

CITY OF GREATER GEELONG
STATUTORY PLANNING

23 OCT 2015

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PLANNING REPORT

**COMBINED PLANNING SCHEME
AMENDMENT AND PLANNING PERMIT
APPLICATION**

**40-42 NEWCOMBE STREET & 41-47 ELGIN
STREET, DRYSDALE**

OCTOBER 2015

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1. EXECUTIVE SUMMARY

This report has been prepared in support of a combined Planning Scheme Amendment and Planning Permit Application request relating to land at 40-42 Newcombe Street and 41-47 Elgin Street, Drysdale (the Subject Site). This report is submitted on behalf of the applicant, Barwon Water.

The combined Amendment Request and Planning Permit Application can be considered by the City of Greater Geelong pursuant to Section 96A of the *Planning & Environment Act 1987*.

The purpose of the Amendment Request is to re-zone approximately 3,387sqm of land that is currently contained within the Public Use Zone Schedule 1 (PUZ1) to a General Residential Zone Schedule 1. The land that is proposed to be re-zoned as part of this Amendment Request is surplus to the ongoing operational needs of Barwon Water. The land that remains necessary for Barwon Water's ongoing operational requirements is proposed to remain with the Public Use Zone Schedule 1 (PUZ1).

The purpose of the Planning Permit Application is to seek approval for the subdivision of land into ten (10) lots and the creation of a drainage reserve to be vested in Council.

The components of the combined request are described as follows:

Planning Scheme Amendment

- **Re-zone part of the subject site from Public Use Zone Schedule 1 (PUZ1) to General Residential Zone Schedule 1 (GRZ1)**

Planning Permit Application

- **Subdivision of land to create ten (10) lots and a drainage reserve**
- **Associated works**

This report supports and justifies the combined Planning Scheme Amendment and Planning Permit Application by detailing:

- The site and its context;
- The proposed Amendment and its performance against the relevant Strategic Assessment Guidelines.
- The proposed Planning Permit Application and its performance against State and Local Planning Policy as well as applicable Zone, Overlay and Particular Provisions.

This Planning Report should also be read in conjunction with the following technical assessments that have been prepared in support of the Combined Application:

Traffic Impact Assessment Civil & Traffic June 2015
Infrastructure Servicing Report St Quentin Consulting September 2015
Aboriginal Heritage Advice Clarkeology September 2015
Biodiversity Assessment Ecology and Heritage Partners September 2015
Noise Assessment – Newcomb St Pump Station Barwon Water September 2015

The combined Amendment Request and Permit Application as detailed in this report will provide for the orderly subdivision of the Subject Site in a manner that is responsive to its particular characteristics, opportunities and constraints, and in doing so help to secure a pleasant and safe living environment through the appropriate consolidation of an established urban area.

2. INTRODUCTION

The proposal involves a combined Planning Scheme Amendment Request and Planning Permit Application pursuant to Section 96A of the *Planning and Environment Act 1987*.

Proposal	<p>Planning Scheme Amendment Re-zone part of the subject site from Public Use Zone Schedule 1 (PUZ1) to General Residential Zone Schedule 1 (GRZ1)</p> <p>Planning Permit Application Subdivision of land to create ten (10) lots, a drainage reserve and associated works</p>
Amendment Applicant	Barwon Water
Location of Subject Site	40-42 Newcombe Street and 41-47 Elgin Street, Drysdale
Title Details	<p>Crown Allotment D Section 13 Township of Drysdale Parish of Bellarine.</p> <p>Lot B on Plan of Subdivision 642109V.</p> <p>Copies of Title are contained at Appendix 1</p>
Restrictions / Covenants	N/A
Land Size	8,039sqm
Current Zone	<p>Part Public Use Zone Schedule 1 (PUZ1)</p> <p>Part General Residential Zone Schedule 1 (GRZ1)</p>
Current Overlays	None

3. SUBJECT SITE

The subject site is located approximately 700 metres south-west of Drysdale's town centre. The subject site covers an area of just over 8,000sqm and is generally bound by Newcombe Street to the north, a drainage corridor to the south, private land in separate ownership to the west and east. Elgin Street splits the subject site. The western section of the subject site currently contains a Barwon Water pump station. The eastern section of the subject site currently contains two portable buildings.

