

Minutes

Hearing of Submissions Committee
Tuesday, 13 November 2018

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 5.00pm

Council:

Cr Rose Hodge (Chair)
Cr David Bell
Cr Libby Coker
Cr Martin Duke
Cr Clive Goldsworthy
Cr Carol McGregor
Cr Brian McKiterick (Leave of Absence)
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 13 NOVEMBER 2018 COMMENCING AT 5.00PM

PRESENT:

Cr Rose Hodge (Chair)
Cr David Bell
Cr Libby Coker
Cr Martin Duke
Cr Clive Goldsworthy
Cr Margot Smith
Cr Heather Wellington (Observer via teleconference)

In Attendance:

General Manager Governance & Infrastructure – Anne Howard
General Manager Environment & Development – Ransce Salan
Manager Planning & Development – Bill Cathcart
Acting General Manager Culture & Development Leanne Perryman
Coordinator Statutory Planning – Michelle Watt
Principal Statutory Planner – Ben Schmied
Engineering Services Manager – Ian Stewart

Not In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Culture and Development – Chris Pike

48 members of the public

1 member of the press

APOLOGIES:

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr Libby Coker

That an apology be received from Cr Carol McGregor

CARRIED 6:0

CONFIRMATION OF MINUTES

Committee Resolution

MOVED Cr Martin Duke, Seconded Cr Margot Smith

That the Hearing of Submissions Committee note the minutes of the meeting held on 2 October 2018 as a correct record of the meeting.

CARRIED 6:0

CONFLICTS OF INTEREST:

Nil

1. Environment and Development

SUBMITTERS HEARD

1.1 Planning Permit Application 18/0159 – 109 Great Ocean Road Anglesea

1. Patricia Morgan
2. Liz Vines on behalf of 26 Anglesea residents
3. Scott Webster on behalf of Seaview Marine (via teleconference)
4. Scott Webster on behalf of Faye Webster(via teleconference)
5. Barbara Crowhurst
6. Irene Karpala
7. Wes Smith
8. James Kelly
9. Peter Doyle
10. Brian Smith
11. Kirsten Kilpatrick (applicant)

1.2 Planning Permit Application 18/0419 – 2-4 Geelong Road and 48-50 Bell Street and Lumley Close, Torquay

1. Geoff Collins
2. Phillip Stockton
3. David Newton
4. Steve Csiszar
5. Barrie Sutherland and Barry White on behalf of Committee for Torquay
6. Dale Tepper
7. Peter Doak
8. Graeme Stockton
9. Chris Barr
10. Peter Donnelly
11. Sue O'Shanassy
12. Andrew Cherubin on behalf of 3228 Residents Association
13. Tarquin Leaver on behalf of applicant

2. Other Matters

2.1 Road Management Plan Review

1. Adrian Schonfeld – (submitter did not attend).

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1. PLANNING MATTERS

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

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

General Manager: Ransce Salan
File No: 18/0159
Trim No: IC18/1772

Appendix:

1. Order of Speakers - 13 November 2018 (D18/142467)

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 18/0159 - construction of a building containing 21 apartments and two shops; use of the land for accommodation and shop - 109 Great Ocean Road, Anglesea.

Summary

In October 2018 the application relating to the construction of a building containing 21 apartments and two shops; and use of the land for accommodation and shop at 109 Great Ocean Road Anglesea was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

Summary of Submissions

As of 7 November 2018, a total of 25 submissions were received including 22 objections and 3 in support, summarised as follows:

No.	Submitter	Position	Summary of Submission
1.	Individual	Objection	<ul style="list-style-type: none"> Negative impact on character of Anglesea Does not respond to <i>Anglesea Great Ocean Road Study</i> and the planning scheme Overdevelopment of site Lack of landscaping Poor design and response to character Inappropriate height Concern about car parking
2.	Individual	Objection	<ul style="list-style-type: none"> Building height Lack of car parking, traffic and parking impacts on street Height of proposed trees on the landscape plan will impact on views
3.	Individual	Objection	<ul style="list-style-type: none"> Loss of view to river and ocean Residential occupation of units, not tourism Building height Lack of car parking, including for visitors and shoppers Parking pressure in Diggers Parade Lack of convenience for patron parking Shadowing of Diggers Parade
4.	Individual	Objection	<ul style="list-style-type: none"> Lack of infrastructure capacity High density living Traffic impacts

