

# MINUTES

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## ORDINARY MEETING OF COUNCIL

TUESDAY, 24 MARCH 2020

7.00PM

COUNCIL CONFERENCE AND RECEPTION CENTRE  
CITY HALL  
LITTLE MALOP STREET, GEELONG

**COUNCIL:**

Cr S Asher (Bellarine Ward)

Mayor

Cr K Grzybek (Windermere Ward)

Deputy Mayor

Cr J Mason (Bellarine Ward)

Cr T Sullivan (Bellarine Ward)

Cr E Kontelj (Brownbill Ward)

Cr S Mansfield (Brownbill Ward)

Cr P Murrily (Brownbill Ward)

Cr B Harwood (Kardinia Ward)

Cr P Murnane (Kardinia Ward)

Cr R Nelson (Kardinia Ward)

Cr A Aitken (Windermere Ward)

## **2. AMENDMENT C401 – COMMUNITY CARE ACCOMMODATION, 120 RUSSELLS ROAD, MOUNT DUNEED – CONSIDERATION OF SUBMISSIONS**

**Source:** Planning, Design & Development – City Development  
**Director:** Gareth Smith  
**Portfolio:** Planning

### **Purpose**

1. To consider submissions received on Planning Scheme Amendment C401 and recommend all the submissions be referred to an Independent Planning Panel.

### **Background**

2. In March 2019, a Planning Permit application was lodged for a residential alcohol and drug rehabilitation facility and vegetation removal at 120 Russells Road, Mount Duneed. The application was subsequently withdrawn as the proposal falls within the land use term Community Care Accommodation, introduced into planning schemes by the State Government's Amendment VC 152 in October 2018 and prohibited in the Farming Zone.
3. In May 2019, St Quentin Consulting on behalf of Foundation 61 Inc. lodged a planning scheme amendment to allow a Community Care Accommodation facility and associated vegetation removal at 120 Russells Road. The amendment proposes a Specific Controls Overlay and an Incorporated Document.
4. At its meeting of 10 September 2019, Council resolved to support preparation and exhibition of Amendment C401.

### **Key Matters**

5. Amendment C401 was exhibited from 17 October to 25 November 2019. 38 submissions were received. 31 submissions object to, and four submissions support the amendment. Separately, a petition with 130 signatures regarding the proposal was presented to Council at its meeting of 10 December 2019.
6. Key issues raised in submissions include the appropriateness of the location for the facility, safety of users of Mount Duneed Recreation Reserve and local residents, impact on and relationship with the Reserve, facility management and future changes, vegetation removal, traffic, visual impact and impact on historic values.
7. Council officers have considered the submissions and recommend various changes to the Amendment to address issues raised in submissions and other minor matters identified.
8. It is recommended that all submissions be referred to an Independent Panel appointed by the Minister for Planning.

**Cr Harwood moved, Cr Murnane seconded -**

**9. That Council having considered all submissions summarised in Attachment 9 to this report to Amendment C401 to the Greater Geelong Planning Scheme resolves to:**

- 9.1 Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act, 1987;**
- 9.2 Refer all submissions summarised in Attachment 9 of this report to the Panel; and**
- 9.3 Submit to the Panel its response to the submissions generally as outlined in this report.**

**Carried.**

## **Attachment 1**

### ***Financial Implications***

1. There are no significant financial implications to Council.

### ***Community Engagement***

2. Exhibition and notice of the Amendment was conducted in accordance with the Planning and Environment Act 1987.
3. Panel hearing dates have been pre-set for this Amendment: Directions Hearing on Tuesday 21 April 2020 and Panel Hearing commencing Wednesday 20 May 2020. Planning Panels Victoria will notify all submitters of the Panel dates and provide the opportunity for submitters to be heard at the Panel Hearing.

### ***Social Equity Considerations***

4. The amendment addresses social equity by providing opportunities for vulnerable members of the community to seek treatment for drug and alcohol related issues.

### ***Policy/Legal/Statutory Implications***

5. The Amendment supports the following State Policies from the Planning Policy Framework:
  - 5.1 Clause 12.01-2S Native vegetation management;
  - 5.2 Clause 12.05-2S Landscapes;
  - 5.3 Clause 13.02-1S Bushfire planning;
  - 5.4 Clause 15.01-2S Building design;
  - 5.5 Clause 15.01-6S Design for rural areas;
  - 5.6 Clause 15.02-1S Energy and resource efficiency;
  - 5.7 Clause 15.03-1S Heritage conservation;
  - 5.8 Clause 15.03-2S Aboriginal cultural heritage; and
  - 5.9 Clause 16.01-6S Community care accommodation.
6. The Amendment supports the following policies from the Local Planning Policy Framework:
  - 6.1 Clause 22.05 Agriculture, Rural Dwellings and Subdivision; and
  - 6.2 Clause 22.64 Discretionary Uses in Rural Areas.

### ***Alignment to Council Plan***

7. The Amendment supports strategic priority of improved health and safety of our community in the *Council Plan 2018-2022*.

### ***Conflict of Interest***

8. No Council officers involved in the preparation of this report have a direct or indirect interest in the issue to which this report relates.

***Risk Assessment***

9. There are no notable risks associated with implementing the recommendations contained in this report. Issues raised in submissions regarding potential risks to nearby residents and to users of the adjacent Recreation Reserve are addressed in Attachment 2 of this report.

***Environmental Implications***

10. The proposal requires some native vegetation removal. It is recommended that the Incorporated Document include a requirement to provide appropriate offsets prior to vegetation removal. A revised site plan showing reduced car parking will allow retention of two Sheoaks previously identified for removal.

## Attachment 2

### **Background**

1. In March 2019, a Planning Permit application was lodged for a residential alcohol and drug rehabilitation facility and vegetation removal at 120 Russells Road, Mount Duneed.
2. The subject site is a vacant 8094 m<sup>2</sup> parcel of land within the Farming Zone, abutted by the Mount Duneed Recreational Reserve to the east, west and south. An Environmental Significant Overlay – Schedule 1 applies to most of the site, along with land to the south and east within the Recreational Reserve. A Vegetation Protection Overlay – Schedule 1 applies to Russells Road.
3. The subject site is owned by the Uniting Church in Australia Property Trust (Victoria). The site was formerly occupied by the Mount Duneed Wesleyan Methodist Church, constructed in 1857 destroyed by fire in 1944. Limited remains of this building are situated in the north-west part of the site.
4. The planning permit application was subsequently withdrawn as the proposal falls within the land use term Community Care Accommodation, introduced into planning schemes by the State Government's Amendment VC 152 in October 2018. Community Care Accommodation is prohibited in the Farming Zone.
5. In May 2019, St Quentin Consulting on behalf of Foundation 61 Inc. lodged a planning scheme amendment to allow a Community Care Accommodation facility and associated vegetation removal at 120 Russells Road.
6. The amendment proposes a Specific Controls Overlay and an Incorporated Document. The Incorporated Document allows use and development of Community Care Accommodation in accordance with plans in the document, which may be altered with the written consent of the Responsible Authority (Council), and controls set out in the document. The Incorporated Document acts similarly to a planning permit.
7. The facility is proposed to be run by Foundation 61 (a not for profit organisation) as a women's alcohol and drug rehabilitation facility. The same organisation separately operates a men's rehabilitation facility in Williams Road, Mount Duneed, further south within the Surf Coast Shire.
8. The plans in the Incorporated Document are for a single storey main building located towards the southern boundary of the site, containing several bedrooms, offices, main lounge areas, a courtyard and a gym, arts and craft room and a meeting/classroom. A 6 x 8 m shed is also proposed. The plans delineate an on-site effluent disposal area. The proposed development avoids the site extent of the former church in the north-west of the site. A driveway is proposed from Russells Road; no access to the site is proposed from the Recreation Reserve. **(Exhibited site plan and elevations are in the exhibited Incorporated Document at Attachment 6)**
9. Controls in the Incorporated Document include:
  - 9.1 a maximum of eight adult residents and five staff on the site at any one time;
  - 9.2 the requirement for a facility management plan, addressing matters such as protocols for arrival and departure of residents, staff and visitors, ensuring on-site supervision and support of residents at all times, incident management, maintenance and upkeep; and
  - 9.3 visiting hours limited to 1:00 to 6:00 p.m. on weekends.

The Incorporated Document does not limit residents to women only.

10. At its meeting of 10 September 2019, Council resolved to support preparation and exhibition of Amendment C401.

***Exhibition and submissions***

11. Amendment C401 was exhibited from 17 October to 25 November 2019. 38 submissions were received. Of these submissions:
  - 11.1 31 object to the amendment;
  - 11.2 one requests changes to the amendment;
  - 11.3 four support the amendment; and
  - 11.4 two express no objection.
12. The Department of Environment, Land, Water and Planning (DELWP) submission, among other matters, requests that the Incorporated Document be modified to specify the location and extent of native vegetation to be removed and include a requirement that appropriately specified offsets are provided prior to vegetation being removed. This submission is discussed under the heading Vegetation removal below.
13. A summary of all submissions in table format can be found at **Attachment 9**.
14. The following section of this Attachment provides a theme-based summary of issues raised in submissions and an officer response.
15. A response to issues not fitting within the themes below can be found in **Attachment 9**.
16. A petition with 130 signatures regarding the proposed facility was presented to Council at its meeting of 10 December 2019. 16 of those signing the petition also lodged objecting submissions. The petition read as follows:

*This type of facility is prohibited under the Planning Scheme. This is not a suitable location as any future development for community use and the open and scenic values of Mount Duneed Reserve will be affected and important indigenous vegetation will be destroyed. It could attract an undesirable element inhibiting the enjoyment of the Reserve by the general public.*

*We request that the City of Greater Geelong abandon Planning Scheme Amendment C401 and investigate incorporating 120 Russells Road into the Reserve, protecting the natural and scenic values so that the open space will be retained and can continue to be enjoyed by the public in future years.*

***Submission Themes and Council Officer Response***

Appropriateness of location

17. Nearly all objecting submissions contend that the subject site is an inappropriate location for the proposed facility.
18. Reasons cited for the location being inappropriate include:
  - 18.1 the facility is too close to the adjacent Mount Duneed Recreation Reserve and its various uses including pony club, adult horse riding and cricket;
  - 18.2 the facility should not be located in the Farming Zone;
  - 18.3 the site is too remote from public transport, medical facilities, emergency services and schools;
  - 18.4 the site is too close to the Mount Duneed Primary School;

- 18.5 the facility does not need to be in a rural area;
- 18.6 the facility should be located in an urban area;
- 18.7 the facility is too close to a residential area;
- 18.8 the facility should be in a less dense, less family-oriented area;
- 18.9 proximity to a gun club may cause problems;
- 18.10 inconsistency with the character and semi-rural nature of the area.

*Officer response*

19. State planning policy recognises the need for and seeks to facilitate community care accommodation. An objective of Clause 16.01-6S is:

*To facilitate the establishment of community care accommodation and support their location being kept confidential.*

20. Victoria Planning Provisions applying throughout the state generally encourage community care accommodation. The use of Community care accommodation and the development of buildings and works for this use is, subject to certain conditions, exempt from requiring a planning permit in a wide range of residential and rural residential zones. These include the Residential Growth, General Residential, Neighbourhood Residential, Low Density Residential, Township and Rural Living Zones.

21. The wide range of zones in which the use is conditionally exempt from requiring a planning permit reflects a confidence that the use is compatible with adjacent and nearby residential, educational, recreational and other community uses that occur in or adjacent to those zones.

22. Notwithstanding this, Amendment VC 152, which introduced the land use term Community care accommodation into planning schemes in October 2018, did not provide for the use in the Farming Zone. Community Care Accommodation is prohibited in the Farming Zone as it falls within the broader land use term Accommodation under Clause 73.04-1. The appropriateness of the use on the subject site thus still needs to be demonstrated to warrant applying the Specific Controls Overlay to land within the Farming Zone.

