



Colac Otway
SHIRE

SUBMISSIONS COMMITTEE MEETING

AGENDA

Wednesday 7 June 2023

at 4:00 PM

COPACC

95 - 97 Gellibrand Street, Colac



COLAC OTWAY SHIRE SUBMISSIONS COMMITTEE MEETING

Wednesday 7 June 2023

TABLE OF CONTENTS

1 Declaration of Opening.....	3
2 Present.....	3
3 Apologies	3
4 Welcome and Acknowledgement of Country and reason for meeting	3
5 Declarations of Interest	4
6 Confirmation of Minutes	4
7 Verbal Submissions.....	4
8 Officer Reports.....	5
8.1 Subdivision of Land into 54 Lots - 36-52 Bruce Street, Colac (PP254/2022-1).....	5

COLAC OTWAY SHIRE SUBMISSIONS COMMITTEE MEETING

NOTICE is hereby given that the next **SUBMISSIONS COMMITTEE MEETING OF THE COLAC OTWAY SHIRE COUNCIL** will be held at COPACC on Wednesday 7 June 2023 at 4:00 PM.

AGENDA

1 DECLARATION OF OPENING

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

3 APOLOGIES

4 WELCOME AND ACKNOWLEDGEMENT OF COUNTRY AND REASON FOR MEETING

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

RECORDING AND PUBLICATION OF MEETINGS

Please note: All Submissions Committee meetings live streamed and recorded when the meeting is held either at COPACC or online. This includes the public participation sections of the meetings. When meetings are held in other locations, Council will endeavour to make an audio recording of the meeting for community access. Matters identified as confidential items in the Agenda will not be live streamed or recorded regardless of venue or mode.

By participating in open Submissions Committee meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

As soon as practicable following each open Submissions Committee meeting, the live stream recording will be accessible on Council's website. Recordings are also taken to facilitate the preparation of the minutes of open Council and Planning Committee meetings and to ensure their accuracy. Recordings will be retained by Council for a period of four years.

As stated in the Governance Rules, other than an official Council recording, no video or audio recording of proceedings of meetings will be permitted without specific approval by resolution of the relevant meeting.

This meeting will be livestreamed to the public via Council's You Tube channel (search Colac Otway Shire Council at www.youtube.com).

The sole purpose of this Submissions Committee meeting is to hear persons who indicated they wish to speak in support of their written submissions to the planning application for a Subdivision of Land into 54 Lots - 36-52 Bruce Street, Colac (PP254/2022-1).

5 DECLARATIONS OF INTEREST

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

6 CONFIRMATION OF MINUTES

- **Submissions Committee meeting held on Wednesday 3 May 2023.**

RECOMMENDATION

That the Submissions Committee confirm the minutes of the Submissions Committee meeting held on Wednesday 3 May 2023.

7 VERBAL SUBMISSIONS

The Mayor is to read out the names of the people who have confirmed 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 limit of 5 minutes will apply.

Item: 8.1

Subdivision of Land into 54 Lots - 36-52 Bruce Street, Colac (PP254/2022-1)

OFFICER	Helen Evans
CHIEF EXECUTIVE OFFICER	Anne Howard
DIVISION	Planning and Strategic Focus
ATTACHMENTS	<ol style="list-style-type: none">1. Original Plan of subdivision [8.1.1 - 3 pages]2. Revised application and Traffic Management Details [8.1.2 - 12 pages]

1. PURPOSE

To hear verbal submissions from the applicant and objectors about the planning application for a 54 lot subdivision of land at 36-52 Bruce Street, Colac (ref. PP254/2022-1).

The role of the Submissions Committee is to hear submissions and it has no authority to make a decision about the application.

2. EXECUTIVE SUMMARY

The subject site is in the General Residential Zone, close to Lake Colac and immediately south of the former Colac landfill site. No overlays affect the site, and it is not in an area of cultural heritage sensitivity. The land was sold by Council in 2022.

The planning application is for the subdivision of land into fifty-four (54) lots and associated works, to be undertaken in two stages. Three lots would be provided for social housing. In the event a permit is issued, a cash open space contribution equal to ten percent of the developable residential land value would be required, in lieu of a land contribution for open space.

Ten submissions were received to the application, with two withdrawn following submission of amended plans after a consultation meeting between Council officers, objectors and the applicant. The application will be determined when an officer report and recommendation is considered at a future Planning Committee or Council meeting.

3. RECOMMENDATION

That the Submissions Committee:

- 1. Acknowledges and notes the verbal comments made in support of written submissions.*
- 2. Thanks the submitters, and the applicant, for their contribution to the submission process.*
- 3. Having heard all persons wishing to speak to their submissions, recommends that Council consider all submissions at a future Planning Committee or Council meeting.*

