

GREATER GEELONG PLANNING SCHEME

AMENDMENT C356 & PLANNING PERMIT 1027/2016

RESOLUTION TO EXHIBIT AMENDMENT

UNDER DELEGATION FROM COUNCIL IT IS HEREBY RESOLVED:

That Council:

1. Supports the preparation and exhibition of Amendment C356 to the Greater Geelong Planning Scheme to rezone part of the land situated at 42 – 44 Ponds Drive and 60 Forest Road North, Lara from Urban Floodway Zone to General Residential Zone Schedule 1 and apply a Special Building Overlay to part of the site (as shown in Appendix 5 of this report);
2. Considers the application for Planning Permit 1027/2016 for a 5 lot subdivision, 4 additional dwellings and removal of a restrictive covenant concurrently with the preparation of the Amendment in accordance with the Planning and Environment Act, and that draft Planning Permit 1027/2016 be prepared and exhibited with the Amendment;
3. Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C356 & Planning Permit 1027/2016.

SIGNED:..... 

DATE:..... 

**PETER SMITH
COORDINATOR STRATEGIC IMPLEMENTATION**

**GREATER GEELONG PLANNING SCHEME
DELEGATED AUTHORITY REPORT
AMENDMENT C356 & PLANNING PERMIT 1027/2016
42 – 44 Ponds Drive & 60 Forest Road North, Lara
AUTHORISATION TO EXHIBIT**

To: Peter Smith – Coordinator Strategic Implementation
From: Ian McCartney – Senior Strategic Planner
Subject: Authorisation to Exhibit
File number: C356
Date of Report: 6 December 2016

Purpose

The purpose of this report is to seek Council support to proceed with the preparation and exhibition of a combined Planning Scheme Amendment and draft Planning Permit for land situated at 42 – 44 Ponds Drive and 60 Forest Road North, Lara, subject to authorisation being obtained from the Minister for Planning.

Summary

- A combined Planning Scheme Amendment and Planning Permit application has been made by Tract Consultants on behalf of Angelo Martucci to rezone part of land at 42 – 44 Ponds Drive and 60 Forest Road North, Lara from Urban Floodway Zone (UFZ) to General Residential Zone Schedule 1 (GRZ1) & apply a Special Building Overlay (SBO) to part of the site.
- The accompanying permit application is seeking a 5 lot subdivision and construction of 4 two storey dwellings at 42 – 44 Ponds Drive. It also seeks the removal of a restrictive covenant from the Titles of both properties.
- The Lara Structure Plan has identified the subject land as being suitable for residential zoning upon completion of works on the adjoining levee bank as described in this report.
- Council's Engineering Services Unit and Corangamite Catchment Management Authority have been consulted in the preparation of this rezoning and permit application and advise that flooding and drainage issues have been adequately addressed.
- The proposed subdivision and additional 4 dwellings at 42 – 44 Ponds Drive complies with the requirements of the RGZ1 and SBO provisions and will not result in any adverse impacts to the surrounding residential neighbours.
- It is recommended the combined Amendment/Planning Permit as described above be exhibited subject to the Minister's authorisation.

Recommendation

That Council:

- 1. Supports the preparation and exhibition of Amendment C356 to the Greater Geelong Planning Scheme to rezone part of the land situated at 42 – 44 Ponds Drive and 60 Forest Road North, Lara from Urban Floodway Zone to General Residential Zone Schedule 1 and apply a Special Building Overlay to part of the site (as shown in Appendix 5 of this report);**
- 2. Considers the application for Planning Permit 1027/2016 for a 5 lot subdivision, 4 additional dwellings and removal of a restrictive covenant concurrently with the preparation of the Amendment in accordance with the Planning and Environment Act, and that draft Planning Permit 1027/2016 be prepared and exhibited with the Amendment;**
- 3. Requests the Minister for Planning to authorise the preparation and exhibition of Amendment C356 & Planning Permit 1027/2016.**

Background

A combined Planning Scheme Amendment and Planning Permit application has been made by Tract Consultants on behalf of Angelo Martucci, the owner of 42 – 44 Ponds Drive, Lara.

