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Date: 2 May 2016

Amendment C346 to the Greater Geelong Planning Scheme

Part B Submission on behalf of the City of Greater Geelong

INTRODUCTION

1. Council's Part A submission was circulated to the Panel and the parties on 22 April 2016.
2. These submissions address the key issues raised in the submissions and evidence as well as any outstanding issues, and particularly those highlighted under Direction #10 of the Panel's directions including:
 - (e) Whether the proposed structure plan will facilitate land supply to accommodate projected population growth.
 - (f) Clarification of infrastructure capacity to accommodate projected growth (including the population projections and the growth area underpinning infrastructure planning).
 - (g) Whether Schedule 39 to the Design and Development Overlay should be removed.
 - (h) Updating of the Structure Plan document that should be undertaken to reflect current plans for the Grubb Road Activity Centre.
3. It is noted that Council addressed Direction #10d as part of its Part A submission (concerning the analysis of the 2007 Structure Plan and the proposed changes to it). This issue will be explored further as relevant in the response to submissions and evidence below. Council's submissions are set out under the following headings:
 - The indicative long term settlement boundary
 - Request for Rural Living / Low Density Zoning
 - Changes to the settlement boundary east of Banks Road
 - DDO39 – Grubb Road Neighbourhood Activity Centre
 - DDO40 – Town Centre Urban Design Framework
 - Traffic and movement issues
 - Other planning issues
 - Structure Plan consultation process

THE INDICATIVE LONG TERM SETTLEMENT BOUNDARY

4. The main issue raised in submissions was the proposed removal of the indicative long term settlement boundary from the Revised Structure Plan map in both the actual Revised Structure Plan and the relevant clause of the MSS.
5. This boundary was shown as a blue dashed line on the 2007 Structure Plan map. Of the 15 submissions that raised this issue, nine submitters objected to the removal of the boundary and eight supported its removal.
6. The long term boundary encompassed the north-west quadrant of the Structure Plan area with a small portion east of Grubb Road. The main area west of Grubb Road extends across to Wallington Road, north and west of the Ocean Grove Nature Reserve, north of low density residential areas along Thacker Street and south of the Wallington rural residential estate along Rhinds Road. The long term settlement boundary did not follow any particular property or zoning boundaries.
7. Those submitters who supported the removal of the long term settlement boundary included landowners in the Hardings Road area, and environmentalists concerned at urban encroachments near the Nature Reserve. The submissions below focus on responding to the submissions that objected to the removal of the long term settlement boundary.

Lack of justification for the removal of the long term settlement boundary

What is the issue?

8. Objecting submitters have argued that the removal of the long term settlement boundary is poorly justified and unfair.
9. Submitter #25, the owner (under contract) of the Oakdene vineyard to the west of Grubb Road, believes that the removal will unreasonably restrict the ultimate development potential of the land holding. It submits that the land is located within the next logical growth area for Ocean Grove and it requests that the Revised Structure Plan be updated to include a revised settlement boundary.
10. Submitter #30 submits that a future evidence-based land needs assessment and environmental management plan should be provided to support a rezoning of their land within the long term settlement boundary.

Status of the long term settlement boundary

11. Before going to issues regarding the merit of the long term settlement boundary, it is important to note firstly the *status* that the long term settlement boundary currently has within the Greater Geelong Planning Scheme.
12. As noted above, the long term settlement boundary was illustrated in the 2007 Structure Plan map and thereby included within clause 21.14 (at page 12) via Amendment C129 to the Scheme.
13. There are no other references to the Ocean Grove long term settlement boundary within the text of clause 21.14, and indeed nowhere else in the Scheme has this land been nominated for rezoning. Apart from the change to the notations on the Structure Plan in clause 21.14, the only text revision to clause 21.14 which may be considered relevant to this issue is the following amendment to a general strategy contained within clause 21.14-2:

Ensure that development outside of settlement boundaries (as shown in the Structure Plan maps included in this clause) does not compromise the rural, environmental and landscape values of the non-urban breaks ~~or longer term growth opportunities~~.
14. The revised clause 21.14-2 also now includes a new strategy to:

Contain urban development within the defined settlement boundary on the Structure Plan map.
15. We submit that this Amendment highlights just how important it is to be careful about what is said in the text of a planning scheme or noted on a map or drawing set out in the planning scheme. Importantly, words such as "indicative" and "potential" while on one view reasonable and well intentioned and non-committal, seem to develop a life of their own and morph into statements which are supposed to have some more definitive meaning. Indeed it is as if a decision has already been made that the area in question is appropriate to consider a rezoning request.
16. Irrespective of the indicative line shown on the 2007 Structure Plan map, the decision as to whether this land is even required let alone whether it has development potential having regard to the usual considerations was always going to require an assessment as to the need, merit and viability of developing the land in this area for urban purposes. This much is clear from:

- the words of the 2007 Structure Plan, which indicate that the development potential of this area would require further review;
- the lack of strategic support within the existing Scheme for the development of this land for urban purposes at this time.

17. Within the context of these issues, it is interesting to note that the C129 Panel also considered submissions that argued for additional growth areas to be identified in the Scheme. Within the context of that amendment, the arguments related to the identification of additional areas within urban Geelong.

18. The C129 Panel noted in its report of June 2008 that:

We are not convinced that all the growth need be in one area, though this may be the best option. It is a key decision that should flow out of a consideration of the constraints and opportunities and should not be decided on before hand.

Equally, no artificial pattern (corridor, cluster, new town or whatever) should be chosen in advance. It is a question of fitting an appropriate development model to the specific possible areas in a way that minimises the adverse aspects of constraints and maximises desired outcomes. This needs to be done at the broad scale before detailed investigations are undertaken.

The key questions are:

- **What are the future residential and industrial land use needs for Geelong?**
- **What are the environmental, resource, landscape, development pattern, access, servicing, land use, economic and social constraints and opportunities in the possible growth areas around Geelong? This should be assessed in two stages: the first to identify any 'fatal flaws' that would prevent further consideration of an area, the second a more refined investigation.**
- **What combination of possible growth areas will best meet future needs considering the constraints and opportunities?**

...

On this basis we think that these three levels of plans will need to be developed in turn and that the level of detail needs to be appropriate to the task. The three levels are:

- A Geelong Growth Strategy – this needs to be broad brush and run by Council. It needs to provide for industrial, commercial and residential development land.¹
- A growth area plan for identified growth areas – this could be carried out in partnership with land owners.
- Precinct Structure Plans.²

[our emphasis]

19. It is considered that a similar series of questions are appropriate for the Panel to consider as part of this Amendment. In short:

- What is the need?
- What are the constraints?
- What growth strategy will best meet the needs identified?

