

PANEL SUBMISSION



GREATER GEELONG PLANNING SCHEME AMENDMENT C395

Settlement Strategy

&

*Northern and Western Geelong Growth Areas
Framework Plan*

Part A Submission to the Independent Panel

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Date: 28 October 2019

Prepared by: City of Greater Geelong

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A. BACKGROUND TO THE AMENDMENT AND CHRONOLOGY

Introduction

1. This Part A submission has been prepared by the Planning Authority, the City of Greater Geelong in response to the Panel Directions (no.6) issued on 18 October July 2019 which states:

*“Council must provide a Part A submission to parties on the distribution list by **2.00pm on Monday 28 October 2019** that includes:*

- a. background to the Amendment including chronology of events*
 - b. strategic context and assessment*
 - c. an assessment of the strategic basis for the amendment, including the Settlement Strategy and Growth Areas Framework Plan*
 - d. the proposed process to consider any recommended changes to the Settlement Strategy and Growth Areas Framework Plan*
 - e. a summary of the main issues raised in submissions*
 - f. any suggested changes to the Amendment in response to submissions.*
 - g. copies of any other material Council intends to rely upon.”*
2. The structure of this Part A submission follows the above Panel Direction. A further “Part B” submission will be presented at the Panel Hearing starting on 12 November 2019. The Panel has directed that Council’s Part B submission includes:
 - a. a summary of the key issues raised in submission, including requests for individual changes to the amendment*
 - b. its response to evidence*
 - c. any further changes Council proposes to make to the Amendment in response to expert evidence or submissions*
 - d. an explanation to the interrelationship with the declaration of the Bellarine Peninsula region as a Distinctive Areas and Landscape*
 - e. its final position on the Amendment.*

Summary of the amendment

3. The Amendment proposes to implement the City of Greater Geelong’s Settlement Strategy (2018) (**Settlement Strategy**) and Northern and Western Geelong Growth Areas Framework Plan (2019) (**Framework Plan**) into the Greater Geelong Planning Scheme (**Planning Scheme**). The Amendment includes policy changes to the Municipal Strategic Statement (**MSS**) and rezones land in the Northern and Western Geelong Growth Areas to the Urban Growth Zone.
4. Specifically, the Amendment seeks to:

- Amend Clause 21.03 Objectives - Strategies – Implementation to include reference to 21.18 Corio Norlane and 21.20 Northern and Western Geelong Growth Areas.
 - Replace Clause 21.04 Municipal Framework Plan with a new Clause 21.04 to implement the Settlement Strategy through a new Municipal Framework Plan.
 - Replace Clause 21.06 Settlement and Housing with a new clause including objectives, strategies and references to implement the Settlement Strategy.
 - Amend Clause 21.08 Development and Community Infrastructure to update strategies on Transport and Development Contributions to implement the Settlement Strategy.
 - Amend Clause 21.11 Armstrong Creek Urban Growth Area to reflect the role of the Northern and Western Geelong Growth Areas.
 - Amend Clause 21.14 The Bellarine Peninsula to update objectives, strategies, further work and references to implement the Settlement Strategy.
 - Amend Clause 21.16 Anakie to implement the Settlement Strategy by amending objectives and strategies, deleting reference to the Anakie Structure Plan 1996 and replacing the map.
 - Insert a new Clause 21.20 Northern and Western Geelong Growth Areas including new objectives, strategies, references and plans to implement the Northern and Western Geelong Growth Areas Framework Plan.
 - Replace the Schedule to Clause 72.08 Background Documents with a new Schedule that includes the City of Greater Geelong’s Settlement Strategy (2018) and Northern and Western Geelong Growth Areas Framework Plan (2019).
 - Rezone areas of land in the Northern and Western Geelong Growth Areas from Rural Living Zone, Farming Zone, Public Park and Recreation Zone and Industrial 1 Zone to Urban Growth Zone.
5. The Amendment has been prepared by the City of Greater Geelong Council, which is the planning authority for this Amendment.
 6. The policy components of the Amendment affect all land in the municipality with specific policy affecting the Northern and Western Geelong Growth Areas. The rezoning affects selected properties in Batesford, Bell Post Hill, Fyansford, Hamlyn Heights, Lara, Lovely Banks and Moorabool in the proposed Northern and Western Geelong Growth Areas as shown on the exhibited planning scheme maps.

Chronology - Settlement Strategy

7. The following table provides a chronology of events for the Settlement Strategy:

DATE	EVENT/DESCRIPTION
Late 2016	Consultants Spatial Economics were engaged to prepare a Settlement Strategy for Greater Geelong.
July 2017	Six background papers and an issues paper exhibited for public feedback. 55 submissions received.
8 May 2018	Council noted the draft Settlement Strategy and authorised its release for the second phase of community engagement.
May/Jun 2018	Draft Settlement Strategy exhibited for public comment. 73 submissions received.
9 Oct 2018	Council resolved to adopt the Settlement Strategy and seek authorisation to prepare and exhibit an amendment to implement the Strategy.

Chronology - Northern and Western Growth Areas Framework Plan

8. The following table provides a chronology of events for the Framework Plan:

DATE	EVENT/DESCRIPTION
April 2013	G21 Regional Growth Plan identified potential future development of the growth areas.
6 Nov 2014	Minister for Planning approved Amendment C322, a section 20(4) amendment to rezone parts of the Northern Growth Area from Farming to Urban Growth Zone. Minister informed Council that he expected the City to lead preparation of a framework plan to set scope for future Precinct Structure Plans (PSPs).
8 Dec 2015	Council resolved to commence preparation of a framework plan and an Integrated Infrastructure Delivery Plan for each growth area.
July 2017	The City hosted a series of 'Visions and Principles' workshops to establish a shared vision and set of principles for the project and each growth area and to identify potential opportunities, barriers and catalysts for their realisation.
Nov 2017	The City hosted three 'Enquiry by Design' workshops to assist the development a draft future urban structure plan.
8 May 2018	Council resolved to undertake community engagement on the draft future urban structure of the growth areas to inform preparation of a framework plan.
May/June 2018	Draft future urban structure plan exhibited for public comment. 81 submissions received.
26 March 2019	Council resolved to adopt the Northern and Western Geelong Growth Areas Framework Plan, seek authorisation to prepare and exhibit an amendment, and commence preparation of PSPs for Elcho Road East precinct in the North and Creamery Road precinct in the West.

Chronology – Amendment C395

9. The following table provides a chronology of events for Amendment C395 (Amendment):

DATE	EVENT/DESCRIPTION
9 Apr 2019	Council submitted request for authorisation.
31 May 2019	Authorisation received from Minister's delegate.
21 Jun to 29 Jul 2019	Amendment C395 exhibited. 102 submissions received.
17 Jul 2019	Open House information session, Batesford Hall, on the Framework Plan part of the Amendment.
18 Jul 2019	Open House information session, Corio Library, on the Framework Plan component of the Amendment.
24 Sep 2019	Council considered submissions and resolved to refer all submissions to an independent Panel.
25 Sep 2019	City wrote to Planning Panels Victoria to request Panel.
14 Oct 2019	Directions Hearing held.
12 Nov	Panel Hearing to commence.

Council resolutions to prepare and exhibit

10. The Amendment comprises two components, which were subject of separate Council resolutions to prepare and exhibit a planning scheme amendment.
11. On 9 October 2018 Council considered a Council officer's report on the Settlement Strategy and resolved as follows:
- That Council:*
- 1) *Adopt the Greater Geelong Settlement Strategy, September 2018; and*
 - 2) *Request the Minister for Planning authorise the preparation of a planning scheme amendment to implement the recommendations of the Settlement Strategy, September 2018 into the Greater Geelong Planning Scheme.*
12. On 26 March 2019 Council considered a Council officer's report on the Framework Plan and resolved as follows:
13. *That Council:*
- 13.1 *adopt the Northern and Western Geelong Growth Areas Framework Plan as amended prior to exhibition;*

13.2 seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Greater Geelong Planning Scheme to include the necessary elements of the Northern and Western Geelong Growth Areas Framework Plan within the Scheme and to rezone portions of the Northern and Western Geelong Growth Areas to Urban Growth Zone as outlined in Attachment 2;

13.3 immediately commence preparation of precinct structure plans (PSPs) for the Elcho Road East precinct in the Northern Geelong Growth Area and the Creamery Road precinct in the Western Geelong Growth Area; and

13.4 seek funding from the state government that will facilitate the ongoing planning for major transport infrastructure required to accommodate Geelong's anticipated future growth, including the Geelong Growth Areas Transport Infrastructure Strategy.

Ministerial Authorisation

13. Council officers requested authorisation for the Amendment on 9 April 2019.

14. On 26 April 2019, DELWP officers requested further information to enable the request to be considered:

- a revised Explanatory report addressing how the Amendment responds to the views of the EPA in accordance with Ministerial Direction 19, and how the Amendment responds to Clause 13.02-1S Bushfire risk planning and incorporates the findings of a Bushfire Management Statement commissioned by Council;
- further information to articulate the basis for the settlement boundary shown within the Amendment documents, as it appears to exclude some established industrial areas contiguous to urban Geelong (DELWP's letter indicated that the settlement boundary should include all land uses forming part of the city or town);
- further discussions with DELWP officers regarding the Bellarine Peninsula Distinctive Areas and Landscape project work program, the Planning Policy Framework translation and the logical inclusions process mentioned in the Amendment documents.

A copy of DELWP's letter is at **Appendix 1**.

15. On 10 May 2019, the Council wrote to DELWP responding to each of the matters raised in its letter of 26 April 2019 and attaching a revised Explanatory Report. A copy of the Council's letter is at **Appendix 2**.

16. The Council appointed Kevin Hazell (Bushfire Planning) to prepare a bushfire report on the Framework Plan component of the Amendment, responding to Clause

13.02-1S and to provide advice on how future PSPs and planning scheme amendments can address bushfire issues. The report was forwarded to DELWP on 24 May 2019 and subsequently included on Council's Amendment C395 webpage during exhibition.

17. The Minister's delegate authorised the Amendment preparation and exhibition on 31 May 2019 – a copy of the authorisation letter is at **Appendix 3**.

18. The authorisation included three conditions:

1. *The Victorian Government has recently commenced the Bellarine Peninsula Distinctive Areas and Landscapes Project (Bellarine DALs). To ensure the Bellarine DALs project and Amendment C395 are managed in a coordinated way, the council must:*

a. *Liaise with the Department of Environment, Land, Water and Planning (DELWP) Bellarine DALs project team prior to exhibition to coordinate public information on each project to ensure there is clarity about the purpose and statutory process of each project.*

b. *Liaise with the DELWP Bellarine DALs project team throughout the exhibition process and before any panel hearing for Amendment C395 to ensure that policy and strategy statements are aligned where possible, and to coordinate any submissions that may affect both projects.*

Please note: DELWP will seek to appear at a panel for Amendment C395 to update it on the progress of the Bellarine DALs project at that time and any implications for Amendment C395.

2. *DELWP has previously raised concerns with the council about the potential for large areas of endangered native vegetation to be discovered on currently un-surveyed land within the Northern Growth Area. Council must continue to work with DELWP Barwon South West Forest, Fire and Regions (Biodiversity) team to ensure the biodiversity assets in both the Northern and Western growth areas are protected through the process to prepare precinct structure plans.*

For assistance, please contact Geoff Brooks, Program Manager Planning Approvals at bsw.planning@delwp.vic.gov.au.

3. *The Greater Geelong Planning Scheme Local Planning Policy Framework (LPPF) will soon be translated as part of the DELWP Smart Planning program. The LPPF translation will have the effect of changing the way local policy is presented in the planning scheme, by integrating the content into the new Municipal Planning Strategy and the Planning Policy Framework introduced by Amendment VC148. When the form of the translated Greater Geelong Planning Scheme LPPF is finalised, the changes proposed by Amendment C395 to Clause 21 must be redrafted to accord with the translated LPPF.*

Public Exhibition

19. The Amendment was exhibited from 21 June to 29 July 2019.

20. Notices were mailed to around 1456 affected or nearby owners and occupiers of properties in and around the Northern and Western Geelong Growth Areas and other interested parties. 498 email notifications were sent to stakeholders and interested parties, including submitters to earlier draft Settlement Strategy and Northern and Western Geelong Growth Areas engagements, community groups

and relevant organizations. Letters and email notifications were sent to prescribed Ministers, five adjacent local governments and a wide range of government agencies and service authorities during the public exhibition period.

21. The broader community was notified through notices in local newspapers and the City of Greater Geelong website. Notices were published in: the Geelong Independent Newspaper on 21 June and 5 July 2019; the Geelong Advertiser on 22 June and 26 July 2019; the Armstrong Creek Times on 27 June 2019; the Bellarine Times on 27 June 2019; and the Bellarine & Surf Coast Echo on 10 July 2019.
22. Notice of exhibition of the Amendment was published in the Government Gazette on 27 June 2019.
23. Open House information sessions on the Framework Plan component of the amendment were held at the Batesford Hall on 17 July 2019 and the Corio Library on 18 July 2019.

Submissions received

24. A total of 102 submissions were received as part of the public exhibition process. 61 submissions relate to the Framework Plan, 27 to the Settlement Strategy and 14 to both. Seven submissions support the Amendment without change. The remaining submissions make detailed comment, request changes or object to the Amendment.
25. Late submissions were accepted for consideration until a draft Council report on submissions had been completed for internal review. The last submission was accepted on 16 August 2019.
26. Council officers consistently did not accept late submissions received after the draft Council report on submissions had been completed for internal review, and advised prospective late submitters accordingly.
27. The Panel, at the Directions Hearing on 14 October 2019, determined that it will not accept or hear late submissions not referred by Council (the planning authority).
28. The maps in **Figure 1** show the location of submitters to the Amendment.

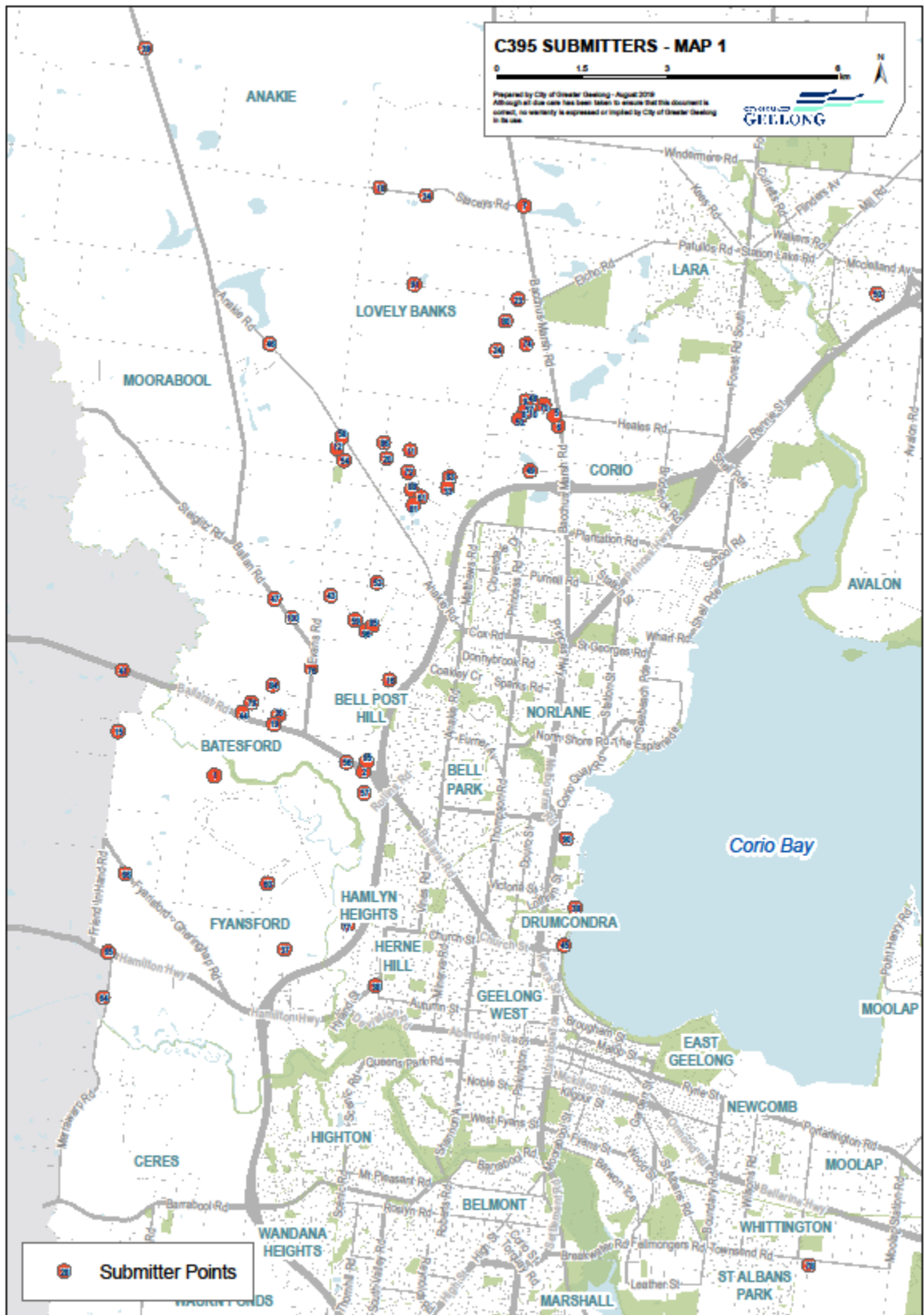
Council Resolution regarding the submissions

