

2. AMENDMENT C276 35 HAMS ROAD AND 151-229 ANGLESEA ROAD, WAURN PONDS- CONSIDERATION OF REZONING APPLICATION

Portfolio:	Planning - Cr Heagney
Source	Planning and Tourism- City Development
General Manager:	Peter Bettess
Index Reference	C276 - Resolution to Exhibit

Purpose

The purpose of this report is to consider an application to amend the Greater Geelong Planning Scheme to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurn Ponds, for residential purposes.

Summary

- The Amendment has been prepared by SMEC Urban consulting group on behalf of the two landowners, Waurn Ponds Trust and Echin Pty Ltd.
- The Amendment proposes to rezone the land from Farming Zone to General Residential Zone Schedule 1, apply the Development Plan Overlay to the land to be rezoned and delete the Public Acquisition Overlay 3 (VicRoads) from the affected part of the site.
- The site boundary is defined by Hams Road to the north, Ghazeepore Road and a Powercor substation to the east, Barwon Water land, the Geelong/Warrnambool railway line and the Geelong Ring Road (Section 4C) to the south and the Geelong Ring Road (Section 4B) to the west.
- The site is constrained by a number of internal and external factors including the Powercor substation, Geelong/Warrnambool Rail line, the Geelong Ring Road (Section 4C) Baanip Boulevard that is currently under construction, the designated waterway traversing the site, the SP AusNet high pressure gas pipeline to the west of the site and the operations of the Boral quarry to the south. These issues will be considered in detail later in this report.
- The concept plan prepared for the site estimates the site yield to be 430 lots provided within a subdivision that includes stormwater management infrastructure, open space including a linear park reserve along the waterway and the provision of shared path through the site connecting to the wider network.
- Strategic justification for the amendment is confirmed in the Armstrong Creek Urban Growth Plan (Adopted May 2008; Amended May 2010) and the State and Local Planning Policy Frameworks contained in the Greater Geelong Planning Scheme.
- Council officers propose to rezone land at 25 Hams Road, Waurn Ponds, being the Powercor substation, from Farming Zone to General Residential Zone Schedule 1.
- The VicRoads land to the south and west of the site will be rezoned from Farming Zone to Road Zone Category 1 and the Public Acquisition Overlay 3 (VicRoads) will be deleted from the land to be road zone.
- A tract of land owned by Barwon Water that adjoins the southern boundary of the site will also be rezoned from Farming Zone to Public Use Zone 1 to reflect the nature of the land use.

- The main focus of this report is on the land to be rezoned for future residential development and subject to the development plan overlay, being 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds.
- It is recommended that Council resolves to support the preparation of the Amendment and that Council requests the Minister for Planning to authorise preparation and exhibition of the Amendment.

Cr Heagney moved, Cr Richards seconded -

That Council, having considered the Amendment application, resolves to:

- 1) Support the preparation and exhibition of Amendment C276 to the Greater Geelong Planning Scheme as described below and as per Appendices 4, 5 and 6 of this report:**
 - a) Rezone the land at 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds, from Farming Zone to the General Residential Zone Schedule 1.**
 - b) Apply the Development Plan Overlay to the land at 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds.**
 - c) Rezone the Powercor substation at 25 Hams Road from Farming Zone to General Residential Zone Schedule 1.**
 - d) Rezone the land contained in the Geelong Ring Road Section 4B and Section 4C that adjoins the southern and western boundaries of the land to be rezoned for residential purposes as outlined in part 1 (a) above, from Farming Zone to Road Zone Category 1.**
 - e) Rezone the Barwon Water land between the site to be rezoned for residential purposes and the Geelong/Warrnambool railway from Farming Zone to Public Use Zone 1.**
 - f) Delete the Public Acquisition Overlay 3 (VicRoads) from the affected land to be rezoned as outlined in parts 1 (a) and 1 (d) of this resolution, where applicable.**
- 2) Request the Minister for Planning to authorise the preparation and exhibition of Amendment C276 to the Greater Geelong Planning Scheme.**

Carried.

Background

Amendment C276 has been prepared by SMEC Urban consulting group on behalf of the Waurin Ponds Trust and Echin Pty Ltd. and seeks to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds, from Farming Zone to General Residential Zone Schedule 1, apply the Development Plan overlay to the land and delete the Public Acquisition Overlay 3 (VicRoads) from the affected part of the site.

In addition to the application to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds, Council officers propose to:

- rezone the Powercor substation at 25 Hams Road, Waurin Ponds, from Farming Zone to General Residential Zone Schedule 1;
- rezone the VicRoads land to the south and west of the site from Farming Zone to Road Zone Category 1;
- rezone the Barwon Water land between the site and the Geelong/Warrnambool railway from Farming Zone to Public Use Zone 1; and

- delete the Public Acquisition Overlay 3 from the affected land in this area.

Appendix 1 provides a site location plan for all land affected by the Amendment.

Appendix 2 shows the existing zoning for all land affected by the Amendment.

Appendix 3 shows existing overlays affecting the land subject to the Amendment.

Appendix 4 shows the proposed rezoning of all land affected by the Amendment.

Appendix 5 shows the application of the Development Plan Overlay to land at 35 Hams Road and 151-229 Anglesea Road

Appendix 6 shows the deletion of the Public Acquisition Overlay 3 from the affected areas of land.

The site is in the Farming Zone and is affected by the Public Acquisition Overlay 3 (VicRoads). The site is split by two landownerships, being the Waurm Ponds Trust at 35 Hams Road and Echin Pty Ltd at 151-229 Anglesea Road,

The site area is approximately 24 hectares. The land is often used for livestock grazing but is not of any significant agricultural value. It also contains a number of outbuildings.

A tributary of the Armstrong Creek traverses the site in a west-east direction and continues in an south-easterly direction to connect to Armstrong Creek running through the designated Armstrong Creek Urban Growth Area. The water course running through the site is a designated waterway under the Waterways Act 1989.

The site also contains native vegetation and is located within an area of cultural heritage sensitivity as it is located within 200m of Armstrong Creek.

The site boundary is defined to the north by Hams Road, Ghazeepore Road and the Powercor substation to the east, Barwon Water land, the Geelong/Warrnambool railway and Geelong Ring Road Section 4C alignment to the south and the Geelong Ring Road (Section 4B) to the west. Within the VicRoads road reserve to the west of the site, SP AusNet operates a high pressure gas pipeline that runs parallel to the site boundary.

VicRoads are currently constructing the new Geelong Ring Road (Section 4C) Baanip Boulevard. The Section 4C alignment extends from the existing roundabout intersection at Section 4B and routes eastwards abutting the site to the south and then crosses the railway into land own by Boral. The new road alignment will traverse the Armstrong Creek Urban Growth Area forming a link to the Surf Coast Highway.

The wider site context confirms a largely residential character to the north and east with major road and rail infrastructure adjoining the southern and western boundaries. The Armstrong Creek West precinct, which forms part of the wider Urban Growth Area, is located to the south-east of the site across Ghazeepore Road. The Armstrong Creek West area is set to deliver extensive residential development including regional active open space at its western extent, adjoining Ghazeepore Road.