20. When considering 'what are the potential growth areas?' the C129 panel considered:

Having inspected the possible growth areas we caution Council on inviting privately funded investigation studies prior to the overall strategy being approved. We can see obvious constraints in all possible areas. Overcoming these constraints will require high level policy decisions and perhaps significant investment if sustainable communities are to be created.

We think that Council should keep an open mind on what areas might be possible for growth and not exclude any areas on the periphery of Geelong from initial consideration. We say this because we think that no area stands out as a clearly superior growth area.³

21. Whilst these comments relate to a different development context (ie. the areas west of Geelong), Council considers that this Amendment is consistent with the C129 panel's principles. More particularly, in preparing this Amendment, Council thinks that it is ultimately necessary to review and consider all growth options for Ocean Grove. It is considered that the growth areas illustrated by the existing settlement boundary are the most appropriate areas for the concentration of development

¹ It is noted that the G21 Regional Growth Strategy has now fulfilled this role.

² Greater Geelong Planning Scheme Amendment C129 Panel Report (June 2008), page 37.

³ Ibid, page 37.

within the life of the Revised Structure Plan having regard to the likely need in the life of the Revised Structure Plan.

22. The C129 Panel also considered controversy around the inclusion of land outside the settlement boundary for St Leonards, but with the designation '*protect for potential long term residential growth*' on the St Leonards Structure Plan map.

23. The C129 panel concluded:

As a matter of principle we believe that future growth areas should be included within the Settlement Boundaries of coastal settlements. This is particularly so where the land has been identified as suitable for development and there is a reasonable prospect of it being developed within the short to medium term. We believe that this approach is consistent with the VPP Practice Note: Implementing a Coastal Settlement Boundary.

24. In that case, the land which was the subject of discussion was cleared farming land that was zoned Farming Zone. The panel held that in that case, the additional time required to process rezoning and subdivision permits could conceivably mean that by the time housing lots were available for purchase, the land supply might have decreased to around 5 years in the area. The panel held that such a low level of supply would have negative implications for choice, competition and cost in the residential land market, concluding:

Including the two 'long term residential growth areas' (including the land owned by V Petsinis) within the Settlement Boundary does not mean that the land need be rezoned now; it simply removes one impediment to a future rezoning. We think that this is a sensible approach that is consistent with the Practice Note.

25. The circumstances before *this* Panel are quite different. Namely, the Revised Structure Plan is proposing to adopt an approach that is more in line with PPN36 and provide greater certainty for the short to medium term development of Ocean Grove. There is no need or strategic support (beyond its current designation) for the land in between the existing settlement boundary and the indicative long term settlement boundary to be developed within the short to medium term. This is not to say that Council has formed the view this land can *never* be developed for urban purposes. Rather, the ample supply of land within the existing settlement boundary removes any imperative to adhere to or make uninformed decisions about the long term direction of growth required to satisfy the projected population growth.

26. A similar issue was also considered by the panel appointed to consider Amendment C194 to the Scheme, in July 2010. Amendment C194 gave effect to the Drysdale – Clifton Springs Structure Plan, adopted by Council in April 2009 noting that Drysdale Clifton Springs has a designation similar to Ocean Grove in terms of growth.
27. One of the issues considered by the C194 panel was Council's proposed designation of an area to the south and outside of the structure plan settlement boundary as an area to 'Protect Rural Land for Future Urban Growth'.
28. Submissions were received objecting to the designation on the basis that the calculation of forward lot supply within the plan was misleading, and that the setting aside of the additional area for future urban growth of around 500 hectares went beyond the reasonable time coverage of the structure plan.
29. Council agreed with this submission and submitted to the C194 panel that the designation should be removed.
30. When considering compliance with the relevant Practice Notes, the C194 panel noted with respect to the then Practice Note *Implementing a Coastal Township Boundary 2006*:

The Practice Note identifies a number of positive outcomes of establishing settlement boundaries in coastal areas including encouraging more compact and efficient urban forms, containing outward growth and safeguarding conservation areas and coastal landscapes which were considered consistent with the Drysdale / Clifton Springs township setting and vision.

Any review of settlement boundaries is to ensure adequate recognition and consideration of the Victorian Coastal Strategy including an analysis of the hierarchy of principles for coastal planning and management and consistency with the Strategy's objectives.

The Practice Note advocates considering the supply/demand of land within a 10 year planning opportunity for future growth (if any).⁴

31. Then, regarding the issue of residential land supply, the panel concluded that:

...given the Structure Plan provides an ample supply of land for residential purposes, it would be inappropriate to specifically identify any other areas for future urban growth at this time, particularly outside the township boundary. To do so

⁴ Greater Geelong Planning Scheme Amendment C194 Panel Report (July 2010), page 18.

could lead to increased development and rezoning pressure; impacting on the proper future planning for this area.⁵

32. And in relation to the designation of land as 'Protect Rural Land for Future Urban Consolidation' the panel concluded:

The Panel recognises there may be some merit in the long term for this area to develop as residential. **However, given the Structure Plan currently identifies a 20 years supply of land, the identification of additional land outside the town boundary for future such development, either directly (in the Structure Plan) or indirectly (through 'other actions') is considered premature and could result in increased pressure for this area to be rezoned before it is required.**⁶

[our emphasis]

33. The panel there was right on point in terms of the concerns that it had. In Ocean Grove, very recently, Council received a package of information from the Morgan and Griffin group as a precursor to a future rezoning request for the land west of Grubb Road outside the settlement boundary providing for very extensive areas of further urban land.
34. Turning back to this Amendment, it is also important to note that neither before the 2007 Structure Plan nor since that time has there been any analysis of the environmental constraints of the land outside the settlement boundary such that they would not hinder the development of this land for urban purposes.
35. However, what we do know, at the broad level, is that environmental constraints in relation to the land within the 'long term settlement boundary' shown on the 2007 Structure Plan map have been recognised as early as the 1993 iteration of the Structure Plan. At section 2.2.5, the 1993 Structure Plan notes that:

The coastal area around Ocean Grove consists of a dune system rising to 30 metres above sea level behind broad sandy beaches. The dunes are orientated to the prevailing wind and run parallel to the coastline. Behind the primary dunes the township has been developed on undulating hills bisected by deep gullies.

To the west is the Barwon River, a mangrove lined estuarine system linking the Lake Connewarre Wildlife Reserve to the ocean.

