

**GREATER GEELONG PLANNING SCHEME
AMENDMENT C338**

RESOLUTION TO EXHIBIT AMENDMENT

UNDER DELEGATION FROM COUNCIL I HEREBY RESOLVE:

That Council:

- 1. Support the preparation and exhibition of Amendment C338 to the Greater Geelong Planning Scheme to:**
 - a. Rezone the southern part of 176-194 Thornhill Road, Highton (the subject land) from Public Use Zone Schedule 1 to General Residential Zone Schedule 1**
 - b. Apply Design and Development Overlay Schedule 14 to the subject land**
- 2. Consider and exhibit a draft Planning Permit 1418/2015 for a 32 lot subdivision of the subject land and removal of native vegetation concurrently with the Amendment in accordance with the Section 96A of the Planning and Environment Act.**
- 3. Request the Minister for Planning to authorise the preparation and exhibition of Amendment C338 and Planning Permit Application 1418/2015.**

SIGNED:.....

DATE:.....10/1/17.....

**PETER BETTESS
GENERAL MANAGER PLANNING AND DEVELOPMENT**

GREATER GEELONG PLANNING SCHEME
DELEGATED AUTHORITY REPORT
AMENDMENT C338 & PP 1418/2015 176 – 194 THORNHILL ROAD, HIGHTON -
RESOLUTION TO EXHIBIT

To: Peter Bettess - General Manager Planning and Tourism
From: Peter Smith - Coordinator Strategic Implementation
Subject: Resolution to Seek Authorisation and Exhibit
File number: C338 & PP 1418-2015
Date of Report: 10 Jan 2017

Purpose

The purpose of this report is to seek a Council resolution (under delegation) to exhibit Amendment C338 and Planning Permit Application 1418/2015 for surplus Barwon Water land at Highton subject to authorisation from the Minister for Planning.

Summary

- The subject land at 176 – 194 Thornhill Road, Highton has been identified as surplus and Barwon Water wishes to sell it for future private use and development.
- The site is comprised of two water storage basins and ancillary infrastructure and outbuildings. The site is located in Highton on the south-west edge of Geelong, abutting the Geelong Ring Road to the west and south.
- The proposal is for an amendment to rezone the southern half of the land from Public Use Zone 1 to General Residential Zone 1 with a Design and Development Overlay (DDO14) and a planning permit to subdivide the land into 32 residential lots and the removal of native vegetation.
- There is considered to be good strategic support for a planning scheme amendment to rezone the land to a residential zone.
- The key issues associated with the planning permit application to subdivide the land are: drainage, traffic and road design, a proposed shared path along the pipe track, the adjoining high pressure gas pipeline, and noise from the Ring Road, soil contamination and remnant native vegetation.
- These issues are discussed in this report and can be addressed by revised plans and reports and permit conditions.
- Subject to a permit being finalised and revised documentation being submitted by the applicant it is recommended the amendment and permit be exhibited in the normal manner subject to authorisation from the Minister for Planning.

Recommendation

That Council, under delegation, resolves to:

- 1. Support the preparation and exhibition of Amendment C338 to the Greater Geelong Planning Scheme to:**
 - a. Rezone the southern part of 176-194 Thornhill Road, Highton (the subject land) from Public Use Zone Schedule 1 to General Residential Zone Schedule 1**

b. Apply Design and Development Overlay Schedule 14 to the subject land

- 2. Consider and exhibit a draft Planning Permit 1418/2015 for a 32 lot subdivision of the subject land and removal of native vegetation concurrently with the Amendment in accordance with the Section 96A of the Planning and Environment Act.**
- 3. Request the Minister for Planning to authorise the preparation and exhibition of Amendment C338 and Planning Permit Application 1418/2015.**

Background

Barwon Water has reviewed its property assets throughout the region to identify land that is surplus to current and future operational needs. The subject land has been identified as surplus and Barwon Water wishes to sell it for future private use and development. The land is currently within the Public Use Zone 1 (PUZ1), Service and Utility, and the appropriate underlying zones and overlays need to be applied to the surplus land before sale.

In October 2015, SMEC consultants on behalf of Barwon Water submitted a combined planning scheme amendment and planning permit application for land at 176-194 Thornhill Road, Highton.

The site is comprised of two water storage basins and ancillary infrastructure and outbuildings. The proposal is for an amendment to rezone the southern half of the land from PUZ1 to General Residential Zone 1 and a planning permit to subdivide the land into 32 residential lots and the removal of native vegetation.

