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Amendment C346 to the Greater Geelong Planning Scheme

Part A Submission on behalf of the City of Greater Geelong

INTRODUCTION

1. Council is the Planning Authority for the purposes of Amendment C346 to the Greater Geelong Planning Scheme (**Scheme**). Amendment C346 (**Amendment**) was prepared at the request of Council.

Study Area

2. The Amendment applies to planning scheme provisions dealing with the township of Ocean Grove. More particularly, it applies to the existing urban areas of the township (primarily the Ocean Grove Town Centre) and also to areas at the periphery, including land to the north and north west of the existing urban zones and the rural interface.
3. The Study Area is defined by Map 1 of the *Ocean Grove Structure Plan December 2015 (the Revised Structure Plan)*.¹
4. The Study Area is currently impacted by a range of policy, zone and overlay provisions. The zone provisions include:
 - Residential Growth and General Residential Zones (RGZ3, GRZ1, GRZ2);
 - Low Density Residential Zone Schedule 1;
 - Rural Living Zone;
 - Mixed Use Zone;
 - Commercial 1 and Commercial 2 Zones;
 - Industrial 1 and 3 Zones;
 - Special Use Zone Schedule 8 – Goandra Land, Thacker Street;
 - Public Park and Recreation Zone; and
 - Public Conservation and Resource Zone.

¹ *Ocean Grove Structure Plan (December 2015)*, page 7.

5. The overlay provisions include:

- Design and Development Overlay Schedule 11 – Orton Street and the Esplanade, Ocean Grove;
- Design and Development Overlay Schedule 14 – Dwellings Over 7.5 metres in areas with access to views;
- Design and Development Overlay Schedule 16 – Presidents Avenue, Ocean Grove (**DDO16**);
- Design and Development Overlay Schedule 20 – Industrial 1, 2 and 3 Zones (**DDO20**);
- Design and Development Overlay Schedule 27 – Hodgson Street Mixed Use Precinct (**DDO27**);
- Development Plan Overlay Schedule 22 (Ocean Grove Growth Area) (**DDO22**) and Schedule 31 (Trethowan Avenue / Ocean Grand Drive, Ocean Grove) (**DDO31**);
- Heritage Overlay;
- Land Subject to Inundation Overlay;
- Environmental Significance Overlay Schedule 2 – High Value Wetlands and Associated Habitat Protection
- Significant Landscape Overlay Schedule 6 (Wallington Road, Ocean Grove) and Schedule 7 (Ocean Grove Coastal Area);
- Vegetation Protection Overlay Schedule 1 (Significant Roadsides and Linear Reserves) and Schedule 2 (Thacker Street, Ocean Grove – Vegetation Protection Area);
- Wildfire Management Overlay; and
- Public Acquisition Overlay Schedule 3 – VicRoads, Proposed Road – Category 1.

6. The policy provisions include:
- Clause 21.14 – The Bellarine Peninsula
7. The placement of each of these zones and overlays is illustrated in the book of plans and maps provided to the Panel on 22 April 2016. The area of application of clause 21.14 is shown in the Ocean Grove Structure Plan Map found at clause 21.14-7.

The Amendment

8. The Amendment seeks to implement the findings of:
- the Revised Structure Plan; and
 - the *Ocean Grove Town Centre Urban Design Framework June 2014* (**the UDF**).

through the following changes to the Scheme:

- amend clause 21.14 (Bellarine Peninsula) to include the key strategies of the Revised Structure Plan and the recommendations of the UDF;
- insert a new schedule 39 to clause 43.02 (Design and Development Overlay) to implement key urban design recommendations for the Grubb Road Activity Centre and Restricted Retail Precinct in the north-east growth area (**DDO39**);
- insert a new schedule 40 to clause 43.02 (Design and Development Overlay) to implement the key urban design recommendations for the Ocean Grove Town Centre (**DDO40**);
- delete DDO16 relating to Presidents Avenue, Ocean Grove;
- delete DDO27 relating to the Hodgson Street Mixed Use Precinct;
- apply DDO20 relating to Industrial 1, 2 and 3 Zones, to the Industrial 3 Zone land within the north-east growth area; and
- amend Planning Scheme Maps 81DDO and 82DDO.

Council's submissions

9. Council's case to the Panel will rely on the strategic material and background documentation supporting the Amendment to illustrate the strategic merit of the Amendment, as well as the Council officer response to submissions of 22 March 2016, these written submissions and on the expert evidence of Rob Milner of 10 Consulting Group and Dale Stokes of Spatial Economics.
10. The Panel has directed that Council provide its 'Part A' submission by 22 April 2016. This paper responds to that direction under the following headings:
 - Background
 - Strategic Context
 - Strategic Background
 - Strategic Assessment
11. A chronology of events is set out at **Attachment A** to this submission.
12. It is noted that some of the matters addressed in this submission cover questions and issues raised by the Panel within Direction #10 of the Panel directions dated 12 April 2016, particularly Direction #10d.² While the Panel sought a response to those matters in the 'Part B' Submission, in some instances it was considered that an issue was more closely related to the 'background' to this Amendment, and therefore it is addressed here where appropriate.
13. Council's 'Part B' submissions will be delivered at the Panel Hearing on 2 May 2016 and will address:
 - the outstanding matters raised in Direction #10 of the Panel directions;
 - the outstanding matters raised in submissions to the Amendment; and
 - any other matters raised in expert evidence or material circulated by the parties prior to the Panel Hearing.

² Which seeks a response regarding the analysis underpinning the existing structure plan and proposed changes to it, including the projected growth rate.

14. Finally, it is noted that as part of Council's Part A Submission, the Panel has requested that Council advise of changes to the Amendment documentation proposed, if any, as a result of the issues raised in submissions.
15. Council confirms that it proposes to make a change to the Amendment documentation. More particularly, Council does propose to make a change to give effect to a recommendation of its planning expert Mr Milner.

BACKGROUND

Resolution to prepare Amendment

16. On 24 June 2014, Council resolved:

That Council

- 1) adopt the Ocean Grove Town Centre Urban Design Framework;
- 2) develop an implementation plan for the 'squaring up' of the Hodgson Street / The Parade intersection including the potential sale of Council land in Precinct 3;
- 3) request authorisation from the Minister for Planning to prepare an amendment to the Greater Geelong Planning Scheme; and
- 4) resolve, subject to the grant of authorisation, to exhibit an amendment to introduce the recommendations of the UDF into the Planning Scheme as detailed in this report and shown on the map at Appendix 3.

17. The resolution followed an "Enquiry by Design" workshop whereby Council sought and received input from residents, businesses, community associations, sporting clubs, schools and government agencies regarding the development of the UDF.

18. The UDF was placed on informal consultation for an eight week period from 5 February until 31 March 2014. A total of 104 submissions were received by Council and considered in the preparation of the final UDF. An overview of the final UDF is set out under 'Strategic Documentation' below.

19. At its meeting of 8 December 2015, Council then considered the findings of the review of the *Ocean Grove Structure Plan 2007 (Amended 2008)* (**the 2007 Structure Plan**). The review was undertaken as part of a scheduled 5-yearly review to assess development trends and lot supply.

20. At the meeting of 8 December 2015, Council resolved:

That Council

- 1) adopt the draft Ocean Grove Structure Plan 2015; and

- 2) resolves to prepare and exhibit a planning scheme amendment to include the necessary elements of the Structure Plan within the Greater Geelong Planning Scheme, subject to authorisation.

21. Council's adoption of the Revised Structure Plan followed informal stakeholder consultation undertaken in May 2015 as part of the review process.

Authorisation

22. On 7 January 2016, Council wrote to the Department of Environment, Land, Water and Planning (**DELWP**) requesting Ministerial Authorisation to prepare the Amendment.
23. Ministerial Authorisation was issued by the Minister for Planning on 12 January 2016. The authorisation was not subject to any conditions.

Formal exhibition

24. The Amendment was formally exhibited between 4 February 2016 and 4 March 2016 in accordance with the *Planning and Environment Act 1987 (PE Act)*.
25. In total, 42 submissions were received in response to the exhibition of the Amendment. Of those submissions:
 - 10 submissions supported the Amendment;
 - 11 submissions provided comments in relation to the Amendment; and
 - 21 submissions objected to the Amendment.
26. The Panel has received a copy of the Council "Delegated Authority" report of 22 March 2016 which sets out the submissions received, together with the Council Officer response to each of the submissions and the issues raised.
27. The issues raised in submission relate to:
 - removal of the Indicative Long Term Settlement Boundary;
 - changes to the Settlement Boundary east of Banks Road;
 - a request to extend the Settlement Boundary to the Bellarine Highway;

- DDO39, relating to the Grubb Road Neighbourhood Activity Centre;
 - DDO40, relating to the Town Centre Urban Design Framework;
 - other planning issues;
 - footpath and pedestrian movements; and
 - the Revised Structure Plan consultation process.
28. The Council officer responses to those submissions are adopted by Council for the purposes of this submission and the Part B submission. Council will expand on the issues raised through these submissions and the Part B submissions at the Panel Hearing.

