

GREATER GEELONG PLANNING SCHEME

**AMENDMENT C331 &
PLANNING PERMIT 392/2015**

RESOLUTION TO EXHIBIT AMENDMENT AND PERMIT

UNDER DELEGATION FROM COUNCIL I HEREBY RESOLVE TO:

- 1) **Support the preparation and exhibition of Amendment C331 to the Greater Geelong Planning Scheme to:**
 - i) **Rezone 335 Barrabool Road and 39, 41-63 and 67 Cityview Drive, Wandana Heights from Farming Zone to General Residential Zone – Schedule 1;**
 - ii) **Rezone a portion of 65 Cityview Drive, Wandana Heights from Public Use Zone 1 (Service & Utility) to General Residential Zone – Schedule 1;**
 - iii) **rezone 37 Cityview Drive, Wandana Heights from Public Park and Recreation Zone to General Residential Zone – Schedule 1;**
 - iv) **Apply a Development Plan Overlay to 335 Barrabool Road and 41-63, 67 and a portion of 65 Cityview Drive, Wandana Heights;**
- 2) **Consider the application for Planning Permit 392/2015, for subdivision of 335 Barrabool Road and 41-63, 65 and 67 Cityview Drive into 187 residential lots, a balance lot to be retained by Barwon Water and various reserves, concurrently with the preparation of the Amendment in accordance with the *Planning and Environment Act*, and that draft Planning Permit 392/2015 be prepared and exhibited with the Amendment, subject to resolution of the detail of the permit conditions;**
- 3) **Resolve to exhibit a draft Section 173 Agreement, as outlined in this report, concurrently with the Amendment and draft Planning Permit; and**
- 4) **Request the Minister for Planning to authorise the preparation and exhibition of Amendment C331 and Planning Permit 392/2015.**

SIGNED:.....

DATE:.....22/4/2016

**PETER BETTESS
GENERAL MANAGER, PLANNING & DEVELOPMENT**

GREATER GEELONG PLANNING SCHEME

DELEGATED AUTHORITY REPORT

AMENDMENT C331 & PLANNING PERMIT 392/2015 – BARRABOOL ROAD AND CITYVIEW DRIVE, WANDANA HEIGHTS – AUTHORISATION TO EXHIBIT

To: Peter Bettess – General Manager Planning & Development
Peter Smith – Coordinator Strategic Implementation

From: Stuart Thiele – Strategic Planner

Subject: Authorisation to exhibit

File number: C331

Date of Report: 22/4/2016

Purpose

The purpose of this report is to seek Council support to proceed with preparation and exhibition of a combined Planning Scheme Amendment and draft Planning Permit for land in Wandana Heights, subject to authorisation being obtained from the Minister for Planning.

Summary

- A combined Planning Scheme Amendment and Planning Permit application has been lodged by Mesh on behalf of landowners JWB Lamb, Samsar Pty Ltd and Barwon Water, to rezone land in Wandana Heights (335 Barrabool Road and 41-63, 65 and 67 Cityview Drive) from Farming Zone and Public Use Zone to General Residential Zone – Schedule 1 and to subdivide the land into 187 residential lots.
- At the request of officers, two small adjacent lots used for telecommunications infrastructure are also proposed to be rezoned to General Residential Zone – Schedule 1, consistent with usual zoning of such land.
- A Development Plan Overlay is proposed to be applied to the land being rezoned to General Residential Zone – Schedule 1, other than the telecommunications infrastructure lots, in order to ensure that the design of subdivision and development of the area occurs in an integrated manner, appropriately addresses the interfaces of the site with adjoining land and provides appropriate infrastructure.
- The application has been subject of extensive discussion with the proponent, refinement and consultation with referral authorities, particularly to address stormwater drainage matters given the site's location in the Kardinia Creek catchment.
- The proposal represents a "rounding off" of urban development in the area, with the Geelong Ring Road forming a logical boundary between rural land to its west and the Geelong urban area to its east.
- The proposal is supported by the State and Local Planning Policy Frameworks.
- The proposed road and lot layout and lot yield are considered appropriate responses to the characteristics and constraints of the site.
- A draft Planning Permit is under preparation that will include appropriate conditions where required to address matters raised by external referral authorities or Council officers.
- A Section 173 Agreement will be prepared that will address matters including public liability, access, and management relating to the Barwon Water land to be made available as public open space; finished floor levels; and development contributions.

