

# Minutes

Hearing of Submissions Committee  
Tuesday, 18 September 2018

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

**Council:**

Cr David Bell (Mayor)  
Cr Libby Coker  
Cr Martin Duke  
Cr Clive Goldsworthy  
Cr Rose Hodge  
Cr Carol McGregor  
Cr Brian McKiterick (Leave of Absence)  
Cr Margot Smith  
Cr Heather Wellington

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MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL  
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY  
ON TUESDAY 18 SEPTEMBER 2018 COMMENCING AT 5.00PM

**PRESENT:**

Cr Clive Goldsworthy (Deputy Mayor)  
Cr Libby Coker  
Cr Martin Duke  
Cr Rose Hodge  
Cr Margot Smith  
Cr Heather Wellington

**In Attendance:**

General Manager Environment and Development – Ransce Salan  
General Manager Governance & Infrastructure – Anne Howard  
Manager Planning & Development – Bill Cathcart  
Coordinator Statutory Planning – Michelle Watt

18 members of the public

**Not in Attendance:**

Chief Executive Officer – Keith Baillie

**APOLOGIES:**

Cr David Bell (Mayor)  
Cr Carol McGregor

**Committee Resolution**

**MOVED Cr Margot Smith, Seconded Cr Rose Hodge**

That apologies be received from Cr David Bell and Cr Carol McGregor.

CARRIED 6:0

**CONFIRMATION OF MINUTES**

**Committee Resolution**

**MOVED Cr Martin Duke, Seconded Cr Rose Hodge**

That the Hearing of Submissions Committee note the minutes of the meeting held on 3 July 2018 as a correct record of the meeting.

CARRIED 6:0

**CONFLICTS OF INTEREST:**

Nil

**SUBMITTERS HEARD**

- 1.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne
1. Glenn McAllister
  2. Gary Enticott
  3. Stephen Bayley (Applicant)
- 1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne
1. Ian Burch
  2. Luisa Heywood
  3. John Bruzzaniti
  4. Charles Szakiel
  5. Peter Gray
  6. Mark Ellingbrook

**BUSINESS:**

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## 1. PLANNING MATTERS

1.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne

**Author's Title:** Senior Statutory Planner

**General Manager:** Ransce Salan

**Department:** Planning & Development

**File No:** 18/0200

**Division:** Environment & Development

**Trim No:** IC18/1361

### Appendix:

1. Order of Speakers - Hearing of Submissions Committee (D18/115300)

#### 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 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne.

### Summary

In July 2018 the application relating to Alterations and additions to existing dwelling was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

### Summary of Submissions

A total number of 17 submissions were received including 17 objections, summarised as follows:

No.	Submitter	Position	Summary of Submission
1.	Individual	Objector	Use as backpacker accommodation, lack of on-site car parking, fire safety for residents of the property
2.	Individual	Objector	Health and safety of residents of the premises and lack of car parking
3.	Individual	Objector	Use as a boarding house, noise and disturbance and lack of car parking
4.	Individual	Objector	Use as a boarding house, lack of on-site car parking and provision of bars within the building and associated liquor licensing issues
5.	Individual	Objector	Use as backpacker accommodation, lack of on-site car parking
6.	Individual	Objector	Use of premises and adjoining land as backpacker accommodation
7.	Individual	Objector	Use of premises and adjoining land as backpacker accommodation
8.	Individual	Objector	Use as backpacker accommodation, lack of on-site car parking
9.	Individual	Objector	Lack of on-site car parking
10.	Individual	Objector	Lack of car parking and increased noise from residents of the property

**1.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne**

11.	Individual	Objector	Use as a boarding house, lack of on-site car parking and provision of bars within the building
12.	Individual	Objector	Lack of on-site car parking and provision of bars within the building
13.	Individual	Objector	Use as a rooming house, lack of on-site car parking and provision of bars within the building
14.	Individual	Objector	Lack of on-site car parking provision
15.	Individual	Objector	Use as a boarding house, provision of hotel bars and lack of car parking
16.	Individual	Objector	Use as a boarding house, provision of hotel bars and lack of car parking
17.	Individual	Objector	Use as a boarding house, provision of hotel bars and lack of car parking

The issues raised in the submissions will be considered in detail in a report to be presented to the 25 September 2018 Council meeting.

**Recommendation**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne and forward to Council for consideration.

**Committee Resolution**

**MOVED Cr Libby Coker, Seconded Cr Heather Wellington**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne and forward to Council for consideration.

CARRIED 6:0

**1.1 Planning Permit Application 18/0200 - Alterations and Additions to an Existing Dwelling - 9  
Smith Street, Lorne**

**APPENDIX 1 ORDER OF SPEAKERS - HEARING OF SUBMISSIONS COMMITTEE**



Hearing of Submissions  
Tuesday, 18 September 2018  
5.00 pm  
Council Chambers  
1 Merrijig Drive, Torquay

**ORDER OF SPEAKERS**

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**Environment and Development**

**1.1 Planning Permit Application 18/0200 – Alterations and Additions to an Existing Dwelling - 9 Smith Street, Lorne**

	<b>Submitter Name</b>
1.	Margaret Cartledge
2.	Stephen Bayley (Applicant)