Panel Directions

29. In its correspondence of 12 April 2016, the Panel issued written directions in relation to the filing and service of expert witness reports and the matters to be addressed in Council's submissions.
30. As directed, this Part A Submission and Council's expert evidence was filed and circulated on 22 April 2016.
31. The remaining Panel Directions, and particularly the list of matters set out in Direction #10 will be addressed here or through Council's Part B submission at the Panel Hearing on 2 May 2016.

STRATEGIC CONTEXT

32. This submission will now bring the Amendment into focus, and more particularly in relation to the strategic context and research base which supports the Amendment and consequently, the proposed implementation of the Revised Structure Plan and the UDF.
33. An overview of the key strategic documentation will be provided in chronological order so as to provide the best context to the Panel. This includes an overview of:
- Ocean Grove Structure Plan 2007 (Amended 2008)
 - G21 Regional Growth Plan (April 2013)

- G21 Regional Growth Plan – Implementation Plan (November 2013)
- Ocean Grove Urban Design Framework (June 2014)
- G21 Region (Geelong) Residential Land Supply Monitoring Project (June 2015)
- Bellarine Localised Planning Statement (September 2015)
- Revised Structure Plan
- The key changes between the 2007 Structure Plan and the Revised Structure Plan

Ocean Grove Structure Plan 2007 (Amended 2008)

34. The 2007 Structure Plan was introduced into the Scheme via Amendment C129 on 16 December 2009.
35. Amendment C129 was the subject of consideration by a Planning Panel concerning the City of Greater Geelong MSS and Local Policy Review in June 2008. A copy of the C129 panel report was provided as part of the material circulated on 22 April 2016. For the Panel's reference, the 2007 Structure Plan is referred to in the following sections of the Amendment C129 Panel Report:
- **Section 3.7 – The Use of Reference Documents (from page 19)**, which discusses the extent to which the planning scheme relies on Reference Document as an ancillary expression of Council's planning objectives and strategies.
 - **Section 6.2 – Planning for growth (from page 33)**, which discusses submissions that growth areas could be identified as part of the Amendment.
 - **Section 13 – Ocean Grove (from page 118)**, which discusses the issues raised in relation to Ocean Grove.
36. The Panel will be taken to aspects of the C129 Panel Report as relevant through the Part B submissions on 2 May 2016.

Panel Direction #10d

37. The Panel has asked that Council address:

The analysis underpinning the existing structure plan and proposed changes to it, including the projected growth rate.

38. This important matter will now be explained through this section and subsequent discussion regarding genesis of the Indicative Long Term Settlement Boundary in the current Structure Plan and the changes proposed.

39. The 2007 Structure Plan was developed having regard to:

- the Ocean Grove Community Vision as outlined in the *Bellarine Peninsula Strategic Plan 2006 – 2016* (a Vision which has been adopted and carried over for the purposes of the Revised Structure Plan which is before this Panel);
- issues and opportunities identified through community consultation; and
- Council's intention to develop a strategic planning framework for the future growth and development of the town to 2020 which builds upon the town's attributes, opportunities and the community vision.

40. The 2007 Structure Plan directions³ provide that by 2020, Ocean Grove will be a sustainable sized community which attains a series of objectives as described. The panel should refer to these by way of overview and context.

41. Insofar as Urban Growth is concerned, the 2007 Structure Plan notes⁴ that:

The population of Ocean Grove in 2001 was 10,055 people and the population in 2005 was estimated to be around 10,850 people. The future population growth of the town up to the year 2020 is based on three scenarios, adopting low (2%), medium (3%) and high (4%) growth rates. At these rates the population increase would range from 3,798 to 10,334 resulting in a total projected population for Ocean Grove ranging from 14,648 to 21,184 people, as seen in Table 1. This represents an average increase of some 271 to 738 people each year.

If the high growth scenario prevails then the total population by the year 2020 is forecast to be 21,184. Over time the age profile of the population is expected to

³ page A-5, 2007 Structure Plan

⁴ page A-7 *ibid*

change considerably. As shown in Table 2, projections based on the high growth scenario show the population of Ocean Grove is expected to continue to age, with an increase in the proportion of young people aged between 14 and 23. This age profile will impact on all urban sectors in terms of housing needs, community services and facilities and issues of accessibility and walkability.⁵

42. In order to accommodate the highest (and most conservative) growth scenario anticipated, the 2007 Structure Plan identified two settlement boundaries, being⁶:
- an **existing settlement boundary**, which represented the boundary for the lifetime of the Structure Plan to the year 2020 to accommodate a total population of approximately 21,000 and a future residential land supply of at least 10 years; and
 - an **indicative long-term settlement boundary**, which was expressed as a "potential" boundary for the period beyond 2020 or when land supply falls below 10 years, to ensure future development and location of services does not result in poor planning outcomes in the long term.
43. The existing settlement boundary and the indicative long term settlement boundary are both illustrated in Figure 2 Ocean Grove Structure Plan at page A - 6.
44. Page A-8 of the 2007 Structure Plan contains some particularly relevant discussion regarding how these two settlement boundaries were to be regarded. It notes that:

For structure planning purposes, the ultimate population and urban development potential of Ocean Grove should be taken into consideration, assuming land between the two growth area boundaries is used for urban development in the very long term. This is to ensure that short and medium term planning decisions do not prejudice the potential long term form and structure of Ocean Grove, should the town continue to grow towards the long term (beyond 2020) Settlement Boundary...

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

⁵ *Ocean Grove Structure Plan 2007 (Amended 2008)*, page A-7.

⁶ Page A-8

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.

According, 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.

[our emphasis]

45. Coupled with this, the 2007 Structure Plan included the following Urban Growth principles and directions relevant to this issue:

Urban Growth – Principles ⁷

- To protect the unique character of Ocean Grove as a coastal town within a sensitive environmental and significant landscape setting.
- To channel future residential expansion to the north-east away from the sensitive environmental areas to the south, east and west of the town.
- **To maintain a compact urban form with all development within the identified Settlement Boundary.**
- To ensure that new urban growth is provided with adequate provision of community and social infrastructure, particularly pedestrian access and open space.
- **To identify a potential long term boundary beyond 2020 for the future growth of the town and to ensure that development within area between the identified urban settlement boundary and**

⁷ Page A-10

potential long term boundary [sic] boundaries does not prejudice the potential for urban growth.

Urban Growth – Directions

- **Identify a Settlement Boundary around Ocean Grove within which all urban expansion anticipated to occur up to the year 2020 will be contained.**
- **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.**
- Retain a Rural zoning around the Settlement Boundary.
- Accommodate the majority of urban growth within a North-Eastern Residential Development Corridor between Banks and Grubb Road which is to be staged in an orderly manner.
- No expansion is proposed to the south, east and west due to physical and environmental constraints. Land between the two settlement boundaries should be used for rural and related purposes. No use or development should occur that would prejudice the long term future use of the land for urban purposes.

[our emphasis]

Review of the 2007 Structure Plan

46. At Part B⁸, the 2007 Structure Plan notes that:

The take-up of land and redevelopment within Ocean Grove needs to be regularly monitored and it is appropriate that a basic review of development and lot supply within the township be undertaken every 5 years. If such a review reveals that the existing lot supply has fallen to a rate of less than 10 years, (using accepted lot supply analysis criteria) a full review of the Structure Plan should be undertaken. This review would need to examine whether further growth of the town is appropriate and, if so, provide directions for growth and community needs and

⁸ It is important to note that the 2007 Structure Plan is divided into 3 parts with Part A being the Structure Plan, Part B being Implementation and Review, Part C being the Background Report.

determine the appropriateness of the alignment of the Long Term Settlement Boundary.

The review will also investigate the land between the Settlement Boundary and the Long Term Settlement Boundary and assist in establishing an approximate timeframe of remaining a rural zone or potentially being rezoned.

47. Council's Part B Submission will expand upon the propositions which we submit flow from the way that the Indicative Long Term Growth Boundary was identified and explained in the 2007 Structure Plan.

G21 Regional Growth Plan (April 2013)⁹

48. The *G21 Regional Growth Plan (April 2013)* (**Growth Plan**) manages growth and land use pressures to 2050. It pulls together the strategic land use and growth planning already undertaken across the region including the G21 Geelong Region Plan and builds on this to identify where future residential and employment growth will occur. It also identifies the key infrastructure required to manage and support this growth.