23. Although largely decided under earlier planning controls, several VCAT decisions on similar facilities have established support for drug and alcohol rehabilitation facilities in semi-rural areas:

23.1 *Myers Planning Group Pty Ltd v Warrnambool CC [2019] VCAT 1153* – land in the Farming Zone;

23.2 *Australian Community Support Organisation Ltd v Moira SC (No.2) [2017] VCAT 1133* – land in the Farming Zone; and

23.3 *Odyssey House Victoria v Benalla Rural CC & Ors [2003] VCAT 15* – land in the (then) Rural Zone.

24. It has been recognised that a semi-rural location may be of benefit to residents of a community care accommodation facility as compared to a location within an urban area. In *Odyssey House Victoria v Benalla Rural CC & Ors [2003] VCAT 15*, for example, in its decision on a proposed drug and alcohol residential rehabilitation facility located near Benalla, VCAT noted that:

*A facility such as this needs to exude a degree of detachment and would not be suited to a downtown location in either Melbourne or Benalla.*

*It seems to us therefore that a location 12 minutes' drive from town and in a not entirely isolated but yet pleasant rural setting such as Moylullah is entirely appropriate.*

25. The proposal does not result in the loss or fragmentation of agricultural land. The subject site is an historic 8094 m<sup>2</sup> parcel of land. Other than grazing, it has not been used for agricultural purposes and it is not located directly adjacent any other land in the Farming Zone with which it could be jointly used for agriculture. It is not considered that the use is likely to adversely impact on farming operations on land in the Farming Zone to the north of Russells Road.
26. Issues raised regarding visual impact, safety and the relationship with and impacts on the adjacent Recreation Reserve are considered separately below. However, the site's location, in the Farming Zone but in relatively close proximity to urban Geelong, is considered appropriate for the use of community care accommodation.

#### Safety of Reserve users and local residents

27. 27 of the 31 objecting submissions expressed concern for the safety of local residents and/or users of the Mount Duneed Recreation Reserve due to the nature of the proposed use, the residents and their visitors. It is clear from submissions that these fears are sincerely and strongly held.
28. Submission express concern for the safety of Reserve users, emphasising the numbers of children and women who use the Reserve and contending that their safety cannot be guaranteed. Some submitters indicate that should the proposed facility be developed on the site, they will no longer feel safe for them or their children to use the Reserve.
29. Submissions express concern that residents of the facility will access the adjacent Reserve and that children may be exposed to drug affected behaviour. Concern is also expressed regarding visitors to the site, including hostile partners who may try to gain access to the facility. Several submissions contend that the facility will attract unsavoury people to the area and the Reserve and that this will result in antisocial behaviour. Submitters raise the potential for abusive or violent interactions between visitors and Reserve users. One submitter contends that the facility will generate visitors and onlookers to pony club events who have not completed a Working with Children check. Another submitter notes that drug dealing activities already take place at the Reserve.
30. Concern is also expressed regarding property crime and vandalism. Reserve users note previous vandalism problems at the Reserve and that valuable equipment is stored at the Reserve. Risks to the safety of horses, cars and valuables are cited.
31. The relative seclusion of the area is cited as a security concern. It is contended that police or ambulance services will not be able to respond quickly to any incident at or near the facility.
32. To the contrary, one supporting submission notes that the men's facility run by the same organisation proposing the facility on the subject site is well run and secluded, and contends that there is minimal risk to the community from the proposed facility.

#### *Officer response*

33. The wide range of residential and rural residential zones throughout Victoria in which use and development of Community care accommodation conditionally requires no planning permit should give some comfort and reassurance that the use is considered compatible with adjacent and nearby residential, educational, recreational and other community uses.

34. Surf Coast Shire's Statutory Planning and Investigations teams advise that they are not aware of any complaints regarding the operation of the men's facility in Williams Road, Mount Duneed, operated by the same organisation proposing the facility on the subject site.
35. The proposed use of the land will be separate from the Recreational Reserve and the activities associated on the subject site will be contained within the subject site itself. The applicant advises that the facility will have permanent 24-hour supervision and staff presence.
36. With respect to the resident patients that the facility will cater for, the applicant has advised as follows:
- Foundation 61 patients are voluntary only, meaning people are not directed by Courts to do mandatory time at a Foundation 61 facility. They are referred to Foundation 61 by a number of ways, including General Practitioners, churches and other community volunteer groups.*
- 36.1 *Patients must be physically capable to look after themselves relatively independently and the facility will not cater for physical, psychiatric or intellectual disabilities; and*
- 36.2 *Although some women may have had previous traumatic relationships with men, the facility will not cater for women who are currently in a violent or abusive relationship. The women who attend the facility, as with Foundation 61's men's facility, will have the support of their family to attend Foundation 61.*
37. Controls proposed in the exhibited Incorporated Document also go some way to address security concerns:
- 37.1 a maximum of eight adult residents and five staff on the site at any one time;
- 37.2 the requirement for a facility management plan, addressing matters such as protocols for arrival and departure of residents, staff and visitors, ensuring on-site supervision and support of residents at all times, incident management, maintenance and upkeep; and
- 37.3 visiting hours limited to 1:00 to 6:00 p.m. on weekends.
38. It is in the interests of all parties, the facility's operator, residents and visitors, nearby residents and Reserve users that management of the facility minimises the risk of any adverse outcomes. Including some further requirements for the Facility Management Plan in the Incorporated Document will further ensure that matters of potential concern are adequately addressed. The following additional requirements are based partly on planning permit conditions applied by VCAT in its decision on *Myers Planning Group Pty Ltd v Warrnambool CC [2019] VCAT 1153* to address similar concerns:
- 38.1 an Emergency Management Plan detailing how the proponent will prepare for and respond to emergency situations including, among other matters, a protocol with the CFA, Victoria Police and Ambulance Victoria;
- 38.2 a risk management plan which:
- 38.2.1 identifies the safety and security risks involved in operation of the facility;
- 38.2.2 assesses the severity and degree of likelihood of any relevant incident or event occurring; and
- 38.2.3 sets out the measures that the facility operator will take to address and, in so far as possible, minimise each identified risk;

- 38.2.4 provision for dealing with clients who indicate a wish to leave the facility before the end of their scheduled program, including measures to ensure their departure from the facility is planned;
- 38.2.5 resident rules that prohibit access to any private properties adjoining Russells Road; and
- 38.2.6 keep a written logbook of all attendees (including residential clients and visitors) to the facility, with the logbook to include details consisting of the names of people, dates and times of attendance and departure to and from the centre; the logbook must be made available for inspection by the Responsible Authority at any time upon request.

Impact on/relationship to Reserve

- 39. Some submissions express concerns with the potential impact of the proposal on the current use of the Mount Duneed Recreation Reserve. Four submissions raise the potential for conflict between residential use of the subject land and equestrian use of the Reserve, in particular noise from equestrian competitions which can involve early starts and overnight camping. The risk of horses to facility residents who access the Reserve is also cited.
- 40. Several submissions contend that the site is effectively, and has been perceived to be, part of the adjacent Mount Duneed Recreation Reserve. One states that the subject site is an intrinsic part of the Reserve in all but Title. Other submissions refer to the proposal as being located within the Reserve or intruding into the Reserve.
- 41. Some submissions raise the history of the subject site in support of the site being considered part of the Reserve. It is argued that the public have not been excluded from the site and that it has long been maintained by Council. One submission argued that "squatters' rights" should apply. Submissions call for the land to be acquired by Council, absorbed into the Recreation Reserve or set aside as a Conservation Reserve. Separately, the petition presented to Council in December 2019 calls for Council to investigate incorporating the site into the Reserve.
- 42. Several submissions refer to revegetation works, carried out by local residents/volunteers, that include the subject site. The submissions also object to removal of trees in this revegetation area.

*Officer response*

- 43. Recreational uses of the Reserve will continue to be subject to noise controls currently applying in the area. The proponent intends that resident patients will not access the Reserve.
- 44. Notwithstanding any maintenance by Council or public access over time, the subject site is owned by the Uniting Church in Australia Property Trust (Victoria). The applicant has advised that Foundation 61 is negotiating its purchase.
- 45. A revegetation area planted for conservation purposes in 2003 is located partly within the subject site and partly within the Reserve. The loss of some of this vegetation is unfortunate, particularly given volunteer involvement in its planting. However, Council's Recreation & Open Space unit has advised that if the development is approved it will permit the removal of this vegetation, to the minimum extent required to facilitate the proposed development. The City has undertaken to conduct revegetation works in the Reserve adjoining the development site to offset this loss of vegetation.

Land swap suggestion

46. One submission requests that Council examine feasibility of a land swap within the general area to allow development to proceed while protecting the native grassland patch on the subject site.
47. Council's Environmental Planning unit suggested investigation of a land swap for an equivalent parcel in the north-western corner of the Mount Duneed Recreation Reserve. This suggestion was put to the applicant.

*Officer response*

48. The applicant has advised that in its view the land swap is not a realistic option and that, on balance, Foundation 61 wishes to proceed with the amendment to facilitate its proposal on the subject site (120 Russells Road).
49. In support of this view the applicant advises:
  - 49.1 *The position of the subject site, which is not contiguous with any other Farming Zone land, has made the use possible;*
  - 49.2 *Foundation 61's grants are time sensitive and it would appear that the current site and process will be the most effective option;*
  - 49.3 *Foundation 61 has been negotiating purchase of this land for several years and government grants that have been approved have all referenced this site. To change sites at this stage would almost certainly result in loss of government funding;*
  - 49.4 *Although there is some vegetation removal proposed, we intend to modify this slightly so that additional vegetation can be retained; and*
  - 49.5 *The suggested revised site would not be a panacea to all objections as it would still be adjacent to the Recreation Reserve and the pony club and also closer to a residential property than currently proposed.*
50. On the basis of the applicant's response, there is no need to further investigate the possibility of a land swap.

Facility management and future changes

51. Some submissions questioned the proponent's management capability. Submissions contend that:
  - 51.1 the proponent does not have the capacity to strictly enforce rules;
  - 51.2 drug and alcohol rehabilitation facilities need to be run, managed or backed by large organisations with a history of continuity, whereas the proponent is not backed by a large organisation that can continue to provide the services contemplated;
  - 51.3 the men's facility in Surf Coast Shire operated by the proponent is not strictly controlled;
  - 51.4 a submitter who is a neighbour of the men's facility has interacted with the facility's residents; and
  - 51.5 residents of the men's facility are often outside unsupervised and at times there is no staff member present to speak.

52. The future of the facility is raised in several submissions. Succession plans for the facility are questioned. Submissions express concern at the potential for expansion and/or significant changes under a different operator in the future. Another submission expresses concern that the facility could close within a year.

