

*Planning and Environment Act 1987*

**Panel Report**

# Greater Geelong Planning Scheme Amendment C334 Incremental Change Areas

**24 November 2015**

*Planning and Environment Act 1987*

Panel Report pursuant to Section 25 of the Act

Greater Geelong Planning Scheme Amendment C334

Incremental Change Areas

24 November 2015

A handwritten signature in black ink, appearing to read 'Gaye McKenzie'. The signature is written in a cursive, flowing style.

Gaye McKenzie, Chair

# Contents

	Page
<b>Executive Summary .....</b>	<b>1</b>
<b>1 Introduction.....</b>	<b>3</b>
1.1 The proposal.....	3
1.2 Background to the Amendment.....	3
1.3 Issues dealt with in this report.....	6
<b>2 Strategic planning context .....</b>	<b>7</b>
2.1 Policy framework.....	7
2.2 Planning Scheme provisions.....	8
2.3 Ministerial Directions and Practice Notes.....	9
2.4 Discussion .....	9
<b>3 Strategic justification for the Amendment .....</b>	<b>10</b>
3.1 The issue .....	10
3.2 Submissions .....	10
3.3 Discussion and conclusions .....	10
<b>4 Garden character .....</b>	<b>11</b>
4.1 The issue .....	11
4.2 Submissions .....	11
4.3 Discussion and conclusions .....	12
<b>5 Impact on property values and development potential .....</b>	<b>14</b>
5.1 The issue .....	14
5.2 Submissions .....	14
5.3 Discussion and conclusions .....	14
<b>6 Zone boundaries .....</b>	<b>15</b>
6.1 The issue .....	15
6.2 Submissions .....	15
6.3 Discussion and conclusions .....	15
<b>Appendix A      Submitters to the Amendment</b>	
<b>Appendix B      Document list</b>	

## List of Abbreviations

DELWP	Department of Environment, Land, Water and Planning
GRZ	General Residential Zone
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
NRZ	Neighbourhood Residential Zone
RGZ	Residential Growth Zone
SPPF	State Planning Policy Framework
VPP	Victoria Planning Provisions

## Overview

### Amendment Summary

<b>The Amendment</b>	Greater Geelong Planning Scheme Amendment C334
<b>Common Name</b>	Incremental Change Areas
<b>Subject Site</b>	Bell Post Hill, North Geelong, Newcomb and Point Lonsdale
<b>Planning Authority</b>	City of Greater Geelong
<b>Authorisation</b>	21 May 2015
<b>Exhibition</b>	2 July – 3 August 2015
<b>Submissions</b>	27 The full list of submitters is provided at Appendix A

### Panel Process

<b>The Panel</b>	Gaye McKenzie
<b>Directions Hearing</b>	Greater Geelong City Hall, 28 September 2015
<b>Panel Hearing</b>	Greater Geelong Council Offices, 26 October 2015
<b>Site Inspections</b>	Unaccompanied, 28 September and 26 October 2015
<b>Appearances</b>	Mr Stuart Thiele, Strategic Planner and Ms Jacinta Rivette, Senior Strategic Planner, City of Greater Geelong None of the submitters requested to be heard by the Panel
<b>Date of this Report</b>	24 24 November 2015

## Executive Summary

### (i) Summary

Amendment C334 seeks to apply Schedule 2 of the General Residential Zone (GRZ2) to areas at Bell Post Hill, North Geelong, Newcomb and Point Lonsdale.

The principal purpose of the Amendment is to require the provision of larger areas of private open space and secluded private open space for all dwellings and the planting of one canopy tree in the open space of each multi-dwelling.

The Amendment will also apply the mandatory height of nine metres, or 10 metres in the case of a sloping site, to the land being included in GRZ2.

The General Residential Zone (GRZ) currently applies to around 87 percent of the City of Greater Geelong with 77 percent of the GRZ in Schedule 1 of the General Residential Zone (GRZ1) and 23 percent in Schedule 2 of the General Residential Zone (GRZ2). While this breakup of GRZ will change with the application of GRZ2 to the subject areas, the GRZ1 will still make up the larger percentage of this zone.