The northern basin is to remain in the PUZ1 and, as it is required by Barwon Water for the next 10 years or so, is not proposed for redevelopment or rezoning as part of this amendment.

The site is located in Highton on the south-west edge of Geelong, approximately 8.1km street distance from the Geelong CBD, abutting the Geelong Ring Road to the west and south.

The existing zoning of the area is shown in **Appendix 1**. An aerial photo is provided in **Appendix 2** and a plan showing the site context (submitted by SMEC) is in **Appendix 3**.

The application was accompanied by a Planning Report with the following additional information and technical reports:

- Appendix A Certificate Of Title
- Appendix B Site Analysis Plan
- Appendix C Subdivision Concept Plan
- Appendix D Landscape Master Plan
- Appendix E Preliminary Transport Assessment
- Appendix F Ecology & Cultural Heritage Assessment
- Appendix G Tree Removal Plan
- Appendix H Geotechnical Investigation Report
- Appendix I Land Contamination Report 1

- Appendix J Stormwater Management Plan
- Appendix K Clause 56 Assessment

The permit and rezoning application were referred to internal Council departments and to relevant external agencies on 27 November 2015.

As a result of feedback a revised Subdivision Concept Plan was prepared and is shown in **Appendix 4**.

Discussion

The land is located in an established urban area inside the Geelong Ring Road boundary and there is considered to be good strategic support for a planning scheme amendment to rezone the land to a residential zone. The relevant policies that support the amendment are listed in the “Policy/Legal/Statutory Implications” of this report.

The land is proposed for the General Residential Zone Schedule 1 and Design and Development Overlay Schedule 14 consistent with the controls on the surrounding residential land. Maps of the proposed zone and overlay are in **Appendix 5**.

The initial referral responses to the proposal all focussed on the planning permit application to subdivide the land and did not raise any concerns with the rezoning.

The issues raised in the referral responses have generally been resolved either by changes to the application, supporting documents and subdivision layout plan or by proposed permit conditions.

The key issues raised in the application and in the review of the application by Council officers and referral agencies are summarised below:

Drainage

During pre-application discussions Council officers gave in principle agreement to the WSUD treatment including Bio-filter devices, raingardens or similar rather than a wetland which is Council’s preferred treatment method. It was also agreed that retardation will only be required for a 1 in 5 year event, provided it can be demonstrated that post developed 1 in 100 year flows can be contained in the downstream road network.

Since receiving the application, several meetings and exchanges of correspondence have occurred between engineers and planners from Council and the proponent to resolve the detail of the drainage system.

Further design details of the stormwater treatment system and a revised Site Stormwater Management Plan (SSMP) will be required as permit conditions.

Traffic and roads

Another issue that was raised in pre-application discussions was the need for the main entry road to be able to cater for possible truck access for maintenance of the remaining Barwon Water land and basin. Council engineers have provided requirements on this and other access issues including:

- Pavement design for the roads is to be amended to consider a minimum of 5 % Trucks to allow for possible future truck access during maintenance of the remaining Barwon Water land.
- Corner splays will be expected at the intersections with the proposed 10m wide lane that runs east west.

- The 2 proposed intersections on Thornhill Road are to be designed to cater for a 19m semi as the secondary design vehicle.
- The existing T-Head where Thornhill Road was truncated is to be removed.
- Footpath and street lighting in the estate and across the frontage in Thornhill Road are required.

Shared Path

Barwon Water has put forward a proposal whereby its pipetrack adjoining the site and extending to Roslyn Road will be transferred to Council to manage as a publicly accessible linear open space link. This is in lieu of the 10% public open space requirement that would normally be associated with the subdivision.

Council officers are supportive of the proposal subject to a 2.5m shared pathway being constructed along the track (a distance of approximately 1.6km). The proposed Shared Path Alignment Plan in **Appendix 6** has been prepared by SMEC on the basis of discussions between Council and Barwon Water.

The draft permit will include the necessary approval and conditions to allow the use and development of the shared path within the pipetrack which is zoned Public Use Zone (PUZ1).

High pressure gas pipeline

AusNet Services' gas transmission pipeline (Pipeline Licence 99) traverses along the western boundary of 176-194 Thornhill Road Highton VIC.

Downer Utilities Australia Ltd provided comments on behalf of Ausnet and advises that Pipeline Licence 99 is a regulated asset and is operated in accordance with the requirements of the Pipelines Act 2005 and AS/NZS 2885.1-2012. This pipeline traverses from Fyansford to Waurin Ponds and its section along Thornhill Road, Highton will be impacted by the proposed rezoning and consequent subdivision.