The application seeks to rezone part of the land situated at both 42 – 44 Ponds Drive and 60 Forest Road North, Lara from UFZ TO GRZ1 and apply an SBO to part of the site. The owner of 60 Forest Road North has provided written support for the application.

The accompanying permit application is seeking approval for a 5 lot subdivision and construction of 4 two storey dwellings at 42 – 44 Ponds Drive. It also seeks removal of a restrictive covenant applying to the Titles of both properties which prevents the development of the land “other than in accordance with an approval neighbourhood design plan” Tract advises the current restriction on title prohibits the current subdivision and development proposal and that appropriate development control measures can be applied by way of permit conditions.

Appendix 1 shows the two properties subject of this application superimposed on an existing zoning plan. 42 – 44 Ponds Drive has a total area of 2070 sq m, approx half of which currently falls within the UFZ. 60 Forest Road North has a total area of 7201 sq m of which approx a quarter falls within the UFZ.

Appendix 2 is an aerial photo of the subject land and the surrounding area. Both properties are occupied by a single detached house on the southern residentially zoned portion of the sites. Land to the south and east is a well established residential area, while the Hovells Creek reserve containing the existing levee bank forms the northern boundary. On the west side of Forest Road North is an ex-limestone processing plant and quarry site which is currently being rehabilitated and subject to a current residential rezoning proposal (Am C320).

Appendix 3 shows the subdivision and four dwelling development site layout being proposed on 42 – 44 Ponds Drive.

Discussion

For some years the subject land has been recognised as a future residential development infill opportunity. In the adopted 2011 Lara Structure Plan, under the heading “Conventional Residential Development Opportunities” this land is described as follows:

“Ponds Drive Area

This area includes 42 – 44 Ponds Drive and all land affected by the Urban Floodway Zone at the western end of Ponds Drive, including the land at 60 Forest Road North.

The proposed works on the levee bank on the northern side of Ponds Drive across to Forest Road North must be completed to Council specifications in order for the land to be declared flood free and suitable for further residential development. The Corangamite Catchment Management Authority have indicated the levee should be designed to be 600mm higher than the applicable flood level determined by Council.

Once these works are satisfactorily completed it is recommended that the Urban Floodway Zone is replaced with the Residential 1 Zone, subject to approval of a subdivision layout or a Development Plan Overlay (DPO) or similar mechanism (including Flood and Site Stormwater Management Plans and a nominated finished floor level to cater for the 1 in 100 flows)”.

Ref: p13 Lara Structure Plan

The Lara Structure Plan map (at Clause 21.13-4) of the Planning Scheme) which designates the subject land as “Conventional residential” is **Appendix 4**. One of the Strategies in Clause 21.13 is to “support the development of areas identified for rezoning to Residential 1 and Low Density Residential in accordance with the Structure Plan map included in this clause”.

Council’s Engineering Services Unit and the Corangamite Catchment Management Authority (CCMA) have been consulted in the preparation of this rezoning and planning permit application. The application is accompanied by a detailed Flood Hazard Assessment prepared by PM Design Group Engineering Solutions together with detailed Flood Hazard Assessment prepared by PM Design Group Engineering Solutions together with detailed advice re design and siting of the 4 dwellings to accommodate stormwater passing through the subject land.

The applicant has been negotiating with Council’s Engineering Services Unit for some time regarding the financing and construction of the upgrade of the flood levee as described above. These discussions are on-going but arrangements are not yet finalised.

It is essential that the levee upgrade is completed prior to the amendment and accompanying permit being approved. To keep the planning approval progressing, Tract has been advised that Council will process the combined permit / amendment (including a panel hearing if required) but will not proceed further to adoption until the levee upgrade has been completed (by Council). The alternative option of either entering a Section 173 Agreement or applying a permit condition to ensure the levee is completed prior to commencement of the development is not supported whilst the land remains liable to the flooding.