The preparation of Amendment C334 (C334) was preceded by the *Incremental Change Review* of areas which were identified following consideration of Amendments C129 and C300 to the Greater Geelong Planning Scheme (the Planning Scheme).

Key issues raised in submissions to C334 related to the impact it would have on property values and their potential to be redeveloped, the justification for preparing the Amendment, the presence of garden character compared to other parts of Geelong, the mandatory height control in the GRZ2, the need to plant canopy trees as part of a multi dwelling development and the location of the boundaries of the zone.

The Panel has considered all written submissions and the submission made by Council at the Hearing.

The Panel concludes that the need to provide larger areas of private open space will have an effect on the footprint of dwellings. The result may be developments of smaller one storey dwellings, double storey dwellings or a mix of one and two storey dwellings, as evident from Council examples provided of approved developments in the existing GRZ2.

Point Lonsdale was not inspected, as the only submissions were in support. Inspections of the areas of Bell Post Hill, North Geelong and Newcomb confirmed to the Panel that they do have the suburban character that fits the criteria identified by the Council for inclusion in the GRZ2. This led the Panel to conclude that the areas identified by Council are best described as having a 'suburban garden character'. Requiring the provision of larger areas of private open space for new dwellings will contribute to maintaining this character.

The Panel believes the strategic work undertaken by Council supports the Amendment and while the GRZ2 will place additional restrictions of those wishing to redevelop their land, in its opinion they are appropriate to ensure new dwellings and their environs complements the character of these suburbs.

**(ii) Recommendation**

**Based on the reasons set out in this report, the Panel recommends that Greater Geelong Planning Scheme Amendment C334 be adopted as exhibited.**

# 1 Introduction

## 1.1 The proposal

### (i) The subject areas

The Amendment applies to land at:

- Bell Post Hill – bounded by Geelong Ring Road, Edison Road, Anakie Road and the southern boundary of lots on the south side of Neil Street.
- North Geelong – bounded by Kildare Street, Kerr Street, Thompson Road, Victoria Street and the eastern boundary of lots on the east side of Giddings Street.
- Newcomb – bounded by Boundary Road, Portarlington Road, Helms Street, Erwin Reserve and the boundary of the Residential Growth Zone (to the south).
- Point Lonsdale – bounded by Shell Road, Fellows Road, the Lonsdale Golf Club and the western boundary of adjoining land contained in Schedule 1 of the General Residential Zone.

as shown on the exhibited Planning Scheme Maps.

### (ii) Amendment description

The Amendment proposes to:

- Apply GR22 to land identified as ‘garden character’ at Bell Post Hill, North Geelong, Newcomb and Point Lonsdale.
- Amend Clause 21.06, of the Municipal Strategic Statement (MSS) removing the ‘further work requirement’ to review the implementation of areas identified for incremental change in the Housing Diversity Strategy.

### (iii) Purpose of the Amendment

The principal purpose of the Amendment is to require the provision of larger areas of private open space and secluded private open space for all dwellings and the planting of one canopy tree in the open space of each multi-dwelling.

The Amendment will also apply the mandatory height of nine metres, or 10 metres in the case of a sloping site, to the land being included in GR22.

## 1.2 Background to the Amendment

### 1.2.1 Housing Diversity Strategy

The *Housing Diversity Strategy*, incorporated into the Planning Scheme by Amendment C129, identified the following three development area types capable of delivering housing diversity across Greater Geelong.

- **Key Development Areas:** being large existing and future development areas that have the potential to accommodate significant amounts of new medium and higher density housing, including mixed use development.

- **Increased Housing Diversity Areas:** being areas where a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area.
- **Incremental Change Areas:** being residential areas where the majority of new development will be in keeping with Geelong's traditional suburban character.

### 1.2.2 Reformed residential zones

The recent residential zone reform, implemented by the State Government, provided an opportunity for Council to clearly identify the preferred location for conventional, medium and high density housing. The *Residential Zone Review* of 2014 looked at the purpose of each new zone and sought to apply them in the locations which best reflected Council's adopted *Housing Diversity Strategy* (as amended in 2008) and Council's MSS. This review formed the basis of Amendment C300 to the Planning Scheme, which was gazetted on 13 November 2014.