Council officers have been engaged in pre-application discussions for a number of years preceding the submission of the rezoning application in October 2013. During this period, extensive discussions have taken place between both Council officers and the proponent, including numerous statutory authorities and bodies such as the Corangamite Catchment Management Authority, VicRoads, Boral, and SP AusNet.

The amendment application is supported by the following:

- Planning report;
- Concept layout plan;
- Noise assessment;
- Flora and Fauna assessment;
- Surface Water Management Strategy;
- Preliminary Traffic assessment;
- Preliminary assessment of the effects of blasting from the Boral quarry;
- Cultural Heritage Desktop assessment; and
- Safety Management Study for the SP AusNet gas pipeline.

Since receiving the rezoning application, Council officers have engaged in further negotiations with the proponent and discussions with internal and external referral bodies. A number of issues have arisen as a consequence of seeking initial comments from referral authorities. This includes the identification of SP AusNet's high-pressure gas pipeline running parallel to the western boundary of the site- this required further work to be undertaken in the form of a Safety Management Workshop.

Council officers have also been drafting the development plan overlay schedule and section 173 agreement in advance of the amendment exhibition process commencing.

Council officers recommend that authorisation be requested from the Minister for Planning to exhibit the Amendment.

Discussion

This section of the report will discuss the key issues that must be addressed in the consideration of Amendment.

Strategic basis

The planning report states:

"The subject site provides an 'infill' development opportunity to consolidate the existing urban area of Waurm Ponds and make efficient use of surrounding physical and community infrastructure."

The planning report goes on to state:

"The subject site is the last remaining piece of Farming Zone land in the Waurm Ponds area. It is a fragmented piece of farm land and is not of a size and nature which is suitable for the majority of agricultural practices."

The G21 Regional Plan (April 2013) and the G21 Residential Land Supply Monitoring Project (October 2013) are important considerations in the strategic justification for rezoning the site.

The G21 Regional Plan seeks to deliver co-ordinated growth in the region to the year 2051 and make land supply available to provide for the predicted population target of 500,000 people. In responding to these considerations, the G21 Regional Plan seeks to minimise the continued expansion of the urban footprint and provides for a mix of infill development and targeted new development areas in suitable locations. Within the context of the Regional Growth Plan, urban Geelong includes the urban area within the Geelong Ring Road extending southwards from Norlane and inclusive of the Armstrong Creek Urban Growth Area.

The G21 Residential Land Supply Monitoring Project identifies the site as '*potential residential*' land.

Rezoning of the site for residential purposes will assist in implementing the objectives of the G21 Regional Plan by delivering residential land supply to accommodate for future population growth. It will also assist in maintaining an adequate supply of residential land within the municipality.

The Armstrong Creek Urban Growth Plan (UGP) (Adopted 13 May 2008), Amendment May 2010) specifically refers to the site, being land "Northwest of Growth Area". The UGP states:

"An isolated area of rural-zoned land is located north west of the growth area at 151-229 Anglesea Road and 35 Hams Road, Waurm Ponds. The land is between the future quarry area, the railway line and residential land, and is likely to be affected by the link road that will link the Geelong Ring Road to Surf Coast Highway via Anglesea Road.

It is recommended that land on the northern side of the proposed east-west link road that is not required for road purposes be considered for future residential and/or recreation zoning. This may add to the existing residential area to the north and increase the population within the catchment of the proposed Rossack Drive Railway Station and associated local activity centre.

The future of this land should be confirmed after the alignment of the link road is determined by VicRoads and take into account amenity issues created by the road. Land that falls outside (south) of the proposed east-west link should be reviewed at the same time. (Emphasis added)

The UGP outlines the strategic approach to considering the site for residential purposes. Given the new road alignment for the Section 4C Baanip Boulevard has been determined and is now under construction, it is appropriate to consider the land for residential development, subject to investigations relating to internal and external site constraints. Amendment C276 comprises the formal assessment of the site.

The site forms the last remaining wedge of non-urban land use in the Waurm Ponds area. Council officers agree with the Planning report in so far as the site represents an 'infill' residential development opportunity that will consolidate the existing urban area and make efficient use of surrounding physical and community infrastructure.

The Amendment will facilitate the rezoning of the site in accordance with Regional and Council strategic directions for this area. Further consideration of the Greater Geelong Planning Scheme provisions is provided in the *Policy* section of this report.

The Amendment will provide a range of net community benefits such as retention of the waterway, passive open space, housing options, cycle and pedestrian links and a contribution toward regional community infrastructure. This will result in a positive planning outcome for Geelong and is a logical land use proposal for the site.

In addition to the rezoning of the land from Farming Zone to General Residential Zone Schedule 1, the Amendment will also delete the Public Acquisition Overlay 3 (VicRoads) from the south-west corner of the subject land. This is a consequential change that forms part of the rezoning of the VicRoads land comprising the Geelong Ring Road Section 4B and Section 4C, where the land has already been acquired.

Concept Layout Plan

The concept layout plan (See **Appendix 7**) has informed the pre-exhibition discussions in so far as showing the key land use elements to be delivered on the site. It is acknowledged that the concept plan is a tool to inform the amendment process and the final layout will be determined by the Development Plan.

Nonetheless, for indicative purposes, the concept plan shows all the relevant requirements that will be necessary to inform the future development plan including, residential type and density, the waterway, vegetated buffers and open space, drainage infrastructure and road infrastructure, including movement and access points.

The planning report advises that the site will be able to accommodate a range of housing options and it is likely that the primary type of dwelling will be single detached housing on lots which range between 300m² and 600m². Medium density housing is likely to be sited beside areas of open space. The estimated lot yield is approximately 430 units. This is an indicative figure and will change as a consequence of the Development Plan prepared for the site and permit applications for subdivision.

The concept plan shows the inclusion of the waterway. It does not retain the natural alignment but rather is provided within a rigid linear corridor. The final outcome for the alignment and length of the waterway is yet to be determined. However, the concept plan shows how the waterway corridor can be accommodated through the site including the vegetated buffer areas, open space provision, shared path, and drainage infrastructure. The concept layout plan shows two retarding basins that are likely to be provided on-stream, located in each landownership and will be able to accommodate all stormwater to a pre-development flow.

Vehicle access to the site will be provided along Hams Road. No vehicle access is to be provided off Ghazeepore Road. Internal access arrangements will be determined at a detailed design stage. The shared path to be provided along the waterway will enable pedestrian and cycle access to the site from the existing VicRoads shared path and Hams Road underpass to the west and from Ghazeepore Road. The shared path will enable access to the wider pathway network to be provided in the Armstrong Creek Urban Growth Area to the south-east.

