



# Amendment C395 to the Greater Geelong Planning Scheme

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*Expert Evidence Statement: Jason Black*

*Various Land Within the Wallington Region*

*4 November 2019*

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## 1 INTRODUCTION

1. My name is Jason Robert Black of 48 Gala Supreme Close, Mordialloc and I am the Managing Director of Insight Planning Consultants Pty Ltd.
2. I hold a Bachelor in Applied Science (Planning) from the Royal Melbourne Institute of Technology (RMIT). I have twenty years planning practice experience in local government and private consultancy.
3. I am a Fellow of the Planning Institute of Australia, a Member of the Victorian Planning & Environmental Law Association, a Member of the Urban Development Institute of Australia and I am a Registered Planner as recognised by the Planning Institute of Australia.
4. My experience as a planning consultant providing advice to both government and private sector clients in relation to numerous residential subdivisions, development plans, precinct structure plans and development contributions plans provides me with the necessary background to carry out a review of a range of planning documents including Plans of Subdivision, Development Plans, Precinct Structure Plans, Open Space Strategies, Planning Scheme Provisions, Planning Permits, Section 173 Agreements and other relevant planning documents.
5. I have been instructed by Best Hooper Lawyers to review the Amendment material and brief of documents and prepare an expert report considering strategic planning matters arising from the Amendment as they relate to the land area generally north of the Ocean Grove Township, south of Wallington, west of Grubb Road and east of Wallington-Ocean Grove Road and appear at the Panel hearing for this matter.
6. In undertaking my review, I have assessed the:
  - Strategic planning merits associated with the proposed recommendations of the City of Greater Geelong's Settlement Strategy (October 2018) (Settlement Strategy); and
  - Strategic planning merits of the proposed policy changes to the Municipal Strategic Statement (MSS) and Local Planning Policy (LPP).
7. In forming my opinion, I have made the necessary enquiries and reviewed the exhibited and supporting documents, including:
  - *Amendment C395 Documents, including*
    - *Clause 21.04 – Municipal Framework Plan*
    - *Clause 21.06 – Settlement and Housing*
    - *Clause 21.08 – Development and Community Infrastructure*
    - *Clause 21.14 – The Bellarine Peninsula*
    - *Clause 72.08 – Background Documents*
  - *City of Greater Geelong Settlement Strategy dated October 2018;*
  - *G21 Regional Growth Plan – Implementation Plan, November 2013;*
  - *Ocean Grove Structure Plan 2007 & 2016*
8. In preparing this evidence report Monica Ceckiewicz from my office has assisted me with the review and collation of background material.

## 2 SITE CONTEXT

9. Consideration and understanding of the site context is an important step in planning for the future development of an area.
10. The land subject to this Amendment is all land within the Municipality of Greater Geelong, of which Ocean Grove is part.

### 2.1 SITE DESCRIPTION

11. Best Hooper has requested that I review this Amendment specifically in relation to the land area generally north of the Ocean Grove Township, south of Wallington, west of Grubb Road and east of Wallington-Ocean Grove Road.
12. The land is predominantly within the Farming Zone.



Figure 1 – Aerial View of subject land (Landchecker 2019)

## 2.2 SURROUNDS

13. The land immediately to the north is zoned Rural Living, Wallington Road is a designated Road Zone – Category 2 to the west, Grubb Road is a designated Road Zone – Category 1, and land to the south is zoned Rural Living, Low Density Residential, Special Use Zone and Public Conservation and Recreational.
14. The land to the east is zoned General Residential and is occupied by a number of new residential developments.
15. Figure 2 provides the zoning of the surrounding area.

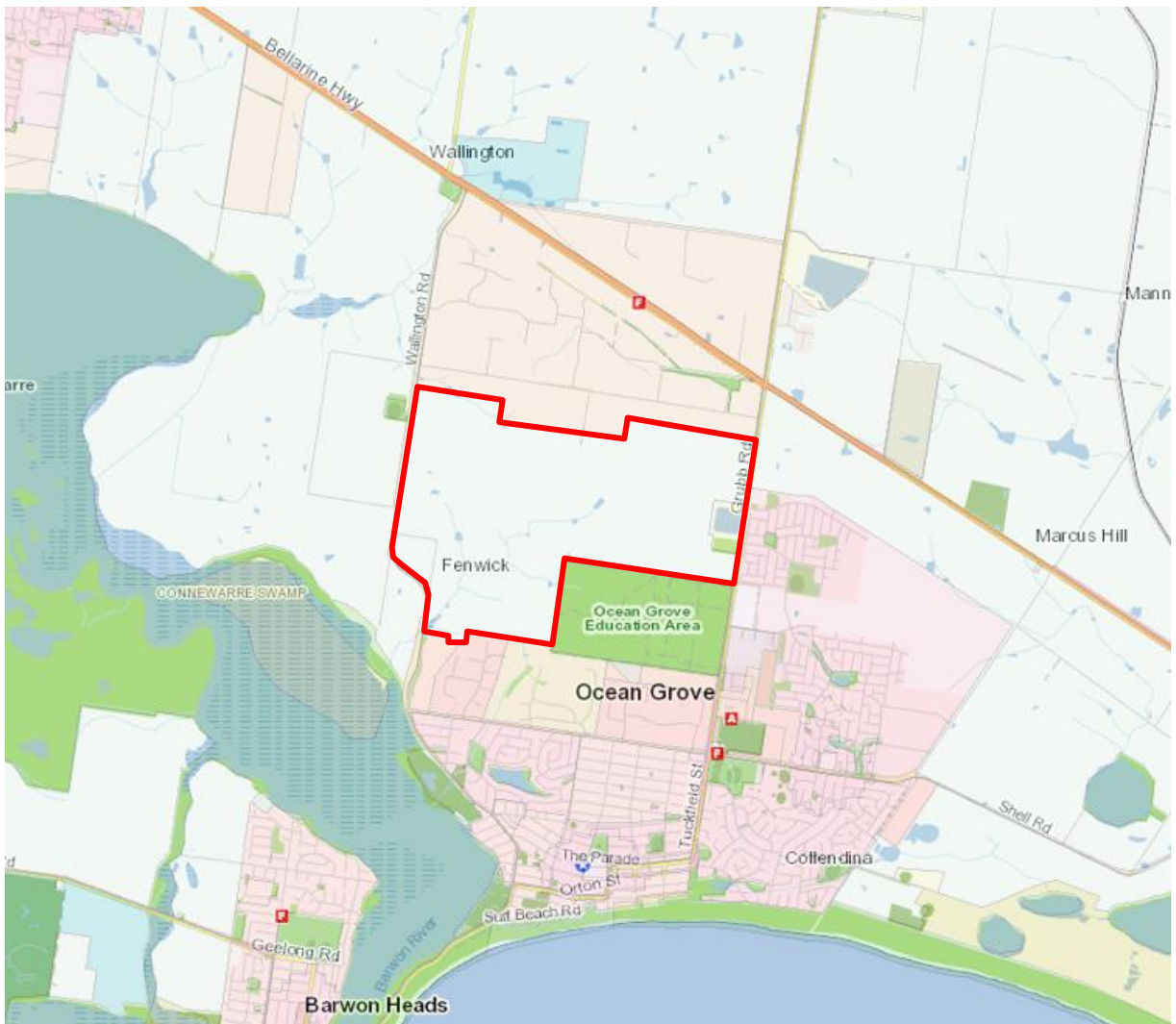


Figure 2 - Zoning Map of subject land (VicPlan 2019)

16. Figure 3 provides an aerial image of the Wallington Township to the north of the subject land, which is categorized as having larger rural living allotments and, in many cases, substantial size dwellings and associated outbuildings / amenities have been constructed.