In adopting Amendment C300, Council resolved to undertake further work to identify locations that exhibited a garden character where incremental change would occur. Accordingly, Amendment C300 introduced *Clause* 21.06-6 into the MSS, identifying the need to:

*Undertake further work to review the implementation of areas identified for incremental change in the Housing Diversity Strategy, to consider the application of General Residential Zone Schedule 2.*

Amendment C300 applied the three residential zones and their schedules to implement the *Housing Diversity Strategy*. The breakdown of the application of these zones across the City was as follows:

Residential Growth Zone (RGZ): 11 percent

General Residential Zone (GRZ): 87 percent

Neighbourhood Residential Zone (NRZ): 2 percent.

Within the 87 percent of land in the GRZ, 77 per cent is currently zoned GRZ1 and 23 per cent is zoned GRZ2. The inclusion of the subject areas in GRZ2 will include a further 4,162 properties, or an additional 3 per cent of land. This will reduce the percentage of land in the GRZ1 to 74 per cent and increase the area in GRZ2 to 26 per cent.

The Scheme describes GRZ1 as '*General Residential Areas*' and GRZ2 as '*Incremental Change Areas*'.

### 1.2.3 Incremental Change Area Review - 2015

#### (i) Methodology

The *Incremental Change Area Review 2015*, prepared by the City of Greater Geelong, assessed existing GRZ1 land within the municipality to determine if there were areas which had a defined 'garden character'. It was recommended that, where identified, these areas be rezoned GRZ2 to accommodate only moderate residential growth.

The review excluded existing GRZ2 land, areas within the Increased Housing Diversity Area and land used for school or recreation purposes. Land within the suburbs of Geelong West, Newtown and Manifold Heights were also excluded from the review as the zoning of these suburbs was specifically assessed as part of Amendment C300.

A two stage assessment process was used in the review. The first was a quantitative desktop assessment to identify potential garden character areas. The second was a detailed qualitative assessment of these areas.

**(ii) Stage 1 Assessment – establishing potential garden character**

The Planning Scheme does not include a definition for ‘garden character’, however an objective of *Clause 21.06-4 - Neighbourhood Character* is to *protect areas of significant garden character*.

The desktop review of the study area established the criteria or elements needed for an area to be considered to have a potential garden character. Five elements were identified that were considered to contribute towards an area having a potential garden character.

The elements were:

- Building age – construction pre 1965
- Development pressure for medium density housing
- Lot size – between 500 square metres and 800 square metres
- Site coverage – less than 30 per cent
- Street tree density – greater than nine trees per hectare.

From this initial assessment, 75 areas were identified as exhibiting ‘garden character’ elements.

**(iii) Stage 2 Assessment – Further Investigation Areas**

To further refine whether the identified areas had a garden character, each area was visited. During this qualitative assessment the following characteristics were observed:

- Setting or space around buildings, providing an opportunity for planting
- Presence of on-site vegetation or an established garden
- Condition and appearance of buildings including the approximate age of the buildings
- Presence of a nature strip and footpath
- Presence of street trees (whether new or established plantings).

For an area to have ‘garden character’ it needed to exhibit all of the above elements.

From the site visits it was determined that areas at Bell Post Hill, North Geelong, Newcomb and Point Lonsdale exhibited this garden character. It was recommended that these areas, which contained approximately 4330 lots, be rezoned from GRZ1 to GRZ2.

**(iv) Areas to remain in Schedule 1 of the General Residential Zone (GRZ1)**

It was determined that the other ‘Further Investigation Areas’ did not have the garden character identified by the study and therefore they would be retained as GRZ1. In the case of the Corio/Norlane investigation area, it was excluded because it is within the Structure Plan prepared for the area.

**(v) Use of Schedule 2 to the General Residential Zone (GRZ2)**

An objective of the GRZ is to protect the neighbourhood character of an area. This includes landscape character.

The areas where the GRZ2 is to be applied were identified within the review as having a more prominent garden character than other locations across Greater Geelong. This zone supports incremental growth and, by varying the zone schedule, opportunities will be provided to protect and build upon the 'garden character' of these areas. This approach is consistent with the application of the GRZ2 through the C300 amendment process.