Topographically the subject site falls from north to south. The key findings of the technical assessments carried out in support of this combined application describe the attributes of the site:

Cultural Heritage:

- There are areas of cultural heritage sensitivity on the subject site;
- There are no statutory impediments from Aboriginal heritage legislation to planning approvals being granted in relation to this application for a multi-lot subdivision. No Aboriginal heritage permits are required and there is no statutory requirement for a cultural heritage management plan to be prepared.

Traffic:

- There are no traffic management, safety or operational grounds that would impede this development.
- The proposal is anticipated to generate 60 vehicle trips per day with 6 trips in the peak hour periods. The trips will be distributed to the local street network, generally along Elgin Street, north of Newcombe Street
- The estimated peak hour volume of 10 vehicles per hour will have negligible impact on the performance and safety of the local road network
- The current carriageway of Elgin Street south shall be widened and extended to conform with an "Access Lane" category as defined in Clause 56.06 of the Greater Geelong Planning Scheme;
- The extension works on Elgin Street shall include a "Hammer Head" turning facility designed to accommodate, at minimum, service vehicles and emergency service vehicles including CFA tankers.

Urban Services:

- There are no servicing constraints to the development of the proposed ten (10) new lots.

Ecology:

- Vegetation within the subject site comprises managed lawns and planted ornamental shrubs
- No remnant native vegetation was recorded within the subject site.
- One scattered Swamp Gum *Eucalyptus ovata* was recorded in an adjacent land parcel five metres from the south-west corner of the study area. The Tree Retention Zone of the Swamp Gum encroaches less than 10% into the study area.
- Two small River Red-gums *Eucalyptus camaldulensis* were recorded in the south east corner of the subject site. Based on historical aerial imagery and assessment of the surrounding area, these trees are considered to be either regrowth less than ten years old or planted vegetation and are therefore exempt under Clause 52.17-7 of the Planning Scheme.

Noise

- The Amendment proposes to retain the existing Barwon Water pump station building within the Public Use Zone Schedule 1 (PUZ1).
- Pursuant to SEPP N-1, noise limits for noise generated by the pump station building are applicable for the Nearest Sensitive Receiver Locations, specifically:

Day = 50 dB

Evening 44 dB
Night = 39 dB

- Measurements of 58dB – 61dB using a Barwon Water (uncalibrated) noise monitoring meter were recorded while a pump or pumps within the pump station building were operating. These results were recorded at various points from 1m distance from the outside of the pump station building on the evening of 28 September 2015. By way of comparison, normal traffic would normally generate around 70dB. There is no known record of noise complaint from the existing pump station.
- Sound will reduce (in theory) by 6dB for each doubling of distance. Therefore, sound levels at the Nearest Sensitive Receiver Locations are anticipated to be more in line with the EPA night time guidelines.
- However, it is recommended that additional noise insulation be considered for inclusion within the pump station building. Additional sound insulation installed within the walls and ceiling of the existing pump station building is anticipated to lead to additional noise reduction in the order of 15-30dB.

Figure 1: Subject Site



4. PROPOSAL DETAILS

4.1 The Amendment

The amendment proposes to:

- Rezone part of the subject site from Public Use Zone Schedule 1 (PUZ1) to a General Residential Zone Schedule 1

The purposes of the General Residential Zone are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The General Residential Zone Schedule 1 is considered the most appropriate zone to facilitate development of the site for standard residential lots that generally respects the existing neighbourhood character.

The Permit Application

A planning permit application is sought to facilitate the creation of ten (10) residential allotments and a drainage reserve. With the exception of proposed Lot 1 fronting Newcombe Street (411sqm), each of the proposed lots on the western side of Elgin Street is in excess of 500sqm in area. Each of the proposed lots on the eastern side of Elgin Street is in excess of 1,000sqm in area.