Cultural Heritage

The Wathaurung Aboriginal Corporation advised Council officers that the site is located within an area of cultural heritage sensitivity as it is located within 200m of Armstrong Creek. Consequently, the Wathaurung Aboriginal Corp. advised that a Cultural Heritage Management Plan (CHMP) will be required prior to subdividing the land but would not be necessary for the rezoning. (The site is also proximate to the Duneed Aboriginal Reserve located to the south-east)

Council officers requested the proponent to prepare an initial cultural heritage assessment to inform the rezoning process. The cultural heritage assessment included a desktop assessment and a systematic surface survey of the site.

The findings of the desktop review concluded that the geographic region of which the site forms part of has been subject to thorough and in-depth cultural heritage investigation. Based on the results of previous archaeological assessments carried out within the geographic region and the distribution of registered Aboriginal places, the desktop assessment established that there is potential for Aboriginal cultural heritage to occur in the activity area.

The findings of the archaeological survey indicated that the site is potentially sensitive to Aboriginal archaeological sites and that the south-eastern section of the site (area within 100 metres of the west branch of the Armstrong Creek) is considered to be of moderate to high archaeological sensitivity with the remainder of low potential sensitivity.

Ideally, the CHMP should be prepared to inform the Development Plan to achieve an informed development framework for future subdivision.

SP AusNet- High Pressure Gas Pipeline

SP AusNet advised Council officers that a high pressure gas pipeline operates adjacent to the western boundary of the site (See **Appendix 8**). The gas pipeline is located in the VicRoads road reserve (Section 4B). The pipeline is a 250mm licensed gas transmission pipeline and has a maximum operation pressure of 2760kPa.

SP AusNet advised that the rezoning application would impact the current location class of the pipeline. To maintain the public safety, SP AusNet advised that a number of requirements should be met.

Pipelines are constructed to a specific location class in terms of proximate land uses. The pipeline has a current designation of 'R2 Rural Residential' given the rural nature of the site. However, it has actually been designed to a 'T1- Residential' designation.

With high pressure pipelines, SP AusNet applies a safety buffer. For the high pressure pipeline adjacent to the site, the safety buffer requires that no construction activity which could result into 'Residential Use (T1)' location class shall be allowed within 90 metres of the pipeline. This includes areas where multiple dwellings exist in proximity to each other and areas of land with public infrastructure.

The buffer distances are based on the risk to pipeline integrity and public safety and cannot be amended unless a detailed Safety Assessment Study is undertaken.

SP AusNet requested that a Safety Management Study (SMS) be carried out and its recommendations be implemented prior to allowing any development within the vicinity of the transmission pipeline. The purpose of the SMS is to identify, review and validate the credibility of potential threats to the pipeline and subsequently identify measures to mitigate and/or control those threats.

The proponent appointed OSD Pty Ltd. to lead the SMS which was undertaken on 4 April 2014. A number of key stakeholders were invited to the workshop including, the proponent, Council officers, Energy Safety Victoria and SP AusNet.

The workshop gave detailed consideration to the threats identified for the section of pipeline under review in the SMS. The general conclusions of the pipeline stated that all threats identified have either been determined as 'non-credible' or have been 'controlled'. No threats required failure analysis or risk assessment.

The workshop also outlined a number of Actions that required to be implemented by various stakeholders. A total of 5 Actions are required to ensure that additional design and procedural measures are incorporated. Council is required to action a number of these during the rezoning stage and future detailed design of the land to be rezoned for residential use.

These include:

- A requirement of Council to refer any detailed design plans to SP AusNet for works proximate to the pipeline.

This requirement can be achieved through the preparation of the draft DPO schedule for the site. Council officers will include wording in the schedule to require the development plan to be referred to SP AusNet prior to being approved. SP AusNet will then be able to provide comments about the proposed development framework for future subdivision in the western section of the site.

The SMS workshop also determined that the current designation of the pipeline be upgraded to 'T1 Residential', being an increase from the current location class of 'R2 Rural Residential'. The workshop concluded that there are sufficient procedural and physical controls for a T1 designation.

Boral Quarry

The location of the Boral Quarry to the south creates a potential constraint to the future development of the site. The Works Authority issued by the Department of State Development, Business and Innovation (DSDBI) to Boral for limestone quarrying of this land, extends up to the southern boundary of the Geelong/Warrnambool rail reserve (See **Appendix 9**). An internal 20 metre buffer is imposed from the Works Authority between the railway reserve.

There are a number of factors that need to be considered in the assessment of the operations of the Boral quarry on the subject site. These include: the Works Authority boundary (current and future extent), the new Geelong Ring Road (Section 4C) Baanip Boulevard and associated land to be acquired by VicRoads from Boral, and the Greater Geelong Planning Scheme in terms of proximity of future residential development to uses with adverse amenity potential. In addition to this, the EPA has prepared updated guidelines for *Recommended separation distances for industrial residual air emissions* (March 2013).

Equally, Council officers must consider the potential impact of the proposed rezoning on the operations of the limestone quarry, which is a significant industry in the Victorian economy. The Greater Geelong Planning Scheme confirms the importance of the earth and natural resources industry.

Clause 13.04-2 of the State Planning Policy Framework (SPPF) seeks to support the protection and improvement of air quality. Policy Guidelines to address this element of the SPPF include the *Recommended Buffer Distances for Industrial Residual Air Emissions (1990) in assessing the separation between land uses that reduce amenity and sensitive land uses*. These guidelines have been updated in March 2013 (as outlined above) but have not yet been incorporated into the Victorian Planning Provisions. The EPA has advised the updated guidelines should be addressed in the consideration of this rezoning application.

The updated guidelines provide recommended separation distances for industrial residual air emissions and 'sensitive' land uses. The following recommended distances are relevant to the Boral quarry:

- Quarry – quarrying, crushing, screening, stockpiling and conveying of rock without blasting: separation distance of 250 metres; and
- Quarry – quarrying, crushing, screening, stockpiling and conveying of rock with blasting: separation distance of **500 metres**.

The issues relating to the subject site are therefore quarrying activities with and without blasting. The distances referred to above are measured from the Works Authority boundary.

Quarrying with blasting

Rock blasting for limestone extraction has not yet commenced on the Boral land south of the site. However for quarrying activities with blasting, a preliminary assessment of the effects of the future blasting on the site has been undertaken by Terrock Consultants (August 2013).

The assessment concluded that quarrying activities with blasting will be limited to part of the Boral quarry in excess of 800 metres from the southern boundary of the site. The 800 metre separation distance between the area of potential blasting and the site is considered to be sufficient for flyrock not to be an issue. The 800 metre estimate is well beyond the general 500 metres required between blasting and sensitive uses such as residential development. This position is also supported by DSDBI.

The assessment also concluded that ground vibrations that are predicted to occur from blasting at the site are considered to be below the DSDBI guidelines limits.

Quarrying without blasting

For quarrying activities 'without blasting', a 250 metre separation distance will affect part of the site. This is based on Boral's current Works Authority as per **Appendix 9**. The Works Authority is likely to be amended in the future based on the acquisition of the northern part of the Boral land holding by VicRoads for the Geelong Ring Road Section 4C and additional buffer requirements between the quarry and the new road relating to the impact of quarrying activities on the visibility of future road users. VicRoads are conducting a dust study to the ring road to assist in understanding the impacts of dust. The results will assist VicRoads to determine the extent of any additional land that needs to be acquired from Boral or any internal buffer requirements to be implemented on the Boral land.