**(vi) Reformed residential zones and impact on housing supply**

Changes to Clause 21.06 of the MSS, the objectives of the new residential zones and the introduction of zone schedules give policy support to higher density development within and around activity centres and lower densities away from these centres. It is not envisaged that the introduction of additional GRZ2 will significantly reduce infill development opportunities or the ability to meet housing demand across the municipality.

**1.3 Issues dealt with in this report**

The Panel considered all written submissions, as well as the submission of Council presented during the Hearing. In addressing the issues raised in written submissions, the Panel has been assisted by the information provided by Council together with its observations during its inspections of the subject areas.

This report deals with the issues under the following headings:

- Strategic planning context
- Strategic justification for the Amendment
- Garden character
- Impact on property values and development potential
- Zone boundaries.

The Point Lonsdale area was not considered (or inspected) by the Panel, as the two submissions received by Council supported the Amendment.

## 2 Strategic planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

### 2.1 Policy framework

#### (i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the SPPF.

##### ***Clause 11.02-1 (Settlement – Supply of urban land)***

This Clause states that planning for urban growth should consider opportunities for consolidation, redevelopment and intensification of existing urban areas and neighbourhood character and landscape.

The Amendment responds to *Clause 11 - Settlement* by identifying land for incremental growth in the City's *Housing Diversity Strategy* and applying GR22 to provide for moderate growth that better reflects the identified garden character of the four areas in the Amendment.

##### ***Clause 15 (Built Environment and Heritage)***

*Clause 15* seeks to ensure all new land use and development appropriately responds to its landscape and valued built form. A Strategy of *Clause 15.01-1* (Urban Design), is to require development to “respond to its context in terms of urban character ...” while *Clause 15.01-5* (Cultural identity and neighbourhood character) includes an objective to “recognise and protect cultural identity, neighbourhood character and sense of place”, and a strategy to “ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising ... built form that reflect community identity”.

The Amendment is consistent with *Clause 15* in that it applies GR22 to areas where new multi-dwelling development will be more consistent with the established garden character of suburban lots in these areas.

##### ***Clause 16.01-4 (Housing diversity)***

*Clause 16.01-4* seeks to provide for a range of housing types to meet increasingly diverse needs. One of the strategies is to encourage well-designed medium density housing which respects neighbourhood character.

The Amendment implements the *Incremental Change Area Review 2015*, which identified areas for incremental change in the City's *Housing Diversity Strategy*. The Amendment provides for moderate growth that better reflects the identified ‘garden character’ of the four areas selected under that review.

The requirements of GRZ2, particularly with respect to private open space and landscaping, will ensure that new single and multi-dwelling developments are sited to be consistent with the identified 'garden character' of the four identified areas.

**(ii) Local Planning Policy Framework**

Council submitted that the Amendment supports the following local planning objectives:

**Clause 21.06-3 (Urban consolidation)**

This clause seeks to manage urban consolidation and housing change across the municipality by allowing moderate growth of medium density housing in the GRZ2 areas that reflects the character of those suburban areas.

**Clause 21.06-4 (Neighbourhood character)**

This clause seeks to manage change in the identified neighbourhoods to protect their identified character. The GRZ2 will allow for moderate growth of medium density housing that is consistent with the garden character of those areas.

**Clause 21.06-6 (Implementation) – Further work**

The Amendment removes this Clause as the further work it required to be undertaken has now been completed.

**(iii) Other planning strategies or policies used in formulating the Amendment**

Other strategies that support the Amendment are:

- *Housing Diversity Strategy - 2007 (as amended in 2008)*
- *Reformed Residential Zones Implementation Report – 2013*
- *Incremental Change Area Review – 2015.*

## **2.2 Planning Scheme provisions**

**(i) Zones**

The Amendment introduces the GRZ2 to four identified areas of Greater Geelong.

**(ii) Overlays**

Schedule 14 to the Design and Development Overlay applies to land in Bell Post Hill that is to be included in GRZ2. This Schedule applies to protect access to views and a permit is required for dwellings over 7.5 metres in height. The Amendment does not affect this existing overlay.

