

# TOWN PLANNING REPORT

## Rezoning Application, Jetty Road 2

Jetty Road 2 Growth Area, Curlewis

Prepared for Curlewis Bellarine Pty Ltd, Graham and Heather Moss and Stockland Pty Ltd

By Planit Consulting Pty Ltd

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Job No. J7480





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## 1.0 Introduction

Planit Consulting has been engaged by landowners, Curlewis Bellarine Pty Ltd, Graham and Heather Moss and Stocklands Pty Ltd to prepare and submit a Planning Scheme Amendment Application on their behalf for the rezoning of land at 32-70 McDermott Road and 91-125 Coriyule Road, Curlewis. As required by the City of Greater Geelong, this application also seeks approval for the rezoning of land at 72-100 McDermott Road and 102-170 McDermott Road, Curlewis.

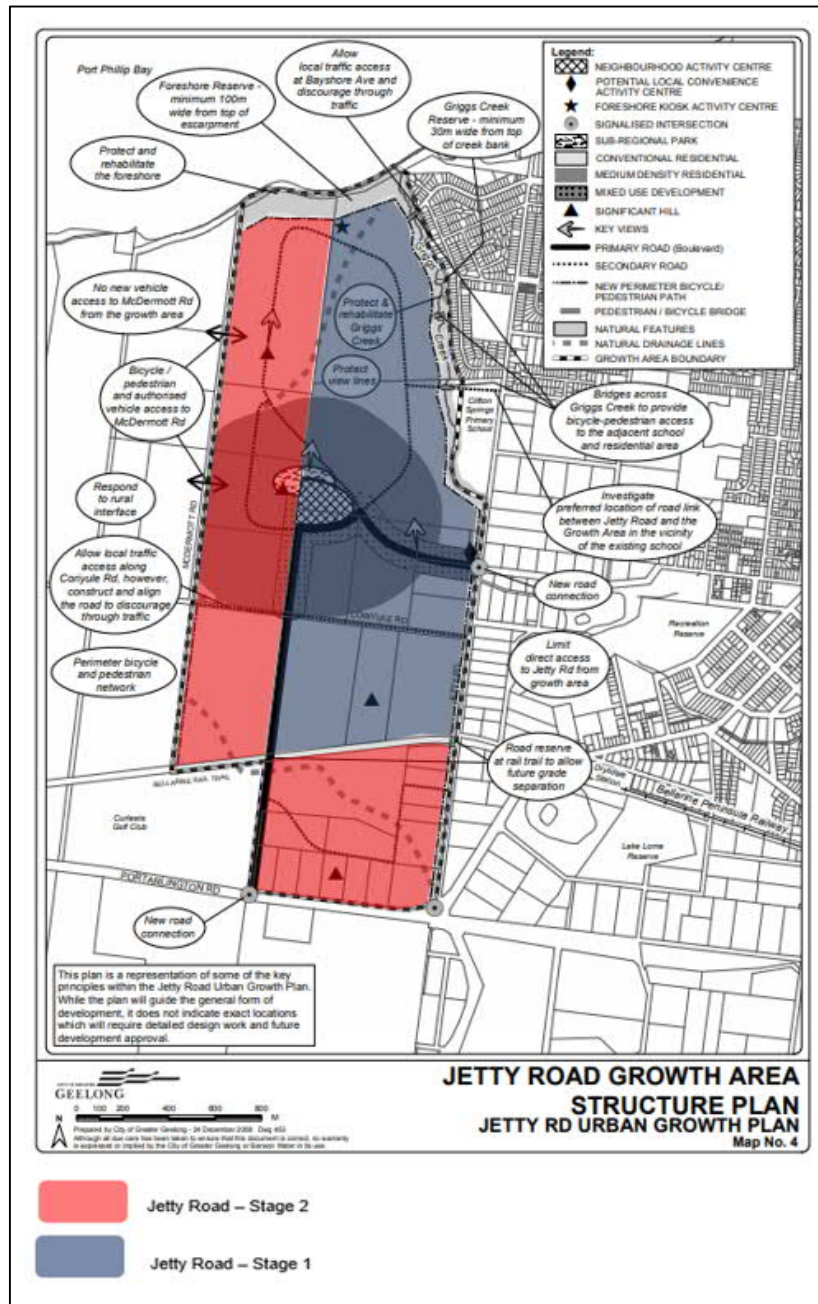
This Planning Scheme Amendment Application also seeks to introduce a Schedule to the Development Plan Overlay and Development Contributions Plan Overlay over all the land proposed to be rezoned. It also proposes to introduce the Schedule to the Environmental Audit Overlay for specific sites identified in the PRSA attached to this report.

The subject land is identified as Stage 2 of the Jetty Road Urban Growth Area which is identified for urban development. The subject land is described as predominately cleared farming zone land located along the western edge of the Drysdale Clifton Springs Settlement boundary and adjoins the developed Jetty Road Stage 1 Urban Growth Area.



Subject Land

This submission is made after an initial rezoning submission previously lodged in November 2021 for the combined rezoning and subdivision pursuant to Section 96A of the Planning and Environment Act 1987 of the subject land. After further considerable consultation and agreement with Council the initial application has been amended to entail the rezoning of the land, introduction of a Schedule to the Development Plan Overlay and Development Contributions Overlay and removal of Native vegetation. We understand that landowners south of the Bellarine Rail trail will be concurrently lodging their application which combined this submission will form part of the same planning scheme amendment.



Jetty Road Urban Growth Plan

## 1.1 Application Details and Permit Triggers

Table 1- Application Details in Summary

Basic Information	
Applicant	Planit Consulting on behalf of Curlewis Bellarine Pty Ltd, Graham and Heather Moss and Stocklands Pty Ltd
Application	Rezoning
Address	32-70 McDermott Road, 91-125 Coriyule Road, 72-100 McDermott Road and 102-170 McDermott Road, Curlewis
Property Description	Currently Greenfield Farming Land
Total Site Area	96.7 ha
Proposed Zone	General Residential Zone – Schedule 1
Proposed Overlay	Schedule to the Development Plan Overlay Schedule to the Development Contribution Plan Overlay Introduction of the Environmental Audit Overlay
Planning Scheme	Greater Geelong Planning Scheme

## 2.0 Subject Land and Context

### 2.1 Subject Land

The subject land is located to the west of the existing developed town of Drysdale/Clifton Springs and directly adjoins with the completed estates of the Jetty Road Stage 1 Urban Growth Area along the eastern boundary.

The subject land is approximately 96.7ha in area and extends north to Port Phillip Bay, south to the Bellarine Rail Trail and Curlewis Golf Course and west to McDermott Road which marks the western extent of the Drysdale/Clifton Springs settlement boundary.

