

GREATER GEELONG PLANNING SCHEME

AMENDMENT C399ggee

EXPLANATORY REPORT

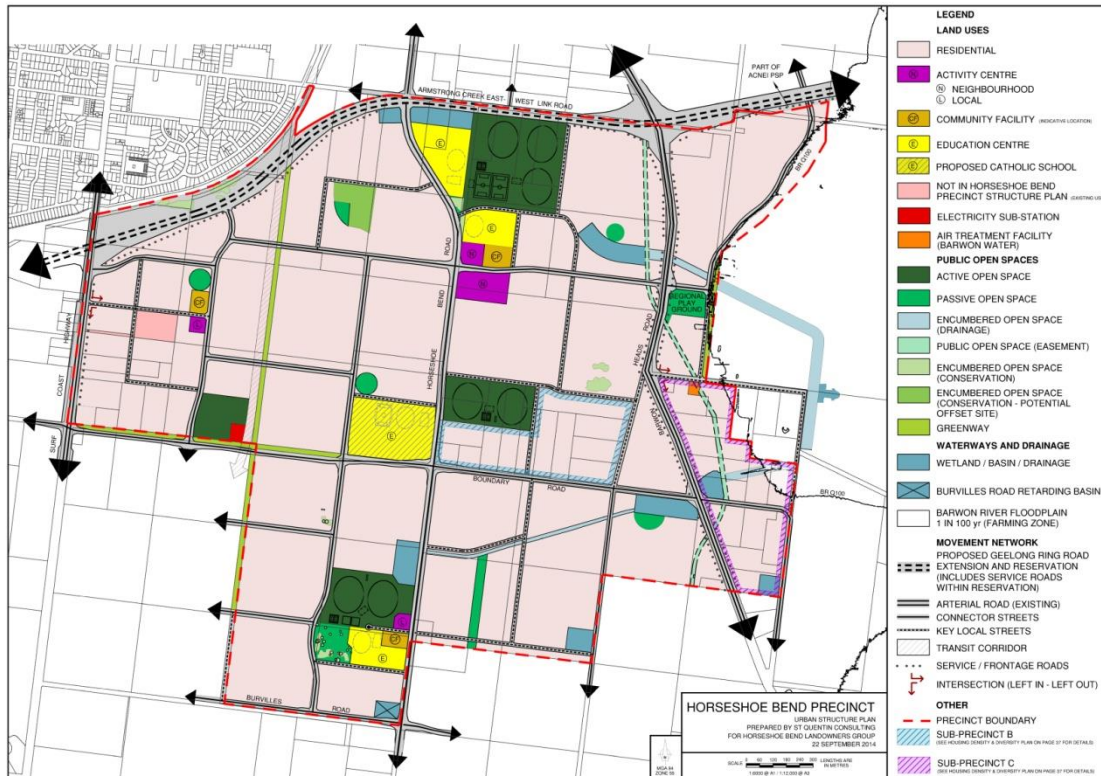
Who is the planning authority?

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

The amendment has been made at the request of City of Greater Geelong Council.

Land affected by the Amendment

The amendment applies to land to which the Horseshoe Bend and Armstrong Creek Town Centre Precinct Structure Plans apply, as generally identified on the two maps, below



Horseshoe Bend Precinct Structure Plan



1:8000

Legend

- - - ACTCPSP BOUNDARY
- PRIMARY ROAD NETWORK
- ACCESS STREET (indicative only)
- RETAIL (Allowing upper level use)
- RESTRICTED RETAIL (Allowing upper level use)
- MIXED USE (Retail, commercial on ground floor)
- MIXED USE (Primary residential)
- EMERGENCY SERVICES
- COMMUNITY FACILITIES
- OPEN SPACE
- ENCUMBERED OPEN SPACE (Storm water quality and management)
- ENCUMBERED OPEN SPACE (Biodiversity values)
- TRANSIT CORRIDOR
- PRIORITY PEDESTRIAN NETWORK
- ULTIMATE INTEGRATED TRANSIT HUB
- INTERIM BUS INTERCHANGE

Armstrong Creek Town Centre Urban Structure Plan

What the amendment does

The amendment up-dates the methodology used for the calculation of native vegetation offsets.

The amendment alters the following schedules in the planning scheme to refer to the revised Native Vegetation Precinct Plans:

- Schedule 4 to Clause 37.07 Urban Growth Zone UGZ4,
- Schedule 5 to Clause 37.07 Urban Growth Zone UGZ5,
- Schedule to Clause 52.16 – Native Vegetation Precinct Plan, and
- Schedule to Clause 72.04 – Documents incorporated in this planning scheme.

Strategic assessment of the Amendment

Why is the Amendment required?

