



Minutes

Hearing of Submissions Committee
Tuesday, 1 March 2016

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 MARCH 2016 COMMENCING AT 4.00PM

PRESENT:

Cr Rose Hodge (Mayor)
Cr David Bell
Cr Libby Coker
Cr Carol McGregor
Cr Margot Smith
Cr Heather Wellington

In Attendance:

Acting General Manager Governance & Infrastructure – Peter McLean
General Manager Culture & Community – Chris Pike
4 members of the public

APOLOGIES:

Cr Brian McKiterick
Cr Clive Goldsworthy
Cr Eve Fisher

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That an apology be received from Cr Brian McKiterick, Cr Clive Goldsworthy and Cr Eve Fisher.

CARRIED 6:0

CONFLICTS OF INTEREST:

Nil

SUBMITTERS HEARD

1. Rosalie Coutts
2. Peter Bromley
3. Heather Anderson
4. Colin Anderson

BUSINESS:

1. GOVERNANCE & INFRASTRUCTURE	4
1.1 <i>Proposed Road Discontinuance McMillan Street Precinct Anglesea</i>	<i>4</i>

1. GOVERNANCE & INFRASTRUCTURE

1.1 Proposed Road Discontinuance McMillan Street Precinct Anglesea

Author's Title: Property & Legal Services Officer

General Manager: Peter McLean (Acting)

Department: Governance & Risk

File No: F14/552

Division: Governance & Infrastructure

Trim No: IC16/50

Appendix:

1. Submitters who have registered to speak (D16/10771)

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 the invitation of submissions in accordance with Section 223 of the Local Government Act 1989 in relation to the proposed permanent discontinuation of the unused road behind the McMillan Street Precinct in Anglesea.

Summary

Council advertised its proposal to discontinue the unused road behind the McMillan Street Precinct in Anglesea and invited submissions in accordance with Section 223 of the Local Government Act. At the closing time of 5pm on Thursday 31 December 2015, three submissions were received with three submitters indicating that they wish to be heard in support of their written submission.

Recommendation

That Council receive and note the submissions for the proposed road discontinuation behind the McMillan Street Precinct in Anglesea.

Committee Resolution

MOVED Cr Margot Smith, Seconded Cr Libby Coker

That Council receive and note the submissions for the proposed road discontinuation behind the McMillan Street Precinct in Anglesea.

CARRIED 6:0

1.1 Proposed Road Discontinuance McMillan Street Precinct Anglesea

Report

Background

Council advertised its proposal to discontinue the unused road behind the McMillan Street Precinct in Anglesea and invited submissions in accordance with Section 223 of the Local Government Act. At the closing time of 5pm on Thursday 31 December 2015, three submissions were received with three submitters indicating that they wish to be heard in support of their written submission.

Discussion

The three submissions received are against the proposal and can be summarised as follows:

- Submitters would have objected to the Planning Permit for the extension of the Anglesea Kindergarten if they knew the plan was to include the road reserve land. The master plans that were advertised did not include this land;
- The Anglesea Memorial Hall extension was built without a planning permit or a public consultation process to residents and residents have written to Council complaining about the use of the road reserve for this land many times;
- The original Anglesea Kindergarten / Playgroup extension was done without notification or consultation with adjoining residents;
- Both encroachments are unlawful;
- Discontinuation of the road reserve will adversely affect property value from future subdivision;
- Failure of Council to undertake a proper community engagement process around this proposal.

Council wrote to 41 property owners in the area regarding the proposal requesting submissions. Council also advertised the proposal in the Surf Coast Times on Thursday 3 December 2015.

Barwon Water have sewer infrastructure within the road reserve however they have advised that they would support the discontinuation if an easement is created.

Council will further consider the proposal at a future Ordinary Council Meeting.

Financial Implications

Costs associated with this proposal include advertising and officer time.

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 3 Communities
Objective 3.2 Quality Assessment Ratings for Aged & Family Services
Strategy 3.2.4 Ensure high quality community services are provided

Policy/Legal Implications

This proposal is in accordance with Schedule 10(3) and Section 223 of the Local Government Act 1989.

Officer Direct or Indirect Interest

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

Risk Assessment

The McMillan Street Community Precinct is a well utilised and valued asset with many stakeholders involved in the site. As such, Council's decision about future use of this precinct has the potential to carry a high level of public interest.

Social Considerations

Not applicable.

Community Engagement

A public notice was published in the Surf Coast Times on Thursday 3 December 2015 in accordance with Section 223 of the Local Government Act 1989.

1.1 Proposed Road Discontinuance McMillan Street Precinct Anglesea

Council also wrote to 41 property owners in the area regarding the proposal requesting submissions.

Environmental Implications

Not applicable.

Communication

As listed under Community Engagement.

Conclusion

It is recommended that Council receive and note the submissions relating to the proposed road discontinuation behind the McMillan Street Precinct in Anglesea.

1.1 Proposed Road Discontinuance McMillan Street Precinct Anglesea

APPENDIX 1 SUBMITTERS WHO HAVE REGISTERED TO SPEAK

SUBMITTERS TO BE HEARD:

1. Rosalie Coutts
2. Peter Bromley
3. Colin and Heather Anderson

Close: There being no further items of business the meeting closed at 4:36pm.