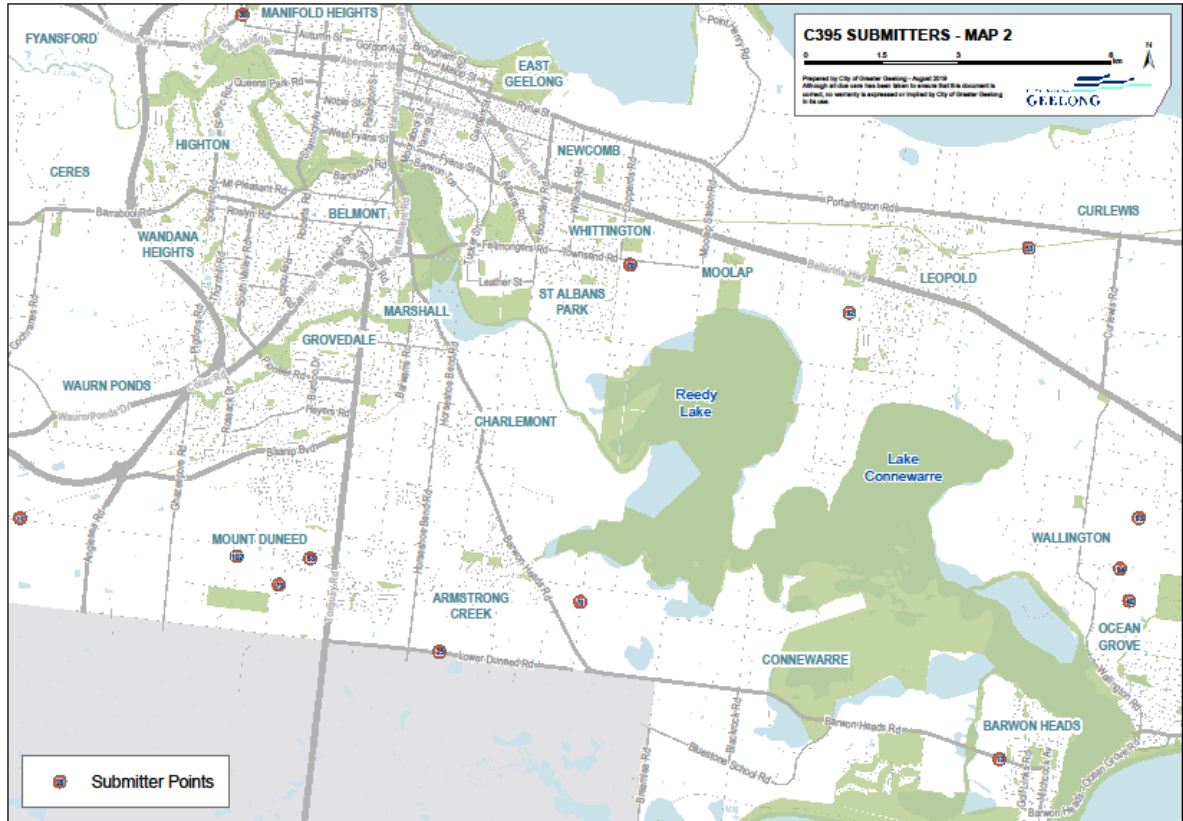
29. On 24 September 2019 Council considered a report on the submissions and made the following decision:

9. *That Council having considered all submissions on Amendment C395 resolves to:*

- 9.1 Request the Minister for Planning to appoint an independent Panel under Part 5 of the Planning and Environment Act 1987 to consider submissions relating to the amendment;*
- 9.2 Refer all submissions to the Panel;*
- 9.3 Submit to the Panel its response to the submissions generally as outlined in this report; and*
- 9.4 Authorise the Director Planning, Design & Development to agree minor modifications to Amendment C395 to resolve submissions prior to the Panel hearing, provided those changes are consistent with the intent of the amendment and the responses in this report.*

Figure 1 - Maps showing location of nearby submitters







B. STRATEGIC CONTEXT AND ASSESSMENT

Historical context of urban growth and settlement planning in Greater Geelong

30. Greater Geelong has a long history of strategic urban growth and settlement planning. The following section of this Part A submission provides a summary of some of the key strategies and amendments leading up to the current Settlement Strategy and Framework Plan.

Geelong Region Development Strategy – Directions 1988

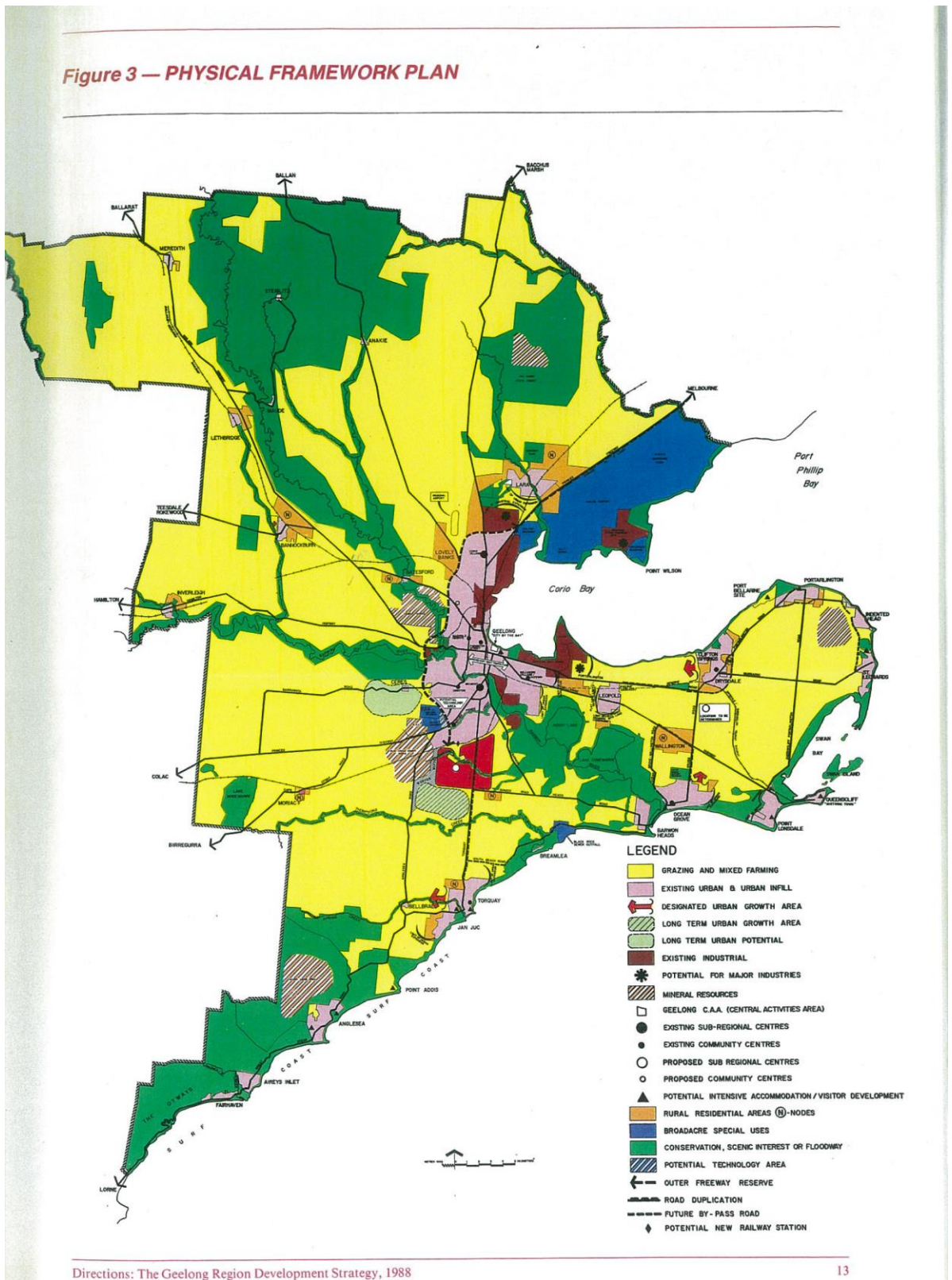
31. The [Geelong Regional Development Strategy](#) was prepared by the Geelong Regional Commission in 1988. It provided long term strategic planning direction for an area now covered by the municipalities of Greater Geelong, Surf Coast, Queenscliff and Golden Plains (smaller than the now G21 region).
32. The Physical Framework Plan from the Strategy is in Figure 2 below. It shows designated urban growth (arrows) for the now Armstrong Creek growth area, Ocean Grove and Drysdale/Clifton Springs. It also shows potential long term growth areas that weren't acted on – south of Mt Duneed Rd and Barrabool Hills / Ceres.

Urban Growth Strategy 1996

33. The City of Greater Geelong Urban Growth Strategy was formally adopted by Council on 11 December 1996. Its purpose was to determine the most suitable areas for the accommodation of urban growth to the year 2020. The original strategy was prepared by Perrott Lyon and Mathieson and exhibited. It identified the areas of Armstrong Creek, urban Geelong, Lara, Leopold and Drysdale/Clifton Springs for urban growth. The adopted version of the strategy also included Ocean Grove as an additional growth location for the Bellarine and to a lesser extent Leopold.
34. Relevant planning principles are stated in Section 3 (pages 13-14) and are paraphrased below:
- Urban development should be restricted in catchments which drain into ecosystems such as Swan Bay, Lake Victoria and Lake Connewarre.
 - The City should work towards a target of 25% of all its housing being made up of dwelling forms other than detached dwellings by 2020.
 - The long standing policy of maintaining non-urban breaks between settlements should be upheld to foster a sense of identity for each township

- Where possible, natural boundaries should form the edge of urban areas... to assist in resisting development pressure on the fringe of existing townships and Urban Geelong.
- Urban consolidation should be actively encouraged to enable existing boundaries of townships to be maintained and increased densities that will support the provision of upgraded services.

Figure 2 – Geelong Region Development Strategy 1988 Plan



MSS Review 2006 (C129)

35. The last major review of Greater Geelong’s housing and settlement policies was undertaken back in 2006–07, when Greater Geelong’s Municipal Strategic Statement was reviewed. The “MSS Review” was initially undertaken by consultant John Keaney and provided a review of Clause 21 – Municipal Strategic Statement, Clause 22 – Local Planning Policies and also reviewed the way in which council applies zoning and overlay controls.
36. The MSS Review culminated in the production of a fully revised City of Greater Geelong LPPF and was based on the findings of a range of new strategic studies and plans including:
- Rural Land Use Strategy 2007
 - Housing Diversity Strategy 2007
 - Retail Strategy 2006
 - Environment Management Strategy 2006
 - Study of Open Space Networks 2001
 - Central Geelong Structure Plan 2007
 - Armstrong Creek Urban Growth Plan Volume 1 2006
 - Ocean Grove Structure Plan 2007
 - St Leonards Structure Plan 2006
 - Portarlington Structure Plan 2007
 - Indented Head Structure Plan 2007
 - Jetty Rd Urban Growth Plan 2007
37. As described in the Amendment [C129 Panel report](#) ... “following review, critical policy gaps and deficiencies in the current Planning Scheme were identified. This required a range of strategic work to be undertaken. This included the following:
- a review of the Rural Strategy for all Rural zoned land across the municipality.
 - a Housing Strategy review for the entire municipality.
 - an updated Retail Strategy for the whole municipality.
 - a review of various place based policies (Structure Plans, Urban Growth Plans) to update these policies so they were able to better assist daily decision making.”
38. The MSS Review was implemented by Amendment C129 which also introduced a number of zoning, overlay and schedule changes to support the revised Local Planning Policy Framework.
39. C129 was subject to a lengthy Panel hearing in 2008. The [C129 Panel report](#) provides further background.

Armstrong Creek Urban Growth Plan 2008 (C138)

40. The Armstrong Creek area was originally designated as a growth corridor in the 1980s by the Geelong Regional Commission. This was reinforced in 1994 by the Mount Duneed Armstrong Creek Urban Development Study. The status of this area as Geelong's future urban growth corridor was confirmed again in the City's Urban Growth Strategy 1996 and was supported by a range of Council documents.
41. The [Armstrong Creek Urban Growth Plan, Volume 1, 2008](#) (Amended May 2010, September 2012) (**the UGP**) was prepared by Council between 2005-2008 and is a reference document at Clause 21.11 of the Planning Scheme.
42. The UGP sets the long term strategic planning directions to guide the creation of sustainable urban growth within the Armstrong Creek growth area to the south of Geelong. The UGP was referenced in the Planning Scheme following adoption by Council on 13 May 2008 and after consideration of [Panel recommendations](#) for Amendment C138.

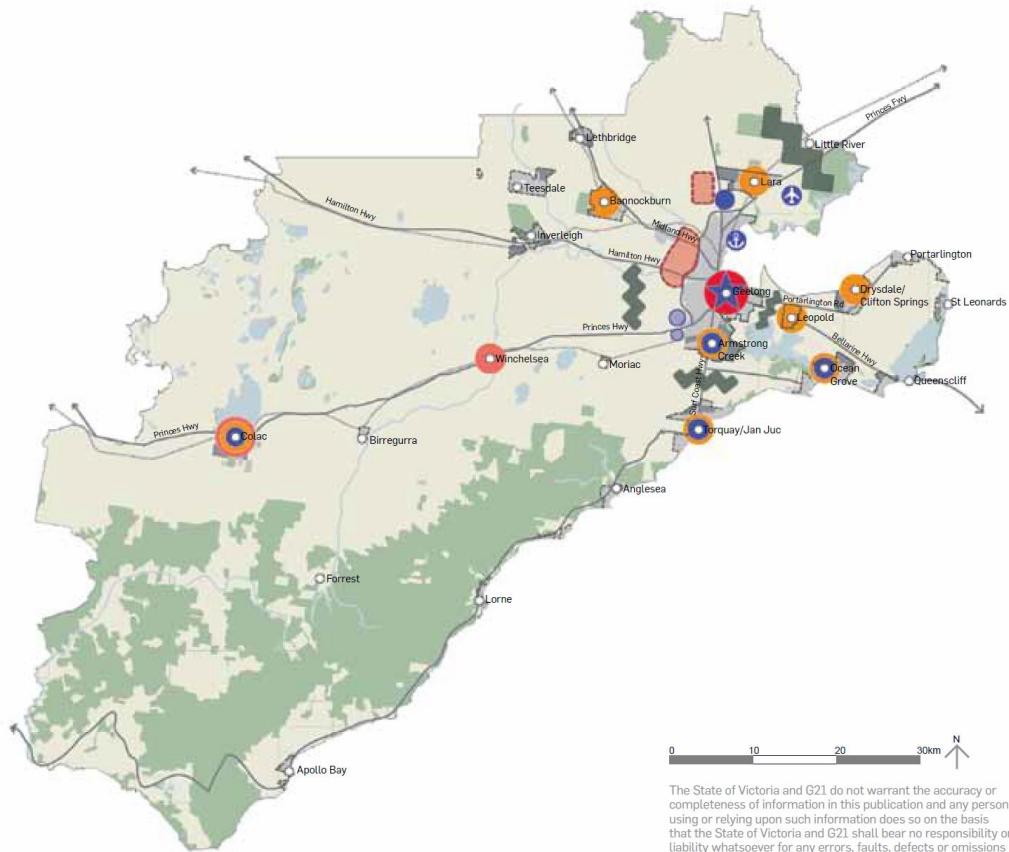
G21 Regional Growth Plan 2013

43. The [G21 Regional Growth Plan \(April 2013\)](#) manages growth and land use pressures to 2050. It blends the strategic land use and growth planning already undertaken across the region including the G21 Geelong Regional Plan, and builds on this to identify where future residential and employment growth will occur. It also identifies the key infrastructure required to manage and support this growth.
44. The Regional Growth Plan identified two Further Investigation Areas (**FIAs**) or 'strategic opportunity areas' to the north and west of Geelong, to be examined for their potential to provide capacity for the G21 region to grow to and beyond 500,000 people and respond to higher growth rates in the future.
45. The overall Settlement and Employment Growth Directions plan is provided below in Figure 3.

Figure 3 – G21 Regional Growth Plan (Map 7)

4.0 THE G21 REGIONAL GROWTH PLAN

MAP 7 – SETTLEMENT AND EMPLOYMENT GROWTH DIRECTIONS



The State of Victoria and G21 do not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the State of Victoria and G21 shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

- ★ **Reinforcing the role of Central Geelong as a regional city and Victoria's second largest city**
 Major infill is proposed to support the revitalisation and strengthening of central Geelong.
- **Supporting the growth of Geelong with a focus on infill housing opportunities**
 A focus on infill housing opportunities at targeted activity centres and Key Development Areas as identified in the Greater Geelong Planning Scheme.
- **Supporting planned growth and reinforcing the role of district towns**
 Encourage growth of district towns or centres consistent with existing Structure Plans/Growth Plans. With Armstrong Creek, this will accommodate a further 125,000 people over the next 20 – 30 years. Development of underutilised sites and urban infill is actively recommended within these settlements to ensure a range of housing choice.
- **Introducing new targeted growth nodes**
 Grow Colac to a town of 20,000 and Winchelsea to a town of 10,000. Further strategic work will need to be undertaken for both towns to identify the most appropriate areas for growth and to identify major incentives to support growth. These areas are not anticipated to be required until at least 2030-2040.
- **Identification of two Further Investigation Areas in Geelong**
 Potential development of these areas, is not likely to be required ahead of identified planned growth. They will require further assessment of suitability and capacity for growth and the monitoring of land supply within the region to determine timing. The Lovely Banks area near Lara potentially has a higher priority, given greater connection to Melbourne and links with proposed national transport logistics employment areas.
- **Strengthening and protecting the identified existing and planned employment areas (shown on map)**
 As well as tourism precincts and district town activity centres (not shown on map).
- **Maintain productive agricultural areas**
 Consistent with existing Rural Land Use Strategies and includes opportunities for broadacre cropping and livestock, intensive livestock and horticulture, irrigated agriculture, forestry and emerging agricultural activities.
- **Identifying new employment nodes**
 A new Education, Health and Research Hub at Deakin University, the long term potential employment hub at Waurn Ponds South, subject to further investigation, and the expansion of industrial employment areas in Colac and Winchelsea, subject to more detailed planning.
- ⚡ **Identification of four key settlement breaks**
 Discussion provided in section 4.11.
- 🗺️ **Designation of settlement boundaries for all towns**
 The region's other rural and coastal settlements will continue to experience modest growth and play an important tourism and agricultural role to surrounding areas. Growth will be limited to identified structure plan settlement boundaries.
- **Maintain and enhance natural assets**
 Protect and build on our natural assets by maximising key opportunities to link and rehabilitate ecosystems and enable sustainable and planned productive uses. Sustain the health of our natural assets by considering future challenges in the management, planning and development of these assets.

G21 Regional Growth Plan Implementation Plan 2013

46. The [Implementation Plan](#) builds on Regional Growth Plan by:
- identifying the critical infrastructure required to support the housing and employment growth directions of the region and provide a program for its optimal delivery.
 - providing land supply data and incentives for achieving strategic housing outcomes to support infrastructure and settlement planning.
 - identifying key considerations and a pathway for the planning of longer term growth areas.
47. Of relevance to the Northern and Western Growth Areas, the Implementation Plan concludes that only one FIA is required to meet the foreseeable medium to long term growth needs of Geelong. The Implementation Plan does not identify which FIA should be the next major growth area that proceeds to the growth area planning stage. This is an on-balance consideration for the Council. It is intended that the analysis and recommendations of the Implementation Plan assist the Council in decision making on future growth. (p.4 G21 Implementation Plan)

Reformed Residential Zones Implementation (C300)

48. The State Government introduced the Residential Growth Zone (**RGZ**), General Residential Zone (**GRZ**) and the Neighbourhood Residential Zone (**NRZ**) into the Victoria Planning Provisions on 1 July 2013.
49. Amendment C300 implemented the new residential zones into the Greater Geelong Planning Scheme. Unlike many municipalities Greater Geelong went through a full exhibited amendment process to implement the new zones.
50. Implementation of the residential zones was supported by Council's existing adopted Housing Diversity Strategy 2007 (amended September 2008) (**HDS**).
51. The HDS directs the density of housing change that can be expected in different parts of the municipality by defining a hierarchical approach with reference to the general density and type of development that can be expected in different areas. The HDS identifies:
- Key Development Areas;
 - Increased Housing Diversity Areas.
 - Incremental Change Areas.

