

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

**AMENDMENT C321 &
PLANNING PERMIT 1234/2014**

RESOLUTION TO REFER SUBMISSIONS TO A PANEL APPOINTED BY THE
MINISTER FOR PLANNING

UNDER DELEGATION FROM COUNCIL I HEREBY RESOLVE:

**That having considered all submissions to Amendment C321 to the Greater
Geelong Planning Scheme and Permit 1234/2014 to:**

- 1) Request the Minister for Planning to appoint an Independent Panel under
Part 8 of the Planning and Environment Act, 1987;**
- 2) Refer all submissions to the Panel; and**
- 3) Submit to the Panel its response to the submissions generally as outlined
in this report.**

SIGNED:.....

DATE:.....*22/4/2016*

**PETER BETTESS
GENERAL MANAGER, PLANNING & DEVELOPMENT**

GREATER GEELONG PLANNING SCHEME

DELEGATED AUTHORITY REPORT

AMENDMENT C321 & PERMIT 1234/2014: REZONING AND ACCOMMODATION/ RETAIL COMPLEX PORTARLINGTON - CONSIDERATION OF SUBMISSIONS

To: Peter Bettess - General Manager Planning & Development
From: Peter Schembri - Senior Strategic Planner
Subject: Consideration of Submissions Under Delegation
File Number: Amendment C321 and Permit 1234/2014
Report Date: 20 April 2016

Purpose

This report considers submissions received to Amendment C321 / Permit 1234/2014 and recommends the submissions be referred to an Independent Planning Panel.

Summary

- Amendment C321 seeks to rezone 30-42 Geelong Road, Portarlington, from the Commercial 2 Zone to the Mixed Use Zone, apply the Environmental Audit Overlay to the same land and amend Clause 21.14-5 of the Planning Scheme.
- The Amendment is concurrent with a planning permit to allow the development and use of 30 and 32 Geelong Road for a multi storey accommodation and retail complex together with other permit requirements.
- Public exhibition of the Amendment and Permit commenced on 10 December 2015 and closed on 8 February 2016. Notices appeared in the City News of local newspapers in the second week of December 2015 and January 2016.
- Council received 35 submissions, 27 of which object to the proposal – plus a signed petition with 231 signatures. There were 8 positive submissions including submissions from the Portarlington Business Development Assoc, Committee for Bellarine and the Director of a number of premier Bellarine tourist facilities.
- Key issues arising from the submissions included: tourism benefits; opposition to the rezoning; character, height and amenity negative impacts; traffic concerns, impacts on views; and the devaluation of properties.
- In accordance with the *Planning and Environment Act 1987*, Council must now either: change the Amendment in the manner requested by the submitters; refer the submissions to an Independent Panel; or abandon the Amendment or part of the Amendment.
- Council officers have considered the submissions and do not recommend any changes from what was exhibited. The proposed rezoning and development are supported by the planning policy framework and will advance the renewal of an underutilised commercial precinct without detrimental impacts on local residents or township character.
- This report addresses the issues raised in the submissions and recommends they be referred to an Independent Panel appointed by the Minister for Planning.

Recommendation

That Council having considered all submissions to Amendment C321 to the Greater Geelong Planning Scheme and Permit 1234/2014, resolves to:

- 1) Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act, 1987;**
- 2) Refer all submissions to the Panel; and**
- 3) Submit to the Panel its response to the submissions generally as outlined in this report.**

Background

On 25 September 2014 a request from St Quentin Consulting for a concurrent Planning Scheme Amendment and Permit Application under Section 96A of the *Planning and Environment Act* 1987 was received by Council. The request was made on behalf of the proponent, Grabble Pty Ltd, owner of the land at 30 and 32 Geelong Road, Portarlington.

The applicant has since been revised to Batman Management Group Pty Ltd and the owner has further acquired 34 Geelong Road, Portarlington.

It is proposed to rezone the land at 30, 32, 34, 36-38, 40 and 42 Geelong Road, Portarlington, from the Commercial 2 Zone to the Mixed Use Zone, apply the Environmental Audit Overlay to all the land being rezoned, and amend the map at Clause 21.14-5 of the Greater Geelong Planning Scheme. The draft permit applies to 30 and 32 Geelong Road for development of an accommodation /retail complex.

An aerial map of the subject land is shown at **Appendix 1** and a current zoning map is shown at **Appendix 2**. The aerial map shows the location of the proposed development (Permit 1234/2014) within the established commercial precinct.

The proposed rezoning map and development plan are shown at **Appendix 3** and **4** respectively.

At its meeting on 17 November 2015, Council resolved to support the preparation and exhibition of Amendment C321 to the Greater Geelong Planning Scheme, subject to authorisation by the Minister for Planning. Authorisation was granted on 24 November 2014.

Public exhibition of Amendment C321 and Permit 1234/2014 commenced on 10 December 2015 and closed on 8 February 2016. Notices were published in local newspapers, letters were sent to Portarlington businesses, surrounding landowners and Government agencies. The Amendment documents and draft development plans were available for viewing at the Drysdale library and on Council's website.

Discussion

As a consequence of the Amendment C321 exhibition, a total of 35 submissions were received. **Appendix 5** contains a schedule which summarises the submissions and Planning Officer response.

For the purposes of this report, a detailed breakdown shows:

- 27 objecting submissions plus a petition with 231 signatures, mainly from local residents.
- Supporting submissions from the Portarlington Business Development Association (PBDA); Committee of Bellarine; the Director of Rack Rabbit Vineyard, Leura Park,

Flying Brick Cider and the Curlewis Golf Club; a volunteer of the Celtic & Mussel Festivals; and a local resident.

- A supporting submission from the proponent (Batman Management Group Pty Ltd).
- Submissions from VicRoads and Barwon Water offering no objection.

Pursuant to the *Planning and Environment Act 1987*, the Council is required to consider all submissions made to an Amendment and must either: (1) change the Amendment as requested by the submissions; or (2) refer the submissions to an Independent Panel; or (3) abandon the Amendment.

The next section of this report outlines the key issues raised in the submissions and provides an officer response. In the event the submissions are referred to an Independent Panel, as recommended, the responses in this report will form the basis for Council's presentation to the Panel.

1. Rezoning the precinct to the Mixed Use Zone is not supported

The directly affected landowner of 36-38 Geelong Road says allowing multi level accommodation in close proximity to commercial business will create conflicts. Other submitters are concerned that the current businesses will have to relocate and question why the whole precinct is to be rezoned and not just 30-32 Geelong Road.

A resident opposite prefers that the light commercial be retained over accommodation uses. The neighbouring landowner at 28 Geelong Road and others say the rezoning is inconsistent with Clause 21.14 and the Portarlington Structure Plan and the proposed Mixed Use Zone is isolated outside the town centre.

Officer response

The Council Report that considered the merits of the rezoning prior to exhibition of Amendment C321 outlined strong, well-founded strategic planning grounds to seek a rezoning to the Mixed Use Zone. This Amendment includes a change to the Portarlington Structure Plan map at Clause 21.14-5 of the Greater Geelong Planning Scheme to reflect the removal of the Commercial 2 Zone.

This new zone will allow existing businesses to continue while also encouraging renewal and development of alternative forms of accommodation and businesses, such as that proposed at 30-32 Geelong Road. The proposed Mixed Use Zone is not 'isolated' – it is located within the settlement boundary, 550 metres from the retail centre, surrounded by residential and recreational land and on the primary arterial road into Portarlington.

Concerns from the business owner at 36-38 Geelong Road are understandable however there is already a 2-storey multi-townhouse development on the property's north-west boundary. These dwellings are closer than the apartment complex proposed at 30-32 Geelong Road. None of the other landowners (or tenants) in the precinct have objected and rezoning the whole precinct is consistent with the principles of orderly planning. Significantly, the PBDA also supports the rezoning.

2. Benefits to the local tourist industry and business community

The PBDA, Committee for Bellarine and the Director of a number of signature tourist facilities on the Bellarine support the proposal, highlighting the critical shortage of short term accommodation in the immediate region. The PBDA sees flow-on benefits to its members as visitors will have greater opportunity to remain longer and spend more in Portarlington. Similar feedback from an active volunteer of local festivals was received.

Officer response

These submissions demonstrate the substantial economic and social benefits of the proposal. The proponent's application states that the 55 apartments will be made available for either short-term accommodation (through a serviced model) or for longer term occupancy by owners.

Net community benefit and sustainable towns are key pillars of the planning framework and regional strategies such as the G21 Regional Growth Plan. Council supports investment and renewal of coastal communities to provide and sustain local employment and businesses. The release of the January 2016 Greater Geelong and The Bellarine Tourist Development Plan confirms a need on the northern Bellarine for the type of self-contained accommodation facility proposed.

3. The building height and bulk is out of character for Portarlington

The majority of submissions say the proposed 4 storey building is not in keeping with the preferred character of Portarlington, some making reference to policies in the Planning Scheme. Furthermore, that there has been no attempt to design a structure that would fit in with its surrounding environment – the building will look completely out of place and dominate the landscape.

