



MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 12 December 2017

Held at the
Council Conference & Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 6.35pm

COUNCIL:

Cr B Harwood (*Kardinia Ward*)
Mayor

Cr S Asher (*Bellarine Ward*)
Cr J Mason (*Bellarine Ward*)
Cr T Sullivan (*Bellarine Ward*)

Cr E Kontelj (*Brownbill Ward*)
Cr S Mansfield (*Brownbill Ward*)
Cr P Murrhly (*Brownbill Ward*)

Cr R Nelson (*Kardinia Ward*)
Cr P Murnane (*Kardinia Ward*)

Cr A Aitken (*Windermere Ward*)
Cr K Grzybek (*Windermere Ward*)

SECTION A - PROCEDURAL MATTERS

Acknowledgements 1

Confirmation of Minutes 1

Declarations of Conflicts of Interest 1

Question Time 1-2

Petitions 2

SECTION B – REPORTS

1. Amendment C357 – Greater Geelong Planning Scheme Amendment C357
Public Acquisition Overlay (PAO) on Land Required for Drainage within the
Horseshoe Bend Precinct 3-9

2. Amendment C360 Greater Geelong Planning Scheme Amendment C360
Application for Public Acquisition Overlay (PAO) on Land Required for Drainage
within the Horseshoe Bend Precinct 10-16

3. Amendment C365 Newtown West Heritage Overlay Adoption 17-49

4. Amendment C373 and Planning Permit 879/2017 – Lonsdale Golf Course,
Fellows Road, Point Lonsdale – Resolution to Exhibit 50-57

5. Central Geelong West End Action Plan 58-60

6. Council Meeting Schedule 2018 61

7. Proposed Community Focus Committee Meeting Schedule 2018 62-64

8. Revocation of Flood Prone Area Designation of New Lots at Armstrong Creek
Waters, Stage 3 65-69

9. Revocation of Flood Prone Area Designation of New Lots at Watermark, Stage 4
and 5 70-74

10. Tender T1770859 – Construction of Highton Enhanced Children’s Centre
(Confidential) 75

11. Tender T1770870 – Provision of Cleaning Services at the City of Greater
Geelong Family Services Centre (Confidential) 76

SECTION C - ASSEMBLY OF COUNCIL

SECTION D - PLANNING DELEGATIONS

SECTION E - CONFIDENTIAL

4. PROPOSED EXHIBITION OF AMENDMENT C373 AND PLANNING PERMIT 879/2017 – LONSDALE GOLF COURSE FELLOWS ROAD POINT LONSDALE

Source: Planning and Development
Director: Kelvin Walsh
Index Reference: Application: C373

Purpose

To seek Council support to prepare and exhibit a combined Planning Scheme Amendment C373 and planning permit application 879/2017 for the Lonsdale Golf Course and surrounding land, located off Fellows Road, Point Lonsdale, subject to authorisation being obtained from the Minister for Planning.

Background

Amendment C373 (the Amendment) seeks to rezone vacant farmland along the southern edge of the Lonsdale Golf Course (the Golf Course), off Gill Road, Point Lonsdale, from Farming Zone and Rural Conservation Zone to Special Use Zone 3 to provide for a modest expansion of the existing Golf Course. It also substantially modifies the previously approved proposal to extend the Golf Course around the edges of Lake Victoria which are now proposed to be rezoned from Special Use Zone 3 to Rural Conservation Zone.

The existing Development Plan Overlay Schedule 26 needs to be amended to apply to the changed areas of the Golf Course and relate to the Lonsdale Golf Club's (**the Club's**) modified plans which will produce significantly decreased environmental impacts.

The permit is for a 2 lot subdivision to enable the Club to purchase the newly rezoned Special Use Zone 3 land from the adjoining rural property owner.

The residential component of the previously approved project along the Fellows and Gill Road frontages is not being changed by this amendment.

