

GREATER GEELONG PLANNING SCHEME

AMENDMENT C409ggee

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 the City of Greater Geelong.

Land affected by the Amendment

The Amendment applies to

- 50-54 Barwon Heads Road, Belmont
- 31A, 33 and 35 Serene Terrace, Drysdale
- 258-388 Shannon Avenue, Geelong West
- 171-173 Moorabool Street, Geelong
- 2 Newfields Drive, Drysdale
- 6-10 Stonebridge Road, Drysdale
- 12-14 Stonebridge Road, Drysdale
- 1-3 Serene Terrace, Drysdale
- 11-17 Woodville Street, Drysdale
- 19-27 Tranquil Terrace, Drysdale
- 106 Tanner Street, Breakwater
- 217 Mt Pleasant Road, Highton
- 235 Mt Pleasant Road, Highton
- 37-65 Walchs Road, North Shore
- 21-25 Enterprise Drive, Corio
- 22-34 Enterprise Drive, Corio
- 87-91 Prosperity Drive, Corio
- 155-175 O'Briens Road, Corio
- 70-80 Prosperity Drive, Corio
- 191-195 Ryrie Street, Geelong
- 6a and 10 Bennett Street, Highton
- 660 Batman Road, Indented Head
- 10 Murphys Road, Balliang
- 17 Evans Street, Belmont
- Land within the Activity Centre Zone Schedule 1, Urban Growth Zone Schedule 5 and Special Use Zone Schedule 13.
- Land affected by Clause 59.15 – local class of VicSmart applications.
- Land within the Western Beach Road Heritage Area.

What the amendment does

The Amendment proposes to amend various provisions of the Greater Geelong Planning Scheme to correct mapping and ordinance anomalies.

The Amendment makes the following detailed changes to the Greater Geelong Planning Scheme:

Planning Scheme Map Changes

1. Rezone part of the land at 2 Newfields Drive, 6-10 & 12-14 Stonebridge Road, 19-27 Tranquil Terrace, 11-17 Woodville Street Drysdale from GRZ2 to GRZ1.
2. Rezone part of 1-3 Serene Terrace, Drysdale from GRZ1 to GRZ2.

3. Rezone part of the land at 21-25 & 22-34 Enterprise Drive and 87-91 Prosperity Drive, Corio from IN2Z to IN1Z.
4. Rezone part of the land at 155-175 O'Briens Road and 70-80 Prosperity Drive, Corio from IN1Z to IN2Z.
5. Rezone the land at 6a Bennett Street, Highton from GR22 to PPRZ.
6. Rezone the land at 10 Bennett Street, Highton from PPRZ to GR22.
7. Rezone the land at 660 Bateman Road, Indented Head from GR22 to PCRZ.
8. Rezone the land at 10 Murphys Road, Balliang from FZ to PCRZ.
9. Rezone part of the land at 17 Evans Street, Belmont from RG22 to GRZ1.
10. Delete HO343 from part of the land at 50-54 Barwon Heads Road, Belmont.
11. Delete HO1620 from the land at 31A, 33 & 35 Serene Terrace, Drysdale.
12. Delete HO1637 from the land at 171-173 Moorabool Street, Geelong.
13. Delete HO1176 from the land at 106 Tanner Street, Breakwater.
14. Apply HO1785 to part of the land at 17 Evans Street, Belmont.
15. Delete DDO26 from the land at 37-65 Walchs Road, North Shore.

Planning Scheme Ordinance Changes

16. Amend the Schedule to Clause 43.01 to delete external paint controls for HO155 affecting the property at 191-195 Ryrie Street, Geelong.
17. Amend the Schedule to Clause 43.01 to change the street address description for entry HO1926.
18. Amend the Schedule to Clause 43.01 to change the street address description for entry HO204.
19. Amend the Schedule to Clause 43.01 to change the HO number for the Western Beach Road Heritage Area from HO2048 to HO2018.
20. Amend Schedule 1 to Clause 37.08 to replace the land use term 'tavern' with the term 'bar'.
21. Amend Schedule 13 to Clause 37.01 to replace the land use term 'tavern' with the term 'bar'.
22. Amend Schedule 5 to Clause 37.07 to replace the land use term 'tavern' with the term 'bar'.
23. Amend the Schedule to Clause 59.15 to replace the land use term 'tavern' with the term 'bar'.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to correct anomalies in the Greater Geelong Planning Scheme (both Maps and Ordinance) that have become apparent during the past few months of operation of the Scheme. The Amendment is considered housekeeping in nature and has been prepared to 'tidy up' the Scheme.

