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## **AMENDMENT C363 - CONSIDERATION OF BELLARINE CATCHMENT NETWORK LATE SUBMISSION**

**To:** Peter Smith – Coordinator Strategic Implementation  
**From:** Peter Schembri – Senior Strategic Planner  
**Subject:** Resolution to consider late submission to a Planning Scheme  
Amendment under delegation  
**File number:** Amendment C363

### **Purpose**

This report considers a late submission to Amendment C363 and recommends that Council resolves (under delegation) to refer the submission to an Independent Panel.

### **Summary**

- Under Section 22(2) of the *Planning and Environment Act 1987*, the planning authority (being the City of Greater Geelong) may consider late submissions.
- A late submission (Attachment 1) has been accepted and considered in this report. The submission is from the Bellarine Catchment Network dated 14 February 2020. The submission was lodged on 20 July 2020 and confirmed by the Bellarine Catchment Network as a late submission on 24 July 2020.
- The submission objects to Amendment C363. The submission does not request any changes to the Amendment but does seek clarification on assessments of ecology, trees and stormwater drainage. A detailed response to the submission will be provided in Council's Part B submission on day one of the panel hearing.
- This report relies on the report contained in the Minutes of the Ordinary Meeting of Council 28 January 2020 for a comprehensive consideration of the issues and submissions to Amendment C363.
- Council had already requested the appointment of a Panel and a Panel was appointed by the Chief Panel Member under delegation from the Minister for Planning on 11 February 2020. Directions Hearings were convened on 5 March and 29 May 2020. The main hearing is due to commence on Monday 24 August 2020 subject to State Government COVID-19 restrictions at that time.
- It is recommended that the submission be referred to the appointed panel. Section 23(2) of the *Planning and Environment Act* states that a planning authority may refer to the panel submissions which do not require a change to the Amendment.

### **Recommendation**

**That Council, having considered the Bellarine Catchment Network late submission to Amendment C363 to the Greater Geelong Planning Scheme, resolves to:**

- 1) Refer the submission to the appointed Panel; and**
- 2) Submit to the Panel its response to the submission generally as outlined in this report and in the report contained in the Minutes of the Ordinary Meeting of Council 28 January 2020.**

**Approved as a resolution of Council by Council's delegate:**

A handwritten signature in blue ink that reads "Peter K. Smith". The signature is written in a cursive style with a small dot above the letter 'i' in "Smith".

**P. Smith**

**Date: 27 July 2020**

## Attachment 1 - Amendment C363 Bellarine Catchment Network Late Submission

### Bellarine Catchment Network

A0054616P  
ABN 79 770 540 247



City of Greater Geelong  
Planning Department

14<sup>th</sup> February 2020

Dear Officer,

#### Re: Planning Submission - C363

The Bellarine Catchment Network (BCN) represents 30 community groups and organisation's on the Bellarine, with a 22 year history of supporting environmental initiatives and protecting valuable biodiversity assets.

The BCN is concerned with the proposed development C363 and wishes to lodge a formal objection.

The objection is based on;

- The lack of a detailed ecological assessment. The assessment has not been undertaken through seasons which identify different indigenous flora and fauna species across these seasons. Indigenous flora species, especially lilies, orchids often occur for short periods of time and during specific times of the year
- Fragmentation of landscapes and vegetation communities has led to a decrease in indigenous vegetation species regeneration and fauna movement through the landscape. This will place further pressures on both of these areas
- Edge effect of open and natural areas is increased with further development. Pest plant and animal species have greater capacity to occupy areas that have been further altered and this places increased pressures on indigenous flora and fauna.
- Consideration of a biolink connecting from Griggs Creek up to the Bellarine Rail Trail should be undertaken
- The initial ecological report stated that no locally indigenous trees were present, but further in the report detailed that some trees as *Eucalyptus camudelensis*, *Eucalyptus viminalis* and *Allocasuarina verticillata*. Were present. This remains ambiguous and does not provide confidence in the ecological report
- Stormwater management plan May 2019 report sets out a recommended stormwater management plan for 3 of the 4 water flow paths within the 40 ha site.

865 Swan Bay Rd, Mannerim, PO Box 431 DRYSDALE, VIC 3222  
Email: [REDACTED]

## Bellarine Catchment Network

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The report states that this covers 25.5 ha and allows for the development of 255 lots approx.

- This leaves in excess of 14 ha with no supporting documentation.
- Flowpath1 will increase run off through existing housing and there are known problem areas (flooding of properties north of Jetty Road Reserve, Bay Shore Av. discharge points into the bay, etc.)
- Tree Assessment 151, 161 and 171 Jetty Road Dec 2016
- This report identifies 282 trees or groups of trees on just these 3 properties. I.e. 279 is identified Eucalyptus camaldulensis - River Red Gum - Group of 9 trees.
- Council should request a similar tree assessment supporting documentation be provided on all 28 properties.

Yours sincerely,

[REDACTED]  
President  
Bellarine Catchment Network

Yours sincerely,

[REDACTED]  
Program Manager  
Bellarine Catchment Network

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