

GREATER GEELONG PLANNING SCHEME

AMENDMENT C359 – SUPPLEMENTARY ITEMS

RESOLUTION TO EXHIBIT AMENDMENT

UNDER DELEGATION FROM COUNCIL IT IS HEREBY RESOLVED:

That Council:

- 1) Supports inclusion of the changes to 9 Scarlett Street, Geelong West, 1/61 to 8/61 Tuckfield Street Ocean Grove, clause 21.10 and to the schedule to Clause 43.01 for the Vietnam Veterans Avenue of Honour in proposed Amendment C359; and
- 2) Requests the Minister for Planning authorise the preparation of the amendment as detailed in this report.

SIGNED:..........

DATE:.....26/6/17.....

**PETER SMITH
COORDINATOR STRATEGIC IMPLEMENTATION**

GREATER GEELONG PLANNING SCHEME
DELEGATED AUTHORITY REPORT
AMENDMENT C359 - CONSIDERATION OF ADDITIONAL ANOMALIES
AND 9 SCARLETT STREET, GEELONG WEST

To: Peter Smith – Coordinator Strategic Implementation
From: Susan Williamson – Senior Strategic Planner
Subject: Combined Heritage Amendment
File number: C359
Date of Report: 21 June 2017

Purpose

This report seeks Council's support for the deletion of the Heritage Overlay and Environmental Audit Overlay from 9 Scarlett Street, Geelong West, and to add further items to Amendment C359.

Summary

- Amendment C359 proposes several changes to the heritage overlay on the planning scheme maps and in the schedule to clause 43.01 in the planning scheme ordinance. Refer to Council minutes for full details.
- Council resolved on 23 May to prepare Amendment C359 and to seek authorisation from the Minister for Planning to proceed.
- Post this Council meeting, a request has been received to delete the Heritage Overlay and the Environmental Audit Overlay from the land at 9 Scarlett Street, Geelong West.
- The heritage structure has been demolished and there is no longer any need to retain the heritage overlay at the site. HO741 will remain on land at 1 /2 Waratah Street and 95-103 Pakington Street.
- A current environmental assessment is expected to demonstrate that the land is suitable for residential development and that the EAO will no longer be required.
- Two additional heritage overlay anomalies have also been identified post the Council meeting which need to be corrected: removal of the HO1608 from land at 1/61 to 8/61 Tuckfield Street, Ocean Grove which has been subdivided from the original heritage place; and correction to the HO number for the Vietnam Veterans Avenue of Honour in the Schedule to the Heritage Overlay.
- During preparation of the amendment documentation for C359, it has been noted that a consequential change is required to *Clause 21.10 Geelong Western Wedge* to update the reference to the heritage overlay area affecting Western Beach Road. This has arisen from the overlay changes recommended in the City Fringe Heritage Area Review by RBA Architects and Conservation Consultants.

Recommendation

That Council:

- 1) Supports inclusion of the changes to 9 Scarlett Street, Geelong West, 1/61 to 8/61 Tuckfield Street Ocean Grove, clause 21.10 and to the schedule to Clause 43.01 for the Vietnam Veterans Avenue of Honour in proposed Amendment C359; and**
- 2) Requests the Minister for Planning authorise the preparation of the amendment as detailed in this report.**

Background

Attachment 1 shows the location of the 9 Scarlett Street.

Attachment 2 shows the location of 1/61-8/61 Tuckfield Street Ocean Grove.

Attachment 3 shows the entry in the Schedule to Clause 43.01 (Heritage Overlay) for the Vietnam Veterans Avenue of Honour.

Attachment 4 is the correspondence from Tract Consultants Pty Ltd acting on behalf of Roperun Pty Ltd seeking an amendment to delete redundant heritage overlay and environmental audit overlay. This clearly outlines the background to the request for changes to 9 Scarlett Street.

Attachment 5 shows the proposed change to Clause 21.10 of the Scheme.

