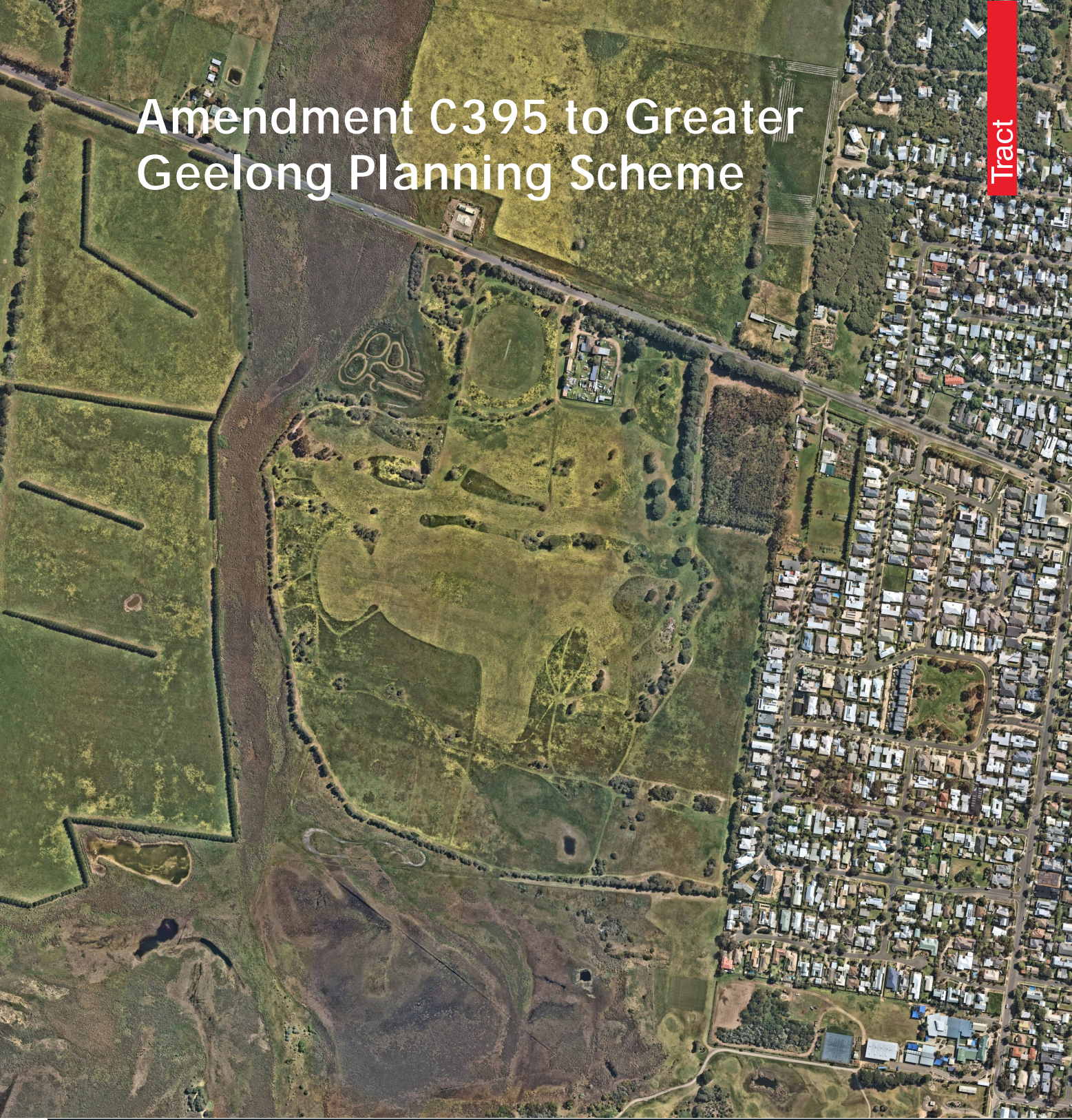


Amendment C395 to Greater Geelong Planning Scheme

Tract



Statement of Town Planning Evidence – Justin Slater

1900 Barwon Heads Road, Barwon Heads
Prepared for Barwon Heads Lifestyle Pty Ltd

Contents

1	Introduction	3
1.1	Instructions	3
1.2	Summary of Recommendations and Opinion	3
2	Site and Neighbourhood Description	5
2.1	Subject Site	5
2.2	Local Context	5
3	Background	7
3.1	Amendment C395	7
3.2	Relevance to the Site	8
3.3	Part A Submission to Independent Panel – Amendment C395	8
4	Planning Framework	9
4.1	Introduction/Overview	9
4.2	Planning Policy Framework (PPF)	9
4.3	Local Planning Policy Framework (LPPF)	11
5	Assessment	14
5.1	Role and function of the Settlement Strategy	14
5.2	Strategic Basis for the Barwon Heads Settlement Boundary	17
5.3	Sufficient Strategic Justification for revision of the township boundary	19
6	Conclusion	25

1 Introduction

1. My name is Justin Slater and I am a Director of Tract Consultants Pty Ltd located at Level 6, 6 Riverside Quay, Southbank. My qualifications and experience are outlined in **Appendix A**.

1.1 Instructions

2. I have been engaged by Best Hooper Lawyers on behalf of Barwon Heads Lifestyle Group Pty Ltd to prepare town planning evidence in relation to Planning Scheme Amendment C395 (the 'Amendment') to the Greater Geelong Planning Scheme.
3. The Amendment seeks to implement a proposed *Settlement Strategy* (the 'Strategy') the proposed *Northern and Western Geelong Growth Areas Framework Plan* (the 'Framework Plan') into the Greater Geelong Planning Scheme. The Amendment includes policy changes to the Municipal Strategic Statement (MSS) and the rezoning of land identified within the Northern and Western Geelong Growth Areas.
4. My instructions are to examine the Amendment in relation to the land at 1900 Barwon Heads Road, Barwon Heads (the 'Site') to review the merits of supporting its inclusion within the Barwon Heads settlement boundary, as proposed in submission #13.
5. In the preparation of this report, I have:
 - Conducted an inspection of the Site and its surrounds on 18 October 2019.
 - Reviewed the current planning controls applicable to the Site and its surrounds.
 - Reviewed the Site's current Certificate of Title and Plan of Subdivision.
 - Reviewed relevant background reports and assessments.
 - Reviewed the exhibited Amendment and relevant supporting documents associated with the Amendment, including the officers report to Council.
 - The Planning Authority's Part A Submission to the Panel.
 - Reviewed copies of each iteration of the Barwon Heads Structure Plan since its inception.
 - Reviewed the material and Panel Report to the recent amendment C375.

1.2 Summary of Recommendations and Opinion

6. A summary of my opinions with respect to the inclusion of the Site within the Barwon Heads settlement boundary is as follows:
 - There are strong grounds to warrant further investigation regarding the expansion of the Barwon Heads Settlement Boundary;
 - The Settlement Strategy and Barwon Heads Structure Plan do not have long-term regard for population growth nor recognise the impacts of settlement preferences and I am concerned that this may prejudice the forthcoming DAL which should be predicated on a longer timeframe;
 - Existing development (Thirteenth Beach Resort and multiple golf courses) beyond the proposed Settlement Boundary effectively extends the urban settlement of the town beyond the conventional subdivision. This, combined with 1920 Barwon Heads Road compromises the non-urban break and the boundary;
 - The Settlement Boundary follows the Structure Plan which is largely unchanged for over 20 years which represents a political consideration rather than strategic merits review; and
 - The Site presents an opportunity to improve amenity and sense of arrival to Barwon Heads through considered development.

7. I declare that I have made all appropriate enquiries and that no matters of significance that I deem to be relevant have, to my knowledge, been withheld from the Panel.

2 Site and Neighbourhood Description

2.1 Subject Site

8. The Site address is 1900 Barwon Heads Road, Barwon Heads. The Site comprises three (3) parcels formally identified as Lot 1 on Plan of Subdivision 307007, Lot 1 on Title Plan 396716 and Lot 2 on Title Plan 396716.
9. The Site is irregularly shaped with an area of approximately 49.6 Ha and a discontinuous frontage of approximately 465m to Barwon Heads Road to the north.
10. The Site terrain gently undulates and is currently occupied by pastures and lightly vegetated areas. More intensely vegetated areas occupy the north-eastern corner of the Site. An informal cricket pitch and oval is situated to the west of the residential allotment at 1920 Barwon Heads Road. Dense vegetation along the Site's northern frontage to Barwon Heads Road restricts views to and from the Site.
11. The land formally identified as Lots 1 and 2 on Title Plan 396716D is not impacted by any encumbering easements, covenants or restrictions nor any agreements under Section 173 of the *Planning and Environment Act 1987*.
12. The land formally identified as Lot 1 on Plan of Subdivision 307007B is affected by two easements E-3 and E-4:
 - E-3 is 12m wide and bisects the north-eastern portion of the land. E-3 exists for the purpose of electricity to the benefit of the State Electricity Commission of Victoria.
 - E-4 is 2m wide and traverses the southern portion of the Site's western boundary. E-4 exists for drainage purposes to the benefit of the City of Greater Geelong.

The Site is not impacted by any further covenants or restrictions under Section 173 of the *Planning and Environment Act 1987*.

2.1.1 Zoning

13. The majority of the Site is located within the Farming Zone (FZ). The Rural Conservation Zone – Schedule 10 (RCZ10) applies to a small portion of the Site in its south-western corner. Schedule 10 allows for the protection of vegetation and faunal habitats associated with Murnaghurt Lagoon.

2.1.2 Overlays

14. The Site is impacted by three overlays:
 - The Environmental Significance Overlay – Schedule 2 (ESO2) applies to a small portion of the Site in its south-western corner. Schedule 2 recognises environmental constraints associated with the Murnaghurt Lagoon.
 - The Land Subject to Inundation Overlay (LSIO) applies to a small portion of the Site in its north-western corner. The LSIO relates to the floodwater management of Murnaghurt Lagoon.
 - The Public Acquisition Overlay – Schedule 3 (PAO3) applies to a small portion of Site along its northern boundary. Schedule 3 identifies land proposed to be acquired by VicRoads to facilitate the future widening of Barwon Heads Road.