Some say that with the inclusion of the roof top terrace and lift shaft, the building is more like 5 storeys. Overwhelmingly objectors believe the building is too high and bulky, and that 2 or even 3 levels would be more appropriate. Evolve Town Planning on behalf of the proponent point to the high standard of design, acceptable transition of built form, a height essentially 3 metres higher than dwellings opposite and the absence of height controls. Two local supporting submissions see the development as an opportunity to transform an ugly entrance to Portarlington into a stunning, architecturally inspired building.

Officer response

The preferred character of Portarlington is an important consideration in assessing the merits of the development, as is the preferred character for the commercial precinct in which it will be built. The Planning Scheme at Clause 21.14 *The Bellarine Peninsula* includes objectives and strategies to preserve township character and promote contemporary design that reflects the existing scale, setbacks, form and materials of buildings in the locality.

A review of the objections would suggest most residents consider 2 storeys (whether dwellings or other buildings in general) to be an acceptable height to meet character requirements. Much of the dwelling stock is single or 2 storey, rectangular and face-brick, with flat or pitched tiled roofing set in landscaped gardens.

Looking a little deeper, the Portarlington Structure Plan states on page 11: "It will be important to preserve the residential character of the township, whose attributes include an open coastal setting, modest scale buildings and landscape features. Features of particular importance are the residential areas along the foreshore /coastal edge which form an intrinsic part of the character of Portarlington".

The Structure Plan further identifies the Town Centre, the pier/foreshore reserves, the Point Richards Flora and Fauna Reserve, the recreation reserve and the surrounding significant farmed landscapes as contributors to the character of Portarlington. There is also the obvious advantage of the bay setting.

Clearly, the current presentation of commercial buildings at 30 to 42 Geelong Road is not in keeping with the preferred character. The precinct appears tired and does not present a vibrant, attractive entrance to Portarlington. It is ripe for renewal. There are no design or height controls applying to the precinct however future development must still deliver acceptable built form outcomes. The precinct is not located along the coastal edge or in close visual proximity to the Town Centre.

It is considered that the structure – while representative of a new built form feature for Portarlington – is of high architectural quality, visually appealing and complementary to its coastal setting and prominent town entry location. The building is a self-contained apartment and retail complex designed to attract visitors and residents, and take advantage of views to the bay and the range of tourist facilities on the Bellarine. It will naturally be different in appearance to a dwelling of even a multi-storey townhouse or warehouse development.

The architectural massing of the building is considered to offer articulation and interest with a mix of timber, glass, masonry and textured concrete finishes. As noted by Evolve Town Planning, the building as presented along and to the frontage of Geelong Road will be similar to the surrounding built form. This is due to the gradual slope of the land down to the recreation reserve and bay. The recessed ground level, basement car park and side landscaping further integrate the development.

Finally, the policy framework talks about encouraging development that respects the coastal landscape setting of Portarlington and preserving the town's identity and role. The proposed building is located well within the settlement boundary, strengthens Portarlington's role as a holiday and lifestyle destination, does not impact on any views of state or regional significance, nor will it detract from the design and heritage significance of the Town Centre and foreshore reserves.

4. The building will have an adverse impact on views

Objections about loss of bay views were received from residents opposite the proposed 30-32 Geelong Road development. These are owners of properties on Geelong Road and further up the hill in Linda Court, Peels Court, Sherwood Crescent, Robin Avenue and Lincoln Drive. The submission from the abutting owner of 28 Geelong Road says the proposed development will not result in the reasonable sharing of views of the coast and refers to the Design and Development Overlay Schedule 14 (DDO14).

Officer response

Both the proposed rezoning and development are not considered to unreasonably impact on existing views. The development site sits low in comparison to objector properties and while there may be obstruction to an element of a view in some instances, expansive views across the bay to the You Yangs and out as far as the Melbourne city skyline are not compromised.

None of the objecting landowners on Geelong Road will have their views unreasonably impacted. The DDO14 triggers the requirement for a planning permit to construct a dwelling above 7.5 metres in height. The overlay is not a height control as such and applies to the surrounding residential land. The DDO14 does not apply to the Commercial 2 Zone precinct.

While assessment is concentrated on the proposed development at 30-32 Geelong Road, it is recognised that large commercial buildings such as warehouses, can be constructed in the current Commercial 2 Zone with little regard to impact on views.

5. Traffic and car parking concerns

Residents say the increased traffic volumes and congestion, the road safety hazard at the intersection of Geelong Road/ Lincoln Street, the poor condition of Geelong Road and visibility constraints will be unacceptable.

Likewise there is concern about the lack of on-site visitor and retail parking which will result in an overreliance on street parking to the detriment of nearby residents. Objectors also note that most visitors to Portarlington carry boats, jet skis, kayaks, etc which cannot be accommodated in the basement car park.

Officer response

The concerns of local residents are understandable however it is considered that the proposed development satisfactorily addresses traffic and car parking matters, particularly with the conditions included on the draft permit.

The Traffic Impact Assessment prepared by Civil & Traffic consulting P/L finds that traffic generation from the new development will have minimal impact on the performance and safety of the road network. VicRoads, as the Responsible Authority for Geelong Road, does not object to the rezoning or development subject to permit conditions. This includes requirements for the developer to undertake road widening and access/ egress line marking.

Council has further imposed conditions to increase the number of basement car spaces and to provide a line-marked parking lane on Geelong Road (Portarlington-bound carriageway) between Hereford Street and Sproat Street. Concerns about parking of water craft are considered to be unfounded and misunderstand the intended market for the accommodation complex.

6. General amenity concerns and benefits

In combination, the 27 objections raised numerous general amenity concerns which are individually addressed in Appendix 5. The key amenity concerns are considered to be construction noise and traffic, late night roof-top noise and unsavoury behaviour, and loss of privacy.

Evolve Town Planning on behalf of the proponent highlight that a design feature of the building will be the provision of a pedestrian connection between the recreation reserve and residential land to the south of Geelong Road.

Officer response

Should the accommodation and retail complex ultimately go ahead, the permit includes conditions to appropriately manage the construction phase. This includes the preparation of a site construction management plan that addresses staging, dust, location of parking facilities for construction vehicles, access and site cleanliness.

Submissions that raise concerns about privacy, noise and anti-social behaviour from the complex are not sufficient reasons to disallow the development. The enclosed roof-top terrace is a good use of space and will add to the appeal and experience for occupants. Anti-social or unsavoury behaviour is beyond the scope of any planning assessment in this instance and controlled by the police.

The building will be designed to ensure overlooking standards to the neighbouring residential property at 28 Geelong Road are in accordance with ResCode provisions. Condition 15 of the permit requires the preparation of a screening plan. However those objecting from properties on the opposite side of Geelong Road and up Lincoln Drive and connecting streets are well beyond distance limits to impact on privacy.

Overall the rezoning of the precinct to the Mixed Use Zone – a zone which sits within the residential suite of zones in the Victoria Planning Provisions – is considered to

provide for more compatible uses than the current commercial zone. This means that existing or potential adverse amenity impacts to nearby residents will likely improve over time.

The provision of a public connection between the Portarlington Recreation Reserve and Geelong Road will significantly improve access for local residents and visitors. At present there is no formal public access to/from the reserve to Geelong Road. The access point is conveniently located opposite Lincoln Drive. The building will also improve the interface with the reserve, providing surveillance and interest.

Environmental Implications

There are no environmental implications as a result of the Amendment. The permit conditions requires stormwater to be properly captured, treated and discharged to avoid impacting on the environmentally sensitive reserve to the north west.

Financial Implications

No impact to budget.

Policy/Legal/Statutory Implications

Zone provisions

The Mixed Use Zone is considered to be the most appropriate Victorian Planning Provision zone for the site and proposed development. The existing Commercial 2 Zone prohibits the use of the land for Accommodation as sought in this proposal.

The purpose of the Mixed Use Zone includes:

- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*

The Mixed Use Zone supports the proposed development and other businesses located in the precinct. The zone specifically provides for higher density housing.

The Mixed Use Zone is also preferred as it will not undermine the primary retail hierarchy role of the Portarlington Town Centre. Any proposed new Shop greater than 150 square metres will trigger the need for a 'use' planning permit.

Portarlington Structure Plan 2007

The Portarlington Structure Plan was prepared in 2006 and adopted by Council in 2007. The Plan is a reference document under Clause 21.14 of the Greater Geelong Planning Scheme. The Structure Plan states that the existing Business 4 zoned land on Geelong Road should be retained to cater for local service uses related to fishing/aquaculture, local produce and wineries.

A discussion about tourism and holiday accommodation is at Section 5.3, and at Section 5.5, the land at 42 Geelong Road is recognised as the location of a mussel processing business. The processor is no longer operational and has been replaced by a seafood retail business. Rezoning the precinct supports the existing businesses and improves tourist accommodation options consistent with Portarlington's policy framework.