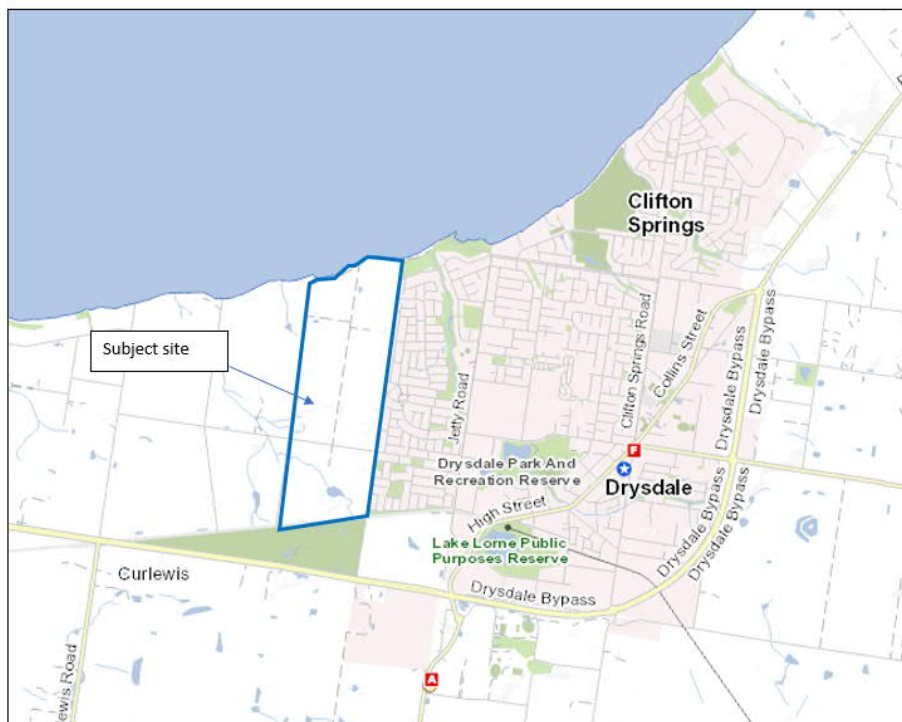
Land located further west is described as cleared farming zone land. The subject site and surrounds as indicated in the aerial photograph below indicates the location of the subject land relative to the urban growth areas of Drysdale/Clifton Springs to the east, Port Phillip Bay to the north, Farming land to the west and the Curlewis Golf Course to the south.

The subject land is well located to the west of all the established services of central Drysdale and is located directly adjacent to the retail and commercial services of the Local Activity Centre sited along Glenvale Drive which has recently been developed as part of the Jetty Road Stage 1.

The coastal reserve of Port Phillip Bay located north, and the Bellarine Rail Trail located south provide excellent passive open space opportunities in addition to the established open space areas recently created in the Jetty Road Stage 1 area and numerous recreational opportunities in nearby Drysdale.



Aerial photograph of the subject site and surrounds



Context Plan



- 32 – 70 McDermott Road

This land is 26.10 ha in area and is made up of two individual lots (Lots 9 and 10 on LP10309), located to the north of Coriyule Road and east of McDermott Road. The land is described as predominantly vacant farmland with a shed located along the southern boundary. The land is described as mostly featureless cleared farmland that naturally drains to the southwest and northwest.

- 91 – 125 Coriyule Road

This land is 25.89 ha in area and is described as cleared farmland used for cropping and grazing. The land contains a single storey house and with surrounding planted vegetation and planted windrows midway within the site and along the Coriyule road frontage. A dam is located along the western boundary and some scattered native vegetation (mana gums) are located along the north-eastern boundary. A single Manna Gum is also located at the south-eastern boundary of the land. The subject land is predominantly flat to the northern boundary and undulating to the south which forms the main drainage line through the land. The subject land adjoins Coriyule Road to the north which provides the primary access to the land.

- 72 – 100 McDermott Road

This land is a small farming lot of 11.81ha in area and is used for grazing and cropping and also contains a small vineyard. The land contains a house and sheds and is bound by windrows on each boundary. The land adjoins McDermott Road to the east.

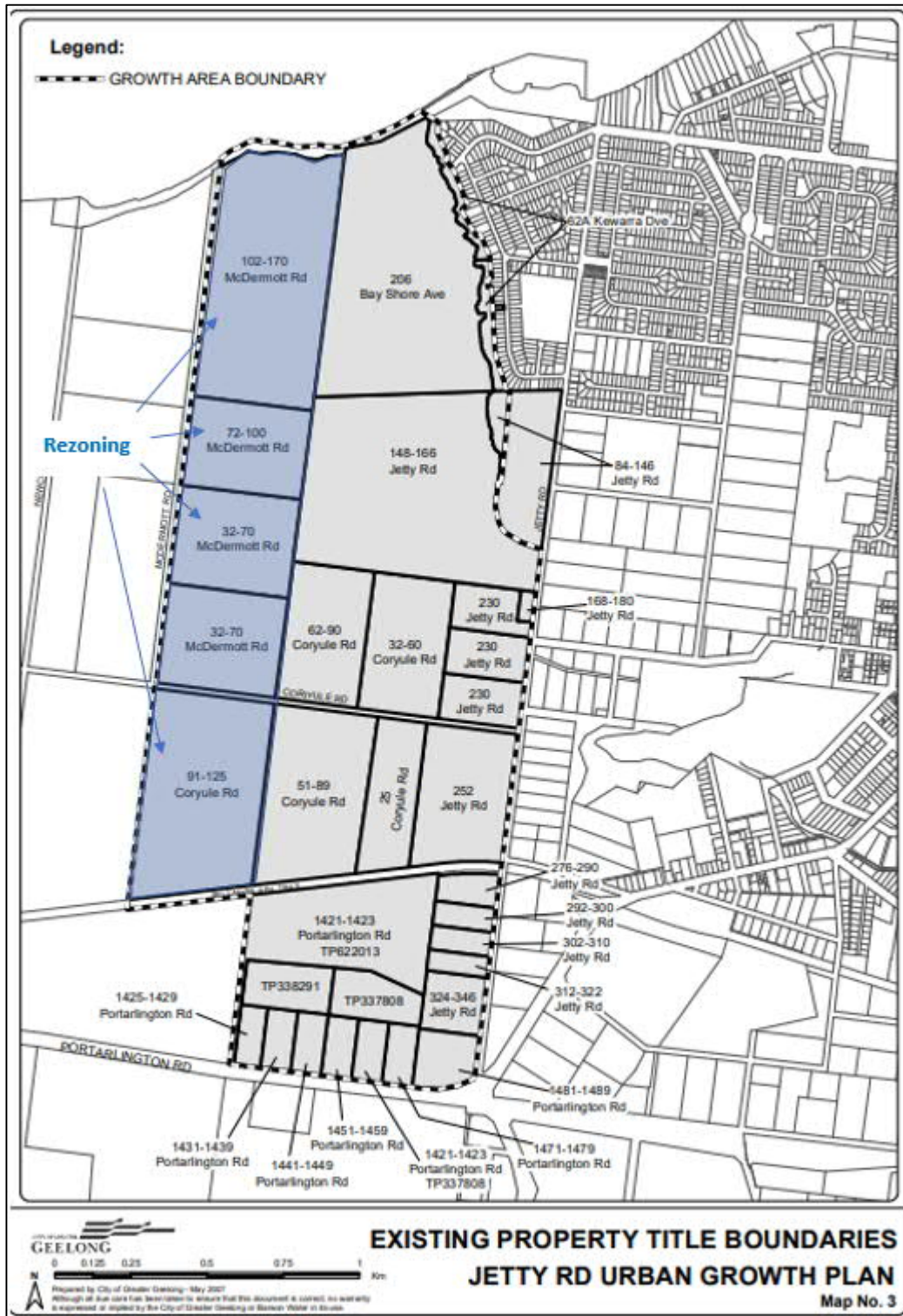
- 102 -170 McDermott Road

Land at 102-170 McDermott Road is 32.9ha in area and has a variety of uses including general farming, vineyard and has been developed and used as a reception centre. The land contains a substantial dwelling and extensive ornate landscaping along the southern part of the land where the vineyard and reception building are located. The balance land area located to the north is described as cleared farmland which extends to shores of Port Phillip Bay.