2.2 Local Context

15. To the immediate north, the Site interfaces with Barwon Heads Road (RDZ1), a 9-metre wide single carriageway arterial generally running east-west providing key arterial connections between Geelong & Barwon Heads. The Site also has an immediate northern interface of approximately 100m with rural residential landholdings (1.22 Ha) associated with 1920 Barwon Heads Road.

16. Further north, Barwon Heads Road separates the Site from rural landholdings associated with 1941-1949 Barwon Heads Road (20.42 Ha). The land at 1939 Barwon Heads Road (0.25 Ha) is zoned Public Use Zone – Schedule 1 (PUZ1) allowing for Service & Utility uses.
17. To the immediate east, the Site interfaces with residential allotments associated with Seabank Estate. These allotments comprise the western portion of the Barwon Heads township. It is noted that Snead Street and Hopgood Place provide for future vehicular and pedestrian connectivity to the Site.
18. To the immediate south, the Site interfaces with the Murtnaghurt Lagoon, an area of conservation value recognised under the ESO2. Landholdings associated with the Barwon Heads Golf Club including residential subdivision and development is situated further south of the Murtnaghurt Lagoon.
19. To the immediate west, the Site interfaces with a channel to the Murtnaghurt Lagoon which primarily comprises grassland. The channel also serves as a drainage corridor during times of high rainfall.
20. Further west, the Thirteenth Beach Golf Course including the golf club, resort, golf course and residential subdivision is located.

3 Background

21. The following summary borrows from the Amendment C395 Explanatory Report.

3.1 Amendment C395

22. The Amendment proposes to formally implement the City of Greater Geelong's *Settlement Strategy* (adopted 9 October 2018) and *Northern and Western Geelong Growth Areas Framework Plan* (adopted 26 March 2019).
23. The *Settlement Strategy* (the 'Settlement Strategy') provides a planning framework to guide decision making and investment around settlement planning and housing provision in Greater Geelong to 2036.
24. The *Northern and Western Growth Areas Framework Plan* (the 'Framework Plan') addresses long-term population in Geelong and is intended to guide future land use and development of two large growth areas located in Greater Geelong's north and west. By providing major land use and development sequencing direction, the project will inform the preparation of nine (9) Precinct Structure Plans (PSPs) and Development Contribution Plans (DCPs).
25. To implement the policy directions of the Strategy and Framework Plan, the Amendment proposes various changes to the provisions of the Greater Geelong Planning Scheme. These include:
- Amend Clause 21.03 Objectives - Strategies – Implementation to include reference to 21.18 Corio Norlane and 21.20 Northern and Western Geelong Growth Areas.
 - Replace Clause 21.04 Municipal Framework Plan with a new Clause 21.04 to implement the Settlement Strategy through a new Municipal Framework Plan.
 - Replace Clause 21.06 Settlement and Housing with a new clause including objectives, strategies and references to implement the Settlement Strategy.
 - Amend Clause 21.08 Development and Community Infrastructure to update strategies on Transport and Development Contributions to implement the Settlement Strategy.
 - Amend Clause 21.11 Armstrong Creek Urban Growth Area to reflect the role of the Northern and Western Geelong Growth Areas.
 - Amend Clause 21.14 The Bellarine Peninsula to update objectives, strategies, further work and references to implement the Settlement Strategy.
 - Amend Clause 21.16 Anakie to implement the Settlement Strategy by amending objectives and strategies, deleting reference to the Anakie Structure Plan 1996 and replacing the map.
 - Insert a new Clause 21.20 Northern and Western Geelong Growth Areas including new objectives, strategies, references and plans to implement the Northern and Western Geelong Growth Areas Framework Plan.
 - Replace the Schedule to Clause 72.08 Background Documents with a new Schedule that includes the City of Greater Geelong's Settlement Strategy (2018) and Northern and Western Geelong Growth Areas Framework Plan (2019).
 - Rezone areas of land in the Northern and Western Geelong Growth Areas from Rural Living Zone, Farming Zone, Public Park and Recreation Zone and Industrial 1 Zone to Urban Growth Zone.
26. The Amendment was formally exhibited from 21 June 2019 to 29 July 2019 and I understand that 102 submissions were received during this time.

3.2 Relevance to the Site

27. The 'Greater Geelong Housing Framework Plan – 2036' included within the Settlement Strategy delineates an 'Existing Settlement Boundary', identifies the Barwon Heads township as a 'Limited Housing Growth Area' within the existing settlement boundary and proposes 'Increased Housing Diversity' (high and medium density housing) in the vicinity of Hitchcock Avenue and Bridge Road (See **Appendix B**). It also does not match the other plans that include the residential subdivision adjoining the Barwon Heads Golf Club site:
 - Figure 3 of the Settlement Strategy spatially identifies the 'Planning Sub-Region' for Barwon Heads. The entire Planning Sub-Region is classified as an 'Established Area' marked for modest infill housing (See **Appendix C**) and includes the Stephens Parade residential area.
 - Plan 01 to the Framework Plan identifies a Barwon Heads 'Existing Settlement Boundary' which corresponds to the area identified as a 'Planning Sub-Region' in the Settlement Strategy (See **Appendix D**). Specifically, Plan 01 includes the Stephens Parade residential area within the Existing Settlement Boundary.
28. The *G21 Regional Growth Plan* (April 2013) seeks to manage growth and land use pressures in the G21 region to 2050 and identifies where future residential and employment growth will occur.
29. As per Figure 5 of the *G21 Regional Growth Plan*, Barwon Heads is designated as a 'District town' to fulfil the role of accommodating between 2000-10,000 people. The 'Greater Geelong Housing Framework Plan – 2036' (See **Appendix B**) does not reflect the designation specified in the higher-level *G21 Regional Growth Plan* by allocating Barwon Heads a 'Limited Housing Growth' location.

3.3 Part A Submission to Independent Panel – Amendment C395

30. Barwon Heads Lifestyle Group prepared a submission to Amendment C395 (dated July 2019) associated with their landholdings at 1900 Barwon Heads Road, Barwon Heads. The key themes of this submission include:
 - Suitability of the land for urban development, as evidenced by numerous assessments provided by Barwon Heads Lifestyle Group
 - Support from past Planning Panels that acknowledge the Site's capacity to accommodate residential development, subject to future investigation.
 - Advocates for the inclusion of an 'indicative Barwon Heads Protected Settlement Boundary' plan, which includes the Site as an investigation area.
31. In response to Panel Directions issued on 18 October, a Part A Submission has been prepared by Council, dated 28 October 2019. The Part A Submission summarises the main issues raised in submissions and suggests changes to the Amendment in response to submissions.
32. In relation to the Barwon Heads Lifestyle Group submission, Council has agreed to make the following changes:
 - Change the Barwon Heads settlement boundary on the Housing Framework Plan (Appendix B) in the Settlement Strategy to match that in Clause 21.14-10 and that proposed in Clause 21.06.
 - Change the Barwon Heads settlement boundary on the Overall Framework Plan (Appendix B) in the Settlement Strategy to match that in Clause 21.14-10 and that proposed in Clause 21.06.

4 Planning Framework

4.1 Introduction/Overview

33. The Amendment seeks to make a number of changes to the Municipal Strategic Statement of the Greater Geelong Planning Scheme. Specifically impacting the Site are updates to Clause 21.14 (The Bellarine Peninsula) which include:
- Clause 21.14-1 (Key issues and Influences) updated to include references to strong population growth and non-urban rural and coastal breaks;
 - Clause 21.14-2 (Objectives) include an extra objective that seeks '*to support the different roles and functions of townships on the Bellarine Peninsula*';
 - Clause 21.14-3 (Strategies) additional strategies included, such as '*ensure all other townships provide retail, commercial and community uses and facilities that serve the daily needs of the community*' and '*review housing options within townships to determine if localised housing intensification can be provided*'.
34. In considering the appropriateness of including the Site within the identified settlement boundary for Barwon Heads, consideration must be given to broader State planning objectives and local policy contexts.
35. The following paragraphs identify the relevant clauses of the Greater Geelong Planning Scheme which I have taken into account when considering the appropriateness of the township boundary.

4.2 Planning Policy Framework (PPF)

36. To ensure the overarching objectives of planning in Victoria are met, policies contained within the Planning Policy Framework (PPF) must be considered. The PPF clauses of most relevance to the Amendment and Site are detailed in the following paragraphs.
37. **Clause 11 Settlement** – states that 'planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure'. Planning is also to recognise the need for and contribute towards 'diversity of choice'.
38. **Clause 11.01-1S Settlement** – seeks to 'promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.' This includes guiding the 'structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.' It is also policy to 'provide for growth in population and development of facilities and services across a regional or sub-regional network'.
39. **Clause 11.01-1R Settlement – Geelong G21** – aims to 'provide for long term growth options that build on existing infrastructure.'
40. **Clause 11.02-1S Supply of urban land** – seeks to 'ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.' This includes the following relevant strategies:
- 'Ensure that sufficient land is available to meet forecast demand.
 - 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.
 - Planning for urban growth should consider:
 - Opportunities for the consolidation, redevelopment and intensification of existing urban areas. Neighbourhood character and landscape considerations.
 - The limits of land capability and natural hazards and environmental quality.

