

Statement of Evidence prepared by Stuart McGurn

Amendment C325 to the Greater Geelong
Planning Scheme

Reference: 0327956 Urbis Evidence St Leonards

December 2015

1 Introduction

1. My name is Stuart Andrew McGurn and I am a Director of Urbis which conducts its business at Level 12, 120 Collins Street, Melbourne. My qualifications and experience are described in *Appendix A*.
2. I have been requested by Norton Rose Fulbright on behalf of St Leonards Property Holdings Pty Ltd (SLPH) to prepare town planning evidence in relation to the Planning Scheme Amendment C325.
3. Planning Scheme Amendment C325 to the Greater Geelong Planning Scheme (the Planning Scheme) seeks to rezone land to the west of St Leonards (known as Growth Area 2) from the Farming Zone to the General Residential Zone Schedule 1 and apply a Design and Development Overlay to the land to be rezoned and to 42 Pearl Bay Passage, St Leonards.
4. SLPH owns land at 22-40 Leviens Road, St Leonards which has an area of approximately 19.1 hectares and is the north eastern land parcel that forms part of Growth Area 2. SLPH also own 42 Pearl Bay Passage, St Leonards.
5. I note that I presented evidence in relation to Amendment C312 as it applied to the site at 22-40 Leviens Road, St Leonards, which amended the Municipal Strategic Statement at Clause 21.14 to reflect the key strategies and actions identified in the adopted St Leonards Structure Plan 2014.
6. In the course of preparing this evidence I have inspected the subject site and its environs and have reviewed all the relevant background documentation, including all the amendment documentation. I have also reviewed the Planning Officer's Delegate Reports dated 5 November 2012 and 10 August 2015 and submissions lodged by third parties.
7. A summary of my opinions with respect to the proposal is as follows:
 - **There is clear strategic support for the rezoning of the subject site to the General Residential Zone.**
 - **The proposed Design and Development Overlay is an appropriate tool to guide the future subdivision of the site.**
 - **Environmental, social and economic effects have been appropriately considered.**
 - **The proposed amendment will provide for an appropriate outcome in the context of the surrounding area.**
8. I declare that I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have, to my knowledge, been withheld from the Panel.

2 Background

9. The subject site (Growth Area 2) was earmarked for 'potential residential development' in the St Leonards Structure Plan 2006. The recommendations of the 2006 Structure Plan were included in the Planning Scheme as part of Amendment C129 which was an amendment that dealt with the Municipal Strategic Statement (MSS) and Local Policy Review. The approved Amendment also included bringing the subject site within the settlement boundary of St Leonards.
10. A review of the 2006 Structure Plan was conducted as part of a five year review cycle identified in the 2006 document and Council adopted a revised St Leonards Structure Plan in February 2014. Amendment C312 sought to implement the findings of this review via changes to the MSS. The Panel recommended only a few changes to the proposed Amendment and a further revised St Leonards Structure Plan was adopted by Council in March 2015.
11. Amendment C312 was approved on 25 June 2015 and included the addition of the following Strategies in Clause 21.14:
 - *'Support the development of Growth Areas 1 and 2 identified on the Structure Plan map'.*
 - *'Facilitate development of a community facility including an Early Years Learning Centre, preferably at 1345 Murradoc Road.'*
12. The Amendment also amended (at Clause 21.14) references to reflect the St Leonards Structure Plan 2015 and introduced the following zoning and overlay implementation measures for St Leonards:
 - *'Apply the General Residential Zone Schedule 1 to Growth Areas 1 and 2.*
 - *Apply the Development Plan Overlay to Growth Area 2.*
 - *Apply the Development Contributions Plan Overlay (or an equivalent agreement with landowners) in conjunction with the rezoning of Growth Areas 1 and 2.'*
13. The current Amendment is the next stage in the future development of Growth Area 2 in seeking to rezone the land to the General Residential Zone and apply overlay controls to ensure an appropriate planning outcome is achieved for the site.