The proposed subdivision includes the following key characteristics:

Layout

- 1x north-south oriented lot fronting Newcombe Street (411sqm);
- On the western side of Elgin Street, 5x east-west oriented lots with frontage / access to Elgin Street
- On the eastern side of Elgin Street, 4x east-west oriented lots with frontage / access to Elgin Street
- 1x drainage reserve at the southern end of the subject site, on the western side of Elgin Street.

A Plan of Subdivision is included within this submission at **Appendix 2**. A Clause 56 Assessment is included within this submission at **Appendix 3**.

5. PLANNING POLICY CONTEXT

The following outlines those planning policies which are relevant to the proposal and the locale which need to be considered in the assessment of the application. These include the State Planning Policy Framework and the Local Planning Policy Framework including Council's Municipal Strategic Statement and local policies. A review of relevant strategic documents has also been undertaken.

State Planning Policy Framework

We have reviewed the State Planning Policy Framework (SPPF) within the Greater Geelong Planning Scheme and identify the following Clauses are particularly relevant to the proposal:

- Clause 11.02-1 Supply of urban land (*Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas neighbourhood character and landscape considerations*)
- Clause 12.01-1 Protection of biodiversity (*Ensure strategic planning avoids and minimises significant impacts, including cumulative impacts, of land use and development on Victoria's biodiversity*).
- Clause 16.01 Residential development (*Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land*).
- Clause 19.03-2 Water supply, sewerage and drainage (*plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment*).

Local Planning Policy Framework

Local Planning Policy Framework (LPPF) is comprised of the Municipal Strategic Statement (MSS) and local policies.

Municipal Strategic Statement

The Greater Geelong Municipal Strategic Statement identifies a number of local planning issues for development within the municipality. Of most relevance to the consideration of this application are the following clauses:

- Clause 21.06-3 Urban Consolidation (*To provide for the consolidation of existing urban areas in a managed way AND Supporting appropriate medium density housing in the General Residential Zone [Schedule 1] areas AND Ensure that development is responsive to the established character of the area*)
- 21.14 The Bellarine Peninsula - Drysdale Clifton Springs (*Contain urban development within the defined settlement boundary on the Structure Plan map*).

6. STRATEGIC ASSESSMENT OF THE AMENDMENT

6.1 Why is an Amendment required?

The Subject Site is partly contained within the Public Use Zone Schedule 1 (PUZ1). Barwon Water has identified that part of the subject site is surplus to the ongoing operational needs of Barwon Water and no longer required to be set aside for a public purpose. The surrounding land is contained within a General Residential Zone Schedule 1 (GRZ1).

The Amendment is required to enable land that is surplus to the ongoing operational needs of Barwon Water to be re-zoned commensurate with the zoning of immediately surrounding land.

6.2 How does the Amendment implement the objectives of planning in Victoria?

The Amendment is considered to implement the objectives of planning in Victoria, in particular by:

- Providing for the orderly subdivision of the Subject Site in a manner that is responsive to its particular characteristics, opportunities and constraints;
- Securing a pleasant and safe living environment through an appropriate consideration of and response to surrounding landscape character.

6.3 How does the Amendment address the environmental effects and any relevant social and economic effects?

Environmental Effects

The subject site is not affected by any Environmental Overlays. A single scattered Swamp Gum *Eucalyptus ovata* is located on the adjoining land parcel to the west, however the Tree Retention Zone for this Swamp Gum encroaches less than 10% into the subject site. Two small River Red-gums *Eucalyptus camaldulensis* is located in the south east corner of the Subject Site. Based on historical aerial imagery and assessment of the surrounding area, these trees are considered to be either regrowth less than ten years old or planted vegetation and are therefore exempt under Clause 52.17-7 of the Planning Scheme.

The Amendment therefore is not anticipated to have any adverse environmental impacts.