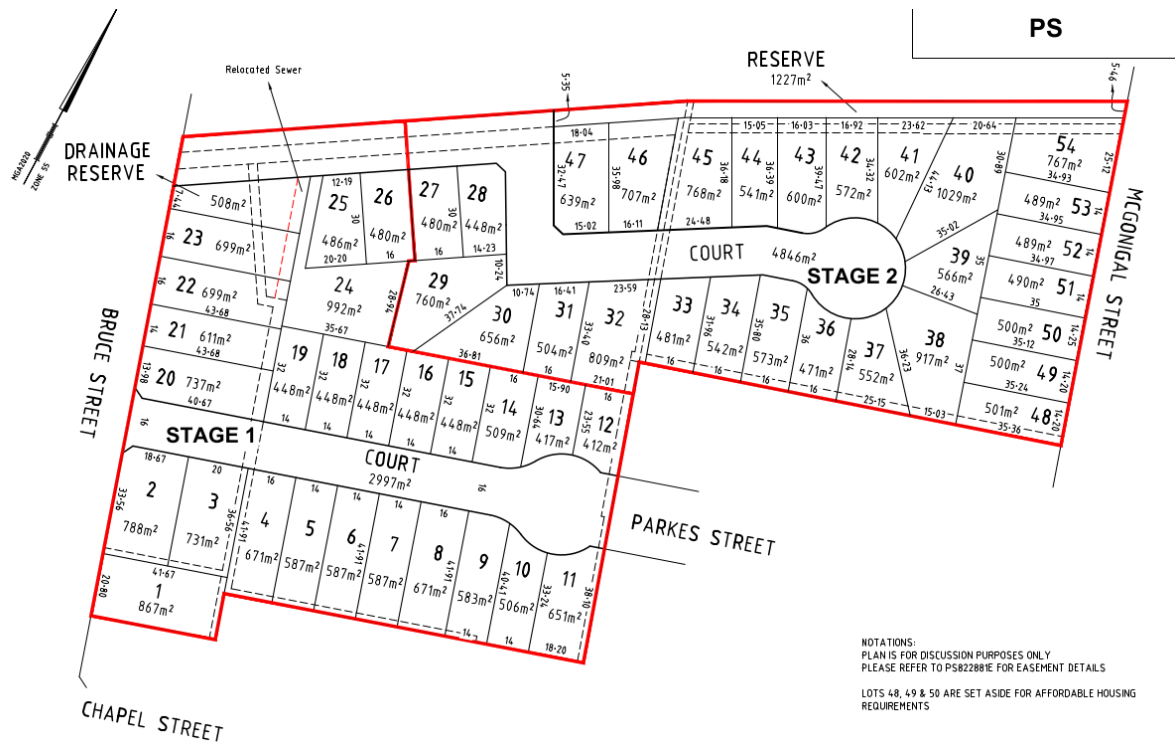
4. KEY INFORMATION

AERIAL PHOTO



The site is an irregularly shaped parcel of approximately 4.189 hectares, formally known as Lot A on PS822881, Volume 12142 Folio 486. The land is in the General Residential 1 Zone. No overlays affect the site.

The proposed plan of subdivision is shown below:



Issues raised in the submissions are summarised as follows:

1. Block sizes out of character with the surrounding area.
2. Number and size of lots.
3. Increased volume of traffic and narrow streets.
4. Parkes Street being opened to increased traffic.
5. Impact on Bruce Street due to increased stormwater.
6. High fire risk.
7. Access to blocks 24-47 – a dead end court should not be allowed due to increase of fire risk.
8. No public open space provided.
9. Consideration not given to optimising proximity to Lake Colac.
10. Consideration not given to proximity of cycling/walking track at the lake.
11. Turning former landfill into parkland.
12. Impact on an existing dwelling at Bruce Street from car lights.
13. Consideration not given to capturing daytime sun.
14. Devaluation of land.

One submission supported the subdivision but was concerned about traffic associated with the subdivision and housing construction, and the potential for additional dust generated on Coads Lane.

A Consultation Meeting facilitated by Council officers and attended by the applicant and objectors was held on 24 March 2023. The applicant amended the application following this meeting. The amendment changed Parkes Street from being proposed as a through road (running from Bruce Street to McGonigal Street), to a layout that shows a court bowl at the eastern end of the proposed section of Parkes Street. A pedestrian and bicycle pathway are proposed to connect from the new section of Parkes Street to the existing section of Parkes Street further to the east. The amendments resulted in the withdrawal of two objections. Attached is copy of the traffic assessment submitted alongside the amended plans which addresses issues raised by objectors on road related issues.

5. CONSIDERATIONS

Overarching Governance Principles (s(9)(2) LGA 2020)

This report aligns with Governance Principles (a), (b), (c), (h) and (l) in that it seeks to ensure that those who have made submissions on the planning application, including the applicant and those objecting to the proposal under Section 57 of the *Planning and Environment Act 1987*, also have the opportunity to do so verbally to Councillors as the decision-makers in this case.

Policies and Relevant Law (s(9)(2)(a) LGA 2020)

This report has had regard to the provisions of the *Planning and Environment Act 1987* and the Colac Otway Planning Scheme. A full report with an officer assessment of the proposal will be presented to a future Planning Committee or Council meeting for consideration.

Environmental and Sustainability Implications (s(9)(2)(c) LGA 2020)

Any environmental and sustainability implications will be considered as part of the future officer report assessing the proposal.

Community Engagement (s56 LGA 2020 and Council's Community Engagement Policy)

Landowners and residents of land surrounding the application site were notified of the planning application. A Consultation Meeting, facilitated by Council and attended by the applicant and objectors, was held on 24 March 2023. Several Councillors also attended that meeting as observers. The Consultation Meeting provided a forum at which the objectors could discuss their concerns with the applicant.

Public Transparency (s58 LGA 2020)

A Submissions Committee meeting provides an opportunity for people to speak to their submission, providing further clarity around key points they wish to convey to Councillors. The applicant and objectors will also be invited to attend any future publicly held Planning Committee or Council meeting at which the decision on the application will be made. The officer report on the application will be made publicly available prior to that meeting.

Alignment to Plans and Strategies

Alignment to Council Plan 2021-2025:

Theme 1 - Strong and Resilient Community

Objective 3: Key infrastructure investment supports our economy and liveability

Theme 2 - Valuing the Natural and Built Environment

Objective 5: Provide and maintain an attractive and safe built environment

Theme 3 – Healthy and Inclusive Community

Objective 2: People are active and socially connected through engaging quality spaces and places

Financial Management (s101 Local Government Act 2020)

A consideration for Council when determining the application will be traffic generated from the subdivision, and the need for road improvements external to the site.

Service Performance (s106 Local Government Act 2020)

Not applicable.

Risk Assessment

As part of the application, consideration will be given to the proximity of the land to a former landfill site.

Communication/Implementation

Following the Submissions Committee meeting, a report on the planning application will be presented at a Planning Committee or Council meeting for consideration. This will have regard to submissions received during the processing of the application. All submitters will be advised of the meeting date.

