

**Date:** 18 November 2019

## **City of Greater Geelong Planning Scheme Amendment C395**

**Part B Submission on behalf of the City of Greater Geelong**

Planning Panels Victoria

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## **A. INTRODUCTION**

1. Greater Geelong City Council (**Council**) is the Planning Authority for Amendment C395 (**Amendment**) to the Greater Geelong Planning Scheme (**Planning Scheme**).
2. The Amendment proposes to implement the City of Greater Geelong Settlement Strategy October 2018 (**the Settlement Strategy**) and the Northern and Western Geelong Growth Areas Framework Plan March 2019 (**the Framework Plan**) into the Planning Scheme.
3. This Part B submission, made on behalf of Council, will respond to the matters raised in direction 25 of the Panel's directions dated 18 October 2019, namely:
  - (a) *a summary of the key issues raised in submissions, including requests for individual changes to 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.*
4. This Part B submission, made on behalf of Council, is to be read in conjunction with:
  - 4.1. the Part A submission circulated on a 28 October 2019;
  - 4.2. the opening submissions made on 12 November 2019; and
  - 4.3. the expert evidence called from the following witnesses:
    - (a) Mr John Collins of Spatial Economics in respect of planning (Settlement Strategy);
    - (b) Mr Michael Barlow of Urbis in respect of planning (Settlement Strategy);
    - (c) Mr Mark Woodland of Echelon Planning in respect of planning (Framework Plan);
    - (d) Mr Dale Stokes of Spatial Economics in respect of lot supply;
    - (e) Mr Jeremy Reynolds of Spatial Economics in respect of demographics and population; and
    - (f) Mr Reece Humphreys of GTA in respect of transport.
5. In terms of the Panel's Direction 25(e), this submission represents Council's current position in respect of submissions to the Amendment. Given this submission precedes the submissions and evidence of other parties and having regard to the nature and duration of the hearing, matters currently in contention may be resolved to Council's satisfaction. Council, therefore,

reserves the right to make further submissions in reply once it has heard these submissions and evidence.

6. In terms of the Panel's Direction 25(b), this submission does not respond to the evidence of Submitter No. 51, which is due to be circulated on 28 January 2020. Following circulation, Council will provide its response.
7. Further, while Council officers have worked assiduously, in the week since the delivery of evidence and in the running of the case it has not prepared a detailed summary of all of the evidence to be heard in the matter.<sup>1</sup>

**B. RELATIONSHIP BETWEEN THIS AMENDMENT AND THE DAL**

8. The Minister for Planning declared the Bellarine Peninsula a Distinctive Area and Landscape (DAL) on 22 October 2019 and the Surf Coast a DAL on 17 September 2019. The Surf Coast DAL area includes part of Mt Duneed located within the City of Greater Geelong.
9. In short, the purpose of this process is to identify and protect valued and significant landscapes and environmental assets of these areas.
10. In its Part A submission, Council set out legal framework and process associated with the declaration of a DAL, the subsequent preparation of a Statement of Planning Policy (SPP) and amendment to the Planning Scheme to give effect to the SPP. The SPP is a 50-year framework to guide the use and development of the DAL area, it may include imposing permanent settlement boundaries.
11. At the outset of the Panel hearing for this Amendment, the parties to the Panel hearing requested a more detailed explanation of the DAL process from Department of Environment, Land Water and Planning (DELWP).
12. By letter to the Panel received on 12 November 2019, DELWP advised, in summary, that:
  - 12.1. Part 3AAB of the *Planning and Environment Act 1989* (PE Act) allows for the setting of a long-term vision for areas of declared significance and the designation of permanent settlement boundaries.
  - 12.2. DELWP sought to align the development of the Bellarine SPP with this Amendment as the outcome of the Panel process will inform the preparation of the SPP.
  - 12.3. The next steps in the Surf Coast DAL process are:

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<sup>1</sup> As foreshadowed to the Panel on 15 November 2019.

- 12.3.1. Phase 2 of 3 in the community engagement for the Surf Coast SPP closed on 15 November 2019;
- 12.3.2. A draft SPP for the Surf Coast DAL will be available for public comment (phase 3 of 3 of the community engagement) in early 2020.
  
- 12.4. The next steps in the Bellarine DAL process are:
  - 12.4.1. Phase 2 of 3 in the community engagement for the Bellarine SPP will commence after the Panel hearing for this Amendment in the first quarter of 2020; and
  - 12.4.2. A draft SPP for the Bellarine DAL will be available for public comment (phase 3 of 3 of the community engagement) in mid-2020.
  
- 12.5. A DELWP representative will tomorrow provide an update on the process as part of DEWLP's allotted time for submissions.
  
- 13. The frequently asked questions for the Surf Coast DAL states that<sup>2</sup>:

*The northern and eastern boundaries of the declared area include two areas within the City of Greater Geelong: part of the Thompson Valley green break near Armstrong Creek growth area and the Breamlea Flora and Fauna Reserve.*

*These locations form part of larger natural features and ecosystems that are predominantly located within the Surf Coast. The extension of the Surf Coast Distinctive Area and Landscape declared area into the City of Greater Geelong is representative of these natural features and will support their coordinated future management.*

- 14. Council's interactions with DELWP on this Surf Coast DAL have not to date suggested that the Surf Coast DAL will propose protected settlement boundaries within the City of Greater Geelong. On this basis Council has not altered its position on logical inclusions for this area of the municipality.
  
- 15. The frequently asked questions for the Bellarine DAL are more specific and directly contemplate settlement boundaries for the Bellarine townships:<sup>3</sup>

*The Department is collaborating with the Borough of Queenscliffe and the City of Greater Geelong to consider appropriate protected settlement boundaries. Current*

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<sup>2</sup>[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/9215/5901/0286/G000961\\_Surf-Coast-DAL-Comms\\_Brochure\\_V11\\_290519.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/9215/5901/0286/G000961_Surf-Coast-DAL-Comms_Brochure_V11_290519.pdf)

<sup>3</sup>[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/7915/7224/1891/Frequently\\_Asked\\_Questions\\_-\\_Bellarine\\_Peninsula\\_Declaration\\_Final.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.vic-engage.files/7915/7224/1891/Frequently_Asked_Questions_-_Bellarine_Peninsula_Declaration_Final.pdf)

*township structure plans that have been through public exhibition and independent review will be used as basis to inform protected settlement boundaries, along with the results of public engagement and any relevant recommendations from technical assessments currently being prepared. There will be an opportunity for further public feedback on the draft Statement of Planning Policy and Protected Settlement Boundaries.*

16. Council's understanding based on this public position and its interactions with DELWP is that protected settlement boundaries are under direct consideration for the Bellarine townships. While protected boundaries are not a certainty, it is Council's expectation that they will be contemplated through the DAL process.
17. As set out in its opening submission, this Amendment provides municipal-level settlement policy guidance for the Bellarine Peninsula and Mt Duneed but does not seek to effect localised change within individual townships. Mr Barlow suggested that changes to the boundaries might be small or minor but nevertheless that boundaries need to be confirmed. It is Council's position that the proper forum for consideration of planning policy concerning the Bellarine and Mt Duneed (as it relates to the Surf Coast DAL) is the DAL process. This will include considering permanent settlement boundaries and any 'logical inclusions' to existing settlements.
18. The evidence before this Panel and indeed the policy that Council leaves untouched by the Amendment (Clause 21.14) which in parts support the future investigation of boundaries for Ocean Grove. Council is also aware of, for example, the commentary in respect of the recently completed Panel hearing for the Barwon Heads Structure Plan. The Panel stated in respect of Barwon Heads that:<sup>4</sup>

*The Panel acknowledges that there will be a point where the town will not be able to expand any further because it will not be able to achieve relevant planning policy. However, there is insufficient evidence to suggest that Barwon Heads has reached this point. The Panel agrees with Mr Milner that the settlement boundary should not be permanently embedded until further comprehensive strategic work is completed.*

19. The Panel went on to make a finding that:<sup>5</sup>

*Changing the settlement boundary to include land between the existing alignment and the Ramsar wetlands to the west could be considered, provided it meets State and regional planning policy, including the town hierarchy, and the Bellarine Peninsula Localised Planning Statement. Further strategic work would be required to determine whether this is possible.*

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<sup>4</sup> C375 Panel report at Page 19.

<sup>5</sup> Ibid at Page 19.

20. Clause 21.14, under Further Work, suggests '[r]eview township structure plans as scheduled (in structure plans) to meet emerging needs of communities'.
21. Were it not for the DAL process, Council would be approaching the time to, or in fact initiating investigations to respond to the 'Further Worth' requirements in Clause 21.14 as they apply to Ocean Grove.<sup>6</sup> Other localised settlement boundaries such as Barwon Heads have been reviewed very recently do not necessitate review at this time.
22. Council will not be initiating a program of works that would give effect to, for instance, the Ocean Grove further work during the DAL program. It is clear that the DAL program will include at least evaluation of landscapes and height controls and Council will be consulted through that process. It would be inefficient and potentially unworkable were Council to initiate its own program to evaluate substantively the same matters that the DAL process seeks to examine and determine through a separate process under the PE Act.
23. The DAL process provides for consultation. Council would not oppose such consultation including a public forum such as a panel or advisory committee as its witnesses suggested may be appropriate, but this is neither Council's choice or power to provide for that. Those decisions will be made by others.
24. Once the DAL process to establish a SPP is complete, Council anticipates that the subsequent amendment to the Planning Scheme to implement the SPP will necessitate changes to the Further Work clause under 21.14.
25. Council expects that the DAL process will cover at least part of the field contemplated in the Further Work provisions.
26. In conclusion, Council acknowledges that the Planning Scheme contemplates that there is still further work to be done to examine and determine (or confirm) enduring township boundaries on the Bellarine. While the Settlement Strategy sets a policy direction for the Bellarine it does not affect actual change to the existing boundaries. The further work required is expected to occur through the DAL process.

### **C. SUMMARY OF COMMON ISSUES RAISED IN SUBMISSIONS**

27. At Council's Ordinary Meeting on 24 September 2019, it resolved to request the Minister for Planning to appoint a Panel to consider submissions to the Amendment and refer all submissions to the Panel. The Minutes of this meeting contain Council's response to

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<sup>6</sup> At Page 17, Review the Structure Plan including an assessment of long term growth options (both infill and settlement expansion) for Ocean Grove by no later than 2021.

submissions. This submission refers to and relies on those responses and, where necessary, provides further explanation and clarification.

28. In summary, 102 submissions were received in respect of the Amendment. Of these submissions:

28.1. 27 submissions relate to the Settlement Strategy;

28.2. 61 submissions relate to the Framework Plan; and

28.3. 14 submission relate to both.

29. The officer report to Council's meeting of 24 September 2019 and Council's Part A submission contained a summary of common issues raised in submissions.

30. For the purpose of this submission and responding to evidence, we have consolidated the common issues as follows:

30.1. The common issues in respect of the Settlement Strategy are:

- The adopted growth rate.
- Land supply and demand.
- Housing markets.
- The settlement boundary, logical inclusions and the dal process.

30.2. The common issues in respect of the Framework Plan are:

- The level of detail in the Framework Plan.
- Future PSP issues.
- The implementation of the Framework Plan in the Planning Scheme.
- Precinct boundaries.
- PSP sequencing.
- Infrastructure funding and development levies.
- Activity centres.
- The Clever & Creative Corridor issues
- Other transport issues.
- Rezoning of Batesford Quarry Land.
- Redesignation of Batesford Quarry Land associated with modified arterial alignment.
- Drainage in the Northern Geelong Growth Area (**NGGA**).
- Utilities.
- Heritage.
- Land between the Northern and Western Geelong Growth Areas (**NWGGA**).

- Impact on surrounding land uses.

31. The next sections contain further detail on the above issues, including requests for individual changes to amendment and Council's response to the evidence called in support of these submissions.

## **D. RESPONSE TO SUBMISSIONS AND EVIDENCE CONCERNING THE SETTLEMENT STRATEGY**

### **D.1. The adopted growth rate**

32. As set out in Council's opening submission, the Settlement Strategy is based on a scenario-based approach to population projections. A growth rate of 2.5 per cent has been adopted with the ability for adjustment if the regular monitoring, which Council will undertake, indicates that more or less housing must be accommodated.

33. Two submissions<sup>7</sup> contend that the Settlement Strategy should adopt a higher growth rate projection. Submitter No. 21 contends that a 3 per cent growth rate should be adopted. Submitter No. 38 submits that the Settlement Strategy should be based on a municipal population of 1 million which equates with a sustained growth rate of 3.3 per over four decades.