All of the requirements of Council’s Engineering Services Unit and the Corangamite Catchment Management Authority has been included as conditions on the accompanying permit.

The proposed 5 lot subdivision and proposed 4 two-storey dwellings two storey dwellings at 42 – 44 Ponds Drive have been assessed as an appropriate development for the area. Whilst the proposed 4 two storey townhouses are potentially a more intensive form of

development than the surrounding predominantly single dwelling per lot, any amenity impacts are essentially restricted to the existing dwelling on the subject land.

Appendix 5 is a copy of the Amendment C356 being recommended for exhibition.

Environmental Implications

The Amendment and accompanying permit will result in no adverse environmental implications.

Financial Implications

The Amendment & Permit will result in no future financial implications for Council. Discussions between the applicant and the Council re funding the upgrading of the levee are on-going.

Policy/Legal/Statutory Implications

The Amendment is consistent with the broad theme of State and Council planning policies which support urban consolidation/infill housing in locations which have good access to existing community services and facilities.

The Amendment specifically implements recommendations contained in Council's adopted Lara Structure Plan referred to in Clause 21.13 of the Planning Scheme.

Alignment to City Plan

The Amendment supports the overall thrust of Growing our Economy and Sustainable Built and Natural Environment Strategic directions in that it facilitates the development of land identified as being suitable for future residential development.

Officer Direct or Indirect Interest

No Council Officers have a direct or indirect interest, in accordance with Section 80 (c) of the Local Government Act, to which this Amendment relates.

Risk Assessment

No risks have been identified in exhibiting Amendment C356 and accompanying permit as being recommended by this report.

Social Considerations

The proposal will have a positive social outcome insofar as it promotes the economical utilisation of existing services and facilities.

