
AMENDMENT C387GCEE: JETTY ROAD URBAN GROWTH AREA STAGE 2, CURLEWIS - CONSIDERATION OF SUBMISSIONS

To: Peter Smith - Coordinator, Strategic Implementation
From: Peter Schembri - Senior Strategic Planner
Subject: Resolution to consider submissions under delegation
File number: Amendment C387ggee

Purpose

1. To consider submissions to Planning Scheme Amendment C387ggee and recommend all the submissions be referred to an independent planning Panel.

Background

1. On 24 May 2022 Council resolved to prepare and exhibit Amendment C387ggee.
2. The amendment seeks to rezone 150 hectares of Farming and Rural Living zoned land in Curlewis to the General Residential Zone. The rezoning is supported by overlay controls to manage orderly and proper planning and development, subdivision design, developer contributions and potentially contaminated land. The land is known as 'Jetty Road Urban Growth Area Stage 2'.
3. The amendment was initially requested by CardnoTGM, Asset 1 and the Moss Family which subsequently evolved into a combined proposal from SOHO Living, Stockland Pty Ltd and APD Projects. These three parties are collectively referred to as 'the Developer Group'.
4. Three draft section 173 agreements were prepared between Council and the Developer Group to facilitate early provision of road land to enable Tivoli Drive and Greenvale Drive duplication works.
5. Public exhibition of the amendment commenced on 10 November and closed on 18 December 2023.

Key Matters

6. A total of 58 submissions were received, of which 37 are pro-forma (including a petition with 39 signatures) or similar, objecting to the Jetty Road Urban Growth Area Stage 2 Development Contributions Plan (DCP) proposed year 2031 delivery timing of the Childrens and Community Hub. An objection on this issue was also received from Algo Properties the owner of vacant commercial land within the Curlewis Neighbourhood Activity Centre.
7. The Developer Group and four other affected landowners support the rezoning but request several changes to the DCP and Development Plan Overlay Schedule 46 (DPO46). Other local community submissions object on a wide range of issues, including the planned road network.
8. There is support from Barwon Water and Bisinella Developments P/L. The Environment Protection Authority (EPA) and Department of Energy, Environment and Climate Action (DEECA) generally support the amendment, though the EPA request changes to DPO46 and DEECA highlights opportunity to integrate the existing drainage line and farm dam into the development.
9. Overall, 56 submissions request changes or object to the amendment.

10. In accordance with the *Planning and Environment Act* Council must now either: change the amendment in the manner requested by the submitters; refer the submissions to an Independent Panel; or abandon the amendment or part of the amendment.
11. Council officers have considered the submissions and recommend some changes to the exhibited DPO46 and DCP as outlined in Attachment 1 to this report. Marked-up overlay changes will be prepared for the panel hearing. Requests for the Childrens and Community Hub to be delivered now are not supported nor are changes to the planned local road network.
12. It is recommended that all submissions be referred to an Independent Panel appointed by the Minister for Planning.

Recommendation

13. **That Council having considered all submissions to Amendment C387ggee to the Greater Geelong Planning Scheme resolves to:**
 - 13.1 **Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act, 1987;**
 - 13.2 **Refer all submissions to the Panel; and**
 - 13.3 **Submit to the Panel its response to the submissions generally as outlined in this report.**

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

Peter Smith

Date: 13 February 2024

Financial Sustainability

1. The *Jetty Road Urban Growth Area Stage 2 Development Contributions Plan, October 2023* (DCP) has been prepared by consultants Urban Enterprise for the City and forms part of the amendment.
2. The DCP is proposed to become an incorporated document in the planning scheme which would legally tie Council to the provisions of the plan. The DCP funds 25 development infrastructure projects for transport, open space and drainage, to a value of \$48.5m.
3. The infrastructure is required to support the new residents, as well as contributions payable for infrastructure delivered under the *Jetty Road Urban Growth Area Stage 1 Development Contributions Plan, September 2011*.
4. Contributions towards the Boronggook Drysdale Library, opened in May 2023, will also apply in the form of a per dwelling payment.

Community Engagement

5. Exhibition and notice of the amendment was conducted in accordance with the *Planning and Environment Act 1987*.
6. Notices were sent to all directly affected landowners (i.e., landowners whose land is proposed to be rezoned), as well as 327 nearby residents/ business owners. A statutory notice was published in local newspapers and the Victoria Government Gazette. An informal notice appeared in the December 2023 edition of the SpringDale Messenger.
7. Prescribed Ministers, relevant authorities and government agencies were notified.
8. The amendment documents and all supporting technical and planning reports were published on the City's [C387ggee](#) webpage. A hard copy folder was also placed in the Boronggook Drysdale Library at Council's customer services desk.
9. In accordance with Clause 4(2) of Ministerial Direction No. 15 the following panel hearing dates have been set for the amendment:
 - 9.1 Directions Hearing: in the week commencing 11 March 2023.
 - 9.2 Panel Hearing: in the week commencing 22 April 2023.
10. Planning Panels Victoria will notify all submitters of the Panel dates and invite requests to be heard at the hearing.

Social Equity and Sustainability

11. The amendment has appropriately considered social equity principles. The City has engaged with the directly affected landowners and broader community about the proposed rezoning.
12. Provision of social and affordable housing is a key social equity principle. The proposed planning controls include requirements for developers to contribute affordable land or housing transferred to the City of Greater Geelong Affordable Housing Trust or a Registered Housing Association under the *Housing Act 1983*.

Relevant Law/Policy/Legal Implications

13. The amendment accords with the objectives of Planning in Victoria as set out in the *Planning and Environment Act*. It provides for rezoning to facilitate residential use and

development consistent with the strategic directions of the Drysdale/Clifton Springs Structure Plan and the Bellarine Peninsula Statement of Planning Policy.

14. The C387ggee Explanatory Report provides a detailed response to policy in the Greater Geelong Planning Scheme and the requirements of relevant Ministerial Directions.

Alignment to Community Plan and Vision

15. This report aligns with Our Community Plan 2021-2025 strategic priority: *Sustainable growth and environment*.
16. This report aligns with the Community led 30-year Vision, “Greater Geelong: A Clever and Creative Future” community aspiration: *Sustainable development that supports population growth and protects the natural environment*.

Conflict of Interest

17. No officer involved in the preparation of this report declared a general or material conflict of interest.

Risk Assessment

18. There are no risks with proceeding with the recommendations of this report.

Environmental Sustainability

19. The amendment is informed by environmental technical assessments and a range of state and local planning policies and strategies. Environmental sustainability is a key objective in planning for the future urban development and use of the growth area.

Attachments

1. Consideration of submissions report
2. Post-exhibition Development Plan Overlay Schedule 46 Framework Plan (Map 1)

Attachment 1 - Consideration of Submissions to Amendment C387ggee

BACKGROUND

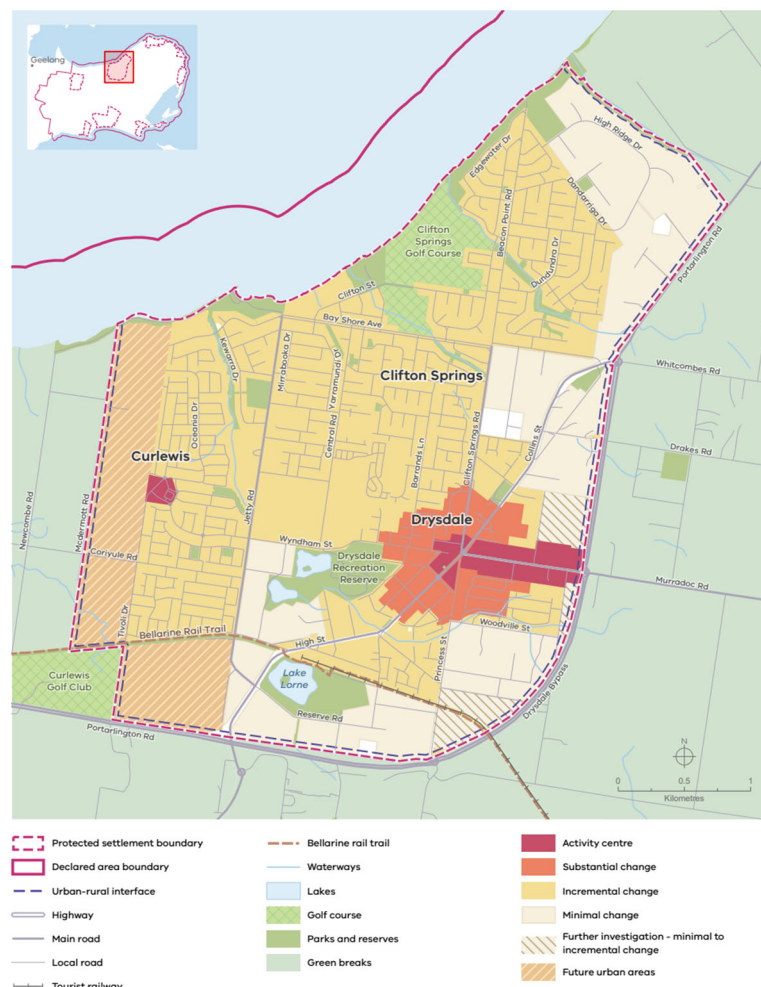
1. Amendment C387ggee seeks to facilitate planned residential development of land on the western edge of Drysdale-Clifton Springs-Curlewis. The land is referred to as the *Jetty Road Urban Growth Area* (Stage 2) in the Greater Geelong Planning Scheme and follows the recent completion of Stage 1 which delivered over 1700 lots.
2. The amendment proposes to rezone 150 hectares of Farming and Rural Living zoned land to the General Residential Zone; and applying the Development Contributions Plan Overlay and Development Plan Overlay. Several properties are proposed to be applied with the Environmental Audit Overlay to manage potentially contaminated land.
3. The land affected by the amendment is highlighted on the below map. At least 2,000 dwellings are expected to be constructed over several years.



4. On 24 May 2022 Council resolved to support the preparation and exhibition of the amendment.
5. The 24 May Council Report provided a summarised strategic planning history of the Jetty Road Urban Growth Area and subsequent structure plans and planning scheme amendments completed. The report included details of early discussions with landowners and developers leading to rezoning requests in 2020 and 2021. The Council Report can be viewed [here](#).

6. Following the 24 May 2022 resolution, council officers and the initiating developers worked collaboratively to prepare the technical reports that inform the DCP and draft section 173 agreements. Urban Enterprise was engaged by council to prepare the DCP.
7. For the purposes of this amendment, the developers are referred to as ‘the Developer Group’. Submission no. 7 states: *The Developer Group comprises Stockland (Stockland Land Lease Management Pty Ltd), SOHO Living (Curlewis Bellarine Pty Ltd) and APD Projects (Curlewis Land Pty Ltd).*
8. Before requesting Authorisation for the amendment, council officers sought the views of the Environment Protection Authority (EPA) as required by Ministerial Direction no. 19. Following advice from the EPA on the planning tools to manage potentially contaminated land, and further direction from the Department of Transport and Planning (DTP) on this issue, it was agreed to apply the Environmental Audit Overlay (EAO) as shown on the exhibited EAO Map.
9. Of note is that on 29 October 2019, the Bellarine Peninsula was declared a Distinctive Area and Landscape under the *Planning and Environment Act 1987* Part 3AAB. The declaration triggered the requirement to prepare a Statement of Planning Policy (SPP).
10. The *Bellarine Peninsula SPP, July 2023*, prepared by DTP, is operational and forms part of the Victoria Planning Provisions. Drysdale-Clifton Springs-Curlewis is designated as a District Town and the amendment land is located within the town’s protected settlement boundary – identified as ‘*future urban areas*’. The relevant SPP map is shown below.

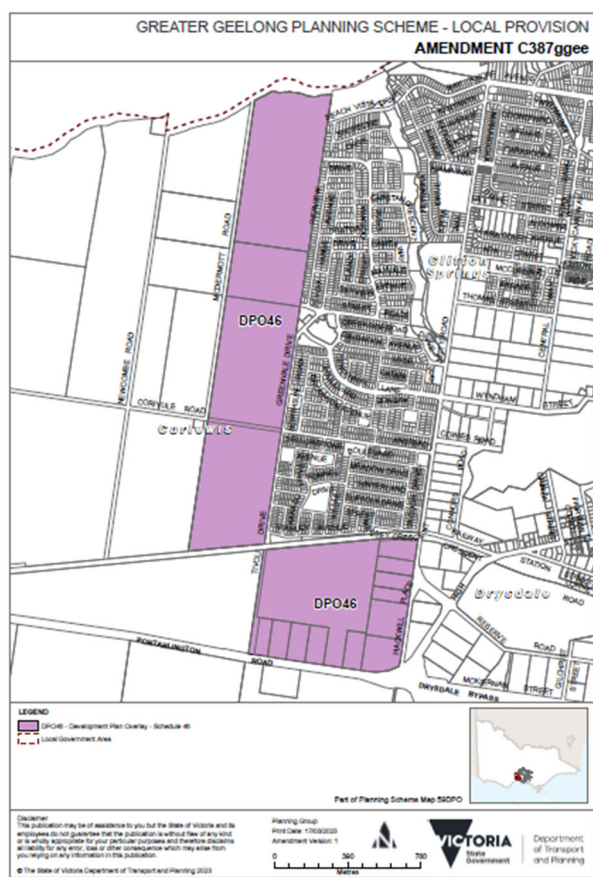
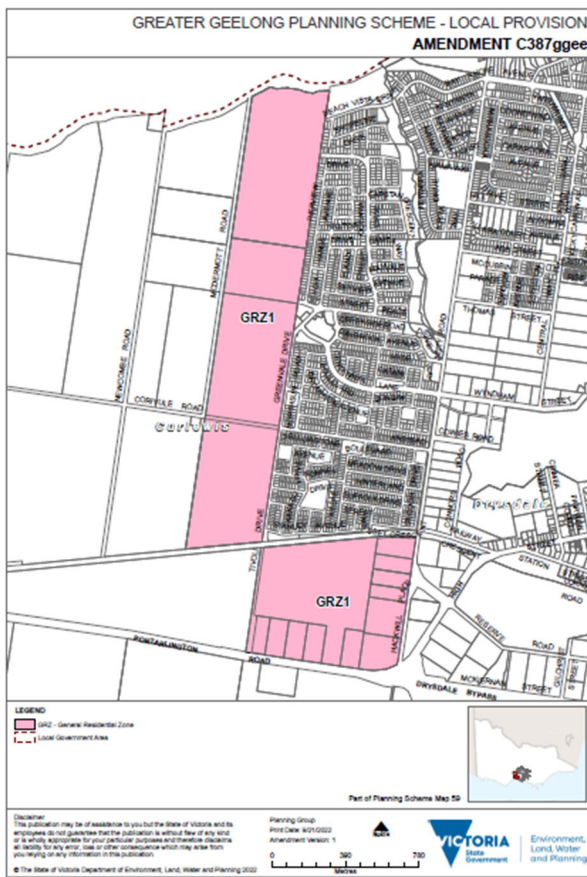
Map 9: Drysdale–Clifton Springs–Curlewis settlement plan