*Officer response*

53. Assertions made regarding the proponent's management capability or the operation of the men's facility run by the proponent in Mount Duneed in Surf Coast Shire have not been assessed. Surf Coast Shire's Statutory Planning and Investigations teams advise that they are not aware of any complaints regarding the operation of the men's facility in Williams Road, Mount Duneed, operated by the same organisation proposing the facility on the subject site.
54. The amendment has been requested on behalf of a specific proponent. The Incorporated Document allows development in accordance with specific site plans and subject to a range of specific controls. However, the Incorporated Document is not specific to the proponent and would remain applicable under the Scheme (in Schedule to Clause 45.12) regardless of the ownership or management of the site and facility.
55. If and when the current amendment is gazetted, any subsequent alteration to the Incorporated Document would require a separate planning scheme amendment. The vegetation and heritage constraints on the site, among other matters, would mitigate against significant physical expansion of the facility.
56. With respect to the future of the site should Foundation 61 cease operation, the applicant has advised:

*Whilst, Foundation 61 considers it has a long-term future as an organisation providing services to those in need, questions have been asked about the future of the site and the facility if Foundation 61 should cease operating the facility for any reason.*

*Ultimately there is an acknowledged need for facilities of this type within our communities; whilst the services and spaces they provide to those in need are limited, there will always be demand for facilities of this nature.*

*Foundation 61 is a Registered Charity with Public Benevolent Institution status. As such if the organisation was for any reason wound up then the assets of the organisation would be required by law to be transferred to another charity with a similar mission for the continuation of the objectives of the organisation.*

Vegetation removal

57. 14 of 31 objecting submitters, including the Geelong Environment Council and the Geelong Field Naturalists Club, expressed concern about the removal of vegetation proposed by the Amendment. DELWP requested changes to the Incorporated Document and indicated that as the Amendment has the effect of removing the permit requirement to remove native vegetation, this component should be assessed as part of the Amendment process.
58. Concerns raised in objecting submissions include:
- 58.1 the loss of trees, including two Sheoaks, a *Bursaria* and introduced *Pinus Radiata*;
  - 58.2 the loss of grassy woodland vegetation patches;
  - 58.3 regional significance of grassy woodland patches on the site;

- 58.4 removal of grasslands from the site would diminish the integrity of the larger grassland patch on adjacent land to the east;
  - 58.5 values of particular flora species on the site, including Chocolate Lilies, Milkmaids, Prickfoot, Slender Speedwell, Milky Beauty-heads, Yellow Rush Lilies and Sundews;
  - 58.6 five wildflower species have been identified on the site that were not recorded in an ecological assessment prepared for the amendment;
  - 58.7 the “avoid, minimise or offset” principle in Clause 52.17 of the Scheme should be applied to protect the vegetation on the site;
  - 58.8 loss of *Pinus Radiata* that are a food source for Yellow-tailed Black Cockatoos;
  - 58.9 loss of fauna habitat for a wide range of other birds and other species;
  - 58.10 removal of roadside vegetation; and
  - 58.11 removal of vegetation previously planted on the site by volunteers.
59. The DELWP submission includes the following points:
- 59.1 The Incorporated Document speaks only generally about vegetation that may be removed and fails to include an offset requirement;
  - 59.2 The Incorporated Document should be modified to be specific about the location and extent of native vegetation to be removed and include a requirement that appropriately specified offsets are provided prior to vegetation being removed;
  - 59.3 As the Amendment has the effect of removing the permit requirement to remove native vegetation associated with the development, this component should be assessed as part of the Amendment process;
  - 59.4 The ecological assessment and native vegetation removal application reports by Okologie Consulting appear to have been prepared without understanding structure of the amendment and refer to need for planning permits;
  - 59.5 The proposal must consider whether the proposal has been sited or designed to avoid and minimise impacts on native vegetation, and whether feasible opportunities exist to further avoid and minimise such impacts. Revised locations for the access, shed and effluent disposal area should be considered before the Incorporated Document is approved;
  - 59.6 Feasible alternative designs or siting are likely to be possible with reduced or no impacts to the patches of native vegetation; and
  - 59.7 The Okologie Consulting reports do not address decision guidelines for Environmental Significance Overlay Schedule 1.

*Officer response*

- 60. The subject site is constrained by the remains and heritage values of the former church. The site is listed in the Victorian Heritage Inventory H7721-0534 (Mount Duneed Wesleyan Methodist Church Site). Historic features covered in the Heritage Inventory include not only the remains of the church but also historic cattle yard and ramp and modified basalt outcropping.
- 61. Siting and design of the proposal has avoided the extent of these heritage values. Given these constraints it is considered that the proposed layout has adequately addressed the principle of avoiding and minimising impact on native vegetation.

62. The applicant has submitted revised site plans (**Attachment 7**) that show a reduced car parking area that will allow retention of two Sheoaks that had been identified for removal on the exhibited site plans. This revision is appropriate and the revised site plans should be included in the Incorporated Document.
63. The DELWP request to modify the Incorporated Document to specify the location and extent of native vegetation to be removed and include a requirement to provide appropriate offsets prior to vegetation removal is supported.
64. The applicant has commissioned a revision of the native vegetation removal report and will provide this to Council and to DELWP when completed. This will be considered by Council officers and by DELWP prior to a Panel hearing on the amendment. It is understood that the revised report will address the points in the DELWP submission outlined above.
65. Removal of trees and shrubs in the revegetation area is addressed under the heading Impact on/relationship to Reserve above. Classified as planted vegetation, these would not currently require a permit to remove.

#### Traffic

66. Several objecting submissions express concerns with traffic generated by the proposed facility. Submitters contend increased traffic will endanger pedestrians, horses and riders using Russells Road. Concern is expressed regarding maintenance implications of additional traffic on an unsealed road, and at the facility's location near the main entrance to the Mount Duneed Recreation Reserve from Russells Road.

#### *Officer response*

67. Russells Road is a 1.3 km long unsealed no-through road, providing access to five rural properties and to the Mount Duneed Recreation Reserve. The amount of additional traffic anticipated to be generated by the development is acceptable on an unsealed road. There should be no traffic conflict with vehicles using the Reserve as the facility will have a separate access from Russells Road to the east of the access into the Reserve and no vehicular access will be allowed from the Reserve.

#### Visual impact

68. Eleven submissions raise concerns with adverse visual impact of the facility or contend it will detrimentally affect the amenity of the area and Reserve. Submissions contend the facility will represent an urban site in a rural landscape and that it will be inconsistent with the landscape values of the area and Reserve. One submission cited the visual impact on the entrance to the Reserve.

#### *Officer response*

69. The visual impact of the proposed building as shown on exhibited site plans and elevations is considered acceptable. The single storey building's size and height will not adversely intrude on the rural landscape. The setback of the building and roadside vegetation along Russells Road will minimise its visual impact from the road.
70. A revised landscape plan has been submitted by the applicant (**Attachment 8**) that provides for perimeter landscape planting (shrubs) that will soften the view of the building from the Reserve along the southern and western boundaries of the site. The revised plan also shows visually permeable fencing. The revised landscape plan should be included in the Incorporated Document.

Impact on historic values

71. Two submissions suggest that the history of the site, including church ruins, will be destroyed. Three submissions raise the possibility of burials on the site.

*Officer response*

72. The siting of proposed development avoids the extent of identified heritage values – the church remains and other historic features. The Incorporated Document specifies that any works located within the Heritage Inventory area of the site will need a permit from Heritage Victoria.
73. Council is unaware of any evidence of burials on the site. The Cultural Heritage Management Plan prepared for the site outlines procedures to be followed in the event that any human remains were found.

Supporting submissions

74. Four submissions support the Amendment. Supporting submitters contend that:
- the facility will meet a local need and benefit the community;
  - the facility would complement the effective men's facility operated by the proponent; and
  - the site is well located for the facility, being in a relatively remote rural area yet accessible for staff, clients and families.

*Officer response*

75. An analysis of demand prepared for the proponent notes that there is significant unmet demand for residential rehabilitation services generally in Victoria and specifically in the Barwon region. It concludes that there is a particular demand for specialised beds for women only in a semi-rural setting, which maximises the opportunity for recovery and rehabilitation.
76. The proposal will provide social and health benefits to vulnerable members of the community.

**Authorisation requirement**

77. DELWP, under delegation from the Minister for Planning, authorised the preparation of the amendment subject to this condition:

*77.1 As the land may have been used for agricultural activities in the past, the council should satisfy itself that the land is not contaminated and is suitable for the proposed use.*

78. The land use history of the subject site is addressed in the Cultural Heritage Management Plan prepared for the amendment as well as in a report on the Victorian Heritage Database. These conclude that, after the destruction of the church by bushfire in 1944, the site appears to have been used for stock grazing, with a cattle yard and ramp present in the western part of the site. The proposed facility will be located on a part of the site outside the area of these historic features. Council is unaware of any evidence of any other agricultural activities on the site.
79. Given this land use history and the siting of proposed development, it is considered likely that the land is not contaminated and is suitable for the proposed use.

80. Notwithstanding the above, Clause 5.6.1 (Environmental Audit) of the Incorporated Document specifies a requirement for a Site Investigation Assessment to be submitted to Council prior to the commencement of works, unless otherwise approved in writing by the Responsible Authority. This Assessment is to provide clear advice on whether the environmental condition of the land is suitable for the proposed use and whether an environmental audit is recommended.

***Identified changes to Amendment***

81. Changes to the Amendment arising from the above themes are as follows:
- 81.1 additional requirements in the Incorporated Document for the facility management plan as outlined above in the officer response under the heading Safety of Reserve users and local residents (paragraph 38);
  - 81.2 replace the site plan in the exhibited Incorporated Document with the revised site plan (**Attachment 7**);
  - 81.3 include a revised landscape plan (**Attachment 8**) in the Incorporated Document and remove the requirement for a landscape plan accordingly; and
  - 81.4 modify the Incorporated Document to specify the location and extent of native vegetation to be removed and include a requirement to provide appropriate offsets prior to vegetation removal.
82. Other changes to the Amendment have been identified:
- 82.1 update the Special Controls Overlay number from SCO3 to SCO8 as other SCOs have recently been included in the Scheme;
  - 82.2 rewrite points in the Incorporated Document that refer to a permit – the Incorporated Document acts similarly to, and removes the need for a planning permit;
  - 82.3 rewrite Clause 5.6.1 of the Incorporated Document to list requirements in dot point format;
  - 82.4 use the Special Controls Overlay map (**Attachment 5**) rather than the zone map at **Attachment 1** of the Incorporated Document; and
  - 82.5 modify the Explanatory Report's section on Clause 13.02-1 to refer to BAL 19 rather than BAL 12.5.

**Attachment 3**

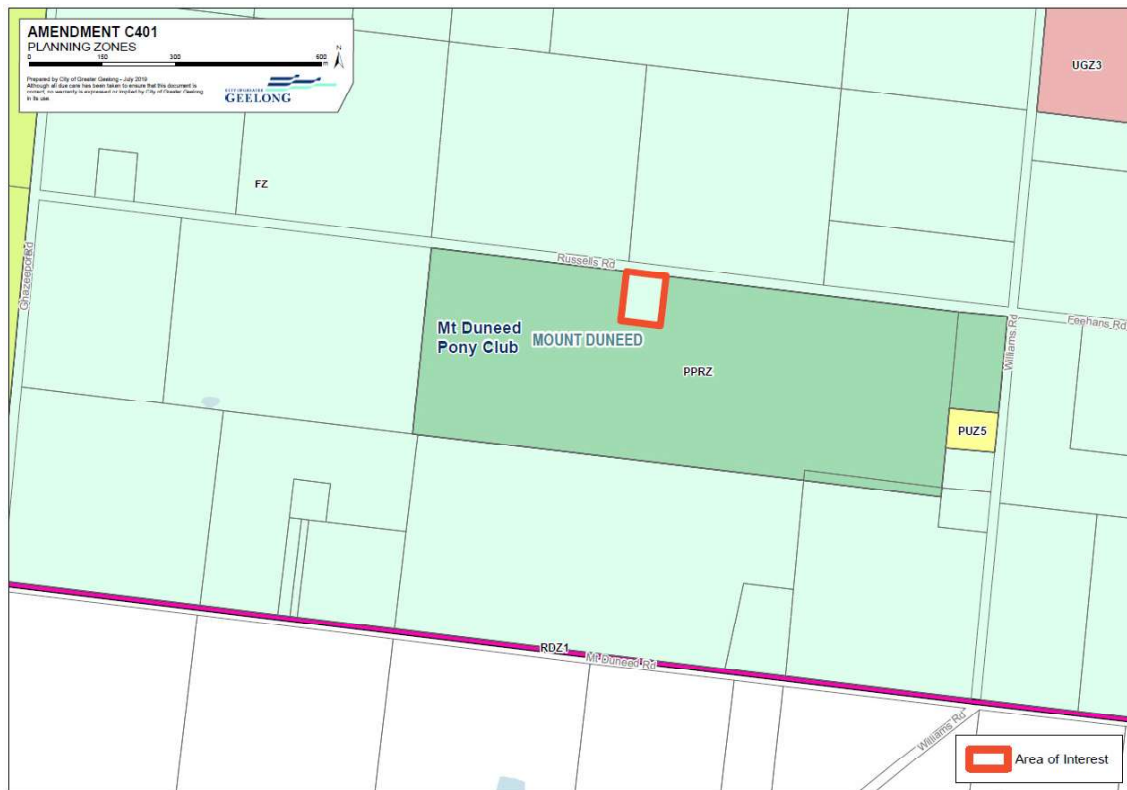
**Aerial image**



- 120 Russells Road, Mount Duneed outlined in red; and
- Mount Duneed Recreation Reserve outlined in blue.

