



Minutes

Hearing of Submissions Committee
Tuesday, 8 September 2015

Held in the
Council Chambers
1 Merrijig Drive, Torquay
Commencing at 4.00pm

Council:

Cr. Margot Smith (Mayor)
Cr. David Bell
Cr. Libby Coker
Cr. Eve Fisher
Cr. Clive Goldsworthy
Cr. Rose Hodge
Cr. Carol McGregor
Cr. Brian McKiterick
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 8 SEPTEMBER 2015 COMMENCING AT 4.00PM

PRESENT:

Cr. Margot Smith (Mayor)
Cr. David Bell
Cr. Eve Fisher
Cr. Rose Hodge
Cr. Carol McGregor
Cr. Brian McKitterick
Cr. Heather Wellington

In Attendance:

Chief Executive Officer – Keith Baillie
General Manager Environment & Development – Kate Sullivan
Co-ordinator Statutory Planning – Phil Rosevear
Team Leader Governance – Candice Holloway
78 members of the public

APOLOGIES:

Cr. Clive Goldsworthy
Cr. Libby Coker

Committee Resolution

MOVED Cr. Rose Hodge, Seconded Cr. Carol McGregor

That an apology be received from Cr. Clive Goldsworthy and Cr. Libby Coker.

CARRIED 7:0

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

1. William Mclelland
2. John Frame
3. Chris Rippon
4. Peter Gordon
5. Lance Potter
6. David Schneeberger
7. Jim Cairns
8. Warren Harris
9. Shelly Fanning, Planning Consultant, representing Kithbrooke Park Residents Association
10. Chubb Fadgyas, representing the applicant - Newcomb Sand and Soil

BUSINESS:

1. ENVIRONMENT & DEVELOPMENT 4

1.1 *Planning Application OA2552 - Amended Permit for Landscape Garden Supplies 330
Grossmans Road, Bellbrae..... 4*

1. ENVIRONMENT & DEVELOPMENT

1.1 Planning Application OA2552 - Amended Permit for Landscape Garden Supplies 330 Grossmans Road, Bellbrae

Author's Title: Coordinator Statutory Planning

General Manager: Kate Sullivan

Department: Planning & Development

File No: OA2552

Division: Environment & Development

Trim No: IC15/205

Appendix:

1. List of Submitters who have Registered to Speak (D15/74664)
2. List & Summary of all Submissions (D15/74008)

Officer Direct or Indirect Conflict of Interest:

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

Yes

No

Reason: Nil

Status:

Information classified confidential under Section 77
of the Local Government Act:

Yes

No

Reason: Nil

Purpose

To receive and note submissions in relation to the planning permit application OA2552 which seeks to amend planning permit 94/5796 to allow a larger area of the subject land than originally shown on the endorsed plans, to be used for Landscape Garden Supplies.

Summary

The subject land has approval for use and development of a Plant Nursery and Garden Supplies under planning permit 94/5796 which was issued in 1994 at 330 Grossmans Road, Bellbrae. The 1.7 hectare site is part of a sub-lease arrangement from the larger allotment and has access from both Grossmans Road and Ghazeepore Road. The land to the north and west is part of the Kithbrooke Park retirement village.

The plans endorsed with this permit limit the use to an area of 100 metres x 100 metres; however; investigations indicate that various elements of the use have extended beyond the permitted area since at least 2003.

The Landscape Garden Supplies has recently been taken over by a new tenant (Newcomb Sand & Soil) and the non-compliance with the permit was identified during an investigation by Council compliance staff in response to complaints. The new tenant is now seeking to amend the permit to align with the current use.

Sixty seven (67) objections have been received in response to the application, mainly from residents of the adjoining Kithbrooke Park Retirement Village and one submission in support of the proposal was received from the property owner.

The points raised by objectors mainly relate to amenity impacts and a perception that the Section 173 Agreement which applies to the land should have prevented the use from continuing to operate once the site was vacated by the previous tenant. In response to this last point Council obtained legal advice which established that planning permit 94/5796 continued to have force and effect and could be amended as proposed.