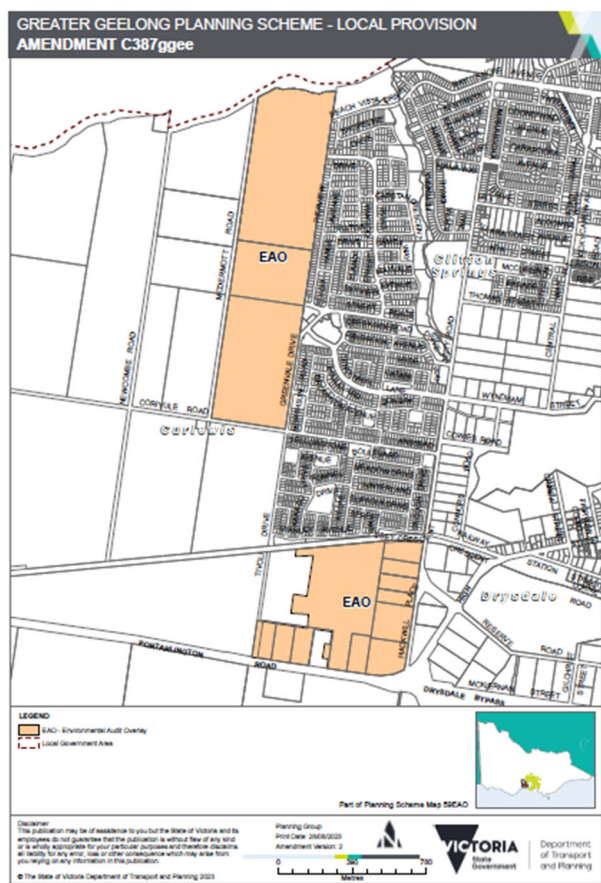
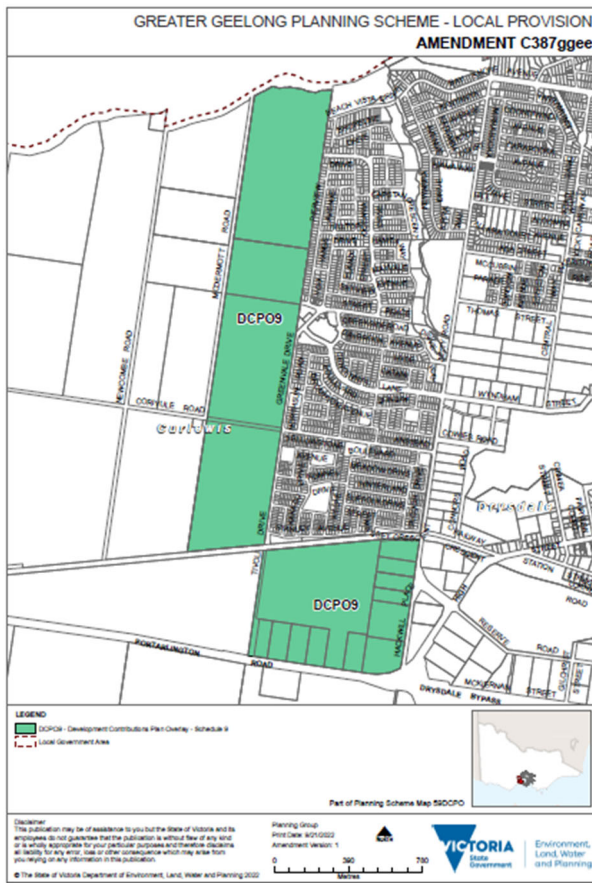


Source: DTP 2023.

PLANNING SCHEME CHANGES PROPOSED BY AMENDMENT C387GGEE

11. The amendment proposes to change the Greater Geelong Planning Scheme by:
 - 11.1 Rezoning the growth area land from Farming Zone and Rural Living Zone to General Residential Zone Schedule 1 (GRZ1)
 - 11.2 Applying Development Plan Overlay Schedule 47 (DPO46) to the land being rezoned.
 - 11.3 Applying Development Contributions Plan Overlay Schedule 9 (DCPO9) to the land being rezoned.
 - 11.4 Applying the Environmental Audit Overlay to part of the land.
 - 11.5 Inserting the incorporated document: *Jetty Road Urban Growth Area Stage 2 Development Contributions Plan (October 2023)*. This is referred to as the 'DCP' in the report.
12. The proposed planning scheme maps are shown below:





TIVOLI DRIVE AND GREENVALE DRIVE SECTION 173 AGREEMENTS

13. The current cross-section of Tivoli Drive and Greenvale Drive was constructed by developers as part of Jetty Road Urban Growth Area Stage 1 development. Stage 1 included the opening of the Portarlington Road and Tivoli Drive signalled intersection in August 2020 and extension of Tivoli Drive to Stanley Avenue.
14. The Jetty Road Urban Growth Plan identifies this road as the primary north south access to the growth area, designed as a boulevard, landscaped and providing the 'gateway' to the growth area. At present the road is only half-constructed and requires duplication at the time of Stage 2 development.
15. Since the opening of Tivoli Drive the City received feedback from some members of the community in relation to traffic volume and safety concerns. This resulted in a report to Council on 24 August 2021 to consider engineering treatment options for Tivoli Drive and Greenvale Drive until the road is duplicated.
16. In preparing the amendment, Council officers and the Developer Group agreed that early delivery of the road was an essential requirement in developing stage 2 of the growth area. In addition to provisions in the DPO46 and DCP, draft section 173 agreements have been prepared for the three landowners (i.e., the Developer Group) with frontage to the road.
17. There are owner obligations in each agreement for the early transfer of the necessary road land to Council and early construction of roadworks.
18. The three agreements will be finalised and signed by the owners prior to Council adopting the amendment.

AUTHORISATION AND PUBLIC EXHIBITION OF AMENDMENT C387GEE

19. On 9 October 2023 Council requested Ministerial Authorisation to exhibit the amendment. The Minister's delegate issued authorisation on 25 October 2023 subject to administrative conditions to amend the Instruction Sheet and Explanatory Report.
20. The amendment and supporting technical reports, as well as the draft section 173 agreements, were placed on public exhibition from 10 November 2023 to 18 December 2023.
21. Notices were sent to all directly affected landowners, as well as 327 nearby residents and business owners. A statutory notice was published in the Time News Group and the Victoria Government Gazette. An informal notice appeared in the December 2023 edition of the SpringDale Messenger.
22. Prescribed Ministers, relevant authorities and government agencies were notified.
23. The amendment documents and all supporting technical and planning reports were published on the City's C387ggee webpage. A hard copy folder was also placed in the Borongook Drysdale Library at Council's customer services desk.

SUBMISSIONS

24. A total of 58 submissions were received to the exhibited amendment. Of the 58 submissions, 56 request a change or changes to the amendment.
25. The submissions are categorised as follows:
 - 25.1 Pro-forma submissions (37 plus a petition with 39 signatures) or similar, objecting to the Jetty Road Urban Growth Area Stage 2 Development Contributions Plan (DCP) proposed 2031 delivery timing of the Childrens and Community Hub. An objection was also received from the owner of vacant commercial land within the Curlewis Neighbourhood Activity Centre.
 - 25.2 The Developer Group submission and four other directly affected landowner submissions support the rezoning but request several changes to the DCP and Development Plan Overlay Schedule 46 (DPO46) or raise queries about specific elements of the controls.
 - 25.3 Supportive submissions from Barwon Water and L. Bisinella Developments P/L. Both the Environment Protection Authority (EPA) and the Department of Energy, Environment and Climate Action (DEECA) generally support the amendment, though the EPA request changes to DPO46 and DEECA highlights the opportunity to integrate the existing drainage line and farm dam into the development.
 - 25.4 The balance were local community submissions raising disparate issues including (but not limited to): seal Coriyule Road, mitigate Tivoli/ Greenvale Drive dangerous driving or redesign ; lack of consultation and certainty; manage future construction as part of the amendment; protect native vegetation; amendment should proceed as low density residential; amendment should rezone rural living area south of Reserve Road Drysdale; the northern residential area winery should be used for tourism and public open space; objection to non-residential uses; and outright objection to the rezoning.
26. The key issues have been grouped under the following themes: (1) Childrens and Community Hub; (2) Coriyule Road, Tivoli Drive and Greenvale Drive; (3) DPO46 requested changes; and (4) DCP requested changes.

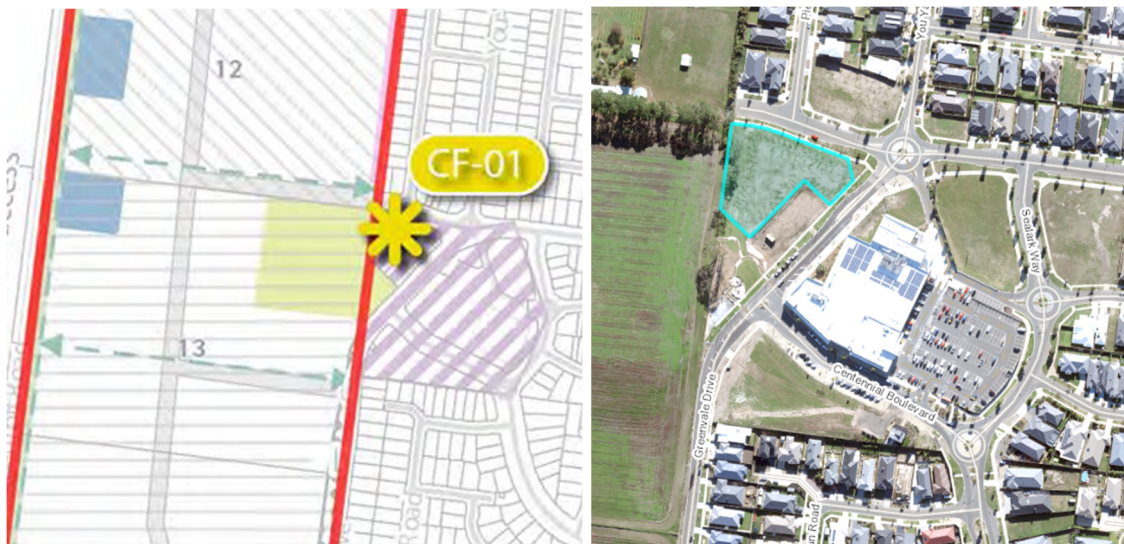
27. Full marked-up versions of the overlay controls will be prepared for the panel hearing – noting a proposed amended DPO46 Framework Plan (Map 1) is provided in Attachment 2.
28. All submissions are summarised in a table at paragraph 146 and include responses to issues not themed.

SUBMISSION THEME AND RESPONSE

Childrens and Community Hub, Curlewis

29. The Jetty Road Urban Growth Area Stage 1 Development Contributions Plan includes the Development Infrastructure Item: *C002 Childrens and Community Hub – Construction*. This item is to be funded by contributions from both Stage 1 and Stage 2. The Project Sheet for C002 at Appendix A states the delivery timing at 2022-2023 or 1,800 lots.
30. The land required to build the facility is located within the Stage 1 Neighbourhood Activity Centre (NAC) – known locally as Bayview Central Curlewis. The land is also a Development Infrastructure Item (C001) and at the time of preparing Amendment C387ggee, had been acquired by Council.
31. The Jetty Road Urban Growth Area Stage 2 Development Contributions Plan (DCP), October 2023, carries over C002 though named: *CF-01 Childrens and Community Hub (Construction)*. The project timing has been revised for delivery to be:

‘At 2031 or an alternative time to be decided by Council if supported by demand evidence’
(Appendix D Ref# 23).
32. The DCP Appendix E also includes a design of the facility by Brand Architects while the site is shown in Figure 7 as replicated below (and Council’s GIS mapping):



33. Council received 37 pro-forma submissions objecting to the revised delivery date saying: *‘As a community we need these services now as alternatives are either some distance away or difficult to get in to. We are expecting the Hub to have started by now’*. Submission no. 16 from a café owner in the NAC included a petition with 39 signatures. Two other submitters (47 and 58) raise the same issue.
34. Tract Consulting lodged a submission (no. 51) on behalf of Algo Properties. Algo own vacant commercial land within the Curlewis NAC. The submission requests to remove

reliance on a deferred timing for a community facility that was committed for Stage 1, and which is yet to be provided. This will require that the Stage 2 DCP be amended to remove all references to CF-01 Children and Community Hub, being a provision that is connected to Stage 2.

35. The submission then notes that the Project Schedule included in the Stage 1 DCP and referenced in DCPO2 (both approved with the gazettal of Amendment C230 in 2012) commits the timing of provision of a Children and Community Hub to be in 2022-2023, or after 1,800 lots. The thresholds of both 'timing' and 'number of lots' have been met. Despite this clear position, the amendment seeks to defer this commitment to 2031, or at Council's discretion.
36. The submission concludes by saying the community within Stage 1 has provided funds for this facility in line with contributions. Provision of this facility should not be tied for another decade or further given that it is now overdue. The land is acquired. There is no town planning approval obstacle nor land availability constraint which would prevent an immediate commitment.

