

AGENDA

ORDINARY MEETING OF COUNCIL

Tuesday, 12 August 2014

To be 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)
Cr. J. Farrell (<i>Beangala</i>)	(Community Safety, Youth, Women in Community Life)
Cr. K. Fisher (<i>Corio</i>)	(Community Development, Aboriginal Affairs)
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>)	(Finance)
Cr. R. Macdonald (<i>Cheetham</i>)	(Major Projects, Knowledge Economy & Education)
Cr. R. Nelson (<i>Deakin</i>)	(Major Events, Tourism)
Cr. A. Richards (<i>Buckley</i>)	(Environment & Sustainability, Transport, Arts & Culture)

SECTION A - PROCEDURAL MATTERS

- **Acknowledgement**

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**

- **Leave of Absence**

Request by Cr Harwood for Leave of Absence from 30 July to 15 August 2014.

Request by Cr Fisher for Leave of Absence from 18 October to 4 November 2014.

- **Confirmation of Minutes**

➤ Ordinary Meeting held 22 July 2014

- **Declarations of Conflicts of Interest**

- **Question Time**

- **Petitions**

SECTION B – REPORTS

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SECTION C – ASSEMBLY OF COUNCILLORS

SECTION D – CONFIDENTIAL

Agenda item shaded above is confidential until 7.00 p.m. on the day of the meeting

3. COMBINED AMENDMENT C261 AND PLANNING PERMIT 1163/2013 - 130-150 FOREST ROAD SOUTH, LARA - CONSIDERATION TO EXHIBIT

Portfolio:	Planning - Cr Michelle Heagney
Source	Planning and Tourism - Strategic Implementation
General Manager:	Peter Bettess
Index Reference	Amendment C261 and Planning Permit 1163/2013

Purpose

The purpose of this report is to seek Council approval to prepare and exhibit a combined Planning Scheme Amendment/Planning Permit on land situated at 130-150 Forest Road South, Lara.

Summary

- An application has been made by TGM Group P/L on behalf of L. Bisinella Developments P/L for a combined Planning Scheme Amendment/Planning Permit on a vacant 8.16ha site situated at the south west corner of Canterbury Road West and Forest Road South, Lara.
- The application seeks the rezoning of the land from Farming Zone to General Residential Zone Schedule 1 (GRZ1). The permit application seeks approval for a conventional 108 lot residential subdivision on the northern half of the site and removal of some native grassland . Most of the southern half of the land has been set aside for a retarding basin and open space.
- The application includes detailed technical reports addressing all the major issues including planning, stormwater management, vegetation removal, traffic and cultural heritage management as outlined in this report.
- The proposal is consistent with State and Council planning policies. The Lara Structure Plan designates land on the south side of Canterbury Road West as “investigation area for increased residential densities” which applies to the northern half of the subject land . The town’s settlement boundary runs through the subject land with its southern half falling within the non-urban buffer to the Geelong Ring Road Employment Precinct.
- Support for this application will provide a precedent for consideration of rezoning proposals of other similar properties on the south side of Canterbury Road West which would similarly need to demonstrate an ability to address stormwater management issues applying to these properties and the wider area.
- It is recommended Amendment C261 and the accompanying permit be exhibited as described in this report.

Recommendation

That Council resolves to

- 1) Support the preparation and exhibition of Amendment C261 to the Greater Geelong Planning Scheme to rezone land at 130-150 Forest Road South, Lara from Farming Zone to part General Residential Zone Schedule 1, part Public Use Zone 6 and part Public Park and Recreation Zone;**
- 2) Consider the Application for Planning Permit to provide for the residential subdivision of the land being rezoned to General Residential Zone Schedule 1 concurrently with the preparation of the Amendment in accordance with the Planning and Environment Act, and that the draft Planning Permit 1163/2013 be prepared and exhibited with the Amendment, subject to the resolution of the detail of the permit conditions; and**
- 3) Request the Minister for Planning to authorise preparation and exhibition of Amendment C261 and Planning Permit 1163/2013.**

Background

An application has been made by TGM Group P/L on behalf of L. Bisinella Developments P/L for a combined Planning Scheme Amendment/Planning Permit on land situated at 130-150 Forest Road South, Lara, pursuant to section 96A of the Planning and Environment Act.