Human Rights Charter

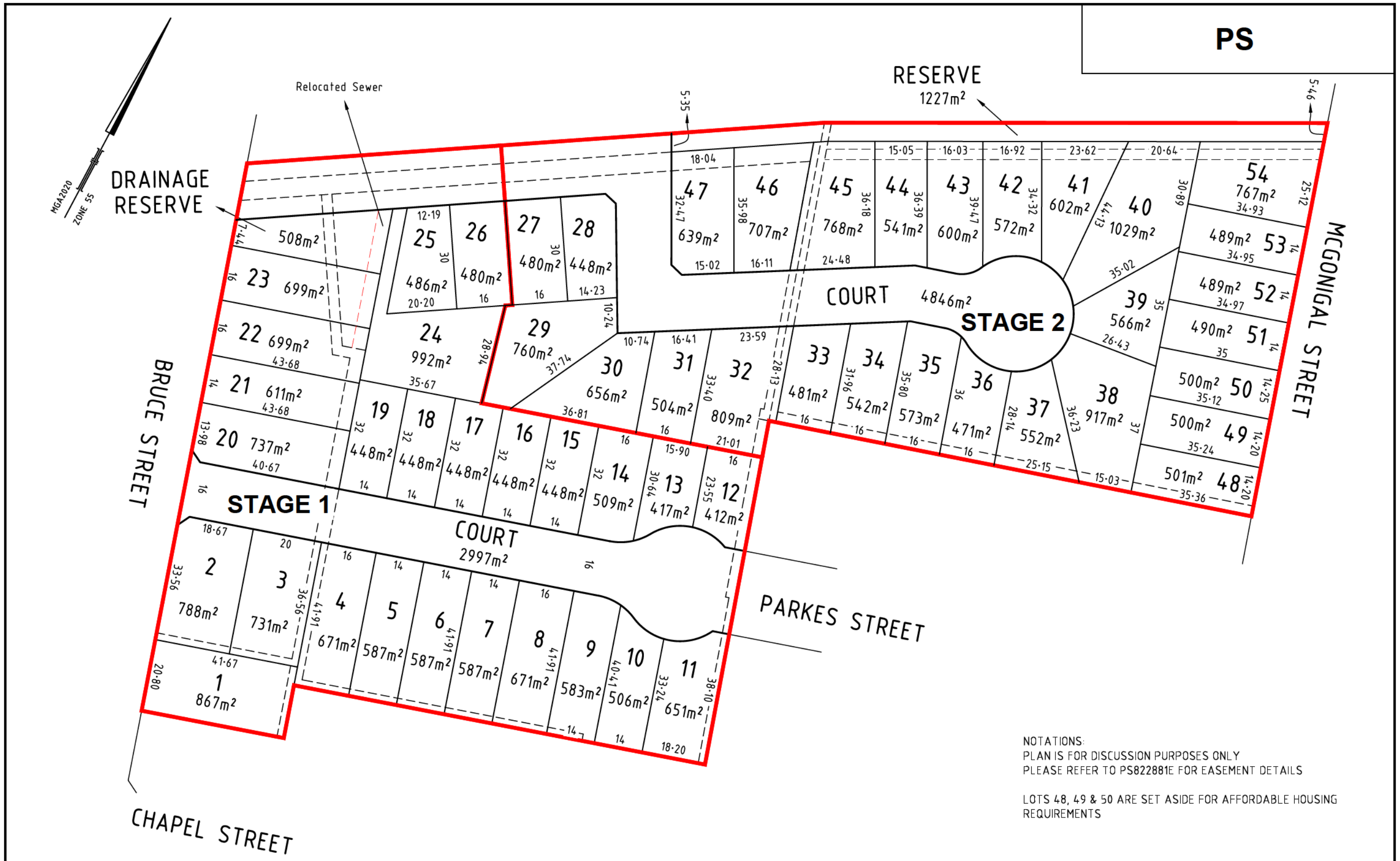
No impact.

Officer General or Material Interest

No officer declared an interest under the *Local Government Act 2020* in the preparation of this report.

Options**Option 1 – Note the verbal submissions**

This option is recommended by officers, as the purpose of the meeting is to hear verbal submissions. The merits of the planning application will be considered at a future Planning Committee or Council meeting.

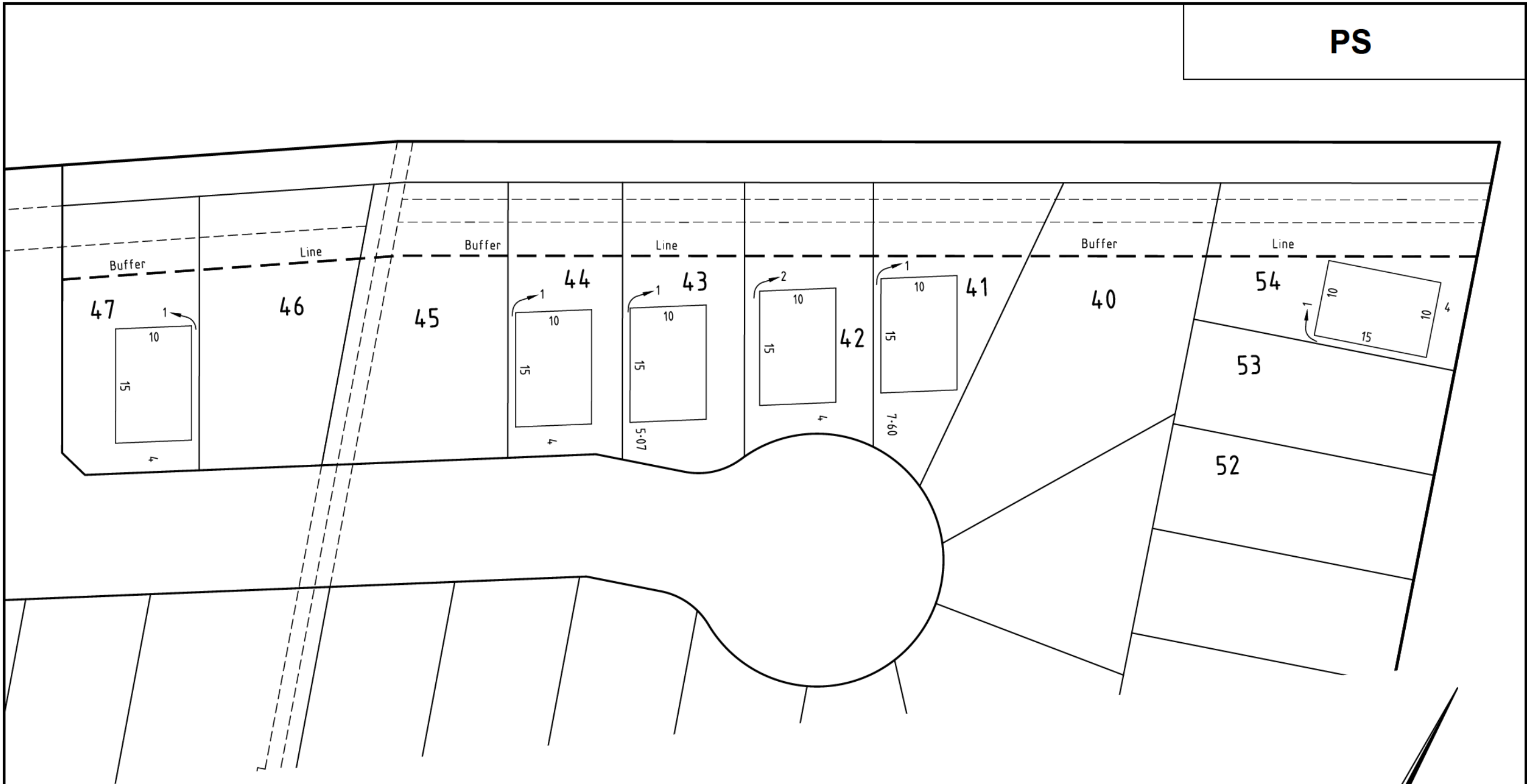


NOTATIONS:
 PLAN IS FOR DISCUSSION PURPOSES ONLY
 PLEASE REFER TO PS822881E FOR EASEMENT DETAILS

LOTS 48, 49 & 50 ARE SET ASIDE FOR AFFORDABLE HOUSING REQUIREMENTS

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NOTATIONS:
 PLAN SHOWS INDICATIVE MINIMUM BUILDING ENVELOPES
 BUFFER LINE SHOWN 15m FROM NORTHERN BOUNDARY