1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne

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

**General Manager:** Ransce Salan  
**File No:** 18/0045  
**Trim No:** IC18/1414

**Appendix:**

1. Order of Speakers - Hearing of Submissions Committee (D18/115297)

**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 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne.

**Summary**

In May 2018 the application relating to Planning permit application 18/0045 for 14-16 Ocean Road South, Lorne was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

**Summary of Submissions**

A total number of 26 objections were received, summarised as follows:

No.	Submitter	Position	Summary of Submission
1.	Organisation Owners corporation	Objection	Visual bulk and mass, detrimental impact on adjoining residents Loss of views Impact on public views, Issues landscape plan
2.	Individual	Objection	Large development- improper precedent Need for accommodation Pressure on infrastructure – no gas
3.	Individual	Objection	Loss of ocean views Privacy and noise impact
4.	Individual	Objection	Height Loss of views Decreased privacy proposed west windows/balconies Roof garden maintenance and size of plants
5.	Individual	Objection	Loss of views Privacy Decreased property value
6.	Individual	Objection	VCAT decision to modify Point Grey Apartments for view sharing Proposal could undermine the view line Loss of views Decreased privacy proposed west windows/ balconies/plant and equipment
7.	Individual	Objection	Loss of privacy Loss of views Loss of natural light
8.	Individual	Objection	Decreased privacy proposed west windows/balconies Waste at rear Questioned view analysis Loss of views from living/kitchen level two, bedrooms level loss



**1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne**

			of ocean views, landscape and pier Loss of natural light Decreased property value
9.	Individual	Objection	Infrastructure pressure Large development Decreased privacy proposed west windows/balconies Noise Loss of views
10.	Individual	Objection	Overshadow Blocks ocean views Deprives natural light Amenity impact Rear of proposed apartments no sunlight, rear balconies an issue High density impacts safety for Ocean Road Not sensitive to Point Grey
11.	Individual	Objection	Decreased privacy proposed west windows/balconies Bulk will overshadow Loss of views - waves breaking on the reef
12.	Individual	Objection	Loss of views – question view analysis report Pressure on infrastructure Decreased privacy proposed west windows/balconies VCAT decision to modify Point Grey Apartments for view sharing Size of development Lack of parking, bike parking
13.	Individual	Objection	Decreased privacy proposed west windows/balconies Noise , smell plant and equipment offsite impact Pressure on Infrastructure Visual impact Loss of view
14.	Individual	Objection	Loss of view Overshadowing Need for development Infrastructure pressure Privacy issue Not respectful of the area
15.	Individual	Objection	Size and scale Too close to north side boundary Traffic noise Library not public
16.	Individual	Objection	Car parking insufficient Frontage inappropriate Inadequate detail for landscaping/roof design Inadequate info on plant and equipment projections Inadequate service area Incorrect information provided
17.	Individual	Objection	Car parking insufficient Frontage inappropriate Inadequate detail for landscaping/roof design Inadequate info on plant and equipment projections Inadequate service area
18.	Individual	Objection	Frontage paving Maintenance ramp on north side impact
19.	Individual	Objection	Loss of view – Pier particularly Decreased property value
20.	Individual	Objection	Loss of view Excessive bulk and height

**1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne**

			Insufficient parking Need caveat on tree height No waste area Out of character
21.	Individual	Objection	Excessive bulk, height Lack of articulation Traffic loss of views Insufficient car parking No visitor parking Insufficient storage in the units, refuse, screening for overlooking Unresolved access to café terrace
22.	Individual	Objection	Loss of views due to building configuration – to North Lorne Queries height above natural ground level No verification from an independent Surveyor Sets a precedent Exceeds 8 m height Could height be reduced
23.	Individual	Objection	Loss of views Increasing tourist numbers adding fire risk Additional congestion from accommodation
24.	Individual	Objection	Development opportunities compromised Owners of subject land could object to a development on 12
25.	Individual	Objection	Neighbourhood character compromised Car parking insufficient Overflow on road reserve CHMP to be considered
26.	Individual	Objection	Height and bulk Advertising insufficient Traffic issue Insufficient car parking Waste area Overlooking

The issues raised in the submissions will be considered in detail in a report to be presented to the 25 September Council meeting.

**Recommendation**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne and forward to Council for consideration.

**Committee Resolution**

**MOVED Cr Margot Smith, Seconded Cr Libby Coker**

That the Hearing of Submissions Committee receives and notes the submissions relating to Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne and forward to Council for consideration.

CARRIED 6:0

**1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne**

**APPENDIX 1 ORDER OF SPEAKERS - HEARING OF SUBMISSIONS COMMITTEE**



Hearing of Submissions  
Tuesday, 18 September 2018  
5.00 pm  
Council Chambers  
1 Merrijig Drive, Torquay

**ORDER OF SPEAKERS**

**Environment and Development**

**1.2 Planning Permit Application 18/0045 - Use and Development for a Residential Hotel (Serviced Apartments) and Alter Access to a Category 1 Road - 14-16 Ocean Road South, Lorne**

	<b>Submitter Name</b>
1.	Ian Burch
2.	Luisa Heywood
3.	John Bruzzaniti (On Behalf of Owners Corporation Point Grey Apartments)
4.	Charles Szakiel
5.	Matthew Perkovic
6.	Holly McFall – SJB Planning (Applicant)

**Close:** There being no further items of business the meeting closed at 6.04pm.