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

No.	Submitter	Position	Summary of Submission
			<ul style="list-style-type: none"> • Lack of need for shops • Blocking views, including to businesses in Diggers Parade • Reduction in property values • Parking impacts on Diggers Parade • Eye-sore, out of character • Shadowing of Diggers Parade • Loss of privacy • Not in community interest
5.	Individual	Objection	<ul style="list-style-type: none"> • Plans do not reflect the title boundaries and rely on the use of private land between site and Diggers Parade for pedestrian access • Traffic congestion and parking issues • Reduced amenity and outlook • Reduction in property values • Does not respect neighbourhood character and town's coastal character • Dominate streetscape • Shadowing of neighbouring property • Overlooking • Inadequate car parking • Traffic impact assessment undertaken at wrong time of year, does not account for peak demand • Reliance on private parking on other land • Impact of waste collection
6.	Individual	Objection	<ul style="list-style-type: none"> • High density accommodation • Traffic congestion and parking issues • Reduced amenity and outlook • Loss of views • Reduction in property values • Does not respect neighbourhood character and town's coastal character • Dominate streetscape • Shadowing of neighbouring property • Overlooking • Inadequate car parking • Impact of waste collection
7.	Individual	Objection	<ul style="list-style-type: none"> • Negative impact on neighbourhood character • Does not respond to <i>Anglesea Great Ocean Road Study</i> and the planning scheme • Overdevelopment • Lack of landscaping and open space • High site coverage • Door design • Excessive height • Car parking
8.	Individual	Objection	<ul style="list-style-type: none"> • Block view and exposure of restaurant • Parking problems in Diggers Parade • Loss of privacy • Spoil ambience
9.	Individual	Objection	<ul style="list-style-type: none"> • Building height and lack of third storey recess • Visual bulk and imposing

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

No.	Submitter	Position	Summary of Submission
			<ul style="list-style-type: none"> Impact on township character
10.	Individual	Objection	<ul style="list-style-type: none"> Building height Loss of potential views Loss of privacy Traffic and parking impacts on Diggers Parade Traffic noise Lack of loading and unloading facilities Inappropriate waste management Building imposing
11.	Individual	Objection	<ul style="list-style-type: none"> Detrimental to character Lack of demand for apartments and shops Development excessive Building height excessive and not compatible with streetscape Lack of landscaping Lack of stepped form Infrastructure capacity Traffic and parking impacts on Diggers Parade Traffic impact assessment undertaken at wrong time of year, does not account for peak demand Loss of privacy Inappropriate scale Location of waste collection
12.	Individual	Objection	<ul style="list-style-type: none"> Negative impact on character of Anglesea Does not respond to <i>Anglesea Great Ocean Road Study</i> and the planning scheme Overdevelopment of site Lack of landscaping Poor design and response to character Inappropriate height Concern about car parking
13.	Individual	Objection	<ul style="list-style-type: none"> No need for more shops Change of character Unsightly
14.	Individual	Objection	<ul style="list-style-type: none"> Negative impact on character of Anglesea Does not respond to planning scheme and <i>Anglesea Structure Plan</i>
15.	Individual	Objection	<ul style="list-style-type: none"> Negative impact on character of Anglesea Does not respond to <i>Anglesea Great Ocean Road Study</i> and the planning scheme Overdevelopment of site Lack of landscaping Poor design and response to character Inappropriate height Concern about car parking
16.	Individual	Objection	<ul style="list-style-type: none"> Building height and scale Parking impacts on Diggers Parade Traffic impact assessment undertaken at wrong time of year, does not account for peak demand Waste collection location Lack of need for shops

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

No.	Submitter	Position	Summary of Submission
17.	Individual	Objection	<ul style="list-style-type: none"> • Not a positive contribution to character • Visually dominant and bulky • Overdevelopment of site • Lack of landscaping • Concern about non-tourist accommodation
18.	Individual	Objection	<ul style="list-style-type: none"> • Does not respond to planning scheme and <i>Anglesea Structure Plan 2012</i> • Overdevelopment • Lack of need for shops
19.	Individual	Objection	<ul style="list-style-type: none"> • Building height • Overshadowing of neighbouring properties and road • Bold façade, could be more understated • As it would be biggest building in surrounding context needs to be best practice design
20.	Individual	Objection	<ul style="list-style-type: none"> • Out of scale and character • Overdevelopment • Poor apartment amenity • Parking impacts • Compromises Anglesea River views • Impact on views to river from Diggers Parade
21.	Individual	Objection	<ul style="list-style-type: none"> • Out of scale and character • Planning controls for this area should be reviewed • Oversupply of shops
22.	Individual	Supporter	<ul style="list-style-type: none"> • Sustainable development on Anglesea foreshore • Precedent for future development
23.	Individual	Supporter	<ul style="list-style-type: none"> • Boost to local economy • Opportunity for people entering the housing market looking for beachfront property
24.	Individual	Objection	<ul style="list-style-type: none"> • Negative impact on character of town • Overdevelopment • Lack of landscaping • Poor design • Inappropriate height • Inadequate car parking
25.	Individual	Supporter	<ul style="list-style-type: none"> • Provide quality accommodation • Enhance appearance of industrial strip • Increase in population assisting small business