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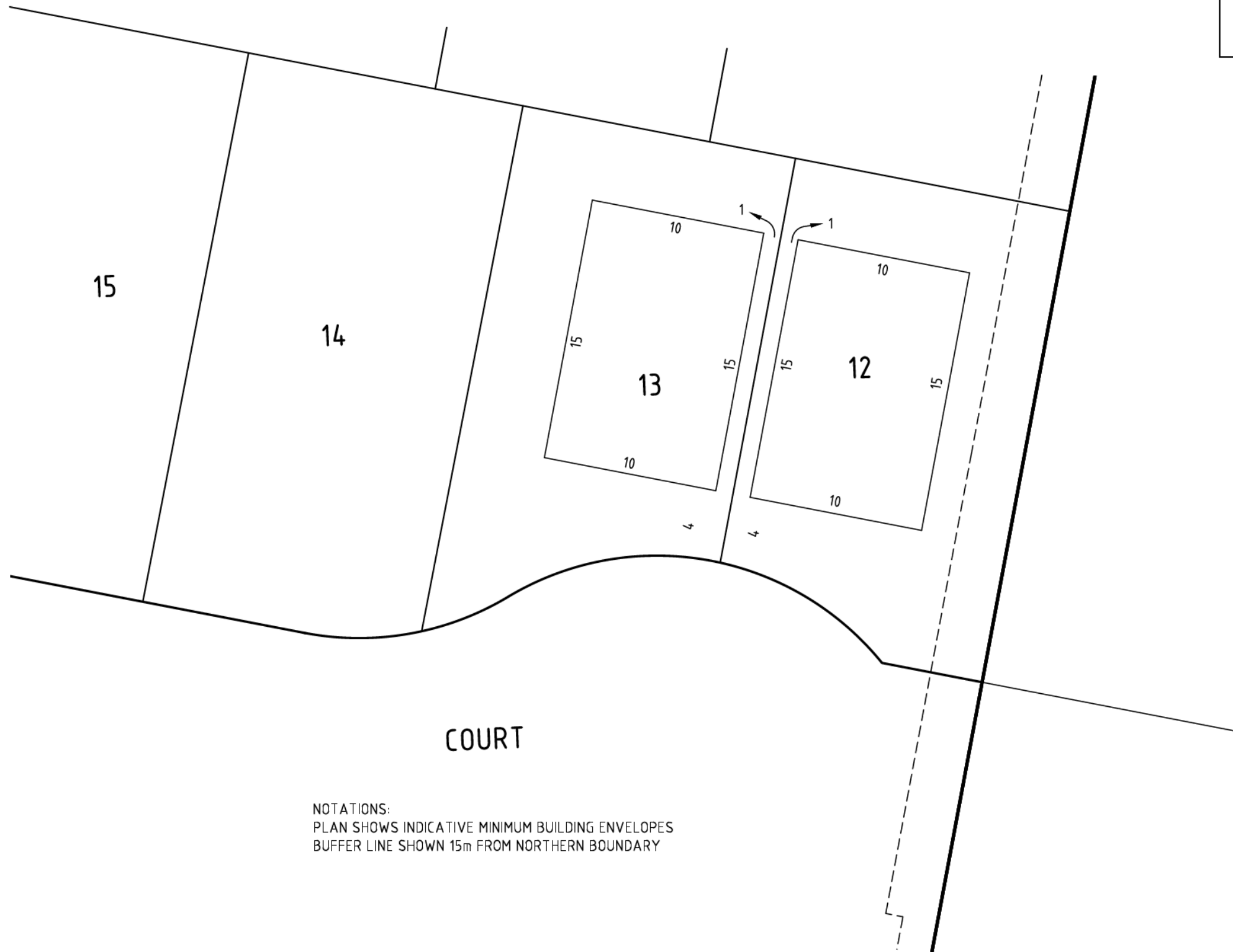
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Our Reference 310414
Your Reference PP254/2022-1

19 April 2023

[REDACTED]
Colac Otway Shire
Via email: inq@colacotway.vic.gov.au

Dear [REDACTED]

Planning Permit Application No. PP254/2022-1
Address: 36-52 Bruce Street, Colac
Proposal: Subdivision of land into 55 lots and associated works

Spiire continues to act on behalf of TW Projects in relation to 36-52 Bruce Street, Colac. Following the consultation meeting held at Council offices on 28 March, and having further considered matters raised by submitters, we have obtained expert advice from a traffic engineer and offer changes to the proposal.

Please find the following documents attached:

- Traffic advice, Trafficworks, 14 April 2023
- Revised proposed plan of subdivision, Version 8, Spiire
- Revised Parkes Street concept layout, Revision B, Spiire

Using daily rates as per the Infrastructure Design Manual (IDM) and the RTA Guide to Traffic Generating Developments 2002, Trafficworks estimated traffic generated by the proposal. An assessment on likely traffic distribution was then made, assuming a vehicular connection to the existing Parkes Street.

It is Trafficworks' opinion that an unacceptable traffic load on the current configuration/condition of Parkes Street and Coads Lane would result.

In accordance with Trafficworks' advice, we now propose that the connection between Parkes Street and the development is limited to pedestrians and cyclists, with the option of being open to vehicular traffic in emergencies only. Please refer to the revised plan of subdivision and revised Parkes Street concept layout which show:

- A courtbowl within Stage 1, with no vehicular connection to Parkes Street.
- A widened road reserve (16m).
- Bollards with 1.5m spacing proposed on the west boundary of the courtbowl.
- Lots 9-14 adjusted to accommodate the courtbowl. We've included indicative 10m x 15m building envelopes on Lots 12 and 13 to demonstrate that these lots can provide a 4m min front setback and accommodate a dwelling.

We believe the revised concept will provide an acceptable outcome as follows:

- It addresses a primary concern of several Parkes St and Coads Lane owners/residents who object to a Parkes St connection and increased Coads Lane traffic.