## 2.3 Regional Strategic Planning Context

### Strategic Planning Context

The following strategic plans and policies provide the broader strategic planning context and direction for urban development in Geelong and Drysdale/Clifton Springs where the subject land is located.

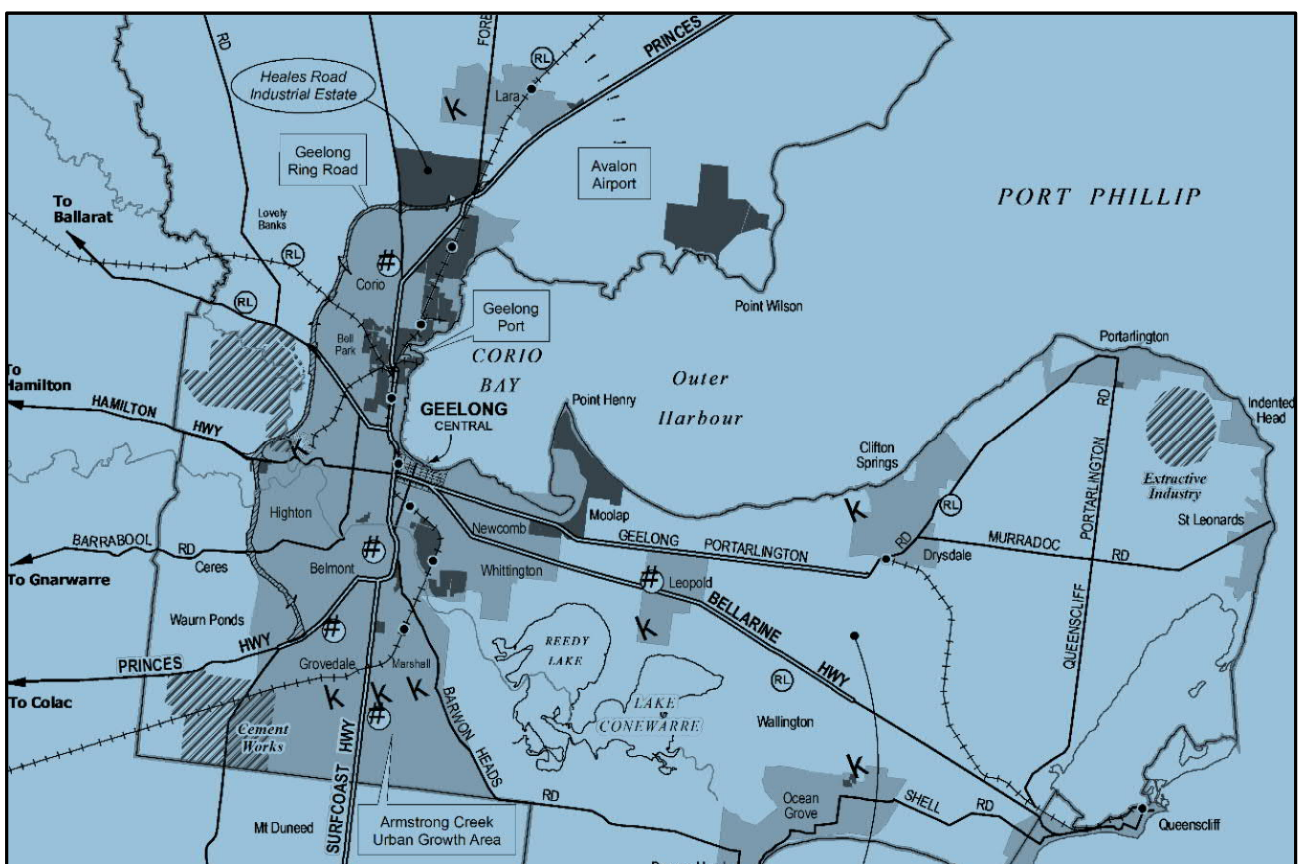


## G21 Regional Growth Plan

The G21 Regional Growth Plan identifies Drysdale/Clifton Springs as a District Town where additional housing growth is encouraged to facilitate a population increase from 10,000 to 100,000 people. Drysdale/Clifton Springs is also a sub-regional employment area. The subject land is located in the Drysdale/Clifton Springs growth area boundary.

## Geelong Framework Plan

The Geelong Framework Plan identifies Drysdale/Clifton Springs as one of a number of primary towns of the City of Greater Geelong where urban growth outside the central Geelong area has been encouraged. Drysdale/Clifton Springs is located approximately 24 kms to the east of Geelong.



Geelong Framework Plan

## 2.4 Geelong Planning Scheme

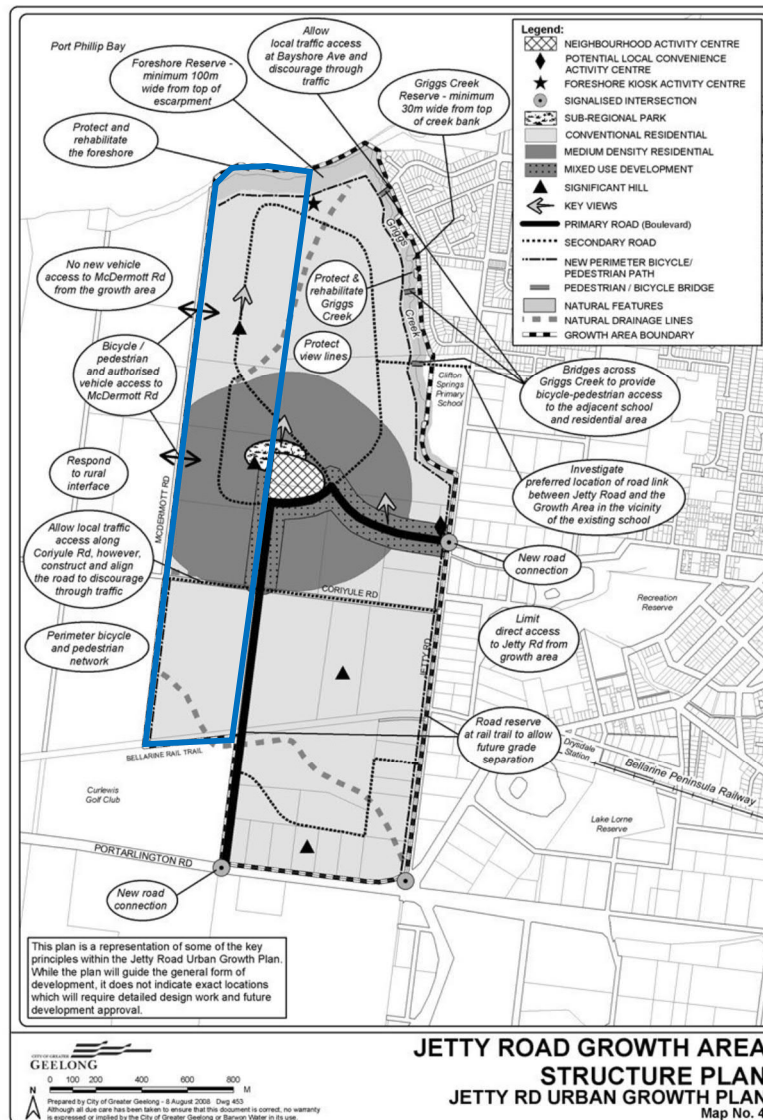
### Clause 11.03-6-01 Bellarine Peninsula

Clause 11.03-6-01 Bellarine Peninsula of the Geelong Planning Scheme seeks to retain the physical attributes of the Bellarine Peninsula whilst supporting attractive and sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.

