

# MINUTES

## ORDINARY MEETING OF COUNCIL

**Tuesday, 28 April 2015**

Held at the  
Council Conference and Reception Centre  
City Hall, Little Malop Street, Geelong  
commencing at 7.00p.m.

COUNCIL:

Cr. D. Lyons <i>Mayor</i>	(G21 Geelong Regional Alliance, Finance, Governance, Regional Cities)
Cr. T. Ansett ( <i>Windermere</i> )	(Heritage, Rural Communities)
Cr. L. Ellis ( <i>Coryule</i> )	(Coastal Communities, Infrastructure, Parks and Gardens, Climate Change)
Cr. J. Farrell ( <i>Beangala</i> )	(Community Safety, Youth, Women in Community Life, Finance)
Cr. K. Fisher ( <i>Corio</i> )	(Community Development, Tourism)
Cr. B. Harwood ( <i>Kardinia</i> )	(Enterprise Geelong, Primary Industries)
Cr. M. Heagney ( <i>Brownbill</i> )	(Central Geelong, Planning)
Cr. J. Irvine ( <i>Austin</i> )	(Sport and Recreation)
Cr. E. Kontelj ( <i>Cowie</i> )	(Aboriginal Affairs, Multicultural Affairs, Finance)
Cr. Dr. S. Kontelj ( <i>Kildare</i> )	(Veteran Affairs)
Cr. R. Macdonald ( <i>Cheetham</i> )	(Major Projects, Knowledge Economy & Education)
Cr. R. Nelson ( <i>Deakin</i> )	(Major Events)
Cr. A. Richards ( <i>Buckley</i> )	(Environment & Sustainability, Transport, Arts & Culture, Climate Change)

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**MINUTES OF THE ORDINARY MEETING  
OF THE GREATER GEELONG CITY COUNCIL  
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE  
CITY HALL, LITTLE MALOP STREET, GEELONG  
TUESDAY, 28 APRIL 2015  
COMMENCING AT 7.00P.M.**

**PRESENT:** Crs D Lyons (Mayor), T Ansett, L Ellis, J Farrell, K Fisher, B Harwood (\*7.22pm), M Heagney, J Irvine, E Kontelj, R Macdonald, R Nelson, A Richards

**Also present:** G Miles (Chief Executive Officer), D Frost (General Manager Strategy & Performance), P Bettess (General Manager Planning and Tourism), W Tieppo (General Manager City Services), L Quinn (Acting General Manager Community Services), J McMahon (Acting General Manager Projects, Recreation and Central Geelong), J Brown (Manager Administration and Governance), R Bourke (Governance Co ordinator), J Merlo (Senior Media Officer), A Paterson (EO – Mayor)

**OPENING:** The Mayor declared the meeting open at 7.00pm

**ACKNOWLEDGEMENTS:**

Council acknowledges Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

**APOLOGIES:** Cr S Kontelj

**CONFIRMATION OF MINUTES:**

**Cr Irvine moved, Cr Ellis seconded -**

**That the Minutes of the Ordinary Meeting held on 14 April 2015 be confirmed and signed.**

**Carried.**

**DECLARATIONS OF CONFLICTS OF INTEREST:**

*Cr Nelson declared an Indirect Interest by a Conflicting Duty in Agenda Item 4 – Sale of Land to Roman Catholic Trust – Peninsula Drive, Drysdale in that during his election campaign he had a regular and close association with the school listed in the report.*

**QUESTION TIME:**

*Question Time is an opportunity for questions to be addressed to Council and while the minutes record the general content, they do not purport to be a transcript of what was said by individuals. Likewise Councillor or Officer verbal responses are in summary form only. Views expressed may not be the views of Council.*

*Council's practice is to provide a separate document on its website setting out questions and responses including any more detailed written responses which may be provided subsequent to the meeting.*

**Andrew Kelly** asked questions in relation to Amendment C276 as follows:

- 1) If there was not enough information upon which to refer this planning amendment to a panel hearing on 28 October 2014, what has changed in the last six months to make the Councillors so sure it is the right decision tonight?

*Peter Bettess responded the decision before Council tonight is whether or not to refer the Amendment to an Independent Panel, not to have everything squared away, and that is what the Councillors will be considering.*

- 2) As this site does not fall within the Armstrong Creek Western Precinct Structure Plan where there is an abundance of housing diversity with some 22,000 dwellings approved for Armstrong Creek at an average density of 15-18 dwellings per/ha plus the opening of new estates to the north and east of the Hams Road site – why simply default to more of the same?

*Peter Bettess responded once again it should be submitted to the Panel.*

- 3) Do Council planning staff believe the traffic numbers and flow as detailed in the Traffic Impact Assessment Report and what traffic calming measures do Councillors believe to be satisfactory to overcome the 100% plus increase in traffic along Grange Park Drive and Brentwood Way in order to avoid catastrophic injury to a local resident making their way to or from buses or public transport by foot, skateboard, bike or stroller given the current amenity (no footpaths)?

*Cr Richards responded there are a number of measures to be taken in order to deal with traffic generation. A report on transport infrastructure in Waurin Ponds was presented to Council on 14 April, but deferred. That report will be re-presented in two weeks time.*

**Mark Spoken** asked –

- 1) Why won't Council abandon Planning Scheme Amendment C276 due to excessive traffic impacts and the adverse affect on area amenity, when Council have previously refused an application in the same estate based on inappropriate traffic levels and area amenity? Reference Permit number 1501/2007 Lot 20-22 Grange Park Drive.

*Peter Bettess responded this rezoning was outside of the estate. The Management Plan required is part of the planning overlay which specifically addresses the minimizing of traffic.*

- 2) Are Councillors aware that in the strategic justification section of their report pertaining to Planning Scheme Amendment C276 Council officers have noted the Armstrong Creek Urban Growth Plan states that the section of land, quote "be considered for future residential and/or recreational zoning". What constitutes recreational zoning and surely if officers don't consider this area to be a loss of significant farming land why has it not been considered for recreational zoning or open public space to provide for the community that is already here?

*Peter Bettess responded the reason being the alignment of the Ringroad wasn't determined. The designated open space is on the other side of the railway line.*

**Jim Haigh** asked if Council would consider rejecting the proposal to rezone this land based on this one simple premise or could Council move for an amendment for real, tangible traffic solutions prior to if the recommendation is to go to a panel hearing?

*Peter Bettess responded the concerns about traffic flowing south will be tested by the Panel who have the ability to scrutinize the evidence.*

*Cr Richards added the Waurm Ponds Traffic Study will be presented to Council in the next two weeks.*

\* *Cr Harwood entered the meeting room at 7.22pm*

**Dean Smith** addressed Council as follows:

- 1) A petition with over 250 signatures was tabled to Council about the C276 Rezoning. These people asking for this rezoning to be abandoned. Do Council consider this petition and the number of residents in opposition to this rezoning and development into account when making their decision or do you continue without considering it and what if any bearing does it have on your decision?

*Cr Richards responded that when a Councillor is elected you have to take into account your own personal views and beliefs and also take into account the views of the people who elected you.*

*Petitions are important as is the number of residents that are present here tonight.*

*The Mayor added petitions are extremely important.*

- 2) The proponent has put forward block sizes that do not meet the current character of the adjoining neighbourhood. As I believe the upholding of neighbourhood character forms a strong part of the planning decision making process when considering such redevelopment, I would like to ask if all the Councillors have a strong knowledge of the current neighbourhood character and block sizes within the Grange Park Estate which adjoins the subject site and so feel qualified to make a decision regarding the current amendment and rezoning application?

*Cr Richards indicated he was sure that Councillors are aware of the facts, and if they weren't before, they are now. This matter will be the subject of debate later this evening.*

- 3) As previously brought to Council's attention there is a possibility of contaminated soil in the subject site due to an existing spray race and possible PCB contaminated soil from the adjoining Powercor switchyard, however to date there has been no soil testing done to determine whether or not this will impact on the land ability to be further developed. Do Council agree that prior to allowing for development and rezoning of the land that the land should be proved viable for further development?

*Peter Bettess responded, 'yes, we do agree' and will be addressed in planning requirements.*

**Mick Robinson** asked why are you considering selling the old Geelong Gaol?

*The Mayor responded there are certain ways in other cities around the world that heritage is successfully transformed into better heritage sites.*

*Cr Ansett added there's also been many developers who buy historical developments that remain undeveloped.*

**Rhys Booth** asked question in relation to the archaeological values and potential of the Old Geelong Gaol:

- 1) Is Council aware, that almost certainly, one burial exists on this land?. With the potential of at least five more. I use the term at least because as we saw at Pentridge archaeology often produces surprises, including potential building dating back pre 1854?
- 2) Does Council understand that if any development were to go ahead concerning the construction of buildings on site whether they are of a private or public nature that under the heritage act an archaeological investigation will be required, the costs of which would be substantial?
- 3) Is the Council aware of potential subterranean structures inside the grounds of the prison? Archaeologists working for the National Government reported a likely connection suggested a connection of some degree between the old Geelong Gaol and the now demolished Courthouse?
- 4) Finally, as we are looking at the past why in the twenty one year's Council has had control and ownership of the heritage site have they not considered either investing, subsidising or donating the prison? This prison has been neglected as an investment?

*The Mayor responded this Council would put a lot of rigour around the Gaol and have passionate people on this Council who understand. It certainly isn't part of Council's business to run businesses. Council is aware of the potential of burials on the site.*

**Michael Williams** asked if Amendment C276 is not abandoned tonight and is referred to a panel we will be directly affected. We may be away at the time of a panel hearing. How can we be sure of being notified and participating in the process whilst away?

*The Mayor advised participation in the process could be referred to another person appearing on your behalf.*

**Michael Exton**, Principal of St Ignatius College Geelong addressed Council as follows:

Is Council aware that:

- 1) a \$2 million grant toward a new Year 9 Centre is at real risk if the vacant Council land cannot be acquired? There are no Options B, C or D for additional land?

*The Mayor responded he was unaware until this evening.*

- 2) the long-term use or need of the St Leonards land owned by the local Catholic Parish has not yet been determined, and St Ignatius College is not in a position to accelerate the process?

*The Mayor indicated he was made aware of this by Cr Eddy Kontelj. All other Councillors have been briefed.*

- 3) the Church's internal processes to determine these issues will take time and if the sale of the vacant Council land is dependent on the sale of the parish land, then there is a considerable risk that the \$2 million grant from the Commonwealth Government becomes very, very real?

*The Mayor responded, 'yes, I understand'.*

- 4) the vacant farm land on the other side of Gilles Road, at the rear of the College, is unsuitable due to environmental reasons to accommodate the College expansion?

*The Mayor indicated he was sure all Councillors are.*

- 5) the stated purpose of the adjoining Council-owned land including the vacant land the College would like to obtain, as specifically zoned in the Council Planning Scheme reads: *“To encourage the use and development of the Drysdale Regional Community and Cultural Hub for a range of civic, community, education and recreation activities”, and these are the very activities that the College proposed for the land?*

*The Mayor responded, ‘indeed’.*

- 6) the Catholic Parish has committed to continuing dialogue with Council as the parish explores its own long term needs?

*The Mayor advised all Councillors are advised now.*

- 7) regardless of the outcome for the review for the long-term use of the parish land at St Leonards, that land is currently leased to the Department of Education for use by the well-attended St Leonards Primary School and the Parish is extending that lease as the Education Department have advise they have an on-going requirement for that land?

*The Mayor advised he is aware.*

**Jodie Henner** asked what can be done to convince Council to not sell the Gaol, because we are passionate about the history?

*The Mayor advised this issue will be debated later this evening.*

\* Cr E Kontelj left the meeting room at 7.52pm

**Colin Wallace** asked:

On June 24 2014 I asked you, Mr Mayor, to consider if Council’s evident breach of the Ropeworks Section 173 Agreement by not producing the required half-yearly reports was deliberate. Cr Michelle Heagney intervened upon your response, conveying to the meeting the idea that she had obtained some legitimate resolution of the issue of First Street and proper process and consequently there was some justification for a refusal to ever answer the question I put to you. Included in what she said was the mention of her meeting with my wife and me and that we had got a letter.

- 1) Since in her reference to meeting with us Cr Heagney did not mention if anyone else was present and would therefore know what had occurred, would you Mr Mayor and other Councillors note that we have had four meetings in total with Cr Michelle Heagney, Mayor Keith Fagg was present at all four meetings and then Acting Manager of Engineering Services Vicki Shelton was present at the fourth one?
- 2) Since in her reference to meeting with us Cr Heagney was not specific at all about when it occurred, would you also note that these meetings occurred on 3 December 2012, 4 March 2013, 4 April 2013 and 9 May 2013 and observe that they were all prior to the resignation of Keith Fagg?
- 3) Since she was not specific at all about the letter we had got, would Cr Michelle Heagney identify this letter?

*In response to Mr Wallace's questions The Mayor advised that Council has formally advised Mr Wallace that we will not be addressing any further questions in relation to this matter.*

\* *Cr E Kontelj re-entered the meeting room at 7.54pm*

**Jennifer Bantow** asked question in relation to the Old Geelong Gaol:

The National Trust is concerned that the recommendation to sell the Old Geelong Gaol comes from a Finance Committee, no-one from a cultural or heritage point of view was on this committee, giving the impression that there was no consideration of other value, the only consideration was finance? Also that the reference is said to be 'Sale of Land', this is not an empty block, it's what's on the land that's of great value!

