

# **Greater Geelong Planning Scheme**

## **Amendment C397ggee**

### **Explanatory Report**

#### **Overview**

The Planning Scheme Amendment (PSA) seeks to amend the planning framework applying to 174 Colac Road, Highton (Subject Site):

- Remove the land from the Farming Zone (FZ)
- Apply the General Residential Zone – Schedule 4 (GRZ4)
- Apply the Development Plan Overlay (DPO) with a bespoke new DPO schedule 47 (DPO47)
- Apply Clause 16.01-1L-02 (Increased Housing Diversity Areas) to the land through amending the Waurm Ponds Increased Housing Diversity Area map boundaries to include the site.

The Subject Site has been identified as surplus (land to the Geelong Ring Road) to the Department of Transport and Planning (VicRoads) who control the land. The PSA supports the disposal of the land through introducing a planning framework that will enable it to be developed to its highest and best use.

#### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

City of Greater Geelong, Wurriki Nyal, 137-149 Mercer Street, Geelong.

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

#### **Details of the amendment**

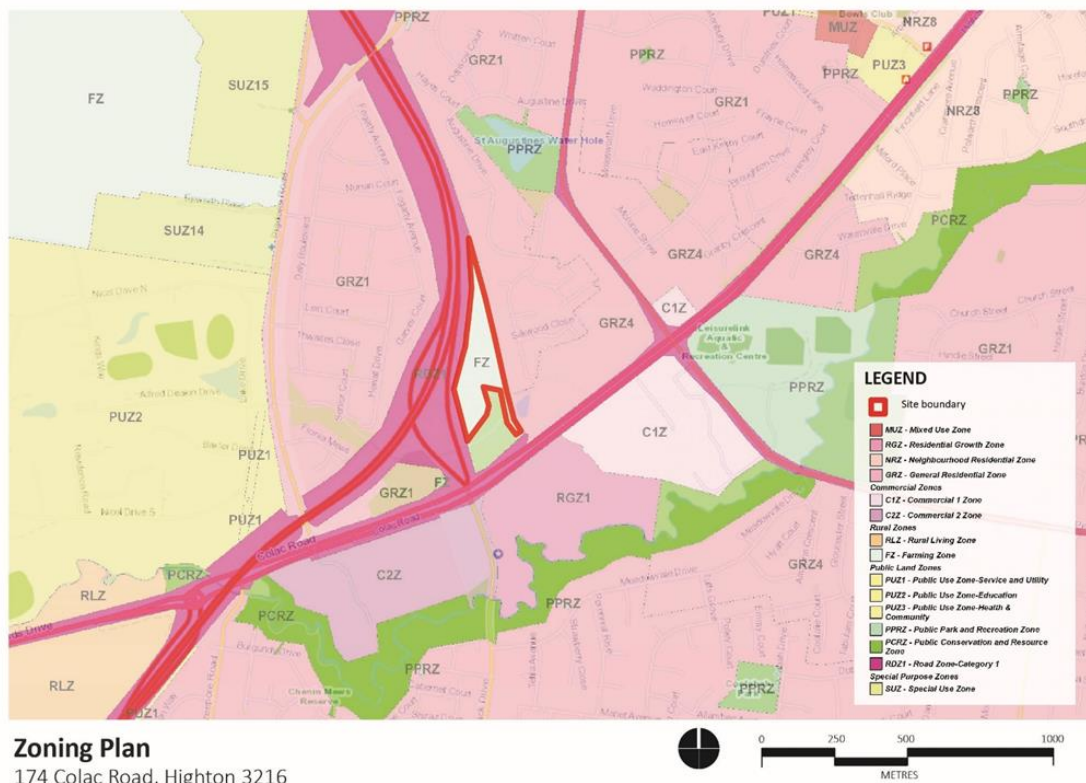
##### **Who is the planning authority?**

This amendment has been prepared by the Minister for Planning who is the Planning Authority for this amendment.

The Amendment has been made at the request of Echelon Planning on behalf of VicRoads within the Department of Transport and Planning (DTP).

## Land affected by the Amendment

The amendment applies to 174 Colac Road, Highton.



## What the amendment does

The Amendment rezones surplus government land to facilitate its sale and amends the planning framework applying to the subject site:

- Remove the land from the Farming Zone (FZ).
- Apply the General Residential Zone – Schedule 4 (GRZ4).
- Apply the Development Plan Overlay (DPO) with a bespoke new DPO schedule 47 (DPO47).
- Apply Clause 16.01-1L-02 (Increased Housing Diversity Areas) to the land through amending the Waurn Ponds Increased Housing Diversity Area map boundaries to include the site.