It also supports the district towns of Ocean Grove, Drysdale and Leopold to fulfil their role as service hubs for the Bellarine Peninsula and seeks to ensure that land use and development proceeds generally in accordance with the relevant Structure Plan maps included in this Clause. This policy also specifically seeks to contain urban development within the defined settlement boundary on the Structure Plan map and supports the development of the Jetty Road Urban Growth Area and other areas identified for residential development in the Jetty Road Structure Plan map.

### The Jetty Road Structure Plan

The subject land is included in the Clause 11.03-6-01, Jetty Road Plan Map as indicated below. The Structure Plan Map identifies the subject land for Conventional Residential and Medium Density Residential development.



## Distinctive Area and Landscape

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.

The Statement of Planning Policy will include 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 Minister for Planning has referred matters relating to the proposed protected settlement boundaries of the Draft Bellarine Peninsula Statement of Planning Policy to the Distinctive Areas and Landscapes Standing Advisory Committee. The Committee has heard submissions regarding this matter and will provide recommendations to the Minister.



Bellarine DAL

The Bellarine Peninsula declared area applies to the area outside the existing settlement boundaries of the towns of the Bellarine Peninsula which includes the Drysdale Clifton Springs Settlement Boundary. Therefore, as the subject land is located inside the Drysdale Clifton Springs Settlement Boundary this land it is not directly affected by this process.



Surrounding Context Map

## Current Zone



Current Zone Map

The subject land and surrounding land to the west and south are included within the Farming Zone. The land to the east is included within the General Residential Zone (Schedule 1). Land to the north is Public Conservation Resource Zone which is known as Port Phillip Bay. Land directly to the south is zoned as Public Purposes Resource Zone known as the Bellarine Rail Trail. Land further south is the Curlewis Golf Club zoned as Special Use Zone 3. The subject land is accessed by Coriyule and McDermott Roads which are currently unmade gravel roads and Greenvale and Tivoli Drives.

## 3.0 Application Details

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### Planning Scheme Amendment Details

The Planning Scheme Amendment application details are as follows:

- The rezoning of the entire subject land from the Farming Zone to the General Residential 1 Zone.
- The introduction of a Schedule to the Development Plan Overlay over the entire land.
- The introduction of a Schedule to the Development Contributions Overlay over the entire land.
- The introduction of a Schedule to the Environmental Audit Overlay over specific sites of the subject land.

This application also seeks the following changes to the Geelong Planning Scheme Maps:

- Amend Map 59 Zones to show the subject land as General Residential 1 Zone.
- Amend Map 59 Development Plan Overlay to include a schedule on the subject land.
- Amend Map 59 DCPO Development Contributions Plan Overlay Schedule on the subject land.
- Introduction of MAP 59 Environmental Audit Overlay over specific sites of the subject land.

The Planning Scheme Amendment documents will be drafted by the City of Greater Geelong and will include:

- The draft schedules to the Development Plan Overlay, Development Contributions Overlay and the Environmental Audit Overlay.
- Proposed List of Changes.
- Draft Explanatory Note.

## 4.0 Proposed Planning Controls

### 4.1 Proposed Zone

The land is proposed to be rezoned from the Farming Zone to the General Residential 1 Zone as illustrated below.



Proposed Zoning Map

#### Clause 32.08 General Residential Zone

The land is proposed to be rezoned to the General Residential 1 Zone (Clause 32.08), the purpose of which is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

*Comment: The subject land is identified as Stage 2 in the Jetty Road Urban Growth Map and located in the Drysdale/Clifton Springs Settlement boundary recommended for conventional and medium density growth.*

*The proposed rezoning of this land to the General Residential1 Zone is entirely consistent with the strategic planning direction of Drysdale/Clifton Springs as required in the Geelong Planning Scheme.*

*The introduction of this zone will adjoin the Jetty Road Stage 1 land to the east which also has been zoned and developed in the General Residential 1 Zone. Therefore, the introduction of this zone accords with the adjoining developed Jetty Road Stage 1 Growth Area and will provide the opportunity to create a consistent residential development and urban design response that is in-keeping with the adjoining urban context.*

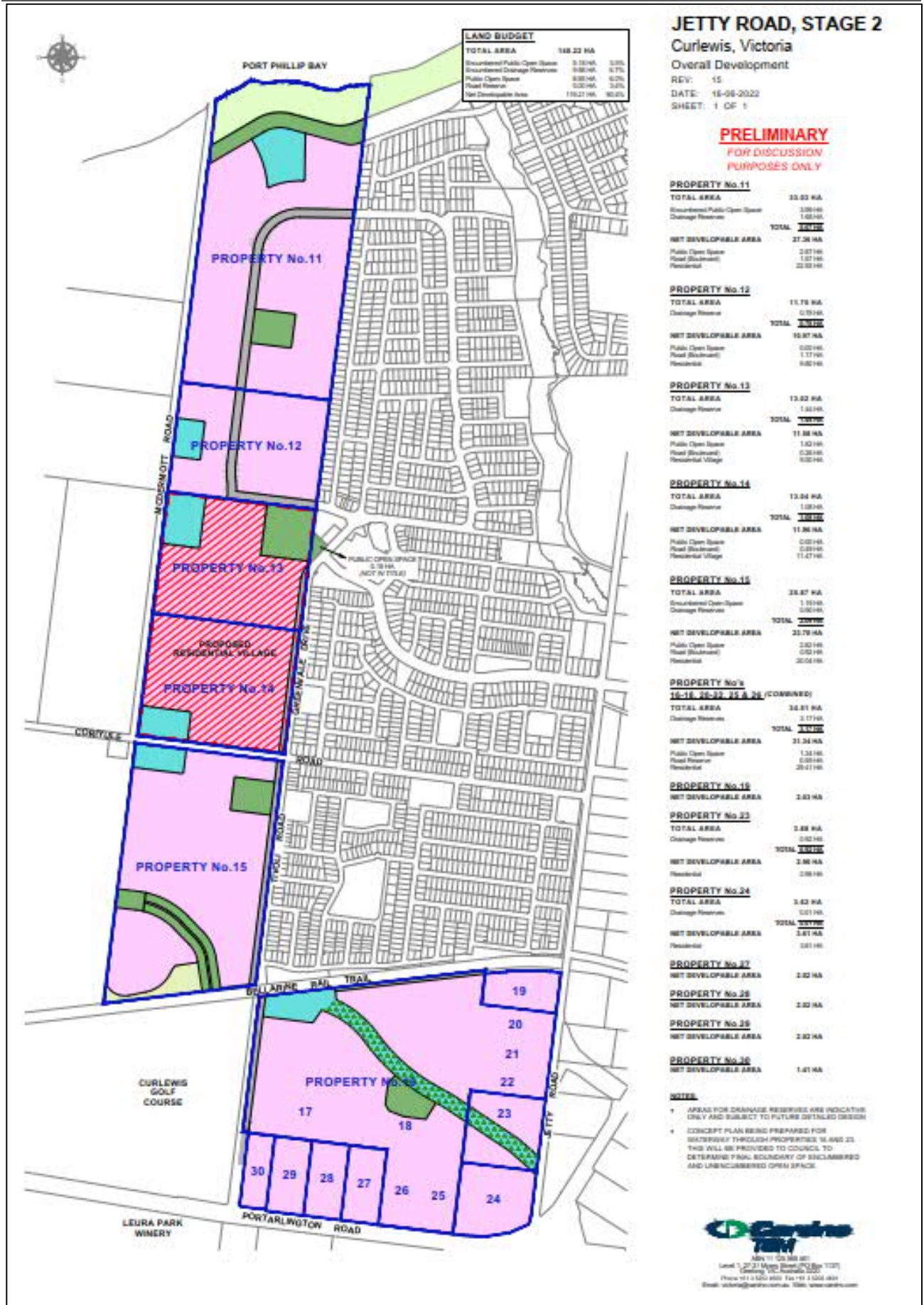
*The General Residential 1 Zone will also facilitate the creation of variety of lots that will meet the broad development needs of this community. Including medium density development opportunities near or within short walking distance to open space and commercial land. A Lifestyle Village is also proposed to be established over the entirety of land at 32-70 McDermott Road which is also consistent with this zone.*