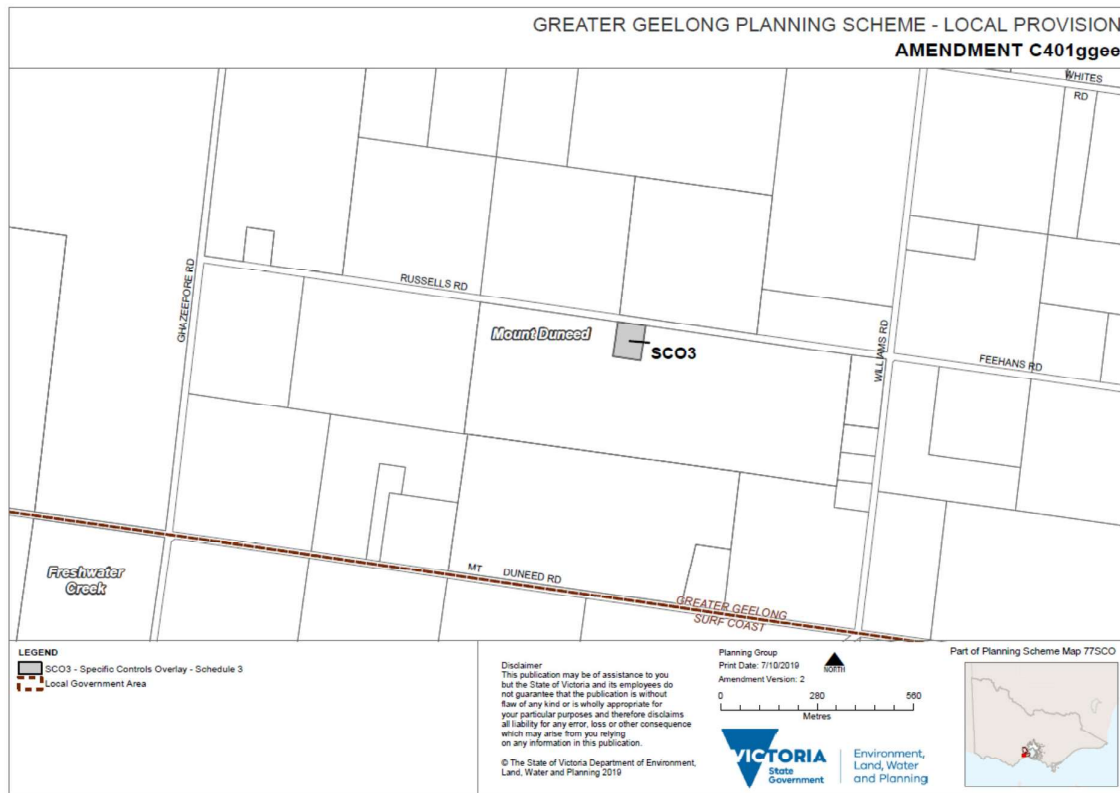
**Attachment 4**

**Zoning and overlays maps**



**Attachment 5**

**Amendment C401 – exhibited Special Controls Overlay map**



**Attachment 6**

**Exhibited Incorporated Document**

**GREATER GEELONG PLANNING SCHEME  
Community Care Accommodation Facility, 120 Russells Road,  
Mount Duneed**

**Incorporated Document**

**August 2019**

GREATER GEELONG PLANNING SCHEME

**1. INTRODUCTION:**

- 1.1. This document is an incorporated document in the Greater Geelong Planning Scheme (planning scheme) and is made pursuant to section (6)(2)(j) of the Planning and Environment Act 1987.
- 1.2. The land identified in Clause 3 of this document may be used and developed in accordance with the specific controls listed in Clause 4 of this document.
- 1.3. The control in this document prevails over any contrary or inconsistent provision in the planning scheme.

**2. PURPOSE:**

- 2.1 The purpose of the control in Clause 4 is to facilitate the use and development and the removal of vegetation on the land described in Clause 3 for a Community Care Accommodation Facility (Residential Drug and Alcohol Facility).
- 2.2 The project includes but is not limited to:
  - provide for the use and development and the removal of vegetation for the purposes of a Community Care Accommodation Facility (Residential Drug and Alcohol Facility) generally in accordance with the plans within Attachment 2.
  - provide for the use and development of a Community Care Accommodation Facility (Residential Drug and Alcohol Facility) on a parcel of land within the Farming Zone which currently prohibits Community Care Accommodation.

**3. LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES**

- 3.1 The control in this document applies to the land as shown on Map 77 Specific Controls Overlay (SCO3) forming part of the Greater Geelong Planning Scheme. The address of the land is 120 Russells Road Mount Duneed, Crown Allotment L2 Section 21 Parish of Duneed (referred to hereafter as 'the land') as shown in Attachment 1.

**4. CONTROL**

**Exemption from planning scheme requirements**

- 4.1 This document is an incorporated document in the Schedule to Clause 45.12 Specific Controls Overlay and the Schedule to Clause 72.04 of the Greater Geelong Planning Scheme (the Scheme).
- 4.2 Despite any provision to the contrary in the Scheme, pursuant to Clause 45.12 of the Scheme the land identified in this incorporated document may be used and developed for Community Care Accommodation in accordance with the specific controls contained in this document.

GREATER GEELONG PLANNING SCHEME

**Conditions**

4.3 The use and development permitted by this document must be undertaken in accordance with the following conditions:

**4.4 Endorsed Plans**

4.4.1 The use and development must be undertaken in accordance with the plans in Attachment 2 which may be altered with the written consent of the Responsible Authority.

**4.5 Facility Management Plan**

4.5.1 Prior to commencement of the use hereby approved, a Facility Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must not be modified without the written consent of the Responsible Authority. The plan must provide details of, but is not limited to:

- a) Protocols to ensure the orderly arrival and departure of residents, staff and visitors;
- b) Contact details of a Facility Manager responsible for ensuring that the use does not have a detrimental impact on the amenity of the area;
- c) Staffing arrangements that ensures on-site supervision and support of residents at all times;
- d) Protocols for dealing with any incidents associated with the use that may have a detrimental impact on the amenity of the area;
- e) A requirement that the Facility Manager must take immediate ameliorative action in response to any incident associated with the use that may have a detrimental impact on the amenity of the area;
- f) Establish and maintain a complaints register to record details of any and all complaints received by the Facility Manager from neighbours, and the action taken by the Facility Manager to address the complaint;
- g) Maintenance of the grounds and upkeep of the buildings;

all to the satisfaction of the Responsible Authority.

4.5.2 The facility operator must ensure that the use hereby approved does not cause detriment to the amenity of the area and must ensure that the premises is operated in accordance with the approved Facility Management Plan, to the satisfaction of the Responsible Authority.

**4.6 Maximum Resident Capacity**

4.6.1 Unless otherwise approved in writing by the Responsible Authority, not more than eight (8) adult residents may occupy the premises at any one time, to the satisfaction of the Responsible Authority.

**4.7 Maximum staff**

4.7.1 Unless otherwise approved in writing by the Responsible Authority, not more than 5 staff may be present on the premises at any one time, to the satisfaction of the Responsible Authority.

#### **4.8 Visiting Hours**

4.8.1 Unless otherwise approved in writing by the Responsible Authority, visiting hours may only occur during the following times:

- a) Saturdays 1:00PM-6:00PM
- b) Sundays 1:00PM-6:00PM

#### **4.9 General Amenity**

4.9.1 The amenity of the area must not be detrimentally affected by the permitted use through the:

- a) Transport of materials, goods or commodities to or from the land;
- b) Appearance of any building works or materials;
- c) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
- d) Presence of vermin;

All to the satisfaction of the Responsible Authority.

#### **5.0 Landscape Plan**

5.0.1 Prior to the works commencing, three (3) copies of a landscape plan prepared by a suitably qualified or experienced, person to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The plan(s) must be drawn to scale and show:

- a) A survey (including botanical names) of all existing vegetation to be retained and/ or removed;
- b) Details of surface finishes of pathways and driveways;
- c) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
- d) Landscaping and planting within all open areas of the site;
- f) The use of indigenous plants of the Geelong Region, Zone 8.
- g) Offset the driveway and carpark off the boundary alignment in order to retain trees (where appropriate) and plant trees to provide a landscape buffer to the reserve and to improve landscape amenity.

When approved, the plan will be endorsed and form part of the permit, all to the satisfaction of the Responsible Authority.

#### **5.1 Cultural Heritage Management Plan**

5.1.1 All works must be in accordance with any conditions set out within the approved Cultural Heritage Management Plan no. 15818.

## 5.2 Engineering

5.2.1 The site must be drained to the satisfaction of the Responsible Authority and no concentrated storm water may drain or discharge from the land to adjoining properties.

5.2.2 Prior to the new use commencing, the developer must:

- a) Construct vehicular crossings in accordance with the requirements and standards of the City of Greater Geelong.
- b) Remove any redundant vehicular crossings with kerb and channel and the footpath/nature strip area reinstated to match existing construction in the street;
- c) Construct and drain the car park and accessways and common access road within the development in accordance with the endorsed plans.
- d) Complete the landscaping in accordance with the endorsed plans.

All to the satisfaction of the Responsible Authority.

### Notes

1. All internal property drainage must be designed and constructed to satisfy AS/NZS 3500.
2. A Vehicle Crossing Permit must be obtained prior to commencement of works.

## 5.3 Stormwater Management

5.3.1 The site stormwater system must be designed and installed such that the site stormwater discharge is not increased by the proposed development. An appropriate on-site detention system designed in accordance with the Infrastructure Design Manual may be required all to the Satisfaction of the Responsible Authority

## 5.4 Recreation and Open Space

5.4.1 There must be no access through or storage on the adjoining council reserve known as/located at Mt Duneed Recreational Reserve at any time during the construction period.

5.4.2 Nominate on the landscape plan the effluent discharge location.

## 5.6 Environmental Audit

5.6.1 Unless otherwise approved in writing by the Responsible Authority, prior to the commence of works a Site Investigation Assessment must be submitted to Council that assesses the potential level and nature of contamination on the land. Provides clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE. Recommends remediation actions for any contaminated land.

## 5.7 Environmental Health

5.7.1 An approved septic tank system as defined by the Environment Protection Act 1970 must be installed in accordance with the land capability assessment report or to the satisfaction of the Responsible Authority. All wastewater must be treated and disposed of within the curtilage of the property.

## 5.8 Powercor

5.8.1 The applicant shall provide an electricity supply to the development in accordance with the Distributor's requirements and standards.

5.8.2 The applicant shall establish easements, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

### Notes

1. Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
2. Existing easements may need to be amended to meet the Distributor's requirements
3. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

4. It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link:
5. <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>
6. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
7. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
8. Apply for a site visit and permit to work assessment. This can be done via the Powercor website.
9. Keep the easement land clear of any buildings or structures whatsoever.

## 5.9 CFA

### Amended Emergency Management Plan

5.9.1 Unless otherwise approved in writing by the CFA, the applicant is required to provide an amended Bushfire Emergency Management Plan for the site which includes:

- a) Details on the type and nature of the various Risks/Emergencies
- b) The Fire Danger Rating triggers for the closure of the facility for Bushfire risk.
- c) Monitoring and notifying staff and visitors of forecast Fire Danger Rating and any consequential actions.
- d) Details of the location/s for emergency assembly, evacuation and shelter-in-place (in the event that evacuation from the site is not practicable).
- e) Transport arrangements for staff and visitors
- f) The need for any additional arrangements for persons with special needs.
- g) Training of staff, visitors and overnight guests on emergency procedures.
- h) The nature and frequency of emergency procedure exercises.

- i) Emergency procedures (bushfire action statements) including the assignment of roles and responsibilities to staff. This must include assigning responsibility for the:
  - Management and oversight of emergency procedures.
  - Training of employees in emergency procedures.
  - Reviewing the effectiveness of emergency procedure exercises and implementing procedure improvements.
  - Accounting for all persons during the emergency procedures.
  - Monitoring and review of the Emergency Plans at least annually.