- Service limitations and the costs of providing infrastructure
 - Monitor development trends and land supply and demand for housing and industry.’
41. **Clause 11.03-4S Coastal settlement** – aims to ‘plan for sustainable coastal development’. This includes the following relevant strategies:
- ‘Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.
 - Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.
 - Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.
 - Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.
 - Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
 - Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.
 - Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.
 - Protect areas between settlements for non-urban use.
 - Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.
 - Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.
 - Ensure a sustainable water supply, stormwater and sewerage treatment for all development.
 - Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.’
42. **Clause 12 Environmental and Landscape Values** – states that ‘planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.’
43. **Clause 12.01-1S Protection of biodiversity** – aims to ‘assist the protection and conservation of Victoria’s biodiversity’. This includes the consideration of ‘impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention).’
44. **Clause 12.02-1S Protection of coastal areas** – seeks to ‘recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources.’ This includes ensuring ‘development is sensitively sited and designed and respects the character of coastal settlements.’
45. **Clause 13 Environmental Risks and Amenity** – states that planning should ‘strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.’ Also, planning should ‘ensure development and risk mitigation does not detrimentally interfere with important natural processes.’
46. **Clause 13.01-2S Coastal inundation and erosion** – aims to ‘plan for and manage the potential coastal impacts of climate change.’
47. **Clause 14 Natural Resource Management** – states that planning ‘should ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.’
48. **Clause 14.01-1S Protection of agricultural land** – seeks to ‘protect the state’s agricultural base by preserving productive farmland’ through the following strategies:

- Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
 - Consider State, regional and local, issues and characteristics when assessing agricultural quality and productivity.
 - Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
 - Protect productive farmland that is of strategic significance in the local or regional context.
 - Protect productive agricultural land from unplanned loss due to permanent changes in land use.
 - Prevent inappropriately dispersed urban activities in rural areas.
 - Protect strategically important agricultural and primary production land from incompatible uses.
 - Limit new housing development in rural areas by:
 - Directing housing growth into existing settlements.
 - Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
 - Encouraging consolidation of existing isolated small lots in rural zones.
49. **Clause 16 Housing** – states that ‘planning should provide for housing diversity and ensure the provision of supporting infrastructure.’
50. **Clause 16.01-1S Integrated housing** – seeks to ‘promote a housing market that meets community needs’ to be achieved through the following strategies:
- ‘Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
 - Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
 - Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.’
51. **Clause 16.01-7S Residential aged care facilities** – seeks to ‘facilitate the development of well-designed and appropriately located residential aged care facilities’ to be achieved through the following strategies:
- ‘Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.
 - Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).
 - Encourage planning for housing that: Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities. Enables older people to live in appropriate housing in their local community.’

4.3 Local Planning Policy Framework (LPPF)

52. The Local Planning Policy Framework (LPPF) sets out local and regional planning policy with a focus on specific areas and issues in the City of Greater Geelong. The Municipal Strategic Statement (MSS) and local policies relevant to the proposal are detailed in the following paragraphs.

4.3.1 Municipal Strategic Statement

53. **Clause 21.05-1 Coastal environments** – aims to ‘protect, maintain and enhance the coast, estuaries and marine environment’ and ‘to respect and manage coastal processes’. This is to be achieved through strategies including restricting development on primary dunes.
54. **Clause 21.06-1 Key issues and influences** (Settlement and Housing) identifies that ‘the municipality will need to accommodate an additional 63,000 persons. This level of population growth will generate demand for

approximately 41,000 new dwellings. The region's population is ageing rapidly through the in-migration of retiring persons and the ageing-in-place of existing residents. The municipality is a popular retirement destination, particularly the coastal towns on the Bellarine Peninsula.'

55. **Clause 21.06-2 Urban growth** (Settlement and Housing) seeks to 'to improve housing affordability through the maintenance of appropriate urban land supplies, the promotion of competition in the housing market and the development of a diverse range of well located housing stock.' This is to be achieved through the following relevant strategies:
- '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 development occurs within designated settlement boundaries.
 - Where possible use natural boundaries to define the edges of urban areas.'
56. **Clause 21.06-3 Urban consolidation** (Settlement and Housing) aims to 'provide for the consolidation of existing urban areas in managed ways'. This is to be achieved through the following relevant strategies:
- Require retirement accommodation to be located within urban areas, preferably within close proximity to existing or proposed activity centres and public transport facilities.
57. **Clause 21.07-5 Rural Areas** (Economic Development and Employment) seeks to 'protect and enhance the Bellarine Peninsula as a productive rural area with highly significant landscapes based on farming and environmental features.' This is to be achieved through the following relevant strategies:
- 'Maintain rural land in large and productive parcels, in accordance with the schedules to the farming zones.
 - Minimise non agricultural land uses in rural areas.
 - Ensure that any non agricultural land uses will not compromise farming activity in the area.
 - Ensure that new dwellings do not compromise the productive agricultural capacity of land and are associated with the productive agricultural use of the land.'
58. **Clause 21.14 The Bellarine Peninsula** identifies the Bellarine Peninsula as 'one of the fastest growing areas in the City of Greater Geelong. Population growth on the Bellarine Peninsula is being driven by the attractiveness of the peninsula as a **relaxed** lifestyle destination within close proximity to urban Geelong.' Additionally, the appropriate management of growth on the Bellarine Peninsula will be critical to retaining its identity and attributes. This is to be achieved through the following relevant objectives and strategies:
- 'To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.
 - To preserve the individual character, identity and role of each Bellarine township.'
 - Ensure that development outside of settlement boundaries does not compromise the rural, environmental and landscape values of the non-urban breaks.
59. **Clause 21.14-3 Strategies (The Bellarine Peninsula)** also detailed strategies specific to Barwon Heads. These include:
- 'Maintain a compact urban form and avoid outward sprawl by ensuring that urban development does not occur outside of the defined settlement boundary.
 - Protect the unique character of Barwon Heads as a coastal village located within a sensitive environment and significant landscape setting.
 - Ensure that new development complies with specified coastal character siting and design requirements.
 - Protect the very low density residential character of the Warrenbeen Court area to ensure that development has minimal impact on the indigenous vegetation and landscape character of the area.
 - Ensure the Hitchcock Avenue shopping centre remains the focus of retail activity in Barwon Heads.
 - Restrict new retail development within the existing town centre and discourage the use of land for industry and warehouse uses.
 - Support the appropriate development of Stage 3 of the 13th Beach Resort as a focus for golf that excludes residential development and provides demonstrable net environmental benefit.

- Continue upgrading the Barwon Heads Village Park and foreshore reserves in accordance with established master plans. Protect existing street trees and where possible informal landscaping in streets.
- Support development of appropriate tourist accommodation around the Barwon Heads town centre, including improvement of accommodation diversity.'

4.3.2 Local Planning Policies

60. **Clause 22.05 Agriculture, Rural Dwellings and Subdivisions** identifies the value of rural areas within the City of Greater Geelong with respect to the economy, liveability and amenity. Clause 22.05 also identifies the importance of careful land use and development management in rural areas to ensure the non-urban of the area is preserved. This is supported by the following objectives:

- To support the ongoing use of the rural areas for agriculture and to preserve their farmed rural landscape.
- To ensure that the development of dwellings and excision of existing dwellings in the Farming Zone is consistent with the purpose of the zone and the utilisation of the land for sustainable rural uses.
- To protect agricultural production and the normal operation of agricultural activities by preventing land use conflicts, particularly conflicts associated with the introduction of non-farm related dwellings into rural areas.
- To limit development of new dwellings on prime or high quality agricultural land.

5 Assessment

61. Having reviewed the Amendment and visited the Site as set out above, I consider that the key issues include:
- Role and function of the settlement strategy in the context of other overarching settlement directives and policy.
 - Strategic basis for the settlement boundary in Barwon Heads.
 - Whether there is sufficient strategic justification for a review of the settlement boundary in Barwon Heads.
62. I have addressed these issues of importance in turn below.

5.1 Role and function of the Settlement Strategy

63. Planning policy is iterative in cascading order. In the context of Barwon Heads, the order of that policy would appear as follows:
- *Planning and Environment Act 1987*- Distinctive Areas and Landscapes (DAL) – Statement of Planning Policy (SPP). The Statement of Planning Policy will include a 50-year vision and land use strategies for the Bellarine Peninsula. It also provides the opportunity to designate long term settlement boundaries.
 - PPF including the Victorian Coastal Strategy and the relevant Regional Plan – G21 Regional Growth Plan. The G21 Regional Growth Plan provides a framework for sustainable growth of the region over a 30-40 year period.
 - LPPF including - Settlement Strategy and individual Township Structure Plans or Policy. The Settlement Strategy provides a framework for the growth of the municipality over a 20 year period. The Barwon Heads Structure Plan (2017) provides for a 15 year vision for the growth of Barwon Heads.

Distinctive Areas and Landscapes

64. The Minister for Planning formally declared the Bellarine Peninsula a Distinctive Area and Landscape (DAL) under the *Planning and Environment Act 1987* on 22 October 2019. This process will set long-term settlement boundaries and review height controls within townships on the Bellarine, including Barwon Heads.
65. The declaration of the Bellarine Peninsula as a DALs requires the:
- preparation of a Statement of Planning Policy (SPP) led by the State Government in partnership with local government and Traditional Owners.
 - development of a long-term vision and strategies to protect distinctive areas in consultation with local communities.
 - introduction of settlement boundaries for townships – like Melbourne’s urban growth boundary.
66. Appendix 5 of Council’s Part A Submission includes correspondence from the Department of Environment, Land, Water and Planning (DELWP) dated 25 October 2019. Within it, DELWP confirms that the draft SPP will be prepared having regard to the outcomes of C395.
67. DELWP has confirmed that the Minister for Planning has not appointed an Advisory Committee or a Panel to consider submissions made in relation to the soon to be prepared draft SPP.
68. At the conclusion of C395, policies to implement its key directions will be introduced into the planning scheme. Once in the scheme these directions will inform land use planning decisions for the future, including strategic planning work and planning permits and development applications. The final SPP will also form part of the planning scheme as an incorporated document and land use planning and development decisions will need to be consistent with the SPP. The SPP also extends beyond local government decision making and will inform decision making by other responsible public entities.
69. I appreciate that the two processes can run separately, however I am concerned that the current 20 year Settlement Strategy has the potential to significantly prejudice the towns evolution and development from that

which could be considered under the future 50 year DAL plan. It is therefore my recommendation that the final township settlement boundaries not be locked down until the DAL is processed.