*Cr Farrell responded, that just to be clear, the process around the Submission Panel is that the Panel hear submissions and makes a recommendation to Council. The Panel has no further power.*

**PETITIONS:** Nil.

## **1. AMENDMENT C276 - REZONING OF 35 HAMS ROAD AND 151-229 ANGLESEA ROAD, WAURN PONDS - CONSIDERATION OF SUBMISSIONS**

<b>Portfolio:</b>	<b>Planning- Cr Heagney</b>
<b>Source</b>	<b>Planning and Tourism - City Development</b>
<b>General Manager:</b>	<b>Peter Bettess</b>
<b>Index Reference</b>	<b>Application: C276</b>

### **Purpose**

The purpose of this report is to consider submissions to Amendment C276 to the Greater Geelong Planning Scheme and refer them to an Independent Panel.

### **Summary**

- Amendment C276 proposes 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 and delete the Public Acquisition Overlay 3 (VicRoads) from the affected part of the site. The amendment also includes minor zoning changes to other areas of land adjoining the primary site.
- The site is bounded by Hams Road to the north, Ghazeepore Road to the east, the Geelong/Warrnambool railway line and the Baanip Boulevard to the south and the Princes Freeway (Geelong Ring Road) to the west.
- Strategic justification for the amendment is provided by the Armstrong Creek Urban Growth Plan (Adopted May 2008; Amended May 2010), the G21 Regional Growth Plan and State and Local Planning Policy.
- At its meeting on 24 June 2014, Council resolved to request the Minister for Planning to prepare and exhibit the amendment. The amendment was exhibited between 7 August 2014 and 8 September 2014.
- A total of 26 submissions were received including 11 late submissions. Six submissions were from referral authorities and 20 objections were from local residents in the Grange Park Estate to the north.
- A number of referral authorities, including the Corangamite Catchment Management Authority (CCMA) and VicRoads, requested changes to the exhibited Development Plan Overlay schedule. The former Department of State Development, Business and Innovation (DSDBI) provided Council with comments about the potential impact of the Boral limestone quarry south of the subject land and associated separation distances.
- The objecting submissions from residents were focussed on the possible increase in traffic through the Grange Park Estate and the associated loss of amenity from traffic noise, road safety, and impacts on the local road network. Concerns were raised about the level of development which residents described as being medium to high density development, the impact on the neighbourhood character of the Grange Park Estate, on-site environmental significance (flora and fauna, including the protection of the natural waterway), and the potential impact of the Boral quarry.
- After exhibition a residents group was formed and a public meeting held on 17<sup>th</sup> October 2014. A petition of 242 signatures objecting to the proposal was provided to Council.
- On 28 October 2014, Council considered a report on the submissions which recommended they be referred to a Panel. The officer's report was similar in content to this current report. Council resolved that the report be deferred.

- This followed a request from the proponent to defer consideration of the matter so that specialist consultants could be engaged to undertake a more detailed analysis of issues raised in submissions.
- Between November 2014 and March 2015 the proponent's consultants prepared three reports: a Planning Review, a Traffic Impact Assessment Report and Surveys of Growling Grass Frog, Natural Spring and Bird Habitat.
- In the same period two meetings have been held with representatives of the residents from the adjoining Grange Park Estate. The meetings included the proponent, Council officers and the Ward Councillor and occurred both before and after the further consultant's work was commissioned.
- The results of the further studies are outlined in this report. Changes have been made to the Development Plan Overlay Schedule to address some of the issues raised by submitters. However, there are still outstanding issues that have not been resolved.
- In accordance with the Planning and Environment Act 1987, Council must now either: change the amendment in the manner requested by the objecting submissions; refer submissions to an Independent Panel appointed by the Minister for Planning; or abandon the amendment or part of the amendment.
- It is recommended that the submissions be referred to an Independent Panel appointed by the Minister for Planning.
- A Panel hearing will provide a forum for all parties (submitters, the proponent and Council) to put their views forward to independent and impartial panel members who will then make recommendations back to Council as the Planning Authority.

**Cr Richards moved, Cr E Kontelj seconded -**

**That Council having considered all submissions to Amendment C276 to the Greater Geelong Planning Scheme, resolve to abandon the Amendment.**

**Carried.**

Division Requested:

For: Crs Ansett, Harwood, Nelson, E Kontelj, Ellis, Lyons, Richards, Farrell, Irvine

Against: Crs Fisher, Heagney, Macdonald

***Background***

Amendment C276 has been prepared by SMEC Urban consulting group on behalf of the landowners Waurnd Ponds Trust and Echin Pty Ltd.

The amendment seeks to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurnd 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 proposed rezoning of land at 35 Hams Road and 151-229 Anglesea Road, Waurn Ponds, Council officers propose to:

- rezone the Powercor substation at 25 Hams Road, Waurn 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 proposed rezoning of all land affected by the amendment.

Appendix 3 shows the application of the Development Plan Overlay to land at 35 Hams Road and 151-229 Anglesea Road.

Appendix 4 shows the deletion of the Public Acquisition Overlay 3 from the affected areas of land.

On 24 June 2014, Council resolved to exhibit the amendment, subject to authorisation from the Minister for Planning.

On 1 July 2014, Council wrote to the Minister for Planning requesting authorisation to prepare and exhibit the amendment. In accordance with the Planning and Environment Act 1987, Council prepared the amendment without authorisation after 16 July 2014.

A notice of preparation of the amendment appeared in the Victorian Government Gazette on 7 August 2014. Notices also appeared in the City News section of the Independent on 1 August 2014 and the Geelong Advertiser on 2 August 2014. Letters and notices were sent to nearby landowners and occupiers on 30 July 2014 and relevant Ministers and referral authorities on 31 July 2014.

The amendment was exhibited from 7 August 2014 to 8 September 2014.

### ***Discussion***

The exhibition resulted in a total of 26 submissions (including 11 late submissions made in October 2014). A map showing the location of submitters proximate to the subject land is shown in Appendix 5.

Six referral authorities provided comments on the amendment. No objections were received from referral authorities.

The coordinated response from the former Department of Transport, Planning and Local Infrastructure (DTPLI), VicRoads and Public Transport Victoria (PTV) did not object to the amendment provided that the VicRoads recommended changes to the schedule to the Development Plan Overlay were made. The changes requested related to road names and the requirement for an acoustic survey. These changes will be discussed later in this section.

DSDBI provided an informal response in relation to the proximity of the subject land to the Boral quarry. An extension of time was subsequently requested by DSDBI to provide Council with a formal response.

The CCMA requested one change to the schedule to the Development Plan Overlay in the form of a requirement for Flood/Hydraulic analysis.

Other relevant referral authority submissions will be discussed later in this report.

All objections to the exhibited amendment were received from residents of the Grange Park Estate, which is located to the north of the subject land. Key issues raised by submitters can be grouped as follows:

- Need/justification for rezoning farmland;
- Traffic impact and associated issues;
- Environmental issues;
- Proposed subdivision and development of the subject land- Impact on neighbourhood character;
- Boral Quarry;
- CCMA;
- DTPLI (VicRoads);
- Consultation.

A schedule of submitters and summary of submissions is provided in Appendix 6. A Council officer response to each individual submission is also included.

The following section discusses the key themes raised in submissions and provides a detailed council officer response, beyond the responses provided in Appendix 6. In the event that Council resolves to request the Minister for Planning to appoint an Independent Panel, this section will form the basis of Council's submission to the Panel.

### **Justification**

A number of objectors questioned the need to rezone the subject land. Submissions generally focused on the loss of farmland and associates rural character, existing on-site constraints and adjoining land use constraints.

Council officer response:

It is important to outline the strategic basis for the rezoning application, which will provide a background as to why the subject land is being considered for residential use.

#### *Strategic justification*

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."*

Council officers agree with the proponent's Planning report in so far as the subject land represents an 'infill' residential development opportunity that will consolidate the existing urban area and make efficient use of surrounding physical and community infrastructure. It is agreed that the subject land forms the last remaining wedge of fragmented farming land in the Waurm Ponds area. The loss of fragmented farming zone land is not considered a significant issue that would warrant the abandonment of the amendment. It is also noted that the land is only used for minor cattle grazing.

The Armstrong Creek Urban Growth Plan (UGP) (Adopted 13 May 2008; Amended 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, Waurin 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 for the consideration of the site, being investigating the potential rezoning of farming land for residential purposes. Given that 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 - Amendment C276 comprises the formal assessment of the site.

The G21 Regional Plan (April 2013) and the G21 Residential Land Supply Monitoring Project (October 2013) are also 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. The Regional Growth Plan defines urban Geelong as being the urban area within the Geelong Ring Road extending southwards from Norlane and inclusive of the Armstrong Creek Urban Growth Area. The subject land is considered to fall within this area.

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

Rezoning of the subject land 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 and assist in minimising the urban footprint.

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 also provide a range of net community benefits such as retention of the waterway, public 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.

## **Traffic**

The majority of submissions focused on the impact of increased traffic on the Grange Park Estate, the limited access to the subject land from Ghazeepore Road, the new intersection at Hams Rd/Ghazeepore Rd and the cumulative impact of development in the area on the surrounding road network.

Council officer response:

### Grange Park Estate local road network

The extent to which vehicles will use the Grange Park Estate as a thoroughfare to Ghazeepore Road is difficult to determine at the rezoning stage as a development plan or subdivision layout have not been prepared. However, it is expected that the new intersection arrangement at Hams Rd/Ghazeepore Rd junction will be the principal access to and from the subject land.

It is acknowledged that the Grange Park Estate road network is designed to suit a more low density style residential subdivision and does not include typical General Residential Zone subdivision infrastructure such as footpaths or cycle lanes. Notwithstanding this, it is noted that the carriageway width of Grange Park Drive is similar to that found in other subdivisions in the general area, for example on the opposite side of Ghazeepore Road at Oakwood Cr.

A Development Plan Overlay will be applied to the subject land, which will require the proponent to prepare a development plan that will establish a framework for future subdivision and development of the land. It will also look at issues external to the subject land that must be addressed as a consequence of the development, such as traffic impact.

The Development Plan will include a *Road Network and Traffic Management Plan*, which will require a detailed traffic impact assessment. The exhibited DPO schedule confirms the following:

*"The Road Network and Traffic Management Plan is to address all off-site traffic infrastructure requirements associated with the development of the site."*

Consequently, the traffic impact assessment will fully consider the impact of the residential development of the subject land on the surrounding road network and provide measures to ensure that the road network can manage the increase in vehicle movements.

In specific terms, the traffic impact assessment will need to look at the two proximate junctions to the subject land, being Hams Rd/Ghazeepore Rd and Hams Rd/Grange Park Dr. The traffic impact assessment will need to look at the likely vehicle movements at these junctions and determine the extent of upgrade works necessary, if any, to ensure they continue to operate at an acceptable standard.

### Road safety/Pedestrian safety

The issue of road safety/pedestrian safety raised by submitters from the Grange Park Estate is a valid concern. Given the existing road network in the Estate does not provide footpaths or cycle lanes and that residents are required to use the road carriageway as their footpath, this raises issues of safety in both the current context and future context as a result of potential increase in vehicle movements through the Estate from the subject land.

As outlined previously, the traffic impact assessment will look at the surrounding road network and determine if any traffic management improvements are required to the surrounding road network as a consequence of the residential development of the subject land. Notwithstanding this, the schedule to Development Plan Overlay requires that:

*“The Road Network and Traffic Management Plan must be accompanied by a Road Safety Audit prepared by an appropriately qualified person and must address any safety issues raised in the Audit which arise as a consequence of the development of the land.”*

The requirements of the exhibited schedule to the Development Plan Overlay in relation to road network and traffic management matters are considered reasonable and fit for purpose.

In discussion with Council’s transport engineers, it is considered that detailed issues in relation to potential traffic implications on the surrounding local road network can be dealt with at the Development Plan stage. At that point, it will be possible to undertake a detailed assessment of likely vehicle movements arising from the subdivision of the subject land.

#### Access to the subject land and new intersection at Hams Rd/Ghazeepore Rd

Submitters raised concern about the limited access options to the subject land from Ghazeepore Road and how an increase in traffic would create issues at the Hams Rd/Ghazeepore Rd junction - the result of this being more traffic through the Grange Park Estate. Some submitters also questioned the effectiveness of a roundabout intersection at this junction.

Vehicle access to the subject land from Ghazeepore Road is limited to the Hams Rd/Ghazeepore Rd junction. It will not be possible to provide additional vehicle access points off Ghazeepore Road given the location of the Powercor substation and the proximity of the subject land to the Geelong/Warrnambool railway line level crossing.

Council has not determined the type of intersection to be provided at the Hams Road/Ghazeepore Road intersection. This will be finalised by the road network and traffic management plan. However, Council traffic engineers have discussed the possibility of a roundabout intersection at the Hams Rd/Ghazeepore Rd junction. The upgrade of the intersection at Hams Rd/Ghazeepore Rd will need to be of a standard suitable to accommodate the majority of vehicle users requiring access to Ghazeepore Road and the wider road network. There are a number of benefits to upgrading the intersection at Hams Rd/Ghazeepore Rd in the form of a roundabout. They can be summarised as follows:

- Balanced turning and through movements is an ideal environment for a roundabout;
- Is an appropriate intersection treatment for the intersecting road categories;
- Introduces a slow point in Ghazeepore Rd where speeding is a source of resident complaints;
- Reduces the amount of conflict points;
- Provides reasonable pedestrian amenity (splitter islands that act as pedestrian refuges so that they can cross one carriageway at a time);
- Continues a theme along Sugar Gum Dr where there will be roundabouts at each end, with two midblock;
- It has an adequate distance from the level crossing so as any queues that form from northbound traffic at the roundabout will not extend that far;

- It should act as a deterrent to trucks using Ghazeepore Rd and especially Sugar Gum Dr.

