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Surf Coast Shire Hearing of Submissions

1 August 2023

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MAYOR PATTISON: Alright. We'll get started. Good evening. I'd like to welcome everyone watching this Special Council Meeting. My name is Councillor Liz Pattison and I'm the Mayor of the Surf Coast Shire. The Surf Coast Shire local government area spans the traditional lands of the Wadawurrung people and the Gulidjan and Gadubanud Peoples of the Maar Nation. The main Council office is in Torquay and they are on Wadawurrung Country. The Wadawurrung people have nurtured and protected these lands and waterways for thousands of generations and I am so grateful that we can be here today living and working in such a beautiful part of the world. Surf Coast Shire Council is committed to walking with the traditional owners of these lands on a journey of genuine reconciliation.

Tonight we'll be hearing from those who wish to speak to their written submissions regarding the Draft Moriac Structure Plan 2023. To facilitate public access, this meeting is being livestreamed and the recording will be available on Council's website. If a submitter does not wish to be video recorded, it is their responsibility to turn off their video function and use only audio. Live captioning will be accompanying the livestream.

Councillors are bound by the behaviour and obligations under our Code of Conduct and please direct any questions or comments you have through me as the Chair and I will endeavour to ensure everyone has an opportunity to speak whilst also making sure we stick to time. The following procedures will apply during this meeting. Speakers will be given five minutes to present their submission. When the timer on the screen reaches five minutes, you must stop your presentation. The timer will turn orange when you have one minute left as a bit of a warning and then red when there is 10 seconds remaining. Councillors will then be invited to ask questions directly related to your submissions, if needed. Our Governance has identified that there may be a concern with the timer so we will make it work another way if that's the case. We'll let you know as you're speaking.

This Special Council Meeting is not a workshop and it should not be necessary for Officers to be asked to make comment on the submissions. However, if there are any questions of Officers, they should be directed through me as the Chair. Councillors will not be making any decisions in relation to the matters heard tonight. Decision making will occur at a future Council meeting, once all relevant information has been received and reviewed.

I will now recite the Council pledge. As Councillors, we carry out our responsibilities with diligence and integrity and make fair decisions of lasting value for the wellbeing of our community and environment.

Are there any apologies for this meeting? I have received a missed call from Councillor Allen, so, Governance, have you been able to get in contact with Councillor Allen? He may be having difficulty joining.

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OFFICER: Through you, Mayor, I'm just helping him right now and he's coming into the meeting as we speak.

MAYOR PATTISON: Great. I haven't received any apologies from those that aren't here, so we will move on. They may join us as we progress.

Conflicts of interest - if a Councillor or Officer has a conflict of interest, they must declare it now and do so again just prior to the item being discussed. The Councillor will be moved from the meeting by the host and put in a virtual waiting room. Do we have any conflicts of interest? No?

Now we move on to the Hearing of Submissions for the Draft Moriac Structure Plan. There were a total of 34 submissions received and we have two people submitting. They have requested to speak tonight to their submissions. So our first submission tonight is from Dan Dwyer. Could Dan please be admitted to the meeting. Hi, Dan. I can see you've joined. If you're happy to be videoed - great, you have your video on and you're off mute. So thank you and I'll pass it over to you to present your submission.

MR DWYER: Thanks, Liz. Can I just confirm that you can hear me?

MAYOR PATTISON: We can hear you great.

MR DWYER: Super. Thanks very much. Hello, everyone, and thanks for giving me the opportunity to speak very briefly tonight about an issue that's important to me. I live in the township of Moriac.

Firstly, some compliments. I want to compliment the Council on spending the time and money and resources revising this Structure Plan. I feel genuinely fortunate to live in a part of the world where managing such important things is done in a really careful and professional way. I think the consultants behind the report did a really lovely job. I really appreciated the community consultations you had, especially the most recent ones where residents had a chance to talk directly with some of your planners and thank you to the planners that may not be here that were a very important part of that process as well.

I just want to highlight a couple of points I made in writing and add a couple of minor points. I do accept the need for Moriac to shoulder some of the burden to accommodate population growth. I'm not sure completely anti growth. But there were two aspects of the Draft Structure Plan that I disagreed with. One was the premise that there was strong community support in Moriac for growth. That's a direct quote, and yet in the report, there are pie charts that represent the results of a survey of the population that

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demonstrate 36% approximately of people are opposed to further growth and another 25% are neutral, which only leaves around a third who support growth, and I don't see how a third of the population constitutes strong support for growth. I would describe that as something closer to weak support for growth.

