

# MINUTES

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## COMMUNITY FOCUS COUNCIL MEETING

TUESDAY 14 MAY 2019

7.00PM

THE SOUTH BARWON FOOTBALL AND NETBALL CLUB  
77-79 REYNOLDS ROAD  
BELMONT

**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)

## **2. AMENDMENT C376 (PART 2) REMOVAL OF HERITAGE OVERLAY, BATESFORD QUARRY – CONSIDERATION OF SUBMISSIONS AND ADOPTION**

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

### **Purpose**

1. To consider the outstanding submissions received in relation to Amendment C376 (Part 2) and seek adoption of the amendment.

### **Background**

2. Amendment C376 proposed a number of minor changes to the Greater Geelong Planning Scheme. The amendment was a 'bundled' amendment, to both correct errors and introduce a number of minor changes to the scheme ordinance and mapping.
3. Those elements of the amendment which received no objecting submissions were adopted by Council as Amendment C376 Part 1 on 23 October, 2018, with the balance of the amendment being deferred for further consideration as Amendment C376 Part 2.

### **Key Matters**

4. Having resolved the outstanding issues which were the basis for the remainder of the amendment being deferred, Council can now adopt the balance of the amendment as Amendment C376, Part 2.
5. Amendment C376 Part 2 relates to the deletion and alterations of heritage overlays for structures in and around the Batesford Quarry.
6. **Attachment 2** sets out the details of the outstanding submitters, the relevant matters raised in their submissions and the basis of the officer recommendation arising from discussion with the submitters about those submissions.
7. **Attachment 3** provides a detailed discussion of the history of and the basis for the recommendation for the deletion / alteration of the two listings from the schedule to the Heritage Overlay.

**Cr Mason moved, Cr Murrhy seconded -**

### **8. That Council:**

- 8.1 **Adopt Amendment C376 Part 2 in the form outlined in Attachment 4 of this report; and**
- 8.2 **Submit the adopted Amendment C376 Part 2 together with the prescribed information to the Minister for Planning requesting approval.**

**Carried.**

## **Attachment 1**

### ***Financial Implications***

1. There will be no significant financial implications for Council as a result of the adoption of this amendment.

### ***Community Engagement***

2. The amendment was exhibited in accordance with the provisions of the *Planning and Environment Act 1987* from 3 May 2018 to 4 June 2018, with four submissions received. Two matters remained to be considered following the adoption of Amendment C376 Part 1.
3. As those matters have now been resolved to the satisfaction of both the affected submitters the balance of the original amendment can now be adopted as Amendment C376 Part 2.

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

4. The amendment is largely policy neutral and there are no adverse social equity impacts.

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

5. The changes proposed by this amendment are essentially of a minor administrative nature. The amendment will result in good planning outcomes by ensuring that inaccurate application of overlay provisions do not result in unnecessary requirements for planning permits.

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

6. The amendment supports the sustainable built and natural environment strategic direction of the Council Plan 2018-22 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 or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

### ***Risk Assessment***

8. No significant risks associated with implementing the recommendation contained in this report have been identified.

### ***Environmental Implications***

9. The proposed amendment will not have any adverse effects on the environment.

**Attachment 2**

**Summary of Submissions**

No	Name	Address	Type	Summary of Submission	Officer Response
2	<b>Geelong and Region Branch National Trust of Australia (Victoria)</b>	P O Box 1512 Geelong 3220	Supporting	“Supportive of most aspects outlined in Amendment C376.” Requests investigation as to the following: 1/. Does HO1732 remain in the Planning scheme?	1/Officers have provided a response confirming that HO1732 is not part of or in any way affected by this amendment. The City has received correspondence from the submitter advising that they are satisfied with the response.
4	<b>TGM Group Pty Ltd</b> On behalf of Riverlee Heights Pty Ltd	P O Box 1137 Geelong 3222	Seeking to change the amendment	“If ... a representative section of the conveyor be retained, this should preferably be at ground level in an open space reserve or included in the existing Public Conservation and Resource Zoned land adjacent to the Moorabool River where the existing overlay is in place.”	Relates to the proposed change to the extent of the proposed extension of HO 1740. Following consideration of the submission, the officer recommendation proposes that, consistent with the submission, Council not proceed to extend the application of HI1740 in the manner exhibited. The City has received correspondence from the submitter advising that they are satisfied with this outcome.

