



Minutes

Hearing of Submissions Committee
Tuesday, 3 July 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 McKitterick (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 3 JULY 2018 COMMENCING AT 5.00PM

PRESENT:

Cr Clive Goldsworthy (Deputy Mayor)
Cr Martin Duke
Cr Rose Hodge
Cr Carol McGregor
Cr Heather Wellington

In Attendance:

General Manager Environment and Development – Ransce Salan
Manager Planning & Development – Bill Cathcart
Senior Strategic Planner - Sally Conway
Principal Planner - Michelle Warren
Coordinator Strategic Planning - Karen Hose
Coordinator Statutory Planning - Michelle Watt

27 members of the public
0 members of the press

APOLOGIES:

Cr David Bell
Cr Libby Coker
Cr Margot Smith

Committee Resolution

MOVED Cr Martin Duke, Seconded Cr Heather Wellington

That apologies be received from Cr David Bell, Cr Libby Coker and Cr Margot Smith.

CARRIED 5:0

Not In Attendance:

Chief Executive Officer – Keith Baillie

CONFIRMATION OF MINUTES

Committee Resolution

MOVED Cr Rose Hodge, Seconded Cr Martin Duke

That the Hearing of Submissions Committee note the minutes of the meeting held on 12 June 2018 as a correct record of the meeting.

CARRIED 5:0

CONFLICTS OF INTEREST:

Nil declared.

SUBMITTERS HEARD

1. Environment and Development

- 1.1 Surf Coast Planning Scheme Amendment C120 - Implementation of Growing Winchelsea

Order of submitters heard:

1. Christine Phillips.

- 1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

Order of submitters heard:

1. David Merrett.
2. David Merrett (on behalf of 16 submitters).
3. Richard Glawitsch.
4. John Foss.
5. 3228 Residents Association.
6. Jill Tickner and Brian Weppner.

BUSINESS:

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1. PLANNING MATTERS

1.1 Surf Coast Planning Scheme Amendment C120 - Growing Winchelsea Implementation

Author's Title: Senior Strategic Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: F16/1585

Division: Environment & Development

Trim No: IC18/910

Appendix:

1. Order of Speakers (D18/78488)

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 Surf Coast Planning Scheme Amendment C120.

Summary

Surf Coast Planning Scheme Amendment C120 was publicly exhibited from 8 March 2018 to 18 April 2018 in accordance with the *Planning and Environment Act 1987*.

The Amendment proposes to implement the planning recommendations in the *Growing Winchelsea: Shaping Future Growth 2015* plan. It updates the Winchelsea Strategy (Clause 21.09) in the Surf Coast Planning Scheme. It also implements some smaller scale rezoning and overlay recommendations, including a proposal to apply the Design and Development Overlay, and a new Schedule 27 (DDO27), to land at 8 Palmer Street. This land is currently developed with a residential dwelling and is zoned Commercial 1. The DDO27 introduces a requirement to provide a through access road between Hesse Street and Palmer Street as part of any future redevelopment proposal. This requirement was recommended by the *Winchelsea Town Centre Access and Opportunities* report prepared as further work to the *Growing Winchelsea* plan and adopted by Council in August 2016.

Summary of Submissions

One submission was received, objecting to the Amendment, and is summarised as follows:

No.	Submitter	Position	Summary of Submission
1.	Individual	Objection	<p>Objects to the application of the DDO27 to 8 Palmer Street, Winchelsea. The landowner's grounds for objection are:</p> <ul style="list-style-type: none"> The proposal is for the benefit of the existing shopping strip to relieve traffic congestion and will not benefit land at 8 Palmer Street. The proposal is too onerous and would apply to any future subdivision or development, including an application for a small single commercial building. It will lead to a decrease in property value. A road along the Barwon River would be a visual intrusion in this significant area which conflicts with strategies set out in proposed Clause 21.09-3 and 21.09-4 of the Winchelsea Strategy. The indicated road utilises almost the entire river frontage. Council should purchase land closer to the existing shops to connect Palmer and Hesse streets.

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 July 2018 Council meeting.

Recommendation

That the Hearing of Submissions Committee receive and note the submissions relating to Surf Coast Planning Scheme Amendment C120 and forward to Council for consideration.