The second point I wanted to highlight is that after talking to a couple of planners on one of the community nights, I got the impression that the amount of growth described in the draft plan from their perspective, coming in a sense from growth plans or Structure Plans for Torquay and Winchelsea, was quite 'modest', was the word they used, but I think the measurement of the size of growth for Moriac should be in proportion to the current small size of Moriac, and I make the point that the draft plan proposes 45 new dwellings, which doesn't sound like much, but that represents 15% growth in the total number of dwellings in the town. There's also another part of the north-west of town that has an existing approval for conversion to moderate-density residential - low-density residential - I apologise - which represents another 25 dwellings, which would represent 23, 25% increase in the number of dwellings in the town. So I don't know how you measure growth, whether it's by land area, people, dwellings. If dwellings is something that you use - it was certainly used in the Structure Plan - then I think a 23% increase in the number of dwellings is quite large because I think it should genuinely be seen in proportion to the size of the town. The last little points I want to make are that I've been on the Moriac Primary School Council for seven years. I've been President for three. And the school is at capacity and at the moment it's actually slightly exceeding capacity.

MAYOR PATTISON: Just letting you know, Dan, you've got one minute, given our timer is not working. So just letting you know.

MR DWYER: I appreciate that. So further growth would put pressure on that really valuable resource in town, and we have finite land space. And I only have indirect evidence from the Council that runs our kindergarten that they've exceeded their capacity quite a while ago and they don't really have a lot of opportunity for growth, given what they do and where they are. So I just urge the Council to think about growth in this Draft Structure Plan relative to the small size of Moriac. Thank you so much for the chance to speak to you and thanks for your time tonight.

MAYOR PATTISON: Thanks, Dan. I appreciate you sharing those insights with us. We've got a couple of questions. Councillor Schonfelder?

CR SCHONFELDER: Thank you, Mayor. I would like to thank you, Dan, for your submission and take this opportunity to congratulate the Moriac Primary School on their 100th birthday. I was very fortunate to attend the celebrations of the school and I do note your concerns about the school being at capacity. I just wanted to ask you whether you are aware that there are members of the community who have mixed views about

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how Moriac should grow. Moriac is classified to be a slow-growth node area, so I just wanted to just double check with you on that point.

MR DWYER: I accept alternate views. I support democracy. I'm happy to accept the majority view and differing views to mine. I don't claim to have the truth. But I just return to that point that if your own survey data indicates that only about a third of the population support strong growth, that that doesn't represent strong support for growth. It represents weak to moderate. You choose the words. But surely it's not strong.

CR SCHONFELDER: Thank you.

MAYOR PATTISON: Sorry, Councillor Allen, do you have a question?

CR ALLEN: Yes, thank you, Mayor. Dan, thank you for your submission and thank you for your service on the school Council. That's fantastic. My view was going to be related to the school. Small primary schools do tend to fluctuate in their enrolment. The peak of enrolment now, do you see that continuing or is this a fluctuation, an abnormal level of enrolment?

MR DWYER: The school principal has told me that the Department of Education are forecasting growth for several more years. The school is currently over its built capacity based on land area and floor space. There's going to be growth from this year to next of about 20 students, which is actually quite a lot in a school that only has about 200, and is again on a relatively small parcel of land. I don't know what the medium to long term trajectory is on growth. I would argue that, given that the population of school is based on the zone that it services, that if you approve more dwellings in the school zone, it will put more pressure on the school in the future.

CR ALLEN: Thanks, Dan.

MAYOR PATTISON: Councillor Wellington, have you got a question?

CR WELLINGTON: Thanks very much for your submission and the work you're doing on the Council. I'm very pleased to see the work being done on the park and the railway line there as well. So that was raised by one of your parents actually with me and amazing to get that addressed. So I'm really happy with that.

Dan, I suppose - I'm interested in your personal view as to whether or not growth has hit its optimum in Moriac, but I'm also interested in what you think - I mean, it seems to me a good proposition that Council should be satisfying itself with the Education Department that the Education Department does have plans to accommodate children because we don't want to see a situation such as we've got in Bellbrae really, with a

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school that's well over-capacity, massive car parking problems. Is that the sort of approach you think we should be taking with the Structure Plan, that we should be lining up all the other elements before we go ahead to endorse the Structure Plan, rather than the other elements potentially following years later?

And I guess the other question I have is: is there a solution to the current - there's already traffic problems at Moriac. Can you see a solution that should be included in the Structure Plan? So, sorry, there's a few questions there. One is: what's your personal view? The second is: should we be assuring ourselves that the Education Department has plans that will accommodate this growth, and, thirdly, can you see a solution to the current traffic problems there?

MR DWYER: I'll do my best to answer those.

CR WELLINGTON: Sorry.