52. The [C300 Panel Report](#) includes the following table showing the approach to implementing the new zones:

Figure 4 – Application of new Residential Zones

Table 2 How the new residential zones were applied

Existing Housing Policy (Local Planning Policy Framework and adopted Housing Diversity Strategy)	Recommended New Zone
Key Development Areas Increased Housing Diversity Areas	Residential Growth Zone (RGZ) Zone Schedules for local variations: General (RGZ1) Urban Areas (RGZ2) Coastal Areas (RGZ3)
Residential Areas - Residential 1 Zone Incremental Change Areas - Residential 3 Zone	General Residential Zone (GRZ) Zone Schedule for local variations: General (GRZ1) Incremental Change Areas (GRZ2)
Incremental Change Areas - Newtown and Drumcondra (Unique character) Development constraints- North Shore (Environmental Significance Overlay)	Neighbourhood Residential Zone (NRZ) Zone Schedule for local variations: North Shore (NRZ1) Incremental Change Area - Newtown and Drumcondra (NRZ2)

Bellarine Peninsula Localised Planning Statement 2015

53. The [Bellarine Peninsula Localised Planning Statement](#) (**Localised Planning Statement**) was developed collaboratively by the City of Greater Geelong and the Borough of Queenscliffe with support from the Department of Transport, Planning and Local Infrastructure (now the Department of Environment, Land, Water and Planning). This Localised Planning Statement builds on existing strategies and policies of both councils that are in place and relevant to the Bellarine Peninsula. The Localised Planning Statement was endorsed by Council in September 2014 and approved by the Minister for Planning in September 2015.
54. The Localised Planning Statement is a reference document in Clause 11.03-5S of State Planning Policy Framework.
55. The Localised Planning Statement identifies the key valued attributes of the Bellarine and puts in place objectives and strategies to ensure that they are preserved and enhanced for ongoing use by present and future generations. The Bellarine Peninsula is a valued area with significant geographic and physical features which are a distinctive part of Victoria. The Peninsula plays an important role, being highly valued for its scenic attributes, open rural landscapes, proximity to the coast, tourism role and lifestyle appeal.

56. The Localised Planning Statement acknowledges that the attractiveness, accessibility and proximity of the area to metropolitan Melbourne means it is increasingly coming under pressure for growth and change.
57. On the Bellarine Peninsula more broadly, the Localised Planning Statement identifies the significant of the visual landscape, distinct coastal settlements in rural settings, sweeping views across rolling hills, coastlines, wetlands and open farmed landscapes.
58. The Localised Planning Statement documents that “*considerable strategic planning has been undertaken to provide for the managed expansion of urban areas on the Bellarine Peninsula, and townships have been planned on the basis of clear settlement boundaries. Ongoing population and employment growth within the Greater Geelong area, combined with the unique and high quality rural and coastal landscapes is contributing to increasing development pressures in rural areas of the Bellarine Peninsula. Managing growth and development is therefore critical to protecting and enhancing the significant values of the Bellarine Peninsula.*”
59. The Localised Planning Statement Framework Plan is shown below in **Figure 5**.
60. Ministerial Direction No. 17 provides that in preparing an amendment affecting land in an adopted Localised Planning Statement, a planning authority must have regard to the relevant statement.

Figure 5 - Bellarine Peninsula Localised Planning Statement Framework Plan

Bellarine Peninsula Localised Planning Statement - SEPTEMBER 2015



Township Structure Plans and Amendments

61. The townships of the Bellarine Peninsula and Lara have been subject to whole of town structure plans since at least the early 1990's. The structure plans have typically been 10 year plans which set a vision for the town, provide guidance on town centres, infill development, access, environmental protection and in some cases urban expansion. The plans also include settlement boundaries.
62. Many of the structure plans are up to their third or fourth iteration and all have been subject to community consultation and planning scheme amendment processes including panel hearings.
63. Below is a list of the most recent Structure Plan Amendments with approval dates. They are hyperlinked to the relevant Council or DELWP webpage which also contain a copy of the relevant Panel report.
 - [C375ggee - Barwon Heads Structure Plan](#) (Approved 15 July 2019)
 - [C352 - Portarlinton Structure Plan](#) (Approved 19 October 2017)
 - [C352 - Indented Head Structure Plan](#) (Approved 19 October 2017)
 - [C312 - St Leonards Structure Plan](#) (approved 25 June 2015)
 - [C346 - Ocean Grove Structure Plan](#) (approved October 2016)
 - [C254 - Leopold Structure Plan](#) (approved May 2013)
 - [C198 - Lara Structure Plan](#) (approved August 2011)
 - [C194 - Drysdale Clifton Springs Structure Plan](#) (approved January 2011)
64. C395 generally adopts as its basis the local structure plans as they current exist.

Relevant strategic matters, updates and amendments – Settlement Strategy

65. The following section of this submission provides summaries and updates on key strategies and projects that relate to the Settlement Strategy components of C395.

Distinctive Areas and Landscape – General

Distinctive areas and landscapes – legal framework

66. Part 3AAB of the *Planning and Environment Act 1987 (PE Act)* contains a process for implementing a framework to guide decision-making in relation to areas determined to be distinctive areas and landscapes. The objects of implementing a framework are to:

- protect and conserve distinctive areas and landscapes;
- enhance the conservation of the environment in declared areas;
- integrate policy development, implementation and decision-making in declared area; and
- recognise the connection and stewardship of traditional owners in relation to land in declared areas.¹

67. This process is summarised in the below table.

	Stage	Description
1.	Declaration	<p>On recommendation of the Minister for Planning, the Governor in Council may declare an area of Victoria to a distinctive area and landscape.²</p> <p>For the Minister to recommend that an area be declared as a distinctive area and landscape, the Minister must be satisfied that:</p> <ul style="list-style-type: none">(a) the area has a majority of the following attributes:<ul style="list-style-type: none">(i) outstanding environmental significance;(ii) significance geographical features, including natural landforms;(iii) heritage and cultural significance;(iv) natural resources or produce land of significance

¹ PE Act, s46AN.

² Ibid, s46AO. There are provisions dealing with the revocation of a declaration in ss46AQ-46AS.

		<p>(v) strategic infrastructure or built form or significance</p> <p>(vi) any prescribed attribute.³</p> <p>(b) the area is under '<i>threat of significant or irreversible land use change that would affect the environmental, social and economic value of the area</i>'.⁴</p>
2.	<p>Preparation of a Statement of Planning Policy</p>	<p>Within 12 months of an area being declared as a distinctive area and landscape⁵, the Minister must prepare and Statement of Planning Policy (SOPP) for the declared area.⁶</p> <p>The purpose of the SOPP is '<i>to create a framework for the future use and development of land in declared area to ensure the protection and conversation of the distinctive attributes of the declared area</i>'.⁷</p> <p>The SOPP in summary must:</p> <ul style="list-style-type: none"> (a) set a 50-year vision for the declared area; (b) identify the parts of the SOPP that are binding on responsible public entitles⁸ in decision-making; (c) contain a declared area framework plan which guides future land use and development within the declared area and may specify a 'protected settlement boundary' in the declared area. (d) sets out Aboriginal tangible and intangible cultural values and other cultural and heritage values.⁹ <p>The SOPP must not be inconsistent with the legislation or plans specified in Division 4 of Part 3AAB.</p>

³ Ibid, s46AP(1).

⁴ Ibid, s46AP(2)

⁵ The Governor in Council may extend this period pursuant to s46AT(3).

⁶ PE Act, s46AT.

⁷ Ibid, s46AU.

⁸ Defined in s3(1). It includes a municipal Council whose municipal district contains land in the declared area.

⁹ PE Act, s46AV.

3.	Consultation	When preparing the SOPP, the Minister must consult with each 'responsible public entity' (a defined term under the Act) for the declared area, the local community and any other person that may be affected by the SOPP. ¹⁰
4.	Endorsement of the SOPP	Each responsible public entity specified in the SOPP and the Minister responsible for that entity must be given a draft of the SOPP for endorsement. ¹¹ The responsible public entity must endorse the SOPP.
5.	Approval of the SOPP	Once the SOPP has been endorsed, the Governor in Council may approve the SOPP by publishing a notice of approval in the Government Gazette. ¹²
6.	Commencement of the SOPP	<p>The SOPP commences on the day of gazettal or a later specified date.¹³ On the commencement date, the SOPP is taken to form part of the State standard provisions of the Victorian Planning Provisions.¹⁴</p> <p>A responsible public entity must not act inconsistently with any provision of the SOPP that is expressed to be binding on it when performing a function or exercising its power in relation to the declared area.¹⁵</p>

¹⁰ Ibid, s46AW.

¹¹ Ibid, s46AX.

¹² Ibid, s46AY.

¹³ Ibid, s46AZ(1).

¹⁴ Ibid, s46AZ(2).

¹⁵ Ibid, s46AZK.

7.	Planning Scheme Amendment	<p>Once the SOPP has been approved, the Minister must prepare an amendment to the planning scheme in which the declared area is located to give effect to the approved SOPP.¹⁶</p> <p>The Minister must not approve any amendment that is inconsistent with a SOPP and a responsible public entity must not prepare and amendment which is inconsistent with a SOPP¹⁷</p> <p>In respect of planning scheme amendments implementing a protected settlement boundary, the amendment does not take affect unless and until it is ratified by Parliament in accordance with the procedure contained in Division 3 of Subdivision 3 of Part 3AAB.</p>
8.	Review of SOPP	<p>The SOPP must be reviewed no later than 10 years after the commencement of the SOPP.¹⁸</p> <p>After the review, the Minister may prepare a new SOPP or an amendment to the existing SOPP.¹⁹</p>

Distinctive Areas and Landscape – Surf Coast

68. On the 17 September 2019 parts of the Surf Coast Shire and City of Greater Geelong were declared a Distinctive Area and Landscape (DAL) under the PE Act. The map below shows the declared area.

¹⁶ Ibid, Subdivision 2 of Division 2 of Part 3AAB. Part 3 of the PE Act applies to the preparation and approval of a planning scheme amendment except Division 1 in respect of exhibition, Division 2 in respect of public submissions and section 39(1)-(5) in respect of defects in procedure.

¹⁷ S46AZC.

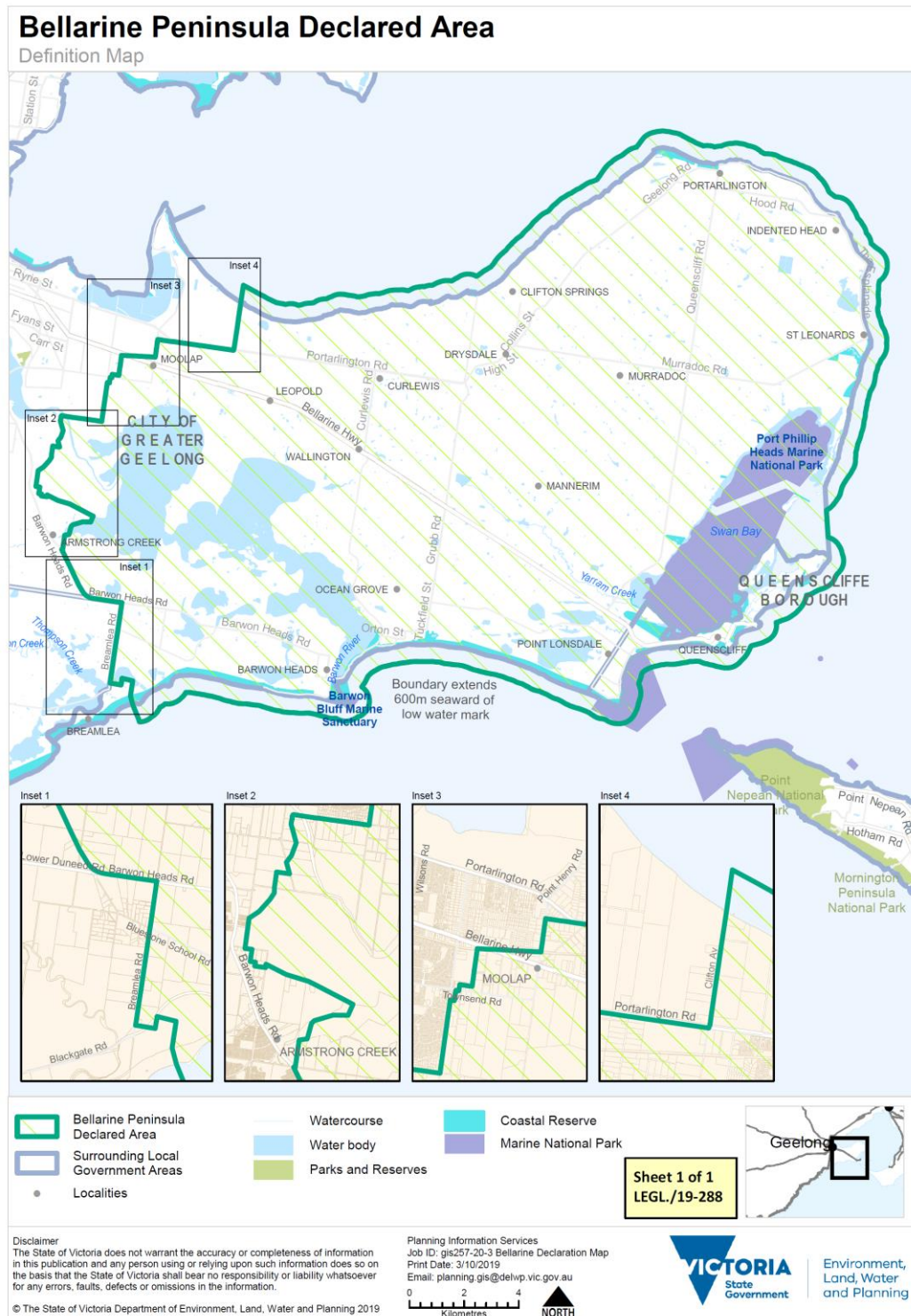
¹⁸ Ibid, s46AZI(1)

¹⁹ Ibid, s46AZI(2). The process for amending a SOPP is set out in s46AZA.

Distinctive Areas and Landscape – Bellarine Peninsula

71. The Department of Environment, Land, Water and Planning (**DELWP**) is working in partnership with the City of Greater Geelong, the Borough of Queenscliffe and Traditional Owners, the Wadawurrung, to declare the Bellarine Peninsula a Distinctive Area and Landscape under the PE Act.
72. Once declared, a Statement of Planning Policy will be prepared which will include a 50-year vision and strategies, including long-term settlement boundaries, to better protect the unique features of the Bellarine Peninsula for current and future generations.
73. [Frequently Asked Questions](#) on the relationship between the DAL process and the Settlement Strategy were published some months ago as part of the exhibition of C395.
74. On 14 October 2019 the City wrote to DELWP to seek clarification on the DAL process for the Bellarine. This letter is in **Appendix 4** and the DELWP response in **Appendix 5**.
75. On 22 October 2019 the Bellarine Peninsula was declared a DAL by the Minister for Planning. The declared area is shown in Figure 6 on the following page.
76. Further information on the DAL process and its legal framework will be provided in Council's Part B submission.
77. The DELWP website also has up to date information - <https://engage.vic.gov.au/distinctive-areas-and-landscapes-program/bellarine-peninsula>

Figure 6 – Bellarine Peninsula Declared Area (DAL)



Moolap Coastal Strategic Framework Plan

78. This State Government plan was finalised in August 2019. It provides for development of Alcoa’s former aluminium smelter and other Alcoa land at Point Henry and Moolap. It includes a long term residential precinct (Moolap East) which

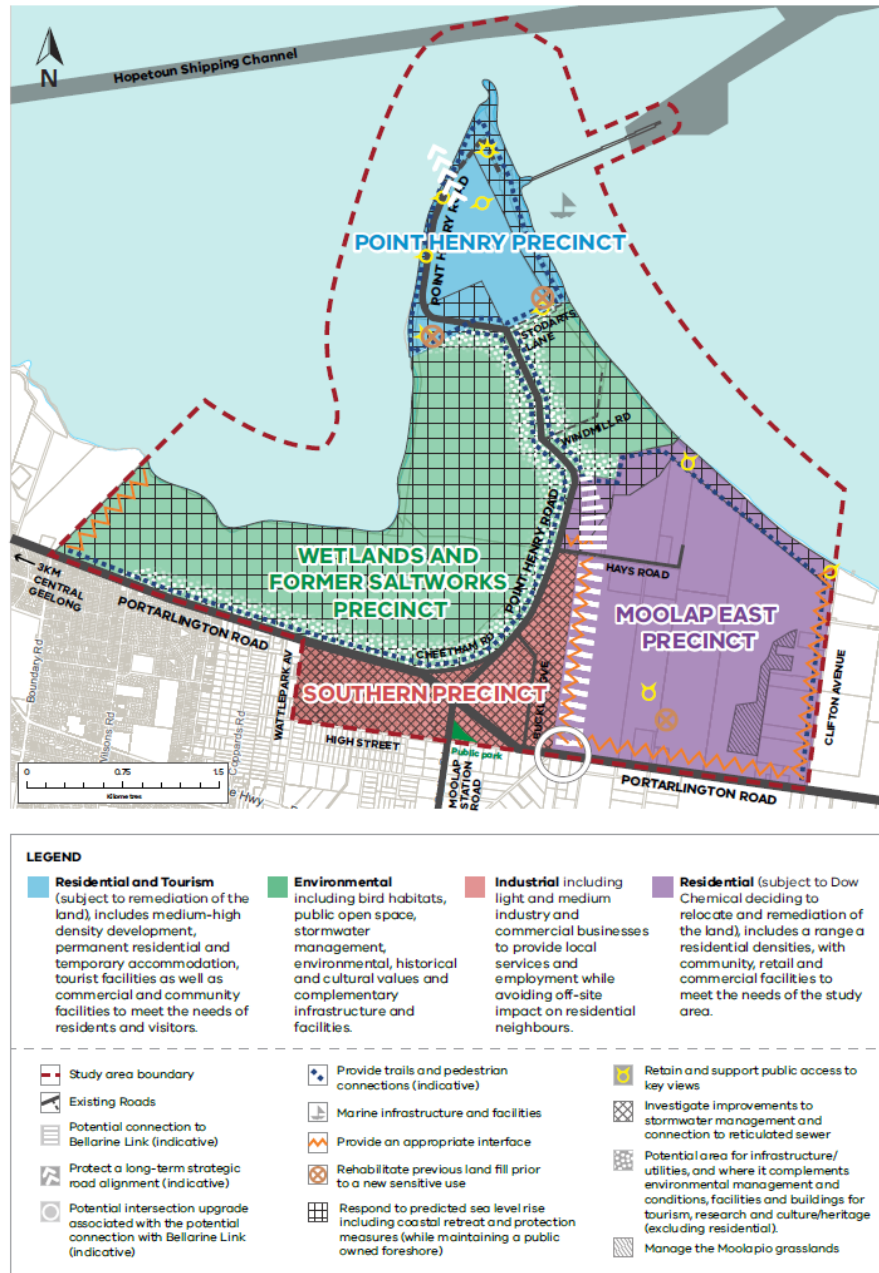
can't be developed due to buffer requirements for industries such as Dow Chemicals – see Figure 7 below. The residential precinct is not part of Council's Settlement Strategy, having been approved later than the adopted strategy. The Moolap Coastal Strategic Framework Plan indicates that it will provide housing for at least 12,000 residents upon its implementation.²⁰

79. DELWP has drafted a 20(4) Amendment to implement the Moolap Coastal Strategic Framework Plan and has provided it to Council officers for comment. It is a policy based amendment and doesn't propose rezoning. For further information see DELWP website - <https://www.marineandcoasts.vic.gov.au/coastal-programs/moolap>.