Recommendation

That Council receive and note the submissions to planning application OA2552, which seeks to amend planning permit 94/5796 to allow a larger area of the subject land than originally shown on the endorsed plans, to be used for Landscape Garden Supplies.

Committee Resolution

MOVED Cr. David Bell, Seconded Cr. Brian McKiterick

That Council receive and note the submissions to planning application OA2552, which seeks to amend planning permit 94/5796 to allow a larger area of the subject land than originally shown on the endorsed plans, to be used for Landscape Garden Supplies.

CARRIEDT 7:0

Report

The application seeks approval to amend Planning Permit 94/5796 which allowed the use and development of the land at 330 Grossmans Road, Bellbrae for the purpose of a plant nursery and garden supplies in accordance with attached plans. The use was originally allowed within an area of 100 metres by 100 metres fronting Grossmans Road and Ghazeepore Road with access from both frontages. A shed and specific areas for storage were designated on the approved plans.

Site Map



The garden supply and plant nursery has been in operation since 1994. The use appears to have expanded over the years to occupy an area comprising 205m by 80m which is larger than originally approved, and has been operating within that area since 2003. Recently a new tenant, Newcomb Sand and Soils, commenced operating on the site and lodged the current application to amend the permit, to expand the area approved for use to reflect the extent of the current activity, to change the layout to accommodate the needs of the new tenant and to reduce adverse impacts to adjoining properties. Means to improve adjoining residential amenity include: new operating hours, a water cart to aid dust suppression when required by weather conditions, a new sprinkler system proposed on the northern boundary and new landscaping on the Ghazeepore Road frontage.

In August 2007 the Minister for Planning approved Amendment C33 which allowed the subdivision of the land and development of the Kithbrooke Park Retirement Village. As part of the implementation of this permit plans were endorsed showing residential development on the site currently occupied by the Landscape Garden Supplies and a Section 173 Agreement was applied to the land which requires

- That the owner will not make an application for planning permit to use, develop or subdivide the land other than for the purposes approved by the planning permit (06/0204)
- The use of proposed bedsitter units for disadvantaged older persons,
- The development to proceed in accordance with the staged development plans to ensure delivery of community and recreational facilities,
- The provision and management of open space.

The land nominated for the Kithbrooke Park Retirement Village and the Landscape Garden Supplies are held in common ownership with the garden supplies being the subject of a separate lease agreement.

Discussion

67 objections and 1 submission in favour of the proposal have been received. The hearing of submissions meeting allows an opportunity for objectors to present their concerns to Council and for the applicant to explain their application.

The issues raised in objections will be considered in the overall assessment of the matter against the relevant provisions of the planning scheme and a report on the planning application will be presented to the September Council meeting.

Financial Implications

No direct financial implications are expected as a result of this application.

Assessment of merit and attendance at appeal tribunals are included in the current operational budget.

Council Plan

Theme 5 Development and Growth

Objective 3.3 Preservation of peaceful, safe and healthy environments

Theme 5 Development and Growth

Objective 5.2 Encourage sustainable economic development and growth

Theme 5 Development and Growth

Objective 5.4 Transparent and responsive land use and strategic planning

Strategy 2.4.3 Ensure decision-making is as transparent as possible.

Policy/Legal Implications

The application has been assessed against relevant provisions of the Surf Coast Planning Scheme and The Planning and Environment Act 1987.

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any conflicts of interest.

Risk Assessment

The merits of the proposal will be considered against the relevant provisions of the Surf Coast Planning Scheme and Planning & Environment Act 1987 and will be reported to the September Council meeting.

Social Considerations

Impact on the amenity, health and safety of adjoining residents will be considered in accordance with the relevant provisions of the Surf Coast Planning Scheme and the Planning and Environment Act 1987

Community Engagement

Public Notice was provided in accordance with Section 52 of the Planning and Environment Act.

Letters were sent to adjoining land owners and occupiers and two signs were displayed on the subject land. Submitters were given a period of 14 days to provide comments to Council.

67 objections and one submission in support of the proposal were received in response.