Council officer response

37. Changing the CF-01 delivery timing date is not agreed.
38. The Stage 2 DCP has adopted an appropriate and evidence-based timing of 2031 or at an alternative time as determined by Council having regard to demand. Council sought advice from ASR Research Planning Consultants in relation to provision and timing for social infrastructure commensurate with need for the Jetty Road Urban Growth Area community.
39. The ASR report Jan 2023, exhibited with the amendment, concludes (p. 5):

"Given [the] our assessment of a number of key considerations including recently updated population forecasts, the availability, proximity and capacity of existing community facilities (i.e. Clifton Springs Primary School and the Bella wiyw Biralee community facility) to meet future kindergarten demand and other community functions (e.g. meeting space), and the typical infrastructure benchmark used to justify the need for multipurpose community centres, we believe delaying the delivery of proposed the Curlewis Early Years and Community Hub in the Jetty Road Urban Growth area can be justified until at least 2031."
40. Specific reasons for Council's position are as follows:
 - 40.1 Confirmation the provision of the Hub is supported by the Jetty Rd Urban Growth Plan (2008) and the Social Infrastructure Plan Generation One (2020-23).
 - 40.2 The ASR report uses population forecasts derived from Census 2021 as the most recent data/forecasts available and applies the industry best practice benchmarks derived from the Victorian Planning Authority.
 - 40.3 There is no evidence to support the claim made in the submission that: *'an assessment of the demand for early years services and community meeting spaces required to support the needs of residents of the Jetty Rd Urban Growth Area shows significant demand for these services in 2024'*.
 - 40.4 Council is at all times required to expend public money in a financially responsible way, that is, delivering infrastructure and services when and where it is needed. As advised to Algo Properties on 14/12/2023, current planning by Council and the State Government support the revised provision trigger in the ASR report.
 - 40.5 Best practice is to commence design of community infrastructure as close to delivery timeline as possible; beneficial for many reasons but primarily to ensure

an outcome that represents the most recent community need/ aspirations, service requirements and funding opportunities within budget.

41. Regarding the Stage 1 DCP Incorporated Document and DCPO2, the amendment does not include any changes. These controls apply to the land in Stage 1 which is now completely built out. While there will be a CF-01 delivery timing discrepancy between the two DCPs, this simply reflects reassessment as part of preparing the Stage 2 DCP. Amending the Stage 1 controls is considered unnecessary.

Coriyule Road, Tivoli Drive and Greenvale Drive

Coriyule Road

42. Coriyule Road is a local east-west road bisecting the growth area connecting to Hermsley Road at its western end. Hermsley Road then connects to the signalised intersection at Portarlington Road. The Traffix Group engineering assessment report (Nov 2022) describes the road west of Tivoli/ Greenvale Drive as an unsealed carriageway which is sufficiently wide to accommodate simultaneous two-way movements with a posted speed limit of 80 km/h.
43. Submission no's 14, 22, 33 and 35 request that Coriyule Road west of McDermott Road (i.e., beyond the western edge of Jetty Rd Stage 2) be sealed to Hermsley Road. Submitters 22 and 35 propose the road be formalised as an east-west connection to the growth area and submitter 22 suggests developers should partly fund the cost. Submission no. 42 on the other hand is concerned the proposed traffic calming alone will be insufficient to divert vehicles away from Coriyule Road.

Tivoli Drive and Greenvale Drive

44. Several submitters raise issues related to the planned duplication of Tivoli Drive and Greenvale Drive, though there is general support for a boulevard road as shown in the Traffic engineering assessment cross-section. Submission no. 1 suggests a mechanism for upgrading the road is needed should the upgrade be required prior to development of abutting land.
45. Submissions 14, 22, 25 and 33 say noise and speed mitigation measures are required to prevent dangerous driving or the road is a safety hazard. Two submitters (22 and 35) highlight safety issues at the Tivoli Drive crossing of the Bellarine Rail Trail. Submitters 14 and 22 suggest Tivoli Drive design changes to include service lanes and roundabouts to serve entry streets respectively.

Council officer response

Coriyule Road

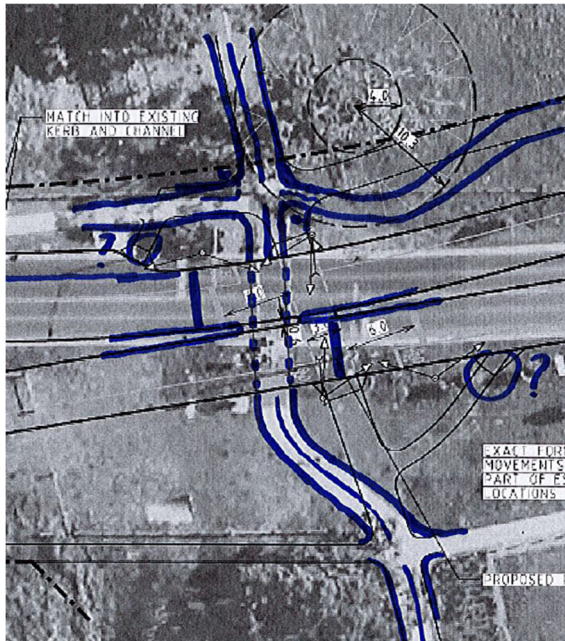
46. The amendment makes no provision for the sealing of Coriyule Road beyond the western boundary of Jetty Road Urban Growth Area Stage 2. This includes there being no provision for road sealing works as an infrastructure item in the Jetty Road Stage 2 DCP and partly funded by developers. Construction of the road by developers to urban standards between Tivoli/ Greenvale Drive and McDermott Road will form part of normal future subdivision and development works.
47. The submissions do not request any changes to DPO46, which requires preparation of a Road Network and Traffic Management Plan to include:

Traffic management controls for the internal road network as required, including calming treatment required towards the western end of Coriyule Road (between the new drainage reserves), to discourage the use of Coriyule Road to the west of McDermott Road.
48. The DPO46 provision is considered appropriate and sealing Coriyule Road west of the growth area as part of the amendment is not supported.

49. An assessment of the role and function of Coriyule Road is provided at Section 4.7 of the Traffix Group engineering report. The engineering opinion is that no traffic associated with Stage 2 would travel to or from the wider network via the western extension of Coriyule Road, although this conflicts with submitter views. The report highlights *Jetty Road Urban Growth Plan (2008)* road network objectives to discourage traffic generated within the growth area and/or Clifton Springs from exiting or passing through the growth area – however a link must be maintained for the Hermsley rural living community.
50. The Traffix Group report ultimately recommends a preliminary plan of the Coriyule Road traffic control treatment at Appendix H. Regarding Submitter 42's concerns, the final treatment (or treatments) to properly discourage vehicle use will be subject to preparation of the affected development plans and review by Council's traffic engineer.
51. Submissions calling for the role of Coriyule Road to be a higher order link road are not supported by any traffic engineering evidence or the Jetty Road Urban Growth Plan or other policy in the planning scheme. This includes the *Bellarine Peninsula Statement of Planning Policy (SPP), July 2023*, which does not identify Coriyule Road as a key transport corridor between settlements across the declared area and to the wider region. The SPP does however identify Portarlington Road as a key transport corridor.

Tivoli Drive and Greenvale Drive

52. A draft section 173 agreement for each of the three landowners/developers fronting Tivoli Drive/ Greenvale Drive (the Developer Group's land) was prepared and exhibited with the amendment. The agreements provide the mechanism to facilitate early land transfer and roadworks. Recitals in each agreement note Council's request for owners to enter into their respective agreements before Amendment C387ggee is adopted.
53. The Tivoli Drive and Greenvale Drive road design is shown in the Traffix Group traffic engineering assessment; there is no provision for a service road and a service road did not form part of the assessment nor recommended be considered as an alternative design.
54. Likewise, roundabouts are not included in the design. Rather, the assessment outlines a Tivoli Drive/ Greenvale Drive Access Strategy (page 25) stating: *'Not only is it important to ensure that appropriate access is provided to and from the various land parcels that make up Stage 2 of the Development Plan area, but it is also imperative that appropriate access is also maintained for the existing Stage 1 area.'* A 'high level' access strategy layout plan is proposed in Appendix I of the engineering assessment.
55. Specific measures to discourage dangerous driving, including speeding, can be considered at the permit application stage when functional layout plans are prepared. The Traffix Group assessment provides concept plans that meet current road design standards and support the intended role and function of the road. It is noted that illegal driving that can cause safety and noise impacts are police matters.
56. Council's traffic engineer has assessed that the Bellarine Rail Trail approaches to the Tivoli Drive crossing should be redesigned to improve safety for trail users. The Traffix Group concept layout plan at Appendix F will be amended similar to the drawing shown below:



Development Plan Overlay Schedule 46 (DPO46) requested changes

57. Several submissions, mainly from the Developer Group and other directly affected landowners, request changes to DPO46 or raise specific queries.

Submission no. 1 - ABAN Consulting for the owner of Property 12

Indicative road and interface

58. The submitter suggests the road reserve shown traversing along the southern boundary of 32-70 McDermott Road (the owner's property) be moved to the south and shared between the property and 72-100 McDermott Road. It is requested that details be provided on how the residential interface will to be treated while the property remains undeveloped and used for agricultural purposes.

Development Plan timing and consultation

59. Confirmation is sought that a development plan will be prepared for the central and northern residential areas before residential development commences within the subject area. There is concern DPO46 may preclude landowners from comment on any development plan prepared as outlined in the Framework Plan and seeks clarity on whether there will be consultation with affected properties before adoption should this amendment be gazetted.

Lack of certainty

60. There is also concern that the requirements do not provide sufficient guidance to give confidence or certainty that planned outcomes will be achieved to an appropriate or desirable degree.

Council officer response

Indicative road and interface

61. Shifting the road shown on the Map 1 Framework Plan is not supported. While the location of the road is designated as 'indicative' it is the logical extension of Oceania Drive and provides an appropriate interface to the district park and east-west connectivity.

62. Each development plan will need to be planned so it integrates with adjoining development plan areas. Preparation of the Central Residential Area A development plan is the appropriate time to consider the interface when plans are prepared and subdivision layouts are advanced. For instance, a Bushfire Plan will be prepared for Area A to assess bushfire risk from the north (i.e., Property 12). Also, the district park and drainage reserve located in Area - A are known interfaces.

Development Plan timing and consultation

63. A planning permit cannot be granted until a development plan has been prepared to the satisfaction of the responsible authority. DPO46 is structured to allow separate areas to prepare their own development plan. It is not clear what 'subject area' the submission is referring to but if a development plan is approved for Central Residential Area A, then residential development can commence subject to permit.
64. As stated in the submission, there is no requirement in Clause 43.04 to seek affected landowner comments during the preparation phase of a development plan. It will be at the discretion of Council's Statutory Planning Unit as to whether informal consultation is warranted at the appropriate time. Approved development plans are available for inspection at the Council office and online availability is currently under investigation.

Lack of certainty

65. Regarding concerns about a lack of certainty, DPO46 is considered to provide an acceptable level of certainty. Refer to Submission no. 42 below for an expanded response.

Submission no. 7 - Bursill Consulting on behalf of the Developer Group

Affordable housing

66. The submitter requests redrafting of the affordable housing provisions to make clear that contributions are voluntary. Alternative drafting is provided which includes replacing specific financial contributions and discounts to market price with provisions that require the development plan and permits to provide affordable housing. The proposed drafting opening sentenced reads: *'An Affordable Housing Delivery Strategy that includes the provision of at least 3.5% of housing as affordable housing'*.
67. An assessment of the policy framework and relevant panel reports is then provided, as is an emphasis on recognising that affordable housing provisions can take many forms and use a range of delivery partner options. Submissions on affordable housing finish by outlining contextual elements which differentiate the growth area from other localities.

Drainage

68. Wetland and waterway landscape design principles are provided and requested to replace some of the drainage requirements, as well as deleting reference to the *Final Report, Jetty Road South of the Rail Trail SWMS, Water Technology, Version 06, 6 September 2023*. The submission says these principles should guide the approval of future drainage assets. For APD Projects, this means update of the southern wetland concept plans and revision of the land area required and shown in Map 1. There is opposition to the exhibited SWMS adopting 1 in 8 (mainly) batter slopes and variations in batter design ranging from 1 in 6 to 1 in 2 are proposed.

Environmentally sustainable development

69. It is submitted that the Environmentally Sustainable Development (ESD) Assessment requires too much detail up-front and is designed for a planning permit application requirement. The ESD provisions should be deleted and replaced with the proposed drafting in the submission and justification for the drafting is also provided.

Residential villages

70. The submission notes Stockland intends to develop a residential village on property 13 and 14 (Central Residential Area A) and outlines how the development supports implementation of the Jetty Road Urban Growth Plan.
71. Stockland supports the drafting of specific Residential village provisions in principle but submits that there should be adjustments to the drafting. Alternative drafting is provided, including associated *Urban Design Masterplan* provisions. The changes include removal of the north south road, removal of the restriction of a residential village not being located within 100m of the district park and adjustment to the western interface to McDermott Road.

Other section 3.0 and 4.0 drafting

72. It is requested that the introduction to section 3.0 add '*...as relevant to the satisfaction of the Responsible Authority*' to provide flexibility as otherwise the conditions may need to be applied to all permits regardless of their relevance or need for revisions to drafting to address site specific circumstances. There is a request to add the same drafting to the end section 4.0 provision: '*A Development Plan must include the following general requirements*'. Redrafting of section 4.0 requirements relating to the design of front-loaded townhouse rows, the location of utility kiosks and street designation are also requested.

Council officer response

Affordable housing

73. Council officers and the Developer Group have been in negotiations on the terms of an affordable housing strategy since 2021. Council has consistently advocated for preparation and finalisation of section 173 agreements before the amendment is adopted, which remains the case. The amendment however also applies to land not owned by the Developer Group, meaning DPO46 is the planning tool to facilitate delivery of affordable housing consistent the Council's adopted Social Housing Plan 2020-2041 and affordable housing policies.
74. To assist in the negotiation process, Affordable Housing Outcomes P/L prepared an affordable housing letter (which was exhibited with the amendment). Nine principles are proposed to guide finalisation of an affordable housing agreement between the Developer Group and Council. The principles also provide a sound, well-reasoned basis for the formalisation of affordable housing provisions in the planning scheme.
75. A particularly relevant principle in considering the submission is Principle 4:

An Affordable Housing inclusion in the controls should be readily calculable. The controls should establish a clear framework to guide deliver[y] of the inclusion whilst also providing for a degree of flexibility in terms of delivery options reflecting the amendment and development timeframes and diversity of Affordable Housing delivery, ownership and management models.
76. The letter then sets out an affordable housing proposal and provides draft wording for the Development Plan Overlay schedule (i.e., DPO46). The DPO46 Affordable Housing Delivery Strategy is modelled on the proposed drafting, with the critical change being a requirement for 5% of the total number of serviced lots at a discount of 35% to market value and that this provision be the 'Primary Obligation'. It is noted that the effective contribution is 1.75% serviced lots, not the 5% social housing target demand for Area 3 (Clifton Springs, Curlewis, Drysdale) identified in Council's Social Housing Plan. By comparison the Affordable Housing Outcomes proposal of 3.5% at a 20% discount is an effective contribution of 0.7%.