## **Attachment 3**

### ***Discussion***

1. The decision to prepare and exhibit the amendment was made by a delegated City officer on 2 March 2018. The amendment is a 'bundled' amendment, to both correct errors and introduce a number of minor changes to the Greater Geelong Planning Scheme ordinance and mapping.

### **Amendment C376 Part 2**

2. The following elements of the exhibited amendment were deferred at the time of adoption of Amendment C376 Part 1, in order to allow for further consideration and for consultation with objecting submitters, where required.
3. Land affected:
  - 3.1 Batesford Quarry
4. Detailed changes:
  - 4.1 The exhibited amendment proposed the following detailed changes to the Greater Geelong Planning Scheme.

#### *Planning Scheme Map Changes:*

- 4.2 Delete HO45 from the land at Batesford Quarry; and
- 4.3 Delete HO1740 from part of the land at Batesford Quarry, and apply HO1740 to another part of the land at Batesford Quarry, consistent with the remaining extent of the overhead conveyor structure.

#### *Planning Scheme Ordinance Changes:*

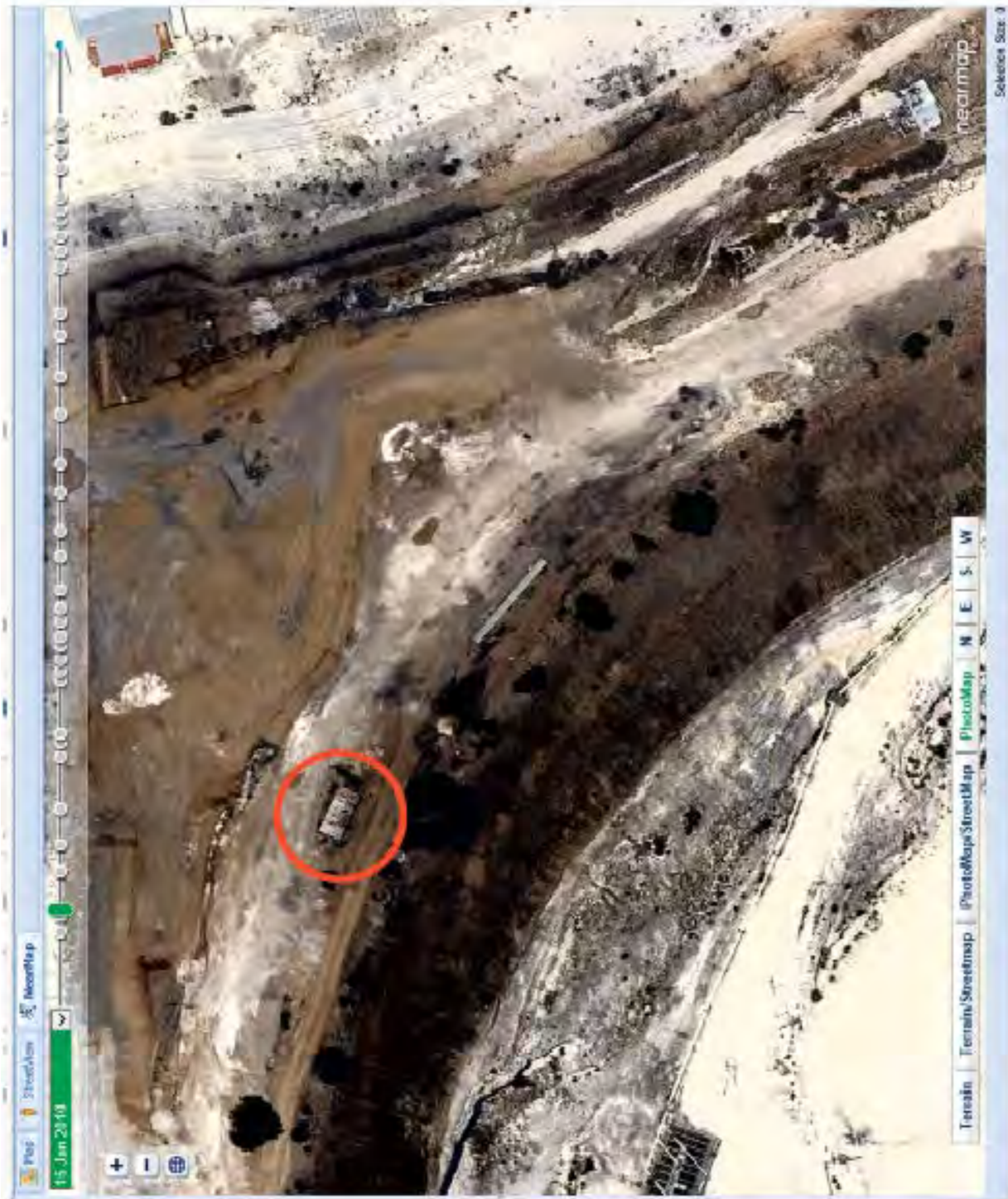
- 4.4 Amend the Schedule to Clause 43.01 to delete the entry for HO43.

