

PLANNING COMMITTEE MEETING
SUMMARY MINUTES

WEDNESDAY, 8 MARCH 2017

at 6PM

COPACC

COLAC OTWAY SHIRE PLANNING COMMITTEE MEETING

8 MARCH 2017

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COLAC OTWAY SHIRE COUNCIL PLANNING COMMITTEE MEETING

MINUTES of the **PLANNING COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL**

held in COPACC on 8 March 2017 at 6.00pm.

1. THIS MEETING IS DECLARED OPEN

OPENING PRAYER

*Almighty God, we seek your
blessing and guidance in our
deliberations on behalf of the
people of the Colac Otway Shire.
Enable this Council's decisions to be
those that contribute to the true
welfare and betterment of our community.*

AMEN

2. PRESENT

Cr Kate Hanson
Cr Stephen Hart
Cr Joe McCracken
Cr Chris Potter (Mayor)
Cr Jason Schram
Cr Chris Smith
Cr Terry Woodcroft

Sue Wilkinson, Chief Executive Officer
Mark Lyons, General Manager, Corporate Services
Tony McGann, General Manager, Infrastructure & Leisure Services
Gareth Smith, General Manager, Development & Community Services
Jenny Wood, Manager, Governance & Customer Service
Sarah McKew, Governance Officer
Tamzin McLennan, Public Relations Coordinator
Doug McNeill, Manager, Planning, Building & Health
Blaithin Butler, Statutory Planning Coordinator

3. APOLOGIES

Nil

4. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

I would like to start today by acknowledging the traditional custodians and law makers of this land, their elders past and present and welcome any descendants here today.

I would also like to advise that all Council meetings are audio recorded, with the exception of confidential matters. This includes the public participation sections of meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorized recording of the meeting.

5. DECLARATION OF INTEREST

Nil

6. CONFIRMATION OF MINUTES

- **Planning Committee held on 8 February 2017.**

RESOLUTION

MOVED Cr Stephen Hart seconded Cr Joe McCracken

That the Planning Committee confirm the above minutes.

CARRIED 7 : 0

7. VERBAL SUBMISSIONS FROM APPLICANTS / OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of 5 minutes will apply.

Objector Jan Lewis

Objector Di Shipman

PLANNING COMMITTEE MEETING

**AMENDED DEVELOPMENT PLAN –
6230 AND 6280 GREAT OCEAN ROAD, APOLLO BAY**

PC170803-1

LOCATION / ADDRESS	6230 & 6280 Great Ocean Road, Apollo Bay	GENERAL MANAGER	Gareth Smith
OFFICER	Blaithin Butler	DEPARTMENT	Development & Community Services
TRIM FILE	F15/11336	CONFIDENTIAL	No
ATTACHMENTS	<ol style="list-style-type: none">1. Attachment 1 - Details of Site and Surrounds2. Attachment 2 - Original Development Plan (v.12)3. Attachment 3 - Amended Development Plan from Compulsory Conference (v.14)4. Attachment 4 - Amended Development Plan submitted 14 February 2017 (v.15)5. Attachment 5 - Design Guidelines		

Original Recommendation

That Council:

1. ***Advises the Victorian Civil and Administrative Tribunal (VCAT) that Council would have approved the amended Development Plan (including the design guidelines) for 6230 and 6280 Great Ocean Road, Apollo Bay (prepared under Schedule 5 to the Development Plan Overlay) had an appeal not been lodged, subject to the plan being amended:***
 - a) ***to ensure all lots are in one zone;***
 - b) ***to specify in the annotation relating to the proposed sewer pumping station that the proposed approximate location is subject to an assessment of visual and amenity impacts, and an alternative location within the site may be required: and***
 - c) ***to include a Development Plan Synopsis Document, with any specified requirements and obligations in that document agreed by Council and relevant statutory authorities.***
2. ***Advises VCAT in writing that the matter is resolved subject to the applicant agreeing to the further amendments required by Council listed above.***
3. ***Advises all parties directly notified about the Development Plan of Council's decision.***

ALTERNATIVE MOTION

MOVED Chris Smith seconded Cr Jason Schram

That Council:

1. *Advises the Victorian Civil and Administrative Tribunal (VCAT) that Council would not have approved the amended Development Plan (including the design guidelines) for 6230 and 6280 Great Ocean Road, Apollo Bay (prepared under Schedule 5 to the Development Plan Overlay) had an appeal not been lodged, due to outstanding issues including but not limited to:*
 - *the size of the proposed development (including number of lots, block sizes, dwellings potentially being two-storey and lack of space to plant "mega-flora" to soften development);*
 - *being insensitive to the entry point to Apollo Bay;*
 - *the visual impact of the proposal;*
 - *the fact there are existing subdivisions and empty lots throughout the township;*
 - *concerns about stormwater and the volume of water that would be generated, with reference to impact on public land and beach;*
 - *concerns about potential for environmental impact/pollution on public land and beach due to stormwater runoff (with a request for the installation of litter, silt and pollutant traps upstream of any runoff discharge);*
 - *concerns about access, including the fact there would only be one;*
 - *access to the RCZ land for maintenance of fire buffer and landslide mitigation measures;*
 - *concern about costs of setting up or maintaining the subdivision (including a desire for a footpath on the development side of the Great Ocean Road and maintaining the boundary area from slippage);*
 - *opposition to widening of Great Ocean Road on ocean side;*
 - *need for developer to be responsible for provision of safe beach access;*
 - *that the plan appears to maximise developer profit at the expense of other ratepayers and the environment; and*
 - *feeling that proposal would have negative social and financial consequences for Apollo Bay by reducing the aesthetic quality of the area, with resultant loss of appeal of the town.*
2. *Advises all parties directly notified about the Development Plan of Council's decision.*

LOST 1 : 6

DIVISION

For the Motion: Cr Chris Smith

Against the Motion: Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter, Cr Jason Schram

ALTERNATIVE MOTION

MOVED Cr Stephen Hart seconded Cr Terry Woodcroft

That Council:

1. *Does not support the amended Development Plan for 6230 and 6280 Great Ocean Road, Apollo Bay (prepared under Schedule 5 to the Development Plan Overlay) in its current form because, whilst considering the proposed subdivision layout, lot sizes and access generally acceptable in principle, it has not been demonstrated that:*
 - a) *the arrangement with the landslip mitigation measures would provide the required level of safety to future residents;*
 - b) *the potential visual impact of the landslip mitigation measure has been appropriately addressed;*
 - c) *an appropriate legal mechanism could be put in place to ensure the landslip mitigation measure would be managed properly without putting Council at a legal risk;*
 - d) *sufficient evidence has been provided to ensure that Council would be indemnified from risk; and*
 - e) *access to the rural conservation land for maintenance of the fire buffer and landslip mitigation measures hasn't been shown as being adequate.*
2. *Advises VCAT in writing that the matter is resolved subject to the applicant agreeing to the further amendments required by Council listed above.*
3. *Advises all parties directly notified about the Development Plan of Council's decision.*

CARRIED 5 : 2

DIVISION

For the Motion: Cr Stephen Hart, Cr Terry Woodcroft, Cr Kate Hanson, Cr Joe McCracken, Cr Chris Potter

Against the Motion: Cr Chris Smith, Cr Jason Schram

PLANNING COMMITTEE MEETING

PLANNING & BUILDING STATISTICAL REPORT – JANUARY 2017

PC170803-2

LOCATION / ADDRESS	Whole of Municipality	GENERAL MANAGER	Gareth Smith
OFFICER	Doug McNeill	DEPARTMENT	Development & Community Services
TRIM FILE	F17/1179	CONFIDENTIAL	No
ATTACHMENTS	1. Planning & Building Statistical Report – January 2017		

RESOLUTION

MOVED Cr Joe McCracken seconded Cr Terry Woodcroft

That Council notes the Planning and Building Statistical report for January 2017.

CARRIED 7 : 0

The Meeting Was Declared Closed at 6.52pm

CONFIRMED at the meeting held on 14 JUNE 2017

A handwritten signature in black ink, appearing to be 'V. I. A.', is written above a horizontal dotted line.