Construction of the Baanip Boulevard (Geelong Ring Road 4C) will be of a nature that forms a potential physical barrier between the air emissions generated by the quarry (both blasting and non-blasting activities). The new road structure is designed to provide an overpass across the existing railway. The Planning report states that this approach requires the road to be built up approximately 9 metres from ground level with batters extending along both sides. On completion of Baanip Boulevard, the physical nature of the new road is likely to comprise significant barrier to any air, dust and noise concerns generated by the Boral quarry.

The Planning report also advises that as part of the Baanip Boulevard construction a significant landscape buffer will be established between the site and the road carriageway. It is considered the landscaped buffer will form a further physical barrier that will assist to reduce air emissions generated by quarrying activities.

The EPA advises that until the Works Authority has been amended, the Baanip Boulevard road has been constructed and the VicRoads dusty study finalised, the 250 metre separation distance should be maintained between the site and Boral's current Works Authority.

The amendment process should proceed on the basis of the above considerations. The outcome of the amended Works Authority and the completed construction of the Baanip Boulevard and associated landscaping will inform the extent of the 250 metre buffer affecting the site. It is possible that even when all of the above mentioned factors are resolved, the site may remain affected by the 250 metre buffer.

To accommodate the period between the rezoning/subdivision of the site and the amendment to the Works Authority boundary, it is proposed to include wording in the draft DPO schedule to require an air quality (dust) assessment to be undertaken for the affected part of the site, where relevant. Council officers can determine whether an air quality assessment is necessary during the consideration of the development plan and future subdivision.

Designated Waterway

The designated waterway traversing the site is a tributary of the Armstrong Creek. Designated Waterways are protected under the Water Act 1989. The Corangamite Catchment Management Authority (CCMA) is responsible for controlling any works in, over or under designated waterways and this responsibility is independent of the planning process.

Extensive consultation was undertaken between Council officers, the proponent and the CCMA. Discussions focused on the protection of the designated waterway and integration of the waterway in the future residential subdivision of the site.

CCMA states that the natural waterway should be retained- its alignment and length. Given the waterway is designated under Water Act 1989, the provisions of Clause 14.02-1 Catchment management and planning of the Greater Geelong Planning Scheme come into play. Clause 14.02-1 requires the retention of natural drainage corridors with vegetated buffer zones at least 30m wide along each side of a waterway to maintain the natural drainage function, stream habitat and wildlife corridors and landscape values, to minimise erosion of stream banks and verges and to reduce polluted surface run-off from adjacent land uses.

The CCMA considers that a 30 metre buffer either side of the designated waterway would be consistent with the approach taken for the Armstrong Creek corridor in the Urban Growth Area. However, during pre-application discussion, the CCMA referred to Melbourne Waters Guidelines for Waterway Corridors to provide a more strategic approach to the creation of an environmentally and socially sustainable waterway corridor for the site.

The CCMA advise that using these guidelines and the strategies from Clause 14.02-1, the Authority would consider the following:

- a *minimum* setback on each side of 20 metres from a nominated (yet to be determined in accordance with the Melbourne Water Guidelines) setback reference point is appropriate for the site. The setback being the vegetated buffers.

Council officers, including the Engineering Dept, support the CCMA's stance in so far as the retention of the waterway and requirements for vegetated buffers on both sides, generally in line with the provisions of Clause 14.02-1. The provision of vegetated buffers on both sides of the waterway will provide a linear open space reserve that can be used for public open space and shared path connections through the site. This will be discussed in further detail under the open space section.

The requirements in relation to the retention of natural waterway- alignment and length, where practical, the requirements for a vegetated buffer and the preparation of a waterway management plan will be included in the draft DPO Schedule.

Drainage

The proposed Surface Water Management Strategy (SWMS) is intrinsically linked to the retention of the waterway. The report provides an assessment of the suitability of the site to detain, convey and treat stormwater run-off from residential development.

The SWMS allows for the retention of the designated waterway, which will convey stormwater run-off through the site, into the downstream catchment. The works will discharge to the existing culvert under the railway line and then under Ghazeepore Road into the Armstrong Creek West Precinct. The waterway will be formalised as part of future residential development and will form part of the riparian corridor reserve, as outlined in the previous section.

Two retarding basins are also to be established along the waterway- one retarding basin per landownership. Both the waterway and retarding basins will ensure site run-off is retarded to pre-development flows.

The SWMS states that the hydraulic flood modelling results show that with the functional design in place, peak outflow limits and flood level targets are effectively achieved with full development of the site- all events up to and including the 1 in 100 year flood event can be fully contained within the proposed drainage basins and importantly, outside the railway reserve. (The estimated peak flows along the open waterway will be maintained at 3 m³/s in the 1 in 100 year flood event.)

It will be necessary for the culvert under Ghazeepore Road to be upgraded in capacity and at a lower invert level as part of future works downstream of the railway in the Armstrong Creek West precinct. This is required to provide free drainage outfall to the existing railway culvert.

The draft DPO schedule will require a Flooding, Stormwater and Drainage Management Plan to be prepared to guide the future residential subdivision of the land. This will require the management plan to adopt an integrated approach to stormwater system management and be designed with reference to the whole of the catchment. Input from Council's Engineering department is on-going and appropriate wording for the draft DPO schedule will be prepared prior to exhibition.

Open Space

The site will be required to provide an open space contribution of 10%.

Given the requirements associated with the designated waterway including the vegetated buffers, Council officers, the CCMA and the proponents agreed that any part of the riparian corridor for the waterway which is above the 1 in 100 year flood level could be considered as 'unencumbered' land for the purposes of calculating the 10% open space contribution.

The draft DPO schedule will require the preparation of an Open Space and Landscape masterplan. It will seek the provision of a linear open space reserve along the waterway, which will result in a passive open space spine traversing the land. The linear open space reserve will need to accommodate the waterway course, the vegetated buffer on both sides of the waterway, a shared pedestrian and cycle path and landscaping. The proposed retarding basins will also form part of this corridor. The linear open space corridor will need to clearly identify the useable areas of open space.

The shared cycle path will provide a continuous connection through the site between the existing VicRoads shared path and Hams Road underpass to the west of the site and to Ghazeepore Road. The intention is to establish a connection point from Ghazeepore Road to the wider regional open space network, including the shared pathways and regional active open space to be provided in the Armstrong Creek West Precinct Structure Plan area to the south-east of the site.

Discussions with Council's Sport and Recreation unit are on-going to prepare wording for inclusion in the draft DPO schedule for exhibition.

Native Vegetation

The original application was supported by a due diligence flora and fauna assessment. Since then, the report has been updated in line with new legislation that came into force in December 2013.

The updated report, *Flora and Fauna Assessment and No Net Loss Analysis Recommendations* by Practical Ecology provides a comprehensive analysis of on-site biodiversity issues and recommendations for future subdivision and treatment of native vegetation off-sets.