It is incumbent on Council to resolve these matters so that its Planning Scheme is relevant, up-to-date, of a high quality and standard, and meets the State Government's requirements. This anomalies Amendment will address these matters.

The following is more detail about the need for each change to the Scheme:

1. Incorrect mapping of the extent of heritage overlay HO1637 (Geelong Commercial Heritage Area). The extent of the mapping has included the land at 171-173 Moorabool Street, Geelong which is part of the Belcher Arcade. The overlay has been applied in a blanket manner over land approximately 30 metres south of Ryrie Street, primarily between Moorabool Street and Market Street but with some minor exceptions. In this location, the overlay is primarily directed to sites along Ryrie Street, although it does not follow the title boundaries of these sites. As a result, 171-173 Moorabool Street which is oriented to Moorabool Street, has been included in this HO1637, even though there is no heritage significance and that the building was constructed concurrent with the balance of the Belcher Arcade (171-179 Moorabool Street) which is not included in this overlay. The site is also visually indistinguishable at street level from the balance of the Belcher Arcade, further highlighting the anomaly.

2. Incorrect mapping of the extent of the heritage overlay HO343 applicable to the RSL monument located at 50-54 Barwon Heads Road Belmont – RSL site. The extent of the heritage overlay should apply to the extent of all the land within 5 metres of the monument, as identified in the schedule to the heritage overlay at clause 43.01 in the Planning Scheme Ordinance.
3. Inadvertent ongoing application of the heritage overlay HO1176 to the land at 106 Tanner Street, Breakwater. HO1176 originally applied to the land at 106-110 Tanner Street but this land has since been subdivided. The dwelling of significance is now on land at 108-110 Tanner Street and the land at 106 Tanner Street is vacant and included in the Industrial 2 Zone.
4. Inadvertent ongoing application of the HO1620 to the land at 31A, 33 and 35 Serene Terrace, Drysdale following the subdivision of this land as part of the Drysdale Central Walk development that subdivided the land at the back of 23 and 25 Princess Street Drysdale. These later properties were included in the Drysdale Heritage Area primarily for their frontage to Princess Street. The subdivision of the rear portions of these properties has separated this land from any heritage contribution or value for the Drysdale Heritage Area.
5. Land at 17 Evans Street, Belmont is incorrectly included in 2 zones with the majority being GRZ1 and a smaller portion partly GRZ2. This is the result of a boundary realignment made in 2019. This needs to be corrected to wholly include the land within the GRZ1.