Discussion

With the removal of the heritage structure from 9 Scarlett Street retention of HO741 at this site is redundant. Heritage Victoria and Council's Heritage Advisor support deletion of this overlay from the land. Concurrent with this is an environmental assessment of the land which is expected to demonstrate that it is suitable for residential development. This report is expected in mid-July. Due to the timing of the combined heritage amendment, C359, officers have agreed to include the removal of the EAO pending the final results of the environmental assessment. If any issues arise from this assessment, removal of the EAO component from the amendment will be abandoned.

Two new heritage anomalies have been identified that should be corrected to ensure that the Planning Scheme is accurate and up-to-date.

Approval of C341 unfortunately included an error in the HO number description for the Vietnam Veterans Avenue of Honour in the Schedule to Clause 43.01 – the HO number on the planning scheme map is correct as HO1999 but the schedule lists it as HO199. This is to be corrected.

Land at 1/61 to 8/61 was subdivided from 63-71 Tuckfield Street Ocean Grove in June 2014. As this land is vacant and does not contain any of the features or structures relating to the historic home "Kingston", removal of the HO1608 is supported.

During preparation of the documentation for C359, officers have noted that a consequential change is required to Clause 21.10 in the Municipal Strategic Statement. Specifically, the **Using policy and the exercise of discretion** section of this clause states the following:

- *Using local policy to retain and protect heritage residential area and associated religious institutions (HO:1639: City Fringe Heritage Area, Clause 22.30)*

With the proposed changes to HO1639 in the Western Beach Road area, this reference in Clause 21.10 will be redundant. Instead, new HO2018 will be applied to the Western Beach Road area and new clause 22.69 will be specific to that heritage overlay. These will need to be referenced in Clause 21.10 as shown in Attachment 5.

Environmental Implications

Environmental assessment of the site is currently being carried in accordance with the provisions and requirements of the EAO. The report is due mid-July. Similar assessments in surrounding sites have demonstrated that the land was not unduly contaminated for residential development purposes.

Financial Implications

Planning scheme amendment costs associated with these changes will be met by the applicant.

Policy/Legal/Statutory Implications

The planning scheme amendment will be carried out in accordance with the requirements of the Planning and Environment Act 1987.

Alignment to City Plan

Protection of the City's heritage places makes a positive contribution to the built environment.

Officer Direct or Indirect Interest

In accordance with section 80(c) of the local Government Act no Council officers have any direct or indirect interest in the matters to which this amendment relates.

Risk Assessment

There is considered to be limited risk in implementing the recommendations of the Outer Areas Heritage Study as it relates to Ceres. The recommendations will result in a heritage overlay being applied to places that have been identified as having heritage significance. The delayed implementation of the Study findings for Ceres may be an embarrassment for Council during the process.

There is no ongoing resourcing issue arising from this amendment.

Social Considerations

Removal of the redundant controls will allow for consideration of new uses for the site at 9 Scarlett Street.

