

MINUTES

COUNCIL MEETING

Tuesday 28 September 2021
6:00 pm

Virtual Meeting

LIVE STREAMED ON THE CITY'S WEBSITE:

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COUNCIL:

Cr S Asher (Bellarine Ward) - Mayor
Cr T Sullivan (Bellarine Ward) - Deputy Mayor
Cr J Mason (Bellarine Ward)
Cr E Kontelj (Brownbill Ward)
Cr S Mansfield (Brownbill Ward)
Cr P Murrihy (Brownbill Ward)
Cr B Harwood (Kardinia Ward)
Cr B Moloney (Kardinia Ward)
Cr R Nelson (Kardinia Ward)
Cr A Aitken (Windermere Ward)
Cr K Grzybek (Windermere Ward)

2.6. Amendment C391ggee Ash Road, Leopold - Consideration of Submissions

Source: City Planning & Economy
Director: Gareth Smith

Purpose

1. To consider the submissions to Planning Scheme Amendment C391ggee and Planning Permit PP-39-2019 and recommend all the submissions be referred to an Independent Planning Panel.

Background

2. On 8 September 2020 Council resolved to prepare and exhibit Amendment C391ggee.
3. The Amendment proposes to rezone 5 Farming Zone properties on the eastern side of Ash Road, Leopold, to facilitate subdivision and residential development. The amendment is supported by a Design and Development Overlay to manage subdivision design, connectivity, open space provision and orderly planning. The area proposed to be rezoned is shown in **Attachment 1**.
4. A Section 173 Agreement accompanies the rezoning to formalise development contributions and the delivery of local infrastructure for the area.
5. A concurrent Planning Permit application seeks approval for the multi-lot staged subdivision of 87-101 and 103-127 Ash Road Leopold.

Key Matters

6. Exhibition of Amendment C391ggee and PP-39-2019 commenced on 27 May and closed on 28 June 2021. Notices were sent to over 260 landowners and occupiers, prescribed Ministers and relevant agencies and authorities. Notice was also published in the local newspapers. The Amendment documentation was made available on the Geelong Australia website.
7. A total of 29 submissions were received with 13 opposing, 9 supporting and 7 making comments about the amendment and draft planning permit.
8. Key issues in the submissions can be summarised as: (1) the Amendment will be detrimental to the semi-rural area of Leopold; (2) traffic impact; (3) lack of infrastructure; (4) environmental impact; and (5) integration with the Mollers Lane growth area.
9. In accordance with the *Planning and Environment Act* Council must now either: change the Amendment in the manner requested by the submitters, refer the submissions to an Independent Panel or abandon the Amendment.
10. Council officers have considered the submissions and recommend some changes to the Planning Permit PP-39-2019. **Attachment 1** includes the summary of submissions and City Response.

11. It is recommended that all submissions be referred to an Independent Panel appointed by the Minister for Planning.

RESOLUTION - Item 2.6

Cr Mason moved, Cr Grzybek seconded -

That Council, having considered all submissions to Amendment C391ggee to the Greater Geelong Planning Scheme resolves to:

- 1. Request the Minister for Planning to appoint an Independent Panel under Part 8 of the *Planning and Environment Act 1987*;**
- 2. Refer all submissions to the Panel; and**
- 3. Submit to the Panel its response to the submissions generally as outlined in this report and Attachment 1.**

Carried

Financial Sustainability

12. Road and drainage infrastructure and open space will be provided by the developer. Community infrastructure contributions will be gained through a Section 173 Agreement.

Community Engagement

13. Exhibition and notice of the Amendment was conducted in accordance with the *Planning and Environment Act 1987*.
14. Notice was given to a range of authorities and agencies, including the Wadawurrung Traditional Owners.
15. In accordance with Clause 4(2) of Ministerial Direction No. 15 panel hearing dates were pre-set for this Amendment. With the delay to consideration of the submissions, these will need to be extended to October and November 2021.
16. Planning Panels Victoria will notify all submitters of the Panel dates and invite requests to be heard at the hearing.

Social Equity and Sustainability

17. The Amendment has considered social equity needs. The City has entered into negotiations about a social and affordable housing contribution. Development contributions will be allocated to community infrastructure projects within Leopold, most likely being the Estuary Reserve Leopold Modular Pavilion.

Relevant Law/Policy/Legal Implications

18. There is strong support for the Amendment in the Planning Policy Framework within the Greater Geelong Planning. Clause 21.14 Bellarine Peninsula identifies the subject land for rezoning to the General Residential Zone. This area is one of the key remaining growth areas within the Leopold settlement boundary.
19. The site represents a logical rezoning as it will complete the urban area on the south eastern edge of Leopold with the General Residential Zone 1.

Alignment to Community Plan and Vision

20. This report aligns with Our Community Plan 2021-2025 strategic priority: Sustainable growth and environment.
21. This report aligns with the Community led 30-year Vision, "Greater Geelong: A Clever and Creative Future" community aspiration: Sustainable development that supports population growth and protects the natural environment.

Conflict of Interest

22. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

23. There are no risks with proceeding with the recommendations of this report.

Environmental Sustainability

24. The Amendment is supported by technical assessments to address stormwater quantity and quality management, native fauna and vegetation, and public open space. This information has informed the outlined development within the draft Design and Development Overlay Schedule 46 (DDO46) and the draft planning permit.

Attachments

1. Amendment C 391 ggee Consideration of Submissions - Attachment 1 (D 21-285353)
[2.6.1 - 49 pages]

Attachment 1

Background

1. In December 2019 Tract Consultants acting for Eastern Ash Pty Ltd, a subsidiary of Ample Investment Group Pty Ltd lodged a combined planning scheme amendment request to rezone 5 properties on the eastern side of Ash Road, Leopold, to facilitate conventional residential development.
2. The Amendment applies to an area of approximately 29 hectares of land on the eastern side of Ash Road Leopold consisting of 73-85 Ash Road, Leopold, 87-101 Ash Road, Leopold, 103-127 Ash Road, Leopold, 129-141 Ash Road, Leopold and 143-155 Ash Road, Leopold, as shown on the following plan:



3. The Amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act.
4. The planning permit application only applies to 87-101 Ash Road and 103-127 Ash Road, Leopold.
5. The Amendment proposes to rezone the land at 73-85 to 143-155 Ash Road, Leopold to residential to facilitate future subdivision and development of the area in accordance with the Council adopted Leopold Structure Plan September 2011 (Amended January 2013).

6. The Amendment will:
 - 6.1. Rezone all the land from Farming Zone (FZ) to the General Residential Zone Schedule 1 (GRZ1); and
 - 6.2. Insert a new schedule 46 to Clause 43.02 Design and Development Overlay that will apply to the land proposed to be rezoned.
7. A model draft Section 173 Agreement, to be applied to the properties to be rezoned, accompanies the exhibited Amendment to formalise development contributions and the delivery of local infrastructure for the area.
8. The planning permit application seeks approval for the multi-lot staged subdivision of 87-101 and 103-127 Ash Road, Leopold, the removal of native vegetation and the removal of easement(s).
9. The outline development plan below is taken from the exhibited Design and Development Overlay Schedule. The plan shows the location of key infrastructure planned across the area.



10. At its meeting on 8 September 2020 Council resolved to prepare and exhibit the Amendment subject to Ministerial authorisation which was granted on 6 April 2021.
11. The Amendment was placed on public exhibition between 27 May and 28 June 2021.

Summary of Submissions

12. 29 submissions were received comprising 13 opposing, 9 supporting and 7 making comments about the amendment and draft planning permit.
13. A summary of all the submissions is in Table 1 presented later in this **Attachment 1**.
14. The key issues raised have been grouped under the following themes: 1) the Amendment will be detrimental to the semi-rural area of Leopold; (2) traffic impact; (3) lack of infrastructure; (4) environmental impact; and (5) integration with the Mollers Lane growth area.
15. Issues or objections that do not fit within the themes have been responded to in the summary and responses table.

Submission Themes and City Response

Strategic policy and Leopold development

16. Many submissions opposing the amendment do not support changing the semi-rural feel and outlook of the area. These submissions seek to maintain the current status of the area or at a maximum, allow for low density development. Submitters like the quiet and low-key nature of the area that allows for families to move about. There is general concern about the loss of the rural outlook in favour of population growth, conversion of the land to urban use and the changing nature of Leopold. The consequential impacts on traffic, infrastructure and environmental impacts are concerns from rezoning and development.
17. In contrast, submissions supporting the amendment argue that there is strong policy support for the rezoning.

City Response

18. Submitters are concerned about the future for Leopold. Some moved to their homes for the lifestyle and outlook provided in Ash Road. The planning policy settings for the town are known and have been established in consultation with the community over a long period of time. Leopold has an important town role on the Bellarine and is identified in the Planning Policy Framework (PPF) at clauses 21.06 and 21.14 of the Planning Scheme as a district town where growth and new housing is supported within the existing settlement boundary. Prior to its re-designation as a district town by the Settlement Strategy (2020) and Amendment C395 it was an urban growth location for many years and a consequence is that the nature and outlook of areas previously on the edge of Leopold have changed.
19. The Amendment rezones land that is identified for future residential development in the Leopold Structure Plan and is consistent with the objectives and strategies of the PPF. The proposal accords with the map in the Structure Plan and in clause 21.14 Bellarine Peninsula. The Amendment has a sound strategic basis in the Settlement Strategy and is also consistent with the need outlined in the G21 Regional Growth Plan and the Localised Planning Statement to manage expansion of the region's urban areas and maintain non-urban breaks between settlements.
20. The combination of these policies protects the valued rural and coastal areas of the Peninsula from the pressure of urban expansion, consistent with the objectives of the Localised Planning Statement.

21. Clause 21.14 has the following very specific strategies for Leopold:

- 'Ensure the retention of Leopold as an urban island - supporting urban growth contained to the settlement boundary and preserving the surrounding rural hinterland.
- Support the development of the Ash Road / Mollers Lane Growth Area and other areas identified for residential development on the Structure Plan map.
- Ensure that future urban form and subdivision integrates seamlessly across the Ash Road East and Mollers Lane Growth Area.'

22. This is represented on the Leopold Structure Plan map below and shows that the rezoning of the Ash Road east area will fill in the urban development of the south eastern edge of Leopold and connect the Ash Road west and Mollers Lane development area.



23. The following plan shows the land subject of this combined amendment and planning permit in the context of the other recent rezoning to residential, C280 Ash Road west and C367 Mollers Lane.



24. The Settlement Strategy supports the continued planned growth of new housing in Leopold within its settlement boundary. It also confirms the current town boundary and redirects the bulk of Greater Geelong's new housing needs away from the Bellarine Peninsula to Armstrong Creek, future growth areas on the north and west of Geelong and through infill within the existing urban area.
25. The Department of Environment, Land, Water and Planning has recently released for community feedback the draft Bellarine Peninsula Statement of Planning Policy (SPP) having declared the Bellarine Peninsula a Distinctive Area and Landscape (DAL) in 2019.
26. The draft Bellarine Peninsula SPP aims to build upon existing strategic policy (such as the Bellarine Peninsula Localised Planning Statement) to protect the declared area's outstanding landscapes and coastal landforms, unique natural environment, rich Wadawurrung living cultural heritage and historic heritage, and important infrastructure and natural resources.
27. Relevant to Leopold, the draft SPP proposes protected settlement boundaries for townships on the Bellarine Peninsula including Leopold. The proposed Settlement boundaries for Leopold are consistent with the existing boundaries of townships identified in Clause 21.14 of the Greater Geelong Planning Scheme. This will protect the valued farmland and landscapes around Leopold and prevent the further outward expansion of the town outside its settlement boundary.

Environmental impact of the amendment

28. The environmental impact of the rezoning on the local environment is a feature of several opposing submissions. Some are concerned that the rezoning will detrimentally impact on native environment and wildlife as the area attracts a range of fauna, has vast biodiversity and is quietly enjoyed by numerous people near and far to the area. There is concern that the Ash Road area has a lot of natural beauty which will be lost through overdevelopment.
29. Submissions also comment that the amendment will further devalue the ecological diversity of the Bellarine Peninsula, particularly as the land is close to and provides drainage to the Ramsar wetlands of Lake Connewarre. Submission 11 comments that the ecological significance of Lake Connewarre is internationally recognized and that any development in the surrounding area will have an impact on biodiversity and affect the health of the lake and its flora and fauna.
30. Submission 7 submits that unless substitutional tree planting takes place, this land will be a dead space of concrete and black tiled roofs, not to mention the dull hearted, rubbish producing, energy sapping, water consuming people who will pack into houses with no green wedges in between.
31. Submission 4 comments that the amendment needs to do more to incorporate more vegetation retention in the area to reinforce the City of Greater Geelong Environment Strategy 2020-30 which is to protect and improve the region's environment. Existing vegetation should be incorporated into open space and natural walking paths and streets.

City Response

32. The PPF includes several policy objectives directed at protecting and enhancing waterways, appropriately managing stormwater runoff, and protecting and enhancing significant environmental values, including those of Lake Connewarre. These can be managed as demonstrated in the rezoning of land at Mollers Lane, and Ash Road west and The Estuary Estates.
33. The proposal places urban development no closer to Lake Connewarre than the Estuary Estate, Ash Road west (Allure Estate) and future development land in Mollers Lane.
34. Increased population density and the conversion of rural land to urban can increase the threats to fauna and flora species. The Biodiversity Assessment by Ecolink has identified that the vegetation within the area has been heavily modified with the understorey generally dominated by exotic species and the overstorey vegetation including exotic pines and plantations of Australian and Victoria natives and a range of ornamental trees. Two patches of remnant vegetation were recorded on site and their removal will be offset.
35. Sixteen fauna species were recorded within the area including 15 native bird species and on native frog species.
36. Surveys and assessment by Ecolink Consulting did not record the presence of the Growling Grass Frog (GGF) at the study area although they did identify that quality of the habitats within the site (the dam and drainage lines) was moderate to high with a diversity of submerged, emergent and fringing vegetation and suitable water quality for the species. Ecolink notes that there are a few records of the GGF within the vicinity of the study area, but none within the drainage lines, near the study area. Ecolink also noted the presence of other frog species present, as well as other fauna. A fauna protection condition has been included in the draft planning permit to mitigate the risk to these fauna species from the removal of the dam. Ecolink concluded that the Growling Grass Frogs do not occur on the site, that further management of this species is not required and that a referral under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) is not required.
37. The City supports DELWPs recommendation for an amendment to condition 17 to include design standards that meet Growling Grass Frog Habitat Design Standards in any new WSUD landscape elements.
38. The loss of current habitat in the construction process will be offset by the retention of some existing vegetation and the re-establishment of the vegetated swale corridor between the 1-hectare park and the drainage basin. The planting of street trees through the subdivision will also

provide habitat for wildlife. It is not possible to retain all existing vegetation in the subdivision design.