Key Issues

- The previously approved Scheme Amendment C67, gazetted in 2013, was subject to a protracted 10 year planning approval process including an Environment Effects Statement (EES) which generated substantial interest from environmental groups, community groups, nearby landowners, Club members and the general public.
- The new proposal, which will have substantially reduced environmental impacts, requires approval of a fresh planning scheme amendment to enable the modified proposals, as described in this report, to be implemented.
- In light of the above circumstances and greatly reduced impact, the Club sought approval of a Ministerial amendment without public notification. Despite support from environmental groups and Council officers, the Department of Environment, Land, Water and Planning (DELWP) determined that the Amendment should be processed by Council.
- Council officers recommend Amendment C373 and the accompanying Planning Permit 879/2017 be now exhibited in the normal manner, subject to receipt of Ministerial authorisation.

Cr Mason moved, Cr Asher seconded -

That Council:

- 1) supports the preparation and exhibition of Amendment C373 to the Greater Geelong Planning Scheme in the form described in the attachments to this report;**
- 2) considers the application for Planning Permit 879/2017 for a 2 lot subdivision concurrently with the preparation of the Amendment, in accordance with the provisions of Section 96A of the *Planning and Environment Act 1987*; and**
- 3) requests the Minister for Planning to authorise the preparation and exhibition of Amendment C373 and Planning Permit 879/2017.**

Carried.

Attachment 1

Discussion

Spiire Australia has submitted a combined planning scheme amendment and planning permit application on behalf of the Club to enable an expansion of the 18 hole Golf Course as part of a major redevelopment project.

The rezoning component of the application seeks substantial changes to the previously approved Amendment C67 which was gazetted on 19 September 2013. Amendment C67 was subject to a protracted 10 year planning approval process, including an EES, because of the Club's then proposal to extend the Golf Course into highly environmentally sensitive areas around the edges of Lake Victoria. This generated substantial interest from nearby residents, Club members, community groups and environmental groups. Council referred all submissions to the Amendment C67 to an Independent Panel (the Panel) appointed pursuant to both the *Environment Effects Act 1978* (EEA) and the *Planning and Environment Act 1987*.

The Panel conducted a 7 day hearing and recommended approval of Amendment C67 subject to a range of additional environmental measures to be incorporated into a Development Plan Overlay Schedule. The Minister for Planning's assessment, pursuant to the EEA, supported Amendment C67 being adopted in accordance with the Panel's recommendations.

Since approval of Amendment C67, the Club has undertaken a number of stages of the residential component of the project along the Gill and Fellows Road frontages of the site. The new application is not seeking to make changes to the residential component of Amendment C67.

Attachment 2 is an aerial photo of the subject land and surrounding area with the extent of the new proposal outlined in red and the extent of the previous proposal outlined in blue.

Attachment 3 shows the existing zoning of the Club's land and surrounding area. The Farming Zone and Rural Conservation Zone land on the south side of Gill Road is now proposed to be rezoned to Special Use Zone to provide for additional Golf Course holes and is outlined in green. The extent of previously approved Special Use Zone land over which it was previously intended to expand the golf course and which are now proposed to be rezoned to Rural Conservation are outlined in red.

The areas to which the accompanying Development Plan Overlay Schedule 26 (DPO 26) will apply are being amended to accord with the areas to which the Special Use Zone will apply.

The wording of DPO 26 is proposed to be substantially modified with respect to the Golf Course component of the project. The existing DPO 26 Schedule makes numerous references to the EES documentation which are largely not relevant to the modified Golf Course layout. Reference to these documents will be removed from the Schedule and replaced with specific environmental requirements relating to the current proposal. Any environmental issues requiring further consideration will therefore be addressed as part of Council's development plan and permit approval processes. The proposed new DPO 26 Schedule will also contain a Masterplan of the proposed new golf course layout.

The proposed Planning Permit 879/2017 accompanying the Amendment is for a 2 lot subdivision which will enable the Club to purchase land from the adjoining farming property. It will replace a previous permit for a 2 lot subdivision which excises a smaller area of farmland.

It should be noted the previously approved proposal included a permanent conservation reserve on the neighbouring rural property on the edge of Lake Victoria which was an important factor in Amendment C67 being supported. This reserve was to be set aside as a permanent orange bellied parrot habitat to replace such areas potentially lost by the earlier proposal and is outlined in blue in Attachment 2. The Amendment does not include a conservation reserve because the significantly lessened impact on the existing bird habitat negates its need.