3 The Proposed Amendment

14. Amendment C325 seeks to rezone land to the west of St Leonards (known as Growth Area 2) from the Farming Zone to the General Residential Zone Schedule 1 and apply a Design and Development Overlay to the land to be rezoned and to 42 Pearl Bay Passage, St Leonards.
15. The amendment is supported by a Section 173 Agreement and Shared Infrastructure Funding Plan to provide developer contributions for the establishment of an Early Learning Community Centre in St Leonards and other shared civil and community infrastructure.
16. The Amendment was exhibited between 17 September and 19 October 2015.

4 Subject Site and Surrounds

17. The subject site, known as 'Growth Area 2' is generally bounded by Leviens Road to the north, the rear of the properties of Pearl Bay Passage to the east, Bluff Road to the south and Ibbotson Street to the west.
18. The properties affected by the proposed Amendment are:
 - 2-20 Leviens Road Street, St Leonards
 - 22-40 Leviens Road Street, St Leonards
 - 152-200 Bluff Road Street, St Leonards
 - 481-505 Ibbotson Street, St Leonards
 - 511-529 Ibbotson Street, St Leonards
 - 531-539 Ibbotson Street, St Leonards
 - 541-569 Ibbotson Street, St Leonards
 - 42 Pearl Bay Passage, St Leonards.
19. The site is generally rectangular in shape and has an overall site area of approximately 70ha. The site comprises open agricultural land, some rural residential dwellings and associated outbuildings, some scattered vegetation and some existing farm dams.
20. To the north of the site (across Leviens Road) is the Charles McCarthy Reserve, a sports oval surrounded by mature vegetation. Also to the north of the site is a residential development comprising mostly single storey dwellings.
21. To the east of the site is land developed for residential purposes as part of the 'Sea Change Estate'. This area contains single and double storey residential dwellings. I note that SLPH developed this 420 lot residential development in the early 2000s.
22. To the south is land that has been partially developed as a residential subdivision.
23. To the west of the site is farming land.

5 Greater Geelong Planning Scheme

5.1 EXISTING ZONING AND OVERLAY CONTROLS

24. The majority of the subject site (Growth Area 2) is currently zoned Farming Zone (FZ) (**Clause 35.07**).
25. The purposes of the Farming Zone are:
- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *To provide for the use of land for agriculture.*
 - *To encourage the retention of productive agricultural land.*
 - *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
 - *To encourage the retention of employment and population to support rural communities.*
 - *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.'*
26. This Zone permits agricultural and rural based land uses. Single dwellings on a lot are Section 1 uses provided they are located on lots of 30 hectares or greater and meet various servicing requirements. If the Section 1 condition cannot be met then a planning permit is required.
27. A planning permit is required for buildings and works within the Farming Zone and the minimum lot size permitted in the zone is 30 hectares.
28. Land at 42 Pearl Bay Passage is located in the General Residential Zone Schedule 2 (GRZ2) 'Incremental Change Areas' (Clause 32.08). The purposes of the GRZ are:
- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *To encourage development that respects the neighbourhood character of the area.*
 - *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
 - *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
 - *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.'*
29. The 'Growth Area 2' land is not currently affected by any overlays.
30. Land at 42 Pearl Bay Passage is affected by Design and Development Overlay 14 'Dwellings Over 7.5 metres In Areas With Access To Views' which require a permit to construct a dwelling over 7.5 metres in height.

5.2 PROPOSED ZONING AND OVERLAY CONTROLS

5.2.1 NEW ZONING CONTROLS

31. It is proposed to rezone the Growth Area 2 land to the General Residential Zone Schedule 1 (Clause 32.08). The purposes of the GRZ are:
- *'To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
 - *To encourage development that respects the neighbourhood character of the area.*
 - *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
 - *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
 - *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.'*
32. Schedule 1 'General Residential Area' does not specify any changes to the 'Rescode' provisions.

