

Minutes

Hearing of Submissions Committee
Tuesday, 3 September 2019

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

Council:

Cr Rose Hodge (Chair)
Cr David Bell
Cr Martin Duke
Cr Clive Goldsworthy
Cr James McIntyre
Cr Brian McKiterick
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 3 SEPTEMBER 2019 COMMENCING AT 5:00PM

PRESENT:

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

In Attendance:

General Manager Environment and Development – Ransce Salan
General Manager Culture and Community – Chris Pike
Coordinator Statutory Planning – Michelle Watt

Approximately 50 members of the public
One member of the press

Not in Attendance:

Acting Chief Executive Officer – Anne Howard
Acting General Manager Governance and Infrastructure – Stevan Muskett

APOLOGIES:

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr David Bell

That an apology be received from Cr Brian McKiterick and Cr Heather Wellington.

CARRIED 6:0

CONFIRMATION OF MINUTES

Committee Resolution

MOVED Cr David Bell, Seconded Cr Martin Duke

That the Hearing of Submissions Committee note the minutes of the meeting held on 20 August 2019 as a correct record of the meeting.

CARRIED 6:0

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

Item 1.1

1. Sukoon Bedi (applicant)

Item 1.2

1. Alan Manson (speaking on behalf of Richard Just and others)
2. Bianca McCormack
3. Gordon McCoombe
4. Lauren Dylewski (speaking on behalf of Rhonda Just and herself)
5. Sarah Stronach - apology
6. Yvette Swan
7. Eve Fisher
8. Katie Hill and Michael Bangay (applicant)

BUSINESS:

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1. PLANNING MATTERS

1.1 Planning Permit Application 19/0039 - Use and Development of a Camping and Caravan Park, and Alteration of Access to the Road Zone Category 1 - 28 & 30 Willis Street, Winchelsea

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

General Manager: Ransce Salan
File No: 19/0039
Trim No: IC19/1397

Appendix:

1. 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 19/0039 – Use and Development of a Camping and Caravan Park, and Alteration of Access to the Road Zone Category 1 at 28 and 30 Willis Street, Winchelsea.

Summary

In June 2019 the application was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

Summary of Submissions

A total number of four submissions were received, all of which are objections, summarised as follows:

No.	Submitter	Position	Summary of Submission
1.	Individual	Objection	<ul style="list-style-type: none">• Security and amenity impacts of no on-site management• The proposal should be described as accommodation—description as a caravan park is misleading• Questionable quality and presentation of second-hand cabins
2.	Individual	Objection	<ul style="list-style-type: none">• Safety issues with no on-site security or management• No control of noise or illegal activities• Already three caravan parks in the town
3.	Individual	Objection	<ul style="list-style-type: none">• The town is not big enough to require another caravan park
4.	Individual	Objection	<ul style="list-style-type: none">• Amenity impacts of noise and behaviour due to lack of security• Impact of noise to existing neighbouring caravan park

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 September 2019 Council meeting.

1.1 Planning Permit Application 19/0039 - Use and Development of a Camping and Caravan Park, and Alteration of Access to the Road Zone Category 1 - 28 & 30 Willis Street, Winchelsea

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0039 – use and Development of a Camping and Caravan Park, and Alteration of Access to the Road Zone Category 1 at 28 and 30 Willis Street, Winchelsea and forward to Council for consideration.

Committee Resolution

MOVED Cr Clive Goldsworthy, Seconded Cr James McIntyre

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 19/0039 – use and Development of a Camping and Caravan Park, and Alteration of Access to the Road Zone Category 1 at 28 and 30 Willis Street, Winchelsea and forward to Council for consideration.

CARRIED 6:0

1.2 2 Quay Boulevard, Torquay - Telecommunication Tower

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

General Manager: Ransce Salan
File No: 18/0484
Trim No: IC19/1378

Appendix:

1. 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 18/0484, which seeks approval for a telecommunications tower to be installed at the Quay Reserve, Torquay.

The proposal, if approved, will swap out an existing sports light tower at the south eastern corner of the Reserve and replace it with a combined tower for lighting and telecommunications.

Summary

The original application, showing the telecommunication facility in the north eastern corner of the site, was publicly exhibited in November 2018 and subsequently heard at a Hearing of Submissions meeting on the 12 February 2019. A total of 160 submissions were lodged with Council for this application; including 36 objections and 124 submissions in support.

Following the Hearing of Submissions meeting in February 2019 the application was formally amended by changing the location of the proposed telecommunication facility to the south eastern corner of the reserve. In July 2019 the amended application was publicly exhibited in accordance with the *Planning and Environment Act 1987*. This is the application which will be discussed at the Hearing of Submissions Meeting.

Summary of Submissions

All submissions to the original application must be considered for the amended application.

A total of 206 submissions have been received to date (as at the 14 August 2019), this includes 40 new objections and 6 new submissions in support.

In general, the supporters of the application are from the Star of the Sea Retirement Village.

The key issues are summarised as follows:

Objections

Location of facility

- Located within a park too close to houses and recreational facilities
- Disrespectful to land owners living within close proximity
- Failure to adequately consider alternative locations.

Use of Council reserve

- Loss of important recreation and open space areas
- Safety of children using reserve
- Council 'selling out' the health and welfare of residents.

1.2 2 Quay Boulevard, Torquay - Telecommunication Tower

Impact on health

- Possibility of increasing to untested 5G technology and significant impact on health
- Detrimental to health of nearby residents, children using the reserve and children in the nearby school and childcare centre
- Impact of electromagnetic field on health
- Multiple Telco's to be located on pole increasing radiation exposure.

Property values

- Impact of tower on real estate prices
- Loss of property values
- Devaluation of properties.

Visual Impact

- Impact on the visual amenity of the area
- Visual eyesore
- Height and bulk of the tower
- Aesthetics of reserve.

Other

- Not enough consultation/time for community to consider application
- Public notification not a very trustworthy approach
- Misleading visual representation of proposed facility
- Possibility of tower being modified in the future.

In support

- Currently very poor reception, with issues such as phone drop outs and poor internet
- Unable to get reception inside and need to go outside to make phone calls/send text messages
- Noticeable increase in drop outs with new houses being built
- Will improve mobile reception and is essential for area.

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 September 2019 Council meeting.

It is important to note that while the amount of electromagnetic radiation emitted by a telecommunications facility is an issue of community concern, this issue is not considered to be within scope of relevant issues to be considered by Council. This position has previously been established by VCAT case law where the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standard is met, as is the case with this application.

While the current application is to upgrade the 4G network, it is not the type of network being rolled out that Council must consider, rather it is the visual impact of the structure that is relevant under the Planning Scheme provisions. If a 5G network was to be rolled out in the future and there was no need for any additional buildings and works, there would be no permit trigger for the 5G network upgrade.

Recommendation

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit 18/0484 and forwards to Council for consideration at the 24 September 2019 Council meeting.

Committee Resolution

MOVED Cr David Bell, Seconded Cr Margot Smith

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit 18/0484 and forwards to Council for consideration at the 24 September 2019 Council meeting.

CARRIED 6:0

Close: There being no further items of business the meeting closed at 6:10pm