In light of the significantly reduced environmental impacts and overall reduction in areas affected by the Golf Course expansion, the Club originally sought the approval of a Ministerial amendment without public notification. At Council's suggestion, the Club conducted a well-publicised public information session at its clubhouse outlining its new proposals. This session was attended by a wide range of community groups and the general public and received very positive feedback. Despite the demonstrated support from stakeholders and Council officers, DELWP determined that the Amendment should be processed by Council.

The Club's consultant has requested Council to consider seeking Ministerial exemption from a normal amendment notification. However, as Council officers believe that some form of public notification is warranted (particularly newspaper notices), there is nothing to be gained in terms of saving time in seeking dispensation from direct notification of nearby property owners.

The Club's application has been referred internally to Council's Environment & Engineering Services Units and externally to DELWP and the Corangamite Catchment Management Authority (CCMA). No additional engineering requirements to those proposed to be included in DPO 26 Schedule were raised by either Council or CCMA engineers.

Council's Environment Unit supports the proposed changes to the previously approved project because the new Golf Course holes will be utilising cleared farmland rather than necessitating removal of native vegetation. In addition the new project no longer proposes construction of Golf Course holes next to Lake Victoria significantly reducing the likelihood of bird habitat disturbance. Council's Environment Unit has sought further information about off-set requirements for vegetation to be removed and details of non-indigenous vegetation to be cleared, both of which will be provided as part of the exhibited Amendment documentation. Suggested modifications to the DPO 26 wording have also been made.

To date, no formal response had been received to Council's referral request from DELWP. Consideration will be given to including any DELWP requirements as DPO 26 provisions. DELWP will also have an opportunity to make a formal submission should the Amendment be exhibited as recommended.

Concluding Remarks

The changes to the previously approved scheme Amendment C67 mean that the reconfiguration of the Golf Course and its extension will be undertaken without the need to extend into the environmentally sensitive areas around the shores of Lake Victoria. The new, more modest plans will result in a greatly improved environmental outcome and provide a positive closure to this long-running project. All remaining identified environmental issues which need to be addressed in further detail have been included in the amended DPO 26 Schedule which will require Council's further consideration as part of the development plan approval.

In the processing of the previous EES and Amendment C67 it was recognised that the Club's redevelopment project would produce a range of community benefits by providing enhanced community and recreation facilities for local residents, strengthening the club as a community focal point and providing additional housing opportunities within the township. Amendment C373, will enable the Club's redevelopment project to be completed and will have a positive social impact and result in a net community benefit.

Amendment C373 and Planning Permit 879/2017 should be exhibited in the normal manner.

Financial Implications

The Club is a private entity and will be responsible for the full funding of this project. There are no financial implications for Council.

Community Engagement

Amendment C373 will be exhibited in the normal manner to community groups, landowners and the general public to provide them with an opportunity to make a submission and appear before an Independent Panel appointed by the Minister for Planning if they so wish. Relevant Government agencies were consulted in the preparation of this Amendment.

The Club conducted a well-attended public information session before submitting the application to Council.

Policy/Legal/Statutory Implications

The previous project was considered to be consistent with State and Council planning and environmental policies. The new proposal will have significantly reduced impacts and as a result will also comply with these policies.

Alignment to City Plan

The Amendment supports the overall thrust of the Sustainable Built and Natural Environment Strategic Directions in that it supports development which respects and enhances the natural environment.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

No risks have been identified in respect of this matter.

Environmental Implications

The approved prior Amendment C67 was subject to a thorough environmental assessment process including an EES to ensure an acceptable environmental outcome was achieved. Amendment C373 will result in significantly reduced environmental impacts in comparison to Amendment C67.

Amendment C373 no longer affects the most environmentally sensitive areas around the edges of Lake Victoria. Council's Environment Unit, DELWP and environment groups agree with the Club's consultants that this new proposal provides a positive environmental outcome.

Attachment 2 – Location plan / aerial photo



Attachment 3 – Existing Zoning showing areas to be rezoned