The summary of findings is as follows:

- The site contains patches of low quality native vegetation with little habitat value for significant species;
- There was high cover of invasive weeds across the site;
- The drainage line contains the most environmentally sensitive areas within the site and requires careful consideration to avoid adverse impacts at the detailed design stage.

Notwithstanding the low quality of native vegetation contained on the site, the future residential subdivision of the land will require native vegetation off-sets to be provided. A permit to remove the native vegetation from the site will be required.

The total extent of native vegetation that is likely to be removed is 4.833ha. Using the Department of Environment and Primary industries Biodiversity Assessment Report framework, this has provided an indication of the likely impacts and offset requirements of potential future clearing on the site. The site received a strategic biodiversity score of all marked native vegetation of 0.386. This means that only a general offset amount is required for the removal of all vegetation on the site. The report confirms that this implies that the removal of native vegetation and habitat is not likely to cause a significant impact to the decline of the species listed in the Biodiversity Impact and Offset Report.

The report recommends that off-set requirements be delivered off-set. There are several methods for acquiring native vegetation credits to deliver off-site requirements. This is a matter that can be dealt during the application to remove native vegetation.

Council's Environment unit have played an important role in reviewing the ecology reports and have provided input to the preparation of the draft DPO schedule. The Environment unit agrees that off-set requirements should be delivered off-site due to the likely restrictions to be placed along the waterway such as open space and stormwater management systems. Further, given the highly degraded nature of the vegetation in the waterway and the likelihood of the waterway being significantly disturbed and modified, the Environment unit considers securing native vegetation off-sets elsewhere as a better outcome for biodiversity when viewed in a landscape context.

Noise and Amenity

The noise assessment considered existing and future noise impacts proximate to the site, being Ghazeepore Road to the east, the Geelong/Warrnambool railway to the south and the Geelong Ring Road (Section 4B) to the west of the site. The noise assessment was carried out in accordance with the relevant Australian Standards. The report concludes that with some minor noise attenuation measures the site can be developed and utilised for residential purposes. For example, noise attenuation measures will be required for residential development proximate to Ghazeepore Road. The treatment is likely to comprise acoustic fencing.

Council officers note that the assessment did not consider potential noise and vibration from the Powercor substation. This is a matter that will need to be addressed during the development plan stage. Council officers will require a further assessment to be carried out including recommendations for an appropriate interface between residential development and the substation. Powercor recommend that the development plan includes a wording to require either a buffer zone or building measure controls of noise and vibration sufficient to ensure compliance with EPA guidelines.

The assessment did not consider potential noise arising from the future Geelong Ring Road (Section 4C) Baanip Boulevard. Given the road is only in the initial stages of construction, this would be a difficult task. The draft DPO schedule will include wording to require a noise assessment to be undertaken to inform the development plan and future subdivision for the affected part of the site, being the south/south-west corner.

Traffic and Movement

The preliminary traffic assessment provides an overview of the future road infrastructure requirements to be delivered. To confirm these requirements, a detailed traffic impact assessment will need to be prepared as part of the Development Plan.

At this stage, the following requirements are considered necessary to achieve a suitable traffic management outcome:

- Upgrading and widening of Hams Road.
- Upgrading and widening of Ghazeepore Road.
- Intersection upgrades at Hams Road/Ghazeepore Road/Sugargum Drive- this is likely to be a roundabout intersection.
- Provision of footpaths/cycle paths around the development site.

Council's Traffic Engineering support the abovementioned requirements.

The preliminary traffic assessment concludes that there are no traffic engineering grounds that should prohibit the rezoning application. The report advises that all impacts can be effectively mitigated.

Public Transport Victoria (PTV) offer 'in principle' support for the rezoning. The eastern section of the site is within the 800m walking catchment of the new Grovedale railway station. On this basis, PTV advises that more medium density development should be supported in this section of the site. PTV also notes that provision of a shared path through the site and the importance of connecting the shared path to the existing wider network to the east and west of the site.

Development Plan Overlay Schedule

The draft Development Plan Overlay schedule will include matters relating to the requirement for an Urban Design Masterplan, Road Network and Traffic Management Plan, Flooding, Stormwater and Drainage Management Plan, and an Open Space and Landscape Masterplan. One development plan will be required for the site.

As has been discussed in the above sections, the preparation of the draft DPO schedule is on-going and will be finalised prior to exhibition. The schedule will be exhibited alongside the other amendment documents.

Section 173 Agreement

A Section 173 Agreement will be necessary to ensure the two landowners undertake specific works. A draft S.173 Agreement will be exhibited alongside the exhibition documents. A draft has not been included in this report but is currently being negotiated with the proponents.

The agreement is likely to include the following matters:

- Upgrading and widening of Hams Road and Ghazeepore Road.
- New intersection at Hams Road/Ghazeepore Rd/Sugargum Drive.
- Off-site drainage works including the cleaning and upgrading of the railway culvert and drainage works within the VicRoads road reserve (Section 4B) to connect the waterway to the site.
- Community Infrastructure Levy- \$900/lot contribution- as required by Council's Community Development unit.

Other matters pertaining to the future residential subdivision of the site may arise during the course of the exhibition process. Where necessary, these will be included in the agreement.

Environmental Implications

The site is in the Farming Zone, it contains approximately 4.8 ha of native vegetation, is traversed by a designated waterway that is considered to have high ecological value (in parts) and is proximate to the Boral quarry and associated buffer requirements.

The rezoning of the site for residential purposes will remove one of the last parcels of Farming Zone land in the Waurm Ponds area. The site is not used for intensive agricultural purposes but rather for limited animal grazing. It is of a size that is considered to be inappropriate for intensive agricultural operations. Consequently, the loss of this land is not considered a significant issue.

Native vegetation will be removed from the site to enable residential development and off-set requirements are likely to be provided off-site. The provision of off-set requirements off-site is considered a good planning and environmental outcome given the on-site constraints and future subdivision requirements.

In terms of the designated waterway, the CCMA has advised that a vegetated buffer will be required on both sides of the waterway and that its alignment and length should be retained. It is considered that the creation of a linear open space reserve incorporating the waterway, vegetated buffers and open space requirements will result in a good planning and environmental outcome. It will contribute to the rehabilitation of the waterway and formalise this part of the site as a recreational and ecological corridor similar to the approach adopted in the Armstrong Creek Urban Growth Area.

The supporting SWMS advises that potential issues relating to flood and stormwater can be mitigated through the provision of an appropriate retardation management system that will limit any off-site impacts downstream.

Proximity to the Boral quarry and associated potential amenity issues affecting the site will continue to be a consideration through the rezoning of the land. Until the Works Authority for the Boral quarry has been amended and approved, the site will continue to be affected by the industrial air emissions buffer requirements, as per the EPA Guidelines. This matter will be an on-going consideration during the amendment process.

Financial Implications

Beyond the administrative processing of the planning scheme amendment, there will be no financial implications for Council. Should an Independent Panel be appointed by the Minister for Planning, the proponent will bear the costs for this process.