Planning Policy Framework (PPF)

70. Clause 11.01-1S (Settlement) seeks to *'ensure regions and their settlements are planned in accordance with their relevant regional growth plan.'* In this case, the *G21 Regional Growth Plan* (Geelong Region Alliance, 2013) is the applicable policy document.
71. The *G21 Regional Growth Plan* (the 'Growth Plan') identifies Barwon Heads as a 'District Town'. The Strategy explains the role of Barwon Heads and other small settlements as follows:
'The region's other rural and coastal settlements will continue to experience modest growth and play an important tourism and agricultural role to surrounding areas. Growth will be limited to identified structure plan settlement boundaries.'
72. Clause 11.03-4S (Coastal settlement) seeks to *'plan for sustainable coastal development'* by identifying *'a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected.'* Also, it is policy to *'direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.'*
73. Victorian Coastal Strategy (VCS) assigns Barwon Heads as having a 'Low Growth Capacity'. This Low Growth Capacity designation allows for *'growth contained within existing urban or appropriate zoned land primarily through infill capacity and renewal within defined settlement boundaries.'*
74. Having regard to the above, the PPF clearly seeks carefully managed coastal development and displays a preference for growth within settlement boundaries. While Barwon Heads is not a growth area, that does not mean that the above policy framework prohibits its expansion or further development, just that any such development needs to be carefully managed – preferably within a defined town boundary.
75. It is my opinion that the town has been developed beyond the identified settlement boundary for what is effectively conventional subdivision at the Thirteenth Beach Golf Resort – but that development has been appropriately managed to maintain the values of non-urban breaks. I am of the opinion that 1900 Barwon Heads Road could also be developed with a considered and appropriate interface to Barwon Heads Road.

Local Planning Policy Framework (LPPF)

76. Clause 21.06-2 (Urban growth) seeks to *'to limit urban sprawl by directing urban growth to designated urban growth areas'*. This is to be achieved, in part, by ensuring *'development occurs within designated settlement boundaries'*. This is reiterated at Clause 21.06-6 (Implementation) which seeks to *'prevent residential development from occurring outside of the settlement boundaries set out in any Framework Plan, Structure Plan or Urban Growth Plan for an area.'*
77. Clause 21.16-3 (The Bellarine Peninsula – Strategies) is in conflict with the provisions of Clause 21.06 where it states development outside of a settlement boundary must not *'compromise the rural, environmental and landscape values of non-urban breaks.'*
78. Clause 21.14-3 provides town-specific strategies for Barwon Heads. Further policy conflict exists in the strategy which necessitates maintaining *'a compact urban form and avoid outward sprawl by ensuring that urban development does not occur outside of the defined settlement boundary.'*

Settlement Strategy

79. The Settlement Strategy advances recommendations designed to preserve significant landscapes and environments from urban encroachment, contain urban development within settlement boundaries, encourage urban consolidation and manage future growth to deliver more sustainable, well-serviced communities.
80. While the Settlement Strategy acknowledges the share of new development on the Bellarine Peninsula should decline over time, it does not specifically preclude changes to the Barwon Heads Settlement Boundary, as it does for the rural hamlets of Breamlea, Ceres and Anakie.
81. The Settlement Strategy outlines key principles and directions for the Bellarine Peninsula with relevance to the Site as follows (selected):
 - Principle – 'Maintain the unique township, landscape, tourism, farming and environmental values of the Bellarine Peninsula'

- Directions:
 - *Review housing opportunities within townships to determine if further localised housing intensification can be achieved.*
 - *Ensure development reflects the preferred character of the townships.*
82. With respect to permanent settlement boundaries, the Settlement Strategy seeks to '*contain growth within identified locations across the municipality.*' This includes the following directions:
- *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.*

It is my opinion that this recommendation was formulated on the assumption that the existing settlement boundaries were chosen in light of appropriate strategic justification. In instances where this has not occurred, Direction C is a necessary review mechanism to ensure settlement boundaries are performing their appropriate function.

83. The Settlement Strategy includes monitoring and review directions with respect to population growth, housing demand and development trends. This includes monitoring 'annual supply and demand for residential land (all supply types) at multiple levels (estates, townships/suburbs, growth areas and municipality to track progress and inform decision making'. These monitoring and review directions are intended to inform adjustments as required.
84. It is explicitly stated that the Settlement Strategy 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.*' Accordingly, the included maps depicting the current Barwon Heads Settlement Boundary should not be considered justification enough for it to remain unchanged, nor evidence of Council reviewing the growth management approach for Barwon Heads.
85. As outlined in the preceding paragraphs, the Settlement Strategy is supportive of reviewing the appropriateness of existing settlement boundaries, including those already identified in policy. Moreover, Barwon Heads is not specifically excluded from this review process.
86. The Panel Report for Greater Geelong Planning Scheme Amendment C375 (issued 31 October 2018) supports this position on the following grounds.
- It states that the City of Greater Geelong has allocated sufficient residential land supply to meet population growth over the next 15 years. Accordingly, extensions of the Barwon Heads Settlement Boundary are not required to address municipal residential land supply deficit. However, it states expansions to the Settlement Boundary '*should not be restricted if extending the boundary can continue to achieve the aspirations sought through the Structure Plan.*'
 - It 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 policy.' However, the Panel concluded that 'there is insufficient evidence to suggest that Barwon Heads has reached this point' and that 'the settlement boundary should not be permanently embedded until further comprehensive strategic work is completed'.
87. It is my opinion that the Settlement Strategy replicates and provides a facsimile response to the Barwon Heads Structure Plan. The Settlement Strategy does not in itself, provide any "further comprehensive strategic work" as suggested by the Panel for Amendment C375 and it is therefore my opinion that until that additional work is undertaken that the settlement boundary for Barwon Heads should not be locked down.

5.2 Strategic Basis for the Barwon Heads Settlement Boundary

88. A review of strategic planning policy changes over time for Barwon Heads has informed my assessment. This has included a review of each iteration of the Barwon Heads Structure Plan (the 'Structure Plan') since its inception in 1996 which reveals an unchanging growth management strategy.
89. As expressed in each iteration of the Structure Plan, Barwon Heads is not a designated growth location for conventional residential nor rural residential growth. However, this does not rule out discussions regarding the town's potential for evolution and sustainable growth in line with the balance of the municipality.
90. At the point in time which the Settlement Boundary was first defined, it was informed by that land which was zoned for residential use. This Settlement Boundary has remained largely unchanged in the last 23 years, despite significant increases in Geelong's population growth rate. According to the Settlement Strategy, Geelong's average annual population growth rates have increased four-fold in the same period of time.
91. In the context of significantly increased population growth in the municipality, it is my opinion that the Structure Plan has not displayed adequate regard to the potential for modest and sustainable growth of the Barwon Heads township. It follows that I believe investigation of potential growth options and viability of the current Settlement Boundary should occur before the finalisation of this Amendment, particularly as it represents the potential to influence the forthcoming DAL.
92. As the implementation of the Settlement Strategy seeks to meet future housing demands to 2036 across the municipality, the Barwon Heads Settlement Boundary is within the scope of this Amendment. Although it would necessitate further investigation to resolve the location of the Settlement Boundary, this approach is necessary to advance comprehensive and strategically considered growth management in Barwon Heads.
93. I believe the Panel is obligated to consider if the current iteration of the Structure Plan has appropriate and consistent regard to growth management objectives outlined in the Settlement Strategy and Greater Geelong Planning Scheme, as discussed in the following sections.

2010 Barwon Heads Structure Plan

94. As in the 1996 Structure Plan, the 2010 structure plan reiterated that Barwon Heads was not a designated growth location. It also identified key strategic planning issues facing the township, community aspirations and needs.
95. The publicly exhibited version of the draft structure plan (2007) showed a revised Settlement Boundary that encompassed the Site (See Appendix E). As per the legend, the Site was marked for rezoning to accommodate '*urban uses incorporating appropriate residential and open space zones.*'
96. This revised Settlement Boundary was designated on the basis that '*the land appears physically capable of providing an expansion to the township, subject to the imposition of a range of planning and environmental provisions.*' Accordingly, the exhibited plan depicted substantial setbacks from Murtnaghurt Lagoon.
97. Over 800 submissions were received following the exhibition of the draft Structure Plan, most of which opposed the expansion to the Settlement Boundary. By December 2007, Council had abandoned the proposed change and realigned the boundary to exclude the Site, as generally consistent with the 1996 Structure Plan.
98. In 2010, the draft Structure Plan was adopted and Amendment C159 was prepared by Council to implement the strategy in the LPPF. A Planning Panel was appointed to hear and consider submissions in respect to the Amendment, with a major focus of the hearing relating to the Settlement Boundary.
99. During the Panel Hearing, Council opposed extending the Settlement Boundary to include the Site for the reasons summarised below:
 - Contrary to State planning policies;
 - Contrary to Council's long-term local planning policies for the Bellarine Peninsula;
 - Environmental constraints;
 - Undesirable precedent;
 - Loss of 'village' atmosphere;
 - Structure Plan boundary appropriateness; and
 - No community benefit.

100. The Panel had difficulty accepting the arguments advanced by Council on the following grounds:
- The Panel rejected that adjusting the Settlement Boundary was contrary to state and local planning policy, stating *'The Panel does not believe that the policy framework precludes the expansion of the town boundary. Nevertheless, the assessment of whether all or part of the Macafee land should be included in the settlement boundary involves the analysis of many complex and often interrelated issues.'*
 - Concerning environmental constraints, the Panel accepted the environmental values of the Murtnaghurt Lagoon and channel. However, they state *'having considered the evidence, the Panel concludes that the environmental values of the area do not necessarily preclude some form of development of the Macafee land. However, it is clear that the design, construction and management of any development would require careful thought.'* Additionally, the relatively high elevation of portions of the Site indicated *'that it would be significantly less likely to be inundated than substantial areas of the existing town'*. On this grounds, the Panel stated *'the Macafee land might be a more suitable option for accommodating population growth than urban consolidation and higher density residential development within vulnerable areas of the existing town.'*
 - The Panel did not agree that the development of the Site would create a precedent for further expansion of the Settlement Boundary. They stated, *'if the MacAfee land is developed, it will be developed because it is suitable for development and because it would be sensible to develop it.'*
 - The Panel did not accept low-scale development of the Site would have a negative impact on the village character for Barwon Heads. For this reason, Council was encouraged to *'further consider the potential environmental improvements that might result from development of this land, and if appropriate, to prepare a suitable planning scheme amendment.'*
101. The Panel concluded that limited development of the Site was feasible if proven to provide net environmental benefit. It follows, *the Panel urged Council and the community to reconsider their positions, while accepting that Council was entitled to reject an expansion.*
102. This recommendation was ultimately not supported by Council and the Structure Plan was implemented without change to the Settlement Boundary.

