



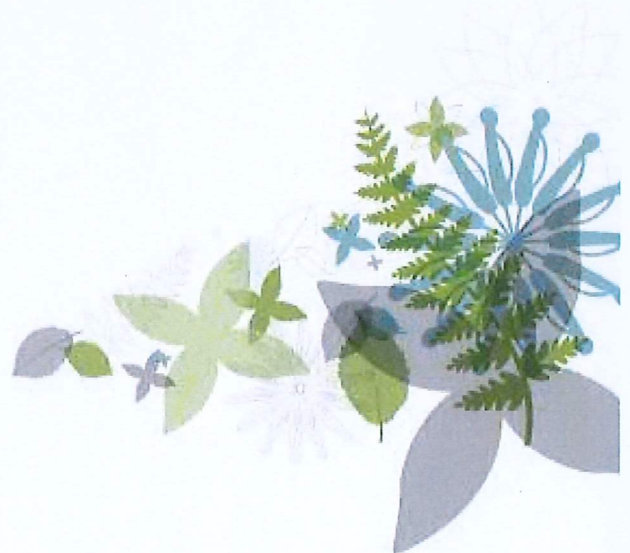
Colac Otway
SHIRE

PLANNING COMMITTEE MEETING

MINUTES

Tuesday 9 June 2026

at 1:00 PM



COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

Tuesday 9 June 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 9 June 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 Charlie Buchanan
Cr Mick McCrickard
Cr Chrissy De Deugd

Andrew Tenni, Chief Executive Officer
Emma Lowes, General Manager Corporate Services
Doug McNeill, General Manager Infrastructure and Environment
Ian Seuren, General Manager Community and Economy
Anita Craven, Executive Officer Governance
Matilda Hardy-Smith, Coordinator Council Business

3.2 Apologies

Cr Zoe Hudgell

3.3 Confirmation of Minutes

RESOLUTION

Moved Cr Howard, Seconded Cr Potter

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 12 May 2026.

CARRIED 6 : 0

3.4 Declarations of Interest

Cr Schram	General	Item 4.2 – PP124/2024-1 365 Mooleric Road, Ombersley	Company performs work for the applicant and objectors.
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Item: 4.1

**PP129/2023-1 at 507 Blue Johanna Road JOHANNA -
Use and development for a Dwelling and associated
building and works, and use and development for an
Agricultural Building (Retrospective) and Agriculture
(Grazing)**

ADDRESS AND PROPERTY DETAILS	507 Blue Johanna Road JOHANNA Lot: 1 PS548145 V/F: 11044/887 Parish of Aire	APPLICATION NUMBER	PP129/2023-1
PROPOSAL	Use and development for a Dwelling and associated building and works, and use and development for an Agricultural Building (Retrospective) and Agriculture (Grazing)		
PERMIT TRIGGERS	Planning scheme clause	Matter for which a permit has been applied for:	
	Clause 35.06 (RCZ)	Use and development of a dwelling and associated works including private bushfire shelter, swimming pool and retrospective development of a building (shed) for agricultural purposes	
	Clause 44.01 (EMO1)	Building and works for a dwelling, private bushfire shelter, swimming pool, agricultural building (retrospective) and associated earthworks	
	Clause 44.06 (BMO)	Building and works for construction of a dwelling	

Item: 4.1

**PP129/2023-1 at 507 Blue Johanna Road JOHANNA -
Use and development for a Dwelling and associated
building and works, and use and development for an
Agricultural Building (Retrospective) and Agriculture
(Grazing)**

TRIGGER FOR DETERMINATION BY COMMITTEE	Dwelling in the Rural Conservation Zone		
ZONE	Rural Conservation Zone (RCZ)	OVERLAYS	Erosion Management Overlay (EMO1) & Bushfire Management Overlay (BMO)
COVENANTS	Not Applicable		
CULTURAL HERITAGE	The site is partially within a culturally sensitive area located at the site entry however any works within this area are not considered to be a high impact activity.		
OFFICER	Adele McErlain	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 the use and development of the land for a Dwelling and associated building and works, and use and development for an Agricultural Building (retrospective) and Agriculture (grazing) at 507 Blue Johanna Road JOHANNA (Lot: 1 PS548145 V/F: 11044/887 Parish of Aire), subject to the following conditions:

Amended plans required

- 1. Prior to commencement of the use and/or development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application, but modified to show:*

- a) **Location of fencing to limit grazing access to vegetated (and revegetated) areas including site's eastern boundary.**
- b) **Clearly show and describe the areas within the whole site to be used for each specific purpose including:**
 - **Agricultural use for livestock grazing.**
 - **Revegetation and native vegetation to be retained.**
 - **Domestic zone including the dwelling, agricultural building and driveway, and describing the specific requirements for the maintenance of the domestic zone in a lower bushfire threat 'grassland condition' generally in accordance with Defendable Space requirements described in Table 4 to Clause 53.02-5 of the planning scheme and condition 17(a) of this permit, to the satisfaction of the Country Fire Authority and the Responsible Authority.**
- c) **Setbacks of the dwelling to property boundaries.**
- d) **Materials and colours of the dwelling.**

Endorsed plans

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

Removal of Existing Building (tiny house)

- 3. **Prior to the occupancy of the dwelling allowed by this permit, the existing tiny house located on the land must be removed and the area made good to the satisfaction of the Responsible Authority.**

Dwelling Infrastructure

- 4. **Prior to occupation of the 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 a reticulated sewerage system or if not available, the wastewater must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.**
 - 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.**

Land Management Plan

- 5. **Concurrent with the submission of plans pursuant to Condition 1, an amended Land Management Plan (LMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended LMP should be generally in accordance with the plan submitted with the application (referred to as that plan prepared by ecolink consulting, project 2338, dated March 2026) but amended as follows:**

- a) *Acknowledgement that all timber harvesting activities have ceased and will not be undertaken in the future.*
 - b) *Specific details regarding fencing to control/limit grazing access to vegetated areas.*
 - c) *Consideration of a broader revegetation having regard to the existing vegetation along the site's eastern boundary.*
 - d) *Definitive details relating to the intensity and areas of the site used for agricultural and grazing areas.*
 - e) *Detail of the weed control and management of the grazing areas.*
 - f) *A schedule for the resowing of the grazing areas.*
6. *Within six (6) months of the occupation of the dwelling approved under this permit, the landowner/permit holder must submit to the satisfaction of the Responsible Authority a compliance report (Year 1 Report) confirming that the actions required by the endorsed Land Management Plan forming part of this permit have been satisfactorily implemented. Further compliance reports must be submitted to the satisfaction of the Responsible Authority at 18 months (Year 2 Report) and 30 months (Year 3 Report) after the occupation of the dwelling.*

Materials

7. *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.*

Land Capability Assessment

8. *All works and development associated with this permit must be carried out in accordance with the Land Capability Assessment prepared by Strata Geoscience and Environmental (Ref. No.05080, dated 31/10/2023) or as otherwise agreed in writing by the Responsible Authority.*

Onsite Wastewater Management and Disposal

9. *A domestic wastewater management system must be constructed concurrently with the dwelling/building 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. A pool, bath/spa bath (capacity greater than 200 Litres) must not be connected to the onsite wastewater management system.*

Stormwater Runoff

10. *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.*

Best Practice Stormwater Management

- 11. 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 to the satisfaction of the Responsible Authority.**

Compliance with Geotechnical Assessment

- 12. The approved development must be carried out on the site in accordance with the recommendations of the Landslide Risk Assessment (Australian Geotechnical Testing Report AGTE211012 Rev 3 dated 12/2/24) any Geotechnical Practitioner engaged to review those assessments submitted with the application.**

Reticulated Gas Service Connection

- 13. 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.**

Section 173 Agreement

- 14. 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 PP129/2023-1, 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.**
- b) A dwelling constructed in accordance with planning permit PP129/2023-1 must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:**
 - Constructed on the same land as the dwelling.**
 - Available for use by the occupants of the dwelling at all times.**
 - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.**

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

Bushfire Management (Mandatory Condition)

- 15. The bushfire protection measures forming part of this permit and/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.**

16. The dwelling must be constructed to a minimum of BAL 40 construction standard.

CFA conditions

Bushfire Management Plan Required

17. Before the development starts, an amended Bushfire Management Plan must be prepared to the satisfaction of CFA then submitted to and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority. The plan must be generally in accordance with the Bushfire Management Plan prepared by Town Planning and Bushfire Services for 507 Blue Johanna Road, Johanna, Version 2, 11/03/2026, but modified to replace the conditions for water supply with:

Defendable space

a) Defendable space for a distance of 65 metres around the proposed building must be provided where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- **Grass must be short cropped and maintained during the declared fire danger period.**
- **All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.**
- **Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.**
- **Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.**
- **Shrubs must not be located under the canopy of trees.**
- **Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.**
- **Trees must not overhang or touch any elements of the building.**
- **The canopy of trees must be separated by at least 5 metres.**
- **There must be a clearance of at least 2 metres between the lowest tree branches and ground level.**

Water supply (with remote outlet)

b) A minimum of 10,000 litres of effective water supply for fire fighting purposes must be provided which meets the following requirements:

- **The static water supply must be stored in an above ground tank constructed of concrete or metal.**
- **The static water supply must be provided with an outlet for CFA (CFA outlet) that includes a 64 mm CFA 3 thread per inch male coupling.**

- *The location of the CFA outlet must be within 4 metres of the driveway (or other suitable 'hardstand') and within 60 metres of the building.*
- *The CFA outlet must be located to achieve gravity feed from the static water supply (the CFA outlet must be lower than the pipework outlet on the tank).*
- *All water pipes and fittings to the remote CFA outlet must be a minimum pipe size of 100 mm (Class A Copper or Class 12 PVC) or 125 mm PN 12.5 HDPE. This includes the outlet at the tank.*
- *The static water supply must include a separate outlet for the private use of the owner/occupier of the land that incorporates a ball or gate valve.*
- *All fixed above-ground water pipes and fittings must be made of corrosive resistant metal.*
- *A 65mm British Standard Pipe (BSP) ball or gate valve must be provided at the CFA outlet to control the flow of water to the CFA coupling. Any other valves between the CFA outlet and the tank must be locked in the open position.*
- *The CFA outlet must be:*
 - *Easily accessible by a fire-fighter in the event of a bushfire.*
 - *Clear of all vegetation for a distance of 1.5 metres.*
 - *Setback from flammable objects (including timber fences and timber retaining walls) for a minimum distance of 1.5 metres.*
 - *Oriented horizontally.*
- *The centreline of the CFA outlet must be a minimum of 300mm and maximum 600mm in height above the finished ground level.*
- *The riser for the CFA outlet must be supported by a galvanised steel post at least 50mm x 50mm or equivalent which is concreted in the ground to a depth of at least 450mm.*
- *The CFA outlet must be easily identifiable from dwelling or signage must be provided that meets the following requirements:*
 - *Has an arrow pointing to the location of the fire authority outlet.*
 - *Has dimensions of not less than 310mm high and 400mm long.*
 - *Is red in colour, with a blue reflective marker attached.*
 - *Is labelled with a 'W' that is not less than 15cm high and 3cm thick.*
- *The CFA outlet must include fade-resistant or engraved signage that:*
 - *Is to be fixed to the post supporting the fire authority outlet riser.*
 - *Has a minimum height of at least 1m from the ground surface level.*
 - *Includes the words "FIRE WATER TANK OUTLET" in lettering that is a minimum of 50mm in height and written in a colour contrasting with that of the signage background.*
 - *Includes the capacity of the water supply (in litres) in lettering that is a minimum of 50mm in height and written in a colour contrasting with that of the signage background.*

- A blue reflective disc at least 50mm in diameter must be attached to the post holding the sign. The blue reflective disk must be located immediately below the sign.
- All below-ground water pipes must be installed to provide at least the following cover below the finished surface; 300 mm for pipes subject to vehicle traffic; 75 mm for pipes under dwellings or concrete slabs; and 225 mm for all other locations.

No reduction in bushfire construction standards.

18. Construction standards specified on the endorsed Bushfire Management Plan must not be reduced to the next lower BAL using clause 3.5 of AS3959 (Reduction in construction requirements due to shielding).

Installation of private bushfire shelter

19. Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

A dwelling constructed in accordance with planning permit PP129/2023-1 must not be occupied until a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018) is:

- *Constructed on the same land as the dwelling.*
- *Available for use by the occupants of the dwelling at all times.*
- *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Land Management Plan Required

20. Before the development starts, the final Land Management Plan must be prepared then submitted to and endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority. The plan must be generally in accordance with the Land Management Plan prepared by Ecolink Consulting Pty Ltd for 507 Blue Johanna Road, Johanna, March 2026 however must be the final report.

