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## **AMENDMENT C278GCEE: MARSHALL PRECINCT STRUCTURE PLAN - 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 C278ggee

### **Purpose**

1. To consider submissions to Planning Scheme Amendment C278ggee and recommend all the submissions be referred to an Independent Planning Panel.

### **Background**

2. On 26 September 2023 Council resolved to prepare and exhibit Amendment C278ggee. The Marshall Precinct Structure Plan (PSP) was also adopted at that Council Meeting.
3. The Marshall PSP consists to 123 hectares of fragmented lifestyle properties currently zoned Urban Growth Zone (UGZ). The amendment proposes to apply Schedule 7 to the UGZ (UGZ7) and incorporate the PSP, Marshall Development Contributions Plan (DCP) and Marshall Native Vegetation Precinct Plan (NVPP) into the planning scheme.
4. The amendment also proposes to apply the Environmental Audit Overlay to some Marshall PSP properties and apply a Design and Development Overlay Schedule (DDO51) to 137 Barwarre Road – which is located outside the Marshall PSP
5. Public exhibition of the amendment commenced on 24 April 2024 and closed on 3 June 2024, although late submissions were accepted.

### **Key Matters**

6. Submissions from Barwon Water, Corangamite Catchment Management Authority, Department of Transport and Planning (Transport), Environment Protection Authority, AusNet Services, Country Fire Authority and Department of Energy, Environment and Climate Action generally support the amendment but some changes or further work is requested.
7. There were 12 submissions from Marshall PSP landowners/ developers raising objections or requesting changes on: PSP designated land uses; PSP drafting; the stormwater drainage and road network; and DCP infrastructure cost and delivery. Submissions from the Urban Development Institute of Australia (Vic) and an Armstrong Creek North East Industrial Precinct landowner (NEIP) raised similar issues.
8. Four submissions were received from PSP landowners who currently reside on their property or maintain historical family ownership. Two of these owners support the amendment and two object – one on the extent of drainage assets on their land and the other for locating a connector road on their land. A submission from the owner of 31-39 Tannery Road (outside the PSP) requests part of the property be included in the PSP and raises several stormwater concerns. A generally supportive submission was received from a resident north of the PSP in Sutalo Street.
9. Mesh (Submission No. 12) for the NEIP owner requested the designation of the PSP 'Commercial/ Bulky Goods' land-use area be changed to a residential designation. In considering the submission, Council notified all the directly affected landowners by letter dated 7 August 2024 inviting comments. Three landowners who had already lodged a

submission objected and one landowner who had already lodged a submission offered support. All comments were added as an addendum to original submissions. Two new submissions were accepted stating the commercial/ bulky goods designation remains appropriate.

10. In total, Council received and accepted 28 submissions, of which 20 object or request a change or changes to the exhibited amendment.
11. In accordance with the *Planning and Environment Act* Council must now either: (a) change the amendment in the manner requested by the submitters; (b) refer the submissions to an Independent Panel; or (c) abandon the amendment or part of the amendment.
12. Council officers have considered the submissions and propose some changes to the exhibited UGZ7, PSP, DCP and DDO51 as outlined in **Attachment 1** to this report. A summary of all submissions is in **Attachment 2**.
13. The most critical change is to change most of the Marshall PSP 'Commercial/Bulky Goods' land-use designation to a combination of 'Medium/High Density Residential' and 'Conventional Residential'. A revised Marshall PSP *Future Urban Structure* (Plan 5 map) inclusive of these changes is presented in **Attachment 3**. Directly affected landowners will have an opportunity to submit on the proposed change at the panel hearing, should the recommendations of this report be approved.
14. It is recommended that all submissions be referred to an Independent Panel appointed by the Minister for Planning.

### Recommendation

15. **That Council having considered all submissions to Amendment C278ggee to the Greater Geelong Planning Scheme resolves to:**
  - 15.1 **Request the Minister for Planning to appoint an Independent Panel under Part 8 of the Planning and Environment Act, 1987;**
  - 15.2 **Refer all submissions to the Panel; and**
  - 15.3 **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: 30 August 2024**

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### **Financial Sustainability**

1. The *Marshall Development Contributions Plan, Final Draft August 2023* (DCP) has been prepared by 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 levies contributions to fund shared development infrastructure projects for drainage, road intersections, local park improvements and land, to a value of \$68.7m.
3. The infrastructure is required to support the new Marshall PSP residents.
4. Contributions towards two Armstrong Creek Urban Growth Area community facilities (town centre library and Horseshoe Bend active open space pavilion), will also apply in the form of a per dwelling payment.

### **Community Engagement**

5. Exhibition and notice of the amendment were 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 applied with UGZ7 or DDO51), as well as nearby owners and occupiers. A statutory notice was published in local newspapers and the Victoria Government Gazette.
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 [C278ggee](#) webpage.
9. In accordance with Clause 4(2) of Ministerial Direction No. 15 the below panel hearing dates have been set for the amendment. The dates are stated in the exhibited C278ggee Explanatory Report.
  - 9.1 Directions Hearing: week commencing 30 September 2024.
  - 9.2 Panel Hearing: in the week commencing 4 November 2024.
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 directly affected landowners and the broader community about the proposed Marshall PSP.
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*. The proposed planning controls will facilitate predominantly residential use and development consistent with the strategic directions of the Armstrong Creek Urban Growth Area Framework Plan (Clause 02.03) and state housing policies.

14. The C278ggee 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 Marshall PSP.

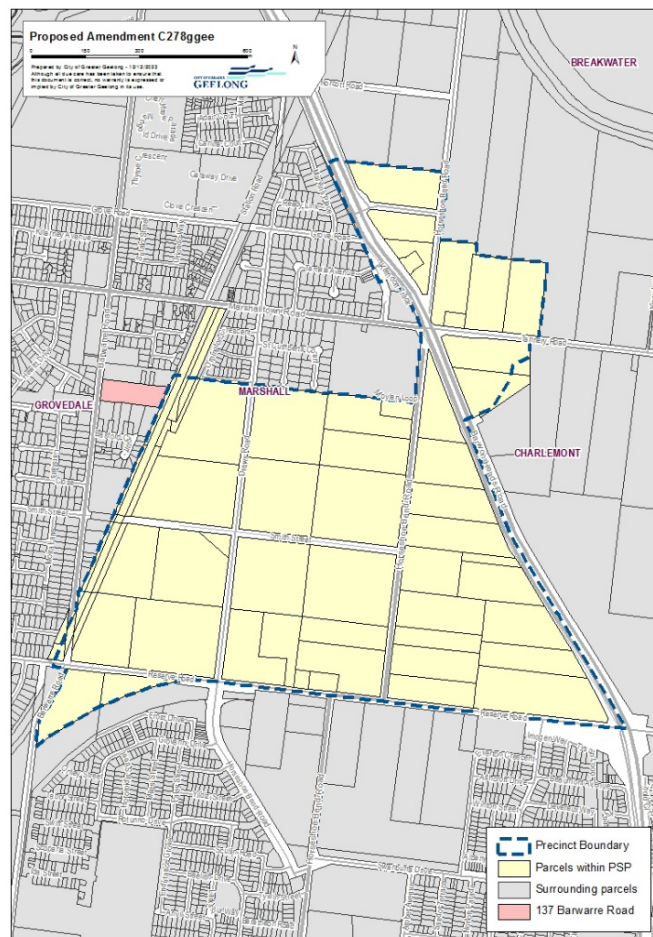
**Attachments**

1. Consideration of submissions report
2. Summary of submissions report
3. Post-exhibition Marshall PSP Future Urban Structure (Plan 5)

## Attachment 1 - Consideration of Submissions to Amendment C278ggee

### BACKGROUND

1. The Armstrong Creek Urban Growth Plan - Framework Plan (ACUGFP) guides development to provide housing for 54,000 people in 22,000 households. Development has substantially commenced. Marshall is the smallest and northern-most precinct structure plan (PSP) covering 123 hectares. In 2017, due to the precinct's fragmented landownership, the City committed to prepare the PSP. Preparation of other Armstrong Creek PSPs were developer-led and development has substantially commenced.
2. Council released a draft Marshall PSP for public consultation in mid-2019 following approval to do so at the 9 July 2019 council meeting. Informal submissions were received from a mix of landowners, developers, government agencies and authorities.
3. Then on 26 September 2023 Council resolved to support the preparation and exhibition of Amendment C278ggee. Council also adopted the Marshall PSP dated July 2023.
4. The 26 September Council Report provided a brief summary of the Armstrong Creek Urban Growth Area policy and preparation of the 2019 draft Marshall PSP. The report included details of work undertaken by Council officers to refine the PSP informed by submissions to the 2019 draft, new technical assessments and further planning review.
5. After the resolution, Council officers completed the Marshall DCP for exhibition.
6. The land affected by the amendment is highlighted on the below map. More than 1,500 dwellings and supporting infrastructure is expected to be constructed over several years.



Source: C278ggee Explanatory Report

7. Before requesting Authorisation of 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, it was agreed to apply the Environmental Audit Overlay (EAO) as shown on the exhibited EAO Map.

## **PLANNING SCHEME CHANGES PROPOSED BY AMENDMENT C278GGEE**

8. The amendment proposes to change the Greater Geelong Planning Scheme by:

### Zoning maps

- Amend zoning map nos. 66 and 67 to apply Schedule 7 to the Urban Growth Zone (UGZ7).
- Amend zoning map nos. 66 and 67 to replace Schedule 4 to the Urban Growth Zone (UGZ4) with UGZ7, to correct an anomaly on the western portion of Reserve Road.
- Amend zoning map no. 67 to rezone land from Farming Zone (FZ) to UGZ7, to correct an anomaly on the northern portion of Horseshoe Bend Road.
- Amend zoning map no. 67 to rezone part of the land at 40-60 Drews Road, Marshall from Transport Zone (TRZ1) to UGZ7\*.