### **Officer Consideration**

5. HO45 – Bachyrus Railroad Steam Shovel
  - 5.1 This is a large, 19th Century steam powered excavation shovel, mounted on rails to allow for movement along the face of the excavation works. The shovel mechanism swivels to permit the removal of material and its placement in vehicles for removal from the quarry;
  - 5.2 The shovel represents an antiquated form of mechanical excavation, which has long since been replaced by smaller, more manoeuvrable diggers powered by internal combustion engines. Consequently, the Bachyrus shovel had fallen into disrepair as a result of not having been used for many years;
  - 5.3 In order to facilitate the removal of product from the area occupied by the steam shovel and other redundant infrastructure, the shovel was removed from the land in 2010 and relocated to Lake Goldsmith, in the Pyrenees Shire, where it has been restored to operational condition; and
  - 5.4 The following four photos identify the chronology of the removal of the Bachyrus Steam Shovel and other redundant structures from the land between late 2009 and mid-2010, together with the subsequent extraction of material up until the present time.



**Nov. 2009 - Conveyor Infrastructure and Bachyrus Railroad Steam Shovel in situ**



**Jan 2010 – Conveyor infrastructure removed.**



**Jul 2010 – Bachyrus Railroad Steam Shovel Removed**



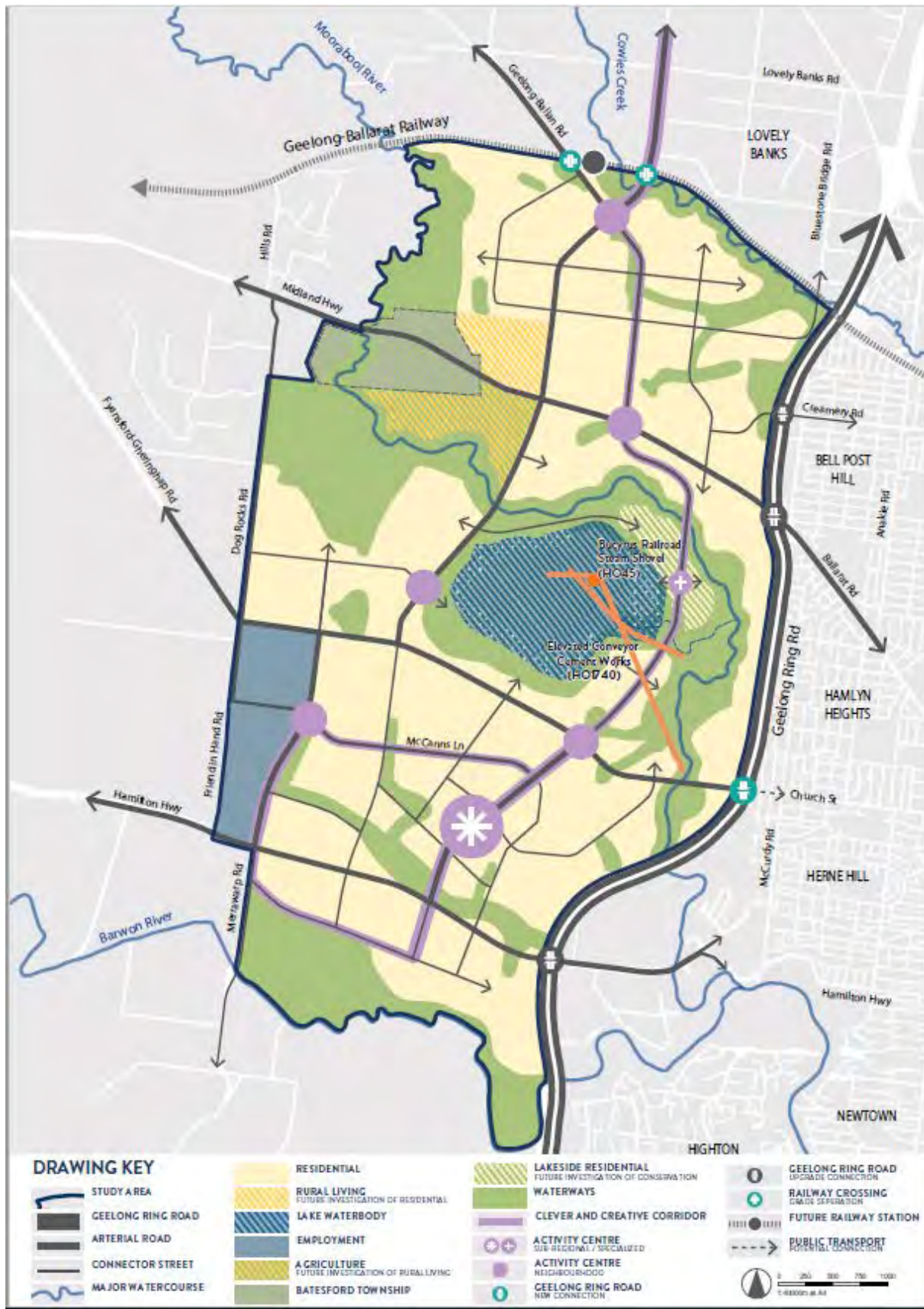
**Feb 2019 – Site now extensively mined no heritage significance remains.**