39. The City values the farmed landscape of the Bellarine Peninsula, as evidenced through the Bellarine Peninsula Localised Planning Statement and the policy position articulated in the Settlement Strategy. Maintaining the urban break between towns on the Peninsula, its farmed landscape, the opportunities for tourism and its recreation offerings are values the City holds in common with submitters. This amendment and planning permit will not detract from these as this is a planned urban area and there is no major development spread further east into the Bellarine Peninsula arising from this amendment.
40. The receiving water for this development is Lake Connewarre which is a Ramsar site for migratory birds. Fresh water flows or stormwater run-off need to be managed to limit any impact on the saline Lake Connewarre ecosystem.
41. Ecological values of the Lake are dependent on its water quality and hydrological regimes. Stormwater exiting the site is proposed to be mitigated to meet best-practice including an on-site detention/wetland area which is proposed to match peak flow to pre-development levels and to filter pollutant load and have been designed for flow control and treatment.
42. The inclusion of storm water management and WSUD measures into the subdivision address water run-off and pollution entering the lake system.
43. As stated in DELWP's submission it is critical that an integrated drainage system ensures onsite retention. The retarding basins on Ash Road are intended to retard water flow and volume into the Lake.

Traffic impact of the amendment

44. Many of the opposing submissions argue that the new development will cause negative impact on roads and increase of traffic on the local area. Resident submitters comment Ash Road is a small road and not fit to hold the number of cars that travel on it each day and seek the road to be fixed before signing off on any new development. They submit that an increase in traffic of 7-8000 vehicles per day in Ash Road, adjoining roads and the Bellarine Highway intersection is detrimental to the area and there are already difficulties with street parking and exiting driveways. Submissions think this will cause traffic to be pushed into smaller streets and cause gridlock.
45. Some submissions have sought the installation of a give way sign or even a roundabout on the Hazelwood Crescent and Ash Road intersection.
46. Concern has been expressed that Portarlington Road and Bellarine Highways already show signs of pressure, especially during peak periods, due to development elsewhere on the Peninsula. Infrastructure projects such as a bypass from Moolap to Armstrong Creek need to be prioritised to ease this pressure and frustration.

City Response

47. Submissions raising concerns about the impact of the rezoning on traffic and roads is to be expected. This is a growth location with any change and development contributing additional vehicle movements in the existing area.
48. The Cardno Traffic Report has assessed the capacity of the road network concluding that it has capacity to accommodate additional traffic generated from this development. Traffic volumes on Ash Road are estimated to be in the order of 7,000-8,000 vehicles per day after development of the entire area covered by the Leopold Structure Plan. Ash Road is to be widened along the eastern side of the rezoning area as the road reserve in this section is too narrow for the additional development proposed. No changes are being proposed for the section of Ash Road north of the amendment area through to the Bellarine Highway. The cross section of Ash Road has therefore been designed to accommodate traffic volumes greater than what the development of the subject site will generate, and therefore is anticipated to operate adequately after the subdivision of the land north of Ash Road Development area.
49. Two connector roads are proposed across the amendment area with both connecting eastward across to Mollers Lane. The southern road will also connect to Walkers Road/Estuary Boulevard providing a connection through to Melaluka Road. These connections will provide access options for traffic to move through the area and outside to either Geelong or further east to the Bellarine peninsula.
50. The Cardno traffic report has assessed the functioning of the surrounding road network and how it can manage additional traffic generated by this development. An additional extension to the right-hand queueing lane from the Bellarine Highway to Ash Road is required to manage the traffic flow into the area. With the location of the local schools, supermarkets/shopping and services, and the Leopold and Geelong centres and access to arterial roads, it is expected that the traffic generated by the site will mainly utilise Ash Road and the Bellarine Highway to access Leopold and Geelong and together with Mollers Lane, the other areas of the Bellarine. It is not expected that the Portarlington Road is to be significantly affected.
51. An extension by 195 metres of the right-hand queueing lane from the Bellarine Highway to Ash Road is proposed to address the need for intersection capacity post development.
52. Where there are issues for sightlines access the street from private driveways, these can be considered and addressed by the City as part of its ongoing traffic management responsibilities. Any current issues should be identified to the City so that they can be investigated, and any remedial measures implemented.
53. The Traffic Report has found that Ash Road can accommodate the additional traffic to be generated from the area. Where there are issues for sightlines access the street from private driveways, these can be considered and addressed by the City as part of its ongoing traffic management responsibilities. Any current issues should be identified to the City so that they can be investigated, and any remedial measures implemented. Similarly, for the request for a give way sign at the Hazelwood Crescent and Ash Road intersection can be made to and addressed by the City now.
54. The bypass from Grovedale to Moolap is a long-term infrastructure project that will not remove traffic from the current Leopold urban area or this growth area. Its purpose is to re-direct traffic to the Bellarine away from central and urban Geelong.

Lack of infrastructure to support the rezoning

55. A theme across several opposing submissions is that the rezoning and development places pressure on local infrastructure such as roads, schools, shopping and local services. Submitters consider that Leopold lacks infrastructure to meet the needs of new residents and that existing residents already face congestion with accessing these. One submission supports the proposal as it will bring more people and activity into the area.

City Response

56. No additional shopping areas are proposed or supported in the rezoning area. There is a sub-regional site at Melaluka Road which services the whole of Leopold and which includes an expansion area to its north as the population and demand grows. The Leopold Structure Plan has not identified the need to provide shopping facilities in the amendment area.
57. The Education Department has not provided for an additional school in the area. GPs will establish where there is a need and a commercial opportunity. Barwon Health plans for the region do not include a hospital in Leopold.
58. The existing house retention lots which are 1.25 ha and 0.38 ha in size have potential for larger non-residential land uses such as non-government schools or childcare in the future when the current landowners leave. Uses such as these are Section 2- permit required uses in the General Residential 1 Zone.
59. New areas of open space and shared paths are being provided in the amendment area which will service both new and existing residents.
60. An infrastructure contribution of \$40,000 per net developable hectare obtained through the s173 Agreement will be allocated to community infrastructure projects within Leopold, most likely the Estuary Reserve Modular Pavilion in Melaluka Road.

Subdivision integration with Mollers Lane growth area

61. Submissions 10 and 17 are from interests in the Mollers Lane growth area to the east. These submissions contend that DDO46 requirement for integration between the two growth areas is not being delivered by the draft planning permit for the subdivision of two properties. The submissions state that the issue of stormwater management, subdivision connectivity, road treatment/cross sections and open space treatment between the two areas is inconsistent and not conducive to a seamless residential estate across the two areas.

City Response

62. In 2016 the City prepared the South East Leopold Framework Plan as a tool to guide subsequent rezoning and development processes across the south east fringe of Leopold that had been identified for future urban growth in the Leopold Structure Plan 2011 (Amended January 2013). The City could foresee that there would likely be 2 development fronts in this area – Mollers Lane and Ash Road, and that it was unlikely there be one united development consortium for the whole area.
63. The Framework Plan was prepared by Tract Consultants with the input of the City, government agencies and departments, and the affected landowners. It was a high-level plan with more detail to be studied and developed as part of the subsequent planning scheme amendment and planning permit processes. There were some fundamental parameters that needed to be included, and the topography of the land also dictated the location of some infrastructure items.
64. The overall layout of the area proposed by the Framework Plan included some set parameters including waterways, Barwon Water's Bellarine main transfer pipeline and a southern connector road that links with Estuary Boulevard/Walkers Road, providing an overall road connection across southern Leopold between Melaluka Road on the western edge of the township and Mollers Lane on the east.
65. The Framework Plan has been used to guide the DDO parameters and the outline development plans within the DDO43 and proposed DDO46.

66. The Ash Road proposal has sought to integrate their design with the Mollers Lane development. Road connections, including the northern and southern collector roads are provided and will facilitate permeability between the two development areas. The subdivision layout includes the continuation of smaller order roads across the boundary.
67. A revised layout in Ash Road has altered the provision of a long, linear open space along the waterway, replaced with a larger 1-hectare park fronting Ash Road and a swale connecting this to the drainage basins in the south east of the site. The revised plan shows a road along the southern side of the drainage basins and the swale. A seamless connection between one of the Ash Road drainage basins and the southern waterway on 92-120 Mollers Lane is provided.
68. Management of the stormwater system across the two development areas is addressed in the summary of submissions table and response at the end of this report.

Table 1 - Summary of submissions and City response

No.	Name	Summary of Submission	Theme / City Response
1	Ample	<p>Ample is a Geelong based Project Management company that specialises in the subdivision of land and represents two landowners in this Amendment area.</p> <p>Strongly supports the amendment and the ultimate development of the land on the following grounds:</p> <ul style="list-style-type: none"> • The Amendment is consistent with three key strategic planning policies: <ol style="list-style-type: none"> 1. Leopold Structure Plan (2013) 2. South East Leopold Framework Plan (2016) 3. Geelong Settlement Strategy (2020) • These strategic planning documents have been previously adopted by Council and identify the land subject to the Amendment as being suitable for conventional residential development. Indeed, the rezoning and redevelopment of this land has been contemplated by numerous Council policies and strategies for nearly a decade now. • After the Gazettal of the Mollers Lane precinct, Amendment C367, this precinct is now boarded on three sides with General Res zoned land; it is infill development. Additionally, of further relevance is that the land subject to the Amendment is entirely within the identified Settlement Boundary for Leopold. • Reiterates that whilst the land is currently within the Farming Zone, it has no agricultural value. 	<ul style="list-style-type: none"> • Support for Amendment noted. • Strong strategic basis for the amendment in local planning policy.
2	Barwon Water	<ul style="list-style-type: none"> • Raises no objection to the amendment. Water and sewerage services can be provided to the area. • Notes that sewerage servicing for this area is reliant upon the Mollers Lane development and the two developers are encouraged to ensure timing aligns. 	<ul style="list-style-type: none"> • Noted that water and sewerage services can be provided to the area. • Noted that sewerage servicing is reliant upon the Mollers Lane development proceeding - the sewerage pump station for this area is in stage 4 of the Mollers Lane area. This is a private

No.	Name	Summary of Submission	Theme / City Response
		<ul style="list-style-type: none"> • The Bellarine Transfer Mains (BTM) runs east west through the development area. It is of critical importance to Barwon Water and planning needs to be cognisant of this significant asset. • Barwon Water is comfortable with the road reserve to be located over the BTM easement at a conceptual level but requires further details as planning progresses to ensure the asset is protected. Road crossings and any lowering or relocating of the pipeline are allowed at the developer's expense. • The landscape masterplan indicates tree planting in the road reserve containing the BTM and this is not supported as it will restrict Barwon Water access to the asset for maintenance and repairs. • Does not object to the planning permit subject to the following conditions being met prior to the issue of a Certificate of Compliance: <ul style="list-style-type: none"> • General • The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water. • The owner shall create easements for Pipelines or Ancillary Purposes and or reserves in favour of Barwon Region Water Corporation on the plan of subdivision in accordance with Barwon Water's Land Development Servicing Requirements Manual, without cost to Barwon Water, over existing and proposed potable water and sewerage infrastructure within the land. If further easements or reserves are required following design of the required infrastructure these must be added to the plan of subdivision prior to seeking Barwon Water's consent to the issue of a statement of compliance for the subdivision. • A restriction is to be created on title for any land where an existing or proposed sewer main is located within. The restriction is to allow for "reasonable access" as required under the adopted sewer design code. Should Barwon Water agree to partial or no gravity control of sewer to any allotment, a separate restriction is to be 	<p>development matter between two developers that will need to engage on aligning timing of their developments.</p> <ul style="list-style-type: none"> • The position of Barwon Water opposing the use of trees in the road reserve containing the BTM is supported, acknowledging that it will have a visual impact on the road reserve planned to run alongside it. • The notes to Condition 67 (Streetscape plan) of the draft planning permit requires the applicant to obtain and provide evidence to the Responsible Authority that Powercor and Barwon Water have been consulted and have agreed with the proposed street tree species palette. Draft condition 44 (Detailed landscape plans) needs notes added like those for condition 67 to ensure consultation with Barwon Water and Powercor. • The proponent is aware of this requirement from Barwon Water and will design accordingly. • As Barwon Water is a determining referral authority, the recommended permit conditions are accepted and will be included in the draft planning permit.

No.	Name	Summary of Submission	Theme / City Response
		<p>created highlighting the limit of gravity control or the reliance on a non-gravity sewer connection.</p> <ul style="list-style-type: none"> • For the economical and efficient servicing of this development, Barwon Water may require the owner or permit holder to acquire an easement through other land in the vicinity of this development not owned by the applicant to connect this development to Barwon Water sewerage system. This clause empowers the permit holder to acquire these easements compulsorily on behalf of Barwon Region Water Corporation in accordance with section 36 of the Subdivision Act 1988. These easements shall be for Pipelines or Ancillary Purposes and shall be made in favour of and without cost to Barwon Region Water Corporation; that is, the owner or permit holder shall pay all costs associated with creating these easements including payment of any compensation to other land owners for the easements. • The developer is to apply to Barwon Water for details relating to servicing requirements and costing for the provision of a potable water supply and sewerage services to the proposal. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L018821. • Potable Water • The provision and installation of a potable water supply to the development. • Reticulated potable water mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process. • Strategic potable water infrastructure is required. The process to deliver and funding of these assets will be determined at the time a Developer Deed is issued for the development. • Each retained home site will be remote from the existing water main in Ash Road upon subdivision and will require the owner/to apply to Barwon Water to enter into a temporary Water Supply By Agreement (WSBA) for each house site if water services are to be maintained prior to construction of reticulation mains in those Stages. Terms and Conditions of these temporary WSBA's and the end date of the WSBA's will be determined at the time of the applications/subdivision. Barwon Water will require formal 	

No.	Name	Summary of Submission	Theme / City Response
		<p>agreement from the developer and owners of these retained home sites to these conditions for this temporary servicing to be supplied prior to acceptance.</p> <ul style="list-style-type: none"> • The developer will also be required to relocate and reconnect each water supply meter for the retained home sites until water mains are constructed to each home site if WSBA's are entered into. • Barwon Water's records indicate that existing potable water services and meters are located on these properties. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private potable water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments unless in accordance with temporary Water Supply By Agreements for retained home sites. • The payment of a standardised New Customer Contribution is required for any new connection. • Barwon Water has two existing strategic water mains contained within this land for which a road reserve is proposed. Barwon Water will not permit any nature-strip trees to be planted over these water mains. Should relocation of these assets be required this will be at the developer's cost. • Sewer • The provision and installation of a sewerage service to the development. • Reticulated sewer mains are required. This work must be undertaken by a Barwon Water accredited Consultant and accredited Contractor following the "Developer Works" process. • Strategic sewerage infrastructure is required. Strategic sewerage assets include a sewerage pumping station which is to be located external to this land and a rising main. The sewerage pumping station and rising main are to be delivered following Barwon Water's Developer Works Process. The process to deliver and funding of these assets will be determined at the time a Developer Deed is issued for the development 	