Recommendation

That Council:

- 1) **supports the preparation and exhibition of Amendment C331 to the Greater Geelong Planning Scheme to:**
 - i) **rezone 335 Barrabool Road and 39, 41-63 and 67 Cityview Drive, Wandana Heights from Farming Zone to General Residential Zone – Schedule 1;**
 - ii) **rezone a portion of 65 Cityview Drive, Wandana Heights from Public Use Zone 1 (Service & Utility) to General Residential Zone – Schedule 1;**
 - iii) **rezone 37 Cityview Drive, Wandana Heights from Public Park and Recreation Zone to General Residential Zone – Schedule 1;**
 - iv) **apply a Development Plan Overlay to 335 Barrabool Road and 41-63, 67 and a portion of 65 Cityview Drive, Wandana Heights;**
- 2) **considers the application for Planning Permit 392/2015, for subdivision of 335 Barrabool Road and 41-63, 65 and 67 Cityview Drive into 187 residential lots, a balance lot to be retained by Barwon Water and various reserves, concurrently with the preparation of the Amendment in accordance with the *Planning and Environment Act*, and that draft Planning Permit 392/2015 be prepared and exhibited with the Amendment, subject to resolution of the detail of the permit conditions;**
- 3) **resolves to exhibit a draft Section 173 Agreement, as outlined in this report, concurrently with the Amendment and draft Planning Permit; and**
- 4) **requests the Minister for Planning to authorise the preparation and exhibition of Amendment C331 and Planning Permit 392/2015.**

Background

Amendment R211 to the then Greater Geelong Planning Scheme (previous to the current Scheme which began in 2000) proposed to rezone two of the subject lots (41-63 and 67 Cityview Drive) from Rural General Farming to Residential C zone (allowing lots of 0.4 ha). The Amendment was lodged in July 1997. The Amendment was exhibited from November 1997 to January 1998, but was abandoned without consideration of submissions. It is understood that water supply constraints led to the Amendment not being pursued at that time. With respect to the current Amendment proposal, Barwon Water has advised that it can supply water and sewerage services to the land and does not object to the Amendment.

The proposal is a combined Planning Scheme Amendment and Planning Permit (subdivision) application pursuant to Section 96A of the *Planning and Environment Act 1987*. The application was lodged by Mesh for Villawood, development managers acting on behalf of the landowners (JWB Lamb, Samsar Pty Ltd and Barwon Water) in March 2015. The application has been subject of extensive discussion with the proponent, refinement and consultation with referral authorities, particularly to address stormwater drainage matters given the site's location in the Kardinia Creek catchment. A revised subdivision proposal was lodged in November 2015 and various additional or revised supporting information has been lodged between December 2015 and February 2016.

The Amendment application proposes to rezone four lots in Wandana Heights (335 Barrabool Road and 41-63, 65 and 67 Cityview Drive) from Farming Zone and Public Use Zone to General Residential Zone – Schedule 1 and to subdivide that land into 187 residential lots. At the request of officers, two small adjacent lots used for telecommunications infrastructure (37 and 39 Cityview Drive) are also proposed to be rezoned to General Residential Zone – Schedule 1, consistent with usual zoning of such land. The location of these lots is shown in **Appendix 1**.

The application has been accompanied by reports addressing stormwater management and quality, infrastructure servicing, site contamination, cultural heritage, arboricultural assessment and ecological assessment.

Discussion

The subject land is 23.42 ha, bounded by the Geelong Ring Road on the west, Barrabool Road on the north, and Cityview Drive and Drewan Park on the east. It has mostly been cleared and used for agricultural purposes. The site is visually prominent, particularly as viewed from the Ring Road, and enjoys panoramic views both over Geelong and Corio Bay and to rural land to west of the Ring Road. The site is traversed by power lines and high voltage transmission lines; these are contained within an easement that constitutes nearly 4 ha of the subject land.