49. The Growth Plan notes at the outset¹⁰ that:

When projections in *The Geelong Region Plan – a sustainable growth strategy* showed that 500,000 people could be living in our region by 2050 – approximately 200,000 more than today – we had a responsibility to plan for that growth to be managed and sustainable.

The *G21 Regional Growth Plan* is not a plan to encourage growth, rather it is a plan to manage the inevitability of growth.

We needed to ensure that what we love about living here is protected so that our unique region can be passed in good condition to our children.

50. Ocean Grove is identified as a 'District town' within the Growth Plan. (refer Map 2 at page 9). The notation in respect of the Bellarine Peninsula on Map 2 states:

The larger towns of Ocean Grove and Drysdale / Clifton Springs provide significant housing opportunities and a range of services to smaller coastal towns. Towns on the Bellarine Peninsula offer coastal recreation, food and wine experiences and

⁹ The Panel can review more information regarding the G21 Geelong Region Alliance by visiting <http://www.g21.com.au>

¹⁰ Page ii

holiday accommodation. They experience significant population peaks and pressure on infrastructure and communities over peak holiday periods.

51. When considering the variety of challenges facing the G21 region as it grows, the Growth Plan lists the following eight critical challenges¹¹:

- Delivering land, infrastructure and services for identified growth.
- Planning for and adapting to climate change.
- Accommodating population growth without negatively affecting our unique environment and liveability.
- Reducing our dependence on cars.
- Education and building our skills.
- Providing a variety of housing choices.
- Managing land use conflicts.
- Managing the expectations of the G21 community.

52. As part of the preparation of the Growth Plan, the G21 councils mapped out 20 – 30 years' supply of zoned and strategically identified residential and employment land across the region. The Growth Plan notes that:

The current identified growth areas have been selected through local planning processes that involved extensive community engagement. Central Geelong, Armstrong Creek, Ocean Grove, Drysdale / Clifton Springs, Leopold, Lara, Torquay / Jan Juc, Bannockburn and Colac are identified for significant growth. These settlements will contain the majority of new residents and jobs. They play an important role in supporting surrounding communities and our productive farming activity.¹²

53. The settlement and employment growth directions are illustrated on Map 7 of the Growth Plan (see page 27). This plan includes an indicative designation of the settlement boundaries for all towns albeit at a very poor but nevertheless legible scale.

¹¹ Page 12

¹² G21 Regional Growth Plan, page 24.

54. Importantly, the Growth Plan allows for:

...growth of these centres to be contained to existing settlement boundaries as generally identified in Structure Plans. Allowances for minor boundary adjustments should follow a Structure Plan process¹³.

55. The Growth Plan also notes that the environments between urban areas play important roles in framing the settlements and creating the distinctive character and settings valued by the G21 community.¹⁴ The purposes of the identified settlement breaks in the Bellarine Peninsula are said to be:

to ensure a strong farmed landscape character between Geelong and Bellarine towns, encourage rural production, maintain town identities and related tourism opportunities and minimise impacts on significant wetlands and coastal views.

56. The following "Note" is also included:

Note: Settlement breaks have not been identified on Map 7 (page 27) around all settlements. The Growth Plan confirms the role and importance of settlement boundaries as identified in township structure plans. These boundaries are critical in creating breaks between settlements and preserving the natural and landscape values and settings of all towns and settlements in the region.

57. The Growth Plan reinforces the role of structure plans as the key policy document to provide more detailed growth planning for towns, including Ocean Grove.

58. Appendix B of the Growth Plan¹⁵ provides a more localised focus on the planning and infrastructure directions.

59. Ocean Grove is included within the settlement of 'Urban Geelong, Armstrong Creek, Lara, Ocean Grove, Leopold and Drysdale / Clifton Springs'. The planned total population is noted as 388,599. The proposed settlement size under the Growth Plan is:

To be confirmed following the development of an **Implementation Plan**.

60. Further directions are also provided in respect of the Bellarine Peninsula area (at page 50).

¹³ page 28

¹⁴ page 31.

¹⁵ page 48

61. The Growth Plan concludes that the potential exists to contain a significant proportion of Geelong's population within existing settlement boundaries and to encourage infill opportunities in key development areas and activity centres.

G21 Regional Growth Plan – Implementation Plan (November 2013)

62. The Implementation Plan builds on the Growth Plan by:
- identifying the crucial infrastructure required to support the housing and employment growth directions of the region and provide a program for its optimal delivery
 - providing land supply data and incentives for achieving strategic housing outcomes to support infrastructure and settlement planning
 - identifying key considerations and a pathway for the planning of longer term growth areas.
63. For Ocean Grove, the Implementation Plan identifies the following infrastructure needs:
- Grubb Road duplication – delivery timeframe 2020 – 2025 at an indicative cost of \$30 million.
 - Electricity new zone substation – delivery timeframe 2025 – 2035 at an indicative cost of \$20 million.
 - Water Supply upgrades – delivery timeframe 2014 – 2015 at an indicative cost of \$26 million.
 - Sewer upgrades – delivery timeframe 2014 – 2025 at an indicative cost of \$30 million.
 - Gas upgrades distribution pipeline – deliver timeframe 2014 – 2020.
64. Importantly, the Implementation Plan recommends¹⁶ that G21 councils use the land supply data prepared in support of the Growth Plan to manage the timing of strategic growth area planning and land release to ensure adequate infill and broadhectare land supply for housing and industry.
65. The land supply data is also recommended to inform the review of structure plans and timing of zoning of identified planned growth.

¹⁶ At page 109 under "suggested response"

G21 Region (Geelong) Residential Land Supply Monitoring Project (June 2015)

66. The Executive Summary of the *G21 Region (Geelong) Residential Land Supply Monitoring Project (June 2015) (Land Monitor report)* explains where it fits into the strategic context:

The following report (residential land component – Geelong) forms part of the G21 Regional Growth Plan (Growth Plan) Implementation Plan. The Growth Plan manages growth and land use pressures to 2050 for the G21 Region which includes the geographic areas of the City of Greater Geelong, Colac-Otway Shire, Surf Coast Shire, Borough of Queenscliffe and the southern section of Golden Plains Shire. The Growth Plan identified four key actions to be investigated as part of the Implementation Plan. This report forms part of one of these four actions, namely the provision of:

"...a Residential and Industrial Land Supply Report and a Land Supply Monitoring and Reporting Tool that will enable more accurate reporting and monitoring of land supply across the region."

67. The Land Monitor report was prepared by Spatial Economics Pty Ltd.
68. The Executive Summary of the Land Monitor report (pages 6 – 7) provides an important summary update of the residential land supply assessment undertaken in 2013 for the municipal area of Geelong. The panel should review this material itself in some detail. However, the following salient points are highlighted for consideration:
- at March 2013, the broadhectare / major infill lot potential was 48,244, of which 28,024 lots were zoned to support residential lot / dwellings;
 - at March 2015, this figure increased to 58,625 primarily due to the addition of land into the Lovely Banks development area;
 - the stock of zoned residential land increased from approximately 28,000 to 38,200 lots primarily due to the completion of structure plans within Armstrong Creek; and
 - over the same period of time, projected dwelling requirements have decreased, from a projection of 2,333 (VIF 2012) to 2,059 (VIF 2014) over the period from 2011 to 2013.

69. In light of this, the Land Monitor report concludes that:

Based on the updated residential demand and supply information across the municipality at March 2015, the adequacy-years of residential broadhectare / major infill supply has increased. Previously it was reported that there was 18 years of zoned residential land stocks, this has now increased to 25 years of supply. In terms of unzoned stocks or land parcels requiring a precinct structure plan, the years of supply has remained relatively constant at 13 to 14 years of supply.

70. Insofar as the projected demand is concerned, the report notes that the average annual projected demand by region within the municipality of Geelong is:

- Geelong Urban: 1,377 dwellings per annum; and
- Bellarine Peninsula: 682 dwellings per annum.

71. The residential land supply as at March 2015 is estimated to be 62,261 of which:

- 38,223 is zoned broadhectare / major infill lots (60% of supply);
- 4,381 is vacant urban residential lots (7% of supply);
- 20,401 is designated as future residential lots (32% of supply) being:
 - 7,560 potential residential lots (unzoned) (12% of supply); and
 - 12,850 UGZ (PSP required) lots (20% of supply).
- 247 is vacant rural residential lots (0.4% of supply).