2017 Barwon Heads Structure Plan

103. Following previous iterations in 1996 and 2010, Council commenced updates to the Structure Plan in 2017 to reflect the community's changing needs.
104. On 28 June 2018, a Planning Panel was appointed to hear and consider submissions in respect to Amendment C375. The Panel's discussion in relation to the Site and Settlement Boundary echoes that of the Panel appointed to review Amendment C159. The Panel articulated the following findings (selected):
- *'There may be an opportunity to change the settlement boundary to include land between the existing alignment and the Ramsar wetlands without adversely impacting the Ramsar wetlands.*
 - *The extent to which the boundary can be extended should be further investigated through a separate strategic planning process.*
 - *Extending the settlement boundary to the Ramsar wetlands is unlikely to adversely impact Barwon Head's preferred town character if the urban layout and built form are designed consistently with the Structure Plan.*
 - *Extending the settlement boundary could potentially improve the western town entrance to Barwon Heads, however, this is not a reason in itself to expand the settlement boundary.*
 - *The settlement boundary does not need to be extended to address any municipal residential land supply issue. However, it should not be restricted if extending the boundary can continue to achieve the aspirations sought through the Structure Plan.'*
105. On 22 August 2017, Council adopted an updated version of the Structure. The 2017 Barwon Heads Structure Plan was implemented into the Geelong Planning Scheme by Amendment C375.
106. Despite the above Panel recommendations and increased growth pressures, Council's position on the Site remains steadfast. In relation to the Site, the following arguments and comments are advanced in the current Structure Plan:

- The reports provided by the proponents for 1900 Barwon Heads Road ‘are not detailed assessments and largely refer to advice provided in relation to the preparation of the 2010 Structure Plan Review.’ The reports conflict ‘advice to Council from internal and external experts for this Structure Plan does not support the western expansion of development outside of the settlement boundary.’
 - That the scale of development proposed for the Site does not constitute ‘limited’ development. The Structure Plan states, ‘the proposed development for 1900 Barwon Heads Road is also more substantial in terms of the number of houses and land area proposed for residential uses under the 2010 Structure Plan.’
 - While pedestrian connections on the Site would have a benefit for the community, aged care facilities are not supported outside the Settlement Boundary. Also, the Structure Plan states ‘the need for expanded community services and land would essentially be driven by the population growth that would result from an expanded settlement boundary.’
 - As Council maintains there is no policy support for the development of land outside of the Settlement Boundary, a ‘detailed assessment of land feasibility has not been undertaken’.
107. In my opinion, there has been no substantive change in Council’s reasoning and growth management in over 20 years. I also consider that despite a number of Independent Panel’s agreeing that an expansion could address interface and other policy directives; and that such expansion shouldn’t be ruled out without further strategic investigation, that this is in fact what this Amendment proposes to do.
108. As discussed above – I consider that the Settlement Strategy is not the further Strategic Work suggested by the Panel at C3965 and I believe that as that work has not occurred, that it is inappropriate to lock down the township boundary at this time.

5.3 Sufficient Strategic Justification for revision of the township boundary

5.3.1 Ageing in Place

109. The demographic and social composition of the Barwon Heads township has changed significantly since the inception of the original Structure Plan. This is most evident in the proportion of Barwon Heads’ population aged 55 years and over which has steadily risen from 18% in 1996 to 24.8%, 26.4% and 32.7% in 2006, 2011 and 2016 respectively.¹
110. The Structure Plan states that ‘the Commonwealth Government’s planning for aged care is on a ‘needs-based planning framework’. Under the framework the Government seeks to achieve a national provision level of 125 residential and home care places for every 1,000 people aged 70 years or over by 2021-22. This figure is split into 80 places in a residential setting and 45 places in a home care setting.’
111. In the Barwon Heads – Connewarre – Breamlea statistical area, there were 835 residents aged over 65 in 2016. By 2026, this is forecast to reach 1,215 persons, and 1,331 persons by 2036. Based on the benchmarks provided in the above paragraphs, the township could be expected to require an aged care facility within the next decade.
112. Having reviewed the towns residential zoned land against aerial mapping, there is one vacant lot of sufficient size to accommodate an aged care facility (assuming that an area of approximately 1 Ha would be required for a 100 bed facility) within the Settlement Boundary. However, that land at 2A Cosham Court appears to be significantly affected by drainage constraints and despite being zoned Neighbourhood Residential Zone – appears to be considered as open space.
113. Assuming an existing dwelling could be demolished to enable construction of an aged care facility, an assessment of developed lots was undertaken. This assessment found there is only 4 lots of sufficient size (1ha or greater) to accommodate an aged care facility, and only 2 of these were of a size (2ha) to accommodate a retirement village within the Settlement Boundary (including the Stephens Parade residential area). Notwithstanding this, many retirement villages now require an area closer to 4ha or more providing a range of services and facilities for residents.

¹ Data sourced from https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC20161?opendocument

114. In response to this, the Structure Plan acknowledges the *'need to encourage increased diversity of housing' including 'one and two bed units along with older persons housing'*. This was to be achieved by removing the Increased Housing Diversity Area (IHDA) and rezoning the land south of Bridge Road to the Neighbourhood Residential Zone – Schedule 6 (Barwon Heads Incremental Change Area).
115. Respectfully, the Neighbourhood Residential Zone is intended for areas where single dwellings prevail, and change is not proposed. Schedule 6 specifies the protection of the *'unique low scale coastal design character of Barwon Heads'*.
116. In my opinion, rezoning the land and removing the land's IDHA appears to be in direct conflict with the Structure Plan's objective to accommodate diverse housing, particularly to accommodate an ageing population.
117. It is also unlikely that land remaining within the IHDA will be developed specifically to accommodate the ageing population given the lack of specific policy direction. Pursuant to Clause 22.63, IHDAs are identified to provide for medium density development in the form of units, townhouses, terraced housing and apartments. Although the Structure Plan includes *'housing types for older people'* as a specific aim for the Barwon Heads IHDA, its provision will be largely reliant upon market demands and it is my opinion that this is unlikely to accommodate an ageing population, at least not in any substantial form with any servicing or support structures that would be applied in a formal aged care or retirement village setting.
118. As evidenced by the above paragraphs, despite considerable localised population growth and shifts in demographic composition, there exists no evidence of specific structure planning work, particularly in regard to ageing in place and the provisioning of aged care. It is my opinion that the westward expansion remains an option to facilitate this.
119. The following paragraphs detail state and local planning policies of particular relevance and provide strategic policy support for the inclusion of aged care and retirement housing in Barwon Heads. It is my firm opinion that these needs will not be able to be provided within the proposed Settlement Boundary.

Planning Policy Framework (PPF)

120. Clause 16.01-1S (Integrated housing) seeks to *'promote a housing market that meets community needs.'* This is to be achieved, in part, by ensuring *'that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people.'*
121. Clause 16.01-3S (Housing diversity) seeks to *'provide for a range of housing types to meet diverse needs'* by ensuring *'housing stock matches changing demand by widening housing choice'* and *facilitating 'diverse housing that offers choice and meets changing household needs.'*
122. Clause 16.01-7S (Residential aged care facilities) seeks to *'facilitate the development of well-designed and appropriately located residential aged care facilities.'* Strategies to achieve this objective include:
 - *'Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.'*
 - *Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).*
 - *Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities*
 - *Encourage planning for housing that:*
 - *Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.*
 - *Enables older people to live in appropriate housing in their local community.*
 - *Provide for a mix of housing for older people with appropriate access to care and support services.'''*
123. The Structure Plan states that *'there currently is limited facilities for residents of Barwon Heads, with the nearest facilities being located in Ocean Grove, Wallington or Leopold.'* By suggesting aged care needs be accommodated in other towns, the Structure Plan undermines State planning policy that suggests housing be provided within their local community.

124. As supported by the above paragraphs, there is strong strategic support for the provision of housing options for older people and residential aged care facilities. However, the Structure Plan pays little attention to this policy context as well as the social and housing needs of a rapidly ageing population.
125. With no opportunity to provide appropriate housing for an ageing community within the existing Settlement Boundary, a review of the boundary is necessary to deliver much-needed aged care and retirement housing to meet the needs of Barwon Heads' ageing population in accordance with state planning policy.

Local Planning Policy Framework (LPPF)

126. Clause 21.06-1 (Settlement and Housing – Key issues and influences) states that *'the ageing of the population will contribute substantially to the increase in demand for low maintenance dwellings and retirement accommodation. This accommodation will need to be close to urban services. In order to meet these demands, there is a need to provide for a range of housing typologies including unit, townhouse, attached, multilevel and apartment dwellings.'*
127. As with the PPF, It appears unlikely that this can be accommodated within the existing Settlement Boundary, again supporting a review of the Settlement Boundary to provide that diversity of need.

5.3.2 Future Land Supply

128. Clause 11.02-1S (Supply of urban land) sets out policy in relation to the supply of urban land, requiring Council to *'accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur.'* In quantifying this, *'residential land supply will be considered on a municipal basis, rather than a town-by-town basis.'*
129. I do not contend that the supply requirements of Clause 11.02 are not being met in the settlements of Armstrong Creek and the Northern and Western Growth Areas. However, those areas do not satisfy the demand for all types of housing preferences including those sectors identified in the Settlement Strategy such as empty nesters, sea-changers and holiday houses.
130. The Settlement Strategy suggests that these sectors are only a portion of the residential market with appropriate supply available in urban Geelong. I believe that they are different markets with appeal to different demographics and price points and I consider that there would be significant interest in new supply in towns such as Barwon Heads if it were available.

