

**GREATER GEELONG PLANNING SCHEME**  
**AMENDMENT C366ggee**  
**PLANNING PERMIT APPLICATION PP-6-2017**  
**EXPLANATORY REPORT**

**Who is the planning authority?**

This amendment has been prepared by Tract Consultants. The City of Greater Geelong is the planning authority for this amendment.

The amendment has been made at the request of landowners of 64-66 Princes Highway and 1 Donnelly Avenue, Norlane.

**Land affected by the Amendment**

The amendment applies to the land located at 64 Princes Highway, Norlane.

The amendment is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987*.

The planning permit application applies to 64-66 Princes Highway and 1 Donnelly Avenue, Norlane.

**What the amendment does**

The amendment provides for the removal of the restrictive covenant 1693682 on Certificate of Title Lot 1 TP429809S, affecting land at 64 Princes Highway, Norlane.

Specifically, the Schedule to Clause 52.02 is amended to specify the removal of the restrictive covenant.

Restrictive covenant 1693682 which was created on 20 June 1938 states:

*“not to erect nor to construct nor allow to be erected or constructed on the said land any building or erection other than one dwelling house with usual outbuildings and fences to cost not less than Five hundred pounds (including such outbuildings and fences)”.*

The planning permit application at 64-66 and 1 Donnelly Avenue, Norlane with a combined land area of 2058m<sup>2</sup> seeks approval for:

- Twelve (12) lot subdivision;
- Construction of eight (8) single- storey dwellings; and
- Construction of four (4) double-storey dwellings.

The planning permit is consistent with the General Residential Zone (GRZ).

The planning permit is attached as a separate document to this Explanatory Report.

**Strategic assessment of the Amendment**

**Why is the Amendment required?**

The amendment will remove restrictive covenant 1693682 on Certificate of Title Lot 1 TP429809. The Amendment is required to allow for the development of land.

The current beneficiaries of the restrictive covenant are not expected to experience a material detriment as it is considered an improvement to the subject site.

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

The Amendment is consistent with following objectives of planning in Victoria as outlined in the *Planning and Environment Act 1987*:

- To provide for the fair, orderly, economic and sustainable use, and development of land; and
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Seeks to balance the present and future interests of all Victorians by facilitating appropriate development and producing a high quality urban environment for existing and future residents.

The amendment will remove the restrictive covenant which prohibits development on land in a strategic identified location.

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

### Social:

The amendment will enable adequate development of the land and provide increased new housing supply.

### Economic:

The amendment will generate economic benefits through direct and indirect employment opportunities for throughout the construction phase.

### Environmental:

The variation of the covenant proposed through the amendment is not expected to have any adverse environmental impacts. No vegetation is proposed to be removed.

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

Bushfire risk is not increased in the implementation of this Amendment.

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

The amendment is consistent with 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 amendment is consistent with the objectives of the State Planning Policy Framework (SPPF) and supports its implementation by:

### **Clause 11- Settlement**

This Clause states that *'Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure'*.

Clause 11.01-1S Settlement, includes the following:

*"Strategies*

*... Limit urban sprawl and direct growth into existing settlements.*

*Promote and capitalise on opportunities for urban renewal and infill redevelopment."*

The amendment is consistent with the objectives and strategies of the G21 Regional Growth Plan (Geelong Regional Alliance, 2013), which is identified as a policy document in the Clause.

Clause 11.02-1S Supply of urban land, includes the following:

*“Strategies*

*Planning for urban growth should consider:*

- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas. ...”*

### **Clause 15- Built Environment and Heritage**

The Objective of Clause 15.01-1S Urban design is: *“To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity”.*

The Objective of Clause 15.01-2 Building design is: *“To achieve building design outcomes that contribute positively to the local context and enhance the public realm.”*

The Objective of Clause 15.01-3S Subdivision design is: *“To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.”*

Clause 15.01-5S Neighbourhood character has as its Objective *“To recognise and protect neighbourhood character, cultural identity and sense of place”.*

This amendment will allow for a positive urban design outcome that respects the neighbourhood character and cultural identity, a subdivision design which facilitates a neighbourhood which is attractive, safe, accessible, diverse and sustainable.

### **Clause 16- Housing**

The Objective of Clause 16.01-1S Integrated housing is: *“To promote a housing market that meets the community needs”.*

*The Strategies which form part of Clause 16.01-1S include: “Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*

The Objective of Clause 16.01-2S Location of residential development is: *“To locate new housing in designated locations that offer good access to services and transport”.*

*The Strategies which form part of Clause 16.01-2S include:*

*“Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new housing in greenfield and dispersed development areas.*

*Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*

*Identify opportunities for increased residential densities to help consolidate urban areas.*

### **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment is consistent with the Local Planning Policy Framework and supports its implementation by:

#### **Clause 21.02- City of Greater Geelong Sustainable Growth Framework**

This clause outlines a number of principles to ensure development is sustainable and meets the needs of the present community without compromising the ability of future generations to meet their own needs, including consolidating development within settlement boundaries.