**Notes:**

Addition changes to the Bushfire Emergency Plan could include: -

1. Page 5 FDR Response table notes that for Code Red and Extreme days guests will be relocated to a place of lesser risk, yet page 7 Evac Action Statement notes guests will be taken off site for Code red only?
2. Page 5 FDR Response table Code Red and Extreme requires a note indicating that duration of relocation will be from no later than 10:00 AM until the FDR drops later that afternoon/evening to that of Severe or below.
3. Page 6 - Bushfire Advice Warnings – Notes guests to contact management for advice on warnings. Needs to be revised that **“Management are advising guests of actions to be taken”**.
4. Page 7 Evacuation Procedures – Notes that Planned evacuation site is Mt Duneed Recreation Reserve. Alternate location Torquay Secondary College White St Torquay. **CFA considers that the Recreation Reserve is not an appropriate evacuation location for bushfire**. Primary response should be to shelter in place. People should only leave the shelter of the site buildings if the integrity of the building is compromised by fire (Rec Reserve may be a suitable location in this event).

**5.10 Bushfire/Structural Fire Mitigation Measures**

- 5.10.1 Unless otherwise approved in writing by the CFA or the Responsible Authority in consultation with the CFA, the building is required to constructed to a Bushfire Attack Level of BAL 19.
- 5.10.2 The whole of the subject site should be maintained as “defendable space” to the following prescription:
  - a) Grass must be short cropped and maintained during the declared fire danger period.
  - b) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
  - c) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
  - d) Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
  - e) Shrubs must not be located under the canopy of trees.
  - f) Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
  - g) Trees must not overhang or touch any elements of the building.
  - h) The canopy of trees must be separated by at least 5 metres.
  - i) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

- 5.10.3 Unless otherwise approved in writing by the CFA or the Responsible Authority in consultation with the CFA, landscaping and planting out of vegetation on the site should be in accordance with CFA publication Landscaping for Bushfire – Garden Design and Plant Selection.
- 5.10.4 Unless otherwise approved in writing by the CFA or the Responsible Authority in consultation with the CFA, a below ground operable hydrant must be provided at or near the proposed driveway on Russells Rd. The maximum distance between the hydrant and the rear of the building envelope must be no more than 120 metres. The street hydrant shall be identified as per the Fire Services Guideline – Identification of Street Hydrants for Fire Fighting Purposes.
- 5.10.5 Unless otherwise approved in writing by the CFA or the Responsible Authority in consultation with the CFA, the proposed driveway and accessway must meet the following requirements:
- a) Curves must have a minimum inner radius of 10m.
  - b) The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
  - c) Have a minimum trafficable width of 3.5m of all weather construction.
  - d) Be clear of encroachments for at least 0.5m on each side and 4m above the accessway
  - e) Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
  - f) Incorporate a turning area for fire fighting vehicles close to the building.
- 5.10.6 Unless otherwise approved in writing by the CFA or the Responsible Authority in consultation with the CFA, domestic sprinklers should be installed within the proposed building. Sprinkler installation to be installed to the relevant Australian Standards and Building Regulations.

#### **Bushfire Notes**

1. *This property is in a designated bushfire prone area.*
2. *Special bushfire construction requirements apply at the Building Permit stage.*
3. *Any building should consider AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).*

#### **5.11 Barwon Water**

- 5.11.1 The developer will be required to apply to Barwon Water for connection during the permit phase. Specific servicing comments below:
- a) **Water** – Water is available at the front (northwest) corner of the lot in Russells Road. The main is only a small diameter (DN63mm) and as such pressure and flow is likely to be limited. Due to this, there is a chance that onsite tanks may be required to buffer supply, Barwon Water would assess this on application. In addition, should a fire service be required for the site, they will likely require a self-reliant solution (i.e. tanks and pumps). Exact supply availability to be determined on application.
  - b) **Sewer** – Reticulated Sewer is not available to this property.

#### **Note:**

Water is available at the site however there is limited capacity. The applicant should approach Barwon Water to discuss specific servicing requirements as part of the connection process.

#### **5.12 Heritage Victoria**

5.12.1 Any works located within the Heritage Inventory area of the site will need a permit from Heritage Victoria.

#### **5.13 Expiry**

5.13.1 This permit will expire if one of the following circumstances applies:

- a) The use and/or development is not commenced within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires; or

- a) within six (6) months after the permit expires where the use or development has not yet started; or
- b) within twelve (12) months after the permit expires, where the development allowed by the permit has lawfully commenced before the permit expiry.