It is considered that an upgraded intersection arrangement at the Hams Rd/Ghazeepore Rd junction would be sufficient to accommodate the increased traffic arising from the subject land and minimise any use of the Grange Park Estate as an alternative route, albeit elongated, to Ghazeepore Rd. In discussion with Council traffic engineers, it is considered unlikely that there would be any real traffic implications from the upgraded intersection at Hams Rd/Ghazeepore Rd- this includes the cumulative impact arising from surrounding developments.

#### Cumulative traffic impact

A number of submitters raised concern about the cumulative impact of developments in the area, including the proposed rezoning of the subject land. Submitters discussed the detrimental impact on Ghazeepore Road- a road that already carries large volumes of traffic and is hindered, in parts, by on-road car parking.

As a result of the residential development of the subject land, traffic volumes on Ghazeepore Road will increase. The actual traffic volume figures will be dependent on the extent of subdivision of the subject land. It is expected that traffic volumes will also increase in Sugar Gum Drive and Monterey Drive.

In addition to the potential increase in traffic from the residential development of the subject land, Council officers are fully aware of ongoing developments in the vicinity including the new Waurin Ponds railway station to the east, the new Baanip Boulevard to the south, both of which are currently under construction, and the subdivision of land within the Grange Park Estate (45 Grange Park Drive; Permit ref: PP420/2014).

It is understood that the railway station will be limited to 292 car parking spaces and consequently, 600-700 vehicle movements are expected per day. The Baanip Boulevard will provide a new signalised intersection giving access to the Surf Coast Hwy, Anglesea Road, Princes Hwy and the Geelong Bypass. The subdivision at 45 Grange Park Drive is currently being considered by Council and is likely to require upgrades to the local road network (Grange Park Drive) and traffic management measures.

Council officers acknowledge that the cumulative impact of developments in the area is a consideration in terms of the impact on the road network. A further assessment of the proposed development and its contribution to the cumulative impact on the surrounding road network will be considered at the detailed development plan/planning permit stage.

#### **Environmental concerns**

Submitters raised a number of environmental concerns. Submitters considered that the site provides a habitat for a range of species including growling grass frog and that development of the land will lead to the destruction of vegetation and animals. Submitters stated that it is important to address the ecological importance of the site during the rezoning stage and stressed the importance of the waterway for biodiversity. One submitter raised an issue about the site previously containing a livestock dip.

Council officer response:

### Fauna

The supporting Flora and Fauna Assessment considered the potential of the site to provide fauna habitat. It advised that the site contains patches of low quality vegetation with little habitat for significant species (degraded habitat). The report also stated that the waterway contains the most environmental sensitive areas within the site and requires careful consideration to avoid adverse impacts at the design stage.

The report did not identify any fauna of state or national significance during the site inspection.

Notwithstanding the findings of the flora and fauna assessment, Council officers consider it prudent to adequately address Clause 12.01 Biodiversity and Clause 21.05-3 Biodiversity of the Planning Scheme. This can be achieved by including a requirement in the schedule to the Development Plan Overlay for a detailed fauna assessment to be undertaken.

The purpose of the detailed fauna investigation will be to determine the use of habitat on site by significant fauna species, assess potential habitat and provision of measures required to mitigate impacts arising from development. Importantly, this requirement is also in response to the concerns raised by submitters in terms of the perceived ecological value of the site, the waterway and the indication of specific species seen on site, being growling grass frog and other significant species.

The requirement for a detailed fauna survey is further supported by the intention to carry out works to the waterway, which will be principally overseen by the CCMA. It would be beneficial to undertake the detailed fauna assessment during the preparation of the Development Plan to provide for an informed process prior to subdivision and development. (See Appendix 8 for the updated schedule to the Development Plan Overlay).

When dealing with relatively unknown technical issues such as on site biodiversity, it is important to exercise the precautionary principle through the strategic planning process. It is considered that the rezoning of the subject land can continue to be progressed on the basis that the above requirement is included in the schedule to the Development Plan Overlay.

### Waterway

The retention of the waterway through the subject land has been a long standing objective of Council and the CCMA. The exhibited schedule to the Development Plan Overlay requires the retention of the designated waterway, both the length and alignment, a vegetated buffer of no less than 20 metres on both sides of the waterway and also, the preparation of a waterway management plan. In addition to this, Council officers will now be seeking a detailed fauna assessment of the subject land to ensure there are no adverse impacts on biodiversity.

The above requirements are considered sufficient to ensure appropriate treatment to the designated waterway and associated environmental/ecological matters.

### Potential contamination

One submitter made reference to the subject land containing an historical livestock dip. The dip is not apparent when out on site and the submitter has not provided any factual information to confirm the statement. Council officers have sought additional information from the submitter and proponent and are waiting for information to be provided.

Given the historical agricultural land use of the site, there is potential for a livestock dip to have been used in the past. In discussion with Council's Environmental Health unit, it is considered that it would be in Council's interest to require an environmental assessment as part of the Development Plan. This will ensure that before a sensitive use commences, in this case being a residential use, the land must be deemed suitable for that sensitive use. (See Appendix 9 for updated schedule to the Development Overlay). The environmental assessment will require the proponent to confirm the extent and location of contamination on site, if any. Where significant contamination is identified, further works will be required to confirm the ability of the subject land to be used for residential purposes.

This issue will be further discussed during the weeks preceding and during the Panel Hearing to ensure the appropriate requirement/tool is used - the provision of further information from the submitter is crucial to determining the level of action required by Council.

### **Proposed Subdivision and Development - Impact on Neighbourhood character**

Numerous submitters raised concerns about the extent of development on the subject land and described it as 'overdevelopment' and 'high density development'. Submitters also requested that the future subdivision of the subject land should match the subdivision layout/character of the Grange Park Estate.

Council officer response:

#### Subdivision layout

The request for the subject land to be subdivided in manner that matches that of the Grange Park Estate is considered to have limited justification.

The Grange Park Estate, whilst affected by a number of covenants (as advised by submitters), is not safeguarded by any planning control in relation to neighbourhood character or heritage.

Council officers acknowledge that the Estate is rather unique in comparison to other subdivisions in the surrounding area. It is not representative of a typical General Residential Zone subdivision layout. It contains large lots and has an internal road layout that has similar characteristics to that found in a low density residential subdivision.

Council officers consider that there is planning merit in requiring the subject land to be subdivided along its frontage to Hams Road in a manner that provides a transition between the existing Grange Park Estate subdivision.

This requirement can be achieved using the schedule to the Development Plan Overlay in clause 3.0 Urban Design. A requirement will be included in the schedule to ensure that land fronting Hams Road is subdivided using a 'conventional residential layout'. This will ensure that there is a relative transition between land uses to the north and south. (Conventional residential layout is generally considered to range between 500-1000 sq. metres lots.)

Council officers consider this will lead to a good planning outcome and should provide submitters with a reasonable level of comfort in terms of issues raised about the impact on neighbourhood character.

### Overdevelopment/High Density Development

Concerns about overdevelopment and high density development are noted. However, the rezoning stage does not normally stipulate density requirements. This is a matter that is considered as part of the approval of the Development Plan and permits for subdivision.

Submitters have compared the potential subdivision layout of the subject land to the low density style subdivision layout found in the Grange Park Estate. In comparative terms, submitters have suggested that the future subdivision of the subject land will be 'high density'. Given the relative large sized lots in the Grange Park Estate, it is understandable that submitters from this area have raised concerns.

The schedule to the Development Plan Overlay will require a general subdivision layout that seeks a range of lot sizes and densities to provide for a range of housing types. It is highly unlikely that the subject land will contain what is known in the planning profession as 'high density development', which is generally the provision of lots at a density of 40 dwellings per hectare. The subdivision of the land is likely to predominantly consist of 'conventional style housing' with some areas of medium density housing.

Some submitters also raised issues about the draft concept plan that was included in the Council report of 24 June 2014. This plan was originally submitted to Council with the rezoning application. It was prepared for discussion purposes only and is not intended to represent the final layout or lot yield for the subject land. It simply demonstrates how the subject could be dealt with in terms of road layout, open space, drainage and density. The planning application also talks about an estimated lot yield of around 400 units. As discussed above, in comparison to the Grange Park Estate, this would be seen by submitters from the Grange Park Estate as 'high density' but in planning terms, this is not considered 'high density' and importantly, is not being proposed as part of the rezoning application.

### **Boral Quarry**

A key issue in the consideration of the rezoning application is the proximity of the Boral limestone quarry and associated separation distances for non-blasting quarrying operations.

The EPA advises that residential encroachment on industry is one of EPA's top 6 key focus areas. With residential developments being built closer to existing industry, this can cause health and amenity impacts on the community and can affect industry viability. The EPA recommends that Council consider whether the General Residential Zone is an appropriate interface to the Boral Quarry (interface being land uses that are located within the separation distance between industrial land uses and sensitive land uses.) The EPA advises that sensitive land uses that require a separation distance are discouraged by EPA's separation distance guidelines. The EPA recommends that Council seek DSDBI's input on the amendment, specifically in relation to the potential impacts to residential development at this separation distance.

DSDBI provided Council with an informal response to the exhibition of the amendment.

DSDBI advised that the quarry extraction limit is in the process of being revised due to the proximity of the new Baanip Boulevard. The revised location of the extraction limit will enable DSDBI to assess the suitability of the separation distance between the quarry and the proposed residential zoning, being Amendment C276. DSDBI advised that a dust study was being prepared by VicRoads to assist in the determination of a suitable extraction limit with respect to the new road..

DSDBI advised that should discussions between VicRoads, Boral and DSDBI not be finalised prior to the exhibition closing date (8 September 2014), it will request additional time to provide Council with a formal response.

DSDBI followed up with an email of 24 October 2014. The email included a map showing an approximate location of the potential southern boundary of sensitive locations (including residences) in the land immediately north of Baanip Boulevard by measuring a distance of 250 metres (in accordance with EPA requirements) from the proposed new extraction limit. The new extraction limit is approximately 20 metres south of the Baanip Boulevard road reserve. Based on this information Council officers prepared the map in Appendix 7. The map shows the area of the proposed C276 residential rezoning that is affected by the 250 metre buffer from the new extraction limit of the Boral quarry.

The area affected is approximately 6ha which is 25% of the total 24 hectare site proposed for the General Residential Zone.

The proponent has advised Council that they will seek to address this matter prior to and during the course of the Panel Hearing.

### **Corangamite Catchment Management Authority (CCMA)**

The CCMA has recommended that an additional requirement be included in the schedule to the Development Plan Overlay (clause 3.0 *Flooding, Stormwater and Drainage Management Plan*) in relation to flooding. The CCMA states that land within the affected area is subject to flooding to an 'unknown extent'. This request is considered logical in so far as determining the extent of the flooding on land that is being proposed for future residential use.

The CCMA has provided wording for inclusion in the schedule to the Development Plan Overlay (Refer to CCMA's submission (Submission No.1)).

Council officers consider that the CCMA's wording can be shortened and summarised as follows:

*"A Flood Impact Report."*

Council officers have also updated clause 4.0 Decision Guidelines of the schedule to the Development Plan Overlay. The change reflects the requirement for the flood impact report and for Council to seek the views of the CCMA in the assessment of the report given the CCMA is the managing authority for this designated waterway.

### **DTPLI (VicRoads)**

The coordinated response by DTPLI on behalf of VicRoads has requested that the schedule to the Development Plan Overlay be updated to reflect the correct road names for the Princes Freeway and Baanip Boulevard. Council officers have made the relevant changes to the schedule.

VicRoads also requested that the schedule to the Development Plan Overlay be updated in relation to the Acoustic survey. VicRoads proposed the following wording:

*"Acoustic noise measurements and modelling must be undertaken to determine whether any proposed residential property is predicted to have noise level exceeding 63dBA (L1018hr) based on predicted traffic volumes 10 years hence from the Princes Freeway (Geelong Ring Road) and Baanip Boulevard. The Acoustic Report must include recommendations and conclusions about the extent of any works necessary to mitigate noise impacts to the satisfaction of VicRoads and the Responsible Authority."*

Council officers originally included the requirement for an acoustic survey for the Baanip Boulevard. The acoustic assessment prepared in support of the rezoning application considered the Princes Freeway (Geelong Ring Road) and determined that no measures were necessary to mitigate against noise. Hence, Council officers request for only the Baanip Boulevard to be surveyed.

Council officers have sought clarification from VicRoads regarding their request to change the schedule to the Development Plan Overlay in relation to this issue. Council officers will give further consideration about updating the schedule once VicRoads has responded.

Subsequent changes have been made to clause 4.0 Decision Guidelines to ensure the views of VicRoads are sought in relation to any noise mitigation works.

### **Consultation**

A number of submitters raised concern about the limited consultation undertaken and that the proponent should undertake a full consultation exercise to ensure that everyone in the Grange Park Estate knows about the proposed rezoning.