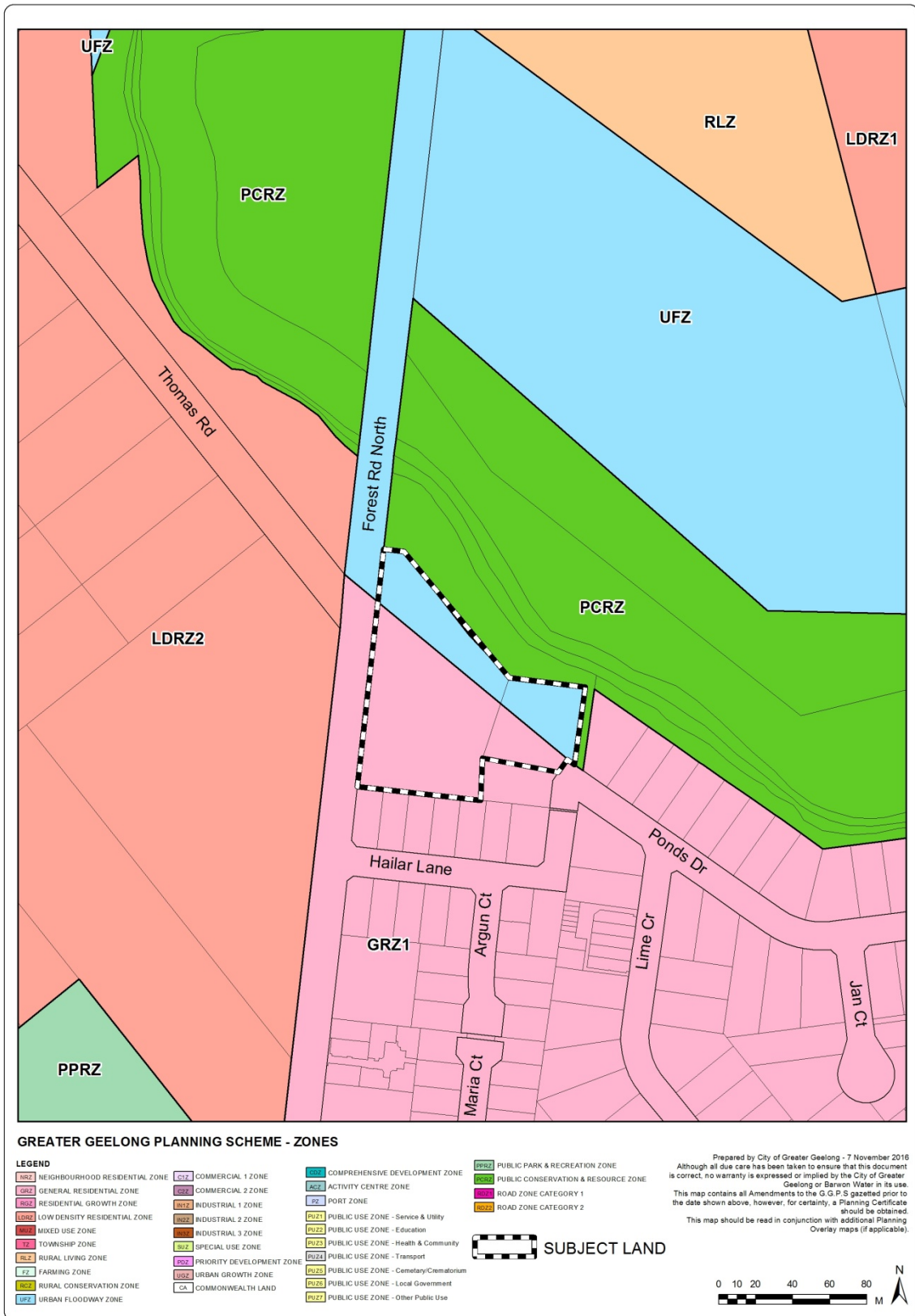
Human Rights Charter

The Amendment will not impact on any basic human rights, freedoms and responsibilities as set out in the Charter.

Consultation and Communication

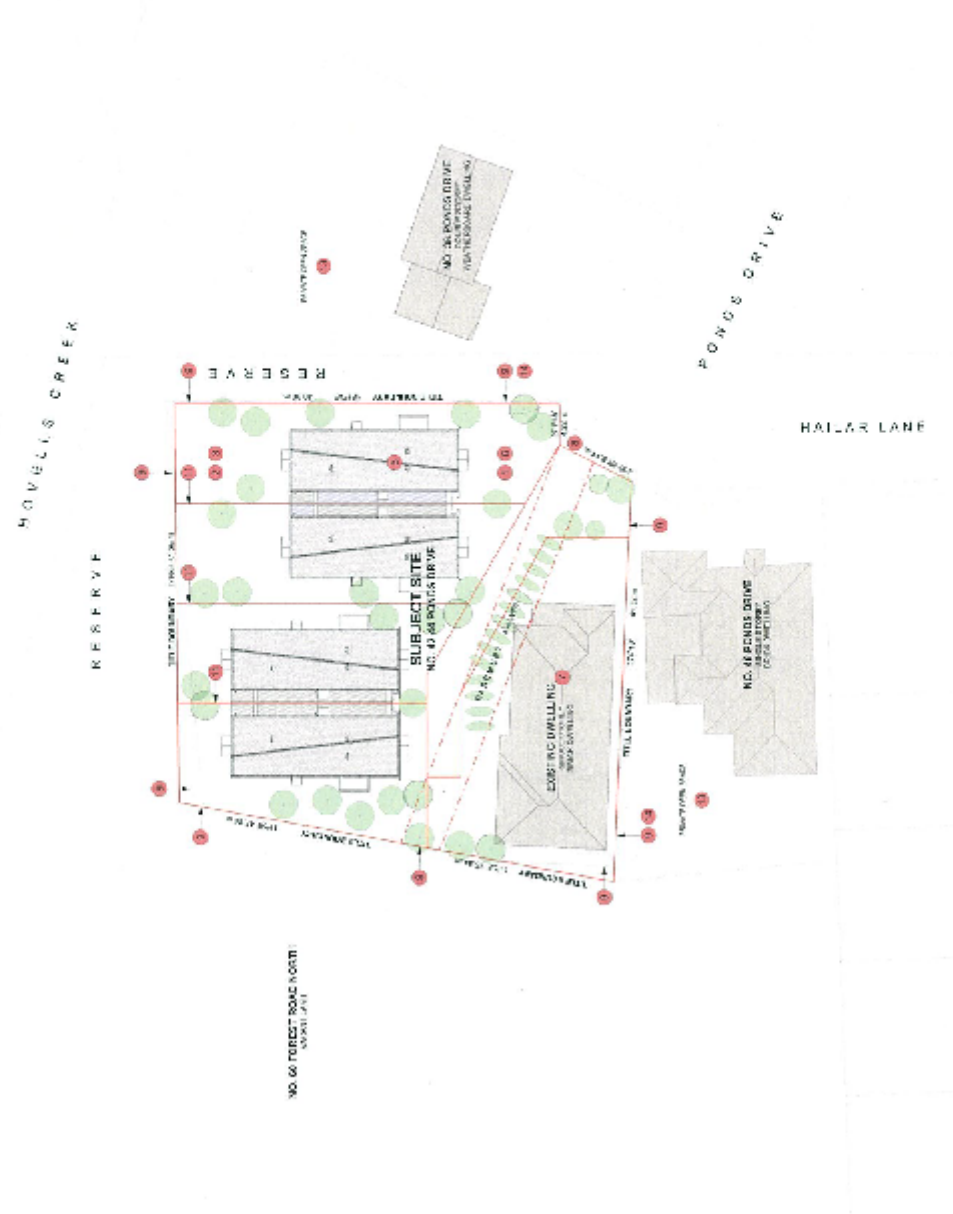
All affected persons will be notified at the time of exhibition of this Amendment to enable them to make a submission and appear before an Independent Panel appointed by the Minister for Planning if they so wish.