Planning Policy Framework (PPF)

131. As stated previously, Clause 11.02-1S (Supply of urban land) seeks to *'ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.'* At a minimum, Council is required to plan for the accommodation of projected population growth over a 15 year basis, considered on a municipal basis.
132. Clause 11 (Settlement) clearly requires planning to recognise the need for and contribute towards diversity of choice. This is expanded upon in Clause 11.01-1S (Settlement) which identifies the scale at which choice should be delivered. At a regional scale, planning must *'provide for growth in population and development of facilities and services.'* At the settlement scale, planning must deliver *'settlements that have a strong identity and sense of place'* that are prosperous and sustainable. This is to be delivered, in part, by *'developing settlements that will support resilient communities and their ability to adapt and change.'*
133. Although the Settlement Strategy and Structure Plan achieve the aforementioned minimum standard for supply of urban land, the PPF does not suggest that housing choice also be delivered on a 'town-by-town' basis. On this basis, housing choice must be provided at a localised context.
134. Clause 16 (Housing) states that *'planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.'* This is expanded upon in Clause 16.01-1S (Integrated housing) which seeks to *'promote a housing market that meets community needs.'* To achieve this, planning must *'ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.'*
135. Clause 16.01-3S (Housing diversity) specifically seeks to *'provide for a range of housing types to meet diverse needs.'* This is to be achieved, in part, by ensuring *'housing stock matches changing demand by widening housing choice.'*

136. I accept that the proportion of new medium density dwellings in the Barwon Heads – Connewarre – Breamlea statistical area has increased significantly from a 0% development share in 2006-2011 to 53.6% in 2011-2016. However, this is not to suggest housing in Barwon Heads has diversified beyond dwelling type (i.e. detached versus medium-density dwellings).
137. There is no evidence to suggest the Structure Plan has allowed for housing diversity that satisfies the nuanced requirements of Clauses 16.01-1S and 16.01-3S through the increased provision of aged care facilities or other accommodation suitable for older people or those with disabilities. As above, I am not convinced that this can be accommodated in the IDHA.

5.3.3 Existing Development Beyond Settlement Boundary

138. As identified in Appendix G, urban development has clearly occurred beyond the extent of the Settlement Boundary to facilitate the establishment of the Thirteenth Beach Resort.
139. Currently, urban land uses associated with the Thirteenth Beach Resort consist of residential subdivision, detached housing, resort facilities, golf course and restaurant use. This has been developed in accordance with Schedule 1 to the Comprehensive Development Zone (CDZ1).
140. The Thirteenth Beach Resort development includes both permanent and tourist residential accommodation, resulting in a small urban population that is serviced by the Barwon Heads township. Given the nature of this development, I consider that the Settlement Boundary of the town has already been breached.
141. A key purpose of the CDZ1 is to '*ensure the development and use of land east of Lings Road reinforces the non-urban break between the Barwon Heads township and the Thirteenth Beach Resort.*' As the purpose of a non-urban break is to provide a break between two or more non-urban areas², this confirms that development in association with the Thirteenth Beach Resort can be classified as 'urban'.
142. While the residential development at Thirteenth Beach Resort has been designed discretely, it still forms part of the urban footprint of Barwon Heads. To this end, the subject site sits within an urban context on multiple interfaces – Thirteenth Beach Resort to the west (separated by Murtnaghurt Lagoon) and the existing residential township interface to the east.
143. Clause 21.14 (The Bellarine Peninsula) states a key objective to '*protect and enhance rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.*' To achieve this objective, ensuring '*that development outside of settlement boundaries does not compromise the rural, environmental and landscape values of the non-urban breaks*' is a key strategy.
144. In light of the provisions of Clause 21.14 and existing urban development beyond the Settlement Boundary, development of the subject site is not precluded by the LPPF on principle by the presence of an identified non-urban break. Rather, it must be demonstrated that development will compromise the rural, environmental and landscape values of the non-urban break for it to be undesirable.
145. The Victorian Coastal Strategy explicitly characterises non-urban breaks as being '*natural or rural landscapes that help shape and define settlements and their communities.*' In addition to providing visual amenity non-urban breaks, '*play an important part in providing links for wildlife habitat, appropriate disturbance buffers to support coastal biodiversity and ensuring coastal settlements maintain their own identity or character.*'
146. By the above characterisation, there is an argument to suggest that the non-urban break has already been compromised by the presence of golf courses within the non-urban break. As per the Structure Plan, a golf course is '*a human altered landscape*' despite being '*largely undeveloped parkland which can provide a scenic visual amenity*'. As a golf course is not a natural or rural landscape, it is my opinion that their landscapes are more closely aligned with an urban setting and are not contributory to the non-urban break – notwithstanding that the development itself can be said to respect the values of a non-urban break which is the policy requirement.

² Ballarat C95 & C102 (PSA) [2008] PPV 17 (20 February 2008)

147. I am of the opinion that the area between the Thirteenth Beach golf course and the current conventional subdivision in the town can be similarly considered with an appropriate design consideration and interface management response.
148. In regard to the subject site, I note that its current frontage features a well-established treed windbreak along Barwon Heads Road which substantially limits views into the site. Furthermore, the subject site lies a significant distance inland from the coastal hinterland and is visually enclosed by vegetation. As such, it is my opinion that development of the subject site could be pursued in ways that is not detrimental to safeguarding the values of a non-urban break.

5.3.4 Establishment of current Settlement Boundary

149. It is my opinion that the Settlement Boundary in relation to Barwon Heads, has not been derived by sound strategic planning and urban design principles but occurs in response to an entrenched political position rather than on a merit's assessment.
150. The following paragraphs expand on this opinion in terms of existing precedent and policy direction which guides the location of settlement boundaries.
151. Melbourne's Urban Growth Boundary (UGB) provides precedence for the application of a settlement boundary and future application of an urban growth boundary as part of the Distinctive Areas and Landscapes review process. Specifically, the UGB employs sound strategic planning principles by deriving its extents based on natural boundaries in the following examples:
- The Dandenong Foothills derive the UGB around the suburbs of Tecoma, Belgrave and Upper Ferntree Gully;
 - The Werribee River derives the UGB around the suburbs of Brookfield, Weir Views and Melton South; and
 - Jacksons Creek derives the UGB around the western portion of Sunbury.
152. Specifically, a large, south-eastern portion of the UGB is logically derived based off the landform of the Dandenong Foothills.
153. The Victorian Coastal Strategy provides further direction for the establishment of settlement boundaries in support of this principle. Specifically, it states, '*natural geomorphic boundaries and permanently reserved parks and conservation reserves are the preferred form of settlement boundaries where there is a case for extension.*'

5.3.5 Planning Policy Framework (PPF)

154. The Planning Policy Framework provides direction and influence in determining the location of settlement boundaries, as outlined in the following paragraphs.
155. Clause 12.01-1S (Protection of biodiversity) requires the consideration of biodiversity impacts on national parks, conversation reserves and nationally/internationally significant sites, including wetlands designated under the Convention on Wetlands of International Importance (the Ramsar Convention) by avoiding impacts of land use and development. Accordingly, should evidence be provided to suggest environmental soundness, the Murnaghurt Lagoon environs represents an appropriate point at which to cease westward development so as to avoid biodiversity impacts.
156. This opinion is supported by the Panel Report for Amendment C375 which finds there to be insufficient evidence to substantiate that any westward expansion of the settlement boundary be rejected on environmental grounds. By the same token, the Panel concluded that there is currently insufficient evidence supporting the feasibility or desirability of expansion to these extents. It follows, serious investigations must be undertaken to address the capability of the land to accommodate westward expansion with regard to environmental impacts before it is ruled out.

5.3.6 Local Planning Policy Framework (LPPF)

157. The Local Planning Policy Framework expands on the directions provided in the PPF with specific regard to local circumstances in the municipality.
158. Clause 21.06-2 (Urban growth) seeks 'to limit urban sprawl by directing urban growth to designated urban growth areas' by ensuring 'development occurs within designated settlement boundaries.' Where possible, natural boundaries are the preferred means by which to define the edges of an urban area.

159. As outlined in Appendix G, the Settlement Boundary for Barwon Heads is not predicated on any form of natural boundary, rather the extent of residential development as of 1996.

5.3.7 Potential for amenity improvements

160. Current entry into Barwon Heads from Barwon Heads Road presents a very poor visitor arrival, with significant stretches of rear fences (approximately 1.8m paling boards) restricting views and amenity.

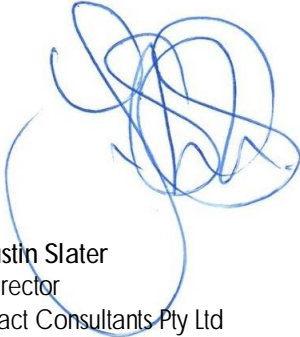
161. Development of the subject site could provide significant improvements to improve sense of arrival to Barwon Heads. Successful implementation of urban design interventions that have improved amenity and sense of arrival are evident at the nearby Warralily Estate in Armstrong Creek. This design better celebrates the transition from non-urban to urban uses through a front of house arrival with landscaping interventions that provide exceptional levels of amenity.

162. This is aligned with the Panel Report findings for Amendment C375, 'extending the settlement boundary could potentially improve the western town entrance to Barwon Heads, however, this is not a reason in itself to expand the settlement boundary.' I agree and consider that this is a contributory benefit.

6 Conclusion

164. In summary, my assessment of the Amendment proposal has concluded that:

- There are strong grounds to warrant further investigation regarding the expansion of the Barwon Heads Settlement Boundary;
- The Settlement Strategy and Barwon Heads Structure Plan do not have long-term regard for population growth or recognise the impacts of settlement preferences. I am concerned that this may prejudice the forthcoming DAL which should be predicated on a longer timeframe.
- Existing development (Thirteenth Beach Resort and multiple golf courses) beyond the proposed Settlement Boundary effectively extends the urban settlement of the town beyond the conventional subdivision. This, combined with 1920 Barwon Heads Road compromises the non-urban break and the boundary;
- The Settlement Boundary follows the Structure Plan which is largely unchanged for over 20 years which represents a political consideration rather than strategic merits review; and
- The Site presents an opportunity to improve amenity and sense of arrival to Barwon Heads through considered development.