*The potential supply of social/affordable housing can be accommodated under this zone should this housing type be required at this location which may be met by the provision of medium density development and or a financial contribution to be determined by the Developer and Council.*

*The proposed Schedule to the Development Plan Overlay will include requirements outlining the need for housing diversity and the required minimum densities of each housing type.*

*The introduction of the General Residential 1 Zone will also enable the establishment of a consistent road and shared path network that will seamlessly connect the entire Jetty Road area to provide access to key features such as Griggs Creek, the Bellarine Rail Trail, Neighbourhood Activity Centre, Port Phillip Bay and several open space reserves.*

*The proposed development of Jetty Road Stage 2 is reflected in the Overall Development Plan below which provides the details for the development of each parcel and the areas designated for residential development, drainage and public open space.*



## 4.2 Proposed Overlays

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### 4.2.1 Development Plan Overlay

This planning scheme amendment also seeks approval for the introduction of a Schedule to the Clause 43.04 Development Plan Overlay to be applied to the subject land. The purpose of this overlay is:

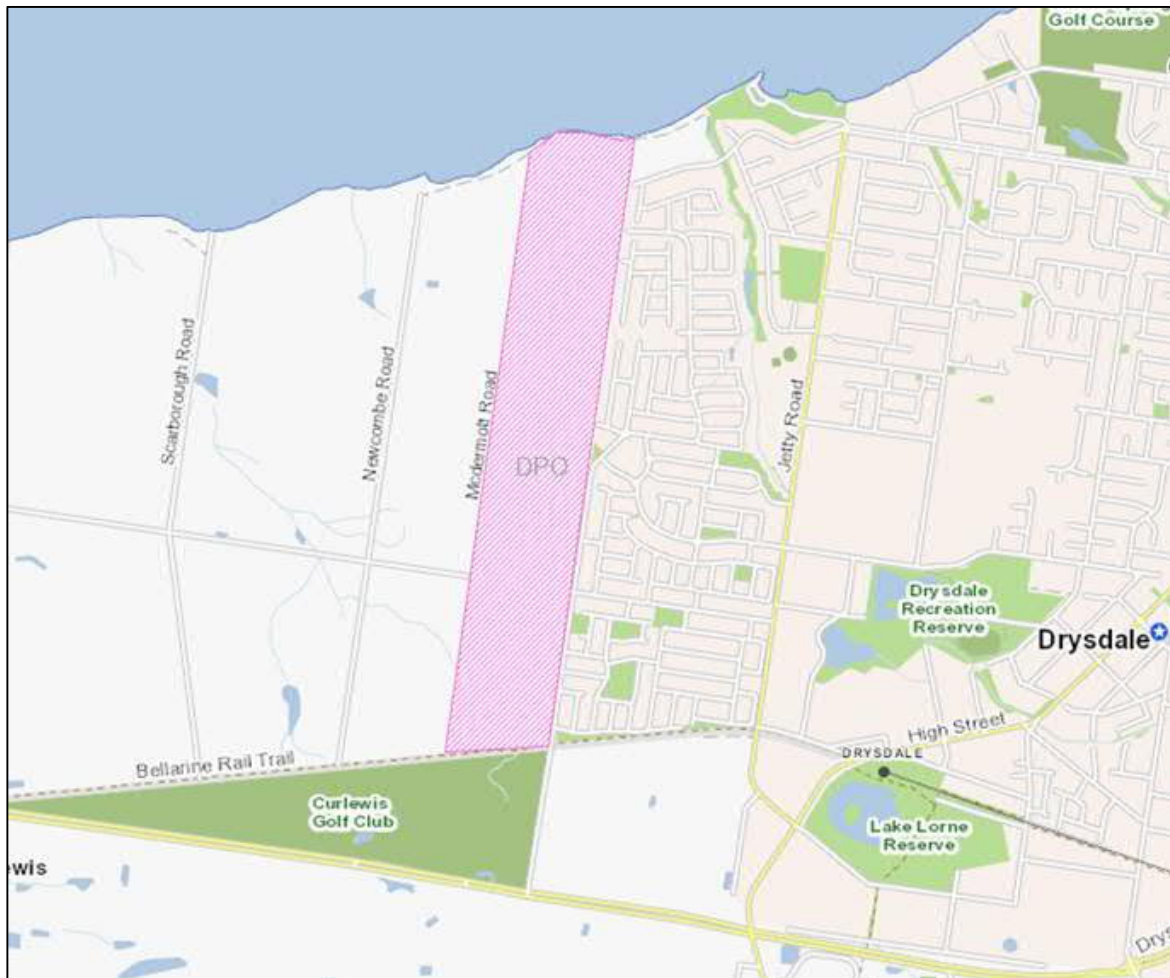
- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Clause 43.04-4 Preparation of the development plan requires the following:

- The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.
- A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone,
- Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
- The development plan may be amended to the satisfaction of the responsible authority.



Proposed Development Plan Overlay

*Comment: The amendment seeks approval to introduce a Schedule to the Development Plan Overlay (DPO) to guide the development of the subject land. A Schedule to the DPO is considered the most appropriate planning tool in this instance and is also consistent with the Jetty Road 1 area where Schedule 20 to the DPO was also introduced to guide the development of that land.*

The Schedule requires that prior to the subdivision of the land that a development plan is drafted and approved by the Responsible Authority in response to the requirements of the Schedule and in general accordance with the development plan map which also forms part of the Schedule.

The Schedule to the DPO is proposed to be introduced over the entire Jetty Road 2 area to ensure a consistent and integrated development approach both within the Jetty Road 2 area and the adjoining developed Jetty Road 1 area.

Whilst the Schedule to the DPO applies to the entire Jetty Road 2 area it includes additional requirements for land at 72-100 and 102 -170 McDermott Road as these sites have not been subject to the broad range of assessments and investigations undertaken by the other Jetty Road 2 property owners and further work will be required to inform the future development of these sites. The Schedule to the DPO also allows individual Development Plans to be lodged by separate landowners.