72. The Land Monitor report found that:

- of the 7,615 zoned broadhectare sites available for development within the Bellarine Peninsula, **3,214 lots** were located within Ocean Grove (42.2%);
- of the 4,381 vacant urban residential lots, 588 lots were located within Ocean Grove (13.4%).

73. Having regard to the land supply stocks and projected demand (which were based on VIF 2014 and .id 2015 dwelling projections) the Land Monitor report concludes that based on the VIF 2014 population projection demand scenario:

...there are sufficient land stocks to satisfy **25 years** of future demand across the municipal area of Geelong, 14 years within the Bellarine Peninsula and 30 years across the Geelong Urban Region.

In terms of future residential (unzoned and PSP required land) land supply stocks, there is sufficient land to satisfy an additional **13 years** of projected demand across the municipal area of Geelong, 10 years within the Bellarine Peninsula Region and 14 years across the Geelong Urban Region.

74. The figures according to the .id 2015 population projection demand scenario are only slightly different, being:

- 24 years supply of zoned broadhectare / major infill residential land stocks across the municipal area of Geelong, being:
 - 14 years within the Bellarine Peninsula Region; and
 - 29 years across the Geelong Urban Region;
- 13 years supply of future residential (unzoned and PSP required land) land supply stocks, being:
 - 10 years within the Bellarine Peninsula Region; and
 - 14 years across the Geelong Urban Region.

75. Importantly, the Land Monitor report concludes¹⁷:

It is considered that there is no need for additional **zoned broadhectare** residential land stocks across the municipal area of Geelong, from a land supply and demand basis. Based on dwelling projections contained within VIF 2014 (the State Government's population projections) and i.d Consulting 2015 (projections undertaken for the City of Greater Geelong), there is **24 to 25 years** of zoned broadhectare land supply. It is considered that the historic broadhectare lot construction trend demand scenario considerably underestimates demand, due to historic broadhectare land supply constraints. This demand scenario equates to 33 years supply of zoned stocks.

In terms of the future broadhectare land supply stocks (PSP required and unzoned), based on the two dwelling projections contained in VIF 2014 and i.d

¹⁷ Page 9

Consulting 2015, there is an additional **13 years** of supply to cater for projected demand across the municipality.

76. Mr Dale Stokes, the principal author of the Land Monitor report has prepared an expert witness statement explaining the Land Monitor report further. Mr Stokes' evidence to the Panel will explain the methodology behind the Land Monitor report further and update any necessary information where relevant.

Bellarine Localised Planning Statement (September 2015)

Direction No. 17 – Localised Planning Statements

77. On 7 August 2014, the Minister for Planning updated Direction No. 17 – *Localised Planning Statements*, issued pursuant to section 12(2)(a) of the PE Act.
78. Direction No. 17 seeks to ensure that planning scheme amendments affecting the areas of the **Bellarine Peninsula**, Macedon Ranges, Mornington Peninsula or Yarra Valley and Dandenong Ranges have regard to the relevant adopted Localised Planning Statement for the area.
79. An "adopted Localised Planning Statement" means a Localised Planning Statement adopted by the Minister for Planning. The *Bellarine Localised Planning Statement (September 2015)* (**LPS**) was adopted by the Minister for Planning on 20 September 2015.
80. Direction No. 17 provides that in preparing an amendment affecting land identified in an adopted Localised Planning Statement, a planning authority must:
- have regard to the relevant adopted Localised Planning Statement; and
 - include in the Explanatory Report a discussion of how the amendment implements the adopted Localised Planning Statement.
81. The Explanatory Report to this Amendment explains that:
- The Amendment supports the LPS in terms of protecting non-urban breaks between settlements, supporting the growth of identified growth locations generally in line with adopted Structure Plans and seeking to protect, preserve and enhance built heritage, cultural and urban character values and preserve the individual identity and role townships.

Content of the Bellarine Localised Planning Statement

82. The LPS identifies the key valued attributes of the Bellarine and puts in place objectives and strategies to ensure that they are preserved and enhanced for ongoing use by present and future generations.

83. The LPS acknowledges the residential and tourist role of the town and its status as an urban growth area whilst also acknowledging the importance of maintaining non-urban breaks with open farmed landscapes between settlements.

84. It notes¹⁸ that:

The attractiveness, accessibility and proximity of these areas to metropolitan Melbourne mean that they are increasingly coming under pressure for growth and change. This could potentially undermine the long-term natural or non-urban uses of land in these areas and needs to be carefully managed. Because of this there is a need to identify the key valued attributes and activities important to these areas and put in place objectives and strategies to ensure that they are preserved and enhanced for ongoing use by present and future generations.

85. In respect of 'non-urban breaks' it notes¹⁹ that:

There is a long history of planning policy maintaining non-urban breaks between settlements on the Bellarine Peninsula. Non-urban breaks foster a sense of identity for each township and protect the intrinsic qualities of the environs surrounding existing settlements. Urban consolidation is encouraged to enable the existing boundaries of urban townships to be maintained and provide for increased densities that will justify provisions of additional services and utilise surplus capacity in existing services.

The non-urban breaks between settlements include areas of environmental significance, areas with significant landscape value, sites with significant vegetation and some of the most productive rural land within the City of Greater Geelong.

86. The township characteristics of Ocean Grove are noted²⁰ as:

Ocean Grove is one of three designated growth locations on the Bellarine Peninsula. The town centre at The Terrace is the commercial heart, with the

¹⁸ Page 3

¹⁹ Page 7

²⁰ Page 8

neighbourhood centre at Shell Road providing additional retail facilities. Ocean Grove is experiencing strong growth as a destination for both permanent residents and tourists. The major growth front is to the north with residential and commercial growth planned.

The surf beach at Ocean Grove is identified by the community as the most important natural asset and the need to enhance the coastal environment is important.

87. The significance of the area is outlined at page 13 of the LPS. It notes the Ocean Grove Nature Reserve, listed by the National Trust as a significant example of remnant flora of the Bellarine Peninsula.
88. Three key policy objectives and strategies relating to Bellarine Peninsula Grove include:
- 1) To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-rural breaks with open farmed landscapes between settlements.
 - 5) To facilitate the planned residential growth of Drysdale / Clifton Springs, Leopold and Ocean Grove, consistent with adopted Structure Plans and as service hubs for the Bellarine Peninsula...
 - 6) To support and encourage diverse and sustainable tourism as a key economic activity in towns and in rural areas where it complements and respects the farmed rural landscape of the area, does not impact upon existing farming activities and contributes to the local economy.

Ocean Grove Structure Plan 2015 (Revised Structure Plan)

Overview

89. The Revised Structure Plan was prepared by Council as part of its 5-yearly review of the 2007 Structure Plan in conjunction with informal stakeholder consultation in May 2015. The Revised Structure Plan adopted by Council in December 2015 replaces the 2007 Structure Plan.
90. The key differences between the two structure plan documents will be explored further below.

91. The purpose of the Revised Structure Plan is:

...to identify the strategic planning issues facing the town, including community needs and aspirations, and to articulate the preferred future directions for growth, whilst protecting and enhancing the very elements which make the town distinctive and functional as an urban area and tourist destination.²¹

92. The Revised Structure Plan Vision continues to be consistent with the *Bellarine Peninsula Strategic Plan 2006 – 2016*. The vision for Ocean Grove in the year 2015 is:

Ocean Grove is a major town offering a range of lifestyles, culture and natural environmental assets. While it is a designated growth town, Ocean Grove will retain its coastal urban character and protect and promote the attributes of the natural environment. As an integral part of the Bellarine Peninsula, Ocean Grove shares the attributes of other towns, the rural sector and our natural environment. Active community participation is encouraged to maintain all these linkages and attributes.²²

93. The Revised Structure Plan aims to build on these attributes and opportunities to achieve the town vision beyond 2015. The intended directions for Ocean Grove to 2030 are summarised within nine dot points at page 11 of the Revised Structure Plan.

Principles and Directions

94. In the same way as the 2007 Structure Plan, the Revised Structure Plan document is comprised of 3 parts with Part A of the document containing the 'Structure Plan'. This includes Principles (Objectives) and Directions (Strategies) in response to the key influences identified in the Structure Plan Background Report which is found at Part C of the Structure Plan. Part B contains the Implementation and Review provisions.

95. In respect of Part A of the Revised Structure Plan, the principles and directions centre around the following key themes:

- Urban Growth

²¹ *Ocean Grove Structure Plan (December 2015)*, page 5.

²² *Ibid*, page 11.