Alignment to City Plan

The Amendment supports the 'Growing our Economy' strategic direction of City Plan by providing additional local jobs, tourist accommodation, alternative forms of housing and small business opportunities on the northern Bellarine.

Officer Direct or Indirect Interest

No Council officer involved in the report has any direct or indirect interest, in accordance with Section 80(c) of the Local Government Act.

Risk Assessment

There are no notable risks associated with implementing the recommendation contained in this report.

Social Considerations

The proposed rezoning and development is located in an established commercial area within a wider residential and municipal reserve context. The use of the proposed building for accommodation and retail purposes is compatible with surrounding uses and will generate employment opportunities. The development will also provide for thru public access from Geelong Road to the recreation reserve.

Human Rights Charter

The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs, enabling people to freely express their views and if necessary obtain a fair hearing before an Independent Panel.

Consultation and Communication

The Amendment and Permit were exhibited in accordance with the provisions of the *Planning and Environment Act 1987*.

In accordance with Clause 4(2) of Ministerial Direction No. 15 the following panel hearing dates have been set for this Amendment:

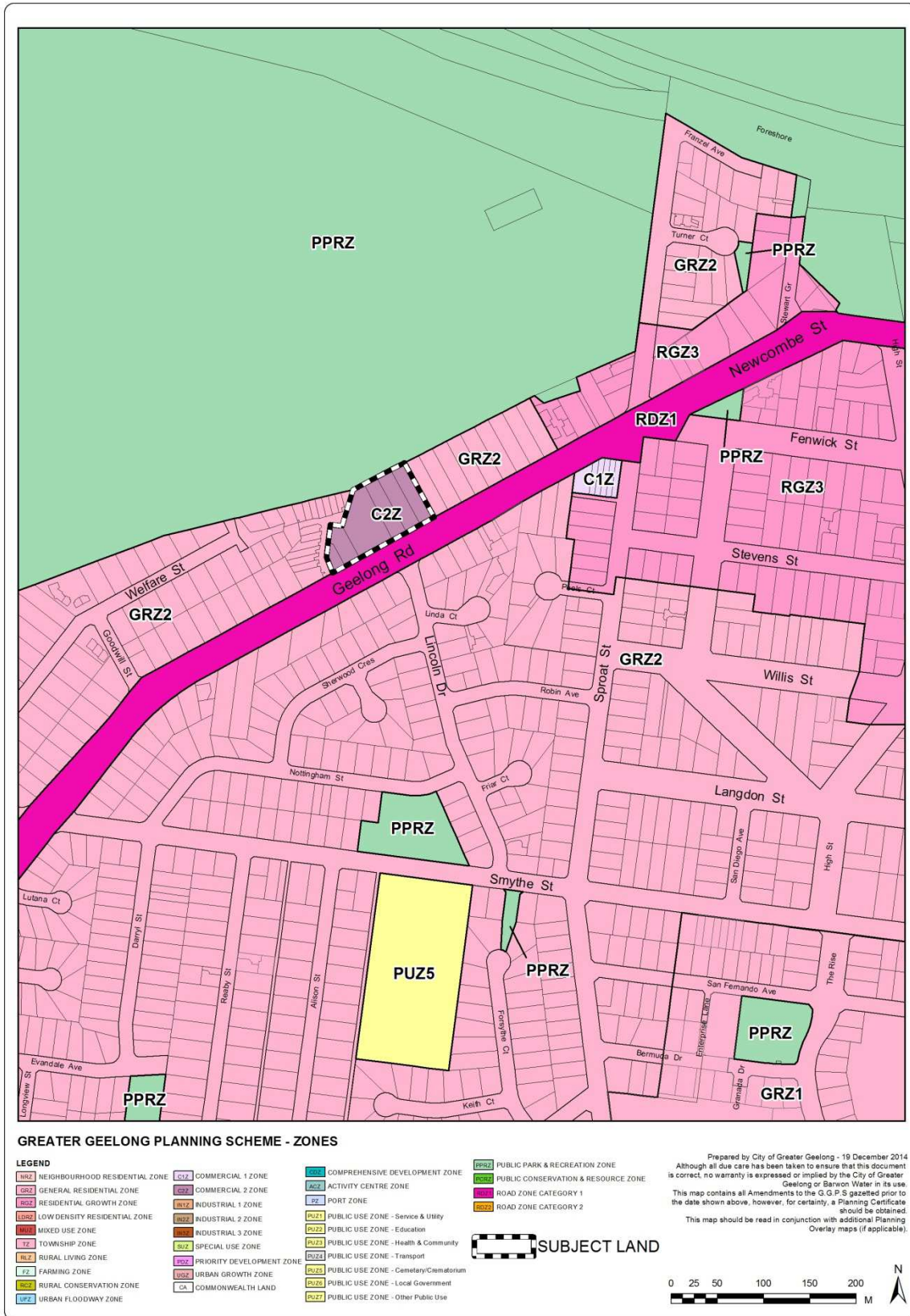
- Directions Hearing: in the week commencing 16 May 2016.
- Panel Hearing: in the week commencing 13 June 2016.

Planning Panels Victoria will notify all submitters of the Panel dates and invite requests to be heard at the Panel Hearing.

Appendix 1 - Aerial Map



Appendix 2 - Existing Zoning Map



Appendix 3 - Proposed Rezoning Map



Appendix 4 - Street Elevation Plan



30-32 Geelong Road, Portarlington

Streetscape Views

Job No. 1308117
 Scale: NTS
 Dwg. No. TP8-001
 Rev. C

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Revision

NO.	DATE	DESCRIPTION
01	19/12/15	ISSUED FOR REVIEW
02	01/01/16	ISSUED FOR COUNCIL REVIEW
03	01/01/16	ISSUED FOR DEVELOPING EMPLOYMENT

Notes

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Appendix 5 - Summary of Submissions and Officer Response

No	Name	Address	Type	Summary of Submission	Response
1	S. Arbuckle	Konrads Cres Mill Park VIC	Object	<p>Objects to the changing of commercial zone to mixed. Purchased property at 33 Geelong Road knowing that light commercial would be opposite and that housing/accommodation would not be built on this land. It would also mean that the current local businesses will have to re-locate and they have spent years building up their business from this location.</p> <p>Also objects to the proposed structure for the following reasons:-</p> <ol style="list-style-type: none"> 1. Currently there is inadequate lighting on the corner of Geelong and Lincoln Street and the added traffic from the facility will increase this as a road safety hazard. 2. The additional volume of traffic that will be coming to the residence will make local parking an issue in the area and will probably cause parking signage to be placed around the area. 3. The overall height of the building will make the structure seem out of place compared to its local surroundings. 	<p>Objections relating to the rezoning, character, height, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>The planning scheme provides for existing use rights. The proposed Mixed Use Zone (MUZ) also supports the types of businesses in the commercial precinct</p> <p>No business will have to relocate.</p>
2	V & C Bare Pty Ltd	Grammar St. Strathmore VIC	Object	<p>Comprehensive submission from the owners of 1/7 Linda Court Portarlington.</p> <p>Submitters say they are not opposed to the future growth of Portarlington which may include a mixture of both apartment and retail accommodation enhancing the area, attracting tourists and prospering in the future. However objects to this particular development for the following reasons:</p> <ol style="list-style-type: none"> 1. The front setback of the proposed development is non compliant and is not consistent with the surrounding properties. Surrounding properties have set backs ranging from 16.6m to 12.2m. This proposal has a set back of only 7.2m. 2. The proposed development is encroaching very closely to the rear boundary with a proposed setback of 2.150m, which again is not consistent with adjoining properties. The proposal's interface to the rear Reserve is quite intense with the visual bulkiness of the proposal being quite large. Nor has any vegetation been proposed along the rear boundary which would assist in softening the bulkiness of this over development. 3. The development is proposing one car park spot for each unit, it appears that visitor parking has not been taken onto consideration. 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Response to numbered objections:</p> <ol style="list-style-type: none"> 1. The ground floor setback is 8.9m reducing to 7.2m above and makes efficient use of the site. This setback replaces the the current commercial building at 32 Geelong Rd setback of 4m. The street setback is considered to meet the Clause 55.03-1 objective. 2. The rear boundary looks out over the expanse of the