The Schedule requires among other things:

A subdivision design that shows a general distribution of lot sizes showing a variety of lot sizes and densities to encourage a variety of housing types.

- A Road Network and Traffic Management Plan
- An Integrated Water Management Plan
- A Tivoli Drive and Greenvale Drive Early Delivery Plan
- A Development Sequencing Plan
- Preliminary Risk Screen Assessment

As previously advised the Schedule also includes an Overall Development Plan Map that indicates that general location and description of the proposed main land uses for each estate including areas of open space, drainage and housing. This Map has been developed after considerable consultation with Council and reflects the agreed overall vision for the development of the land.

## 4.2.2 Development Contributions Plan Overlay

### Clause 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

The application also seeks approval for the introduction of a Schedule to the Development Contributions Plan Overlay to be applied to the entire Jetty Road 2 area. The purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

#### Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme. This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.
- Preparation of a development contributions plan
- The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.
- The development contributions plan must:
- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.

- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.
- The development contributions plan may:
- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.

Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

*Comment: The amendment also seeks approval to introduce a Schedule to the Development Contributions Plan Overlay (DCPO) to levy funds from the developers to provide financial contributions to shared infrastructure as indicated in the proposed Schedule to the DCPO.*

*The introduction of a Schedule to the DCPO is considered the most appropriate planning tool in this instance and is also consistent with the Jetty Road 1 area where Schedule 2 to the DCPO was also introduced to fund identified shared infrastructure facilities across the entire area. This application includes a list of proposed DCP projects as attached which will be included in the DCP proposed to be developed by Council and to be exhibited with this Amendment.*

### 4.2.3 Environmental Audit Overlay

#### Clause 45.03 ENVIRONMENTAL AUDIT OVERLAY

This application also seeks approval for the introduction of the Environmental Audit Overlay to be applied to specific sites of Jetty Road 2 area. The purpose of this overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

#### Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

Requirements of this Overlay are as follows:

- Before a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:
- A preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use; or

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

*Comment: The amendment also seeks approval to introduce the Environmental Audit Overlay for specific sites identified as containing contaminants by a PRSA investigation undertaken by Stephen Cambridge of EHS Support. The detail is still being determined however as these sites are relatively confined it is anticipated that Audit Overlay will only apply to a few individual sites and subject to appropriate level of soil remediation can be removed prior to the approval of this amendment.*

## 5.0 Supporting Technical Reports and Assessments

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The application is supported by a number of reports, plans and assessments for land at 91-125 Coriyule Road and 32-70 McDermott Road that assist with determining the developability of the subject land and any matters that need to be addressed. These include:

### Title Plans

Subject land at 91-125 Coriyule Road and 32-70 McDermott Road (attachment 1)

### Environmental Assessment by Environmental Site Assessments (attachment 2)

This report was commissioned to determine the presence of any soil contaminants that may deem the land unsuitable for residential development. Based on an analysis of soil samples the report has determined that based on the information collected at this point that soils at the site have a low-medium risk of contamination.

### Preliminary Risk Site Assessment by EHS Support (attachment 3)

This report was commissioned to further assess the levels of contamination on the site and to determine whether the introduction of the Environmental Audit Overlay is applicable for specific sites where contamination requires mitigation measures.

### Bushfire Risk Assessment – South Coast Bushfire Consultants (attachment 4)

The subject land is within a designated Bushfire Area. A Bushfire Risk Assessment by South Coast Bushfire Consultants has assessed that the bushfire hazards from the surrounding landscape can be managed and the intended use of the land for conventional and medium density residential subdivision and subsequent development is deemed appropriate given the surrounding bushfire hazards.

### Vegetation Assessment – Mark Trengove Ecological Services (attachment 5)

A Vegetation Assessment for each parcel has been conducted by Mark Trengove Ecological Services. For land at 32-70 McDermott Road no native species were found except for a single River Redgum located on McDermott Road outside the subject land. For land at 91-125 Coriyule Road River Red Gum and Manna Gum mature tree specimens (scattered tree native vegetation) were located on the subject property and Finger Rush at less than 25% cover value. This application seeks to remove some of these trees to facilitate the duplication of Tivoli Drive.

#### Arboriculture Assessment – Native Trees – Lets Talk About Trees (attachment 6)

This report has been commissioned to assess the health and retention values of native trees within the subject land.

#### Arboriculture Assessment – Non Native Trees – Lets Talk About Trees (attachment 7)

This report has been commissioned to assess the health and retention values of non-native trees within the subject land. The report concludes that no non-native trees warranted retention.

#### Jetty Road Rezoning - Stage 2 Flood Study – Existing Conditions Report (attachment 8)

This report informs the ultimate design and drainage requirements for the land which will be addressed in the proposed Site Stormwater Management Plan.

#### Jetty Road Rezoning - Stage 2 Stormwater Management Plan Strategy – Water Technology (attachment 9)

The application is also supported by a Stormwater Management Plan Strategy which demonstrate that all land proposed as part of Jetty Road Stage 2 can be appropriately drained via individual and shared drainage assets in response to the natural drainage characteristics of the entire land when developed.

#### Development Contributions List (attachment 10)

The application seeks approval for the introduction of a Schedule to the Development Contributions Overlay which is being developed by Urban Enterprise for Council. The list of DCP projects and their location is included as an attachment to this report.

#### Traffic Engineering Assessment – Traffix Group (attachment 11)

This rezoning application is also supported by a Traffic Engineering Assessment to determine the traffic volumes likely to be generated by the development of the subject land and the capacity of the road network to manage these volumes. In summary the report concludes that the expected additional traffic volumes can be accommodated by the proposed upgrading of Tivoli/Greenvale Drive. That mechanisms need to be in place to require the early upgrading of Tivoli/Greenvale Drive of needed and a roundabout is appropriate at the Tivoli/Greenvale Drive intersection. The assessment also provides recommendations regarding other key intersections and the provision of a traffic calming measure along the west side of Coriyule Road.

#### Cultural Heritage Management Plan – Terra Culture (attachment 12)

The rezoning application is supported by a Cultural Heritage Management Plan – Terra Culture which provides recommendations for the management of artefacts found on the subject land including salvage and retention of artefacts in a reserve, The overall design of the subject land has been informed by this plan.

#### Tree Survey Plans (attachment 13)

Two tree survey plans required to provide the location of trees on the subject land and inform the design.

## 6.0 Particular & General Provisions

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### 6.1 Native Vegetation

Under the provisions of Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

*Comment: The application seeks rezoning approval only but anticipates that there is likely to some native vegetation removed for land at 91-125 Coriyule Road to facilitate the development of this land as identified in the Vegetation Assessment by Mark Trengove Ecological Service. The proposed removal will be subject to future native vegetation off-sets prior to removal. Four native trees are proposed for removal as part of the Tivoli Drive duplication.*

### 6.2 Public Open Space Contributions and Subdivision

Under the provisions of Clause 53.01, a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

*Comment: The Overall Development Plan provided in this report defines the location and the areas proposed to provide open space for each lot. The proposed Schedule to Development Plan Overlay also reflects the location and areas proposed to be created as unencumbered public open space including standalone parks and a linear open space reserve located along the west edge of the urban growth area.*

The schedule to Clause 53.01 requires a 10% open space contribution in land or a percentage of the site value or a combination of both at the subdivision of the land. We note that Council has agreed to a 4% land and 6% cash contribution.