**Figure 3 – Wallington Township north of subject land (LandChecker 2019)**

17. Figure 4 provides an aerial image of the Ocean Grove Township south of the subject land which accommodates a low density residential development and rural living, with smaller allotments occurring within the general residential zoned land further south towards the town centre and to the east.



**Figure 4 – Ocean Grove Township south of subject land (LandChecker 2019)**

### 3 GREATER GEELONG PLANNING SCHEME PROVISIONS

18. The land is within the City of Greater Geelong where the Greater Geelong Planning Scheme applies.
19. The subject land is currently zoned Farming and is within Areas of Aboriginal Cultural Heritage Sensitivity and Designated Bushfire Prone Area.

#### 3.1 FARMING ZONE

20. The Purpose of the Farming Zone is:
  - *To provide for the use of land for agriculture.*
  - *To encourage the retention of productive agricultural land.*
  - *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
  - *To encourage the retention of employment and population to support rural communities.*
  - *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
21. Whilst the current land use is relatively passive with minor stock levels grazing the paddocks, the potential use of this land for permitted intensive farming uses, such as a Cattle Feedlot, Cropping or Rural Industry, is no longer appropriate and would have a significant impact on the residential areas to the north, south and east. Such farming uses often have off-site amenity impacts such as odour, dust, noise and heavy vehicle movements that would greatly impact the residential amenity of the existing and new residential areas.
22. Given the ongoing change in site context it is no longer appropriate for the land to be used for intensive farming purposes as it would unreasonably impact on the new residential areas. Therefore, retaining this pocket of farming land between the existing residential communities of Ocean Grove and Wallington is less than desirable and may impact on the land owners right to farm.

#### 3.2 LOCAL PLANNING POLICY FRAMEWORK

23. The following is a summary of the current Local Planning Policy Framework that is relevant to the future development of the study area.
24. **Clause 21.04 – The Municipal Framework Plan** identifies Ocean Grove as an ‘Identified Urban Growth Area’.

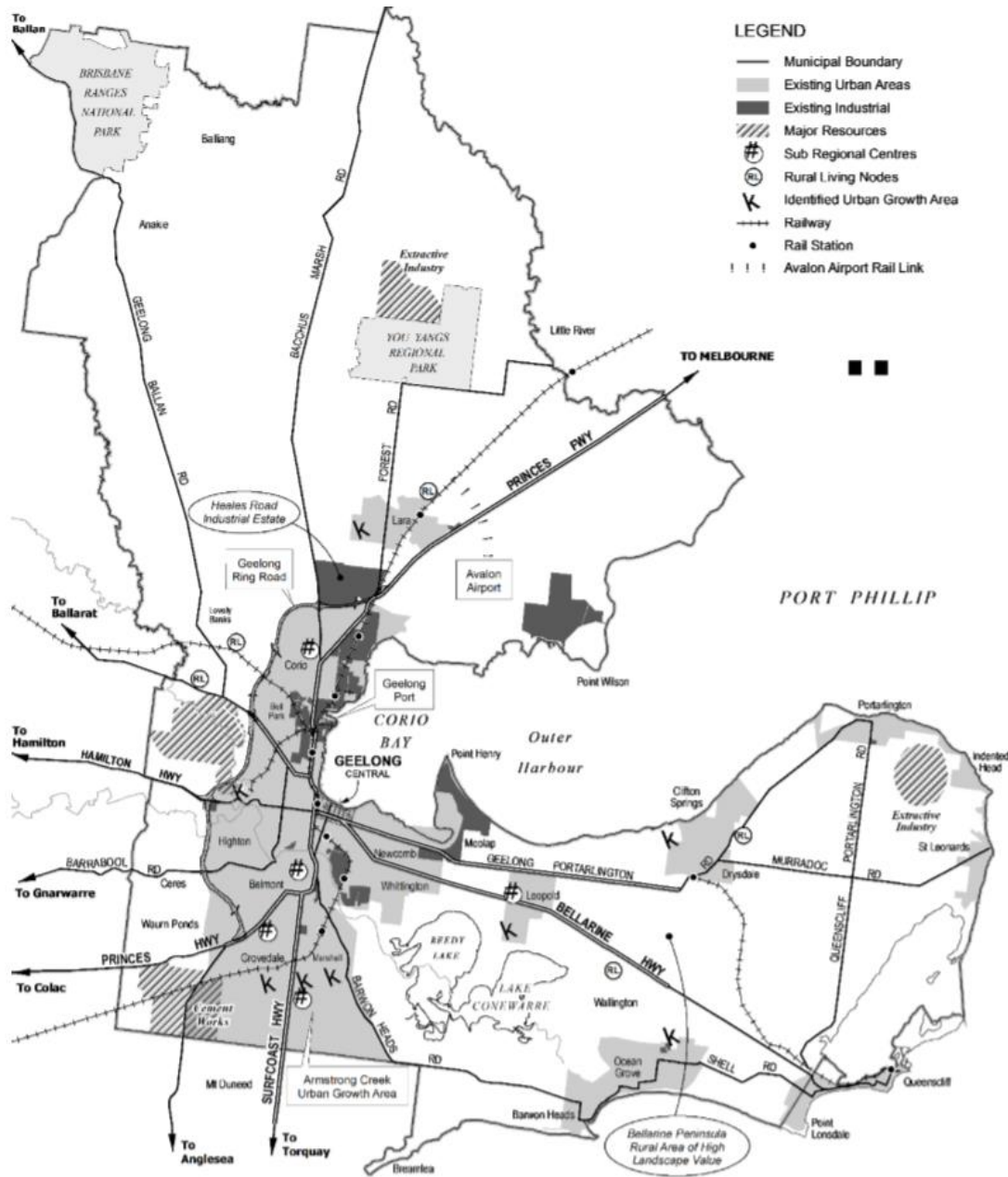


Figure 5 - Municipal Framework Plan (2015)

25. **Clause 21.06 – Settlement and Housing** provides direction around urban growth and urban consolidation, including directing growth to the identified growth locations, maintaining non-urban breaks between settlements, and providing for development within settlement boundaries.
26. Relevant Strategies to achieve the objectives of this clause include:

- *Direct the majority of new greenfield residential development to the designated primary urban growth areas at Armstrong Creek, Ocean Grove, Drysdale/Clifton Springs, Lara and Leopold*
  - *Ensure that land use and development does not compromise the capacity or potential future development of areas designated for future urban growth, as shown on the relevant Structure Plan or Urban Growth Plan*
  - *Ensure development occurs within designated settlement boundaries*
27. Further work identified within the Clause relevant to the subject land includes (amongst other things):
- *Prepare a settlement strategy for the municipality.*
28. **Clause 21.08 – Development and Community Infrastructure** provides direction around development contributions, to ensure infrastructure, open space and transport infrastructure is delivered in an efficient and timely manner, in line with population growth.
29. **Clause 21.14 – The Bellarine Peninsula** contains Structure Plan maps for the various towns on the Bellarine Peninsula.
30. The relevant objectives of this clause include:
- *To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements*
  - *To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula...*
31. Relevant Strategies to achieve the objectives of this clause include:
- *Ensure that development outside of settlement boundaries (as shown in the Structure Plan maps included in this clause) does not compromise the rural, environmental and landscape values of the non-urban breaks*
  - *Direct the bulk of residential growth and retail development to Ocean Grove, Drysdale/Clifton Springs and Leopold consistent with the relevant Structure Plan maps included in this clause*
32. Further work identified within the clause relevant to the subject land includes:
- *Review township structure plans as scheduled (in structure plans) to meet emerging needs of communities*
  - *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. This assessment should include consideration of:*
    - *Land to the north, north-west and east of Ocean Grove*
    - *The role of Ocean Grove as a district town*
    - *Other planned growth on the Bellarine Peninsula*
    - *Development trends, lot supply and housing capacity within the settlement boundary*
    - *The desirability of providing a diversity of living options*