Social and Economic Effects

The Amendment is anticipated to result in positive social and economic effects by facilitating the creation of a small number of appropriately sized allotments within an established urban area, thereby assisting to achieve applicable urban consolidation objectives and economically utilizing land within a defined urban areas that is suitable for urban development.

6.4 Does the amendment address relevant bushfire risk?

The Subject Land is not affected by the Bushfire Management Overlay. The Amendment does not create or expand a settlement in an area at risk from bushfire.

6.5 Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The Amendment complies with the following Ministerial Directions:

- Form and Content of Planning Schemes (Section 7[5] direction)
- Strategic Assessment of Amendments (Direction No. 11)

With reference to Ministerial Direction No. 1, Barwon Water advises that the subject site has not been used as a depot or fuel storage, nor has there been chemical dosing at the site.

6.6 How does the Amendment support or implement the State Planning Policy Framework?

The Amendment supports and implements Clause 11.02-1 (Supply of Urban Land) by re-zoning a site that presents an appropriate opportunity to consolidate an existing urban area.

The Amendment supports and implements Clause 12.01-1 (Protection of Biodiversity) by avoiding significant impacts on established biodiversity values.

The Amendment supports and implements Clause 16.01 (Residential Development) by acting to increase the supply of housing in an existing urban area through the development of under-utilised urban land.

The Amendment supports and implements Clause 19.03-2 (Water supply, sewerage and drainage) by ensuring sufficient area is retained within the Public Use Zone to provide water supply services that meet projected community needs.

6.7 How does the Amendment support or implement the Local Planning Policy Framework?

The Amendment supports and implements Clause 21.06-3 (Urban Consolidation) by providing an opportunity for the consolidation of the existing urban area of Drysdale in a managed way which is responsive to the established character of the area

The Amendment supports and implements Clause 21.14 (The Bellarine Peninsula) by assisting to contain urban development within the defined settlement boundary for Drysdale / Clifton Springs.

6.8 Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment seeks to re-zone surplus land from Public Use Zone Schedule 1 (PUZ 1) to General Residential Zone Schedule 1 (GRZ1), to facilitate the subdivision of the land involving the creation of lots that generally respects the existing neighbourhood character.

As it is a stated purpose of the General Residential Zone to “*encourage development that respects the neighbourhood character of the area*”, the application of the General Residential Zone is considered to constitute a proper and appropriate use of the Victoria Planning Provisions.

6.9 How does the Amendment address the views of any relevant agency?

The views of relevant agencies will be addressed as part of the exhibition process.

6.10 Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not likely to have a significant impact on the transport system.

6.11 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Amendment is unlikely to have a significant impact on the resources and administration costs of the responsible authority.

7. STRATEGIC ASSESSMENT OF PLANNING PERMIT APPLICATION

The following assessment assumes that the provisions of the Greater Geelong Planning Scheme have been altered in accordance with this Amendment request.

7.1 Proposal Details

The Planning Permit Application seeks approval for Subdivision of land to create ten (10) lots, a drainage reserve and associated works

7.2 Planning Permit Triggers

Use	Development	Subdivision	Other
N/A	N/A	Clause 32.08-2 (GRZ1) – a permit is required to subdivide land	N/A

7.3 Referral Requirements

The below table details those Referral Authorities to whom notice of this application must be given, in accordance with Section 55 of the Act. It is considered that no additional referral or notice of this application is required.

Kind of Application	Referral Authority
Subdivision	The relevant water, drainage or sewerage authority The relevant electricity supply or distribution authority The relevant gas supply authority Country Fire Authority

7.4 Planning Controls and Assessment

7.4.1 SPPF & LPPF

Clause 11.04-2 (Housing Choice and Affordability) seeks to facilitate a diversity of housing in defined locations that cater for different households and are close to jobs and services. The proposed subdivision supports and implements this objective by providing a diversity of lot sizes while still seeking to respect established neighbourhood character.