Expiry

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

- The development has not commenced within three (3) years of the date of this permit.*
- 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

Building approval

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 buildings.*

Legal Point of Discharge

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.*

Wastewater

3. *A separate application to install/alter an onsite wastewater management system must be submitted 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. Slope risk mitigation strategies for the onsite wastewater management system may be requested.*

CARRIED 6 : 0

Item: 4.2

**PP124/2024-1 - 365 Mooleric Road OMBERSLEY -
Use and Development of the Land for Industry
(Stone Processing Facility) and Reduction of
Carparking Requirements**

ADDRESS AND PROPERTY DETAILS	365 Mooleric Road, OMBERSLEY Lot 3 PS429092	APPLICATION NUMBER	PP124/2024-1								
PROPOSAL	Use and development of the land for Industry (Stone Processing Facility) and Reduction in Car Parking										
PERMIT TRIGGERS	<table><tr><th>Planning scheme clause</th><th>Matter for which a permit has been applied for:</th></tr><tr><td>35.07-1 (FZ)</td><td>Use of the land for Industry (cutting, storage and wholesale distribution of stone)</td></tr><tr><td>35.07-4 (FZ)</td><td>Building or works associated with a use (Industry) in Section 2 of Clause 35.07-1</td></tr><tr><td>52.06-3 (CAR PARKING)</td><td>Reduce the statutory car parking requirements</td></tr></table>			Planning scheme clause	Matter for which a permit has been applied for:	35.07-1 (FZ)	Use of the land for Industry (cutting, storage and wholesale distribution of stone)	35.07-4 (FZ)	Building or works associated with a use (Industry) in Section 2 of Clause 35.07-1	52.06-3 (CAR PARKING)	Reduce the statutory car parking requirements
Planning scheme clause	Matter for which a permit has been applied for:										
35.07-1 (FZ)	Use of the land for Industry (cutting, storage and wholesale distribution of stone)										
35.07-4 (FZ)	Building or works associated with a use (Industry) in Section 2 of Clause 35.07-1										
52.06-3 (CAR PARKING)	Reduce the statutory car parking requirements										
TRIGGER FOR DETERMINATION BY COMMITTEE	Use and development of Industry in the Farming Zone (FZ)										
ZONE	Farming Zone (FZ)	OVERLAYS	Nil								
COVENANTS	Nil										
CULTURAL HERITAGE	The subject area - industry proposal (1.75ha) is not located within an Area of Aboriginal Cultural Heritage Sensitivity, however Aboriginal Cultural Heritage Sensitivity Areas are located within the subject site (204.7ha).										
OFFICER	Adele McErlain	GENERAL MANAGER	Ian Seuren								
DIVISION	Community and Economy										

Cr Schram declared a Conflict of Interest pursuant to Section 127 of the Local Government Act 2020 and left the room at 1.05pm. Cr Howard chaired the meeting for this item.

RESOLUTION

Moved Cr Potter, Seconded Cr Buchanan

That the Planning Committee resolves to issue a Notice of Decision to Grant a Permit for Planning Application (PP124/2024-1) at 365 Mooleric Road, OMBERSLEY (Lot 3 PS429092), subject to the following conditions:

Amended Plans

- 1. Before the use and/or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and provided in a digital format (where possible). The plans must be generally in accordance with the advertised plans, but modified to show:**

- a) Details of any signage.**
- b) The location of all external lighting.**
- c) A landscape plan (refer condition 26 below).**
- d) A land management plan (refer condition 28 below).**

Endorsed Plans

- 2. The use, development and layout as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

Noise

- 3. Noise levels emanating from the premises must not exceed those required to be met under the Environment Protection Regulations 2021 and EPA Publication 1826.4: 'Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues'.**

Site Operations

- 4. The use hereby permitted by this permit may only operate between the hours of:**
 - a) Monday to Saturday - 7:00am to 5:00pm**
 - b) Sundays and/or Public Holidays - No operations**

except with the prior written consent of the Responsible Authority.