- *Physical and environmental constraints, including the importance of protecting the biodiversity values of the Nature Reserve and maintaining a rural break between settlements*
  - *The protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road*
  - *The implications for significant agricultural uses and their employment generating potential*
  - *Whether any adjustments to the settlement boundary are required*
33. Clause 72.08 – Background Documents, lists Background Documents as referenced within the Planning Scheme, but that do not form a part of the Planning Scheme. The relevant Background Documents listed include:
- *G21 Regional Growth Plan (Geelong Region Alliance, 2013)*
34. Since the completion of the 2016 Ocean Grove Structure Plan, new residential development has been occurring in the north-eastern growth area (east of Grubb Road). That is, the strategic planning direction has facilitated growth in accordance with Clause 21.14.
35. However, the Further Work required, including the review of ‘land to the north, north-west and east of Ocean Grove’ has yet to be completed. The schedule for the review of the Structure Plan is ‘no later than 2021’ and thus this process should commence.

## 4 STRATEGIC PLANNING BACKGROUND

36. There is a long list of strategic planning processes that have been undertaken since 2007 that (amongst other things) provide direction for urban growth within Ocean Grove.

### 4.1 OCEAN GROVE STRUCTURE PLAN 2007

37. Part A of the 2007 Structure Plan identifies the key principles and directions relating to land use, urban growth and infrastructure including (amongst other things) the need to *'accommodate an increase in the town's total population of up to 21,000 persons by 2020'* and the *'majority of this growth within a designated growth corridor to the north-east of the town between Grubb and Banks Roads...'* (Pg. A-11)
38. Part A of the 2007 Structure Plan also includes principles and directions in relation to settlement and housing, infrastructure, natural environment, economic development and employment and rural. This includes (amongst other things) 'Natural Environment' direction in relation to protecting specific environmentally sensitive areas including the coast, Buckley Park Foreshore, Ocean Grove Nature Reserve, Barwon River, Lake Connewarre and Lake Victoria wetlands and 'Rural' directions to ensure land use activities on rural land within the long term settlement boundary do not prejudice future growth opportunities and ensure urban development and non-farming activities do not impact upon agricultural production and the right to farm.
39. Figure 6 below is the map that shows the key aspects of the Structure Plan, including multiple elements that were intended to guide future use and development such as:
- *Settlement boundary 2020*
  - *Long term boundary beyond 2020*
  - *North eastern growth area*
  - *Future residential designation*
  - *Further investigation site*
  - *'protect long term growth option'*
  - *'preserve rural/residential edge with farm-based tourism opportunities'*



**Figure 3 - Ocean Grove Structure Plan 2007**

40. Notably the 2007 Structure Plan predicted a population of 21,000 by 2020, however currently the population is approx. 16,000. The delays in bringing the north-east growth area to market may have contributed to this population lag with population growth surging since the 2016 Structure Plan was approved.
41. Importantly, the 2007 Structure Plan provided clear guidance as to the timing and direction of growth within Ocean Grove and key factors that should be considered going forward.

## 4.2 G21 REGIONAL GROWTH PLAN – IMPLEMENTATION PLAN, NOVEMBER 2013

42. The G21 Regional Growth Plan covers the municipalities of City of Greater Geelong, Colac Otway Shire, Surf Coast Shire, Borough of Queenscliff and the southern portion of Golden Plains Shire.
43. The plan provides broad direction for regional land use and development in the G21 region (Geelong).
44. Ocean Grove is identified as one of three ‘District Towns’ that are located on the Bellarine Peninsula. The other two District Towns are Leopold and Drysdale / Clifton Springs.

45. The *G21 Regional Growth Plan – Implementation Plan, November 2013* states that planned growth within these District Towns consists of one third dispersed infill and two thirds of conventional broad hectare residential.
46. Growth in the other towns on the Bellarine Peninsula is mainly dispersed infill with limited broad hectare residential, save for an area in St Leonards.
47. The role of the District Towns (amongst other things) is to accommodate larger scale residential (population) growth as these towns are generally well serviced by road, public transport, community facilities and service infrastructure. To this end, the *G21 Regional Growth Plan – Implementation Plan, November 2013* identifies multiple short to longer term strategies / actions that are required to support the role and function of these District Towns.
48. By supporting urban growth in the District Towns, a range of environmental, landscape and agricultural objectives can be maintained across the majority of the Bellarine Peninsula, particularly in proximity to the coastline.
49. The role of Ocean Grove as a designated growth area has been supported as the town is well connected to the regional city of Geelong, has significant community / sporting facilities and can accommodate broad hectare growth without compromising key environmental, landscape and agricultural land uses.

### 4.3 OCEAN GROVE STRUCTURE PLAN 2016

50. In 2015 / 2016 the Ocean Grove Structure Plan 2007 was reviewed to (amongst other things) consider and respond to the continued growth needs of the area.
51. The 'vision' for Ocean Grove did not change since the 2007 Structure Plan and Ocean Grove remained recognised as a high capacity urban growth location.
52. The 2016 Structure Plan reinforced the role of the north-eastern growth area '*to accommodate future residential growth away from the environmentally sensitive areas such as the coastline, Barwon Estuary and Lake Victoria environs*'.
53. Whilst the objectives and directions of the 2016 Structure Plan are very similar to the 2007 Structure Plan, there was a change in position in relation to showing other areas that are or may be suitable for accommodating future growth for Ocean Grove and to be realized.
54. The matters raised against the use of a long-term boundary at the time were varied and complex, however, I believe that had the matters within *Planning Practice Note 36 – Implementing a Coastal Settlement Boundary* been adopted when 'defining the extent of a settlement' (see Page 2 of the Practice Note) the area to the north and north-west of Ocean Grove would have been included inside the settlement boundary.
55. The following matters are raised in the Practice Note as matters to be determined through a strategic planning process, such as preparing a Structure Plan:
  - *Desired future vision for a settlement*
  - *Role and function of the settlement in comparison with other settlements within the region*

- *Constraints on development such as topography, native vegetation, rural land-use activity and areas of environmental or landscape significance and sensitivity*
  - *Areas with susceptibility to flooding (both river and coastal inundation), landslip, erosion, coastal acid sulfate soils, salinity, wildfire or geotechnical risk*
  - *Supply/demand of land within a 10 year planning horizon and opportunities for future growth (if any)*
56. In reviewing the 2016 Structure Plan settlement boundary against these matters, I have also considered the expectations that are likely to have been established as a result of the 2007 Structure Plan identifying areas for long term growth. That is, the Ocean Grove Structure Plan is not a new concept and in most part is maintaining the status quo established in the 2007 Structure Plan. However, the 2016 Structure Plan retracted or removed elements that clearly would have created some level of land use and investment expectation.
57. Therefore, I believe that the direction at the time not to include the land that is mooted for long term growth in the 2007 Structure Plan was not justified and is now affecting the ability to complete proper and orderly planning of Ocean Grove.
58. In response to this change in strategic planning direction, Clause 21.14 of the Planning Scheme was amended to call for a review of the Ocean Grove Structure Plan by no later 2021, which given the introduction of the Geelong Settlement Strategy and the Distinctive Areas Landscape project is now critical.