Committee Resolution

MOVED Cr Carol McGregor, Seconded Cr Heather Wellington

That the Hearing of Submissions Committee receive and note the submissions relating to Surf Coast Planning Scheme Amendment C120 and forward to Council for consideration.

CARRIED 5:0

1.1 Surf Coast Planning Scheme Amendment C120 - Growing Winchelsea Implementation

APPENDIX 1 ORDER OF SPEAKERS



Hearing of Submissions
Tuesday 3 July 2018
5:00pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Planning and Development

1.1 Surf Coast Planning Scheme Amendment C120 - Growing Winchelsea
Implementation

	Submitter Name
1.	Christine Phillips

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

Author's Title: Statutory Planner

General Manager: Ransce Salan

Department: Planning & Development

File No: 17/0374

Division: Environment & Development

Trim No: IC18/954

Appendix:

1. Order of Speakers (D18/79096)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Status:

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

Yes

No

Reason: Nil

Reason: Nil

Purpose

The purpose of this report is to hear submissions relating to application 17/0374; the construction of 48 residential apartments at 86-92 The Esplanade, Torquay.

Summary

In April 20018 the application relating to the construction of 48 residential apartments at 86-92 The Esplanade, Torquay was publicly exhibited in accordance with the *Planning and Environment Act 1987*.

Summary of Submissions

A total number of 70 submissions were received including 70 objections and 0 in support, summarised as follows:

No.	Submitter	Position	Summary of Submission	Officer Response
1.	Individual	Objection	Grounds: fence, height, scale, bulk/design, landscaping/site coverage, neighbourhood character, density, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
2.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, density	Grounds are within the ambit of considerations under the relevant planning provisions.
3.	Individual	Objection	Grounds: height, neighbourhood character, density	Grounds are within the ambit of considerations under the relevant planning provisions.
4.	Individual	Objection	Grounds: height, neighbourhood character, density, traffic, parking	Grounds are within the ambit of considerations under the relevant planning provisions.
5.	Individual	Objection	Grounds: height, neighbourhood character	Grounds are within the ambit of considerations under the relevant planning provisions.
6.	Individual	Objection	Grounds: bulk/design, density	Grounds are within the ambit of considerations under the relevant planning provisions.
7.	Individual	Objection	Grounds: height, neighbourhood character, traffic, parking, shadowing, view sharing, noise	Grounds are within the ambit of considerations under the relevant planning provisions.
8.	Individual	Objection	Grounds: height, scale, traffic, parking, shadowing	Grounds are within the ambit of considerations under the relevant planning provisions.
9.	Individual	Objection	Grounds: height, scale, neighbourhood character	Grounds are within the ambit of considerations under the relevant planning provisions.
10.	Individual	Objection	Grounds: height, scale, density, parking	Grounds are within the ambit of considerations under the relevant planning provisions.

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

11.	Individual	Objection	Grounds: the fence, height, neighbourhood character, traffic, parking, overlooking, noise and energy efficiency	Grounds are within the ambit of considerations under the relevant planning provisions.
12.	Individual	Objection	Grounds: height	Grounds are within the ambit of considerations under the relevant planning provisions.
13.	Individual	Objection	Grounds: scale, traffic, parking	Grounds are within the ambit of considerations under the relevant planning provisions.
14.	Individual	Objection	Grounds: height and creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
15.	Individual	Objection	Grounds: height, neighbourhood character	Grounds are within the ambit of considerations under the relevant planning provisions.
16.	Individual	Objection	Grounds: height, neighbourhood character, density	Grounds are within the ambit of considerations under the relevant planning provisions.
17.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, traffic, parking, infrastructure, wrong location for affordable housing	Grounds are within the ambit of considerations under the relevant planning provisions.
18.	Individual	Objection	Grounds: height, neighbourhood character, density, noise	Grounds are within the ambit of considerations under the relevant planning provisions.
19.	Individual	Objection	Grounds: height, scale, bulk/design, neighbourhood character, setbacks, view sharing	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.
20.	Individual	Objection	Grounds: height, scale, bulk/design, landscaping/site coverage, setbacks, neighbourhood character, view sharing	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.
21.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, parking, shadowing, overlooking, view sharing, noise and the creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
22.	Individual	Objection	Grounds: height, scale, neighbourhood character, parking, views	Grounds are within the ambit of considerations under the relevant planning provisions.
23.	Individual	Objection	Grounds: height, scale, bulk/design, neighbourhood character, setbacks, traffic, parking, shadowing, overlooking, view sharing, noise, the creation of a precedent, storage, construction management	Grounds are within the ambit of considerations under the relevant planning provisions although precedents are a broad consideration.
24.	Individual	Objection	Grounds: scale, bulk/design, neighbourhood character, setbacks, parking, overlooking,	Grounds are within the ambit of considerations under the relevant planning provisions.

