

GREATER GEELONG PLANNING SCHEME

AMENDMENT C401ggee

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by St Quentin on behalf of Foundation 61 Inc. The City of Greater Geelong is the planning authority for this amendment.

Land affected by the Amendment

The amendment applies to the land located at 120 Russells Road Mount Duneed.

What the amendment does

The amendment:

- Amends the schedule to Clause 45.12 to insert the incorporated document titled Community Care Accommodation Facility 120 Russells Road Mount Duneed, August 2019 into the schedule.
- Amends the schedule to Clause 72.03 to update 'What this scheme consists of'.
- Amends the schedule to Clause 72.04 by referencing the incorporated document.
- Introduces Planning Scheme Map 77SCO into the scheme and applies SCO3 to the land.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to allow for the Use and Development of a Community Care Accommodation Facility on the land at 120 Russells Road Mount Duneed.

A Community Care Accommodation Facility is currently prohibited in the Farming Zone which is possibly the most appropriate Victorian Planning Provision Land Use Term for this facility. The Land Use Term for Community Care Accommodation is '*Land used to provide accommodation and care services. It includes permanent, temporary and emergency accommodation. It may include supervisory staff and support services for residents and visitors.*'

The amendment retains the site in the Farming Zone but allows a Community Care Accommodation Facility to be constructed and used in accordance with the Incorporated Document.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the Planning and Environment Act 1987 to:

- *secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

How does the Amendment address any environmental, social and economic effects?

Social Effects

The amendment provides a positive social effect including a safe rural residential environment for people confronting life controlling issues related to alcohol and drug abuse. The mission is to empower the residents by restoring control of their lives and contributing positively to mainstream society.

There will not be any negative social impacts by the construction and use of this facility on the subject site due to:

- The 24/7 supervision of residents for the first 10 weeks of the program and then weekend leave after successful completion of the first 10 weeks with further visits every three weeks.
- Family members can visit on a Saturday and Sunday between 1pm and 6pm. Residents are not allowed to wander off site and interact with the Mount Duneed Community or they face eviction from the program. Residents are also subject to random urine and breath tests after their weekend leave.

There is a current unmet demand and need for a women's only Community Care Accommodation (residential alcohol and drug rehabilitation facility) in the Greater Geelong Region. The basis for this statement has relied on the information within the *Demand and Service Model* prepared by Thomson Goodall Associates Pty Ltd in the supporting documentation.

Residents who complete the program over three to nine months may achieve positive social outcomes and empowerment such as:

- Self-esteem and increased confidence, sense of satisfaction and stronger belief in their ability to change.
- The ability to patiently invest in themselves and accept delayed gratification and take ownership of the activity.
- Mental and physical health benefits
- Meaningful relationships and bonding with other residents.

Economic Effects

There will be no economic effect on the greater community by the continued use of this facility as a Community Care Accommodation facility. Foundation 61 is a not for profit charitable organisation.

Environmental Effects

The location of the proposed buildings and works in the south-eastern part of the site has been required due to avoiding any impacts with the Mount Duneed Wesleyan Methodist Church remains in the north-west part of the site.

Some native vegetation will need to be removed from the site to facilitate the construction of the Community Care Accommodation Facility, the driveway and associated car park and will trigger third party native vegetation offsets.

A voluntary Cultural Heritage Management Plan was prepared by Ochre Imprints and no Aboriginal cultural heritage was identified in the activity area during the preparation of the CHMP.

During the voluntary CHMP, remains of the Mount Duneed Wesleyan Methodist Church were found. The historical site extent of the Church can be found in the supporting documents.

The site is not within the Heritage Overlay however Ochre Imprints were obliged to provide this information to Heritage Victoria who have subsequently included the site to the Victorian Heritage Database as an inventory item H7721-0534. As no works are being proposed within the Historical site extent, no approvals are needed from Heritage Victoria.

The proposal will not impact the agricultural activities of land to the north. The site is not currently being used for agriculture and the approval of this Community Care Accommodation facility will promote minor self-sustainable rural pursuits on the subject site including growing produce gardens and orchards.

The proposal is not considered to have an impact on the land to the south being the Mount Duneed Recreational Reserve, due to proposed fencing and landscaping within the site.

Does the Amendment address relevant bushfire risk?

The subject site is within a Bushfire Prone Area. The amendment has addressed bushfire risk through the consideration of a Bushfire Hazard Assessment (BHA) and advice from the Country Fire Authority (CFA). It has also considered the relevant planning policies within the Greater Geelong Planning Scheme.

The CFA supports the amendment. The CFA response includes recommendations and due to the nature of the proposed life risk, it was recommended that the BAL of the building be increased to BAL 19 to provide some increased resilience against bushfire. The recommendations of the CFA have been included within the conditions of the Incorporated Document.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

Ministerial Direction on the Form and Content of Planning Schemes

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

Ministerial Direction No. 1 – Potentially Contaminated Land

The amendment is consistent with the Ministerial Direction No. 1 – Potentially Contaminated land. The land has not been used for agriculture many decades given the use of the land for a church. Ministerial Direction No. 1 Potentially Contaminated Land has not been considered and therefore a condition is recommended for a site within the Incorporated Document which requires the submission of a Site Investigation Assessment 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.

Ministerial Direction No. 12 Strategic Assessment of Amendments

The amendment has been prepared in accordance with Ministerial Direction No. 12 Strategic Assessment of Amendments.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Amendment supports the following State Policies from the Planning Policy Framework.