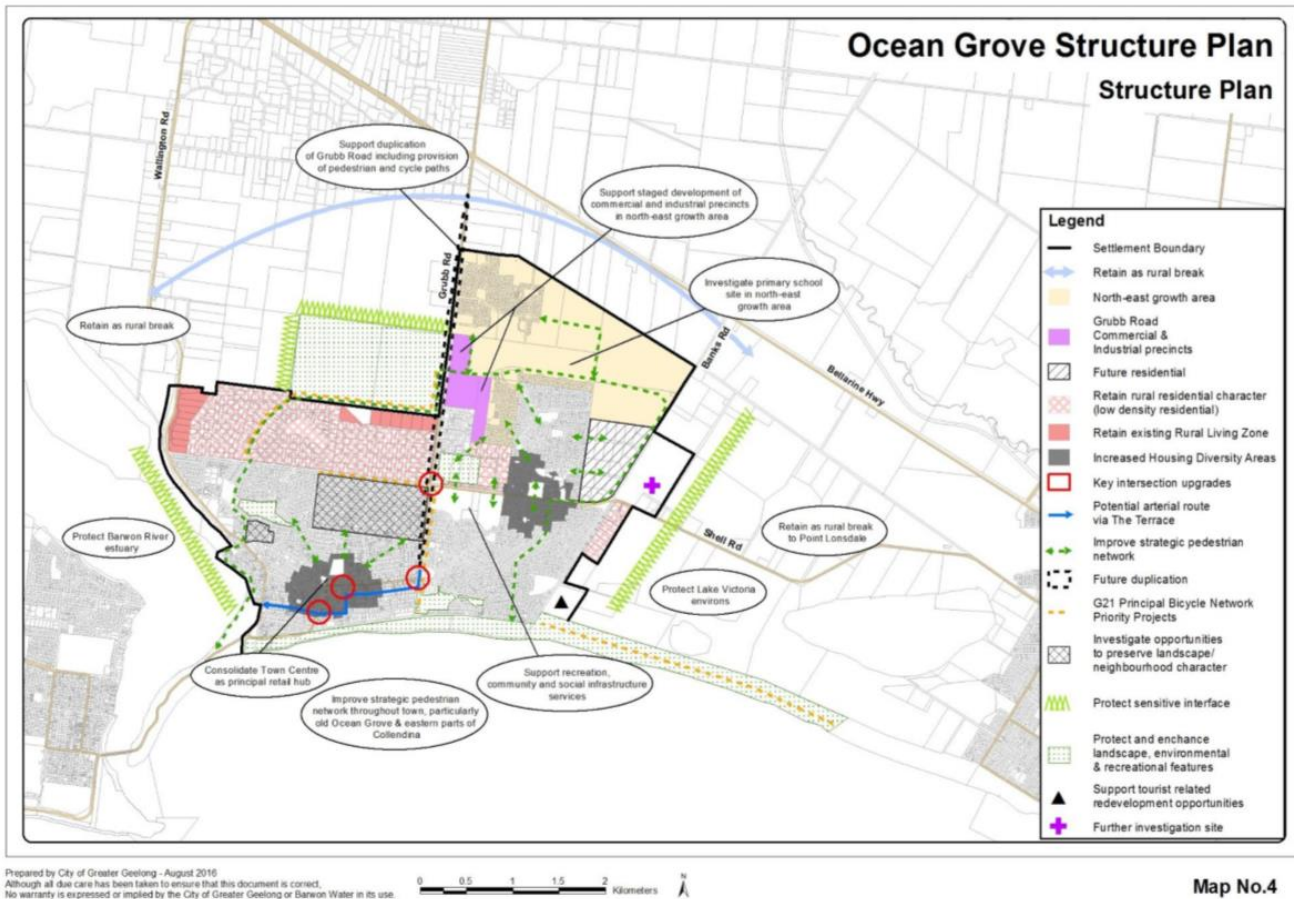


Figure 4 - Ocean Grove Structure Plan 2016

#### 4.4 CITY OF GREATER GEELONG SETTLEMENT STRATEGY (2019)

59. In late 2016, Spatial Economics was commissioned to review the City of Greater Geelong’s population and housing demand forecasts and prepare an updated settlement strategy for Greater Geelong.

60. The Strategy states that the purpose is:

- *To analyse future housing needs and trends*
- *To develop a clear policy framework that will guide planning and decision making and*
- *To help the city meet Great Geelong’s future housing needs*

61. The strategy is intended to address municipal housing needs until 2036. This meets the requirement of the State Planning Policy Framework that all Victorian councils must plan to accommodate projected population growth over a 15-year period. A key question for the strategy is whether the current policy framework can accommodate forecast growth out to 2051.

62. The Strategy states that it does not:

- *Make recommendations about specific boundaries for proposed growth areas and townships but estimates housing capacity on the basis of the boundaries already identified in strategic planning documents.*

63. The key Directions relating to the Ocean Grove identified in the Strategy are to:

- *Recognise that Ocean Grove is fulfilling its role as a District Town*
- *Discontinue the use of the term 'growth area' when describing district towns on the Bellarine Peninsula*
- *Ensure development occurs within designated settlement boundaries*
- *Pursue options to implement permanent settlement boundaries for Greater Geelong, based generally on existing urban areas and areas already identified in policy*
- *Establish a consultation process to review the appropriateness of this boundary and deal with any significant anomalies or logical inclusions*

64. In relation to the subject land, the Strategy recognises Ocean Grove as a 'District Town', although it indicates that use of the term 'growth area' in relation to such District Towns should be discontinued. The bulk of recent and planned housing supply is concentrated in Ocean Grove and two other towns – Leopold and Drysdale/Clifton Springs.

65. The Strategy discusses the ongoing tension between development pressures and the protection of the environment, landscape and primary production on the Bellarine Peninsula. In this context, the Strategy states that *the Bellarine Peninsula Localised Planning Statement is of limited value in resolving potential land-use conflicts, or determining appropriate limits on the ongoing growth of the townships.*

66. Therefore, while it is not within the scope of the Strategy to review structure plans and settlement boundaries, there is a critical need to review the Bellarine Peninsula Localised Planning Statement. This review should identify all areas that need protection from urban encroachment and take a long-term view of growth limits for Bellarine townships, including Ocean Grove.

67. The Strategy identifies two options to be considered for introducing permanent settlement boundaries:

- *An Urban Growth Boundary (UGB), which is currently only used in metropolitan Melbourne. Melbourne's UGB was introduced with Melbourne 2030 and is controlled by sections of the Planning and Environment Act 1987. Similar boundaries are yet to be tested in other areas.*
- *The Distinctive Areas and Landscape Bill 2017, which includes the designation of long-term settlement boundaries, and can only be amended with parliamentary approval (the same as the UGB). The Bellarine Peninsula has already been declared a 'distinctive area of state significance' under the Planning Scheme (Clause 11.05) and it has a localised planning statement.*

68. In relation to 'Defining the Boundary', the Strategy states that *a permanent settlement boundary should be based on existing residential zones and strategic plans, as these have been developed over a number of years, with extensive community consultation and peer review.*
69. The strategy recommends that the process to define a permanent settlement boundary *should be similar in approach to the 'logical inclusions' process used to refine Melbourne's UGB. This would include:*
- *Establishing assessment and decision criteria such as land that: supports an enduring and robust permanent boundary, assists infrastructure provision to land already identified for residential development and is contiguous with an existing urban area*
  - *Confirming the appropriateness of current boundaries for urban Geelong and district towns on the Bellarine Peninsula*
  - *A consultation and submissions process*
  - *Referrals to infrastructure and service agencies*
  - *Establishing the timing of 'logical inclusion' areas given there is no short to medium term need for new residential development fronts*
  - *Independent oversight and*
  - *Consultations with the Minister for Planning*
70. In relation to 'Non-Urban Breaks', the Strategy states that *State, regional and local planning policies call for non-urban breaks between the townships on the Bellarine Peninsula. There are some physical land constraints and uses that, by their nature, help maintain these breaks. However, in other cases, non-urban breaks need to be more actively managed.*
71. The Strategy states that *Non-urban areas outside the UGB in Melbourne are known as green wedges and are managed via a Green Wedge Management Plan. This could be an option for managing the non-urban breaks outside permanent boundaries in Greater Geelong.*
72. The process for determining a settlement boundary that is outlined in the Strategy is relatively sound and has been applied when considering Melbourne's urban growth boundary. Further the acknowledgement of 'non-urban breaks' is a planning principle that has been applied across the City of Greater Geelong for many years.
73. However, I am concerned that the Strategy states that a *'permanent settlement boundary should be based on existing residential zones and strategic plans, as these have been developed over a number of years, with extensive community consultation and peer review'.*
74. This statement seems to be in direct conflict with the expectation that is set out in Clause 21.14 to review the Ocean Grove Structure Plan by no later than 2021 and consider the land to the north, north-west and east of Ocean Grove, which is not currently inside the settlement boundary.

