructed generally in accordance with the design of a Typical Driveway Access to Rural Properties (see attached drawing GD4010A), to the satisfaction of the Head, Transport for Victoria and the Responsible Authority, and at no cost to the Head, Transport for Victoria.***
11. ***Prior to the construction of the new accessway onto Carlisle - Colac Road (Underwoods Road) (or unless otherwise agreed to in writing by the Head, Transport for Victoria), all existing informal access or gates (with the exception of the central access serving the cattle yard and furthest south-western access) to Carlisle - Colac Road (Underwoods Road) must be removed and the fencing reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.***

Expiry

12. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The development has not commenced within three (3) years of the date of this permit.***
 - b) ***The development is not completed and the use has not commenced within five (5) 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 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 a Land Capability Assessment (LCA) prepared by a suitably qualified person be 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.**
- 4. The accessway requires works within the road reserve. Before the works start a separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. When ready please submit your application on: <https://rapp.transport.vic.gov.au/>.**

CARRIED 6 : 0

Item: 4.2

PP102/2026-1 – 225 McDonnells Road OMBERSLEY Replacement Dwelling in the FZ

ADDRESS AND PROPERTY DETAILS	225 McDonnells Road, Ombersley Lot 1 TP296691, V/F: 8073/353	APPLICATION NUMBER	PP102/2026-1
PROPOSAL	Buildings and works comprising construction of a replacement dwelling		
PERMIT TRIGGERS	Planning scheme clause	Matter for which a permit has been applied:	
	35.07-4	Building and works associated with a use in Section 2 of Clause 35.07-1 – construction of a replacement dwelling in the Farming Zone	
TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Farming Zone		
ZONE	Farming Zone	OVERLAYS	N/A
COVENANTS	N/A		
CULTURAL HERITAGE	N/A		
OFFICER	Archna Rani	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		

RESOLUTION

Moved Cr Howard, Seconded Cr McCrickard

That the Planning Committee resolves to Grant a Permit for buildings and works comprising the construction of a replacement dwelling at 225 McDonnells Road, Ombersley (Lot 1 TP296691, V/F: 8073/353), 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.***

Access

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

Stormwater

- 4. 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.***
- 5. 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

- 6. A new onsite 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. Before the certificate of occupancy is issued for the dwelling, the existing Onsite Wastewater Management system must be decommissioned.***

No Gas Connection

- 7. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.**

Expiry

- 8. This permit will expire if one of the following circumstances applies:**
 - a. The development has not commenced within three (3) years of the date of this permit.**
 - b. The development is not completed within five (5) 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. A works within road reserve permit is required prior to any works being undertaken on Council managed road reserves within the Colac Otway Shire.**
- 3. 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.**
- 4. A separate application to install a new 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 a Land Capability Assessment (LCA) at the wastewater permit application stage. The Health Protection Unit must be notified of the decommissioning of the existing Onsite Wastewater Management system.**

CARRIED 6 : 0

Item: 4.3

PP140/2026-1 - 20 Gellibrand Valley Road GELLIBRAND - Construction of Replacement Dwelling

ADDRESS AND PROPERTY DETAILS	20 Gellibrand Valley Road GELLIBRAND Lot 1 TP: 577977, V/F: 09335/915 Parish of Moorbanool	APPLICATION NUMBER	PP140/2026-1
PROPOSAL	Construction of Replacement Dwelling		
PERMIT TRIGGERS	Planning scheme clause	Matter for which a permit has been applied:	
	Clause 35.07-4	Building and works associated with the construction of a dwelling in the Farming Zone	
	Clause 42.01-2	Building and works associated with the construction of a dwelling in the Environmental Significance Overlay, Schedule 3 (ESO3)	
	Clause 44.01-2	Building and works associated with the construction of a dwelling in the Erosion Management Overlay, Schedule 1 (EMO1)	
	Clause 44.06-2	Building and works associated with accommodation in the Bushfire Management Overlay (BMO)	
TRIGGER FOR DETERMINATION BY COMMITTEE	Construction of a dwelling in the Farming Zone		
ZONE	Farming Zone (FZ)	OVERLAYS	Environmental Significance Overlay, Schedule 3 (ESO3) - Declared Water Supply Catchments Erosion Management Overlay, Schedule 1 (EMO1)

Item: 4.3

**PP140/2026-1 - 20 Gellibrand Valley Road
GELLIBRAND - Construction of Replacement
Dwelling**

		Part Land Subject to Inundation Overlay, Schedule 1 (LSIO1) - 6.93%	
		Bushfire Management Overlay (BMO)	
COVENANTS	No		
CULTURAL HERITAGE	The site is partly within an area of cultural heritage sensitivity, but the location of the proposed dwelling is not within that area. In addition, regulation 9 of the <i>Aboriginal Heritage Regulations</i> 2018 states that a single dwelling is an exempt activity and not a high impact activity.		
OFFICER	Vikram Kumar	GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy		

The motion below was presented as a revised officer recommendation, which ultimately become the resolution.