Council officer response:

Council officers notified affected properties fronting Hams Road and properties extending into the Grange Park Estate. Amendment notices were also placed in the Geelong Independent and Advertiser. It is noted that submissions were received from residents in the Grange Park Estate who did not receive direct notification. This may have been as a consequence of word of mouth or resident handouts.

Given the recurring theme of submissions raised by submitters from the Grange Park Estate, Council officers consider that all relevant issues have been raised and as such will be given due consideration as part of the rezoning process.

In response to a number of submitters, Council officers have offered meetings to discuss the proposed rezoning application. After exhibition a residents group was formed and a public meeting held on 17th October 2014. A petition of 242 signatures objecting to the proposal was provided to Council.

On 28 October 2014, Council considered a report on the submissions which recommended they be referred to a Panel. Council resolved that the report be deferred following a request from the proponent so that specialist consultants could be engaged to undertake a more detailed analysis of issues raised in submissions. These reports are described below.

In the same period two meetings have been held with representatives of the residents from the adjoining Grange Park Estate. The meetings included the proponent, Council officers and the Ward Councillor and occurred both before and after the further consultant's work was commissioned.

### **Additional Consultant Reports**

Between November 2014 and April 2015 the proponent's consultants prepared three reports:

- *Planning Review - 35 & 69-93 Hams Road, Waurm Ponds*, 1 April 2015 (SMEC)
- *Traffic Impact Assessment Report - 35 & 69-93 Hams Road, Waurm Ponds*, March 2015 (SMEC)
- *Fauna Survey - Growling Grass Frog, Natural Spring, and Bird Habitat Survey*, Feb 2915 (Practical Ecology)

The *Planning Review* conclusions include:

*“The subject site is capable of accommodating residential development being largely unconstrained, topographically suitable, serviceable and easily accessed. The site is immediately abutting existing residential land and is clearly defined adjacent rail and road networks, and thus does not give any rise to issues of sprawl or need for consideration in that regard. The principle of the development of the land for residential purposes is sound.”*

In relation to impacts on the Grange park Estate, the review states:

*“The issues of impacts to immediate residents to the north will be addressed through the provision of larger lots to that interface, providing a respectful response and appropriate transition in lot sizes across Hams Road.”*

The review includes a plan showing larger lots (in the order of 750 square metres or larger) fronting Hams Rd. This plan is in Appendix 8. Council officers propose a change to the Development Plan Overlay (DPO) schedule to reflect this outcome (see next section of this report).

The *Traffic Impact Assessment Report* investigates proposed access arrangements to the site and assesses the traffic and safety implications of its development on the existing surrounding area and transport network. The report also considers the potential for “rat-running” along Grange Park Drive to access Ghazeeepore Road and travel north of the site. Based on the findings of this report, SMEC is of the opinion that the proposed residential development of the site will not have an adverse impact on the operation of the surrounding road network. However, the report outlines a variety of options for “Local area traffic management treatments” (LATM) to limit “rat running” through the Grange Park estate, these include:

- Diversion Devices – e.g. Full road closure, Half road closure, Diagonal road closure, Modified T-intersection (as a traffic calming measure or to change priority) and Left in/ left out islands;
- Horizontal & Vertical Deflection Devices – e.g. Lane narrowings/ kerb extensions, Slow points, Centre blister islands, Midblock median treatments and Roundabouts, Road humps (to be installed as part of the Chablis Park Estate development), Road cushions, Flat top road humps and Raised pavements;
- Signs and Linemarking

The DPO has been changed to require LATM, the details of which will need to be resolved with Council traffic engineers.

The additional *fauna survey* report by Practical Ecology was intended to address community concerns regarding the rezoning while also guiding a decision on whether a referral is required for the threatened Growling Grass Frog (GGF) *Litoria raniformis* under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

Three waterbodies were surveyed for the presence of the GGF and suitable habitat. No GGF were detected over two nights of surveys. The report found that the significance of these waterbodies to the GGF is low and a referral is not recommended.

### **Proposed changes to the amendment**

Council officers have amended the exhibited version of schedule 32 to the Development Plan Overlay in response to submissions and the additional consultant reports. A copy of the updated schedule 32 to the Development Plan Overlay is provided at Appendix 9 (track changes shown).

The post-exhibition changes are summarised below.

- The “Urban Design Master Plan” includes an additional requirement for residential lots of a minimum 750 square metres in area along the frontage to Hams Road to address the interface with the Grange Park Estate to the north.
- The “Road Network and Traffic Management Plan” includes two additional requirements:
  - Local area traffic management treatments to minimise vehicles from the development ‘rat-running’ or short cutting through Grange Park Drive and Brentwood Way to access Ghazeepore Road.
  - Vehicle access to the site to be limited to two access points on Hams Road only with no direct access to Ghazeepore Road
- The “Flooding, Stormwater and Drainage Management Plan” includes an additional requirement for a Flood/Hydraulic Analysis
- A requirement has been added for a detailed “Fauna assessment”
- A requirement has been added for an “Environmental Assessment” to assess the level and location of any soil contamination including from the former cattle dipping spray race adjoining the electrical sub-station.
- In clause 4.0 of the schedule- update the clause to reflect the requirement for relevant authorities to consider additional requirements outlined in clause 3.0.
- Various name changes have been made to roads as requested by Vic Roads.

#### ***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 from an agricultural perspective 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.

The schedule to the Development Plan Overlay requires the proponent to undertake a detailed Fauna assessment. This will ensure that the site and in particular, the natural waterway, have been suitably addressed from an ecological perspective prior to subdivision.

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 subject land 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***

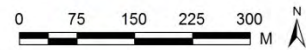
The amendment has been exhibited for 30 calendar days and provided affected property owners and service authorities an opportunity to submit comments for consideration.

Council officers have now considered all submissions and recommend that an Independent Panel be appointed by the Minister for Planning to hear the submissions. This forum will provide submitters with an opportunity to be heard by an independent panel of planning experts. Should Council resolve to request the Minister for Planning to appoint an Independent Panel, Planning Panels Victoria will contact submitters to inform them of the panel process.

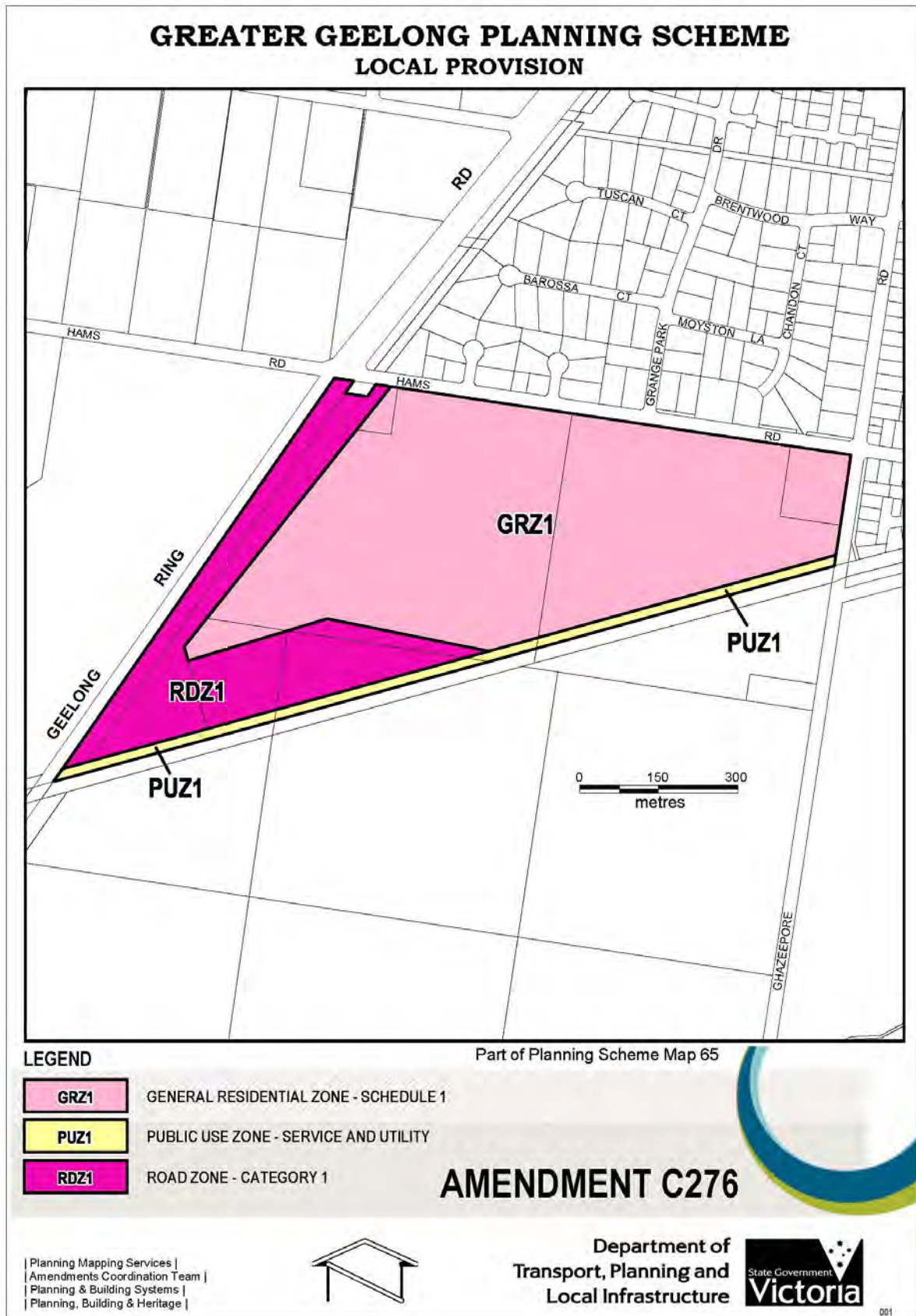
**Appendix 1 Site location plan**



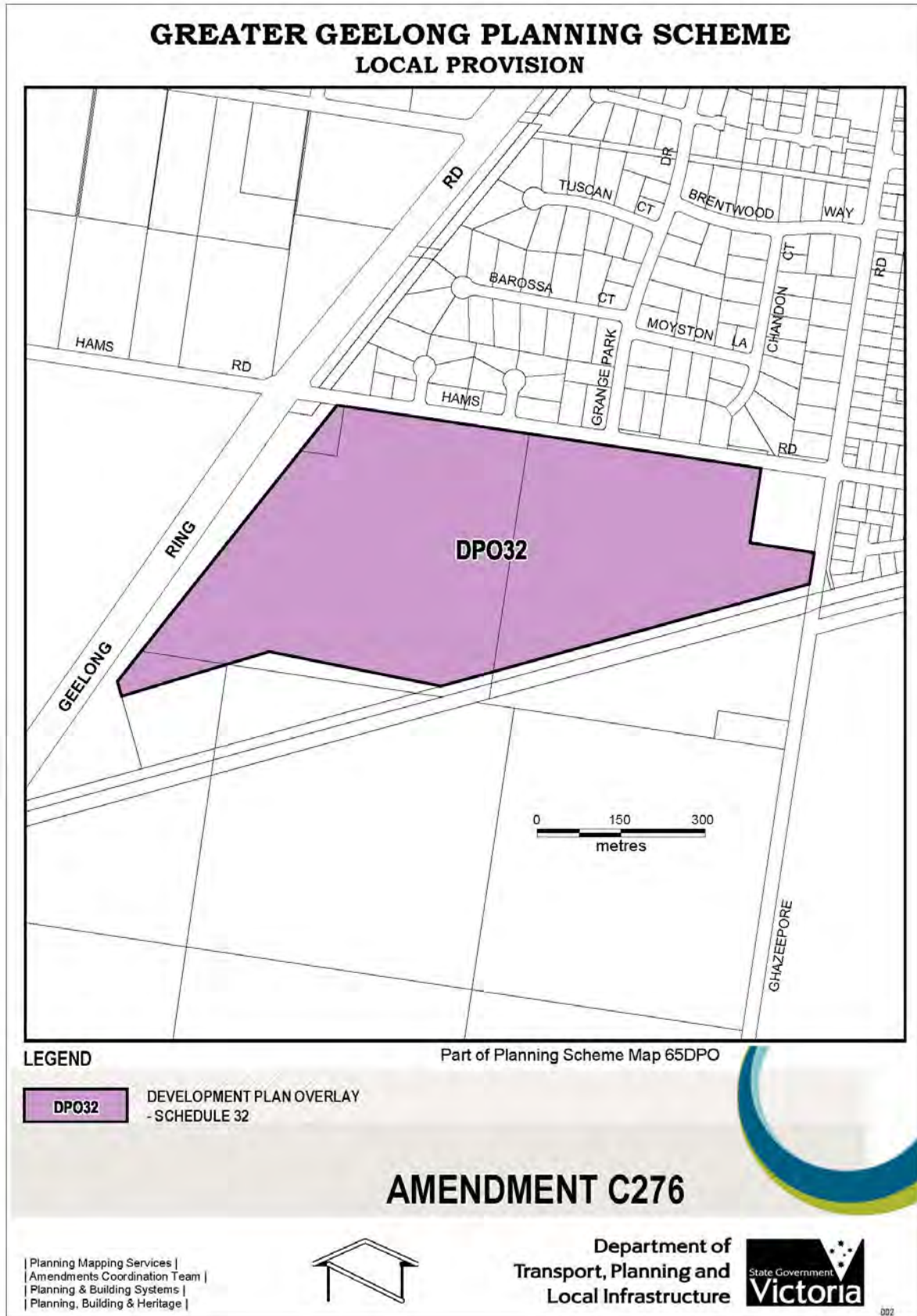
Prepared by City of Greater Geelong - 19 May 2014 (Aerial Imagery - January 2014)  
 Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong or Barwon Water in its use.