75. Fixing a settlement boundary based on the location of the existing settlement boundary or extent of the existing urban area is inappropriate and is at odds with the review process outlined in Clause 21.14 of the Planning Scheme.
76. In relation to the non-urban breaks, it should be noted that Wallington is not identified as a 'Settlement' therefore the farm land between Wallington and Ocean Grove is not considered to be a non-urban break and as such should not need to be protected nor maintained.
77. If the land north and north-west of Ocean Grove was included inside the settlement boundary the natural transition to the non-urban break between Ocean Grove and Leopold would be to the west and north of the Wallington rural living area.

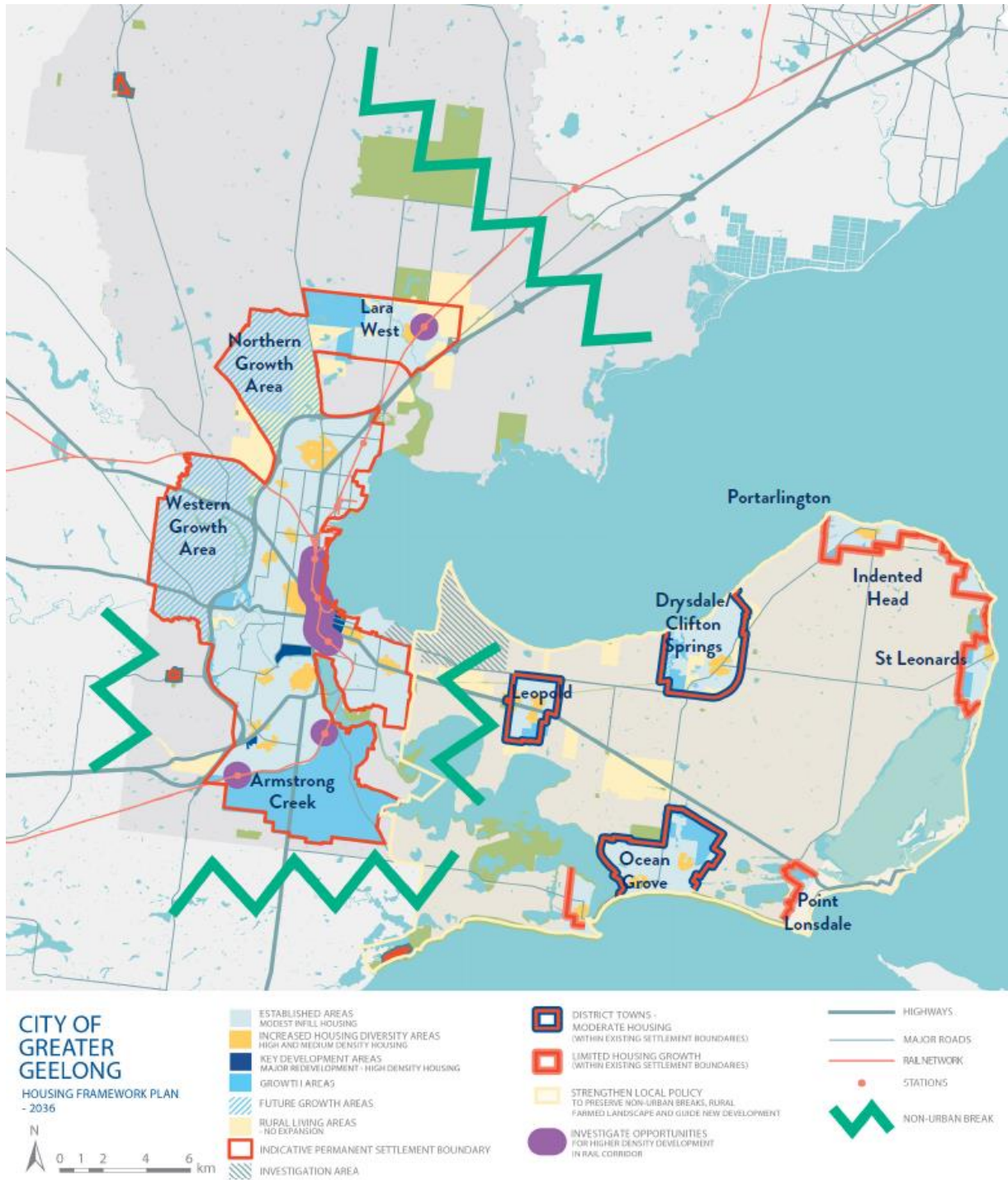


Figure 8 - Greater Geelong Housing Framework Plan 2036

## 4.5 BELLARINE PENINSULA LOCALISED PLANNING STATEMENT

78. Clause 11.03-5S – Distinctive Areas and Landscapes requires that a Localised Planning Statement be developed for the Bellarine Peninsula, in order to protect and enhance the valued attributes of identifiable distinctive areas and landscapes.
79. In 2015 the Bellarine Peninsula Localised Planning Statement was developed collaboratively by the Borough of Queenscliff and the City of Greater Geelong with support from the Department of Transport, Planning and Local Infrastructure (now the Department of Environment, Land, Water and Planning). The Statement was adopted by Council in September 2014 and approved by the Minister for Planning in September 2015.
80. The Localised Planning Statement builds on existing strategies and policies of both councils that are in place and relevant to the Bellarine Peninsula in order to identify the key attributes of this area and put in place objectives and strategies to ensure that the Bellarine Peninsula is preserved and enhanced for ongoing use by present and future generations.
81. Key Policy Objectives identified in the Bellarine Peninsula Localised Planning Statement include:
- *To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks with open farmed landscapes between settlements*
  - *To support the ongoing use of rural land on the Bellarine Peninsula for agriculture and to preserve the open farmed landscape*
  - *To preserve and maintain the ecology of the Bellarine Peninsula’s environmentally significant coastal, wetland and vegetated areas*
  - *To protect, preserve and enhance built heritage, cultural and urban character values and preserve the individual identity and role of townships*
  - *To facilitate the planned residential growth of Drysdale/Clifton Springs, Leopold and Ocean Grove, consistent with adopted Structure Plans and as service hubs for the Bellarine Peninsula. In all other townships, provide retail, commercial and community uses and facilities that serve the daily needs of the community and encourage street-based activity and local employment*
  - *To support and encourage diverse and sustainable tourism as a key economic activity in townships and in rural areas where in complements and respects the farmed rural landscape of the area, does not impact upon existing farming activities and contributes to the local economy*
82. Now the Bellarine Peninsula has been declared a ‘Distinctive Areas Landscape’ (DAL) a new or revised Localised Planning Statement will be prepared, which as outlined in Clause 11-03-5S is to consider the existing Localised Planning Statement, as relevant.