**(iii) Particular provisions**

The Amendment does not affect any particular provisions of the Planning Scheme.

**(iv) General provisions**

The Amendment does not affect any general provisions of the Planning Scheme.

## **2.3 Ministerial Directions and Practice Notes**

### **(i) Ministerial Directions**

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

#### **The Form and Content of Planning Schemes (s7(5))**

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

### **(ii) Planning Practice Notes**

The following Practice Notes are relevant to this Amendment.

#### **PPN9 - Metropolitan Strategy**

The Amendment is supported by the Metropolitan Strategy as it will provide for a diversity of housing for different household types in the four identified areas of the City. In particular, the GRZ2 will allow for moderate housing growth that is respectful of the identified 'garden character' of the areas to which it is to be applied.

#### **PPN11 - Strategic Assessment Guidelines**

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment Guidelines).

#### **Planning Practice Note PPN43 – Understanding Neighbourhood Character**

This Amendment complies with this Practice Note in that it has identified the pattern of development and built form (setbacks, space around buildings, site coverage and fences) in the four areas to be included in GRZ2.

#### **Planning Practice Note PPN78 – Applying the Residential Zones**

An objective of the GRZ is to respect and preserve neighbourhood character while allowing for moderate housing growth and diversity. The Amendment seeks to do this by identifying areas that have a particular 'garden character'.

## **2.4 Discussion**

The Panel considers that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Frameworks.

The inclusion of the identified areas in GRZ2 will not prevent moderate housing growth from occurring. It may however influence the form this development takes because the larger areas of private and secluded private open space at ground level will affect the size of the building footprint. On some sites this may result in either smaller single storey dwellings or two storey dwellings being constructed.

The Panel concludes that the Amendment is well founded and is strategically justified, subject to addressing the more specific issues raised in submissions, as discussed in the following chapters.

## 3 Strategic justification for the Amendment

### 3.1 The issue

The issue is whether the required strategic work has been undertaken to justify the application of GRZ2 to the areas included in the Amendment.

### 3.2 Submissions

Four submitters questioned the need for the Amendment with one referring to the ‘myriad’ of existing controls that already restrict development. Another questioned the choice of areas, referring to the similar character displayed in other parts of Greater Geelong.

In responding to these submissions Council referred to the rigorous assessment it had undertaken in its *Incremental Change Areas Review 2015*, which resulted in identifying the four areas to be included in GRZ2 under this Amendment.

The Council submission also stated that State and Local Planning Policy and other material, including the Panel reports for C129 and C300, supported the Amendment.

### 3.3 Discussion and conclusions

The Panel believes this Amendment is the result of the detailed investigations by Council of the 75 incremental change areas in the city.

As submitted by Council the GRZ provides for a diversity of housing types and moderate housing growth in locations that have good access to services and transport and currently applies to 87 per cent of residential land in the City of Greater Geelong. Schedule 1 (General Residential Areas) of the GRZ currently applies to 77 per cent of this area and Schedule 2 (Incremental Change Areas) to 23 per cent of this area.

Under this Amendment, around 4000 lots, or 3 per cent of land will be added to the GRZ2 with the area in the GRZ1 reduced to 74 per cent.

The Panel does not believe submitter opposition to the Amendment is strategically based. It appears, at least in part, to relate to the effect it may have on any future plans they may have to redevelop their land. Others simply see it as a senseless exercise and waste of Council resources.

In response to the belief that the Review was a wasted exercise, the Panel notes that this strategic work was required by Clause 21.06 of the MSS. The completion of the review means that this provision has been met and it can now be deleted.

As stated by Council, the GRZ2 will still allow for moderate housing growth, although it did concede that a smaller ground floor footprint could affect the size of single storey dwellings or result in development taking a double storey built form.

The Panel also believes the proposed GRZ2 supports the Metropolitan Strategy as it allows for moderate growth that is consistent with its particular residential character.

In conclusion the Panel believes that the extensive strategic work undertaken by Council, in identifying the subject areas, justifies the preparation of this Amendment.

## 4 Garden character

### 4.1 The issue

The issue relates to the 'character' identified for the areas contained in the Amendment and whether it supports their inclusion in the GRZ2.