- The 16m width accords with an Access Street in the IDM. This caters for footpaths and parking on both sides of the road.
- The courtbowl dimensions accommodate a standard waste collection vehicle.
- The central removable bollard allows for emergency vehicle access if required.
- Combined with the path proposed on the north boundary, the arrangement will achieve good east-west pedestrian and cyclist connection through the subdivision.
- Trafficworks expects that the additional traffic generation from the development, as estimated in its advice, is well within the capacity of the current road network.

It is acknowledged that providing a courtbowl is not an ideal urban design outcome in terms of maximising efficiency of vehicular movements through a neighbourhood. However, given the concerns raised by Parkes Street and Coads Lane landowners/residents and the advice provided by Trafficworks, the changes proposed are the most logical approach to address the issues in a feasible way.

In response to concerns of headlight glare affecting No. [redacted] Bruce Street, our client has confirmed a willingness to provide screen planting within No. [redacted] Bruce Street or in the adjacent nature strip. We welcome further discussions with the landowners of this property.

We trust this additional documentation provides adequate information for Council to make a determination on the application and we look forward to receiving your advice regarding next steps.

If you have any further queries or wish to discuss further, please feel free to contact me.

Yours sincerely,



Enclosure: As outlined above
Copy to: TW Projects Pty Ltd

TRAFFICWORKS™

Address 1st Floor 132 Upper Heidelberg Rd Ivanhoe Vic 3079
Postal PO Box 417 Ivanhoe Vic 3079
ABN 59 125 488 977
Phone (03) 9490 5900
Website www.trafficworks.com.au

Project no. 220771

Date 14/04/2023

Colac Otway Shire

PO Box 283

Colac VIC 3250

Attention [REDACTED]

Via email inq@colacotway.vic.gov.au

Dear [REDACTED]

36-52 Bruce Street, Colac - 54 lot residential subdivision

Response to traffic issues raised by the objectors to the development

TW Projects has requested Trafficworks to respond to the objections received by Colac Otway Shire Council (council) for the proposed staged subdivision of land to form 54 residential lots. This relates to the planning permit application PP254/2022-1 for the subject site at 36-52 Bruce Street in Colac.

Summary of objections

The objections raised several concerns relating to the proposed development. The following is a summary of the applicable traffic-related concerns raised:

- increased traffic generated by the development and distributed through the local network:
 - McGonigal Street and Parkes Street would not cope with the volume of traffic due to the narrow streets
 - increased traffic impact on:
 - Coads Lane (unsealed road)
 - local streets.
- extension (connection to) Parkes Street
 - against the Parkes Street connection.
- on-street car parking:



- impact on on-street parking.
- headlight glare:
 - headlight impacts on No [REDACTED] Bruce Street.

Response to the Objections

The following sections detail our responses to the traffic-related concerns raised by the objectors to the proposed development.

Traffic generation

We have used the Infrastructure Design Manual (IDM) daily rate of 10 vehicles per lot per day and the RTA Guide to Traffic Generating Developments (2002) peak hour rate of 0.85 vehicles per lot per hour to estimate the traffic generated by the proposed development.

These volumes are summarised in Table 1 **Error! Reference source not found..**

Table 1: Daily and peak traffic flows for the proposed development

Segment	Lots	Total No.	Trip Generation (No. of vehicles)	
			Peak Hour (0.85 vph per lot)	Daily (10 vpd per lot)
Direct access to Bruce Street	1, 2, 20, 21, 22, 23	6	5	60
Parkes Street connection	3 to 19	17	14	170
New Court (Stage 2)	24 to 47	24	20	240
Direct access to McGonigal Street	48 to 54	7	6	70
Total		54	45	540

Based on the above, the proposed development is anticipated to generate approximately:

- 540 vehicles per day (vpd) to and from the surrounding road network
- 45 vehicles per hour (vph) during the morning and afternoon peaks.

Traffic distribution

Our assumptions for the distribution of the above traffic generation are summarised in Table 2 and assume a vehicular connection from the development to the existing Parkes Street.



Table 2: Traffic distribution for the proposed development

Street access	Segment	Trip Generation (No. of vehicles)	
		Peak Hour (0.85 vph per lot)	Daily (10 vpd per lot)
Bruce Street	Direct access	5	60
	Parkes Street (new lots)	14	170
	New Court (Stage 2)	20	240
	Existing (2 dwellings + 7 lots)	8	90
Totals		47	560
McGonigal Street	Direct access	6	70
	Parkes Street (existing - 7 dwellings)	6	70
	Existing (13 dwellings north of Chapel Street)	11	130
	Totals	23	270

This assessment shows that the key roads affected by the development will continue to operate within the indicative maximum volumes set out in Table 2 of the IDM, as follows:

- Access Lane (6.0 m wide carriageway) - 300 vpd for Parkes Street, the new Parkes Street connection and the new court
- Access Street (7.3 m wide carriageway) – up to 2,500 vpd for Bruce Street and McGonigal Street.

The site inspection of the local street network surrounding the development determined that the likely split between traffic travelling to Colac (town centre) and Geelong (to the east) would be as follows:

- Lots 1 to 47 would use Bruce Street:
 - to access Colac via either Chapel Street or directly access the Princes Highway
 - to Geelong via Chapel Street, Clark Street, Flaxmill Road or directly access the Princes Highway, whilst traffic from lots 2 to 19 would likely use Parkes Street to access McGonigal Street Coads Lane, Clarke Street, Flaxmill Road route.
- Lots 48 to 54 would use McGonigal Street:
 - to access Colac via either Chapel Street or Bruce Street to the Princes Highway
 - to Geelong, most likely via Coads Lane, Clark Street and Flaxmill Road.



Extension (connection to) Parkes Street

The above assessment acknowledges that, with the extension to Clark Street, new development traffic wanting to access Geelong and destinations to the east will likely filter through the existing local road network (Coads Lane, Clark Street and Flaxmill Road).



Figure 1: Parkes Street, looking west towards the proposed development



Figure 2: McGonigal Street, looking north towards Coads Lane



This could result in Geelong oriented traffic accounting for some 117 vpd (or 39 vph) being diverted along Parkes Street, McGonigal Street, Coads Lane, Clarke Street and Flaxmill Road route (based on 25% of the development trips being Geelong oriented).

It is Trafficworks' opinion that this would place an unacceptable traffic load on the current configuration/condition of Parkes Street and Coads Lane. Even considering lower proportions of diverted traffic, the impact on the existing local road network to the east would not be acceptable.