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3	Individual Submitter	<p>Objects to the development on the grounds:</p> <ul style="list-style-type: none"> • Not enough notification of the amendment • Advised in the past area was zoned for medium density. 190 lots added combined with the number of battle-axe blocks being approved defy definition of medium. Another development on Kensington Road near Portarlington Road with even more lots to be considered in approving any more housing developments in Leopold. • Large truck disturbance of local area from Ash Road west development will only double with this subdivision. • Plans do not speak to the housing density planned • Lack of infrastructure to support the development such as hospital, GPs, schools, preschools and shopping centres in Leopold and Newcomb with parking at a premium. No detail of what community project in Leopold will gain the development contributions. • Increase in traffic is detrimental to the area and there are already difficulties with street parking making leaving your house difficult and dangerous. • The area is green space. Loss of bird life since housing development began in Ash Road. Who knows what critters are in the area? The land should be retained as open green space. 	<ul style="list-style-type: none"> • Notification was made to 260 landowners, occupiers, authorities and prescribed minister's properties. • Area is not identified for medium density. The area is surrounded by the GRZ1 and this is the obvious zone fit for this area. The Settlement Strategy aims for new green fields development to occur within established settlement boundaries and up to 50% of new development within Greater Geelong to be achieved through infill development. This means that there will be more development occurring within the established area of Leopold. • Truck movement to and from the area will occur during construction of the subdivision and subsequent housing. A construction management plan condition is included in the draft permit to control times of deliveries including heavy vehicles in accordance with the EPA legislation/guidelines. It is an inevitable outcome of new residential estate development that heavy machinery and trucks need to access the site. • The plans show that there are 190 residential lots planned. This equates to a development density of about 15 lots per hectare which accords with the density policy for the City's growth areas. There are a couple of medium-density development sites included on the subdivision plans for 87-101 and 103-127 Ash Road which will be subject to future planning permit applications. Beyond this, it will be the purvey of the landowners for the nature of development on these lots for any unit type development on individual lots. • Refer to infrastructure theme • Refer to traffic theme • The area is privately owned land and is not public open space. It is strategically identified in the Leopold Structure Plan for urban growth and not for retention as green space. The Environmental Report has surveyed the property and recorded 16 species including birds and amphibians and all are typical of peri-urban and rural areas of Western Victoria. One threatened species (Vulnerable in Victoria) was recorded, Hardhead Aythya Australis, at the dam on the 103-127 property. The Study assessment concluded that the species are unlikely to the

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4	Individual Submitter	<ul style="list-style-type: none"> • Ash Road resident for about 6 years choosing the area for the semi-rural outlook. Very concerned that the rezoning of the land directly across from the home will be subject to big disruption and loss. • Changes to Ash Road west are a positive development as it seamlessly nestles into a neighbourhood. The magnitude of Ash Road east growth will complicate infrastructure and impact on the natural environment of this semi-rural part of Leopold. • Portarlington and Bellarine Highways already show signs of pressure (especially during peak periods and when road accidents occur) due to development in other towns such as Portarlington, Curlewis, St Leonards and Ocean Grove. Infrastructure projects such as a bypass from Moolap to Armstrong creek need to be prioritised to ease this pressure and frustration. • Concerned about the loss of the much-appreciated semi-rural outlook to East Ash road. Protection of existing mature vegetation is vital to sustainable urban growth, local air quality and quite simply the beauty and attraction to this semi-rural part of Leopold. • Removal of many mature trees, and the addition of anywhere from 200 to 400 vehicles (from 2 of the 5 properties) accessing this area daily does not fit with the plan to protect and improve our region's environment, as the Environment Strategy 2020-30 sets out. Whilst important that offset-planting is carried out within these developments, it does not ensure like-for-like planting, not in mature tree height and overall benefits to the environment. The trees currently on properties of Ash Road East are already established and more effort required to incorporate them into the design, like Carter Road, Armstrong Creek. • The Greater Geelong Environment Strategy 2020-30, states that; 'Places that are good examples of biodiversity should be protected and promoted' and 'Having access to nature is critically important for our physical and mental wellbeing'. This land is home/ safe for a multitude of birdlife and wildlife throughout the year, including many bird species. 	<p>significantly impacted by development of the land, due to infrequent use of the habitats and the abundance of relatively higher quality habitats located nearby at Lake Connewarre.</p> <ul style="list-style-type: none"> • Ash Road area has been featured in the strategic planning for Leopold since 2011 when the Leopold Structure Plan was prepared. Ash Road east, like Ash Road west, has been planned to add to the urban extent of Leopold and will integrate with each other as well as Mollers Lane to the east. • Refer to strategic policy theme. • Refer to traffic theme. • The Cardno traffic report has assessed the functioning of the surrounding road network and how it can manage additional traffic generated by this development. An additional extension to the right-hand queueing lane from the Bellarine Highway to Ash Road is required to manage the traffic flow into the area. With the location of the local schools, supermarkets/shopping and services, and the Leopold and Geelong centres and access to arterial roads, it is expected that the traffic generated by the site will mainly utilise Ash Road and the Bellarine Highway to access Leopold and Geelong and together with Mollers Lane, the others areas of the Bellarine. It is not expected that the Portarlington Road is to be significantly affected. • The bypass from Grovedale to Moolap (Bellarine Link) is a long-term infrastructure project that is unlikely to reduce traffic from Leopold, St Leonards, Ocean Grove etc as outlined in the submission. • Some vegetation is being retained in the subdivision, but not all. New trees and plantings will be included in the public spaces of the proposed subdivision. The landscape will change with the rezoning and subsequent residential subdivision and development. • Some vegetation is being removed and some is being retained or offsets provided for native vegetation. The planning permit at condition requires the planting of semi-advanced street trees throughout the subdivision. It is agreed that it is not like-for-like as stated in the submission however this is the accepted standard for new subdivisions.

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		<ul style="list-style-type: none"> • The feeling of home, as well as the positive effects on our wellbeing and health will be replaced with houses, driveways and the bustle of hundreds of vehicles. Will feel isolated as will no longer enjoy chosen semi-rural outlook. • Council can provide a positive outlook on the future of economic opportunities in Leopold, show care about what people want to see, to reinforce The City of Greater Geelong Environment Strategy 2020-30 and to start the journey to reaching the Council vision. Incorporating more of the established vegetation into the development will help this development meet Council’s vision. • Seeks alterations to the design to reduce visible hard surfaces and to protect the tree canopy running the length of the front of the current properties and this then included into ‘open space’ and create natural walking paths. • Seeks fewer household driveways directly access Ash Road where possible. • Seeks protection of the beautiful tree lined driveway or part thereof of 87-101 Ash Road should be protected to naturally line a future road (single or two-lane if space allows) with dedicated paths for bicycles on the outside, for future families to enjoy. • Seeks a round-about at the intersection of Hazelwood Crescent and Ash Road, for a in turn will makes a safe main entry point for the development, and to assist with traffic flow for additional vehicles. • Seeks that provisions have been or will be made for additional supermarket/ retail construction within the area to be rezoned between Mollers Lane and Ash Road, as facilities at Gateway Plaza will fail to provide adequate services for additional residents. 	<ul style="list-style-type: none"> • The permit area contains planted vegetation largely in the form of planted wind rows, the vast majority of which are proposed to be removed. The removal of some is required in order to logically develop the area for residential purposes, the City encourages efforts to retain as much as possible for the reasons outlined by the submitter. In particular the north-south area fronting Ash Road on 87-101 Ash Road, this vegetation could be retained in the proposed 1-hectare park (subject to sight lines required for safe vehicular entry/egress to the site), this could form an entry feature to the development. A condition for vegetation retention can be included in the planning permit. • The tree path lining the existing driveway to the house at 87-101 Ash Road will not be retained in the subdivision layout. The proposed road network does not incorporate this driveway with the main east-west connector in the north running too close to this driveway for it to be retained. • The City supports the provision of a 1-hectare park along the Ash Road frontage which will not only provide a larger and more regularly shaped local park, it will also provide some visual relief for residents on the west side of Ash Road and reduce the occurrence of driveways along the length of Ash Road. • Residential lots will front Ash Road in a pattern like that planned on the west side of Ash Road, and consistent with the established residential areas to the north along Ash Road. The citing of a 1-hectare park along Ash Road will provide a visual break so that there is not a continuous length of residential fronting Ash Road from the northern extent of the rezoning area to the southern boundary. The streetscape will represent same pattern as established houses fronting Ash Road and the newly developing areas in Ash Road west. • This and other submissions have sought traffic treatment either by a give-way sign or roundabout at the intersection of Hazelwood Crescent and Ash Road to provide a safe traffic environment. Condition 9 of the draft planning permit includes the requirement for a Local Area Traffic Management Plan to be submitted to the Responsible Authority which may include, but not limited to: traffic management devices, modified intersection

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			<p>priorities, indented car parking, signage, line marking, and vehicle crossing locations. All treatments shown on the LATM Plan on subsequent construction plans for each stage must be consistent with the approved LATM Plan.</p> <ul style="list-style-type: none"> • The installation of a roundabout at the intersection is not an infrastructure item required of this development that has been included in the s173 Agreement. The Cardno Traffic Report has not identified the need for traffic management treatments at that intersection. If there is an existing issue around traffic management a request to the City can be made anytime. • A road treatment at the intersection of Ash Road and the northern east-west connector road will ensure safe connectivity for pedestrians and cyclists across Ash Road. • Refer to infrastructure theme response for comment about shopping facilities.
5	DELWP	<p>DELWP has previously provided comments on the development of the Framework Plan and pre-exhibition referral comments on this combined amendment and planning permit and noting the recent Mollers Lane permit and amendment.</p> <p>DELWP's interest in this site is to ensure that stormwater management adequately mitigates impacts of runoff into the Late Connewarre State Game Reserve, a part of the Port Phillip Bay (Western Shoreline) and Bellarine Ramsar site. Their focus is on adequate measures to maximise water retention within the site, mitigate runoff during all stages of construction and retard water flow and volume into the Lake.</p> <p>As the proposal has direct linkages and drainage connections to the Mollers Lane site an integrated drainage system it is critical that ensures onsite retention.</p> <p>DELWP notes that the Council report addressed matters they had previously raised in relation to stormwater impacts into the Lake Connewarre RAMSAR site, native vegetation and threatened species.</p>	<ul style="list-style-type: none"> • Conditions in the planning permit include the requirement for a stormwater outfall impact assessment, construction management plan and WSUD landscape plans. • The proposed drainage system is continuing to be discussed to ensure that it adequately manages freshwater flows into the Lake. • DELWP is a recommending referral authority for this planning permit. The additional conditions recommended by DELWP • DEWLP appears to have based their comments and conditions on an earlier native vegetation removal report (NVRP). There is a difference between the original submitted NVRP submitted with the application and an updated supporting document that was included with the amendment exhibition material. The City is confident that the condition in the exhibited draft permit is based on the most recent NVRP and that the correct figures for offsets are contained within the exhibited permit condition number 60. • It is noted that Patch 2 is located on adjoining land that is part of the C367ggee Mollers Lane area and PP-1463-2016. This planning permit cannot compel an offset for vegetation that is located on another property.

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		<p>Table providing a commentary on the 2019 pre-exhibition referral comments and the exhibited documentation – some matters addressed but other outstanding and possibly addressed in draft permit conditions.</p> <p>The application to remove 3 patches of native vegetation has been assessed in accordance with the intermediate assessment pathway. It is noted that the total area of native vegetation proposed to be removed totals 0.395 hectares within location category 2. The proposal satisfies the information requirements of clause 52.17 for native vegetation removal.</p> <p>DELWP generally supports the proposed planning scheme amendment and does not object to the granting of the planning permit but recommends the addition of the following conditions:</p> <p>Native vegetation offsets</p> <ol style="list-style-type: none"> 1. To offset the removal of 0.395 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below: <ol style="list-style-type: none"> a) A general offset of 0.182 general habitat units: <ol style="list-style-type: none"> i) located within the Corangamite Catchment Management Authority boundary or Greater Geelong municipal area ii) with a minimum strategic biodiversity value of at least 0.364 2. Before any native vegetation is, evidence that the required offset has been secured must be provided to the satisfaction of the responsible Authority. This evidence must be one or both of the following: <ol style="list-style-type: none"> b) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or 	<ul style="list-style-type: none"> • The support for condition 14 requiring a construction environmental management plan is noted. • DELWP’s recommendation for an amendment to condition 17 to include design standards that meet Growling Grass Frog Habitat Design Standards in any new WSUD landscape elements, is supported with the addition that any plan submitted needs to be developed/reviewed in consultation with Council’s Environment Unit to ensure that there is an environmental oversight to this Engineering consideration.

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		<p>c) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.</p> <p>A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning Barwon South West regional office via BSW.planning@delwp.vic.gov.au.</p> <p>3. In the event that a security agreement is entered into as per condition 2, the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.</p> <p>DELWP notes that the draft Planning Permit Conditions provided with the exhibition material have adequately addressed conditions that DELWP would recommending for inclusion on a permit in including condition 14 relating to Construction Environmental Management Plan.</p> <p>DELWP notes condition 17 Water Sensitive Urban Design Landscape Plan and recommends that this condition be amended to include design standards that meet the Growling Grass Frog Habitat Design Standards (DELWP 2017).</p>	
6	Dept of Transport	<ul style="list-style-type: none"> • Previous advice reiterated specifically the provision of a longer right turn lane on Bellarine Highway at the Ash Road intersection and that consideration be given to the parallel north-south routes at Melaluka Road and Mollers Lane, at no cost to the Department/VicRoads. • Requests the following additional conditions be included in the exhibited draft Planning Permit: <ul style="list-style-type: none"> • Before the issue of a Statement of Compliance for the subdivision, the following roadworks on Bellarine Highway at the Ash Road intersection must be completed at no cost to and to 	<ul style="list-style-type: none"> • The Department of Transport is a determining referral authority under clause 66.02-11 and additional planning permit conditions are accepted and will be included in the planning permit. • The Cardno Traffic Report recommends an extension to right turn lane and lighting on the Bellarine Highway at the Ash Road intersection. The proponent has confirmed that their plans show this distance is 145 metres. The length will therefore need to be extended by 50 metres to the DoT requirement of 195 metres.