No	Name	Address	Type	Summary of Submission	Response
				<p>4. The development also proposes a Retail/Cafe component. Again visitor parking will become a major issue. Is it assumed that on street parking will accommodate all these vehicles including visitor parking?</p> <p>5. For the amount of Accommodation Units, Retail and Cafe components proposed in this development, the bin storage area is well under designed and insufficient to adequately and hygienically accommodate the amount of waste generated by this proposal.</p> <p>6. The lift shaft leading to the Roof Top Terrace although shown on the drawing sheet "Proposed Elevations", no RL levels are provided. Again if this was shown, this would add to the overall height of the proposal. Also noted is that the roof top terrace is not shown on any of the perspective drawings which form part of this application.</p> <p>7. The proposal appears to lack an appropriate separation / security between the Retail and Residential component in the development. Although a reception/ arrival area is proposed at the front of the building, the cafe and other retail areas proposed at the rear of the building are within close proximity to the apartments at ground floor level including lifts and stairs leading to upper floor levels. How is the security of the residential component proposed at the rear of the development?</p> <p>8. How are the retail and cafe businesses located towards the rear of the property to receive deliveries? Especially if no visitor on site parking has been provided. Is it assumed that loading areas are to be provided along Geelong Road? Again reducing the overall amount of on street parking?</p> <p>9. I have also looked at this proposal against the current Greater Geelong Planning Scheme and it is evident that this development definitely does not respond to the following "Objectives and Strategies":</p> <p>a. To preserve the individual character, identity and role of each Bellarine township.</p> <p>b. Ensure that development responds to the identity and character of the individual township in which it is located.</p> <p>c. Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the building in the locality.</p> <p>d. Providing reasonable sharing of views of the coast and foreshore.</p> <p>In accepting the proposed development in its current format, would set a dangerous precinct for the future redevelopment of the surrounding</p>	<p>recreation and conservation reserves. There are no rear setback concerns. The development will significantly improve the interface with the reserve, providing access, surveillance and interest.</p> <p>3. Visitor parking will be on-street.</p> <p>4. Visitor parking for the retail/café component will be on-street.</p> <p>5. Bin storage together with other storage areas in the basement is considered appropriate and access will be improved during detailed design (Condition 1m). The café component is relatively minor and will generate low waste levels. A waste management plan is required (Condition no. 11).</p> <p>6. RL levels for the Roof Top Terrace will be prepared for the Panel Hearing.</p> <p>7. Exactly how the submitter will be adversely impacted is unclear, however security can be addressed during detailed design.</p> <p>8. The permit allows for a waiver of loading requirements which can be accommodated on-street.</p> <p>9. Refer to the report.</p>

No	Name	Address	Type	Summary of Submission	Response
				<p>properties. As evident from the information provided by the applicant, the current proposal is an overdevelopment of the site. Due to the building apparent bulkiness, it is evident the applicant has made no attempt to design a structure which would fit in with its surrounding environment. The applicant has also provided as part of the planning documentation a sheet noted as "Benchmark images" which unfortunately has no reference to the scale of this proposed development.</p> <p>As mentioned at the beginning, we are not opposed the development of this site or any other part of Portarlington, but let's get it right now, before a terrible precinct is set in place, Portarlington has it own unique character doesn't need over developments such as this proposal to put it on the map.</p>	<p>Future proposals will be assessed on their merits against relevant provisions of the Greater Geelong Planning Scheme (GGPS). The development would not set a 'dangerous precedent', rather it would set a high standard for quality and innovative architectural designs that take advantage of their coastal setting.</p>
3	G & P. Barton	Linda Court Portarlington VIC	Object	<p>This 7 page submission was received from the owners of 1 Linda Court Portarlington. The key grounds of objection are summarised as follows:</p> <ul style="list-style-type: none"> • Loss of tranquil bay (paid) views from kitchen window, living room windows and balcony. • Loss of privacy to living areas due to Geelong Rd. facing balconies and windows of the proposed building. • The construction noise and traffic congestion will be unbearable. • Excessive late night roof-top noise from party revellers as well as unsavory behaviour. • Traffic congestion caused by tenants especially those with jet skis, boats, kayaks, etc. • The proposed building will be an eyesore and will look completely out of place. • Local business within the new mixed zone will have 12-18 months write-down of incomes during the construction period. • Concerns about the capacity of Geelong Rd, car parking waivers and road safety. • Concerns about the capacity of the existing stormwater drainage system. • Inadequate provision of disabled spaces and treatment of vehicle fumes in the basement car park. • The stair walkway does not cater for the elderly, cyclists, scooters, wheelchairs or prams. • The rezoning should trigger an Environment Audit Order. • The mixed use businesses will be forced out in favour of similar complexes 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>The construction period is unavoidable and will be appropriately managed to minimise impacts on local residents and other businesses in the precinct.</p> <p>It is agreed that the stair walkway to the reserve will likely limit use by some segments of the community. A switch-back ramp would require additional land and separate approvals from DELWP.</p> <p>Stormwater will be managed by permit conditions to the satisfaction of Council.</p>

No	Name	Address	Type	Summary of Submission	Response
				<p>and Geelong Rd. will become a traffic jam.</p> <p>The submission concludes by saying the amendment should be refused and a more suitable structure be designed which is in keeping with the character of local planning and the neighbourhood, and which does not greatly impact on the lifestyle of the residents within close proximity to the site.</p>	<p>The Amendment includes applying the Environmental Audit Overlay to address any land contamination issues.</p>
4	G. Barton Petition Organiser	Linda Court Portarlinton VIC	Object	<p>Petition with 231 signatures lodged. Petition summary and background: <i>'Amendment C321 & Planning Permit Application 1234/2014. Proposed rezoning and accommodation /retail complex, 30-32 Geelong Rd, Portarlinton. 4 storey high rise building, "Bella"'</i></p> <p>Action petitioned for: <i>'We, the undersigned petition the council to refuse the Rezoning Amendment C321 & Planning Permit 1234/2014'</i>. The petition lists the reasons for objection as follows:</p> <ol style="list-style-type: none"> 1. Out of character with the existing neighbourhood. 2. Loss of our bay views and privacy. 3. Devaluation of property. 4. Dramatic traffic congestion during and upon completion of construction. 5. Noise levels from added traffic and party revellers. 6. Parking issues. 	<p>Objections relating to character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Property values are generally not considered to be a relevant planning consideration.</p>
5	Barwon Water	R Bennett CoOrdinator	No Objection	<p>Barwon Water does not object to the Amendment and notes its recommended conditions form part of PP 1234/2014.</p>	<p>Noted.</p>
6	T. Battersby	Dodds Street Southbank VIC	Object	<p>The submitter does not state whether he owns land or has any interests in Portarlinton.</p> <p>Concerned about the impact of the height of the building, traffic impacts, lack of off-street parking and privacy of existing dwellings. Also says that if titles are sold seperately – how will permanent residents be detected and controlled. Asks what is the envirnomental impact on wetlands adjacent to the site?</p>	<p>Objections relating to character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Future apartment owners are aforded the same rights as any other landowner.</p> <p>There will be no impact on the wetlands as stormwater will drain to the legal point of discharge as specified by Council.</p>

No	Name	Address	Type	Summary of Submission	Response
7	R. Brooke	Geelong Rd Portarlington VIC	Object	<p>Concerned about the size of the proposed building. The submitter is not opposed to development of the site however believes that it will totally dominate the landscape. There is no other building in that vicinity that resembles the same style and I am not convinced that it blends in with the feel of that part of Portarlington town.</p> <p>The submission goes on to say that this building would be out of character and would be more suited in Melbourne not in our sleepy little bay side town. Asks that Council please reconsider the size of the building and how the proposal could be toned down so that it may be more in keeping with the current environment and feel of Portarlington.</p>	<p>Objections relating to character and height are addressed in the 'Discussion' section of the report.</p>
8	S. Casa	15 Pinehurst Way Heatherton VIC	Object	<p>Opposing submission from the neighbouring landowner at 28 Geelong Road.</p> <p>Makes the following submissions about the rezoning:</p> <ul style="list-style-type: none"> • The rezoning is inconsistent with the clause 21.14 of the planning scheme and the Portarlington Structure Plan contained and referenced within that clause. • The current Commercial 2 Zone is an historic zoning maintained for a specific purpose and should not be used as a springboard for a mixed use zone. • To have an isolated mixed use zone outside the town centre does not provide for orderly or sustainable planning. • The proposed rezoning has failed to have regard for the context of the site within a residential zone affected by a DDO – 14 which contains a height control trigger. • The proposed mixed use zone will not facilitate development which respects the coastal landscape setting of Portarlington and will not promote a sharing of views. • A mixed use zone should be contained within the town centre rather than 800m distance from it. <p>Makes the following submissions about the permit:</p> <ul style="list-style-type: none"> • The proposed development is a gross over development of the site. • The proposed development will be inconsistent with the existing and preferred character of the area. • The proposed development will overwhelm and diminish the amenity of 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>A mixed use zone should not be located in the Town Centre, which is in the Commercial 1 Zone and fulfills the role of a 'Town Centre' under the City of Greater Geelong Retail Activity Centre Hierarchy.</p> <p>ResCode matters relating to privacy, overshadowing, and landscaping are satisfactorily addressed in the proposed design and permit conditions.</p> <p>Property values are generally not considered to be a relevant planning consideration. There is no evidence that rental occupancy and development potential will be significantly impacted. In fact,</p>

