

1. Referral Authorities

No.	Authority /Submitter	Type of submission	Summary of submission	Response
1	(S3) Barwon Water	Support	Supports the amendment subject to conditions being included on the planning permit.	Barwon Water's conditions have been included on a draft permit that forms part of the exhibition documents. Refer submission to panel.
2	(S4) Powercor	Support	Supports the amendment subject to conditions being included on the planning permit.	Powercor's conditions have been included on a draft permit that forms part of the exhibition documents. Refer submission to panel.

2. Public Submissions

No.	Submitter	Type of submission	Summary of submission	Response
3	(S1) Sparrow Avenue	Support	<p><i>Rezoning of the land to residential</i> Supports the rezoning of the land.</p> <p><i>Closure of Sparrow Avenue</i> Supports the closure of Sparrow Avenue to vehicles - pedestrian access only.</p> <p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Supports the resubdivision of the site into an additional 3 lots. Believes this will lead to an improved subdivision layout.</p>	<p><i>Rezoning of the land to residential</i> Support noted.</p> <p><i>Closure of Sparrow Avenue</i> Support noted. <i>Note: The closure of Sparrow Avenue will be subject to a further process under Section 221 of the Local Government Act 1989.</i></p> <p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Support noted.</p> <p>Refer submission to panel.</p>
4	(S2) Parker Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of smaller lots (less than 800sqm) and believes it will set an unwanted precedent.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> The proposed subdivision seeks to provide 10 lots ranging in size from 600sqm – 671sqm. The site sits geographically within precinct A of the Anglesea subdivision precincts, encouraging lot sizes of 800sqm or greater. Subdivision precincts are applied via the DDO19 which does not currently apply to the site reflective of its historic use as a public utility. It can reasonably be assumed however that the most appropriate subdivision lot size for the site is 800sqm and that this lot size in conjunction with the DDO19 should be applied when the site is being rezoned from a utility to residential.</p> <p>The site is unusual in that it has two street frontages, Harvey and</p>

			<p><i>Proposal contravenes the Anglesea Structure Plan</i> Believes the proposal is at odds with the Anglesea Structure plan.</p> <p><i>Proposal will impact on the low density vegetated character</i> Believes the proposal will impact on the low density vegetated character.</p>	<p>Parker Street. Retaining the current lot sizes (7 lots all in excess of 900sqm) provides a poor urban design outcome that will become apparent when the site transforms over time to residential.</p> <p>The negatives associated with the back of a lot fronting onto a residential street could potentially be managed through planning controls but becomes an ongoing burden to Council with added regulation required. It is preferable to provide a solid subdivision foundation with a single frontage and manage neighbourhood character issues through controls in the NCO3, consistent with the rest of the township. The compromise on lot size is considered appropriate as the reduction will not be apparent from the street due to the land loss occurring in the back yard. Generous lot widths enable side setbacks to be achieved which ensures sufficient space is available for landscaping to soften the built form within the streetscape.</p> <p>To ensure the proposal does not set an unwanted precedent a modified version of the DDO19 forms part of the amendment documents. The lot size variation is directly linked to the site through the overlay schedule.</p> <p><i>At odds with Anglesea Structure Plan</i> The Anglesea Structure Plan (incorporated into the Anglesea Strategy – Clause 21. 11 of the Surf Coast Planning Scheme, through Amendment C79) identifies an opportunity for redevelopment to occur on the site. The plan specifies residential with a component of open space but doesn't specifically provide lot sizes or what size the park should be. The current proposal is consistent with the plan, providing for a local park and residential subdivision.</p> <p><i>Proposal will impact on the low density vegetated character</i> The amendment proposes to introduce modified versions of the DDO19 and NCO3 to the site. These overlay schedules (in conjunction with the SLO that protects native vegetation and is already applied to the site) collectively protect the character of Anglesea. Through these schedules fencing controls, side and rear setback requirements, design detail requirements and site coverage limits will be introduced to the site to ensure future development is subject to the same requirements as the surrounding area.</p>
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5	(S5)	Objection	<i>Smaller lot sizes – less than stipulated by the</i>	<i>'Smaller lot sizes – less than stipulated by the DDO19'</i>