The pipeline has a Measurement Length (Safety buffer distance) of 204 metres either side. Standard residential development is permitted within the measurement length however the "location classes" with higher degree of risk include: (T2) High Density and (S) Sensitive Use.

AusNet Services doesn't object to the subdivision but provides conditions including:

"The development or the usage of the land, which may result in T2 (High Density) or S (Sensitive) Location Class as per AS 2885.1 (such as Aged Care, hospitals, child care, school, commercial centres or areas of congregation) shall not be permitted within the measurement length of Pipeline Licence 99."

This condition is not appropriate for a subdivision permit and would be difficult to enforce into the future. The proposed zone - General Residential Zone – does allow certain sensitive land uses subject to a permit. While the proposed permit is for a standard residential subdivision there is nothing to prevent a property being purchased at some point in the future and an application made to use the land for a child care centre or other sensitive use.

The proposed condition is not recommended. However, with improved awareness and mapping of the high pressure gas pipelines and possible planning controls (e.g. overlays) being considered at a State level, it is likely the presence of the pipe would

be picked up as part of the consideration of any future permit applications for sensitive uses on the site.

Noise

The site is located next to the Geelong Ring Road, therefore in its initial response of 8 December 2015, VicRoads requested the applicant to undertake noise measurements and modelling. This was to determine whether any proposed residential property would have noise levels exceeding 63dBA based on predicted traffic volumes 10 years hence. If so the proposal would need acoustic measures such as noise walls.

By letter of 7 December 2016 Vic Roads advised it had reviewed an amended acoustic report prepared by Watson Moss Growcott Acoustics dated Nov 2016. Vic Roads are now satisfied that the findings are marginally under the 63dBA trigger for the installation of noise walls. It therefore doesn't object subject to a condition being placed on the Planning Permit requiring the applicant to enter into a S173 agreement with Vic Roads and Council stating:

"...that VicRoads will not be held accountable for future noise related compensation costs, and that the responsibility for associated noise attenuation works are to be at the land owners expense, and at no cost to VicRoads."

Council officers are considering whether it is appropriate to use a Section 173 Agreement to achieve the outcome sought by Vic Roads.

Soil Contamination

Potentially contaminated land has been considered in accordance with Ministerial Direction No.1 and the General Practice Note on Potentially Contaminated Land (June 2005). A Land Contamination Investigation of the site by Environmental Site Assessments identified that the land is not contaminated and is suitable for residential development and other sensitive land uses.

Native Vegetation

Areas of remnant native vegetation across the entire subject site are limited to small fragmented patches of the Grassy Woodland Ecological Vegetation Class (0.391ha in total). An impact assessment of the development on the identified EVC has been undertaken and identifies biodiversity offsets which will need to be contributed.

Environmental Implications

High levels of land modification have occurred through the construction of the basins on site, however as mentioned above areas of remnant native vegetation have been identified.

Policy/Legal/Statutory Implications

The amendment is consistent with State Planning Policy including:

- Clause 11.02 Urban Growth, by ensuring a sufficient supply of land is available for residential uses.
- Clause 11.04-2 Housing Choice and Affordability, by providing a diversity of housing in defined locations that cater for different households and areas close to jobs and services.

- Clause 11.07 Geelong (G21) Regional Growth, by enabling the land to be used and developed consistent with established planning for the surrounding area.
- Clause 14.02-3 Water Conservation, by ensuring that water resources are managed in a sustainable way.
- Clause 16.01 Housing, by providing additional residential land for infill development.

The amendment is consistent with Local Planning Policy including:

- Clauses 21.06-2 Urban Growth, by limiting urban sprawl whilst maintaining appropriate urban land supplies.
- Clause 21.06-3 Urban Consolidation, by providing for the consolidation of existing urban areas, encouraging a range of densities and accessibility to urban services.