5.2.2 NEW OVERLAY CONTROLS

33. It is proposed to apply a new Design and Development Overlay Schedule 30 (DDO39) to the Growth Area 2 land and to 42 Pearl Bay Passage.
34. The purpose of the Design and Development Overlay (DDO) at **Clause 43.02** is:
- 'To identify areas which are affected by specific requirements relating to the design and built form of new development.'*
35. A new schedule - DDO39 'St Leonards Growth Area 2' is proposed to be introduced as part of this Amendment and aims to guide the future subdivision of the site with particular reference to urban design, provision of a greenway on the Ibbotson Street alignment, stormwater management, traffic and pedestrian movements, and public open space. The DDO30 includes the *'St Leonards Growth Area 2 Outline Development Plan 2015'*, with which future subdivision should generally be in accordance. Subdivision should also implement the requirements of *'St Leonards Growth Area 2 Shared Infrastructure Funding Plan'*.

5.3 STATE PLANNING POLICY FRAMEWORK

36. Policies within the State Planning Policy Framework (SPPF) which are of relevance to Amendment C325 include the following:
- **Clause 9** 'Plan Melbourne';
 - **Clause 10.02** 'Goal';
 - **Clause 10.04** 'Integrated decision making';
 - **Clause 11** 'Settlement';
 - **Clause 11.02-1** 'Supply of urban land';
 - **Clause 11.02-3** 'Structure Planning';
 - **Clause 11.02-4** 'Sequencing of development';

- **Clause 11.04-2** 'Housing choice and affordability';
- **Clause 11.04-4** 'Liveable communities and neighbourhoods';
- **Clause 11.05** 'Regional development';
- **Clause 11.05-5** 'Coastal Settlement';
- **Clause 11.07** 'Geelong (G21) Regional Growth'
- **Clause 12** 'Environmental and Landscape Values';
- **Clause 12.01** 'Biodiversity';
- **Clause 12.02** 'Coastal areas';
- **Clause 15.01-1** 'Urban design';
- **Clause 15.01-2** 'Urban design principles';
- **Clause 15.03-2** 'Aboriginal cultural heritage';
- **Clause 16.01-2** 'Location of residential development';
- **Clause 16.01-4** 'Housing diversity';
- **Clause 18.01-1** 'Land use and transport planning';
- **Clause 19** 'Infrastructure'.

5.4 Municipal Strategic Statement

37. The Municipal Strategic Statement provides the policy context for development on the Bellarine Peninsula and also specifically addresses St Leonards. Relevant policies are set out below.
38. The key principles of the 'City of Greater Geelong Sustainable Growth Framework' are contained at **Clause 21.02**. In relation to one of the key elements of the Sustainable Growth Framework 'Managing Urban Growth', it is identified that Council will '*set clear settlement boundaries and consolidate development within those boundaries in a managed way*'.
39. **Clause 21.04** contains the 'Municipal Framework Plan' and identifies St Leonards as an existing urban area.
40. **Clause 21.06** 'Settlement and Housing' identifies that '*outward urban growth needs to be carefully managed and directed to designated locations that offer the greatest net benefit to the Geelong community, can be appropriately serviced and which have the capacity to accommodate sustainable development.*'
41. **Clause 21.06-2** 'Urban growth' seeks '*to limit urban sprawl by directing urban growth to designated urban growth areas*'. Furthermore, this Clause seeks to '*ensure development occurs within designated settlement boundaries*'.
42. **Clause 21.14** 'The Bellarine Peninsula' seeks:
- '*To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.*

- *To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula. In all other townships on the Bellarine Peninsula provide retail, commercial and community uses and facilities that serve the daily needs of the community and encourage street based activity.*
- *To provide for sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.*
- *To preserve the individual character, identity and role of each Bellarine township.'*

43. In relation to St Leonards, strategies which seek to implement the above objectives include (amongst others):

- *'Support a mix of retail, commercial, community and entertainment uses within the town centre.'*
- *'Encourage development which respects the coastal landscape setting of St Leonards by:*
 - *Providing reasonable sharing of views of the coast and foreshore.*
 - *Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.*
 - *Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.'*
- *'Support the development of Growth Areas 1 and 2 identified on the Structure Plan map'.*
- *'Facilitate development of a community facility including an Early Years Learning Centre, preferably at 1345 Murradoc Road.'*

44. **Clause 21.14-3** identifies how the relevant strategies will be implemented. Of relevance to St Leonards and the proposed amendment are the following:

- *'Apply the General Residential Zone Schedule 1 to Growth Areas 1 and 2.*
- *Apply the Development Plan Overlay to Growth Area 2.*
- *Apply the Development Contributions Plan Overlay (or an equivalent agreement with landowners) in conjunction with the rezoning of Growth Areas 1 and 2.'*

45. Also included at this Clause is a range of reference documents of which the *St Leonards Structure Plan, City of Greater Geelong, 2015* is identified (which I have discussed further below).