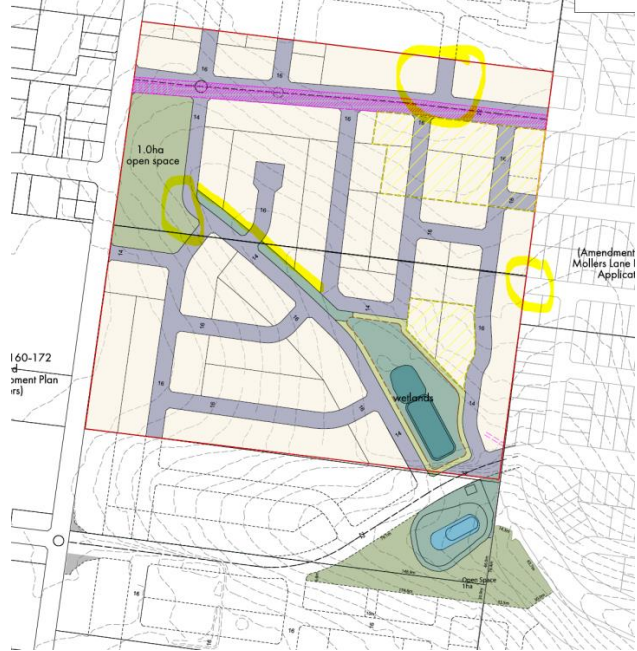
No.	Name	Summary of Submission	Theme / City Response
		<p>the satisfaction of the Head, Transport for Victoria and the Responsible Authority:</p> <ul style="list-style-type: none"> o Extension of the Bellarine Highway right turn lane on the west approach to the intersection so that the total length is 195m including a 25m taper; o Extension and alteration to the Bellarine Highway right turn lane street lighting (as required by lighting design). <p>• Prior to the works commencing on the Bellarine Highway reserve, the applicant must enter into a works agreement with Head, Transport for Victoria, confirming design plans and works approvals processes, including the determination of fees and the level of service obligations of the Head, Transport for Victoria.</p>	<ul style="list-style-type: none"> • The plans for an extension to this queuing lane is additional to the extension required of the Ash road West development which extends the queue length to 95 metres.
7	Individual Submitter	<ul style="list-style-type: none"> • Believes this amendment will further devalue the ecological diversity of the Bellarine Peninsula. • Land is close to and provides drainage to the Ramsar wetlands of Lake Connewarre. • Unless substitutional tree planting takes place, this land will be a dead space of concrete and black tiled roofs, not to mention the dull hearted, rubbish producing, energy sapping, water consuming people who will pack into houses with no green wedges in between. • Individual people have little power, but Council has full responsibility for environmental degradation by declaring zoning changes. It's all on you! Sleep well! 	<ul style="list-style-type: none"> • Refer to strategic planning policy theme. • Refer to environmental impact theme. • The proximity of the site to the RAMSAR wetlands of Lake Connewarre has been considered in the conditions in the draft planning permit. The receiving waters are a sensitive location and the management of stormwater can be achieved in an environmentally acceptable drainage solution as was shown in C367 (Mollers Lane). • Modern subdivision design techniques are included to provide large areas of public open space with planting in new parks as well as along road reserves. The City needs to provide places for a growing population., • The City has balanced urban growth on the Bellarine Peninsula through the Leopold Structure Plan and the Settlement Strategy. This is within the settlement boundary and accords with the draft Bellarine Peninsula Statement of Planning Policy.
8	Eastern Ash Pty Ltd	<p>Tract Consultants Pty Ltd (Tract) act son behalf of Eastern Ash Pty Ltd (Eastern Ash).</p> <p>Eastern Ash supports the City and the preparation and exhibition of the amendment. Eastern Ash strongly supports the Amendment and looks forward to the matter ultimately being adopted by Council.</p>	<p>Support for amendment noted.</p> <p>Draft Planning Permit response:</p> <ul style="list-style-type: none"> • Condition 1 – once the revised plan is formally submitted then this condition may be deleted. • Condition 1 - to be revised when open space is resolved.

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		<p>The submission documents the clear and unambiguous support for the rezoning and redevelopment of the land for conventional residential purposes. The land subject to the Amendment is within one of Council’s last remaining identified growth areas on the Bellarine Peninsula and whilst it is currently within the Farming Zone, it is evident that it contains no long-term viable agricultural opportunities due to several factors which are outlined in the background and technical reports supporting the Amendment.</p> <p>The application background and technical reports also demonstrate that the land is largely unencumbered from a biodiversity perspective, contains minimal high value vegetation, can be adequately drained and serviced, and can be redeveloped in a sustainable manner that will benefit both the existing community as well as future residents.</p> <p>The Amendment has been prepared having regard to the approved layout that formed part of Amendment C367 and Planning Permit No. 1463/2018 and having regard to the approvals relevant to the land west of Ash Road.</p> <p>Key matters of submission: 1. Draft Planning Permit Whilst supporting the Amendment, Eastern Ash has concerns with some permit conditions including:</p> <ul style="list-style-type: none"> • Condition 1: until such a time at which the potential alternative layout of the subdivision is resolved, Eastern Ash continues to express its concern with the wording of Condition 1. • Condition 5: the condition refers to a ‘growth area development plan’. It is not clear what this plan is, especially in the context of the proposed Condition 1. Additionally, the timing in which the plan of subdivision must be registered with Land Victoria is not considered sufficient. • Condition 10: would appear to duplicate Condition 9 and also include both pre and post construction commencement requirements. • Condition 12: interim works should not be maintained in perpetuity, only until the next stage has commenced. • Condition 32: requirements for signage should be dealt with via detailed design conditions. 	<ul style="list-style-type: none"> • Condition 5 – the City is open to considering more appropriate wording and Tract may wish to propose an alternative wording and timing. • Condition 10 – This condition seeks a list of road names be provided for the consideration of the Property Unit first. Condition 9 then incorporates these approved names into engineering plans. This is to avoid the circumstance where names are proposed on engineering plans without the Property unit having the opportunity to review and require revision if necessary. The condition is not a duplicate. • Condition 12 – The inclusion of “in perpetuity” is so that the City has assurances ongoing from each stage until the interim works are superseded by the approvals for following stages. Including the term ‘in perpetuity’ catches the hopefully unlikely situation that a developer folds, or that there is a significant delay between stages. The condition is to be retained. • Condition 32 – This is a standard condition to ensure waste collection signage is installed where necessary. No need to change or delete. • Condition 33 – This is a standard condition for temporary turnarounds for waste collection. No need to change or delete. • Condition 37 – With support for the revised plan, a POS contribution in cash is required for the shortfall between proposed unencumbered land provision and the 10% requirement. This is the standard wording for achieving this contribution. Tract may propose an alternative for consideration, otherwise no change is proposed. • Condition 39 – The concern is noted and is to be further discussed between parties as we work towards agreement on the social and affordable housing contribution and how this is facilitated. Expecting to be through the section 173 Agreement. • Condition 43 – The street tree master plan is to be incorporated in the Landscape Master Plan with the second part of the condition giving direction on what should be included. • Conditions 46 and 47 – these are not duplicate conditions as they achieve/require different outcomes.

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		<ul style="list-style-type: none"> • Condition 33: temporary turn arounds should not be mandated – they should only be required where temporary dead-end roads are provided. • Condition 37: we note that matters relating to the potential transfer of land to Council beyond the statutory open space requirements of Clause 53.01 can only be resolved at the time in which the potential alternative layout of the subdivision is resolved. As such, Eastern Ash is concerned with the current wording. • Condition 39: please refer to the following section for further details. • Condition 43: refers to the need for a Street Tree Master Plan not required elsewhere within the permit. <p>Condition 41j would appear to already deal with these matters.</p> <ul style="list-style-type: none"> • Condition 46: appears to largely duplicate Condition 47. • Condition 47: appears to largely duplicate Condition 46. <p>2. Social / Affordable Housing Contribution</p> <p>Whilst Eastern Ash is committed to negotiating an appropriate contribution with Council, it submits that the inclusion of Condition 39 is not appropriate and should be removed. The provision of a social and/or affordable housing contribution by Eastern Ash is an entirely voluntary outcome and the provision of a permit condition along these lines does not accord with the Planning and Environment Act 1987. Whilst Eastern Ash submits that Condition 39 should be removed, it is committed to continue to negotiate an acceptable outcome with Council. To that end, Eastern Ash has engaged Urbanxchange, affordable and social housing strategy experts, to assist in considering what is appropriate for the site.</p> <p>Based upon the preliminary advice received to date from Urbanxchange, the provision of social housing on the site is inappropriate due to a number of factors, namely its physical isolation (relative to more centrally located, urban sites) from meaningful public transport and existing community and social infrastructure. However, Urbanxchange and Eastern Ash are both in agreement that a voluntary affordable housing contribution in its place is appropriate. The negotiation of this voluntary contribution should have no bearing on the progression of the Amendment either through Council or Planning Panels Victoria.</p>	<p>2. Social / Affordable Housing Contribution response:</p> <ul style="list-style-type: none"> • The provision of social housing is a significant issue across Geelong with a significant unmet need for additional dwellings over the next 20 years. In response the City adopted the City of Greater Geelong Social Housing Plan (SHP) in 2020. It is an expectation of the SHP that a housing needs assessment be prepared by the proponent for rezoning and planning approvals. Such assessments guide negotiations for the inclusion of social housing in all new developments where rezoning and planning approvals add value to land. • This application was lodged well before the adoption of the SHP and the establishment of City processes to deal with the issue. It was therefore late in the pre-exhibition process when the City requested the applicant to undertake a Housing Needs Assessment and make a social housing contribution. • The City determined to allow the needs assessment to be prepared whilst simultaneously proceeding with exhibition of the amendment, and for the inclusion of an interim social housing contribution condition in the planning permit to signal this intention. • This progressed with the support of the applicant in the knowledge that a contribution would be voluntary and that it would likely require a s173 Agreement rather than a permit condition. • Post -exhibition the applicant has provided the City with their Housing Needs Assessment report undertaken by Urban Xchange. It has outlined that the social and demographic profile of Leopold and the geographic location of the rezoning area lead to an affordable housing offering being preferred. The report further sets out an offer of facilitating the development of the equivalent of 5% of the site's dwellings as affordable housing for the purchase at 25% below the market price. It is intended that the affordability of the dwellings can then be secured by applying a 25% discount to the market price of the dwelling. This would be initially offered to a registered housing association for a period of 120 days and subject to eligibility criteria.

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		<p>3. Open Space Section 5.4 of the Panel Report for Amendment C367 to the Greater Geelong Planning Scheme discussed in detail the difference between encumbered and unencumbered open space for the purposes of determining contributions under Clause 53.01 of the Greater Geelong Planning Scheme.</p> <p>There was disagreement between Council and the Proponent of Amendment C367 as to what should be considered encumbered land, and what should be considered unencumbered. Council and the Proponent agreed that the following land is encumbered:</p> <ul style="list-style-type: none"> • land within the 1 in 100-year flood zone; and • land required for drainage retarding basins. <p>They disagreed as to whether, amongst other things, the land in the linear open space corridors beyond the 1 in 100-year flood zone should be regarded as encumbered.</p> <p>The Panel was not persuaded that this land should be regarded as encumbered, other than the land within the corridors that was affected by the 1 in 100-year flood zone.</p> <p>The recommendations of the Panel in this regard were ultimately adopted by Council and used to inform the open space contributions required under Clause 53.01.</p> <p>Eastern Ash submits that the same approach should be applied to this Amendment. The clear precedent that supports the proposition that all land beyond the 1 in 100-year flood zone, including the land surrounding the retarding basin, should be identified as unencumbered open space for the purposes of determining the contributions required by Clause 53.01.</p> <p>4. Alternative Layout It is apparent to Eastern Ash that Council is eager to facilitate an open space and subdivision layout that differs from the layout shown in the exhibited subdivision plans. This is derived from Condition 1 of draft Planning Permit No. PP-39-2019 as well as the concept plan contained within the proposed Schedule 46 to the Design and Development Overlay.</p> <p>It is Eastern Ash's understanding that Council wishes to provide for two 1ha open space parks interconnected by a shared path network. One of these parks would be in the northwest</p>	<ul style="list-style-type: none"> • The City is reviewing the Needs Assessment and working through the offer proposed by the applicant. This will need time to continue resolving and negotiating with the applicant in the lead up to a panel hearing. • To date this matter has been negotiated with the proponent of the amendment and applicant for the permit for subdivision of 87-101 and 103-127 Ash Road (2 of the 5 properties being rezoned). As the response to the offer is being finalised, and now with the receipt of the Housing Needs Assessment, the City will need to write to the remaining 3 landowners advising of a social and affordable housing contribution. <p>3. Open Space response:</p> <ul style="list-style-type: none"> • The City continues to maintain that land is encumbered if its primary purpose is for drainage functions and associated access for maintenance. The 5-metre strip around the perimeter of the drainage basin is identified as unencumbered open space as it is outside the 1:100 flood level. With roads surrounding the drainage reserve on most sides maintenance of this strip is questionable. This will result in a small shift of the plan. • The revised plan submitted with this submission documents that the open space provision of unencumbered land is 8.8% with encumbered land being 6.58%. The shortfall between the proposed provision and the 10% requirement under Clause 53.01. This will need to be paid in cash as outlined in condition 37 of the draft planning permit. <p>4. Alternative Layout response: The submitted alternative layout responds to the Ash Road Outlined Development Plan included in the proposed DDO46. The plan has responded to the City's desire to achieve a regular shaped, 1 hectare local park embellished with plan and social infrastructure to a local level and a lessened long, narrow reserve that has limited recreational/open space function. The revision also delivers the local park adjacent to Ash Road and in a location where stands of existing trees in good arboriculturally condition can be retained in the park.</p>

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		<p>corner of the land adjacent to Ash Road, whilst the second would be located at the south-east corner of the land adjacent to the drainage reserve(s). It is important to note that the exhibited subdivision plans were prepared having regard to the South East Leopold Framework Plan and previous advice received from Council officers over the preceding 18-24 months.</p> <p>Notwithstanding the above, Eastern Ash is generally in agreement with Council and does not dispute the intent behind Condition 1 of draft Planning Permit No. PP-39-2019 and the concept plan contained within the proposed Schedule 46 to the Design and Development Overlay. To that end, Eastern Ash has prepared the attached revised subdivision concept plan (not yet illustrating residential lots) which depicts a layout it believes to be conducive with the expectations of Council.</p> <p>The alternative layout provides for two 1ha parks generally in the locations illustrated in the DDO46 concept plan. The two parks will be connected by a shared path network that will utilise the drainage path required by the Corangamite Catchment Management Authority. The width of the small section of corridor has been derived from the precedent at Nautical Rise in Torquay North that was previously articulated by Council as being an acceptable outcome.</p> <p>Eastern Ash submits that the alternative layout will deliver a positive outcome for the community, Council and future residents of the estate.</p>	<p>The revised plan is generally supported. There are some points on the revised plan that will require some adjustment (some highlighted on the plan below):</p> <ul style="list-style-type: none"> • The site lines for pedestrians/cyclists crossing from around the south eastern edge of the proposed 1ha park need some further work. The apex of the bend in the road may require some smoothing so that crossing on a road bend is avoided. • There is not complete integration with the Mollers Lane area on the eastern side. There is a road connection planned from Mollers Lane into the area that shows no commensurate road in the revised plan – this needs to be addressed. • At the northern end of the subdivision plan, the eastern most north-south road connection to the property at 73-85 Ash Road should be moved eastward, closer to Mollers Lane. This will remove a potential long court bowl on that property. • The plan needs to demonstrate that all services can be accommodated within the road verges adjacent to the open space • Sediment drying areas needs to be provided in encumbered open space outside of the Q100 extent. • Consideration required to avoid a long length of side, paling fences along the northern side of the encumbered drainage reserve/corridor – this could be addressed through unit development access from the adjoining north-south side minor roads. • Clarification is required on the sub-terranean pipe works in the proposed 1-ha park.