Appendix 1





- DESIGN RESPONSE**
Addressing consultation and high level concerns raised through the public exhibition process. The design response is detailed in the following table:
- | Item | Response |
|------|--|
| 1 | NEW DRIVEWAY: NEW DRIVEWAY TO BE CONSTRUCTED TO THE SUBJECT SITE FROM THE EXISTING DRIVEWAY TO THE SUBJECT SITE. |
| 2 | LANDSCAPE: LANDSCAPE DESIGN TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 3 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 4 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 5 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 6 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 7 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 8 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 9 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 10 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 11 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 12 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 13 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 14 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 15 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 16 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 17 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 18 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 19 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 20 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 21 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 22 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 23 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 24 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 25 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 26 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 27 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 28 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 29 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 30 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 31 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 32 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 33 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 34 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 35 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 36 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 37 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 38 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 39 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 40 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 41 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 42 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 43 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 44 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 45 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 46 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 47 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 48 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 49 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |
| 50 | SCREENING: SCREENING TO BE DEVELOPED TO ADDRESS CONCERNS RAISED BY CONSULTANTS AND THE PUBLIC. |



PLANNING - NOT FOR CONSTRUCTION

DATE: 10/10/2023
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1:1000

MANUSCRIPT DEVELOPMENT
DATE: 10/10/2023

DESIGN RESPONSE
TOWN PLANNING

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------------|-----------------------|
| 1 | 10/10/2023 | ISSUED FOR EXHIBITION |

DATE
10/10/2023

TIME
10:00 AM

SCALE
1:1000

PROJECT
[Project Name]

TITLE
[Project Title]