⁵ Ibid, page 24.

⁶ Ibid, pages 27 – 28.

To the east of Collendina extends a large area of flat, poorly drained swampland punctuated by small lakes. Much of this area provides an important habitat for native flora and fauna.

North of the current residential areas, the rolling hills raise to around 40 metres above sea level. Several extensive areas of native vegetation can be noted. The major area of indigenous vegetation is the Ocean Grove Nature Reserve – a reserve of regional significance. Woodlands Estate lies to the south of the nature reserve and provides a bush setting for low density residential development. This low density development provides a buffer to the nature reserve. This should be retained to protect the reserve.

To the north-west of Ocean Grove are small holdings of rich agricultural lands along Wallington Road. Much of the rolling hills are intensively cultivated with berries and orchards being the predominant crops. This area needs to be protected as a valuable agricultural resource. Urban development should not encroach into this area.

Justification for the removal of the long term settlement boundary

36. The arguments and rational regarding the basis for the removal of the long term settlement boundary were provided in the Council report of 8 December 2015 and in detail in the Revised Structure Plan (pages 95 – 96).
37. The Revised Structure Plan states:

Given the adequacy of municipal land supply, there is limited merit in retaining the indicative "long term settlement boundary for the period beyond 2021", as identified in the 2007 Structure Plan...

Cognisant of state, regional and local planning policy about the need to define a clear coastal settlement boundary and the adequacy of land supply...the identification of an indicative long-term settlement boundary on the Structure Plan map is considered unnecessary. The indicative long term settlement boundary sets an unclear direction for the town and uncertainty in regards to future development...of land outside the nominated settlement boundary.

Whilst a district town and a designated urban growth location, the extent of planned growth and associated infrastructure and services has largely met this status and role. Building and strengthening the town does not necessarily mean further urban growth.

38. There are numerous other reasons that should (or should have) be/been considered before any decision is made to identify a long term boundary, howsoever described, which is beyond the settlement boundary for conversion to urban purposes.
39. We are not aware of these matters ever having been considered. These include:
- The notion of a boundary is one that suggests "no further", albeit perhaps limited to "for the time being". The idea of having two boundaries is somewhat of a contortion and only creates uncertainty. It effectively renders the first boundary a line drawn for timing purposes only, negating one of its important characteristics that is to say, "no further".
 - The nominated coastal boundary for Ocean Grove should be clear and easy to justify. Given the odd alignment of the indicative long term boundary, we certainly find no rational explanation for its course or geographical position. It does not, for instance align with cadastre. We also note that while it extends significantly over to the west, it excludes areas to the north.
 - On Council's analysis, and we say that it's analysis is the correct one, there is sufficient land supply within the municipality and in the town over the lifetime of the Revised Structure Plan up to 2030 to accommodate the anticipated future population growth, which will be predominantly delivered by the north-east growth area. Even if one adopts the alternative analysis, we think that there is no pressing need for a review.
 - There is a policy imperative to maintain a non-urban break between Ocean Grove and other localities such as Wallington as well as with open farmed landscapes and the notion of the expansion of the urban areas into those breaks does not sit well with that limb of policy.
 - It is important to reduce land-use conflict at the urban / rural interface and to safeguard productive agricultural land and or agricultural based uses and to ensure that existing agricultural uses are not priced out or incentivised to change the use of their land and therefore shift capital away to other land.
 - There is a need to encourage more compact and efficient urban development within the existing coastal settlement boundary. The constant expansion of the settlement boundaries does not create the necessary "pressure" to make consolidation attractive. In this regard, the panel should

note the large extent of RGZ land which now has been provided for around the Ocean Grove Township. Far be it from a "dwindling" supply of land there is ample and significant stock of land for urban redevelopment or infill as it were.

- There is the potential for disconnection between this area and the Town Centre and associated community related infrastructure.
- Land north of the Special Use Zone and Low Density Residential Zone on Thacker Street has historically been seen as the northern urban edge of the town due to proximity to environmental constraints.
- The area is within and adjoins bushfire prone land.
- There is a need to protect and manage coastal and environmental values. The environmental qualities of this area are considered significant enough to preclude development at this point in time. This relates to the proximity of the land to the Ocean Grove Nature Reserve and the significant flora, fauna and wildlife qualities that exist within the reserve.
- The Barwon River Estuary and Lake Victoria environs are of significant environmental and ecological importance and should be protected from development pressures that may result in environmental impacts from stormwater drainage and runoff. Land north-west of the town drains to the Barwon River Estuary.
- The area contains waterways and drainage lines that require retention to ensure that flows downstream through areas such as the Nature Reserve, Barwon River and Lake Victoria Environs are not adversely impacted upon.
- Land fronting Grubb Road along its western boundary provides an important gateway entry to the town and future development could impact upon the attractiveness of this entry.
- The landscape character of this area provides an important backdrop to the town providing an undeveloped rural character and edge.

40. In any event, the ultimate growth of Ocean Grove is not a matter that requires final resolution by the Revised Structure Plan or this panel, having regard to Council's

analysis and indeed other analysis of need and to the extent of available zoned land and population forecasts.

41. We also submit that the maintenance of the long term boundary, particularly after an exercise such as this Amendment will inevitably lead to intense pressure on Council and a race by owners to get land rezoned. The current proposal by the owner of the Vineyard is illustrative of this.
42. If it was determined as part of a future review of the Revised Structure Plan that Ocean Grove should grow beyond its existing settlement boundary, and the political and planning decisions to give effect to that were taken commensurate with the relevant public consultation that should attend to that, then all potential growth areas around the town can be investigated in detail (as proposed by Submitter #30) and the settlement boundary moved accordingly.
43. Accordingly, Council submits that there are very good reasons as to why the indicative long term settlement boundary should be removed from the Structure Plan and the Scheme going forward for the time being.
44. As such it is considered entirely appropriate for the indicative long term settlement boundary to be removed and instead, as recommended by Mr Milner, replaced by a statement in the Revised Structure Plan that the need for further land for urban development will be considered at the next Structure Plan review. Speculators can then proceed at their own risk in every respect and not point to the Scheme as providing any encouragement whatsoever. It will also enable the Planning Authority of the day to make decisions based on strategic planning rather than on the basis of some assumed right or expectation.

Land supply and population growth

What is the issue?

45. This issue is closely aligned with the issue of the way to deal with the settlement boundary. One of the arguments levelled against the removal of the long term settlement boundary relates to the suggested inability for the Revised Structure Plan to accommodate population growth within the defined settlement boundary. It was argued by some submitters that additional zoned land will be required to accommodate the predicted growth within Ocean Grove within the timeline of the Revised Structure Plan.