The application seeks the rezoning of the vacant 8.16 hectare site from Farming Zone to General Residential Zone Schedule 1 (GRZ1). The permit application seeks approval for a conventional 108 lot residential subdivision on the northern half of the site and removal of some native grassland. Most of the southern half of the land has been set aside for a retarding basin and open space and will need to be transferred to Council's ownership. A remnant portion of the land along the Forest Road frontage does not form part of the subdivision development proposal and will remain in the ownership of L. Bisinella Developments. **Appendix 1** shows the proposed future subdivision development of the site.

The existing zoning of the subject land and surrounding area is shown in **Appendix 2**. An aerial photo of the same area is **Appendix 3**.

The application includes detailed technical reports addressing all major issues including planning, stormwater management, vegetation removal, traffic and cultural heritage management which are addressed in the next section of this report.

Discussion

The consideration of this application raises a number of issues as follows:

Strategic Planning

The Lara Structure Plan map (clause 21.13-4 of the MSS) provides strategic guidance regarding the future development of the subject site. It shows the northern half of all properties on the south side of Canterbury Road West, between O'Hallorans Road and Forest Road South, as being within an "investigation area for increased residential densities" and their southern half being part of the "Buffer to Geelong Ring Road Employment Precinct – retain existing zones". The Lara Township Settlement Boundary runs through these properties and clearly restricts any long term development potential to the northern half. **Appendix 4** is a copy of the Lara Structure Plan map showing the location of the subject land.

The Lara Structure Plan provides strategic support for the consideration of this application and proposes residential subdivision of the northern half of the land . Support for this application will set a precedent for the consideration of future similar development proposals on other properties on the south side of Canterbury Road West, which will similarly need to demonstrate that all stormwater management issues can be adequately addressed.

Detailed Planning Issues

As shown in **Appendix 1**, the proposed residential subdivision virtually occupies the entire northern portion of the site. The proposal neighbourhood park of 0.5 hectares including a children's playground is located in the southern area as is a major stormwater retarding basin. Agreeing to locate the neighbourhood park outside the proposed residential zoned area will assist the developer in maximising lot yields.

Council officers have indicated to the applicant that as part of the 10% open space provision requirement an unencumbered 0.5 hectare neighbourhood park must be provided. It has also been indicated that Council would be prepared to accept areas around the perimeter of the proposed retarding basin as part of the 10% contribution provided it is satisfied it will constitute usable and functional open space. The applicant proposes to construct a 2.5 metre wide shared path around the edge of the basin.

The open space arrangements which provide for a 0.5 ha unencumbered open space together with the recreational use of land surrounding the retarding basin will satisfy the open space/recreational requirements for the proposed residential subdivision. It is proposed that specific requirements for the planning, delivery and maintenance of open space infrastructure to be provided by the developer will be included as conditions on the residential subdivision permit. An earlier initial proposal by the applicant to construct soccer fields in the base of the retarding basin has been withdrawn at the request of Council officers essentially because of the expensive on-going maintenance costs.

It is proposed that the northern half of the land be included in a General Residential Zone Schedule 1 (GRZ1), the retarding basin land be included in a Public Use Zone 6 (Local Government) and the neighbourhood park be included in a Public Park and Recreation Zone. The small southern portion of the site to be retained by the applicant will remain within the existing Farming Zone for the time being until its future use has been determined. **Appendix 5** shows the proposed rezoning of the land.

It is intended that the standard requirement that a developer pays a \$900 per lot community contribution be a condition applied to the accompanying residential subdivision permit.

It should be noted that a Public Acquisition Overlay (PAO) to provide for the potential future widening of Forest Road affects the whole eastern edge of the subject land. The current subdivision application shows two residential lots and a local road within the PAO area in an apparent attempt to encourage VicRoads to commence negotiations re their future purchase of the land. It is proposed that permit conditions require amended plans to show the future subdivision layout avoiding the PAO area.

Stormwater Management

The subject land and surrounding area is generally flat with grades of approx 1:100. It drains naturally to the north west into Grand Lakes but there is a localised entrapped low area on the subject land and adjoining properties which plays an important flood storage role. The subject land is also subject to significant sheet flows from the rural and industrial land to the south.