Strategic planning justification

The proposal represents a “rounding off” of urban development in the area, applying an urban zone to land east of the Geelong Ring Road, consistent with all other land east of the Ring Road in this area. The Geelong Ring Road forms a logical boundary between rural land to its west and the Geelong urban area to its east.

Three of the lots are in the Farming Zone, but their small size (from 4 ha to 10 ha), proximity to existing residences and isolation and separation from farmland to the west by the Geelong Ring Road renders them unviable for ongoing rural use. The portion of the Barwon Water land proposed to be rezoned is surplus to Barwon Water’s operational requirements.

While land to the east of Cityview Drive is zoned Low Density Residential Zone – Schedule 2, it is appropriate to apply the General Residential Zone – Schedule 1 to the subject land. This will allow more efficient use of land with ready availability of services and within 7 km of the Geelong CBD, as well as better capitalising on the views available from this elevated site. A transition between the subject land and the larger lots east of Cityview Drive can be achieved by the subdivision design locating larger residential lots along the western side of Cityview Drive with smaller residential lots further west. General Residential Zone – Schedule 1 zoning is also consistent with that of most other land in Wandana Heights as well as land north of Barrabool Road in Highton.

Two small lots (37 and 39 Cityview Drive, 642 m² and 583 m² respectively) owned by telecommunications companies and used for telecommunications infrastructure have been included in the proposed Amendment at officer request. Zoning these lots General Residential Zone – Schedule 1 is consistent with the usual zoning of such land.

The following provisions in the State Planning Policy Framework provide support for this proposal:

11.07 Geelong (G21) regional growth:

11.07-1: Support the role of Geelong as the regional city and Victoria’s second city.

11.07-2: Provide a range of housing types with a mix of infill and greenfield options.

The following provisions in the Local Planning Policy Framework provide support for this proposal:

21.06-2 (Urban growth): Maintain the Geelong Ring Road as the western boundary of urban Geelong.

21.15-1 (Wandana): Council has for some time supported the staged development of Wandana within the limits of the Geelong Ring Road (although the Wandana Structure Plan applies to land north of Barrabool Road, the same principle is applicable to the subject land).

Development Plan Overlay

A Development Plan Overlay is proposed to be applied to the land being rezoned to General Residential Zone – Schedule 1, other than the telecommunications infrastructure lots. This is in order to ensure that the design of subdivision and development of the area occurs in an integrated manner, appropriately addresses the interfaces of the site with adjoining land and provides appropriate infrastructure. While a Planning Permit is being exhibited and considered concurrently with this Amendment, a Development Plan Overlay ensures that an appropriate Development Plan will be in place to guide subsequent subdivision applications, in the event that this Planning Permit is not fully acted on.

The precise wording of the Development Plan Overlay provisions will be finalised prior to seeking the Minister's authorisation to exhibit the Amendment.

Subdivision proposal

The Planning Permit proposes the creation of 187 residential lots, including one containing an existing dwelling on 335 Barrabool Road. A range of lot sizes are proposed. A plan of the proposed subdivision is at **Appendix 2**.

Rather than achieving the 15 dwellings per net developable hectare encouraged in the State Planning Policy Framework for growth areas, the proposed subdivision achieves a density of 11.3 dwellings per net developable hectare, due to respecting topographical constraints of the site (parts of the site are quite steep) and visually prominent nature of the site, and the provision of larger lots along the eastern edge of the site for appropriate transition between development on the subject land and the adjacent Low Density Residential Zone. The proposed lot yield and road and lot layout is considered an appropriate response to the characteristics and constraints of the site.

Barwon Water proposes to retain 1 ha of its land (65 Cityview Drive) for an existing and a future water tank, but to make this available for public access and use as if it were public open space. Barriers would be used to prevent unauthorised vehicular access.

The easement containing power and transmission lines is proposed to be contained in public open space. As this land is encumbered, it will not form part of the public open space requirement for the subdivision. Given that the subject land abuts Drewan Park, a large reserve with walking tracks, barbeques, toilets, playground and Ceres lookout, the public open space requirement will be satisfied by payment of cash in lieu of public open space.