Clause 12.01-2S - Native Vegetation Management – Whilst the objective seeks to ensure there is no net loss to biodiversity because of the removal, destruction or lopping of native vegetation, given the constraints of the site the removal of vegetation proposed is appropriate.

The proposal seeks to remove 0.223 hectares of native vegetation in addition to an area of planted vegetation which has been granted approval by Council to be removed as the planted vegetation has occurred due to the lack of definitive fencing along the eastern title boundary of the site.

Clause 12.05-2S – Landscapes – The existing vegetation within the reserve as well as the amount of vegetation within the Road Reserve contributes to the landscape character and identity of the area and the proposed development of the site can meet this objective.

As previously mentioned some vegetation will be required to be removed to facilitate the proposal however vegetation that is removed is proposed to be offset. The proposed built form of the building, its materials and siting together with the proposed landscaping on the site is not considered to have an impact upon the significant landscape.

Clause 13.02-1 Bushfire Planning - Whilst the subject site is not situated within a Bushfire Management Overlay, the site is within a bushfire prone area and therefore the Incorporated Document nominates a BAL12.5 to the construction of the Community Care Accommodation building

to address the Bushfire Planning Provision at Clause 13.02-1 of the Greater Geelong Planning Scheme and will satisfy the Country Fire Authority.

Clause 15.01-2S Building design – The proposed built form will positively contribute to the local context and enhance the public realm through a single storey design which has suitable articulation, appropriate setbacks from the boundaries of the site and contemporary materials.

Clause 15.01-6S Design for rural areas – The siting and design of the proposed building is considered to respect the existing characteristics of the rural properties to the north of the site. The proposal is not considered to impact the existing recreational reserve land to the east, west and south of the site.

Clause 15.02-1S Energy and resource efficiency – The proposed building can achieve best practice environmentally sustainable design.

Clause 15.03-1S Heritage Conservation – The proposal is considered to appropriately conserve a place of heritage significance as Heritage Victoria have included the Mount Duneed Wesleyan Methodist Church as an inventory item H7721-0534 of the Heritage Victoria Database. Because of the requirement to conserve this historical area of the site, the construction of the building, driveway and carpark area is outside the site extent of the previous Church, no approvals are needed from Heritage Victoria.

Clause 15.03-2S Aboriginal Cultural Heritage – A voluntary cultural heritage management plan has been prepared and approved by the registered Aboriginal Party for the proposed development on the site.

Clause 16.01-6S Community care accommodation - The proposal is considered to address the objective of this clause *to the establishment of community care accommodation and support their location being kept confidential*. The proposed is considered to further support the objective to support the location of community care accommodation being kept confidential given the subject site location towards the end of a road within a semi-rural setting.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports the following policies from the Local Planning Policy Framework.

Clause 22.05 Agriculture, Rural Dwellings and Subdivision – Whilst the subject site is situated within the Farming Zone the site is constrained and not considered to be conducive to appropriate farming activities given the location of the former church building, its size and its proximity to the adjoining recreational reserve. The proposed use on the subject site is not considered to impact the existing farmed rural landscape to the north given the setback of the proposed building and its intended use.

Clause 22.64 Discretionary uses in Rural Areas – The proposed use of the land for a Community Care Accommodation Facility is appropriate for this subject site despite the policy discouraging discretionary non-agricultural uses in rural areas that could be reasonably located in an urban zone. The proposed use of the site is appropriate in a semi-rural environment and the rural landscape character of the area is compromised by three boundaries of the site bordering the Mount Duneed Recreational Reserve.

The single storey low set building will blend in to the landscape and the roadside vegetation along Russells Road will be retained except for the portion of vegetation required to be removed for the construction of the vehicle crossover into the site. Existing views from properties along the north side of Russells Road are not considered to be impacted upon as the proposal includes landscaping throughout the site.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victorian Planning Provisions in so far as:

The amendment makes proper use of the Victoria Planning Provisions (VPPs) by applying the Specific Controls Overlay – Schedule to allow the construction and use of a Community Care Accommodation and removal of vegetation for a residential alcohol and drug rehabilitation facility. The zone of the land is not proposed to change as a result of the Specific Controls Overlay.

How does the Amendment address the views of any relevant agency?

The amendment has been prepared following discussions with representatives of the Department of Environment, Land, Water and Planning, Country Fire Authority, Barwon Water Powercor and Heritage Victoria.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

There are no significant impacts on the transport system as defined by the Transport Integration Act 2010. The amendment is supported by a Traffic and Transport Assessment, which outlines the road network, the car parking, access and bicycle parking.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have minimal impact on the resource and administrative costs of the responsible authority.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Greater Geelong City Council, Customer Service Centre, Ground Floor, 100 Brougham Street. Geelong – 8:00am to 5:00pm weekdays.

Amendments section of the City's website www.geelongaustralia.com.au/amendments/

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **Monday 25 November 2019**.

A submission must be sent to:

The Coordinator

Strategic Implementation

City of Greater Geelong

- Either by mail to PO Box 104, Geelong VIC 3220
- Or by email to strategic planning@geelongcity.vic.gov.au
- Or lodged online at www.geelongaustralia.com.au/amendments

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: In the week of Wednesday 4 March 2020
- panel hearing: In the week of Monday 13 April 2020