Land supply and population projections within Ocean Grove

46. Lot supply is a consideration in this Amendment as the 2007 Structure Plan required (and indeed State policy requires) that the take up of land and redevelopment within the town be monitored regularly, and that a basic review of development and lot supply should be undertaken every five years. As already noted, this is consistent with State Planning Policy as expressed at Clause 11.02 (Urban Growth) of the Scheme. The SPPF requires municipalities to ensure a sufficient supply of land is available to accommodate a projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.
47. As such, structure planning for towns must consider residential land supply on a municipal basis, rather than a town-by-town basis.
48. This is the key difference between the drafting exercise of the 2007 Structure Plan and the current Structure Plan.
49. To reiterate, clause 11.02-1 (Supply of urban land) of the Scheme includes the following strategies:
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Planning for urban growth should consider:
- Opportunities for the consolidation, redevelopment and intensification of existing urban areas....
- Monitor development trends and land supply and demand for housing and industry.
50. The Land Supply report⁷ prepared by Spatial Economics in 2015 confirmed that for the municipality, there is adequate land supply of 25 years of zoned land and an additional 13 to 14 years of unzoned stocks.

⁷ Residential Land Supply Monitoring Project G21 Region Geelong (2015).

51. While councils are required to consider land supply on a municipal basis, rather than a town-by-town basis, the following development plans provide some useful current local development context:
- **Kingston Estate** – on 12 April 2012, Planning Permit No. 1263/2011 was issued for a multi-lot staged subdivision and removal of native vegetation, generally in accordance with the endorsed plans. The Kingston Downs Estate development plan provides for approximately 2,200 lots (with 793 lots in stage 1).
 - **Oakdene Estate** – the Oakdene Estate Development Plan was approved on 15 September 2011 and provides for approximately 986 lots.
 - **Trethowan Avenue / Ocean Grand Drive** – on 24 September 2015, Amendment C203 rezoned the Trethowan Avenue / Ocean Grand Drive area to GRZ1 and applied the DPO31 to the land. The DPO31 aims to ensure that development occurs in accordance the Trethowan Avenue / Ocean Grand Drive Outline Development Plan 2014, which provides for an estimated 472 lots.
52. A list of the relevant planning permits was provided to the Panel on 22 April 2016.
53. These approvals provide some important context for the Panel in understanding the areas approved for development within Ocean Grove. However, as the Panel will be very well aware, considering the development 'landscape' within Ocean Grove is very different to that of Metropolitan Melbourne. In other words, in an area such as Ocean Grove, lot supply is only one factor that needs to be balanced against other policy directions such as those factors highlighted earlier, including the need to protect non-urban breaks, the Bellarine Peninsula LPS and the Victorian Coastal Strategy.
54. The sort of data presented by these plans and similar plans enables Council to be very detailed and very specific and accurate about the actual number of lots which are available at any given time. Thus, Council has been able to prepare, for instance, a land monitoring report (Spatial Economics) which provides accurate advice to Council on the land supply issue so as to enable Council to comply with its monitoring obligations. Mr Stokes will speak to this further in his expert evidence.

Developer monopoly / lack of competition

What is the issue?

55. Four of the objectors to the long term settlement boundary removal expressed concern about a single developer having a monopoly over residential development in Ocean Grove.

Council response

56. The Kingston Estate was the main residential estate for some years prior to Morgan and Griffin commencing the development of the Oakdene Estate east of Grubb Road. This followed the 2007 Structure Plan and the subsequent rezoning of the broader north-east growth area by Amendment C60 in 2010.
57. The two main conventional residential estates continue to be limited to Oakdene and Kingston, with some lower density residential lots available at Yellow Gums / Goandra. However, the recent rezoning of land to the west of Banks Road (the Trethowan Avenue area) by Amendment C203 will continue to add to the market diversity.
58. Ultimately, the issue of competition in supply is a matter that is capable of being monitored in the same way as overall supply is able to be monitored.

Certainty of investment and financial impacts

What is the issue?

59. Some submitters who objected to the long term settlement boundary removal also expressed concerns about the potential financial impact and lack of certainty for investment in the area.
60. A number of submitters believe the boundary change will de-value their properties.

Council response

61. Council's Part A submission, particularly at paragraph 37 onwards, sets out the genesis of the indicative long term settlement boundary. At paragraph 44 we quoted from page A-08 of the 2007 Structure Plan.

62. It is important to reiterate these points because they highlight that the 2007 Structure Plan expressly states that the long term boundary is '**indicative only** and included for **consideration** of the very long term potential future growth'.

63. The 2007 Structure Plan states at page A-8:

The proposed long term (beyond 2020) Settlement Boundary **is indicative only and included for consideration of the very long term potential future growth.** The boundary seeks to preserve opportunities for town expansion whilst balanced with the appropriate protection of the environmental and landscape features of the land located on the periphery of the town. The land available for urban growth within the long term boundary will be constrained by landscape and environmental factors including the need for a sensitive interface with the Ocean Grove Nature Reserve and significant coastal landscapes limiting growth to small, well planned and interconnected nodes”.

Long term, ongoing expansion of the town beyond a total population of between 25,000 – 30,000 is not advocated as it is considered that this would result in a significant loss of the unique setting and character of the town that makes it popular for residents and tourists alike and runs contrary to coastal planning principles.

Accordingly, a decision will need to be made in a subsequent structure plan as to whether or not it is appropriate for urban development associated with Ocean Grove to expand onto land between these two settlement boundaries involving a major consideration and examination of transport, infrastructure, social and community impacts.

[emphasis added]

64. The Structure Plan also includes as an 'Urban Growth – Direction':

Determine a **potential** long term Settlement Boundary **that identifies the possible ultimate extent** to which the town **might** expand, based on logical and defensible long term planning boundaries.

65. The 'Ocean Grove Structure Plan map' in clause 21.14 of the (current) Scheme depicts a hashed blue line that is described in the legend as 'Long Term Boundary Beyond 2020'. The 'bubble' over the area says 'protect long term growth **option**'. An 'option' should not be read as a certainty.