77. The submission has requested alternative Affordable Housing Delivery Strategy drafting, being the provision of 3.5% of 'housing' (not 'serviced lots'). It is unclear whether the 3.5% position is at nil consideration (i.e., nil consideration means there is no payment at all for the contribution).
78. Consistent with the Affordable Housing Outcomes proposal, the methodology adopted in drafting DPO46 is to: (1) spell out the key requirement (this is the Primary Obligation); (2) spell out the key methodology for provision of affordable housing (the various alternatives to the Primary Obligation); and (3) spell out the key principles.
79. Furthermore, the drafting supports provision of different affordable housing formats and allows for a range of delivery partner options. Inclusion of the all-encompassing bullet point '*Any other delivery model of the contribution which is of equal value to the Primary Obligation*' provides for other models with the only qualifier being that the model must deliver a value proposition that is of equal value to the Primary Obligation.
80. Council therefore does not accept the alternative affordable housing provisions proposed in the submission. Nor is it agreed that the provisions are mandatory – that is, in the words of the submission: 'the DPO Schedule should be amended to make it clear that the affordable housing contribution is voluntary'.
81. DPO46 requires that each development plan include an Affordable Housing Delivery Strategy, which, in-turn, contains a number of provisions. Ultimately, as required by Clause 43.04-2, a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
82. Because a development plan must be 'to the satisfaction of the responsible authority', the provisions provide sufficient flexibility. The Affordable Housing Delivery Strategy will be prepared and approved against DPO46 and further technical assessment. The development plan is not the enabling permission for development.
83. DPO46 Clause 3.0 states:
- The following conditions and/or requirements apply to permits:
- ...
 - Unless there is already an agreement in place to provide affordable housing, a permit for subdivision, buildings or works associated with residential development should provide affordable housing in accordance with the approved Development Plan.
 - ...
84. By virtue of the word 'should' the permit requirement is not mandatory. DPO46 has been carefully drafted to ensure any contribution is discretionary.

Drainage

85. The proposed southern area drainage principles are not supported nor is relaxing Council's standards relating to batter slopes in drainage reserves supported. In order for Council to be comfortable that land can be serviced adequately it is unnecessary to consider the minutiae of civil design, however a level of detail is required to ensure accuracy of land budgets and DCP costings.
86. Council has required particular design criteria be satisfied in order to give comfort to all parties that sufficient land is set aside in DCP calculations. As design progresses the size and format of drainage assets will change, and from past experience, it is extremely difficult to obtain extra land if required. It is emphasised that the waterway/ wetland design has not been approved by Council's Civil Infrastructure Department but has been accepted as suitable for the purposes of establishing land, civil and landscape costings for the DCP.

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87. The submitters contention that '*Council may require a greater land take by insisting on unreasonably wide batters*' is unfounded. Council's position is based on requirements for publicly accessible retarding basins from the Infrastructure Design Manual. This provides a conservative land budget, and allows for negotiation at the appropriate time on variation to the City's standards to accommodate topography, accessibility, landscaping elements, etc.
 88. Overall, it is considered the proposed amendments to the DPO schedule are overly prescriptive and may in fact limit flexibility in design. Council's Civil Infrastructure Department is currently preparing guidelines on suitable edge treatments (batter slopes, retaining structures, etc.) for drainage assets, which are founded on ensuring financial sustainability across the lifecycle of the asset.

Environmentally sustainable development

89. It is agreed that the ESD provisions at Clause 4.0 require review. Some of the exhibited wording may be suitable for adaptation into a future development plan, but not into DPO46 itself. As such, a shift in drafting to identify what should be undertaken as the development plan is prepared and what should be achieved, rather than the inclusion of specific standards within DPO46, is appropriate.
90. It is important that DPO46 makes clear the objectives in preparing an ESD plan as part of a development plan, and that the development plan includes documentation of clear and agreed actions, benchmarks and implementation mechanisms. The submission seeks to reframe requirements as just an "*assessment*" of "*options*". This approach is not supported.
91. Neither is the degree of flexibility proposed by the redraft supported. It is considered appropriate that the specific actions are identified as part of the development plan preparation, which should then inform relevant permit conditions. Other submissions are generally agreed.
92. Redrafted ESD provisions will be prepared for the panel hearing.

Residential villages

93. Requested changes relating to Residential village and Retirement village requirements are not supported other than removal of the north-south road from Map 1 as shown in Attachment 2. This change results in a road network consistent with the Jetty Road Growth Area Structure Plan.
94. Stockland's intentions are acknowledged however the amendment is not a Section 96A application and there is no concurrent permit. The Bellarine Peninsula is experiencing strong demand for new residential villages and the likelihood that more villages will be proposed, other than that by Stockland is high. This may include a future proposal for a residential village on Property 12 interfacing the district park northern boundary.
95. It is within this context that specific requirements apply to the use and development of land for residential villages. The proposed General Residential Zone allows the use subject to permit and a Development Plan Overlay cannot change the scope of the discretion provided in the zone. Planning Practice Note 23 highlights that unlike most overlays, the Development Plan Overlay enables a plan to make provision for use as well as development.
96. Therefore, the purpose of DPO46 is not to designate or support particular locations for retirement villages but to establish the strategic parameters under which a development plan will be prepared. It is not appropriate for the district park, which serves the entire Jetty Road Urban Growth Area, to potentially be encased and monopolised by retirement villages on three sides. Such an outcome would not support a diversity of dwelling types

and households nor provide acceptable public access and public realm interface arrangements.

97. Clause 73.03 defines Residential village as '*land in one ownership...*' and the Stockland webpage for Halcyon Horizon Armstrong Creek, as an example, outlines the benefits of a gated community designed for over 55s. Council does not consider locating this housing model close (and directly opposite) to the district park provides a net community benefit.
98. DPO46 provides for the land within 100 metres of the district park to be subdivided, developed and used for a variety of housing types that support the DPO46 objectives and urban design requirements, as well as broader planning scheme housing diversity and public access policies.
99. The Residential village requirements are considered to provide sufficient flexibility when preparing a development plan, such as the preparation of a 'movement analysis', where a proponent has the opportunity to demonstrate public pedestrian connectivity as shown on Map 1 is not compromised. There is also provision for any residential village that interfaces rural land to provide arrangements different to that shown in the DPO46 background landscape report.

Other section 3.0 and 4.0 drafting

100. Redrafting of the Clause 3.0 and Clause 4.0 headers is not considered necessary and does not conform to Ministerial Direction *The Form and Content of Planning Schemes*. Clause 4.0 requires a development plan to include a series of assessments and plans and within each assessment/ plan more specific requirements are provided. It will be evident to the responsible authority if a specific requirement is not relevant to any particular development plan area.
101. The townhouse design requirement is not, as suggested, prohibitive of front-loaded town houses. Nor is that how the requirement will be interpreted. The intention of the requirement is to avoid garages dominating the street and that good design solutions are provided. Responding to the requirement depends on the subdivision, size of the lots and location of the townhouses. The images provided might work well in a street with a significant amount of general residential lots which includes one row of townhouses. As submitted, the images provided are on 8m wide lots. If that design type was proposed over the whole length of a street, the outcome would not be acceptable.
102. The requirement ensures good design outcomes in the longer term whilst also providing the developer sufficient flexibility to prepare an affordable subdivision design. It is noted the requirement is a design measure to achieve good design outcomes not affordable housing outcomes. The proposed redrafting is not supported.
103. Changing the Map 1 legend description to 'Indicative Key Local Street' is agreed. The requirement that utility kiosks/ cabinets must not be located in any open space is to remain. The City does not allow utilities within open space unless it is servicing the reserve.

Submission no. 18 - Environment Protection Authority

104. The EPA supports sub-clause 3.0 permit condition to give effect to any acoustic report recommendations and sub-clause 4.0 Urban Design Masterplan requirement to prepare an acoustic assessment report. However, the EPA has recommended redrafting of the requirement as per the submission.

Council officer response

105. The recommended drafting changes are agreed.

Submission no. 32 - Loetis P/L for the owners of Property 11

Drainage

106. The submitter generally supports the exhibited Stormwater Management Strategy (Water Technology, Feb 2023), however raises concerns about directing flows to basin 7 and the levels and direction of outfall of the existing catchments in properties 11 and 12. The submission considers that maximum flexibility in the DPO46 is provided and requests an additional provision, as drafted in the submission, be added to the Northern Residential Area Development Plan section.

Vegetation

107. The submission says the designated '*Vegetation Rows to be Retained in Reserve*' are planted windrows of varying species and quality and will continue to decline. Reference to retention of the vegetation in DPO46 is not supported. Nor is retention of the linear planted vegetation along the eastern boundary of 102-170 McDermotts Road.

Park location and Affordable housing

108. There is support for the location of the 1 hectare local park shown on Map 1, however the submission notes flexibility of the exact location should be maintained at this stage of the planning process. The affordable housing provisions are not supported and best met by society as a whole in the form of government provision rather than by new homeowners.

Council officer response

Drainage

109. Concerns are noted relating to routing of flows from basin 6 into basin 7, and the ability of basin 6 to command the entirety of property 12. It must be noted the purpose of the SWMS is to demonstrate at a conceptual level how the precinct will be serviced; this does not mean the concept cannot be refined and optimised as design work progresses.

110. Council is open to these issues being revisited in a development plan with suitable justification, provided requirements relating to stormwater quantity, quality and volume are met. It is preferred that no further retarding basins and/or treatment assets are added, however this will be dependent on detailed analysis of topography and boundary conditions with existing development.

111. An additional clause relating to "*Investigation into and assessment of the most efficient and equitable delivery of the proposed basin locations and interconnectivity...*" is considered unnecessary.

Vegetation

112. Request to remove vegetation requirements is not supported. The requirements respond to the DPO46 objectives and ensure significant vegetation of landscape, biodiversity and amenity value is appropriately addressed when preparing the Northern Residential Area Development Plan.

113. Property 11 forms part of the amendment however is not land under the control or ownership of the Developer Group. Landscape and vegetation site assessments were not undertaken during the developer technical phase to inform the planning controls. Other than access consent for Stantec to conduct an intrusive geotechnical investigation of the foreshore area, access was denied to Council officers.

114. The DPO46 Background Landscape Report November 2022, prepared by Council, provides guidance on significant vegetation that requires protection and integration with future development. These features support the creation of a sense of place and open

space linkages on this most prominent and attractive parcel. Designation at the rezoning phase is consistent with planning policy, including the Bellarine Peninsula SPP and Clause 15.01 urban design, subdivision design, healthy neighbourhoods and neighbourhood character strategies.

Park location

115. Support for the location of the local park is appreciated. Its location was informed by the background landscape report.
116. There will be an opportunity to further investigate the precise location during preparation of a development plan, noting the designated site supports retention of high-value vegetation, provides an excellent rural interface, is central to the area and conveniently links to the shared path network.

Affordable housing

117. Removal of the affordable housing provisions is not agreed. While improving affordability is the responsibility of all levels of government, an objective of the *Planning and Environment Act* is to facilitate the provision of affordable housing in Victoria. There are also state and local policies in the Greater Geelong Planning Scheme that support provision of affordable housing in new developments, as well as direction in Council's adopted Social Housing Plan 2020-2041.
118. DPO46 requires preparation of an Affordable Housing Delivery Strategy as part of the development plan. The preferred method of implementing the affordable housing strategy is by a signed Section 173 Agreement. Should the owners reconsider their position on this matter, Council would welcome the opportunity to negotiate an agreement based on DPO46 before the amendment is adopted.

Submission no. 42 - owners of 1-69 and 71-89 McDermott Road

119. The land is located directly opposite the western boundary of the growth area. The submission highlights the property at 1-69 McDermott Road includes the significant heritage place, Coriyule Homestead and its garden, and is subject to registration under the Heritage Act (H0272) and listed in the Schedule to the Heritage Overlay (HO3).

Lack of certainty

120. The main concerns relate to a lack of certainty and detail in the amendment, particularly related to landscaping outcomes along McDermott Road and associated interface treatments.
121. Requests the following changes to DPO46:
 - 121.1 incorporate a requirement for a construction management plan or similar, limiting the hours and days of construction work and confirming no construction access from McDermott Road and no construction related parking in McDermott Road.
 - 121.2 prepare a landscape plan for the McDermott Road interface showing extent of planting, tree size and fencing details.

Council officer response

Lack of certainty

122. The requested changes are not supported nor considered appropriate at the amendment stage. DPO46 includes an objective '*to ensure subdivision and development responds to the topography, natural features and key views within the growth area, as well as interfacing rural, coastal and residential land*'.

123. Several conditions and requirements support this objective so that a development plan provides an acceptable response, noting that it is to be prepared to the satisfaction of the responsible authority. Because the western boundary landscape context varies along its length, Council prepared the document *C387ggee Development Plan Overlay Schedule 46 Background Landscape Report, City of Greater Geelong, November 2022*.
124. The background landscape report is referenced in DPO46 and provides an additional layer of guidance that is not readily able to be provided in a Development Plan Overlay schedule. In this respect the amendment, and DPO46 in particular, is acknowledging the elevated importance of the interface especially in light of the Bellarine Peninsula SPP.
125. It is a balancing act to the extent of prescription necessary at the rezoning stage – which is primarily a strategic process. One of the DPO46 requirements is to prepare a Site Analysis and Local Context Assessment. This work is important before detailed design, subdivision and built form plans are prepared. Similarly, the interface treatment will be informed by the bushfire assessment. Other DPO46 masterplans and assessments will also influence the interface design.
126. Council's approach is consistent with Planning Practice Note 23: Applying the Incorporated Plan and Development Plan Overlays, September 2022 (PPN23). Page 1 of PPN23 opens with the following statements:

The IPO and DPO are flexible tools that are used to implement a plan to guide the future use and development of land.