6. HO1740 – Elevated Conveyor structure

- 6.1 This structure of prefabricated concrete trestles and boxed spans was erected in the mid-20<sup>th</sup> century to convey material extracted from the quarry to the Geelong Cement Works which overlook Batesford from the escarpment, south east of the site;
- 6.2 As is evident from the preceding photos, the disused conveyor structure was removed from the land in early 2010 in order to facilitate the mining of the portion of the quarry which it occupied;
- 6.3 The only remaining spans of the conveyor which are currently located within the area protected by HO1740 are located on public land in the Public Conservation and Resource Zone (PCRZ). The conveyor spans the Moorabool river, and on the eastern side of the Moorabool River, between the river and the unconstructed portion of Church Street;
- 6.4 Both HO45 and the section of HO1740 which is to be deleted are located within the Western Growth Area. The plan of the growth area on the following page indicates the location of the heritage overlays which are to be removed. In particular, it is evident that both HO45 and the majority of HO1740 are located within a lake and water body which is proposed to be created in the existing quarry; and
- 6.5 The exhibited amendment had proposed to extend the application of HO1740 to remaining sections of the conveyor structure in the farming zone, between the eastern side of the Moorabool River and the Geelong Ring Road. However, following the consideration of an objecting submission lodged on behalf of the owner of this land, it is recommended that this not occur. The submitter has advised the City that this recommendation satisfies their objection.

7. Officer Assessment

- 7.1 In view of the previous removal of the heritage items from the land, it is considered that the continued application of HO45 and the section of HO1740, to the extent identified on the map which forms part of Attachment 3 to this report, is redundant, and that the identified areas of the mapped application of HO45 and HO1740 should be deleted from the planning scheme; and
- 7.2 Following discussions with the objecting submitter regarding the exhibited proposal to extend the application of HO1740, it is considered that this should not proceed.



Redundant Heritage listings to be removed. Note location of the “Lake Waterbody” in the former quarry

**Amendment to be Adopted**

**Attachment 4**

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*Planning and Environment Act 1987*

GREATER GEELONG PLANNING SCHEME]

**AMENDMENT C376 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 sheets.

***Overlay Maps***

1. Amend Planning Scheme Map Nos. 31 HO, 32 HO & 36 HO in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C376 part 2.