46. **Clause 21.14-4** includes the St Leonards Structure Plan map which identifies the 'Growth Area 2' land to 'rezone to general residential' and a 'vegetation and habitat corridor' along Ibbotson Street.

5.5 LOCAL PLANNING POLICES

47. There are no local policies of direct relevance to Amendment C325.

5.6 Reference Documents

48. The following documents are considered relevant to the proposal:

- *Plan Melbourne: Metropolitan Planning Strategy*, 2014.
- *G21 Regional Growth Plan* (Geelong Region Alliance, 2013).
- *The Victorian Coastal Strategy* (Victorian Coastal Council, 2008).
- *Bellarine Peninsula Strategic Plan*, City of Greater Geelong 2006
- *St Leonards Structure Plan*, City of Greater Geelong, 2015.

5.6.1 ST LEONARDS STRUCTURE PLAN 2015

49. This Structure Plan, adopted by Council in March 2015, provides a framework for development in St Leonards over the next ten to fifteen years.
50. Map 2 of the Structure Plan (replicated at Clause 21.14) identifies growth areas and includes the subject site as 'Growth Area 2'.
51. The identified directions in relation to 'urban growth' in the Structure Plan includes the following:
- *'Support new residential development in the growth areas shown on the accompanying St Leonards Structure Plan Map'.*
52. The Structure Plan recommends rezoning land in Growth Area 2 to the General Residential Zone and that a Development Plan Overlay be applied. The Structure Plan sets out the general requirements for a Development Plan including that an Urban Design Masterplan be prepared which includes (among others) a 'general subdivision layout' and a staging plan.
53. The Structure Plan also identifies a need for an Early Years Learning Facility within the township and recommends that to assist with funding, that the use of either a Development Contributions Plan Overlay or S173 Agreement should be considered as part of the rezoning of the two growth areas.

6 Assessment

54. In undertaking my assessment of the Amendment I have given consideration to Ministerial Direction No.11 'Strategic Assessment Guidelines for Planning Scheme Amendments'. Having regard to this I have elaborated in relation to the following matters:

- **Is there strategic support for the rezoning of the subject site to the General Residential Zone?**
- **Is the proposed Design and Development Overlay an appropriate tool to guide the future subdivision of the site?**
- **Have environmental, social and economic effects been appropriately considered?**
- **Will the proposed amendment provide for an appropriate outcome in the context of the surrounding area?**

55. I have addressed these matters individually below.

6.1 IS THERE STRATEGIC SUPPORT FOR THE REZONING OF THE SUBJECT SITE TO THE GENERAL RESIDENTIAL ZONE?

56. At the outset, I note that the strategic work completed as part of Amendment C312 and the 2015 St Leonards Structure Plan (a reference document in the Planning Scheme) strategically identified land to the west of St Leonards as a growth area for residential rezoning. Amendment C312 amended the designation of land from '*protection for long term residential growth*' in the 2006 Structure Plan to '*Growth Areas 1 and 2*' and recommended that these two areas be rezoned to general residential (as annotated on the 2015 Structure Plan map which is replicated in Clause 21.14). The proposed rezoning of the land is also specifically supported in the Local Planning Policy Framework at Clause 21.14 as an implementation measure for the township.

57. In relation to State Planning Policy, the rezoning is consistent with the overall aim of Clause 11, through the provision of zoned land for housing, open space, community facilities and infrastructure, responding to the needs of existing and future communities. The rezoning of the land will assist in ensuring that there is a supply of urban land for the projected population growth over at least a 15 year period as identified at Clause 11.02.