34. Council does not agree. Furthermore, neither do six experts, Messrs Stokes, Reynolds, McNeill, Haratsis, Ganly and Shipp.

35. The adopted 2.5 per cent rate is already an aspirational one. It is higher than the VIF and i.d. Consulting projected rates of 2 and 2.1 per cent and takes into account the high growth recently experienced in Geelong.

36. It is of great significance that six experts have agreed on the methodology and approach to population projections in the Settlement Strategy.<sup>8</sup> Specifically, at the lot supply, demographics and population conclave statement, Messrs Stokes, Reynolds, McNeill, Haratsis, Ganly and Shipp<sup>9</sup> agreed that:

36.1. The methodology and assumptions adopted in projecting population and determining land supply in the Settlement Strategy are generally sound and appropriate.

36.2. The population projections, at a municipal level, are reasonable.

36.3. The scenario-based approach to population projections is reasonable.

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<sup>7</sup> Submitter Nos. 21 and 38.

<sup>8</sup> Lot supply, population & demographics conclave statement dated 11 November 2019.

<sup>9</sup> Mr Dimasi did not attend as his witness statement is not required to be circulated until 28 January 2020. Mr Ainsaar did not attend as his evidence is confined to infrastructure provision.

- 36.4. Regular monitoring of the population growth rate will be required.
37. This consensus is unusual and reflects the well-founded and thorough analysis underpinning the Settlement Strategy directions.
38. In any event, the Settlement Strategy allows the rate to be adjusted should monitoring of the population rates indicate that the actual population is likely exceed these projections.
39. The Panel has previously recognised the importance of regular population monitoring to ensure a settlement strategy realistic. In *Macedon Ranges C84 Interim Report (PSA)* [2012] PPV 119, the Panel considered the proposed implementation of the Macedon Ranges Settlement Strategy 2011. The Panel stated, at page 33, that:
- 'Settlement planning is not a 'set and forget' process and population levels and the release of land for development will need to be reviewed during the extended planning timeframe to 2036.'*
40. Mr Barlow, an experienced and well-regarded town planner provides an independent peer review of the Settlement Strategy. Mr Barlow considers the approach of the Settlement Strategy to premise its growth scenarios on a range of potential growth outcomes the appropriate response.
41. While at this time the lower end of the growth scenarios have become less relevant, the life of the Settlement Strategy is 20 years. Mr Stokes reasoned in his evidence ongoing review is an important matter. This Council has engaged Mr Stokes on a periodic basis to update its growth rate data. The Settlement Strategy,<sup>10</sup> calls for ongoing updates of demand and adjustments to the Strategy as required. The process of those updates is an interactive one. Mr Stokes indicated it is a process that involves direct input from the development community. This process permits Council to adjust land release accordingly.
42. Mr Stokes in oral evidence outlined a number of conservatisms in his analysis. These conservatisms include that he plans for the failure of infill growth, the rounding down of land availability and other matters. He was not seriously challenged in this analysis. Another conservatism not yet highlighted in the case is that Council plans for, but does not rely upon in setting the Settlement Strategy, a logical inclusions process.<sup>11</sup> The proposed logical inclusions process inclusions criteria are outlined in the opening submission.
43. The Part A and opening submissions referred to the Moolap Coastal Strategic Plan and its plan to accommodate a further 12,000 residents in Moolap. This is not included in the Settlement Strategy or the underlying analysis as it represents very recent policy, but its implications are,

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<sup>10</sup> At page 89.

<sup>11</sup> Nor any adjustments made under the Bellarine DAL.

in the terms of this Amendment, important. It alone would add supply of between 1.5 and 2 years of accommodating population growth utilising the recent population growth rates of 2017 and 2018 of 6,199 and 6,489 new residents.

44. Geelong currently operates with residential growth fronts in a range of locations. There are growth fronts at Armstrong Creek, Lara, and the existing growth that is occurring in the areas of the Bellarine. The Amendment will supply an additional two fronts being the NWGGA. These growth fronts are flexible being able to provide for a PSP to be prepared as and when the need arises. While the Framework Plan clearly contemplates a sequencing of precincts it acknowledges that a driver for the release of new PSPs is the need for maintain '*an adequate supply of residential land*'<sup>12</sup>. The ability to provide housing and adjust relatively quickly to changes in demand is a positive element of the Settlement Strategy.
45. Council submits that it has successfully demonstrated that the Settlement Strategy does identify and plan for growth over the municipality and availability of land to accommodate population growth in excess of the minimum 15 years.

#### **D.2. Land supply and demand**

46. Two submissions<sup>13</sup> submit that the Settlement Strategy uses outdated land supply figures which do not reflect the recent surge in demand. One submitter argues that there are flaws in the land supply assumptions.<sup>14</sup>
47. There is no evidence before the Panel in this hearing to support these submissions.
48. The Settlement Strategy is based on figures that reflect a specific point in time. Importantly, Council's approach is supported by six experts in the fields of economics, land supply and demographics.<sup>15</sup>
49. Council acknowledges that the housing and lot supply figures will change over time. As referred to above, Council will monitor and review figures regularly which will allow adjustments to be made to land releases when required.

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<sup>12</sup> Action N5.2.1.

<sup>13</sup> Submission nos. 3 and 21.

<sup>14</sup> Submission no. 38.

<sup>15</sup> Messrs Stokes, Reynolds, McNeill, Haratsis, Ganly and Shipp.

### D.3. Housing markets

50. A number of submissions,<sup>16</sup> some supported by evidence, say that the land supply analysis is flawed because it provides for future supply at a municipal level without recognising the difference in the housing product in urban Geelong, the NWGGA and on the Bellarine. It is contended that for the purpose of projecting future demand, housing within Greater Geelong should be assessed based on its sub-markets rather than at the municipal level. They say that there is a demand for housing on the Bellarine distinct from demand within urban Geelong and a 15-year housing supply should be provided in each township or sub-market.
51. As set out in Council's opening submissions and expanded on in the evidence of Mr Collins and Mr Barlow, the Settlement Strategy is based on and consistent with the well-established planning policy at clause 11.02-1S which states:
- 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.*
52. This policy ensures planning authorities to plan to accommodate for population growth over at least a 15 year period and provide clear direction on locations where the growth should occur.
53. Therefore, while the background reports supporting the Settlement Strategy analyse individual suburbs and towns, the Settlement Strategy rightly adopts a growth rate for the municipality as a whole.
54. At the lot supply, population & demographics conclave, the experts agreed that providing housing choice and affordability in locations people want to live is one factor that must be considered in accommodating growth. While Council agrees that it must encourage housing diversity and affordability, it submits that the first guiding principle for any settlement strategy is to accommodate growth at the municipal level, not at a localised or township level.
55. Irrespective of the degree of market substitution, the Settlement Strategy is appropriately based on considerations other than economic ones. That is, it takes the position that unrestrained growth on the Bellarine is not sustainable in terms of protecting its natural features and landscapes. This is evidenced in the DAL process that is currently underway.
56. Furthermore, it is the case that not every location is suitable to provide increased housing. In this respect, Council relied on the evidence of Mr Collins who stated at page 14 of his witness statement that:

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<sup>16</sup> Submission no. 21, 62 and 93.

*'...even if some households have a distinct preference to buy or rent housing in the Bellarine townships, it does not follow that Council must provide for this demand. The equivalent argument in metropolitan Melbourne would be to argue that an ongoing fifteen year land supply should be provided on the Mornington Peninsula, or in the Yarra Valley, because there is a demand for housing in these locations.'*

57. There were a number of questions of the Council's witnesses concerning the substitutability of land on the Bellarine and land elsewhere in Greater Geelong. The conclave recognises that it is partially substitutable, and Mr Stokes and Mr Collins' evidence asserts that this partial substitution is made clear by historic growth when supply in Geelong has been low.<sup>17</sup>
58. If the market between the Bellarine and the rest of Geelong is only partially substitutable does that mean that Council should or must continue to provide for an ongoing 15-year (or some other number) supply on the Bellarine? Mr Barlow when pressed on this issue was clear in his mind that no, that is not the case. The Planning Scheme as set out above is clear in its language that this is not the case when it is drafted explicitly on the premise that supply is assessed on a municipal-wide basis.
59. There is sound planning reasoning for this.
60. It is "Planning 101" that development should be responsive to its surrounds, to environmental, spatial, landscape and any other relevant constraints. This essential tension between yield, form and constraint plays out every day across Victoria in planning permit applications.
61. The same tension plays out in the Settlement Strategy.
62. The Settlement Strategy has assessed that the Bellarine is in the broadest terms constrained by its landscape and other characteristics from accepting the burden of being a growth area. This is reflected in the designation of the DAL, the existing Bellarine Peninsula Localised Planning Statement, and it is accepted by Council's witnesses Mr Collins and Mr Barlow. This is not a position of no growth. It is not a position of the Council that the township boundaries are currently set in each and every respect now for all time. Rather, Council recognises that there will be a point on the Bellarine in the near term where permanent boundaries are set and future development is limited. As Mr Barlow stated in his evidence "sometimes planning says no". Council wholeheartedly adopts this evidence. There are many instances where this is case – the recent residential zone reform that created a Neighbourhood Residential Zone. The imposition of height limits in localities in another example.

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<sup>17</sup> Stokes Page 11 for example.

63. Previous Panels have recognised the importance of planning for housing at a municipal level rather than a township level. In *Bass Coast C124 (PSA) [2013] PPV 133*, the Panel considered the proposed implementation of the *Inverloch Structure Plan 2011*. In relation to the future growth of Inverloch, the Panel, at page 24, stated:

*'...the Panel is satisfied that the SPPF requires planning for land supply to accommodate demand for population growth to be conducted on a municipal-wide basis, rather than by individual settlement or town. In the Panel's opinion this is an important State policy direction. It recognises that for some towns population growth desires may need to be curtailed for environmental, servicing, character or rural land resource reasons.'*

64. To adopt another approach would be poor planning.

65. The Panel which considered recent Planning Scheme Amendment C346 implementing the revised *Ocean Grove Structure Plan* (the 2015 Structure Plan) and the *Ocean Grove Town Centre Urban Design Framework* agreed that it was appropriate to set limits to growth on the Bellarine. At paragraphs 40-41, the Panel stated:

*'In towns identified for growth there is a strategic policy predisposition in favour of accommodating significant growth, however, this should not overwhelm the other legitimate planning objectives.'*

*It is entirely appropriate to set firm limits to growth that only accommodate forecast growth (if any) for a relatively short period in recognition of clear constraints, such as the 'sea, river and swamp'. However, the nature of constraints should be evaluated, particularly where there is an established strategic planning direction to accommodate growth, as is the case in Ocean Grove. There should be consideration of: constraints on development (such as topography and land use conflict); areas of environmental or landscape significance or sensitivity that should be protected; and responses to risk from environmental hazards such as fire, flooding and coastal acid sulfate soils.'*

66. For Ocean Grove, C346 introduced the changes to Clause 21.14 about the review of growth options which is to occur by 2021 noting that the recommendations of the Panel in fact said 2020.<sup>18</sup> To this end the Panel recommended that:

*At clause 21.06-6 Further Work add:*

- *Assess the potential of rural land to the north, north-west and east of Ocean Grove for future urban development to determine the location of an enduring settlement boundary around Ocean Grove.*

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<sup>18</sup> C346 Panel Report, Page 44.

67. This was ultimately implemented in Clause 21.06-6 as:

*Prepare a settlement strategy for the municipality.*

68. In practice the establishment of an enduring boundary to a township such as Ocean Grove is not as solely as simple as an assessment of the localised characteristics of that area and the Council has accordingly embarked on the process that has established the Settlement Strategy and its direction to remove the designation of Bellarine township growth areas.