²⁰ Page 23 of the Moolap Coastal Strategic Framework Plan.

Figure 7 – Moolap Coastal Strategic Framework Plan

The Moolap Plan's strategic direction for the study area is summarised in the Strategic Framework Map:



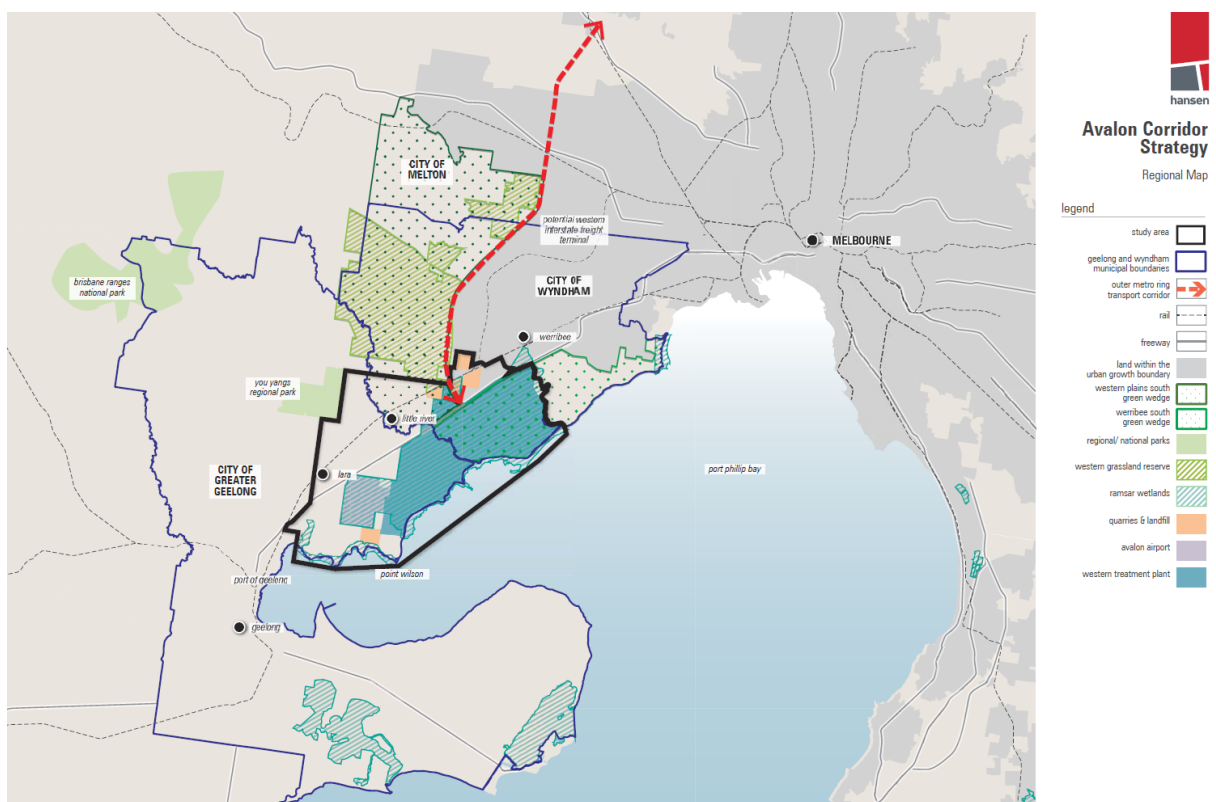
Avalon Corridor Strategy

80. The Avalon Corridor Strategy is being delivered by the City of Greater Geelong, Wyndham City Council and DELWP, assisted by consultancy firm Hansen.
81. The Strategy will set the strategic direction for land use between Werribee and Lara – see Figure 8 map below for the study area.
82. The Strategy will not identify land for residential use. Planning for residential growth in the City of Greater Geelong is being managed through the Settlement Strategy which is directing future growth to land north and west of the Geelong Ring Road.

Residential growth in Wyndham will be contained within Melbourne’s Urban Growth Boundary.

83. Project progress has been delayed pending the availability of technical information about updated aircraft noise from Avalon Airport. With the Avalon Airport recently acquiring international status, aircraft noise in the vicinity is being considered.
84. Further information is here - <https://www.geelongaustralia.com.au/planning/documents/item/8d3fcb2c1d547d6.a.spx>.

Figure 8 – Avalon Corridor Strategy – Context Map



Waurm Ponds Train Stabling and Maintenance Facility (GC104)

85. The Minister is the Planning Authority for Amendment GC104 which facilitates the Waurm Ponds Train Maintenance and Stabling Facility.
86. A Public Acquisition Overlay is proposed over private farming land at 255 Reservoir Road, Waurm Ponds. The site is located at the edge of Greater Geelong municipality west of the Boral quarry (see Figure 9 map below).
87. The Minister for Planning has referred the proposal to the Government Land Standing Advisory Committee and a hearing is set for February 2020.

88. The City's submission to GC104 recognises and supports the need for a train stabling and maintenance facility west of the Waurin Ponds Railway Station to improve train services on the Geelong line. However, public commentary has raised concerns about the impact on the farming operations, local community and rural amenity.
89. Further information is here - <https://www.planning.vic.gov.au/policy-and-strategy/government-land-planning-service/site-list/site-list/greater-geelong/255-reservoir-road,-waurin-ponds>.

Figure 9 – Waurin Ponds Train Stabling Facility Site



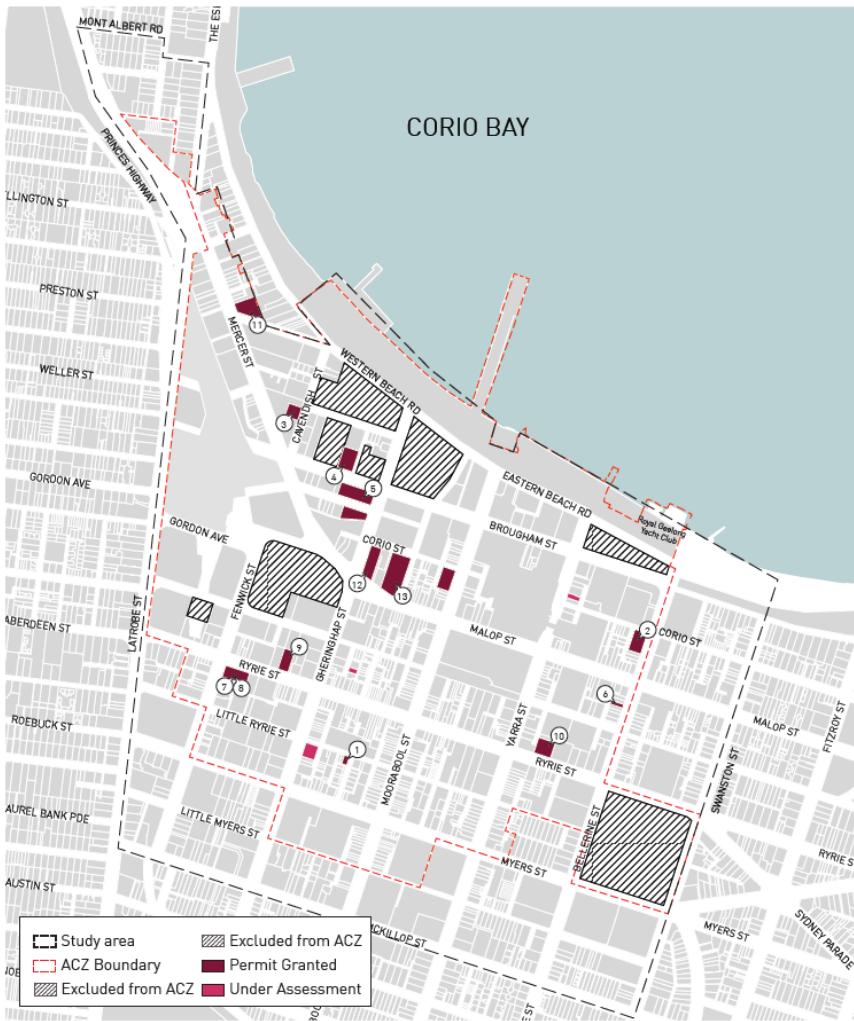
Regional Rail Revival – Geelong Line Upgrade

90. The State Government is undertaking a range of rail related improvements in the Geelong region including new platforms, pedestrian overpass and additional track at Waurin Ponds Station. As part of the Geelong Line Upgrade, the State Government will also start progressing further planning of the Armstrong Creek transit corridor which was set aside as part of the urban growth plan and allows for a train to the Armstrong Creek town centre and further to Torquay. A business case to plan for a proposed future rail duplication between South Geelong and Waurin Ponds, separately funded by the Victorian and Australian governments, has been submitted to Infrastructure Australia for assessment. The [Fact Sheet](#) on the Geelong Line Upgrade provides more details.

Central Geelong Development Activity

91. Revised Structure Plans and Urban Design Guidelines are in preparation for Central Geelong. Geelong now hosts two recently built office buildings for Worksafe and NDIS. A large amount of development activity and planning is underway for more new offices, apartments and hotels in the city centre. Two substantial apartment towers are currently under construction in the “western wedge” precinct in the Mercer Street area. Figures 10,11 and 12 below show the sites of permits approved by the Minister, detail of the developments and renders of the approved buildings.
92. Of these 6 of the approvals include delivery of residential uses providing a total of 263 dwellings/apartments, 106 student accommodation units and 180 hotel accommodation units.

Figure 10 – Map of Central Geelong Development Activity (Permits issued)



1. 4 Star Street

Site Area
147m²
Height
28.44m (8 Stories + Basement)

2. The Ritz

Site Area
1,544m²
Height
35.3m (12 Stories + Basement)

3. Miramar Apartments

Site Area
2,298m²
Height
71.7m (22 Stories + Basement)

4. Deakin Student Housing

Site Area
1,801m²
Height
35.5m (11 Stories + Basement)

5. 20-28 Brougham Street

Site Area
2,161m²
Height
60m (11 Stories)

6. 22 Bellerine Street

Site Area
266m²
Height
43m (13 Stories)

7. Holiday Inn

Site Area
2,743m²
Height
51.9m (15 Stories+ Basement)

8. NDIA (did not go ahead)

Site Area
2,743m²
Height
46.6m (12 Stories)

9. Geelong Performing Art Centre

Site Area
6,600m²
Height
29.2m (6 Stories)

10. 235 Ryrie Street

Site Area
1,847m²
Height
26.5m (5 Stories + Basement)

11. The Mercer

Site Area
TBCm²
Height
49.4m (15 Stories + Basement)

12. Worksafe

Site Area
TBCm²
Height
67.5m (13 Stories)

13. NDIA

Site Area
TBCm²
Height
TBCm (6 Stories + Basement)

Figure 11 – Further detail of permits issued (with residential highlighted)

Application	Zone Overlay	Bulk	Built Form	Uses
1 4 Star Street, Geelong PA17/00359 Issued by the Minister for Planning 11 October 2018	ACZ1 (2B) Heritage Overlay H0977 Special Building Overlay	Site Area 147m ² GFA 1,121m ² FAR 7.6:1	Height 28.44m (8 Stories + Basement) Setback • 0m from the Street^ • 2m setback above street wall* Street Wall 20m (5 stories) Canopy Verandahs No	Residential 4 Dwellings Office 125m ² Retail 26m ²
2 10 Bellerine Street, Geelong PA1700208 Issued by the Minister for Planning 15 December 2017	ACZ1 (2B) Heritage Overlay H0864 and H01639 (Former Belle Vue Hotel)	Site Area 1,544m ² GFA 13,804m ² FAR 8.9:1	Height 35.3m (12 Stories + Basement) Setback • 0m from the Street^ • 3m setback above street wall* Street Wall 20m (5 stories) Canopy Verandahs No	Residential 110 Dwellings Retail 75m ²
3 18-20 Cavendish Street, Geelong PA16/00116 Issued by the Minister for Planning 26 March 2017	ACZ1 (7B) Special Building Overlay	Site Area 2,298m ² GFA - FAR -	Height 71.7m (22 Stories + Basement) Setback • 0m from the Street^ • 4m setback above street wall^ Street Wall 15m Canopy Verandahs Yes	Residential 112 Dwellings Retail 94m ²
4 19-23 Brougham Street, Geelong PA16/00117 Issued by the Minister for Planning 13 October 2016	ACZ1 (5B) Special Building Overlay	Site Area 1,801m ² GFA - FAR -	Height 35.5m (11 Stories + Basement) Setback • 2m from the Street* • A cantilever with upper levels Canopy Verandahs Yes	Accommodation 106 Units Education 747m ²
5 20-28 Brougham Street, Geelong PA15/00062 Issued by the Minister for Planning 19 June 2016	ACZ1 (5A) Special Building Overlay	Site Area 2,161m ² GFA 24,880m ² FAR 11.5:1	Height 60m (11 Stories) Setback • 0m from the Street^ Canopy Verandahs Yes	Retail 190m ² Office 12,700m ²
6 22 Bellerine Street, Geelong PA17/00320 Issued by the Minister for Planning 17 June 2018	ACZ1 (2B)	Site Area 266m ² GFA 2,197m ² FAR 8.2:1	Height 43m (13 Stories) Setback* • 0m from the Street^ • 5m setback above street wall^ Street Wall 19.9m Canopy Verandahs Yes	Residential 17 Dwellings Retail 63.5m ²
7 36-48 Ryrie Street, Geelong (Holiday Inn) PA17/00303 Issued by the Minister for Planning 1 July 2018	ACZ1 (2B) Design and Development Overlay, Schedule 36 Special Building Overlay	Site Area 2,743m ² GFA 31,550m ² FAR 11.5:1	Height 51.9m (15 Stories+ Basement) Setback* • 0m from the Street^ • 4.5m setback above street wall* Street Wall 15m Canopy Verandahs Yes	Residential 24 Dwellings Hotel 180 Units Office 7,800m ² Retail 531m ²
8 36-48 Ryrie Street, Geelong PA16/00080 Issued by the Minister for Planning [did not go ahead] 8 July 2016	ACZ1 (2B) Design and Development Overlay, Schedule 36 Special Building Overlay	Site Area 2,743m ² GFA 24,754m ² FAR 9:1	Height 46.6m (12 Stories) Setback* • 0m from the Street* • A cantilever with upper levels* Canopy Verandahs No	Office ?m ² Function spaces - Retail -
9 50 Little Malop Street, Geelong PA16/00144 Issued by the Minister for Planning 9 July 2017	ACZ1 (4B) Heritage Overlay H01640 Design and Development Overlay, Schedule 36 Special Building Overlay	Site Area 6,600m ² GFA - FAR -	Height 29.2m (6 Stories) Setback* • 0m on an angle to from the Street* • A cantilever with upper levels Canopy Verandahs Yes	Assembly 3024m ² Office 350m ²
10 235 Ryrie Street, Geelong PA17/00233 Issued by the Minister for Planning 14 November 2017	ACZ1 (2B) Design and Development Overlay, Schedule 36	Site Area 1,847m ² GFA 7,519m ² FAR 4:1	Height 26.5m (5 Stories + Basement) Setback* • 0.6m from the Street* Street Wall 21.45m + 27.2m Canopy Verandahs No	Office Additional 2502m ²

Figure 12 – Renders of new and permit approved buildings in Central Geelong



Figure 98 4 Star Street, Geelong (PA17/00359)
 1. East Perspective
 2. View looking south-west
 3. Active Frontage



Figure 99 10 Bellerine Street, Geelong (PA17/00208)
 1. North Elevation
 2. Corner of Bellerine St & Corio St



Figure 100 18-20 Cavendish Street, Geelong (PA16/00116)
 1. East Elevation – Cavendish St
 2. Active Frontage



Figure 101 19-23 Brougham Street, Geelong (PA16/00117)
 1. View looking from Brougham St
 2. Corner of Brougham St & Lt Smythe St



Figure 102 20-28 Brougham Street, Geelong (PA15/00062)
 1. East Elevation – Gheringhap St
 2. View looking from Brougham St



Figure 103 22 Bellerine Street, Geelong (PA17/00320)
 1. East Elevation
 2. & 3. View looking from both side of Bellerine St



Figure 104 36-48 Ryrie Street, Geelong (PA17/00303)
 1. North Elevation – Ryrie Street
 2. Corner of Ryrie St & Fenwick St



Figure 105 36-48 Ryrie Street, Geelong (PA16/00080)
 (Did not go ahead)
 1. North Elevation – Ryrie Street
 2. Corner of Ryrie St & Fenwick St



Figure 106 50 Little Malop Street, Geelong (PA16/00144)
 1. South Elevation – Ryrie Street
 2. View looking from Ryrie St



Figure 107 235 Ryrie Street, Geelong (PA17/00233)
 1. South Elevation – Ryrie Street
 2. View looking from Ryrie St

Source: Hodyl & Co Central Geelong Urban Design Guidelines Preliminary Findings Report Apr 2019 (Internal Draft).

Planning Policy Framework Translation

93. The Planning Policy Framework (**PPF**) translation of the Planning Scheme is underway. DELWP has employed Tract consultants to do Council's translation. An inception meeting was held in February 2019 and since then two workshops have been held with Council officers. A second (incomplete) draft of the translated policy is currently being reviewed by Council officers. Council expects to have a final agreed set of translated policies (in the new PPF format) by around February next year.
94. Officers will then seek a Council resolution in March 2020 to support a Ministerial 20(4) amendment to implement the new PPF. Realistic timing would suggest approval and gazettal of the changes would be around April/May 2020.
95. The translation is being done on a policy neutral basis. Council expects to do a comprehensive review and tidy up of planning policies in 2020/21.
96. The Council's agreement with DELWP is to continue with ongoing large strategic policy amendments including the Retail Strategy (C393) and Settlement Strategy/ Northern and Western Growth Areas (C395) based on the existing MSS/LPPF. However, Council is proceeding on the basis that a revised set of policies in the new PPF format will need to be prepared at some point for each amendment. This is most likely to occur at adoption, approval or as a default in conjunction with the translation amendment if timing made this appropriate. The PPF translation drafting rules have been considered when preparing these current amendments.