Human Rights Charter

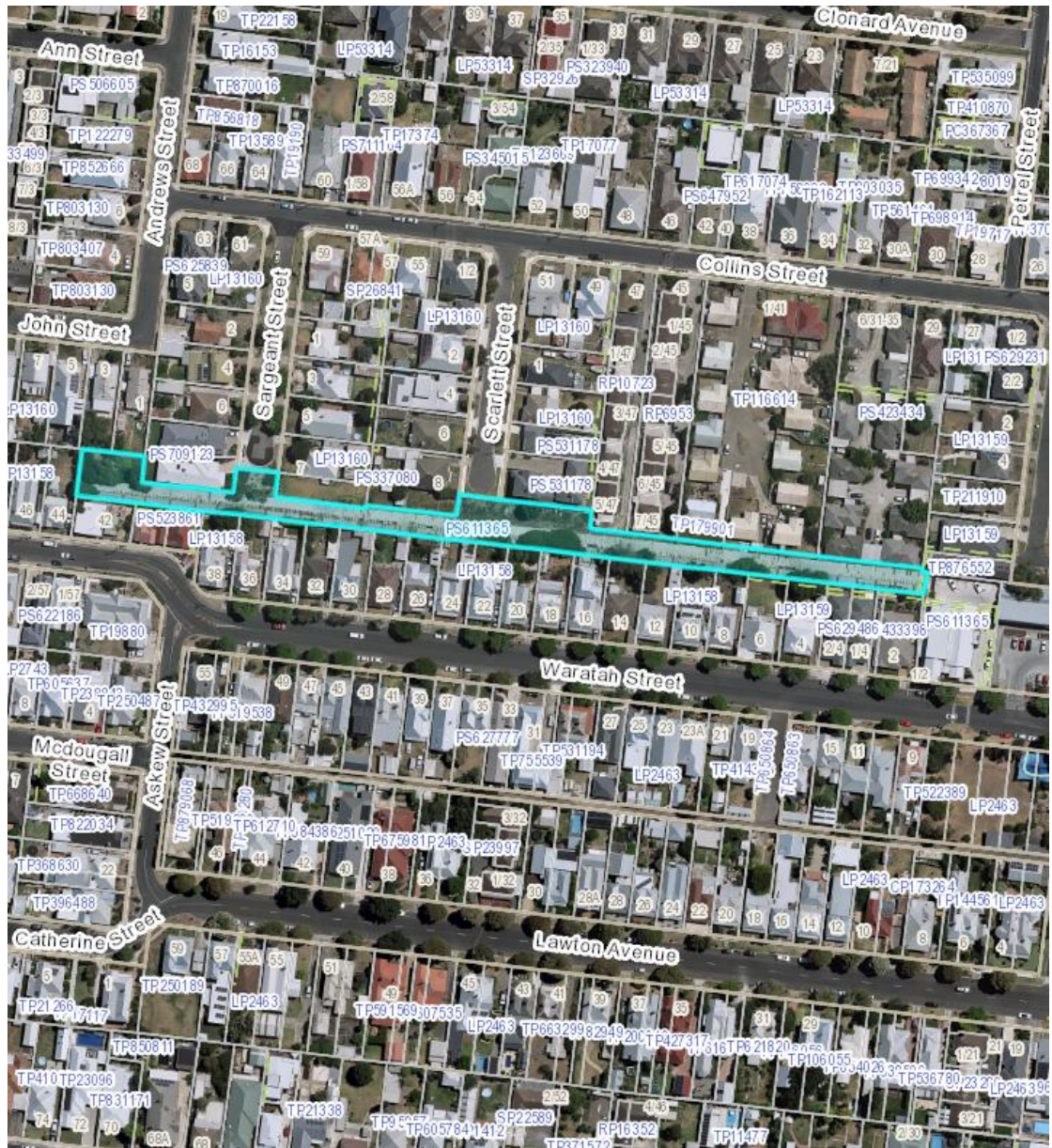
The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open

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

Exhibition of a planning scheme amendment will be undertaken in accordance with the requirements of the Planning and Environment Act 1987. All affected properties will be notified and given the opportunity to make a submission about the Amendment.

ATTACHMENT 1- SUBJECT LAND 9 SCARLETT STREET GEELONG WEST



ATTACHMENT 2- SUBJECT LAND 1/61-8/61 TUCKFIELD STREET OCEAN GROVE



ATTACHMENT 3 – VIETNAM VETERANS AVENUE OF HONOUR EXTRACT FROM HERITAGE OVERLAY SCHEDULE

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO199	Vietnam Veterans Avenue of Honour and Memorial Melbourne Road, Osborne Park and 241 Melbourne Road, North Geelong	Yes	No	Yes – avenue of 146 <i>Eucalyptus sideroxylon</i> (Ironbark trees) both sides of Melbourne Road	No	No	No		No

ATTACHMENT 4 – REQUEST BACKGROUND AND JUSTIFICATION for 9 SCARLETT STREET GEELONG WEST

Tract

08 June 2017

Peter Smith
Coordinator Strategic Planning
City of Greater Geelong
PO Box 104
GEELONG VIC 3220
via email - psmith@geelongcity.vic.gov.au

Dear Peter

Proposed Planning Scheme Amendment - 9 Scarlett Street, Geelong West

Tract Consultants Pty Ltd (Tract) acts on behalf of Roperun Pty Ltd (Roperun) in this matter. We are pleased to submit this request to amend the Greater Geelong Planning Scheme.