### 6.3 Stormwater Management in Urban Development

The purpose of Clause 53.18 is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

An application to subdivide land should meet the standards of Clauses 53.18-4 and 53.18-6 and must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

Clause 53.18-4, stormwater management for subdivision, aims to:

- Minimise damage to properties and inconvenience to the public from stormwater.
- Ensure that the street operates adequately during major storm events and provides for public safety.
- Minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
- Encourage stormwater management that maximises the retention and reuse of stormwater.
- Encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1 states that the stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
- The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
- For storm events greater than 20% AEP and up to and including 1% AEP standard:
- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria  $da V_{ave} < 0.35 \text{ m}^2/\text{s}$  (where,  $da$  = average depth in metres and  $V_{ave}$  = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.

- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.
- Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

*Comment: The application is supported by the attached Flood Impact Assessment Study which demonstrates that the subject land can be drained and developed. The application is also supported by a Stormwater Management Plan Strategy by Water Tech which demonstrate that all land proposed as part of Jetty Road Stage 2 can be appropriately drained via individual and shared drainage assets in response to the natural drainage characteristics of the entire land when developed.*

Clause 53.18-6, site management, aims to protect drainage infrastructure and receiving waters from sedimentation and contamination and to protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Standard W3 states that an application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

*Comment: Approval for the subdivision of Jetty Road Stage 2 is yet to be obtained. As a result, site management during the construction phase is currently unknown as no contracts have been entered into at this early stage. However, it is anticipated that appropriate measures will be undertaken during construction works to ensure that the site and surrounding area, including erosion and sediment, stormwater, litter, concrete and other construction wastes and chemical contamination are appropriately managed during the construction stage as required by Clause 53.18-6 and can be dealt with via a permit condition.*

## 7.0 Policy Context

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### 7.1 State Planning Policy Framework

#### Planning and Environment Act 1987

Pursuant to Section 12(1) of the Planning and Environment Act 1987, it is a duty of planning authorities to implement the following objectives of Planning Victoria as set out in Section 4(1) of the Planning and Environment Act 1987:

- to provide for the fair, orderly, economic and sustainable use, and development of land.
- to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and
- to balance the present and future interest of all Victorians.

*Comment: The application is considered to accord with the Planning and Environment Act 1987 as it will facilitate the rezoning and future subdivision of the subject land to achieve an orderly, well-planned outcome consistent with the strategic planning and development direction of Curlewis.*

#### Planning Policy Framework

11 – Settlement – Planning is to anticipate and respond to the needs of existing and future communities, prevent environmental and amenity problems created by siting incompatible land uses close together and facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services. Clause 11.01, Victoria, aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

11.01-1R Settlement - Geelong G21 - Support the growth of Bannockburn, Colac, Drysdale/Clifton Springs, Lara, Leopold, Ocean Grove and Torquay/Jan Juc as district towns by building on existing and planned infrastructure and focussing growth along key road and rail networks. Reinforce the role of district towns in providing services to surrounding areas. Provide for settlement breaks between towns to maintain their unique identities. Require a settlement boundary for all towns. Protect critical agricultural land by directing growth to towns.

11.02 – Managing Growth – Relevant policies include the supply of urban land and the sequencing of development. Objectives of which are to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses and to manage the sequence of development in areas of growth so that services are available from early in the life of new communities.

11.03-2S – Growth Areas – The objective of which is to locate urban growth 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.

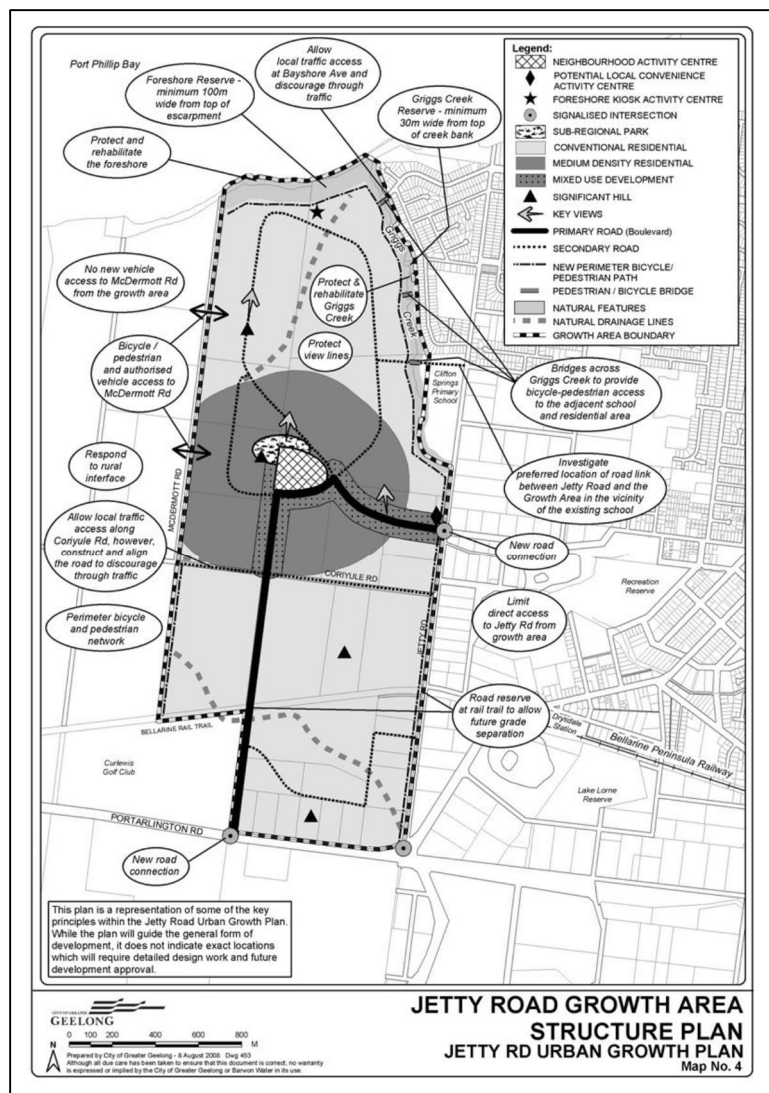
*Comment: It is considered that the rezoning of the subject land is consistent with the relevant objectives of the above policies as it will facilitate an increase in population and expansion of a Drysdale/Clifton Springs area including Curlewis which has been identified for growth and development. It will also provide additional residential growth in a serviced town where commercial, retail, industrial and community services are available and will benefit from increased residents.*

11.03-6-01- The Bellarine Peninsula - To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements. To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula.

Drysdale/Clifton Springs:

- Contain urban development within the defined settlement boundary on the Structure Plan map.
- Support the development of the Jetty Road Urban Growth Area and other areas identified for residential development on the Structure Plan map.
- Ensure new development incorporates sustainability principles including environmentally.
- sustainable design, energy efficiency, connectivity and water sensitive urban design.

Comment: The subject land is included within the Drysdale/Clifton Springs Structure Plan and the Jetty Road Growth Area Structure Plan within the Geelong Planning Scheme. The application generally accords with the Jetty Road Urban Growth Area and the Structure Plan Map below where it is identified for residential growth.