	Harvey Street		<p><i>DDO19</i> Objects to the creation of smaller lots (less than 800sqm as stipulated by the DDO19) as the smaller lot sizes are out of character. Believes a re-subdivision should not occur and the current 7 lots be retained as is. Suggests an overlay be applied to the property controlling setbacks, fencing and vegetation enhancement. Also suggests that the subdivision layout be amended to avoid double frontages but provide 6 lots instead of 7.</p> <p><i>Footpaths</i> Supports the provision of footpaths.</p>	<p>Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Support noted.</p> <p>Refer submission to panel.</p>
6	(S6) Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of smaller lots (less than 800sqm as stipulated by the DDO19).</p> <p><i>Increased traffic</i> Concerned that the development will result in increased traffic parking in Harvey Street. The street network will become more hazardous to cyclists and walkers as a result.</p> <p><i>Proposal will impact on the low density vegetated character</i> Believes the smaller lots will result in housing that is out of character.</p> <p><i>Closure of Sparrow Avenue</i> Does not support the closure of Sparrow Avenue.</p>	<p>'<i>Smaller lot sizes – less than stipulated by the DDO19</i>' Refer to previous response - submitter 2.</p> <p><i>Increased traffic</i> The proposal seeks to extend the number of lots by 3 additional lots. Council's Infrastructure department raised no concern over the capacity of Harvey and Parker Street to absorb the increased traffic resulting from the resubdivision. The traffic report included with the planning permit application highlighted the ability of the sealed street network to manage increased traffic flows. The proposal includes a footpath on Harvey Street to improve pedestrian safety.</p> <p><i>Proposal will impact on the low density vegetated character</i> Refer to previous response - submitter 2.</p> <p><i>Closure of Sparrow Avenue</i> Refer to previous response - submitter 2.</p>

7	(S7) Parker Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of smaller lots (less than 800sqm as stipulated by the DDO19) and believes it will set an unwanted precedent.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Believes the proposal is at odds with the Anglesea Structure plan as it will not protect the low density vegetated character.</p> <p><i>Closure of Sparrow Avenue</i> Objects to the proposed closure of Sparrow Avenue to vehicular traffic on the grounds that it provides an alternative route to traffic between Harvey and Parker Street.</p> <p><i>Footpaths</i> Objects to the proposed footpath in Harvey Street and through the Sparrow Ave reserve.</p> <p><i>Restrictions on street access</i> Believes access should only be permitted from Harvey Street.</p>	<p>Refer submission to panel.</p> <p><i>'Smaller lot sizes – less than stipulated by the DDO19'</i> Refer to previous response - submitter 2.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Refer to previous response - submitter 2.</p> <p><i>Closure of Sparrow Avenue</i> Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Refer to previous response - submitter 2.</p> <p><i>Restrictions on street access</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
8	(S8) Harvey Street	Objection	<p><i>Rezoning of the land to residential</i> Supports the rezoning of land from a public utility to residential.</p> <p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the smaller lot sizes (less than 800sqm). Believes approval of smaller lots in Precinct A will set an unwanted precedent.</p> <p><i>Proposal will impact on the low density vegetated character</i> Believe smaller lots will result in less trees which is at odds with the streetscape character.</p>	<p><i>Rezoning of the land to residential</i> Support for rezoning noted.</p> <p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p><i>Proposal will impact on the low density vegetated character</i> Refer to previous response - submitter 2.</p>