Relevant strategic matters and updates – NWGGA

Bushfire Planning

97. Council appointed Kevin Hazell (Bushfire Planning) to prepare a [bushfire report](#) on the Framework Plan component of the Amendment, responding to Clause 13.02-1S and to provide advice on how future PSPs and planning scheme amendments can address bushfire issues.

98. The report concluded that:

The proposal is consistent with the bushfire policies and directions contained in the planning scheme. There is no planning scheme bushfire factor that would warrant the proposal not proceeding subject to the recommendations in this report being implemented through the structure plan.

99. The report's recommendations relate to the subsequent prPSP process that will be carried out for each of the nine precincts identified in the Framework Plan.

Biodiversity Conservation Strategy

100. It is known that the northern growth area contains areas of interest Ecological values on the land include:

- Approximately 408 hectares of remnant native vegetation patches, Plains Grassland, a critically endangered ecological community.
- Three scattered trees.
- Two wetlands.
- Potential habitat for:
 - Commonwealth-listed significant flora species including Spiny Rice-flower and Large-headed Fireweed
 - State-listed significant flora species including Leafless Bluebush
 - Commonwealth-listed significant fauna species including namely Golden Sun Moth and Striped Legless Lizard
 - State-listed significant fauna species comprising predominately bird species that may disperse to more suitable breeding and foraging habitats.
- Land in the area forms part of the Hovells Creek drainage catchment that outfalls into Limeburners Bay; this location (Point Wilson/Limeburners Bay) is one of six distinct areas that form the Port Phillip Bay (Western Shoreline) and

Bellarine Peninsula Ramsar Site, a complex of wetlands of international importance.

- Several ephemeral drainage lines and farm dams occur throughout the area although none are considered to be of national biodiversity significance.
101. The Framework Plan outlines the preparation of an overarching biodiversity conservation strategy for each growth area to provide guidance for the management of biodiversity values of State and Commonwealth significance.
102. The intent of the preparation of these strategies is to provide the basis for securing the necessary Commonwealth and State environmental regulatory approvals with an approach that provides certainty about the impacts to any matters of national environmental significance (MNES) and the required offsets, reduces the overall financial and administrative costs of implementing individual or multiple strategic assessments, and provides flexibility to undertake detailed design of subsequent PSPs without affecting the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval.
103. Strategic assessments and resulting actions occur under Part 10, Division 1 of the EPBC Act. The Commonwealth Minister can approve *'the taking of an action or a class of actions in accordance with an endorsed policy, plan or program'*.²¹ The well-known example of this is the Melbourne Strategic Assessment for the growth areas which permits actions that allow:
- Development and operation of the Regional Rail Link project between West of Werribee and Deer Park (section 2) (June 2010)
 - Urban development in 28 existing precincts within the 2005 Urban Growth Boundary (July 2010)
 - Urban development in the western, north-western and northern growth corridors (September 2013)
 - Urban development in the south-eastern growth corridor (September 2014)
104. No further approvals are required under the EPBC Act for urban development in these areas, as long as development follows the relevant program report and the conditions of the approvals which ensure that urban development proceeds in a

²¹ s 146B EPBC Act.

way that protects matters of national environmental significance. Having regard to the character of biodiversity in the area, its understanding of potential offset areas and advantages for future development, Council sees considerable advantage in pursuing such a strategic investigation approach.

105. The Council is currently engaging with DELWP, the Commonwealth Department of Environment and Energy (**DoEE**) and the VPA to assess regulatory options for securing these approvals and developing a strategic assessment. It is anticipated that a preferred approach will be adopted by early 2020. These discussions support Council's continued pursuit of a strategic assessment model.
106. Council has commissioned a biodiversity assessment report to inform this process, with general and targeted surveys of flora and fauna being undertaken between October 2019 and January 2020.
107. The study area for the biodiversity assessment report includes land subject to all four PSPs in the Northern Geelong Growth Area and the two northernmost PSPs in the Western Geelong Growth Area to ensure that precinct structure planning of 'short term' precincts (Elcho Road East PSP and Creamery Road PSP) can occur in 2020 including the preparation of a native vegetation precinct plan (**NVPP**), that is without delay or compromise of environmental objectives or the orderly delivery of households to accommodate growth.
108. Council has considered the relationship between the Framework Plan which is the subject of C395 (as it relates to the Northern and Western Growth Areas) and the augmentation of biodiversity information in this area. Council is satisfied that the endorsement of such high level Framework Plans is appropriate in this context. It says this because:
 - It acknowledges the principal importance of protection of biodiversity assets in the area.
 - It is actively furthering its investigations of the area that will be prepared in advance of the relevant PSPs.
 - Its interactions with the Commonwealth and State on a strategic approach are positive.
 - Notwithstanding the above positivity, the metropolitan experience demonstrates that there exist a range of tools to successfully manage biodiversity values on a localised basis (such as NVPPs).

- The Framework Plan to be incorporated into the Planning Scheme provides sufficient generality to accommodate change if particular values are identified within the PSP process.
- All relevant agencies and parties will participate in these future processes.

Lara energetic materials (Chemring)

109. Chemring Australia's Lara Energetic Materials Manufacturing Plant (**LEMMP**) is located at 230 Staceys Road, Lara, directly opposite the northern boundary of the Northern Geelong Growth Area. The LEMMP was established on the site in 1997. Special Use Zone Schedule 12 applies to 230 Staceys Road for the LEMMP (introduced in 2008 by Amendment C160).
110. The LEMMP is recognized in the exhibited Framework Plan on pages 84 and 85. Action N1.7.7 of the Framework Plan (page 87) provides that the LEMMP will be protected by establishing a 1,000 metre industrial buffer zone, in which no additional sensitive land uses, including residential development and community facilities, will be permitted.
111. On 26 July 2019, just prior to the conclusion of exhibition of Amendment C395 the facility at 230 Staceys Road was registered as a Major Hazard Facility under part 6.2 of the *Occupational Health and Safety Regulations 2017*- see letter of 17 October 2019 from Worksafe in **Appendix 6**.

Gas transmission pipeline

112. The T92 Lara to Iona Gas Transmission Pipeline diagonally bisects the Northern Geelong Growth Area, generally between Patullos Road, Lara and Evans Road, Lovely Banks.
113. The pipeline is licensed under the *Victorian Pipelines Act 2005*, and as such is required to comply with the AS 2885 Pipelines – gas and liquid petroleum. AS 2885 requires that a Safety Management Study (**SMS**) is carried out when there is a proposed change of land use around the pipeline so that actions required to maintain the safety of the pipeline can be identified.
114. An AS 2885 Safety Management Workshop, including all relevant stakeholders, to review the risks to the pipeline resulting from potential land uses for the proposed Northern Geelong Growth Area was carried out in October 2016. As a result of this workshop, a location classification review and safety management study review of the possible risk mitigation measures has been incorporated into the Framework Plan.

115. A summary of preferred land use planning in proximity to the growth area is included within the preliminary safety management plan is outlined in Figure 13.
116. Specific land use outcomes in proximity to the gas pipeline will be considered carefully as part of the preparation of the relevant PSPs and this is expected to trigger further AS 2885 Safety Management Workshops for each of the relevant PSPs during preparation.

Figure 13 – Land uses and preferred distance to gas people easement

LAND USE	DISTANCE TO EASEMENT				COMMENT
	0m – 65m	65m – 350m	350m – 570m	>570m	
Passive open space	Green	Green	Green	Green	
Active Open Space (no facilities)	Green	Green	Green	Green	
Active Open Space (facilities)	Yellow	Green	Green	Green	
Residential	Green	Green	Green	Green	Maximise distance to buildings.
Minor retail (small shopping strips)	Yellow	Green	Green	Green	
Industrial / Employment	Green	Green	Green	Green	Maximise distance to buildings.
Employment (office / commercial)	Yellow	Green	Green	Green	Population density needs to be considered.
Full Line Retail	Red	Orange	Yellow	Green	Only for "no rupture" pipeline (i.e. T92 pipeline at this location). Maximise distance to facility.
Sensitive Use	Red	Orange	Yellow	Green	Only for "no rupture" pipeline (i.e. T92 pipeline at this location). Maximise distance to facility.
General	Layouts should provide for maximum protection to occupants in the event of an ignited gas release (e.g. maximising the separation between the pipeline and the buildings, orienting buildings so that people are protected from radiant heat in the event of an ignited gas release, and that escape routes direct people to shelter away from the pipeline).				
Legend					
Preferred	Green				
Acceptable	Yellow				
Least preferred	Orange				
Not supported	Red				

Quarry buffers

117. Batesford Quarry is an active limestone quarry with an extractive pit covering approximately 100 hectares.
118. The overall quarry site, including the current Work Authority, stockpiles and overburdens, is much larger and covers more than 900 hectares.
119. The continued operation, and subsequent rehabilitation and transition of the quarry to a recreational lake is considered to be a long term proposal despite ongoing rehabilitation of the quarry pit perimeter.

120. The closure date of the quarry is subject to resource life and economic conditions but is not estimated to be earlier than 2025 and the subject filling of the lake with groundwater may take up to 20 years.
121. The City does not support urban development commencing in proximity to the quarry until rehabilitation to an urban standard has been undertaken, including significant progress of its filling with groundwater.
122. The Framework Plan does not specify buffer distances for urban development surrounding the quarry; the active face of the quarry is more than 500 metres removed from all other proposed PSP boundaries meaning that all quarry operations and impacts are contained within the Batesford South PSP.
123. The Framework Plan specifies that the rehabilitation of the Batesford Quarry will be completed to an urban standard prior to urban development in its proximity and that land capability for the proposed quarry end use and surrounding areas must be proven prior to the commencement of the PSP for Batesford South.

Geelong Ring Road Employment Precinct industrial buffers

124. The Geelong Ring Road Employment Precinct (**GREP**) is located to the east of Bacchus Marsh Road, directly opposite the eastern boundary of the Northern Geelong Growth Area. The need for an industrial buffer to the Heales Road Industrial Estate (**HRIE**) – now GREP – has been identified since the 1994 North Eastern Area Strategic Land Use Plan. A 1000 metre buffer to the HRIE is recognised in the 2011 Lara Structure Plan.
125. The GREP is recognized in the exhibited Framework Plan on pages 84 and 85. Action N1.7.6 of the Framework Plan (page 87) states that the GREP will be protected by maintaining its existing 1,000 metre industrial buffer zone. No additional sensitive land uses, including residential development and community facilities, will be permitted within this buffer, to maintain the economic and employment potential of the GREP.

C. ASSESSMENT OF THE STRATEGIC BASIS FOR THE AMENDMENT, INCLUDING THE SETTLEMENT STRATEGY AND GROWTH AREAS FRAMEWORK PLAN

Strategic Assessment

126. Minister's Direction No. 11 requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. What should be considered as part of the Direction is explained in the DELWP Practice Note 46 (May 2017): "*Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments.*"

127. The exhibited Explanatory Report includes a Strategic Assessment. This section of this submission is largely based on that Strategic Assessment

State policy

128. The Amendment supports and implements state policy on Settlement (Clause 11.01-S) The most relevant strategies that the Amendment supports include:

- Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, Geelong...
- Ensure regions and their settlements are planned in accordance with their relevant regional growth plan
- Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks
- Create and reinforce settlement boundaries
- Limit urban sprawl and direct growth into existing settlements
- Promote and capitalise on opportunities for urban renewal and infill redevelopment
- Ensure land that may be required for future urban expansion is not compromised.

129. The Amendment supports and implements state policy on Coastal Settlement (Clause 11.03-S). The most relevant strategies that the Amendment supports include:

- Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.

- Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected...
- Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
- Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.
- Protect areas between settlements for non-urban use.

130. The Amendment supports state policy on Distinctive areas and landscapes (Clause 11.03-5S). The Settlement Strategy, in relation to the Bellarine Peninsula, achieves the objective “*To protect and enhance the valued attributes of identified distinctive areas and landscapes*”. The Amendment and the Settlement Strategy are consistent with and complementary to the Bellarine Peninsula Localised Planning Statement and the Bellarine Peninsula Distinctive Areas and Landscapes program.

131. Other state policies supported and implemented by the Amendment include:

- Clause 11.02-1S Supply of urban land – the Amendment meets the objective “To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses” and strategies including:
 - Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Clause 11.02-2S Structure Planning – the Amendment supports this policy by undertaking comprehensive planning for new areas as sustainable communities.
- Clause 11.02-3S Sequencing of development – the Amendment meets the objective “To manage the sequence of development in areas of growth so that services are available from early in the life of new communities”.
- Clause 13.03-1S Floodplain management – the Framework Plan takes into account flooding along the Barwon and Moorabool Rivers and Cowries Creek.
- Clause 14.03-1S Resource exploration and extraction – the relevant strategy, which is to “*Develop and maintain buffers around mining and quarrying*”

activities", has been taken into account in the Framework Plan in relation to the Batesford quarry which has a 500 m buffer under EPA guidelines.

Regional policy

132. The G21 Regional Growth Plan is a plan to manage growth and land use pressure to 2050 in the G21 region. The Amendment supports and implements regional policy on Settlement - G21 Region (Clause 11.01-R). The most relevant strategies that the Amendment supports include:

- Provide for long term growth options that build on existing infrastructure, including two further investigation areas north and west of Geelong.
- Reinforce the role of district towns in providing services to surrounding areas.
- Maintain a significant settlement break between the region and Melbourne.
- Provide for settlement breaks between towns to maintain their unique identities.
- Require a settlement boundary for all towns.
- Protect critical agricultural land by directing growth to towns.

Local policy

133. The Amendment supports and implements a range of policies from the Local Planning Policy Framework:

- Clause 21.02 City of Greater Geelong Sustainable Growth Framework - in particular element 1. Managing Urban Growth.
- Clause 21.04 Municipal Framework Plan – by updating this plan to show the new Settlement Strategy directions.
- Clause 21.05-7 Flooding – the Northern and Western Geelong Growth Areas Framework Plan meets the relevant objectives: to protect floodplains; and to minimise the potential for damage and risks to public safety and property from flooding.
- Clause 21.06 Settlement and Housing – the Amendment directly implements the Further Work requirement of the existing Clause 21.06 to “As a priority commence an investigation into the future residential and industrial land use needs for Geelong, as a basis for future growth area planning, that would include:
 - the assessment of the environmental, resource, landscape, development pattern, access, servicing, land use, economic and social

constraints and opportunities associated with possible growth areas around Geelong;

- the identification of a preferred growth area or areas; and
 - the preparation of detailed growth area plans.
- Clause 21.06 Settlement and Housing – the Amendment directly implements the Further Work requirement of the existing Clause 21.06 to prepare a settlement strategy for the municipality.
134. In addition, the Amendment updates Clause 21.06 to reflect new directions on settlement and housing and inclusion of the Settlement Strategy as a Reference/Background Document:
- Clause 21.08 Development and Community Infrastructure – the Amendment updates this clause to reflect new transport and development contribution objectives.
 - Clause 21.14 Bellarine Peninsula – the Amendment updates this clause to reflect the change in role of Ocean Grove, Drysdale/Clifton Springs and Leopold as district towns rather than growth areas. A further work requirement is added to “Work with the state government on the designation of the Bellarine Peninsula under the Distinctive Areas and Landscapes Bill 2017.”

Environmental effects

135. The implementation of the Settlement Strategy into the planning scheme will result in positive environmental effects by directing urban growth into designated areas, increasing the role of urban consolidation, increasing housing diversity and choice and protecting landscapes, amenity and environmentally significant areas between settlements. For instance, the strategy provides a long-term vision and recommendations for the Bellarine Peninsula which will operate over the period of time until the SOPP for the Bellarine is integrated into the Planning Scheme under the Distinctive Areas and Landscapes program. Overtime this will see the extent of urban development contained by permanent boundaries and the protection of landscapes and non-urban breaks strengthened.
136. The Framework Plan is based on a series of expert technical reports and assessments covering issues such as flora and fauna, stormwater management, integrated water cycle management, cultural heritage, groundwater, geotechnical and soils. As a result the plan recognises environmental constraints and guides development to ensure environment impacts are managed. Environmentally

sustainable development (**ESD**) principles are being applied and there is a policy to design urban development in the Northern and Western Geelong Growth Areas to achieve carbon neutral neighbourhoods. The Amendment through proposed Clause 21.20 includes a strategy to undertake detailed master planning for the Moorabool River, Barwon River and Cowies Creek corridors to integrate protection and enhancement of natural flows and biodiversity and cultural heritage values with the urban landscape and recreational use.

Social and economic effects

137. The Settlement Strategy was informed by expert land supply, housing, demographic and population research and analysis. The strategy addresses municipal housing needs until 2036. This meets the requirement of the State Planning Policy Framework that all Victorian councils must plan to accommodate projected population growth over a 15-year period. The Amendment introduces new policy objectives at Clause 21.06, 21.08 and 21.14 that will have positive social and economic effects including:

- contain growth within identified locations across the municipality.
- increase the level of infill development and housing diversity in targeted locations.
- increase the level of affordable and social housing.
- minimise the economic, environmental, visual and servicing impacts of residential development on rural areas.
- maintain the unique township, landscape, tourism, farming and environmental values of the Bellarine Peninsula.
- maintain the unique identity of Greater Geelong and its townships.
- promote the early provision of public transport infrastructure and services in all growth areas.
- support the district towns of Ocean Grove, Drysdale and Leopold to fulfil their role as service hubs for the Bellarine Peninsula. In all other townships provide retail, commercial and community uses and facilities that serve the daily needs of the community.
- manage the release of new growth areas to efficiently deliver infrastructure, services and facilities.

138. The Framework Plan was informed by a number of technical reports including social infrastructure, retail and activity centre analysis and transport strategies. The implementation of the Framework Plan through a new Clause 21.20 includes the following positive social and economic objectives:

- create neighbourhoods where residents can live locally and meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip of their home.
- provide a network of activity centres in the Northern and Western Geelong Growth Areas that provide employment, retail, commercial, entertainment and community uses for growth area residents without adversely impacting the broader Geelong activity centre network.
- develop a Clever and Creative Corridor as a fundamental design element of the Northern and Western Geelong Growth Areas to ensure development is sustainable, self-sufficient, distinctive and connected through varied transport options.