Recommendation 1: any connection between Parkes Street and the development be restricted to pedestrian and cyclist use, with the option of being open to vehicular traffic in emergencies only.

Should Recommendation 1 be adopted, it is expected that the additional traffic generation from the development, as estimated above, is well within the capacity of the current road network and would result in minimal changes to congestion, delays or queuing.

On-street parking

The IDM cross section for an Access Street includes a 7.3 m carriageway in a 16.0 m reservation with footpaths along both boundaries but no separate provision for cyclists. This caters for parking along both sides of the road.

Bruce Street, north of Chapel Street, has a width of 7.4 m between kerbs, and it is understood that the internal streets within the development are to be constructed as per IDM dimensions for an Access Street. This makes a standard provision for on-road parking to supplement on-site parking in the garage and driveway of each dwelling. No additional consideration for parking is considered warranted.

Headlight glare

The effects of headlights from vehicles departing Stage 2 of the development at night are likely to impact the northern living area and, as they turn left, the front bedroom of the existing dwelling at No. ■ Bruce Street. The frequency of this occurring is expected to be less than 10 times per night (based on 24 lots x 0.85 trips during the evening peak x 0.5 for exit movements only).

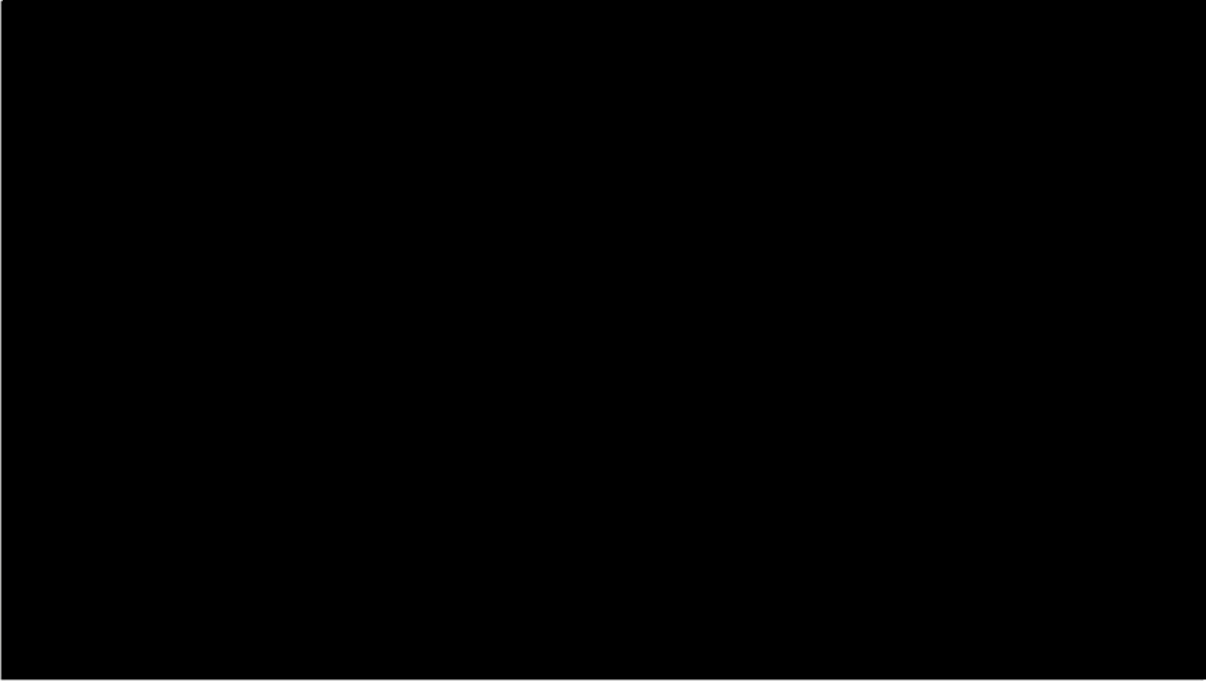


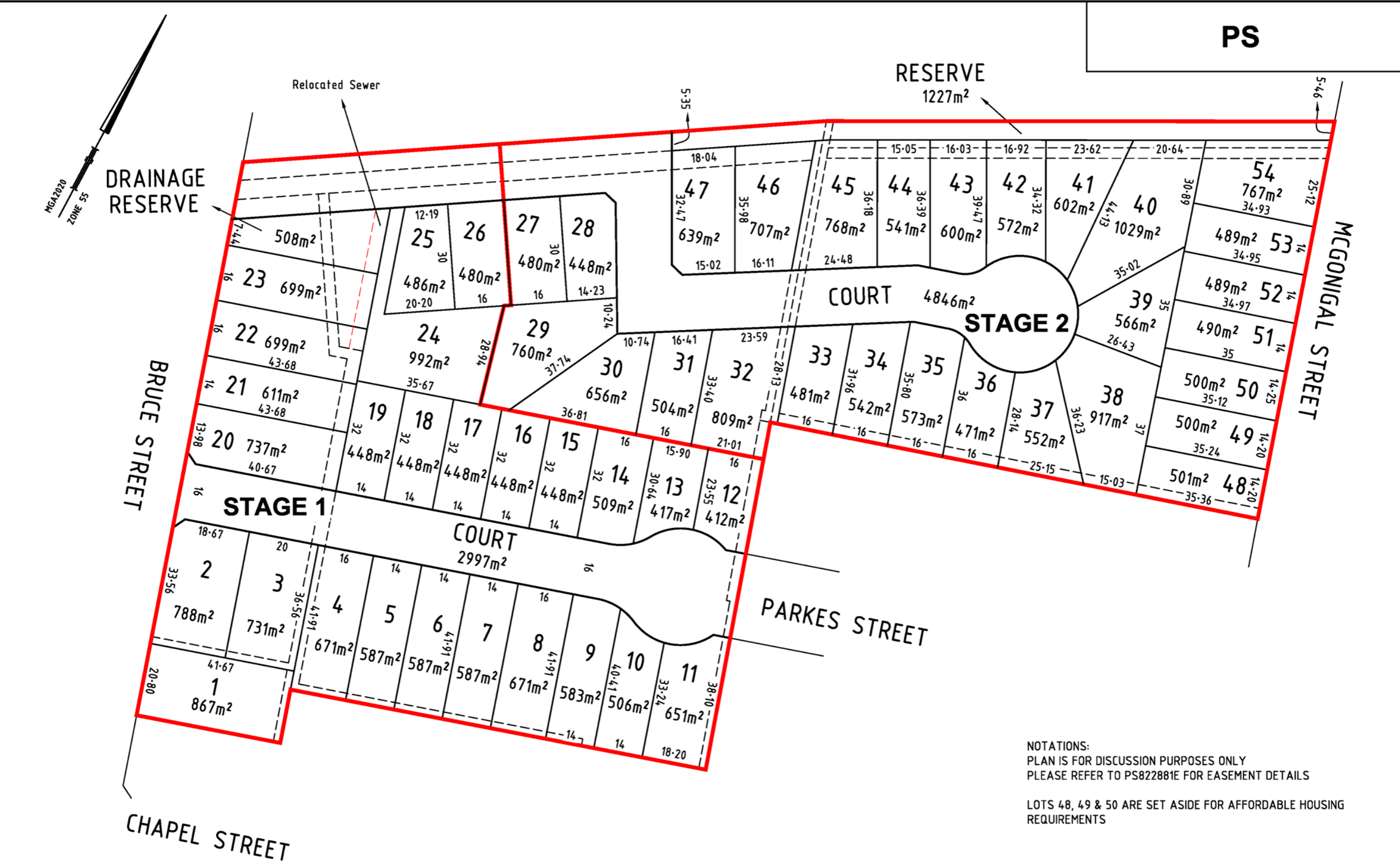
Figure 3: View to the west from new court access onto Bruce Street, opposite No. [redacted] Bruce Street
A few of these trips could happen during sleeping hours, but if shielding with curtains cannot obviate the impact, then screen planting within the property or in the nature strip should address this issue.