### Overlay maps

- Amend overlay map no. 67DDO to apply Schedule 51 to the Design and Development Overlay (DDO51) to the land at 137 Barwarre Road, Marshall.
- Amend overlay map nos. 66DCPO and 67DCPO to apply Schedule 10 to the Development Contribution Plan Overlay (DCPO10) to all the land within the Marshall PSP boundary.
- Insert overlay map no. 67EAO to apply the Environmental Audit Overlay (EAO) to individual land parcels.

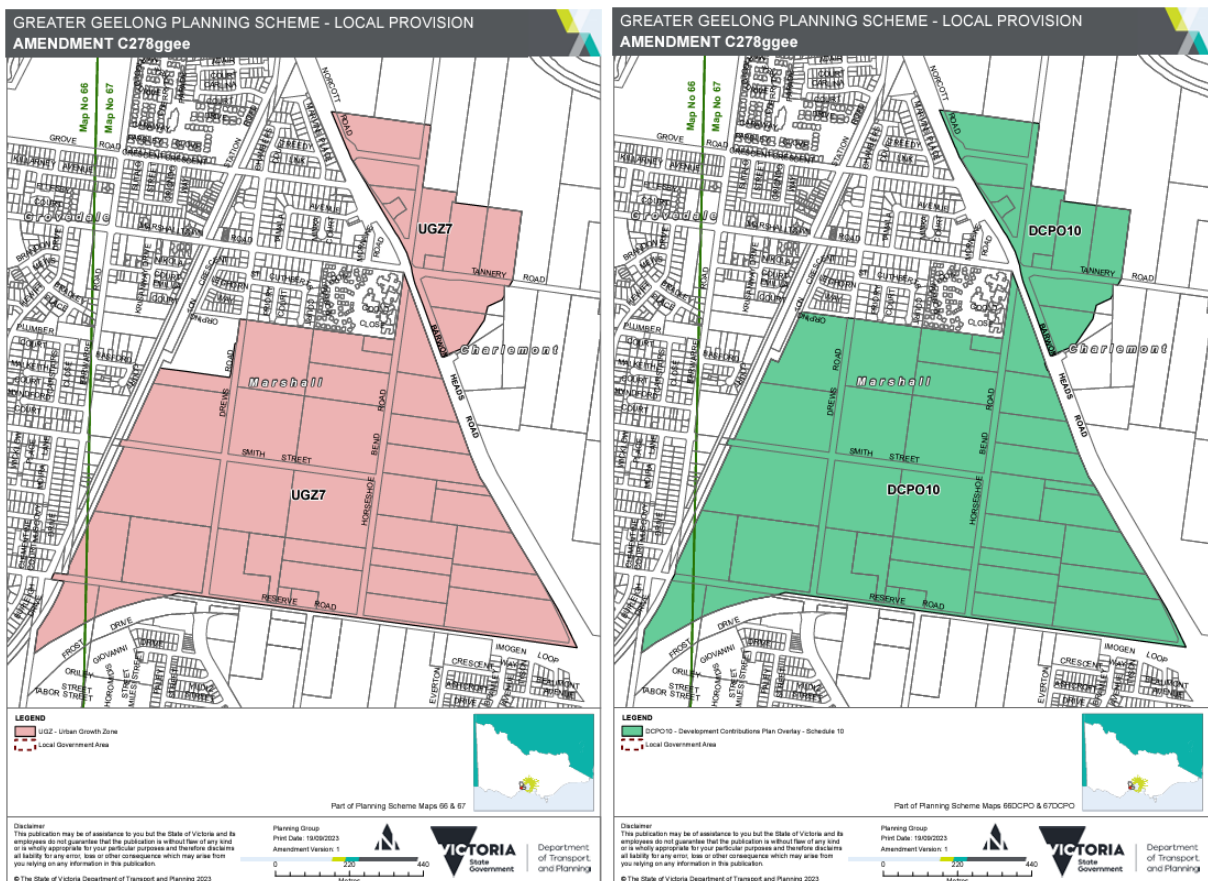
### Ordinance

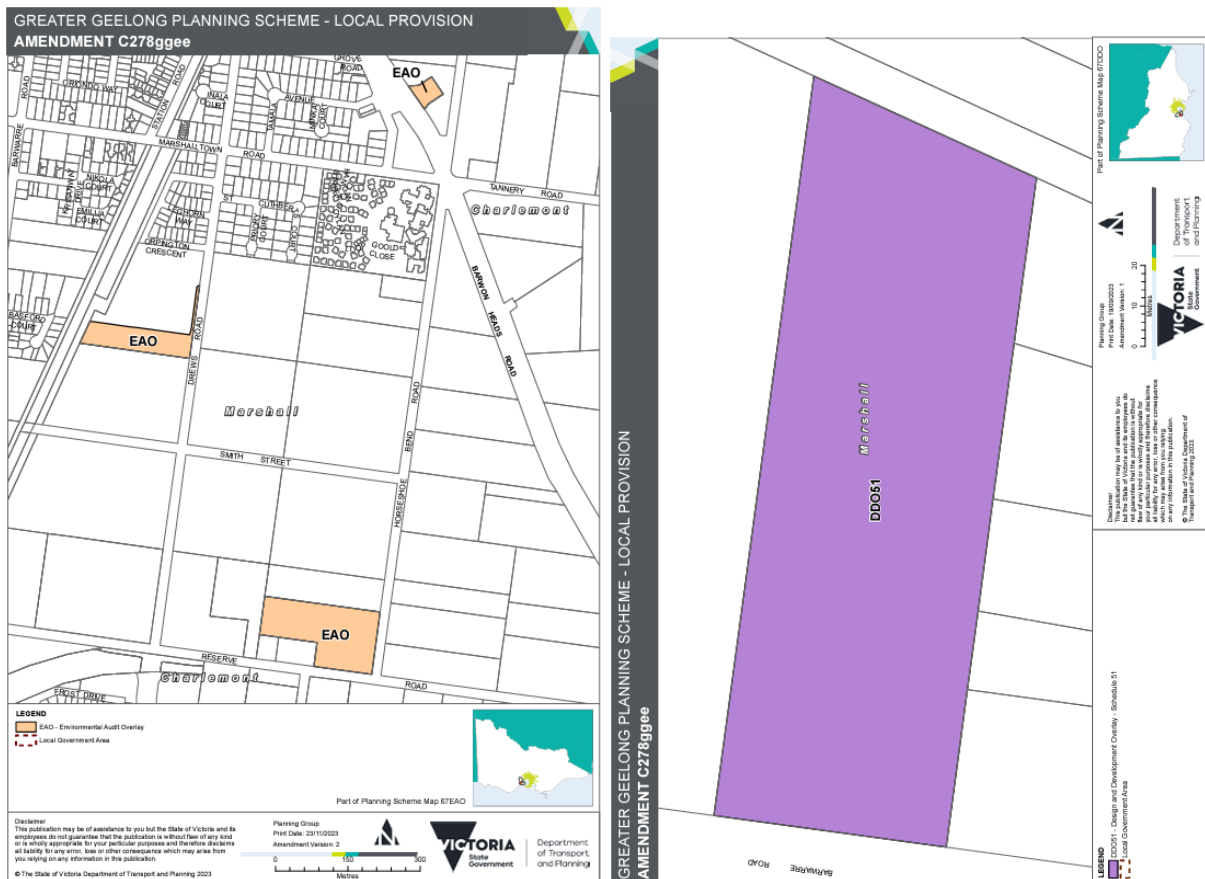
- Insert a new Schedule 7 to Clause 37.07 Urban Growth Zone that will apply to the UGZ7 land.
- Insert a new Schedule 51 to Clause 43.02 Design and Development Overlay that will apply to the land at 137 Barwarre Road, Marshall.
- Insert a new Schedule 10 to Clause 45.06 Development Contributions Plan Overlay that will apply to the UGZ7 land and the whole of 40-60 Drews Road, Marshall.
- Amend the Schedule to Clause 52.16 Native Vegetation Precinct Plan to include reference to the *Marshall Native Vegetation Precinct Plan (October 2022)*.
- Amend the Schedule to Clause 66.04 Referral of Permit Applications Under Local Provisions to require referral to the Department of Energy, Environment and Climate Action (DEECA) and the Corangamite Catchment Management Authority (CCMA) for specified permit applications.
- Amend the Schedule to Clause 72.03 What does this planning scheme consist of? to include a new map 67EAO.
- Amend the Schedule to Clause 72.04 Incorporated Documents in this Planning Scheme to:

- insert the *Marshall Precinct Structure Plan (City of Greater Geelong, March 2024)*
- insert the *Marshall Native Vegetation Precinct Plan (Ecology & Heritage Partners, October 2022)*
- insert the *Marshall Development Contributions Plan (City of Greater Geelong, August 2023)*
- remove the *Small Lot Housing Code (December 2012)* and insert the *Small Lot Housing Code (Victorian Planning Authority, November 2019)*.

\*PSP Property Identification No. 1 is owned by DTP and zoned TRZ1. The land is used for the Marshall Train Station which is currently undergoing major reconstruction by Rail Projects Victoria (RPV). The total parcel area is 4 hectares and the southern portion is shown as vacant land on RPV plans and does not form part of the extended station car park. The amendment proposes to rezone the southern portion (0.946ha NDA) to UGZ7 and apply the Mixed Use Zone.