#### **D.4. The settlement boundary, logical inclusions and the DAL process**

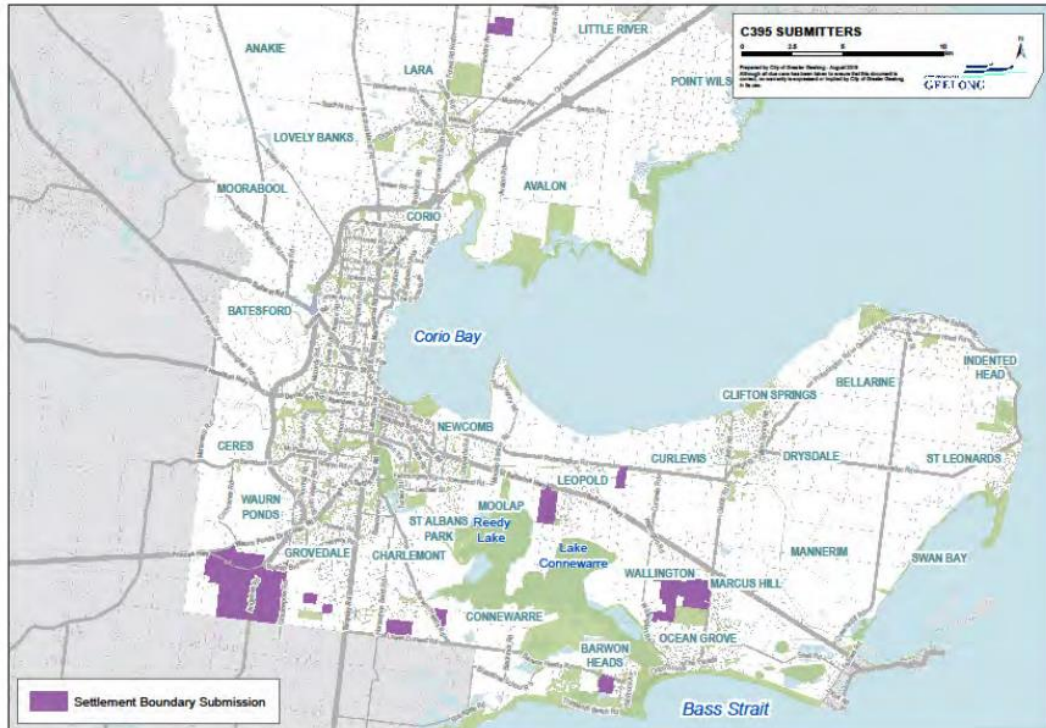
69. A number of submissions,<sup>19</sup> some supported by expert evidence, seek specific land to be included within the indicative settlement boundary and/or rezoned or nominated for future urban growth.

70. A table and map identifying these properties is below extracted from Council's Part A submission.

<b>Land</b>	<b>Locality</b>	<b>Area (ha)</b>
372 – 450 Charlemont Road	Armstrong Creek	97
1900 Barwon Heads Road	Barwon Heads	50
70 Baenschs Lane	Connewarre	43
540 Flinders Avenue	Lara	86
980-1000 Portarlinton Rd, 40-90 Bawtree Rd	Leopold	37
Various lots, W of Melaluka Rd, S of Bellarine Hwy	Leopold	132
55 & 75 Williams Road	Mount Duneed	16
195 Whites Road	Mount Duneed	26
201-209 and 231-299 Grubb Road	Wallington	104
Various lots owned by Goandra Estate Pty Ltd	Wallington	66
Various lots, Rhinds and Sproules Roads	Wallington	196
Various lots, owned by Boral	Waurm Ponds, Mount Duneed	1020

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<sup>19</sup> Submission Nos. 13, 17, 21, 40, 53, 62, 71, 73, 92, 93, 101 and 102.



**Map showing location of land subject of settlement boundary submissions**

71. The submitters appearing before this Panel will rely on various planning, land capability and servicing expert evidence to advance their cases that their land is suitable for urban development or, at least, future urban development.

*What the planning experts say and Council's response*

72. There is planning evidence supporting:
73. the rezoning to UGZ of 55 and 75 Williams Road, Mt Duneed;<sup>20</sup>
74. the inclusion of land north of Ocean Grove within the Ocean Grove township;<sup>21</sup>
75. further testing for the inclusion of 372-450 Charlemont Road, Armstrong Creek within a permanent settlement boundary;<sup>22</sup> and
76. the inclusion of 1900 Barwon Heads Road, Barwon Heads in the Barwon Heads township boundary.<sup>23</sup>

<sup>20</sup> Expert Witness Statement of Ms Sandra Rigo.

<sup>21</sup> Expert Witness Statement of Messrs Black, Glossop and Milner.

<sup>22</sup> Expert Witness Statement of Mr Rob Milner.

<sup>23</sup> Expert Witness Statement of Mr Justin Slater.

77. There is acknowledgement in the evidence referred to above relates to land that is within declared DAL for the Bellarine Peninsula. This process will assess future development on the Bellarine, including the imposition of a permanent settlement boundary. This Amendment is not the correct process to facilitate changes to settlement boundaries that will be considered as part of the Bellarine and Surf Coast DALs.
78. Mr Glossop says at paragraph 79 of his statement that the establishment of a settlement boundary *'needs to be undertaken based on an integrated assessment of the range of planning policy considerations, including policy directions at a regional level for growth'*. The Settlement Strategy sets the overarching policy for the location of growth and the Amendment removes the policy that would see the majority of new greenfield development occurring in part on the Bellarine.<sup>24</sup> The DAL process will provide the localised assessment and in default of the DAL this would then fall to Council.
79. Mr Milner provides evidence on behalf Shell Road Developments Pty Ltd which own land at 92-160 Grubb Road, Ocean Grove and is the developer of the Kingston Downs Neighbourhood Activity Centre.
80. Mr Glossop provides evidence for the owners of 201-209 & 231-299 Grubb Road, Wallington, Mr Glossop says there is logic in including the land to the north of Ocean Grove within the township boundary it makes no specific recommendation in relation to 201-209 & 231-299 Grubb Road, Wallington.
81. Messers Black, Glossop and Milner criticise the intent of the Settlement Strategy to diminish the growth role of townships on the Bellarine. Council submits that the Settlement Strategy recognises the need to protect the valued landscape and environmental attributes of the Bellarine and allows for growth within current structure plan boundaries. The Council and the Settlement Strategy does make choices. These choices are about the landscape, the environment and also practical choice about infrastructure in the form of roads. The NWGGAs are better served by infrastructure and will permit the coordinated delivery of new communities as opposed to the limited extensions of individual townships. 110,000 will be accommodated in the new growth areas.
82. These experts say that a review of the that the structure plan process is the correct one to set any permanent settlement boundary for Ocean Grove. Council submits the DAL process must be undertaken before more detailed review of existing structure plans occur. It would be poor planning to pre-empt the DAL outcome.

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<sup>24</sup> As Clause 21.06-2 currently provides.

83. It is important for the Panel to keep at the forefront of their consider that the Settlement Strategy provides in excess of the land required to meet the 15-year population growth. There is no urgency to release additional land, particularly in a context that has recognised value and significance at a State level.
84. In providing evidence for the owners of 372-450 Charlemont Road, Armstrong Creek, Mr Milner says the Settlement Strategy should consider a review of the southern boundary of the Armstrong Creek Growth Area as part of accommodating future forecast population growth.
85. Council agrees with and relies upon the expert evidence of Mr John Collins who in his evidence statement captures the inappropriateness of allowing further growth in the Bellarine townships in the absence of prior detailed planning. At page 15, of this statement he states:
- 'Making ongoing and unrestrained provision for greenfield housing development in the Bellarine townships would inevitably lead to an irreversible change in the character of the townships and the Bellarine landscape. This would be inconsistent both with widely held community preferences, existing Council and State policy as reflected, for example, in the September 2015 Bellarine Peninsula Localised Planning Statement, and the State Government decision to declare the Bellarine a DAL.'*
86. In respect of expanding Armstrong Creek, Mr Collins says at pages 15 and 16:
- 'There has already been a detailed and open process for setting the boundaries of and framework plans for Armstrong Creek and the two new growth areas in 'urban Geelong'. In my view any reconsideration of these boundaries should sensibly be either a response to a need to identify an additional short to medium term land supply or be part of any scheduled future mid-implementation reviews of the relevant growth area framework plans...I can see no apparent justification, apart from self-interest, for suggesting that the growth area boundaries should be subject to review through an immediate 'logical inclusions' process'.*
87. Similarly, Mr Michael Barlow supports the imposition of settlement boundaries around urban Geelong and the Bellarine townships as part of a separate planning processes following the approval of this Amendment.
88. The Settlement Strategy is a not a line by line, lot by lot audit of potential growth. Council returns to its opening where it said much land can be developed but the question is whether it should be. Or need be.
89. It is notable that it is Council's understanding that the inclusion of land to the south of Armstrong Creek within the Surf Coast DAL is not understood to foreshadow a permanent boundary in the

same way that the Minister has foreshadowed protected settlement boundaries in respect of the Bellarine.

90. Council expects that logical inclusions for the Armstrong Creek area will be considered in time through the foreshadowed logical extensions process under Clause 21.06-8 as part of the Amendment. In noting this the Council sounds a word of caution that the logical inclusions process is not an invitation or a promise that logical extensions will be granted, but rather that there will be a process by which appropriate boundaries can be set and evaluated by the assessment criteria in the opening submission (or similar criteria terms). Boundaries may change. Boundaries may change only a little or they may not change at all, but at the core Council acknowledges there is a legitimate discussion to be had in another forum.
91. The specific evidence on developability seeks to establish that land can or should be developed. It follows from Council's comments above that this is not the place to determine whether a specific parcel is capable of development or not. It is also, the Council says with respect, not the role of this Panel in assessing this Amendment in the context where the Amendment proposes the logical inclusions process and in circumstances where the DAL is a live matter. These submissions do not respond to the core of the Amendment and do not in general acknowledge that this process is a different kind of enquiry.

*What the environmental and land capability experts say and Council's response*

92. In respect of 201-209 Grubb Road and 231-299 Grubb Road, Wallington:
- 92.1. In terms of landscape, Mr Papworth says this site is appropriate for inclusion within the Ocean Grove boundary on the basis that existing sensitive vegetation can be retained, there is adequate space of landscape transitions to sensitive interfaces, the site is not generally visible from the road or coast.<sup>25</sup>
- 92.2. In terms of agricultural capability, Mr Ray Phillips says the site is only 'marginally suited to intensive agriculture because of the lack of an adequate irrigation supply'.<sup>26</sup> He also provides that the Oakdene Winery grape supply and wine processing has moved off site to a lower-cost area.<sup>27</sup> Having regard to these factors, Mr Phillips says the conversion of this site to residential use will have a low rural productivity impact.
93. In respect of 222-226 Rhinds Road, 41-99 Sproules Road, 101-149 Sproules Road, 42-90 Sproules Road, 82-84 Rhinds Road, 112-150 Sproules Road and 82-84 Rhinds Road, Wallington, Mr Kerr found there was limited areas of remnant vegetation and other habitats except for the endangered Bellarine Yellow Gum, of which there was significant quantities. He

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<sup>25</sup> Expert Witness Statement of Mr Papworth, p.27.

<sup>26</sup> Expert Witness Statement of Mr Phillips, p.3.

<sup>27</sup> Expert Witness Statement of Mr Phillips, p.10.

considered that this vegetation would not represent a major constraint to development in this location. Further, bushfire risk could be acceptably reduced and managed through design.

94. In respect of the Bellarine Peninsula generally, Mr Barry Lingham detailed the local flora and fauna and recommended permanent settlement boundaries to protect the local wildlife and biodiversity within the area.<sup>28</sup>
95. Mr Guy Dunston states that the significant ecological values present west of Grubb Road, particularly related to the Ocean Grove Nature Reserve. He provides that these values require protection and that this is best achieved through avoiding further development.
96. Council acknowledges and agrees that the Bellarine is home to valued landscape and biodiversity values that require protection. Similarly, it acknowledges that some sites may be suitable to rezone on the basis of being a 'logical inclusion' to the existing settlement. It submits that the Settlement Strategy does not propose to increase growth or allow further development on the Bellarine. The imposition of a permanent settlement boundary and a localised land use and development framework will be prepared for the Bellarine as part of the DAL process.

#### Council's concluding response

97. The settlement boundary as shown in the Settlement Strategy:
  - 97.1. is not a permanent growth boundary;
  - 97.2. reflects the current urban and township boundaries but for the Northern and Western Geelong Growth Areas (**NWGA**);
  - 97.3. provides for in excess of the 15 years of required growth at a municipal level.
98. Support for any further growth must be based on considerations that include housing demand, land supply, employment opportunities, infrastructure provision and an assessment of the constraints and opportunities necessary for a comprehensive strategic assessment. This work has not been done as part of this Amendment. Neither does this Amendment preclude this occurring in the future. Council adopts Mr Barlow's recommendation that the word 'permanent' is removed from the notation of the boundary on the Framework Plan.
99. The Settlement Strategy is the first time since the 1996 Urban Growth Plan that a municipal view has been taken of settlement planning. Structure planning on the Bellarine has generally been on a town by town basis. The Settlement Strategy considers a long-term municipal view of settlement planning. This should be the starting point of considering the role of townships.