## Strategic Assessment of the Amendments

The following provides an assessment of the Amendment under the strategic assessment guidelines contained in Ministerial Direction No.11 – Strategic Assessment of Amendments.

## Why is the Amendment required?

The subject land has been identified as surplus to DTPs requirements as a Victorian Government agency. The rezoning of the land is consistent with the *Victorian*

*Government Landholding Policy and Guidelines* which require Victoria Government departments and agencies to review and manage their land assets on an ongoing basis. Land no longer needed for a public purpose must be declared surplus to requirements and disposed of by sale.

The PSA is intended to provide for the most appropriate use and development of the subject site in preparation for private ownership. A planning scheme amendment to apply the General Residential Zone Schedule 4 (GRZ4) and DPO47 is the most appropriate means of achieving this outcome.

The use and development of the land for residential purpose, or a purpose which complies with the GRZ4 subject to a planning permit, would result in an appropriate planning outcome. This is predominantly due to the existing residential nature of the surrounding area and the amendment's consistency with the Planning Policy Framework (PPF).

Applying the GRZ4 and including the land in Clause 16.01-1L-02 (Increased housing diversity areas), allows additional flexibility for future residential development on an irregular shaped site and assists in controlling the siting, height, scale, materials, and form of proposed buildings.

The proposal would result in net community benefit by providing for diverse and affordable housing opportunities in an appropriate urban area which is close to existing public transport, retail, medical, community and education infrastructure.

An Amendment is required to remove the land from the Farming Zone, which no longer facilitates the land's highest and best use and does not allow residential development at the site.

## **How does the Amendment implement the objectives of planning in Victoria?**

Section 4(1) of the Planning and Environment Act 1987 states the relevant objectives of planning in Victoria. The amendment implements these objectives as follows:

*a) to provide for the fair, orderly, economic and sustainable use and development of land;*

The PSA enables orderly and logical residential development in proximity to existing residential areas and infrastructure such as the Waurin Ponds Shopping Centre, Deakin University and Epworth Geelong Hospital. The site is surrounded by urban land uses and the Farming Zone is no longer appropriate. The site is not currently used for agriculture, and it is improbable that the site could be viably used for agriculture in the future due to its nature and location.

*c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

The amendment facilitates urban residential development on a currently unused site located in an urban area. The proposed planning controls facilitate a pleasant, efficient and safe living environment. The site is sufficient in size to provide landscaping to provide a healthy and pleasant urban environment. Appropriate urban

infrastructure and services can be facilitated for drainage, site access and any required noise amelioration from the Geelong Ring Road off-ramp. The site is in proximity to existing infrastructure, services and employment opportunities, supporting 20-minute neighbourhood ideals.

*f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*

For the reasons stated above the amendment will facilitate development that is in accordance with the objectives set out at paragraphs (a) and (c), of the *Planning and Environment Act (1987)*.

*g) to facilitate the provision of affordable housing in Victoria;*

The proposed DPO includes an appropriate requirement for the provision of affordable housing through a Section 173 agreement between the responsible authority and the landowner. A figure of 10% affordable housing provision was determined through the preparation of an Affordable Housing Strategy for the PSA.

*h) to balance the present and future interests of all Victorians.*

The amendment will facilitate the development of a surplus site and contribute to State and local goals relating to economic growth, the provision of housing and sustainable development.

## **How does the Amendment address any environmental, social and economic effects?**

### *Environmental*

The amendment will not have any significant environmental impacts. As noted in the Ecology Report prepared for the PSA, the site is a highly modified environment that is unlikely to support significant flora and fauna. The site principally contains introduced species of grass and planted trees and shrubs.

A Preliminary Risk Screen Assessment (PRSA) concluded that an Environmental Audit is not required and the site is suitable for sensitive uses.

The site adjoins the Geelong Ring Road and Colac Road/ Princess Highway which has the potential to cause noise pollution. An acoustic wall is located along part of the site's western boundary for approximately 352 metres and finishes when the Geelong Ring Road moves away from the site. Additionally, the Outline Concept Plan accompanying the DPO includes a freeway interface treatment along the western boundary in the form of a frontage road or a built form element (such as the rear wall of a continuous line of attached medium density dwellings) to assist in reducing the impact of noise. A minimum setback of 75 metres consisting of the existing retention basin is provided between Colac Road/Princess Highway and the area proposed for residential development. The DPO47 imposes a requirement for an acoustic report to assess the level of noise generated by nearby roads and that any required noise attenuation measures are appropriately implemented through verification testing of constructed

buildings. This will help ensure appropriate noise amelioration at the site for the comfort of residents.