### 4.2 Submissions

#### (i) Character of the area

Some submitters questioned the uniqueness of the 'garden character' attributed to the areas that led to their inclusion in the GRZ2 under the Amendment.

Submitters from the North Geelong and Newcomb areas do not believe they display a consistent 'garden character' that supports the application of the GRZ2. It was the view of a submitter and builder in the North Geelong area that the chosen areas display '*very little inherent garden character*' to distinguish them from other Geelong suburbs and the adopted criteria do not relate to 'garden character'. This submitter summed up the issue of garden character as: '*these areas have a clear built form character but not garden*' and '*if there is such a fundamental garden character why is there not a neighbourhood overlay in place?*'

Council submitted that the provision of additional private open space for dwellings, particularly for multi-dwelling developments, was not aimed at preventing moderate growth from occurring in the identified areas. The criteria used to identify the 'garden character' of the four areas in the Amendment related not only to the treatment of individual gardens but also to matters of spacing of dwellings on their lots, the existence of footpaths and nature strips in the adjoining public area and the age of existing buildings.

It was considered by Council that the provision of larger areas of private open space for new dwellings would contribute to maintaining the sense of space around existing dwellings and would provide the opportunity to plant suitable canopy trees.

#### (ii) Canopy trees

There were submitters who believed that the requirement to plant a canopy tree in the private open space of multi-dwellings was excessive and may not suit the particular needs of the dwellings' occupants. There were also submitters who believed that it was Council's responsibility to deal with the matter of neighbourhood character by planting street trees. Imposing this requirement on individual property owners was not supported.

On the other hand one North Geelong resident advised that she had purchased in that area because of its 'heritage and garden aspect' and in time she believed the Heritage Overlay should be applied to her area.

In supporting the Amendment, one submitter from Bell Post Hill wanted Council to remove a row of Eucalypts that were a hazard to residents.

In response to the written submissions, Council advised that it did not have an adopted Tree Policy and therefore did not require the planting of particular species of trees in the gardens of multi-dwelling developments. Furthermore, the provisions of Clause 55 of the Scheme

were referred to which require that a landscape plan be submitted as part of an application for a multi-dwelling development. This requirement provides the opportunity for the Council to require the inclusion of canopy trees. The difference is that under GR22 it is a specific requirement of its schedule.

Council advised the Panel that it is usual to see canopy trees planted in front setbacks of multi-dwelling developments. The provision of larger areas of secluded private open space for each dwelling will now provide the opportunity to plant suitable trees in other parts of a site.

### **(iii) Height of dwellings**

One submitter objected to the mandatory height control for sites in the GR22 while another stated that requiring more open space would result in a smaller building footprint '*forcing*' developers to build more double two storey residences. This would conflict with the existing single storey built form of the area at North Geelong.

By way of response to the mandatory height control, Council believed that double storey dwellings would be able to comply with that requirement, as was the case presently in the existing GR22 areas. It also did not have an issue with the principle of constructing double storey dwellings, which are permissible under both the GRZ1 and GRZ2.

## **4.3 Discussion and conclusions**

The GRZ1 is the 'default' schedule to the GRZ which allows for moderate housing growth in compliance with Clause 55 (ResCode). This includes the need to provide private open space of 40 square metres of which 25 square metres, with a minimum dimension of three metres, must be secluded private open space having convenient access from a living room.

The GR22 increases the required area of private open space to 60 square metres, with 40 square metres area, with a minimum dimension of five metres, being secluded private open space having convenient access from a living room.

The GR22, which already applies to land in various parts of the municipality, is now to be applied to four of the 75 Investigation Areas reviewed by Council. Under the GR22 the requirement to provide more open space on the site will mean there is a corresponding reduction of the building footprint. This will enable space to be provided between dwellings on a site and, in turn, between them and dwellings on neighbouring sites. These areas of private open space, with their larger dimensions, will the Panel believes, be capable of supporting canopy trees that are suited to the areas they are to be planted in. The Panel also agrees that additional street tree planting by Council will further contribute to the 'garden character' of these areas. The request that a row of trees be removed is not however a matter the Panel can consider.