Officer Direct or Indirect Interest

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

Social Considerations

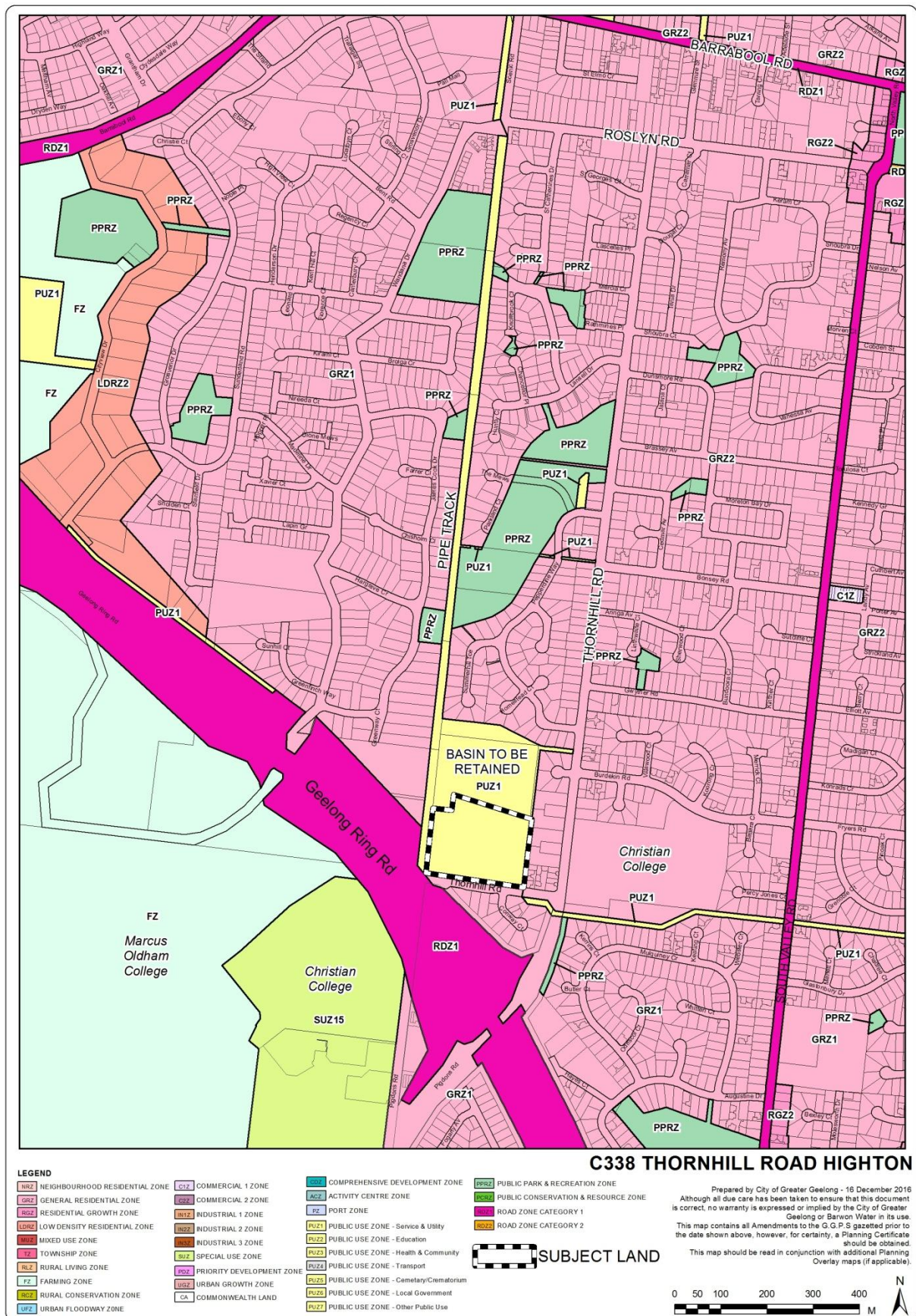
The proposed rezoning and subdivision of the site for residential use is not expected to create significant adverse social impact and could improve the amenity of the area for directly adjoining residents. The existing road network can cope with additional traffic movements from the future residential subdivision. With regards to the amenity of the future residents of the proposed subdivision, noise from the nearby Geelong Ring Road has been assessed by acoustic experts and reviewed by Vic Roads. It has been determined that noise levels are just under those which would require the installation of noise walls.

The proposal to install a shared pathway along the Barwon Water Pipe Track will have a positive effect on the health and well being of people living in the area.

Consultation and Communication

Nearby landowners and occupiers, prescribed Ministers and other relevant agencies will be formally notified during the statutory exhibition period. This will include notice to properties abutting the pipetrack from the site to Roslyn Road. Notices will appear in local newspapers, the City of Greater Geelong website and the Government Gazette.