Ministerial Directions

139. The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the PE Act

140. Ministerial Direction No.1 Potentially Contaminated Land has been considered with high level soil contamination assessments undertaken for the Northern and Western Growth areas. The assessments included a limited historical review, site inspections and some soil sampling. The Amendment rezones land to the Urban Growth Zone however this is a holding zone and sensitive uses such as residential will require a further amendment to introduce a schedule into the UGZ based on a PSP. Further environment assessments will need to be prepared as part of future PSP amendment processes to fully satisfy Ministerial Direction No.1.

141. The Amendment is affected by the Ministerial Direction No. 11 - Strategic Assessment of Amendments under section 12 of the PE Act and complies with this direction.

142. The Amendment is affected by Ministerial Direction No. 15 - The Planning Scheme Amendment Process and complies with this Direction.

143. Ministerial Direction No.19 requires planning authorities to seek the views of the EPA in preparing planning scheme amendments that could “*result in significant impacts on the environment, amenity and human health due to pollution and*

waste". The Direction applies to amendments that may allow use and development under four scenarios.

144. The Amendment is a broad, strategic, policy-based amendment with the exception of rezoning some land to the UGZ. The UGZ being applied falls under PART A – No PSP. It is a holding zone with a Table of Uses similar to the Farming Zone. As such the Amendment does not allow the use and development referred to in Ministerial Direction No.19. However, it seeks to implement a framework plan which provides high-guidance for the development of PSPs.
145. The written views of the EPA were sought in accordance with Ministerial Direction No. 19. The EPA advised it is generally supportive of the Amendment and provided comments advising on issues likely to be relevant in future work to further implement the Settlement Strategy and the Framework Plan. Matters addressed in these comments included establishing and maintaining buffers and preventing encroachment of sensitive uses.
146. The matters raised in the EPA's advice will be considered as Council carries out further work to implement the Settlement Strategy and the Framework Plan. Council will conduct further engagement with the EPA early in the process of preparing PSPs and subsequent associated planning scheme amendments.

Settlement Strategy – Municipal Framework Plan

147. The Amendment proposes a revised Municipal Framework Plan at Clause 21.04 that, in particular, identifies growth areas and non-urban breaks. This supports and implements relevant aspects of state, regional and local policy. The Municipal Framework Plan is shown below:

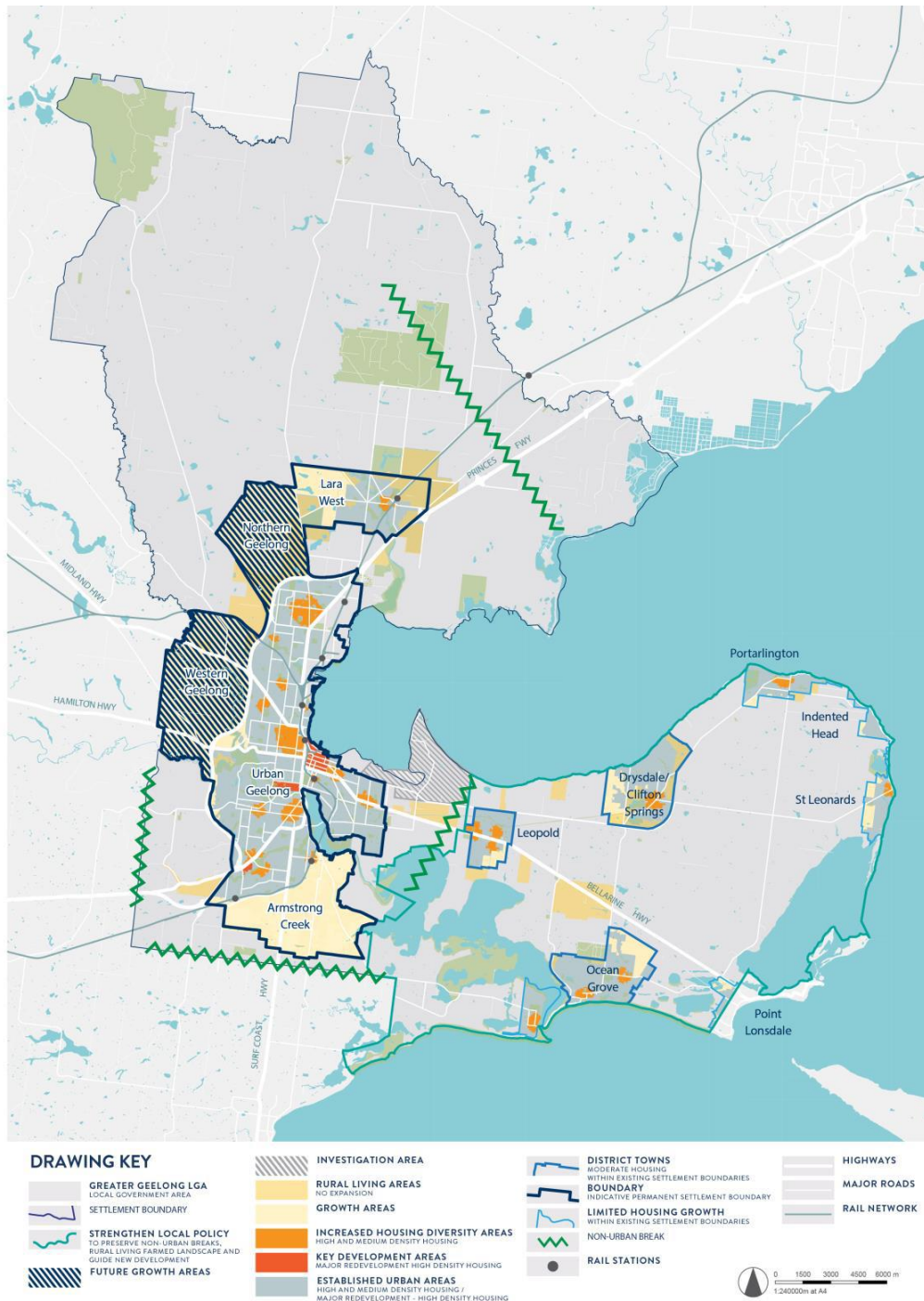
Figure 14 – C395 Exhibited Municipal Framework Plan (Clause 21.04)



Settlement Strategy – Housing and Settlement Framework Plan

148. The Amendment proposes to introduce a Housing and Settlement Framework Plan at Clause 21.06 that, in particular, identifies growth areas and non-urban breaks, district towns and settlement boundaries. This supports and implements relevant aspects of state, regional and local policy. The Housing and Settlement Framework Plan is shown below:

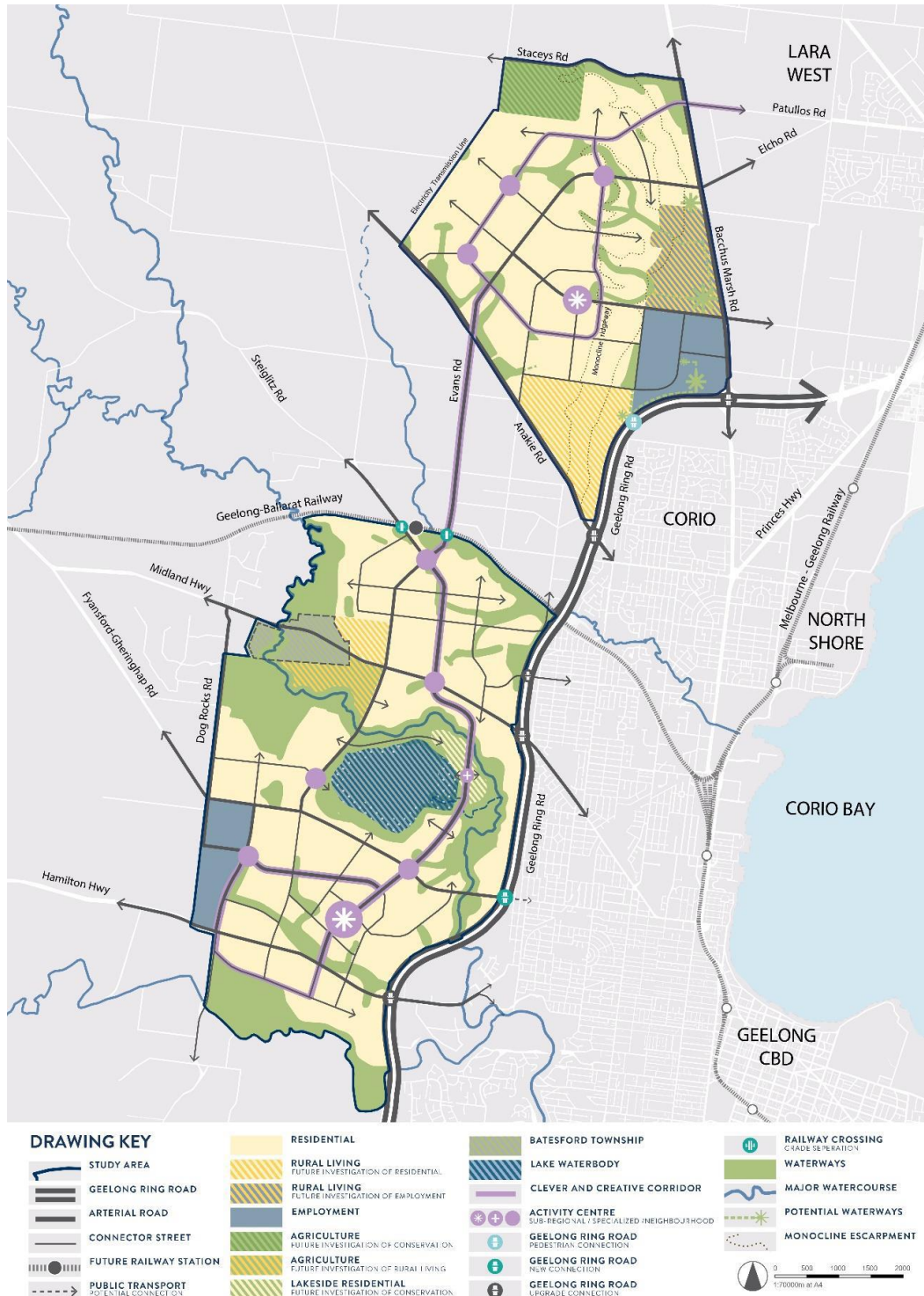
Figure 15 – C395 Exhibited Housing and Settlement Framework Plan (Clause 21.06)



Northern and Western Geelong Growth Areas Framework Plan map

149. The Amendment proposes to introduce a Framework Plan map at Clause 21.20-5. The map shows the high-level future urban structure for the growth areas and supports and implements relevant aspects of state, regional and local policy. The Framework Plan map is shown below:

Figure 16 - C395 Exhibited Northern & Western Growth Areas Framework Plan (Clause 21.05)



D. PROCESS TO CONSIDER CHANGES TO THE SETTLEMENT STRATEGY AND GROWTH AREAS FRAMEWORK PLAN

150. Various changes are recommended to the Settlement Strategy and the Framework Plan. These are outlined in Part F of this Part A Panel submission below. Many of these changes are recommended in response to submissions made on the Amendment. Other minor changes have been identified by Council officers to correct errors or for clarity.
151. The changes in Part F of this submission below represent Council's position at this Panel. A limited number of further modifications may be recommended in Council's Part B Panel submission.
152. It is anticipated that the Panel may recommend other changes to the Settlement Strategy and/or the Framework Plan.
153. It is intended that a report to Council to consider the Panel Report and to consider adoption of the Amendment will include a list of all recommended post-exhibition changes, along with revised versions of both the Settlement Strategy and the Framework Plan incorporating those changes.
154. When the Amendment is submitted for the Minister's approval, the adopted revised Settlement Strategy and the Framework Plan will also be submitted. The Schedule to Clause 72.08 submitted for final approval will refer to the adopted version of each of these Background Documents and other references to the documents in the Amendment ordinance will be modified accordingly.

E. SUMMARY OF MAIN ISSUES RAISED IN SUBMISSIONS

155. A total of 102 submissions were received as part of the public exhibition process. 61 submissions relate to the Framework Plan, 27 to the Settlement Strategy and 14 to both. Seven submissions support the Amendment without change. The remaining submissions make detailed comment, request changes or object to the Amendment.

156. Issues raised regarding the Settlement Strategy and related policy changes are grouped under the following themes in the report to Council's meeting of 24 September 2019:

- projected population growth rates.
- land supply and demand.
- housing markets.
- long-term comprehensive planning.
- settlement boundary – interest in further residential development.
- logical inclusions process.
- Bellarine Peninsula Distinctive Areas and Landscapes program.
- supporting submissions.
- other township issues.
- Government agency submissions.
- other issues.

157. Issues raised regarding the Framework Plan and related policy changes are grouped under the following themes in the report to Council's meeting of 24 September 2019:

- planning process.
- precinct boundaries.
- development sequencing.
- development levies.
- land acquisition.
- lot yield.

- Clever and Creative Corridor.
- activity centres.
- integrated transport network.
- integrated water management.
- biodiversity.
- heritage.
- land use and zoning requests – Northern Geelong Growth Area.
- land use and zoning requests – Western Geelong Growth Area.
- land use and zoning requests – between growth areas.
- surrounding land uses.
- utilities – gas pipeline.
- utilities – electricity transmission lines.
- other issues.

158. A description of the issues raised under each of the above themes and a Council officer response is provided in Attachment 2 of [the report to Council's meeting of 24 September 2019](#). A more detailed response to each of the points raised in submissions can be found in Attachment 5 of the report.

F. CHANGES TO THE AMENDMENT IN RESPONSE TO SUBMISISONS

159. Council's position at the Panel hearing will be to recommend changes to the Amendment – both to the ordnance and maps – as well as changes to the Settlement Strategy and the Framework Plan.
160. Many of these changes are recommended in response to submissions made on the Amendment. Other minor changes have been identified by Council officers to correct errors or for clarity.
161. Most changes recommended in response to submissions were foreshadowed in Attachment 2 or in Attachment 5 (the detailed summary and response to individual submissions) of the report to Council's meeting of 24 September 2019. Those changes in response to submissions that have been recommended subsequent to 24 September 2019 are highlighted with a grey background. These modifications have been agreed to by the Director Planning, Design & Development in accordance with Point 9.4 of Council's resolution.
162. A small number of further modifications may be recommended in Council's Part B Panel submission. If so, these will also have been agreed to by the Director Planning, Design & Development in accordance with Point 9.4 of Council's resolution.
163. The following table identifies changes recommended to the Amendment ordinance:

Amendment C395 – recommended changes to ordnance		
Submission	Clause	Change
25	21.06	On the drawing key on Housing and Settlement Framework Plan proposed in Clause 21.06, change "SETTLEMENT BOUNDARY" to " MUNICIPAL BOUNDARY ".
-	21.06	On the drawing key on Housing and Settlement Framework Plan proposed in Clause 21.06, change " BOUNDARY – INDICATIVE PERMANENT SETTLEMENT BOUNDARY " to " SETTLEMENT BOUNDARY – INDICATIVE LONG TERM BOUNDARY ".
-	21.06	In addition to the single Housing and Settlement Framework Plan for the whole municipality, add several segment maps covering smaller areas for clearer interpretation.
-	21.06	Housing and Settlement Framework Plan: on the map, show the future growth areas as growth areas and delete " FUTURE GROWTH AREAS " from the drawing key.

-	21.06-2	Change the heading of proposed 21.06-2 from “Spatial Distribution of Growth and Land Supply” to “Spatial distribution of growth and land supply”.
55	21.06-2	In proposed 21.06-2 (Spatial distribution of growth and land supply), modify the proposed fourth Strategy by adding “to consider minor changes” after “logical inclusions process”.
26	21.06-8	In proposed 21.06-9 (Implementation), modify the proposed third Further Work item by changing the words “special local environmental or landscape values” to “environmental or landscape values of local, state or national importance”.
14	21.06-8	In proposed 21.06-8 (Implementation), modify the proposed fifth Further Work item by adding the words “and mixed use development” after “train station environs to future housing needs”.
55	21.08-3	In 21.08-3 (Strategies), modify the first proposed strategy by adding “expected” before “metropolitan-equivalent”.
25	21.11-1	1 st paragraph: change “54,000 persons and 22,000 dwellings” to “approximately 55,000 to 65,000 persons”
26	21.20-2	Add the following objective: “To retain and protect or appropriately offset valuable biodiversity assets, including grassland areas”

164. The following table identifies changes recommended to the Amendment maps:

Amendment C395 – recommended changes to maps		
Submission	Map	Change
46	16, 17	Rezone land between the north-western boundary of the exhibited Urban Growth Zone and the high voltage transmission line easement from Farming Zone to Urban Growth Zone.
37	31	Rezone 80 Thoona Lane, Fyansford from Special Use Zone Schedule 7 to Urban Growth Zone.

165. The following table identifies changes recommended to the Settlement Strategy:

Amendment C395 – recommended changes to Settlement Strategy		
Submission	Page	Change
13	12	Change the Barwon Heads settlement boundary on the Housing Framework Plan in the Settlement Strategy to match that in Clause 21.14-10 and that proposed in Clause 21.06.

25	12	Change the non-urban breaks on the Housing Framework Plan in the Settlement Strategy to match those proposed on the Housing and Settlement Framework Plan in Clause 21.06.
38	69-70	Add reference to value capture opportunities in the Costs of Housing Growth section.
32	70	Include reference to considering industry and infrastructure buffers in the Managing Future Growth section.
1, 22	71	Add this direction under the Principle "Manage the release of new growth areas ...": "Ensure infrastructure funding strategies recognise items that deliver high level infrastructure that benefits multiple PSP areas will require a contribution."
32	78	Include reference to considering industry and infrastructure buffers in the Urban Consolidation section.
90	80	Table 12, North Geelong station, Opportunity: revise to exclude land within Port Environs from investigation for expansion of Increased Housing Diversity Area or identification as Key Development Area.
90	84	Under the Principle "Increase the role of urban consolidation as part of Geelong's overall housing supply", Direction c: change "Breakwater" to "Waurin Ponds".
14	84	Under the Principle "Articulate the preferred location for increased housing densities", add the words "and mixed use development" after the words "train station environs to future housing needs"
13	85	Change the Barwon Heads settlement boundary on the Overall Framework Plan in the Settlement Strategy to match that in Clause 21.14-10 and that proposed in Clause 21.06.
25	85	Change the non-urban breaks on the Overall Framework Plan in the Settlement Strategy to match those proposed on the Housing and Settlement Framework Plan in Clause 21.06.
90	85	Amend the extent of land identified on the Overall Framework Plan as "Investigate opportunities for higher density in the rail corridor" by excluding land within the Port Environs.
-	85	In addition to the single Housing and Settlement Framework Plan for the whole municipality, add several segment maps covering smaller areas for clearer interpretation.