Policy/Legal/Statutory Implications

The strategic justification for the proposed rezoning of the site has been confirmed in previous sections of this report. The Armstrong Creek Urban Growth Plan (Adopted 13 May 2008, Amended May 2010) provides the strategic basis to undertake an assessment as to the suitability of the site for residential purposes.

The G21 Regional Growth Plan and associated background material further provides support for the potential residential use of the land and in a broader context the development of infill sites.

Clause 11.02-1 Supply of urban land seeks to ensure a sufficient supply of land is available for a number of land uses, including residential. To achieve this objective, it is necessary to ensure the ongoing provision of land supporting infrastructure to support sustainable urban development. The proposed rezoning application can facilitate this objective.

Clause 21.06 Settlement and Housing discusses the importance of urban consolidation unless otherwise directed to designated growth areas. Locating development in areas that are well serviced and that have the capacity to accommodate sustainable development. The rezoning of the site from Farming Zone to General Residential 1 Zone will assist in meeting urban consolidation objectives. The site is clearly contained by existing and proposed infrastructure to the south and west. The rezoning of the site will effectively lead to the development of a greenfield site contained within an otherwise urban area.

The proposed General Residential Zone Schedule 1 is considered appropriate for the rezoning of the subject land for residential purposes. The General Residential Zone Schedule 1 will replace the Residential 1 Zone from July 2014. The General Residential 1 Zone is very similar to the Residential 1 Zone in terms of land uses and building and works requirements.

The proposed rezoning of land owned by Barwon Water, VicRoads and Powercor will result in a good planning outcome and will accurately reflect existing land uses and remove the Farming Zone from this general area.

The deletion of the Public Acquisition Overlay 3 is logical in so far as its purpose is no longer relevant due to the acquisition of the affected land by VicRoads.

Other provisions of the Greater Geelong Planning Scheme are relevant in so far as guiding the rezoning and future subdivision of the subject land- in particular, Clause 14.02-1 Catchment planning and management; Clause 52.01 Public Open Space Contribution and Subdivision and Clause 52.10 Uses with Adverse Amenity Potential are of importance in the assessment of the land proposed for residential use.

Alignment to City Plan

The report aligns with the City Plan's strategic direction *Sustainable Built and Natural Environment*. This direction seeks to protect and enhance natural ecosystems and to encourage sustainable design and reduced resource consumption. Specific priorities of the strategic direction included: Enhance and protect natural areas and ecosystems (including waterways); Advocate for and promote sustainable design and development (including the assistance of the planning system).

Officer Direct or Indirect Interest

No Council officers involved in the proposed rezoning application have a direct or indirect interest in matters contained in this report.

Risk Assessment

There are no notable risks that would inhibit the use of the land for residential purposes. The technical assessments prepared in support of the rezoning application outline the necessary steps required to inform the preparation of the Development Plan and subsequent permits for subdivision to ensure potential risks are dealt with appropriately.

It is noted that the land is currently identified as Bushfire Prone. However, the land is not affected by the Bushfire Management Overlay (BMO). The Minister for Planning has determined that specific areas are designated bushfire prone areas for the purposes of the building control system. However, this is matter that will need to be considered during the detailed design and construction stage. The subject land is relatively sheltered in this respect with established residential development to the north, the elevated Geelong Ring Road Section 4B to the west, the under construction Geelong Ring Road to the south and Ghazeepore Road to the east.

Social Considerations

The Amendment will result in the rezoning of land for residential purposes proximate to a number of potential amenity constraints such as the Powercor substation, the Geelong/Warrnambool railway, relevant sections of the Geelong Ring Road and the Boral quarry to the south. The rezoning application has sought to deal with these matters and has provided recommendations for future residential subdivision with regard to mitigating any identified issues. It is considered that the land is suitable for residential purposes subject to incorporating the recommendations contained in the relevant supporting technical reports and the advice provided by relevant Council officers and external referral bodies.

The site will deliver a sizeable area of linear open space on both sides of the designated waterway. This area will be used for open space purposes and will incorporate a shared path connecting to the existing VicRoads shared path and underpass to the west of the site and to Ghazeepore Road to the east allowing for future connection to the wider regional open space network that will be delivered through the Armstrong Creek Urban Growth Area. This will result in a good outcome for the community.

