

Minutes

Hearing of Submissions Committee
Tuesday, 10 March 2020

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commenced at 5:00pm

Committee:

Cr Rose Hodge (Chair)
Cr David Bell
Cr Martin Duke
Cr Clive Goldsworthy
Cr James McIntyre (Leave of Absence)
Cr Brian McKiterick
Cr Tony Revell
Cr Margot Smith
Cr Heather Wellington

MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 10 MARCH 2020 COMMENCED AT 5:00PM

PRESENT:

Cr Clive Goldsworthy (Acting Chairperson)
Cr Martin Duke
Cr Brian McKitterick
Cr Tony Revell
Cr Margot Smith
Cr Heather Wellington (arrived at 5:02pm)

Ransce Salan – General Manager Environment and Development
Anne Howard – General Manager Governance and Infrastructure
Karen Hose – Acting Manager Planning and Development
Michelle Watt – Coordinator Statutory Planning
Julie Anderson – Coordinator Governance
Liberty Nash – Records Management Officer (Minutes)

In Attendance:

57 members of the public
0 member of the press

Not In Attendance:

Cr James McIntyre (Leave of Absence)
Keith Baillie

APOLOGIES:

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr Brian McKitterick

That apologies be received from Cr David Bell and Cr Rose Hodge (Chairperson).

CARRIED 6:0

CONFIRMATION OF MINUTES

Committee Resolution

MOVED Cr Brian McKitterick, Seconded Cr Martin Duke

That the Hearing of Submissions Committee note the minutes of the meeting held on 18 February 2020 as a correct record of the meeting.

CARRIED 6:0

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

1. Dr William Lance Potter
2. Graham Higgin
3. Shelley Fanning (on behalf of the Kithbrooke Country Park residents and residents committee)
4. Drusilla Bremner
5. Adrian Delia
6. Graeme Jacobs – Applicant

BUSINESS:

- 1. PLANNING MATTERS..... 4**
- 1.1 *19/0292 - Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Resubdivision) and Earthworks Which Change the Rate of Flow Across a Property Boundary - 350 Coombes Road and 1200 Ghazeepore Road, Freshwater Creek..... 4*

1. PLANNING MATTERS

1.1 19/0292 - Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Resubdivision) and Earthworks Which Change the Rate of Flow Across a Property Boundary - 350 Coombes Road and 1200 Ghazeepore Road, Freshwater Creek

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

General Manager: Ransce Salan
File No: 19/0292
Trim No: IC20/284

Appendix:

Nil

Officer Direct or Indirect Conflict of Interest:

In accordance with Local Government Act 1989 – Section 80C:

Yes

No

Reason: Nil

Status:

Information classified confidential in accordance with Local Government Act 1989 – Section 77(2)(c):

Yes

No

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 19/0292 – 1200 Ghazeepore Road and 350 Coombes Road, Freshwater Creek – Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Re-subdivision) and Earthworks which Change the Rate of Flow Across a Property Boundary.

Summary

In December 2019 the application relating to use and development for camping and caravan park, two lot subdivision (re-subdivision) and earthworks which change the rate of flow across a property boundary was publicly exhibited in accordance with the *Planning and Environment Act 1987* (the Act).

The use, development, subdivision and earthworks are proposed for the properties addressed 1200 Ghazeepore Road and 350 Coombes Road in Freshwater Creek which have a combined area of 52.7ha.

Key elements of the proposal are:

- A re-subdivision of the land which will realign the property boundaries and consolidate a former water channel reserve (Lot 2 of PS406859) into the two new lots;
- Provide for the use and development of the following elements in relation to the camping and caravan park:
 - 33 one, two and three bedroom cabins;
 - 15 powered “glamping/safari” tents;
 - 65 powered caravan sites, powered and unpowered camping sites and unpowered overnight stay sites;
 - A manager’s residence;
 - Range of recreational and leisure facilities which include:
 - Café, office and general store;
 - Flexible cinema space;
 - Swimming pool with gym;
 - Amenities (toilet/shower blocks, laundry, indoor and outdoor BBQ’s/kitchen);
- Creation of turning lane from Coombes Road.

Summary of Submissions

A total number of 171 objections were received (as of 13 February 2020).

The issues raised by objecting submissions are summarised in the following table.

1.1 19/0292 - Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Resubdivision) and Earthworks Which Change the Rate of Flow Across a Property Boundary - 350 Coombes Road and 1200 Ghazeepore Road, Freshwater Creek

Issue
At odds with the green wedge/non-urban break area of Thompson Creek (Local Planning Policy – Clause 21.08)
Inappropriate use and development of Farming Zone land
Out of character development and use
Against strategic policy in that the application is outside of the Torquay town boundary
Landscape impacts (visual impacts to the landscape vista)
Existing infrastructure unable to cater for proposal
Potential for permanent residency within cabins
Devaluation of property
Traffic impact on condition and safety of Coombes Road and congestion to Torquay road network
Noise, odour and dust emissions
Environmental impact on flora and fauna
No net community benefit
Safety/Security impacts

The objections have been received from 169 individuals and two organisations (special interest community groups).

Most of the objections provided a residential address. It is estimated that the majority of the objectors are located within a 5km radius of the subject site which includes parts of Torquay, Jan Juc, Freshwater Creek and Bellbrae. The majority of the objections were received from the residents of the Kithbrooke Park Country Club.

It is noted that there is no provision within the Act which alters the consideration that must be given to an objection based on separation from the application site with s.60(c) directing that the responsible authority must consider *“all objections and other submissions which it has received”*.

The issues raised in the submissions will be considered in a detailed report to be presented to a later Council meeting.

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0292 – Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Re-subdivision) and Earthworks which Change the Rate of Flow Across a Property Boundary at 1200 Ghazeepore Road and 350 Coombes Road, Freshwater Creek and forward to Council for consideration.

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr Martin Duke

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0292 – Use and Development of the Land for Camping and Caravan Park, Two Lot Subdivision (Re-subdivision) and Earthworks which Change the Rate of Flow Across a Property Boundary at 1200 Ghazeepore Road and 350 Coombes Road, Freshwater Creek and forward to Council for consideration.

CARRIED 6:0

Close: There being no further items of business the meeting closed at 5:49pm.