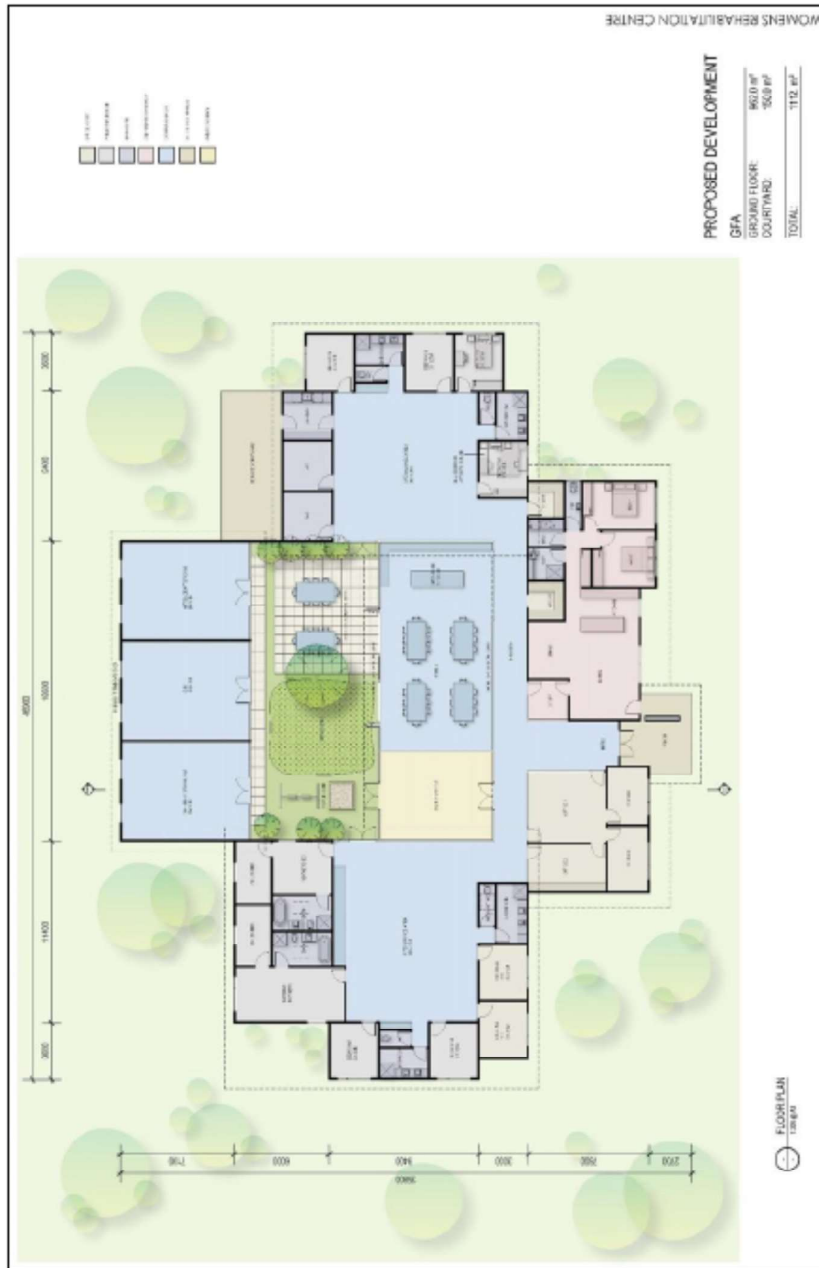
GREATER GEELONG PLANNING SCHEME

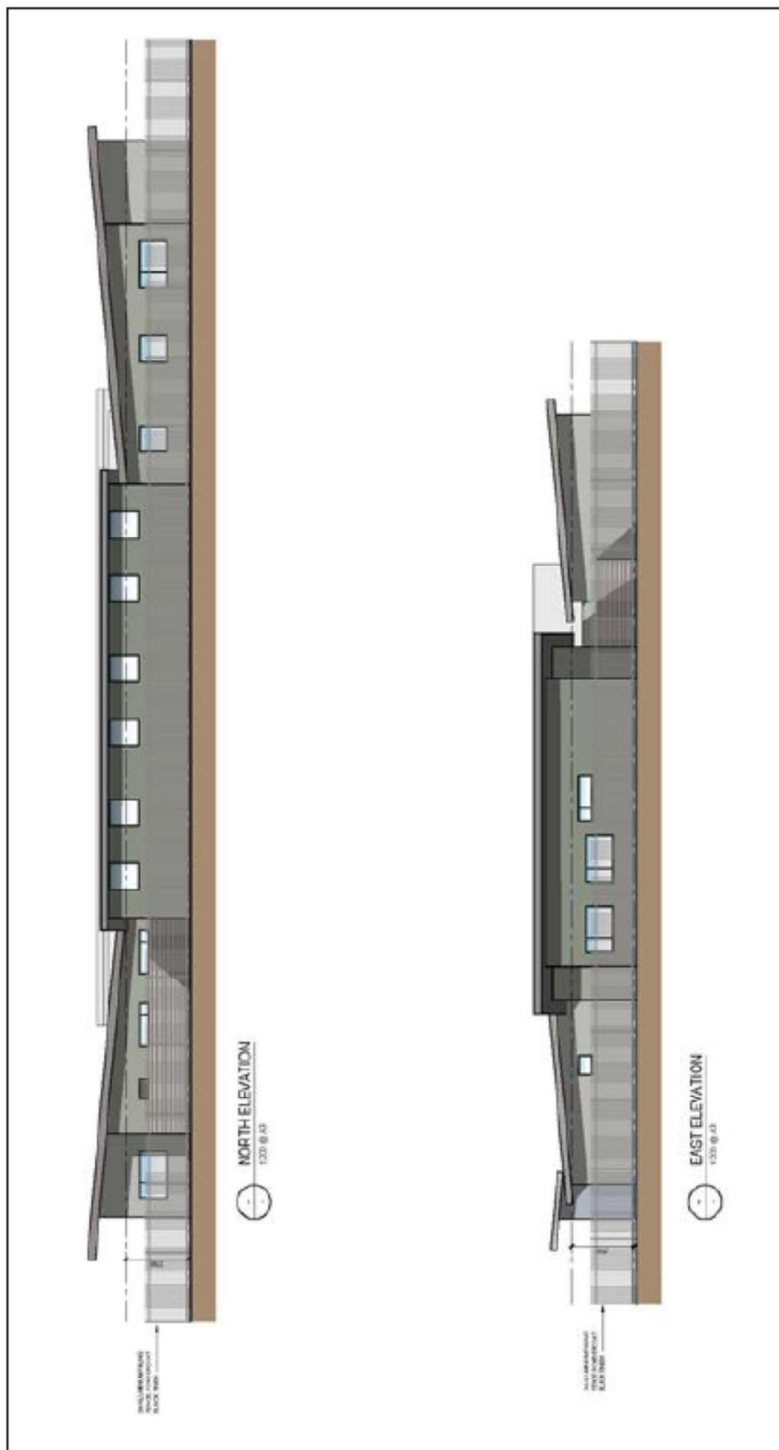
Attachment 1

Zone Map









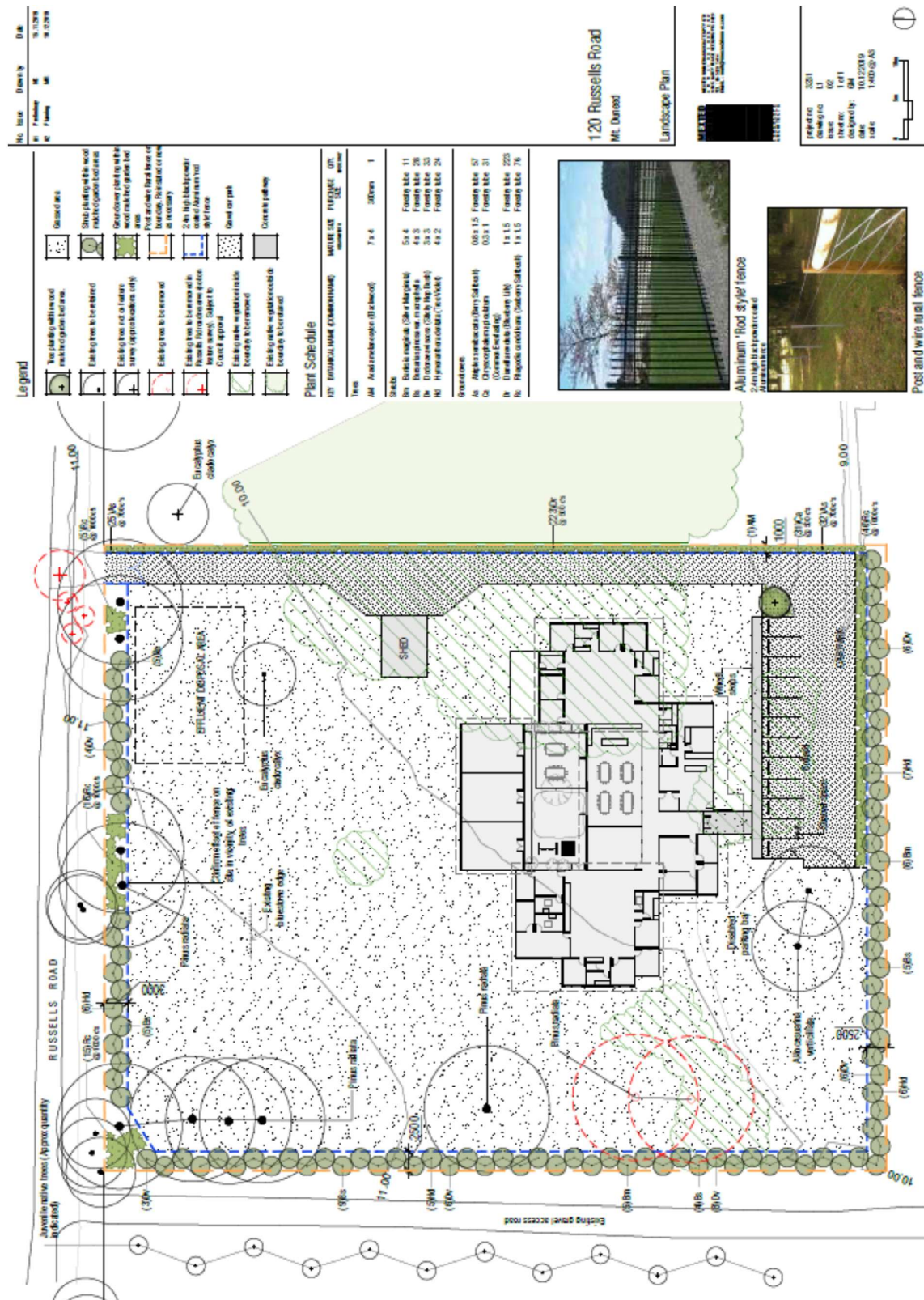


**END OF DOCUMENT**



**Attachment 8**

**Revised landscape plan (February 2020)**



Attachment 9

Amendment C401 Summary of Submissions				
No	Submitter	Address	Submission	Response
1	Individual submitter	The Avenue OCEAN GROVE	Geelong needs more of these facilities.	See report – theme: Supporting submissions
			Facility may be used by patients from other areas.	See report – theme: Supporting submissions
			Replant any native vegetation removed.	See report – theme: Vegetation removal
			Preserving nature may enhance patient health.	Noted.
2	Individual submitter	Warrally Blvd ARMSTRONG CREEK	Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.
			Site is remote from public transport, shops, medical facilities.	See report - theme: Appropriateness of location.
			Site too close to Reserve, sports oval and pony club.	See report - theme: Appropriateness of location.
			Pony club has improved previously vandalised grounds.	See report – theme: Safety of Reserve users and local residents
			Facility may attract unsavoury visitors to Reserve.	See report – theme: Safety of Reserve users and local residents
			There must be other more suitable locations available.	See report - theme: Appropriateness of location.
			Building will destroy native flora and fauna.	See report – theme: Vegetation removal
			Rehabilitation facilities not allowed in the Farming Zone.	See report - theme: Appropriateness of location.
			There is a special overlay to protect such land.	The Amendment does not change the Environmental Significance Overlay.
			With so much urban development nearby, this small piece of unspoilt Reserve should be protected.	See report – theme: Impact on/ relationship to Reserve
3	Individual submitter	Hindle Street GROVEDALE	Object as Reserve used by pony club, young children.	See report – theme: Safety of Reserve users and local residents

			Object due to close proximity to local school.	See report - theme: Appropriateness of location.
			No reason to change long-standing Farming Zone for facility.	The Amendment does not change the zoning of the site.
			Facility can locate in areas not used for children's activities.	See report – theme: Safety of Reserve users and local residents
4	Individual submitter	Ainslie Avenue GROVEDALE	Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.
			Reserve used by pony club, adult riding club, cricket club.	See report - theme: Appropriateness of location.
			Reserve is adjacent to a primary school.	See report - theme: Appropriateness of location.
			Proposed facility is unsafe for current Reserve users.	See report – theme: Safety of Reserve users and local residents
			Facility at inconvenient location at main Reserve entrance.	See report – theme: Traffic
			Additional traffic on unsealed road already hard to maintain.	See report – theme: Traffic
			Facility may attract unsavoury visitors to Reserve.	See report – theme: Safety of Reserve users and local residents
			Unsavoury visitors a problem at the Reserve in the past.	See report – theme: Safety of Reserve users and local residents
			Current zoning, overlays should not be changed for facility.	The Amendment does not change the zoning or Environmental Significance Overlay of the site.
			Would lose many trees and native vegetation.	See report – theme: Vegetation removal
			Facility will adversely affect amenity of area.	See report – theme: Visual impact
			Lack of public information up until now is unfair.	The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
5	Individual submitter	Flaxbournes Road PARAPARAP	Submitter's family are frequent Reserve users.	Noted.
			Proposal would impact submitter's family use of area.	See report – theme: Impact on/ relationship to Reserve
			Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.
			Oppose facility next to Reserve used by many children.	See report – theme: Safety of Reserve users and local residents
			Oppose rezoning the land for any type of housing.	Noted. The Amendment does not change the zoning of the site.

6	Individual submitter	Dickins Road, MOUNT DUNEED	Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.
			Risk of abusive and violent interactions with Reserve users.	See report – theme: Safety of Reserve users and local residents
			Location (remote, single access route) does not ensure safety of Reserve users or residents from drug or alcohol affected partners of facility patients.	See report – theme: Safety of Reserve users and local residents
			Demand and service model document does not address how security issues or threats to the public will be dealt with.	See report – theme: Safety of Reserve users and local residents
			Proponent does not have to capacity to strictly enforce rules.	See report – theme: Facility management and future changes
			Proponent acknowledges that women living together can be problematic, even without the complications of drug and alcohol use and current or past domestic violence.	See report – theme: Safety of Reserve users and local residents
			What guarantees are there for safety of Reserve users?	See report – theme: Safety of Reserve users and local residents
			There are already drug dealing activities at the Reserve.	See report – theme: Safety of Reserve users and local residents
			Exhibited documents make statements with little knowledge of the success or failure of the proponent.	See report – theme: Facility management and future changes
			No independent assessment provided of recidivism rates.	See report - theme: Appropriateness of location.
			Such facilities need to be run and managed by organisations with substantial history of continuity and follow up.	See report – theme: Facility management and future changes
			Stand-alone not-for-profits do not last. Proponent is third occupant of Williams Road facility in 20 years.	See report – theme: Facility management and future changes
			Proponent not backed by a large organisation that can continue to provide the services contemplated.	See report – theme: Facility management and future changes
			Stated lack of supply of services is incorrect - Salvo Connect offering 15 beds, 30 further beds being built in Corio.	See report – theme: Facility management and future changes
			Submitter is neighbour of Williams Road facility. Submitter has on occasions interacted with facility's residents. Facility not strictly controlled, residents often out unsupervised, at times no staff member present to speak.	See report – theme: Facility management and future changes
			Location inconsistent with Section 4 of the Planning and Environment Act as it diminishes sense of a safe recreational environment for Reserve users.	See report – theme: Safety of Reserve users and local residents

		Proposal will clear entire site including remnant Grassy Woodland, revegetation works undertaken by volunteers and two significant old sheoaks.	See report – theme: Vegetation removal
		Clearing contradicts stated aim of a peaceful rural setting.	See report – theme: Vegetation removal
		Proposal a highly modified urban site in valued rural landscape.	See report – theme: Visual impact
		Object to amendment as a Reserve user and volunteer in revegetation projects.	See report – theme: Impact on/ relationship to Reserve
7	Individual submitter	Russells Road MOUNT DUNEED	Noted.
		120 Russells Road is an intrinsic part of the Reserve in all but Title.	See report – theme: Impact on/ relationship to Reserve
		120 Russells Road historically used for sheep agistment, pony club and tennis courts, has been mowed and maintained by Council, public has not been excluded.	See report – theme: Impact on/ relationship to Reserve
		Most Reserve users are surprised 120 Russells Road is not part of the Reserve. It should have been absorbed into the Reserve years ago.	See report – theme: Impact on/ relationship to Reserve
		Amendment site is unsuitable for the proposed facility.	See report - theme: Appropriateness of location.
		Facility does not need to be in a rural area.	See report - theme: Appropriateness of location.
		Proponent stated that any increase in success rate when the men's facility moved from Grovedale to Mount Duneed was marginal, still around 50%.	See report - theme: Appropriateness of location.
		Proposal will disrupt the rural feel and lifestyle of the area.	See report – theme: Visual impact
		Area supposed to be protected from developments like this by Scheme provisions, the Farming Zone and Environmental Significance Overlay.	See report - theme: Appropriateness of location.
		Concerned Amendment not advertised by sign at Reserve.	The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
		Many Reserve users are women and girls, often riding or walking alone.	See report – theme: Safety of Reserve users and local residents
		Facility associated with drug addiction and abused women may attract undesirable, potentially abusive element (partners of facility residents).	See report – theme: Safety of Reserve users and local residents
		Proponent cannot prevent attempted visits by abusive partners.	See report – theme: Safety of Reserve users and local residents

		Facility puts local residents and Reserve users at risk.	See report – theme: Safety of Reserve users and local residents
		If incident occurred, would take some time for police to attend from Geelong or Torquay.	See report – theme: Safety of Reserve users and local residents
		Grassy Woodland patches on site are regionally important and should be protected.	See report – theme: Vegetation removal
		Chocolate Lilies, Milkmaids and Prickfoot are particularly important. Sundews have also been seen on the site.	See report – theme: Vegetation removal
		A large <i>Bursaria</i> should be protected, and the effluent disposal relocated.	See report – theme: Vegetation removal
		Though an introduced species, <i>Pinus Radiata</i> on the site should be retained until alternative planting grows enough to replace them as a food source for Yellow-tailed Black Cockatoos.	See report – theme: Vegetation removal
		Roadside vegetation should be enhanced, not removed.	See report – theme: Vegetation removal
		Remaining areas of volcanic grassy plains of Mount Duneed are significant and their protection should be prioritised.	See report – theme: Vegetation removal
		Additional traffic will triple movements east of Reserve entry.	See report – theme: Traffic
		Many drivers will not be used to unsealed rural roads.	See report – theme: Traffic
		Vehicles driving to facility will put riders, horses and pedestrians at risk. Roadside vegetation makes it difficult to walk on verges.	See report – theme: Traffic
		Excessive parking provision compared to men's facility shows car park can be reduced to protect Sheoaks.	See report – theme: Vegetation removal
		Right to farm concerns – request formal undertaking there will be no complaints about noise, odour, chemicals, sprays and normal farming activities.	The subject site and most of the surrounding area are in the Farming Zone and the Amendment does not change this.
		Wish to know succession plans for facility. If facility changes hands, further extensions may be requested. Will there be enforceable controls over future use of the facility?	See report – theme: Facility management and future changes
		Mount Duneed has been included in Surf Coast Distinctive Areas and Landscapes (DAL) declared area.	At its meeting of 10 December 2019, Council resolved to advise the Minister for Planning that it does not support the inclusion of the area north of Mount Duneed Road within the Surf Coast Distinctive Areas and Landscapes declared area.
		Ad hoc development such as this do not comply with two of four DAL objectives.	At its meeting of 10 December 2019, Council resolved to advise the Minister for