58. Whilst St Leonards is not one of the key growth towns identified in the G21 Regional Growth Plan (a reference document at Clause 11.07), strategic support to rezone the land is provided by the Regional Growth Plan which shows the site as 'identified planned growth'.

59. In regard to the Local Planning Policy Framework, as already mentioned, support for the rezoning is clearly provided at Clause 21.14. Support is also provided by Clause 21.06 which seeks to manage outward urban growth to designated urban growth areas and ensures that development occurs within designated settlement boundaries (both of which apply to the site).

60. Overall, I am of the view that there is clear strategic support for the rezoning of the subject site to the General Residential Zone.

6.2 IS THE PROPOSED DESIGN AND DEVELOPMENT OVERLAY AN APPROPRIATE TOOL TO GUIDE THE FUTURE DEVELOPMENT OF THE SITE?

61. Clause 21.14 of the MSS and the 2015 Structure Plan recommend that a 'Development Plan Overlay' be applied to the Growth Area 2 land. The Structure Plan also a list of matters that the Development Plan Overlay should require, including (but not be limited to):
- An Urban Design Masterplan that includes:
 - A general subdivision layout.
 - A concept design and layout of Ibbotson Street as an ecological corridor.
 - A staging plan.
 - A concept landscape plan.
 - A Road network and Traffic Management Plan.
 - A staging plan.
 - Site Stormwater Management Plan.
62. I consider the proposed Schedule 39 to the DDO is a suitable and logical tool that has similar requirements to a Development Plan Overlay but will facilitate the orderly and integrated development where the land is in fragmented ownership.
63. In achieving an appropriate outcome for the site, in my view, there is no palpable difference in the use of the DPO or the DDO. In this instance, there are benefits to the use of a DDO as it is an easier tool to apply when a large area is in multiple ownerships, resulting in a more streamlined approval process. This particular DDO39 includes an Outline Development Plan which provides an overall framework for the future subdivision of the land and will provide certainty about the form of future subdivision. The use of a DDO also means that the Planning Scheme has to be amended to change the provisions of the DDO, including the Outline Development Plan, whereas a Development Plan approved under a DPO can be amended to the satisfaction of the Responsible Authority.
64. DDO39 also incorporates reasonable considerations and requirements for future subdivision of the land, including:
- Design objectives – both general and in relation to access and open space.
 - General design requirements in relation to the orderly sequence of development to support the efficient delivery of service infrastructure.
 - Urban design requirements.
 - Requirements in relation to the discontinuation of Ibbotson Street and the establishment of this land as a greenway and the integration of this land with future subdivision.
 - Stormwater Management.
 - Traffic and Pedestrian movements.
 - Public Open Space.