MR DWYER: No, that's fine. The school has thought about the traffic management problems for quite a while and we're making some changes now, but our capacity to solve the problem is very limited. In the last two Structure Plans - the current draft and the previous one that's valid at the moment - there has been some mention of a redesign of the interaction of Hendy Main Road and Cape Otway Road, which from my experience overlaps with the traffic management issue around the school at drop-off and pick-up times.

I love the idea that a Structure Plan does take a holistic view of the Council's role in managing growth and infrastructure in the town with the operation of really important organisations like the primary school, for example, and so if there was any scope for a little bit of consultation or collaboration with the school and/or Department of Education to understand if there were any opportunities for the Council to work with the Department of Ed and Vic Roads, I don't know, to manage those growth pains, that would be wonderful. In terms of growth in the primary school, I just want to make brief mention of the fact that the school, from what I see, has nowhere to grow inland area really, surrounded by road, traffic line and existing dwellings. All the Education Department can do, I think, is simply drop more portables on the land, reducing playground area for kids, which isn't great. So I think it's going to be a difficult situation from now on with too much growth. I don't have any great solutions I'm sorry, Heather.

CR WELLINGTON: Thanks, Dan. That's helpful, thank you.

MAYOR PATTISON: Councillor Allen, did you have another question? Is that why you hand is up?

CR ALLEN: Yes, thank you, Mayor. Following on from what you said, Dan, is the building

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Heritage listed and would the Department consider relocating the school to cope for increased growth?

MR DWYER: The buildings at the school are not Heritage listed. They are renovated and new buildings from a rebuild program that happened between about 2017 and 2019. So I can't imagine for that reason they would be willing to relocate but I don't know.

CR ALLEN: Thank you.

MAYOR PATTISON: Thanks, Dan. We've had a few opportunities for some questions and I appreciate your contribution. We'll now move on to our next submission, which is from Alexandra Brown. Could Alexandra please be admitted into the meeting. (Pause). Hi, Alexandra. If you're comfortable, could you put your video on and take yourself off mute, please. Hello. We can see you there now.

MS BROWN: Hello.

MAYOR PATTISON: Thanks. I will pass it over to you for our presentation. Because our timer is not working, I'll just let you know when you've reached one minute, and you've got five minutes to present.

MS BROWN: Thank you, Mayor, and thank you, everybody, for having me and for welcoming me, and to Dan, who has just presented, to speak about our submissions this evening. I echo Dan's comments about the Structure Plan and how detailed and thorough it has been. It's been really great to read and I really appreciate the opportunity for community consultation over the last few months to engage in this process. It's been really great.

My family and I live in Moriac but, unlike many of the submitters, we live on a farm to the south-east of the proposed development and run a family business on this land. I totally understand and appreciate the drivers for development, and I think they're well articulated in the plan and through the consultation process. I'm not objecting to development. I just wanted to highlight a few of the key concerns, mainly technical concerns, that I believe should be addressed through planning, design and construction.

I really appreciate the detail, as I said, in that Draft Structure Plan but I really want to ensure that what is documented there is actually carried through the whole process and actually delivered on the ground. And that is ultimately probably through developers and being assessed by Council against the intent of the plan. I like that there is - I'd like to think that there is confidence in realistic solutions to my concerns, and those key concerns are as per my submission: appropriate stormwater management and consideration of visual impact from surrounding farmland, specifically around lighting

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and trees

So to go into a few of my points in my submission - around stormwater management firstly - the proposed development is really close to a number of key creeks in the area and adjacent to heavily functioning business farmland. As there is more frequent run-off and pollutant or high nutrient loads with run-off when you get development, that means more frequent polluted water entering Raven and Thompson Creek, the two creeks that are adjacent to my property and that I am very acutely aware of.

We have experienced significant algal blooms in Raven Creek over the last three years, and I don't have direct evidence of this but I do consider that maybe this is because of the Hinterland development, with the frequency of run-off occurring, and from my understanding and communication with previous landowners, this type of algal bloom hasn't occurred in the past on our property. So we just want to ensure that what has been done at the Hinterland development - we appreciate there is stormwater management in place but we want to ensure that that is continued and improved for the future development, particularly regarding stormwater volume and that peaking nature of stormwater run-off entering our waterways, because ultimately it is impacting farmland with more soggy soils and the ecology and biodiversity in those creeks with different flooding run-off regimes.

My second concern with the development is the potential of visual impact from the more rural setting, and that particularly stems on the proposed street lighting for development. Like my previous concern, the light pollution from the hinterland is significant and, in my opinion, it's beyond what is necessary for a rural town and is not equivalent to what the rest of Moriac actually has in terms of street lighting. I appreciate some residents have an opposing opinion to me in this area and they think there is not enough street lighting in much of Moriac --

MAYOR PATTISON: Just letting you know you have one minute left.