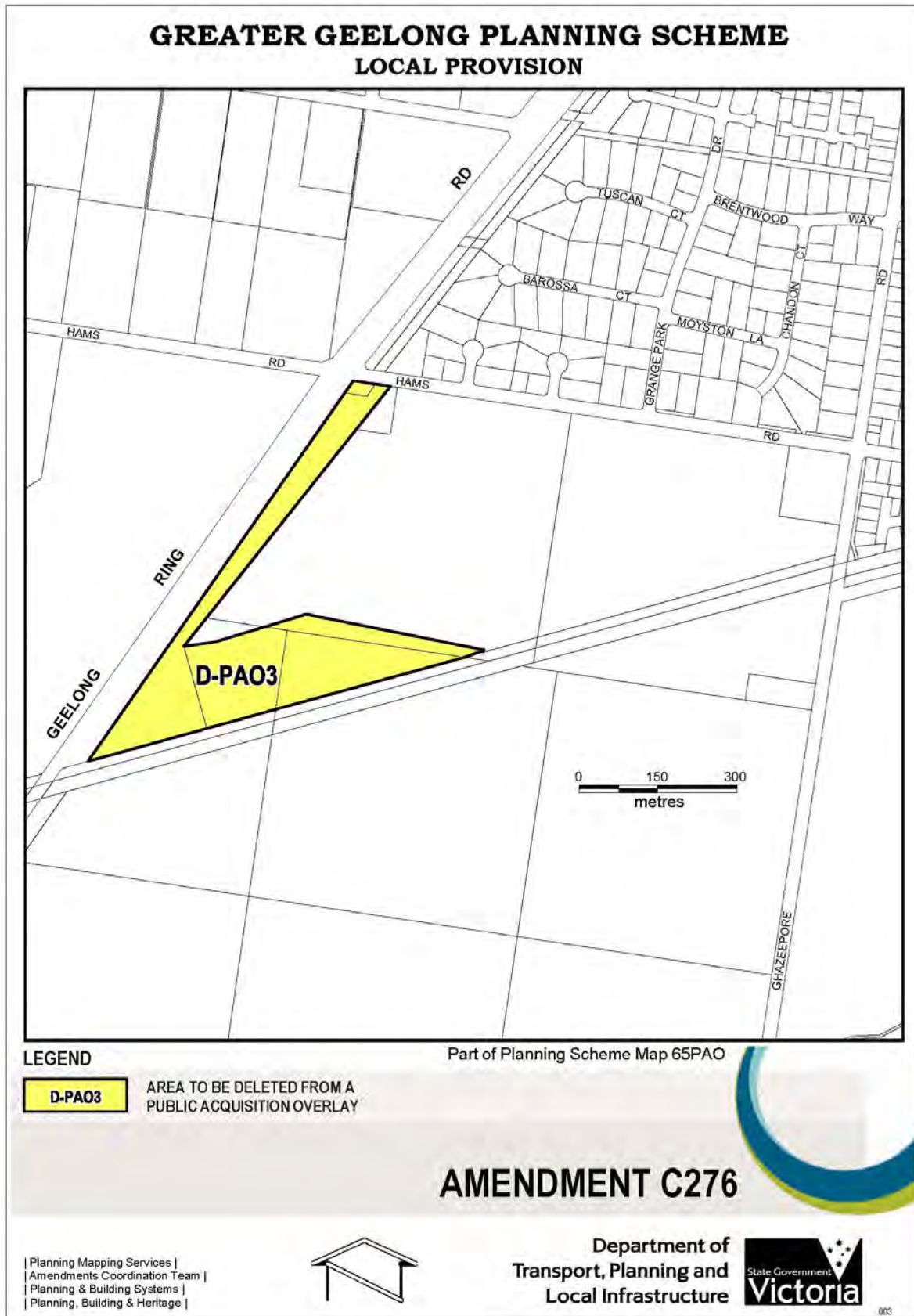
**Appendix 2 Proposed rezoning**



**Appendix 3 Proposed Development Plan Overlay**



**Appendix 4 Proposed deletion of Public Acquisition Overlay 3**



**Appendix 5 C276 Submitters map**



## Appendix 6 Summary of Submissions and Response

(Note: Some details of private submitters have been removed)

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
1.	Corangamite Catchment Management Authority (CCMA)	Dr Geoff Taylor	PO Box 159	COLAC VIC 3250	Submission	<ul style="list-style-type: none"> <li>Land within the amendment area is likely to be subject to flooding of an unknown extent.</li> <li>Recommend that wording be included in the DPO schedule requiring a robust and thorough floodplain assessment. (See CCMA's formal letter for proposed wording to be included in DPO schedule).</li> <li>Acknowledges the requirement for a 20m wide buffer on both sides of the waterway and the recommendation that the waterway alignment be retained.</li> <li>Supports inclusion of waterway management plan and thorough assessment of stormwater discharges.</li> </ul>	<p>CCMA's comments are noted and supported.</p> <p>The DPO schedule has been updated to include a requirement for a Flood/Hydraulic Analysis under the <i>Flooding, Stormwater and Drainage Management Plan</i>.</p>
2.	Department of Environment and Primary Industries (DEPI)	Geoff Brooks	PO Box 103	GEEELONG VIC 3220	Submission	<ul style="list-style-type: none"> <li>Site contains native vegetation (NV).</li> <li>Quality and location of NV would not, under current policy, present an obstacle to anticipated subdivision and development consistent with the proposed rezoning.</li> <li>NV will need to be offset consistent with the requirements in CI 52.17 in the planning scheme on removal.</li> </ul>	<p>DEPI comments are noted in relation to Native Vegetation.</p> <p>The proponent will be required to submit a permit for the removal of native vegetation at a later stage in the planning process.</p>
3.	Department of State Development, Business and Innovation (DSDBI)	Andrew Scott	121 Exhibition Street,	MELBOURN E VIC 3000	Informal submission	<ul style="list-style-type: none"> <li>DSDBI has been in close contact with Boral and VicRoads re. the proposed rezoning land.</li> <li>The Boral quarry extraction limit is in the process of being revised due to the proximity of the new Baanip Blvd.</li> <li>The revised extraction limit will enable DSDBI to assess the suitability of the separation distance between the quarry and the proposed residential rezoning.</li> </ul>	<p>A formal response from DSDBI is anticipated no later than 20 October 2014. This timeline is predicated on VicRoads providing their Dust Study to DSDBI prior to 6 October. Detailed discussion of this issue is provided in the Council report.</p>

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						<p>DSDBI understands that a dust study is being undertaken by VicRoads to assist in the determination of a suitable extraction limit with respect to the new road.</p> <ul style="list-style-type: none"> <li>DSDBI anticipates that the dust study will be prepared before the closing date for submissions, being 8 September. If not, DSDBI will request an extension of time to allow for a formal position on Amendment C276.</li> </ul>	
4.	Department of Transport, Planning and Local Infrastructure (DTPLI)	Jozef Vass	PO Box 775	GEELONG VIC 3220	Submission	<ul style="list-style-type: none"> <li>Combined response on behalf of DTPLI, VicRoads and Public Transport Victoria.</li> <li>No objection to amendment provided that the VicRoads changes are made to the DPO schedule: <ul style="list-style-type: none"> <li>Correct references to VicRoads road names.</li> <li>Update wording in relation to the requirement for an Acoustic survey.</li> <li>Update wording in the Decision Guidelines section. (Please see Council report for detailed discussion)</li> </ul> </li> </ul>	<p>The DPO schedule has been updated to reflect the correct road names for the Princes Hwy and Baanip Blvd.</p> <p>The request to change the wording for the acoustic survey is currently being discussed between Council and VicRoads. Further clarification is sought from VicRoads as to their review of the noise assessment prepared in support of the rezoning application.</p> <p>The DPO schedule has been updated to reflect the changes to the Decision Guidelines clause.</p>
5.	Environment Protection Agency (EPA)	Joanne Coupar	Cnr Little Malop & Fenwick Strs,	GEELONG VIC 3220	Submission	<ul style="list-style-type: none"> <li>EPA advises that residential encroachment on industry is one of EPA's top 6 key focus areas. EPA notes that residential developments built close to industry can cause health and amenity impacts on the community and can affect industry viability.</li> <li>EPA notes that the subject land is affected by the 250 metre separation distance from the Boral limestone quarry.</li> <li>EPA recommends Council consider whether the General Residential Zone is an appropriate interface to the Boral Quarry. (Interface uses</li> </ul>	<p>Council officers acknowledge the EPA as an important stakeholder in the rezoning process and consequently, the comments about the 250 metre separation distance from the quarry extraction limit are noted.</p> <p>Council are waiting for DSDBI's formal response about the amendment to the quarry extraction limit and will ensure that further discussions are held with DSDBI regarding the impact of the finalised extraction limit and 250 metre separation instance on the subject land.</p> <p>Detailed discussion regarding the proximity of the Boral Quarry is provided in the Council report.</p>

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						<p>being those located within the 250 metre separation distance).</p> <ul style="list-style-type: none"> <li>EPA recommends Council seek DSDBI's input on the amendment, specifically the potential impacts to residential development at this separation distance.</li> </ul>	
6.	Hudson		Moyston Lane,	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>Rezoning will allow subdivision of the land.</li> <li>View of farmland will diminish.</li> <li>Devalue property.</li> <li>No knowledge of rezoning when they purchased their property 12 months ago.</li> <li>Increase in traffic and congestion.</li> <li>Potential increase in crime.</li> <li>Impact of traffic, congestion and crime would impact on the current quiet and peaceful neighbourhood.</li> </ul>	<p>The objector is correct in so far as the rezoning application will lead to the eventual subdivision of the land for residential purposes. A further consequence of this will be that the objector's current view of farmland will change to one of urban development. The loss of views in this respect are not considered a significant barrier to the rezoning of the land.</p> <p>The issue of devaluation of property is not a planning consideration.</p> <p>The objector's lack of knowledge of the rezoning application when they purchased their property 12 months ago is an unfortunate circumstance. The rezoning application was submitted to Council in November 2013.</p> <p>There will be an increase in traffic. The extent to which this will affect the Grange Park Estate has not been determined but will be considered in detail at the development plan stage. The issue of traffic and congestion will be dealt with in the Council report.</p> <p>The potential increase in crime is a subjective issue that is not a consideration as part of the rezoning.</p>
7.	Kelly		Grange Park Drive	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>Concerns about the level of consultation for those property owners directly affected.</li> <li>Commends the developers for their vision and request to rezone the land. However, must object on the basis of the information provided on Council's website.</li> <li>Traffic <ul style="list-style-type: none"> <li>Proposed high density 430 lot</li> </ul> </li> </ul>	<p>Council officers notified landowners within the vicinity of the subject land. It is considered that landowners who may be impacted by the proposed rezoning have been notified. Notification was also advertised in the Geelong Independent and Geelong Advertiser. Council officers acknowledge that this submission is not a result of direct notification.</p> <p>Council officers acknowledge the objector's</p>

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						<p>subdivision will require at least 2000 vehicles access, to and from, this estate on a daily basis.</p> <ul style="list-style-type: none"> <li>○ Very few road options for entry to the proposed estate for residents.</li> <li>○ Ghazeepore Road under pressure at the moment and is likely to see more pressure from the new railway station and new Geelong Ring Road.</li> <li>○ Potential issues with road safety, safety of children, level crossing and lack of pedestrian crossing on Ghazeepore Road.</li> <li>○ Proposed roundabout at the intersection of Sugargum Drive, Ghazeepore Road and Hams Road seems incompatible – particularly when located within metres of a level crossing and not too much further to the major intersection where Ghazeepore Road meets the new Ring Road connection.</li> <li>○ At peak times, it seems reasonable to assume that residents of the proposed estate particularly those on the western side will prefer to use the Brentwood Way, Grange Park Drive option to eliminate the likely holdups at the Sugargum Drive – Ghazeepore Road – Hams Road intersection.</li> <li>○ Brentwood Way, Grange Park Drive have no footpath access and the local residents are forced to use the road as a pathway - this can happen</li> </ul>	<p>recognition of the developer's aspirations.</p> <p>It is acknowledged that access options to the subject land are limited and that principal access will be taken off Ghazeepore Road.</p> <p>The development of the land for residential purposes will increase the number of vehicles on Hams Road, Ghazeepore Road and most likely through the Grange Park Estate. Consequently, the Road Network and Traffic Management Plan, to be prepared as part of the Development Plan, will need to have regard to these issues by way of a traffic impact assessment.</p> <p>Issues of pedestrian safety are an important consideration for existing residents in the Grange Park Estate. Consideration of traffic calming measures may be a response to resolving these concerns. As above, this will need to be considered as part of the Road Network and Traffic Management Plan.</p> <p>In terms of the intersection upgrade works at Hams Rd/Ghazeepore Rd, should a roundabout be considered the best option, it is likely that this would enable a relative free-flow of traffic rather than requiring a signalised intersection that would require vehicles to become stationary. (Further discussion is included in the Council report.)</p> <p>The presumption that future residents of the subject land may use the Grange Park Estate as an alternative route to access Ghazeepore Rd and associated issues about pedestrian safety are valid concerns. This is a consideration that will be discussed further in the Council report.</p> <p>Issues in relation to subsidence are noted.</p> <p>The issue of net community benefit is one of balance, which requires the consideration of a range of existing and future physical, social and environmental issues and determining the level of net benefit to the community.</p>