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				<p>the adjacent Public Park and Conservation Zone land.</p> <ul style="list-style-type: none"> • The proposed development will not result in a reasonable sharing of views of the coast and the foreshore. • The proposed development is inconsistent with clause 21.14. • The proposed development lacks suitable space to provide significant landscaping to screen the built form. • The waiver of car parking, loading facilities and bicycle facilities is unsustainable and will cause an unreasonable impact on the amenity of the surrounding residential areas. • The proposed development will have a significant impact on privacy, over shadowing, rental occupancy, property value and future development. <p>Makes the following submissions about procedural defects:</p> <ul style="list-style-type: none"> • The revised clause 21.14 was not exhibited and should be put on public exhibition as it is a key element of the rezoning. 	<p>moving away from a commercial zone to uses and developments that are accommodation in nature is likely to increase the property's potential.</p> <p>In regards to submissions about procedural defects, the change to Clause 21.14 was initially not included with the documents on the Geelong Australia web page however added as soon as the error was detected. Regardless, the full set of Amendment documents are stated in the Govt Gazette Notice and newspaper notices, appear on the DELWP website and are contained in hard copy folders placed in Geelong and Drysdale. Exhibition has fully complied with S.19 of the <i>Planning & Environment Act</i>.</p>
9	P. Chircop	Gourlay Rd. Hillside VIC	Object	The submission raises the same grounds of objection as those raised in Submission no. 3.	Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.
10	Committee for Bellarine Inc	T. O'Connor Exec Director 15 Hancock St. Drysdale	Support	<p>This submission is written in support of the application for the accommodation apartments proposed for 30 / 32 Geelong Road, Portarlington:</p> <p>Our region has a strong tourist vision and a development of this type, especially as an entry feature to the township, can only but help meet the overnight and longer term visitor expectation. Right now, the need for suitable accommodation of this type is all the more apparent albeit that throughout the year, accommodation of any kind within The Bellarine is difficult if not impossible to find.</p>	The submission is noted and tourism benefits are addressed in the 'Discussion' section of the report.

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				<p>We are confident this will set a standard for the area, one consistent with the future look, feel, and function for accommodation in Portarlington and adjacent coastal townships and as such, encourage your support for its passage through the planning, construction and operating stages.</p>	
11	J. Duxson	Robin Ave Portarlington VIC	Object	<p>States that the construction of more view constricting units and increased mobile access to/from these dwellings will devalue his property. CoGG will benefit from extra rates at the submitters expense. Too many multiple dwellings are ruining Portarlington and residents are losing their beautiful views of the bay. When is enough, enough.</p>	<p>Objections relating to character, height and views are addressed in the 'Discussion' section of the report.</p> <p>Property values and rates are generally not considered to be a relevant planning consideration.</p>
12	Evolve Town Planning	T Ferrari Level 1 87 Lt Malop St Geelong VIC	Support	<p>Supporting submission on behalf of the proponent, Batman Management Group Pty Ltd.</p> <p>States that a major benefit of the proposal is the important role it will play in enhancing the local tourist industry of not only Portarlington, but also the Bellarine Peninsula as a whole. This will be achieved through its ongoing support of the many tourism related uses established on the Bellarine Peninsula such as wineries, function centres and restaurants which would benefit by having nearby accommodation. The proposed apartment building will provide an alternate form of accommodation offering diversity and choice within an otherwise uniform tourist and residential accommodation market.</p> <p>The submission outlines key features and benefits under the following themes:</p> <ol style="list-style-type: none"> <u>Benefit to the Portarlington community</u> <p>The proposal will provide social and economic benefits to Portarlington by way of local employment opportunities with flow-on benefits to the local retail sector. The commercial floor space will attract street life and allow the community to gather and socialise as well as interact with the surrounding environment. An important design feature of the building is that it will provide pedestrian connectivity between the recreation reserve and residential land to the south of the Geelong Road. Occupation of the apartments year round will benefit local retailers particularly outside of the summer holiday season.</p>	<p>The submission is noted and economic benefits and character are addressed in the 'Discussion' section of the report.</p> <p>The public pedestrian connection through 32 Geelong Road to link Geelong Road and the recreation reserve will deliver a significant benefit to the community.</p> <p>It is agreed that the accommodation complex will also deliver an alternative form of housing that is not prevalent in Portarlington. This outcome is supported by state and local policy.</p>

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				<p>2. <u>Benefit to the local tourist industry</u> Tourism is a significant component of the local economy. The Bellarine Peninsula is renowned for its high quality wineries, function centres and restaurants. The apartment building will encourage tourists to stay longer in the region by providing a form of accommodation which is currently not available elsewhere on the peninsula.</p> <p>3. <u>Support for local business</u> It is submitted that the rezoning of No's. 30 - 42 Geelong Road (inclusive) to the Mixed Use Zone is the most practical zone to be applied to the land. The Mixed Use Zone will allow existing businesses to continue to operate but also cater for future market demand for tourist accommodation, commercial and retail uses. The proposed Mixed Use Zone more appropriately caters for the range of land uses specifically envisaged by the Portarlington Structure Plan.</p> <p>4. <u>High standard of urban design</u> The proposed apartment building has been architecturally designed to respect the existing coastal character of the township and the amenity of adjoining properties. The building mass, bulk and height are considered to respect the site context and therefore will achieve an acceptable transition in built form. The proposed height of the building is essentially 3.0m higher than residential development located on the opposite side of Geelong Road. As there is no maximum building height specified within the schedule to the Mixed Use Zone the proposed height is considered appropriate as it does not exceed surrounding residential development by more than one storey.</p>	
13	J & L. Ferguson	Marion Court Portarlington VIC	Object	<p>Objects to the Amendment on the following grounds:</p> <ul style="list-style-type: none"> • The building is far too high and will impact not only on 27, 29, 39 as stated in the document but all in the surrounding area including construction, traffic congestion, light industrial will experience loss of trade, views are compromised several losing all their view. Noise levels especially from the roof top area (possibly till all hours in the morning). • The building is inconsistent with Council planning documents: Portarlington IHDA and DDO19 <i>Residential Coastal Frontages</i>. • Insufficient parking allocation for apartment residents, loading, retail customers and disabled. • Traffic impacts on the Geelong Rd, Lincoln Drive intersection. 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>The DDO19 does not apply to the subject land – it applies to residential properties facing The Esplanade.</p>

No	Name	Address	Type	Summary of Submission	Response
				<ul style="list-style-type: none"> • Walkway steps mean no access for the disabled, cyclists, prams, electric scooters, wheelchairs, etc. • Our properties will be devalued if CoGG allows this to go ahead. <p>Asks the following questions:</p> <ul style="list-style-type: none"> • Why is the rezoning to cover all properties 30, 32, 34, 36-38, 40 & 42 Geelong Road when the request to build is for 30 & 32 Geelong Rd only? • What is the hidden agenda for those other properties – more future high rises? • If the rezoning goes ahead will those in the existing properties (34, 26, 38, 40 & 42) have to pay increased property rates? • Do all other stake holders in 34 to 40 agree with the rezoning, it is my understanding that most do not? • Who will maintain the external timber façade? • As residents are not permitted permanent residency, how will this be managed? 	<p>The rezoning/development site sits outside the Portarlington Increased Housing Diversity Area. This does not mean however that accommodation proposals considered to deliver beneficial outcomes should be automatically discounted.</p> <p>It is agreed that the stair walkway to the reserve will likely limit use by some segments of the community. A switch-back ramp would require additional land and separate approvals from DELWP.</p> <p>Property values and rates are generally not considered to be a relevant planning consideration.</p> <p>There is no 'hidden agenda' regarding the land proposed to be rezoned to the MUZ. Future proposals will be assessed on their merits against relevant provisions of the GGPS.</p> <p>The external façade will be the responsibility of the body corporate. Future apartment owners are afforded the same rights as any other property owner.</p>
14	H. Freeman	Brown Street Portarlington VIC	Object	<p>The submitter objects to the development of a five storey apartment complex on the Geelong Road saying:</p> <p>Development of a high rise nature with its bulk and height would change the</p>	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the</p>