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

			noise	
25.	Individual	Objection	Grounds: neighbourhood character, views, property values	Excepting property values which may not be considered under the planning scheme, the grounds are within the ambit of considerations under the relevant planning provisions.
26.	Individual	Objection	Grounds: scale, neighbourhood character, view sharing	Grounds are within the ambit of considerations under the relevant planning provisions.
27.	Individual	Objection	Grounds: height	Grounds are within the ambit of considerations under the relevant planning provisions.
28.	Individual	Objection	Grounds: height, scale, neighbourhood character	Grounds are within the ambit of considerations under the relevant planning provisions.
29.	Individual	Objection	Grounds: height, landscaping/site coverage, neighbourhood character, setbacks, traffic, parking, overlooking, open space	Grounds are within the ambit of considerations under the relevant planning provisions.
30.	Individual	Objection	Grounds: height, neighbourhood character, density, parking, overlooking, view sharing, noise, short term rentals	Grounds are within the ambit of considerations under the relevant planning provisions although use for short term rentals is broadly considered in the context of the residential zone.
31.	Individual	Objection	Grounds: height, bulk/density, landscaping/site coverage, neighbourhood character, parking, noise, lack of subdivision application	The responsible authority must consider the application before it and no application has been made for subdivision. The remaining grounds are within the ambit of considerations under the relevant planning provisions.
32.	Individual	Objection	Grounds: bulk/design, neighbourhood character, traffic, shadowing, overlooking, property values	Excepting property values which may not be considered under the planning scheme, the grounds are within the ambit of considerations under the relevant planning provisions.
33.	Individual	Objection	Grounds: height, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
34.	Individual	Objection	Grounds: height, neighbourhood character, view sharing	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.
35.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, shadowing, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
36.	Individual	Objection	Grounds: height, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

				creation of precedents is a broader consideration.
37.	Individual	Objection	Grounds: height, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
38.	Individual	Objection	Grounds: height, neighbourhood character, traffic, parking, creation of a precedent, tree loss	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
39.	Individual	Objection	Grounds: bulk/design, neighbourhood character, traffic, parking, short term accommodation	Grounds are within the ambit of considerations under the relevant planning provisions although use is considered in the context of the residential zone.
40.	Individual	Objection	Grounds: height	Grounds are within the ambit of considerations under the relevant planning provisions.
41.	Individual	Objection	Grounds: height, neighbourhood character, traffic, parking, noise, creation of a precedent, energy efficiency.	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
42.	Individual	Objection	Grounds: height, scale, parking	Grounds are within the ambit of considerations under the relevant planning provisions.
43.	Individual	Objection	Grounds: neighbourhood character, traffic, parking, fire hazard	Grounds are within the ambit of considerations under the relevant planning provisions although whether the building is a fire hazard must be considered in context.
44.	Individual	Objection	Grounds: scale, landscaping/site coverage, traffic, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
45.	Individual	Objection	Grounds: height, neighbourhood character, parking	Grounds are within the ambit of considerations under the relevant planning provisions.
46.	Individual	Objection	Grounds: height, scale	Grounds are within the ambit of considerations under the relevant planning provisions.
47.	Individual	Objection	Grounds: height, scale, neighbourhood character	Grounds are within the ambit of considerations under the relevant planning provisions.
48.	Individual	Objection	Grounds: height, bulk/design, landscaping/site coverage, density, parking, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
49.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, traffic, parking, infrastructure	Grounds are within the ambit of considerations under the relevant planning provisions.
50.	Individual	Objection	Grounds: neighbourhood character, density, traffic, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
51.	Individual	Objection	Grounds: height, bulk/design,	Grounds are within the ambit of

