

# Minutes

Hearing of Submissions Committee  
Tuesday, 16 June 2020

Held  
Via Videoconference (Zoom)  
Commenced at 5.00pm

**Committee:**

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

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MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL  
HELD VIA VIDEOCONFERENCE (ZOOM)  
ON TUESDAY 16 JUNE 2020 COMMENCED AT 5.00PM

**PRESENT:**

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

Keith Baillie – Chief Executive Officer  
Ransce Salan – General Manager Environment and Development  
Anne Howard – General Manager Governance and Infrastructure  
Chris Pike – General Manager Culture and Community  
Bill Cathcart – Manager Planning and Development  
Nick Helliwell – Senior Statutory Planner  
Julie Anderson – Coordinator Governance  
Liberty Nash – Records Management Officer

**CONFIRMATION OF MINUTES**

**Committee Resolution**

**MOVED Cr Clive Goldsworthy, Seconded Cr Martin Duke**

That the Hearing of Submissions Committee note the minutes of the meeting held on 9 June 2020 as a correct record of the meeting.

CARRIED 9:0

**CONFLICTS OF INTEREST:**

None declared.

**SUBMITTERS HEARD**

1. Charlotte Allen (AIDA)
2. Rod Duncan (on behalf of Honman family)
3. Catherine McNaughton
4. Roger Ganly
5. Ian Godfrey
6. Ellinor Campbell (on behalf of ANGAIR)
7. Ellinor Campbell
8. (Applicant) Caroline Wood

**BUSINESS:**

- 1. PLANNING MATTERS..... 4**
- 1.1 *Planning Permit Application 19/0409 - Buildings and works for the construction of a bridge and use as a road for the management of livestock and vegetation removal - 61A, 89A and 95 Bambra Road, Aireys Inlet and 115 Bimbadeen Drive, Fairhaven..... 4*

## 1. PLANNING MATTERS

### 1.1 Planning Permit Application 19/0409 - Buildings and works for the construction of a bridge and use as a road for the management of livestock and vegetation removal - 61A, 89A and 95 Bambra Road, Aireys Inlet and 115 Bimbadeen Drive, Fairhaven

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

**General Manager:** Ransce Salan  
**File No:** 19/0409  
**Trim No:** IC20/682

#### Appendix:

1. Order of Speakers - Hearing of Submissions Meeting - 16 June 2020 (D20/101459)

#### Officer Direct or Indirect Conflict of Interest:

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

Yes



Reason: Nil

#### Status:

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



Reason: Nil

#### Purpose

The purpose of this report is to hear submissions relating to Planning Permit Application 19/0409 - Buildings and works for the construction of a bridge and use as a road for the management of livestock and vegetation removal - 61A, 89A and 95 Bambra Road, Aireys Inlet and 115 Bimbadeen Drive, Fairhaven.

#### Summary

During January and February 2020 the application was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

#### Summary of Submissions

A total number of 60 submissions were received including 42 objections and 18 in support. The key issues raised are summarised as follows:

#### Ecological/environmental impact:

- Impact on native vegetation
- Contamination of land and water from horse droppings and spread of weeds
- Bank erosion and trampling from horse movements
- Adverse environmental impact contrary to policy and Overlay controls to protect wetlands and the landscape
- Effect of bridge on river flow and floodwater.

#### Lease agreement:

- No evidence has been provided of formal lease agreement with landowner of 95 Bambra Road
- Security of tenure of land at 95 Bambra Road and future lease agreement.

#### Use:

- Use of bridge should not be defined as a road
- Use of public land for private purpose is contrary to purpose of Crown Land and Municipal Reserve
- Bridge restricts use of creek by kayakers and stand up paddle boarders
- Bridge restricts access along the eastern creek bank.

#### Alternative access:

- Suitable road access already exists.

#### Impact on Fauna:

- Bridge will impede fish movement in the creek
- Adverse impact on wildlife corridor/movement of fauna
- Fencing dangerous to fauna.

**Need:**

- Bridge is unnecessary when alternative means of access is available.

**Other:**

- No mechanism for checking permit conditions are being complied with
- Contrary to Aireys Inlet to Eastern View Structure Plan 2015
- Precedent for further development in the valley
- Conflicting information between written report and plans eg. bridge height above creek
- Breach of Section 173 Legal Agreement on the land
- No works on waterway approval from CCMA
- No approval has been granted for the works under the Environmental Protection and Biodiversity Conservation Act 1999.

The issues raised in the submissions will be considered in detail in a report to be presented to the 23 June 2020 Council meeting.

**Recommendation**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0409 - Buildings and works for the construction of a bridge and use as a road for the management of livestock and vegetation removal - 61A, 89A and 95 Bambra Road, Aireys Inlet and 115 Bimbadeen Drive, Fairhaven and forward to Council for consideration.

**Committee Resolution**

**MOVED Cr David Bell, Seconded Cr Tony Revell**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0409 - Buildings and works for the construction of a bridge and use as a road for the management of livestock and vegetation removal - 61A, 89A and 95 Bambra Road, Aireys Inlet and 115 Bimbadeen Drive, Fairhaven and forward to Council for consideration.

CARRIED 9:0

**Close:** There being no further items of business the meeting closed at 6:03pm.