- 5. No more than 10,000 tonnes of stone (measured at entry to the site) may be processed on the site in any one calendar year.**
- 6. No retail sales are permitted to be undertaken from the site. Wholesale activities are permitted provided the maximum number of heavy vehicle movements per month is not exceeded (refer condition below). Note: the definition of 'retail' and 'wholesale' have the same meaning as in Clause 73.01 of the Colac Otway Planning Scheme.**
- 7. The diesel generator must only operate during the approved hours of operation and must be acoustically treated and maintained to ensure compliance with condition 4 of this permit.**

8. *No additional generators or increased generator capacity may be installed without the prior written consent of the Responsible Authority.*

Heavy Vehicle Traffic Management

9. *No more than 30 heavy vehicle truck movements may take place to/from the site in any one calendar month.*
10. *Site operator must keep a register of all heavy vehicle truck movements to/from the site for a period of not less than 24 months. The register must include (but is not limited to):*
 - a) *Time and date;*
 - b) *Vehicle registration number;*
 - c) *Import or export;*
 - d) *Tonnes of stone imported/exported;*
 - e) *Origin or destination (depending on import or export);*
 - f) *Vehicle operator/company.*
11. *Heavy vehicles accessing the site must do so only via Mooleric Road, between the site access (north) and the Princes Highway (south). Heavy vehicles must not access the site from the north unless with the prior written consent of the Responsible Authority.*
12. *Heavy Vehicles entering/exiting the site must have the load covered to limit dust or stone coming off the load while in transit to the satisfaction of the Responsible Authority.*

No intensification or change to operations

13. *The use must not be increased, expanded or intensified beyond that expressly authorised by this permit, including (but not limited to) increases in production volumes, staffing numbers, operating hours, building footprint, outdoor storage areas or vehicle movements.*

Amenity

14. *External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.*
15. *Lighting which is to operate outside of operating hours must only be to the minimum extent necessary for on-site security to the satisfaction of the Responsible Authority.*
16. *All areas of the site must be maintained in a clean and tidy manner at all times to the satisfaction of the Responsible Authority.*
17. *The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:*
 - a) *Transport of materials, goods or commodities to or from the land;*
 - b) *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;*
 - c) *Presence of vermin.*

Dust Management

- 18. Prior to the commencement of the use, a Dust Management Plan must be submitted to and approved by the Responsible Authority. The plan must identify potential dust sources and specify mitigation measures to be implemented, including wet cutting procedures, truck load covering, site housekeeping and response procedures for dust complaints. The use must be operated at all times in accordance with the approved plan.**

Onsite Wastewater Management System

- 19. A domestic wastewater management system must be constructed concurrently with the building 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.**

Mooleric Road Upgrade

- 20. Within 12 months of the use commencing on site, Mooleric Road between the site entrance and its intersection with the road reserve forming the southern boundary of the lot must be appropriately sealed to the satisfaction of the Responsible Authority. The Responsible Authority must be notified upon completion of the works, and an inspection must be undertaken to confirm compliance, prior to the Responsible Authority assuming responsibility for future maintenance. Once satisfied, the Responsible Authority will assume responsibility for all ongoing maintenance of this section of road.**
- 21. Until the sealing works are completed to the satisfaction of the Responsible Authority, the permit holder must reimburse Council for the full cost of any maintenance undertaken by Council on this section of road, on up to two occasions, as determined by the Responsible Authority.**

Stormwater Runoff

- 22. 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.**
- 23. The site must be developed and managed to ensure that no contaminants, including but not limited to chemicals, sediments, wastes or pollutants, are discharged off site or into the natural water body/stormwater drainage system from the property, and are managed 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.**

Stormwater Management Plan

- 24. Prior to the commencement of the development, a Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The Stormwater Management Plan must show how the developed site will be effectively drained without affecting the adjacent properties or causing detrimental downstream effects and must include:**
 - a) Details of how stormwater will be managed to prevent pollution during both construction and ongoing operation of the development.**

- b) Measures to ensure the Permissible Site Discharge (PSD) is limited to the pre development discharge rate for the critical 1 in 5 year ARI (20% AEP) storm event, and that post development flows are detained to pre development levels for the critical 1 in 10 year ARI (10% AEP) storm event.
- c) Stormwater treatment measures designed in accordance with Clause 20.3.1 of the Infrastructure Design Manual (IDM) Standard.
- d) Details of site management practices to prevent sediment, litter, and other pollutants from leaving the site.
- e) Full details of all proposed drainage work, including any works required outside the subject land.