				Planning that it does not support the inclusion of the area north of Mount Duneed Road within the Surf Coast Distinctive Areas and Landscapes declared area.
			Amendment should not be allowed as use prohibited in Farming Zone.	See report - theme: Appropriateness of location.
			Amendment should not be allowed as facility will be out of character with the area and intrude into the Reserve.	See report – theme: Impact on/ relationship to Reserve
8	Individual submitter	McCanns Road MOUNT DUNEED	Submitter's business (rehomeing retired racehorses) uses Reserve for cross country equestrian use. Would not feel able to leave staff under 18 years old at Reserve with horses due to safety concerns. Reserve is frequently used by children.	Noted.
			Acknowledge need for facility but proposed site is unsuitable.	See report – theme: Safety of Reserve users and local residents
			CFA has no issues with the proposed Amendment.	See report – theme: Safety of Reserve users and local residents
9	Country Fire Authority		Disappointed this has been passed with little community input especially from those who will live next to facility	See report - theme: Appropriateness of location.
10	Individual submitter	Ghazeepore Road WAURN PONDS	Waurm Ponds and Mount Duneed full of families. Don't want children exposed to behaviour of drug affected people. Proposal needs to be in a less dense, less family oriented area of Geelong.	Noted. The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
			Horrified proposal can go ahead in a residential area.	See report – theme: Safety of Reserve users and local residents
			Disappointed this has been passed with little community input especially from those who will live next to facility	See report – theme: Safety of Reserve users and local residents
11	Individual submitter	Ghazeepore Road WAURN PONDS	Waurm Ponds and Mount Duneed are full of families. Don't want children exposed to behaviour of drug affected people. Proposal needs to be in a less dense, less family oriented area of Geelong.	See report - theme: Appropriateness of location. See report - theme: Appropriateness of location. The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
				See report – theme: Safety of Reserve users and local residents
				See report – theme: Safety of Reserve users and local residents
				See report - theme: Appropriateness of location.



			Okologie reports do not address decision guidelines for Environmental Significance Overlay Schedule 1.	See report – theme: Vegetation removal
			Revised locations for the access, shed and effluent disposal area should be considered before the Incorporated Document is approved.	See report – theme: Vegetation removal
14	Individual submitter	Aintree Road BELL POST HILL	Reserve is an unsuitable place for the facility.	See report - theme: Appropriateness of location. See report – theme: Impact on/relationship to Reserve
			Plants and animals will be taken away by the facility.	See report – theme: Vegetation removal
			Facility will take away the homes of fantail cockatoos, sulphur-crested cockatoos, galahs, red-rumped parrots, rainbow lorikeets, musk lorikeets, royal spoonbills, dotterels, wood ducks, swamp hens, sparrows, teal ducks, white-plumed honeyeaters, finches, superb fairy wrens, red-browed finches and kangaroos.	See report – theme: Vegetation removal
			The need for the property to be a “healthy distance” from the men’s facility in Mount Duneed is because female addicts had often suffered family violence.	See report – theme: Safety of Reserve users and local residents
15	Individual submitter	Aintree Road BELL POST HILL	This is not the correct rural area for the facility.	See report - theme: Appropriateness of location.
			Reserve is quiet and submitter’s daughters can ride their horses in safety.	See report – theme: Safety of Reserve users and local residents
			The facility and change in zone will put out the rural feel of Mount Duneed.	See report – theme: Visual impact
			Proposal will impact wildlife – kangaroos, wallabies, echidnas, hawks, frogs.	See report – theme: Vegetation removal
			Increased traffic on Russells Road will make it unsafe for submitter’s children and others who ride horses or walk dogs along road.	See report – theme: Traffic
			Proposal will make area unsafe.	See report – theme: Safety of Reserve users and local residents
			What about the indigenous flora?	See report – theme: Vegetation removal
16	Individual submitter	St Andrews Drive LARA	Appalled consideration given to facility adjacent to Reserve	See report - theme: Appropriateness of location.
			Security risk to Reserve users	See report – theme: Safety of Reserve users and local residents
			Nature of facility patients/visitors a risk to children’s safety	See report – theme: Safety of Reserve users and local residents

			Isolated location and lack of fire, ambulance, police services and public transport suggest it would be an easy place for undesirable characters that such a facility would attract to frequent.	See report – theme: Safety of Reserve users and local residents
			Risk of vandalism of pony club grounds from undesirable characters	See report – theme: Safety of Reserve users and local residents
			Potential future expansion of facility.	See report – theme: Facility management and future changes
			Potential for facility to complain about noise from equestrian competitions, overnight camping.	See report – theme: Impact on/ relationship to Reserve
			What potential rezoning will occur if this goes ahead?	The Amendment does not change the zoning of the site.
			No proof that a rural setting improves rehabilitation and success rate is low anyway.	See report - theme: Appropriateness of location.
			General ambience of area will be detrimentally changed.	See report – theme: Visual impact
			Site history, trees and outlook will no longer exist.	See report – theme: Impact on historic values
			If security is guaranteed, facility can be built next to existing men's facility.	See report - theme: Appropriateness of location.
			Acknowledge need for facility but not where it compromises children's safety and inconveniences general citizens	See report - theme: Appropriateness of location. See report – theme: Safety of Reserve users and local residents
17	Individual submitter	St Andrews Drive LARA	Building does not fit in with the landscape. No guarantee as to type of people who will frequent facility.	See report – theme: Visual impact See report – theme: Safety of Reserve users and local residents
			Potential future expansion of facility.	See report – theme: Impact on/ relationship to Reserve
			Potential for facility to constrain equestrian competitions and use.	See report – theme: Impact on/ relationship to Reserve
			Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.
			The undesirability of locating next to the men's facility suggests lack of confidence in security of facility.	See report – theme: Safety of Reserve users and local residents
			Concern for safety of young children using Reserve.	See report – theme: Safety of Reserve users and local residents
18	Individual submitter	Dickins Road FRESHWATER CREEK	Unsuitable location for proposed facility.	See report - theme: Appropriateness of location.

			Submitter's family uses Reserve for horse riding and dog walking.	Noted.
			Would not feel safe using Reserve if facility is there.	See report – theme: Safety of Reserve users and local residents
19	Geelong Environment Council Inc.		SCO should not be applied to site. Current Farming Zone and ESO should protect the site from any development threatening indigenous vegetation.	See report – theme: Vegetation removal
			120 Russells Road has been considered part of the Reserve, with revegetation works conducted by local residents extending onto the site.	See report – theme: Impact on/ relationship to Reserve
			Indigenous grasslands on site are regionally important and should be protected.	See report – theme: Vegetation removal
			Indigenous shrubs and trees, chocolate lilies and other understory plants on the site must be retained and protected.	See report – theme: Vegetation removal
			<i>Pinus radiata</i> on the site are an important food source for the Yellow-Tailed Black Cockatoo and should be retained until an alternative food source can be grown.	See report – theme: Vegetation removal
			120 Russells Road should be purchased and incorporated into the Reserve.	See report – theme: Impact on/ relationship to Reserve
20	Geelong Field Naturalists Club Inc.		Submitter's members are actively involved in observing and recording fauna and protection of many areas of natural environment.	Noted.
			Do not oppose locating the facility within the Mount Duneed area, but proposed site is unsuitable as it contains vegetation of ecological value.	See report – theme: Vegetation removal
			Request Council examine feasibility of a land swap within the general area to allow development to proceed while protecting this important native grassland patch.	See report – theme: Land swap suggestion
			Site contains healthy intact native grassland, designated as Grassy Woodland (EVC175), one of the most threatened plant communities in Victoria.	See report – theme: Vegetation removal
			ESO 4 has been applied to the Volcanic Plains north of the city to protect native vegetation. Such an overlay would grant this site and the Reserve the same protection status.	See report – theme: Vegetation removal
			Recent site surveys show the site contains the best stand of chocolate lilies in Mount Duneed and Armstrong Creek.	See report – theme: Vegetation removal
			Five wildflower species were identified on the site in October 2019 that were not included in Okologie Consulting's report.	See report – theme: Vegetation removal



			Potential conflict between residential use of site and running of equestrian competitions on Reserve, including overnight camping and early starts. Unclear what if any security measures would be required.	See report – theme: Impact on/ relationship to Reserve
			Would be good to hear from people living, working or recreating near a similar facility and what impacts if any are experienced.	See report – theme: Safety of Reserve users and local residents
			Oppose proposal.	See report – theme: Safety of Reserve users and local residents
24	Individual submitter	Whites Road MOUNT DUNEED	Site is inappropriate for a drug and alcohol rehabilitation facility.  Reserve is used daily by pony club, other horse riders, dog walkers and other recreational users. Most horse riders are women and children.  Facility will attract unsavoury people to an isolated area.  There is no nearby public transport.  There is no easy access to medical facilities.	Noted. See report - theme: Appropriateness of location. See report – theme: Safety of Reserve users and local residents See report - theme: Appropriateness of location. See report - theme: Appropriateness of location.
			Site is close to a primary school and residential areas.	See report - theme: Appropriateness of location.
			Site is zoned Farming and should not be changed.	The Amendment does not change the zoning of the site.
			Proposal will destroy local flora and fauna, including endangered flora species. Object to proposal.	See report – theme: Vegetation removal
25	Individual submitter	Whites Road MOUNT DUNEED	No other commercial business ventures are located in the Russells Road precinct.  Site is at end of an unsealed rural cul-de-sac and adjoins and intrudes into the Mount Duneed Recreation Reserve.  Local residents and Reserve users object to the proposed facility and its location adjacent to the Reserve.  Acknowledge need for such facilities, but proposed location is inappropriate.  Individuals, clubs, Council, Government and others have accountability and responsibility for the safety of current and future Reserve visitors and users. It cannot be guaranteed that something will not happen. All matters must be clearly	Noted. See report - theme: Appropriateness of location. See report – theme: Impact on/ relationship to Reserve See report - theme: Appropriateness of location. See report - theme: Appropriateness of location. See report – theme: Safety of Reserve users and local residents

			<p>delineated and understood when considering a proposal for a drug and alcohol rehabilitation facility in extremely sensitive community areas.</p> <p>With expanding population in Mount Duneed and Armstrong Creek, the use of the Reserve will increase.</p> <p>The Reserve's visual values and range of amenities while located near an expanding residential area is very rare and any adverse impact on the Reserve must be carefully considered.</p> <p>Proposed large facility does not integrate into or preserve the environment, serenity or relaxed freedom of the Reserve.</p> <p>Locating proposed facility adjacent to Reserve used by large numbers of young children is inconsistent with the intention of a Recreation Reserve.</p>	<p>See report – theme: Impact on/ relationship to Reserve</p> <p>See report – theme: Impact on/ relationship to Reserve</p> <p>See report – theme: Visual impact</p> <p>See report – theme: Safety of Reserve users and local residents</p>
26	Individual submitter	Russells Road MOUNT DUNEED	<p>Facility should not be approved in proposed location.</p> <p>Proposed facility is inconsistent with the character and semi-rural nature of the area.</p> <p>Proposed facility would severely impact visually on the Reserve and its entrance.</p> <p>Proposed facility is not in keeping with current and long term uses of the Reserve for horse riding and dog walking.</p> <p>Increased traffic on Russells Road, particularly during construction, would be unsafe for horse riders and pedestrians.</p> <p>Council is working with the State Government on an environmental overlay for this area of Mount Duneed. It would be ironic and inconsistent to approve the proposed facility during this process.</p>	<p>See report - theme: Appropriateness of location.</p> <p>See report - theme: Appropriateness of location.</p> <p>See report – theme: Visual impact</p> <p>See report - theme: Appropriateness of location.</p> <p>See report – theme: Traffic</p> <p>At its meeting of 10 December 2019, Council resolved to advise the Minister for Planning that it does not support the inclusion of the area north of Mount Duneed Road within the Surf Coast Distinctive Areas and Landscapes declared area.</p>
27	Individual submitter	Villamanta Street GEELONG WEST	<p>As clinical psychologist with extensive local experience, strongly support Amendment.</p> <p>Have visited men's facility nearby and it is very well run and secluded.</p> <p>There is minimal risk to the community from the proposed facility and concerns to the contrary are greatly exaggerated.</p> <p>Facility will benefit Geelong residents, including development of local expertise.</p>	<p>See report – theme: Supporting submissions</p> <p>See report – theme: Safety of Reserve users and local residents</p> <p>See report – theme: Safety of Reserve users and local residents</p> <p>See report – theme: Supporting submissions</p>