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

The permit applicant has requested that Council not determine the application before they have the opportunity to respond to the objections through amendments to the proposal. This application had been scheduled for determination on the 27 November 2018, but subsequently has been deferred to a yet to be ascertained meeting. Submitters will be informed of any changes made to the plans by the applicant.

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0159 - Construction of a Building Containing 21 Apartments and Two shops; Use of the Land for Accommodation and Shop - 109 Great Ocean Road, Anglesea and forward to Council for consideration.

Committee Resolution

MOVED Cr Libby Coker, Seconded Cr Margot Smith

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0159 - Construction of a Building Containing 21 Apartments and Two shops; Use of the Land for Accommodation and Shop - 109 Great Ocean Road, Anglesea and forward to Council for consideration.

CARRIED 6:0

1.1 Planning Permit Application 18/0159 - 109 Great Ocean Road, Anglesea

APPENDIX 1 ORDER OF SPEAKERS - 13 NOVEMBER 2018



**Hearing of Submissions
Tuesday, 13 November 2018
5.00 pm
Council Chambers
1 Merrijig Drive, Torquay**

ORDER OF SPEAKERS

Environment and Development

1.1 Planning Permit Application 18/0159 – 109 Great Ocean Road Anglesea

	Submitter Name
1.	Michael Morgan
2.	Liz Vines
3.	Liz Vines on behalf of Peter Doyle
4.	Liz Vines on behalf of S & J Wardle
5.	Scott Webster on behalf of Seaview Marine
6.	Scott Webster on behalf of Faye Webster
7.	Barbara Crowhurst
8.	Irene Karpala
9.	Wes Smith

1.2 Planning Permit Application 18/0419 - 2 and 4 Geelong Road and 48 and 50 Bell Street, Torquay

Author's Title: Coordinator Statutory Planning

General Manager: Ransce Salan

Department: Statutory Planning

File No: 18/0419

Division: Environment & Development

Trim No: IC18/1848

Appendix:

1. Order of Speakers - 2 and 4 Geelong Road & 48 and 50 Bell Street, Torquay (D18/142611)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 18/0419 which relates to the properties known as 2 and 4 Geelong Road, Torquay and 48 and 50 Bell Street, Torquay.

Summary

In October 2018 the application was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

Summary of Submissions

A total number of 134 submissions were received including 133 objections and one submission in support. The key issues raised are summarised as follows:

Height

- The height of the development is out of character and will impact on the streetscape;
- The concept is good, but the height and density is too much for the site;
- The building will dominate the skyline vistas from Torquay's two major arterial roads;
- The development exceeds the nominated height in DDO7;
- Planning policy requires that the character of towns is respected;
- People come to Torquay to get away from the city;
- The high building will overshadow Bell Street and reduce public enjoyment of this space;
- Comparisons to the RACV development are not relevant;
- The building is higher than 16.9 metres and is 20.5 metres in height;
- The building is not a low rise building.

Car parking and traffic

- Inadequate on site car parking is provided and this will be particularly evident in peak summer periods;
- The roundabout cannot cope with the additional traffic generated by the use;
- The Torquay car park land is not available to support the development's parking needs.

Noise

- The outdoor eating/drinking areas will impact on neighbouring residential properties;
- The access ramp on the northern boundary will be a high traffic area consisting of motel customers, employees and trucks/ service traffic at all hours. This is an assault on neighbouring residents and will impact on residential amenity. Access to the development should be relocated away from the residential interface.

Siting and design

- No setbacks and very tight to boundary;
- The building does not reflect the natural beauty of the area;
- Extensive walls on boundaries will impact on neighbour's amenity;

1.2 Planning Permit Application 18/0419 - 2 and 4 Geelong Road and 48 and 50 Bell Street, Torquay

- The building should be contained within the property boundaries, Council cannot give away the rights to this airspace;
- Overshadowing of neighbouring properties;
- At street level there is no landscaping or green space;
- The building design is ugly;
- The building is better suited to a metropolitan location.