66. In responding to this issue as raised by submitters, the Panel will need to determine whether it is reasonable or not for submitters who have purchased speculatively or held on to property on the basis of the indicative long term settlement boundary to now submit that there is some form of legitimate right or expectation. We respectfully submit that it would be concerning for such a right to be recognised in the context of the genesis of this notion of an indicative long term settlement boundary.
67. While we acknowledge that investment decisions have been made and these may have been based on the indicative long term boundary, they were entirely speculative and merit no condolence or apology. Speculation implies risk and in the context of the genesis of the indicative long term settlement boundary, such decisions would have been very speculative and risky. So be it.
68. Council agrees that structure plans and planning schemes should provide a level of certainty for investment and decision making. This is good reason to remove an *indicative* long term settlement boundary.
69. Other submitters have different views on the growth direction options for Ocean Grove. For example, Submitter #29 (Kingston Estate) submits that the best long term option is land between the north east growth area and the Bellarine Highway, which is land that is not even within the indicative long term settlement boundary. We make no comment in relation to that land at this time, save to say that it ought to fall into the category of what is reviewed for growth options at the time the next review is undertaken. On Council's assessment, at the earliest this need not be until the next review of the Structure Plan but it should be noted that Council reviews the land supply more often than it reviews the Structure Plan. Land supply is monitored on a 5 year basis. Other submitters (eg. Submitter #24) that operate agricultural pursuits in that area may have a different view, but their interests will also be considered at the appropriate time.

Urban impacts on rural areas / interface

What is the issue?

70. Submitter #17 has a property inside the indicative long term settlement boundary on the east side of Grubb Road directly north of the Oakdene residential estate and requests that the border between the urban development and their rural property 'be significant' and in line with the 2007 Structure Plan as 'urban edge treatment'.

71. Submitter #24 (the owner of Glasshouse Farms) recommends lower density residential lots adjoin the northern settlement boundary with an average size of 1,000 square metres to create a transition between the growth area and Farming Zone land to the Bellarine Highway. They submit that the proposed interface treatment has the effect of destroying their future plans for expansion. The submitter refers to the approved development plans for the Kingston and Oakdene residential estates which show lower density residential lots adjoining the northern settlement boundary with an average size of 1,000 square metres. They submit that this fails to ensure an appropriate transition between residential and farming land and the effect is to require the 300 metre buffer to be contained within their landholding.

Council response

72. Council has approved development plans for the majority of the growth area which show 'low density' lots as the buffer treatment between the conventional residential development and Farming zoned land to the north (see page 13 of the Structure Plan). Those development plans of themselves give insight into the expectation at the time that this area comprises the northern extent of the north east growth area, thus the use of a transition type lot.
73. The southern boundary of Submitter #17's land abuts the northern extent of the residential zoned land of the growth area. No development plan has been submitted for the adjoining property at 242 – 250 Grubb Road, which forms approximately one third of the common boundary. The rear two thirds of this boundary are subject to an approved development plan with approximately half parkland and half low density lots. It is expected that the low density lots would also be applied to the 242 – 250 Grubb Road land when a development plan is submitted for approval.
74. The development of Submitter #24's land was established as a result of Planning Permit No. 748/2007 (amended 2011) for construction of a glasshouse and sheds etc in association with a horticultural use (lettuce growing). Council's Statutory Planning Unit has considered that this use falls within the definition of "Agriculture" (rather than "Rural Industry" which requires a 300 metre setback from the residential zone boundary pursuant to Clause 52.10).
75. There is no planning scheme impediment to the development of future glasshouses on the subject site as outlined in Submission #24 as the basis for its inclusion for residential zoning as part of the north east growth area.

76. We note the evidence of Mr Phillips of Phillips Agribusiness. We submit that the evidence indicates why it is so important to be clear in defining boundaries. The problems experienced by Submitter#24 are not alleviated by developer activity in acquiring land holdings that are zoned Farming Zone. At the moment these parcels have land values based on speculation. The question is whether one throws petrol on the fire or water?
77. Mr Phillips notes, in reference to the choices confronting his client, that committing to capital expansion requires the resolution of urban interface concerns and being confident in operating the facility over a sufficiently long period to amortise plant and infrastructure capital and built intrinsic value to the business (page 2 of evidence).
78. We disagree with Mr Phillips however that this somehow (and somewhat curiously) justifies a rezoning of further land in the buffer. Specifically, we do not understand how that could provide the submitter with "confidence in investing knowing that their capital is secure". This seems more like a request to have the land rezoned to enable subdivision in which case "securing capital" is really to be interpreted as meaning the maintenance of the underlying equivalent capital value of the investment in the land for urban purposes.
79. Assuming we understand it correctly, Council does not agree with the submission or the expert evidence in support of it.
80. However, we do think that instilling certainty to the boundary issue is the best thing for the submitter's business in the Farming Zone.

Request to extend the settlement boundary to the Bellarine Highway

What is the issue?

81. Submitter #29 argues that the most appropriate location for future growth is an extension north of the Kingston and Oakdene Estates. The submitter, who has acquired a number of sites between the north-east settlement boundary and the Bellarine Highway, recommends that Council identify land north of Kingston and Oakdene Estates as a 'future logical inclusion, subject to further investigations' on the Structure Plan.

82. Submitter #24 requests that the settlement boundary be extended to the Bellarine Highway to include the Farming Zone land as a further extension of the residential area. This part of Submitter #24's submission has been dealt with earlier.
83. These submissions are closely aligned with the issue of the way to deal with the settlement boundary, and particularly the submissions of Submitter #24.

Council's position

84. This request is not supported in the context of the Revised Structure Plan.
85. As noted earlier, a single defined settlement boundary is preferred to avoid the uncertainty that the two boundary approach has created in the north-west area.
86. If it is determined as part of any future review of the Revised Structure Plan that Ocean Grove should expand beyond its existing settlement boundary, then all viable and appropriate options for the extension of the settlement boundary would be considered at that time including this submitter's land.
87. The constraints of residential development up to the Bellarine Highway should also be acknowledged. Further, bringing urban development up to a highway is not consistent with the policy of retaining non-urban breaks around towns.
88. The submitter's evidence, through Mr Black, highlights the extent of what might almost be termed an attitude of "entitlement" dressed up in policy terms under the guise variously of "designated growth corridor" and "land use and investment expectation".
89. There may be some confusion here between "expectation" and "speculation" but we submit that neither concept is justified by the drafting of the text in the 2007 Structure Plan nor the notation on the Structure Plan map within the Scheme.
90. In any event, none of these designations apply to the land that Mr Black's client owns. We submit that the submission is a straight out endeavour to extend the settlement boundary over land which has never had any designation, save as an area for preservation of the rural residential edge with farm based tourism opportunities.

REQUEST FOR RURAL LIVING / LOW DENSITY ZONING

What is the issue?