- Settlement and Housing
 - Infrastructure
 - Natural Environment
 - Economic Development and Employment
 - Rural Areas
96. These principles and directions are set out in detailed text in section 3.3 of the Revised Structure Plan and illustrated diagrammatically at Map 4 (page 37) of the Revised Structure Plan. This is the key plan that would replace that which currently exists in clause 21.14 of the Scheme.
97. The panel should read through the Principles and Directions at Part 3.3 of the Revised Structure Plan. Council's Part B submission will highlight relevant sections as they relate to the submissions to the Amendment.
98. The following matters within the Revised Structure Plan are, however, noted by way of overview to the key issues to this Amendment:
- **Population** – the population of Ocean Grove in 2015 is estimated to be 13,855 (.id forecast). The 2007 Structure Plan adopted a high growth scenario of 4% population growth per annum, which would have resulted in a population of approximately 21,184 by 2020 (using the base year population of 10,850 in 2005). The current .id forecast is that the town's future population up to the year 2030 will be 16,105, equating to an additional 150 people per annum. This is lower than the 2007 Structure Plan's anticipated high population growth rate of 4%. As per approved development plans for the town, the majority of population growth over the life of the Structure Plan (and as per the 2007 Structure Plan's intentions) will be accommodated within the north-east growth area.
 - **Land supply** – there are approximately 3,193 lots providing broadhectare residential land stocks within Ocean Grove as at March 2015. There are also an additional 423 minor infill lots and 436 future residential lots within the recently rezoned land at Trethowan Avenue. These figures are provided only by way of overview of the Ocean Grove context. As the Panel will be aware, State planning policy directs that structure planning for

towns must consider residential land supply on a municipal basis, rather than a town-by-town basis²³. The municipal and regional context will be provided further below.

- **Settlement boundary** – an analysis of development trends, land supply and population forecast indicates that the nominated settlement boundary as illustrated by the Study Area will continue to provide enough land up to 2030, including the forecast population growth up to 21,000 persons identified in the 2007 Structure Plan (cf. 16,105 on current predictions). This results in a supply in excess of 10 years.
- **Housing demand** – the anticipated demand for additional housing over the lifetime of the Structure Plan is expected to be in the region of 1,200 dwellings. This is based on an estimated population increase of 2,250 people (2015 – 2030), an average household size of 2.41 persons and a dwelling occupancy rate of 77.62%. The 'Identified Housing Diversity Areas' (**IHDAs**) will support development at increased densities around the Town Centre and Marketplace proximate to essential services.
- **Neighbourhood Character** – the town benefits from an established coastal character that is principally achieved through retention of vegetation, use of appropriate buildings materials, siting, site coverage, building height and capturing views. The Structure Plan recommends the review of existing planning overlays, including Schedule 7 to the Significant Landscape Overlay – Ocean Grove Coastal Area (**SLO7**) to investigate the specific development objectives relating to site coverage and retention of significant vegetation.
- **Community and social infrastructure** – there is will be a continuing need for investment in community infrastructure commensurate with the needs of the growing population. Currently, contributions are collected through the use of section 173 agreements in the north-east growth area to deliver community infrastructure such as a sports pavilion within the regional open space site (8 hectares). Other community infrastructure will be delivered through the collection of the \$900/lot levy. The Structure Plan also

²³ Clause 11.02-1 "Residential land supply will be considered on a municipal basis, rather than a town-by-town basis."

acknowledges the need for a new primary school in the town based on the advice of the Department of Education and Training (**DET**).

- **Vehicle access and movement** – the Structure Plan supports the key road network upgrades proposed in the UDF. It also continues to support the future duplication of Grubb Road given its importance as a key entry point to the town.
- **Pedestrian access and movement** – the Structure Plan supports the ongoing work between the community and Council through delivery of upgrades to footpaths and road carriageways. Map 3 of the Structure Plan (page 25) sets out the future access and movement network, highlighting the importance of providing improved connections between key destination points, with improved and connected pedestrian and bicycle paths being a priority.
- **Natural environment** – the settlement boundary excludes many of the key environmental features of the area from urban development. The Structure Plan supports further vegetation and ecological assessment, particularly in the older residential areas south of Thacker Street generally defined by Tuckfield Street and Wedge Street and an area south of Blue Waters Lake Reserve by Blackwell Street. These areas are considered to significantly contribute to the character of old Ocean Grove through existing levels of vegetation. The Structure Plan also emphasises the importance of addressing flooding, stormwater runoff and sea level rise in the consideration of new development.
- **Economic development and employment** – the Structure Plan supports the growth of retail floorspace within Ocean Grove over the period to 2021, consistent with the *Geelong Retail Strategy 2006*. The Structure Plan also supports the ongoing review of the existing retail strategy to ensure future retail land use and development has regard to growing populations and market demand. Figure 2 of the Structure Plan (at page 29) illustrates the planning and urban design principles and expansion opportunities for the Town Centre through the UDF. Figure 3 (at page 31) illustrates the indicative concept framework plan for the Grubb Road Activity Centre. DDO39 (Grubb Road Activity Centre) and DDO40 (Town Centre) are

proposed to guide the future stages of development within these key commercial I areas.

- **Rural areas** – the Structure Plan supports the continued annotation on the Structure Plan map to preserve the existing rural / residential edge to the north of the town. This principle also applies to land east of Banks Road.

Implementation and review

99. Part B of the Revised Structure Plan (pages 38 – 39) directs how the outcomes of the document will be implemented and reviewed.
100. The implementation plan foreshadows policy, zone and overlay changes proposed through this Amendment, as well as changes to be undertaken through future processes and strategic work.
101. Insofar as monitoring and review is concerned, the Revised Structure Plan notes²⁴:

The take-up of land and redevelopment within Ocean Grove needs to be regularly monitored and it is appropriate that a basic review of development trends and lot supply within the town be undertaken every 5 years.

Given this Structure Plan identifies a nominated settlement boundary with significant land rezoned for urban growth, it is not anticipated that any subsequent review would need to examine further areas for urban development.

Background report

102. Part C of the Revised Structure Plan includes a detailed background report providing analysis of all key issues including the regional and town history and setting, policy context (including other regional strategies which influence the Amendment²⁵), urban growth, settlement and housing, infrastructure, natural environment, economic development and employment and rural areas.

²⁴ Page 39 at Part 2

²⁵ Including a number of policy and strategy documents in respect of coastal matters, environmental matters, urban growth and land use planning, major planning scheme amendments, community development, economic development, infrastructure, open space and recreation. See pages 47 – 68 of the Structure Plan.

Key changes between the 2007 and the Revised Structure Plans

103. As the Panel will now be aware, the 5-yearly review of the 2007 Structure Plan led to some changes to that document.

104. As noted in the Council Officer report of 8 December 2015²⁶:

The adopted Structure Plan²⁷ required 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 5 years. It also stated that should a basic review reveal that lot supply has fallen to a rate of less than 10 years for the town, a full review of the Structure Plan should be undertaken including an investigation of additional growth areas. The G21 Residential Land Supply Monitoring Project for Geelong (June 2015) prepared by Spatial Economics confirms that for the municipality, region and town there is adequate land supply in excess of 10 years...

Since the adoption of the current Structure Plan, the town has seen significant changes including investment in community infrastructure; rezoning of land in the north-east growth area and subsequent subdivision and development; preparation of Council strategies and policies including the Ocean Grove Town Centre Urban Design Framework 2014; and implementation of Increased Housing Diversity Areas around the Town Centre and Marketplace neighbourhood activity centre.

105. The resulting key differences between the 2007 Structure Plan and the Revised Structure Plan, and the reasons for those differences, are as follows:

Existing and long term settlement boundaries

106. The Indicative Long Term Settlement Boundary has been removed from the structure plan map both at Map 4 in the Revised Structure Plan and consequently from the revised clause 21.14.

107. While the Indicative Long Term Settlement Boundary was included in the 2007 Structure Plan, its role was qualified to illustrate the very long term *potential* growth of the town. However, the 2007 Structure Plan was explicit in so far as it stated that

²⁶ At page 46

²⁷ The 'adopted Structure Plan' in this report is a reference to the 2007 Structure Plan, as the 2015 Structure Plan had not yet been adopted by Council and was therefore referred to as the 'draft' Structure Plan.

the area outside the existing settlement boundary but inside the indicative long-term settlement boundary would require consideration in order to determine whether it was appropriate to develop.

108. The Revised Structure Plan removes the Indicative Long Term Settlement Boundary. The land west of Grubb Road is not required for urban development over the lifetime of the Revised Structure Plan.
109. The Indicative Long Term Settlement Boundary provides uncertainty as to the preferred location for development within the Structure Plan Study Area, creates expectations that are not reasonable in the context of the original purpose of the identification of the Indicative Long Term Settlement Boundary and is not a practice that is supported by Council officers, panels or State Government policy and guidance.
110. Council will explore this issue further as part of its Part B submissions as it is a major issue raised in the submissions to the Amendment.