9. The proposed planning scheme maps are shown below:





## AUTHORISATION AND PUBLIC EXHIBITION OF AMENDMENT C278GCEE

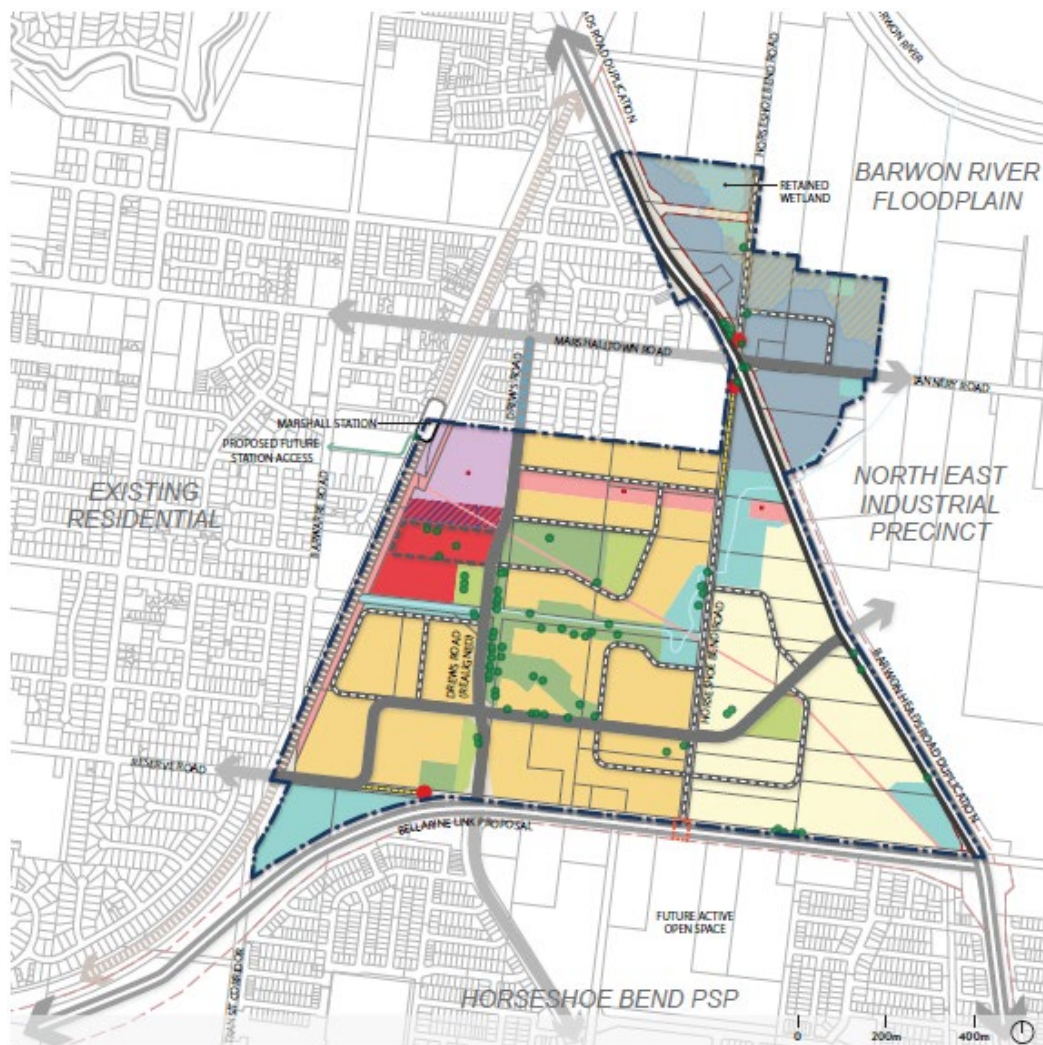
10. On 23 January 2024 Council requested Ministerial Authorisation to exhibit the amendment. The Minister’s delegate issued authorisation on 26 February 2024 subject to the following conditions:

- Amend the Marshall PSP as follows:
  - In relation to Department of Transport and Planning (DTP) owned land adjacent to Marshall Railway Station, include a disclaimer to the effect that any proposed uses are subject to DTP approval and that this land may be required in the future for transport purposes until further advised by DTP.
  - Remove the drainage basin shown on the Station Concept Plan (p18 in the PSP).
- Replace Plan 1 in UGZ Schedule 7 with the revised plan.

The precinct is within the modelled distribution area of the Victorian Grassland Earless Dragon, which is listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Fauna Surveys report prepared by Ecolink Consulting in support of the PSP did not consider this species. It is understood that following discussions with DTP and the Department of Energy, Environment and Climate Action (DEECA), the council has committed to engage a consultant to undertake a ‘habitat refinement exercise’ to inform or rule out likelihood of habitat and impacts to the species. This exercise will inform the need for targeted surveys and any revisions to the PSP and/or proposed UGZ7 and will be undertaken during exhibition of the amendment.

11. As a consequence of the Authorisation DTP disclaimer condition, the adopted July 2023 Marshall PSP was amended for exhibition and dated March 2024. Reference to the Victorian Grasslands Earless Dragon was added in the C278ggee Explanatory Report following completion of a habitat assessment in April 2024.

12. The amendment documents and supporting reports were placed on public exhibition from 24 April 2024 to 3 June 2024.
13. 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. Prescribed Ministers, relevant authorities and government agencies were notified.
14. The amendment documents and all supporting technical and planning reports were published on the City's C278ggee webpage. The exhibited Marshall PSP future urban structure, which is the overall plan for the precinct, is copied below.



**KEY**

The Future Urban Structure Plan sets out the land uses and primary street network of the precinct.

**CONTEXT**

- Precinct Boundary
- Existing trees to be retained
- Railway and Station
- Flood Overlay
- Electrical Transmission Tower
- Station Carpark - TRZ 1
- Property Boundary

**LAND USE**

- Conventional Residential
- Medium/High Density Residential
- Mixed Use - High Density Residential
- Mixed Use - High Density Residential (subject to DTP approval: may be required for transport purposes until further advised by DTP)
- Road Reserve
- Commercial/Bulky Goods
- Credited (Unencumbered) Open Space
- Conservation Reserve
- Utilities Easements
- Drainage Reserve
- Constructed Waterway (Marshall Creek)

**MOVEMENT**

- Arterial Road
- Connector Street
- Connector Street (Modified)
- Local Access Street
- Station Precinct Road (Refer to Concept Plan)
- Local Access Street (No through Road)
- Road Truncation
- Major Road Project
- Signaled Crossing

## POST EXHIBITION DCP ERRORS

15. Council has detected calculation and formatting errors in the exhibited Marshall DCP which will be tabled at the panel hearing. While largely inconsequential to the finances and administration of the DCP, the notable changes are:

15.1 DI\_DR\_07 construction cost increase by \$36,324.60

15.2 DI\_LA\_10 land cost increase by \$4,460.79

15.3 DI\_LA\_11 land cost increase by \$3,378.57

16. The actual DCP levy is tabled below.

SUMMARY - NET DEVELOPABLE AREA (NDA) By CHARGE AREA		
CHARGE AREA	TOTAL COST OF CONTRIBUTION	CONTRIBUTION PER NET DEVELOPABLE HECTARE
Charge Area 1	\$60,338,442.90	\$990,307.45
Charge Area 2	\$8,477,634.63	\$859,452.01
<b>Total</b>	<b>\$68,816,077.53</b>	

## SUBMISSIONS

### Submissions to the exhibited amendment

17. Council received 26 submissions, of which 20 object or request a change or changes to the amendment.

18. The submissions are summarised as follows:

18.1 Agency submissions from Barwon Water, Corangamite Catchment Management Authority, Department of Transport and Planning (Transport), Environment Protection Authority, AusNet Services, Country Fire Authority and Department of Energy, Environment and Climate Action generally support the amendment but some changes or further work is suggested.

18.2 There were 12 submissions by or on behalf of PSP landowners raising objections or requesting changes on: land uses; PSP drafting; native vegetation, the stormwater drainage and road network; and DCP infrastructure. Submissions from the Urban Development Institute of Australia (Vic) and an Armstrong Creek North East Industrial Precinct (NEIP) landowner raised similar issues.

18.3 Mesh (Submission No. 12) for the NEIP landowner requested the designation of the Marshall PSP 'Commercial/ Bulky Goods' land-use area be changed to a residential designation.

18.4 Four submissions were received from PSP landowners who live on their property or maintain historical family ownership. Two of these owners support the amendment and two object – one on the extent of drainage assets on their land and the other for locating a connector road on their land. A submission from the owner of 31-39 Tannery Road (Farming Zone property outside the PSP) requests part of the property be included in the PSP and raises several stormwater concerns. A generally supportive submission was received from a resident north of the PSP in Sutalo Street.

### Submissions following Council Letter dated 7 August 2024

19. On 7 August Council notified all PSP 'Commercial/ Bulky Goods' area landowners, being both those who lodged a submission and those who did not, of the Mesh submission. The letter said:

...

*The submission requests the Marshall Precinct Structure Plan (PSP) commercial/ bulky goods area along Barwon Heads Road be re-designated for medium and high density housing. The exhibited PSP plan is provided on the reverse side of this page and the 'Commercial/ Bulky Goods' area is located within the yellow highlighted border. A copy of the submission can be provided on request.*

*As required by Section 22(1) of the Planning and Environment Act 1987, Council must consider all submissions to Amendment C278ggee. To assist with its consideration of the Mesh submission and given your direct interest in the PSP designation for this area, Council invites your written views on the requested re-designation.*

...

*Officers will prepare a report that considers all submissions to Amendment C278ggee under Council delegation by 30 August 2024. The report will note and further consider any comments provided on this matter.*

*Council will treat any further commentary provided as submissions to Amendment C278ggee, and should Council resolve to refer all the submissions to an Independent Panel appointed by the Minister for Planning, your comments will be included with the referral.*

20. Council received 6 submissions to Council's letter. Four of the submissions were from PSP landowners who had previously lodged a submission and 3 of the 4 submissions do not support the proposed change. These further comments have been added as an 'addendum' to the original submissions.
21. The remaining 2 submissions were from PSP landowners who had not previously lodged a submission. Both submissions were accepted and object to the change, meaning the submissions support the amendment as exhibited.

#### Submissions summary

22. In total, Council received and accepted 28 submissions of which 20 object or request a change or changes to the amendment.
23. Submissions have been grouped under the following themes for response:
  - 23.1 PSP land uses
  - 23.2 DCP infrastructure cost, delivery and staging
  - 23.3 Stormwater drainage
  - 23.4 Movement network and traffic
  - 23.5 Marshall PSP drafting and plans
24. All submissions are summarised in **Attachment 2** and include responses to issues not themed. Attachment 2 includes a copy of the Marshall PSP Land Budget map to enable the reader to cross-reference the submission with the Property Number location.