166. The following table identifies changes recommended to the Framework Plan:

<p>Amendment C395 – recommended changes to Northern and Western Geelong Growth Areas Framework Plan</p>
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Submission	Page	Change
12, 58	44	Plan 5 – Clever and Creative Corridor: Delete 400 metre catchment from land between the two growth areas.
55	68	Biodiversity – Northern Geelong Growth Area: Action N1.3.7, second paragraph: change “securing offsets within the growth area” to “securing offsets in accordance with the outcomes of the biodiversity conservation strategy”.
55	99	Biodiversity – Western Geelong Growth Area: Action W1.3.8, second paragraph: change “securing offsets within the growth area” to “securing offsets in accordance with the outcomes of the biodiversity conservation strategy”.
1, 77	106	Plan 19 – Post Contact Heritage – Western Geelong Growth Area: Delete HO 45 and most of HO 1740, in accordance with Amendment C376 (Pt 2).
47	110	Plan 20 – Built Environment – Western Geelong Growth Area: Include Idyll Wines Co. winery on map.
47	111	Built Environment – Western Geelong Growth Area - Context: 3 rd last dot point: Change “a vineyard’ to “a winery”.
60	114	Plan 21 – Surrounding Areas – Western Geelong Growth Area: Change Plan 21 to show The Dog Rocks in the correct location, and the land currently shown as The Dog Rocks as Agricultural, not Recreation.
-	123	Neighbourhood Design – Northern Geelong Growth Area: Action N2.1.7, 2 nd dot point: change “halves of these catchments” to “half of this catchment”.
-	128	Neighbourhood Sustainability – Northern Geelong Growth Area: Third paragraph under Context: change “Western Geelong Growth Area” to “Northern Geelong Growth Area”.
-	135	Social Infrastructure – Northern Geelong Growth Area: 2nd sentence of 2nd paragraph under Context: change "Geelong's new" to "Northern Geelong's new".
55	135	Neighbourhood Amenity – Northern Geelong Growth Area: Change 3 rd dot point to “A mix of local, indigenous and exotic species”.
-	141	Neighbourhood Design – Western Geelong Growth Area: Action W2.1.6, 2 nd dot point: change “halves of these catchments” to “half of this catchment”.
55	144	Neighbourhood Amenity – Western Geelong Growth Area: Change 3 rd dot point to “A mix of local, indigenous and exotic species”.
-	150	Housing – Western Geelong Growth Area:

		Action W2.4.4 – 2 nd paragraph: replace with explanatory text relating to the action.
-	163	Activity Centres - Northern Geelong Growth Area: Action N3.1.1: delete last dot point as there is no lakeside specialised activity centre in NGGA.
-	167	Activity Centres – Northern Geelong Growth Area: Add an action relating to local activity centres for the Northern Geelong Growth Area to ensure consistency with Action W3.1.16 for the Western Geelong Growth Area.
-	179	Employment – Western Geelong Growth Area: Re-number Actions W3.2.2 to W3.2.4 as Actions W3.2.1 to W3.2.3 respectively on the basis that there is no action W3.2.1.
-	194	Integrated Transport – Northern Geelong Growth Area: Action N4.3.2 – 2 nd last dot point: delete reference to the Batesford township.
90	196	Plan 35 – Active Transport – Western Geelong Growth Area: Extend the shared path along Friend in Hand Road south to Hamilton Highway.
-	201	Public Transport – Western Geelong Growth Area: Change two references to “Northern Geelong Growth Area” to “Western Geelong Growth Area”.
-	201	Public Transport – Western Geelong Growth Area: Under context, 5 th dot point: change “Creamery Road” to “Rollins Road and Braund Avenue”.
-	217	Utilities and Infrastructure – Northern Geelong Growth Area: Change Action N5.1.5 to reflect Action W5.1.5 and adjust N5.1.4 accordingly.
-	226	Integrated Transport – Western Geelong Growth Area: Action W4.3.2, 6 th dot point: delete “and within the Batesford township”.
-	227	Delivery – Heales Road West PSP: Change “One integrated children’s centres” to “One integrated children’s centre”; and change “One long day child care centres” to “one long day child care centre”.
-	241	Delivery – Batesford North PSP: Change “One integrated children’s centres” to “One integrated children’s centre”.
-	243	Delivery – McCanns Lane PSP: Change “One long day child care centres” to “one long day child care centre”.
-	247	Delivery – Batesford South PSP:

		Change “One integrated children’s centres” to “One integrated children’s centre”.
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G. COPIES OF ANY OTHER MATERIAL COUNCIL INTENDS TO RELY ON

167. There are references throughout this Part A Panel submission to various reports and other documents that have informed Council's position on the Amendment and submissions. Hyperlinks are provided to each of these documents.

APPENDICES

Appendix 1 – Further Information letter from DELWP 26 April 2019



Department of Environment, Land, Water and Planning

Level 4, 30-38 Lt Malop Street
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Telephone: 03 5226 4667
DX 216048XXX
delwp.vic.gov.au

Mr Martin Cutter
Chief Executive Officer
Greater Geelong City Council
Email address: psmith@geelongcity.vic.gov.au

Attn: Mr Peter Smith – Coordinator Strategic Implementation

Dear Mr Cutter

PROPOSED GREATER GEELONG PLANNING SCHEME AMENDMENT C395GGEE

I refer to your council's application for authorisation to prepare an amendment to the Greater Geelong Planning Scheme. The amendment proposes to implement the City of Greater Geelong's Settlement Strategy (2018) and Northern and Western Geelong Growth Areas Framework Plan (2019). The amendment includes policy changes to the Municipal Strategic Statement (MSS) and rezones land in the Northern and Western Geelong Growth Areas to the Urban Growth Zone.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* I am advising your council that the application requires further review.

I am unable to consider your request until the following information is provided:

A revised Explanatory Report which addresses:

- how the amendment responds to the views of the Environment Protection Authority in accordance with Ministerial Direction 19, and
- how the amendment responds to Clause 13.02-1S *Bushfire risk planning* and incorporates the findings of the Bushfire Management Statement recently commissioned by the council.

Further information is required to articulate the basis for the settlement boundary shown within the amendment documents as it appears to exclude some established industrial areas contiguous to urban Geelong. In some locations the settlement boundary appears to define the extent of residential development but it should mark the limit of urban development and hence should include all land uses that form part of the city or town.

Further discussions are required with DELWP officers regarding the Bellarine Peninsula Distinctive Area and Landscape project work program, the Planning Policy Framework translation and the logical inclusions process mentioned in the amendment documents.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



If you have any further queries in relation to this matter, please contact Mark Gregory, Senior Regional Planner, Department of Environment, Land, Water and Planning on (03) 5226 4606 or email Mark.Gregory@delwp.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Kim McGough', written in a cursive style.

Kim McGough
Manager – Barwon South West
Regional Planning Services

26/04/2019

Appendix 2 – Letter to DELWP 10 May 2019 & EPA Letter 9 May 2019

CITY OF GREATER GEELONG

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Kim McGough
Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 8002

10 May 2019

Doc No:
Our Ref: c-395

Dear Kim

Re: Greater Geelong Amendment C395 – information for authorisation request

Thank you for your letter of 26 April 2019, requesting further information for considering our request for authorisation for Amendment C395 (Greater Geelong Settlement Strategy and Northern and Western Geelong Growth Areas Framework Plan).

In response to each of the matters raised in your letter, I advise as follows.

How the amendment responds to the views of the Environment Protection Authority

On 9 May 2019, EPA Victoria provided pre-authorisation comment on Amendment C395 and on the draft Explanatory Report for the amendment. The EPA's response is attached.

The EPA advised it is generally supportive of the amendment and provided advice on issues likely to be relevant in future work to further implement the Settlement Strategy and the Northern and Western Geelong Growth Areas Framework Plan. The EPA response does not require any changes to the amendment clauses or to the Settlement Strategy and Framework Plan.

We have reworded that part of the Explanatory Report referring to Ministerial Direction No. 19 to reflect the EPA's advice. The revised Explanatory Report is attached.

How the amendment responds to Clause 13.02-1S *Bushfire risk planning*

Kevin Hazell (Bushfire Planning) is currently preparing a bushfire report on the Northern and Western Geelong Growth Areas Framework Plan component of Amendment C395. This report will respond to Clause 13.02-1S and provide advice on how future Precinct Structure Plans and planning scheme amendments can address bushfire issues.

We anticipate this report will be completed within the next three weeks. When it is completed, we will update the Explanatory Report prior to exhibition, along with any changes to the proposed amendment clauses.

Basis for the settlement boundary

The primary purpose of the settlement boundary proposed to be inserted in Clause 21.06 (Settlement and Housing) is to identify a boundary to residential development. It is not intended to be an all-encompassing urban growth boundary. It excludes non-residential uses contiguous to the boundary, such as the Geelong Ring Road Employment Precinct. We have used the heading Housing and Settlement Framework Plan for the map showing this boundary to indicate this purpose.

To avoid confusion between this residential development boundary and an overall urban growth boundary, we have removed the settlement boundary that was shown on the proposed Municipal Framework Plan in Clause 21.04. A revised Clause 21.04 is attached.

Bellarine Peninsula Distinctive Area and Landscape project work program

We believe that Amendment C395 is consistent with the Distinctive Area and Landscape (DAL) program and process. The Settlement Strategy adds policy support for a permanent settlement boundary on the Bellarine Peninsula. Moreover, we believe that resolution of a permanent settlement boundary on the Bellarine Peninsula would best be achieved by uniting our logical inclusions process with the Distinctive Area and Landscape (DAL) project work. Council could collaboratively with DELWP to achieve the desired outcome without unnecessary duplication of process. Timely exhibition of Amendment C395 reduces the risk of concurrent consultations on the Statement of Planning Policy. We look forward to discussing and resolving this with you at a meeting between DELWP and Council officers scheduled for Tuesday 14 May 2019.

Planning Policy Framework translation

We have drafted the clauses in Amendment C395 on the basis of the current format of the Greater Geelong Planning Scheme, which we understand will still be current during the exhibition of the amendment. We are aware that, before the finalisation of the amendment, it will be necessary to redraft these clauses in the PPF format. Dependent on timing of the PPF translation project, this could be a post-exhibition change that we would submit to the Panel Hearing.

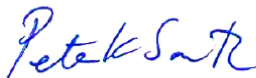
Logical inclusions process

We see the logical inclusions process as separate and subsequent to Amendment C395. As outlined above, for the Bellarine Peninsula we propose that the logical inclusions process be united with the Distinctive Area and Landscape (DAL) project work. Council would conduct a separate logical inclusions process with respect to Urban Geelong.

Amendment C395 is of strategic significance for the region and it is critical that the implementation of both the Settlement Strategy and the Framework Plan is progressed. If authorisation is not granted by the end of May, it will not be possible for the Panel Hearing to be held this year, which would result in at least a three month delay to the amendment. Accordingly, I trust that our advice in this letter, along with discussions to be held between DELWP and Council on Tuesday 14 May, will be sufficient to allow authorisation of the amendment.

Should you require any clarification on the information contained in this letter, please contact me.

Yours sincerely



PETER SMITH
ACTING MANAGER

CITY DEVELOPMENT

TELEPHONE 5272 4856
PSmith@geelongcity.vic.gov.au

Attach: EPA letter on Amendment C395, 9 May 2019.
Revised Explanatory Report and Clause 21.04.

Our Ref: 5009538

9 May 2019

City Development
City of Greater Geelong
PO BOX 104
GEELONG VIC 3220

Attention: Peter Smith, Coordinator Strategic Implementation
Sent via email: psmith@geelongcity.vic.gov.au

Dear Peter

**AMENDMENT C395 - GREATER GEELONG SETTLEMENT STRATEGY
AND NORTHERN & WESTERN GEELONG GROWTH AREAS
FRAMEWORK PLAN**

Thank you for your recent correspondence in relation to the above proposed Planning Scheme Amendment C395. EPA welcomes the engagement by Council and is generally supportive of the amendment.

EPA has provided some comments for council consideration; these are likely to be relevant for future work by Council in further implementing the two documents in question, such as the preparation of precinct structure plans and the subsequent rezoning of land.

Planning Reform Context

EPA has embarked on a five-year reform program to provide the people of Victoria with a strong, agile and modern environmental regulator. We want to ensure we can meet both the environmental and human health challenges of the future, and the expectations of the community. Our purpose is to prevent harm to the environment and people by preventing and reducing harm from pollution and waste.

Our organisational strategy, *Our environment*, *Our health* sets out our vision and identifies five goals that will guide our work:

- *Prevent harm*
- *Equip community and business*
- *Be an influential authority*
- *Respond to harm*
- *Organisational excellence*



**Environment
Protection
Authority Victoria**

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There has been recent recognition of the preventative value of EPA's early involvement in strategic land use planning. This is reflected in Ministerial Direction 19, which requires planning authorities to seek early advice from EPA when undertaking strategic planning processes that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

Ministerial Direction No. 19 (MD19)

MD19 came into effect on 18 October 2018. It requires planning authorities to seek early advice from EPA when undertaking strategic planning processes and preparing planning scheme amendments that may significantly impact Victoria's environment, amenity and/or human health due to pollution and waste. The explanatory report for an amendment must include a statement of how the proposed amendment addresses the views of EPA.

The Ministerial Requirement for information is issued under section 12(1)(f) of the P&E Act. It requires planning authorities to give the Minister for Planning the following information when applying for authorisation to prepare an amendment under sections 8A or 8B of the P&E Act, or preparing an amendment under section 9 of the P&E Act:

- the written views of EPA, including any supporting information and reports
- a written explanation of how the proposed amendment addresses any issues or matters raised by EPA. This includes potential land and groundwater contamination and what risk there is to future sensitive land uses.

The Proposal

It is our understanding that the Amendment proposes to implement the City of Greater Geelong's *Settlement Strategy (2018)* and *Northern and Western Geelong Growth Areas Framework Plan (2019)*; and that Council's draft response to Ministerial Direction No.19 (MD19) is provided in the draft Explanatory Report on page 4.

The implementation of the Settlement Strategy consists of updates to Local Policy whereas, the implementation of the Northern and Western GAFP includes both policy updates as well as a proposal to rezone areas of land from Rural Living Zone (RLZ), Farming Zone (FZ), Public Park and Recreation Zone (PPRZ) and Industrial 1 Zone (INZ1) to Urban Growth Zone (UGZ).

It is understood that the Settlement Strategy was adopted by Council in 2018, and the Northern and Western GAFP was more recently endorsed by Council in March 2019.

EPA therefore makes comments on the planning scheme amendment on the basis that these documents are not able to be updated or amended at this time.

General Comments

When considering strategic planning matters, EPA is particularly interested in:

- Land use compatibility between existing and future land uses (e.g. conflicts and interface issues between industry/farming/rural activities and sensitive uses);

- Encroachment risk, including impacts to existing industry/farming/rural activities and protecting separation distances of existing industry from encroachment of sensitive uses;
- What plans are in place to assess/manage/clean up contaminated land and comply with environmental audits;
- Potential consequences for air quality, noise, odour and waste;
- The impact any future development may have on the environment, amenity and human health; and
- The proximity of 'sensitive receptors' such as accommodation, hospitals, schools, daycare facilities, aged care facilities and convalescent facilities how sensitive uses will be protected as part of the proposal.

Settlement Strategy

The Strategy comprises of a background section with development and population analysis and strategy section including recommendations based around the themes of:

- *Spatial Distribution of Growth and Land Supply*
- *Housing Diversity*
- *Managing Future Growth*
- *Bellarine Peninsula*
- *Permanent Settlement Boundaries*
- *Urban Consolidation*
- *Monitoring and Review*

EPA supports the investigation of a settlement boundary and the use of non-urban breaks between settlements as this can also be effective in managing encroachment and avoiding conflict between land uses. EPA would like to see consideration of the need to establish or maintain buffers to industry included in the investigation.

EPA understands that Council is seeking to facilitate a greater level of housing accommodation (and potentially other sensitive uses) within the central Geelong area and also around train stations.

Care should be taken to ensure that such development is sited and designed to minimise negative impacts on the amenity of such sensitive land uses and to optimise amenity improvements. Long term annoyance and the consequential effects of negative impacts upon local amenity may have psychological effects for some people. These are effects that would usually be interpreted as wellbeing consequences rather than direct health impacts that result from air emissions that are, for example, toxic or carcinogenic.

Council should therefore consider the need for applications for new development to consider the proximity and interface between different types of uses, and seek to implement siting, engineering and design features which will mitigate against negative health and amenity impacts such as noise, vibration and odour to ensure that residential uses located within or near commercial centres or near train stations enjoy a reasonable level of amenity.

It is important for Council to give adequate consideration in implementing the settlement strategy including future proposals to rezone land, to the need to provide sufficient land for industry and critical infrastructure such as landfills, transfer stations and wastewater treatment plants, and their associated buffers. This will aid in ensuring that new housing areas are provided with an appropriate level of amenity.

Northern & Western Geelong Growth Areas Framework Plan

It is understood that the Northern and Western Growth Areas Framework Plan is based on a series of expert technical reports and assessments covering issues such as flora and fauna, stormwater management, integrated water cycle management, cultural heritage, groundwater, geotechnical and soils.

EPA has not carried out a review of these documents; rather to understand the potential risks and concerns that EPA may have, a high level review of the 'Environment' chapter of the GAFP has been undertaken, having regard to:

- Land use compatibility between existing and future land uses
- Potentially contaminated land
- Air quality, noise, odour and waste; and
- Proximity of 'sensitive receptors'.

Land use compatibility between existing and future land uses

EPA supports the delineation of buffers within strategic documents and considers it useful for these buffers to be translated into clear, easy to understand planning controls. This could be done by including the application of an overlay during the PSP stage, and/or inserting planning permit triggers (to the schedule to the UGZ) for sensitive uses where these are encroaching on existing and proposed industry.

It is important to consider how Council will manage the transition of land use from a rural setting to an urban one, noting there may be a reluctance by existing industry to relocate.

EPA guidance, including *'Recommended Separation Distances for Industrial Residential Air Emissions'* (Publication 1518) sets out the matters to be addressed when proposing a reduction to a separation distance (buffer) and would be pleased to provide assistance to Council in this regard.

Potentially contaminated land

EPA understands that further environment assessments will need to be prepared as part of future PSP amendment processes to fully satisfy Ministerial Direction No.1. EPA reminds Council to have regard to the General Practice Note (PPN30) to determine the appropriate level of assessment.

It is therefore expected that further engagement with EPA will occur at the commencement of the PSP process for each of the nine precincts. This will allow EPA to provide input and guidance as to the appropriate level of assessment needed to determine whether the subject land is suitable for the proposed use. EPA reminds Council that agriculture/ use of the land for farming carries with it a potential risk for contamination, albeit low, but this should not be overlooked.

Air quality, noise, odour and waste

It is noted that Council is proposing to include several buffers within the GAFP, and that no additional sensitive land uses, including residential development and community facilities, will be permitted within these buffers.