91. Submitter #12 (a landowner of land on Hardings Road) believes that providing an option to the landowners of minimal subdivision (e.g. 5 acre lots) with specific environmental controls would be more positive for the environment and landowners. The submitter understands why Council has advocated against rural living subdivisions, however, makes the point that larger properties require a lot of maintenance. Submitter #12 submits that subdivision of this nature would attract people who are interested in the environment and willing to contribute to its upkeep.
92. Submitter #30 submits that Amendment C346 does not adequately deal with housing choices for those who do not want conventional (600 square metres or medium density) lots. They refer to the success of the Goandra Estate and believe the long-term settlement boundary should remain so that land to the north of Goandra Estate, west of Ocean Grove Nature Reserve and east of Wallington Road, can be used for low density residential housing when community demand and need is justified.

Council response

93. The rezoning of land for low density or rural living is generally not supported by Council.
94. Clause 21.06-2 (Urban Growth) of the Scheme limits rural living development to existing zoned land in the existing nodes, including Wallington. While Council has supported rural living and low density style zones in the past along Thacker Street (Woodlands, Goandra, Belle Vue), it does not support further extension to the north of these estates. Development in this area may cause impacts along the boundary of the environmentally sensitive Nature Reserve and the area is further constrained by bushfire risk and visually sensitive landscapes, particularly towards Wallington Road.
95. It may also impact by prejudicing the availability of land for future urban purposes if that becomes necessary.

CHANGES TO THE SETTLEMENT BOUNDARY EAST OF BANKS ROAD

What is the issue?

96. The 2007 Structure Plan identified Farming Zone land at the north-east corner of Banks Road and Shell Road as a possible location for an eco-tourist facility given its unique views of the coast, wetlands and proximity to the urban edge. The 2007 Structure Plan included this site within the main settlement boundary. The updated Structure Plan removes the site from the settlement boundary, which now follows Banks Road.
97. Submitter #36 objects to this change.
98. The submission is that the need for a complete and thorough investigation into the potential medium to longer term growth options for Ocean Grove has not been appropriately addressed in the Revised Structure Plan.
99. The submitter contends that the Revised Structure Plan fails to provide clear direction for the longer term growth of the town. The submitter also objects to the Revised Structure Plan showing a buffer area and walking path on the land east of Banks Road, with no longer term growth potential shown beyond that boundary.

Council's position

100. Council considers that this site is not suitable for residential development or inclusion in the settlement boundary for the Revised Structure Plan. There are particular sensitivities of this land and its surrounds that make it inappropriate for residential development. A site inspection will reinforce this.
101. The revised provisions of the Farming Zone also now allow for more tourism related uses to be considered for this site, which means that proposals could be put forward for the site through a planning permit application for an eco-tourist facility without the need for rezoning of the area.
102. Any non-rural land uses could be considered against the zone provisions and planning policy, including Council's new *Tourism Development in Rural Areas* policy, which is currently on exhibition as part of Amendment C347 to the Scheme.

DDO39 – GRUBB ROAD NEIGHBOURHOOD ACTIVITY CENTRE

What is the issue?

103. Submitter #29 and Submitter #8 consider that the proposed DDO39 may no longer be necessary in view of the recent changes made to the submitted Development Plan for their land. If the DDO39 is to be retained, the submitters have requested some changes to it.
104. Submitter #25 expresses concern that the DDO39 may conflict with their Permit (503/2010) regarding future collector road planning.
105. The Panel has also queried:
- Whether Schedule 39 to the Design and Development Overlay should be removed.⁸

Council's position

106. The Grubb Road Activity Framework Plan (June 2015) was prepared by Council to facilitate the design and development of the new NAC and adjoining restricted retail precinct.
107. It establishes a set of urban design principles and a concept plan intended to assist Council in assessing future development plans (as required by DPO22) and subsequent permit applications.
108. The Structure Plan (at pages 135 – 142) outlines the development of this plan and the key urban design principles. The Structure Plan recommends these principles provide the basis for the new DDO39, which forms part of this Amendment.
109. However, since the Structure Plan was adopted in December 2015, the developer's consultants have submitted to Council a Development Plan for approval as requested by DPO22, which encapsulated the vast majority of the urban design principles contained in the proposed DDO39.
110. Council agrees that duplication of planning controls needs to be avoided. However, it is important to ensure that the development plan approval and planning permit

⁸ Direction #10g.

application process will adequately ensure consistency with the Framework Plan's urban design principles, particularly for future stages of development in both the C1Z and the C2Z.

111. Further, the retention of the DDO39 provisions will better enable Council to assess future stages of the NAC and development of the C2Z land, particularly the interface with Grubb Road. In response to this submission, Council has considered revising the DDO39 such that it only applies to the areas subject to the later stages of development. However, it considers that this would produce a clumsy arrangement.
112. Therefore at this stage, Council does not agree that the DDO39 is not required.
113. If it is the case that an approved development plan and planning permit were in place for Stage 1 of the development prior to the approval of this Amendment, the existence of the DDO39 would have no impact on that stage.
114. The DDO39 would, however, ensure that any future stages are consistent with the design principles of the Framework Plan.
115. In the event that the DDO39 is retained, Council understands that Submitter #8 is seeking the following changes to the overlay:

Clause 2.0 (Buildings and works – Built form and scale):

- Remove the requirement for a variation of ground floor setbacks to break up continuous frontages and visual bulk (see dot point 5). Council accepts this change.
- Include the words 'where possible' at the end of dot point 7, which seeks design responses to address both frontages where a building is located on a corner. Council does not accept this change.
- Revision of dot point 10 to read 'Minimise the presentation of blank facades and back of house areas to Grubb Road' in replacement of the current drafting, which reads 'Built form should not present a blank façade or back of house to Grubb Road'. Council does not accept this change.
- Include the words 'where possible' in dot point 13 in respect of providing pedestrian scaled interfaces on Cheviot Terrace. Council accepts this change.

- Similarly, in dot points 16 and 17 Council supports the inclusion of the words 'where possible' in respect of loading areas.

Clause 2.0 (Buildings and works – Vehicle Access and Movement):

- Replace the word 'avoid' used in the final dot point to 'minimise'. Council supports this change.

Clause 2.0 (Buildings and works – Car parking):

- Amend the final dot point to read 'Minimise dominant car parking areas on Coastal Boulevard and parking close to the Grubb Road signalised intersection'. Council supports this change.

Clause 2.0 (Buildings and works – Landscaping):

- Delete the words 'to provide' from the final dot point. Council supports this change.