#### **Clause 21.06- Settlement and Housing**

Clause 21.06 addresses the importance of urban consolidation and providing settlement in areas that are well serviced and that have the capacity to accommodate sustainable development.

The Objectives of clause 21.06-3 Urban Consolidation include:

*“ \* To provide for the consolidation of existing urban areas in a managed way.*

*\* To encourage an appropriate range of development densities. ...”*

The Strategies identified in Clause 21.06-3 include:

*“ \* Manage urban consolidation and housing change cross the municipality by: ...*

- Supporting appropriate medium density housing in the General Residential Zone (Schedule 1) areas. ...*

The amendment will enable appropriate development that respects the neighbourhood character in an existing residential area.

### **Clause 21.18 Corio Norlane**

Clause 21.18 aims to increase built form, resident population and diversity of housing types in Corio Norlane.

Clause 21.18-1 Key issues and influences includes the following:

*“Corio and Norlane, including the residential neighbourhood of North Shore, are established northern suburbs of Geelong with a rich industrial, manufacturing, migrant settlement and working class and community history which continue to this day.*

*Corio and Norlane provide affordable housing that is close to the Geelong CBD, Avalon Airport, Geelong Port and surrounding industrial land and the Geelong Ring Road Employment Precinct, with convenient access to Melbourne via road and rail. ...*

*There is a stagnant resident population, low housing densities and a marked concentration of ageing public housing stock built from the 1950s onwards.*

*Corio and Norlane are recognised in the G21 Regional Growth Plan as areas that should be targeted for infill and higher density housing.”*

Clause 21.18-2 Objectives includes the following:

#### ***“ Land Use and Built Form***

*Increase the resident population, diversify housing types and support opportunities for urban renewal.*

#### **Strategies**

*Support appropriate medium density housing on residential zoned land.*

Clause 21.18-3 Implementation includes the following:

*“These strategies will be implemented by:*

#### ***Using policy and the exercise of discretion***

*...support higher density residential development in other areas giving consideration to the existing and changing neighbourhood character. ...”*

The amendment will support the Norlane Corio Structure Plan and implement various principles to increase Corio and Norlane’s resident population and diversify the types of available housing. In addition the amendment will allow for sustainable urban renewal and encourage improved housing stock while increasing the concentration of private housing. It will stimulate investment in the area by enabling the infill development of land to occur.

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

The amendment appropriately amends the Schedule to Clause 52.02 in the Greater Geelong Planning Scheme to allow the person affected by the restrictive covenant to proceed under Section 23 of the *Subdivision Act 1988* to vary the covenant by lodging with

the Land Titles Office an appropriate certified plan for registration. The removal of restrictive covenant is for land on 64 Princes Highway.

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

The amendment will be formally referred to all relevant agencies as part of the public exhibition process.

In preparation of the amendment, extensive consultation with VicRoads, Public Transport Victoria, Barwon Water and City of Greater Geelong officers have influenced this preparation and considered their feedback.

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

The proposal will be consistent with the transport system objectives and the decision making principles of the *Transport Integration Act 2010*. The amendment will have no significant impact on the transport system.

### **Resource and administrative costs**

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

The amendment will not have a significant impact on resourcing and administrative costs of the responsible authority. The amendment does not alter the planning permit triggers and the combined planning permit application will restrain future applications in the future.

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

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

Greater Geelong City Council, Customer Service Centre, Ground Floor, 100 Brougham Street, GEELONG- 8.00am to 5.00pm weekdays.

'Have a Say' section of the City's website [www.geelongaustralia.com.au/council/yoursay](http://www.geelongaustralia.com.au/council/yoursay)

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

### **Submissions**

Any person who may be affected by the Amendment and planning permit may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by Monday 29<sup>th</sup> July, 2019.

A submission must be sent to:

The Coordinator  
Strategic Implementation Unit  
City of Greater Geelong,  
PO Box 104,  
Geelong Vic 3220; or

- by e-mail to [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au) or
- lodged online at [www.geelongaustralia.com.au/amendments](http://www.geelongaustralia.com.au/amendments)

## **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week commencing 4<sup>th</sup> November, 2019
- panel hearing: Week commencing 2<sup>nd</sup> December, 2019.