## 4.6 DISTINCTIVE AREA AND LANDSCAPES PROJECT

83. The Department of Environment, Land, Water and Planning (DELWP) has provided the following information relating to the Distinctive Area and Landscapes Program on the Engage Victoria website (2019).

84. *The Bellarine Peninsula is known for its attractive rural hinterland, boutique wineries and artisan producers. With historic towns such as Queenscliff and excellent beaches, it is a tourism and recreation destination.*

*Given its proximity to both Geelong and Melbourne, and its reputation as an attractive and relaxed lifestyle destination, areas of the Bellarine Peninsula are under significant urban development pressure, as well as under threat from climate change risks.*

*The Department of Environment, Land, Water and Planning (DELWP) will work in collaboration with the Borough of Queenscliff, the City of Greater Geelong and Traditional Owners, the Wadawurrung People in preparing the draft Statement of Planning Policy, with input from local communities and other key stakeholders.*

*The Distinctive Areas and Landscapes Program was commenced in April 2019.*

*DELWP undertook its first phase of public engagement from 14 May 2019 to 15 July 2019 in order to understand the environment, landscape and lifestyle values the community want to protect. The engagement sought community feedback on:*

- *What is most valued about the Bellarine Peninsula?*
- *What threats there are to these values?*
- *Ways we could protect what is valued?*
- *The vision for the future of the Bellarine Peninsula?*

85. On 29 October 2019 the Bellarine Peninsula was declared a Distinctive Area and Landscape under the Planning and Environment Act 1987. The declaration triggers the requirement to prepare a Statement of Planning Policy.

86. The Statement of Planning Policy must be prepared within 12 months of the declaration.

87. DELWP notes that *'The Statement of Planning Policy will include a 50-year vision and land use strategies to better protect the unique features of the Bellarine Peninsula for current and future generations. It also provides the opportunity to designate long term settlement boundaries (emphasis added). The Policy will be informed by strategic planning work already undertaken, relevant technical studies and outcomes from community engagement.*

88. It is understood that *'Now the declaration of the Bellarine Peninsula as a Distinctive Area and Landscape has been made, work on the Statement of Planning Policy has begun' and a 'second phase of public engagement is being planned for late 2019 to early 2020 which provides an opportunity to provide input on the policy directions. A further phase of public engagement will occur next year on the draft Statement of Planning Policy, which will include a public submissions process'.*

- 89. The process map below details the consultation process associated with the Distinctive Area and Landscapes project, which of most relevance highlights that the Statement of Planning Policy, which could designate a long -term settlement boundary, is to be completed by mid-2020.
- 90. This timeframe is in line with the requirements to prepare a Statement of Planning Policy within 12 months of the area being declared a Distinctive Area and Landscapes.

**Timeline**



Figure 9 - Timeline of Distinctive Area and Landscapes Project for the Bellarine Peninsula (Engage Victoria, DELWP 2019)

## 5 STRATEGIC PLANNING REVIEW

91. A key planning tool used to manage growth in the City of Greater Geelong and the broader G21 Region has been the use of settlement boundaries. Settlement Boundaries have been applied to most towns across the municipality and have been used to direct future urban growth.
92. There is a long history of strategic planning relevant to the Bellarine Peninsula (**Peninsula**), of which settlement boundaries have been a key part.
93. As outlined, since 2006 the community has been involved in numerous planning processes that have considered the future growth of the Peninsula and its towns / settlements.
94. In 2006, the Bellarine Peninsula Community Vision and Strategic Plan 2006, was developed through an extensive community engagement process. It sets out a number of objectives for the future of the Bellarine, including:
  - *Preserving rural land, and continuing agricultural and horticultural production.*
  - *The vision proposed (amongst other things) that there should be no rezoning of rural land outside town boundaries and no further rural residential areas.*
95. However, the Ocean Grove Structure Plan, 2007 identified areas, predominantly north of the town, that would accommodate long term future growth. A precise settlement boundary was not determined, particularly for the land west of Grubb Road, however the Plan provided clear direction that the town would grow predominantly into the north.
96. At the time it was noted that providing clear direction as to where urban growth would occur would provide a greater level of certainty to the community and investors and as such, a 'settlement boundary 2020' and a 'long term settlement boundary beyond 2020' was included within the Structure Plan.
97. The G21 Regional Plan, 2013 established a hierarchy of towns across the region, including the designation of 'District Towns' as growth areas was a key direction of the Regional Plan. The District Towns were spread across all the municipalities within the Regional Plan area.
98. The District Towns on the Bellarine Peninsula included Leopold, Drysdale / Clifton Springs and Ocean Grove. Since the designation of District Towns the population growth in Ocean Grove (and the other district towns) has been relatively high suggesting that the strategic direction to encourage growth in designated areas was effective.
99. As a means of guiding the growth, the Ocean Grove Structure Plan was reviewed in 2015/16. The updated Structure Plan promoted the direction for growth towards the north-east (east of Grubb Road) and introduced a less precise direction for growth in the north, north-west and east.
100. The implementation of the 2016 Structure Plan has led to reasonably significant development activity occurring in north-eastern growth area of Ocean Grove but resulted in a greater level of uncertainty for the land west of Grubb Road.
101. In November 2016, *Planning Practice Note 36: Implementing a Coastal Settlement Boundary* was introduced.

102. The Practice Planning Note states that 'A coastal settlement boundary defines the allowable extent of urban use and development for a settlement. It is a fixed outer boundary of urban development and represents the future growth expectations for a settlement.

- A coastal settlement boundary is established through a strategic planning process which involves an analysis of land opportunities and constraints with a minimum 10 year planning horizon'. (emphasis added).

103. Whilst the Planning Practice Note was introduced after the Ocean Grove Structure Plan, 2016 was adopted it is understood that the coastal settlement boundary approach was somewhat applied in the 2015/16 Ocean Grove Structure Plan process and hence the direction for growth toward the north-east sought to accommodate a minimum of 10 years of growth.

104. However, I do not believe the intention of the settlement boundary at this point was to restrict any further urban growth within Ocean Grove but merely prioritise the north-eastern area.

105. This is reinforced in *Clause 21.14 – Bellarine*, of the Planning Scheme where it recognises that the following 'Further Work' is required:

*'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. The assessment should include consideration of:*

- *land to the north, north-west and east of Ocean Grove.*
- *the role of Ocean Grove as a district town.*
- *other planned growth on the Bellarine Peninsula.*
- *development trends, lot supply and housing capacity within the settlement boundary. the desirability of providing a diversity of living options.*
- *physical and environmental constraints, including the importance of protecting the biodiversity values of the Nature Reserve and maintaining a rural break between settlements.*
- *the protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road.*
- *the implications for significant agricultural uses and their employment generating potential.*
- *whether any adjustments to the settlement boundary are required*'.

106. At this stage the 'Further Work' has not been completed.

107. The *Housing Framework Plan – 2036* shown on Page 12 of the *Geelong Settlement Strategy, 2018* shows the 'Existing Settlement Boundary' around Ocean Grove and directs that a permanent boundary should be pursued and the term 'growth areas' discontinued when referring to District Towns.

108. The Purpose and Scope of the Settlement Strategy states that the Strategy does not (amongst other things):

- *make recommendations about specific boundaries for proposed growth areas and townships, but estimates housing capacity on the basis of the boundaries already identified in strategic planning documents*

109. Furthermore, the Strategy recommends for growth to be contained within designated areas. Recommendation 5 states:

- *Pursue options to implement permanent settlement boundaries for Greater Geelong.*
- *Implement permanent boundaries based generally on existing urban areas and areas already identified in policy.*
- *Establish a consultation process to review the appropriateness of this boundary and deal with any significant anomalies or logical inclusions.*
- *Place structure plan reviews on hold until the permanent boundary is known.*
- *Work with the state government and neighbouring councils to consider a regional approach to housing and settlement boundaries.*

110. Finally, the State Government's Distinctive Areas Landscape (DAL) project has resulted in the Bellarine Peninsula being declared a distinctive area and landscape. As such, a 'Statement of Planning Policy' must be prepared within 12 months of the declaration (29 October 2020).