Clause 4.0 (Advertising signs):

- Amend the first dot point to include the words 'where possible' at the end of the sentence. Council supports this change.
- Amend the second dot point to read 'Signs should be of a size and height that is appropriate in the context of the built form of the buildings and surrounding landscape. Council supports this change.
- Amend the third dot point to delete the direction that signs should be 'limited in number'. Council does not support this change.

116. Council also proposes that the final DDO39 be amended to change references to the 'Main Street' to 'Coastal Boulevard'.
117. An agreed final version of the DDO39 is still subject to discussions between Council and the submitter and will be provided to the Panel on the final day of this hearing.
118. Council submits that there is nothing in the current DDO39 proposals or submitted Development Plan on the Grubb Road NAC site which will impact on the approved local road network in the Oakdene Estate. Shell Road Developments will be required to connect to the approved Oakdene road system.

DDO40 – TOWN CENTRE URBAN DESIGN FRAMEWORK

What is the issue?

119. Four submissions were made in response to the UDF recommendations and proposed DDO40 provisions raising the following issues:
- height limits should be restricted to 10 metres to preserve the town's character (Submitter #10);
 - upper floor levels in The Terrace are critical for creating a vibrant centre, but parking waivers may need to be granted (Submitter #11);
 - there is insufficient width at the rear of 76 The Terrace to enable the proposed rear laneway to be constructed (Submitter #35); and
 - increased housing diversities around the Town Centre and Grubb Road NAC are supported and will reduce demand for greenfield sites (Submitter #32).

Council response

120. The low rise scale of the Town Centre is a characteristic valued by the community.
121. The UDF includes design guidelines for new development in the each of the precincts and specific prominent sites to ensure that new developments complement the coastal character of Ocean Grove. These have been translated into DDO40 at Table 1.
122. Meanwhile building heights and setbacks are identified in Map 2 and these are called up or activated by clause 2.0 of DDO40 under the heading Design Guidelines – Design and Built Form. The provisions are drafted so as to be discretionary. The height range is generally between 10.5 and 13.5 metres (or 3 to 4 storeys).
123. In developing the building height guidelines the key considerations have been: (page 34 of UDF)
- the precedent of three storey development already within the Town Centre;
 - the need to reinforce The Terrace as prominent shopping strip;

- the 'stepping up' of development in the Town Centre from the surrounding residential area, where three storey development is permitted;
 - the recessing of third and fourth storey elements to minimise the prominence of upper floors and overshadowing the public realm;
 - limiting four storey elements in The Terrace to the south side of the street to protect the footpath on the south side from overshadowing; and
 - minimising the visual impact and bulk of new buildings from key viewing locations to the south by recessing buildings from the southern boundary of The Terrace and limiting building heights to three storeys on corner sites.
124. The UDF and the DDO40 divide the town centre into 3 precincts.
125. The four submissions noted above relate to Precinct 1 (The Terrace), and relate to future development on the south side of The Terrace.
126. For the most part, the recommended maximum height throughout all precincts in the Town Centre is 10.5 metres. However, on the south side of The Terrace, there will be the ability to construct buildings up to 13.5 metres, but with the upper floors required to comply with building setbacks.
127. These provisions will minimise the prominence of the upper floors, reduce the prospect of overshadowing and reduce the visual impact of new buildings from key viewing locations. Council is mindful that the provisions are discretionary and there is the ability for a developer to seek permits for taller development than what is identified in the DDO40. However, the DDO requires a specific urban design benefit to be demonstrated. This language is admittedly open to some interpretation but like all text, it must be read in a context and with the UDF as a Reference Document to set that context. The provision of mandatory heights is a challenging proposition in planning and the extent of urban design analysis required to justify that has not necessarily been undertaken. Thus the discretionary provisions.
128. The design guidelines are aimed at ensuring new developments complement the coastal character of Ocean Grove, while providing an opportunity to promote economic development and diversity of business and housing opportunities in the town centre.

129. These proposals have been very widely canvassed and generally accepted by property owners and the wider community, which is reflected in the lodgement of only one submission expressing concern about the proposed 13.5m height limit.
130. In response to the remaining issues raised:
- The issue of parking waivers would be considered at the permit application stage of the planning approval process.
 - The rear laneway will offer access to ground level, and potentially basement car parking, and the UDF identifies sites in streets where additional parking could be funded by developers to offset a lack of parking on site. The rear laneway connection south of The Terrace provides an opportunity to remove unnecessary loading and unloading from The Terrace and provides redevelopment opportunities for Dare Street and The Terrace properties with rear loaded garages. The existing 6 metres between the building and the rear boundary of 76 The Terrace provides sufficient width to enable the proposed laneway to be constructed through this property.

TRAFFIC AND MOVEMENT ISSUES

Grubb Road / The Terrace

What are the issues?

131. One submission (#18) supports the proposed duplication of Grubb Road, while three submissions (#4, #23 and #42) oppose the proposed duplication of Grubb Road because of the potential loss of established trees and impact on the vegetated rural entrance to the town. Two of these submissions consider that traffic from the growth area should be directed to the Bellarine Highway, while three submissions (#6, #17, #34) express concern about being able to access their Grubb Road properties because of the increased traffic and the roads ability to cater for growth area traffic.
132. One submitter (#6) believes Council has failed to consider the Devlins Road access to Bellarine Highway as an alternative.
133. Three submissions (#21, #31 & #38) oppose the designation of The Terrace as the town's future through arterial road and one submission (#1) supports the designation.

134. One submission (#20) proposes the use of Thacker Street (and new Barwon River crossing) as the long-term arterial road and one submission (#9) opposes any increase in traffic on Thacker Street.