## SUBMISSION THEME AND RESPONSE

### **Marshall PSP land uses**

#### Designated commercial/ bulky goods area

25. Mesh Planning (12) for an Armstrong Creek NEIP landowner (Re-Grow Geelong) requests the commercial/ bulky goods area along Barwon Heads Road be re-designated for medium and high density housing. The exhibited applied zone for this land area is Commercial 2 Zone (C2Z). Mesh say the C2Z is unplanned, departs from the *Armstrong*

*Creek Urban Growth Plan - Framework Plan* and has the potential to undermine the orderly development of the adjacent NEIP. The submission also considers the C2Z to be contrary to State housing policies.

26. Ratio Consultants represents the landowner of three PSP properties: #20, #42 and #43. The land fronts Barwon Heads Road as shown on the below map in the Ratio submission:



27. The Ratio submission (15) supports the commercial/ bulky goods designation and applied C2Z. The submission requests strengthening of the Marshall PSP by referring to employment uses in the Vision and Objectives. There is objection to the UGZ7 supermarket prohibition and specific provisions requiring preparation of a masterplan for the commercial/ bulky goods sub-precincts.
28. To further support commercial uses Ratio provide engineering plans to demonstrate how direct access to 25 Horseshoe Bend Road and 391-399 Barwon Heads Road can be achieved from Barwon Heads Road. The submission states the plans are supported by the Department of Transport and Planning (DTP).
29. DTP (5) submit that access arrangements to the proposed commercial/bulky good area are unclear in the PSP and TIA and raise particular concern with the wedge of land between Horseshoe Bend Road and Barwon Heads Road. DTP say it is unlikely to support direct access to Barwon Heads Road from the proposed commercial/bulky good areas, ensuring traffic flows on Barwon Heads Road are not impaired.

Submissions following Council's letter dated 7 August 2024:

30. Ratio's addendum submission rejects re-designation for housing saying the Mesh submission is protectionist and undermines the orderly planning undertaken to-date in preparing the PSP. Ratio submit Growth Area Framework Plans are not rigid documents and refinements may be necessary, as in this case where the applied Commercial 2 Zone (not sensitive land uses) provides a logical transition to the NEIP and Barwon Heads Road.
31. Whiteman's (22) addendum submission, on behalf of the owner 25 Horseshoe Bend Road (#20) also rejects the re-designation. Whiteman submits the Commercial 2 Zone

provides an appropriate transition to the NEIP, whereas residential uses will compromise NEIP industrial development. Adjacent to an arterial road, Whiteman considers the site is a logical location for non-residential uses and lists potential compatible commercial uses given the lot's triangular shape. Whiteman says the shape and abutting Barwon Heads Road and major intersection would result in poor residential amenity.

32. Submitter 8 (Hublet Capital #38 & #39) and Submitter 9 (Hungerford #41) are located on the north side of Tannery Road. Both lodged addendum submissions. Hublet Capital prefers a Mixed Use Zone and Hungerford supports either a commercial or residential designation.
33. Council received two new submissions which were accepted. Submission No. 27 (#36 & #37) from Costa Asset Management and owner of the service station at 355 Barwon Heads Road, provided reasons why the Commercial/ Bulky goods designation continues to be appropriate. Spiire for the owners of 331-343 Barwon Heads Road (#35) also support the exhibited designation.

#### Residential designation

34. DTP oppose the rezoning of the southern portion of the Marshall Station land (Property #1) to UGZ7 as it has not been declared surplus to transport. The PSP designates this area for Mixed Use - High Density Residential (*subject to DTP approval: may be required for transport purposes until further advised by DTP*).
35. DTP submit the land must remain TRZ1 until Council has undertaken the clearance process which can be initiated via the VicTrack website.
36. Tomkinson Consultants (18) lodged a submission on behalf of the owners of 91-109 Reserve Road - Property #5. The submission requests the PSP designation change from 'Medium/High Density Residential' to 'High Density Residential' only.
37. Urbis Ltd (18) lodged a submission for DRD who control 84-104 Drews Road (Property #3, 4a and 4b) and 113-129 Reserve Road (Property #6). The submission advocates for more flexible residential density targets so as to respond to site-specifics and market conditions. The submission is seeking more flexible PSP requirements to allow for standard larger homes.

#### Supermarket use

38. Tract (19) lodged a submission on behalf of Marshall Dev Co Pty Ltd, a subsidiary of Ample Investments, owner of 62-84 Drews Road, Marshall (Property #2). The land forms most of the Marshall Station Precinct; designated 'Mixed Use - High Density Residential' in the PSP. Tract request the PSP supermarket floor area requirement be lifted from a maximum of 2,000 square metres to a 'full-line supermarket' of about 3,500 square metres. The submission is supported by a letter from Coles confirming interest to develop a full-line supermarket in the Marshall Station Precinct.
39. Ratio (15) for the owner of properties #20, 42 and 43 objects to the prohibition of a supermarket in the UGZ7 applied Commercial 2 Zone (C2Z) fronting Barwon Heads Road. The submission says prohibition is in direct contrast to the C2Z provisions and reflects a highly simplistic and overly restrictive approach to land use planning.

#### Council officer response

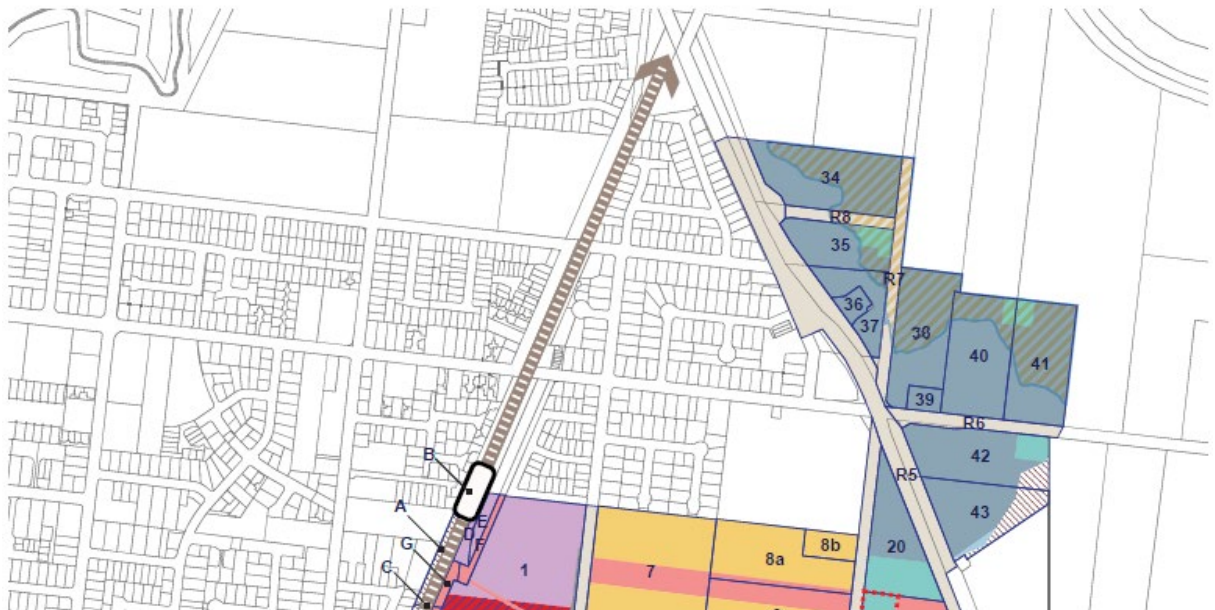
##### Designated commercial/ bulky goods area

40. Council supports the following Mesh submission requests:
  - 40.1 Change the PSP designation of land east of Barwon Heads Road and south of Tannery Road (Properties #42 and 43); and land east of Horseshoe Bend Road and north of Tannery Road (Properties #38, 39, 40 and 41) to 'Conventional

Residential'. The UGZ7 applied zone will be General Residential Zone Schedule 1.

- 40.2 Change the PSP designation of land west of Barwon Heads Road (Property #20) to 'Medium/High Density Residential'. The UGZ7 applied zone will be Residential Growth Zone Schedule 1.
41. The balance of the designated commercial/ bulky goods area located between Barwon Heads Road and Horseshoe Bend Road, north of the Barwon Heads Road/ Tannery Road/ Marshalltown Road intersection (Properties #34, 35, 36 and 37) is to remain as exhibited. Council disagrees with the Mesh submission to re-designate this area for residential use.
42. In summary, Council proposes the following:
- 42.1 'Conventional Residential' designation: Properties #38, #39, #40, #41, #42 and #43
- 42.2 'Medium/High Density Residential' designation: Property #20
- 42.3 'Commercial/Bulky Goods' designation: Properties #34, #35, #36 #37 (no change)

## P6. PRECINCT LAND USE BUDGET



Source: extract of Marshall PSP Plan 6 (page 29) showing #Property Identification Number

43. Council does not agree with the addendum submissions seeking to retain the Commercial/ Bulky Goods designation, for the reasons outlined below. Nor is a Mixed Use Zone supported.
44. By way of background, stakeholder engagement commenced in 2018 and the draft Marshall PSP was released for public consultation in May 2019. The draft version designated the area for 'Commercial/ Bulky Goods' and did not result in any objecting submissions. Council's designation at the time was mainly based on poor road and pedestrian infrastructure and connectivity across Barwon Heads Road, as well as in-progress Barwon River flood mapping. The designation was not supported by an economic assessment report or other analysis.

