



Colac Otway
SHIRE

Planning Committee Meeting
10 July 2024

Unconfirmed Resolutions

UNCONFIRMED RESOLUTIONS

Confirmation of Minutes

RESOLUTION

Moved Cr Hart, Seconded Cr Finnigan

That the Planning Committee confirm the minutes of the Planning Committee Meeting held on 13 March 2024.

CARRIED 7 : 0

UNCONFIRMED RESOLUTIONS

Item: 7.1 – PP71/2024-1- 245 Deans Creek Road Elliminyt – Use and Development of a Dwelling

RESOLUTION

Moved Cr Costin, Seconded Cr Hart

That the Council resolves to Grant a Permit for the Use and Development of the Land for a Dwelling at 245 Deans Creek Road, Elliminyt (Lot 1 340741 V/F: 8641/005), 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. Prior to the commencement of the use of the dwelling hereby permitted, the following must be provided to the satisfaction of the Responsible Authority:***
 - Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.***
 - The dwelling 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.***
 - 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.***
 - The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.***

External Finishes

- 3. All external finishes must be in non-reflective tones to blend with the surrounding landscape to the satisfaction of the Responsible Authority.**

Access

- 4. Prior to the commencement of development, unless otherwise agreed in writing by the Responsible Authority, vehicular access from the roadway to the property boundary must be upgraded to the satisfaction of the Responsible Authority.**
- 5. Prior to the commencement of the use hereby permitted, the existing driveway must be upgraded to an all-weather standard and with a minimum width of 3m to the satisfaction of the Responsible Authority.**

Stormwater

- 6. 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.**
- 7. 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 or operation to the satisfaction of the Responsible Authority.**

Wastewater

- 8. 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.**

Construction Management Plan

- 9. Prior to the commencement of any works relating to the development, unless otherwise approved in writing by the Responsible Authority, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must describe the erosion and sediment control techniques that will be used and detail how the site will be managed prior to and during the construction**

period, including requirements for managing runoff, dust, construction wastes and litter. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Colac Otway Shire drains and/or watercourses at any time during construction or operation to the satisfaction of the Responsible Authority.

10. *All works must be undertaken in accordance with the approved Construction Management Plan. The developer must ensure that all contractors are aware of the requirements of the approved Construction Management Plan and understand how to implement them.*

Corangamite Catchment Management Authority

11. *The finished floor level of the dwelling be constructed no lower than 132.21 metres to Australian Height Datum (AHD) i.e., 300 millimetres above the 1% AEP flood level.*
12. *The finished floor level of the garage must be constructed no lower than 132.06 metres to Australian Height Datum (AHD) i.e., 150 millimetres above the 1% AEP flood level.*

Expiry

13. *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 and the use has not commenced 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 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 works within road reserve permit is required prior to any works being undertaken on Council managed road reserves within the Colac Otway Shire.*

- 4. At least seven (7) days before any works start, an Asset Protection Permit must be obtained from Council. Council infrastructure must be maintained in a safe condition during the construction period. Any damage caused by these works to Council assets must be reinstated to the satisfaction of the Council prior to the completion of works.**

- 5. 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 that a Land Capability Assessment prepared by a suitably qualified person be submitted for approval, to support a detailed system design and proposed site plan at the wastewater permit application stage. A Sealed Treatment System that achieves 20/30/10 standard is required and the land application area located in the most suitable area setback from sensitive sites (waterways).**

CARRIED 4 : 3

Division for: Cr Hart, Cr Costin, Cr Hanson, Cr Finnigan

Against: Cr Potter, Cr White, Cr Arnott