The applicant was also requested, as part of their detailed investigations and modelling, to consider the potential future development of all of the properties on the south side of Canterbury Road South.

The 1% AEP Modelled flood extents are similar in nature to the Grand Lakes Estate and adjoining Amendment C266 land (Point Cook P/L) in that flooding is contained in some of the road reserves.

Whilst the site sits within the same floodplain as Grand Lakes and the major drainage infrastructure forms an extension to the Grand Lakes waterway, the proposed local subdivision road network is only marginally affected by a 1:100 flood event. Rather than apply a Special Building Overlay, it is proposed the subdivision permit include conditions requiring finished levels of residential lots to ensure inundation cannot occur.

A number of detailed drainage and other engineering issues which have been raised are being resolved with the applicant and will be able to be further addressed by the inclusion of detailed conditions on the residential subdivision permit. Provision has been made to allow east-west connectivity with the adjoining land to the west as requested by Council; however design of culverts and bridging structure will need to demonstrate no adverse impact on flood levels.

Vegetation Removal

The Vegetation Assessment prepared by the applicant's consultant has identified some areas of native grassland which appears to otherwise have a history of cropping and grazing. The site is assessed by the consultant as containing degraded treeless vegetation which is rated as having negligible to local significance for biodiversity conservation.

Council's Environment and Natural Resources Unit has inspected the site which is being grazed by cattle, making identification of native grasses more difficult. In any areas where native grass species exceed 25% vegetation cover, offsetting will be required.

From a development perspective the areas containing native grasses are heavily modified and degraded. As such the Environment Unit has no objection to the land being developed subject to ensuring that permitted clearing has a neutral impact on Victoria's biodiversity (i.e. offsetting, if required).

This issue will be addressed in on-going negotiations with the applicant and implemented by the inclusion of conditions on the residential subdivision permit.

Planning Permit

It is proposed that draft planning permit 1163/2013 be prepared and exhibited with the amendment documentation. It will enable the northern part of the land to be subdivided into residential allotments generally as shown in **Appendix 1** with a retarding basin and neighbourhood park constructed on the southern half of the land. The permit will include standard conditions as required by internal Council units and external authorities, together with other conditions as referred to in this report.

Environmental Implications

The Amendment gives effect to recommendations of the Lara Structure Plan which has addressed the wider environmental implications of development of the town.

A Vegetation Assessment report accompanying the application rates the site as having local significance for biodiversity conservation which does not present limitations to development.

Financial Implications

All the costs associated with the development and the provision of additional services to the area will be met by the developer. The Council will become responsible for the ongoing maintenance of the new retarding basin and neighbourhood park.

Policy/Legal/Statutory Implications

The proposed Amendment is considered to be consistent with a range of State and Council planning policies in the Planning Scheme. In particular, this area has been identified for investigation for future residential growth in the adopted Lara Structure Plan as described in this report.

Alignment to City Plan

Amendment C261 supports both the Growing our Economy and Sustainable Built and Natural Environment strategic directions of City Plan, particularly insofar as it is facilitating sustainable development in accordance with an adopted township Structure Plan.

Officer Direct or Indirect Interest

No Council officers have any direct or indirect interest, in accordance with Section 80 (c) of the Local Government Act.

Risk Assessment

No risks have been identified in exhibiting Amendment C261 and the accompanying planning permit as being recommended by this report.

Social Considerations

Whilst the subject land is located on the edge of the town, it is located on a public bus route and is within easy walking distance to Lara Lake primary school. It adjoins existing and developing residential areas and will have good access to the town's open space network.

Human Rights Charter


Amendment C261 does not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open Community Consultation process enabling people to freely express their views and obtain a fair hearing before an Independent Panel.

Consultation and Communication

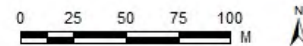
Full public notification of the Amendment has been given in accordance with the provisions of the Planning and Environment Act. All adjoining and nearby property owners will receive direct notification of the exhibition of the Amendment and have an opportunity to present their submission to an Independent Panel appointed by the Minister for Planning.