#### *Social*

The proposal releases surplus government land for use as residential development that can contribute to affordable housing growth within Geelong, consistent with the City of Greater Geelong Settlement Strategy (2020).

The amendment will have positive social effects by allowing an unused site to contribute to future infill housing needs. Consolidation within existing urban areas is identified as a preferred approach to address housing needs in State and local policy and the *Greater Geelong Settlement Strategy 2020*.

No adverse social impacts are anticipated to be generated because of the PSA.

#### *Economic*

The amendment will facilitate positive economic effects by allowing for the sale and redevelopment of currently disused and surplus government land. The increase in population will provide increased demand for retail and business services in the local area as well as support for government and community services.

### **Does the Amendment address relevant bushfire risk?**

The subject site is within a designated bushfire prone area pursuant to DTP mapping.

A bushfire assessment has been prepared to support the PSA. This includes a bushfire hazard landscape assessment, a bushfire hazard site assessment and an assessment of the proposal against cl13.02-1S Bushfire Planning.

#### *Landscape-scale assessment*

The landscape risk is low, with no landscape bushfire risk to the subject site. The subject site is assessed as Landscape Type One under the landscape methodology in Planning Permit Applications Bushfire Management Overlay Technical Guide (DELWP, 2017). Landscape Type One is the lowest landscape risk arising under the landscape typology approach.

#### *Site-scale assessment*

There are limited bushfire hazards in proximity to the subject site. The proposed DPO schedule ensures development is exposed to no more than 12.5kw/sqm radiant heat, which gives effect to State planning policy. Detailed site planning can occur at the development plan approval stage to procure a design response that achieves this outcome. There is no site-based factor that would prevent the exposure requirement being met as part of the development plan.

#### *Safer areas / BAL:Low areas*

BAL:Low areas in proximity to the subject site comprise the commercial uses adjoining the subject site entry and the shopping centres located to the south of

Princes Highway. The BAL:Low areas provide future occupants of the subject site with access to a location that provides shelter from the harmful effects of flame contact and radiant heat from a moving bushfire. Access is available by walking. BAL:Low areas are also likely to be available within completed development on the subject site.

#### *Other matters*

The DPO schedule includes a requirement for an approved development plan to address fire hazards, emergency vehicle road design, the provision of reticulated or static water supply and hard stand access for the fire fighting. These strengthen the bushfire response in any future development.

#### *Bushfire consideration conclusion*

There is no landscape bushfire risk to the subject site and site-based exposure can be effectively managed through the PSA. There is immediate access to low-fuel areas.

The subject site is readily capable of being developed to create a low-risk outcome and to result in no increase in bushfire risk. Development of the subject site will remove potential hazards that would be beneficial to adjoining land, reducing risk overall.

The proposal has been assessed and is consistent with the bushfire policies and directions contained in the planning scheme, including cl13.02-1S Bushfire Planning. There is no planning scheme bushfire factor that would warrant the PSA not proceeding.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

#### *Ministerial Direction 1 – Potentially Contaminated Land*

Ministerial Direction 1 is relevant as the amendment would facilitate the establishment of sensitive uses on the site.

A preliminary risk screen assessment (PRSA) was undertaken by Australian Environmental Auditors Pty Ltd (October 2023) and concluded that 174 Colac Road (Lot 1 on PS801326D) is potentially contaminated land. However, the contamination is isolated to one sampling location (SS03) and restricted to the northwestern embankment of the swale drain.

The contamination is associated with fill material containing aesthetically unsuitable material (solid inert waste). Based on the site history and analytical data it is considered that one single elevated concentration of zinc is unlikely to pose a significant ecological risk, prevent or restrict use and/or proposed use of the site.

The PRSA concluded that no environmental audit is required for sensitive land uses, thus satisfying clauses 5 and 6 of Ministerial Direction 1.

### *Ministerial Direction 19 - Part A: Ministerial Direction on the Preparation and Content of Amendments that May Significantly Impact the Environment, Amenity, and Human Health*

MD19, Part A is relevant because the proposed amendment may result in significant impacts on the environment, amenity, and human health due to noise pollution.