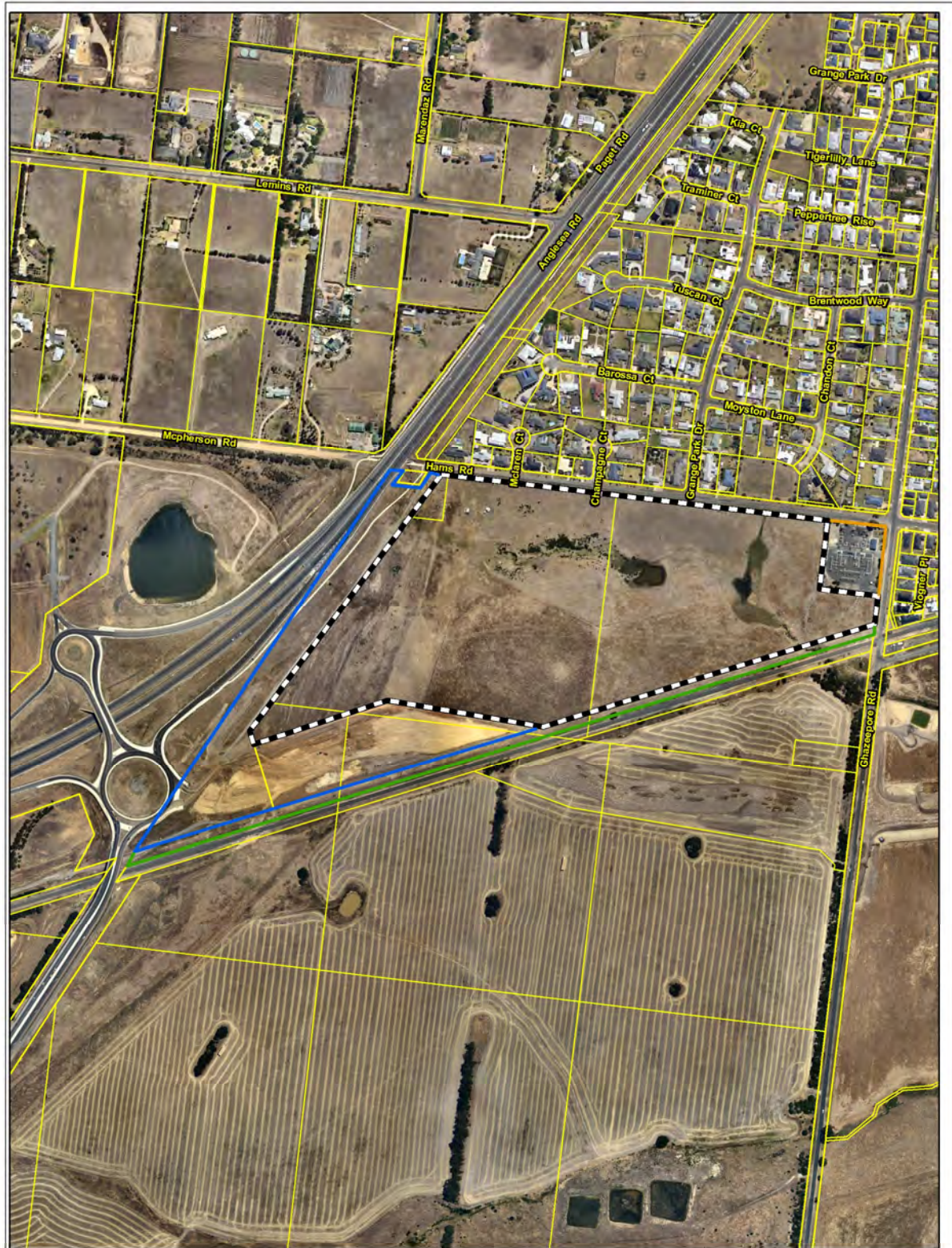
Human Rights Charter

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 Planning Panel.

Consultation and Communication

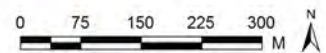
Consultation will form part of the exhibition of the planning scheme amendment. The next step in the amendment process will be to request the Minister for Planning to authorise the preparation and exhibition of the amendment. The amendment will be exhibited for a minimum 30 days and this will allow formal submissions to be made to the Amendment. The notice of exhibition for Amendment C276 will be published in local newspapers and proximate landowners will be notified. Consultation with relevant referral authorities will also be undertaken during the exhibition of the Amendment.

Appendix 1- Site location plan



 SUBJECT LAND	 VICROADS LAND	 BARWON WATER LAND	 POWERCOR LAND
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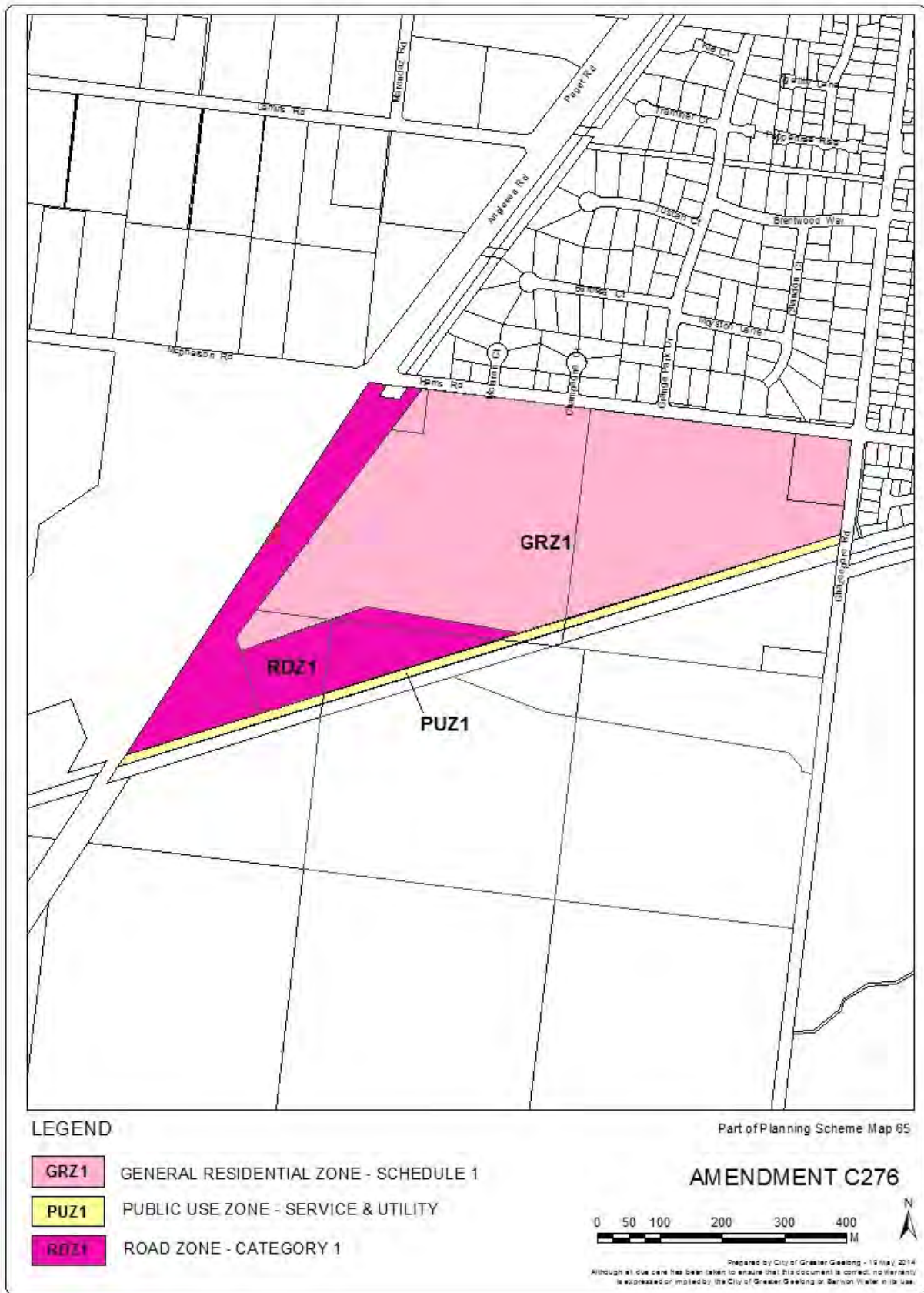
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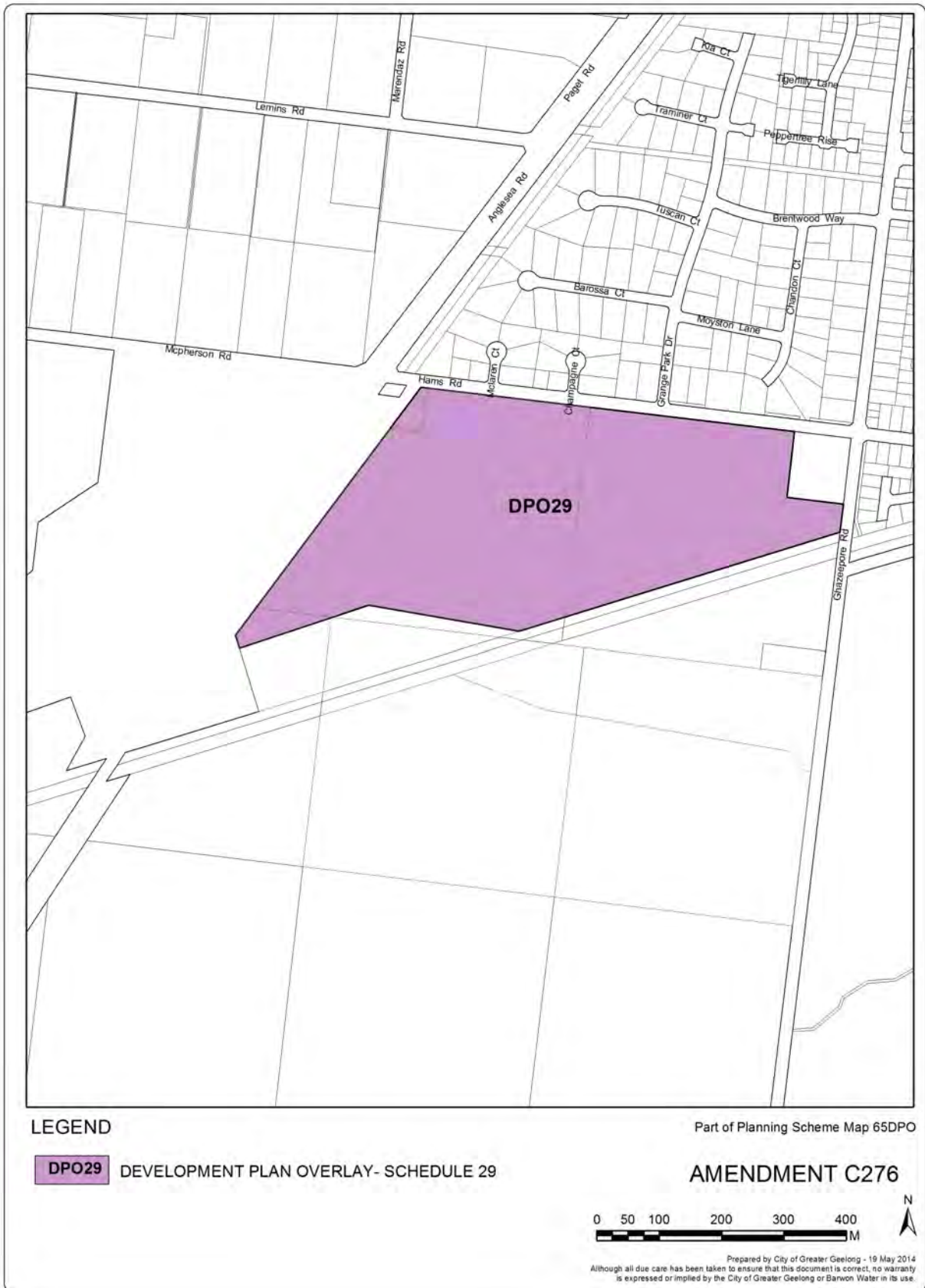
Appendix 2 Existing Zoning