Justin Slater
Director
Tract Consultants Pty Ltd

Appendix A Statement of Qualifications and Experience

Name and Address:

Justin Slater
Director
Tract Consultants Pty Ltd
Level 6, 6 Riverside Quay,
SOUTHBANK 3006.

Qualifications

- Bachelor of Applied Science (Urban Planning) at RMIT
- Graduate Member Australian Company of Directors

Professional Experience

- Present – Director Tract Consultants
- 2001 to present - Tract Consultants – Senior Planner, Associate, Principal, Senior Principal, Director
- 1999 – 2001 - Wyndham City Council – Strategic Planner
- 1998 – 1999 - Casey City Council – Statutory Planner
- 1996 – 1998 - Travel
- 1993 – 1996 - Darebin City Council – Student Planner, Strategic Planner

Professional Associations

- Member of Planning Institute of Australia (PIA)
- Member of Victorian Planning and Environmental Law Association (VPELA)
- Member Australian Institute of Company Directors
- Committee Member – Property Council of Australia (VIC)

Areas of Expertise

I provide statutory and strategic planning advice, development facilitation, land use planning and policy formulation services to a range of government and private clients. I have particular experience in:

- Large residential developments across Melbourne’s growth areas including strategic planning frameworks, structure planning through to subdivision and development processes;
- Strategic planning and policy advice including Planning Scheme Amendments; and,
- Major commercial, industrial and mixed use developments.

Expertise to prepare this report

- Professional qualifications and more than 20 years professional experience in public and private sectors.

Instructions defining the scope of the report

- My instructions were to review the proposed Amendment C395 and more particularly Submission 13 to the Amendment and whether I supported the lands identification for inclusion in the Barwon Heads Settlement Boundary.

Relationship with the land owner

- I did not have any involvement in the preparation of the submission to the Amendment.
- I do not have any private or business relationship with the land owner, other than being engaged to review the Amendment and provide an expert opinion in the form of this report.

Facts matters and Assumptions upon which the report proceeds

- In preparing this report I have inspected the subject site and surrounding area including a site inspection from within the property on 18 October 2019.
- I have reviewed the Amendment documentation and associated material as set out in my Evidence.

Identity of persons undertaking the work

- This report was prepared by me with assistance from Nick Clements and Sophie Malakellis under my instruction and supervision.

Summary of opinions

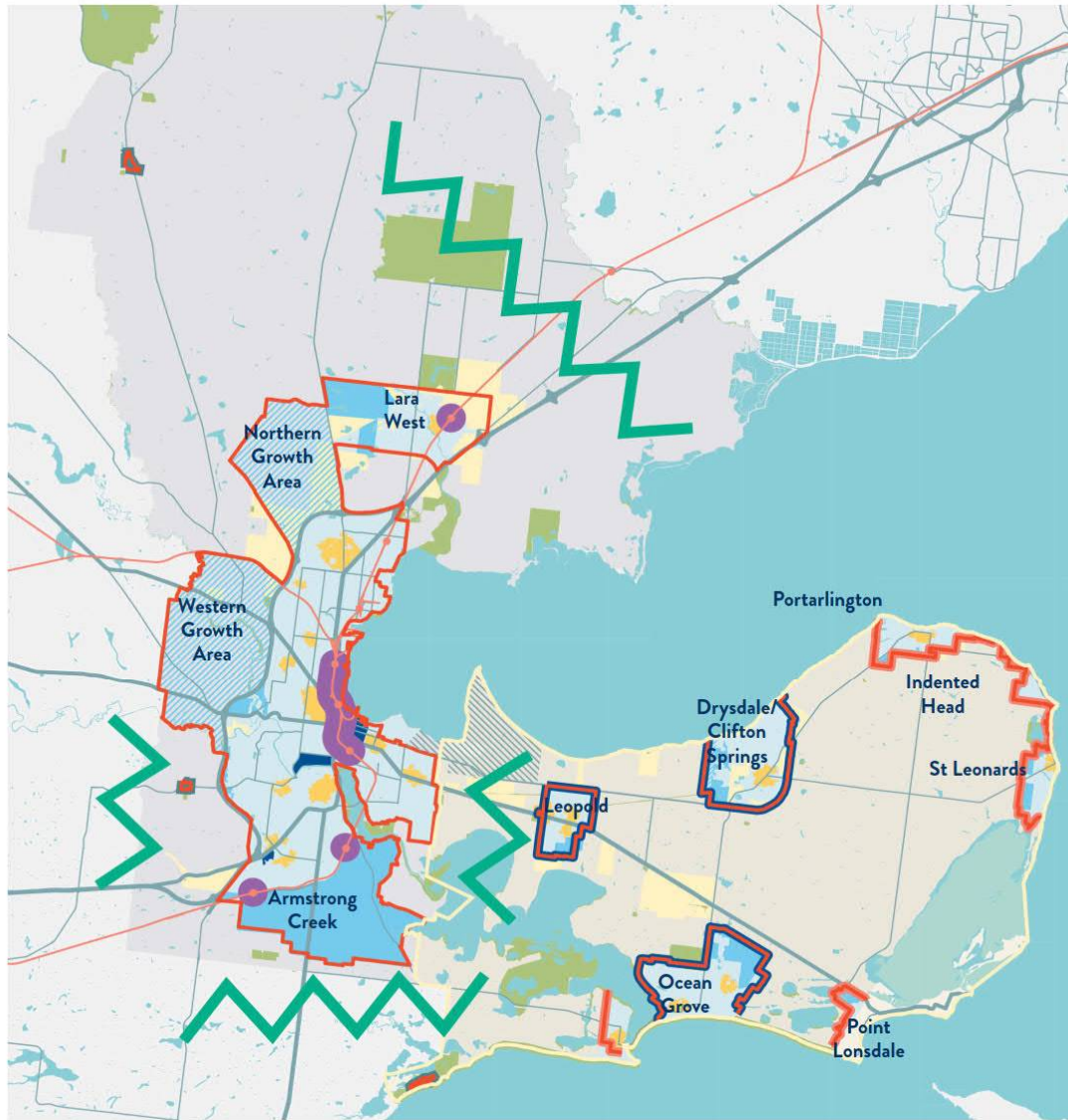
Having considered the key planning issues, the relevant planning provisions of the Greater Geelong Planning Scheme and visited the subject site and surrounds, I am of the opinion that:

- There are strong grounds to warrant further investigation regarding the expansion of the Barwon Heads Settlement Boundary;
- The Settlement Strategy and Barwon Heads Structure Plan do not have long-term regard for population growth or recognise the impacts of settlement preferences. I am concerned that this may prejudice the forthcoming DAL which should be predicated on a longer timeframe.
- Existing development (Thirteenth Beach Resort and multiple golf courses) beyond the proposed Settlement Boundary effectively extends the urban settlement of the town beyond the conventional subdivision. This, combined with 1920 Barwon Heads Road compromises the non-urban break and the boundary;
- The Settlement Boundary follows the Structure Plan which is largely unchanged for over 20 years which represents a political consideration rather than strategic merits review; and
- The Site presents an opportunity to improve amenity and sense of arrival to Barwon Heads through considered development.

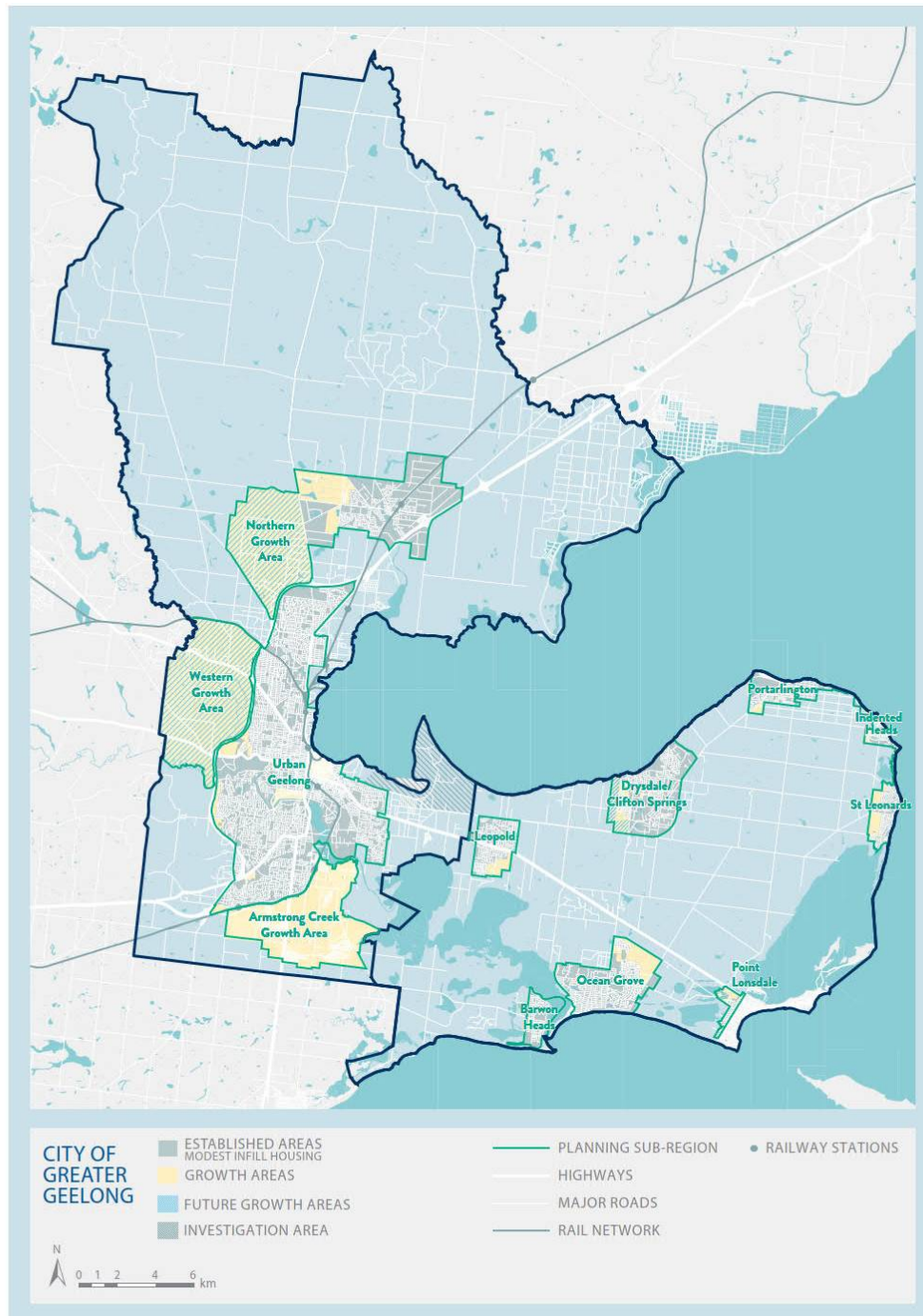
Declaration

- I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

Appendix B Greater Geelong Housing Framework Plan – 2036 – in Settlement Strategy