The IPO and DPO are the preferred tools to support plans such as detailed development plans or master plans for land.

127. Then, under the heading 'Operation of the overlays' PPN23 includes that a DPO is used to 'guide content of a plan by specifying that it should contain particular information'.
128. Overall, DPO46 is considered to provide an acceptable level of certainty.

Submission no. 53 - Tract Consulting for the owner of Property 30

129. The submitter notes previous discussions with Council planning officers proposing commercial uses on the site (1425-1429 Portarlington Road) including a service station, medical centre and childcare facilities. The submission includes a preliminary layout plan.

Non-residential uses

130. The submission requests the designation of the site for non-residential uses should be strengthened by identifying the land as a 'supported' location rather than a 'possible' location. There is also suggestion to apply the Commercial 1 Zone and remove reference to require approval from the Head, Transport for Victoria.

Vegetation interface

131. The '*Portarlington Rd Vegetation Interface Treatment*' designation on Map 1 is queried, and the requirement under the Urban Design Masterplan section is submitted to be read as not including any guidance to the Background Landscape Report and only refers to a residential interface. Submits the buffer is unsuitable for a commercial site.

Portarlington Road and Tivoli Drive

132. The submission highlights Map 1 which reads 'no lot or road access' to Portarlington Road and the corresponding requirement at Clause 4.0, saying DPO46 should be drafted to relate to 'residential' lot access more specifically. Also submits the Portarlington Road/Tivoli Drive plan contained in Appendix E of the Traffix Group Traffic Development

Plan Report should be amended to show a left-out access from the site onto Portarlington Road.

133. Regarding access to Tivoli Drive requirements, it is submitted that a right-turn-lane from Tivoli Drive to the site is imperative. Therefore, DPO46 and the Portarlington Road/Tivoli Drive plan should be amended to refer to the right-turn-lane to facilitate direct access to the site. A further Tivoli Drive change is that the timing requirement to complete upgrade of the road should not be applied where a non-residential use is proposed.

Signage

134. There is objection to DPO46 requirement for signage to be 'entirely integrated' into the built form as it will constrain the ability to realise non-residential uses on the site and may undermine the strategic intent of the amendment. Submits the requirement should more expressly contemplate a well-designed commercial signage strategy or otherwise the Commercial 1 Zone should be explored.

Council officer response

Non-residential uses

135. Preliminary discussions about future commercial uses on the site are acknowledged. Irrespective of the proprietor's presence, the site is likely to attract interest for commercial development given its corner location fronting Portarlington Road. In this context the amendment is flagging the potential (not 'possible') for commercial uses at the location to the community, as well as establishing specific requirements to be addressed in a development plan.
136. It is noted that only one submission was received in opposition to the DPO46 Map 1 designation of the site for 'potential non-residential uses' – that being from the landowner on the opposite side of Portarlington Road.
137. The request to strengthen designation on Map 1 by changing 'potential' to 'support' is not agreed. Neither is rezoning the site to Commercial 1 Zone which would not be within scope of the amendment. The amendment proposes to rezone the growth area to the General Residential Zone consistent with direction in the planning scheme and the *Jetty Road Urban Growth Plan, 26 June 2007 (Amended 23 September 2008)*. The urban growth plan does not identify the site for anything other than residential use.
138. Whether or not non-residential uses are ultimately developed on the site will not undermine the strategic intent of the amendment.

Portarlington Road and Tivoli Drive

139. Other changes requested flow-on of the submission's formative position that the site is a strategic commercial site. This includes changes to DPO46, the background landscape report and the Traffix Group report. None are supported and these matters can be considered in preparing a development plan. Any modifications to Tivoli Drive and Portarlington Road will require approval at the planning permit stage and any costs the responsibility of the proponent.

Vegetation interface

140. The 'Portarlington Rd Vegetation Interface Treatment' designation on Map 1 will be clarified by extending it to the boundary of Tivoli Drive road reserve. This is a key gateway location. The treatment is required to meet the objectives of DPO46 and the Bellarine Peninsula Statement of Planning Policy (SPP).
141. The SPP provides a description of 'green breaks and urban-rural interface areas' on page 60 and specifically states for Curlewis (p. 61):

Curlewis is characterised by contemporary, urban development, with larger houses on smaller lots. Development in the western future urban area will be designed to integrate with the surrounding, regionally significant landscape. It will provide a sensitive urban-rural transition to adjacent rural land and the Bellarine Rail Trail.

142. And on page 67, Strategy 8.4 is as follows:

Ensure development at the periphery of settlements within their protected settlement boundaries is planned and designed to provide an urban-to-rural transition, to protect landscape character by minimising the visibility of the settlements from surrounding rural areas

Signage


143. In addition to this important interface, the requested change to the signage requirement is not supported for similar reasons. Proposed development on the edge of a Bellarine town settlement boundary is expected to achieve less-obtrusive and higher design and built form standards.

Jetty Road Urban Growth Area Stage 2 DCP requested changes

144. Submissions from the Developer Group and other directly affected landowners request changes to the DCP or seek clarification of infrastructure costings and apportionment. Submission no. 7 and 52 object to the inclusion of *DR-02 Coriyule Road Drainage Item* because it is existing infrastructure.

145. This section responds to DCP submissions, other than *C002 Childrens and Community Hub – Construction*, which is addressed separately given the extent of community interest and submissions. Due to the specific nature of the issues, submission summary and responses are presented in table format.

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
7	Bursill Consulting submission on behalf of the Developer Group raising several issues:	
7.1	<p>The Coriyule Road Drain (Project DR-02) should be removed from the DCP. The drain was constructed to address an issue relating to impacts from the Stage 1 development and has already been funded by the Council.</p> <p>The project did not form part of the Jetty Road Urban Growth Plan or the Jetty Road DCP Framework established through the planning scheme. There is no Council report dealing with this matter and Council did not write to owners in the Stage 2 area at the time the issue emerged to alert them that Council may seek a financial contribution to the cost of the pipe. Given that no advice was provided, it is reasonable to conclude that the Coriyule Rd/ Scarborough Rd Drain is an existing asset that provides an outfall that can be accessed.</p> <p>If the drain were to remain in the DCP, then the apportionment to Jetty Road Stage 2</p>	<p>Representatives of landowners were consulted during development of the Coriyule Rd drain project and apportionment of costs to Jetty Rd Stage 2 were understood. Works were completed over multiple financial years. \$2M was allocated in the 2019/20 budget, with the balance in following year(s).</p> <p>The drain was constructed in two stages. The Jetty Rd Stage 2 DCP seeks to recover costs associated with stage 2 only. The drain (DR-02) is external to the DCP Main Catchment Area and provides an outfall to the bay via Coriyule Rd and Scarborough Rd as indicated in Figure 6:</p>

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
	<p>should be adjusted down to reflect the relevant share of the catchment.</p> <p>The DCP description in the DCP Appendix indicates that the second stage of the drain had a cost of \$3.6m in 2021 dollars. The cost included in the DCP is \$3.9m. The DCP does not explain how the \$3.6m cost was escalated to \$3.94m. Clarification is sought from Council. Given the cost has already been incurred by Council, the developer Group submits that the relevant escalation to apply would be the CPI Index. Clarification of the index methodology applied is sought.</p>	 <p>There is direct nexus between the infrastructure works and benefit to Stage 2 consistent with the findings of the Afflux Consulting report. While the drain is existing infrastructure the costs were always envisioned to be partly funded by the Jetty Rd Stage 2 area.</p> <p>In response to the claim 'Other parts of the catchment include rural residential development, a service station, roads, the golf course of 44 hectares which includes accommodation development, Council's major sports reserve of 28 hectares and other rural land', none of these features are directly connected to the drain, as such derive no benefit. Drainage matters are addressed in the exhibited Afflux engineering report.</p> <p>Cost of the actual delivery of the phase 2 drain was \$3,667,601. This was conservatively assumed to have a June 2022 base value. This value was then indexed by the Rawlinsons BPI from June 2022 into June 2023 (using March quarter index values, given that the March quarter is the latest available index at the July 1 indexation time).</p> <p>Mar-22 = 132.33 Mar-23 = 142.22 Index factor = 1.0747</p> <p>The final resulting value included in the DCP is \$3,941,708.</p> <p>Rawlinsons BPI has been applied to index the construction costs for items (including those already delivered) in order to be consistent with the indexation methodology of the both the Stage 1 and Stage 2 DCPs. CPI does</p>
7.2	<p>APD Projects submits that changes should be made to the DCP costs for the Southern</p>	<p>A response to waterway/ wetland design, including batters is provided in the DPO46 section. Changing the batter design is not supported.</p>

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
	<p>Wetland (Project DR-04) by reducing the area required for batters.</p> <p>APD Projects submits that the land taken for the Southern Wetland should be reduced by applying the revised batters consistent with the waterway design principles referenced earlier in this submission. And consequently, the net developable area (NDA) for the DCP should be increased. The increase in the NDA will reduce the development infrastructure levy (DIL) for relevant charge areas in the DCP to make development more affordable.</p> <p>The civil and landscape costs for the Southern Wetland should be adjusted to reflect the reduced earthworks and landscaped areas due to the smaller wetland footprint. The land valuation for the Southern Wetland should be amended to reflect the reduced land area.</p>	<p>The design and cost adopted for the DCP have been based on the PDF file received from Council on 8/9/23, which was issued by Stantec on 1/9/2023.</p> <p>The PDF file is title 2023.08.31 13588-14 DCP Cost Estimates.pdf</p> <p>The cost for this item in the detailed cost provided by Stantec is \$10,518,900.71, noting DR-04 total cost is \$10,518,900.71 + \$813,750 (for CHMP related soil screening works) = \$11,332,650.71</p>
7.3	<p>APD Projects submits that the Southern Waterway (DR-04) costs should be amended to include the correct land area and the correct landscape costs as described in more detail below.</p> <p>The Draft DCP includes an area of 3.193 hectares for the wetland associated with SWMS Rev 5 being DR- 04-L. However, the land take associated with SWMS Rev 6 is 4.22ha. APD Projects submits that the DCP area for the purpose of the NDA and the land valuation should be amended to reflect the correct area of 4.22 hectares.</p> <p>APD Projects submits that the DR-04 cost for construction, inclusive of landscape and civil costs have used incorrect costs for the landscape component. The landscape costs in the project cost should be increased by \$1.094m as explained in the letter below from SMEC. A full copy of the letter has also been provided to Council with this submission. To ensure an appropriate standard of landscaping the costs in the DCP require amendment.</p>	<p>The DCP is prepared on the basis of land budget information utilised for the Land Valuation Package dated 23/8/23. A subsequent revised land budget was circulated on 30/8/23 which is not reflected in the exhibited DCP. This update included a change to the land area allocated as 'Drainage Reserve' for DR-04.</p> <p>The DCP will be updated to reflect the latest land budget information. The DCP area for the purpose of NDA (Property 16 – Waterways and Drainage) is 4.133ha.</p> <p>Regarding the DCP area for the purpose of land valuation, due to misunderstanding of the CCMA waterway designation, the 'unencumbered drainage land' area is proposed to be reduced by the difference between the land required by the drainage asset and the 40m waterway encumbrance. The Westlink Land Valuation Report will also require amending. Refer to Submission 52.2 below for an expanded response.</p> <p>The construction cost associated with DR-04 was adopted from the PDF file (titled 2023.08.31 13588-14 DCP Cost Estimates.pdf) received from Council on 8/9/23, which was issued by Stantec on 1/9/2023.</p> <p>The DCP does not reflect 'incorrect' costs, given that the landscape costs referred to (prepared by SMEC) were not issued to Urban Enterprise at the time the DCP was prepared.</p>

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
		<p>NOTE: In further considering the submission, Council sought clarification on: (1) whether the costings include all works from Tivoli Dr to Hackwill Place/ Portarlinton Rd; and (2) whether the additional SMEC landscaping costs are included or not.</p> <p>Bursill Consulting replied as follows:</p> <ul style="list-style-type: none"> ▪ SMEC advise that the civil cost included the works on APD parcels 16 and 18. ▪ The costs excluded parcel 23. That is a section of constructed waterway. ▪ SMEC have completed a preliminary costing for the open waterway between the APD land and Hackwill Place and we expect the cost to be in the order of \$700,000. ▪ SMEC will provide an OPC for the missing component. This will be based on the same methodology and costs as that use for the exhibited version. ▪ The landscape costs, per the SMEC letter (14 Dec 2023) provided with submission, were deficient and need to be adjusted upwards.
7.4	<p>APD submits that the land valuation methodology for the Southern Wetland (Project DR-04 – L) should follow the site-specific methodology as the land is otherwise developable as a residential super lot which will produce a value similar to that which would apply to a school site.</p> <p>APD submits that the southern wetland, can be readily developed as a residential super lot and that the site specific valuation methodology should have been applied. The broad hectare methodology is normally applied for a slither of land, like that for a road widening.</p>	<p>The land valuation report was prepared on a basis consistent with the 'method for calculating estimated value of inner public purpose land' within the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans.</p> <p>The land valuation report (dated 31 August 2023) considers the land relevant to the land for DR-04 to be "irregular in shape". Therefore, "for the purposes of this valuation, the highest and best use of each irregular section of public land has been determined based on the broad hectare value of the property within which the irregular public land area is situated."</p>
7.5	<p>APD Projects submits that the financing cost associated with the early delivery of enabling infrastructure for the Southern Development Area should be included in the relevant DCP projects as an additional line item as set out below.</p>	<p>The DCP does not include any financing costs attributed to the early delivery of infrastructure. Inclusion of these costs is possible but would require clear justification. Financing costs are not normally included where the works are 'typical' in terms of scope, timing and triggers.</p>
7.6	<p>DCP costs for DR01 and DR03 have been incorrectly allocated and should be swapped to reflect correct project costings as submitted by Stantec.</p> <p>The Developer Group understands that the reason for the discrepancy is because the DCP projects were re-numbered from the original</p>	<p>The cost adopted for the DCP have been based on the PDF file title 2023.08.31 13588-14 DCP Cost Estimates.pdf, or the associated Excel file if no cost is provided in the PDF (e.g. for DR-01).</p> <p>The costs within the DCP are consistent with the PDF file for DR-03.</p>

