



Minutes

Hearing of Submissions Committee
Tuesday, 1 December 2015

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

Council:

Cr. Rose Hodge (Mayor)
Cr. David Bell
Cr. Libby Coker
Cr. Eve Fisher
Cr. Clive Goldsworthy
Cr. Carol McGregor
Cr. Brian McKiterick
Cr. Margot Smith
Cr. Heather Wellington

MINUTES FOR THE HEARING OF SUBMISSIONS MEETING OF SURF COAST SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS, 1 MERRIJIG DRIVE, TORQUAY
ON TUESDAY 1 DECEMBER 2015 COMMENCING AT 4.00PM

PRESENT:

Cr. Margot Smith (Chair)
Cr. David Bell
Cr. Libby Coker
Cr. Carol McGregor
Cr. Heather Wellington

In Attendance:

General Manager Environment & Development – Kate Sullivan
Manager Planning & Development – Bill Cathcart
Co-ordinator Statutory Planning – Phil Rosevear
6 members of the public

APOLOGIES:

Cr. Rose Hodge (Mayor)
Cr. Clive Goldsworthy
Cr. Eve Fisher
Cr. Brian McKiterick

Committee Resolution

MOVED Cr. Heather Wellington, Seconded Cr. Libby Coker

That an apology be received from Cr. Rose Hodge (Mayor), Cr. Clive Goldsworthy, Cr. Eve Fisher and Cr. Brian McKiterick.

CARRIED 5:0

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

1. Karen Leeman
2. Dawn Hollibone
3. Les Cooper and Carmel Cooper
4. Wayne Mack and Andrew Lovelock - Mack Property Developments Pty Ltd (Applicant)

BUSINESS:

1. ENVIRONMENT & DEVELOPMENT 4
1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea 4

1. ENVIRONMENT & DEVELOPMENT

1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea

Author's Title: Statutory Planner

General Manager: Kate Sullivan

Department: Planning & Development

File No: 14/0490

Division: Environment & Development

Trim No: IC15/569

Appendix:

1. List of Submitters who have Registered to Speak (D15/102747)
2. List of all Other Submissions (D15/102751)

Officer Direct or Indirect Conflict of Interest:

Status:

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

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

Yes

No

Yes

No

Reason: Nil

Reason: Nil

Purpose

To hear submitters following invitation of submissions in accordance with section 223 of the Local Government act 1989 in relation to Planning Application 14/0490 for approval of a Development Plan under Schedule 12 to the Development Plan Overlay.

Summary

The application seeks approval of a development plan that will provide the foundation for the subdivision of the land at 22-28 Camp Road and 4 McRorie Street Anglesea for residential purposes.

Council placed the development plan on public exhibition between 31 March and 30 April 2015 and invited submissions in accordance with Section 223 of the Local Government Act. Fourteen submissions were received from land owners/residents and five submissions were made by referral authorities. The key issues raised are:

- The density of development being too great and inconsistent with the existing residential character
- Insufficient consideration of existing vegetation, the contribution of this vegetation to neighbourhood and landscape character and the detrimental impact from loss of vegetation
- Traffic and parking issues
- Stormwater flows into Camp Road

Subsequent to exhibition of the plan, the applicant amended the development plan to the form now being considered. The key change from the exhibited plan is the introduction of the proposed through street compared to a T-head cul-de-sac and additional stormwater treatment infrastructure. These changes also reduced the lot yield by 1. The amended development plan was re-exhibited from 15 October to 29 October 2015 with a further three submissions received from existing submitters.

Recommendation

That Council receive and note the submissions to the planning application for approval of a Development Plan under Schedule 12 to the Development Plan Overlay at 22-28 Camp Road and 4 McRorie Street Anglesea.

Committee Resolution

MOVED Cr. David Bell, Seconded Cr. Libby Coker

That Council receive and note the submissions to the planning application for approval of a Development Plan under Schedule 12 to the Development Plan Overlay at 22-28 Camp Road and 4 McRorie Street Anglesea.