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9	EPA	<p>EPA's role, with respect to potentially contaminated land and land use planning decisions, is to advise planning authorities about the appropriate level of assessment required to inform risk in accordance with guidance. Importantly, this advice aims to ensure that the form of environmental assessment is proportionate to the level of risk. Secondly, the advice is intended to assist the planning authority to arrive at that position, not dictate it. It is on this basis that EPA advises Council on the following.</p> <p>Environmental Site Assessment (ESA) review Please be aware that unlike audits, Environmental Assessments, also known as Preliminary Site Investigations (PSIs) are not regulated by EPA and vary in quality. While EPA is not able to provide a full</p>	<p>Environmental Site Assessment (ESA) response</p> <ul style="list-style-type: none"> • Through its submission, the EPA has considered the Environment Site Assessment by Coffey and concluded that the agricultural activities may carry a 'medium' potential for contamination rather than low potential. As the Planning Authority the Council is advised to seek further advice from the consultant (Coffey) and to require an independent peer review as per the Planning Practice Note 30. • The City has sought this from the applicant. A statement from Coffey responding to the matters raised by the EPA has been provided indicating that they consider no further environmental assessments for 73-141 Ash Road are warranted/required.

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		<p>technical review of Environmental Assessments or PSI reports, or attest to the quality of any individual assessment, the following advice may assist the planning authority:</p> <ul style="list-style-type: none"> ▪ The ESA states that the site was used for rural residential and agricultural uses. ▪ Under the current contaminated land framework, referring to the General Practice Note on <i>Potentially Contaminated Land PPN30</i> (PPN30), land previously used for agricultural activities may carry a 'medium' potential for contamination according to Table 1 of PPN30. This is due to ancillary activities such as filling and chemical storage associated with agricultural uses, which may have taken place on the land. Further, the land use accords closely with 'market gardens' which has a medium potential for contamination under Table 1 of PPN30. ▪ Noting that the proposed zoning of the site is GRZ1, which allows sensitive uses to occur, it therefore appears to us that this use is Category B in accordance with Table 2 in the PPN30 and the appropriate level of assessment is an Environmental Site Assessment (ESA). <p>(table not included here)</p> <ul style="list-style-type: none"> • The ESA states that Ministerial Direction 1 outlines the use history categories which are considered to trigger an environmental audit when a sensitive use is planned to commence and does not list agricultural uses as 'potentially contaminating'. • The ESA further notes that regardless of the above, testing did not identify pesticides associated with agricultural use exceeding tier 1 adopted criteria. • The ESA recommends an environmental audit is undertaken for the land at 143-155 Ash Road, Leopold. It is not recommended that an audit is required for the remaining sites, however, stockpiles of waste should be removed from the sites due to the aesthetic impacts on the beneficial uses of the land. • EPA notes that the ESA states that an audit is not required for the remaining sites, however it is not stated whether any further assessment is recommended for these sites. Generally, and 	<ul style="list-style-type: none"> • The request for an independent peer review has been rejected as unwarranted by the applicant based on the Coffey advice and the lack of control over the site at 143-155 Ash Road. As the proponent for the amendment, it is expected that supporting technical reports would cover all properties within the amendment application area. • As the EPA has advised the City to request a peer review in accord with the PPN30 it is unsatisfactory that this is not being provided. There is no discretion in the PPN30 to not provide the independent review. There is time to have this undertaken before the panel hearing. <p>Environmental Audit Requirement response</p> <ul style="list-style-type: none"> • The contamination status of the land at 143-155 Ash Road indicates that asbestos has been found in rubbish piles on site and that an environmental audit and clean-up is required. The City was waiting on advice from the applicant that an environmental audit had been undertaken and clean up complete. • Advice from the proponent in March just prior to authorisation was the clean up works had been instigated but wouldn't be completed prior to authorisation/exhibition and that no environmental audit was being undertaken. • The timing of this advice led the City to include the requirement in the DD046 for an environmental assessment and if required either a certificate of environmental audit or statement in accordance with the Part IXD of the Environment Protection Act 1970. • It is acknowledged that this approach was considered late in the process leading up to exhibition and was used to avoid significant delay to the planned exhibition. • This approach is consistent with what has been applied in the vicinity and is capturing the issue in the planning scheme. It will achieve the same objective as the EAO – an environmental audit of the site prior to residential subdivision. • The City is not be opposed to the application of the EAO to the land if recommended by a planning panel.

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		<p>consistent with the National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013), a statement should be made that either:</p> <ul style="list-style-type: none"> ▪ The site is not likely to be contaminated to a level which would pose significant risk to the environment or human health under the proposed use/development scenario. No further assessment is required, or, ▪ The site is potentially contaminated, or there is likelihood of contamination, that would pose a risk to the proposed use/development scenario. There is enough information to classify the site as potentially contaminated. Further assessment is required. <ul style="list-style-type: none"> • EPA notes that the ESA concludes that an audit is not required for sites at 73-141 Ash Road, Leopold. EPA understands that this conclusion is based on the previous use of the land for agricultural activities, which the ESA has determined as carrying a low potential for contamination. • As highlighted previously, EPA consider that agricultural activities may carry a 'medium' potential for contamination. Council should satisfy itself that the land is suitable for the proposed future use, without the need for further investigation. • The planning authority may consider the following steps to provide assurance in the validity of this conclusion: <ul style="list-style-type: none"> o Seek further advice from the consultant who wrote the report, where the rationale for this view is not well set out in the report. ▪ Require an independent review as per the guidance in PPN30. EPA publication 1702 provides guidance on engaging a suitably qualified professional. ▪ Approach EPA with specific questions regarding technical aspects or interpretation of policy. <p>Environmental Audit Requirement – 143-155 Ash Road, Leopold. As noted above, the ESA recommends that an environmental audit is undertaken for the land at 143-155 Ash Road, Leopold. EPA notes that Council propose to include the requirement for the environmental audit in the proposed DDO46. PPN30 states that if land has been identified</p>	<p>DDO46 land contamination requirements response</p> <ul style="list-style-type: none"> • As outlined above the inclusion of the requirement in the DD046 for an environmental assessment and if required either a certificate of environmental audit or statement in accordance with the Part IXD of the Environment Protection Act 1970 was made late in the lead up to exhibition. This is like the approach used in C280 for Ash Road west. • Wording of the DDO46 can be adjusted to remove the requirement to complete an environmental assessment as this has already been completed. <p>Farming Zone Interface response</p> <ul style="list-style-type: none"> • The land to the south of the subject site is zoned Farming Zone. This land comprises two 1-acre rural living lots and a larger property of over 8 hectares. There are no recent records of intensive agricultural permits for these properties. Each of these properties are included within the settlement boundary with strategic policy support for their conversion to urban land. The South East Leopold Framework Plan shows an open space connection and potential storm water detention basin along the southern boundary of the land at 161-183 Ash Road providing a buffer to rural land. • Land to the east is included in the General Residential Zone and when developed will present an urban interface. The endorsed plan for the Mollers Lane area includes a mix of residential and areas of open space and roads along its southern boundary. • Land further to the south at 185 Ash Road and 187 – 213 Ash Road also does not have a record of recent intensive agricultural industry planning permits. • Many of the Farming Zone properties to the south and south east of the subject land are not intensively grazed or cropped and appear to be larger rural lifestyle properties. <p>Other matters response</p> <ul style="list-style-type: none"> • Outline of the Minister’s Direction in the explanatory report was an oversight.

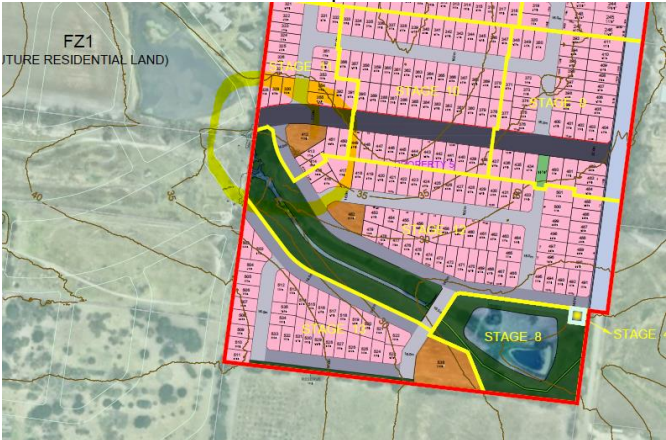
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		<p>as potentially contaminated and where a planning scheme amendment would have the effect of allowing the land to be used for sensitive uses, <i>Ministerial Direction 1</i> requires the audit be done before notice of the amendment is given. If the planning authority wishes to delay the requirement, this should be done by applying the Environmental Audit Overlay (EAO) to the land.</p> <p>It appears to EPA that Council’s decision to include audit requirements for 143-155 Ash Road is not in accordance with Policy, as the audit is being required via the DDO46, rather than upfront, or applying the EAO to the land.</p> <p>DDO46 Land Contamination Requirements</p> <p>Schedule 46 to the DDO includes the following requirements:</p> <ul style="list-style-type: none"> • <i>“An application for the subdivision of the land at 143-155 Ash Road, Leopold must be accompanied by the following information to the satisfaction of the Responsible Authority:</i> <ul style="list-style-type: none"> • <i>An assessment of the land by a suitably qualified environmental professional detailing the level and location of any soil contamination. If the responsible authority is satisfied that significant levels of contamination have been found:</i> <ul style="list-style-type: none"> • <i>A certificate of environmental audit must be issued for the land in accordance with IXD of the Environment Protection Act 1970; or</i> • <i>An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of the Environment Protection Act 1970 that the conditions of the land are suitable for the sensitive use and land subdivision”.</i> <p>It appears to EPA that Council is requesting the applicant to undertake another ESA for 143-155 Ash Road. EPA recommend this requirement is removed as the ESA has already been completed for the land and has concluded that an audit is required.</p> <p>Other matters</p> <p>The draft Explanatory Report does not address how the amendment complies with <i>Ministerial Direction No. 1</i> or <i>Ministerial Direction 19</i>.</p>	<p>Environment Protection Act 2017 response</p> <ul style="list-style-type: none"> • The new Environment Protection Act 2017 affects this amendment. A new Planning Practice note has come into effect post exhibition of this amendment. It outlines that a new Preliminary Risk Site Assessment (PRSA) is required. This is a step further to the Site Assessment undertaken by the applicant. A PRSA needs to be undertaken by an EPA appointed environmental auditor and conducted in accordance with the Part 8.3 of the EP Act 2017. • There are no transition provisions for this which would obviate the need for this work to be done. It is therefore required of the applicant. <p>GED response</p> <ul style="list-style-type: none"> • The development of the area will generate water run-off from the area which is to be treated prior to entering waterways downstream. This is provided for by planning permit condition and meets the risk requirements of the General Environment Duty obligation (GED).

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		<p>Farming Zone Interface EPA also takes his opportunity to remind Council to give adequate consideration to the existing FZ adjacent to the amendment area, including the need for the establishment and maintenance of separation distances to both minimise the potential for offsite human health and amenity impacts such as odour, dust and noise, and protect the farming industry from encroachment of sensitive uses.</p> <p>Environment Protection Act 2017 The Environment Protection Act 2017 will come into effect on 1 July 2021. Whilst the advice EPA has provided to date aligns with the current framework for the assessment and management of potentially contaminated land under the <i>Environment Protection Act 1970</i>, we are cognisant of the impending changes to the planning framework to accommodate the EP Act 2017. We recommend that you engage with Department of Environment, Land, Water and Planning (DELWP) to understand the implication of any consequential changes to the planning framework on this planning scheme amendment.</p> <p>General Environmental Duty (GED) The GED is a centrepiece of the new laws. It applies to all Victorians. If you engage in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take reasonably practicable steps to eliminate or minimise them. EPA will work with industry and the community to help them understand how to fulfil their obligations, by providing guidance, advice and other support.</p>	
10	H.B Parker Pharmacy Superannuation Fund	<p>TGM Cardno acts for H.B Parker Pharmacy Superannuation Fund, owners of land at 92-120 Mollers Lane Leopold (adjoining land to the east of the amendment site). Objects to the amendment.</p> <p>Stormwater Management Report Stormwater management report includes some assumptions and design implications that will detrimentally impact 92-120 Mollers Lane.</p>	<p>Stormwater Management Report response</p> <ul style="list-style-type: none"> • Given the downstream land has a permit, it was a fair assumption that it would be further developed • In the event the downstream land is undeveloped, the Ash Rd proponent will need to demonstrate drainage rights over the waterway • Condition 8 of the draft permit states: <ul style="list-style-type: none"> ○ <i>Unless otherwise approved in writing by the Responsible Authority, prior to certification of each relevant stage of the</i>

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		<p>We note that the Stormwater Management Report drafted in support of the application assumes the land to the east is fully developed. If the land to the east is not developed how will this proceed.</p> <p>Section 3.2.2 of the report indicates that the ANCOLD assessment has not been undertaken and is included as a condition on the planning permit. We believe that this assessment needs to be undertaken now to determine the safety of this structure which is consistent with Councils requirements for the Moller's Lane Amendment and prior to the residential development of land to the east.</p> <p>Section 3.2.3 is not definitive that piping of stormwater will not encumber open space which could impact on the open space provided by the adjoining property to the east. We understand that piping through unencumbered open space is not supported by Council.</p> <p>Section 3.2.4 – Adopted parameters (EDD) and treatment types (Biofilter) for this area do not meet current Council requirements. The effect and impacts of Council's standards need to be assessed to determine any impacts including to adjoining and or downstream properties. We suggest that the full design of the basin and embankment for both the northern and southern basins is required to be able to inform this assessment and determine these impacts</p> <p>Section 3.4. The flood assessment is limited to two extreme events only and should also include intermediate flow events to determine impacts.</p> <p>Figure 12 – The modelling in the Report shows two areas of afflux (additional flooding) on my client's land. We have concerns that this will impact the proposed open space percentage on this land as previously agreed to by Council and or require additional works to mitigate increased flooding.</p> <p>Appendix F, Figure 7 (below) shows the proposed extent of works to establish the proposed northern detention basin on the amendment</p>	<p><i>Plan of Subdivision, the following easements and/or reserves must be created and registered with Land Victoria, or there must be an agreement in writing to the satisfaction of the Responsible Authority which secures their creation:</i></p> <p><i>a) Drainage easements and/or reserves as required by the land use between the subject site and the outfall at Lake Connewarre;</i></p> <p>Section 3.2.2 response</p> <ul style="list-style-type: none"> • Pre-application advice to both the Mollers Lane and Ash Road East developers indicated that existing dams could not be retained as part of the final drainage system as their condition and structural integrity could not be guaranteed. • Proponents of the Mollers Lane development provided a dam break assessment of the dam in question, based on existing conditions, to consider the impact on their site in the event it did fail. • Until such time as development commences on the Ash Rd site, the dam break analysis remains valid • It is the City's expectation that the Ash road development completely remove the existing dam structure and reconstruct it into a fit-for-purpose asset. This must include assessment to relevant ANCOLD standards, in which case it is appropriate to include as a permit condition <p>Section 3.2.3 response</p> <ul style="list-style-type: none"> • Further clarification is required from the application about the piping of stormwater and that it will not encumber areas of open space. <p>Section 3.2.4 response</p> <ul style="list-style-type: none"> • It is understood this is information is conceptual. • This land does not form part of the permit application; therefore, it is accepted that the design was presented to demonstrate that the balance of the amendment land can be serviced.