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<sup>28</sup> Expert Witness Statement of Mr Barry Lingham, p.16.

100. The towns themselves are not being decommissioned. They are and will continue to be district towns. There will be substantial growth areas on the Bellarine for the next 15 years. The Settlement Strategy however signals that the growth of the last 20 years and next 15 years will not be sustained going forward. The Bellarine has substantial existing supply that will be developed into the future.
101. The Settlement Strategy maintains the role and function while signalling the notion of continual boundary expansion to meet demand should not continue long term. It sets the strategic direction that growth on the Bellarine is not infinite and sets out a process to set long term or permanent boundaries.
102. The imposition of a permanent settlement boundary, along with whether there are any 'logical inclusions' to existing settlements, will be matters considered as part of the DAL process and Council's own logical inclusions process.
103. DELWP has foreshadowed the DAL consultation process that will occur. In light of this, it would be inappropriate to provide for new growth fronts or include individual properties within the indicative boundary as part of this Amendment. To do so would not accord with sustainable settlement planning but rather reflect a piecemeal and premature approach. Furthermore, including additional land without the proper strategic investigation would undermine Council's commitment to delivery of functional, well planned communities in the indicative growth boundary.

#### **E. RESPONSE TO SUBMISSIONS AND EVIDENCE CONCERNING THE BORAL LAND**

104. Boral owns approximately 1,020 hectares of land in Waurin Ponds to the south west of urban Geelong, abutting the western boundary of Armstrong Creek Growth Area. The land contains a former quarry that ceased operation in 2012. This land is currently used for clinker grinding and agriculture.
105. Part of the Boral land (south of Reservoir Road and Whites Road) is located within the declared Surf Coast DAL area.
106. Boral submits that
  - 106.1. that the clinker grinding will cease at the end of 2020 and all operations relating to the previous quarry use will have ceased and rehabilitation can occur;
  - 106.2. the Boral land should be rezoned Urban Growth Zone and designated within the urban growth boundary;
  - 106.3. the Boral land will be required for housing prior to 2036;
  - 106.4. the current zoning of part of the Boral land as Special Use Zone is an anomaly and so the land should be rezoned; and

- 106.5. it does not oppose the designation and rezoning of the NWGGA.
107. These submissions are generally supported by the Victorian Planning Authority's submission.
108. Boral relies on the evidence of Mr Barnes in respect of planning issues and Mr Haratsis in respect of economic and planning issues.
109. Messrs Barnes and Haratsis identify the factors which make the Boral land potentially suitable for development. It is Mr Barnes' view that the Boral land is '*...equally if not better suited to urban growth than the Northern and Western Growth Areas...*'.<sup>29</sup> He says that the Boral land should be included within the indicative settlement boundary as it will become '*increasingly difficult to add new urban growth areas to the fringe of Geelong once a permanent settlement boundary has been established*'.<sup>30</sup>
110. Mr Jason Walsh carried out a high-level transport analysis of the site which concludes at page 19 of this witness report that there are no transport issues that would preclude the future urban rezoning of the land.
111. Mr Nick Glasson provides a general servicing strategy for the future urban development of the Boral land to illustrate that sewage, water, electricity, gas and telecommunications could be provided.
112. Council acknowledges the locational and strategic attributes of the Boral land for urban development. These factors are recognised in its identification in the *G21 Regional Growth Plan Implementation Plan Background Report* for potential long-term future growth (2040+).
113. Whilst Mr Barnes' view that the Boral land is '*...equally if not better suited to urban growth than the Northern and Western Growth Areas...*' may be arguable, the use of the Boral land for quarrying and clinker grinding combined with the rehabilitation that is necessary before residential uses can commence has meant that priority has been appropriately given to the NWGGA.
114. The rezoning and designation of the Boral land within the settlement boundary as part of this Amendment would be premature and inappropriate. A comprehensive, regional assessment of the merits of allowing the urban development of this land has not been yet undertaken. It is also not something that is before the Panel.<sup>31</sup> In this regard:

114.1. The Amendment was prepared by the Council.

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<sup>29</sup> Expert Witness Statement of Mr Barnes, p.2.

<sup>30</sup> Expert Witness Statement of Mr Barnes, p.39.

<sup>31</sup> See for example the discussion in Yarra C220 at 23 of 95.

- 114.2. The PE Act provides a mechanism for submitters to make a submission about the Amendment.<sup>32</sup> Properly characterised the Amendment sets a policy direction for where future growth may occur and for the finalisation of logical inclusions.
- 114.3. A request that 1,000 Ha be rezoned is not a submission 'about the amendment'. It is a request that a fundamentally different amendment be recommended for approval utilising the vehicle of the Amendment.
- 114.4. In this regard that part of the Boral submission that seeks rezoning is not a matter that the Panel can recommend.
115. This further ignores that the substantial rezoning of 1,000 Ha of land was not exhibited nor supported by any material. Persons otherwise entitled to make submissions to the process have not had that opportunity as provided for under the Act.
116. Council does not agree with Mr Barnes' view that the establishment of an indicative settlement boundary (or a permanent one as part of the DAL) creates difficulties in future rezoning. The Settlement Strategy makes it clear that the boundary is indicative and that it can be reviewed.
117. Council submits that it is unnecessary to rezone or include more land within the indicative urban growth boundary at this point in time because the Settlement Strategy already provides for the municipality's growth for over 20 years.
118. Like Council, it is the expert planning opinion of Mr Barlow that the Boral land has potential to be future urban land but that this land should not be assessed in isolation but as part of a broader review of the Armstrong Creek Growth Area. In terms of timing for further investigation, Mr Barlow states, at paragraph 173 of this statement, this should not occur until:
- 'When Armstrong Creek is nearing completion and the Northern and Western growth areas are established.*
- When residential land supply stocks for urban Geelong approach the 15-year supply; or*
- In combination with other considerations, where the Strategy's intent to achieve a 50% infill contribution rate to supply is significantly constrained.'*
119. The questioning of Mr Collins appeared to suggest that the Council or he had somehow unintentionally overlooked the Boral land.
120. Council submits that this is not a fair reading of the timeframes associated with the Settlement Strategy. Mr Barnes' report spends some time considering a matrix for assessment of land

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<sup>32</sup> Section 21(1) of the Act.

suitability in the background reports to the policy document, the G21 plan. To the extent it is utilised as a comparative framework, that is not an unreasonable approach. Regardless of the 2012 G21 Background Report, Mr Barnes' assessment or the potential merits of the Boral land, the G21 Regional Growth Plan 2013 selected the NWGGAs for further investigation. This is the current State policy. The Settlement Strategy is implementing what is already current policy at Clause 11.01-1R. Without the Boral land, which would constitute a significant change in policy, there is sufficient land availability to meet Greater Geelong's needs over the relevant time period.

121. In chronological terms, Council submits there is nothing surprising in the non-recognition of the Boral land:

121.1. The G21 plan was finalised in May 2013. The G21 plan sets a policy integer that nominates the NWGGAs as future areas for long term growth and these areas are identified in the Planning Scheme.

121.2. In October 2014, large areas of the NGGA were rezoned to the Urban Growth Zone by the then Minister for Planning.

121.3. In December 2015, Council adopted a recommendation to commence technical studies to inform the Framework Plan.

121.4. By March 2016 these technical studies were commenced. In accordance with prevailing State policy and the G21 plan, these technical studies were studies investigating the suitability of the NWGGAs.

121.5. In September 2017, Boral made a submission to the Settlement Strategy indicating that it was "exploring" a clinker facility at the port of Geelong and if it were to proceed the Waurm Ponds site would be redundant in 3-5 years.

121.6. In March 2018, the Council was provided with a letter from DELWP which indicated that the clinker application was still on foot. The letter requested that Council give due consideration in formulating the Settlement Strategy to the company's redevelopment proposals.

121.7. In September 2018, the clinker facility at the port was announced and approximately one month later the Settlement Strategy was finalised. At this stage the Framework Plan was well advanced, and the final Framework Plan was approved in March 2019.

122. The Boral site, on the evidence before the Panel and logically, represents a large land holding capable, at least in part, of accommodating substantial growth and potentially suitability for residential development. Its investigations however are not so advanced now as those for the northern and western growth let alone at the time the Settlement Strategy was prepared.

123. In Council's submission it is not surprising that the Boral land is not included in the Settlement Strategy, nor is it a glaring or other omission that it has not done so. This is strengthened by the fact that the Settlement Strategy and the Framework Plan together provide for adequate growth for the City of Greater Geelong on current estimates beyond 2040. The Boral land is a site which on Mr Barlow's and Mr Collins' evidence should be investigated as potential long term growth, and which would, if suitable and if demand required it, be able to be brought online.
124. This does not represent the current Council adopted position but is quite clearly a matter before the Panel and which, if so recommended, Council must consider before proceeding to adopt the Amendment.
125. Even if the Panel regarded the rezoning request as properly before it, the more speculative element of the Boral case is the proposed rezoning of its land. The land has not been exhibited for rezoning, has not been investigated to a level that would justify rezoning, and the evidence before this Panel could not be said to be of a nature which ought facilitate a rezoning. Council regards that an unexhibited rezoning of 1,000 hectares would be transformational and would not be a recommendation which the Panel can properly make.
126. In terms of the removing part of the Boral land from Special Use Zone, Council submits that this Amendment is not the appropriate process. Council officers have not carried out a detailed assessment of such a rezoning request and it has not been the subject of exhibition. In such circumstances, it is Council's submission it would be premature to rezone this land and may lead to unintended outcomes.

## **F. RESPONSE TO SUBMISSIONS AND EVIDENCE CONCERNING THE FRAMEWORK PLAN**

### **F.1. Detail of the Framework Plan**

127. A number of submitters, some supported by evidence,<sup>33</sup> contend that the Framework Plan is too detailed having regard to the general nature of framework plans.
128. Council does not agree. The Framework Plan is an indicative. The detail shown is based on known facts and is of course subject to detailed design. This detailed design will occur as part of the PSP process and may result in change, provided it has been appropriately justified.
129. As previously submitted, Council proposed to include a statement within the Framework Plan to explain how it should be used and its role in the preparation of future PSPs and to revise the text within the Planning Scheme.

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<sup>33</sup> Expert Witness Statement of Mr Black.

130. Council has urged caution of the Panel to facilitating specific changes of this nature. There are good reasons for this.
131. Firstly, land frequently changes hands in areas such as this. It changes hands now at this stage of the process, it changes hand during the preparation of a PSP and after. Fresh hands bring fresh ideas. What is now the idea is not necessarily the proposal tomorrow, and facilitating changes for a specific envisioned outcome at this time carries with it the risk that those specific changes may not be the vision tomorrow. There are examples of this already on foot in this case. For example, Adelaide Brighton has raised concerns about the location of arterial road and its crossing of the Moorabool Creek corridor. The current location was set by Adelaide Brighton, which submitted plans to the Council and the Council acceded to that party's request.
132. The current locations and number of the neighbourhood activity centres were set working in partnership with the consortium in the Northern Growth Area. The vision has changed but the PSP level work has not yet occurred. The relevant consortium is a band of more than 15 entities which are currently unified. Lara West PSP was prepared in similar circumstances before being divided post approval. Elements of the approved PSP drainage system are now under challenge before the Tribunal. This really amounts to a cautionary note at an early stage of the planning process that this is a principle level stage of development and not a matter of detailed design.

## **F.2. Future PSP issues**

133. While submissions have requested less detail in some aspects of the Framework Plan, most of the submissions contain requests that involve matters of detail that are matters that are more appropriately dealt with at the PSP level. These matters include:
134. Detail of road alignments and interchanges, including the C&CC.
135. Location and floor space of activity centres (noting Council's below submissions on this issue).
136. Extent and design of waterways and stormwater requirements.
137. Flora and fauna protection.
138. Native vegetation offsets.
139. Land acquisition for public infrastructure.

140. Council has provided detailed responses to these issues in the officer report to Council meeting on 24 September 2019.