CARRIED 5:0

1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea

Report

Background

The land is the area of the former Anglesea Primary School which has relocated further north along Camp Road. The land has been purchased by private interests for redevelopment purposes. The *Anglesea Structure Plan 2012* identified the potential the site offers for integrated infill residential development as a rare larger parcel of vacant (brownfield) land within the town boundaries.

Amendment C79 in implementing the Structure Plan applied a new Schedule 3 to the Neighbourhood Character Overlay (NCO3) and new Schedule 19 to the Design and Development Overlay (DDO19) to residential land within the town and over the subject land a new Schedule 12 to the Development Plan Overlay (DPO12). The DPO prevents a permit being granted for almost any use, development or subdivision before a development plan has been approved. Once a development plan has been approved any use, development or subdivision must be generally in accordance with the approved plan.

This development plan has been submitted on behalf of the land owner to meet the requirements of DPO12. Key elements of the plan are:

- A new L-shaped road branching off Camp Road and connecting to Wray Street, incorporating the construction and widening of Correa Lane.
- Residential lots ranging between 359m² and 648m² with a proposed yield of 24 lots
- Lots fronting each of the existing and proposed streets

Discussion

Fourteen submissions have been received for the proposal. The hearing of submissions meeting allows an opportunity for the submitters to present their concerns to Council and for the applicant to explain their proposal.

The issues raised in submissions 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 8 December Council meeting.

Financial Implications

There are no direct financial impacts to Council for the processing of the application which occurs via operational budgets.

Council Plan

Theme 2 Governance
Objective 2.4 Transparency in decision making and access to information
Strategy 2.4.3 Ensure decision-making is as transparent as possible.

Theme 2 Governance
Objective 2.5 Enhanced community engagement
Strategy 2.5.2 Provide opportunities for all members of the community to engage with Council on issues that matter to them.

Theme 5 Development and Growth
Objective 5.4 Transparent and responsive land use and strategic planning
Strategy 5.4.2 Utilise structure plans and planning processes to encourage a diversity of housing stock across the Shire.

Policy/Legal Implications

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

1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea

Social Considerations

Social 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*.

Community Engagement

The *Planning & Environment Act 1987* and Surf Coast Planning Scheme do not include legislated requirements to undertake public notice of applications for the approval of development plans. However it is Council policy to undertake an exhibition process and invite the making of submissions to inform Council's decision. There is no legal obligation on Council to consider submissions received and submitters do not have any rights under the Act to apply for a review of Council's decision to approve a development plan.

Council placed the development plan on public exhibition between 31 March and 30 April 2015 and invited submissions in accordance with Section 223 of the Local Government Act. Fourteen submissions were received from land owners/residents and five submissions were made by referral authorities. The key issues raised are:

- The density of development being too great and inconsistent with the existing residential character
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Of the referral authority responses, key submissions were made by the Department of Environment, Land, Water and Planning (DELWP) and Corangamite Catchment Management Authority (CCMA) in relation to the original proposal to not provide any treatment for stormwater discharging to Anglesea River. It is now proposed to provide treatment which should achieve best practice standards. Stormwater is discussed in further detail below.

Environmental Implications

Environment 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

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 matters that should be considered and an assessment of these will be included in the report to the Council meeting.

1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea

APPENDIX 1 LIST OF SUBMITTERS WHO HAVE REGISTERED TO SPEAK

REGISTERED SPEAKERS

1. Karen Leeman
2. Dawn Hollibone
3. Les Cooper
4. Mack Property Developments Pty Ltd (Applicant)

1.1 Development Plan for 22-28 Camp Road and 4 McRorie Street Anglesea

APPENDIX 2 LIST OF ALL OTHER SUBMISSIONS

LIST OF ALL OTHER SUBMISSIONS

- **L G Findlay**
ANGLESEA

- **J L Nicholls**
SMYTHES CREEK

- **I & J Smith**
ANGLESEA

- **P & W Shea**
ANGLESEA

- **V Thomas**
ANGLESEA

- **D & C Carra and J Carra**
MOUNT WAVERLEY

- **B T & P A Bodman**
ANGLESEA

- **I Samargis**
FITZROY

- **T McCann & M Houlihan**
ANGLESEA

- **J Dilger**
ESSENDON

Close: There being no further items of business the meeting closed at 4.41pm.