At the Panel's request at the conclusion of the Hearing, Council provided examples of a selection of approved multi-dwelling developments on land in the existing GR22. These demonstrated to the Panel that the provision of larger areas of private open space does make a positive contribution to the setting of these dwellings, with opportunities for planting that reflects the local suburban character. These examples also demonstrated to

the Panel that the achievable density on a site was not unduly compromised by having to provide this additional open space.

On inspecting the three areas the subject of the Hearing, the Panel noted the topographical differences of land at Bell Post Hill and land at North Geelong and Newcomb. Land at Bell Post Hill is undulating and generally front setbacks contain well established front gardens. On the other hand, land at North Geelong and Newcomb is relatively flat and front setbacks are generally more open and comprise lawns and garden beds. Common to these areas, however, is the siting of dwellings off their boundaries, with space between dwellings on adjoining sites.

The Panel was advised that 'garden character' is not defined in the Planning Scheme, even though an Objective of Clause 21.06-4 is '*to protect areas of significant garden character*'. The absence of a definition does leave this objective open to different interpretations.

In considering the written submissions, it appeared to the Panel that submitters may not have fully understood the approach used by Council in identifying the areas to be included in GR22. The presence, or lack of vegetation or established gardens, appeared to be the reason why submitters of North Geelong and Newcomb believed the required 'garden character' was not present to support their inclusion in GR22. This is however only one of five criteria used in selecting the subject areas, the others being the setting or space around buildings, the condition and age of the dwellings and the presence of public footpaths, nature strips and street trees. For an area to have 'garden character' it needed to exhibit all of the above elements.

Based on the need to satisfy all five of the adopted criteria, the Panel suggested that the term 'suburban garden character' probably better defines the character of these areas. The Council representatives agreed with this suggestion.

In relation to the height of dwellings in these areas, the Panel accepts Council's submission that nine metres (10 metres for a sloping site) is sufficient to accommodate a double storey built form.

Turning to the submission that two storey developments will conflict with the predominant single storey built form of North Geelong, the Panel believes that there is nothing to prevent double storey dwellings being built in this area in the future, either with planning consent in the case of multi- dwellings or, in the case of single dwellings, with building approval.

Having considered the written submissions and the matters put to it at the Hearing by Council, the Panel has concluded that the areas which are the subject of the Amendment have a 'suburban garden character' worth protecting. It therefore supports the requirements of the GR22 that will encourage new development that reflects this character. In supporting the application of GR22 for these areas, and noting the discretionary nature of the open space controls, the Panel believes there may be instances when consideration may be given to reducing them, based on the merits of an individual proposal.

## **5 Impact on property values and development potential**

### **5.1 The issue**

The issue relates to what affect the Amendment may have on the value and future development prospects for individual sites within the GRZ2.

### **5.2 Submissions**

Seven of the 10 objecting submitters argued that the Amendment would affect their 'personal' interests concerning the redevelopment prospects of their land, thereby diminishing their value. It was considered by some submitters that the Amendment was being used as a tool to limit development in the areas included in GRZ2.

It was Council view that the application of GRZ2 was warranted to ensure new development better reflected the particular 'garden character' of those areas. While Council accepted that GRZ2 may represent a greater constraint on new residential development it still allowed for moderate growth, as intended under the GRZ. While the Council stated that the requirements of GRZ2 would not prevent additional dwellings being built, it conceded that the need to provide larger areas of private open space at ground level would result in a smaller ground level footprint and therefore possibly more double storey development.

### **5.3 Discussion and conclusions**

While submitters argued that the change of schedule would affect the development potential of their properties and therefore reduce their property values, no material was provided to demonstrate how this may occur.

The issue of how the GRZ2 may affect the value of individual sites is not one the Panel is able to consider. From the broader community perspective the Panel believes the Amendment may actually have a positive economic effect, because new single dwellings and multi-dwellings will contribute to the 'suburban garden character' of the street and area they are within.

The Panel also believes the Amendment may contribute to greater diversity of dwelling types, including smaller one storey dwellings and double storey dwellings.

The Panel was not provided with evidence to support concerns that the Amendment would lead to reduced property values and based on the examples provided to it and the lot sizes in the areas under the Amendment, it believes moderate growth will still be possible in providing a range of dwelling types.