45. There are several reasons why the change is appropriate. Most significantly, there is the overriding policy objective to facilitate more housing consistent with Victoria's Housing Statement. The UDIA submission emphasises that Victoria is experiencing a severe housing shortage.
46. The Housing Statement targets a build of 425,600 regional homes, mainly in Geelong. This area can be serviced in what is, in effect, an urban infill site. The area is located very close to the public transport network, including Marshall Station within 800m, bus stops on Barwon Heads Road and future planning for the redevelopment of Tannery Road to accommodate buses. Pedestrian and cycle paths service the area, as will the planned Barwon River Trail in the longer term.
47. Given the need for more housing and given the NEIP is already planned for employment and industry, it would be a poor outcome to forgo the opportunity to increase housing supply in the Marshall PSP. Clearly, the Marshall precinct is strategically recognised in policy as a residential growth area.
48. Council generally agrees with the reasons set out in the Mesh submission. The commercial designation is contrary to the *Armstrong Creek Urban Growth Plan - Framework Plan*, which is an incorporated document in the planning scheme. Council also agrees the designation is incompatible with the NEIP PSP vision and intention to 'draw-in' commercial and business activities along Keystone Avenue from the future Barwon Heads Road intersection.
49. The DTP submission is also relevant. DTP cast doubt on the ability of the area to provide direct vehicle access from Barwon Heads Road, which would be a significant impediment to commercial development.
50. Following site visits officers have concluded that the triangular wedge of land north of the intersection, between Barwon Heads Road and Horseshoe Bend Road, should remain designated for commercial/ bulky goods uses. A service station is currently operating on Property #36 and the two properties north of the service station (#34 & #35) are significantly flood-prone and barred against Barwon Heads Road. Amenity and access are poor and it is doubtful any residential development would be viable. Limited vehicle access is available from the newly constructed Devine Street. Retaining the commercial designation for this area will not undermine the orderly and economic development of the NEIP or present as unacceptable ribbon development.
51. Council considers the triangular property (#20) on the western side of Barwon Heads Road to be suitable for Medium/High Density Residential. This designation is preferred over Conventional Residential due to the lot's configuration and improved access.
52. The properties on the east side of Horseshoe Bend Road/ Barwon Heads Road (#38, #39, #40, #41, #42 and #43) make up the majority of the proposed re-designation and conventional residential is preferred. This designation is consistent with the other Marshall PSP conventional residential areas and acknowledges the significance of Barwon Heads Road, albeit the intersection is a safe crossing point.
53. The designation is also consistent with the newly developing residential estate in the Horseshoe Bend PSP, which has similar characteristics to this Marshall area. That estate is also located east of Barwon Heads Road (being south east of the Barwon Heads Road/ Reserve Road intersection), adjacent to the NEIP and constrained by the Barwon River floodplain. Overall, the Armstrong Creek Urban Growth Area includes several areas of residential-designated land on the east side of Barwon Heads Road.
54. The PSP housing typology for 'Conventional Residential' includes a mix of small lot housing including townhouses, attached, semidetached and detached housing. Council proposes a 0.5 hectare park on Tannery Road co-located with drainage reserve SBRB03 to provide an acceptable level of recreational amenity for this discreet community.

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55. This area is considered appropriate for residential use. A northern-edge perimeter road to the developable land of properties #38-41 can manage bushfire hazard and recent CCMA flood mapping (Amendment C339ggee) confirmed the extent of flood-prone land. None of the properties proposed for residential redesignation were found to have a high potential for land contamination; properties #20 and #42 were rated 'low' and the remaining properties were rated 'medium' and can be managed by UGZ7.
  56. The planned Tannery Road waterway reach and associated NEIP drainage assets, as well as Farming Zone property 31-39 Tannery Road, provide a logical interface buffer to any future NEIP industrial uses. It is also apparent that the NEIP PSP provides for an internal heavy vehicle 'loop' road accessed from Barwon Heads Road and the future Bellarine Link road, but not Tannery Road. The NEIP PSP designates Tannery Road for local access (including buses), designed to limit conflict with residential uses along Tannery Road, west of the NEIP. Any Barwon Heads Road interface layout and residential amenity impacts are already considered in PSP requirement R8 and the UGZ7 application requirements.
  57. Furthermore, Council considers the proposed re-designated residential areas would result in similar impervious surfaces to a commercial designation. No reassessment of the Marshall SWMS is required. Drainage design and retardation calculations can be reassessed with site specific stormwater management plans at the permit application stage. Likewise, it is considered the Principal Road Network, particularly Barwon Heads Road, can accommodate residential uses.
  58. To support Council's proposed changes, the below 'mock' subdivision layout has been prepared to demonstrate how the residential areas could be developed.
  59. Council's proposed re-designation for residential use will necessitate numerous changes to the exhibited PSP and DCP. No changes are required to the exhibited planning scheme maps but changes will be required to UGZ7. A revised Marshall PSP *Future Urban Structure* (Plan 5) is shown in **Attachment 3**, noting the plan is subject to review and refinement as part of the panel hearing process.



### Residential designation

60. Council notes discussions with DTP about potential mixed and residential use of surplus Marshall Station land occurred in preparing the amendment. Authorisation of the amendment was conditional on the addition of a disclaimer to the PSP. Council lodged a property enquiry with the VicTrack land assessment department on 18 June 2024 and a review can take up to 20 weeks. In a meeting with DTP staff on 19 July, DTP offered to follow-up the enquiry and it is expected Council will have further to say at the hearing.

61. Given the unique location of the land, forming part of the Marshall PSP Station Precinct, it would be disappointing if the rail authority does not support Council's rezoning initiative. Council notes DTPs opening submission reference to Victoria's Housing Statement and also notes the Statement's intention to unlock and rezone surplus government land.
62. Submissions from Tomkinson and Urbis together form the 14 hectares of land in the south-east section of the PSP, between Drews Road and the railway line. The area is within 600 metres of the Marshall Station Precinct and will be serviced by convenient road, public transport and active transport connections.
63. Tomkinson is requesting a higher residential density designation, while Urbis is requesting more flexible density requirements to support larger lot sizes and standard dwellings. Council does not agree to any changes to the exhibited 'Medium/High Density Residential' designation. The applied zone will also remain RGZ. PSP Table 2 provides the expected residential development yield and minimum density of 30 dwellings per hectare within 400 metres of the Station Precinct and 25 dwellings beyond 400 metres of the Station Precinct.
64. These targets are minimum and higher densities can be supported where the design demonstrates acceptable outcomes. PSP Table 3 identifies the preferred housing typology in this area to be a combination of apartments, townhouses, attached dwellings and some detached houses. Council does not support lower densities than shown in PSP Table 2.

#### Supermarket use

65. Council does not agree to change PSP requirement R83 in support of a full-line supermarket. The vision for the Marshall Station Precinct is that of a mixed use, high and medium density housing precinct, integrated with cafes, convenience retail and some commercial and office activities. Given its proximity to the station, the precinct's retail uses will serve train customers, as well as the local Marshall community.
66. The PSP and UGZ7 provisions are drafted to support an as-of-right supermarket with a leasable floor area not exceeding 2,000sqm. This could be a Coles Local, Woolworths Metro or IGA for example. A supermarket of the scale proposed by Tract requires additional car parking area, encourages increased vehicle trips and may compromise the opportunity to maximise housing development.
67. A full-line supermarket would also be contrary to the intent of the Marshall PSP and Council's retail policy. Council notes any permitted development of the Station Precinct first requires the preparation of an Urban Design Framework (UDF) under UGZ7, and the UDF must be to the satisfaction of the Responsible Authority. A minor increase in Supermarket floor area may be acceptable, however would be subject to an economic impact assessment.
68. Geelong has a well-established retail centre hierarchy expressed in its Municipal Planning Strategy at Clauses 02.03 and 02.04. A full-line supermarket would elevate the precinct from a 'Local Activity Centre' to a 'Neighbourhood Activity Centre' (NAC). The role and function of a NAC is to serve a broader catchment anchored by one or more supermarkets. The nearby Horseshoe Bend North East NAC (with an approved UDF and currently under construction) is designated in the Geelong Retail Centre Hierarchy, and establishing another NAC in the Station Precinct is not supported in policy.
69. In addition to Council's retail policy, the Armstrong Creek Urban Growth Plan - Framework Plan designates three locations for a NAC, one being the Horseshoe Bend North East site. The Framework Plan identifies a 'Local Shop' adjacent to Marshall Station. And on further reviewing the Armstrong Creek Urban Growth Plan, Volume 1 Sept 2012, a local shop is identified at Marshall Station (page 53) '*up to approximately 1000 sqm of local convenience shops and services considered desirable as part of*

*Precinct Structure Planning*. The Marshall PSP is supportive of a relatively larger area of 2,750 sqm retail floor space and an overall Local Activity Centre floor area of 5,000 sqm.

70. Regarding the Ratio submission, even were the applied Commercial 2 Zone to remain, Council does not support the objection and would continue to propose that a Supermarket be prohibited.

### **DCP infrastructure cost, delivery and staging**

#### **Infrastructure delivery**

71. Several submitters highlight the fragmented nature of landholdings within the Marshall PSP and the complexity of the drainage network in particular, which will lead to delay in the delivery of infrastructure and consequently new housing. Submissions 16, 19, 20 and 21 suggest applying the Public Acquisition Overlay (PAO) for drainage infrastructure to ensure land can be compulsory acquired should negotiations with landowners by the City or third parties not succeed.
72. The submission of Tract (19) for the Station Precinct, owner of property #2, includes a memo from Spiire outlining the drainage constraints. Spiire recommend Council should investigate appropriate planning mechanisms to ensure DCP drainage assets are delivered in a timely manner without delay.
73. Some requests to apply PAOs also highlighted Amendment C410ggee, gazetted on 6 May 2021. That amendment applied the PAO to 18 properties across the Armstrong Creek Growth Area to enable acquisition of land for road upgrades, drainage infrastructure and sporting reserves.
74. Submitter 10, ID\_Land, owns the triangular parcels south of Reserve Road (Properties #44 and #45) designated for drainage assets WLRB03/DR12 and requests the City prioritise the transfer of this land to facilitate development of the PSP. ID\_Land says the land is already performing a public function and should no longer remain in private ownership. ID\_Land request to discuss this matter with the City.