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				<p>character and density of this streetscape. Such intensity of development is not in accord with the one -two storey scale development described in CGG's Precinct Brochure Residential Character Study Portarlington Precinct 4 which is designed to strengthen "the rural and seaside character of the area".</p>	<p>report.</p> <p>The City of Greater Geelong Precinct Brochure Residential Character Study Portarlington Precinct 4 is no longer referenced in the GGPS or applied.</p> <p>Regardless, the brochure would not apply as the subject land is not in a residential zone.</p>
15	J. Gavens	PO Box 234 Portarlington VIC	Support	<p>Submission from an active volunteer with both the Celtic & Mussel Festivals for many years who has had access to the feedback from the thousands of visitors to these events. Says that overwhelmingly, feedback has centred on 2 issues: (1) Transport/access; and (2) Dire shortage of short-term accommodation.</p> <p>The submission goes on to say: It is actually really embarrassing to be part of 2 world-class festivals that are totally let down by the fact that people simply don't have the option to stay longer on The Bellarine, particularly Portarlington. It must be costing the area millions in lost tourism dollars, not to mention reduced employment opportunities.</p> <p>We also regularly visit wineries on the Bellarine and have had many discussions with their management about the worsening problem of the rapidly developing& highly successful wedding market development, severely offset by the embarrassing dearth of accommodation options for all visitors to the region. It's not rocket science to think what the economic impact must be of Bellarine tourists being forced to "Fly in/Fly out", rather than staying longer & supporting other businesses in the area.</p> <p>I don't believe that we should be gung ho about development at any cost; it is also essential that we protect the rural nature of Portarlington and surrounds.</p> <p>However, this development doesn't challenge our all-important green wedges, and does in fact offer the opportunity to transform what is actually quite an ugly entrance to Portarlington into a stunning, architecturally inspired building.</p>	<p>The submission is noted and provides a first-hand account of the critical shortage of short term accommodation options in the area.</p>

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				<p>The local community stands to benefit from increased employment opportunities, as well as the ability for small businesses to have a new base.</p> <p>I commend Mr Votsaris for his vision and commitment to appropriate development in Portarlington, and believe that his excellent track record with Geelong CBD developments make him the ideal person to successfully execute this development.</p>	
16	Geralis Nominees Pty Ltd	P. Geralis The Esplanade St Leonards VIC	Object	<p>Opposing submission from the owners of 36-38 Geelong Rd. Portarlington. This land forms part of the Amendment and the landowner believes the area should remain in the Commercial 2 Zone.</p> <p>Says that establishing a multi level accommodation structure next to or in close proximity to the Commercial 2 Zone can provide issues in the future and of course feel that the structure proposed is not suited to that specific location.</p>	<p>Objections relating to the rezoning, character and amenity are addressed in the 'Discussion' section of the report.</p> <p>The concerns of the directly affected landowner are understandable but the proposed MUZ is similarly compatible with his business.</p>
17	L. Guion	Sherwood Cres Portarlington VIC	Object	<p>The submission outlines a number of reasons in opposition to the Amendment:</p> <p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • The building will impact on my views over trees and the water substantially. I bought my house and moved here permanently nearly four years ago. The views, and the amenity offered by them, strongly influenced my choice of house. Not a day goes by that i don't love my outlook. I will exchange that beauty for the front of a four-storey building. The occupants will see straight back into my bedroom. • Out of character with the township of Portarlington. One of the contributing factors to the village-feel of Portarlington is the low-ish height of the buildings. It allows for sweeping long-range views from all over town - a drawcard for visitors. • The building is too high. A 4-storey building will be an unwanted trend-setter for future developments. While its height from the Geelong Road will be startling, it is from the Reserve that is its main impact will be felt. From the level down there the building will loom huge and infringe on the amenity offered by such wonderful green-space and sporting facilities. • The additional noise and traffic will cause distress in an almost-entirely 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p>

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				<p>residential area. The size and nature of the development must by definition lead to a huge increase in traffic congestion and also lead to late night noise.</p> <ul style="list-style-type: none"> • What community spirit will it bring to the town? It is a private venture with no physical or cultural connection to the actual central village of Portarlington. One thing that will grow Portarlington is having people who live here, who 'own' it and nurture it. The planned building will be a dark behemoth for most of the year, empty of spirit and life. The strong move in tourism now is for the 'authentic' experience. Tourism will not flourish in the absence of culture, the absence of community. Tourists do not visit a region or town to see other tourists. Development of our town should be guided by the desire to offer tourists that authenticity of experience - local foods, local wines, resident artists and craftsmen. The planned development as presented will not offer that. It is everything bad that is offered by the mean-spirited towers that are fast-becoming blight on the landscape throughout Melbourne. We should be better than that. 	
18	V. Gurciullo & C. Mazzarota	Grammar St. Strathmore VIC	Object	This is the same submission as Submission no. 2.	Refer to Submission no. 2 response.
19	P. Hayes	Linda Court Portarlington VIC	Object	<p>This 4 page submission was received from the owners of 5 Linda Court Portarlington. The key grounds of objection are summarised as follows:</p> <ul style="list-style-type: none"> • The Portarlington Structure Plan (PSP) states that the land is to be retained as Business 4 Zone. • Local businesses currently occupying the site are opposed to the rezoning application. • The land employs locals and contributes to the economy but has been described as a 'grungy gateway' by the Deputy Mayor. • Rezoning the entire business zone is a precursor for overdevelopment once a precedent has been set. • The Business 4 Zone should be retained. • The building is actually 5 storeys when the rooftop 'garden', lift well and rooftop plant are included. • Refers to Portarlington being a small seaside holiday village not identified as a growth location within Council's urban growth strategies; also precludes extensive township growth (PSP). • The building is a massive overdevelopment and no development has been 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Future proposals will be assessed on their merits against relevant provisions of the Greater Geelong Planning Scheme (GGPS).</p> <p>The building is 4 storeys and the roof-top terrace and plant will be recessed and screened to minimise visual impacts.</p> <p>There is no confusion about the</p>

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				<p>permitted above two levels.</p> <ul style="list-style-type: none"> • The height and bulk will be a blight on neighbouring properties and block established views. • Will Council reimburse owners for lost value on their homes? • The proposed development breaches Council’s own guidelines re. height, character, setting (PSP). • The additional tourists provided by the development will have little positive impact on local businesses. • There is confusion about the purpose of the building – short term stays or permanent residents? • This accommodation could become a white elephant, with full occupancy only over the holiday period. • There are plenty of units currently available in Portarlington. • The land to be developed is in a designated Bushfire Prone Area, has this been assessed? • Concerns about kitchen exhausts, traffic flows, car parking, on-site water craft parking, noise from the rooftop ‘garden’, wheelchair access, lack of environmental building features, construction noise, storm water runoff, sewerage and power supply. 	<p>purpose of the building; it will be available for permanent residents and short-term accommodation.</p> <p>This type of accommodation is different to ‘units’ and will offer a completely new accommodation product to the market.</p> <p>The land is within a designated fire prone area and the proposed development will need to comply with the Building Regulations Vic.</p> <p>Concerns about kitchen exhausts, lack of environmental building features, storm water runoff, sewerage and power supply will be resolved as part of the planning and building permit approvals processes.</p>
20	W & S. Hickson	Almer Ave Blackburn VIC	Object	<p>Owners of 15 Geelong Rd. Portarlington. The submitters welcomes development in the area, however, believe that the structures on this site should be limited to 2 storey buildings rather than 3 storey buildings so as to not adversely affect the views of current and future residents in the area.</p>	<p>Objections relating to height, and views are addressed in the ‘Discussion’ section of the report.</p>
21	L. Jonas	Linda Court Portarlington VIC	Object	<p>Objects on the following grounds:</p> <ol style="list-style-type: none"> 1. <u>Traffic issues</u> Severe traffic holdups due to construction vehicles and deliveries which will have to park on the side of a single carriage lane which is the only main thoroughfare into Portarlington. Construction of such a large high rise building will need many workers so parking of their vehicles will create dangerous overcrowding on the main and service road opposite and the spill off outside of our homes. Lincoln Drive will become a major thoroughfare into town for people not wanting to sit in traffic jams caused by the construction. It all creates havoc and safety issues. The main road to port is in bad enough condition as it is and at times is a danger for cars and cyclists to co-exist on the 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the ‘Discussion’ section of the report.</p> <p>The building is not for holiday use only. It will be available for permanent residents and short-term accommodation.</p>

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				<p>single lane carriageway.</p> <p>AFTER CONSTRUCTION: It has been stated that this building is for holiday use only. During the holiday months starting November to end of Easter, then again during Celtic festival in winter, as well as the other events advertised in Portarlington throughout the year where do the occupants park? Many come in summer with Jet skis, which they will park in safety in their allotted one space per unit. Where then does each family's one or two cars park? Outside our homes or creating safety issues by overloading the service road on the opposite side of the road. In reality, there is no true provision for parking. There are many holiday homes in Portarlington which do accommodate for holiday makers in a safe and secure environment. Also during heavy rains the underground car park will flood causing more drama with traffic, expense and insurance problems.</p> <p>2. <u>Pollution</u> Pollution created by dust, noise and traffic will be at a premium and will affect all surrounding resident's lives. It will especially affect those with asthma, cancer and breathing difficulties due to illness and considering the population demographic, this is a high risk. Residents are supposed to find peace and refuge in their own homes. This will be destroyed because of the early starts of the builders, noise, (especially from the pile drivers when constructing the car park) and the extra dirt and dust stirred up during construction and could cause mental stress and depression for those who lose the peace in their own home and especially for those who are undergoing treatment for serious or life threatening disease.</p> <p>AFTER CONSTRUCTION: If this is to be merely a holiday property, then the rooftop garden will present many problems, There is no roof so it will be too hot to use during the day and will become a party terrace at night. Without a police presence in town party goers present as more of a problem and especially as it is in the middle of a residential area. If a rooftop is to be erected then that makes the building even higher. It effects the rate payer/ residents privacy, lifestyle, sleep, rest and even a simple past time of watching TV.</p> <p>THIS HOTEL DWELLING DOES NOT SUIT THE PORTARLINGTON DEMOGRAPHIC.</p>	<p>Linking the proposal to increased risk of cancer and breathing difficulties are very serious grounds of objection which should be supported by appropriate evidence.</p> <p>Regarding soil testing, the Amendment includes applying the Environmental Audit Overlay to address any land contamination issues.</p> <p>Waste water will enter the sewerage system under the responsibility of Barwon Water.</p>