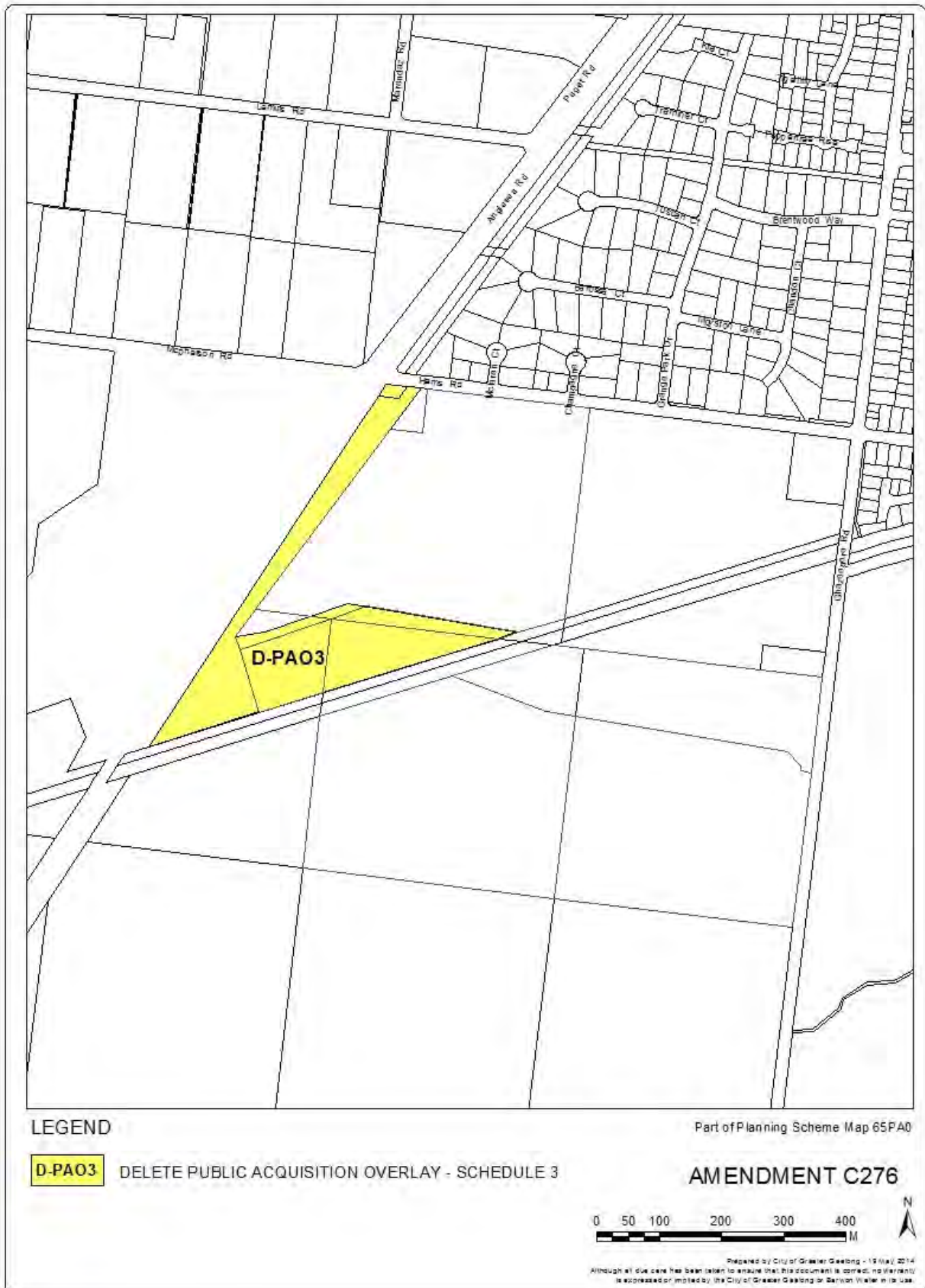
Appendix 4 Proposed Rezonings



Appendix 5 Proposed Development Plan Overlay



Appendix 6 Proposed deletion of Public Acquisition Overlay 3 (PAO3)



LEGEND

D-PAO3 DELETE PUBLIC ACQUISITION OVERLAY - SCHEDULE 3

Part of Planning Scheme Map 65PA0

AMENDMENT C276

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Appendix 7 Draft Concept Layout Plan for land at 35 Hams Road & 151-229 Anglesea Road, Waurn Ponds



Appendix 8 SP AusNet Gas Pipeline



Appendix 9 Boral Works Authority