			Applaud and support offering a rehabilitation program for women.		See report – theme: Supporting submissions
28	Individual submitter	Coastside Drive ARMSTRONG CREEK	Wholeheartedly support Amendment.		See report – theme: Supporting submissions
			Facility would benefit the community and help protect vulnerable people.		See report – theme: Supporting submissions
29	Individual submitter	Gibbons Road LARA	Oppose facility on proposed site in a Recreation Reserve.		See report – theme: Impact on/relationship to Reserve
			Submitter and daughter are regular users of the Reserve for horse riding.		Noted.
			Amazing how Council has been so secretive about the proposal and the rezoning request.		The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
			Proposal will bulldoze beautiful historic church ruins, old trees and possibly burial sites.		See report – theme: Impact on historic values
			Oppose facility near a school.		See report - theme: Appropriateness of location.
			Can safety of Reserve users, including lots of children, be guaranteed?		See report – theme: Safety of Reserve users and local residents
			Can safety of clubs' facilities in Reserve be guaranteed?		See report – theme: Safety of Reserve users and local residents
			Potential conflict between residential use of site and running of equestrian competitions on Reserve, including very early starts.		See report – theme: Impact on/relationship to Reserve
			Suggest Council has not completed a safety audit. If so, where are the findings of this audit.		See report – theme: Safety of Reserve users and local residents
			The facility will obviously attract unsavoury visitors to the area, causing antisocial behaviours.		See report – theme: Safety of Reserve users and local residents
			Where is the evidence of the effectiveness/success of these facilities? Has this been considered by Council?		See report - theme: Appropriateness of location.
30	Powercor CitiPower		No objection to Amendment. Powercor conditions have been included in the Incorporated Document.		Noted.
31	Individual submitter	Twitt Street MOOLAP	Area contains an important local remnant of significant local vegetation.		See report – theme: Vegetation removal
			Many species are FFG listed flora as is the vegetation community. Some of these species are very close to local extinction and must be protected.		See report – theme: Vegetation removal
32	Individual submitter	Torquay Road MOUNT DUNEED	Acknowledge need for facility in Geelong but proposed site is unsuitable.		See report - theme: Appropriateness of location.

			Submitter is familiar with how the Reserve has been used by the public and specific user groups over many years. Site is embedded within a public Recreation Reserve.	Noted.
			Council should protect the open space on the site instead of allowing construction of any private residential facility. Site was used by a Wesleyan Church destroyed by fire in 1944. The site was abandoned by the Church at that time. It has been maintained by Council at ratepayers' expense and has been used as and perceived to be part of the Reserve. Council should have long since claimed the site by adverse possession. It is unethical for the Church to now reclaim the site and potentially profit from its sale.	See report – theme: Impact on/relationship to Reserve See report – theme: Impact on/relationship to Reserve See report – theme: Impact on/relationship to Reserve
			Proposed structure will adversely affect visual amenity of the Reserve.	See report – theme: Visual impact
			Proposed structure will necessitate removal of trees and native vegetation that are valued and protected by local residents. Question whether thorough probing of the site for human remains has been undertaken. There were early European burials on the site prior to establishment of Mount Duneed Cemetery. Written records of burials may no longer exist.	See report – theme: Vegetation removal See report – theme: Impact on historic values
			There is the potential for agitated and angry men to try to gain entry to the facility. This is a safety risk for Reserve users, including women and children walking or riding horses. Mount Duneed Progress Association supports residents and Reserve user groups in their opposition to the proposal.	See report – theme: Safety of Reserve users and local residents Noted.
			As a private organisation, proponent's governance is not subject to statutory regulatory oversight. Significant changes could be made in the future or the facility sold to another operator. Their men's facility is now double its original capacity.	See report – theme: Facility management and future changes
			Facility should be located in an urban area, not in a rural zone on a site embedded within an isolated Reserve. Existing community use of the Reserve outweighs perceived community benefit to a very few. Support Amendment.	See report - theme: Appropriateness of location. See report – theme: Impact on/relationship to Reserve See report – theme: Supporting submissions
33	Individual submitter	Hogan Drive BARWON HEADS	Facility is very important and would complement the proponent's well managed and effective men's facility.	See report – theme: Supporting submissions See report – theme: Supporting submissions

			Site is ideally suited to such a facility, being in a relatively remote rural location yet accessible for clients, staff and families. Submitter and daughter regularly use Reserve as pony club members. Proposed facility will spoil the quiet, safe Reserve which is used by many families. Site is remote from facilities – how long would police or ambulance take to get to the facility? Acknowledge the need for facility, but it should be located close to hospitals. If young children live there, how will they get to school and other activities? A gun club located next to the pony club could also cause problems. Don't want land to be rezoned to residential; people move to the country to escape residential stress. Think the motive for the facility is for the owner to get a new home for free. Don't want proposal on our beautiful grounds. Don't want to lose the trees. Don't need more traffic on an unsealed road.	See report – theme: Supporting submissions Noted. See report – theme: Safety of Reserve users and local residents See report - theme: Appropriateness of location. See report - theme: Appropriateness of location. See report - theme: Appropriateness of location. See report - theme: Appropriateness of location. The Amendment does not change the zoning of the site. The proposal is for Community care accommodation See report – theme: Impact on/ relationship to Reserve See report – theme: Vegetation removal See report – theme: Traffic
34	Individual submitter	Wandana Drive WANDANA HEIGHTS	Oppose the proposed change to zoning and removal of the protective overlay on the site. Site has been neglected by the Church for many years and has been used by the public over this time. Site has been maintained by Council and locals and thus "squatters right" should apply. Submitter and family regularly use Reserve and appreciate the amenity, beauty and peacefulness of the area. Such open space is precious and with all the nearby development and the Surf Coast Distinctive Area and Landscape, must be protected from any development.	The Amendment does not change the zoning of the site or remove the Environmental Significance Overlay See report – theme: Impact on/ relationship to Reserve See report – theme: Impact on/ relationship to Reserve Noted. See report – theme: Impact on/ relationship to Reserve At its meeting of 10 December 2019, Council resolved to advise the Minister for Planning that it does not support the inclusion of the area north of Mount Duneed Road within the Surf Coast
35	Individual submitter	Pettavel Road FRESHWATER CREEK		

				Distinctive Areas and Landscapes declared area.
			Farming Zone prevents any building being built as the land parcel is too small. The overlay protects the amenity of the area to prevent a commercial building, particularly a drug and alcohol rehabilitation facility. The overlay should not be removed.	The Amendment does not change the zoning of the site or remove the Environmental Significance Overlay
			Object to any form of building on this land.	Noted.
			Proposed building is very large and requires removal of native vegetation including important indigenous plants.	See report – theme: Vegetation removal
			Proposed building will detract from the amenity and ambience of the area.	See report – theme: Visual impact
			The proposed use is inappropriate in such close proximity to the Reserve.	See report - theme: Appropriateness of location.
			Use may attract unsavoury characters and is a safety risk to Reserve users, including children.	See report – theme: Safety of Reserve users and local residents
			Horse riding clubs at the Reserve have been inadequately consulted and believed the zoning and overlay would prevent this proposal.	The Amendment has been exhibited in accordance with the Planning and Environment Act 1987. The Amendment does not change the zoning of the site or remove the Environmental Significance Overlay.
			Horse riding clubs have spent money and volunteer hours improving the Reserve and facilities and conducting revegetation work. It would be terrible to remove trees on the site previously planted by Council and local volunteers and then build a large building surrounded by a large fence.	See report – theme: Impact on/ relationship to Reserve
			Proposed facility does not blend aesthetically with the adjacent Reserve.	See report – theme: Visual impact
			There is no proof that a semi-rural location will increase rehabilitation success rates. The proponent has stated that there has been a similar success rate in men's facilities in Mount Duneed and Grovedale.	See report - theme: Appropriateness of location.
			Site is not accessible to health and emergency services.	See report - theme: Appropriateness of location.
			Women's facility should be co-located with the proponent's men's facility. If it is safe to put the facility next to a Reserve used by children, then it should be safe to locate on land already owned by the proponent.	See report - theme: Appropriateness of location.

			Suggest that the zoning and overlay on the land be strengthened to prevent development.	The Amendment does not change the zoning of the site or remove the Environmental Significance Overlay.
36	Individual submitter	Pettavel Road FRESHWATER CREEK	Object to proposal.	Noted.
			Proposal is inappropriate for the area.	See report - theme: Appropriateness of location.
			Little community consultation regarding the proposal.	The Amendment has been exhibited in accordance with the Planning and Environment Act 1987
			Current zoning is in place for a reason and should not be altered.	The Amendment does not change the zoning of the site.
			Proposal will detrimentally affect the amenity of the area.	See report – theme: Visual impact
			Proposal will detrimentally affect the current use of the area.	See report – theme: Impact on/ relationship to Reserve
			Other more appropriate sites have not been fully considered.	See report - theme: Appropriateness of location.
			Lack of local community support for proposal.	See report - theme: Appropriateness of location.
			Proposal will impact safety of the community.	See report – theme: Safety of Reserve users and local residents
			Proposal will cause community to avoid the area due to safety fears.	See report – theme: Safety of Reserve users and local residents
			Proposed use does not have appropriate support structure around it.	See report – theme: Facility management and future changes
			Concern that proposed development will increase in size in the future.	See report – theme: Facility management and future changes
37	Individual submitter	Melaluka Road LEOPOLD	Object to proposal.	Noted.
			Submitter is a member of adult horse riding club using the Reserve.	Noted.
			All adults attending the pony club require a Working with Children check. The facility will generate onlookers and visitors that do not comply with these requirements.	See report – theme: Safety of Reserve users and local residents
			Has a risk assessment audit been done?	See report – theme: Safety of Reserve users and local residents
			Reserve users would not feel safe leaving horses and valuables knowing facility patients could access them.	See report – theme: Safety of Reserve users and local residents

			Horses are dangerous and pose a risk to facility patients who can access the Reserve without any experience or knowledge.	See report – theme: Impact on/ relationship to Reserve
			How will facility patients and visitors be prevented from entering the Reserve, scaring horses or causing problems?	See report – theme: Safety of Reserve users and local residents
			Will Council provide insurance for the riding club facilities and valuables stored on the Reserve and guarantee everything and everyone will remain safe?	See report – theme: Safety of Reserve users and local residents
38	Individual submitter	McCubbin Court POINT COOK	Concerned with location of drug and alcohol rehabilitation facility adjacent to adult horse riding club.	See report - theme: Appropriateness of location.
			As member of horse riding club, concerned for safety of children due to extra unknown people around.	See report – theme: Safety of Reserve users and local residents
			Proposal will damage/destroy native grasses and animals' homes.	See report – theme: Vegetation removal
			The possibility of the church site being a burial site has not been addressed. Are there permits to exhume bodies if any are found?	See report – theme: Impact on historic values
			No evidence such a facility will be successful.	See report - theme: Appropriateness of location.
			Facility may be built on picturesque site only to close in 12 months.	See report – theme: Facility management and future changes
			Acknowledge need for facility but proposed site is unsuitable.	See report - theme: Appropriateness of location.