Environmental Implications

Environmental impacts will be assessed and managed in accordance with the relevant provisions of the Surf Coast Planning Scheme and the Planning and Environment Act 1987

Communication

Submitters will have the opportunity to address the Hearing of Submissions Committee and Council's final decision on this matter will be provided to the applicant and all submitters

Conclusion

The submissions received in relation to this application detail a number of significant matters that need to be considered and these are presented to Council via the Hearing of Submissions meeting.

**1.1 Planning Application OA2552 - Amended Permit for Landscape Garden Supplies 330
Grossmans Road, Bellbrae**

APPENDIX 1 LIST OF SUBMITTERS WHO HAVE REGISTERED TO SPEAK

REGISTERED SPEAKERS

1. William Mclelland
2. John Frame
3. Chris Rippon
4. Peter Gordon
5. Lance Potter
6. David Schneeberger
7. Jim Cairns
8. Warren Harris
9. Shelly Fanning, Planning Consultant, representing
Kithbrooke Park Residents Association
10. Chubb Fadgyas, representing the applicant - Newcomb
Sand and Soil

**1.1 Planning Application OA2552 - Amended Permit for Landscape Garden Supplies 330
Grossmans Road, Bellbrae**

APPENDIX 2 LIST & SUMMARY OF ALL SUBMISSIONS

Submissions are individually summarised below:

WR MCLELLAND (*Speaker 1*)

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Insufficient buffer between the area
- Dust
- Traffic hazard
- Non-compliance with Section 173 agreement

H & J FRAME (*Speaker 2*)

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Noise
- Dust and pollution
- Understands that the use cannot be extinguished but would like appropriately enforceable condition
- Council should limit the use to the original permit
- Limit opening hours and implement dust and noise mitigation measures

CA RIPPON (*Speaker 3*)

TORQUAY

- Scale has increased to industrial activity
- Stockpiling flammable materials
- Establishment of flammable landscaping near large flammable stockpiles
- Piles are too high/large – issues when wind blows
- Insufficient buffer between uses
- Noise
- Traffic hazard – conflict between pedestrians, particularly schoolchildren waiting for schoolbus and cyclists
- Council has previously refused an application to relocate the business to a site at the western end of Grossmans Rd in 2010 on the grounds that noise and dust problems, traffic, other location would be preferred.

PG & JR GORDON (*Speaker 4*)

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- The Shire has erred in granting a permit for the Kihbrooke part Country Club without including a condition to remove the industrial tenant
- The 173 agreement requires the residents to be consulted prior to the a new lease being signed
- Vulnerable purchaser should be able to rely upon the Shire to protect their interest
- Insufficient Buffer area
- Dust
- Noise

WILLIAM POTTER (*Speaker 5*)

BELLBRAE

- Air Pollution aggravates medical condition in elderly people
- Expectation that land was going to revert to be part of the Retirement Village Development
- 173 agreement requires Council Approval for a new lease to be signed
- Traffic
- Access on Gazeepore rd. is dangerous and can potentially delay emergency service attending the retirement village
- Vegetation removal and adverse effect on fauna
- Contravene the objectives of the Low Density Zone

DE & MA SCHNEEBERGER (*Speaker 6*)

BELLBRAE

- At Council meeting, in June 2012 it was resolved that the Sand and soil business was to be re-located.
- Expectation that land was going to revert to be part of the Retirement Village Development
- Noise and dust from trucks
- Traffic Safety
- The wind carry dust
- Inconsistent with the character of the area

J & MA CAIRNS (*Speaker 7*)

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Expectation that land was going to revert to be part of the Retirement Village Development
- Noise
- Dust
- Traffic hazard

WJ & VM HARRIS (*Speaker 8*)

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning
- Noise
- Dust
- Traffic

SHELLY FANNING, PLANNING CONSULTANT (*Speaker 9*)

- Representing Kithbrooke Park Residents Association

CHUBB FADGYAS, REPRESENTING THE APPLICANT - NEWCOMB SAND AND SOIL
(*Speaker 10*)

- Applicant

HJ & E LEIJER

TORQUAY

- Air quality, dust, pollutant and noise (this will also affect the future age care building)