Recommendation 2: screen planting within the property of No. 45 Bruce Street or in the nature strip should be considered to reduce headlight glare.

Please contact me on [redacted] if you require additional information.

Yours sincerely,

[redacted signature block]

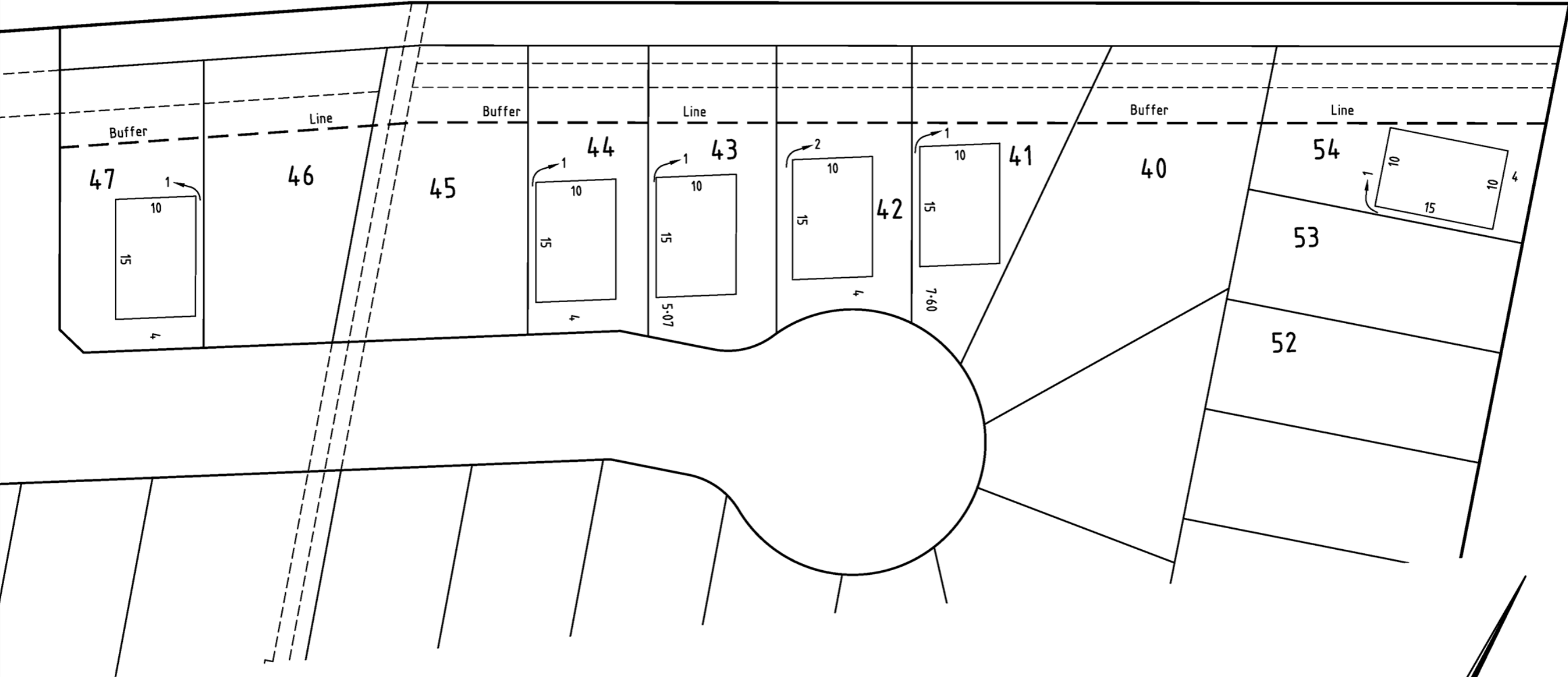


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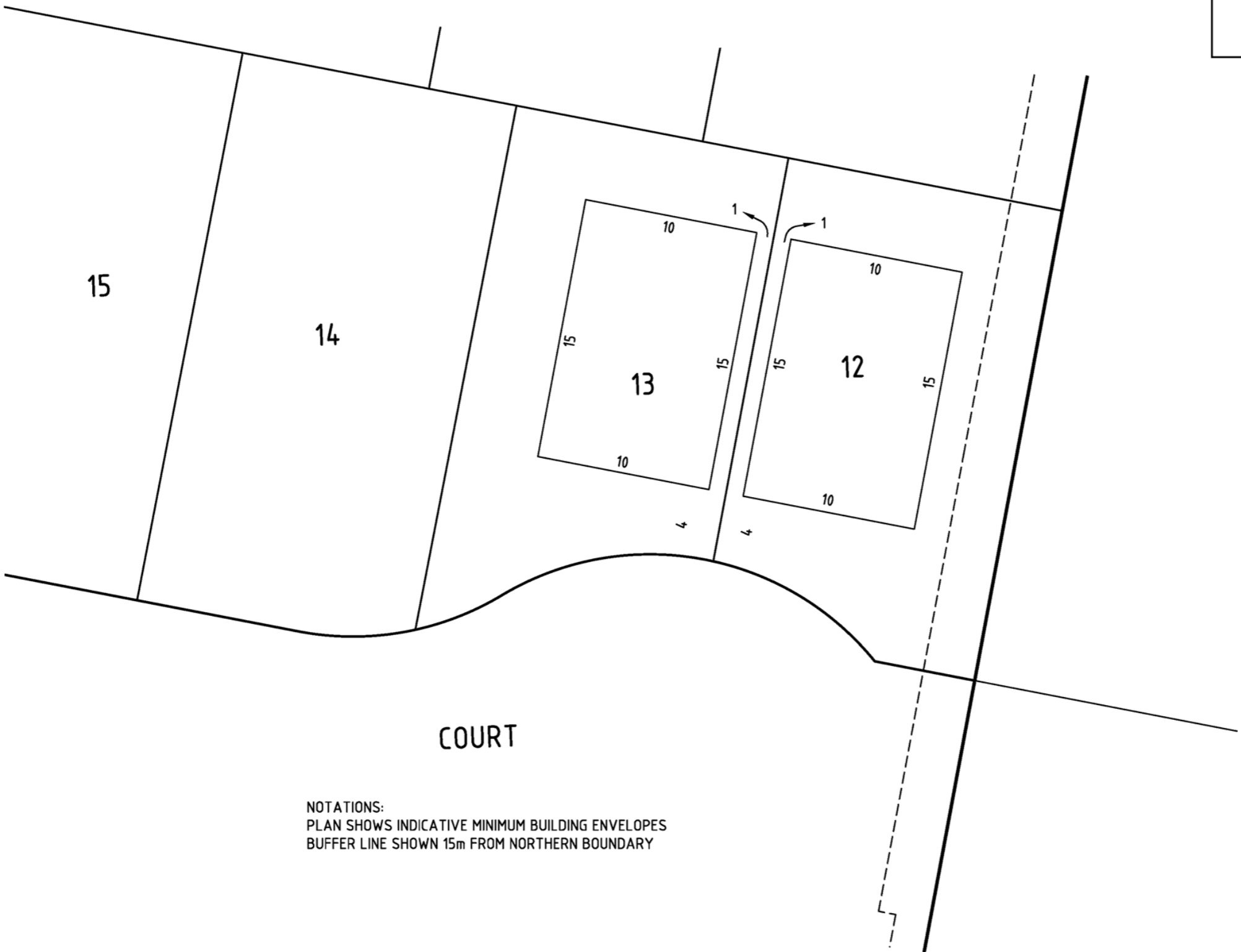