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						<p>because traffic is so light</p> <ul style="list-style-type: none"> <li>○ These roads are also extremely susceptible to subsidence</li> <li>○ Roads are incapable of holding anything more than light local traffic. Greater thought needs to be given to the safety of local residents, cyclists and other vehicle users.</li> <li>• Net community benefit <ul style="list-style-type: none"> <li>○ Seems incongruous that these traffic, social and noise implications are imposed on those who chose to live in the existing neighbouring estate and who already contribute to the fabric of the community in such a positive way.</li> </ul> </li> <li>• Lot sizes <ul style="list-style-type: none"> <li>○ it is anomalous in the extreme to think lot sizes ranging from just 300m<sup>2</sup> to 600m<sup>2</sup> could even be contemplated, yet approved when the nearest contemporary neighbourhood/estate, Grange Park Estate (separated by only a road), has large lot sizes - the majority in excess of 1200m<sup>2</sup></li> <li>○ Grange Park Estate also has a number of strong covenants with regards to the dwellings themselves, street views, colours, roof type, clothes lines and water tanks</li> <li>○ Given these covenants and the evidenced actions of residents to preserve lot sizes/subdivisions whenever challenged in the past, it would be iniquitous to have</li> </ul> </li> </ul>	<p>The request for the subject land to be subdivided at a similar level to the Grange Park Estate is noted. However, the Grange Park Estate is not the only subdivision close to this land and consequently, the subdivision layout of the Grange Park Estate is not a determining factor in how this land should be subdivided.</p> <p>Nonetheless, it is acknowledged that the Grange Park Estate is different to a typical General Residential Zone subdivision in terms of lot sizes. In recognition of the character found in the Grange Park Estate in terms of its large lot sizes and low density residential development layout, it is considered a reasonable approach to request that the subject land be subdivided along its frontage to Hams Road using a conventional residential subdivision layout to establish a relative transition between the existing and future subdivisions.</p> <p>The Development Overlay Schedule has been updated to reflect this requirement.</p> <p>The said covenants are only applicable to land within the Grange Park Estate. The subject land is not affected by these covenants. It is a case for the landowner/proponent to consider the merit of imposing covenants of a similar style on the future subdivision of the subject land.</p>

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						<p>variations in lot sizes to the magnitude of those proposed should the land in question be rezoned</p> <ul style="list-style-type: none"> <li>○ The proximity of the proposed estate should require that it be uniform to the existing arrangements within Grange Park Estate</li> </ul>	
8.	Maiolo		Moyston Lane	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Grange Park Estate offers, quiet, semi – rural environment, safe and secure environment.</li> <li>• Increase in traffic, decrease safety and amenity in the Grange Park Estate- Transport Assessment has not acknowledged this issue.</li> <li>• Concerned about through-traffic in the Grange Park Estate from Hams Drive to Ghazeepore Road via Grange Park Drive and Brentwood Way. Small streets with no footpaths.</li> <li>• Increase in noise from traffic.</li> <li>• A roundabout intersection at Hams Road could result in the Grange Park Estate becoming a viable alternative traffic route to access Ghazeepore Road.</li> </ul>	<p>As mentioned above, it is acknowledged that the Grange Park Estate is different to the typical General Residential Zone subdivision found on the opposite side of Ghazeepore Rd to the subject land.</p> <p>The supporting transport assessment is “preliminary” and precludes the requirement for a full traffic impact assessment, as required by the Development Plan Overlay Schedule.</p> <p>The preliminary transport assessment considers that there will be no upgrade requirements to the intersections along Hams Road as it is anticipated that they will carry minimal additional traffic arising from the subject land. However, Council officers acknowledge the concerns of submitters and acknowledge that this will need to be addressed as part of a more detailed assessment.</p> <p>Potential noise increase arising from additional traffic is acknowledged. However, it is difficult at this stage to determine the level of impact on existing residents in the Grange Park Estate.</p> <p>The proposition of a roundabout intersection at Hams Rd/Ghazeepore Rd intersection is considered a logical proposal, albeit, the intersection arrangement is yet to be determined. The benefits of a roundabout intersection have been outlined above and are discussed in detail in the Council report.</p> <p>It is considered that principal access/egress from Hams Road will be via the new intersection as opposed to an elongated route via Grange Park</p>

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							Drive Estate. Again, it is acknowledged that Grange Park Estate will inevitably be subject to additional traffic, the extent to which is unknown.
9.	McVey		Brentwood Way	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Traffic- <ul style="list-style-type: none"> <li>○ increased traffic in Grange Park Estate; roads already require upgrading. Two accidents at Brentwood Way/Ghazeeepore Rd intersection- potential for increase in accidents through the use of Brentwood Way as a through-route. Ghazeeepore Road already under pressure.</li> <li>○ TIA and drainage review needs to be undertaken now and upgrades to Brentwood, Grange Park and Ghazeeepore undertaken before rezoning.</li> <li>○ Decrease in traffic safety.</li> </ul> </li> <li>• Proximity to Quarry- <ul style="list-style-type: none"> <li>○ Existing Boral mining lease needs to be extinguished before any amendment can be accepted.</li> <li>○ Quarry land to the south has been approved to be mined.</li> <li>○ Significant noise and dust emissions where there is a prevailing wind.</li> <li>○ Has not seen anywhere in Australia where residential development has been within 1km radius.</li> <li>○ The expansion of any mining activity and nature of groundwater/springs in this area would require detailed investigation due to issues of subsidence and other instability issues which may occur due to any extractive issue and alteration of</li> </ul> </li> </ul>	<p>The objector's concerns in relation to increased traffic in Brentwood Way are noted and also, the issues of safety at the junction with Ghazeeepore Rd.</p> <p>The requirement for a full traffic impact assessment at the rezoning stage is considered unnecessary and will be required as part of the Development Plan process.</p> <p>Issues relating to the Boral Quarry will be discussed in detail in the Council report, which will cover the majority of matters raised by the objector.</p> <p>It is noted that parts of the Grange Park Estate and subdivision at Sugar Gum Drive are located within a 1 km radius of the current Boral Work Authority. Consequently, the objector's statement is considered inaccurate about residential properties being within 1km of a quarry.</p> <p>The Boral Works Authority is being reviewed as a consequence of the new Baanip Boulevard. The implications of a revised Works Authority will be relevant to the assessment of the rezoning application. Extinguishing the Works Authority is not an option as part of the rezoning of the subject land.</p> <p>There is potential for dust emissions from the quarrying of land to the south of the subject land. The extent to which this will be an issue is currently being determined and is likely to be an ongoing consideration in the assessment of the rezoning application through to the Panel Hearing.</p> <p>The rezoning application is supported by a Surface Water Management Strategy. This considers the implications of the development of the land, associated issues of stormwater drainage and the surrounding land uses and</p>

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						<p>groundwater before any land can be rezoned. It would be negligent to approve a rezoning if impacts from mining have not been assessed.</p> <ul style="list-style-type: none"> <li>• Stormwater- <ul style="list-style-type: none"> <li>○ Where is the stormwater going to go?</li> <li>○ Existing issues due to surrounding land use constraints (railway line, roads and topography).</li> </ul> </li> <li>• Oversupply- <ul style="list-style-type: none"> <li>○ Just because it is an individual's investment profile to subdivide their land it is also in the commercial interests to not create a glut in an already depressing market and the impact this will have on a range of other investors could be detrimental.</li> </ul> </li> <li>• Environmental reasons- <ul style="list-style-type: none"> <li>○ area is a key habitat for many species and is unique in that it is fed by a spring which creates a unique flora and fauna.</li> <li>○ essential to assess the risk to the sensitive environmental issues before rezoning.</li> <li>○ Additionally I am aware from other pastoral landholders in the region that an old livestock "dip" was on the site. The significant residual contaminates and the impact these can still have today would need to be eliminated before the land is opened up for more direct exposure</li> </ul> </li> <li>• Not against people getting a return on their investment, when it is in line</li> </ul>	<p>natural waterways. The proposed strategy is considered acceptable subject to further detailed investigations that will be required as part of the Development Plan process.</p> <p>The issue of oversupply is noted. However, there is strategic justification in the Armstrong Creek Urban Growth Plan to investigate this area for future residential development. The rezoning application is now undertaking that work. Council has a number of growth areas that will deliver residential housing over time, such as the Armstrong Creek Urban Growth Area. These areas are very strategic and will be developed over a long period. It is understood that the subject land will be advanced after rezoning and is likely to be on-line to deliver housing to meet the needs of residents in the short - medium term.</p> <p>The rezoning application is supported by a flora and fauna assessment, which is considered sufficient for this stage of the planning process. A further requirement has been included in the DPO schedule requiring the detailed assessment of fauna on site. This is a direct response to the concerns raised by submitters.</p> <p>Council officers are not aware of a historical cattle dip on the site. Council officers have requested information from the objector and also, the proponent, in order to investigate this matter further. A requirement for an Environmental assessment has been included in the DPO schedule in the interests of precaution. This matter can be considered further as part of the Panel process.</p> <p>As discussed in other responses, in recognition of the character found in the Grange Park Estate in terms of its large lot sizes and low density residential development style, it is considered a reasonable approach to request that the subject land be subdivided along its frontage to Hams Road in a conventional residential development style to establish a relative transition between the</p>

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						<p>with best practice and all considerations have been suitably assessed.</p> <ul style="list-style-type: none"> <li>• Would expect conditions such as fitting in the amenity of the adjacent subdivisions is critical and any expansion is large blocks, suitably planned from a traffic, stormwater perspective and maintains the existing critical habitat.</li> <li>• Would also like to see the proponents undertake some significant consultation and education of their aspirations and plans as many people in impacted areas only stumbled across late, and from the neighbourhood grapevine.</li> </ul>	<p>existing Grange Park subdivision and future subdivision.</p> <p>The key issues for this site are being considered as part of the rezoning process. The rezoning stage is the first step in a lengthy process that leads to subdivision and development of land. It sets the framework for which further detailed assessment is required. The rezoning stage fleshes out key issues that would be of a magnitude sufficient to warrant the abandonment of an amendment and consequently, the subdivision and development of land.</p> <p>In terms of consultation, Council has undertaken notification in line with the requirements of the Planning and Environment Act 1987. Council officers have also offered this objector an opportunity to meet to discuss matters further.</p>
10.	Pecchiari		Grange Park Drive,	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Drawn to the area by rural nature, large blocks and quiet lifestyle.</li> <li>• Influx of traffic around the Grange Park Estate will significantly impact on the peaceful nature and safety of the landscape.</li> <li>• Roads within Grange Park Estate and adjoining roads, including Hams Road, poor foundation, constantly requiring upgrades.</li> <li>• Increase in traffic would continue to impact on the integrity of the surrounding road surfaces requiring constant repair and costs to Council.</li> </ul>	<p>It is acknowledged that the Grange Park Estate is on the urban edge of Geelong currently adjacent to the farming land that is subject to this rezoning application.</p> <p>Detailed discussion of traffic related issues will be discussed further in the Council report.</p> <p>Issues in relation to the current state of the road network in the Grange Park Estate/Hams Road are noted. Hams Road will be upgraded and widened as part of the subdivision of the land. This will result in a good outcome for car users, cyclists and pedestrians. Costs for the upgrade works to Hams Road and Ghazeepore Road will be burdened by the developer.</p>
11.	Smigowski		Hams Road	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Statements about rezoning are inaccurate in relation to environmental impact- major impact on natural waterways and ponds.</li> <li>• New development won't mirror Grange Park Drive Estate.</li> <li>• Waterway is filled with natural water run off- never been dry- will rezoning have no significant impact</li> </ul>	<p>The rezoning application is supported by a flora and fauna assessment. The assessment acknowledges the waterway as being the most environmentally sensitive area within the site and that it will require careful consideration during the detailed design. Council has considered this issue and has included an additional requirement in the schedule to the Development Plan Overlay requiring a detailed fauna assessment to be</p>

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						<p>on that...</p> <ul style="list-style-type: none"> <li>• Proponents study suggests land is no longer viable for farming- presumption is that this refers to arable farming. Land has been used for grazing.</li> <li>• If high density development proceeds, vegetation and animals will be destroyed.</li> <li>• Estate agent advised that south side of Hams Road would not be developed- significant factor in buying property.</li> <li>• Large frog population in waterway and ponds- healthy environment.</li> <li>• Questions Council's integrity in seeking to rezone the land.</li> <li>• Ideal area for recreational use.</li> </ul>	<p>undertaken.</p> <p>It is unlikely that the subdivision of the land will match that of the Grange Park Estate. Council officers support a transition between the existing Estate and the new subdivision, as outlined in previous responses.</p> <p>The waterway that traverses the site is designated under the Waterway Act. Consequently, the CCMA will require a permit for works in, on or over the waterway. CCMA require that the natural alignment and length of the waterway be retained and that a minimum 20 metre vegetated buffer be provided on both sides of the waterway. This should ensure that existing environmental conditions are considered as part of the preparation of the development. The retention of the natural waterway should also ensure that existing water flows are retained.</p> <p>In general terms, given the size and fragmented nature of the subject land, its viability for intensive agricultural production is considered limited. The objector's presumption that the land's limited viability for intensive agricultural use relates to arable farming is incorrect.</p> <p>The objector's reference to 'high-density' density is ambiguous. It is considered that this statement refers to the relative high density likely to occur on the subject land compared to the Grange Park Estate, which is very much a low density style residential subdivision. The delivery of what is known industry wide as 'high density' (40 dwellings per hectare) on the subject land is unlikely to occur but rather conventional to medium density development.</p> <p>It is an unfortunate situation that misinformation was provided by the estate agent at the time the objector purchased his property.</p> <p>The objector's reference to frog population is noted- it is unclear as to what species of frog. As outlined above, the flora and fauna assessment has considered the likely of the site being used</p>