Settlement boundary at Banks Road

111. The 2007 Structure Plan identified land at the north-east corner of Banks Road and Shell Road as a possible location for an environmentally sensitive, master planned eco-tourist facility given its unique views of the coast, significant wetlands and proximity to the urban edge.
112. The 2007 Structure Plan referred to this as a 'special investigation area'.
113. A portion of the total site was included within the settlement boundary with the indication that the boundaries may require further refinement. It was acknowledged that a land use rezoning would be required to support such a facility.
114. The site is currently zoned Farming Zone. The Panel will be aware of recent changes to the Farming Zone provisions, which allow for a more liberal approach to uses in rural areas.
115. It is considered that the Farming Zone and other provisions of the Scheme, including the proposed policy review for managing development in rural areas, provide a suitable basis to assess a future eco-tourist use on this site without the need for the land to be included within the settlement boundary.

116. As such, the Revised Structure Plan proposes that the settlement boundary be realigned with the Banks Road reservation, retaining land east of Banks Road in the Farming Zone. Banks Road is considered a logical and robust eastern settlement boundary for the town.

Future Grubb Road Activity Centre and Restricted Retail Precinct

117. The north-east growth area contains both Commercial 1 and Commercial 2 Zoned land. This land was rezoned as part of the broader residential growth area to facilitate the needs of the future population and broader town.
118. The land in question is significant in size and will accommodate extensive commercial development over a long term period.
119. Council considers that further urban design guidance is required to ensure a quality design outcome is achieved for this area.
120. As part of the structure plan review process, an urban design exercise was undertaken for the Commercial 1 Zone (Activity Centre) and the Commercial 2 Zone (Restricted Retail Precinct). A number of the key directions from that process have been included in the Revised Structure Plan to provide a strategic basis to support the urban design principles outlined in the framework plan and to be implemented through the DDO39.

Ocean Grove Town Centre UDF

121. The Revised Structure Plan has also been amended to support the key implementation projects identified in the UDF. This includes a number of land use rezonings required to achieve the objectives of improving the commercial viability and attractiveness of the Town Centre and facilitate the upgrading of key intersections.

Vegetation and Landscape Character

122. The Revised Structure Plan now recommends that further work be undertaken to assess the quality of vegetation in the older parts of Ocean Grove to determine whether there is justification to apply planning controls for their protection and / or their contribution to the landscape character.

123. A separate planning scheme amendment process would be required to implement any new planning controls.

Education

124. Following the preparation and adoption of the 2007 Structure Plan, the Department of Education and Training (**DET**) advised that there is no requirement for a new primary school in Ocean Grove. Consequently, the landowners in the north-east growth area prepared development plans which did not set aside land for a school.
125. As part of the structure plan review process, DET advised that the need for a new school is generally triggered by a plan to develop 3,000 new dwellings. It was determined that provisional demands under this can be accommodated by upgrades to existing schools.
126. However, the DET has also advised that the existing facilities are expected to approach current capacity due to population growth. As such, it is considered that any planning of significant additional housing development should include the identification of potential site(s) for future additional government primary schools. This will ensure that future demand for local government school provision can be met.
127. As such the Revised Structure Plan continues to acknowledge the need for a new primary school in the town. The Revised Structure Plan is proposed to contain an annotation highlighting the need for a future investigation of a school site within the north-east growth area.

Ocean Grove Urban Design Framework (June 2014)

128. The UDF arose from the need identified in the 2007 Structure Plan to undertake further work to unlock the development potential of the Ocean Grove Town Centre.
129. The UDF seeks to guide future growth and development, built form outcomes, streetscapes, traffic and pedestrian movements, car parking and land use as well as providing a framework for Council investment in the Town Centre over the next 10 years.
130. The UDF provides a vision for how the Town Centre should develop, provides design principles and recommended improvements to existing infrastructure and the functionality of the Town Centre.

131. As noted earlier, the UDF went through an informal consultation period which informed the final UDF adopted by Council on 24 June 2014.

Study area

132. The Town Centre study area is illustrated in Figure 2 (page 5) of the UDF.

133. This is generally defined as:

- south of Powell Street;
- properties on the east and west of Presidents Avenue;
- north of Dare Street; and
- west of Eggleston Street.

Design principles

134. The guiding design principles of the UDF are:

- Enhance the quality of the experience for locals and visitors in the Town Centre by improving the public realm.
- Activate the perimeter block of the Town Centre with shops.
- Create vibrant outdoor shopping and eating areas.
- Promote economic diversity in the Town Centre.
- Reinforce Ocean Grove Town Centre as the primary retail centre for Ocean Grove in the face of new competition at Shell Road and Grubb Road.
- Create new meeting places and public spaces.
- Prioritise pedestrian and cyclist safety and amenity in new development and streetscape upgrades.
- Improve safety for drivers, cyclists and pedestrians.
- Create connections from the Town Centre to the beach and Ocean Grove Park.

- New development meets its car parking demand or provides additional spaces within the Town Centre.

The precincts

135. The UDF divides the Town Centre into three unique precincts:
- Precinct 1 – the Terrace Retail and Residential Precinct
 - Precinct 2 – the Avenue Office and Residential Precinct
 - Precinct 3 – the Hodgson Street East Mixed Use Precinct
136. For each of these precincts, the UDF seeks to provide guidance on future growth and development, built form outcomes, streetscapes, traffic and pedestrian movements, car parking and land use.
137. These are illustrated in the Framework Plan at page 11 of the UDF and explained in the legend which accompanies it. They are also set out in detail under the following sections of the UDF:
- **'Moving Safely'**, which includes the following preferred future outcomes:
 - Ocean Grove provides a network of roads that don't always give priority to vehicular traffic. There are strong and safe pedestrian and cycle connections between the Park, Town Centre and Beach.
 - Ocean Grove has a road network that provides for local traffic and servicing. Through-traffic is slowed as it moves around the town.
 - **'A Vibrant Town Heart'**, which includes the following preferred future outcomes:
 - Ocean Grove has a 'heart and soul' with spaces for the community to gather. It is an attractive and vibrant place with retail, business, social and cultural activities. Its big beach, ocean and surf character is evident.
 - Ocean Grove has a strong connection to and respect for its many environments. Conservation, new plantings and 'green links' add to the areas special character.
 - The urban structure and environment encourages people living in quality housing and working in the Town Centre.

- Ocean Grove's Design and Planning Guidelines support developments that advance the special character of Ocean Grove.

This section includes 'General' design guidelines as well as design objectives, projects and guidelines specific to each precinct. See from page 36 – Precinct 1; page 41 – Precinct 2; and page 45 – Precinct 3.

- **'Managing Parking'** which includes the following preferred future outcome:
 - Ocean Grove has a well-structured car-parking regime. There are enough parking spaces, access and circulation is easy and well-managed.

Recommendations and projects

138. Arising from these principles, the primary recommendations and projects identified in the UDF are:

- Consolidate commercial land use within the existing zoned land to promote a compact Town Centre.
- Create a town square in The Terrace.
- Signalise the intersection of Orton Street and Presidents Avenue.
- Promote high quality mixed-use development of three and four storeys that respects the coastal setting of Ocean Grove.
- Upgrade streetscapes in Presidents Avenue, Hodgson Street and The Avenue.
- Square up the intersection of Hodgson Street and The Parade.
- Preserve The Terrace, east of Hodgson Street as the long term arterial road through the Town Centre.
- Improve footpath connections to the Town Centre.

Implementation

139. The UDF also includes an 'Implementation' section (pages 56 – 58) which outlines actions to be undertaken over the short, medium and long-term. The preparation of this Amendment is noted as a 'short term' action and include:

- Apply a DDO to the Town Centre to the Town Centre to achieve UDF objectives – the recommendations, projects and Framework Plan outcomes are sought to be implemented through DDO40 as part of this Amendment. The particulars of DDO40 will be addressed in further detail as relevant to the submissions as part of Council's Part B submission to the Panel.
- Remove existing DDO16 and DDO27 – proposed as part of this Amendment.
- Remove SLO7 from Mixed Use Zone land – this will be implemented as part of a project that Council is commencing this year to review the SLO7.
- Apply a Public Acquisition Overlay to properties in the rear lane-way – this will be implemented at a later date when Council has funds committed to purchase the land.