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				<p>NOTE: There are already many examples on the Bellarine Peninsula of people having to sell up because of overcrowding and noise pollution. There have been reported episodes of violence in the homes due to frustration from noise and added traffic, loss of sleep and stress due to no real thought going into how the repercussions affect the welfare of existing residents. This has happened because of the extraordinarily high population growth without the proper infrastructure being set up to accommodate the problems.</p> <p>3. <u>Building height</u> Four stories as well as a rooftop is not within keeping with the Portarlington area. Two stories is within keeping and reasonable.</p> <p>4. <u>Soil testing</u> I have been led to believe that the owner stated he would have to sell at least 6 of the dwelling units to make it worth his while. If this is the case, and any part of this construction is sold to a private owner and they choose to live there as is their right, then SOIL TESTING MUST BE DONE. At this stage there is no evidence that this is occurring.</p> <p>5. <u>Waste water</u> What happens to the waste water from this high density living in so many dwellings? If properly constructed under ground tanks are not constructed then the waste will run into the protected nature reserve backing onto the property.</p> <p><u>Conclusion:</u> We have bought in Portarlington and have made the choice to live here on the Bellarine Peninsula for the lifestyle advertised. Our own mayor calls the Bellarine Peninsula a little part of France or the Riviera. Properties have been sold to residents advertising a particular lifestyle and we have paid extra for a view. This is reflected in the price of the property and in our rates. This new construction will compromise our lifestyle and devalue our homes. If this construction is approved, I assume our rates will become much lower in the future in line with the devaluation of our properties.</p>	
22	H. Kent	Lincoln Drive Portarlington VIC	Object	<p>A three page submission objecting on the following issues:</p> <p><u>Introduction</u> Chose to live in Portarlington for its beautiful sea views, village atmosphere and peace and quiet. If the proposal goes ahead then it stands to reason that others will soon follow along that strip and our horizon will be scattered with high-rise</p>	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p>

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				<p>dwelling. Our town as we know it will no longer exist. The building certainly does not fit the character of the neighbourhood.</p> <p><u>Traffic congestion</u> With the report showing the complex bringing an influx of approx 6,000 cars during winter and 10,000 during summer, traffic along the Portarlington-Geelong Road will be at a standstill waiting for occupants to enter/ depart the complex. 57 parking spaces in the underground carpark will not prove adequate as most tenants will bring their recreational vehicles. This would result in them having to park on the road and in the surrounding streets. Conducting a right-turn into Lincoln drive will be virtually impossible, causing residents to be late for medical appointments. With a lack of footpaths where do pedestrians go during the construction period?</p> <p><u>Noise</u> The noise from the construction along with the noise emanating from the complex when in full swing will be unbearable. The courtyard proposed for the rooftop could become a party haven for holidaymakers, schoolies, sporting clubs etc. this could become a nightmare for permanent residents.</p> <p><u>Drainage/ holding pond</u> Drainage may not be adequate during sudden heavy downpours. In the past, that section of road and beyond has been prone to flooding. The underground carpark, the walkway and the retail outlets may end up under water. Is the drainage improved beforehand? The open-air café will sit above the stormwater drain holding pond and near stagnant water. Patrons will be sharing meals with thrips and mosquitoes leaving them open to Bairnsdale Ulcers.</p> <p><u>Walkway</u> It is hard to ascertain from the plans as to whether the walkway has stairs or a ramp or both. Is it able to be accessed by residents with mobility aids, prams, cyclists? Will there be a pedestrian crossing across Geelong-Portarlington Rd so that residents can access the walkway?</p> <p><u>Carbon monoxide</u> Cars running on diesel fumes will be idling in the carpark when waiting to enter</p>	<p>The report (i.e. Traffic Impact Assessment Sept 2015) notes current volumes on Geelong Road are approx 6,000 vehicles per day rising to 10,000 during peak holiday periods. The submission mistakenly attributes these numbers to the proposed development.</p> <p>Stormwater will be managed by permit conditions to the satisfaction of Council. There is no holding pond proposed while mosquitoes are common in coastal areas.</p> <p>It is agreed that the stair walkway to the reserve will likely limit use by some segments of the community. A switch-back ramp would require additional land and separate approvals from DELWP.</p> <p>The escape of diesel fumes from the basement carpark will be subject to the Building Regulations.</p> <p>In relation to works associated with the development such as drainage and road improvements, this will be at the cost of the developer. There is no connection between the proposed development and perceived higher rates.</p>

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				<p>and exit the building. What ventilation arrangements are being made for the fumes? Will they be left to fume over the neighbourhood?</p> <p><u>Other concerns</u> If Council finds that the road needs to be widened and the drainage sorted out, the permanent residents will be hit with higher rates in order to pay for the work. Whilst I am for progress, this proposed building is not the way to go. It should be in keeping with the character and neighbourhood of what we have now. Portarlington is not the town for high-rise buildings.</p>	
23	S. La Terra	Peels Court Portarlington VIC	Object	<p>The submission raises the following concerns:</p> <ul style="list-style-type: none"> • Unjust to have properties devalued by big business – is Council going to provide compensation? Also concerned about rate changes. • Views will be disrupted, impacts on parking and traffic flow and quality of life downgraded. • If rezoned there should be a height limit to 7.2 metres like most other residential properties. • Bought into a low density bayside town and opposes changes. 	<p>Objections relating to height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Property values are generally not considered to be a relevant planning consideration.</p> <p>There is no height limit of 7.2 m in Portarlington. Furthermore, the complex should not be compared to conventional dwellings.</p>
24	A & M. Marsten	Tolmie Ave Werribee VIC	Object	<p>Owners of 6 Sherwood Crescent, Portarlington submitted:</p> <p>A four storey building does not fit in with the existing landscape. The only multi storey building of this stature in Portarlington is the Hotel which is the centrepiece of the main shopping strip. The proposed design is completely out of step with the un-obtrusive buildings in this area. We fail to see how the building consisting of 55 apartments will blend in with the existing landscape; we believe it will spoil the rural welcome of this seaside town. It will make the town look like a high density living town and completely confuse people entering the town.</p> <p>Not to mention the traffic chaos, 55 apartments plus shops with 60 car spaces, using one drive way onto the main access road in and out of the town. This is a recipe for disaster and the Council will need to take responsibility for any</p>	<p>Objections relating to character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p>

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				<p>resulting accidents. As it is VicRoads currently say there have been no accidents/incidents in the past five years, it will be interesting to see what the statistics are if this construction goes ahead. It is a single carriage way, it will be lined with cars each side of the road. If the council believe that introducing a pedestrian crossing will be a solution, that will simply mean that traffic being backed up to Drysdale; it will be an accident waiting to happen.</p> <p>Four storeys with a roof deck with sails and umbrellas for shade, so effectively 5 storeys, this is misleading.</p> <p>We find the proposed building out of character with the environment and simply a money generating proposal for the developer and the Council. Portarlington is one of the last true seaside villages with a great festival calendar; this will be diminished with the traffic problems this site will introduce. This construction will be an eyesore and create more traffic problems than expected. Do something different and keep a seaside village as it was intended and it will continue to attract visitors. None of our friends and family visit Torquay these days because it is too congested and is no longer a sea side village.</p>	
25	K. Nicholson	Geelong Rd Portarlington VIC	Object	<p>As a resident of Geelong Road I strongly object to the Bella Apartments complex. We do not need a 4 storey structure in the township. It would be totally out of character given the existing buildings in that area. Two stories would be acceptable to continue with the ambience of the area.</p> <p>The traffic situation would be shocking, as it stands your vision along that stretch of road is poor as is, let alone having vehicles turning into and exiting the building. Traffic congestion and visibility would be further compromised when visitors to the complex have to park their vehicles either side of the road. As for a proposed walkway through to the reserve you will be knee high in grass and have to cross a natural watercourse, seems inaccessible to me. Why we need more office space is ridiculous considering the current number of empty buildings in the main street. Overshadowing is another concern especially in winter when the sun is lower in the sky.</p> <p>I have seen the plans and again voice my opposition. We do not need a great monolith of a building in the area that will cause so many problems for all the surrounding residents.</p>	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p>