#### **Infrastructure cost**

75. Submissions 16, 19, 20 and 21 point to the high DCP levy and suggest Council explore ways to reduce this cost on development. The UDIA highlight the NDA is 58 per cent of the total precinct and there is a substantial amount of unencumbered land – conservation, easements, rail, drainage, etc, which is passively used and should be credited. The UDIA also believe the Clause 53.01 10 per cent public open space requirement is too high saying the total credited open space is just 2.36 percent of NDA.
76. Mesh Planning (12) is interested in the northern catchment cost apportionment assumptions for projects DI\_DR\_10 and DI\_DR\_11. Mesh requests redesign and associated updated cost of road item DI\_IT\_02, being the Barwon Heads Road and east-west connector road intersection. DTP (5) have also raised this intersection for further consultation, discussed in the traffic section below.
77. Urbis (21) queries the land acquisition costs which constitutes 35% of all chargeable items. Urbis highlight that a substantial portion of the acquisition cost relates to the realignment of Drews Road (DI\_LA\_17) and seeks to understand what alternative solutions were considered to strike a better balance between conservation efforts and financial implications.

#### **Infrastructure staging**

78. Submissions 5, 16, 17, 18 and 21 raise concerns with PSP Plan 17 *Development Staging* and associated requirements and guidelines (Section 3.10 Delivery).

79. Spiire in submissions 16 and 17 say Marshall PSP Guideline 58 and Plan 17 are unclear and requests refinement, including re-titling Plan 17 to 'Development Catchments' and modified to provide indicative 'short', 'medium' and 'long' term staging areas, as is typical for VPA-led PSPs.
80. Urbis (21) suggests review to provide greater flexibility and prevent development delays. Tomkinson (18) requests that Property Number 5 be included in an earlier development stage as it is designated in 'Stage D'. DTP recommends consideration of an alternative staging plan that begins in the south to better utilise Reserve Road and the recently duplicated Barwon Heads Road.

### Council officer response

#### Infrastructure delivery

81. Concerns about infrastructure delivery challenges are acknowledged. Indeed, as is widely accepted, it was left to the City to initiate and prepare the PSP, DCP and NVPP, as well as the amendment, because there is no developer or single landowner capable of undertaking this work. Land fragmentation and site constraints are well known. Council has taken the lead to unlock the precinct's significant potential and proposes planning controls to facilitate development.
82. The Marshall PSP was informed by the Marshall Stormwater Management Strategy (SWMS), prepared by Spiire Australia engaged by the City. The SWMS provides a precinct catchment plan to target delivery of individual drainage assets into more manageable areas. Importantly, the DCP has itemised, apportioned and costed the entire drainage network to ensure that land and construction costs are fairly shared by all landowners.
83. The amendment however does not include application of PAOs to any private land. Council prefers to wait for the Marshall DCP to be implemented and allow the private development sector time to initiate infrastructure delivery. Council will monitor development progress and may consider PAOs as part of any broader priority asset acquisition program – as it did in Amendment C410ggee.
84. Land acquisition, if required, will be on Council's terms. The timing of the provision of infrastructure is influenced by various practical considerations including other fiscal responsibilities and priorities of the City. Council's approach to project timing is outlined in section 3.3 of the Marshall DCP.
85. The inclusion of PAOs as part of the amendment is not supported.
86. Council officers regularly meet with ID\_Land regarding their ongoing developments in the Horseshoe Bend PSP. There were also discussions with State Government agencies in preparing the Marshall SWMS and planning for the rail duplication and Bellarine Link infrastructure projects. Property 44 contains an informal open channel and large farm dam that serve no public function. As noted in the submission, the DCP and PSP provide a delivery trigger of '*The first subdivision within Catchment D or to the satisfaction of the Responsible Authority*'.
87. ID\_Land have not specifically requested a PAO be applied however believes no developer would be able to purchase the land from ID\_Land. Council's position is the same as that for PAOs, though acknowledging the unique circumstances of this site means Council remains open to purchase negotiations after the Marshall DCP is approved.

#### Infrastructure cost

88. Submissions that raise concerns about the cost of DCP infrastructure items and the total levy fail to articulate which infrastructure items are not required or do not meet the tests

of 'need and nexus'. Nor do any of these submissions put forward alternative design and costings to support a reduction in the cost of any individual DCP item.

89. Exceptions are the Mesh submission, and to some extent, the Urbis submission. Road item DI\_IT\_02 will be reviewed and Mesh has offered to provide a proposed redesign and cost which Council will review. Cost apportionment assumptions for items DI\_DR\_10 and DI\_DR\_11 (WW04 and WW05 outfalls), are derived from the Marshall SWMS pages 70-71 noting there is an error in the percentage calculations – Marshall catchment is 70.75% (not 71.4%) and NEIP catchment is 29.25% (not 21.6%) of the total catchment.
90. Regarding Urbis, there are significant biodiversity assets within Drews Road and in the land immediately adjoining both sides of the road. Upgrade versus deviation (east or west) of Drews Road was analysed during design of the PSP. Given the status of the road a decision had to be made between retaining the current alignment and impacting the treed and wetland vegetation within and adjacent the current reservation from an upgrade, or relocation to either side and retaining the vegetation within the road reserve. Relocation to the west was ultimately preferred so as to avoid impacts to significant trees and absorb this vegetation and habitat into existing conservation areas on the east side of Drews Road (Smith Street and the core patches north and south of Smith Street).
91. The Clause 53.01 10 per cent (unencumbered) public open space requirement is consistent with the clause schedule. The planned 4.10 per cent credited open space attributed to local parks reflects the compact nature of the PSP and planned active open space area in the Horseshoe Bend PSP, located directly south of Reserve Road. It is noted the UDIA reference to 2.36 per cent of 'NDA' is incorrect. This figure was sourced from the Marshall DCP page 37 – local parks make up 2.36 per cent of the total precinct area not NDA.

#### Infrastructure staging

92. Marshall PSP Plan 17 is sourced from the Marshall SWMS Appendix 6 *Catchment Plans - DCP Staging and Implementation Plan* (last page of the document) and discussion is provided in Chapter 7.
93. The alphabetical letters (A through to K) represent separate catchment areas in Plan 17. The plan is not saying that each catchment must be delivered sequentially from A-K. It is attempting to convey the order in which assets within each catchment should be delivered.
94. Council therefore agrees with Spiire's suggestion to re-title PSP Plan 17 to 'Development Catchments' or similar. Some changes to the drafting of section 3.10.2 'Development Staging' will also be required. Indicative 'short', 'medium' or 'long' term classifications to individual development catchments was not assessed in the Marshall SWMS and is not considered necessary.

#### Stormwater drainage

##### Volume reduction

95. Barwon Water (2) and the Department of Energy, Environment and Climate Action (DEECA) (25) question how the Marshall PSP and Marshall SWMS has considered and where reasonably practical, proposed to achieve, a reduction in stormwater volume. The submissions point to EPA Publication 1739.1 June 2021 *Urban stormwater management guidelines* and the recently gazetted 'Order for Obligations of managers of land or infrastructure (Urban stormwater management and On-site wastewater management)' made under section 156 of the *Environment Protection Act*.
96. The Barwon Water submission states that DEECAs experts have advised that 'urbanisation, without appropriate stormwater management (including volume reduction)

will negatively impact physical, ecological and social values of waterways and will result in the loss of high value wetlands.'

97. Mesh (12) notes the close NEIP - Marshall PSP relationship and submits there is a lack of certainty about whether the outfall to Sparrovale (DCP drainage item DI\_DR\_14), in terms of flow rate and volume, is acceptable to Council and other stakeholders. In its addendum submission, Mesh is concerned Council may be planning a different approach to the exhibited Marshall SWMS and requests any additional stormwater assets required within the Sparrovale Wetlands be identified prior to resolving the Marshall DCP.

### Council officer response

#### Volume reduction

98. Council welcomes the Barwon Water and DEECA submissions on this matter, though notes no percentage reduction targets are recommended or specific elements to reduce volumes suggested. Council also notes that the 3<sup>rd</sup> pipe requirement from Barwon Water actually precludes simpler catchment based reduction methods like mandatory rainwater tanks.
99. Council officers met with staff from Barwon Water, DEECA and the CCMA on 4 June 2024 to discuss stormwater volume reduction. While the CCMA (4) did not specifically submit on this issue, Council is aware the CCMA is undertaking a flow assessment of the Lower Barwon River with an outcome potentially being revised operating rules for the tidal barrage and outlets from Reedy Lake and Hospital Swamps.
100. Following the June 4 meeting, DEECA clarified that while the 'other' reduction targets in EPA 1739.1 have the strength of guidance, there is an expectation to consider volume reduction in broad terms in upholding the general environmental duty, which applies to anyone engaging in an activity that may give rise to risk of harm. Barwon Water commented that the Marshall PSP takes practical steps to reduce volumes via wetlands, swales, passive street trees, rain gardens, permeable pavements and additional pervious areas.
101. Council acknowledges, as highlighted in the DEECA submission, that the Marshall SWMS did not specifically assess volumetric reduction of stormwater. The SMWS states on page 6: *'Recycled Water will be provided by Barwon Water to Marshall Precinct and the expectation is that this will be mandated for toilet flushing and garden tap supply. In the absence of any other large demands, such as sporting ovals within the Precinct, meaningful volumetric reduction of stormwater is considered unfeasible.'*
102. Council notes that volumetric reduction currently is not required by BPEM or Clause 56.07, other than *'Maintain discharges for the 1.5 year ARI at pre-development levels'*. The Marshall SWMS was scoped and commenced before the release of EPA 1739.1, and research to date indicates regional scale stormwater harvesting schemes or significant land area for stormwater retention/evaporation are the most effective methods of volume reduction. As stated in the Water Minister's Letter Of Expectations, the regional IWM Forum is the appropriate place to advocate for regional schemes.
103. Overall, Council considers the Marshall PSP and Marshall SWMS measures indirectly address volumetric reduction and satisfy its general environmental duty under the *Environment Protection Act 2017*. Council proposes to add a PSP guideline so that any Integrated Water Management Plan submitted as part of a permit application responds to EPA Publication 1739.1 June 2021.
104. Council does however consider the southern outfall to Sparrovale Wetlands requires further attention in response to the Mesh submission in particular. The Marshall SWMS presents the catchment split between Marshall and NEIP precincts draining to waterway

WW06 – which extends down to Sparrovale Wetlands. The NEIP catchment contributes 85 per cent (97ha) with the remaining 15 per cent to Marshall SE Catchment K (17ha).

