

# MINUTES

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## COMMUNITY FOCUS COUNCIL MEETING

TUESDAY 11 JUNE 2019

7.00PM

NORTHERN BAY COLLEGE  
1 WEXFORD COURT  
CORIO

**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 Murrihy (Brownbill Ward)  
Cr R Nelson (Kardinia Ward)  
Cr P Murnane (Kardinia Ward)  
Cr A Aitken (Windermere Ward)  
Cr K Grzybek (Windermere Ward)

### **3. AMENDMENT C359 PART 2 - 9 SCARLETT STREET, GEELONG WEST – ADOPTION OF AMENDMENT**

**Source:** Planning, Design & Development – Strategic  
Implementation  
**Director:** Gareth Smith  
**Portfolio:** Sustainable Development

#### **Purpose**

1. To adopt Amendment C359 Part 2 applying to 9 Scarlett Street Geelong West.

#### **Background**

2. Amendment C359 (Amendment) made changes to several heritage overlays across the municipality. Amendment C359 Part 1 was adopted on 10 July 2018 and came into operation on 6 December 2018.
3. Adoption of the proposed deletion of the heritage overlay from 9 Scarlett Street, Geelong West (The Former Donaghy's Rope Walk Building) was deferred as the Independent Panel concluded it necessary for Heritage Victoria to first amend the extent of its Registration in the Victorian Heritage Register.
4. Council on 10 July 2018 resolved to defer adoption of Amendment C359 Part 2 (solely the heritage overlay removal from 9 Scarlett Street) until Heritage Victoria considered changing the extent of its registration for the Former Ropeworks site.
5. 9 Scarlett Street Geelong West is owned by a developer and has planning approval for subdivision and residential development.

#### **Key Matters**

6. The Former Donaghy's Rope Walk Building (Part) and Rope-Making Machinery is listed on the Victorian Heritage Register as a site of state significance and is also included in the heritage overlay in the Greater Geelong Planning Scheme.
7. Following an emergency building order in 2017, the former rope walk building (a long narrow shed) was demolished. The demolition eroded the heritage fabric of the site and both the registration and the heritage overlay needed to be amended to reflect this change. Amendment C359 sought to amend the extent of the heritage overlay HO741.
8. Heritage Victoria has subsequently changed the registration of the Former Donaghy's Rope Walk which means Council can now adopt Amendment C359 Part 2.

**Cr Mason moved, Cr Asher seconded -**

#### **9. That Council:**

- 9.1 Adopt Amendment C359 Part 2 in the form outlined in Attachment 4 of this report; and**
- 9.2 Submit the adopted Amendment C359 Part 2 together with the prescribed information to the Minister for Planning requesting approval.**

**Carried.**

## **Attachment 1**

### ***Financial Implications***

1. There are no financial implications arising from this recommendation. The amendment approval fee is to be paid by the proponent.

### ***Community Engagement***

2. The Amendment was exhibited from 31 August 2017 to 2 October 2017 in accordance with the requirements of the *Planning and Environment Act 1987*. An Independent Panel considered submissions about the Amendment. Submitters were notified of the release of the Independent Panel Report and Council's adoption of Amendment C359 Part 1 and the final decision of the Minister for Planning.
3. Heritage Victoria exhibited the proposed changes to the VHR Registration and Council made a submission generally supporting the changes and seeking additional detail on registered objects to be included in the registration.

### ***Social Equity Considerations***

4. Amendment C359 Part 2 does not raise any social equity issues.

### ***Policy/Legal/Statutory Implications***

5. Amendment C359 Part 2 will achieve the objectives of the local planning policy framework to conserve and enhance individual places of post contact cultural heritage significance. It will also align the extent of the heritage overlay in the Greater Geelong Planning Scheme with the extent of the registration of the former rope walk building on the Victorian Heritage Register. This complies with the Planning Practice Note on Applying the Heritage Overlay and the *Heritage Act 2017*.

### ***Alignment to Council Plan***

6. Amendment C359 Part 2 supports the sustainable built and natural environment strategic direction of Council Plan and is consistent with the strategic direction of community wellbeing and the priority of connected, creative and strong communities.

### ***Conflict of Interest***

7. No City officers involved in the preparation of the report have a direct or indirect interest in the issue to which this report relates.

### ***Risk Assessment***

8. There are no notable risks associated with implementing the recommendation contained in this report.

### ***Environmental Implications***

9. There are no environmental implications arising from adoption of Amendment C359 Part 2.

## **Attachment 2**

### **Background**

1. The former ropeworks and ropewalk at 95-103 Pakington Street and 9 Scarlett Street, Geelong West was included on the Victorian Heritage Register as Number H1169 on 29 August 1996. The site was included in Heritage Overlay HO741 in the Planning Scheme in July 2000.
2. An emergency building order issued by Council resulted in the demolition of the former rope walk building in 2017. No approval from Heritage Victoria was required for its removal under a permit exemption granted on 10 November 2015.
3. An amendment request was lodged with Council in 2017 to remove the heritage overlay from the land at 9 Scarlett Street Geelong West on the basis that the structure had been removed and no heritage significance remained. The request submitted that Heritage Victoria had confirmed that no further approvals would be required as on-site structures had been removed and they would instigate a process to remove the site from the Victorian Heritage Registry.
4. Unfortunately Heritage Victoria did not advance this prior to the exhibition of Amendment C359 and the subsequent Independent Panel Hearing.
5. The Independent Panel appointed to consider the submissions about Amendment C359 concluded that 9 Scarlett Street Geelong West should not be removed from the Heritage Overlay as it is still on the Victorian Heritage Register and its removal while it is on the Register is contrary to the Planning Practice Note *Applying the Heritage Overlay* and the *Heritage Act 2017*. Its inclusion in the Victorian Heritage Register should be considered first.
6. Council accepted this Independent Panel recommendation and deferred consideration of this item into Amendment C359 Part 2.

### **Change to the Heritage Victoria Registration**

7. Tract Consultants lodged a nomination with Heritage Victoria to amend the extent of VHR H1169 to remove 9 Scarlett Street Geelong west. The City provided Tract a letter of support.
8. Heritage Victoria recommended amending the registration by removing some land, listing objects at the place, changing the name of the registration and by revising the Statement of Cultural Heritage Significance.
9. In response to public notification of this recommendation, the City made a submission supporting the proposal but requesting more detail be included about the objects of significance and into the statement of cultural significance.
10. The Heritage Council considered the proposed registration changes and Council's submission and accepted the deletion of the land at 9 Scarlett Street Geelong West as the fabric of significance to the State of Victoria is no longer retained.
11. On 18 April 2019, the Heritage Council determined to amend item VHR H1169 in the Victorian Heritage Register by reducing the registered extent of the Place and including registered objects integral to the Place.
12. The way is now clear for Council to adopt the change to the delete HO741 from 9 Scarlett Street Geelong West.

**Attachment 3**

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C359 Part 2**

**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 1 attached map sheet.

**Overlay Maps**

1. Amend Planning Scheme Map No. 37HO in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C359 part 2".

End of document