111. The directions associated with preparing a Statement of Planning Policy (amongst other things) states that the statement will include a 50 year vision and land use strategies and can include permanent settlement boundaries.

112. In the context of planning for the future of Ocean Grove, the timing of the DAL declaration is problematic as the Statement of Planning Policy and thus the permanent settlement boundaries (if applied) must be determined by 29 October 2020, which is potentially before *Clause 21.14 – Bellarine* of the Greater Geelong Planning Scheme currently recommends that the Ocean Grove Structure Plan should be reviewed. The Structure Plan states that the review should be completed 'by no later than 2021'.

113. Similarly, the Geelong Settlement Strategy recommends that structure plan reviews are placed on hold until the permanent boundary is known, however the purpose of the Strategy is not to designate permanent settlement boundaries.

114. The Strategy also recommends that permanent settlement boundaries are based generally on existing urban areas and areas already identified in policy. Again, this is concerning and somewhat a conflicting direction as the Housing Framework Plan in the Strategy shows an existing settlement boundary around Ocean Grove but Clause 21.14 of the Planning Scheme recommends a review of the Ocean Grove Structure Plan and elements that could result in a change to the existing settlement boundary.

115. As such, there is currently a concerning inconsistency in the strategic planning that affects Ocean Grove as the timing of the various planning activities do not align and the role of the various planning processes and how they relate to each other is confusing.

116. Given the above, it seems that it is imperative that the Strategy is amended to align with the other 'existing' strategic planning processes that apply to Ocean Grove (and broadly the City of Greater Geelong) and specifically, settlement boundaries.

## 5.1 PERMANENT SETTLEMENT BOUNDARIES

117. The use of settlement boundaries within the City of Greater Geelong is a well held planning approach, which over time has guided urban growth across the municipality. During Structure Planning processes, settlement boundaries have generally been reviewed and adjusted as deemed fit at the time. This has been the case in Ocean Grove and multiple other towns across the Bellarine Peninsula.

118. Recommendation 5 of the Settlement Strategy sets the following principle:

- *Contain growth within identified locations across the municipality*

119. The Strategy sets five (5) key directions in support of this principle, which if followed, outlines somewhat of a logical process to establishing permanent settlement boundaries.

120. However, the introduction of the Distinctive Area and Landscapes (DAL) project and specifically the declaration of the Bellarine Peninsula as a DAL has significantly changed the status of settlement boundaries on the Bellarine Peninsula.

121. If the Statement of Planning Policy includes settlement boundaries around the Bellarine Peninsula towns they will become permanent in the same way Melbourne's urban growth boundary is fixed and therefore can't be readily altered as is the current case.

122. Importantly, the DAL is seeking to apply a 50 year planning horizon and therefore the process of 'fixing' a settlement boundary must take a longer term view than the current Ocean Grove Structure Plan and the Geelong Settlement Strategy.

123. Specifically, the DAL settlement boundary should expand beyond the current settlement boundary and / or existing zoned land within Ocean Grove and include the land north and north-west of Ocean Grove (see Figure 1).

124. The amount of land supply within the area shown in Figure 1 would ensure that Ocean Grove continues to play a key District Town role and provide a housing alternative to the Armstrong Creek growth area whilst ensuring that other planning principles, such as maintaining non-urban breaks, are maintained.

## 5.2 SETTLEMENT STRATEGY – PROPOSED CHANGES

125. In order to inform the settlement boundary designation, the Further Work outlined in Clause 21.14 of the Planning Scheme must be brought forward to occur in early 2020 and Recommendations 4 and 5 of *City of Greater Geelong Settlement Strategy* amended as follows:

### 5.2.1 Recommendation 4 (Bellarine Peninsula)

126. Include the following words in the Directions outlined in Recommendation 4.

- *Review the Ocean Grove Structure Plan and establish a settlement boundary*

127. The introduction of this Direction will allow for the immediate review of the Ocean Grove Structure Plan and the matters outlined in Clause 21.24 of the Planning Scheme.

## 5.2.2 Recommendation 5 (Permanent Settlement Boundary)

128. Remove the following under lined words from the Directions outlined in Recommendation 5.

- *Pursue options to implement permanent settlement boundaries for Greater Geelong.*
- *Implement permanent boundaries based generally on existing urban areas and areas already identified in policy.*
- *Establish a consultation process to review the appropriateness of this boundary and deal with any significant anomalies or logical inclusions.*
- *Place structure plan reviews on hold until the permanent boundary is known.*
- *Work with the state government and neighbouring councils to consider a regional approach to housing and settlement boundaries.*

129. The removal of these words from Recommendation 5 will allow the matters outlined in the current Clause 21.14- The Bellarine Peninsula to guide the designation of the settlement boundary, including specific consideration of other areas that should be included inside the boundary that are beyond the existing urban areas.

## 5.3 DISTINCTIVE AREA AND LANDSCAPES – PROPOSED PROCESS

130. In order to fix a permanent settlement boundary as per the DAL process, the Statement of Planning Policy must consider the matters outlined in the Further Work of Clause 21.14 – The Bellarine Peninsula, including:

- *land to the north, north-west and east of Ocean Grove.*
- *the role of Ocean Grove as a district town.*
- *other planned growth on the Bellarine Peninsula.*
- *development trends, lot supply and housing capacity within the settlement boundary. the desirability of providing a diversity of living options.*
- *physical and environmental constraints, including the importance of protecting the biodiversity values of the Nature Reserve and maintaining a rural break between settlements.*
- *the protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road.*
- *the implications for significant agricultural uses and their employment generating potential.*
- *whether any adjustments to the settlement boundary are required’.*

## 6 PROPOSED PLANNING SCHEME CHANGES

131. The Amendment has been prepared by the City of Greater Geelong, which is the planning authority for this Amendment.

132. The Amendment C395 Explanatory Report states that *the Amendment proposes to implement the City of Greater Geelong's Settlement Strategy (2018) and Northern and Western Geelong Growth Areas Framework Plan (2019). The Amendment includes policy changes to the Municipal Strategic Statement (MSS) and rezones land in the Northern and Western Geelong Growth Areas to the Urban Growth Zone.* In relevance to the subject land, the Amendment seeks to:

- *Replace Clause 21.04 – Municipal Framework Plan with a new Clause 21.04 to implement the Settlement Strategy through a new Municipal Framework Plan*
- *Replace Clause 21.06 – Settlement and Housing with a new clause including objectives, strategies and references to implement the Settlement Strategy*
- *Amend Clause 21.08 – Development and Community Infrastructure to update strategies on Transport and Development Contributions to implement the Settlement Strategy*
- *Amend Clause 21.14 – The Bellarine Peninsula to update objectives, strategies, further work and references to implement the Settlement Strategy*
- *Replace the Schedule to Clause 72.08 – Background Documents with a new schedule that includes the City of Greater Geelong's Settlement Strategy (2018) and Northern and Western Geelong Growth Areas Framework Plan (2019)*

133. The Explanatory Report outlines how the Amendment will provide for a number of improved environmental, social and economic outcomes:

- *The implementation of the Settlement Strategy into the planning scheme will result in positive environmental effects by directing urban growth into designated areas, increasing the role of urban consolidation, increasing housing diversity and choice and protecting landscapes, amenity and environmentally significant areas between settlements. For instance, the strategy provides a long-term vision and recommendations for the Bellarine Peninsula. Overtime this will see the extent of urban development contained by permanent boundaries and the protection of landscapes and non-urban breaks strengthened.*

134. Furthermore, the Explanatory Report states:

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

- *Contain growth within identified locations across the municipality*
- *Increase the level of affordable and social housing*
- *Minimise the economic, environmental, visual and servicing impacts of residential development on rural areas*
- *Maintain the unique township, landscape, tourism, farming and environmental values of the Bellarine Peninsula*
- *Support the district towns of Ocean Grove, Drysdale and Leopold to fulfil their role as service hubs for the Bellarine Peninsula. In all other townships provide retail, commercial and community uses and facilities that serve the daily needs of the community*
- *Manage the release of new growth areas to efficiently deliver infrastructure, services and facilities*

## **6.1 REVIEW OF PROPOSED LOCAL PLANNING POLICIES**

135. The key relevant policies proposed to be changed as part of the Amendment are Clause 21.04 – Municipal Framework Plan, Clause 21.06 – Settlement and Housing and Clause 21.14 – The Bellarine Peninsula.

### **6.1.1 Clause 21.04 – Municipal Framework Plan**

136. The Amendment proposes to replace the current Municipal Framework Plan map. The new map highlights (amongst other things) the ‘growth areas’, ‘urban development’ and ‘non-urban breaks’.

137. Interestingly, the growth areas only relate to Armstrong Creek, Western Geelong and Northern Geelong and urban development only relates to existing areas. That is, the proposed Municipal Framework Plan does not show any ‘future urban development’.

138. Typically, a Framework Plan would show areas that are proposed to accommodate future urban development not just locate the existing areas.

139. For the reasons outlined previously, the Municipal Framework Plan derived from the Settlement Strategy should be identifying future development areas such as the north and north-west of Ocean Grove as they have been identified in the planning scheme as requiring further investigation for some time. Alternatively, these areas could be shown as ‘investigation areas’ which is also a commonly used term in Framework Plans.

140. It is recommended that the Municipal Framework Plan be amended to include ‘future development areas’ or ‘investigation areas’.



Figure 10 - Municipal Framework Plan

### 6.1.2 Clause 21.06 – Settlement and Housing

141. This policy recognises that Geelong is the best placed regional city to capitalise on Melbourne’s strong growth, however the policy predominantly focusses that opportunity on Geelong’s three growth areas and infill development.
142. Whilst the ‘Settlement’ section acknowledges that the Bellarine Peninsula has been delivering around 27 % of the City’s new housing over the past few years, it seeks to go beyond what is required and locks up development on the Bellarine Peninsula.
143. The Bellarine Peninsula plays an important role in providing a diverse range of housing, access to local communities and through the ‘district towns’ policy has been able to direct growth to key towns only.
144. Designating ‘growth areas’ in District Towns has been an important policy and one that should be retained until these towns can no longer reasonably accommodate new housing development. i.e. once the designated areas and future development areas are fully developed.
145. Whilst it is acknowledged that this policy identifies the need to establish a logical inclusions type process, as part of confirming an enduring settlement boundary, the ‘Further Work’ should more specifically acknowledge that there is a need for Structure Plan reviews such as Ocean Grove that have clear actions that relate to the review of potential future urban development areas.
146. It is recommended that the ‘Further Work’ section be updated to include:
- *‘Review all existing Structure Plans to ensure appropriate consideration and identification of future urban development / investigation areas outside Geelong’s designated growth areas’.*
147. In relation to Ocean Grove the Housing and Settlement Framework Plan shows ‘moderate housing within existing settlement boundaries’ only.
148. It is recommended that the ‘Housing and Settlement Framework Plan’ amended to include ‘future development areas’ or ‘investigation areas’.

### 6.1.3 Clause 21.14 – The Bellarine Peninsula

149. Clause 21.14 has been a key policy that has directed urban development to key District Towns on the Peninsula as a means of ensuring that key environmental and landscape objectives were achieved.
150. To this end, one of the existing Objectives of Clause 21.14 is:
- *‘To facilitate the development of Ocean Grove, Drysdale / Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula’.*
151. The proposed Objective is *‘to support the different roles and functions of the townships on the Bellarine Peninsula’.*
152. Whilst the new wording could be interpreted to be encouraging development in the District Towns, I believe the existing Objective is clear in its intent and should be retained.

153. It is recommended that the following 'Objective' be retained.

- *'To facilitate the development of Ocean Grove, Drysdale / Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula'.*

154. Similarly, the 'Strategies' should support the District Towns as 'hubs for development' not just 'service hubs'.

155. It is recommended that the new 'Strategies' also be amended to:

- *'Support the district towns of Ocean Grove, Drysdale and Leopold to fulfil their role as development and service hubs for the Bellarine Peninsula'.* (changes underlined).

## 7 CONCLUSION

156. Having reviewed the range of documents associated with the Amendment C395 to the Greater Geelong Planning Scheme, I support the approval of the Amendment C395 subject to key changes being made to the *City of Greater Geelong Settlement Strategy* and proposed *Clause 21.04 – Municipal Framework Plan*, *Clause 21.14 – The Bellarine Peninsula* and *Clause 21.06 – Settlement and Housing* that ensures that the role of Ocean Grove as a ‘district town’ that is to accommodate future urban development is maintained.

157. The changes outlined in Section 5 and 6 of this report will improve the alignment of policies as they relate to urban growth in Ocean Grove and implementation of settlement boundaries.

158. Clause 21.14 – The Bellarine Peninsula, identifies the need to review the Ocean Grove Structure plan and consider the land to the north, north-west and east of Ocean Grove for future urban development. Until the process of review is undertaken it is premature to implement the *City of Greater Geelong Settlement Strategy* housing framework which seeks to maintain the existing settlement boundaries and does not identify areas for future urban development beyond what is already in place.

159. The need to prepare a Statement of Planning Policy by 29 October 2020, in accordance with the requirement of the Distinctive Area and Landscapes project, places significant timing pressures on appropriately investigating the most appropriate location for a settlement boundary.

160. Therefore, I believe the Ocean Grove Structure Plan review should commence immediately in parallel with the community engagement associated with the Statement of Planning Policy process and the implementation of the Settlement Strategy as it relates to the Bellarine Peninsula be placed on hold until the settlement boundary review is complete.

161. This will allow for the Settlement Strategy and all relevant Local Planning Policies to accurately show the settlement boundaries determined by the Distinctive Area and Landscape process.

162. The following changes to the relevant Local Planning Policies are suggested:

- Amend Recommendation 4 and 5 of the *City of Greater Geelong Settlement Strategy* as outlined;

Clause 21.04 – Municipal Framework Plan

- Amend the Municipal Framework Plan map to shown areas to the north and north-west of Ocean Grove as ‘future development areas’ or ‘investigation areas’;

Clause 21.06 – Settlement and Housing

- Amend the ‘Housing and Settlement Framework Plan’ to include ‘future development areas’ or ‘investigation areas’.
- Update the ‘Further Work’ section to include:

- *'Review all existing Structure Plans to ensure appropriate consideration and identification of future urban development / investigation areas outside Geelong's designated growth areas'.*

Clause 21.14 – The Bellarine Peninsula

- Amend the 'Objectives' to retain the following:
  - *'To facilitate the development of Ocean Grove, Drysdale / Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula'.*
- Amend the new 'Strategies' to include the following:
  - *'Support the district towns of Ocean Grove, Drysdale and Leopold to fulfil their role as development and service hubs for the Bellarine Peninsula'. (changes underlined).*

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