25. All works, including the stormwater detention system, must be undertaken in accordance with the approved Stormwater Management Plan to the satisfaction of the Responsible Authority.

Landscape Plan

26. Concurrent with the submission of plans pursuant to condition 1, 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 must be drawn to scale with dimensions noted. The plan must show:

- a) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, sizes at maturity, and quantities of each plant;
- b) landscaping and planting within all open areas of the site.

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

27. Prior to use commencing, 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 any dead, diseased or damaged plants are to be replaced.

Land Management Plan

28. Concurrent with the submission of plans pursuant to condition 1, a Land Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Any plans must be to scale and with dimensions and applies to the area occupied by the use. When approved, the Land Management Plan will be endorsed and will then form part of the permit. The plan must include (but not be limited to):

- a) Site plan for the area occupied by the use;
- b) Site description;
- c) List of the objectives for the property;
- d) A description of native plant and animals on site (if any) and in the occupied area;
- e) Identification of Land Management Issues;
- f) Goal setting and specification of actions and implementation and monitoring of the identified actions.

- g) Within six (6) months of the commencement of the use, testing of ground and surface water must be undertaken at the settlement pond and the legal point of discharge outlet. Following the initial testing, monitoring must be undertaken annually thereafter. All test results must be submitted to the Responsible Authority within 90 days of the testing being completed.**

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.

Internal access road maintenance

- 29. Once the wind farm ceases to operate from the site the owner assumes full responsibility for the ongoing management and maintenance of the access road connecting the site to Mooleric Road to the extent required to provide access to the site by heavy vehicles. All costs associated with the maintenance of the access road on the site will be borne by the owner and the Responsible Authority will not provide any financial or operation assistance.**

Expiry Condition

- 30. The permit will expire if the use is discontinued for a period of 3 years.**

Note: The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with the timeframes specified in s69 of the Planning and Environment Act 1987.

CARRIED 5 : 0

Cr Schram returned to the meeting at 1.16pm

Item: 4.3

Amendment C131cola - Anomalies Amendment

OFFICER	Simon Clarke
GENERAL MANAGER	Ian Seuren
DIVISION	Community and Economy

RESOLUTION

Moved Cr Howard, Seconded Cr McCrickard

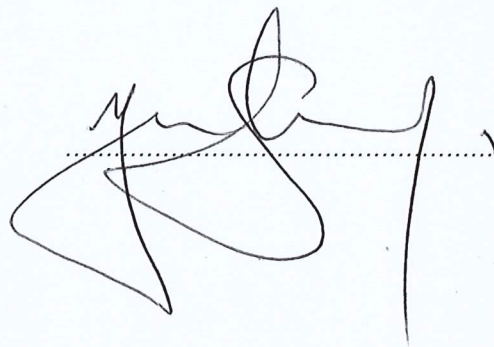
That the Planning Committee:

- 1. Notes that it previously considered Amendment C131cola to the Colac Otway Planning Scheme at its 26 August 2025 meeting and its 26 May 2026 meeting.*
- 2. Notes that the Department of Transport and Planning, as the Minister for Planning's delegate, has requested additional information regarding Amendment C131cola.*
- 3. Notes that since its consideration of this matter at the 26 May 2026 meeting, an additional property in Gellibrand has been identified for inclusion in Amendment C131colac to the Colac Otway Planning Scheme.*
- 4. Notes that the list of properties included in Amendment C131cola to the Colac Otway Planning Scheme has been amended and updated (attached to this report).*
- 5. Pursuant to section 8A of the Planning and Environment Act 1987, request the Minister for Planning to authorise the preparation and exhibition of Amendment C131cola to the Colac Otway Planning Scheme.*
- 6. Pursuant to section 19 of the Planning and Environment Act 1987, place Amendment C131cola on exhibition for a period of six weeks and write to all concerned landowners and occupiers notifying them of the amendment.*
- 7. Authorises Council officers to make any necessary formatting and administrative corrections or changes to Amendment C131cola documents prior to sending the amendment to the Minister for Planning for authorisation.*

CARRIED 6 : 0

The meeting was declared closed at 1.18pm

CONFIRMED AND SIGNED at the meeting held on 14 July 2026.



.....MAYOR