### **F.3. Implementation of the Framework Plan into the Planning Scheme**

141. A number of submitters, some supported by evidence,<sup>34</sup> raised concern in respect of the implementation of the Framework Plan. Specifically, these submissions opposed the use of wording in clause 21.02 that seeks use and development 'generally in accordance with' the Framework Plan on the basis that general in accordance should not be used for Background Documents which are not Incorporated Documents.

142. Council has agreed to amend this wording. As submitted at paragraph 99 of Council's opening submission to the Panel:

*'Council accepts Mr Woodland's advice that the exhibited requirement for 'general accordance with the Framework Plan' is instead amended to a requirement to 'have regard' to the Framework Plan in preparing PSPs (or similar wording) and to require general accordance only with the plans incorporated into the Planning Scheme.'*

143. Council is currently considering its preferred wording having regard to Mr Woodland and Mr Black's suggested wording.

### **F.4. Precinct size and boundaries**

#### ***Northern Geelong Growth Area (NGGA)***

##### ***Staged delivery of the Heales Road East Precinct***

144. Submission No. 55 requests that Heales Road East Precinct is delivered in two stages, allowing the proposed residential component, including the sub-regional activity centre, to be delivered in the medium term as part of the Heales Road West PSP. The existing rural residential component would remain a long-term development prospect.
145. This request is supported by the evidence of Mr Lee in respect of economics, Mr De Silva in respect of planning and Mr Young in respect of traffic.
146. Mr Lee is of the view that delivering the sub-regional centre as part of Heales Road West in the medium term improves the planning for this centre by including its whole catchment in one

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<sup>34</sup> Expert Witness Statement of Mr Black.

precinct. He also says that the Geelong housing market is a mature one and the development of the Monocline will be of high quality given a large share of it is in one owner.

147. In terms of traffic, Mr Young says that it would be necessary to construct the Heales Road alignment to at least a two-lane interim standard if the western portion of the Heales Road East Precinct was developed in the medium term. He says the benefit of developing this part earlier is that future residents will be able to travel locally for their convenience needs to the sub-regional centre. This lessens vehicle trips external to the NGGA.<sup>35</sup>
148. Council does not support any change in response to this request.
149. As Mr Woodland says the precinct size and boundaries have been selected to deliver neighbourhood-sized communities and are based on policy requirements and appropriate criteria.<sup>36</sup>
150. The requested change would remove the broadacre land in single ownership out of the largely fragmented ownership in Heales Road East. This will reduce the incentive to and efficiency of delivering the final precinct. As Mr Woodland opines in the table at page 74 of his evidence, splitting more readily developable parcels (ie: those in less fragmented ownership) may create challenges in facilitate orderly development in the long-term.
151. Council is also concerned that bringing the development of the Monocline escarpment forward will result in a housing product that is not as site responsive as the Monocline demands, as a steep and highly visible landform within the wider area. In response to Mr Lee's evidence, Council says that the broadacre nature of the Monocline land is a benefit whether or not a justification for developing the monocline earlier.
152. Council acknowledges that there is benefit in bringing forward the delivery of the sub-regional centre. However, Council submits that the delivery of multiple neighbourhood centres in the early development of the Elcho Road East, Elcho Road West and Heales Road West will be sufficient to support the neighbourhoods in their early stages.

*Two precincts in NGGA*

153. In support of Submitter No. 55's request that a portion of Heales Road East is developed in the medium, Mr Da Silva suggests that larger rather than smaller PSP areas should be adopted in the NGGA. He says the combination of Elcho Road East and West and Heales Road East and

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<sup>35</sup> Expert Witness Statement of Mr Young, 6.1.2.

<sup>36</sup> Expert Witness Statement of Mr Mark Woodland, p. 25.

West would reduce the impact on Council and developer resources and enable efficient and timely provision of infrastructure.<sup>37</sup>

154. Council does not accept this proposition. The precincts sizes in NGGA are approximately 485, 437, 467 and 700 hectares. These areas are mid-range in comparison to the wide range of PSP areas successfully developed in metropolitan Melbourne and regional Victoria, as set out in Council's opening submission.
155. The precinct areas have been carefully selected to provide logical staging of development through each neighbourhood. These areas have been adopted based on a balancing of factors including existing infrastructure, topography, road alignments, activity centre placement, waterways and drainage, efficient and timely provision of infrastructure relative to the size of each precinct.
156. On Thursday the Council mentioned the Lara West PSP.
157. The Lara West PSP was approved pursuant to Amendment C246 to the Planning Scheme on 27 February 2014. It is contiguous with the northern Geelong growth area (separated by Bacchus Marsh Road with Stacey's Road terminating opposite the site). It is a 389 hectare PSP area of which 266 hectares are developable with an estimated population, assuming 15 dwellings per net developable hectare, of between 10,150 and 11,600 people. It is an area that coming to market at the moment and will provide supply for the further growth of urban Lara and a contrasting product to that available in the more topographically diverse Northern Growth area.
158. Council highlights the Lara West PSP for the reason that it demonstrates again the variability of available stock and the number of growth fronts already operating within the City of Greater Geelong. The management of multiple growth fronts is a resource intensive task. This is both direct resources and also the resources that are required to manage and serve new populations.
159. The key driver for changes in growth area planning and the evolution of the Precinct Structure Plan is to provide planned and integrated communities as opposed from "spot" rezonings managed by individual tools such as a Development Plan Overlay. These planned communities better facilitate the provision of infrastructure such as schools, open space, retail and employment needs.
160. The Council submits that while it is important to have choice and competition within the housing supply market, it is also important not to manage growth fronts over too great an area or in too

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<sup>37</sup> Expert Witness Statement of Chris De Silva, pp. 23-24.

many disparate fronts. The operation of the Planning Scheme is such that once a becomes an incorporated document a permit may be issued. A key challenge for the growth of new areas is how a council can manage the bringing of product to market in a coordinated fashion that keeps pace with the delivery of infrastructure. Councils have had some difficulty in achieving the gradual delivery of stock in coordinated growth fronts as, quite reasonably, owners of particular areas seek to extract yield from their investments once PSPs are approved. The Settlement Strategy and Framework Plan together would realise a Geelong with active growth fronts in Lara, the north and the west.

161. Locally the first PSP within the Northern Growth Area will deliver an anticipated 11652 people. PSP preparations are already on foot and preparation will continue following the approval of C395. This means that in this immediate area more than 20,000 people will be accommodated through the area. It is not necessary or desirable to extend this growth front further to the west. This is heightened by the relative uncertainty of buffer issues considered below in the west.

*Inclusion of 450 Elcho Road in Elcho Road East Precinct*

162. Submitter No. 91 requests 450 Elcho Road, Lovely Banks is relocated from the Elcho Road West Precinct to the Elcho Road East Precinct.
163. There is no expert evidence before the Panel supporting this request.
164. Council does not support this change. It agrees with and relies on the evidence of Mr Woodland who states in the table on page 74 of this witness statement that the Elcho Road East Precinct has been identified using acceptable PSP selection criteria and there is no planning merit to include additional land in the precinct.

*Rezoning and short-term delivery of land within the GREP*

165. Submission Nos. 5 and 6 seek the rezoning and short-term delivery of the Geelong Ring Road Employment Precinct (**GREP**) buffer land located in in Heales Road East Precinct.
166. There is no expert evidence before the Panel supporting this request.
167. Council does not support this change. It relies on the evidence of Mr Woodland who states in the table on page 74 of this witness statement that that the precincts have been selected appropriately and that there is currently sufficient industrial land in the GREP so there is no short term need for industrial land.

***Western Geelong Growth Area (WGGA)***

*Inclusion of land in the Creamery Road Precinct*

168. Submitters request various land to be included in the Creamery Road Precinct, which is designated for short-term development.
169. Submitter No. 1 seeks the inclusion of the land between the Midland Highway and the Moorabool River be located in the Creamery Road Precinct rather than the Batesford South Precinct.
170. In providing evidence on behalf of Submitter No. 1, Messrs Ainsaar and Negri support the inclusion of this land in a precinct which will developed earlier. They support this inclusion on the basis that this land is no longer used for quarrying and developing more land earlier will provide more development contribution funding for high-level infrastructure items that will benefit the establishing communities.
171. Mr Negri finds the boundaries of the WGGA are generally logical but equally he finds that the river could form an appropriate precinct boundary.
172. Although not sought by submitter no. 1, Mr Ainsaar supports the Batesford North and Creamery Road precincts being combined on the basis that the size of these precincts are small. Batesford North is approximately 430ha and Creamery Road is approximately 350ha. He is of the view that this joinder will *'provide economies of scale in the delivery of infrastructure and a greater funding pool through development contributions'*.<sup>38</sup>
173. As Council submitted in its opening submission, the precincts have been carefully devised having regard to logical physical boundaries (such as roads and topography) and the ability to deliver infrastructure and communities in a co-ordinated timely manner. Size alone is not reason to alter precinct boundaries at the framework plan stage. Particularly where all the proposed precincts are comparable in size to a wide range successfully delivered precincts in Metropolitan Melbourne and Regional Victoria.
174. Further, Council submits that this area is likely to have noise and dust impacts from the operating quarry that make early residential development problematic.<sup>39</sup>
175. The proximity of this land to the Moorabool River means significant work relating to the interface of development with the river and ensuring a holistic approach to the planning of this important

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<sup>38</sup> Expert Evidence Statement of Mr Ainsaar, paragraph 43.

<sup>39</sup> In his air quality assessment, Mr Cook provides that dispersion of dust from the eastern face of the quarry generally moves in a north, north-easterly direction.

regional feature. The Panel will have now had the benefit of seeing the Moorabool River as it circumnavigates the current Batesford Quarry. The River corridor has the potential to be an attractive area of amenity and environmental value. It is, as the Panel will have seen, currently a concrete watercourse in places where the River has, in today's terms might be regarded as extraordinary circumstances, been diverted.

176. The Framework Plan contemplates that the Moorabool River will be an important part of the western growth area. The Framework Plan envisages that the River corridor will be the subject of a detailed masterplan that will outline the protection and enhancement of river and creek corridors.<sup>40</sup> The delivery of these watercourses in a coordinated fashion is important, and in the case of the Moorabool River and its diversion, expected to be complex. Council has a great concern that this is a case where the River does not provide a logical boundary between precincts. It is concerned that the delivery of a creek corridor for this area should occur as an integrated whole so that there is consistency between the interfacing on the sides, the inevitable rehabilitation that will occur and the management of waterway values. This is an important reason on why the PSPs are currently proposed to be delivered in this way.
177. Council regards the coordinated delivery of the Moorabool River masterplanning process is best served by maintaining a boundary for the Batesford South PSP that instead adopts another logical boundary, that logical boundary being the Midland Highway. In any PSP spread across the Midland Highway, there will be a substantial physical and practical barrier. It is difficult to envisage a coordinated precinct across that barrier in circumstances where the Midland Highway is projected to have in excess of 50,000 vehicles per day. Further, the nature of infrastructure that will be required to deliver the Creamery Road precinct is limited. Intersections with the Midland Highway can be delivered in interim formats such that Creamery Road can deliver northern legs and Batesford South can deliver a southern leg and land without inappropriate wasted costs or technical difficulty. Ordinary staging of developments means that interim delivery of intersections is a common occurrence.
178. This is not a simple or desirable exercise in respect of the river corridor.

*A Moorabool River Corridor Precinct*

179. Submitter No. 1 seeks the creation of a new precinct which accommodates only the Moorabool River.
180. Council opposes this suggestion. Isolation of the river and its environment is likely to result in poor coordination of connections between both sides of the river and failure to provide an integrated precinct.

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<sup>40</sup> Framework Plan Page 93.

Changes to the Batesford South Precinct

181. Submitter No. 1 submits that the Batesford South Precinct is too large and should therefore be split into two with the western portion forming a new precinct. This precinct would contain the rehabilitated former quarry land and would be available for development in the medium term. The remainder of the South Batesford precinct would contain the operational part of the quarry. Mr Ainsaar says the earlier development of a western precinct would provide more funding to provide shared infrastructure items for other neighbourhoods.
182. Council does not support this request for a number of reasons. It would fail to provide coordinated planning along the river corridor, land use conflicts between the quarry and residential use and would negatively impact the ability to develop the quarry into an integrated lake precinct. A western precinct would be isolated from urban Geelong and an inappropriate early area for delivery. Further the Batesford South precinct is a larger precinct expected to provide for a population of 29,000 people. This larger population base will support the delivery of infrastructure within the larger precinct.
183. Submitter No. 60 seeks the inclusion of a part of the south east corner of the Batesford South Precinct within the McCanns Lane Precinct. Mr Prossor provides evidence that this land can be adequately serviced as part of the McCanns Lane Precinct without impacting other proposed servicing arrangements.<sup>41</sup>
184. Council has indicated that it agrees this boundary change will allow drainage outfall directly north of Hamilton Highway, which is positive. However, submit that further detailed drainage work is required to confirm that this change will not mean the drainage outfall for the majority of the McCanns Lane precinct needing to cross a small segment of the Batesford South precinct prior to its outfall under the Geelong Ring Road.
185. It is not clear to Council that the northern part of the land take on Page 5 of Mr Prossor's evidence is appropriate or necessary – a matter to be tested in due course.
186. Otherwise Council submits that the servicing detail contained in Mr Prossor's evidence is detail for the PSP stage rather than this Amendment.