MS BROWN: Thank you. I think that this type of infrastructure needs to be assessed based on the scale and density of development. Further to that, there are trees shown in the development plan for both the Hinterland and this future proposed development. I just want to ensure that it is clear how they are going to be planted by private landowners, developers and/or Council, and how they're going to be maintained because at this point, I see that there's huge urban heat island impact from the Hinterland development and significant reflection from white and reflective surfaces like sheds and roofs, which again are all impacting that visual impact from surrounding regional farmland.

In summary, I really hope that the issues of the Hinterland that I've mentioned are addressed and that we can avoid some of these issues occurring with the future

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development and that everything in the draft plan is actually carried right through design and construction. Thank you.

MAYOR PATTISON: Thank you for your presentation, for your submission. We've got some Councillors with questions. Councillor Wellington?

CR WELLINGTON: Alexandra, thanks very much. That was really helpful and thoughtful. So I guess the question is - in the hierarchy of planning documents, there's a hierarchy from the Structure Plan that goes right down through to effectively planning permits and as of right developments. But is it your view the actual Structure Plan itself should be more robust? I'm particularly concerned about that issue of Thompson Creek, which runs into the Karaaf ultimately, and we have massive problems down there with polluted stormwater already running into the Karaaf. So I think your point about it any stormwater discharge - stormwater really should be contained on the development, but if there is stormwater discharge, it should be clean. So the question is: have you had any thought about how you could integrate some sort of principle like that into the foundation document? Is that your thinking, that the principle should be - and the same with the light spill, that the principle should be in the foundation Structure Plan and then follow through all the Planning Scheme amendments? Is that your thinking?

MS BROWN: Thanks. It's a great question. In summary, I think that the Structure Plan is probably about right for the level of detail, appreciating that there are a lot of other layers to come from that and that at this point in time, that is a Structure Planning document. And for both stormwater, lighting and trees, there is some detail in there, which again at that level is probably sufficient. The one element that I think is missing, which is not from what I understand legislation at the moment, it's around stormwater volume reduction, and I know that has been an issue with the Karaaf wetlands. It is not just pollutant treatment and retardation, so the slowing of flows; it's the actually reduction of volume which is going to stop that really frequent peaking nature of flow. So actually capturing water at source and using it there, rather than allowing it to enter the downstream waterways.

CR WELLINGTON: You would like to see that in the Structure Plan?

MS BROWN: I think an acknowledgment of that in the Structure Plan would be good because that will be the impetus for planning permit conditions and developer works and costs and all the other elements that get based off a Structure Plan to be determined. I would like to see more detail on those other issues being carried through. So I appreciate it's probably enough at this level but I want to see that expanded in the next layer of planning that happens.

CR WELLINGTON: That's really helpful. Thank you, Alexandra

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MAYOR PATTISON: Thank you. Councillor Schonfelder, do you have a question?

CR SCHONFELDER: Alexandra, thank you for your submission and thank you for your presenting this evening. I assume that you do support having more trees planted to soften the landscape. I know that when the Community Centre was built and when there were other houses that were built in other parts of Moriac opposite the new hinterland, they did look like shags on a rock, but now the trees have grown, it has softened the landscape. So I assume you do support having more trees?

MS BROWN: Yes, yes. Thank you for that question. I 100% support having more trees. I think the visual impact is one thing. The urban heat island effect, biodiversity, habitat - there are so many reasons for more trees. One of my concerns, as I highlighted, is that the tree planting plan for the Hinterland in my mind hasn't been fulfilled and that there is no (inaudible) tree plantations being planted. So from the rural aspect, the impact is looking at sheds which are reflective large surfaces, and houses and roofs. I don't know if those - it wasn't clear in the Structure Planning whether or not those tree plantations were in the private or public realm and whose responsibility it was to deliver plant and maintain those trees. That is something that would be good to get some clarity on and to ensure that whoever's responsibility that is or was, it is fulfilled to mitigate some of the concerns around visual impact, heat island, et cetera.

CR SCHONFELDER: Thank you.

MAYOR PATTISON: Well, thank you, Alexandra, for your time presenting and responding to our questions. We appreciate that.

And, Councillors, we have no further submissions to hear tonight, so we have a recommendation that was before us for this Hearing of Submissions. So do I have a mover of a motion? Councillor Wellington. Is that as per the recommendation? Yes. And the seconder? Councillor Schonfelder?. All those in favour? And the motion is carried unanimously.

So there being no further items of business, I declare the meeting closed at 6.29pm. Thank you, everybody, and I hope you have a good night. See you.