Shortly after the original Native Vegetation Precinct Plans (NVPPs) for the Armstrong Creek Town Centre and Horseshoe Bend Precincts were gazetted, the Department of Environment, Land, Water and Planning updated the way that offsets were calculated. Generally, this correction results in a reduction of species-specific offsets required, and an increase in general offsets being required for the removal of any native vegetation that is permitted to be removed under these two NVPPs.

The proposed changes to the NVPPs are to implement this up-dated methodology for the calculation of native vegetation offsets, no changes to the status of native vegetation in either precinct are proposed, i.e. there will be no native vegetation that was originally to be retained that can now be removed or vice versa.

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

The amendment implements the objectives of planning in Victoria pursuant to Section 4 of the *Planning and Environment Act 1987* by providing for the fair, orderly and sustainable development of land where environmental, social and economic effects are recognised.

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

The revision of the Native Vegetation Precinct Plans so as to accurately reflect the state government specified vegetation assessment requirements and the amendment of the schedules to the Urban Growth Zone to refer to the revised NVPPs will result in environmental outcomes consistent with state legislative requirements.

The amendment will ensure that the need to off-set lost vegetation is minimised, which will result in a reduced adverse economic impact and maximise the positive social impact by achieving an optimal development outcome.

Does the Amendment address relevant bushfire risk?

All the land to which Amendment C399 applies, as well as surrounding developed and undeveloped residential land, is designated as a fire prone area under the Victorian Building Regulations.

The amendment however will not exacerbate bushfire risk as no additional land is proposed to be rezoned for urban use.

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, Ministerial Direction 11 Strategic Assessment of Amendments as the Explanatory Report includes all requirements to be met, and Ministerial Direction No. 17 Localised Planning Statements.

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

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

The amendment implements the following aspect of State planning policy, Clause 12 – *Environment and Landscape Values*.

Clause 12.01-1S *Protection of biodiversity*, which includes the following:

“Objective

To assist the protection and conservation of Victoria’s biodiversity.

Strategies

Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.

Strategically plan for the protection and conservation of Victoria’s important areas of biodiversity.

Ensure that decision making takes into account the impacts of land use and development on Victoria’s biodiversity, including consideration of:

- Cumulative impacts.
- Fragmentation of habitat. ...

Avoid impacts of land use and development on important areas of biodiversity. ...

Assist in the identification, protection and management of important areas of biodiversity. ...

Policy guidelines:

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents:

- *Protecting Victoria’s Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the *Catchment and Land Protection Act 1994*)”

Clause 12.01-2S *Native vegetation management* which includes the following:

“Objective

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Strategies

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal,*

destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017):

- Avoid the removal, destruction or lopping of native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

Policy guidelines

Consider as relevant:

- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

Policy documents

Consider as relevant:

- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017)
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, 2017)

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

The following elements of the Municipal Strategic Statement are relevant to and consistent with the changes proposed as part of Amendment C399:

Clause 21.05 *NATURAL ENVIRONMENT* ...

Clause 21.05-3 *Biodiversity*

Objective

To protect, maintain and enhance the biodiversity of the municipality.

Strategies

- Ensure that land use and development minimises the fragmentation of areas native vegetation and other habitats.
- Ensure habitats of indigenous species are protected from the impacts of land use and development.

Clause 21.11 *ARMSTRONG CREEK URBAN GROWTH AREA*

Clause 21.11- 2 *Objectives*

- To protect and enhance the natural environmental features and cultural heritage values of the Armstrong Creek area and provide a distinct urban character and green setting.

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

The use of schedules to the Urban Growth Zone remains the appropriate mechanism to reference NVPPs which are incorporated documents in the planning scheme.

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

DELWP has acknowledged the need for this amendment and has supported the Council in the revision of the two NVPPs and the consequent proposed changes to the Planning Scheme.

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

There are no 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 no 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 **Greater Geelong City Council**, Customer Service Centre, Ground Floor, 100 Brougham Street, GEELONG.

The amendment can also be viewed at the **Amendments** section of the City's website www.geelongaustralia.com.au/amendments/ or at the Department of Environment, Land, Water and Planning website at www.planning.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 Amendment C399ggee should be received by 20 April 2020 and addressed to:

The Coordinator
Strategic Implementation
City of Greater Geelong

- either by mail to: PO Box 104, GEELONG VIC 3220
- or by email to: strategicplanning@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: 8 June 2020
- panel hearing: 6 July 2020

Further information

For further information about Amendment C399ggee, please contact the Strategic Implementation Unit at the City of Greater Geelong on (03) 5272 4820 or via email strategicplanning@geelongcity.vic.gov.au