The proposed amendment relates to land known as 9 Scarlett Street, Geelong West (the subject site).

Proposal

The proposed amendment seeks approval to replace 'Greater Geelong PS Map 37 HO' and 'Greater Geelong PS Map 37 EAO'.

More specifically, we seek to remove two overlay controls from the subject site:

- Heritage Overlay (Schedule 741); and
- Environmental Audit Overlay.

As discussed, we are seeking your support in including the above matters in the combined Amendment C359. It is our understanding that Amendment C359 was recently tabled at the Ordinary Meeting held on 23 May 2017 and that an officer recommendation to seek authorisation to prepare and exhibit Amendment C359 was adopted.

We note that we have recently applied for planning approval to subdivide and redevelop the site. More specifically, we have sought planning approval to:

- Subdivide the site into four (4) separate lots, and
- Development three (3) single storey dwellings.

The fourth lot will remain vacant until a more appropriate use is determined.

Background / Justification

Roperun recently acquired the subject site from Woolworths.

On the 16th February 2017 the City of Greater Geelong issued an 'Emergency Order' to the previous land owner requiring them to demolish and remove of all on-site structures due to their dilapidated and derelict condition. Council's order confirmed that the demolition and removal of all on-site structures was required because of "a danger to life and property arising out of the condition of the building".

Roperun inherited the responsibility of complying with Council's order.

The subject site is identified on the Victorian Heritage Registry and is also covered by Council's Heritage Overlay and Environmental Audit Overlay.

Project: 0317-0122

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ADELAIDE GEELONG

QUALITY ENDORSED COMPANY
ISO 9001 LIC NO 2095

Heritage Victoria provided Roperun with written confirmation that the demolition and removal of all on-site structures no longer required approval from Heritage Victoria. Heritage Victoria also confirmed that following the demolition and removal of all on-site structures no further approvals would be required and that they would instigate a process to remove the site from the Victorian Heritage Registry.

All on-site structures were recently removed by Roperun and the subject site is presently vacant.

We met with Roger Munn from Council's statutory planning team as well as Council's heritage advisor David Rowe on 09 March 2017 to discuss the proposed planning permit application. The removal of the Heritage Overlay was discussed and we were advised by David Rowe that he had no issue with its removal due to the fact that all on-site structures were to be removed and also due to the fact that Heritage Victoria had confirmed that it intended to remove the registry identification.

We were advised by David Rowe that the existence of the Heritage Overlay across the subject site was due to the sites identification on the Victorian Heritage Registry. We were advised by David Rowe that following the removal of all on-site structures and the commencement of Heritage Victoria's process to remove the site from the registry, there was no need for the Heritage Overlay to be retained.

In relation to the Environmental Audit Overlay, this planning control was applied in the past due to the possibility of the subject site (and its surrounds) being contaminated. Environmental assessments have been prepared for a number of surrounding land holdings and we understand that they all demonstrated that the surrounding land was not unduly contaminated. It is our understanding that the Environmental Audit Overlay has been progressively removed from a number of surrounding land holdings in the past.

Following the removal of all on-site structures, detailed environmental assessments have now commenced and are anticipated to be completed by mid-July. Following the conclusion of these assessments, we anticipate being provided with confirmation that all requirements of the Environmental Audit Overlay have been satisfied and that the land can be used for residential purposes.