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
	<p>Stantec DCP project cost submission to Council. As a result, the costs were incorrectly allocated to the wrong scope of works through the final DCP. The Developer Group requests that the costs be reverted to match Stantec's submission of costs.</p>	<p>The email from Stantec (dated 1/9/23) provided both a PDF and Excel version of the costs and indicated that both files were consistent in their information. On review, the Excel document has a different final value for DR-03 to the PDF.</p> <p>Stantec to confirm which is the correct value of the two different values provided.</p>
7.7	<p>Stockland and SOHO Living submit that the construction of Coriyule Road and the traffic calming treatment should be included in the DCP and project costs and apportioned 50% each to property 14 and property 15. This will facilitate the early and complete construction of the road and traffic calming and avoid disjointed development</p>	<p>Construction works associated with Coriyule Road were not included in the DCP on the basis that cost sharing is not required for the local road network. Local roads can be included, however there would need to be clear justification for inclusion, and consideration of the equity for affected landowners (including elsewhere in the Growth Area).</p> <p>Furthermore, the Traffix Group report (Nov 2022) preliminary plan for traffic calming is not final and subject to detailed assessment and review by Council traffic engineers, to ensure the treatment properly discourages east-west use.</p>
7.8	<p>The Foreshore Works costs should be amended. The Developer Group have noted a potential discrepancy in the amounts for the foreshore reserve area with the council's DCP report noting \$4,296,551 for construction costs but the Stantec cost submission relevant to Stage 2 being \$3,064,812.50.</p> <p>The Developer Group seeks clarification from Council regarding the basis for the cost of the Foreshore Works included in the DCP and how that cost was calculated. After reviewing that information the Developer Group will further advise whether it supports or seeks changes to the DCP cost for the Foreshore works.</p>	<p>The Stage 1 DCP apportioned the entirety of the Foreshore upgrades (stage 1 and 2) across the whole Jetty Road Urban Growth Area.</p> <p>The costs prepared by Stantec refer to the Stage 2 works (remaining works), valued at \$3,064,812.50.</p> <p>The scope of the Stage 1 works (completed works) is equivalent to \$853,521.81 in base Stage 1 DCP values (2011 dollars).</p> <p>The value of the completed works were indexed in to current values (June 2023) by using the BPI index values for Mar-11 and Mar-23. The resulting value in current dollars is \$1,231,738.93</p> <p>Mar-11 = 98.55 Mar-23 = 142.22 Index Factor = 1.4431</p> <p>The total value adopted for the OS-01 project in the Stage 2 DCP is: \$3,064,812.50 + \$1,231,738.93 = \$4,296,551.43</p>
7.9	<p>The Developer Group submits that the DCP Overlay Schedule drafting should be amended to ensure that projects completed prior to the introduction of the DCP are indexed in accordance with the Consumer Price Index.</p>	<p>Rawlinsons BPI was applied for the indexation of construction costs in order to be consistent with the indexation methodology of the Stage 1 DCP.</p> <p>Note that CF-01-L has been indexed into current dollars using CPI in accordance with the methodology of the Stage 1 DCP (which was linked</p>

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
	<p>The DCP includes a range of projects that were completed, some many years ago. The Developer Group submits that these already completed projects should be indexed in accordance with the Consumer Price Index as this is more relevant for completed projects.</p> <p>Requested change is to add a new bullet point under 'Note': <i>In relation to projects completed prior to when the Jetty Road Stage 2 Development Contributions Plan was first incorporated into this planning scheme, indexation is to be undertaken based on the Consumer Price Index.</i></p>	<p>to the provisions of an earlier s173 agreement regarding land values).</p> <p>The method of indexing of land items in the Stage 2 DCP requires annual revaluation to be consistent with standard practice. The indexation method could refer specifically to indexation by CPI for CF-01-L; however this type of indexation was not considered suitable for construction items, including for items already delivered.</p>
32	Submission by Loetis Pty Ltd on behalf of/by P & A Kuc, owners of 102-170 McDermotts Rd (Property 11).	
32.1	<p>Support the principle of separate drainage catchments & DCP charge areas as outlined in the Afflux report and the DCP09 and support the approach of Charge Area 1 properties being responsible for own stormwater basin(s).</p>	Noted
32.2	<p>In line with typical arrangements whereby standard collector roads are not DCP funded items, we do not support the inclusion of the Tivoli Drive and Greenvale Drive works forming part of the DCP. Tivoli Drive – Rail Trail to Coriyule Road (RD-01 & RD-01-L), Greenvale Drive (RD-02 & RD-02-L) and Tivoli Drive - Portarlington Rd to Rail trail (RD-03 & RD-03-L) generally have development fronting the subject road (subject to retirement village outcomes) and as such should be developer funded.</p>	<p>The upgrade of Tivoli Drive/ Greenvale Drive (RD-01, RD-02, RD-03) was included in the DCP on the basis that additional demand and vehicle usage from across the entire Stage 2 area will trigger the need for duplication of the road prior to any development commencing. There is a need generated by Stage 2 overall, and a nexus between all of Stage 2 and the road. The early delivery trigger requires costs to be incurred at the outset, so inclusion in the DCP is required to achieve equitable funding and shared delivery.</p>
32.3	<p>Support OS-01 & DR-01 works, however, note that these cost estimates appear low for the projected works.</p>	<p>Costs were adopted based on costs prepared by Stantec (31/8/23).</p>
32.4	<p>Support Foreshore Reserve, Griggs Creek Works, Sub regional park works and remainder of the DCP works.</p>	Noted
32.5	<p>Support OS-05 being charge area CA3 only.</p>	Noted
52	Tract Consulting submission on behalf of the landowners of 1451-1459 Portarlington Rd	

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
52.1	<p>(Property 27) seeking clarification of the following:</p> <p>DR-02 – Coriyule Road Drainage Despite being completed in 2017, 62.67 per cent of the costs associated with the design and delivery of DR-02 have been apportioned to Charge Area 3. Preliminary view is that Council may not be able to retrospectively seek an apportionment of costs towards an asset that has already been delivered.</p>	<p>The Stage 2 works were completed in 2021, not 2017. Only Stage 2 costs have been included in the DCP.</p> <p>The apportionment method has been outlined in Appendix C, Table 13 of the DCP and partly informed by the Afflux engineering advice in terms of the catchments and cost apportionment approach.</p> <p>Refer to Submission 7.1 for a more detailed response.</p>
52.2	<p>DR-04 – Detention and WSUD Basement (Property 16) The DCP specifies a construction cost of \$11,332,651 and a land value of \$5,747,400 (3.193 ha), with 100 per cent of the construction and land costs apportioned to Charge Area 3.</p> <p>Informing the location of DR-04, a CCMA designated waterway runs through Charge Area 3. The CCMA mandates setbacks from any designated waterway (potentially 30m), rendering any land within this buffer zone as undevelopable anyway. Whilst we support the development of DR-04 within the designated waterway corridor, we assume that the land valuation that informed the DCP costings has sought to recuperate costs associated with land that council never be developed anyway.</p> <p>To be satisfied with the proposed construction and land costs associated with DR-04, we ask that Council supply us with information in relation to the exact land area that the \$5,747,400 relates to, and confirmation that it sits outside of the CCMA’s designated waterway corridor.</p> <p>In addition, we ask that Council supply us with the detailed design drawings and the costings that informed the \$11,332.651. The construction costs associated with DR-04 seem very high.</p>	<p>Support of DR-04 is noted. Costs were adopted based on costs prepared by Stantec (31/8/23) and this information will be supplied.</p> <p><u>Response to DR-04-L (Property 16) as follows:</u></p> <p>The DCP item value DR-04-L was calculated on the basis that the affected land area was 'creditable' and to be valued for the purposes of the DCP costs as highlighted in the Land Budget. This was on the basis that there was no declared waterway in this area, and therefore that the relevant land was unencumbered. The exhibited DCP Land Budget 'unencumbered' land area is 3.193ha.</p> <p>Due to a misunderstanding of the initial CCMA advice on the status of the waterway, it is now confirmed to be a designated waterway (CCMA-F-2021-00724). Both Water Tech SWMS assessments are informed by the designation.</p> <p>In recognition of this fact a change to the DCP is required by adopting the 'post-development' 40m wide constructed waterway corridor (p.35, SWMS, Sept 2023) as the encumbrance due to the waterway, with any land outside this waterway to be classified as unencumbered land. DR-04-L shall then relate only to the unencumbered land area.</p> <p>This approach is preferred because:</p> <ul style="list-style-type: none"> ▪ The CCMA does not provide a clear definition of the extent of the existing waterway encumbrance. ▪ The existing encumbrances (including the on-site dam) will no longer be relevant after the re-alignment and construction of the waterway under 'post-development' conditions.

No.	Jetty Rd Stage 2 DCP submission	Council Officer response
		<ul style="list-style-type: none"> ▪ There is certainty regarding both the hydraulic width (17.3m total) and waterway width (40m total) in the SWMS. <p>The Westlink land valuation report shall also be updated to reflect the encumbrance.</p>
53	Tract Consulting submission on behalf of Portarlington Rod Pty Ltd (Property 30) seeking clarification of the following:	
53.1	<p>Apportionment of costs under the Development Contributions Plan</p> <p>In reviewing SWMS, ISR & DCP documents one item that stood out in particular was the \$ per hectare contribution toward drainage infrastructure for Charge Area 3 under the proposed Development Contributions Plan Stage 2 (DCP). The charge per hectare of \$417,160.73 compared to the charge per hectare of Charge Areas 1 & 2 is significantly higher (\$11,221.52 and \$31,162.16 respectively).</p> <p>Upon review of the strategies for managing stormwater it would appear that the land south of the Rail Trail is undertaking significant works to capture, treat and detain water before discharging to the north-west. It raises the question of whether the drainage costs of Charge Area 3 should be apportioned over Charge Area 2 as well.</p>	<p>The DCP charge areas have been prepared generally in accordance with the drainage catchments identified in the Jetty Road South of Rail Trail SWMS (6 Sept 2023). Catchments were also confirmed as equitable in the Afflux report.</p> <p>DR-04 is required to services the southern catchment / Charge Area 3.</p>

SUBMISSIONS SUMMARY

Summary of submissions and response

146. All submissions are summarised in the following table and a response provided where not addressed above.

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
1	ABAN Planning	PO Box 68, Inverloch	Yes	<p>Submission on behalf of Henley Ridge Pty Ltd, landowner of 72-100 McDermott Road, Curlewis (Property 12). Property developed with a single dwelling and used for agriculture including a winery with cellar door. Landowner intends to continue to use the land for such purposes in the short to medium term.</p> <p>General support for the amendment but seeks consideration/clarification of the following:</p> <ul style="list-style-type: none"> ▪ Mechanism for upgrading Tivoli/Greenvale Drive. ▪ McDermott Rd interface with rural land and expectation of landowners. ▪ Whether views of traditional owners form part of the amendment. ▪ Temporary drainage detention systems to ensure flooding on the property does not worsen when land to the south is being developed. ▪ Shift the east-west road reserve shown (in DPO46) along the southern boundary so as to be shared with 32-70 McDermott Rd. ▪ Justification for the Environmental Audit Overlay (EAO) ▪ Documentation from service authorities to understand whether all existing infrastructure has been considered. ▪ Other matters including construction management (vehicles parking on McDermott Rd), review internal and external referral responses, understand existing residential supply/demand on the Bellarine Peninsula and DPO46 requirements do not provide sufficient guidance. 	<p>Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes</i>.</p> <p>A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive</i>.</p> <p>DPO46 includes objectives and requirements to ensure the McDermott Rd interface with rural land and prominent site features are addressed in a development plan.</p> <p>Cultural Heritage assessments and Cultural Heritage Management Plans have been prepared for the Developer Group land, which required traditional owner engagement and approval. DPO46 includes aboriginal heritage reserves. Future development of the Northern Residential Area will require assessments under the <i>Aboriginal Heritage Act</i> and regulations.</p> <p>The purpose of the Stormwater Management Strategy is to demonstrate at a conceptual level how the precinct will be serviced. The SWMS has been based on a Development Concept Plan that includes a retarding basin on each of properties 11-15, which allows each to develop independently. This concept will be further developed through future Development Plan and Planning Permit processes.</p> <p>The need for temporary measures is ultimately a function of staging; a staging and sequencing plan will form an integral part of a future Development Plan. Generally, the City does not support the use of temporary detention basins unless they form part of the broader drainage system.</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
					<p>External catchments have been analysed in pre-development modelling to understand flows through the precinct and to provide a baseline so that the impact of development can be analysed. Retarding basins have been sized to cater only for the land to be developed.</p> <p><u>Note:</u> the submission says the SWMS prepared by Water Tech focused on land to the south of the Bellarine Rail Trail. This is partly correct – there is also a Water Tech SWMS dated 15 Feb 2023 prepared for all Stage 2 land. The report was exhibited.</p> <p>Reasons for applying the EAO are detailed in the Explanatory Report. The planning authority has determined all land proposed to be rezoned (i.e. to GRZ which allows sensitive uses) to be potentially contaminated and the EAO is the primary deferral mechanism in response to MD1 and PPN30. Application of the EAO is supported by the EPA and DTP.</p> <p>A submission from Barwon Water confirms the growth area can be serviced for water and sewerage. Other service authorities did not provide submissions however infrastructure servicing reports for land owned by the Developer Group confirms availability. DPO46 requires an Infrastructure Servicing Assessment to be prepared as part of the Northern Residential Area Development Plan, which will address specific infrastructure matters.</p> <p>Construction impacts can be managed by planning permit conditions at the detailed planning phase, not as part of a</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
					<p>rezoning amendment. The submitter is able to view referral response by appointment at the Council office.</p> <p>A land supply analysis was not undertaken as part of the amendment and is not required to inform or provide the strategic basis for the amendment. Council's Housing and Settlement Framework Plan at Clause 02.04 designates the growth area for urban development, as does the Bellarine Peninsula SPP. The City of Greater Geelong demographer (.idcommunity) forecasts a Curlewis population increase of 85% between now to 2041 resulting in a population of 9,214.</p>
2	Barwon Water	55-67 Ryrie St. Geelong	No	No Objection. Notes water and sewerage infrastructure to the growth area can be accommodated.	Submission noted
3	L. Bisinella Developments P/L	PO Box 44, Lara	No	Supports the amendment.	Submission noted
4	Bonner	Beacon Point Rd. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
5	Booker	Oceania Dr. Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
6	Individual submitter	High Ridge Dr. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
7	Bursill Consulting	15 Oberon Way, Newport	Yes	<p>Submission on behalf of the Developer Group – comprising Stockland (32-70 McDermott Rd – Property 13 & 14), SOHO Living (91-125 Coriyule Rd – Property 15) and APD Projects (1421-1423 Portarlington Rd, 292-300 Jetty Rd, 2-10 Hackwill Place, 12-18 Hackwill Place & 1471-1479 Portarlington Rd – Property 16, 17, 18, 20, 21, 22, 25 & 26).</p> <p>Support for the amendment however makes the following detailed submissions:</p> <ul style="list-style-type: none"> ▪ Requests changes to the DPO47 and DCP / DCPO9 ▪ A Specific Controls Overlay (SCO) should be applied to the Jetty Rd Stage 2 area and a draft Incorporated Document provided in the submission. The SCO is to facilitate use of the Small Lot Housing Code (SLHC). <p>Post submission, Bursill Consulting noted the EAO Map applied to part of the Tivoli Dr road reserve appears to be an error.</p>	<p>Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes.</i></p> <p>Requests to change the DCP are responded to in Attachment 1 under the theme: <i>Jetty Road Urban Growth Area Stage 2 DCP requested changes.</i></p> <p>Council in principle supports use of the SLHC and draft Incorporated Document. However the SLHC can only be activated in special purpose zones and therefore the submission is beyond the scope of the amendment.</p> <p>The EAO Map is incorrectly applied to Tivoli Dr road reserve and will be removed.</p>
8	Individual submitter	Coriyule Rd. Curlewis	Yes	<p>Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.</p>	<p>Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i></p>
9	Corino	1412-1438 Portarlingto n Rd	Yes	<p>The submission provides a history of the landowners’ previous correspondence and grievances with the City in regard to construction of Tivoli Drive and its signalisation at the Portarlington Rd intersection. The intersection is located opposite the owner’s residence and has had a major detrimental impact on the enjoyment of the property.</p> <p>With regard to the amendment, the submission objects to any non-residential use on the corner property at Tivoli Drive and</p>	<p>The past process grievances are noted.</p> <p>Prohibiting potential non-residential uses on the corner property is not supported. The land is proposed to be rezoned to the GRZ and because there is access to a road in a Transport Zone 2 (Portarlington Rd), the zone allows some commercial uses subject to permit.</p>