RESOLUTION

Moved Cr Potter, Seconded Cr Howard

That the Planning Committee resolves to Grant a Permit for the construction of a replacement dwelling at 20 Gellibrand Valley Road Gellibrand (Lot 1 TP: 577977, V/F: 09335/915 Parish of Moorbanool) 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.***

Compliance with Geotechnical Assessment

- 2. The approved development must be carried out on the site in accordance with the recommendations of the Landslide Risk Assessment Report prepared by St Quentin (Ref. No. 18776G-LRA, dated July 2026) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

Drainage

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.***
4. ***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.***

No Gas Connection

5. ***Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.***

Wastewater

6. ***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.***
7. ***All works and development associated with this permit must be carried out in accordance with the Land Capability Assessment prepared by Regional Project Consulting Pty Ltd (Ref. No. 260629-1 Revision B, dated 18 September 2026) or as otherwise agreed in writing by the Responsible Authority. Mitigation measures are required to be implemented, to the satisfaction of the Responsible Authority, to reduce the risk of effluent to the waterway.***

Wannon Water conditions

8. ***Sewage, sullage and other liquid wastes from the development must be treated to a minimum standard of 20mg/L BOD, 30mg/L suspended solids and 10 cfu/100ml E. coli and retained onsite by a wastewater management system.***
9. ***The system must be in accordance with the Land Capability Assessment (LCA) Reference Number 260629-1 Revision B, prepared by Regional Project Consulting Pty Ltd, 18 September 2026 or an addendum to the LCA by a suitably qualified person approved by the responsible authority.***
10. ***The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the EPA's 'Guidelines for onsite wastewater effluent dispersal and recycling system', and 'Guidelines for onsite wastewater management', 2024 (as updated or replaced) and the relevant Australian Standard(s) and must be approved in writing by the relevant authority.***
11. ***The wastewater disposal area must be appropriately sized and conditioned in accordance with the Land Capability Assessment and***

a) Located:

- i. *A minimum of 100 metres from the nearest waterway (including dam adjoining waterway).*
 - ii. *A minimum of 40 metres from the nearest drainage line.*
 - iii. *A minimum of 20 metres from the nearest bore.*
 - b) *Located to the satisfaction of the relevant authority.*
 - c) *Must not be located on land that has a slope of greater than 20 percent.*
12. *All wastewater must be applied to the wastewater disposal area via pressure-compensating sub-surface irrigation installed along the contour.*
13. *The system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy, including an appropriately sized disposal area based on a full water balance specific to the proposal and land in accordance with the EPA's guidelines.*
- a) *The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance.*
 - b) *Stormwater must not cause erosion and must minimise the transport of sediment offsite and must be diverted away from the wastewater disposal area.*
 - c) *An area must be allocated for a reserve wastewater disposal area, sized as described in the Land Capability Assessment (260629-1). This area must be provided for use in the event that the primary wastewater disposal area requires resting or has failed.*
 - d) *A cut-off diversion drain must be installed upslope of the wastewater disposal area.*
 - e) *The disposal areas, and any recommendations for fencing or the prevention of trafficable access to the disposal area, must be shown on the site plans that form part of the permit.*
14. *An annual inspection of the wastewater management system and the wastewater effluent (to ensure compliance with the 20/30/10 standard) must be undertaken at the cost of the owner by a competently trained person or servicing agent, and a report of the inspection must be forwarded to council within two weeks of its completion.*
15. *The owner must carry out the works identified in the report or as otherwise required by council as soon as practicable/within the time specified by the council. Such works must be at the cost of the owner and must be documented and reported to council.*
16. *The owner must have the system desludged at least once every three years and evidence of this fact must be provided in the annual written report.*
17. *If the wastewater program proves to be unsustainable, the owner must immediately rectify the wastewater treatment system.*
18. *Unless the dwelling is connected to a reticulated sewerage system, a dwelling on this land must contain no greater than four bedrooms (or rooms that can be used as bedrooms).*

19. *The permit is conditional on all fittings and fixtures having a 4 star WELS rating or better.*
20. *All construction and ongoing activities must be in accordance with sediment control principles outlined in EPA publication 275 – Construction techniques for sediment pollution control (as updated or replaced) until the disturbed areas associated with the development have been permanently stabilised or revegetated to the satisfaction of the council.*

Country Fire Authority (CFA) conditions

21. *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.*
22. *Before the development starts, the Bushfire Management Plan - 20 Gellibrand Valley Road, Gellibrand, version 2 Prepared by Southern Cross Town Planning Pty Ltd, Sept 2026 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.*

Department of Energy, Environment and Climate Action (DEECA) conditions

23. *Best practice measures must be implemented to prevent erosion, sedimentation and polluted runoff entering drainage lines and waterways downslope of the site, including sediment controls around stockpile and laydown areas, in accordance with relevant Environment and Protection Authority guidelines at all times during works.*

Expiry

24. *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 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.

- 4. Before the certificate of occupancy is issued for the dwelling, the existing Onsite Wastewater Management system must be decommissioned .***

CARRIED 6 : 0

The meeting was declared closed at 1.08pm

CONFIRMED AND SIGNED at the meeting held on 10 November 2026.

.....**MAYOR**