## 6 Zone boundaries

### 6.1 The issue

The issue relates to the selection of the GRZ2 boundaries.

### 6.2 Submissions

One submitter from North Geelong and two from Newcomb objected to the location of the zone boundaries which meant their land was included in the GRZ2.

In the case of the North Geelong submitter, while generally supporting the promotion of 'garden character', he believed land along main roads had traditionally been developed as higher density living and therefore the east side of Thompson Road should be excluded from the GRZ2.

The two Newcomb submitters were puzzled as to why land on the east and west sides of Helms Street had been treated differently, with the west side being included in GRZ2 and the east side retained in the GRZ1.

In response to these submissions Council stated that, in the case of the North Geelong, the logical western boundary was Thompson Road, based on the criteria used to identify the GRZ2 areas. This part of Geelong had been identified for incremental change in the *Housing Diversity Strategy* when zoned GRZ1 by Amendment C300. The GRZ1 does not support high density development.

In the case of Helms Street, Council advised that land on its east and west sides have very different characters. While lots on its west side have been subdivided into typical suburban lots, those on the east side are considerably larger, which has resulted in a number being further subdivided or redeveloped for larger multi-dwelling developments. Also there is no footpath along the east side, which is one of the criteria in identifying areas for inclusion in GRZ2.

In supporting the Amendment, one submitter believed the boundaries of the Bell Post Hill GRZ2 should be extended to include Bell Park.

### 6.3 Discussion and conclusions

Based on its inspections of the Geelong North area, the Panel agrees with Council that the land on the east and west sides of Boundary Road has very different character. With the exception of land at the north-west end of Boundary Road, land on its west side is part of a large planned redevelopment which 'turns its back on' Thompson Road. The Panel also noted that currently no high density development has occurred on the east side of Thompson Road and this is not intended under the GRZ.

Based on the existing zoning of lots fronting Thompson Road, housing growth is likely to continue to be moderate and this will still be possible under GRZ2, albeit with smaller footprints and possible double storey development. Given the existing zoning of this strip the Panel agrees with Council that Thompson Road is the logical boundary for the North Geelong GRZ2.

The Panel's inspection of properties fronting Helms Road confirmed the Council's submission that land on its east and west sides have distinctively different characters. On its inspection the Panel noted the generally much larger sites on its east side and the absence of a footpath which, even given the redevelopment that has occurred, the size of the lots means its character is more consistent with adjoining land which is zoned low density residential. On the other hand the west side of Helms Street has a 'suburban garden character', with its footpath and nature strips and typical suburban lot subdivision pattern.

Based on its inspections of this street, which confirmed Council's position, the Panel supports the choice of Helms Street as the eastern boundary of the Newcomb area.

Turning to the submission which believed Bell Park should be included in the GRZ2, the Panel notes that this area was investigated but was rejected for inclusion in the GRZ2. In any event the Panel cannot consider this matter as it is not part of the Amendment.

In conclusion the Panel believes that the boundaries proposed by the Amendment are appropriate and should be adopted as exhibited.

## Appendix A Submitters to the Amendment

No.	Submitter
1	Elizabeth Bartels
2	Benito Bastone
3	John & Inge Beauchamp
4	Mary-Anne Bilos
5	Christopher Bowan
6	Leonie Cairns
7	Corangamite Catchment Management Authority
8	Antonio Cucinotta
9	Harry Everton
10	Agostino Frandina
11	Russell Harris
12	Steve Hovey
13	Miranda Hurley
14	Barbara Kinnersley
15	Ajith Leons
16	Suzanne Luxton
17	Hazel & Keith Martin
18	Yvonne Moore
19	Trevor Olney
20	Joseph Patamisi
21	Angela Reynolds
22	Linden Roche
23	Barrie Sheppard
24	Linda Smith
25	Ann & John Steele
26	Darren Thomson
27	VicRoads

## Appendix B Document list

No.	Date	Description	Presented by
1	26-10-15	Submission and appendices	Council
2	26-10-15	Corio Norlane Structure Plan and New Norlane Building for the Future	Council

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