The EPA advised that an ESA was required due to the identified former use of the subject site and the potential for contaminated land. Potential noise impacts from Geelong Ring Road and off-ramp, and Colac Road were also identified that could pose a risk to human health and amenity impacts to future residents.

The ESA and PRSA identified one location of contamination but concluded that the elevated zinc concentration was unlikely to represent a risk for the proposed land use, human health or the environment.

The DPO47 imposes permit conditions for subdivision and buildings and works that require an acoustic assessment of the impact of noise generated by nearby roads and the implementation and verification of recommended noise attenuation measures as appropriate.

The proposed Outline Concept Plan for DPO47 also specifies that the western boundary should have a freeway interface treatment in the form of a frontage road and/or built form element to assist in reducing the impact of noise from the Geelong Ring Road and a 75 metre setback is provided between Colac Road/Princess Highway and the proposed residential development along the southern boundary.

Distances of 15 to 34 metres are present between the subject site and Geelong Ring Road and a wall is currently located along part of the rear western boundary that will contribute to reducing noise generated by traffic.

#### *Other Ministerial Directions*

The amendment is consistent with the Minister's Direction on the Form and Content of Planning Schemes under Section 7(5) of the *Planning and Environmental Act 1987*, as well as Ministerial Direction No.11 (Strategic Assessment of Amendments).

### **How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

The site provides the opportunity to deliver a significant amount of housing at a greater density and diversity than could be achieved in the surrounding neighbourhood given its size, current vacancy and convenient access to Colac Road, in keeping with the applicable CoGG strategies and policies.

The amendment responds to key policy directions of the State Planning Policy by:

#### *Clause 11 – Settlement*

- Facilitating sustainable residential development that provides for diverse and affordable housing on land surrounded by residential land uses and with excellent access to existing infrastructure and services.

- Capitalising on an infill opportunity and promoting consolidation and compact settlements that are well serviced by existing services and infrastructure and thus helping to relieve pressure on greenfield land.
- Promoting development that achieves the balance of being sympathetic to neighbouring development and the environment while also realising the full development potential of the land.
- Ensuring that future development is adequately controlled to address site specific and broader environmental considerations that have been identified through a rigorous process of preliminary assessment.

#### *Clause 13 – Environmental Risks and Amenity*

- Reducing the vulnerability of future residents to bushfire by requiring bushfire protection measures to be addressed and a Bushfire Management Plan to accompany a development plan, as required by DP47.
- The DPO47 imposes on any future subdivision and buildings and works planning permit to address matters including potential noise, contamination, air quality and ensures that future development is responsive to the importance of residential amenity including outdoor liveable space and natural ventilation.
- Ensuring that the site is suitable for sensitive uses by carrying out an Environmental Site Assessment and a Preliminary Risk Screen Assessment to address any potential contamination.

#### *Clause 14 - Natural Resource Management*

- Assessing potential impacts to waterways and ensuring future development is subject to appropriate controls to require development infrastructure that protects and enhances the natural environment.

#### *Clause 15 – Built form and Heritage*

- Introducing a planning framework to the site that promotes development aligning with the strategic context of the area that has been found to be appropriate for diverse and affordable forms of development, including potentially at a medium density.
- Introducing controls that provide an appropriate level of certainty to neighbouring development and the future developer and set clear expectations that development is to respond positively to existing built form in the neighbourhood.

#### *Clause 16 - Housing*

- Realising an infill opportunity to promoting diverse and affordable housing that fulfills recognised demand in convenient proximity to a comprehensive range of services and infrastructure.

#### *Clause 18 - Transport*

- Enabling residential development close to an established transport route that provides convenient access to a comprehensive range of services.

- Equitably providing development on land with a high level of existing vehicle and pedestrian access.
- Providing for connections to the existing shared path network located along Colac Road.

## **How does the amendment support or implement the Municipal Planning Strategy?**

The amendment supports the City of Greater Geelong's (CoGG) Municipal Planning Strategy (MPS) on matters in relation to sustainability, protection of the natural environment, economic growth and housing.

The site is within walking distance of the Waurn Ponds Shopping Centre and Waurn Ponds Homemaker Centre (identified as a Sub-regional Retail Centre and a Restricted Retail Activity Centre (respectively) by Clause 02.04-2 of the CoGG Planning Scheme). Hence, the land is in keeping with the increased housing diversity area designation in the *Greater Geelong Settlement Strategy (2020)* and extending the boundary to include the site is appropriate.