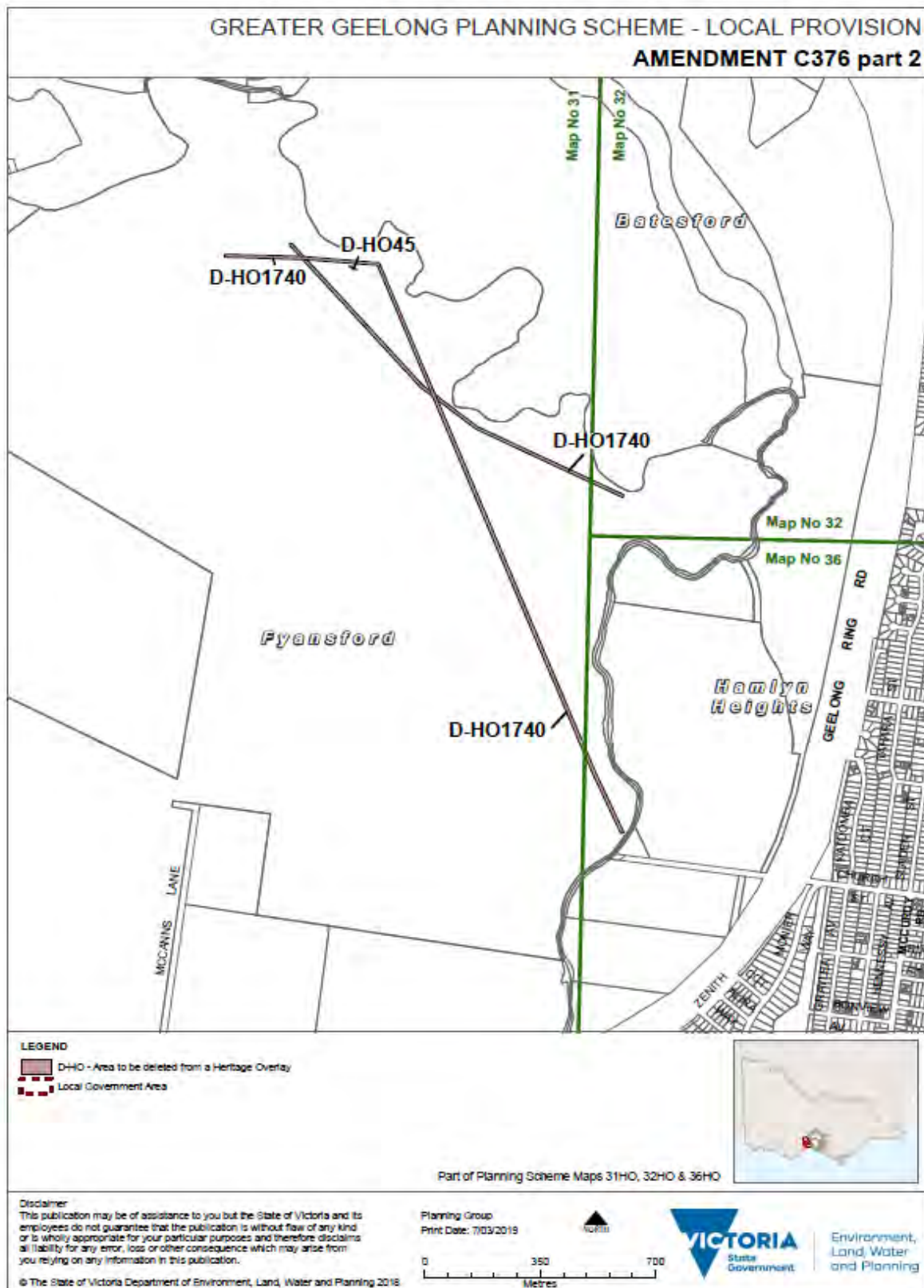
**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In Overlays – Clause 43.01 replace the Schedule with a new Schedule in the form of the attached document.

End of document

**Deletion HO45 and Part HO1740**



**Clause 43.01 – Extract of changes to Heritage Overlay**

Greater Geelong Planning Scheme

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s 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?
HO1643	Mercy's Foot Bridge c1968 Over Bowen River, Belmont	Yes	No	No	No	No	No		No
HO1645	Bucyrus Rail Road Steam Shovel Beechford Quarry Beechford	-	-	-	-	Yes Ref: No-415416	No		No
HO236	Stella Maris Convent 39 Bay Street, North Geelong	Yes	No	No	No	No	Yes		No
HO109	"Baywater" Residence, 4 Baywater Road, Mairdoun	No	No	No	No	No	Yes		No
HO630	Residence 16 Beach Parade, Geelong West	No	No	Yes	Yes- fence	No	No		No
HO632	Residence 24 Beach Parade, Geelong West	No	No	No	Yes- fence	No	No		No
HO1508	WW2 Stone Bechers Road (off), Drysdale	Yes	No	No	No	No	No		No

Greater Geelong Planning Scheme  
 Ordinance - Clause 43.01 - 8/2018/18  
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