105. At pages 60-61 the Marshall SWMS describes the drainage outfall strategy to Sparrovale Wetlands and notes:

*It should be noted that an allowance for fill embankments has been made to some areas in the waterway design, where due to flat grades, a waterway in cut is not possible. These fill embankments can have relatively flat batters, and be designed to integrate with the landscape, if designed appropriately.*

*It should also be noted that due to flat topography, the concept waterway to Sparrovale Linear Wetland does not have full 1% AEP capacity. Ultimate design will need to consider where flows break out with provision of floodplain. Providing infrequent wetting of localised areas adjacent to the waterway may be considered as a benefit from an environmental perspective, in the context of Sparrovale – Nubijt yooree Wetlands. This should be discussed with The City Environment Team as the design phase.*

*Collaboration with The City (in particular the Environment Department) will be required during the design development for the outfall waterway, given the waterway will extend through the Sparrovale – Nubijt yooree Wetlands area.*

...

*Therefore, it is critical that the future waterway integrates appropriately with the Sparrovale – Nubijt yooree Wetlands Master Plan, with the following requirements met:*

- *No impact to biodiversity values within Sparrovale – Nubijt yooree Wetlands by either construction impacts or detrimental impacts through changes to the flow regime.*
- *No impact to hard assets (such as access tracks) within the Sparrovale – Nubijt yooree Wetlands area.*
- *Design of waterway to consider a more meandering alignment, with particular focus on the pools/ponds, to the satisfaction of The City.*

106. The City is the Sparrovale Wetlands Land Manager and acquired the land in 2019 following Amendment C357. The amendment applied the Public Acquisition Overlay to 510 hectares of land within the Armstrong Creek Urban Growth Area Horseshoe Bend Precinct, to facilitate the construction of stormwater management infrastructure. The Sparrovale Wetlands form part of the drainage scheme for the Horseshoe Bend PSP and is designed to mitigate impacts on the adjoining Ramsar Listed Connewarre Complex.
107. Sparrovale Wetlands also contains areas of biodiversity significance as highlighted in the Marshall SWMS. Consistent with the Strategy, there may be an opportunity to use the northern portion of Sparrovale (currently cropped and not supporting biodiversity values) as a location to evaporate treated stormwater.
108. It is noted that Deakin University has been monitoring the hydrology and water quality behaviour in Sparrovale Wetlands since early 2021, and recently completed a report (v1.6, July 2024). At the time of preparing this report, Council is investigating whether Deakin are able to model the additional stormwater volumes from the NEIP/ Marshall PSP catchment to better understand the impacts.
109. Council's position therefore is that further analysis of the ecological impacts is required. Council proposes to seek the advice of its drainage expert to be engaged for the panel hearing. Any Sparrovale monitoring program data provided to Council's expert can be shared with Mesh and other interested parties to ensure procedural fairness.

110. The panel hearing is the appropriate forum to determine whether changes to the design and cost of the southern outfall Marshall DCP drainage item DI\_DR\_14 (WW06) is required.

### ***Movement network and traffic***

111. DTP (5) submit they are unable to assess the impacts of the Amendment and PSP on the Principal Road Network due to the Marshall Traffic Impact Assessment (TIA) 8 March 2023 use of 2015 volumes, which are not representative of current conditions. DTP say they will not be able to support the movement networks proposed until the TIA is updated to reflect current and future traffic volumes.
112. DTP suggest further consultation regarding the proposed new intersection with Barwon Heads Road and the NEIP planned Keystone Avenue and new Marshall PSP east-west connector road. Mesh (12) submit this intersection design is deficient and also request review.
113. DTP also comment on staging, Barwon Heads Road access, the exhibited Marshall PSP Access Management Strategy (AMS), Station Precinct interface and public and active transport. Submission 13, from the owner of 82-90 Horseshoe Bend Road, also refers to the AMS – and a response is provided in Attachment 3.
114. Ratio (15) provided engineering plans to support access from Barwon Heads Road to 25 Horseshoe Bend Road and 391-399 Barwon Heads Road. This issue is discussed above in the ‘Marshall PSP land uses’ section.

### **Council officer response**

115. Council planning and traffic engineering officers met with DTP on 19 July 2024 to discuss their submission. Prior to the meeting, Council officers sought the opinion of Ratio, the author of the TIA, who advised the 2023 TIA pre-dates the completion of the Barwon Heads Road Stage 1 duplication works and there was no logic in collecting updated data at that time.
116. Council considers the TIA should be updated using the original principles and method applied to prepare the report (note: a strategic VITTM model is not required following confirmation from DTP in the meeting). The adjusted traffic volumes may have implication for the Principal Road Network and will be confirmed based on the scale of adjustment. Any implications, depending on scale, may require intersection revisions, particularly for DCP item DI\_IT\_02 (Barwon Heads Road and east-west connector road intersection) – for example, the length of turn lanes.
117. DTP provided their most recent Barwon Heads Road traffic data to Council on the 2<sup>nd</sup> of August and DTP is currently compiling additional data to assist Council. Council will then engage a traffic engineer to prepare an updated Marshall TIA, and the report is expected to be completed before the panel hearing. The report will review the design of DCP item DI\_IT\_02.
118. The Access Management Strategy (AMS) was prepared by the City in May 2019. It was prepared at a point in time to consider high level transport network options within the Precinct and identify a preferred option, which was then subject to a final detailed traffic impact assessment – being the July 2019 Cardno report. The AMS is appropriately referenced in the Marshall PSP Background Report but is not listed as a PSP technical report. Council does not intend to prepare an amended version as requested by DTP.
119. Regarding the other issues raised by DTP, staging and Barwon Heads Road access to the ‘Commercial/ Bulky Goods’ area are addressed in previous sections of this report. The Station Precinct – Station car park interface and bus capable network feeding the

station can be further resolved as part of the Station Precinct UDF, of which DTP will be a key stakeholder.

120. DTP support for the planned walking and cycling network is welcomed. Continuing Shared User Path 04 along the sewer easement was discounted as it would require removal of native vegetation where acceptable alternatives are available. Barwon Water do not permit any infrastructure within the easement.
121. On the DTP general support for station access outside the Marshall PSP (west of the railway line) Council proposes to change DDO51 by removing reference to a cycling path. While the future DDO51 link will primarily serve train customers, the new station overpass provides improved connectivity between neighbourhoods and access to the Marshall PSP Station Precinct. Focusing on pedestrian access only and avoiding multi-modal conflicts is consistent with the DTP advice.

### ***Marshall PSP drafting and plans***

122. Several submissions raised concerns with the exhibited Marshall PSP without providing specific requested changes to the document. The proposed re-designation of part of the 'Commercial/ Bulky Goods' area to a residential designation will require substantial changes to the document, including to most of the plans in Section 3.0 *Implementation*. The overall master plan for the PSP – Plan 5 *Future Urban Structure* – has been revised and is shown in **Attachment 3**.

### **Environmentally Sustainable Development (ESD)**

123. Submissions 16, 17, 20 and 21 are generally of the view that PSP Requirement 18 (R18) goes beyond the scope of the PSP and current benchmarks for environmental sustainability policies and guidelines. The UDIA (20) foresee development implementation difficulties, while Urbis (21) say the PSP should focus on sustainability principles and ESD elements addressed later in the development process.
124. None of these submissions propose alternative drafting.

### **Affordable housing**

125. Submissions 16, 17, 20 and 21 consider the PSP affordable housing requirements and guidelines will unnecessarily increase development cost, particularly given the high DCP rate and other development costs in general.
126. Urbis consider R15 and G7 are overly ambitious, prescriptive and developers typically prefer locations close to existing services. Urbis is concerned as to the appetite of providers for delivering housing within Marshall. The UDIA refers to G7, commenting the provisions of G7 are difficult to interpret, calculate and apply.

### **Council officer response**

### **Environmentally Sustainable Development (ESD)**

127. Amendment VC216 made changes to the Planning Policy Framework (PPF) and all planning schemes to support ESD policies. Clause 01 of the Greater Geelong Planning Scheme states one of the purposes of the planning scheme is to 'support responses to climate change'. R18 builds on Clauses 12 and 15.01 and provides measurable targets and a more comprehensive approach to climate resilience.
128. Delivering environmentally sustainable subdivisions and developments are key objectives of the Marshall PSP. The ESD requirements are intended to provide a long-term vision for how an area is to be developed. The detailed design stage is often too late in the planning process to introduce ESD requirements.