R C BROWN

TORQUAY

- Noise from the trucks (day and night)
- Air Quality
- Not consistent with the adjoining residential development or zoning
- Proposed extension of the area will increase the impacts on adjoining areas

D & J HUGHES

BELLBRAE

- Traffic and noise from heavy trucks
- Quality of air
- Expectation that land was going to revert to be part of the Retirement Village Development
- Incompatible uses. The use should be relocated elsewhere

E J BINGHAM

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Traffic safety (trucks)
- Dust not acceptable for people with asthma and elderly people
- Expectation that land was going to revert to be part of the Retirement Village Development

A & M GRINTER

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Dust not acceptable for elderly people
- Noise of truck and machinery
- Traffic
- Expectation that land was going to revert to be part of the Retirement Village Development

JM MENZEL

TORQUAY

- Not consistent with the adjoining residential development or zoning
- Noise from truck and machinery
- Vegetation removal
- Expectation that land was going to revert to be part of the Retirement Village Development
- Traffic hazard

J & B MILTON

TORQUAY

- Not consistent with the adjoining residential development or zoning
- Noise
- Traffic safety
- Dust not acceptable for elderly people
- 173 states that residents should have been consulted before new lease was granted

KC & L MUNRO

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Dust not acceptable for elderly people
- Noise
- Traffic
- Expectation that land was going to revert to be part of the Retirement Village Development
- Loss of tranquillity
- Increase monthly service fee to villa owners to offset reduced villa numbers
- Constant cleaning due to dust

T & C MOORE

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Air quality and dust which affects the villa and will affect the age care facility
- Not consistent with the adjoining residential development or zoning
- Affects the price of the villas
- The use is more akin to industry than garden supply

SJ & DR O'REGAN

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning
- Section 173 states that residents should have been consulted before new lease was granted
- Surf Coast Shire not enforcing planning law by allowing the illegal extension of the industrial use
- The Planning Permit for the retirement village should have included condition for the removal of the use
- The health of the resident is compromised by dust and pollutant
- Noise

GEOFF DRURY

TORQUAY

- Incompatibility of uses
- Noise
- Traffic safety
- Dust and pollutants in the air
- Expectation that land was going to revert to be part of the Retirement Village Development
- Incompatibility with the zoning

J HERRMANN

TORQUAY

- Should have been relocated to an industrial area
- Not consistent with the adjoining residential development or zoning
- Expectation that land was going to revert to be part of the Retirement Village Development

NOEL ANDERSON

TORQUAY

- Expectation that land was going to revert to be part of the Retirement Village Development
- Air quality affects lung disease sufferer residing at this address
- Removal of vegetation which makes dust even more open to the wind

J WRIGHT

TORQUAY

- Expectation that land was going to revert to be part of the Retirement Village Development
- Incompatibility of uses
- Dust, trucks

F E DELL

TORQUAY

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning
- Amenity issues
- Decrease of property value

J & RJ BURLEY

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning

M HOPKINS

BELLBRAE

- Dust And pollutants levels not acceptable for elderly people
- Not consistent with the adjoining residential development or zoning
- Expectation that land was going to revert to be part of the Retirement Village Development
- Should be relocated in an industrial area

P J CHRISTIE

BELLBRAE

- Lack of enforcement for failure to comply with 1994 permit
- Takes away land set aside for residential development
- Noise from truck
- Incompatibility of uses
- Residents should have been consulted prior to a new lease being signed
- Violation of 1994 permit
- Failure from Surf Coast Shire to enforce permit
- Airborne pollutants and dust affects the residents
- Noise from trucks is not acceptable
- Traffic hazard

**GR BLIGHT
TORQUAY**

-
- Not consistent with the adjoining residential development or zoning
- Should not reinforce inappropriate use
- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions
- Traffic hazard
- Incompatibility of uses
- The Shire has erred in granting a permit for the Kihbrooke part Country Club without including a condition to remove the industrial tenant
- The 173 agreement requires the residents to be consulted prior to the a new lease being signed
- Vulnerable purchaser should be able to rely upon the Shire to protect their interest