Council response

135. The Structure Plan map contains the notation “support duplication of Grubb Road including provision of pedestrian and cycle paths”. Section 5.2 (page 111) of the Structure Plan outlines VicRoads’ proposals for the long-term duplication of the road. Reference to its proposed widening is referred to in the 1993 and 2007 Structure Plans, it forms a requirement of DPO22 and was being provided for in the approved growth area development plans.
136. Every effort has been made to protect the significant roadside vegetation and a VPO applies along the Grubb Road reservation. Some trees have been removed (with a permit) to enable the construction of the Grubb Road/Oakdene Boulevard intersection and further losses can be expected when the new Kingston Downs intersection and Grubb Road NAC accesses are constructed. It is hoped that remaining roadside vegetation on the east side of Grubb Road could be incorporated into the median strip when the road is eventually duplicated. It is acknowledged that access to and from the submitter’s properties on to Grubb Road is becoming more difficult with increased traffic. Future duplication of the road should improve safety issues.
137. Council planning has never contemplated urban development extending to the Bellarine Highway and has consequently not permitted traffic generated within the growth area to travel through this area using the existing Devlin Road reservation.
138. The Structure Plan map designates the “Preferred arterial route via The Terrace” as the long-term arterial route intended to replace The Parade being the existing route. The prospect of changing the arterial road from The Parade to The Terrace has been raised in both the 1993 and 2007 Structure Plans and the Council-owned land which would form the connection between Tuckfield Street and The Terrace is already zoned Road Zone Category 1.
139. The UDF considered the road network within the Town Centre. The arterial road network was found to be a significant barrier to pedestrian amenity and safety. Whilst it found that conversion of the arterial road to The Terrace was currently not

achievable because of the high construction costs, it remained a long-term option (requiring VicRoads' support).

140. VicRoads has expressed its willingness to continue to work with Council to improve safety and amenity of the town centre precinct for all users, particularly pedestrians.
141. The Structure Plan has no proposals which would result in any change to the status of Thacker Street. The submission that it should become a major arterial road through the town and connect across the River to Barwon Heads (submission #20) would need to result from a major traffic, environmental, economic feasibility study outside the scope of the current Structure Plan review.

Pedestrian and cyclist movements

What are the issues?

142. Four submissions (#4, #7, #13, #14) raised issues about footpaths (e.g. sealing in their neighbourhood, bicycle/vehicle separation etc).
143. Submitter #4 suggested a bicycle track along Grubb Road, with minimal disruption to vegetation. Submitter #14 emphasised the need for pedestrian/cycle pathways separated from roads on main thoroughfares.
144. Submitters #7 and #13 were not supportive of a sealed footpath along their streets.

Council response

145. It is evident that there is strong community support for development of a more coordinated and comprehensive network of footpaths to access key locations such as the Town Centre.
146. At the same time as this Amendment was exhibited, the Council has also undertaken a separate comprehensive consultation process for its Ocean Grove Principal Pedestrian Network (**PPN**) project which included direct notification to every householder in Ocean Grove.
147. The Town Centre UDF identified the need for a strategic and coordinated approach to developing a comprehensive footpath network for all of Ocean Grove and recommended a PPN be prepared for the town.

148. The Structure Plan discusses the overall pedestrian and bicycle networks and their need for improvement (see pages 115-120). The level of detail raised in these submissions was not dealt with in the Structure Plan but will be addressed as part of the PPN project.
149. The PPN project will identify:
- the strategic routes where footpaths and shared paths are required to create the network; and
 - investigate options for how the identified network of paths can be delivered in a timeframe that balances Council and community expectations.
150. These submissions will be referred to Council's Planning Strategy Unit for response as part of the PPN process.

OTHER PLANNING ISSUES

What are the issues?

151. Other planning issues raised relate to:
- vegetation;
 - soccer fields;
 - primary school; and
 - water.
152. Submission #16 requests additional planning controls be applied to the bush garden area bounded by Bell, Blackwell, Mann and Newcomb Streets and Wallington Road identified on the Structure Plan map as an area to "Investigate opportunities to preserve landscape/neighbourhood character".
153. Submission #32 supports all of the proposals to review the SLO7 native vegetation protection controls contained on Page 19 of the Structure Plan.
154. Submissions #28, #33 & #37 are seeking the provision of more soccer fields, particularly within the Ocean Grove growth corridor.

155. Submission #29 in part expresses concern at the designation of a potential school site location within the Grubb Road NAC. It acknowledges the need for a primary school in the growth area but considers that there are other superior options available.
156. Submission #2 (Barwon Water) advises that it is able to service the future growth area.
157. Submission #18 refers to the need to remove the unsightly abandoned Barwon Water reservoir in Grubb Road and the future use of the land planned for.

Council response

Vegetation

158. The area referred to in Submission #16 falls within the area which is a subject of the Strategic Planning Unit's "Ocean Grove Significant Tree Project", currently being finalised prior to public consultation.
159. The comments contained in this submission will be considered as part of this project.
160. All of the items referred to in Submission #32 will also be addressed as part of this Project.

Soccer fields

161. The Structure Plan indicates that in the north east growth corridor, developers are required to provide a regional public open space site (8 hectare) comprising two multi-use ovals, sports pavilion and other informal park facilities (see page 125). One of these ovals, in the Oakdene estate, has reached an advanced stage of construction.
162. Council will have the ability to accommodate additional soccer pitches within this regional park facility as the need arises in the future.

Primary school

163. The Structure Plan map contains the notation "investigate primary school site in north east growth area" and pages 123 – 124 of the Structure Plan outlines the planning process to date in designating a site for a new school.

164. The plan in the Structure Plan is indicative only; it simply demonstrates the desirability of choosing a site having regard to strategic planning considerations.

Water

165. The Council has continued to work closely with Barwon Water to ensure delivery of reticulated water supply and sewerage services to the growth area in a timely manner.
166. In response to Direction 10f of the Panel's directions, Council confirms that continued monitoring of these services and liaison with Barwon Water will ensure that the projected population growth can be accommodated within Ocean Grove. There are no other servicing constraints that would prevent the development of the land within the settlement boundary.
167. The Structure Plan makes reference (at page 36) to the need to investigate alternative rural uses for the redundant Barwon Water land on the west side of Grubb Road. This is the site of a water supply holding basin which is no longer used (the town's water supply is distributed from an adjoining covered tank site). As the land is zoned PUZ1 it will need to be subject to a separate planning scheme amendment prior to its sale by Barwon Water.

STRUCTURE PLAN CONSULTATION PROCESS

What is the issue?

168. Two submitters (#3 and #34) expressed concern at the process leading to Council's adoption of the Structure Plan, unwillingness to consider inputs received and failure to directly consult with land owners.
169. The Ocean Grove Community Association (#15) indicated it participated in the consultation processes for both the Structure Plan and the UDF, and made submissions to both documents.

Council response

170. The public community consultation process undertaken as part of the Structure Plan preparation is set out in detail in the Council officer report of 8 December 2015.
171. In summary, the process was subject to extensive newspaper notices and articles, social media information, public meetings and numerous meetings with key landowners. At that stage, individual landowners were not notified.
172. Council considered all issues raised in the submissions received as a result of the consultation process prior to adopting the Structure Plan.

CONCLUSION

This completes the Part B submissions for the Council.

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2 May 2016