65. I note that one of the considerations of the Panel in Amendment C312 was whether the immediate rezoning of both Growth Areas 1 and 2 was appropriate. The Panel notes that:
66. *“...the Panel agree with Mr McGurn and Mr Carey who states that the market conditions will ensure the progressive release of residential land and that it is in the developer’s interests to stage development to ensure the market is not swamped by excessive supply.”*
67. The Panel concluded on this matter that:
- “Rezoning a generous supply of land zoned for residential development is not problematic but requires staging mechanisms to ensure out-of-sequence development or market distortions are avoided. If these mechanisms are in place and diligently implemented the rezoning of Growth Areas 1 and 2 does not raise strategic concerns. “*
68. In my previous evidence in regard to Amendment C312, I stated that the most appropriate mechanism to manage such sequencing would be via a staging plan which could be required via a Schedule to the Development Plan Overlay as part of future rezoning requests.
69. I note that the DDO does not explicitly require a Staging Plan. However, staging is a matter that will be dealt with at the subdivision permit stage and is covered under the requirements under the DDO which state:
- *‘Subdivision should not result in the further fragmentation of land where it would prevent orderly development in accordance with the objectives and requirements of this schedule.’*
 - *‘Subdivision sequencing should generally support the efficient delivery of service infrastructure.’*
70. Whilst my view remains that it is *‘in the developer’s interests to stage development to ensure the market is not swamped by excessive supply’*, I consider that these dot points in the DDO Schedule could be strengthened to state ‘must’ rather than ‘should’. This would provide Council a stronger position to control staging as part of the subdivision permit application process, to ensure that development occurs in a logical and timely manner.
71. In relation to the removal of vegetation, one of the general design objectives stated in the proposed DDO39 is:
- *“to encourage a subdivision design that avoids and minimises the loss of remnant vegetation both on-site and in abutting roadside reserves.”*
72. Whilst this is a desirable outcome, I consider that the words should read *‘...avoids or minimises the loss of remnant vegetation, as appropriate, ...’* in a similar manner as the third dot point of the ‘Urban Design’ requirements of DDO39. Whilst matters of native vegetation removal are outside my area of expertise, I am instructed that not all remnant vegetation is of high value and road widening is likely to involve the removal of some vegetation. Any vegetation removal would be required to meet the requirements of Clause 52.17, in any case.
73. I note that DDO39 is also proposed to be applied to land at 42 Pearl Bay Passage. This is to enable vehicle access from the Sea Change Estate to the Growth Area 2 land. I also note that pedestrian access is proposed via the existing laneway to the south of Leviens Road. I consider it is entirely appropriate to provide these links as it will enable good connectivity and accessibility from existing residential areas to the new community that will occupy the Growth Area 2 land. A basic planning principle is to integrate new developments with the surrounding area. In this instance, the proposed Growth Area 2 land abuts the rear boundaries of the properties that front Pearl Bay Passage to the east. Clause 56.06 seeks to provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network. Given the distance of the eastern boundary, I consider it is appropriate, and indeed desirable, to provide vehicle and pedestrian connections to the east to integrate the future subdivision with existing built form.

74. In considering the amenity impacts on abutting and neighbouring properties to 42 Pearl Bay Passage, I am instructed that the projected traffic movements are relatively low and that there will be 2 metres on either side of the proposed road which will provide sufficient space to accommodate landscaping, and new fencing if required. I am also instructed that the road and intersection design is not expected to result in any safety issues. In my view, the benefits that the new road will provide in terms of connectivity outweigh any amenity impacts, and in this instance, I do not consider the amenity impacts to be unreasonable, in any case.

6.3 HAVE ENVIRONMENTAL, SOCIAL AND ECONOMIC EFFECTS BEEN APPROPRIATELY CONSIDERED?

75. Pursuant to Section 12(2)(b) of the Planning and Environment Act, a Planning Authority '*must take into account any significant effects which it considers the scheme or amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the scheme or amendment*'. In addition, Section 12(2)(c) of the Planning and Environment Act states that, in preparing a planning scheme amendment, a Planning Authority '*must take into account its social effects and economic effects*'.

76. The Planning Scheme Amendment proposal is supported by a number of technical assessments, which include:

- Flora and Fauna Assessments which, in relation to 22-40 Leviens Road, St Leonards, found no native vegetation within the site. However, a 0.176 ha of remnant 'patch' vegetation occurs on the Leviens Road roadside reserve in front of the site.
- Cultural Heritage Assessments which confirm that a Cultural Heritage Management Plan is not required and that there are no impediments from Aboriginal heritage legislation in relation to the proposed rezoning and future subdivision.
- A Traffic Impact Assessment which recommends access points, access road widths and external road improvements. I am instructed that Mr Tim McKinley of Cardno will be presenting evidence on traffic matters and I defer to him in this regard.
- Stormwater Management Plan which identifies measures that will ensure that:
 - All development flows will be below pre-development flows.
 - All lots will have 300mm freeboard to 100 year ARI floor levels in each of the retarding basins.
 - Off site flooding be reduced via the significant flow reduction associated with these concepts.
 - Water quality treatments for the site meet Best Practice requirements of Clause 56.07-4.

77. The DDO provisions include various objectives and requirements in relation to vegetation retention, stormwater management, traffic and pedestrian movements, and public open space which will ensure these matters are appropriately dealt with at the subdivision permit application stage.