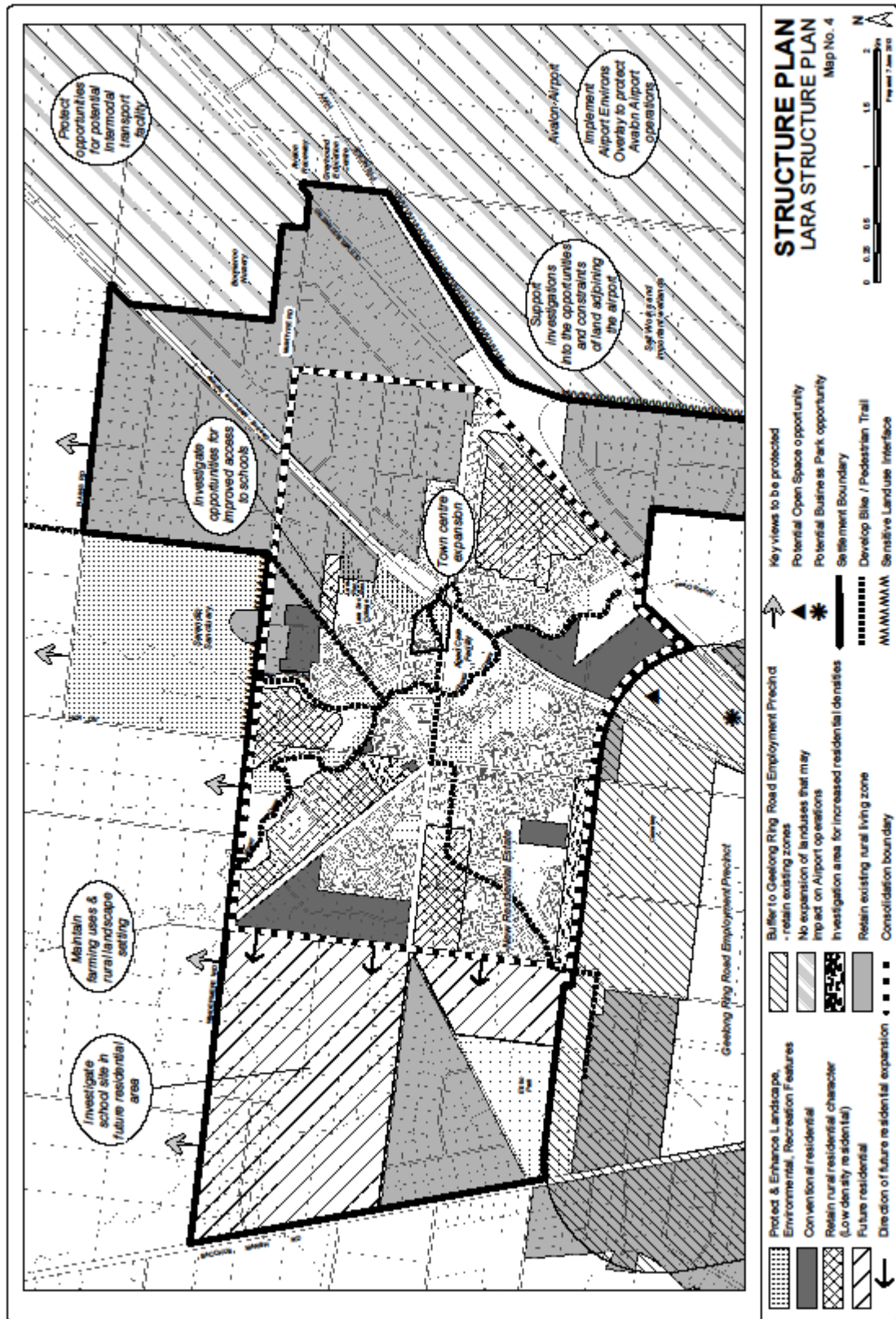
DATE
10/10/2023

TIME
10:00 AM

SCALE
1:1000

PROJECT
[Project Name]

TITLE
[Project Title]



Appendix 5

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C356

INSTRUCTION SHEET

The planning authority for this amendment is the City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of two attached map sheets.