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

			landscaping/site coverage, neighbourhood character, density, traffic, parking, noise	considerations under the relevant planning provisions.
52.	Individual	Objection	Grounds: height, landscaping/site coverage, neighbourhood character, traffic, parking	Grounds are within the ambit of considerations under the relevant planning provisions.
53.	Individual	Objection	Grounds: height, neighbourhood character, density	Grounds are within the ambit of considerations under the relevant planning provisions.
54.	Individual	Objection	Grounds: neighbourhood character, density, traffic, property values	Grounds are within the ambit of considerations under the relevant planning provisions.
55.	Individual	Objection	Grounds: height, neighbourhood character, parking, shadowing, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
56.	Individual	Objection	Grounds: height, scale, traffic, shadowing, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
57.	Individual	Objection	Grounds: height, neighbourhood character, traffic, shadowing	Grounds are within the ambit of considerations under the relevant planning provisions.
58.	Individual	Objection	Grounds: neighbourhood character, parking, overlooking, noise	Grounds are within the ambit of considerations under the relevant planning provisions.
59.	Individual	Objection	Grounds: traffic, parking, overlooking, noise, waste disposal	Grounds are within the ambit of considerations under the relevant planning provisions.
60.	Individual	Objection	Grounds: height, parking, shadowing, overlooking, noise	Grounds are within the ambit of considerations under the relevant planning provisions.
61.	Individual	Objection	Grounds: height, bulk/design, neighbourhood character, setbacks, parking, overlooking, noise, construction management	Grounds are within the ambit of considerations under the relevant planning provisions.
62.	Individual	Objection	Grounds: height, scale, bulk/design, neighbourhood character, traffic, parking, shadowing, building maintenance	Excepting the future maintenance of the building, the grounds are within the ambit of considerations under the relevant planning provisions.
63.	Individual	Objection	Grounds: neighbourhood character, density, traffic, parking, shadowing, overlooking	Grounds are within the ambit of considerations under the relevant planning provisions.
64.	Individual	Objection	Grounds: parking	Grounds are within the ambit of considerations under the relevant planning provisions.
65.	Individual	Objection	Grounds: height, traffic, shadowing, views, noise, infrastructure, creation of a precedent	Grounds are within the ambit of considerations under the relevant planning provisions although the creation of precedents is a broader consideration.
66.	Individual	Objection	Grounds: neighbourhood character, traffic	Grounds are within the ambit of considerations under the relevant planning provisions.
67.	Individual	Objection	Grounds: height, neighbourhood character, density, traffic, infrastructure, creation of a precedent, construction quality	Excepting construction quality which is a building matter, the grounds are within the ambit of considerations under the relevant

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

				planning provisions although the creation of precedents is a broader consideration.
68.	Individual	Objection	Grounds: the fence, height, bulk/design, landscaping/site coverage, neighbourhood character, setbacks, parking, view sharing, fire risk, waste collection	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.
69.	Individual	Objection	Grounds: height, landscaping/site coverage, neighbourhood character, setbacks, parking, view sharing, limited storage	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.
70.	Individual	Objection	Grounds: height, scale, bulk/design, character, views	Grounds are within the ambit of considerations under the relevant planning provisions although the scheme only includes view sharing consideration for those properties covered by the DDO13.

The issues raised in the submissions will be considered in detail in a report to be presented to the 24 July 2018 Council meeting.

Recommendation

That the Hearing of Submissions Committee receive and note the submissions relating to Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments, and forward to Council for consideration.

Committee Resolution

MOVED Cr Martin Duke, Seconded Cr Heather Wellington

That the Hearing of Submissions Committee receive and note the submissions relating to Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments, and forward to Council for consideration.

CARRIED 5:0

1.2 Planning Permit Application 17/0374: 86-92 The Esplanade, Torquay – Development of 48 Residential Apartments

APPENDIX 1 ORDER OF SPEAKERS



Hearing of Submissions
Tuesday 3 July 2018
5pm
Council Chambers
1 Merrijig Drive, Torquay

ORDER OF SPEAKERS

Environment & Development

1.2 Planning Permit Application 17/0374 – 86-92 The Esplanade, Torquay – Construction of a Residential Apartment Building (48 Units)

	Submitter Name
1.	David Merrett
2.	Richard Glawitsch
3.	John Foss
4.	3228 Residents Association
5.	Jill Tickner and Brian Weppner

D18/78446

Close: There being no further items of business the meeting closed at 5.56pm.