

**CITY OF GREATER GEELONG PLANNING SCHEME  
AMENDMENT C408ggee**

**PLANNING PERMIT APPLICATION 1247-2019  
EXPLANATORY REPORT**

**Who is the planning authority?**

This amendment has been prepared by the City of Greater Geelong, which is the planning authority for this amendment.

The amendment has been made at the request of CardnoTGM on behalf of landowners R & A Clifton.

**Land affected by the Amendment**

The amendment applies to an area of over 2.5 hectares of land within the western side of Leopold, located at 31-49 Melaluka Road, Leopold as shown below:



The amendment is a combined planning scheme amendment and planning permit application under section 96A of the Act.

**What the Amendment does**

The Amendment proposes to rezone the land to General Residential Zone Schedule 1 to allow for residential development in accordance with Clause 21.14-3 of the Leopold Structure Plan.

The Amendment will:

- Rezone all the land from the Low Density Residential Schedule 1 (LDRZ1) to the General Residential Zone Schedule 1 (GRZ1);
- Amends Map 57(ZN) to show land south of the Bellarine Rail Trail and east of Melaluka Road as General Residential 1 Zone.

The planning permit application seeks approval for:

- A staged multi lot subdivision; and
- Removal of native vegetation.

### **Strategic assessment of the Amendment**

#### **Why is the Amendment required?**

The Amendment is required to rezone land to facilitate residential growth in Leopold in accordance with the urban growth direction in Clause 21.14 as also identified in the Leopold Structure Plan.

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

Consistent with the objectives set out in Section 4 of the Planning and Environment Act 1987, the amendment:

- Provides for the fair, orderly, economic and sustainable use and development of land.
- Balances the need for new housing against the environmental constraints and opportunities of the area.
- Provides planning provisions to ensure the orderly and logical development of the land.

The proposal accords with the objectives of Planning in Victoria as set out in the Planning and Environment Act 1987 as it will provide for the rezoning and subdivision of land to achieve an orderly, well planned outcome consistent with the strategic direction of Leopold.

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

There are no significant environmental issues that affect this land. The application requires the removal of native vegetation (1 tree) which has not been assessed as being of state or national significance. The removal will be subject to off-setting the vegetation loss. The Environmental Assessment of the land has found that the land is suitable for residential development.

The amendment will provide social benefits by the establishment of an attractive residential development conveniently located within short distance to commercial and educational facilities.

The amendment will also result in additional economic growth during the development of this estate and as a consequence of the expansion of the Leopold community.

#### **Does the Amendment address relevant bushfire risk?**

The land is within the bushfire prone area. It is not within the Bushfire Management Overlay. The land will be developed in accordance with fire prevention requirements.

The application will be referred to the CFA as part of the approval process.

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

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

The amendment is also consistent with Ministerial Direction 11 Strategic Assessment of Amendments as the Explanatory Report includes all requirements to be met.

The amendment is also consistent with Ministerial Direction No. 15 The Planning Scheme Amendment Process.

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

The amendment is consistent with the intent of the State Planning Policy and supports its implementation by:

**Clause 11 Settlement** – The amendment supports this policy as it will facilitate residential growth in an orderly manner within the established township of Leopold with access to recreational, community, schooling and retail services.

**Clause 11.02 Managing Growth** – The amendment supports this policy by the development of identified future residential land in Leopold.

**11.03-2 Growth Areas** – The amendment supports this policy to locate residential growth land close to transport corridors and services and provide efficient and effective infrastructure to create sustainability benefits while protecting primary production, major sources of raw materials and valued environmental areas.

**12.01 – 2S Native Vegetation Management** – Minimises the removal, destruction or lopping of native vegetation that cannot be avoided.

**12.03 Water Bodies and Wetlands** – The amendment supports this policy as it will require best practice drainage management to ensure no impact on downstream water bodies.

**13.02 Bushfire** – The amendment supports this policy as the subdivision design will reduce any fire risk.

**15.01 Built Environment** – The amendment supports this policy as the proposed subdivision has been designed to provide an attractive and healthy neighbourhood.

**16.01 Residential Development** – The amendment supports this policy as the subdivision will create housing variety and affordability opportunities.

**19.03 Development Infrastructure** – The amendment supports this policy as the land can be serviced to allow residential development.

**19.03 – 3S Integrated Water Management** - Sustainably manages water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

In addition to current State Policy, on 29 October 2019, the Bellarine Peninsula was declared a Distinctive Area and Landscape under the Planning and Environment Act 1987. The declaration triggers the requirement to prepare a Statement of Planning Policy (SPP).

A Draft SPP was released for public comment for the period 25 June to 20 August 2021 which is the third and final phase of public consultation. The draft SPP includes a 50-year vision and land use strategies to better protect the unique features of the Bellarine Peninsula for current and future generations. It also provides the opportunity to designate long term settlement boundaries.

The land proposed to be re-zoned by Amendment C408ggee is located within the existing Leopold settlement boundary and does not conflict with the Draft SPP.

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

The proposal is consistent with and will implement the Local Planning Policy Framework (LPPF):

**21.04 Municipal Framework Plan** –Provides the strategic vision for the Geelong region. Leopold is identified as a sub-regional centre in the Municipal Framework Plan.

**21.05 – 7 Flooding** - Ensures that land use and development is compatible with flood prone land.

**21.06 – 2 Spatial Distribution of Growth and Land Supply** - Contains growth within identified locations across the municipality.

**21.06 – 3 Managing future growth** - Ensures growth is well planned and deliver sustainable communities.

**Clause 21.14 The Bellarine Peninsula** – The amendment supports this policy as Leopold is a key town where urban growth is expected and encouraged.

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

The Amendment makes proper use of the Victorian Planning Provisions by rezoning the land to the General Residential Zone 1 which is considered to be the most appropriate planning tool required to facilitate orderly development consistent with the Leopold Structure Plan.

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

The views of relevant agencies were sought and considered as part the pre-exhibition referrals for this amendment. The draft planning permit accompanying the amendment includes permit conditions requested by agencies.

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

There are no significant impacts on the transport system defined by the Transport Integration Act as a result of this amendment.

### **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 Council's resource and administrative costs as it represents an expected strategic planning outcome for this land.

## Where you may inspect this Amendment

The amendment is available for public inspection, free of charge:

- At the Council Customer Service Centre, 100 Brougham Street Geelong, during office hours by appointment, consistent with Section 197D of the Planning and Environment Act, and subject to any public health directives that may be in place.
- 'Amendments' section of the City's website [www.geelongaustralia.com.au/amendments/](http://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](http://www.delwp.vic.gov.au/public-inspection).

## Submissions

Any person who may be affected by the Amendment and/or planning permit may make a submission to the planning authority. Submissions about the Amendment and/or planning permit must be received by **Monday 18 October 2021**.

A submission must be sent to:

The Coordinator  
Strategic Implementation  
City of Greater Geelong

PO Box 104,

Geelong VIC 3220; or

- by e-mail to [amendments@geelongcity.vic.gov.au](mailto:amendments@geelongcity.vic.gov.au) or
- lodged online at [www.geelongaustralia.com.au/amendments](http://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: **Week commencing 6 December 2021**
- panel hearing: **31 January 2022**