No.	Surname/ Business Name	Address	Is a change reques ted?	Summary of Submission to Amendment C387ggee	Council Officer Response
				Portarlington Rd as it will further exacerbate nuisance noise and traffic hooning. Would appreciate knowing what the City see as the potential uses. The land should only be for residential use.	There are insufficient planning reasons to prohibit non-residential uses at the location however DPO46 provides design and built form requirements, as well as direction on the appropriate location. It is noted the submitter's dwelling is more than 200m from the intersection and heavily screened by vegetation. Traffic noise will remain an amenity issue irrespective of whether or not commercial uses are located on the corner property. Submission no. 53 nominates a service station with convenience restaurant, childcare centre and medical centre on site.
10	Individual submitter	Sandy Way, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
11	Individual submitter	Hill St. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
12	Individual submitter	Hill St. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
13	Individual submitter	Hackwill Place, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
14	Crowe	Tivoli Dr. Curlewis	Yes	Submission from a Tivoli Drive resident including the 'Tivoli Drive Residents Group' (noting there is no description of the group's status or members).	A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive.</i>

No.	Surname/ Business Name	Address	Is a change reques ted?	Summary of Submission to Amendment C387ggee	Council Officer Response
				<p>The submission covers several issues and requests changes to the amendment or provides other comments or requirements. Key issues are:</p> <ul style="list-style-type: none"> ▪ Tivoli Dr and Greenvale Dr design requires noise and traffic speed mitigation measures, and best practice landscaping. Other design requirements also stated including the provision of a service road to Tivoli Drive. ▪ Seal Coriyule Rd for public safety of road users. ▪ Manage protected Indigenous Heritage reserves and open for residents, schools and eco-tourists to visit. ▪ Manage waterways as per DAL legislative guidelines and protect endangered bird life. ▪ Preserve views over Corio Bay using world’s best practice design. ▪ CoGG to manage noise and dust during and after construction, all heavy vehicles to use Hermsley Rd and Coriyule Rd ▪ Biodiversity to be restored to natural state on the Bellarine Rail Trail. ▪ Re-routing rail trail crossing north to Stanley Drive and remove existing pedestrian lights. ▪ Provide a higher percentage of green areas across the development for residents and visitor use, including refuge for native flora and fauna. ▪ Table pesticide and toxins testing and remediation to residents before any development and place strict conditions on how builders dispose of building waste. 	<p>Other issues in the submission are addressed by DPO46 other than providing residents with any land contamination actions, which must be managed under legislation and industry standards.</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
				<ul style="list-style-type: none"> Create native vegetation land buffers and maintain the foreshore as a natural reserve. 	
15	De Zeeuw	Baybrook Ave, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
16	Individual submitter	Shop 3, Centennial Bvd. Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now. The submitter operates a café at the shopping centre. Includes a petition containing 39 signatures.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
17	Individual submitter	Gidgee Mews, Clifton Springs	Yes	Hand written objection to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
18	EPA Victoria	200 Victoria St. Carlton	Yes	The EPA submission provides comments as follows: <ul style="list-style-type: none"> Applying the EAO as exhibited appears to align with Ministerial Direction 1 and PPN30 – Potentially Contaminated Land. Redraft the noise provisions in the DPO46 as per the submission drafting. Suggested changes to the Explanatory Report to reflect how EPA’s views have been addressed. 	EAO comments regarding how the amendment has addressed potentially contaminated land are noted. Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes.</i> The Explanatory Report will be updated to include EPA views prior to adopting the amendment.
19	Individual submitter	Barrands Lane, Drysdale	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
20	Individual submitter	The Glen, Drysdale	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
21	Filia	Coriyule Rd. Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
22	Finger	PO Box 340, Leopold	Yes	<p>Submission from residents of a property on Stanley Avenue, Curlewis raising the following issues:</p> <ul style="list-style-type: none"> ▪ Agrees with the boulevard-style design for Tivoli/ Greenvale Drive but requires (1) measures to prevent dangerous driving; (2) roundabouts to service entry streets; (3) redesign of Rail Trail pedestrian crossing; and (4) show probable location of bus stops. ▪ There is no mention of removal of the Bushfire Management Overlay. ▪ The land on which Baie Winery operates extending to the foreshore should not be developed for housing but used for public open space with views to the You Yangs. ▪ Coriyule Rd should be sealed west of the growth area and the road should be formalised as an east-west connection, particularly given the improvements to Hermsley Rd/ Portarlington Rd intersection. Developers should partially fund the cost. If not sealed, Coriyule Rd will create dust issues due its increasing use as residents will not back-track to Tivoli Drive. 	<p>A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive.</i></p> <p>DPO46 requires bus stop infrastructure locations to be identified when a development plan is prepared, noting advise from the Department of Transport will be necessary – particularly regarding the planning of future routes. Showing probable locations at the rezoning stage is impractical as there is insufficient detail of the subdivision and development layout.</p> <p>There is no Bushfire Management Overlay applied to any part of the growth area. All the land is designated fire prone under the Building regulations and DPO46 requires a Bushfire Assessment as part of preparing a development plan.</p> <p>Property 11 (Baie Winery located in the Northern Residential Area on DPO46 Map 1) is an integral component of the growth area and designated in planning policy for residential rezoning. Similar to the foreshore reserve public open space land delivered in Jetty Rd Stage 1, continuation of the reserve is dependent on subdivision and redevelopment on what is currently private land. Council has not determined a need for</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
				<ul style="list-style-type: none"> Lack of initial community consultation and it is hoped that consultation will be escalated as further plans are prepared. 	<p>additional foreshore open space to that shown on DPO46 Map 1. Unimpeded views across the bay to the You Yangs will be provided by the new foreshore reserve.</p> <p>Consultation in the form of exhibition of the amendment was conducted in accordance with the <i>Planning and Environment Act</i>. If the amendment is approved in its current form, the DPO provisions at Clause 43.04-3 exempt future planning permit applications from notice requirements under the <i>Act</i>.</p>
23	Individual submitter	Shoreline Dr. Curlewis	Yes	Opposes the amendment and any new developments in Curlewis. Submits that Curlewis is surrounded by beautiful farming land and the development will be another bad over-populated estate.	The strategic merits of the rezoning are clearly supported by the Greater Geelong Planning Scheme and State Government Bellarine Peninsula SPP. There is no justification to abandon the amendment.
24	Individual submitter	Coolangatta Dr. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
25	Hendy	Tivoli Dr. Curlewis	Yes	<p>The submission notes that while a new park will be located opposite fronting Tivoli Drive, there are concerns the area is too small and local wildlife (e.g. bats and cockatoos) will lose habitat/ trees.</p> <p>Also submits that dangerous traffic issues will not be resolved by duplication of Tivoli Drive. Suggests investigating traffic mitigation, such as speed cameras.</p>	<p>The park is designed to retain native trees as shown on DPO46 Map 1 and additional native vegetation will be planted when the park is developed. Other planned open space areas such as the waterway corridor and parks will also be revegetated. Native habitat will increase over time supporting more, not less, wildlife.</p> <p>The Traffix Group Traffic Engineering Assessment and road concepts showing a duplicated Tivoli Drive and Greenvale Drive are designed to provide safe and functional use for post development volumes. The submitter has not provided a traffic engineering report to support the claim that dangerous traffic</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C387ggee	Council Officer Response
					issues will continue. Mitigation measures can be considered at the subdivision permit stage, noting illegal road behaviour such as speeding is a police matter.
26	Individual submitter	Suffolk St. Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
27	Individual submitter	Parkway Place, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
28	Individual submitter	Bungalalli Ave, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
29	Individual submitter	Pierview Dr. Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
30	Individual submitter	Streeton Way, Clifton Springs	Yes	<p>Is concerned with the decision to open up more natural land for urban development given the proclamation from government to protect the natural beauty of the Bellarine. Urges decisions to be made from an environmental and quality of life perspective.</p> <p>Submits that if development is to occur, developers must be made accountable for the design of new estates and the housing that sits on them.</p>	<p>The strategic direction to convert the land for urban use and development is established policy in the Greater Geelong Planning Scheme and State Government Bellarine Peninsula SPP.</p> <p>The DPO46 and DCP, as well as environmental and urban design/ subdivision policies in the Planning Scheme, provide for requirements and conditions to support positive environmental and quality of life outcomes.</p>

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31	Individual submitter	Ada St, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
32	Loetis Pty Ltd	PO Box 867, Geelong	Yes	<p>Submission on behalf of/by P & A Kuc, owners of 102-170 McDermotts Rd (Property 11). States they have lived on the property for 40 years and farm the land with a combination of vineyard and winery (Baie Winery) and broadacre cropping – as well as an events business catering to weddings. Supports the rezoning and they plan to continue to reside and farm the property for the short to medium term.</p> <p>The submission comments or requests changes to the following aspects of the DPO46 and DCP:</p> <ul style="list-style-type: none"> ▪ Support the principle of separating drainage catchments and DCP charge areas. ▪ Support the ‘ocean outfall’ approach to meet runoff volume issues, however the approach taken of routing the flows from outfall basin 6 into basin 7 has resulted in a significant increase in the volume and size of basin 7 which is located on 102-170 McDermott Rd (68%). The approach of connecting the basins ‘in series’ places an inequitable impact on the property and alternatives where the bypass from outfall 6 runs in parallel to basin 7 will result in a more efficient stormwater network and be more equitable. Also will allow for greater flexibility in the sequencing of development of Property 11 and 12. ▪ Considers it highly unlikely the SWMS assumption that all of Property 12 water can be directed to basin 6 location in the developed case will be extremely difficult to 	<p>Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes.</i></p> <p>Requests to change the DCP are responded to in Attachment 1 under the theme: <i>Jetty Road Urban Growth Area Stage 2 DCP requested changes.</i></p>

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				<p>implement and flexibility within the DPO to enable reasonable alterations at the time of the Development plan preparation. Requests an additional DPO drainage provision under the <i>Northern Residential Area Development Plan</i> section for further investigation of basin locations.</p> <ul style="list-style-type: none"> ▪ Do not support the inclusion of Tivoli Drive and Greenvale Drive works forming part of the DCP. ▪ Support: OS_01 & DR-01 works (however cost estimates appear low); foreshore, creek, sub-regional park and reminder of DCP works; OS-05 being charged to area CA3 only. ▪ Do not support retention of the 'Vegetation Rows' and request removal from DPO. ▪ Do not support retention of linear planted vegetation belt along eastern boundary. ▪ Generally support DPO location of 1ha park but requires flexibility. ▪ Do not support the affordable housing DPO provisions. This provision is better met by society as a whole in the form of government provision rather than by new homeowners. 	
33	Individual submitter	Tivoli Dr, Curlewis	Yes	Submits that Coriyule Road must be sealed and remain open between Greenvale/ Tivoli Drive and Hermsley Rd to ease congestion on Tivoli Drive. Tivoli Dr is a small residential street and a safety hazard.	A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive</i> .