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9	(S9) Harvey Street	Objection	<p><i>Closure of Sparrow Avenue</i> Objects to the closure of Sparrow Avenue to vehicular traffic on the grounds that there will increased usage of the Harvey/Parker Street intersection. Believes the closure may lead to vehicles increasing their speed in Parker Street. Also concerned that in a bushfire event Sparrow Avenue may be utilised as an escape route. Suggests that two of the proposed lots use Sparrow Avenue as their frontage to reduce number of frontages onto Harvey and Parker.</p> <p><i>Footpaths</i> Supports a footpath but queries concrete construction. Notes the high volume of walkers who are forced to walk on the road and feels this is a safety issue. Suggests that a gravel track be constructed instead of a concrete footpath but also suggests that Council connect the path from the lookout in Harvey Street to the heathland.</p>	<p><i>Closure of Sparrow Avenue</i> Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Support noted. Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>

10	(S10) McMahon Avenue	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of smaller lots (less than 800sqm as stipulated by the DDO19) and believes it will set an unwanted precedent.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Believes the proposal is at odds with the Anglesea Structure plan as it will not protect the low density vegetated character.</p> <p><i>Closure of Sparrow Avenue</i> Objects to the proposed closure of Sparrow Avenue to vehicular traffic on the grounds that it provides an alternative route to traffic between Harvey and Parker Street.</p> <p><i>Footpaths</i> Objects to the proposed footpath in Harvey Street and through the Sparrow Ave reserve.</p> <p><i>Restrictions on street access</i> Believes access should only be permitted from Harvey Street.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Refer to previous response - submitter 2.</p> <p><i>Closure of Sparrow Avenue</i> Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Refer to previous response - submitter 2.</p> <p><i>Restrictions on street access</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
11	S11 Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the smaller lots (less than 800sqm) and the lack of space left on the allotment for vegetation. Believes the density is too high compared with the surrounding area.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
12	S12 Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the smaller lots (less than 800sqm) and believes it is out of context with the surrounding area which has lots greatly in excess of 800sqm. Objects to housing being located closer to the street compared with other houses in the area which have deeper blocks. Doesn't support smaller blocks in order to avoid</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p>

			<p>double frontages and believes prescriptive controls relating to fencing and outbuildings should be used instead.</p> <p><i>Overlooking</i> Is concerned that the new houses will overlook their property as their decking is located on the northern side of the house. This will be exacerbated by the land being elevated.</p> <p><i>Closure of Sparrow Avenue</i> Is also concerned with the potential closure of Sparrow Avenue to vehicles as believes it is an evacuation route during a bush fire event.</p>	<p><i>Overlooking</i> Any houses built on the site in future would have to comply with Rescode standards as part of the building assessment process, including provisions related to overlooking. Overlooking requirements are limited to 9m which will fall within the street reservation and will therefore not be considered.</p> <p><i>Closure of Sparrow Avenue</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
13	S13 Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to smaller lots and opposes variation to 800sqm minimum lot size. Submits that the 7 lot subdivision is consistent with the subdivision pattern of the area. Is concerned that the proposed 6m setback will add to the urbanisation of the land.</p> <p><i>Footpaths</i> Believes there will be a negative impact on the character resulting from a concrete footpath and potential concrete crossovers.</p> <p><i>Rezoning of the land to residential</i> Supports rezoning of land to residential.</p> <p><i>Restrictions on street access</i> Suggests access should be from Parker Street only with the backs of lots fronting Harvey Street (and substantially landscaped).</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Refer to previous response - submitter 2.</p> <p><i>Rezoning of the land to residential</i> Support noted.</p> <p><i>Restrictions on street access</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
14	S14 Harvey Street	Objection	<p><i>Rezoning of the land to residential</i> Supports the rezoning of the land to residential.</p>	<p><i>Rezoning of the land to residential</i> Support noted.</p>