It is our understanding that you are willing to allow the removal of the Environmental Audit Overlay to be included within Amendment C359 and that for the relevant environmental assessments to be provided in due course (on the assumption that they are satisfactory).

Conclusion

In relation to the payment of the relevant application fee, we ask that you confirm the amount payable and it will be actioned by Roperun accordingly.

Should you wish to discuss this matter further, please contact the undersigned on 5221 0105 or alternatively via email at nclements@tract.net.au.

Yours sincerely



Nick Clements
Associate Town Planner
Tract Consultants Pty Ltd

Project: 0317-0122

ATTACHMENT 5 – PROPOSED CHANGE TO CLAUSE 21.10

21.10 GEELONG WESTERN WEDGE

09/05/2013

~~C223~~

Proposed
C359

28/01/2010
C129(Part 1)

Key issues and influences

The Geelong Western Wedge is located between Geelong's Central Activities Area, Geelong West and the Corio Bay foreshore. The area has been identified for the potential to undergo substantial change and redevelopment.

Six distinctive precincts have been identified within the Geelong Western Wedge as detailed in Clause 21.10-4, which seek to:

- Create an exciting inner city area linking the commercial heart, waterfront and transport hub, which extends and connects educational, cultural and business assets as a focus for design and technology and place to meet and do business.
- Encourage higher buildings to maximise the overall intensity of development in the Western Wedge, while sharing key views, respecting heritage areas and protecting the amenity of public spaces.

21.10-2 Objectives

09/05/2013
C223

- To rejuvenate underutilised sites within the Geelong Western Wedge.
- To encourage complementary and compatible mixed uses.
- To ensure that central Geelong is maintained as the primary retail area.
- To provide an atmosphere attractive to 'creative' businesses and supporting activities.
- To achieve diversity of uses without fragmenting the continuity of active frontages at street level.
- To promote excellence in architecture for public and private development.
- To increase development densities whilst protecting heritage areas and the amenity of public spaces.
- To ensure that new buildings give a sense of human scale and interest to the streetscape.
- To ensure higher buildings are located and oriented to enable sharing of views towards Corio Bay.
- To maximise the overall intensity of development throughout the Geelong Western Wedge.
- To ensure that new buildings respond to major site influences of the Geelong Western Wedge.
- To encourage greater use of sustainable transport through the clustering of uses relating to transport services around the station and maximising the intensity of activities in areas accessible to the station.
- In the **Geelong Station Precinct** develop intensive uses around a sustainable multi-modal transport hub that fully utilises the highly accessible location and takes advantage of the capacity for growth.
- In the **Inner Wedge Precinct**:
 - Achieve a cosmopolitan mixture of intensive uses with a design and technology focus that integrates university activities into the city fabric.
 - Create a neighbourhood of dense buildings permeated by a fine network of pedestrian routes, squares and courtyards that characterise a mix of street level activity.

- In the **Mercer St Precinct** develop a lively boulevard with active street frontages with a mixture of service, sales and hospitality with residential and accommodation above and behind.
- In the **Latrobe Terrace Precinct** promote high quality highway frontage development and ensure development allows for the easy movement of people between Geelong West, Geelong Station, Central Geelong and the foreshore.
- In the **Western Beach Precinct** maintain the residential foreshore character and contributory buildings and manage incremental changes to buildings.
- In the **Civic and Cultural Precinct** reinforce the focus of cultural and institutional uses and buildings around Johnstone Park.