The subdivision proposes three road connections to Cityview Drive, one north of Drewan Park and two the south, the southern of these located where the existing battleaxe leg provides access to the Barwon Water site at 65 Cityview Drive. No direct access will be provided to the Geelong Ring Road or Barrabool Road. There is an existing crossover to the dwelling on 335 Barrabool Road, but when access is available from an internal road created in the subdivision, this crossover will be required to be closed.

The subdivision layout proposes road frontages along the northern and western sides of Drewan Park and along much of the transmission easement. The side boundaries of some proposed lots abut the transmission easement, the rear of eight lots abut the southern boundary of Drewan Park and many lots abut the land to be retained by Barwon Water but

made available for public access as open space. A condition on the Planning Permit can require design guidelines that will ensure appropriate fencing and building siting and design to address these open space areas.

Stormwater drainage has been addressed in a surface water management strategy and a water quality strategy. There are three stormwater catchments on the subject land. For the western and southwestern catchment, detention basins are proposed in the form of wetlands, partly or wholly within the transmission easement. For the northeastern catchment, detention and treatment is proposed in an underground tank system in a proposed plantation reserve adjacent to the intersection of Barrabool Road and Cityview Drive. The proposed stormwater system has been designed to ensure that stormwater discharge does not exceed pre-development levels and that the development does not exacerbate flooding potential downstream within the Kardinia Creek catchment. A provision in the Development Plan Overlay schedule will require that stormwater management for the site achieves this.

Some issues have been identified that need to be resolved before draft Permit conditions can be finalised. However, from consideration of the information provided by the proponent and comments from referral agencies, confidence exists that all these matters can be resolved prior to exhibition and/or addressed by Planning Permit conditions. The issues include:

- preparation of Section 173 Agreements regarding matters including public liability, access, management to Barwon Water land to be made available as public open space, finished floor levels and development contributions;
- agreement on development contributions;
- Powercor support for proposed wetlands and plantings within the power lines transmission easement; and
- preparation of an acoustic report and determination of any acoustic measures required due to traffic noise from the Geelong Ring Road.

Environmental Implications

The subject land is primarily cleared and has been used for agriculture for many decades. An ecological assessment confirmed the presence of eight patches of native vegetation on the site, in the form of grassy woodland, and considers these to be secondary grassland. A required biodiversity offset has been identified.

A contamination assessment undertaken for the site has concluded that the former uses of the site do not present an unacceptable contamination risk to the proposed development of the land and that an Environmental Audit of the site is not required.

A water quality strategy prepared for the development concludes that the proposed stormwater management system exceeds best practice stormwater runoff targets for all catchments.

Financial Implications

Negotiating a Section 173 agreement on development contributions will assist in the provision of community facilities within the catchment of the proposed development.

Policy/Legal/Statutory Implications

The Amendment is consistent with the State Planning Policy Framework (Clauses 11.07, 11.07-1 and 11.07-2) and Local Planning Policy Framework (Clauses 21.06-2 and 21.15-1), as outlined in the Discussion section above.

Alignment to City Plan

The Amendment supports the Growing Our Economy strategic direction of City Plan, by providing additional residential land within the defined boundary of the Geelong urban area.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (c) of the Local Government Act.

Risk Assessment

There are no notable risks associated with implementing the recommendation contained in this report.

Social Considerations

Appropriate upgrades will be required to the external road and pedestrian/cyclist movement network, including pedestrian access to the bus stops on the nearest public transport route. Development contributions to be negotiated and agreed will assist in the provision of community facilities within the catchment of the subject land.