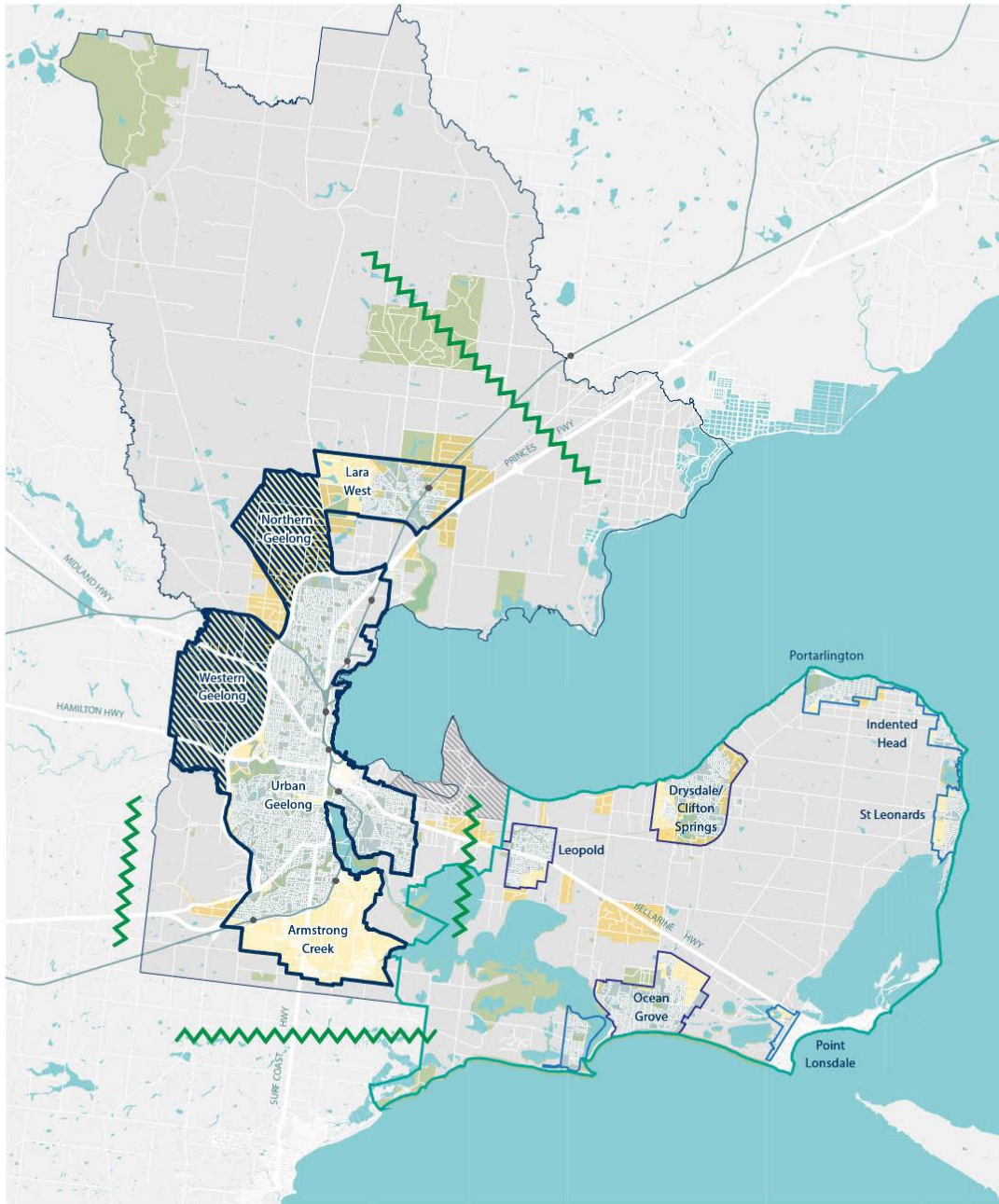


Appendix C Sub-regions and townships of the City of Greater Geelong – Settlement Strategy



Appendix D Settlement Strategy Plan – contained within *Framework Plan*

PLAN 01 SETTLEMENT STRATEGY NORTHERN AND WESTERN GEELONG GROWTH AREA



DRAWING KEY

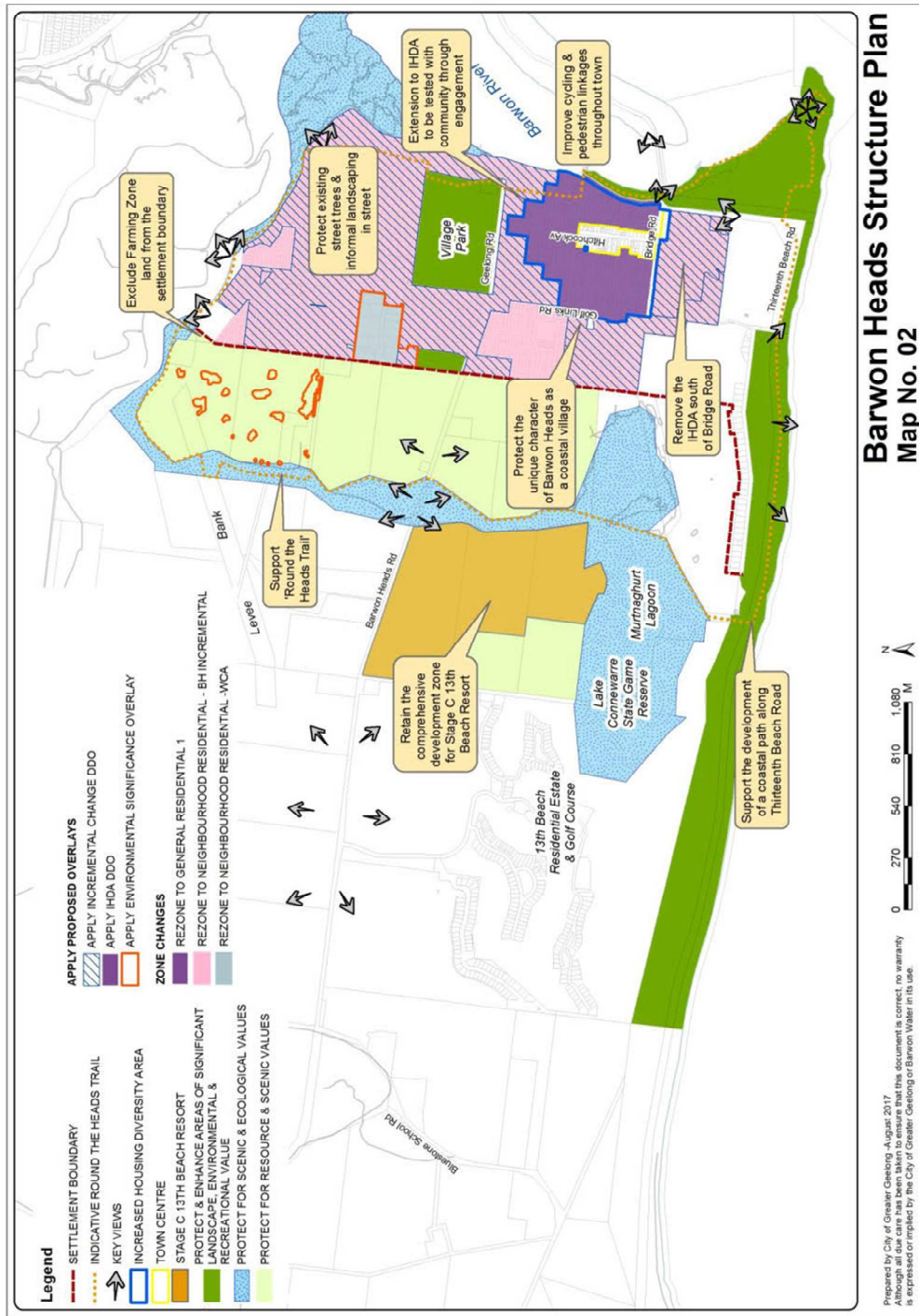
- GREATER GEELONG LGA LOCAL GOVERNMENT AREA
- ESTABLISHED URBAN AREAS HIGH AND MEDIUM DENSITY HOUSING / MAJOR REDEVELOPMENT - HIGH DENSITY HOUSING
- GROWTH AREAS
- FUTURE GROWTH AREAS

- INVESTIGATION AREA
- RURAL LIVING AREAS NO EXPANSION
- BOUNDARY INDICATIVE PERMANENT SETTLEMENT BOUNDARY
- DISTRICT TOWNS MODERATE HOUSING
- LIMITED HOUSING GROWTH WITHIN EXISTING SETTLEMENT BOUNDARIES

- STRENGTHEN LOCAL POLICY TO PRESERVE NON-URBAN BREAKS, RURAL LIVING FARMED LANDSCAPE AND GUIDE NEW DEVELOPMENT
- NON-URBAN BREAK
- RAIL NETWORK
- RAIL STATIONS

- HIGHWAYS
- MAJOR ROADS





Barwon Heads Structure Plan
Map No. 02

Appendix G Aerial Plan