Inclusion of land in the McCanns Land Precinct

187. Through the evidence of Messrs Negri and Ainsaar, Submitter No. 1 contends that a portion of land within the Batesford South Precinct should be located in the McCanns Land Precinct. This

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<sup>41</sup> Expert Witness Statement of Leigh Prossor, p. 6.

land is identified as the 'Balyarta Land' on the basis it is outside the Work Authority Area of the Batesford Quarry.<sup>42</sup>

188. Council does not agree with this submission on the basis of access, spread of development and asserts the existing boundaries are appropriate.

Church Street, Fyansford

189. 355 Church Street is approximately 15.8ha and is located on the eastern boundary of the WGGGA between the Geelong Ring Road and the Moorabool River. The Framework Plan shows the ultimate land use of this site as residential and open space. The site is located within the Batesford South Precinct, which has a long-term development horizon.
190. Submitter No. 77 argues that 355 Church Street, Fyansford should form part of a medium-term precinct rather than being located in the long-term Batesford South Precinct on the basis of its distance from the active operations of Batesford Quarry (1.5km separation distance)
191. In support of this submission, Submitter No. 77 relies on the evidence of Barry Cook in respect of air quality and dust emissions and Ms Lenchine in respect of noise. Mr Cook says that the land is unlikely to be affected by dust emissions from the operating quarry given the separation distance, the topography of the land and the wind direction at the eastern face of the quarry.
192. Ms Lenchine in respect of noise has undertaken a preliminary noise report of the site. She finds noise from the quarry and the Geelong Ring Road may impact the site. She says '*the Batesford Quarry most likely will meet limits recommended in NIRV. Effective solutions can be engineered to mitigate road traffic noise...*'. She goes on to recommend that further noise monitoring occur.
193. In respect of the servicing, Mr Prossor's evidence is that this site can be serviced either in conjunction with the Creamery Lane Precinct or the McCanns Lane Precinct or, potentially on its own.
194. Council does not support the requested change.
195. Council submits that the evidence of Mr Cook and Ms Lenchine demonstrate that further work is required in order to develop this site but this does not, in itself, support a change of precinct boundary.
196. Although Mr Prossor's evidence may demonstrates potential to service this land ahead of the adjoining land, Council submits that this fails to adequately appreciate the context of the site

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<sup>42</sup> Expert Evidence Statement of Mr Negri, paragraph 126.

and the other matters that must be considered when developing a site such as this. Effectively, it would mean a relatively small, isolated pocket of land is developed surrounded by quarry land and bordered by a freeway. This is not orderly planning.

197. The development of the land is likely to be complex given its proximity to the Moorabool River, the Geelong Ring Road and the relationship to the Church Street connection. It rightly should occur with the master planning of the Moorabool River corridor and the detailed planning and design of the Church Street connection. The Moorabool River corridor and adjoining land has been included in the long-term precinct because it will require detailed geotechnical and groundwater assessments will be undertaken prior to urban development. These will be complex assessments considering drainage, land stability, erosion, rock fall and landslide susceptibility and mitigation measures. It is not appropriate for land to be excluded from the Batesford South Precinct at this stage before this detailed technical work has been undertaken.

#### **F.5. PSP Sequencing**

198. The Framework Plan provides for the sequential development of each Growth Area, as follows:

	<b>NGGA</b>	<b>WGGA</b>
<b>Short term precinct</b>	Elcho Road East	Creamery Road
<b>Medium term precinct</b>	Elcho Road West Heales Road West	Batesford North McCanns Lane Merrawarp Road
<b>Long term precinct</b>	Heales Road East	Batesford South

199. Submissions in relation to both the NGGA and WGGA include various requests for changes to the precinct sequencing outlined in the Framework Plan. Broadly, the submissions seek to make more land available at an earlier time. These submissions are discussed above.
200. Council submits that it has adopted a prudent approach to sequencing whereby more complex issues will be deal with in the longer term. This provides more time to assess issues and undertake the detailed design. As was made clear in Council's opening submission to the Panel, the Framework Plan is a high-level plan. Once detailed design and assessment has been undertaken, it may be appropriate that location and boundaries change. However, this level of detailed assessment has not yet occurred. It is therefore not appropriate for changes to be made at this stage. These matters will be dealt with as part of the PSP process.

201. Importantly, if it becomes apparent that further precincts are required, the PSP process can be initiated earlier. As provided in Council's opening submission, Council supports Mr Woodland's recommendation to include in Actions N5.21. and W5.2.1 additional factors that should be considered when determining PSP sequencing. These factors provide flexibility in managing the efficient and timely roll-out of PSPs. The changes that the Council has agreed to in opening mean that the sequencing of precincts is not said to be required to be 'in accordance' with the Framework Plan. Rather regard must be had to the plan (or it will guide steps taken) when decision making occurs.
202. Questions from the submitter Adelaide Brighton appear to foreshadow an argument that Council has somehow incorrectly surmised that the Batesford South Precinct and that the quarry necessitate a longer-term designation as a precinct. The quarry is a working quarry. It operates and while there are estimates of its proposed closing timeframe, these are just that – estimates. The quarry must be rehabilitated and on the work prepared by Adelaide Brighton, also requires detailed geotechnical investigations to justify its use for residential purposes. The Panel is referred to the background technical report prepared by the submitter in respect of the quarry.<sup>43</sup> The report:
203. Was prepared with the rehabilitation plan under implementation in hand.
204. Considers development outcomes for the overburden and quarry areas concluding that development is possible on sites of uncontrolled fill.
205. Recommends further investigations.
206. Identifies large portions of the Batesford South PSP as being subject to some geotechnical issues or complex geotechnical issues requiring the further investigations.<sup>44</sup>
207. The lake as proposed and as the Panel will have seen, is vast and this "jewel in the crown" will take something in the order of 20 years to fill.<sup>45</sup>
208. These are legitimate planning issues that place in question the deliverability of that precinct in the shorter to medium term. Council suggests that the timeframe provided is in fact an appropriate timeframe and that within the planning system there does exist sufficient flexibility for change if and when such change is appropriate because other land does not come on line or demand requires it.

*Heales Road East Precinct in NGGA*

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<sup>43</sup> Dated 8 May 2017.

<sup>44</sup> Appendix B, 'Potential Geotechnical Risks to Development.

<sup>45</sup> Expert Evidence of Paul Stewart at 3.

209. The Heales Road Precinct is designated as a long-term precinct. Submission No. 55 requests that the Heales Road East precinct is split with the non-rural residential land in the Heales Road East Precinct be designated for medium-term release, including the sub-regional centre and the Monocline escarpment.
210. In support of this submission, Mr Lee says there are advantages of bringing the delivery of the subregional centre forward, but he notes that he has '*...not specifically assessed the merits of the proposed relocation of the sub-regional centre, as the suggested change is relatively minor in the context of this centre's wider role across the NGGA as a whole.*'<sup>46</sup>
211. Mr De Silva says there are sequencing advantages of developing part of Heales Road East as a medium term precinct and one of two large precincts. He says the high levels of consolidated land ownership will allow earlier delivery of infrastructure which in turn is a reason to bring forward development of part of the Heales Road East Precinct.<sup>47</sup>
212. Council does not support this change. The precincts have been carefully considered based the ability to provide neighbourhood sized communities having regard to existing constraints, such as the complexity of developing the Monocline.
213. The area sought to be developed in the medium term is the most exposed section of the Monocline. Development on this land will be exposed and visible by the wider community. The longer development lead times will allow for the housing market to mature and produce more nuanced and site responsive products. Importantly, the longer lead time will also allow for the detailed assessment of the Monocline in terms of rock fall, erosion, landslide susceptibility and drainage.
214. Furthermore, the later development time will provide more development contributions to spend on regional infrastructure to support the establishing communities.
215. Removing the consolidated land ownerships from Heales Road East will increase the efficiency and timeliness in the development of the remaining sections which comprises fragmented land ownership and future industrial land that will not be required in the short or medium term. A point which Mr Woodland has acknowledged.<sup>48</sup>
216. Mr Woodland's oral evidence directly addressed the issue of the proposed inclusion of land currently in the long term precinct into a medium term precinct to support the growth of the sub-regional centre. He indicated that in his view it was appropriate for the two large parcels to be

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<sup>46</sup> Expert Witness Statement of Mr Lee, p. 22.

<sup>47</sup> Expert Witness Statement of Mr De Silva, pp. 23-24.

<sup>48</sup> Expert Witness Statement of Mr Woodland, paragraph 409.

associated with the more fragmented adjacent parcels to assist delivery of that later PSP. He also noted that the Northern Growth Area would be supported by a network of neighbourhood activity centres and that a sub-regional centre would be supported by a broader catchment and would start in any case akin to a NAC and then develop over time.

217. Council adopts this evidence.

*Inclusion of land in the McCanns Lane Precinct in WGGA*

218. Submission No. 60 requests the eastern boundary of the McCanns Lane Precinct be moved further east to incorporate part of the Batesford South Precinct.

219. Except to the extent outlined above for drainage purposes the Council does not support this request.

**F.6. Infrastructure funding and development levies**

220. Each precinct has been designed to accommodate a neighbourhood sized community supported by local services. This will mean the short-term precincts are not dependant on the premature development of longer-term precincts which contain larger infrastructure items. Each precinct must be developed with the transport, waterway and social infrastructure identified for each precinct in the 'Delivery' section of the Framework Plan.

221. Messrs Woodland, De Silva, Ainsaar and Black agree that the early funding of key infrastructure items is critical to enable the timely efficient development of the PSPs. Messrs Ainsaar and Black favour a single DCP/ICP for the WGGA. Mr Ainsaar says the DCP/ICP must be undertaken prior to or concurrently with the first PSP prepared for the WGGA to ensure fairness in the funding of infrastructure by all development and to provide funding and delivery certainty for high level infrastructure items.<sup>49</sup>

222. Mr Black recognises that the Framework Plan and PSP approach adopted for Greater Geelong has been effective in its application to Melbourne's growth areas. He is also of the view that the Framework Plan has been reasonably implemented into the Planning Scheme.

223. Mr Black supports the development of the WGGA in precincts but given the large-scale key infrastructure items, he recommends a universal, growth area wide ICP rather than individual ICPs for each precinct. Council is not opposed to this recommendation but submits that this detail should be determined in a separate process.

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<sup>49</sup> Expert Witness Statement of Mr Ainsaar, paragraph 73.

224. Mr De Silva for Submitter No. 55 supports a 'direct delivery strategy approach in partnership with the developer' to avoid the need for preparation of a complex infrastructure funding framework (such as a DCP or an ICP) and de-risk the infrastructure delivery process.
225. As stated in Council's opening submissions, and consistent with its previous response in minutes to Council Meeting on 24 September 2019, The Framework Plan does not specify the mechanism for collecting development levies. Council is not opposed to an ICP/DCP for each growth area. However, this will be determined during 2020 stage in conjunction with DELWP and the VPA.
226. On this basis, it is inappropriate to specify in a strategy in clause 21.20 that a single DCP will be prepared for each growth area as suggested by Mr Black. There are difficulties with Mr Black's approach.
227. A single DCP/ICP firstly requires that all infrastructure is planned. This requires in effect detailed PSP level planning across the entirety of a diverse and at times complex precinct. It would be likely to inhibit the early delivery of housing in the precincts.
228. The notation of an early DCP also presupposes a specific outcome. Do we know it will be a DCP or an ICP? How will land take be included in that, noting that the ICP system is premised upon precise land take calculations and balancing between parcels ('public land contribution'). A possible outcome is that further work that Council is currently undertaking identifies that certain infrastructure has a shared and apportioned cost, then these particular infrastructure items will be planned for at the commencement of the PSP sequencing through Council's infrastructure planning. This is possible but the work not yet complete.
229. There are other factors at play as connector streets are generally developer costs. The apportioning exercise is not simple – what weight is given to the size of the precincts, to the existing characteristics of land which are fairly known constraints.
230. Council does not have a position on these matters at this time but is concerned that tying the growth areas to global DCP may inhibit early delivery of housing.