Appendix 3: Aerial Image

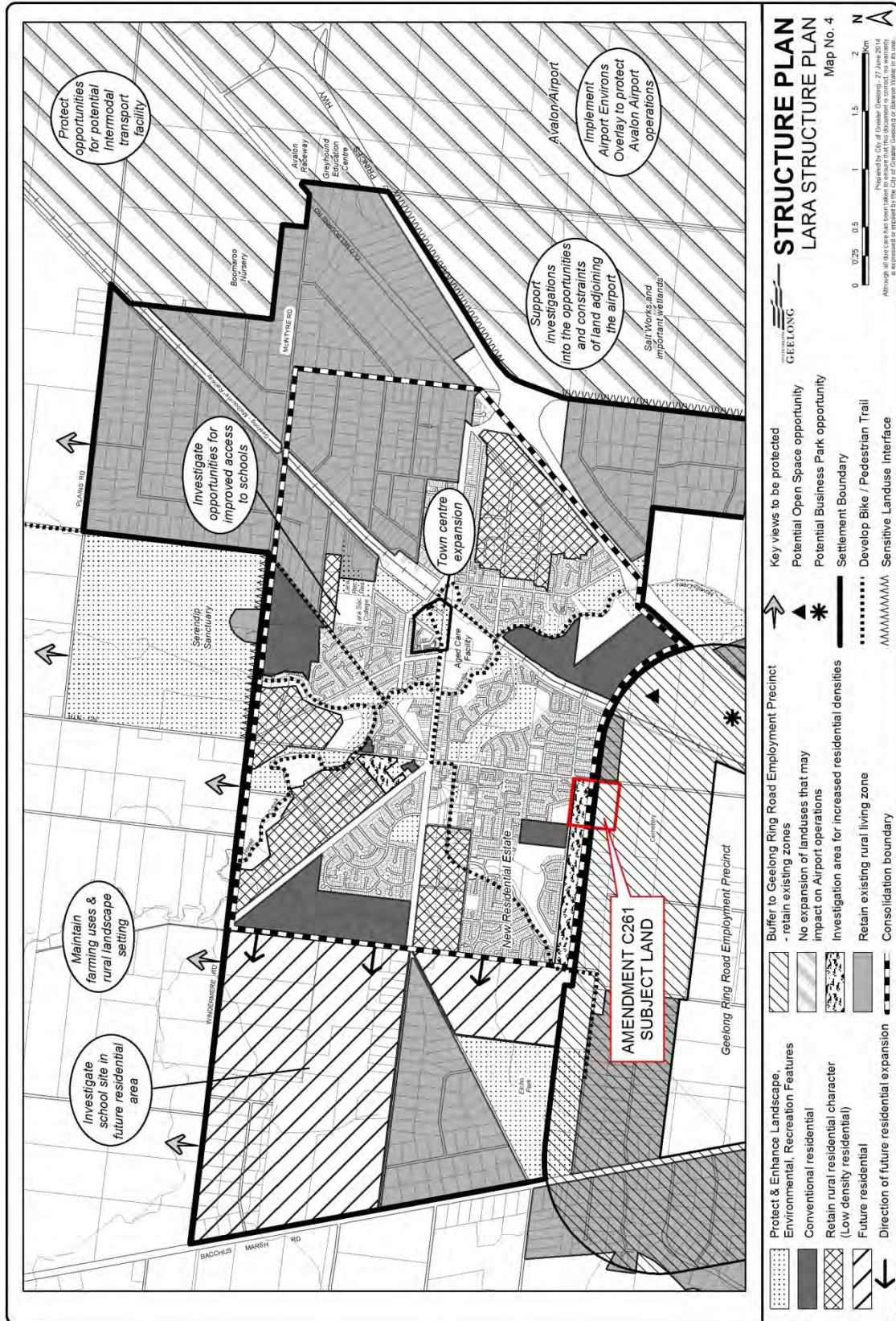


 **SUBJECT LAND**

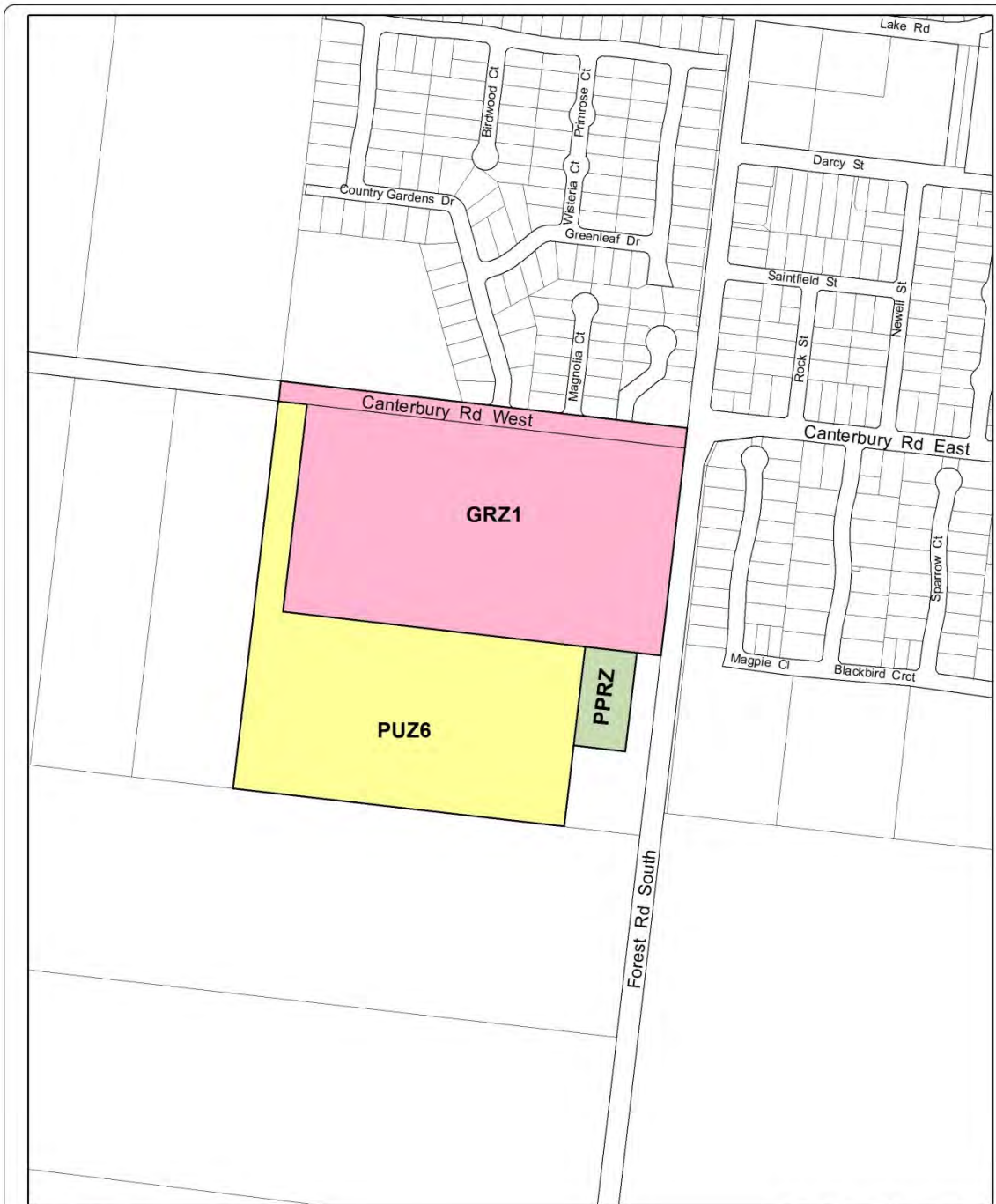
Prepared by City of Greater Geelong - 16 June 2014 (Aerial Imagery - May 2014)
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Appendix 4: Structure Plan



Appendix 5: Proposed Zoning



Part of Planning Scheme Map 18

LEGEND

- GRZ1** GENERAL RESIDENTIAL ZONE - SCHEDULE 1
- PUZ6** PUBLIC USE ZONE - LOCAL GOVERNMENT
- PPRZ** PUBLIC PARK & RECREATION ZONE

AMENDMENT C261

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