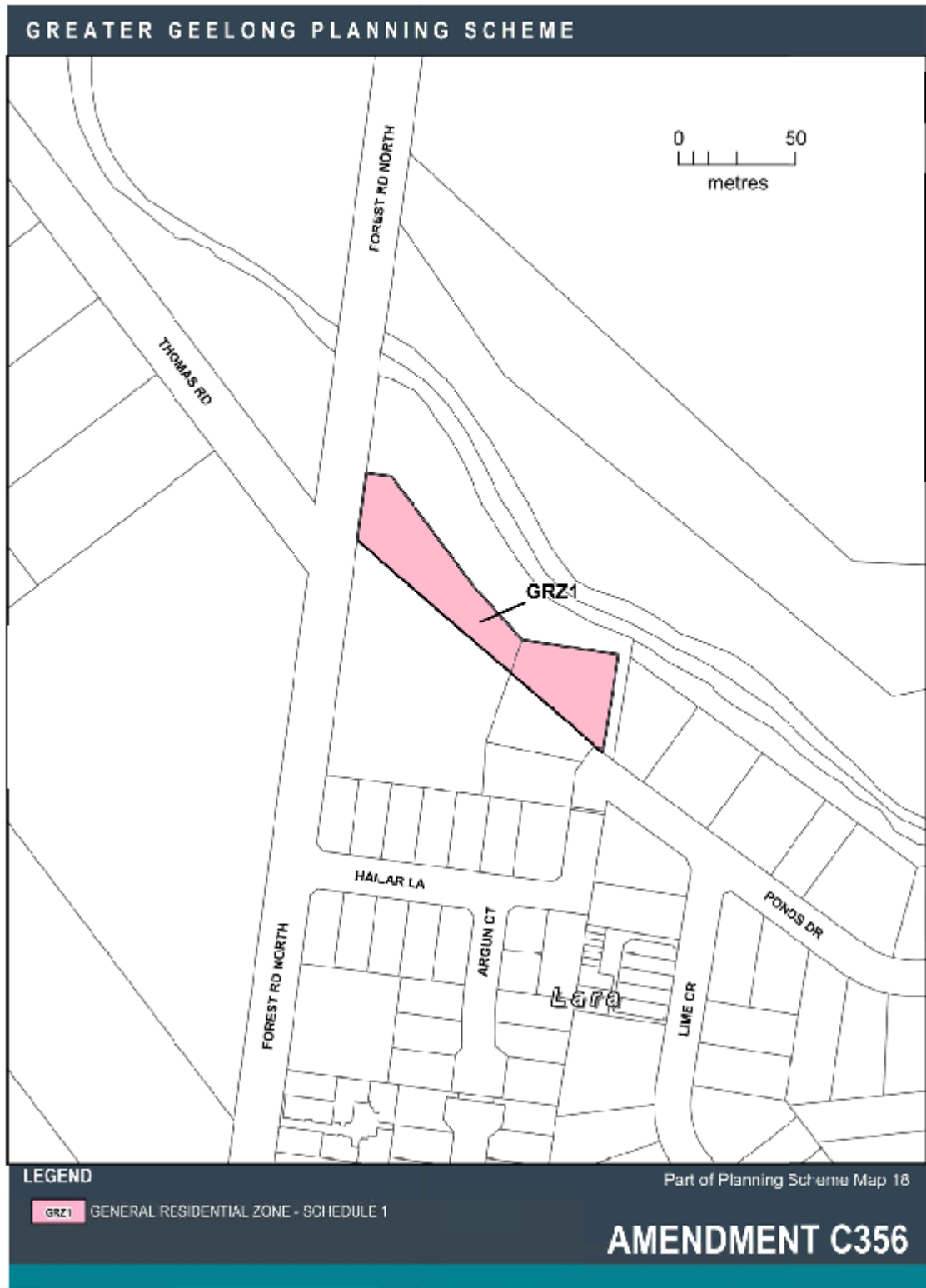
Zoning Maps

1. Amend Planning Scheme Map No 18 in the manner shown on the attached maps marked "Greater Geelong Planning Scheme, Amendment C356".