Strategies

- Avoid retail uses that compete with the main retail area in the Central Geelong Activity Centre.
- Ensure building heights throughout the Western Wedge maximise the overall intensity of development, minimise overshadowing of the pedestrian streets, parks and other public places and facilitate the sharing of views to Corio Bay.
- Encourage higher density development in areas separate from sensitive heritage precincts, the residential precinct of Western Beach and the residential area of Geelong West to the west of the Latrobe Terrace Precinct.
- Ensure new buildings have active frontages at ground level to provide passive surveillance.
- Set buildings to the front property boundary except where setbacks are specifically required as detailed in the Design and Development Overlay Schedule 17 and the Activity Centre Zone Schedule 1.
- Ensure the setback and design of upper building levels provide interest and an attractive streetscape.
- In the **Geelong Station Precinct**:
 - Encourage businesses complementary to the central transport function of the multi-modal transport hub and contributing to the intensity of uses and development around the Geelong Station.
 - Encourage uses that capitalise on the high accessibility of the site.
- In the **Inner Wedge Precinct**:
 - Encourage a mixture of uses including commercial, education, leisure and residential to provide variety and to generate synergies and activity at all times.
 - Encourage a 'vertical mix' of uses, with the uses at ground level providing active frontages to streets and other public spaces.
 - Locate education, office and residential uses above uses with active street frontages.
- In the **Mercer Street Precinct**:
 - Encourage food, drink and entertainment uses to promote evening time activities and to take advantage of the close proximity of Geelong Station, education institutions and the foreshore.
 - Manage the mix of uses to avoid potential amenity conflicts within the precinct and with adjoining precincts.
- In the **Latrobe Terrace Precinct**:
 - Encourage a mixture of commercial, with showrooms frontages that respond to the main road frontage.
 - Ensure use and development provides an appropriate interface to protect the amenity of the residential areas located to the west of the precinct.
 - Encourage uses that complement the central transport function of the multi-modal transport hub.

- Improve pedestrian links.
- In the **Western Beach Precinct** encourage uses that retain and conserve the residential foreshore character and heritage of the precinct.
- In the **Civic and Cultural Precinct**:
 - Ensure uses maintain the precinct's role as the region's principal location for arts, culture and civic activities.
 - Ensure that new development along the Mercer Street frontage has a civic focus which complements the existing civic buildings surrounding Johnstone Park.
 - Require new development to complement existing civic buildings and uses that provide a civic service.

21.10-3 Implementation

24/03/2011
C238
Proposed
C359

- These strategies will be implemented by:

Using policy and the exercise of discretion

- Assess applications in the Geelong Station Precinct against the Geelong Station Precinct Framework Plan.
- Encourage Site Development Briefs to be prepared for key redevelopment sites within the Geelong Station Precinct.
- Using local policy to retain significance of the Woolstores Industrial Heritage Area (HO1638: Woolstores Industrial Heritage Area, Clause 22.29).
- Using local policy to retain and protect heritage residential areas and associated religious institutions (HO~~2018~~¹⁶³⁹: [Western Beach Road](#)~~City Fringe~~ Heritage Area, Clause 22.~~69~~³⁰).
- Using local policy to maintain the concentration of Geelong's civic buildings near Johnstone Park and the Railway Station (HO1640 Civic Centre Heritage Area, Clause 22.31).