78. I have considered the proposed rezoning to the GRZ and application of a DDO to the site in the context of environmental, social and economic effects, and I am of the opinion that the Amendment can be expected to generate net community benefits which include (but are not limited to):

- Facilitating future residential development and therefore assisting in achieving a higher and better use for the land.
- Add to the supply of residential land in proximity of the St Leonards Town Centre.

- Providing the opportunity to contribute to the diversity and range of housing densities and dwelling typologies within the area and the Municipality.
- Employment creation in the construction of future development and associated infrastructure requirements and provide a boost to the local economy.
- Result in improved road, pedestrian and cycle networks, improved drainage and a financial contribution to the future delivery of an Early Learning Community Centre in St Leonards.

6.4 WILL THE PROPOSED AMENDMENT PROVIDE FOR AN APPROPRIATE OUTCOME IN THE CONTEXT OF THE SURROUNDING AREA?

79. The rezoning of the land will provide the ability for the subdivision and housing development on the site which will, obviously, change the character of the site from a rural to urban environment. The retention of some vegetation and landscaping around the edges of the site will assist in providing a transition at the urban-rural interface, including the provision of 'greenway' along Ibbotson Street.
80. I do not expect that the 'small town ambiance' or 'seaside village feel' of St Leonards will be adversely affected by the rezoning. The site is located a significant distance from St Leonards Town Centre where the main attractions and features are located which give St Leonards its character. The rezoning is a logical extension to the St Leonards township on land that is already bounded by housing or built form on three sides.

7 Conclusion

81. In conclusion, I am of the opinion that:

- **There is clear strategic support for the rezoning of the subject site to the General Residential Zone.**
- **The proposed Design and Development Overlay is an appropriate tool to guide the future subdivision of the site.**
- **Environmental, social and economic effects have been appropriately considered.**
- **The proposed amendment will provide for an appropriate outcome in the context of the surrounding area.**



Stuart McGurn
Urbis Pty Ltd

Appendix A

Statement of Qualifications

STATEMENT OF QUALIFICATIONS AND EXPERTISE

Name and Address

Stuart Andrew McGurn
Director
Urbis Pty Ltd
Level 12, 120 Collins Street
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Qualifications

- Bachelor of Arts 1984
- Graduate Diploma Urban Planning 1986

Professional Experience

- Current Position: Director, Urbis Pty Ltd
- 2010-2015: Partner, Environmental Resources Management Australia Pty Ltd
- 1998 – 2010: Director, Fulcrum Town Planners Pty Ltd
- 1986 – 1998: Town Planner in local government – Cities of Broadmeadows and Melbourne, including role as Principal Planner – City of Melbourne

Area of Expertise

- Statutory planning for local and state government on a range of residential, commercial and industrial issues.
- Consulting advice to a wide range of commercial and local government clients addressing the management of urban development and the statutory planning process.
- Extensive planning advice to architects, project managers and other professionals involved in a range of projects and the built form and visual impact issues associated with the development of land.

Expertise to Prepare this Report

Professional qualifications and expertise in town planning both in the public and private sectors.

Instructions which defined the Scope of the Report

My instructions required me to undertake a town planning assessment and review the merits of the proposal. In so doing, I have relied upon those matters set down below.

Facts, Matters and Assumptions Relied Upon

I have relied upon the following in the preparation of this report:

- Inspection of the subject site and surrounds.
- Review of the Greater Geelong Planning Scheme.
- Review of the Planning Scheme Amendment C325 and supporting documents.
- Review of Planning Scheme Amendment C312.
- Review of the relevant strategic policy documents.

- Review of Council Delegate Reports.

Documents taken into Account

Relevant documents are described above.

Identity of Persons undertaking the work

Stuart McGurn assisted by Claire Betteridge, of ERM.

Summary of Opinions

A summary of my opinions in relation to this matter is included at paragraph no. 7 of my evidence.

I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

A handwritten signature in blue ink, appearing to be 'Stuart McGurn', written in a cursive style.

Stuart McGurn
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