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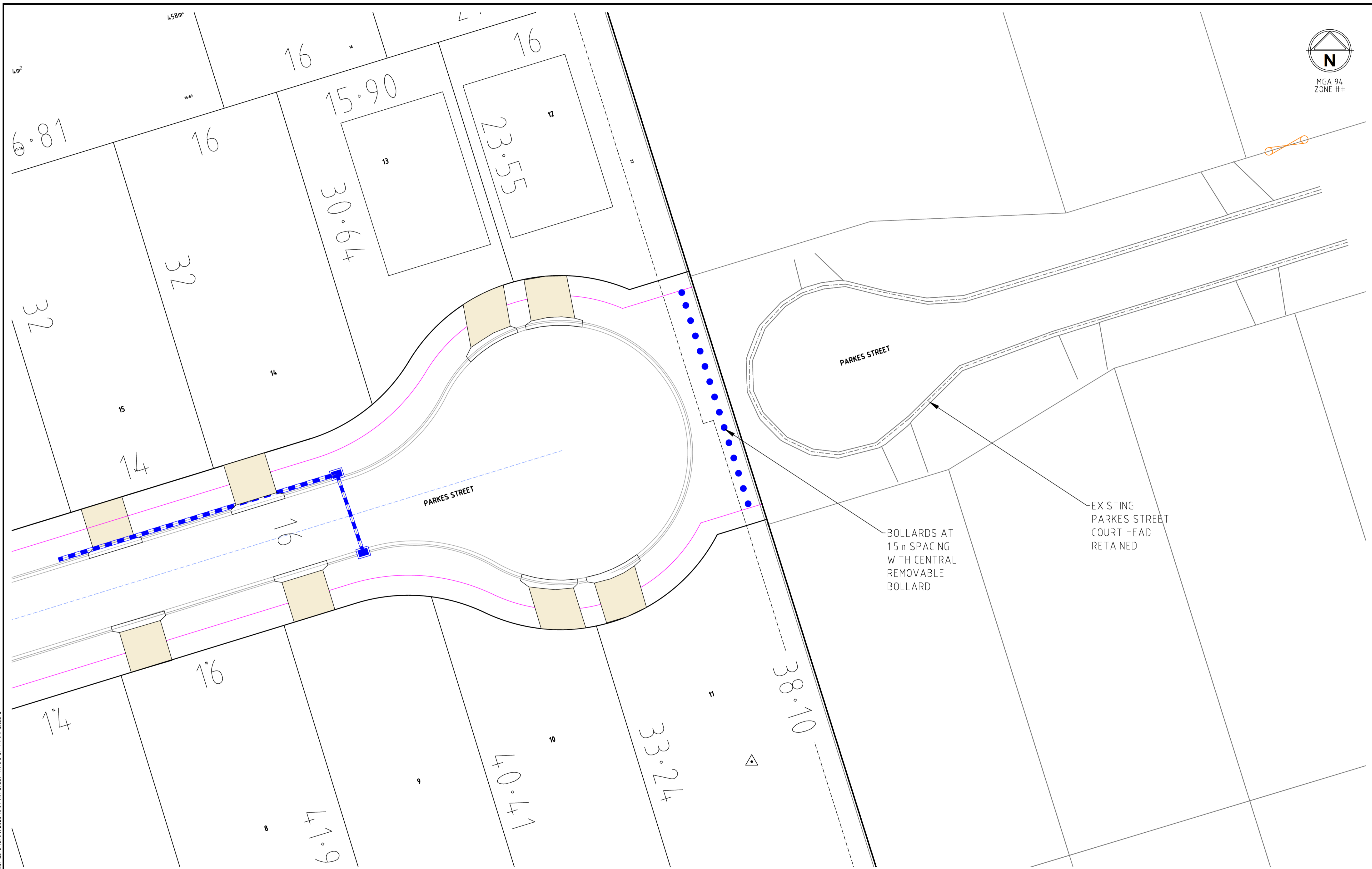
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Designed	Checked
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Authorised	Date
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PARKES STREET CONCEPT LAYOUT
 COLAC OTWAY SHIRE

Dig No **310414 CG001** Rev **B**

PRELIMINARY