As noted above, EPA supports the delineation of buffers within strategic documents and considers it useful for these buffers to be translated into clear, easy to understand planning controls. It is useful to consider the 'agent of change' principle to put the onus on new development to understand risks and mitigate potential impacts to sensitive uses. Similarly, the Council should also consider the need to

carefully review any proposals to expand existing industry where this may have any impact on the buffer that already exists.

Proximity of 'sensitive receptors'

As part of the current EPA reform process, EPA has taken over the function of Environmental Public Health from the Department of Health and Human Services and is now responsible for managing public health queries as they relate to hazards and human health impacts from past, present and potential future waste and pollution events.

Human health and wellbeing are fundamentally linked to the state of the environment – from the air we breathe, to the water we drink or swim in, to the land we grow our food and build our homes on, and through our experiences of the sounds and smells around us. EPA seeks to protect the environment for the benefit of Victorians now and in the future. This includes protecting human health and wellbeing, maintaining healthy ecological systems and protecting the value our natural environments provide for recreation. Together these support a liveable and prosperous Victoria.

In line with this, and as outlined above, what has traditionally been considered as amenity impacts (odour, dust and noise) are now recognised as having an impact on human health more broadly. This recognition, together with our increased role in human health, has resulted in a change to the planning advice EPA provides in relation to amenity impacts that have the potential to impact on human health.

Draft Explanatory Report

EPA has prepared a response to the draft Explanatory Report for Amendment C395 which can be found in Appendix A. The comments here mirror much of what has already been noted in this letter.

Conclusion

In addition to the comments made in Appendix A, this letter outlines some of the higher level issues that are likely to be relevant for future work by Council in further implementing the two documents in question, such as the investigation of a settlement boundary, the preparation of precinct structure plans and the rezoning of land, including:

- consider the need to establish or maintain buffers to industry included in the investigation of a settlement boundary;
- consideration of the need to provide sufficient land for future industry and critical infrastructure such as landfills, transfer stations and wastewater treatment plants, and their associated buffers; and
- seek to minimise any negative health and amenity impacts such as noise, vibration and odour to ensure that residential uses located within or near commercial centres, near train stations or near industrial areas, enjoy a reasonable level of amenity.

EPA thanks Council for the opportunity to provide input into this strategic planning process and extends an invitation to meet for further discussions if necessary.

If you need additional information or would like to discuss this matter, please contact Senior Strategic Planner, Trisha Brice on (03) 9194 5404.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Francis', written in a cursive style.

Carolyn Francis
Regional Manager
South West Region
EPA Victoria

APPENDIX A: RESPONSE TO COGG EXPLANATORY REPORT (AM C395)

MD19	Council Response (Explanatory Report)	EPA Comment
<ul style="list-style-type: none"> Allow the use or development of potentially contaminated land, and/or trigger the requirements of Ministerial Direction No. 1 or State Environment Protection Policy (Prevention and Management of Contamination of Land). 	<p>See previous response to Ministerial Direction No. 1 on how potentially contaminated land is dealt with in the Northern and Western Geelong Growth Area Framework Plan.</p>	<p>Further engagement with EPA will occur at the commencement of the PSP process for each of the nine precincts. This will allow EPA to provide input and guidance as to the appropriate level of assessment needed to determine whether the subject land is suitable for the proposed use, having regard to Ministerial Direction No.1, the General Practice Note (PPN30) and any updated requirements of the new Environment Protection Act which is expected to apply from 1 July 2020.</p>
<ul style="list-style-type: none"> Allow the use or development of land that could result in water, noise, air or land pollution impacts on the environment, amenity or human health, including as defined by State Environment Protection Policies. 	<p>The Northern and Western Geelong Growth Area Framework Plan seeks to minimise impacts on the environment, amenity and human health.</p>	<p>Through the protection of existing buffers and understanding the risks of encroachment, there is an opportunity to ensure that future development is not subject to adverse impacts to amenity and human health.</p>
<ul style="list-style-type: none"> Allow the use or development of land within a buffer or separation distance for industry, including as set out in the Recommended Separation Distances for Industrial Residential Air Emissions – Guideline – EPA Publication 1518, as amended, and other relevant EPA guidelines. 	<p>Buffers and separation distances to certain industries are described in the Environment section of the Northern and Western Geelong Growth Area Framework Plan. Actions are included to deal with buffers from industries such as quarries, abattoirs and the Chemring facility.</p>	<p>EPA supports the delineation of buffers within strategic documents and considers it useful for these buffers to be translated into clear, easy to understand planning controls.</p> <p>It is also useful to consider the 'agent of change' principle to put the onus on new development to understand risks and mitigate potential impacts to sensitive uses.</p>

2

MD19	Council Response (Explanatory Report)	EPA Comment
		<p>Similarly, the Council should also consider the need to carefully consider any proposals to expand existing industry where this may have any impact on the buffer that already exists.</p> <p>EPA guidance, including 'Recommended Separation Distances for Industrial Residential Air Emissions' (Publication 1518) sets out the matters to be considered when considering a reduction to a separation distance (buffer) and would be pleased to provide assistance to Council in this regard.</p>
<ul style="list-style-type: none"> Allow the use or development of land within a buffer or separation distance for an industry engaged in materials recycling, refuse disposal, transfer station (waste and resource recovery facility), including as set out in the EPA Victoria Best Practice Environmental Management Publication 788.3, Siting, design, operation and rehabilitation of landfills (Landfill BPEM), as amended, and other relevant EPA guidelines. 	<p>Buffers and separation distances to material recycling facilities and landfills are described in the Environment section of the Northern and Western Geelong Growth Area Framework Plan.</p>	<p>EPA does not support the establishment of sensitive uses within the buffer of an operating landfill due to the human health and public safety risks associated with landfill gas. While buffers around closed landfills are also important to protect against landfill gas risks, the level of risk can be assessed to inform the suitability of a range of uses.</p> <p>Encroachment on materials recycling facilities and transfer stations (waste and resource recovery facility) must be carefully considered due to the potential for adverse amenity impacts associated with noise, dust and odour.</p>

Appendix 3 – Minister’s delegate authorisation letter 31 May 2019



Department of Environment, Land, Water and Planning

Martin Cutter
Chief Executive Officer
Greater Geelong City Council
PO Box 104
GEELONG VIC 3220

Email: psmith@geelongcity.vic.gov.au

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Dear Mr Cutter

PROPOSED GREATER GEELONG PLANNING SCHEME AMENDMENT C395ggee

I refer to your council’s application for authorisation to prepare an amendment to the Greater Geelong Planning Scheme. The amendment proposes to implement the City of Greater Geelong Settlement Strategy (2018) and the Northern and Western Geelong Growth Areas Framework Plan (2019).

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act), I authorise your council as planning authority to prepare Amendment C395 subject to the following conditions:

1. The Victorian Government has recently commenced the Bellarine Peninsula Distinctive Areas and Landscapes Project (Bellarine DALs). To ensure the Bellarine DALs project and Amendment C395 are managed in a coordinated way, the council must:
 - a. Liaise with the Department of Environment, Land, Water and Planning (DELWP) Bellarine DALs project team prior to exhibition to coordinate public information on each project to ensure there is clarity about the purpose and statutory process of each project.
 - b. Liaise with the DELWP Bellarine DALs project team throughout the exhibition process and before any panel hearing for Amendment C395 to ensure that policy and strategy statements are aligned where possible, and to coordinate any submissions that may affect both projects.

Please note: DELWP will seek to appear at a panel for Amendment C395 to update it on the progress of the Bellarine DALs project at that time and any implications for Amendment C395.

For assistance, please contact Mia Davison, Manager Places and Precincts, DELWP (03) 8392 5576 regarding the Bellarine DALs project.

2. DELWP has previously raised concerns with the council about the potential for large areas of endangered native vegetation to be discovered on currently un-surveyed land within the Northern Growth Area. Council must continue to work with DELWP Barwon South West Forest, Fire and Regions (Biodiversity) team to ensure the biodiversity assets in both the Northern and Western growth areas are protected through the process to prepare precinct structure plans.

For assistance, please contact Geoff Brooks, Program Manager Planning Approvals at bsw.planning@delwp.vic.gov.au.

3. The Greater Geelong Planning Scheme Local Planning Policy Framework (LPPF) will soon be translated as part of the DELWP Smart Planning program. The LPPF translation will have the effect of changing the way local policy is presented in the planning scheme, by integrating the content into the new Municipal Planning Strategy and the Planning Policy Framework introduced by Amendment VC148. When the form of the translated Greater Geelong Planning Scheme LPPF is finalised, the changes proposed by Amendment C395 to Clause 21 must be redrafted to accord with the translated LPPF.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



For assistance, please contact Kim McGough, Manager, Barwon South West – Regional Planning Services, DELWP, on (03) 5226 4012 regarding the LPPF translation.

Council should also note that the Moolap Coastal Strategic Framework Plan is expected to be released later this year and the directions outlined in the plan may have implications for the City of Greater Geelong Settlement Strategy.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and
- before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

The council must also ensure that changes to local policy content are consistent with the rules in Section 4 and writing instructions in Section 6 of the *Practitioners Guide to Victorian Planning Schemes*.

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister at least 10 business days before council first gives notice of the amendment.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Kim McGough, Manager, Barwon South West – Regional Planning Services on (03) 5226 4012 or email kim.mcgough@delwp.vic.gov.au.

Yours sincerely



Stuart Menzies
Director State Planning Services

31 / 5 / 2019

Appendix 4 – Letter to DELWP 14 Oct 2019 (Bellarine DAL)

CITY OF GREATER GEELONG

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Nick Joveski
Executive Director Planning Implementation
Department of Environment Land Water and Planning
Level 9, 8 Nicholson Street,
EAST MELBOURNE, VICTORIA 3002

14 October 2019

Doc No: D19-612221
Our Ref: C-395 Panel
Your Ref:

By email to: nick.joveski@delwp.vic.gov.au

Dear Nick

Re: Distinctive Areas and Landscape process - Bellarine and Surf Coast

I refer to our recent meetings concerning the proposed declaration of the Bellarine Peninsula Distinctive Area and Landscape area. Council understands that there will soon be a declaration made under Part 3AAB of the *Planning and Environment Act 1987* to declare the Bellarine Peninsula a distinctive landscape area.

This follows the recent declaration of the Surf Coast Distinctive Area and Landscape in September 2019.

As you are aware Council has exhibited amendment C395 to the Geelong Planning Scheme which proposes, in part, to implement the Greater Geelong Settlement Strategy. The Greater Geelong Settlement Strategy sets out Council's strategic vision for future settlement boundaries within the municipality. Exhibition has closed and Council has referred all submissions to a Planning Panel. The Panel directions are scheduled for Monday 14 October 2019 with the hearing currently scheduled to commence on 12 November 2019.

A number of submissions to Amendment C395 concern township boundaries within the Bellarine Peninsula while others propose extensions to the Armstrong Creek growth area which abuts the Surf Coast declared area.

Council accordingly anticipates that both the Panel and submitters will be interested in both distinctive landscape programs.

The Act provides that following declaration the Minister must prepare a Statement of Planning Policy within one year of the declaration (section 46AT) and then subsequently implement the statement into the relevant planning scheme(s) (section 46AZB).

Council understands that:

1. Strategic work is currently being undertaken with respect of both the declared Surf Coast area and the Bellarine Area.
2. The strategic work will contemplate settlement boundaries and, at least in the context of the Bellarine, built form.

3. The process for the preparation and implementation of the respective statements of planning policy will provide opportunity for consideration of public submissions in respect of each Statement of Planning Policy.

Council seeks your confirmation of its understanding above and the provision of any available information that would add to its understanding the processes underway including a description of the strategic work. It does this in the context that the ordinary carriage of Amendment C395 will result in the adoption of the Amendment and its submission for approval in the first quarter of 2020. At this time Council expects the distinctive landscape programs will still be on foot. Please confirm this assumption is correct.

Council proposes to furnish your response to this letter to the Panel and panel hearing parties to Amendment C395. It would be appreciated if a response could be provided by Wednesday 25 October 2019.

Our key contact on this matter is Peter Smith, Coordinator Strategic Implementation - telephone 5272 4856 or email psmith@geelongcity.vic.gov.au

Yours sincerely



GARETH SMITH
DIRECTOR

PLANNING, DESIGN AND DEVELOPMENT

Appendix 5 – Letter from DELWP received 25 Oct 2019 (Bellarine DAL)



Department of Environment,
Land, Water and Planning

PO Box 500, East Melbourne
Victoria 8002 Australia
delwp.vic.gov.au

Gareth Smith
Director – Planning, Design and Development
City of Greater Geelong
PO Box 104
GEELONG VIC 3220

Dear Mr Smith

RE: DISTINCTIVE AREAS AND LANDSCAPES PROCESS – BELLARINE AND SURF COAST

Thank you for your letter of 14 October 2019 regarding the Bellarine Peninsula and Surf Coast Distinctive Areas and Landscapes projects. In response to your questions, this letter provides further information on the process for these areas and relationship with Amendment C395 to the Greater Geelong Planning Scheme.

As you are aware, the Surf Coast was declared a Distinctive Area and Landscape (DAL) on 19 September 2019. I am also pleased to confirm that the Bellarine Peninsula was declared a DAL on 22 October 2019. The next stage is to prepare a Statement of Planning Policy (SPP) for these areas within 12 months of the declaration.

The *Planning and Environment Act 1987* allows for the designation of protected settlement boundaries for nominated townships within the declared areas. Protected settlement boundaries are long-term boundaries designed to contain township growth and once set, can only be changed via an approved planning scheme amendment being ratified by both Houses of Parliament.

If approved, the draft Greater Geelong Settlement Strategy 2018 (implemented via Amendment C395) will set the policy for settlement growth in the City of Greater Geelong. The outcomes of the panel process, together with Council's adopted position on the amendment, will therefore be a key consideration when the government finalises the long-term settlement boundaries in the SPP for the Bellarine Peninsula. To enable this, DELWP has sought to align the development of the Bellarine Peninsula SPP with the process for Amendment C395.

The SPP will also be informed by other existing policy relating to the declared areas. Where there are identified gaps in policy or strategic work, DELWP will commission further technical studies in consultation with councils and other government agencies. An example of this are the landscape and township character assessments that are being commissioned for both the Bellarine Peninsula and Surf Coast.

In addition to the extensive public engagement in mid-2019 that informed the declaration of the Bellarine Peninsula and Surf Coast, two further phases of public engagement are planned:

- Phase 2 public engagement will test a draft vision statement and land use planning and development strategies for each DAL area. It will include an online survey and workshops with interested community members, government agencies and authorities.
- Phase 3 public engagement will seek submissions on a draft SPP, including settlement boundaries.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



Next Steps

Phase 2 public engagement for Surf Coast has recently started and will finish in November 2019. A draft SPP for Surf Coast is expected to be publicly available in the first half of next year.

Phase 2 engagement for Bellarine Peninsula is planned to start after panel hearings for Amendment C395 have concluded in the first quarter of next year. Phase 3 public engagement for the Bellarine Peninsula is planned for mid-2020.

Following the public submissions process, the draft SPPs will be finalised and Council along with other relevant responsible public entities will be asked to formally endorse the policy documents. Following endorsement, the Minister for Planning will seek approval by the Governor in Council and the SPPs will be implemented through planning schemes. More information about the process and timing can be accessed at <https://engage.vic.gov.au/distinctive-areas-and-landscapes-program>.

I appreciate that the Greater Geelong Settlement Strategy and DALs projects are significant policy reforms for your City occurring through parallel processes. I wish to assure you that DELWP is committed to working closely with City of Greater Geelong as these projects progress.

We look forward to working with Council on this exciting undertaking. If you would like to discuss this matter further, please contact Mia Davison, Manager Places and Precincts, telephone 8392 5576 or email mia.davison@delwp.vic.gov.au.

Yours sincerely



Nick Joveski
Acting Executive Director
Planning Implementation

Appendix 6 - Worksafe letter of 17 October 2019.

1 Malop Street Geelong VIC 3220
PO Box 279 Geelong VIC 3220
Telephone 03 4243 7000 Fax 03 4243 9321
www.worksafe.vic.gov.au



Reference: MH/CO/19/284

17 October 2019

Stuart Thiele
Strategic Planner
Strategic Implementation
City of Greater Geelong
PO BOX 104
GEELONG VIC 3220

Dear Mr Thiele

Amendment C395 - Northern and Western Geelong Growth Areas (NWGGA) Framework Plan.

Thank you for your email of 19 August 2019, seeking advice from WorkSafe Victoria on the above rezoning. The primary consideration for WorkSafe in providing this advice is the location of the NWGGA in relation to the Chemring Australia Pty Ltd. facility located at 230 Staceys Road. This facility has been determined to be a Major Hazard Facility (MHF) under the *Occupational Health and Safety Regulations 2017* due to the quantities of explosives and explosive precursors stored and handled at the site. Given the nature of operations at the Chemring Australia facility and the potential consequences of a major incident at the facility, WorkSafe considers that a precautionary buffer distance of 1000 m is appropriate (measured from the site boundary). This is consistent with Clause 53.10 'Uses with Adverse Amenity Potential' in the Victorian Planning Provisions,

As a large proportion of the proposed growth areas are outside of the 1000m buffer, WorkSafe does not advise against the rezoning for this part of the development. However, for any land within the 1000 m buffer, WorkSafe **advises against** the re-zoning to residential use. This is because the broad nature of the re-zoning greatly increases the number of members of the public that could be affected by a worst case scenario incident at the MHF. The intent is not to 'sterilise' this area from any development. WorkSafe would not adversely consider developments similar to the current use, such as light industrial uses or isolated single farm dwellings. Any future planning permits would be considered on an individual basis.

The Department of Environment, Land, Water and Planning (DELWP) is currently in the process of reviewing the planning controls in place around MHFs. WorkSafe notes that this process may result in changes to existing buffer distances and criteria for assessing planning matters around MHFs. However where possible we have tried to align the advice in this letter with DELWPs review.

Please note that Ministerial Directive No. 20 of 7 October 2108 states:

"5. In preparing a planning scheme amendment, a planning authority must:

- *Seek the views of WorkSafe Victoria and the Minister for Industry and Employment about the amendment."*

Please also note that WorkSafe's advice does not extend to any hazards from the gas pipeline marked on Plan 12 of the NWGGA document previously supplied. Advice from Energy Safe Victoria should be sought on this matter. The following submission to the recent Major Hazard Facilities Advisory Committee may be of interest:

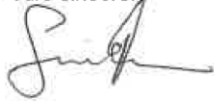
https://www.planning.vic.gov.au/data/assets/pdf_file/0015/4722/MHF-submission-19-Energy-Safe-Victoria.PDF

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If you have any questions, please contact Ross Bootes on (03) 4243 7629 or via email ross_bootes@worksafe.vic.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Simon Farrar', written in a cursive style.

Simon Farrar
Director
Major Hazards and Dangerous Goods
WorkSafe Victoria