12.01 – Biodiversity – Contains policies relating to the protection of biodiversity and native vegetation management. Relevant objectives of these policies are:

- To assist the protection and conservation of Victoria’s biodiversity.
- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

12.01-2S - Native Vegetation Management - To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

- 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.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

*Comment: The application is supported by a Vegetation Assessment which identifies a small amount of native vegetation on the subject land to be retained and removed which will subject to future off-sets.*

12.01-3S – Bays – To improve the environmental health of Port Phillip Bay and Western Port and their catchments. Requiring growth area planning to protect significant natural assets. Improving the quality of stormwater entering waterways, particularly from construction sites and road development.

12.03 – Water Bodies and Wetlands – This policy aims to protect and enhance river corridors, waterways, lakes and wetlands by ensuring development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands and is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.

*Comment: The rezoning of this land will lead to the protection and enhancement of the existing drainage corridor and thus is supported by this policy.*

13.01 – 1S Natural Hazards and Climate Change – This policy seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning. The strategies to implement this policy include directing growth to low-risk areas.

*Comment: The subject land extends to Port Phillip Bay where there is likely to be climate change impacts but will be considered as part of the investigations required to develop this land and may likely require a considerable land buffer to prevent future impacts.*

13.02 – Bushfire – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land which is within a designated bushfire prone area. Strategies include giving priority to the protection of human life, identifying bushfire hazards and undertake appropriate risk assessment, planning to strengthen the resilience of settlements and communities and prioritise protection of human life.

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for subdivisions of more than 10 lots. When assessing a Planning Permit application for the above use and/or development:

- Consider the risk of bushfire to people, property and community infrastructure.
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

*Comment: The site is not identified within a bushfire management overlay area and is assessed as being a site of low fire danger risk in the attached Bushfire Risk Assessment response.*

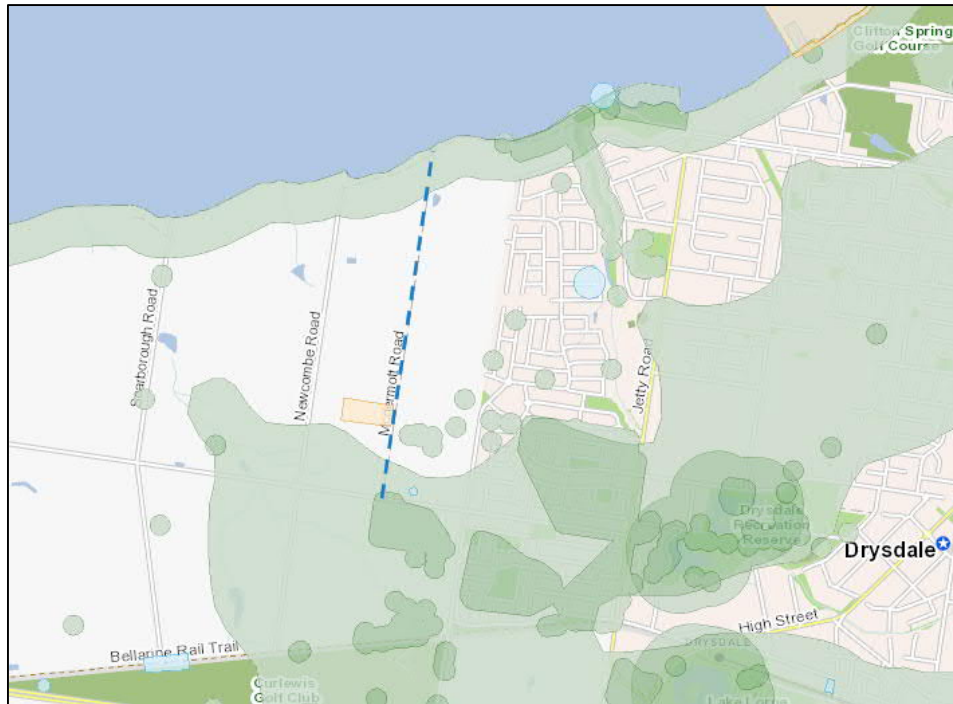
15.01 – Built Environment – Contains policies relating to urban design, building design, subdivision design, healthy neighbourhoods and neighbourhood character. Objectives of which are to:

- Create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- Achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- Ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- Achieve neighbourhoods that foster healthy and active living and community wellbeing.
- Recognise, support and protect neighbourhood character, cultural identity, and sense of place.

15.03 Heritage - Retain culturally significant heritage places and areas recognised as being of State, regional, local and contributory significance.

*Comment: Under the Aboriginal Heritage Act, 2006, the subject site is found to be within an area of possible cultural heritage sensitivity as indicated on the following map extract from the Department of Environment, Land, Water and Planning data base. A cultural heritage management plan is required prior to the subdivision of this land and a draft CHMP is attached to this application.*

*The existing shed on Lot 32-70 is identified as having local heritage value which is proposed to be removed as a separate process subject to Heritage approvals.*



**16.01 Residential Development** – Contains policies relating to integrated housing, location of residential development, housing diversity and housing affordability. Objectives of which are:

- To promote a housing market that meets community needs.
- To locate new housing in designated locations that offer good access to jobs, services and transport.
- To provide for a range of housing types to meet diverse needs.
- To deliver more affordable housing closer to jobs, transport and services.

*Comment: The proposed rezoning and introduction of a schedule to the DPO on the subject land is considered to accord with the abovementioned policies as it will in the future facilitate the creation of a safe legible subdivision design that provides a positive development response to this land. It will also facilitate the creation of a range of housing choice to meet the varying needs of the community including a lifestyle village and medium and conventional housing options. Its location near town amenities will encourage walking and cycling and thus contribute to the health and wellbeing of the Drysdale/Clifton Springs Community.*

**19.02-6S - Open Space** - To develop a comprehensive, safe and accessible open space network.

*Comment: The Schedule to the Development Plan Overlay includes a Development Plan Map which highlights the proposed open space reserves proposed for Jetty Road 2 to be created when the land is subdivided. In addition, shared walking paths are proposed to provide pedestrian and cycle safe access throughout the area.*

19.03 – Development Infrastructure – Contains policies relating to development and infrastructure contributions plans, infrastructure design and provision, stormwater supply, sewerage and drainage, telecommunications.

*Comment: Services in the form of water, sewer, electricity, telecommunications and gas are currently available to the east of the site. The main sewer pumping station is located to the east.*

#### Local Planning Policies

There are no Local Policies relevant to this application.

## 8.0 Conclusion

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The rezoning of the subject land is entirely consistent with the State and Local Planning Policy in relation to the proposed urban growth of Stage 2 Jetty Road, Curlewis. The proposal will give rise to the future development of a conventional and medium residential dwellings and a lifestyle village which is consistent with recommendations of the Jetty Road Structure Plan Map and in response to the varying housing needs of the community.

The introduction of a Schedule to the Development Plan Overlay, Development Contributions Overlay and application of the Environmental Audit Overlay are the appropriate planning tools to guide the development of the land and fund shared infrastructure services needed to create this estate.

The application is also supported by a number of technical reports and plans that demonstrate the lands appropriateness to be rezoned and subdivided to facilitate future residential growth.

For the reasons outlined in this report, it is considered that the rezoning of the subject land to the General Residential 1 Zone, is appropriate and should therefore be supported by Council.



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Chris Marshall  
Planning Manager