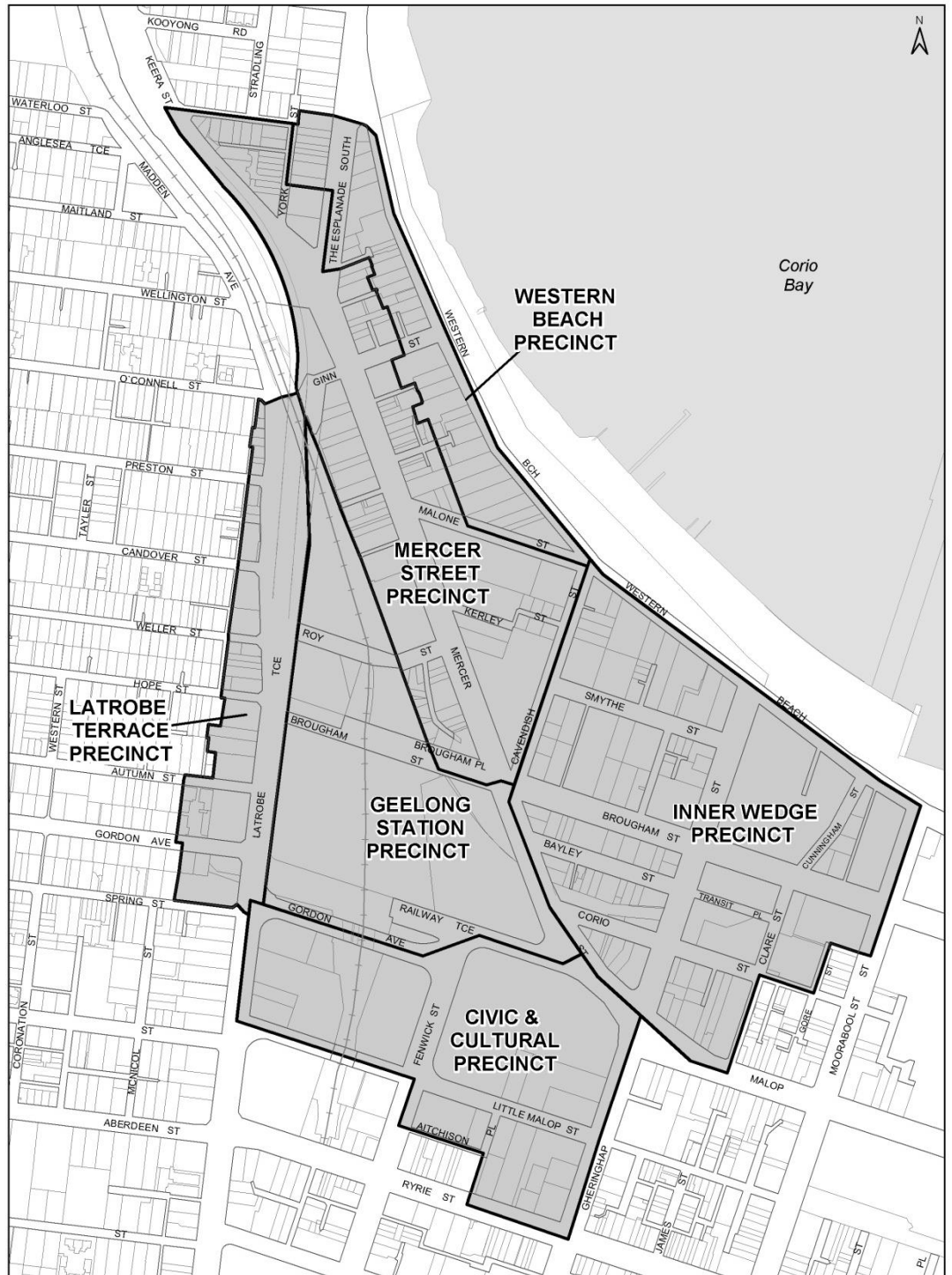
References

Geelong Western Wedge Framework, Planisphere and Jones & Whitehead Pty Ltd April 2005 (updated September 2005).

Geelong Transit City Station Precinct Urban Design Framework, Hassell, Parsons Brinckerhoff and Charter Keck Cramer, 2008.

21.10-4 Geelong Western Wedge Precinct Plan map

28/01/2010
C129(Part 1)



SUBJECT

Update on Vietnam Veterans Heritage Overlay & Kingston Estate Ocean Grove

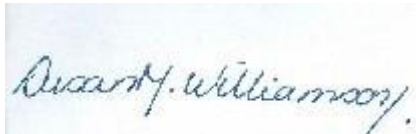
OFFICER

Susan Williamson, Senior Strategic Planner

DATE

24 August 2017

1. The change proposed to the Vietnam Veterans Avenue of Honour Heritage Overlay number is being corrected by the Department of Environment, Land, Water and Planning (DELWP). This was a publishing error by them and will be corrected without need for an amendment.
2. The changes proposed to the Heritage Overlay HO 1608 to the Kingston Estate are premature and will be corrected by a future amendment.



Susan Williamson