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							<p>by significant fauna species. Further assessment will be required as part of the Development Plan process.</p> <p>Council's role is to assess the merits of the rezoning of the land as suitable for residential development. Issues relating to integrity are not relevant in this case.</p> <p>The application before Council seeks to rezone the land for residential purposes not for recreational use. The Armstrong Creek Urban Growth Plan discusses the potential of the subject land to 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</p> <p>Railway Station and associated local activity centre.</p>
12.	Smith		Grange Park Drive	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Vast increase in traffic flows through Grange Park Estate- Transport Assessment has overlooked this issue.</li> <li>• Potential for 800 plus cars to access Ghazeepore Road via the Grange Park Estate.</li> <li>• Grange Park Estate has a largely rural character with spacious blocks, large wide nature strips and no footpaths. Very little traffic flow.</li> <li>• To try and protect pedestrian safety in the estate would be to dramatically alter the amenity and character of the existing neighbourhood.</li> <li>• Transport study makes no mention of new railway station which will greatly increase traffic on Ghazeepore Road and the new intersection to be provided.</li> <li>• Impact on the value of their property.</li> </ul>	<p>Traffic through the Grange Park Estate is likely to increase, the extent to which is unknown. However, it is considered that the majority of vehicles will utilise the new intersection at Hams Rd/Ghazeepore Rd to gain access to the wider road network.</p> <p>It is difficult to determine the increase in vehicle movements as a result of the completed development of the subject land. It is also considered highly unlikely that all cars exiting from the subject land would utilise the Grange Park Estate to access Ghazeepore Road.</p> <p>On the basis that the objector would not want to try to protect pedestrian safety in the Grange Park Estate because it may dramatically alter the amenity and character of the neighbourhood, is a difficult situation for Council officers to address. It is considered that the objector would like to see no increase in vehicles in the Grange Park Estate beyond those of existing residents- this would be unrealistic.</p> <p>The preliminary transport assessment does</p>

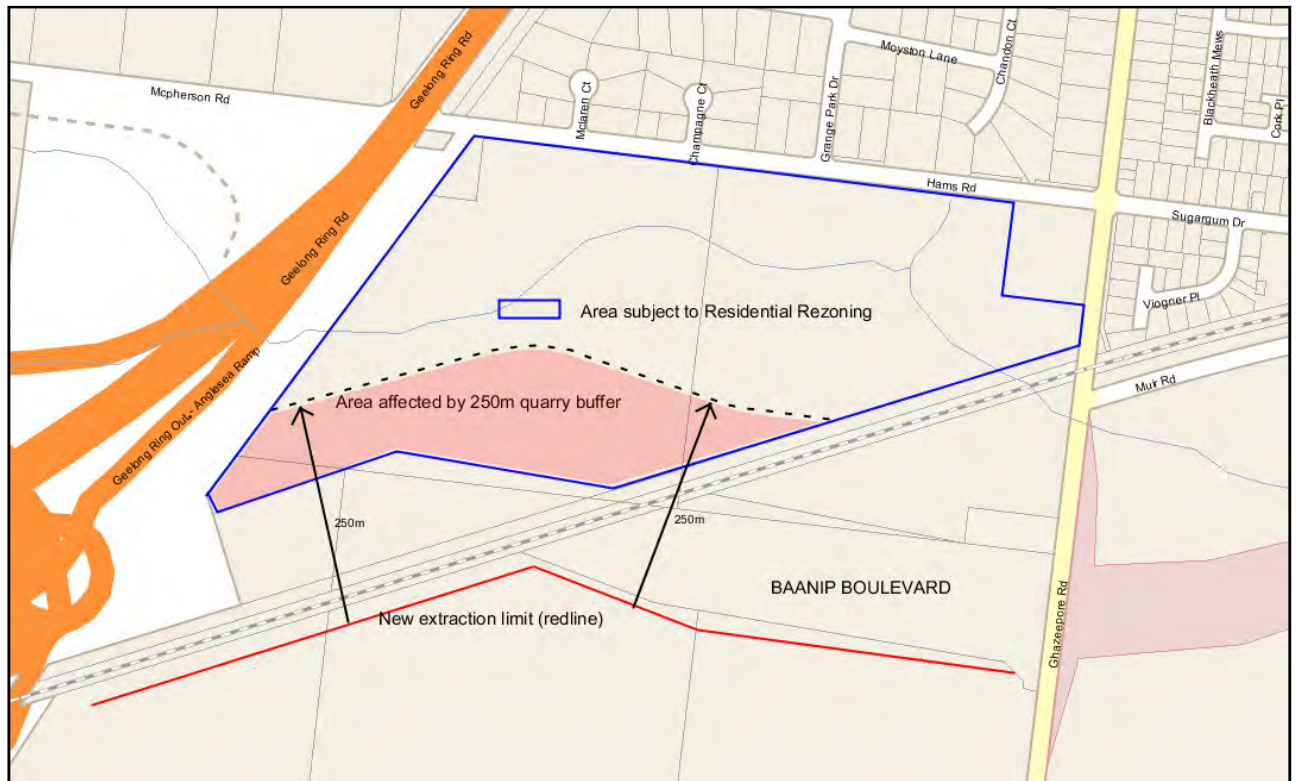
No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						<ul style="list-style-type: none"> <li>The proposed subdivision (medium density superlots, medium density and conventional housing) will not be in keeping with the character of the area which is one of spacious lots.</li> <li>Numerous frog-egg colonies present on the site in the dam and in the natural spring to the east. Growling grass frog present- a better assessment needs to be undertaken. Their habitat should be protected.</li> <li>Advertising of the amendment has not been successful- many residents do not receive the Independent.</li> </ul>	<p>discuss the new railway station. However, not to the extent where it considers the impact of on Ghazeepore Rd and the new intersection to be delivered at Hams Rd/Ghazeepore Rd.</p> <p>Impact on property value is not a planning consideration.</p> <p>A variety of housing densities will be encouraged on the subject land. It has been outlined above that a requirement will be included in the Development Plan Overlay schedule to consider the transition in built form between the Grange Park Estate and the subdivision of land fronting Hams Road on the south side.</p> <p>The supporting flora and fauna assessment considers potentially occurring significant fauna species, including the growling grass frog. The report states that 'no recent records, degraded habitat on site- may be seasonal movement.' Notwithstanding this, a requirement for a detailed fauna assessment has been included in the schedule to the Development Plan Overlay.</p>
13.	SP AusNet	Deepank Gupta	Level 30, 2 Southbank Boulevard	SOUTHBAN K VIC 3006	Submission	<ul style="list-style-type: none"> <li>AusNet has a 250mm gas transmission pipeline in the vicinity of 151-229 Anglesea Road, traversing north-south.</li> <li>Refers to the Safety Management Study prepared to inform the rezoning application.</li> <li>With an understanding that the detailed development plans will be prepared in later stages, AusNet services has no objection with the proposed rezoning, provided that Council notifies AusNet services as part of the assessment of a planning permit and that the SMS is referred to in the planning application.</li> </ul>	SP AusNet's comments are noted and supported, as per the terms of the Safety Management Study undertaken for the rezoning application.
14.	Strickland		Grange Park Drive,	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>Grange Park Drive- low density; 118 allotments; majority of lots above 2,000 sq.m.</li> <li>Objects to last portion of farming land being turned into medium-high</li> </ul>	<p>The existing character of the Grange Park Estate is acknowledged.</p> <p>There is strategic justification to review the subject land for residential development, as</p>

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						<p>density housing with approximately 430 allotments ranging in size from 300 sq.m to 600 sq.m.</p> <ul style="list-style-type: none"> <li>• Increase in traffic- additional 800 vehicles.</li> <li>• Overflow traffic will travel through Grange Park Drive to Ghazeepore Rd via Brentwood Way.</li> <li>• Traffic impact on Ghazeepore Rd including additional traffic from WaurN Ponds train station.</li> <li>• Cars parked on Ghazeepore Road make it very difficult for buses to stop and impacts on traffic flow.</li> <li>• Safety of children.</li> <li>• Proponent's noise assessment was prepared prior to the ring road opening and has given false results as the noise in the area has impacted greatly. Noise will only get worse once the Baanip Boulevard is opened.</li> <li>• There is a natural spring on the land- how will it be protected?</li> <li>• Why is Powercor substation being rezoned to general residential?</li> </ul> <p>Gross overdevelopment Massive increase in traffic Safety of residents Loss of amenity Noise</p>	<p>outlined in previous responses. The likely density to be provided on the amendment land will be conventional to medium density housing, representative of typical subdivisions in the General Residential Zone and as found in nearby subdivisions on Sugar Gum Drive.</p> <p>Traffic implications will be discussed in detail in the Council report and matching concerns have been discussed in previous responses.</p> <p>Existing parking issues on Ghazeepore Road are acknowledged. This is an issue beyond the scope of the rezoning application but is acknowledged in so far as the proposed site will increase numbers of traffic users on Ghazeepore Road.</p> <p>The noise assessment was prepared after the Ring Road was opened. The assessment considers the Geelong Ring Road (Section 4B) in terms of potential noise impact on the future subdivision of the amendment land. A noise assessment of the new Baanip Boulevard will be required in the schedule to the Development Plan.</p> <p>Council officers are not aware of a natural spring located on the site. The designated waterway that traverses the site will be retained and will include vegetated buffers on both sides to protect the waterway.</p> <p>The Powercor substation is being zoned General Residential as it is the most suitable land use zone. Minor utility installations such as this one are permitted in the General Residential Zone and exempt from permit requirements for buildings and works, as provided for in the Planning Scheme.</p>
15.	Williams		Champagne Court	WAURN PONDS	Objection	<ul style="list-style-type: none"> <li>• Ill conceived and should not proceed.</li> <li>• Grange Park Estate- quiet, semi-rural feel with low traffic, low-density housing and unique neighbourhood aspect.</li> </ul>	<p>The objector's request to stop the rezoning is noted but not supported.</p> <p>The existing character of the Grange Park Estate is acknowledged.</p> <p>As discussed previously, high density</p>

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						<ul style="list-style-type: none"> <li>• Allowing an unconstrained high density development immediately opposite an extensively controlled and concept managed area is unfair. The proposed site will be very different from the Grange Park Drive Estate and the inconsistency will be inappropriate.</li> <li>• Increase in light from new development will destroy the current night amenity of the area.</li> <li>• Increase in vehicle activity and noise on Hams Road- destroy amenity.</li> <li>• Proposed number of dwellings- ludicrous. Poor access arrangements.</li> <li>• Residents use Hams Road and Grange Park Drive for recreational walking, riding and exercise. Grange Park area does not have footpaths- residents use roadways as pedestrian ways.</li> <li>• Increase in volumes of traffic on Grange Park Drive and Brentwood Way. New residents will use the existing estate as a through-way detrimental to the amenity of area, safety and road structure issues.</li> <li>• Treatment of waterway is fanciful and will destroy natural character. It is a natural wetlands area that should not be artificially restructured.</li> <li>• Significant area for local fauna. Supporting flora and fauna assessment is limited. Present on site: <ul style="list-style-type: none"> <li>• Frogs</li> <li>• Possible fish</li> <li>• Resident parrots</li> <li>• Wedge tail eagles and predatory birds</li> </ul> </li> </ul>	<p>development is not being proposed for the subject land. It is considered that the objector is speaking in relative terms to the large lots subdivided in the Grange Park Estate.</p> <p>The subdivision of the subject land is likely to be different to the Grange Park Estate, albeit, Council officers will endeavour to establish a transition between the Grange Park Estate and the subject land along Hams Road.</p> <p>There will be an increase in light from the future development of the land. It is not considered that this would be detrimental to the amenity of existing residents in the Grange Park Estate.</p> <p>Hams Road will be upgraded and widened and connect with the existing court bowl at the western extent of Hams Road and with the intersection at Ghazeepore Road. It will be capable of accommodating the increase in traffic from the residential development of the subject land.</p> <p>The proposed number of dwellings that are discussed in the Council's report of 24 June 2014 are conceptual and unlikely to be achieved once detailed design is undertaken and on-site constraints addressed.</p> <p>Principal access to the subject land will be via Hams Road. Other access points on Ghazeepore Road are not viable due to the location of the Powercor Station and the level crossing.</p> <p>The existing road set-up in the Grange Park Estate is noted. It is suited to a more low density style of development and it is likely to be used by some vehicle users from the subject land. The extent to which the Grange Park Estate may be used as a thoroughfare is unknown until detailed assessment is undertaken.</p> <p>As mentioned in previous responses, the CCMA are responsible for designated waterways. It is considered that subject to further detailed considerations, the retention of the waterway and</p>