Overlay Maps

2. Insert new Planning Scheme Map No 18SBO in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C356".

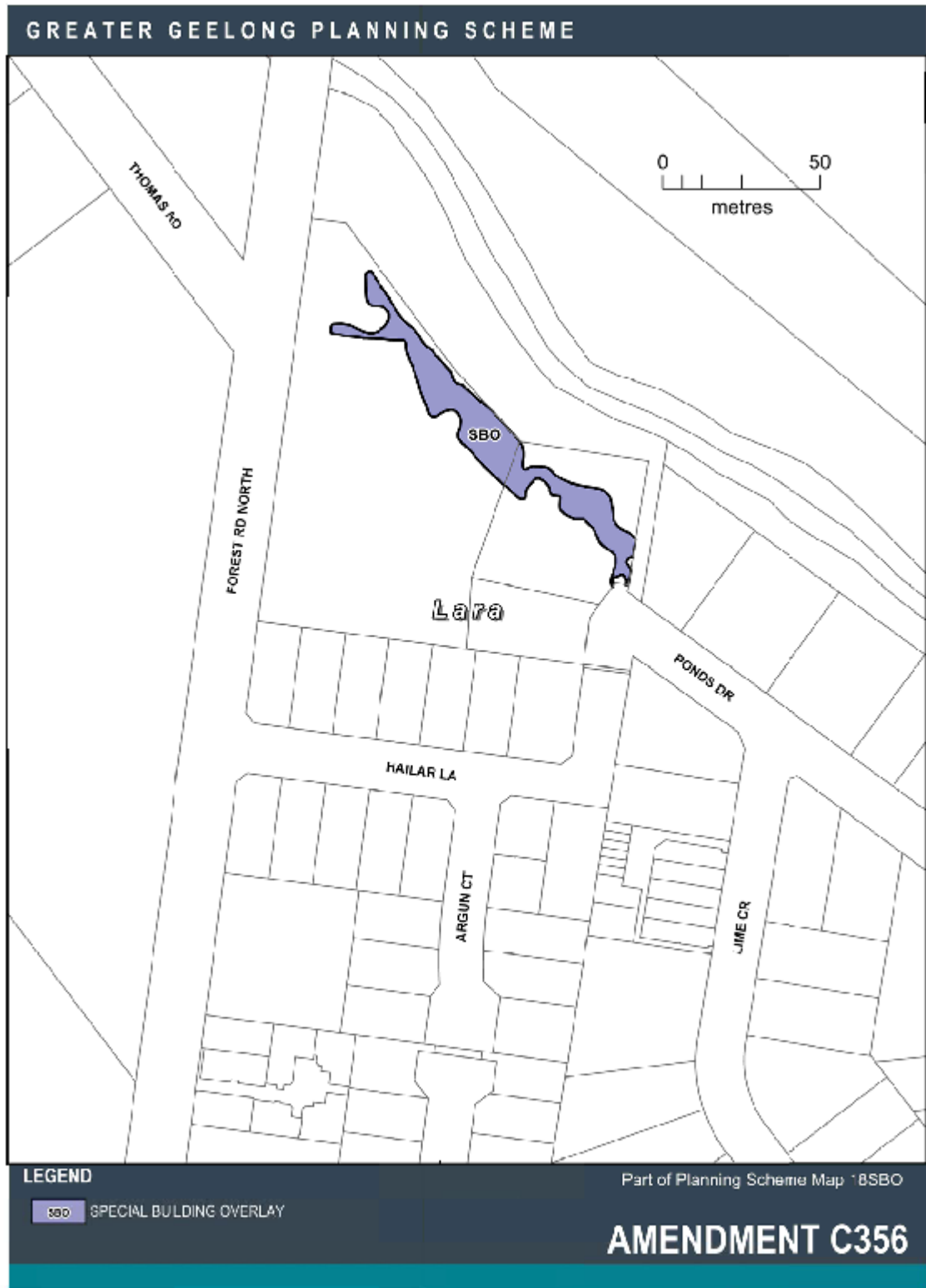
End of document



| Planning Mapping Services |
| Planning Information Services |
| Planning |



001



| Planning Mapping Services |
| Planning Information Services |
| Planning |



002