			<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the smaller lot sizes. Objects to lots of 600+ in precinct A (800+ lot size) and believes it will reduce the land available for landscaping. Objects to the proposed changes to the DDO19 & NCO3 permitting a variation to lot size and setbacks on the subject site.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Submits that Amendment C79 (Anglesea) supported the site being public open space.</p> <p><i>Footpaths</i> Objects to the footpaths being concrete as this will be out of character.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p><i>Proposal contravenes the Anglesea Structure Plan</i> Refer to previous response - submitter 2.</p> <p><i>Footpaths</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
15	S15 Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the smaller lot sizes and believes that all lots should be 800smq + to ensure consistency with the DDO19. Submits that the smaller lot sizes will have a negative impact on the character.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p>Refer submission to panel.</p>
16	S16 Harvey Street	Objection	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of 11 lots on the site and believes this will be an over development of the site. Submits that the smaller lot sizes will be inconsistent with the surrounding subdivision pattern particularly in Harvey Street which supports large lot sizes. Argues that this is at odds with the DDO19. Highlights that proposed lots 1-3 have double frontages. Objects that the smaller lots will result in reduced front and side setbacks when new development occurs.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i></p> <p>The proposed subdivision is to create 10 lots, the original proposal for 11 lots was amended by Barwon Water following preliminary community consultation and 1 lot removed from the proposal.</p> <p>Refer to previous response - submitter 2.</p>

			<p><i>Increased traffic</i> Objects on the basis of increased traffic in Harvey and Parker Streets.</p> <p><i>Change in ground levels & overlooking</i> Objects to the creation of new ground levels as part of water basin site rehabilitation and the potential of new houses to overlook existing lots.</p> <p><i>Community consultation</i> Objects to the handling of the pre consultation process.</p> <p><i>Site management</i> Objects to the management of site issues including contamination, mess and disruption the filling of the water basin.</p>	<p><i>Increased traffic</i> Refer to previous response - submitter 6.</p> <p><i>Change in ground levels & overlooking</i> Any houses built on the site in future will be subject to height requirements via the NCO3. The maximum height is taken from natural ground level (NGL), surveyed to the Australian Height Datum (AHD). The draft planning permit restricts the finished level of the site to 94.6m AHD which is reflective of the NGL prior to the construction of the basin.</p> <p>Future development is required to comply with Rescode standards as part of the building assessment process, including provisions related to overlooking. Overlooking requirements of note are limited to 9m which will fall within the street reservation and are therefore unlikely to be considered.</p> <p><i>Community consultation</i> At the request of Council Barwon Water conducted preliminary consultation. This process is not required as part of the planning scheme amendment process and was in addition to the process required under the Act. The information obtained by this process does not carry any legal weight but was a way of informing council prior to the amendment process of community sentiment. That process served a valuable purpose as it resulted in a reduction in the number of lots proposed by the proponent.</p> <p>The planning scheme amendment process provides a formal opportunity for community input where written submissions can be made with an opportunity for submissions to be heard by Council and further by an independent planning panel should the application proceed to this stage of the process.</p> <p><i>Site management</i> Site management issues have been considered as part of the planning permit assessment required under Clause 56.08-1, 'Site management' of the Surf Coast Planning Scheme.</p> <p>Should Amendment C108 be supported and approved by the Minister,</p>
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				the applicant will be required via a condition on the planning permit to prepare a detailed site management plan for Council's approval before any works can begin. (Note: the filling of the basin was not subject to a planning permit).
17	S17		<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Objects to the creation of additional lots on the site and believes the site should remain as 7 lots as per the current titles. Submits that the smaller lot sizes will be inconsistent with the adjoining block sizes, is less than the 800sqm minimum within the DDO19 and is therefore out of character.</p> <p><i>Overlooking</i> Submits that new housing on smaller blocks will result in overlooking exacerbated by the fact that the site is higher than both Harvey and Parker Street.</p> <p><i>Increased traffic</i> Objects on the basis of increased traffic in the area.</p>	<p><i>Smaller lot sizes – less than stipulated by the DDO19</i> Refer to previous response - submitter 2.</p> <p><i>Overlooking</i> Refer to previous response - submitter 16.</p> <p><i>Increased traffic</i> Refer to previous response - submitter 6.</p> <p>Refer submission to panel.</p>