**G R KITCHENMASTER
TORQUAY**

- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions
- The previous garden supply had small stockpiles, the present tenants have larger piles which is more akin to an industrial use
- Incompatibility of uses

**I GAMBETTA
BELLBRAE**

- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions
- Prevailing southerlies
- Noise from the trucks
- Unattractive site for the retirement village

**M & D BOURKE
TORQUAY**

- Not consistent with the adjoining residential development or zoning
- Noise from the site and trucks
- Pollutants not consistent with environmental regulations, insufficient buffer
- Dust, especially on windy days
- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions

**B WHITMORE
BELLBRAE**

- Not consistent with the adjoining residential development or zoning
- Noise of trucks
- Traffic hazard
- Failure to comply with the 1994 permit should not be a reason for them to continue tur use the site

**HJ & RM DAVIS
BELLBRAE**

- Expectation that land was going to revert to be part of the Retirement Village Development
- Trucks noise
- Air quality and dust
- Traffic Hazards
- Not consistent with the adjoining residential development or zoning
- Lack of orderly planning
- Lack of adequate enforcement

TW & VJ DAVIS

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Lack of adequate enforcement
- Any new conditions will not improve the site conditions
- Use should be relocated

DJ & DL THOMAS

BELLBRAE

- Noise from trucks
- Traffic
- Dust
- Poor air quality, bad for allergy sufferers
- Not consistent with the adjoining residential development or zoning

BETTY KITCHENMASTER

BELLBRAE

- Dust, especially when high winds
- Airborne pollutants and dust affects the resident of this address lung condition
- NSS is a bigger operation than previously

IJ & MJ MEADE

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions
- Lack of buffer
- Should be relocated

KEN MERRY

BELLBRAE

- Noise from vehicles
- Traffic
- Dust, especially during southerly winds
- The effect of dust and pollutants affects the health and wellbeing of residents

JAN EMMETT

BELLBRAE

- Health issues due to pollutants
- Noise
- Dust
- Impact on house value and re-sale
- No amount of screening will be adequate
- Expectation that land was going to revert to be part of the Retirement Village Development

HELEN WEBSTER

BELLBRAE

- Traffic hazard
- Dust
- Expectation that land was going to revert to be part of the Retirement Village Development
- No consultation prior to the lease being signed

JP ETHERTON

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- If the additional residences are not built there will be an increase of the monthly fee
- Traffic
- Noise
- Not consistent with the adjoining residential development or zoning

BH & HT BURNS

BELLBRAE

- Dust
- Noise
- Expectation that land was going to revert to be part of the Retirement Village Development
- Increase in monthly fees
- Lower the value of houses
- Not consistent with the adjoining residential development or zoning
- No consultation before the lease
- The Shire has erred in granting a permit for the Kihbrooke part Country Club without including a condition to remove the industrial tenant
- The 173 agreement requires the residents to be consulted prior to the a new lease being signed
- Vulnerable purchaser should be able to rely upon the Shire to protect their interest

R C DIEHM

TORQUAY

- Expectation that land was going to revert to be part of the Retirement Village Development
- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions
- Risk of legionnaire disease from the piles of bark
- Traffic hazard
- Trucks Dropping clay on the road

J & J SUTTON

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning
- Insufficient buffer
- Airborne pollutants and dust affects the residents many of which suffer from respiratory conditions

L ADAMS

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Noise
- Dust
- Clearing of vegetation
- Insufficient buffer between uses, should be 100 m not 7 m
- Create health issues

LG HOCKING

TORQUAY

- Noise of trucks all day
- Dust
- Not consistent with the adjoining residential development or zoning

COLIN SEWELL

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Should be re-located in a more appropriate place
- Traffic hazard (trucks cannot turn appropriately)
- Fee increase for the residents as some villas will not be built

JE PLATE

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Dust from uncovered b-double and wind, create health issues
- Not consistent with the adjoining residential development or zoning