Appendix 1 – Existing Zoning & Subject Land (to be rezoned GRZ1)



Appendix 2 – Aerial Photo



Appendix 4 – Subdivision Concept Plan



YIELD BREAKDOWN	
Lot Width (38.0 depth)	3
14m	12
17.5m	2
Lot Width (32 depth)	
16m	5
14m	6
14m	1
18m	1
LAND BUDGET	
Total Precinct Area	3.42
DESCRIPTION	
Encumbered Land	AREA (Ha)
Retarding Basin	0.18
Open Space (encumbered)	T.B.C.
Net Developable Area	3.11
Roads	0.98
Conventional Density Residential	1.62
Superlots	0.51
	% Precinct
	5.18%
	91.02%
	31.49%
	47.34%
	15.02%
	16.50%

- LEGEND**
- Property Boundary
 - Stage Boundary
 - Retarding Basin
 - Barwon Water Asset - Pump Station
 - Open Space (encumbered)
 - Open Space (building to be retained)
 - Existing Gas Pipeline
 - Existing Transmission Easement
 - Contours (1m intervals)



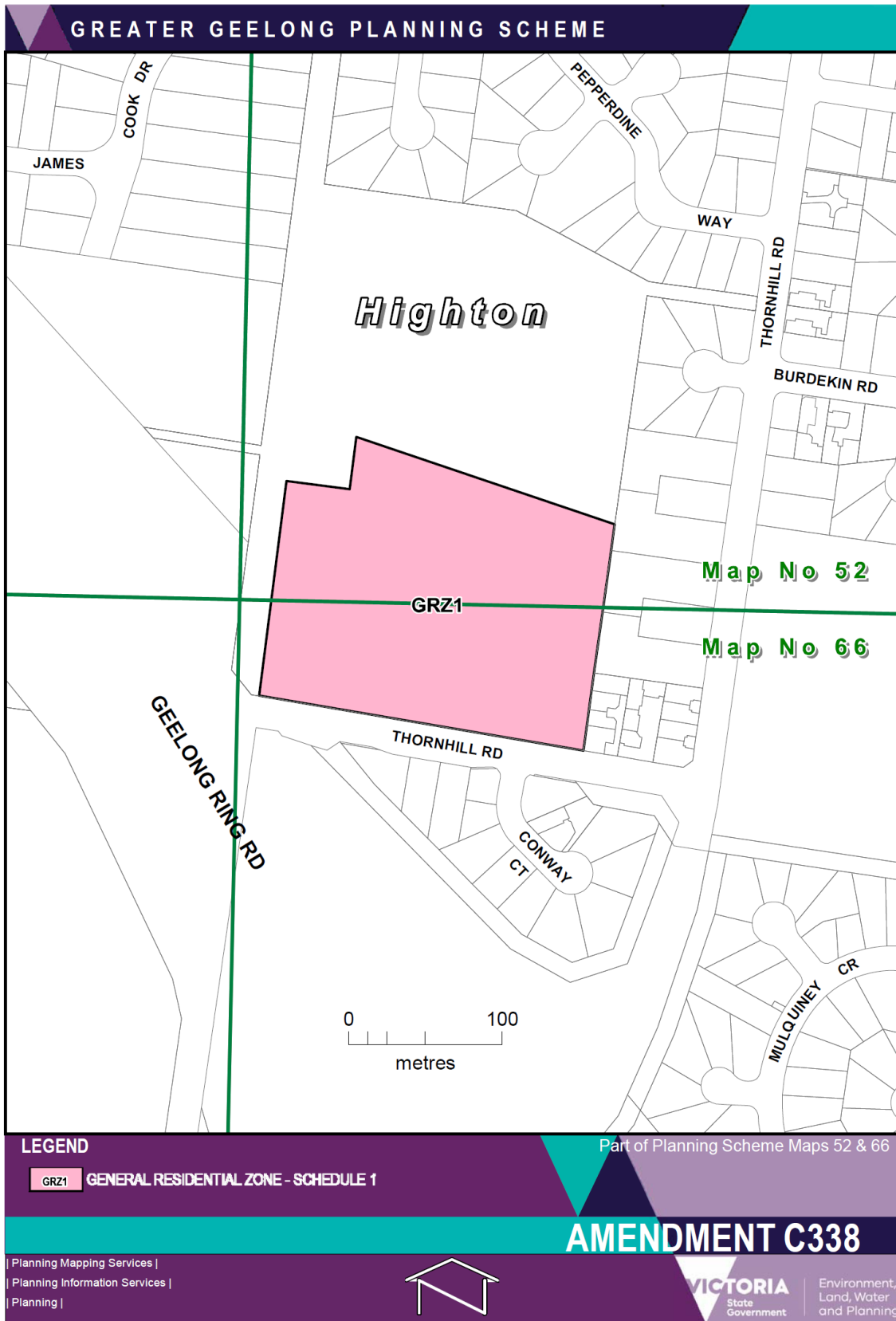
Subdivision Concept Plan
122A Thornhill Road, Highton