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		<p>land which has obvious impacts on 92-120 Mollers Lane. The proposed design also shows no integration with 92-120 Mollers Lane and will have a detrimental impact on the developability of this land. We also note that there is no design detail included for the southern basin which is located on the boundary of 92-120 Mollers Lane. One can only assume that this basin will also impact my clients land.</p> <p>In addition, the proposed design level of the connector road is well above the design surface of 92-120 Mollers Lane which again as proposed will have a detrimental impact on 92-120 Mollers Lane and reduce the endorsed lot yield. Clearly this both proposed basins need to be relocated so as not to impact on 92-120 Mollers Lane.</p> <p>In conclusion the design implications of the Stormwater Management Report will adversely impact my clients land in terms of additional flooding, potential loss of open space loss and developable land and additional construction costs. The siting and design of the northern and southern basins must be reviewed and demonstrate that there are no off-site impacts as clearly these impacts are unacceptable. There also does not seem to be any rationale why there should be two separate detention basins basically located in the same area of the subject land.</p> <p>Lack of Integration Design An indicative road design for land south of the proposed subdivision is included in the amendment but does not show any integration opportunities with the endorsed plan of subdivision to the east under planning permit PP1463-2016. The applicant originally objected to the inclusion of land at 92-120 Mollers Lane as part of the Mollers Lane amendment based on requiring improved integration to the undeveloped land to the west. The applicant withdrew their objection subject to an additional condition in PP 1463-2016 requiring the integration of 92-120 Mollers Lane land with land to the west. However, the amendment fails from an integration and permeability perspective as the proposed amendment plan prevents the continuation of a local road along the creek reserve with the proposed inclusion of a detention basin. Whilst we acknowledge that there is a requirement for 92-120 Mollers Lane to integrate with land to the west</p>	<ul style="list-style-type: none"> • Bioretention systems are generally not supported where alternative treatment is possible. Acceptability is based on compliance to Design Note 3. The approval of a bioretention system is dependent on the WSUD treatment train (i.e. prior GPT/sed basin), site conditions, soil and hydrology. The proposed Bioretention system is not acceptable. • The City notes the following from the Stormwater Management Plan Report: <ul style="list-style-type: none"> • <i>As both the southern drainage reserve, and contributing catchment, are outside the subject site, and will therefore be developed under separate planning permit, the southern drainage is not assessed and described to the same level of detail as the central drainage reserve, under this SMP.</i> • <i>The intent is to provide sufficient detail and analysis to demonstrate water quality and quantity can be appropriately managed, as part of the overall SELGA stormwater system.</i> • <i>Further concept details and information regarding the southern drainage reserve should be provided as part of a site specific SMP to support a planning permit application for the 153 Ash Road property. (Stormwater Management Plan Report, Feb 2020, Spiire, p19)</i> <p>Section 3.4. response Appendix E of the SWMS includes modelling results for the 50%, 20%, 10%, 5%, 2% and 1% AEP events.</p> <p>Figure 12 response Agreed.</p> <ul style="list-style-type: none"> • Mapping in appendix E does show there will be adverse impact to the downstream land which may change the balance of encumbered open space; based on the definition that any land within the 1% AEP flood extent is considered encumbered. • The proponent will be required to further quantify the impact and amend the SWMP to demonstrate how this will be mitigated.

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		<p>this does not mean that this requirement is confined to this land only and should be addressed as part of this application. We are also concerned that the open space design adjoining my clients land may have fire management implications that would limit the developability of the land.</p> <p>We note that proposed Schedule 46 to the Design and Development Overlay at subdivision requires among other things Subdivision should demonstrate integration with the land to the east, known as the Mollers Lane land. For the planning permit to be approved this matter must be resolved.</p> <p>Servicing Plan Servicing plan was advertised with the amendment however was not on web site. Servicing of 73-155 Ash Road relies in part on the services to the east. The proposed location of services and easements needs to be clarified to determine whether the provision of services may impact on land to the east. Note this could have impacts on the provision of public open space.</p> <p>Draft Planning Permit Permit conditions are not equivalent to those issued in PP1463-2016. Whilst acknowledging not all conditions are transferrable, the approach to both areas seem to differ despite being subject to the same planning provisions. For example, should the drainage strategy be peer reviewed?</p> <p>Condition 4 This condition requires the following: Stormwater Outfall Impact Assessment Prior to the lodgement of the Functional Layout Plan for the first stage of development, an addendum to the Ash Road East Stormwater Management Plan and Ash Rd Development - Flows to Lake Connewarre Impact Assessment for the South East Leopold Growth Area must be submitted and approved by the Responsible Authority. The assessment must include but not be limited to an assessment of; a) the adopted ultimate stormwater management plan for Mollers Lane development PP-1463-2016, approved by the City of Greater Geelong</p>	<p>Appendix F, Figure 7 response Agree that appendix F, fig 7 is unclear. Further clarification is required around integration between the two sites</p> <p>In conclusion response</p> <ul style="list-style-type: none"> • The proponent has indicated the northern basin cannot service 129-141 Ash Rd in the location proposed, due to topographic constraints. • It is not the City's preference for a string of smaller basins; however, the landowner is not a party to the permit application, and the City cannot compel a landowner to seek a permit even if it results in a better servicing outcome. • The City would certainly consider any proposal which creates assets catering for all sites. For example, the developers/landowners may wish to negotiate to provide an enlarged basin on the submitter's land which can service all land draining to the southern waterway, which would result in changes to the previously endorsed masterplan. <p>Lack of Integration Design response</p> <ul style="list-style-type: none"> • The Ash Road proposal has sought to integrate their design with the Mollers Lane development. Road connections, including the northern and southern collector roads are provided and will facilitate permeability between the two development areas. • A revised layout in Ash Road has altered the provision of a long, linear open space along the waterway, replaced with a larger 1-hectare park fronting Ash Road and a swale connecting this to the drainage basins in the south east of the site. The revised plan shows a road along the southern side of the drainage basins and the swale. A seamless connection between one of the Ash Road drainage basins and the southern waterway on 92-120 Mollers Lane is provided. • The local road along the waterway corridor referred to by the submitter is not intended to connect into the Ash Road site, being truncated by the southern east-west connector road. Its

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		<p>However, there is no statutory requirement for the Mollers Lane Development under PP1463-2016 to provide a storm water management strategy that facilitates additional flows from the Ash Road proposal. So, if the stormwater management strategy for Mollers Lane does not accommodate the future flows from Ash Road how does the Ash Road Area drain?</p> <p>Condition 4.c) also is abstruse as it requires an assessment of 'the constructed outfall infrastructure to Lake Connewarre'. If this is already approved what benefit is there in reassessing the outfall?</p> <p>We also note that the condition includes 'interim stormwater measures approved' and question why interim solutions should be considered should condition 4.a) be resolved and have they already been approved?</p> <p>We suggest that this condition needs to be amended.</p> <p>Proposed Section 173 Agreement Objects to this as it reinforces the siting and development of drainage infrastructure (detention basins) that will impact their client's land.</p> <p>Note Schedule 3 requires the owner to contribute to the stormwater drainage via Mollers Lane and therefore ask will Council reinforce this requirement and not allow the subdivision to progress unless the developers at Mollers Lane are appropriately compensated. There is also no definition of what a share of the drainage outfall constitutes.</p>	<p>continuation is therefore not included in the approved plans for 92-120 Mollers Lane – refer to plan below.</p>  <p>The map shows a residential subdivision with lots outlined in pink. A drainage system is highlighted in yellow, including a main channel and a detention basin labeled 'STAGE 8'. The area is labeled 'FZ1 (UTURE RESIDENTIAL LAND)'. The drainage system flows from the top right towards the bottom left, ending in the 'STAGE 8' basin.</p> <ul style="list-style-type: none"> • The requirements in the DDO46 requiring integration are very similar to those in DDO43 affecting Mollers Lane and no changes are supported. • The City considers that the application has made every effort to ensure that the subdivision of 87-101 & 103-127 Ash Road integrates with Mollers Lane. • There are many residential areas across Greater Geelong which have been developed with retarding basins within the subdivision. These do not increase the fire hazard to these areas. The fire prone designation of the land will be removed when the land is fully developed. <p>Servicing Plan response</p> <ul style="list-style-type: none"> • The servicing plan was placed on the web as part of the exhibition supporting documents. • The siting of easements typically occurs at a functional/detailed design stage (i.e. post granting of the planning permit).

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			<p>Draft Planning Permit response</p> <ul style="list-style-type: none"> • Planning Permit PP-39-2019 is a completely different planning permit to PP-1463-2016 and has been prepared responding to the information, referral authority comments and internal City departmental advice. It does not need to be the same as Mollers Lane. • The Mollers Lane permit was amended by the Planning Panel with a difficult to administer condition 3 requiring an Integrated Drainage, Vegetation and Open Space Framework Plan which needed to be peer reviewed to ensure that the drainage design represented best practice and could meet the requirements of that permit, including water quality requirements. Whilst this condition was not an original requirement of the draft planning permit for Mollers Lane, as it was proposed by the Panel, it was accepted by the City and included in the final approved Mollers Lane planning permit. • The City supports the addition of a peer review of the stormwater management plans to be included in the planning permit (condition 4 or 6). The addition of this requirement will provide for an independent assessment of the stormwater drainage design to ensure that it represents best practice. The wording for the condition should include the requirement for a peer review unless otherwise agreed to by the Responsible Authority. <p>Condition 4 response</p> <ul style="list-style-type: none"> • The proposed conditions generally match those applied to the Mollers Lane development. • The draft permit was exhibited based on best available information with the expectation that these conditions would change before the final permit is issued. • It has been a long running process for the Mollers Lane proponent to prepare an outfall strategy that meets the requirements of PP-1463-2016. As at Aug 2021, a design has not been approved. • Early advice from the Mollers Lane proponent indicated their outfall design would include enough capacity to cater for the Ash

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			<p>Rd site. The City took this in good faith and understood the separate proponents were generally working together on this matter.</p> <ul style="list-style-type: none"> The Ash Road proponent has indicated they are willing to contribute to the outfall works; however, the quantum of a contribution cannot be determined until there is a design. <p>Proposed Section 173 Agreement response</p> <ul style="list-style-type: none"> S173 Agreement is a voluntary agreement between the City and the landowners with the primary purpose for the landowners to deliver the infrastructure. As noted above in response to condition 4, until the design for the outfall in Mollers Lane is determined this can't be defined in the Agreement. Item 7 of Schedule 3 in the s173 Agreement requires the construction of the shared external drainage outfall including a share of the drainage outfall along Mollers Lane. The Agreement clearly states in the Notes at the start of the document that <i>“All Owners of the Subject Land contained in this or an identical Agreement are expected to agree among themselves as to who will be responsible for the delivery of the specified Infrastructure Projects where it comprises works as set out in Schedule 3 to this Agreement. One of the Infrastructure Projects comprises a signalised intersection which is not on the Subject Land but the responsibility for funding and delivery of this intersection is to be borne across all of the Owners and it is up to the Owners to agree between themselves who will be responsible for delivery of that Infrastructure Project noting that it must be delivered before the issue of a statement of compliance for the first stage which is to be issued a Statement of Compliance unless completed prior by others.”</i> These matters will be subject to private developer to developer arrangements.
11	Individual Submitter	<p>Does not support this amendment on the following grounds:</p> <ul style="list-style-type: none"> Ash Rd had a nice rural aspect that community members enjoyed for walking, exercising and the rural view. Since development has started total strangers stop, on nearly a daily basis to tell me how 	<ul style="list-style-type: none"> Due to planned urban growth over several decades Leopold is changing and it is acknowledged that this has an impact on existing residents. Refer to environmental impact theme response.

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		<p>upset they are by the development and that they believe Leopold has been ruined.</p> <ul style="list-style-type: none"> • The ecological significance of Lake Connewarre is internationally recognized. Any development in the surrounding area will have an impact on biodiversity and affect the health of the lake and its flora and fauna. • The traffic into and within Leopold is already at breaking point. Additional housing will have further negative impacts. • Ash Rd itself will not cope with additional traffic. The road itself, the shopping strip, adjoining roads, the Bellarine Highway intersection. • Farmland on the Bellarine is a dwindling resource, so why loose more of it? • Although I have taken time to write this and kept my points brief, I am under no illusion that as an individual I have any say or that my point of view will be considered. • Has many ideas and potential solutions if this environmental and community devastation is to go ahead. • Small acreage blocks are highly sought after and would be more sympathetic to the environment and the rural view. • A wetland road buffer and sports ground onto Ash Road, like Estuary estate on Melaluka Road, would provide some traffic relief, an area for residents to enjoy and provide habitat and a wildlife corridor to lake Connewarre 	<ul style="list-style-type: none"> • Refer to traffic impact theme response. • Refer to infrastructure theme response. • Environmental assessments have not identified significant hazard to the biodiversity of the area or impact on Lake Connewarre. Conditions on the draft planning permit address the management of stormwater post the development site. • The land is identified for future urban and is not considered to be retained for farming on the Bellarine Peninsula. Broader strategies such as the Bellarine Peninsula Localised Planning Statement and the current draft Bellarine DAL are in place to manage and contain any further expansion of settlements on the Peninsula. • All submissions are read and considered by the City. • In urban areas it is policy to maximise use of residential land through a 15 lots per hectare. Low density lots of acre in size are not supported in urban growth areas. • Plans are to be amended to provide for a 1 hectare size park along Ash Road. Whilst this is primarily to meet the open space needs for the new community, it will have the added benefit of providing some 'relief' of driveways along the whole stretch of Ash Road. A drainage basin system cannot be sustained in this location but is to be in the lower levels of the site. A corridor will be retained through the site connecting the park with the drainage reserve and into the Mollers Lane reserve further to the south east.
12	Individual Submitter	<p>Objects to the re zoning on the following grounds:</p> <ul style="list-style-type: none"> • Wetlands and bird life will disappear if Council keeps putting dollars before people. • Current infrastructure can't cope without the demands of even more housing developments 	<ul style="list-style-type: none"> • Refer to strategic policy support theme • Refer to Environmental Impact Theme. • Road infrastructure can cope with the proposed development of the area, with additions including the widening of Ash Road and an extension to the right-hand queuing lane on the Bellarine Highway at the Ash Road intersection. A sub-regional shopping centre is in Melaluka Road, Leopold with capacity for further expansion.