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26	K. Norman	Lincoln Drive Portarlington VIC	Object	<p>Objects to the proposed rezoning and permit for the following reasons:</p> <ul style="list-style-type: none"> • There is sufficient accommodation and retail opportunities for visitors in the town centre. • The building is out of character, too high and will block views northward to the bay. • One level would suffice and even to go downwards to the football oval ground level. • The development and construction machinery will create traffic, parking and pedestrian hazards. • Privacy and night time calmness will be severely impinged upon by the roof top area. 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p>
27	R. O'Hair	Sproat Street Portarlington VIC	Object	<p>Wow rezoning and then going for a 5 level bulky multiple dwelling building – this is really pushing the envelope and opening the door for rampant inappropriate development in Portarlington!</p> <p>I have read all the documentation, and I was left underwhelmed and unimpressed by the case made by the St Quentin Planning Report. Parts of the Portarlington Structure Plan 2008 are “cherry picked” to help make a “tourism” case for the proposal, and yet several guiding principles have been ignored.</p> <p>A 5 level multiple dwelling building is unprecedented in Portarlington and in no way can this fit the “existing township character” nor is it a “modest scale building”. Thus I am very surprised by the statement in the St Quentin Planning Report “The mass, bulk and height of the proposed development has been confirmed as being not unreasonable by Council officers during pre-application discussions (section 8.2)”.</p> <p>I also do not see convincing evidence for how the proposed development meets two of the guiding principles outlined in 3.3.1:</p> <ul style="list-style-type: none"> • To protect the unique character of Portarlington as a small coastal village located within a sensitive environmental and significant landscape setting. The St Quentin Planning Report suggests that there are no environmental impacts, and yet they are proposing for discharge of storm water to the rear of the property, which seems likely to cause erosion. • To ensure all new urban development is undertaken in a sustainable manner having regard to matters, such as, water conservation, stormwater 	<p>Objections relating to the rezoning, character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>There will be no impact on the wetlands as stormwater will drain to the legal point of discharge as specified by Council.</p>

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				<p>reuse. The St Quentin Planning Report is totally silent on sustainability with regards to water conservation and stormwater reuse.</p> <p>Also, how does it meet the direction: "Encourage development which respects the coastal landscape setting of Portarlington, by providing reasonable sharing of views of the coast and foreshore, and by promoting contemporary design that reflects the existing scale, setbacks and spacing, forms and materials of buildings in the locality." (Section 3.3.3).</p> <p>Section 8.2 of the St Quentin Planning Report is silent on how this development provides a reasonable sharing of views of the coast and foreshore. Perhaps this is because the plans themselves suggest that the impact will be significant for existing residents.</p> <p>On a final note, while the structure plan is silent on the rezoning of C2Z to MUZ, I would argue that the same spirit "ad-hoc rezoning of rural land for residential purposes" should apply.</p>	
28	Portarlington Business Development Assoc (PBDA)	J Rae President PO Box 318 Portarlington VIC	Support	<p>A supporting submission was lodged by the PBDA stating:</p> <p>The PBDA represents the largest membership of any business association on The Bellarine, and membership is represented by all of the town's key businesses consisting of commercial enterprises, mussel farmers, shop traders, café and eating establishments, tourism based accommodation operators, small business and service providers.</p> <p>Tourism is a vital contributor to the economy of The Bellarine and we have many stunning tourist outlets, including two of the most beautiful wineries in Jack Rabbit and Terindah Estate. A key market segment for them is weddings with most functions exceeding 100 guests.</p> <p>This also highlights a weakness and therefore an opportunity for Portarlington. We do not have any accommodation facilities that can cater for large groups, and what currently occurs is that guests either return home in their own vehicles or are bused into their Geelong accommodation.</p> <p>The Bella project will enable Portarlington to retain this business, and have</p>	The submission is noted and the economic benefits are addressed in the 'Discussion' section of the report.

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				<p>those hundreds of consumers remain in Portarlington, enjoying breakfast, shopping, playing golf and visiting the many tourist opportunities that exist on the Bellarine.</p> <p>This will be a terrific benefit for the businesses and will further increase employment in Portarlington.</p> <p>The Portarlington Business Development Association has received extremely positive comments and commendable feedback in relation to the Bella project, and we are delighted to offer support to the project which meets a need in Portarlington.</p>	
29	C Randall	Linda Court Portarlington VIC	Object	<p>Against the proposal for the following reasons:</p> <ul style="list-style-type: none"> • It will open the door to further money-making tall buildings being built. • This is Portarlington and not Torquay, the 5 storey building will be a blot on the landscape. • Residents appreciate a quiet lifestyle, being close to the beach and bay views. • It will attract an influx of traffic with nowhere to park and loud parties. • Also concerned about noise during the construction period. 	<p>Objections relating to the rezoning, character, height, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Future proposals will be assessed on their merits against relevant provisions of the Greater Geelong Planning Scheme.</p>
30	L. Sharp	Director Jack Rabbit Vineyard, Leura Park Estate, Flying Brick Cider Co. and Curlewis Golf Club	Support	<p>The submitter lodged a letter endorsing the proposed development, stating:</p> <p>As a local hospitality and activity operator, the critical need for accommodation for our patrons visiting The Bellarine is horrendously apparent. The lack of accommodation in this immediate region is a constant source of disappointment to patrons and businesses alike.</p> <p>We believe this proposed development will enhance and increase visitation, length of stay and tourism spend within the region across all sectors. It will unquestionably be an asset for the region.</p>	<p>As a prominent tourist operator on the Bellarine, the submission demonstrates the economic and community benefits of the proposal.</p>
31	P. Sheard	The Esplanade Portarlington VIC	Support	<p>We wish to support development in Portarlington. My wife and I have lived in Portarlington for the past 15 years and on many occasions during that time we have seen development blocked. A primary example of blocked/stalled development is the old service station site located on the roundabout on the Portarlington Road. The development of that site was blocked and the site is now an eye-sore derelict building covered in graffiti.</p>	<p>The submission is supported including that the site lends itself to development. Refer to the 'Discussion' section of the report for further comment.</p>

No	Name	Address	Type	Summary of Submission	Response
				<p>In addition, the proposed site lends itself to development. Techcor built a number of residential units on the Portarlington Road many years ago and that residential accommodation has not detrimentally impacted on Portarlington. The buildings that will be demolished are not worthy of maintaining. It's high time that Portarlington Road which is the main entrance to the township was made more attractive and appealing.</p> <p>Small towns need development - new residents want to reside in modern buildings with appropriate amenities. Development encourages business growth which in turn leads to sustainable healthy communities where young and old should live in harmonious accord.</p>	
32	C. Stavrou	Geelong Rd Portarlington VIC	Object	I object to the planning scheme amendment for 30 - 32 Geelong Road. Reason being our home was built specifically for the view of the beach. If it is built then the view will be blocked. If it was a 2 story building including the parking it would have been ok. But the beach view reason I object.	Objections relating to height and views are addressed in the 'Discussion' section of the report.
33	S & J. Supple	Sherwood Cres Portarlington VIC	Object	<p>Objecting submissions for the following reasons:</p> <ul style="list-style-type: none"> • Car parking - waiving the requirement for parking spaces will result in cars being parked in front of existing residences and on the verge between Geelong Road and the service road. Retail must have parking areas; • Traffic congestion - 63 cars entering and exiting the building will cause congestion on Geelong Road, an already busy road, and is potentially dangerous so close to the Lincoln Drive intersection; • Appearance of the proposed building - the proposal to build a four storey building in a street of one or two storey buildings is not in keeping with the existing streetscape. It is also twice the previously announced height restrictions for Portarlington; • Impact on local residents - the proposed building will have a negative impact on the amenity of houses in the area by blocking residents' views of the recreation ground and the bay. This will reduce the value of many properties, including ours; • The character of the town of Portarlington - a building of the proposed size would be contrary to the character of the existing residential buildings in the town. 	<p>Objections relating to character, height, views, traffic, parking and amenity are addressed in the 'Discussion' section of the report.</p> <p>Property values are generally not considered to be a relevant planning consideration.</p>
34	VicRoads	S. Pirrotta Mgr Program	No Objection	Submission from the Authority stating no objection to Amendment C321.	Noted.

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		Development SW Victoria PO Box 775 Geelong 3220			
35	J. Webber	Lincoln Drive Portarlinton VIC	Object	I object to the proposed building height of four stories. I believe that this height would not be in keeping with the area and be an eye sore. I would support up to three stories but no more. If shops are included in the plan then adequate parking is of the highest priority because of the current congestion with trucks, boats, cars and caravans blocking the view of the Portarlinton Road making it very dangerous exiting Lincoln Drive. Otherwise I support development in Portarlinton as long as it is sympathetic to and appropriate to the area.	Objections relating to height, traffic and parking are addressed in the 'Discussion' section of the report.