#### **F.7. Activity centres**

##### **NGGA**

##### Location of the subregional centre

231. Submission No. 55 requests the sub-regional centre in NGGA be relocated approximately 500m north east to the edge of the Monoline alignment and away from the alignment of the Heales Road extension.

232. In support of this submission, this submitter relies on evidence from Mr Lee in respect of economics, Mr De Silva in respect of planning, Mr Young in respect of traffic, Mr Day in respect of urban design and Mr Lethlean in respect of landscape. Each of these experts say there are advantages to relocating the activity centre relevant to their respective fields of expertise.
233. In respect of urban design and landscape, Messrs Day and Lethlean support the sub-regional centre moving east to capitalise on views to the Corio Bay, central Geelong, the Bellarine and the You Yangs.<sup>50</sup> Mr De Silva also recognises these advantages as well as discussing the urban design advantages of moving the centre off the Heales Road arterial alignment.<sup>51</sup>
234. In terms of traffic, Mr Young says moving the sub-regional centre off the Heales Road arterial to the connector network is acceptable given the traffic movements associated with the sub-regional centre will largely be derived from the surrounding area.
235. Council questions that the urban design disadvantages of location an activity centre on an arterial road cannot be appropriately managed through urban design and built form controls. In any event, it is Council's position that the exact location of activity centres is a matter that should be dealt with at the PSP stage. While the requested relocation of the sub-regional centre may have merit in maximising views, there are a multitude of factors to consider beyond views.
236. In response to Mr Lee's view that the number and distribution of activity centres should be made at the framework plan stage, Council says such an approach would lack flexibility. The planning that occurs at PSP stage reveals constraints and opportunities that are not apparent at the high-level strategic planning that the Framework Plan provides.

*Change location and floorspace allocation of the north eastern activity centre in NGGA*

237. Submission No. 55 requests the north eastern activity centre to be split into two relocated centres. Each centre would accommodate approximately 5,000sqm of retail floor space as opposed to the currently proposed one centre of 10,000sqm. One of these centres would be developed as a speciality centre.
238. In terms of urban design, Mr Day supports the proposed change on the basis that these centres will avoid the 350m-wide Iona Gas Transmission Pipeline sensitive uses buffer, maximise views, avoid bisection by arterial roads and improve walkability catchments.

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<sup>50</sup> Expert Witness Statement of Mike Day, p. 11 and Expert Witness Statement of Perry Lethlean, p.28.

<sup>51</sup> Expert Witness Statement of Chris De Silva, pp. 13-14.

239. In terms of economics, Mr Lee says that smaller centres would create a strong hierarchy with well-defined roles for each centre, and less prospect for development within the neighbourhood centres to detract from the higher-order role of the sub-regional centre.
240. Mr Lee says the Framework Plan should not be prescriptive in respect of retail floorspace of each centre but should specify the number, locations and relative roles of activity centres.
241. Council does not agree. As previously put to the Panel, these are matters are properly dealt with at the PSP stage. The Council submits that the Panel should only grant such changes where it is definitively known that the outcome is the final appropriate outcome and where that outcome could not be facilitated in the context of an Amendment which will have regard to or be guided by the Framework Plan. Where those changes can be made at that later time, supported by appropriate detailed work, it should occur at that later time, and the detailed redrafting of a Framework Plan document at this point is simply unnecessary.

## **WGGA**

### Relocate the WGGA sub-regional centre

242. Submitter No. 1 no longer pursues its submission in respect of relocating the sub-regional centre in the WGGA. It agrees with Council that determining the exact locations of activity centres is a matter for the PSP process with further detailed analysis. This position is supported by the expert evidence of Mr Ainsaar<sup>52</sup> and Mr Woodland.<sup>53</sup>

### Relocate neighbourhood activity centres in the Creamery Road and Batesford North precincts

243. Submission No. 75 requests one or both the activity centres shown on the boundary of the Creamery Road and Batesford North Precinct to be located in the Creamery Road PSP area.
244. Submission No. 101 requests the north western activity centre in the WGGA be moved adjacent to the future rail station. No planning or economic evidence has been called to support these submissions.
245. No planning or economic evidence has been called to support these submissions.
246. It is Council's position that the location of these activity centres on the Framework Plan is indicative. Subject to further analysis and detailed design, the requested changes may eventuate. However, this is a matter for the PSP or planning permit stage.

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<sup>52</sup> Expert Witness Statement of Mr Ainsaar, paragraph 88.

<sup>53</sup> Expert Witness Statement of Mr Woodland, paragraph 190.

247. Mr Woodland supports Council's position that the ultimate location of activity centres is a matter that can be determined when preparing the PSPs.

#### **F.8. Clever & Creative Corridor**

248. The Framework Plan establishes the 'Clever and Creative Corridor' (**C&CC**), a tree-lined boulevard style transit corridor that prioritises active and public transport between key destinations within the NWGAA. Initially, the C&CC will accommodate a rapid bus service. The ultimate configuration will be determined through exploration of developing transport technologies as the growth areas become occupied.

249. Council is committed to delivering sustainable transport to these new communities. This requires proactive planning and dedicated public transport infrastructure from the outset of the new community. With this, modal shift can occur. This approach implements State planning policy that seeks to integrate land use and transport and achieve a safe and sustainable transport system.<sup>54</sup>

250. Submissions to this Amendment are generally supportive of the C&CC. However, some submitters raise concerns in respect of the alignment of the C&CC, the specifications shown on the Framework Plan, the substantial land requirements and lack of demand for higher density housing along the length of the corridor.

251. Council has, as part of its recommended post-exhibition changes, removed the link between the two growth areas as recommended by Ms Marshall.

252. In respect of urban design, Mr Day says there should be '[g]reater flexibility in the interpretation and implementation of the Clever and Creative Corridor concept'.<sup>55</sup> He recommends the removal of specific dimensions.<sup>56</sup>

253. In terms of planning, Mr De Silva recommends that the Framework Plan should include 'some variability in the configuration of the Clever and Creative Corridor such that it is responsive to existing site features and the planned environment'.<sup>57</sup>

254. Council does not object to removal of the detail on pages 45-51 of the Framework Plan to remove references to for example carriageway width of standard road features, parking bays

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<sup>54</sup> Clause 18.01-1S.

<sup>55</sup> Expert Witness Statement of Mike Day, p.2.

<sup>56</sup> Expert Witness Statement of Mike Day, p.22.

<sup>57</sup> Expert Witness Statement of Chris Da Silva, paragraph 17.

etc. This information will be provided at the time of the PSP. Council also acknowledges that in different places the Clever and Creative Corridor will be different in terms of cross section:

- 255. Where it runs through activity centres.
- 256. Where it runs through residential areas.
- 257. In between the growth areas.
- 258.
- 259. It may be that the Clever and Creative Corridor runs through town centres or it may ultimately run at the edge of town centres, these are the detailed matters that will be established during precinct structure planning.
- 260. Council's main interest is that the Clever and Creative Corridor reservation itself is not watered down:
  - 261. In dimension.
  - 262. To become a shared traffic solution with general traffic
- 263. The purpose of the corridor is to create a dedicated public transport route that will facilitate a prompt and desirable service for the community and achieve actual mode shift.

*Realign the C&CC to the west side of the lake in the WGGA*

- 264. Submitter No. 1 requests the C&CC alignment be moved to the western side the quarry which will ultimately be the lake.
- 265. This issue was a focus in the enquiry by design process of approximately 10 hours where the development community, agencies and Council were present. At this process both the western option and the eastern option were canvassed. The principle reasons for the eastern side being adopted included:
  - 266. It was considered that lengthy combination of the north south arterial and the Clever and Creative Corridor would create a large physical barrier within the precinct.
  - 267. Proximity to the proposed Church Street extension.
  - 268. Opportunity for fluid travel along this part of the connector system.
- 269. Council is not persuaded at this time by the evidence that these benefits do not still prevail.

**F.9. Other transport issues**

*Realignment of Elcho Road in NGGA*

- 270. Mr De Silva supports the refinement of parts of the transport network including the alignment of Elcho Road and the Clever and Creative Corridor

271. For reasons expressed earlier about the stage of development and uncertainty associated with that Council does not support the amendment. The amendment will be tested through evidence.

Western north-south arterial alignment in WGGA

272. Submitter No. 1 requests a realignment of the north-south arterial road on engineering grounds given the road traverses steep topography and crosses the Moorabool River.

273. The alignment of the north-south arterial travels crosses the Moorabool River within the footprint of the '1930s quarry'. The '1930s quarry' has not yet been rehabilitated. Golder Associates have tendered for the rehabilitation work which may commence in 2020. Mr Stewart says that the current north-south arterial would require redesign of the rehabilitation works. This would delay the final rehabilitation timelines.<sup>58</sup>

274. In support of this submission, submitter no. 1 relies on the traffic evidence of Ms Marshall and an options assessment prepared by Golder Associates and Cardno TGM for four alternative alignments for north-south arterial.

275. The options assessment provides that the preferable alignment (option 3) is further west of the current alignment. This route traverses land that is less constrained geographically and so will require significantly less batter. Ms Marshall believes there is merit in relocating the alignment based on option 3 (or option 2 which is the same as option 3 but without split carriageways in some directions) because it would require less earth works and *'...potentially negate the need for a significant trench through developable land.'*<sup>59</sup>

276. At paragraph 5.6.5, Ms Marshall provides that *'Any future road design will require input from multiple disciplines to ensure that it not only satisfies road alignment and grade requirements, but is sensitive to its environment, buildable and economically viable.'*

277. Council agrees that further work is required to determine the preferred alignment. This work should be undertaken as part of the PSP process which is used to determine ultimate alignment and detailed design rather than the high-level road network concept. Messrs Woodland and Negri acknowledge in their respective planning witness statements that the final alignment can be addressed as part of the PSP process.<sup>60</sup>

278. The existing alignment reflects the nominated position of the submitter. Council does not draw lines on maps arbitrarily – it works with developers to the road framework of

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<sup>58</sup> Expert Witness Statement of Mr Paul Stewart, page 4.

<sup>59</sup> Expert Witness Statement of Hillary Marshall, paragraph 5.9.1.

<sup>60</sup> Expert Witness Statement of Marco Negri, paragraph 128.

### Church Street Connection

279. Submitter No. 77 seeks an alignment of the Church Street connection that sweeps to the north west of Church Street and turns south west to cross the Moorabool River in a location further north than currently shown on the Framework Work Plan.
280. In principle, Council does not oppose this alternative alignment but submits that this at a level of detail that should be considered at the PSP stage when detailed design occurs.
281. The concern seems to run that the location of the road which is shown as an indicative east-west connector extension with a link to Church Street, is not the preferable location of the road.
282. The concern then seems to extend that if the Framework Plan encourages a “straight line link” across this area, then the Council will require a straight line link across this area. Instead, it is suggested that the link be shown as a looping road to the north. At its heart, what the Council seeks and what it understands also the submitter to be seeking, is an appropriate level of flexibility in the delivery of the PSP through this area.
283. Council has provided an indicative connector direction which will, like all connectors, like all arterials, be reviewed and analysed through the specific reports that are prepared in support of a PSP. If the submitter is seeking appropriate flexibility so that it can respond at the time of the PSP appropriately and intelligently, the Council rhetorically asks whether or not the inclusion of a specific bent route over a general off the shelf east/west route offers more or less flexibility to respond.
284. Council’s concern is that if this Panel identifies a looping road today, then in 10 or 15 years or time when this link comes to fruition there will be much greater difficulty in responding to whatever the detailed planning for that road and bridge ultimately find.

### **F.10. Rezoning of Batesford Quarry Land**

285. Submitter No. 1 requests the rezoning of parts of the Batesford Quarry Land that are no longer quarried from Special Use Zone to Urban Growth Zone.
286. Mr Negri supports the rezoning given that part of the land is no longer quarried and it is anticipated that operations will conclude by 2025.<sup>61</sup>

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<sup>61</sup> Expert Witness Statement of Mr Negri, pp.26-27.