No.	Name	Summary of Submission	Theme / City Response
13	Individual Submitter	<p>Opposes this development on the following grounds:</p> <ul style="list-style-type: none"> • It is within the catchment of Lake Connewarre and so close that it will directly affect the Lake. • This will destroy more vegetation, more animal habitat. It will be detrimental to the wildlife and marine habitat. • There are many other areas where housing will have much less impact. • Please consider quality of life over economics. 	<ul style="list-style-type: none"> • Refer to environmental impact theme • The subject land is included in the last of the largest infill areas in Leopold for urban development. It has been strategically planned through the Leopold Structure Plan. Other policies such as the Settlement Strategy, Bellarine Peninsula Localised Planning Statement and the Bellarine DAL look to contain any further expansion on the Bellarine Peninsula and instead focus new growth areas to the west and north west of Geelong and to achieve more infill development within established urban Geelong. The focus is moving away from the Bellarine.
14	Individual Submitter	<p>Opposes the amendment on the following grounds:</p> <ul style="list-style-type: none"> • Building these houses will make Leopold far too populated. It's too crowded as it is. The roads are congested, and the shopping centre is always overcrowded. Leopold is starting to feel more like a city than a suburb. Trying to drive across Leopold these days takes a ridiculous amount of time already and adding 200 new households will only add to that. • there is hardly any greenery left in Leopold as it is, so to turn the blocks into housing will devastate the local wildlife. Lived in Leopold entire life and have noticed the dramatic decline in wildlife already. Please don't make it worse. • This amendment isn't about improving Leopold but rather just another way for big developers and Council to make money. 	<ul style="list-style-type: none"> • Refer to strategic policy support theme • Refer to Environmental Impact Theme • Refer to traffic theme.
15	Individual Submitter	<p>Objects to the amendments on the following grounds:</p> <ul style="list-style-type: none"> • printed media is unsuccessful for advertising about the amendment. Many residents in Athlon Avenue, a street that will be highly affected by the additional traffic, were completely unaware of the proposal. • The volume of traffic this proposal will create is unreasonable to expect that a residential road like Ash Road will be able to manage 7-8,000 cars a day. Unsure how will get out of street into Ash Road, this will add to further traffic being pushed into smaller streets causing gridlocks. • With the suggestion of further subdivision on top of the current "ear marked" subdivision in Ash Road (and subdivision in Kensington 	<ul style="list-style-type: none"> • Direct notification was made to 260 landowners, occupiers, authorities and prescribed minister's properties. The Act requires publication of the notice of amendment in the local newspaper which also occurred. • Refer to the traffic theme response. • Refer to the infrastructure theme response. • Refer to the Environmental Impact theme response. • As assessment of the prevalence of the Growling Grass Frog in the area was conducted by Ecolink Consulting in Spring 2020. The surveys and assessment did not record the presence of the Growling Grass Frog (GGF) at the study area although they did identify that quality of the habitats within the site (the dam and

No.	Name	Summary of Submission	Theme / City Response
		<p>Road), the lack of infrastructure, i.e., one primary school already at capacity and 2 kindergartens also at capacity. Currently Leopold only has one day-care centre and one Coles and a smaller Aldi. The bus services from Leopold are already inadequate.</p> <ul style="list-style-type: none"> • Although there were no Growling Frogs recorded during the time of the study, it does not exclude that it's not their habitat. Observed over many years a steady decrease in native fauna and flora, including the recent removal of habitat for native birds for the current subdivision. Queries why progress always comes at a cost to native fauna. Has witnessed kookaburras, blue wrens, wood ducks, multiple breeds of parrots and cockatoos, all now heavily declined in population. • Concerned about the leakage to currently delicate waterways Lake Connewarre. • Concerns for addition pressure on local remaining farmers to continue to farm their properties without objections from residential homeowners. Farmers should not be squeezed out by "progress" or greed of landowners wanting to cash in on the lucrative subdivision industry. • Not all recreation is undertaken in gyms and at football ovals, multiple people enjoy the open space that it exists in this region of Ash Road. Many walkers, runners and even people exercise their horses on this stretch of road that adds to the liveability and ambiance of this part of Leopold. • Whilst progress is inevitable, the multiple subdivision that have already been "ear marked" and undertaken are more than enough. Please consider the liveability of the Leopold residents 	<p>drainage lines) was moderate to high with a diversity of submerged, emergent and fringing vegetation and suitable water quality for the species. Ecolink notes that there are a few records of the GGF within the vicinity of the study area, but none within the drainage lines, near the study area. Ecolink also noted the presence of other frog species present, as well as other fauna. A fauna protection condition has been included in the draft planning permit to mitigate the risk to these fauna species from the removal of the dam. Ecolink concluded that the Growling Grass Frogs do not occur on the site, that further management of this species is not required and that a referral under the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) is not required.</p> <ul style="list-style-type: none"> • Conditions have been included in the draft planning permit to address stormwater management and impacts on Lake Connewarre, including conditions provided by the relevant state department and agencies. • The only farm adjoining the subject land is to the south and this too are identified for future rezoning to residential. Land beyond the settlement boundary is not identified for future subdivision and this is to be reinforced by the Bellarine Distinctive Areas and Landscape declaration. In summary, no further outward growth of Leopold is planned. • Open space in Ash Road is private land – not public land. Stretch of road will be widened and walking will still be allowed for. Benefit of the connected shared pathways connecting from ash Road to Mollers land – loop around southern part of Leopold • Liveability has been considered with these areas being the last major spaces for urban growth in Leopold. Settlement boundary in place to contain as well as DAL, Settlement Strategy and Bellarine Peninsula Localised Planning Policy Statement.
16	Individual Submitter	<p>Opposes the amendment on the following grounds:</p> <ul style="list-style-type: none"> • Will detrimentally impact on native environment and wildlife. Area attracts a range of wildlife, has vast biodiversity and is quietly enjoyed by numerous people near and far to the area. 	<ul style="list-style-type: none"> • Refer to environmental impact theme • Refer to infrastructure theme • The upgrades to Ash Road will widen the road reserve and include a shared path which will facilitate a safe off-road space for walkers and riders along Ash Road.

No.	Name	Summary of Submission	Theme / City Response
		<ul style="list-style-type: none"> The mass development of housing is not supported by adequate infrastructure. This is an area populated by young families who safely enjoy bike rides and walks that a sudden influx of housing will destroy. 	
17	Mollers Lane Developments	<p>Opposed to the amendment.</p> <ul style="list-style-type: none"> The proposed design particularly the open space creek reserve that bisects the amendment land is incongruent with the proposed design to the east which is significantly wider and incorporates the waterway as an ecological/open space feature. <p>Stormwater Management Report</p> <ul style="list-style-type: none"> The stormwater management report indicates that flows from the northern catchment will drain into Mollers Lane area. However, the report lacks the detail required to determine any impacts and any additional volumes which have not been catered for in Mollers Lane area. The report has only been commissioned for the land subject to a planning permit and should be expanded to determine potential impacts and design implications on adjoining land. <p>Open Space and Environmental Features</p> <ul style="list-style-type: none"> The proposed amendment lacks the environmental outcomes required for the Mollers Lane development including the proposed reinstatement of the creek, habitat planting and incorporation of habitat and access opportunities for native fauna. We also note that the width of the linear reserve is only approximately 30 metres in total and again is inconsistent with Council's and CCMA requirement for the Mollers Lane development and suggest this should be increased to provide an improved integrated landscape response with land to the east. We understand that Council require a 10% unencumbered open space contribution which is inconsistent with the Council's response to the provision of open space to the Mollers Lane development which required over 10% unencumbered open space. It should be noted that the Leopold Structure Plan shows all the open space for south east Leopold on the proposed amendment land which is considerably closer to broader Leopold. 	<p>Stormwater Management Report response</p> <ul style="list-style-type: none"> See submission 10 response. <p>Open Space and Environmental Features</p> <ul style="list-style-type: none"> The original application plans for the layout of the Ash Road area did show the continuation of the and reinstatement of the waterway throughout the site like the Mollers Lane southern creek. This has however evolved to attain a larger, more regularly shape area of public open space within the Ash Road east area. The City has been able to work with the applicant and the CCMA to reduce the width and configuration of the waterway in the Ash Road site to achieve a large public park and a reduced elongated vegetated swale connecting the park to the drainage reserves. With the applicant's engineering work to remove water from the waterway and placed into a piped system within the road reserves, the subdivision planning has evolved to pursue an improved open space offering. This doesn't lessen the open space and environmental features of the Ash Road site. A 'green connection' will still be evident across the Ash Road site from north west to the south east and will ultimately connect with the open space and waterway on 92-120 Mollers Lane. Based on the revised layout plan, the open space contribution by the applicant will be under the 10% unencumbered open space contribution and there is a permit condition to attain the shortfall through a cash contribution. <p>Proposed Road Design response</p> <ul style="list-style-type: none"> See submission 10 response. <p>Proposed Section 173 Agreement response</p> <ul style="list-style-type: none"> See submission 10 response. <p>Condition 4 response</p> <ul style="list-style-type: none"> See submission 10 response

No.	Name	Summary of Submission	Theme / City Response
		<p>Proposed Road Design.</p> <ul style="list-style-type: none"> The amendment documentation shows differing road design responses for land at 71-85 Ash Road adjoining my clients land. This again makes it difficult to understand how the proposal will integrate with land to the east. <p>Proposed Section 173 Agreement</p> <ul style="list-style-type: none"> We note that Schedule 3 of the draft Section 173 Agreement requires the owner to contribute to the stormwater drainage scheme via Mollers Lane. However, there is no enforcement mechanism contained in the draft agreement that will guarantee a contribution will be made. Nor is there any definition describing what contribution amount is appropriate. There is currently no requirement for land at Mollers Lane to cater for flows from the amendment land other than environmental flows. Should Council mandate that this occur then my client should be compensated appropriately and not be held up to develop their land. <p>Condition 4</p> <ul style="list-style-type: none"> Condition 4 also implicates the drainage of the Mollers Lane land with the amendment land and assumes that the ultimate drainage scheme will be developed for the Ash Road Development by Mollers Lane Developments. We suggest that this condition either is deleted or amended to firstly demonstrate that access to the drainage scheme has been attained and the scheme has the capacity to manage the flows from the amendment land. We also suggest that proof be provided to demonstrate that compensation at an agreed sum has been provided to Moller Lane Developments for the planning and development of the drainage scheme. <p>Servicing Plan</p> <ul style="list-style-type: none"> The servicing plan was advertised with the amendment however was not provided on the web site. The servicing of 73-155 Ash Road relies in part on the services from the east. The proposed location of services and easements needs to be clarified to determine whether the provision of services may impact on land to the east. 	<p>Servicing Plan response</p> <ul style="list-style-type: none"> See submission 10 response <p>Draft Planning Permit response</p> <ul style="list-style-type: none"> See submission 10 response.

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		<p>Draft Planning Permit</p> <ul style="list-style-type: none"> Our first observation is that the conditions required in the draft planning permit are not equivalent to those issued under PP 1463-2016. Whilst we acknowledge that not all conditions are transferrable however the approaches to both areas seem to differ despite being subject to the same planning provisions. For instance, consistent with the Mollers Lane planning permit should the proposed drainage strategy for Ash Road be peer reviewed? 	
18	Individual Submitter	Owner of 143-155 Ash Road Leopold. Supports the amendment but wants input into the planning and infrastructure that will be applied to the DDO.	<ul style="list-style-type: none"> Support for the amendment acknowledged. The City has contacted submitters 18 and 24 to seek further details on any additional input they wish to make about the DDO. Submitter 18 has advised that they have no further input to make. The City has sought advice from the proponent about the engagement with the other landowners in the amendment area. The proponent advises that they have kept landowners involved throughout the process and supplied all plans to them.
19	Individual Submitter	<p>Supports the amendment on the following grounds:</p> <ul style="list-style-type: none"> As a co-owner of a business just off Ash Road supports all proposed housing developments in both Ash Road and Mollers Lane, which will bring much needed additional housing supply and activity to this area. Notes however the additional traffic demands this will place on both Ash Road itself, and the intersection with the Bellarine Highway. Existing traffic levels can already exceed the capacity of Ash Road, which is far too narrow in parts. Fully supports the upgrades to both Ash Road and the Bellarine Highway intersection shown in the supporting documents. 	<ul style="list-style-type: none"> Support for the amendment noted. The Cardno Traffic Report concludes that Ash Road has the capacity to accommodate the additional traffic to be generated by development of this area. Widening of Ash Road will feature in the new development area and include the installation of a shared path.
20	Individual Submitter	<ul style="list-style-type: none"> Has no objection to the rezoning; Supports the widening of Ash Road on the east side of the road reserve; Support the 1.0Ha Northern Park Reserve – included in the draft permit conditions; 	<ul style="list-style-type: none"> Ash Road will be widened along its eastern side. The applicant's submission includes a revised layout that proposes a one-hectare, regular shaped park along Ash Road. This will not only benefit the new community but also the existing residents to the north and the developing areas on the west side of Ash Road.