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34	Individual submitter	Anstead Ave, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
35	McGuinness	Clear Water Dr, Clifton Springs	Yes	<p>A detailed submission opposing the amendment but also providing recommendations as follows:</p> <ul style="list-style-type: none"> ▪ An analysis be conducted and appropriate 'active transport documentation' be issue. Recommends wombat crossings be mandated all active transport road crossings and highlights safety issues at the Tivoli Drive crossing of the Rail Trail. Suggests defined objectives. ▪ The Bellarine is inappropriate for 'commuter suburbs' as it has a bottleneck road system at the Geelong CBD. The development should only proceed as a low density residential area. ▪ Extracts from submission to the Bellarine Distinctive Areas and Landscapes (DAL) Phase 3. ▪ Inadequate community consultation which is unfortunate as community opinion is invaluable. Suggests further consultation and a meaningful written response to all submissions be published on the council website. ▪ The northern part of the growth area should be used for tourism and recreation activities. ▪ The proposed road infrastructure including the requirement that Coriyule Rd remains unsealed, will result in high levels of traffic through residential areas. An alternative plan is provided showing McDermott/ Coriyule/ Hermsley roads as a main traffic route from the growth area to Central Geelong. 	<p>DPO46 requires preparation of a Pedestrian & Bicycle Network Plan which is similar to 'active transport documentation' in a Curlewis context. Map 1 provides for a continuous off-road shared path loop around the growth area, as well as links to adjoining open space, road network and nearby community facilities. A Map 1 shared path 'gap' will be corrected by showing the path extending south from the rail trail/ existing Jetty Road path to Portarlington Road.</p> <p>The amendment proposes to rezone the growth area to the General Residential Zone which encourages a diversity of housing types and housing growth. For the amendment to proceed only for low density development, a different zone would be required, which is out of scope for this amendment. The growth area is not identified for low density housing in policy and would be an inefficient use of the land for residential purposes.</p> <p>A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive.</i></p> <p>The extracts of the submitter's submission to the Bellarine Distinctive Areas and Landscapes Phase 3 are noted but not directly related to the amendment. The amendment is consistent with the Bellarine Peninsula SPP, which is the policy document that resulted from the DAL process and now in operation.</p>

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					<p>Refer to Submission #22 for response to the northern part of the growth area.</p> <p>Community consultation in the form of exhibition of the amendment, consideration of submissions and likelihood of a panel hearing, meet the requirements of the <i>Planning and Environment Act</i>. This council report responds to all submissions and will be published on Council's website.</p>
36	McKenna	Peels Court, Portarlington	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
37	Individual submitter	Rakumba Court, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
38	Individual submitter	Hyde Way, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
39	Individual submitter	Gaddang Crt, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
40	Individual submitter	Greenvale Dr, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

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41	Individual submitter	Oceania Dr, Curlewis	Yes	<p>The submission seeks more information be given on the sensitive residential interface vegetation and that it should not be used as an easement or development purposes.</p> <p>Also submits that the proposed access to the foreshore is not adequate by the closure of McDermott Rd for stormwater runoff and should be converted for beach and foreshore access including vehicles. Says there should also be an access path along the beach linking to beaches to the east and towards the boat ramp.</p>	<p>DPO46 Map 1 designates the location of the interface and a future biodiversity assessment prepared as part of the Northern Residential Area Development Plan will consider the retention value of the vegetation. If vegetation is to be retained, any vegetation protection zone must be kept free of all built form excluding fencing. More information is not available at this time.</p> <p>Map 1 shows a shared path along the southern edge of the foreshore reserve, with potential to place part of the path in the McDermott Rd reserve. Vehicle access to the northern section of McDermott Rd, which is unmade, is not suitable and instead provides an excellent interface feature. It is planned to close the road subject to further investigation.</p> <p>Constructing a beach access path does not form part of the amendment and was not considered as part of the amendment. The Stantec Geotechnical Cliff Stability Report did not analyse the risk to a person walking along the beach (p. 22) however the report identified an exclusion zone and the shared path network is located outside this area.</p>
42	Rayworth	McDermott Rd, Curlewis	Yes	<p>Submission from the landowners of 1-69 and 71-89 McDermott Rd. Curlewis, immediately west of the growth area. Notes the land at 1-69 McDermott Road includes the significant heritage place, Coriyule Homestead and its garden, and is subject to registration under the Heritage Act (HO272). It is also listed in the Schedule to the Heritage Overlay (HO3).</p> <p>The owners place great value on the heritage significance of the place and seek to maintain its rural setting as much as</p>	<p>Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes</i>.</p> <p>Due to uncertainty concerns, the owners wish to be afforded with notice and appeal rights. The submission also acknowledges, correctly, that should a DPO be applied to the growth area, permit applications are exempt from notice and review. This is why a permit application is requested at the</p>

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				<p>practicable, whilst accepting the land to the east is identified for housing growth.</p> <p>The owners key objective is to ensure that explicit directions are provided in the amendment, and the following concerns and objections are raised:</p> <ul style="list-style-type: none"> ▪ There is uncertainty in respect to the landscaping outcome along McDermott Road and the interface treatment. There is also a lack of information regarding fencing treatment along this interface. ▪ There is uncertainty in respect to the subdivision layout and dwelling sizes that will be allowed by any subdivision approved. ▪ DPO46 will exempt any subdivision and/or development proposal from notice and review should such a proposal be deemed consistent with the proposed DPO46. This highlights the need to provide more information and a greater level of certainty in the amendment material. It is unclear why the proponent has chosen not to prepare a planning permit application to run concurrently with the amendment. A Section 96A permit application should be prepared with the amendment to show the subdivision layout and indicative dwelling footprints. ▪ Noting the direct interface and the very direct impact any proposed subdivision could have upon our property, the owners wish to be afforded with notice and appeal rights to maintain the amenity and aesthetic qualities of the area. ▪ Greater certainty and further information confirming no access to any lot within the future subdivision from 	<p>amendment stage, though it is unclear in the submission on which land the application would apply.</p> <p>The amendment is not a Section 96A application and there is no requirement in the <i>Planning and Environment</i> or the Greater Geelong Planning Scheme for a developer to prepare a concurrent planning permit application. Nor is there any such direction in Clause 11.03-6L-01 Bellarine Peninsula.</p> <p>The proposed DPO46 is considered to provide an acceptable level of certainty given the rezoning amendment is primarily a strategic process. Council's approach is consistent with PPN23 which states (p.3):</p> <p><i>The development of the strategic framework provides an opportunity to engage property owners, the community and servicing authorities about the desired outcomes for the site or area and the future form of development before the overlay is applied and the plan is approved. Appropriate strategic planning and community consultation from the start also ensures that once the overlays are in place, the council is able to make decisions on planning applications without the need to further consult.</i></p> <p>DPO46 clearly requires a Road Network and Traffic Management Plan to prohibit new road or private vehicular access to McDermott Rd. This requirement is also shown on Map 1. Additional certainty is not necessary.</p> <p>A response to traffic issues is provided in Attachment 1 under the theme: <i>Coriyule Road, Tivoli Drive and Greenvale Drive.</i></p>

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				<p>McDermott Road should be included in the material. There should also be confirmation that no construction vehicles will enter the subject land from McDermott Road in the future.</p> <ul style="list-style-type: none"> ▪ The traffic calming treatment of Coriyule Rd alone will be insufficient to divert vehicles from the development away from Coriyule Rd. ▪ There is no plan for water management during the construction period and no measures will be taken to protect the private water line that runs along Coriyule Rd and north along McDermott Rd. 	Matters related to vehicle access and stormwater water during future construction can be resolved at the planning permit stage.
43	Individual submitter	Gaddang Crt, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
44	Robinson	Coriyule Rd, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
45	Individual submitter	Pierview Dr. Curlewis	Yes	<p>Submission makes several proposals based on the Bellarine Peninsula Statement of Planning Policy, UN Sustainable Development Goals and Greater Geelong planning policies:</p> <ul style="list-style-type: none"> ▪ Prior to subdivision the Tivoli/ Greenvale Drive boulevard be constructed at developer cost with a green strip in the middle. ▪ Incorporate a Curlewis Neighbourhood House and kindergarten as vital social infrastructure. ▪ Include the Northern & Western Geelong Growth Areas definition of 'neighbourhood' in the amendment. 	<p>Several of the proposals are included in the proposed development overlay controls (i.e. DPO46 and DCP).</p> <p>It would not be appropriate to refer to Northern & Western Geelong Growth Areas definitions in the amendment.</p>

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				<ul style="list-style-type: none"> ▪ Incorporate walking and cycling paths in subdivision. ▪ That 10% of the designated 54 hectares be allocated to public space. ▪ Create biodiversity corridors in consultation with Wadawurrung Traditional Owners ▪ Locate 4 playgrounds and associated picnic areas with shade infrastructure. ▪ That domestic rain water tanks be mandated. ▪ That black roofs be banned. ▪ Incorporate transport infrastructure in the amendment and Council to plan for regular 20-minute bus services to the Geelong CBD. ▪ That 5% of the housing stock in the growth area be provided for low cost and social housing at equal government/ agency and developer cost. ▪ Locate Wadawurrung language signage and place names in the public spaces within the growth area in consultation with Wadawurrung Traditional Owners. 	
46	Ryan	Reserve Rd, Drysdale	Yes	The submission is not an objection to the amendment but seeks the south side of Reserve Rd within the settlement boundary also be rezoned from RLZ to GRZ.	Rezoning land outside the growth area is beyond the scope of the amendment.
47	Individual submitter	Anchorage Way, Leopold	Yes	Submits that the Curlewis Community Hub should be built now not delayed to 2031.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
48	Individual submitter	Anstead Ave, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

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49	Stirling	Domain Ave, Curlewis	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
50	Sullivan	Hill St, Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
51	Tract Consultant s	39 Gheringhap St. Geelong	Yes	<p>Submission on behalf of Algo Properties, owner of vacant commercial land within the Curlewis Neighbourhood Activity Centre. Submits that the amendment remove reliance on a deferred timing for a community facility that was committed for Stage 1, by amending the Stage 2 DCP to remove all references to <i>CF-01 Childrens and Community Hub</i>, being a provision that is connected to Stage 2.</p> <p>The submission provides a critique of the exhibited 2023 ASR Memo supporting the amendment. The submission also notes that the amendment does not amend DCPO2.</p>	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
52	Tract Consultant s	39 Gheringhap St. Geelong	Yes	<p>Generally supportive submission on behalf of the landowners of 1451-1459 Portarlinton Rd (Property 27) however requests DCP clarification of the following:</p> <ul style="list-style-type: none"> ▪ DR-02 Coriyule Rd Drainage: currently seeking legal advice, Council may not be able to retrospectively seek an apportionment of costs towards an asset that has already been delivered. ▪ DR-04 Detention and WSUD Basin (Property 16): concerned with the high construction costs and the land 	Requests to change the DCP are responded to in Attachment 1 under the theme: <i>Jetty Road Urban Growth Area Stage 2 DCP requested changes.</i>

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				valuation costs given the CCMA designated waterway status.	
53	Tract Consultant s	39 Gheringhap St. Geelong	Yes	<p>Submission on behalf of Portarlington Road Pty Ltd – registered proprietor and owner of 1425-1429 Portarlington Rd, Curlewis (Property 30). Highlights previous discussions with council planning officers about commercial development on the site and the submission shows an indicative layout plan.</p> <p>The submission supports the amendment however requests changes related to the following:</p> <ul style="list-style-type: none"> ▪ Extent of DPO46 support for non-residential uses ▪ DPO46 Portarlington Rd vegetated buffer ▪ DPO46 access requirements to Portarlington Rd and Traffix Group Report (including access to Tivoli Drive) ▪ DPO46 and DCP Tivoli Drive upgrade requirements ▪ DPO46 signage constraints ▪ Apportionment of drainage costs in the DCP 	<p>Requests to change DPO46 are responded to in Attachment 1 under the theme: <i>Development Plan Overlay Schedule 46 requested changes.</i></p> <p>Requests to change the DCP are responded to in Attachment 1 under the theme: <i>Jetty Road Urban Growth Area Stage 2 DCP requested changes.</i></p>
54	Turne	Davenish Way, St. Leonards	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
55	Individual submitter	Mirrabooka Dr. Clifton Springs	Yes	Pro-forma submission objecting to the proposal to defer the Curlewis Childrens and Community Hub until 2031. Expects the Hub to have been started by now.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>
56	Welsh	Pierview Dr. Curlewis	Yes	Submits that the Curlewis Community Hub should be built now as promised.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

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57	DEECA	PO Box 103, Geelong	Yes	<p>Generally supportive submission from the Department of Energy, Environment and Climate Action (DEECA). Supports retention of large native trees and DPO46 Objectives and requirement for a Biodiversity Assessment.</p> <p>The submission notes the existing drainage line and farm dam creates an opportunity to integrate waterway habitats into the development, however, recommends that the dam structure be subject to engineering assessment to ensure its ongoing integrity under post-development conditions.</p>	<p>Generally supportive submission noted.</p> <p>The submission is interpreted to say the existing drainage line and dam should be retained. This will not be the case as the Water Tech SWMS and SMEC concept plans show a constructed waterway corridor and online drainage assets. The existing dam is proposed to be decommissioned.</p> <p>The CCMA did not log a submission however their previous advice (2021) informed the southern area Water Tech final SWMS, 6 Sept 2023 – this included reference to the Melbourne Water <i>Waterway Corridor</i> guidelines and dam removal modelling recommendations.</p> <p>It is agreed that the drainage line <i>'creates an opportunity to integrate waterway habitats into the drainage needs of the development'</i> however Council does not support the retention of farm dams as part of its drainage system. More generally, the City may seek retention if there is sufficient justification, which has not been established. CCMA advice has been that the drainage line is a designated waterway, and as such should be retained and remediated. Whilst it is not Council's preference that stormwater assets be placed online to the waterway, we have entertained the proposal based on the CCMA's comments relating to the relative lack of status of the waterway and the ability to provide benefit in terms of NDA, amenity and retention of significant trees.</p> <p>Works to the waterway require a permit from the CCMA. This requirement, together with DPO46 requirements for stormwater and biodiversity assessments/ plans, support</p>

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					improved biodiversity and water quality outcomes within a new public open space reserve.
58	Burgess Rawson & Assoc Vic Pty Ltd	L20 150 Lonsdale St. Melbourne	Yes	Submission on behalf of PEBRUK NOMINEES PTY LTY endorsing Submission no. 51.	Response provided in Attachment 1 under the theme: <i>Childrens and Community Hub, Curlewis</i>

Note: 'Individual submitter' term used where consent not granted to publish name online

Attachment 2 - Post-exhibition Development Plan Overlay Schedule 46 Framework Plan (Map 1)