STRATEGIC BACKGROUND

140. This section of Council's submission will provide a brief overview of some of the other strategic planning, which is relevant to this Amendment, namely:

- Amendment C129 – MSS and Local Policy Review
- Amendment C60 – Oakdene and Kingston Downs Estates
- Amendment C309 – Low Density Residential Areas
- Amendment C203 – Trethowan Avenue / Ocean Grand Drive

Amendment C129 – MSS and Local Policy Review

141. Amendment C129 implemented the 2007 Structure Plan into the Scheme and included a full review of the MSS. Amendment C129 was approved on 16 December 2009.

142. As noted above, the particulars of Amendment C129 (insofar as it is relevant to this Amendment) will be explored further through Council's Part B submission.

Amendment C60 – Oakdene and Kingston Downs Estates

143. Amendment C60 rezoned land identified in the 2007 Structure Plan for urban growth north-east of the town, now known as the Oakdene and Kingston Downs Estates. It was approved on 28 August 2010.
144. The Amendment:
- rezoned the land between Grubb Road and Banks Road, being the future Ocean Grove Urban Growth Area from Farming Zone to:
 - part Residential 1 Zone (now General Residential Zone Schedule 1) (290 hectares);
 - part Business 1 Zone (now Commercial 1 Zone) (9 hectares);
 - part Business 4 Zone (now Commercial 2 Zone) (15 hectares);
 - and
 - part Industrial 3 Zone (7 hectares);
 - introduced DPO22 over the Amendment C60 land.
145. The extent of the DPO22 over the Study Area (see Map 82DPO to the Scheme) illustrates the extent of the Amendment C60 land.

Amendment C309 – Low Density Residential Areas

146. Amendment C309 reviewed existing low density residential areas in the municipality in response to the Minister's decision to reduce the default minimum lot size in the Low Density Residential Zone from 0.4 hectares to 0.2 hectares where reticulated sewerage is available. Amendment C309 was approved on 21 May 2015.
147. The Amendment implemented the findings of the City of Greater Geelong's *Low Density Residential Zone Review 2013*.
148. Ocean Grove contains four pockets of Low Density Residential Zoned land. None of these areas were supported by Council for future subdivision of land down to 0.2 hectares. As such, they were transferred to Schedule 1 to the LDRZ, which continues to specify a minimum subdivision area of 0.4 hectares.

Amendment C203 – Trethowan Avenue / Ocean Grand Drive

149. Amendment C203 rezoned land in the Trethowan Avenue / Ocean Grand Drive area from a Rural Living Zone to the General Residential Zone Schedule 1. It was approved on 24 September 2015.
150. The 2007 Structure Plan identified this land as suitable for urban consolidation and that it required coordination of multiple landowners to prepare a rezoning application supported by a Development Plan Overlay. The extent of the Amendment C203 land is illustrated by the extent of the DPO31 on Map 82DPO to the Scheme. This land is illustrated on the Structure Plan map as "Future residential".
151. A Development Plan Overlay and agreement under s 173 of the PE Act have been prepared to guide the development and subdivision of the area.
152. It is expected that this area will yield approximately 430 dwellings. A developer owns some of the lots in the area and is preparing a Development Plan for the first stage. It is likely to be submitted for approval this year with a planning permit application for subdivision to follow.

STRATEGIC ASSESSMENT

153. Finally (for the purposes of Part A of Council's submission), this section will now provide an overview of the strategic basis of this Amendment, including the relevant State and Local policies. It is noted that the Explanatory Report exhibited with the Amendment includes a strategic assessment. That assessment is adopted for the purposes of Council's submission.
154. A response to the strategic issues raised in the objections to the Amendment, and more particularly, those that questioned the strategic merit of particular aspects of the Amendment, will be addressed in the Part B submissions.

State Planning Policy Framework

155. **Clause 11 (Settlement)**, of the SPPF provides that planning is to anticipate and respond to the needs of existing *and* future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

156. **Clause 11.02 (Urban growth)** is particularly relevant to this Amendment. The objective is:

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, institutional and other community uses.

157. This is accompanied by a suite of strategies which are particularly important in the context of this Amendment. They are (most relevantly):

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

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 consolidation, redevelopment and intensification of existing urban areas.
- Neighbourhood character and landscape considerations.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

Monitor development trends and land supply and demand for housing and industry.

158. It is submitted that the Amendment is particularly consistent with these State planning strategies. In particular, the Amendment acknowledges the adequacy of residential land supply in the municipality, in the town of Ocean Grove, and the role of Ocean Grove as an urban growth location. It does so, however, cognisant of the advantages of consolidating development within the existing urban areas coupled with the environmental and landscape constraints of developing areas surrounding the settlement boundary.

159. **Clause 11.02-3 (Structure planning)**, is also relevant. It seeks to 'facilitate the orderly development of urban areas'. Coupled with this, the relevant strategy is:
- Ensure effective planning and management of the land use and development of an area through the preparation of strategic plans, statutory plans, development and conservation plans, development contributions plans and other relevant plans.
160. As noted earlier, the Amendment will give effect to the principles and directions contained within the Revised Structure Plan. In order for the new principles and directions to have statutory weight in the consideration of planning permits and rezoning requests, it is necessary for the Revised Structure Plan to be included in the Scheme.
161. **Clause 11.05 (Regional development)** provides a framework for the regional settlement network. Urban growth is specifically directed to the major regional cities, including Geelong.
162. Settlements below the major regional cities and regional centres are to be planned and developed in accordance with any relevant regional growth plan and taking into account municipal and regional contexts and frameworks (clause 11.05-1 – Regional settlement networks). The *G21 Regional Growth Plan (Geelong Region Alliance, 2013)* is listed as a policy guideline within clause 11.05-1.
163. As noted earlier, the Growth Plan identifies Ocean Grove as a district town and the need to support the growth of these towns by building on existing and planned infrastructure.
164. The Amendment seeks to implement a single coastal settlement boundary that accommodates future urban growth while protecting sensitive environmental assets and landscapes surrounding the town.
165. Further to this, **clause 11.05-3 (Regional planning strategies and principles)** seeks to develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable. Importantly, the Amendment facilitates this objective and its accompanying strategies (which relate to a host of themes aimed at safeguarding the prosperity, character and environmental safety of these settlements) by nominating a defined settlement boundary for the township which will accommodate the forecast population increase, consolidate social, recreational and commercial infrastructure within the township, reduce urban sprawl and protect surrounding coastal, wetland and rural environments.

166. The reduction of urban sprawl within a coastal settlement is a strategy which is specifically encouraged by **clause 11.05-5 (Coastal settlement)** which seeks 'to plan for sustainable coastal development' and coupled with this, strategies to:

Encourage urban renewal and redevelopment opportunities within existing settlements to reduce the demand for urban sprawl.

Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.

Direct residential and other urban development and infrastructure within defined settlement boundaries of existing settlements that are capable of accommodating growth.

[our emphasis]

167. The panel should have particular note of these strategies as the Amendment is directly consistent with their directives.
168. **Clause 11.07 (Geelong (G21) regional growth)**, directly deals with planning for infrastructure and growth across the Geelong region. Insofar as strategies for optimising growth are concerned, **clause 11.07-1 (Planning for growth)** includes a strategy to:
- Support the growth of Bannockburn, Colac, Drysdale / Clifton Springs, Lara, Leopold, Ocean Grove and Torquay / Jan Juc as distinct towns by building on existing and planned infrastructure and focussing growth along key road and rail networks.
169. Map 3 (at page 29 of clause 11) identifies Ocean Grove as an area to 'support planned growth and reinforce the role of district towns'.
170. Finally, **clause 11.14 (Planning for identified distinctive areas)** is relevant. It seeks:

To protect and enhance the valued attributes of the distinctive areas of the Bellarine Peninsula, Macedon Ranges, Mornington Peninsula and the Yarra Valley and Dandenong Ranges.

171. The accompanying strategies are:

Recognise the significant geographic and physical features of these areas.

Protect the identified key values and activities of these areas.

Support use and development where it enhances the valued characteristics of these areas.

Recognise the important role these areas play in the state as tourist destinations.

Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.

Protect areas that are important for food production.

172. The *Bellarine Peninsula Localised Planning Statement (Victorian Government, 2015)* is listed within the policy guidelines to the clause.

173. As noted earlier, the Amendment supports the LPS by:

- protecting non-urban breaks between settlements;
- supporting the growth of identified growth locations generally in line with adopted structure plans; and
- seeking to protect, preserve and enhance built heritage, cultural and urban character values and preserve the individual identity and role of townships.