Clause 11.07-1 (Planning for Growth) seeks to support the growth of Drysdale/Clifton Springs as a district towns by building on existing and planned infrastructure. With no constraints to the servicing of the proposed subdivision, the current proposal supports and implements this objective by facilitating the development of land within the defined Drysdale/Clifton Springs settlement boundary.

Clause 13.04-1 (Noise Abatement) seeks to ensure that development is not prejudiced and community amenity is not reduced by noise emissions. The proposed subdivision supports and implements this objective by ensuring that noise emissions from the existing pump station building comply with the applicable noise limits for the Nearest Sensitive Receiver pursuant to SEPP N-1.

Clause 16.01-1 (Integrated Housing) seeks to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land. The proposed subdivision supports and implements this objective, by utilizing land

that is surplus to the operational requirements of Barwon Water to increase the supply of housing in an existing urban area.

Clause 21.06-3 (Urban Consolidation) seeks to provide for the consolidation of existing urban areas in a managed way. The proposed subdivision supports and implements this objective by creating new lots within an existing urban area that are responsive to and respectful of the established neighbourhood character.

Clause 21.06-4 (Neighbourhood Character) seeks to ensure that new development responds to the existing neighbourhood character. The proposed subdivision supports and implements this objective by providing a mix of lot sizes that are responsive to and respectful of the established neighbourhood character.

7.4.2 General Residential Zone Schedule 1 (GRZ1)

The subject site is partly contained within the Public Use Zone Schedule 1 (PUZ1) and partly contained within the General Residential Zone Schedule 1 (GRZ1). No subdivision the existing Public Use Zone land is proposed. Within the General Residential Zone Schedule 1 (GRZ1) a permit is required to subdivide land (Clause 32.08-2)..

An application to subdivide land must meet the requirements of Clause 56. A detailed Clause 56 Assessment, demonstrating how the proposed subdivision achieves the relevant standards and objectives of Clause 56, is submitted in support of this application (refer to **Appendix 3**).

In addition to implementing the State and Local Planning Policy Frameworks, it is also the purpose of the General Residential Zone to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

The subdivision as shown on the submitted plan provides for future residential development at a densities that is generally in accordance with established neighbourhood character. On this basis it is considered that the proposal furthers the purposes of the zone and appropriately addresses the relevant decision guidelines of the General Residential Zone.

7.4.3 Clause 51.01 – Public Open Space Contribution and Subdivision

The proposed subdivision is not exempt from the public open space contributions as detailed at Clause 51.01. It is understood the applicable public open space contribution is 5%.

7.4.4 General Provisions – Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must Consider (selected as appropriate):

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

The relevant matters set out in Section 60 of the Act are addressed variously throughout this report and will be addressed as the application moves through the formal referral and exhibition process. The performance of the proposal against the relevant provisions of the SPPF & LPPF is addressed in Section 4.3.1 of this report.

The proposed subdivision is generally consistent with the purpose of the General Residential Zone. The preceding sections of this report address the performance of the proposed subdivision against Clause 56.

This report demonstrates how the application will result in a safe, pleasant and orderly subdivision layout that is responsive to the particular characteristics of the site and its surrounds, and will contribute to the amenity of the locality more generally.

8. CONCLUSION

As this report demonstrates, the combined Planning Scheme Amendment and Planning Permit Application complies with and implements the applicable policy directions of the State and Local Planning Policy Framework, and meets the applicable performance criteria set out in the Greater Geelong Planning Scheme.

The combined application is anticipated to have positive social and economic effects by providing for the orderly subdivision of the Subject Site in a manner that is responsive to its particular characteristics, opportunities and constraints, and by securing a pleasant and safe living environment through the appropriate consolidation of an established urban area.

It is considered that the proposed Planning Scheme Amendment and Planning Permit application to facilitate the subdivision of the Subject Site as detailed in this report is sound and strategically justified. On this basis, it is respectfully requested that Council seek Ministerial Authorisation to prepare a Planning Scheme Amendment.

Appendix 1: Copy of Title

Appendix 2: Proposed Plan of Subdivision

Appendix 3: Clause 56 Assessment