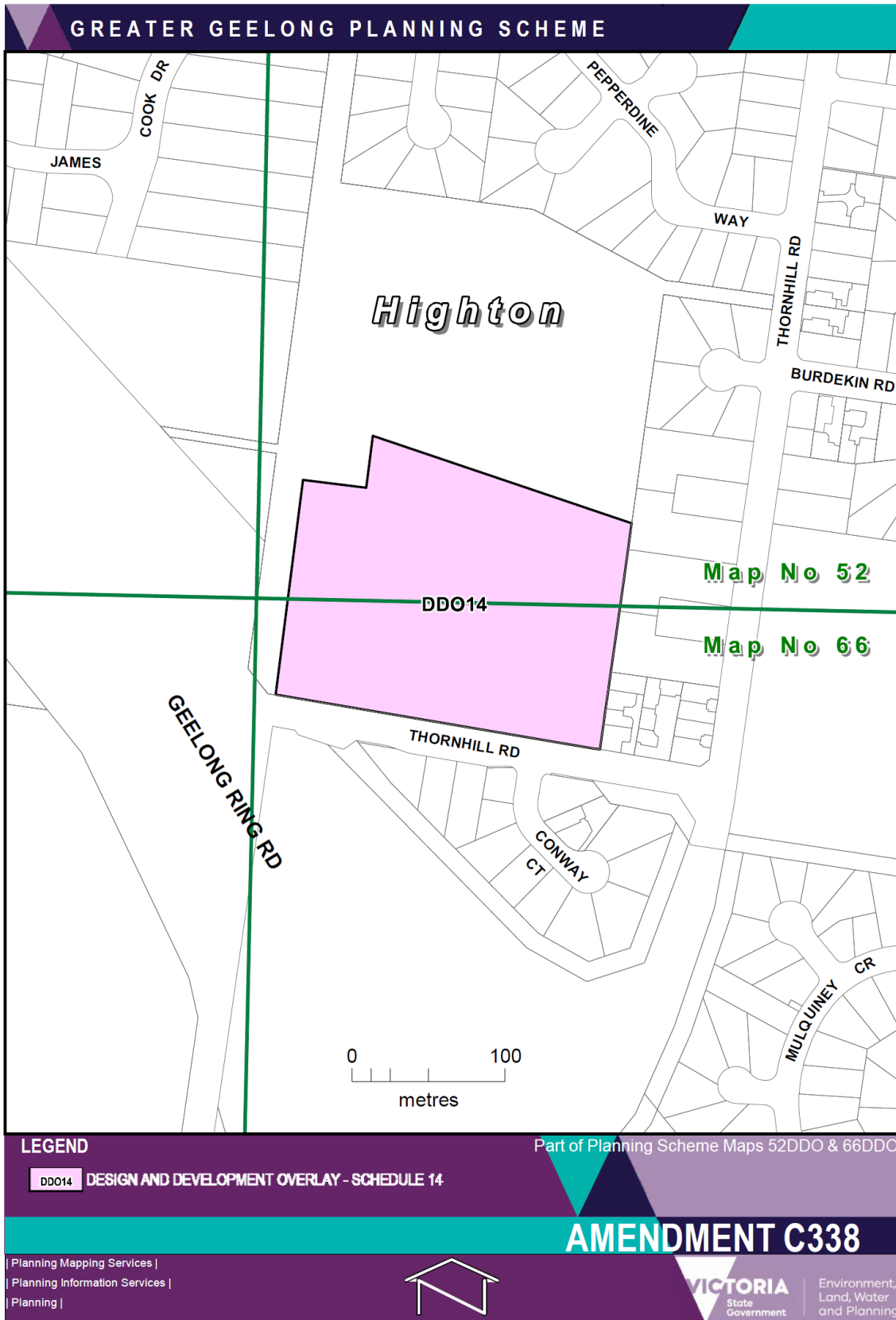
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date: 11 October 2016
rev: L
drawn: RP
checked: CD

please note:
This plan is based on preliminary information only
and may be subject to change as a result of formal
Council/Community advice and confirmation by survey



Appendix 5 - Proposed Zone and Overlay Maps





Appendix 6 – Shared Pathway Alignment Plan