174. The Panel will also be familiar with the following SPPF provisions which are addressed briefly below in the context of this Amendment:

- **Clause 12 (Environmental and Landscape Values)**, which notes that planning should help to protect the health of ecological systems and biodiversity they support and conserve areas with identified environmental and landscape values. By containing urban development within a defined settlement boundary, the Amendment will protect and enhance significant environmental areas such as Lake Connewarre, the Lake Victoria environs, the Ocean Grove Nature Reserve. Furthermore, adjacent landscapes will be strengthened and protected through the Amendment. The protection of coastal areas and the preservation of coastal biodiversity and ecological values is a particular focus of **clause 12.02 (Coastal areas)**. The

protection of landscapes and significant open spaces that contribute to character, identity and sustainable environments is a particular focus within **clause 12.04-2 (Landscapes)**. Importantly, the latter clause includes a strategy to:

Ensure sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality.

- **Clause 13 (Environmental Risks)**, which seeks to plan for and manage the potential impacts of climate change (clause 13.01 – Climate change impacts) and strengthen community resilience to bushfire (clause 13.05 – Bushfire). The land to the north, east and west of the town is subject to bushfire prone designation. Undeveloped land within the north-east growth area falls within the designated area until such time as it is developed. The Ocean Grove Nature Reserve is also subject to the Bushfire Management Overlay. The nominated settlement boundary does not propose any urban extension that would encroach on the Nature Reserve and consequently, any existing bushfire risk will not be exacerbated.
- **Clause 16 (Housing)**, which directs that planning provide for housing diversity, and ensure the efficient provision of supporting infrastructure. Through the Revised Structure Plan and the UDF (via the DDOs), the Amendment directs an appropriate distribution of housing densities throughout the town, including through the designation of 'Increased Housing Diversity Areas' around the Town Centre and Shell Road.
- **Clause 19 (Infrastructure)**, which encourages the growth and redevelopment of settlements to be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure. Strategic planning should facilitate the efficient use of existing infrastructure and human services. The Revised Structure Plan addresses the infrastructure needs of the existing and future community of the town. The ability to provide new services and update existing services is addressed in detail (see pages 19 – 24) in the Revised Structure Plan). As part of Council's

Part B submission to the Panel on 2 May 2016, Council will also specifically address Direction #10f.²⁸

Local Planning Policy Framework

175. Strategic support is also found for the Amendment within the MSS. Indeed, full consideration was given to all adopted Council policies through the preparation and adoption of the Revised Structure Plan in December 2015.
176. The existing **clause 21.14** encapsulates some of the key objectives and strategies relevant to this Amendment. The objectives are:
- 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.
177. The general strategies which support these objectives seek a balance between recognising the identity and character of settlements and accommodating growth in accordance with structure plans and defined settlement boundaries. In particular, it is noted that a strategy is to:
- Direct the bulk of residential growth and retail development to Ocean Grove, Drysdale / Clifton Springs and Leopold consistent with the relevant Structure Plan maps included in this clause.

²⁸ Clarification of infrastructure capacity to accommodate projected growth (including the population projections and the growth area underpinning infrastructure planning).

178. The Panel will now be familiar with the list of specific strategies for Ocean Grove (and which are the subject of proposed revision through this Amendment).
179. Many of these strategies are carried through in the Amendment and updated to reflect the structure plan review.
180. Notably, the existing clause 21.14 acknowledges the need for additional work to be undertaken for the town, under 'Further work' it includes:

Prepare an Urban Design Framework and Parking Precinct Plan for the Ocean Grove Town Centre.

181. The Amendment also directly supports the following LPPF clauses:
- **Clause 21.05 (Natural Environment)**, by protecting significant environmental features, directing urban coastal development within existing urban settlements, and acknowledging the impacts of climate change.
 - **Clause 21.05-7 (Flooding)**, by discouraging land use and development in floodplains where flood function may be impaired.
 - **Clause 21.06-2 (Settlement)**, by directing the majority of new greenfield residential development to the designated primary urban growth areas.
 - **Clause 21.07 (Economic development and employment)**, by identifying opportunities for Ocean Grove to provide for the commercial service needs of the growing population through the identification of land for commercial and industrial use in the north-east growth area.

182. The Revised Structure Plan lists other local polices that have been considered in the preparation of the Revised Structure Plan as relevant to each key issue.

Planning Practice Note 36 – Implementing a Coastal Settlement Boundary (August 2015)

183. PPN36 states that a settlement boundary which is:

...clearly articulated in the planning scheme provides an appropriate level of transparency and necessary statutory weight to help guide decision-making.

184. In response to the question '*What is a coastal settlement boundary?*' PPN36 states:

A coastal settlement boundary defines the allowable extent of urban use and development for a settlement. It is a fixed outer boundary of urban development and represents the future growth expectations for a settlement.

A coastal settlement boundary is established through a strategic planning process which involves an analysis of land opportunities and constraints with a minimum 10 year planning horizon.

185. PPN36 notes that unmanaged growth can lead to loss of environmental and landscape values, the inability to provide cost effective infrastructure and other urban services, a proliferation of urban uses on rural land and a loss of productive agricultural land.

186. It notes that a settlement boundary in a coastal setting has a number of positive outcomes, including:

- preventing ribbon development along the coast and maintaining a non-urban break between towns
- containing outward growth and safeguarding conservation areas, coastal landscapes and productive agricultural land
- encouraging more compact and efficient urban settlements
- establishing defined areas for future housing and other development and allowing for the long term planning of infrastructure needs
- reducing land-use conflict at the urban/rural interface.

187. PPN36 states that 'coastal settlement boundaries should be clear and easy to justify' and when being established, recognise matters such as:

- the desired future vision for a settlement

- constraints on development such as topography, native vegetation, rural land-use activity and areas of environmental or landscape significance and sensitivity
- areas with susceptibility to flooding (both river and coastal inundation), landslip, erosion, coastal acid sulphate soils, salinity, wildfire or geotechnical risk
- supply / demand of land within a 10 year planning horizon and opportunities for future growth (if any).

188. A key parameter for implementing a settlement boundary is to identify areas suitable for future urban development inside the settlement boundary.

189. PPN36 advises that any change to a coastal settlement boundary should be the product of a comprehensive strategic review. This will involve assessment of progress against the established coastal settlement boundary in the context of other planning issues arising across the municipality.

CONCLUSION

This completes the Part A submissions for the Council.

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 Terry Montebello
 Partner
 Maddocks
 Lawyers for the City of Greater Geelong
 22 April 2016

List of Attachments:

- Attachment A – Chronology of Events

ATTACHMENT A – CHRONOLOGY OF EVENTS

Date	Event / Description
11 August 1993	<i>Ocean Grove Structure Plan 1993</i> adopted by the City of Greater Geelong (Bellarine District).
2006	Council engaged Hansen Partnership Pty Ltd to prepare the <i>Ocean Grove Structure Plan 2006</i> .
27 February 2007	<i>Ocean Grove Structure Plan 2007</i> adopted by Council.
March – April 2008	Panel Hearing convened in respect of Amendment C129 to the Scheme.
June 2008	The Amendment C129 Panel Report is finalised.
23 September 2008	The <i>Ocean Grove Structure Plan 2007</i> is amended by Council having regard to the recommendations of the C129 Panel.
16 December 2009	Amendment C129 to the Scheme is finalised.
April 2013	<i>G21 Regional Growth Plan</i> finalised
May 2013	Enquiry by Design workshops conducted to uncover community aspirations regarding the Town Centre.
November 2013	<i>G21 Regional Growth Plan – Implementation Plan</i> finalised
5 February – 31 March 2014	A draft UDF for the Town Centre was placed on informal consultation. A community information session was attended by 70 people and a total of 104 submissions were received.
24 June 2014	<i>Ocean Grove Town Centre Urban Design Framework (June 2014)</i> adopted by Council.
Late 2014	The review of the 2007 Structure Plan commenced.
May 2015	Informal stakeholder consultation was undertaken in relation to the Structure Plan review process which received a high level of interest and engagement.
June 2015	<i>G21 Region (Geelong) Residential Land Supply Monitoring Project</i> finalised by Spatial Economics.
September 2015	<i>Bellarine Localised Planning Statement</i> finalised.
8 December 2015	The <i>Ocean Grove Structure Plan 2015</i> adopted by Council.
7 January 2016	Council requested authorisation to prepare and exhibit Amendment C346 to the Scheme.
12 January 2016	Authorisation granted to prepare and exhibit Amendment C346 to the Scheme.
4 February – 4 March 2016	Amendment C346 is exhibited in accordance with the Act.
22 March 2016	Council considered all submissions to Amendment C346 and resolved to request the appointment of an independent panel to consider submissions.

Date	Event / Description
23 March 2016	Council requested the appointment of a Panel under Part 8 of the Act.
5 April 2016	Directions Hearing held in relation to Amendment C346.