G STURROCK

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning
- Noise
- Fumes
- Dust

FG & NM VEALE

BELLBRAE

- Noise from trucks will also affect the future of the nursing home
- Dust
- Expectation that land was going to revert to be part of the Retirement Village Development

IA & MR SWEET

BELLBRAE

- Should be located in an industrial estate
- Dust
- Noise
- Expectation that land was going to revert to be part of the Retirement Village Development
- Not consistent with the adjoining residential development or zoning

M R Franke

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Noise from trucks
- Air quality
- Should be relocated to an industrial area
- Traffic hazard

G & J WHEATLEY

BELLBRAE

- Dust
- Noise from trucks and loading/unloading
- Traffic hazards

FC & HI BARTLETT

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Development of respiratory condition since moving into the development due to the quality of the air
- Impact on sales value
- Not consistent with the adjoining residential development or zoning

IC & MC GRIBBLE

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Dust
- Noise
- Not consistent with the adjoining residential development or zoning
- Industrial use scale

DG MORGAN

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Noise 7 days a week
- Dust
- Insufficient buffer
- Not consistent with the adjoining residential development or zoning

IR & N DONALD

BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Rise in monthly cost
- Airborne pollutants and dust affects the residents many of which suffer from health conditions
- Section 173 should be enforced
- Insufficient buffer

EM & HD DOLE

BELLBRAE

- Not consistent with the adjoining residential development or zoning
- Expectation that land was going to revert to be part of the Retirement Village Development
- Not orderly planning
- Significant impacts on adjoining properties
- Lack of enforcement with 1994 permit
- Noise
- Health concerns
- Should be considered industrial use instead of garden supply

KM DUNN

BELLBRAE

- Source of dust and airborne pollutants
- Source of noise
- Traffic
- The 1994 permit was superseded by 06/0204
- It is not the owner of the land that has made the application
- Will result in higher on-going service cost for the residents
- Devaluation of houses
- 173 agreement should be enforced
- The design response provided by Fadgyas is flawed in that it does not improve the amenities for the residents, the site has not been operating in this way for 15 years, the intend of permit 06/0204 is to use the land for an other purpose.
- The improvements to amenities mentioned in the report are a mean of reducing unacceptable impacts
- It seems that the 1994 permit is enforceable but not the 2006 one.
- The land is covered by the Retirement Village Act which this application disregards,

LES CROFT

BELLBRAE

- Traffic
- Health issues from chemicals on site
- Not consistent with the adjoining residential development or zoning
- Insufficient buffer

WENDY DONALD
BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Increase of service cost due to additional villa not be constructed
- Airborne pollutants and chemicals, dust impacting on elderly people
- Noise from trucks
- Not consistent with the adjoining residential development or zoning
- No consultation prior to the lease being signed

P & J LUND
BELLBRAE

- No notice prior the change of use
- Devaluation of investment
- Pollution
- Traffic safety and amenity issues
- Alternative site should be chosen

A & D NEWTON
BELLBRAE

- Air quality
- Noise
- Wrong location
- Not consistent with the adjoining residential development or zoning
- No net benefit to the community
- Vegetation clearing
- Lack of enforcement for failure to comply with the permit

JAN VOSS
BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Issues with airborne pollutants as an asthmatic
- Should be on an industrial site
- Noise from trucks
- Not consistent with the adjoining residential development or zoning

B & K WHITE
TORQUAY

- Expectation that land was going to revert to be part of the Retirement Village Development
- The use is not garden supply but rather industrial
- Noise
- Air quality
- Not consistent with the adjoining residential development or zoning

N & A DELL
BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Not a suitable location
- Dust is detrimental to people with respiratory conditions
- Noise
- Insufficient buffer

BRIAN WALSH
BELLBRAE

- Expectation that land was going to revert to be part of the Retirement Village Development
- Should be for age care purpose

A & C CASCONE

TORQUAY

- Dust
- Noise
- Traffic hazard
- Not consistent with the adjoining residential development or zoning
- Expectation that land was going to revert to be part of the Retirement Village Development

C K GROSSMAN

TORQUAY

- In support

Close: There being no further items of business the meeting closed at 5.46pm.