287. Council does not support the rezoning of the Batesford Quarry land. This rezoning should at the time quarry operations conclude. Land is frequently zoned to be included within the Urban Growth Zone with a PSP and there is no need that this occur today.
288. The current land use is guided by an appropriate control that will at the end of the quarry life be amended. Further this is not a contemplated change in the Amendment.

#### **F.11. Redesignation of Batesford Quarry Land associated with modified arterial alignment**

289. The land to the east of the north-west arterial designated for 'residential' purposes and the land to the west is designated for 'agriculture. In the event the north-west arterial alignment is moved further west, Submitter No. 1 says the land to the east of the alignment should be identified as 'residential' rather than 'agricultural'. Mr Negri supports this change.<sup>62</sup>
290. Council notes that the arterial is the intersection between the urban and non urban uses.

#### **F.12. Drainage in the NGGA**

291. Submitter No. 55 has raised concerns regarding the feasibility of the waterways and drainage plans for the NGGA.
292. Mr Craigie, on behalf of submitter no. 55, proposes an alternative drainage scheme for NGGA.
293. Council is reviewing the scheme but nevertheless submits that drainage is a matter for detailed design at the PSP process. The waterways and basins shown on Plan 07 Water for NGGA are indicative. As is typical in the development of PSPs, Council will agree to an alternative solution at the PSP stage, if it can be demonstrated as favourable. It is not appropriate to the level of prescription sought by submitter no. 55 at the Framework Plan stage.

#### **F.13. Utilities**

##### Electricity transmission line in NGGA

294. Council does not consider the easement is a necessary inclusion into the growth area. There is no actual yield or benefit identified at this time and the land could be later included if required. This is a situation to be contrasted with easements that run through growth areas and are therefore improved.
295. Council is concerned that this example will lead to avoidable and unnecessary pressure to accommodate credited activities in the easement.

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<sup>62</sup> Expert Witness Statement of Mr Negri, p. 31.

Gas pipeline in NGGA

296. Council has considered submissions in respect of the gas pipeline and is prepared to amend Action N.1.6.8 to read as follows:

*Land uses within 570 metres of the gas pipeline easement must be planned carefully to minimise risk to community safety*

*The siting of different land uses will have regard to the recommendations of a safety management strategy to be prepared as part of the relevant precinct structure plan process.*

**F.14. Heritage**

297. Submission No. 16 states that Plan 18 (Aboriginal Cultural Heritage) incorrectly shows land at 30 Avonlea and 165 Bluestone Bridges Road as an Existing Archaeological Site designation be removed. Council is reviewing this designation.
298. Submission No. 77 requests the deletion of Heritage Overlays shown on the Framework Plan that have been removed via Planning Scheme Amendment C376 (pt2) following the preparation of the Framework Plan. Council supports the amendment of Plan 19.

**F.15. Land between the NWGGA**

299. Some submitters have requested rezoning of land between the identified growth areas. There is no evidence supporting these submissions.
300. Council does not agree to any changes requested. It submits that the G21 Growth Plan does not identify this land for future growth and there is no other strategic support for the rezoning of this land.

**F.16. Impact on Surrounding Land Uses**

Lara Energetic Materials Manufacturing Plant (LEMMP)

301. The Framework Plan for the NGGA shows a 1000m buffer from the LEMMP, a declared hazard facility. Submitter No. 18, the operator of the LEMMP, opposed any reduction of the 1000m buffer.
302. Council requested comment from:

- 302.1. the EPA and was advised that the buffer is a WorkSafe matter; and
- 302.2. Worksafe who advised by letter dated 17 October 2019 advised against any residential use within the 1000m buffer.
303. Submitter No. 55, the owner of land within the NGGA, has requested through the Panel further information from Submitter No. 18 regarding the activities carried out at the LEMMP. The purpose of this request to verify the basis for the buffer distance.
304. By letter 13 November 2019, Novo Planning, acting on behalf of Submitter No. 18, advised that the type, volume, maximum capacities and processing of materials and associated infrastructure and the risk assessment of the operation is classified information under the US Department of Defense Security Classification Guidelines.
305. In Council's submission, the proposed buffer should be retained on the Framework Plan. In the event, further detail is available which indicates a lesser buffer would be acceptable, the change can be made at the PSP stage. Mr Woodland in his expert witness statement supports this approach.<sup>63</sup> Mr Woodland in his oral evidence stated the issue was 'pretty straightforward'.
306. Once the Safety Management Case is settled then the analysis of buffers can occur and this will be satisfactorily timed for a second PSP in the Northern Growth Area.

*Impact on adjoining agricultural land and noise impacts on adjoining residential/rural living properties*

307. A number of submissions raised concerns regarding negative impacts of urban development on adjoining agricultural and residential land. There is no evidence before the Panel in relation to this issue.
308. Council maintains its position as set out in the officer report to Council meeting dated 24 September 2019, which provided:

*'173. State policy (the G21 Regional Growth Plan) has identified NWGGA as suitable locations for accommodating Geelong's long term population growth. The interface with adjacent land, including farming operations, will be addressed in relevant PSPs. The interface will be managed by decreasing housing densities towards growth area boundaries intended to be permanent rural-urban interfaces, and through an urban design framework for the WGGA Employment area. Rural living within the northern and western perimeter of the NGGA and/or relocation of the WGGA Employment area are not supported.'*

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<sup>63</sup> Expert Witness Statement of Mr Mark Woodland, paragraph 64.

174. The four submissions from residents/owners near the WGGA relating to noise concerns refer specifically to noise from a function centre on Evans Road, Bell Post Hill, subject of an upcoming VCAT hearing. The amendment and Framework Plan are separate from the outcome of this individual planning permit on one property within the WGGA. The WGGA is supported in State policy and is a proposed major urban growth area. The noise controls of the Environment Protection Act 1970 and Environment Protection (Residential Noise) Regulations 2018 apply to the growth areas. Separate guidelines apply to commercial noise. Further noise controls by way of restrictions on title are not supported.'

Anakie Extractive Industry Interest Area (EIIA)

309. Submission No. 27 from the Department of Jobs, Precincts and Regions requested a non-urban break be provided immediately outside the NGGA encroachment into the EIIA. No evidence is being called in support of this submission.

310. Council maintains its position as set out in the officer report to Council meeting dated 24 September 2019, which provided:

*'Housing densities will decrease toward growth area boundaries intended to be permanent rural-urban interfaces as illustrated on Plan 23 and Plan 26 of the framework plan. However, the inclusion of a non-urban break immediately outside the NGGA in the Settlement Strategy or Planning Scheme is not supported as it is not identified in State policy. Any potential further encroachment into the Anakie EIIA would only be considered in the long term and would be subject to investigation of impacts on extractive industry resources.'*

**G. PROPOSED FURTHER CHANGES IN RESPONSE TO EVIDENCE AND SUBMISSIONS & FINAL POSITION ON THE AMENDMENT**

311. At this juncture in the hearing, Council has agreed to the changes set out in Appendix 1 of this submission. These changes comprise:

311.1. The changes identified in Appendix F to Council's Part A submission; and

311.2. The changes identified in Appendix 1 to Council's opening submission in response to evidence relied on by Council.

312. If Council agrees to further changes as a result of considering the submissions and evidence that will be presented in the coming weeks, it will update the Panel and parties.

313. In closing, Council intends to provide its final position in respect of the Amendment which will include a response to any further issues arising in submissions and evidence to the Panel. It

will also table a post-exhibition version of the Amendment documents that reflects its final position.

**H. CONCLUSION**

314. This concludes Council's Part B submission. Council intends to table a closing submission dealing with any matters subsequently arising during the hearing. Council will also table a post-exhibition version of the Amendment documents that reflects its final position.

18 November 2019

**Greg Tobin**  
**HARWOOD ANDREWS**  
on behalf of  
Greater Geelong City Council

**APPENDIX 1: PROPOSED FURTHER CHANGES IN RESPONSE TO EVIDENCE AND SUBMISSIONS AS AT COUNCIL'S B SUBMISSION**

- 1. Changes identified in Appendix F to Council's Part A submission**

## F. CHANGES TO THE AMENDMENT IN RESPONSE TO SUBMISIONS

159. Council's position at the Panel hearing will be to recommend changes to the Amendment – both to the ordinance 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:

<b>Amendment C395 – recommended changes to ordinance</b>		
<b>Submission</b>	<b>Clause</b>	<b>Change</b>
25	21.06	On the drawing key on Housing and Settlement Framework Plan proposed in Clause 21.06, change "SETTLEMENT BOUNDARY" to " <b>MUNICIPAL BOUNDARY</b> ".
-	21.06	On the drawing key on Housing and Settlement Framework Plan proposed in Clause 21.06, change " <b>BOUNDARY – INDICATIVE PERMANENT SETTLEMENT BOUNDARY</b> " to " <b>SETTLEMENT BOUNDARY – INDICATIVE LONG TERM BOUNDARY</b> ".
-	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 " <b>FUTURE GROWTH AREAS</b> " 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 <sup>st</sup> 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:

<b>Amendment C395 – recommended changes to maps</b>		
<b>Submission</b>	<b>Map</b>	<b>Change</b>
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:

<b>Amendment C395 – recommended changes to Settlement Strategy</b>		
<b>Submission</b>	<b>Page</b>	<b>Change</b>
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><b>Amendment C395 – recommended changes to Northern and Western Geelong Growth Areas Framework Plan</b></p>
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<b>Submission</b>	<b>Page</b>	<b>Change</b>
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 <sup>rd</sup> 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 <sup>nd</sup> 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: 2 <sup>nd</sup> sentence of 2 <sup>nd</sup> paragraph under Context: change “Geelong’s new” to “Northern Geelong’s new”.
55	135	Neighbourhood Amenity – Northern Geelong Growth Area: Change 3 <sup>rd</sup> dot point to “A mix of local, indigenous and exotic species”.
-	141	Neighbourhood Design – Western Geelong Growth Area: Action W2.1.6, 2 <sup>nd</sup> dot point: change “halves of these catchments” to “half of this catchment”.
55	144	Neighbourhood Amenity – Western Geelong Growth Area: Change 3 <sup>rd</sup> dot point to “A mix of local, indigenous and exotic species”.
-	150	Housing – Western Geelong Growth Area:

		Action W2.4.4 – 2 <sup>nd</sup> 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: Renumber 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 <sup>nd</sup> 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 <sup>th</sup> 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 <sup>th</sup> 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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## 2. Changes in response to evidence circulated on behalf of Council

### (a) Changes to the Framework Plan

- i. Include a plan that identifies the key destinations that the C&CC is intended to link to (e.g. the Geelong CBD, and key train stations).
- ii. Include additional text to clarify how the land use framework along the C&CC is expected to deliver an urban density and land use mix that can sustain the level of public transport service needed to support public transport patronage in this corridor.
- iii. Include a statement of limitations in the Framework Plan explaining that the precinct concept plans are only intended to show the potential combination of land uses and infrastructure requirements that need to be addressed at the PSP stage, and that the plans do not represent a final or preferred urban structure for the precinct.
- iv. Include a statement of limitations in the Framework Plan explaining that the purpose of the Precinct Infrastructure requirements is to identify the broad infrastructure needs for each precinct, but that these will be refined as each PSP is prepared.
- v. Include in Actions N5.2.1 and W.5.2.1 the following additional factors:
  - Whether the precinct will enable the staged extension of infrastructure networks in a way that minimized the real cost of infrastructure provision.
  - Whether or not a precinct subject to major constraints or uncertainties that could delay development and are of a size and with a pattern of land ownership that is likely to result in a substantial and predictable yield of housing and or industrial land.
  - Whether a precinct's development will support the effective and early development of public transport infrastructure, town centres and employment precincts.

### (b) Changes to the Planning Scheme ordinance

- i. Amend wording in Clause 21.20 relating to giving effect to the Framework Plans should be amended – final wording to be adopted is being considered.
- ii. Include an additional strategy in Clause 21.20-3 relating to the Background Document: "Land use and development should have regard to the Northern and Western Geelong Growth Areas Framework Plans."
- iii. Amend exhibited version of Clause 21.14 as follows:

#### **Further Work – page 7 of 17**

- Update the proposed task Work with the state government on the designation of the Bellarine-Peninsula under the Distinctive Areas and Landscapes Act 2018 to reflect the fact the declaration has been made and the next step is to finalise a Statement of Planning Policy.
- iv. Modify the Housing and Settlement Framework map at Clause 21.06 to remove the word 'permanent' from the 'indicative permanent settlement boundary'.