The site at 17 Evans Street, Belmont is also included in the heritage overlay HO1785, which also as a result of the boundary realignment does not cover the whole of the property. This requires correction to extend the heritage overlay southward to the southern property boundary.
6. Inadvertent ongoing application of the Farming Zone to a small triangular shaped Nature Reserve at 10 Murphys Road, Balliang. This is Council owned land that is managed by the City and the local community as a nature reserve and contains one of the oldest redgums known in Geelong. The reserve should be included in the PCRZ.
7. Land at 21-25 Enterprise Drive, 22-34 Enterprise Drive, 87-91 Prosperity Drive, 155-175 O'Briens Road, and 70-80 Prosperity Drive, Corio is incorrectly included in two zones – the Industrial 1 and Industrial 2 Zones. This is required to be corrected, with the land at 70-80 Prosperity Drive and 155-175 O'Briens Road to be wholly included in the IN2Z and the other properties corrected to be wholly included in the IN1Z.
8. Inadvertent ongoing application of the GRZ2 to the Council owned Indented Head Woodland Reserve at 660 Batman Road, Indented Head. This land should be included in the PCRZ. It was part of a land exchange in the development of the Seabreeze residential estate to protect the high ecological values of the land.
9. Land at 2 Newfields Drive, Drysdale and 6-10 and 12-14 Stonebridge Road, Drysdale is incorrectly included in two zones. As a result of final subdivision design, these properties are mostly within the GRZ1 but retain small portions along their frontages in the RGZ2. Similarly, the land at 1-3 Serene Terrace, Drysdale has is incorrectly included in two zones with a small portion of the south west corner included in GRZ1 and the balance in GRZ2. Whilst tidying up these sites it is also prudent to correct the zoning of the nearby Council owned land at 11-17 Woodville Street and 19-27 Tranquil Terrace, Drysdale which is also split into the GRZ1 and GRZ2.
10. Incorrect application of the PPRZ to privately owned land and residence at 10 Bennett Street, Highton and the GRZ2 to a Council owned public park at 6a Bennett Street, Highton. This is considered an historical mapping error at the time of the preparation of the new format planning scheme which was approved in 2000.
11. Incorrect application of the Design and Development Overlay Schedule 20 (DDO20) to the land at 37-65 Walchs Road, North Shore. The DDO20 only applies to land included in the INZ1, 2 & 3. The land at 37-65 Walchs Road is included in the Port Zone (PZ).
12. Incorrect address description in the schedule to Cause 43.01 (the Heritage Overlay) for HO204. The planning scheme maps correctly map HO204 to the land at 217 Mt Pleasant Road, Highton, but the schedule lists the street address as 235 Mt Pleasant Road, Highton.
13. Redundant exterior paint controls applicable to the heritage overlay HO155 at 191-195 Ryrie Street, Geelong - the former Geelong Advertiser. The basis for the heritage overlay on the site is the plaque which is located inside the building. As it is the plaque which is of heritage significance and this is inside the building, there is no need for external paint controls to apply.
14. Incorrect description of the extent of the Heritage Overlay HO1926 in the Schedule to the Clause 43.01. HO1926 extends from 354-388 Shannon Avenue, Geelong West but the address description

in the Schedule is 354-358 Shannon Avenue, Geelong West. The HO is intended to extend to all the properties as shown on the planning scheme map and as outlined in the Newtown West Heritage Study.

15. Incorrect HO number in the Schedule to Clause 43.01 for the Western Beach Heritage Area. The HO number included in the Schedule at approval of previous Amendment C359ggee was mistakenly recorded as HO2048 but should have been recorded as HO2018.
16. Inadvertent ongoing inclusion of the land use term 'tavern' instead of 'bar' within three zones. The term 'tavern' was changed to the term 'bar' as part of Amendment VC159 and is now redundant. The land use tables within the ACZ1, SUZ13 and UGZ5 require updating to use the correct land use term 'bar' in place of 'tavern'. Land affected by the schedule to clause 59.15 Local VicSmart Applications is also similarly affected and requires updating to correct the land use term 'tavern' to 'bar'.

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

- The Amendment ensures that the Planning Scheme provisions are correctly applied to land so that it can be used and developed in accordance with the Act.

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

- There are no social, economic effects or environmental effects arising from this Amendment.

Does the Amendment address relevant bushfire risk?

- The Amendment does not affect land where there is a significant risk of bushfire.

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

- The use and development envisaged by the Amendment is not affected by any Minister's Directions under Section 122 of the Planning and Environment Act 1987. The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

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

- The Amendment is consistent with the Planning Policy Framework (PPF). As the changes proposed are minor and essentially administrative in nature, there are no implications for the PPF.

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

- The Amendment is consistent with the Local Policy Framework (LPPF). As the changes proposed are minor and essentially administrative in nature, there are no implications for the LPPF.

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

- The Amendment corrects errors in the application of the Victoria Planning Provisions and will ensure that the Greater Geelong Planning Scheme is of a high quality and standard and meets Planning and Environment Act 1987 requirements.

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

As the Amendment is correcting mistakes with the application of the planning provisions, there has been no requirement to seek the views of relevant external agencies/authorities.

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

The Amendment is not affected by the Transport Integration Act 2010.

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 on Council as 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:

'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.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 C409ggee should be received by 30 June 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: amendments@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: week commencing 24 August 2020
- panel hearing: week commencing 21 September 2020