No.	Name	Summary of Submission	Theme / City Response
		<ul style="list-style-type: none"> Support the future roundabout at the Walkers Road assuming that no land is required on the west side of Ash Road to incorporate the roundabout. 	<ul style="list-style-type: none"> The proposed roundabout at the intersection of Walkers Road/ the new southern connector road and Ash Road is within the existing road reserve and its expanded area on the eastern side of Ash Road. This is shown in the plan V171945-C1-SK01. The plan shows that the roundabout can be accommodated within the current dimensions of the western side of the Ash Road/Walkers Road reserve and that it does not require additional land to be taken from the west side of Ash Road. Engineering advice is that the current 3m by 3m splay on the north west corner of the roundabout intersection may be required to be increased to 5m by 5m for symmetry and to replicate the splay on the south west corner of this intersection. This will need to be further addressed to easily facilitate an acceptable design. This may be achieved as part of planning permit application PP-729-2021 for Ash Road west area.
21	Individual Submitter	<p>Opposes this amendment on the following grounds:</p> <ul style="list-style-type: none"> Council is happy to allow developments to proceed but cannot simply fix the roads that go to them. Ash Road is barely a road. Ash Road is not fit to hold the number of cars that travel on it each day, including existing residences and those of newly built homes. Fix the road before signing off on any new development. Start with a give way sign on Hazelwood/Ash Road. 	<ul style="list-style-type: none"> Refer to traffic theme.
22	Individual Submitter	<ul style="list-style-type: none"> Landowners to the west of the subject land in Ash and Walkers Roads. Supportive of the rezoning. In particular support the widening of the Ash Road in the Eastern Road reserve, the inclusion of the additional 1ha Northern park reserve to complement the excellent linear park and the inclusion of an additional roundabout provided the land required comes from the proponents Eastern land area and does not encroach on their land. Seeks clarification – the west side of Ash Road development group is obliged to fund the right-hand turn queuing lane from the Bellarine Hwy into Ash Road under amendment C280. Should this land be rezoned, does this result in a cost sharing of this road infrastructure upgrade? 	<ul style="list-style-type: none"> Refer to comments on Submissions 20 The obligation of the Ash Road west development group to contribute to the lengthening of the right-hand queuing lane on Bellarine Highway at the Ash Road intersection under C280 is still required and will be added to by this development which requires further lengthening to a distance of 195 metres (as per DoT submission).

No.	Name	Summary of Submission	Theme / City Response
23	Powercor	<ul style="list-style-type: none"> • Has no objection to the rezoning or the proposed draft conditions for Powercor as per PP-39-2019. • Recommends that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply". 	<ul style="list-style-type: none"> • Submission noted and no changes to the draft planning permit are required • The proponent has been advised of Powercor's requirement for electricity applications to be made by their web portal.
24	Individual Submitter	<p>Owner of 129-141 Ash Road Leopold. Supports the amendment but wants input into the planning and infrastructure that will be applied to the DDO.</p>	<ul style="list-style-type: none"> • Support for the amendment acknowledged. • The City has contacted submitters 18 and 24 to seek further details on any additional input they wish to make about the DDO. Submitter 18 has advised that they have no further input to make. Submitter 24 has not responded. • The City has sought advice from the proponent about the engagement with the other landowners in the amendment area. The proponent advises that they have kept landowners involved throughout the process and supplied all plans to them.
25	Individual Submitter	<p>Supports the amendment on the following grounds:</p> <ul style="list-style-type: none"> • There is currently very limited land supply on the Bellarine Peninsula, and it would be great to see this land become available for residential subdivision. • An increase in residential land would help keep land affordable and accessible. • It is also a logical site for rezone given the development occurring in the immediate area. 	<ul style="list-style-type: none"> • Support for the amendment noted.
26	Individual Submitter	<ul style="list-style-type: none"> • Concerned that any future subdivision of this area will have a detrimental effect on the suburb. • Ash Road is essentially a single lane road towards the southern end with limited entry/exit points. • A housing development would cause traffic congestion, safety issues, parking difficulties, loss of natural habitat & will impact the flora, fauna & waterways. • Ash Road Leopold has a lot of natural beauty which will be lost through overdevelopment. 	<ul style="list-style-type: none"> • Refer to environmental impact theme • Refer to strategic policy support theme • Refer to traffic theme.

No.	Name	Summary of Submission	Theme / City Response
27	Wadawurrung	<ul style="list-style-type: none"> • On behalf of the Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC), confirms that the WTOAC is the Registered Aboriginal Party (RAP) for the study area and its context, in accordance with the <i>Aboriginal Heritage Act 2006</i> (Vic), as amended 2020; • WTOAC and RAP offers the following “advice” and comments about the amendment in accordance with the <i>Planning & Environment Act 1987</i> and the <i>Aboriginal Heritage Act 2006</i>, recognising that procedural statutory obligations under both Acts will be respected and adhered to: <ul style="list-style-type: none"> ○ The RAP notes the Ecology & Heritage report (August 2018) entitled <i>Proposed Planning Scheme Amendment and Planning Permit Application, 73-155 Ash Road, Leopold East, Victoria: Desktop Aboriginal and Historical Heritage Assessment</i> and its “Recommendation 1: No Requirement for Further Archaeological Investigation. As there are no known Aboriginal sites or areas considered to have Aboriginal likelihood there is no requirement for any further Aboriginal cultural heritage investigations” and issues “advice” that the following condition be added to the proposed planning permit: <p>Wadawurrung Cultural Heritage Having regard to the provisions of the <i>Aboriginal Heritage Act 2006</i> and <i>Regulations 2018</i>, if any Aboriginal cultural heritage issues or artefacts are encountered during the course of construction activity on the subject land then works should immediately cease within 10 m of the area of concern and the Registered Aboriginal Party should be immediately contacted to investigate, and to issue any instructions under the provisions of the <i>Aboriginal Heritage Act 2006</i> and <i>Regulations 2018</i> that must be complied with.</p> • The WTOAC would invite the opportunity to name in Language the unnamed watercourse that presently flows through the subject land and a large tract of the south-eastern portion of Leopold, as depicted in Figure 1. 	<ul style="list-style-type: none"> • The status of the Wadawurrung as the RAP for the area is noted. • The request to add the Wadawurrung Cultural Heritage condition on the requirement to notify the RAP and an immediate cessation of activity should any artefacts be encountered during construction to the draft planning permit is not supported. This is because if there is a breach, the RAP can push on Council be the enforcement body. This is not Council’s role as there is other legislation that addresses this. Effectively, it is not Council’s jurisdiction to be involved. A note about this can be added to the planning permit though this is not enforceable. • The opportunity for the WTOAC to name in language the unnamed watercourse through this area and the broader south east Leopold is noted. This is not a consideration for the planning scheme amendment but rather a place naming issue and process. Wadawurrung is encouraged and welcome to make a formal submission to the City seeking a name for the unnamed waterway. This will be considered according to the Victorian Naming Rules for Places, and with reference to Council’s emerging Biodiversity Strategy which will contain an action to name waterways across the Bellarine Peninsula.
28	Individual Submitter	<p>Owners of 90 Ash Road Leopold – Paisley Manor Pty Ltd</p> <ul style="list-style-type: none"> • Support the rezoning 	<ul style="list-style-type: none"> • Refer to comments on submission 20.

No.	Name	Summary of Submission	Theme / City Response
		<ul style="list-style-type: none"> Support the widening of Ash Road on the east side of the road reserve Support the 1.0Ha northern park reserve Support the future roundabout assuming that no land will be required from the west side of Ash Road. 	
29	CCMA	<p>The Corangamite Catchment Management Authority (CCMA) understands the application relates to the rezoning and subdivision of the subject land, within the Leopold Structure Plan area and South East Leopold Framework Area. The Authority's review of the application has largely focussed on the stormwater management plan and flood modelling of the proposed development.</p> <p>Waterway removal/piping</p> <p>The Authority's preliminary advice to both the City of Greater Geelong and the applicant's representatives identified the need for waterway protection and maintenance in the area. The need to maintain and protect the waterway on site was also identified in the South East Leopold Framework Plan. Since then, the City of Greater Geelong's open space department have indicated a strong preference for unencumbered open space. The applicant's representatives have therefore proposed to pipe the waterway from the upstream catchment to the proposed wetland for all storm events up to and including a 1% AEP event.</p> <p>The CMA has provided in-principle support for this after consideration of all competing factors, particularly:</p> <ul style="list-style-type: none"> The relatively small size of the contributing catchment to the waterway at this location Existing pipe through much of the waterway alignment, sized to take all flows up to a 20% AEP (1 in 5-year ARI) Urbanised upstream catchment which lacks treatment Willingness of the developers to oversize the wetland on their land to ensure greater removal of pollutants when compared to the scenario with the waterway intact. City of Greater Geelong's open space department's desire for unencumbered open space <p>The CMA therefore supports the re-piping of the waterway in this location in this instance. It must be noted that this is a unique situation</p>	<p>Waterway removal/piping and Waterway Management Plan response</p> <ul style="list-style-type: none"> CCMA's position and work with the applicant and the City on treatment of the waterway is noted and has achieved a good outcome with the revised plan submitted by the proponent as part of their submission. The City notes the CMA's position that this is a unique situation and not to be seen as setting guidance for future developments. A waterway management plan was not conditioned in the planning permit so no changes to the permit are required. <p>Increased annual volume of freshwater to Lake Connewarre response</p> <ul style="list-style-type: none"> This is a complex topic to respond to. The City agrees with the conclusion that the downstream impact assessment should be finalised before the amendment is adopted. The issue of how to manage increased stormwater flows to Lake Connewarre (peak flow and volume) has consistently been raised since the South East Leopold Framework Plan was prepared and must be satisfactorily addressed. Ideally there would also be an approved scheme that caters for both development fronts – whether that be within the downstream waterway, or a piped solution. The City continues to hold ongoing discussions with the proponent about the drainage system. <p>Discrepancy between rezoning area and subdivision area response</p> <ul style="list-style-type: none"> The City is not entirely sure what the CCMA is saying on this point – maybe it is just an observation of what the SWMP says.

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		<p>that <i>should not be taken as guidance for future developments</i>, as the CMA's first stance is always to maintain and protect waterways in our region.</p> <p>As the CMA's support for the proposal to pipe a waterway was based on treatment exceeding best practice and a conceptual treatment train has been developed through consultation, the CMA recommends the minimum required treatment areas are included as conditions on the permit.</p> <p>Waterway Management Plan</p> <p>The CMA has previously advised that a waterway management plan will be required for the waterway on site. Given the waterway is now to be piped for all flows up to and including a 1% AEP event, this is no longer relevant and is not required.</p> <p>Increased annual volume of freshwater to Lake Connewarre</p> <p>The CMA notes the Stormwater Management Plan references a Lake Connewarre Impact Assessment completed by Venant Solutions which considered full development of the South East Leopold area. A copy of the report was not exhibited with the amendment, however the CMA has previously seen a draft version which appears to be the most recent.</p> <p>The CMA notes the South East Leopold Framework Plan identifies "consideration of the impact of development on the Ramsar listed Lake Connewarre" as a further issue to be investigated by Council and/or as part rezoning applications.</p> <p>The CMA also notes that the proposed pipeline in the Mollers Lane development may impact on the findings of this investigation and concurs with the proposal to update the assessment when/if the pipeline is constructed. Should the updated assessment require previously unforeseen mitigation measures, it is the opinion of the CMA that these should be borne by the developers responsible. As it is unclear how the planning mechanics of this will work at this time, the CMA recommends the issue of the pipeline is resolved as soon as possible.</p> <p>The CMA's latest advice to the applicant's representatives included a strong recommendation that volume reduction (for example, stormwater harvesting for irrigation of public space) is explored further, as increased freshwater flows to Lake Connewarre have been identified as a threat to the RAMSAR listed wetlands.</p>	<ul style="list-style-type: none"> • It seems that the CCMA accepts in-principal what is proposed for the southern catchment. • The northern catchment will be subject to a separate permit application which must be informed by its stormwater strategy. The expectation is that it must meet best practice stormwater quantity and quality management standards. <p>Road downstream of retarding basin response</p> <ul style="list-style-type: none"> • Comments reflect a conservative approach, that the design should consider current climate change predications and be based on rainfall intensity at 2100. • This is a good approach which may result in lower asset renewal costs in the future and generally accords with the approach set out in the City's Climate Change Adaptation Strategy. • As stated, it is not yet enforceable under planning and infrastructure design regulations/standards. • As a minimum, it would help if the developer completed sensitivity testing to see what the difference in infrastructure requirements would be under current and future scenarios, to better inform discussion. <p>Planning Permit response</p> <ul style="list-style-type: none"> • CCMA is a recommending referral authority and the City accepts including their conditions in the draft planning permit. • The City notes that the CCMA submission has not been able to consider the revised plan, and this may affect the ultimate conditions on the final permit.

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		<p>The Authority recommends this document is finalised and adopted prior to adoption of the amendment.</p> <p>Discrepancy between rezoning area and subdivision area The application to rezone land appears to encompass more land than is being applied to subdivide. Of particular note to the CMA is that the stormwater management plan includes treatment of the southern catchment in its treatment train, and presents the results of the entire treatment train. The CMA expects that the southern and northern catchments have their stormwater treated in accordance with the requirements of Clause 56.07-4 and flows retarded to pre-developed rates for storms up to and including a 1% AEP flow rate.</p> <p>Road downstream of retarding basin The CMA notes the proposal includes a road immediately downstream of the retarding basin, to act as the crest of the basin. The report states that this crest will be subject to ANCOLD assessment and design requirements. It is also noted that the proposal includes 300mm freeboard between the 1% AEP level in the basin and the road. Given the entire catchment to this point will be urbanised, flood behaviour is expected to be strongly influenced by changes in rainfall intensity associated with Climate Change. The Authority therefore strongly advises that an assessment of the freeboard under increased rainfall intensity to 2100 is undertaken and 300mm freeboard provided for the future projected scenario. As there is currently no policy direction requiring this assessment, the CMA will not require this as a condition on the permit at this time.</p> <p>Geotechnical matters associated with this design are outside the scope of the CMA's review.</p> <p>In light of the above information, the Authority has no objection to the adoption of the amendment, noting the above comments related to increased freshwater flows to Lake Connewarre.</p> <p>With regard to the application for a Planning Permit for the proposed subdivision, the CMA does not object, subject to inclusion of the following conditions on the permit:</p> <ol style="list-style-type: none"> 1. Stormwater Management Infrastructure must be constructed in accordance with the details provided in the Stormwater Management Plan submitted with the application unless with the 	

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		<p>written consent and approval of the Responsible Authority, specifically:</p> <ul style="list-style-type: none"> a. The central catchment sediment pond shall provide a <i>minimum</i> 1000m² treatment area; b. The central catchment wetland shall provide a <i>minimum</i> of 2,800m² treatment area; c. Flow retardation must be provided generally in accordance with the Stormwater Management Plan, and must ensure no adverse impacts for properties downstream for storm events up to and including a 1% AEP event. <p>2. Construction techniques must incorporate the provisions within the Guidelines for Environmental Management – Doing it right on Subdivisions (EPA Publication 960).</p> <p>3. The requirements of Standard C25 (Clause 56.07-4 of the Planning Scheme) must be met for the subdivision.</p> <p>Note: A works on waterway permit must be obtained from the Authority prior to commencement of works on the waterway on site.</p>	