

Minutes

Special Council Meeting for Hearing Submissions

Tuesday, 1 December 2020

Held via video conference

(Zoom)

Commenced at 6:00pm

Council:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

MINUTES FOR THE SPECIAL COUNCIL MEETING FOR HEARING SUBMISSIONS
HELD VIA VIDEO CONFERENCE (ZOOM)
ON TUESDAY 1 DECEMBER 2020 AT 6:00PM

PRESENT:

Cr Libby Stapleton (Mayor)
Cr Gary Allen
Cr Paul Barker
Cr Mike Bodsworth
Cr Kate Gazzard
Cr Rose Hodge
Cr Liz Pattison
Cr Adrian Schonfelder
Cr Heather Wellington

Cr Gazzard left the meeting at 6:17pm and returned at 6:25pm.

In Attendance:

Acting Chief Executive Officer – Anne Howard
Acting General Manager Governance & Infrastructure – John Bertoldi
General Manager Culture & Community – Chris Pike
General Manager Environment & Development – Ransce Salan
Manager Planning & Development – Bill Cathcart
Coordinator Statutory Planning – David Simon
Principle Statutory Planner – Bianca Wilkin
Acting Coordinator Governance – Zoe Eastick
Governance Officer – Liberty Nash

OPENING:

Cr Libby Stapleton opened the meeting.

Council acknowledges the traditional owners of the land where we meet today and pays respect to their elders past and present and acknowledges the citizens of the Surf Coast Shire.

PLEDGE:

Cr Bodsworth recited the pledge on behalf of all Councillors.

As Councillors we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

APOLOGIES:

Nil.

CONFLICTS OF INTEREST:

None declared.

SUBMITTERS HEARD

1. Peter Donnelly
2. Meredith De Leneheer
3. Carol Collins
4. Fiona and Tim Latrobe
5. Andrew Cherubin (on behalf of the 3228 Residents Association)
6. Helen Robarts
7. Richard Glawitch
8. Julie Castieau
9. David Merrett (on behalf of Simon Lynch, Steve Marvilla, Guy and Lyn White, Gary and Tracey Banks, Brian Weppner and Jill Tickner)
10. Stephen Coliero of G2 Urban Planning (on behalf of the Applicant)

BUSINESS:

1. PLANNING MATTERS..... 4

1.1 *Planning Application 20/0283 - Construct a Three Store Residential Apartment Building and Native Vegetation Removal - 86-92 The Esplanade Torquay 4*

1. PLANNING MATTERS

1.1 Planning Application 20/0283 - Construct a Three Store Residential Apartment Building and Native Vegetation Removal - 86-92 The Esplanade Torquay

Author's Title: Principal Statutory Planner
Department: Planning & Development
Division: Environment & Development

General Manager: Ransce Salan
File No: 20/0283
Trim No: IC20/1545

Appendix:

1. 2020-12-01 Hearing of Submissions - Order of Speakers - Planning Permit 20/0283 (D20/219063)

Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 2020 – Section 130:

Yes No

Reason: Nil

Status:

Defined as confidential information in accordance with Local Government Act 2020, Section 3(1):

Yes No

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 20/0283. The application seeks approval for the Construction of a Three Storey Residential Apartment Building and Native Vegetation Removal.

Summary

In September/October the application was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

Summary of Submissions

A total number of 58 submissions have been received (as of 10 November 2020) including:

- 55 objections from individuals (representing 51 properties)
- 1 objection from a body corporate
- 1 objection from a committee
- 1 in support from an individual

The issues raised by objectors are summarised in the following table. In summarising the issues similar concerns have been grouped together.

Issue
Loss of residential amenity from: <ul style="list-style-type: none"> • Overshadowing of residential properties from proposed buildings • Overlooking • Noise including from equipment, residents, vehicles • Change of outlook and building bulk • Loss of views
Devaluation of property
Inconsistent with the neighbourhood character in relation to: <ul style="list-style-type: none"> • Height • Scale • Setbacks • Landscaping area provided • Site coverage
Visual impact of development from the Esplanade and coastal foreshore
Density of proposal not suited to this location of Torquay
Loss of vegetation
Insufficient and lack of appropriate access to parking being provided on the site
Waste removal trucks restricted from movement within carpark
Removal of existing parking within the Esplanade
Increase in traffic and impact on the function of the Esplanade

1.1 Planning Application 20/0283 - Construct a Three Store Residential Apartment Building and Native Vegetation Removal - 86-92 The Esplanade Torquay

Lack of storage associated with apartments
Lack of Deep Soil Area
Appropriate drainage
Potential for future subdivision resulting in individual tenancies
Use of apartments as short stay accommodation, and the potential for ill behaviour associated with short term accommodation.
Increase in animals to the area
Compliance with planning provisions: <ul style="list-style-type: none">• Non consistent with Clauses 15.01 – Built Environment and 16.01 - Residential Development• Non consistent with Clause 21.08 – Torquay Jan Juc Strategy• Non consistent with Clause 22.09 – Torquay Jan Juc Residential Development and Neighbourhood Character Policy• Non consistent with Design and Development Overlay – Schedule 2.

A copy of all the submissions have been made available to Council via the Councillors Portal.

The submission in support of the proposal is summarised as:

- Looks great
- Good opportunity for the local trades
- Improvement on existing housing.

The issues raised in the submissions will be considered in detail in a report to be presented to the 8 December 2020 Council meeting.

Recommendation

That Council receives and notes the submissions relating to Planning Permit Application 20/0283 and forward to Council for consideration.

Council Resolution

MOVED Cr Adrian Schonfelder, Seconded Cr Rose Hodge

That Council receives and notes the submissions relating to Planning Permit Application 20/0283 and forward to Council for consideration.

CARRIED 9:0

Close: There being no further items of business the meeting closed at 7:33pm.