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						<ul style="list-style-type: none"> <li>Ducks; Swans; Cockatoos; Finches</li> <li>Bird flight paths- migratory birds.</li> <li>Kangaroos</li> <li>Creating artificial open space or shared paths along a wetland course will destroy the watercourse habitat. The reserve will be minimized and artificialised.</li> <li>Land is subject to natural water runoff/springs and is a heavily clay area. Developer will need to spend a lot of money to turn land in residential areas.</li> </ul>	<p>requirement for vegetated buffers on both sides of the waterway, including a waterway management plan, will lead to a good outcome. The inclusion of a shared path along the waterway will provide good connections to the existing wider shared path network and bring activity to the waterway reserve.</p> <p>The extent of fauna listed by the objector is noted. As above, an additional requirement has been included in the schedule to the Development Plan Overlay for this issue.</p> <p>The cost implications for the proponent are not a consideration for Council.</p>
<b>ADDITIONAL LATE SUBMISSIONS</b>							
16.	Black		Grange Park Drive	WAURN PONDS	Objection	<p>NOTE: Submissions 16 to 26 have not been summarised in this report. The submissions raise issues that are the generally the same issues already raised in the other submissions. All the key issues are addressed in the body of this Council report.</p> <p>A full summary of the submissions will be prepared for the Panel Hearing</p>	
17.	Cooper		Barossa Court	WAURN PONDS	Objection		
18.	Cronin		Grange Park Drive	WAURN PONDS	Objection		
19.	Haigh		Tuscan Court	WAURN PONDS	Objection		
20.	Monea		Hams Road	WAURN PONDS	Objection		
21.	Mountjoy		Grange Park Drive	WAURN PONDS	Objection		
22.	Nott		Ghazeepore Road	WAURN PONDS	Objection		
23.	Simpson		Traminer Court	WAURN PONDS	Objection		
24.	Smith		Tigerlilly Lane	WAURN PONDS	Objection		
25.	Spronken		Barossa Court	WAURN PONDS	Objection		
26.	Trigg		Hams Road	WAURN PONDS	Objection		

**Appendix 7 – Area affected by 250m Boral Quarry Buffer**



### Appendix 8 – Proposed Interface Treatment along Hams Rd



**INDICATIVE RESIDENTIAL INTERFACE CONCEPT**  
35 & 69-93 HAMS ROAD, WAURN PONDS



Scale: 1:2000 @ A3  
0 20 40 60m

ref: 10319624  
date: 13 March 2015  
drawn: SJA/DS  
checked: SJC

please note:  
This plan is based on preliminary information only and may  
be subject to change as a result of Council's planning  
agency, detailed site investigations and confirmation by  
survey.

Local People. Global Experience.  
Planning, Urban Design and  
Landscape Architecture  
Hastings, Geelong & Melbourne  
plus 47 other A/V/S LAs

## Appendix 8 - Updated Development Plan Overlay Schedule

GREATER GEELONG PLANNING SCHEME

VERSION FOR COUNCIL MEETING 28 APRIL 2015  
Highlights changes made since exhibition.  
Yellow highlights are changes made since Council report of 28 Oct 2014

DDMM/YYYY  
C276

### **SCHEDULE 32 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO32**.

#### **35 Hams Road and 151 – 229 Anglesea Road, Waurin Ponds**

A Development Plan must be prepared, to the satisfaction of the Responsible Authority, to guide the future subdivision, use and development of the land and to require a range of detailed planning issues to be resolved prior to the commencement of development of the area.

#### **1.0 Requirement before a permit is granted**

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Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or carry out works provided that it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

#### **2.0 Conditions and requirements for permits**

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A permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.

A permit for subdivision must contain a condition which requires the owner to enter into an agreement with the Responsible Authority pursuant to a Section 173 Agreement of the Planning and Environment Act 1987 to secure the following works:

- Road Works;
- Drainage Works;
- Open Space Works.

as outlined in the approved Development Plan.

#### **3.0 Requirements for development plan**

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Only one Development Plan may be approved for the area covered by this Schedule, to the satisfaction of the Responsible Authority.

The Development Plan must include:

An **Urban Design Masterplan** that includes:

- The location of all proposed land uses including but not limited to roads, public open space, drainage reserves, and other known authority reserves.
- Contours of land at 0.5m intervals.
- The general subdivision layout including the location and distribution of lots showing a variety of lot sizes and densities to provide for a range of housing types. The layout is to maximise solar efficiency to as many lots as possible.
- Residential lots of a minimum 750 square metres in area along the frontage to Hams Road to address the interface with the Grange Park Estate to the north.
- The location of access and connection points to the site on Hams Road and Ghazepore Road.
- The retention of the designated natural west-east waterway (length and alignment, where practical), must be incorporated into the subdivision layout.

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- Vegetated buffer zones at least 20 metres wide along each side of the designated waterway. The vegetated buffer zones must be set aside for ecological and recreational purposes.
- A linear open space reserve along the natural west-east waterway, incorporating the vegetated buffer zones, including a shared path located on one side of the waterway (the path may change sides, if necessary and appropriate) and above the 1 in 100 year flood extent. Logical connections to the [Princes Freeway \(Geelong Ring Road\)](#) shared path, the Hams Road underpass and to Ghazeepore Road must be provided.
- An urban design response to address the interface with:
  - the Powercor utility station;
  - the [Princes Freeway \(Geelong Ring Road\)](#) and [Baanip Boulevard \(Sections 4B and 4C\)](#);
  - the Geelong-Warrnambool railway line- the recommendations included in the *Marshall Day Acoustics Road traffic and Rail Noise Assessment report July 2013* should be incorporated; and
  - Ghazeepore Road- the recommendations included in the *Marshall Day Acoustics Road traffic and Rail Noise Assessment report July 2013* should be incorporated.
- Designation of fencing design provisions in relation to the interface with public open space- permeable fence treatments must be provided to all lot boundaries with public open space areas, including walkway reserves.

**A Road Network and Traffic Management Plan** that includes:

- An internal road layout that provides for a high level of permeability through, and access within, the development, for all vehicular and non-vehicular traffic and which responds to the topography of the site.
- Definition of the cross-sections, including where relevant, verge widths, nature strips, kerb and channel, pavement widths and pathways for all identified roads within and abutting the development, to meet the network traffic needs and be capable of incorporating any drainage elements (e.g. WSUD).
- **Local area traffic management treatments to minimise vehicles from the development 'rat-running' or short cutting through Grange Park Drive and Brentwood Way to access Ghazeepore Road.**
- **Vehicle access to the site to be ~~located~~ limited to two access points on Hams Road only with no direct access to Ghazeepore Road.**
- The upgrading of the intersection at Hams Road and Ghazeepore Road.
- The upgrading and widening of Hams Road between the Hams Road court bowl and the intersection at Ghazeepore Road.
- The upgrading and widening of Ghazeepore Road between the Hams Road and Ghazeepore Road intersection and the Geelong-Warrnambool Railway Reserve.
- Pedestrian/cycle crossing arrangements at Ghazeepore Road will be required to a level of safety and amenity provided at the intersection at Hams Road and Ghazeepore Road.

The Road Network and Traffic Management Plan is to address all off-site traffic infrastructure requirements associated with the development of the site. The Road Network and Traffic Management Plan must be accompanied by a Road Safety Audit prepared by an

GREATER GEELONG PLANNING SCHEME

appropriately qualified person and must address any safety issues raised in the Audit which arise as a consequence of the development of the land.

A **Flooding, Stormwater and Drainage Management Plan** that adopts an integrated approach to stormwater system management, is designed with reference to the whole of the catchment and includes:

- Reference to:
  - *WSUD Engineering Procedures: Stormwater, CSIRO Publishing, 2005;*
  - *Clause 56-07 Integrated Water Management of the Greater Geelong Planning Scheme;*
  - *City of Greater Geelong Stormwater Management Plan, 2002;*
  - *Infrastructure Design Manual and related City of Greater Geelong Design Notes.*
- A Drainage Feasibility Study.
- Water Quality Impact Report.
- A Flood/Hydraulic Analysis, including detailed information pertaining to the flood prone nature of the site. Any plans provided must identify the extent of flooding in a 1% AEP flood event for pre-development and post-development conditions.
- A single, integrated stormwater management system, which ensures that peak discharge rate, and pollutant load of stormwater leaving the site post-development is no greater than pre-development conditions and provides for discharge to the existing drainage system.
- Approximate size and location of all drainage system components, including any upgrades, modifications or reconstruction requirements of culverts/culvert crossings, both on and off-site.
- Arrangements for altering the drainage network within the Princes Freeway (Geelong Ring Road) (~~Section 4B~~) road reserve to consolidate the overland flow path through the proposed development site within the waterway corridor.
- A Waterway Management Plan.

The Flooding, Stormwater and Drainage Management Plan is to address all off-site drainage infrastructure requirements associated with the development of the site and be developed with due consideration of other land in the whole of the catchment containing this site.

An **Open Space and Landscape Masterplan** that includes:

- An open space contribution equal to 10% of the developable residential land or in-lieu cash payment or combination of both.
- Encumbered land shall not be credited as Public Open Space including land set aside for plantation buffer treatments (unless it is demonstrated that the plantation buffers can be used for the purpose of open space), drainage reserves and land within the waterway defined as the bed and banks and the area generally required for the overland flow in the 1 in 100 year occurrence interval flows.
- The natural west-east waterway (linear open space reserve) will comprise the principle area of public open space on the site. The open space and landscape masterplan must:

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- Show the useable areas of public open space and the ability of the linear open space reserve to accommodate the waterway, vegetated buffer zones, stormwater management system, including drainage basins.
- Show the location of the shared path and should include seating and resting points, wayfinding signage, linkages to Ghazeeopore Road and the VicRoads shared path. The shared path is to provide a continuous link from the eastern end to the western end of the site.
- Show areas of vegetation to be retained and new areas of planting.
- The open space and landscape masterplan must consider the recommendations contained in the *Practical Ecology report Flora and Fauna and No Net Loss Analysis Recommendations April 2014*.
- The natural west-east waterway (linear open space reserve) shall have an active frontage on both sides to provide passive surveillance.
- The extensive use, where possible, of local indigenous plant species throughout the development site and in particular within the waterway vegetated buffer.

The Open Space and Landscape Masterplan is to ensure that areas set aside for useable public open space are clearly visible and accessible, providing safe and convenient land to serve the recreational needs of current and future residents in the locality. Passive surveillance to such areas shall accord with Crime Prevention Through Environmental Design (CPTED) principles.

A **Cultural Heritage Management Plan** (CHMP) should be prepared to inform the Development Plan. The CHMP should be prepared in accordance with the recommendations contained in the *Benchmark Heritage Management Cultural Heritage Assessment April 2014*.

A detailed **Fauna Assessment** to determine the use of habitat on site by significant fauna species, assess potential habitat and the provision of measures required to mitigate impacts arising from development, where required.

An **Environmental Assessment** that must include:

Assessment of the land by a suitably qualified environmental professional detailing the level and location of any contamination including from the former cattle dipping spray race adjoining the electrical sub-station. The assessment is to be peer reviewed by a suitably qualified environmental professional approved by the Responsible Authority. If the Responsible Authority is satisfied that significant levels of contamination have been found:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment protection Act 1970; or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Any planning permit must contain whatever conditions are reasonably necessary to give effect to the requirements of the certificate or statement as the case may be.

An **Acoustic Survey** must be undertaken to determine the extent of noise arising from the ~~Geelong Ring Road (Section 4C~~ Baanip Boulevard) and the potential impact on sensitive land uses within the development site. The acoustic survey must include recommendations and conclusions about the extent of any works necessary to mitigate noise impacts.

A **Staging Plan** must be prepared to show the stages by which the development of the land will proceed. The staging plan must identify the infrastructure required to facilitate development.

An **External Works Delivery Plan** must identify all external works identified in the other plans and include the timing of provision and relevant provision trigger (e.g. dates or

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events such as lot numbers) of off-site works for all relevant plans that comprise part of the Development Plan.

**4.0 Decision guidelines**

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In considering whether or not to approve or amend a development plan, the responsible authority must consider:

- The objectives and requirements of this schedule.
- The State and Local Planning Policy Frameworks.
- The views of the Environment Protection Agency and the Department of Economic Development, Jobs, Transport and Resources in relation to the recommended separation distance for industrial residual air emissions arising from the Boral quarry.
- The views of the Corangamite Catchment Management Authority in relation to works in, on or over the designated natural west-east waterway, including the provision of the vegetation buffer zones (extent and setback reference point), ~~and the waterway management plan, and the Flood/Hydraulic Analysis.~~
- The views of the Department of Environment, Land, Water and Planning ~~and Primary Industries~~ in relation to the removal and offsetting of native vegetation ~~and the detailed Fauna assessment.~~
- The views of VicRoads in relation to the connection to the Geelong Ring Road (Section 4B) shared path network, the Hams Road underpass, noise mitigation works and for drainage works within the road reserve.
- The views of SP AusNet in relation to the high-pressure gas pipeline that runs adjacent to the western boundary of the subject land and the referral of any future planning permit applications to SP AusNet.
- The views of Powercor in relation to the interface to the utility installation.
- The views of the Watharung Aboriginal Corporation in relation to the Cultural Heritage Management Plan.
- The need to secure the provision and timing of delivery of external works necessary to facilitate the development of the land.