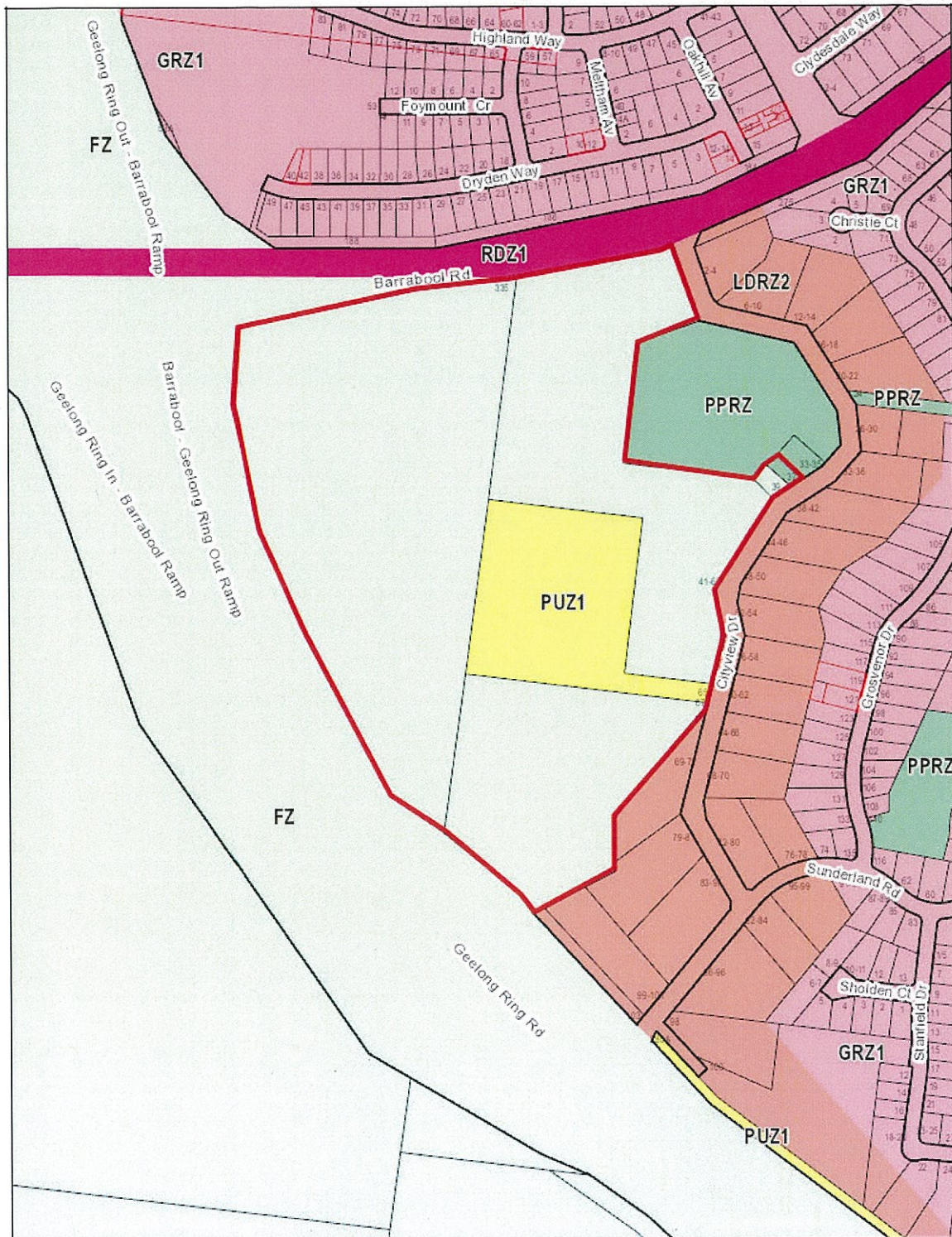
Human Rights Charter

The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs, enabling people to freely express their views and if necessary obtain a fair hearing before an Independent Panel.

Consultation and Communication

Nearby landowners and occupiers, prescribed Ministers and other relevant agencies will be formally notified during the statutory exhibition period. Notices will appear in local newspapers, the City of Greater Geelong website and the Government Gazette.

Appendix 1 – Location plan



Amendment C331 - Wandana Heights
 Location plan

08/03/2016 4:58 pm

Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong, Barwon Water or the State of Victoria in its use.

Prepared by the City of Greater Geelong - PLACES



MGA Zone 55



Scale 1 : 4867

Appendix 2 – Subdivision proposal (Planning Permit 392/2015)