Need

- There is no need for additional accommodation; two of the existing hotels are currently struggling;

Geelong Road

- The opening of the northern end of Geelong Road is of concern to me; it was closed in the late 90s as a safety measure;
- The developer should not be allowed to put its parking spaces in the road reserve

Lumley Close

- The road will be completely enveloped within the building and will be largely inaccessible to shop keepers during the development cycle. How will these businesses manage deliveries and staff parking?

Other

- The land could be contaminated by its former use as a service station;
- The construction phase will cause significant disruption to the community over 2-3 years;
- The deep excavation works could impact on neighbouring properties;
- Council has an obligation to its ratepayers that clearly usurps the needs of transient visitors;
- The glass will reflect into the eyes of drivers driving down the hill from Jan Juc in the afternoon;
- Pedestrian movements along Geelong Road will be compromised;
- Public views of the coast will be lost;
- Another licensed premises is not needed and will create social issues;
- Odour from bins may impact on neighbours;
- Planning Department pre-application discussions with the applicant have been questioned as not being appropriate;
- There hasn't been any community consultation;
- The development presents a poor cultural outcome for our coastal towns and other coastal towns throughout Australia;
- The interests of the Shire are with developers and not the community;
- The application should not be entertained as it is so non-compliant with the planning scheme;
- The development may impact on sea views of surrounding properties;
- Converting the grassed area to car parking does not provide a welcoming entrance to tourists using the Great Ocean Road;
- Local birdlife could fly into the glass;

The issues raised in the submissions will be considered in detail in a report to be presented to a Council meeting; the date of this meeting is not currently known as further information has been requested.

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0419 and forward to Council for consideration.

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr David Bell

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0419 and forward to Council for consideration.

CARRIED 6:0

1.2 Planning Permit Application 18/0419 - 2 and 4 Geelong Road and 48 and 50 Bell Street, Torquay

APPENDIX 1 ORDER OF SPEAKERS - 2 AND 4 GEELONG ROAD & 48 AND 50 BELL STREET, TORQUAY



Hearing of Submissions
Tuesday, 13 November 2018
5.00 pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Environment and Development

1.1 Planning Permit Application 18/0419 – 2-4 Geelong Road and 48-50 Bell Street and Lumley Close, Torquay

	Submitter Name
1.	Geoff Collins
2.	Phillip Stockton
3.	David Newton
4.	Steve Csiszar
5.	Barrie Sutherland
6.	Dale Tepper
7.	John Foss
8.	John Bleazby
9.	Peter Doak
10.	Graeme Stockton
11.	Chris Barr
12.	Geoff Collins
13.	Charles Brooks
14.	Peter Donnelly
15.	Tarquin Leaver on behalf of applicant

2. OTHER MATTERS

2.1 Road Management Plan Review

Author's Title: Manager Engineering Services

General Manager: Anne Howard

Department: Engineering Services

File No: F18/1655

Division: Governance & Infrastructure

Trim No: IC18/1838

Appendix:

1. Hearing of Submissions - Speaker List (D18/143381)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to draft changes to Council's Road Management Plan 2017 - 21.

Summary

At its meeting held on 25 September 2018 Council resolved to publicly exhibit the Draft Road Management Plan and publish a public notice inviting submissions in accordance with section 223 of the *Local Government Act 1989*.

Summary of Submissions

A total number of 3 submissions were received, as follows:-

No.	Submitter	Position	Summary of Submission
1.	Individual	Supporting additional funding for roads.	The submitter has requested that Council increase its percentage of budget on roads including widening, line marking and signage.
2.	Individual	Support the plan.	Seeking more focus on safe road shoulder for cyclists.
3.	Organisation	Seeking increased frequency of inspections.	The submission requested increase frequency of inspections and generally improved signage, line markings and road widths. They would like greater advocacy road improvements on the arterial road network.

The issues raised in the submissions will be considered in detail in a report to be presented to the 27 November 2018 Council meeting.

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Road Management Plan and forward to Council for consideration.

Speaker did not attend therefore hearing not required. Road Management Plan Review will proceed to the 27 November 2018 Council meeting.

2.1 Road Management Plan Review

APPENDIX 1 HEARING OF SUBMISSIONS - SPEAKER LIST



**Hearing of Submissions
12 November 2018
5.00pm - 8.00pm
Council Chambers
1 Merrijig Drive, Torquay**

ORDER OF SPEAKERS

Engineering Services
Road Management Plan

	Submitter Name
1.	Adrian Schonfelder

Close: There being no further items of business the meeting closed at 7.02pm.