The PSA responds to the key policy directions of the Municipal Planning Strategy and the Strategic Directions listed in Clause 02.03 by:

- Promoting consolidated residential development that is respectful of surrounding neighbourhoods, the natural environment, and existing site conditions.
- Promoting diverse, affordable forms of housing, potentially at medium density, on land that is highly accessible to a comprehensive range of services and infrastructure.
- Assessing potential impacts to Aboriginal Cultural Heritage and ensuring future development is subject to appropriate controls that protect artefacts and values.
- Providing a planning framework that responds to the intricacies of the site to enable it to be developed to its full potential with consideration of its locational context.

## **Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions (VPPs) by:

Applying the GRZ4 will facilitate use and development on the land which gives effect to the PPF and LPPF and CoGG settlement and affordable housing strategies. The land is within an urban area with good access to services and is surrounded by residential land zoned GRZ.

Applying the GRZ4 and including the land in Clause 16.01-1L-02 (Increased housing diversity areas), allows additional flexibility for future residential development on an irregular site and assists in controlling the siting, height, scale, materials and form of proposed buildings.

Applying DPO47 provides a high level of assurance to a future developer and the nearby residential neighbourhood to how the site can be developed and allows conditions to be imposed on any future planning permit to address matters identified in the preliminary PSA assessments.

Given that the site is separated from the residential area to the east by a 12m tree reserve, it is appropriate that a future planning application found to be generally in accordance with DPO47 be exempt from notice and review under the *Planning and Environment Act 1987*.

The accompanying DPO47 Outline Concept Plan details areas for conventional and medium density development, green space, roads, and freeway interfaces. This guides development in the subject site and provides nearby existing residents with information regarding where development will take place, what form it will take, and how the area will interact with neighbouring residential areas. The exemption from notice continues to be appropriate as the concept plan provides a high level of detail regarding any future development.

### **How does the Amendment address the views of any relevant agency?**

The following agencies have been contacted and are aware of the amendment:

- Land Use Victoria provided an email to DTP on 30 March 2021 confirming that the site is not under active assessment.
- The site was discussed with Homes Victoria on 3 March 2022 and they confirmed no interest.
- EPA provided advice received on 14 April 2023 and on 9 January 2024 that confirmed the PRSA has been completed and requested amended/new acoustic permit conditions imposed by the DPO47, which now form part of the control.
- Wadawurrung Traditional Owners Aboriginal Corporation provided an email response with no comments relating to the PSA dated 27 April 2023.
- CoGG has been contacted and is aware of the PSA. The most recent correspondence from Council received on 17 May 2023 provided detailed feedback and the PSA has responded to this.
- Fire Rescue Victoria provided comments around access to the site for fire trucks and the requirement for paper roads to be 4 meters wide on 11 October 2024. The DPO includes a requirement for an approved development plan to address fire hazards, radiant heat exposure, emergency vehicle road design and access, the provision of reticulated or static water supply and hard stand access for the fire fighting.
- Corangamite Catchment Management Authority providing advice related to flooding on 11 October 2024 who did not have any information relating to the arrangement and capacity of the stormwater drainage infrastructure in the area.

They provided in principle support and recommended a condition to be included in the DPO and applied to any future permits.

- The Minister for Environment requested that an Environmental Management Plan is undertaken to address weed management, appropriate setback, planting and maintenance.
- The Country Fire Authority provided comments on 9 October 2024. A Bushfire Assessment was completed which concluded that the site has a low bushfire risk and site based exposure can be managed. The DPO requires a Bushfire Management Plan to be undertaken, sets radiant heat exposure, and access requirements.

### **How does the Amendment address the relevant requirements of the Transport Integration Act 2010?**

The amendment will not create a significant impact on the existing transport system as defined by Section 3 of the *Transport Integration Act 2010*. Significant increases in vehicle traffic volumes are not expected as assessed in the Traffic Impact Assessment prepared for the PSA.

### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will likely result in a permit application being lodged with the council in relation to the site. However, it is not considered to have any significant impact on the resource and administrative costs of the responsible authority.

## ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference	Address	Proposed changes		
				Zone	Overlay	Deletion
City of Greater Geelong	174 Colac Road, Highton	Greater Geelong 397ggee Map 066ZN	174 Colac Road, Highton	Apply the General Residential Zone – Schedule 5		Remove the Farming Zone
City of Greater Geelong	174 Colac Road, Highton	Greater Geelong C397ggee Map 066DPO	174 Colac Road, Highton		Apply the Development Plan Overlay	