129. Following a review of submissions, the wording of R18 has been revised and several requirements for urban heat island effect removed. R18 is proposed to be redrafted as follows:

*The Residential ESD Design Guidelines prepared for residential subdivision must include requirements for:*

- *All new residential buildings to be constructed to be all electric in operation.*
- *Roof and shading structures with cooling colours and finishes that have a solar reflectance index (SRI) of:*
  - *For roofing with less than 15 degree pitch, a three-year SRI of minimum 64.*
  - *For roofing with a pitch of greater than 15 degrees, a three-year SRI of minimum 34.*
- *All new residential lots to provide a dedicated electrical circuit terminating in a garage or carport that is capable of supporting a minimum 7kW (32A) Electric Vehicle Charging Point (EVCP).*
- *Unless it can be demonstrated that neighbourhood scale renewable energy generation will be delivered, each dwelling is to meet the below requirement (neighbourhood scale renewable energy generation is to be equal to or greater in capacity than the below):*
  - *All new dwellings with up to two bedrooms to have installed a 3kW minimum capacity solar photovoltaic (PV) system. An additional 1kW capacity solar photovoltaic (PV) system is required for each additional bedroom proposed; or*
  - *Apartment buildings to have installed a solar PV system with a capacity of at least 25W per square metre of site coverage or 1kW per dwelling.*

#### Affordable housing

130. The Marshall precinct is a unique greenfield urban growth area, being co-located with a train station, accessible to the bus and arterial road network, and close to a range of community and retail services. Council is of the view that the precinct is, in effect, an infill residential area where a percentage of dwellings should be provided for social and affordable housing.
131. The PSP proposes a 4.5% contribution 'negotiation threshold' informed by the SGS assessment *Providing social housing as essential infrastructure in Geelong's KSPAs, 21/12/2021*. The 4.5% contribution (i.e. the 'Primary Obligation') is a starting point for developers to then negotiate and submit a site-specific Social and Affordable Housing Delivery Strategy as required by R15 and UGZ7.
132. Council encourages applicants to meet the 4.5% quantum, noting delivery of an affordable housing contribution is voluntary in the Victorian planning system. Council is open to discuss and negotiate other proposed delivery outcomes that are specific to each development context, such as partnering with Registered Housing Associations for discounted land/ dwellings.
133. A revision to G7 is required to clarify exactly what is the 'Primary Obligation'. This term will be added to bullet point 1 as follows:
- *Include social housing units in the project at the rate of 0.045 sqm (or 4.5%) for each square metre of commercially saleable or leasable floorspace (GFA) in the building(s) in question, with these social housing units being delivered at zero consideration to a registered community housing provider (This is referred to as the **Primary Obligation**), or;*

#### Other requested changes

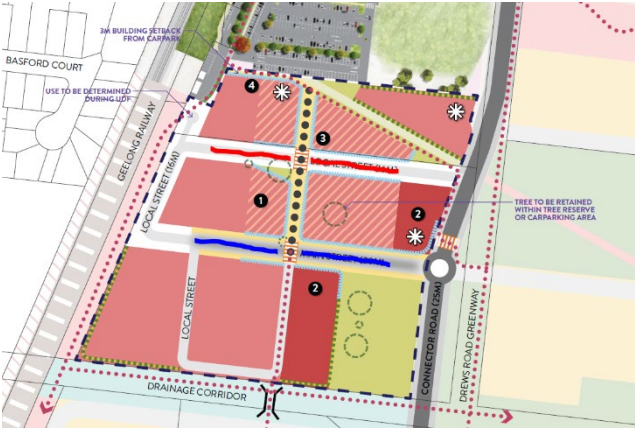
134. Marshall PSP drafting requested changes and comments not considered under other sections of the report are considered here.

No.	Marshall PSP requested change	Council Officer response
2	<p><u>Barwon Water</u></p> <p>Suggest provision is made for the future outfall sewer relocation adjacent the drainage reserve by way of a 6m easement adjacent the Shared User Path.</p> <p>Timing of the relocation of the Outfall Sewer is unknown and may not occur for some time. Development of the Marshall Precinct (as outlined in Plan 17) should not be linked to the relocation of this sewer. If the sewer relocation is required for the drainage strategy to work, then as advised previously we would suggest the drainage strategy be revised. Suggest R104 is removed.</p> <p>P15 Utility Service: the water and recycled water mains shown on this map should be amended as follows. It is also suggested to amend the colour of the NBN infrastructure as it is hard to distinguish from recycled water.</p> <p>P16 shows a different alignment for the MOS relocation that that shown in P15</p> <p>Table 9 - Project WLRB02-DR01 This states that the Outfall Sewer needs to be moved to accommodate this basin. BW has previously advised that the drainage needs to be designed such that the Marshall PSP to be able to progress independently of this sewer relocation. i.e. take into account the existing alignment of the sewer. We do not accept a clause which requires this sewer to be relocated in order to develop.</p>	<p>Agreed, future easement is shown adjacent to WLRB02 (northern edge to contain path) in Plan 16 but to be clarified. Agreed</p> <p>Agreed. Plan 15 is draft only and will be amended.</p> <p>Noted. Plan 15 is draft only and will be amended.</p> <p>Agreed. T9 to be corrected.</p>
5	<p><u>DTP</u></p> <p>P1. Regional Context: Incorrect spelling of Princes Freeway should be amended. Map also appears to show an icon for a railway station at Breakwater, which no longer exists.</p> <p>P2. Armstrong Creek Growth Area Framework Plan: The colours for parkland &amp; biodiversity do not match the colours shown on the plan.</p> <p>P3. Marshall Precinct Local Context: Denote all shades of green in the legend and map content for better legibility.</p> <p>PS. Future Urban Structure Map: We recommend removing 'Station Precinct Road' from all maps to ensure flexibility of design around the station area. These details should be captured/ addressed in the UDF report unless considered as integral to this Future Urban Structure Plan.</p> <p>PS. Future Urban Structure Map: This map indicates land designed 'Mixed Use - High Density Residential' subject to DTP approval. This is repeated in P6. Precinct Land Use</p>	<p>Plan to be corrected.</p> <p>Plan Legend to be corrected.</p> <p>Plan to be corrected.</p> <p>Not agreed, preference is to retain intention as shown on P18.</p> <p>Agreed. No changes required.</p>

No.	Marshall PSP requested change	Council Officer response
	<p>Budget and P7. Character, Heritage and Housing. Please ensure all drawings and text relating to State Government land holding are not limiting and can accommodate flexibility in density, function, layout and access in future development.</p> <p>T2. Residential Development Yield: Define the boundary extent of Station Precinct (MUZ), Medium-Higher Density Residential (RGZ1) and Conventional Residential (GRZ1) in the residential yield table for inclusion into the P6. Precinct Land Use Budget map and key. Or cross reference the yield table applied zone to the map key to make yield applied zones visually evident on P6. Precinct Land Use Budget map. Please include 400mm radius to determine what sits within and beyond the Station Precinct catchment.</p> <p>P6. Precinct Land Use Budget: Ensure planning zone TRZ1 can accommodate mixed use development including housing and other land uses supporting transit-oriented development. Text and drawings relating to land within planning zone TRZ1 is to indicate land use flexibility responding to the site's future development potential.</p> <p>RS: Support Character Requirement R8 but note that the aspiration to provide passive surveillance is at odds with the default approach to noise attenuation under VicRoads Noise Attenuation Policy (being noise walls in the road reserve). Alignment between DTP and Council needs to be sought regarding how road noise attenuation is managed.</p> <p>G6. Heritage Guidelines, point 2: Preservation of post European contact heritage is supported. Clarify how a 'suitable area of preservation' will be determined for heritage adjacent development and subdivision sites.</p> <p>T3. Location by Preferred Housing Typology: Consider replacing the table column heading 'housing types' with 'preferred housing types' to align with the general heading of the table.</p> <p>T4. Open Space Delivery Guide: We note that the item "E03 Barwon Water Easement" cites the action as a State Government responsibility. Please remove wording, noting that currently there is no known funding secured or endorsement to enable delivery.</p> <p>R39: It is suggested that the first line be changed to <i>"With respect to the design and construction of the proposed Bellarine Link arterial road, development should where possible:"</i>. Whilst the intent of these requirements is accepted, it may not be possible to achieve all requirements due to space constraints and design requirements for the Bellarine Link arterial road. It is also suggested that the last sentence is changed to <i>"To the</i></p>	<p>No changes required other than cross-reference Table 2 with Plan 7.</p> <p>The purpose of Plan 6 is to identify property numbers. Refer to Plan 18 for Marshall Precinct design intention. Detailed design resolved at UDF preparation phase.</p> <p>Noted, also note R120 to address noise concerns from arterial roads and UGZ7 requirement to prepare an acoustic assessment report. Can be resolved at development permit stage.</p> <p>No change required. Can be resolved at development permit stage.</p> <p>Not agreed, no change required.</p> <p>To be clarified. Council understands that SUP03 is a funded project as part of the Marshall Station redevelopment.</p> <p>Agreed.</p>

No.	Marshall PSP requested change	Council Officer response
	<p><i>satisfaction of the Responsible Authority and the Department of Transport and Planning". Bellarine Link arterial road will be administered by the DTP and the outcomes sought in R39 will need to meet both the requirements of the RA and DTP.</i></p> <p>R40: Point 3 states "respond and integrate with the access road to the north of Tannery Road ... " It is unclear whether this is referring to the existing Devine St, or the new road depicted in the plans. This should be clarified, and Devine St should be shown on the plan P10 (and others).</p> <p>R40: Points 5 and 7 create risk regarding uncertainty of allowable access arrangements to these lots.</p> <p>Page 58: Safe, accessible, and convenient active transport is supported. Consider user safety to interface between residential development and the RPV proposed shared path along the rail corridor, where passive surveillance may be limited. Promote requirements to minimise safety concerns and anti-social behaviour in potentially secluded and confined public spaces.</p> <p>R47: Point 7 should be updated to mandate pedestrian and shared path user priority on all slip lanes.</p> <p>T9: -IT04 should be noted as complete rather than 'under construction'. -It should not be mandated that for SUP06(b) the "path located within WLRB03 and include footbridge over bypass channel". It's location and form are subject to detailed design. -Drainage asset W02 which is shown on plan P12 does not appear to be listed in the table. It should and must be clear that it accommodates flows from Bellarine Link.</p> <p>K. 18M Sewer Easement: If permitted by the responsible agency, consider building the shared path within the Sewer Easement to deliver better utilisation of land asset i.e. opportunity to deliver more residential dwellings and/or canopy trees adjoining the easement - especially in the Marshall Station Precinct.</p> <p>Cross Section P: Cross section shows a 2.5m shared path. Baanip Boulevard and Barwon Heads Road provided a 3m width for shared paths and it is recommended that this should be adopted for the Bellarine Link path as well.</p>	<p>Agreed. Devine Street was constructed and named after completion of the Marshall PSP.</p> <p>R40 to be redrafted, noting proposed re-designation for residential.</p> <p>Noted.</p> <p>The requirement must be complied with, though will be subject to detailed design. No change.</p> <p>IT04 to be corrected.</p> <p>All drainage assets are subject to detailed design. No change.</p> <p>P12 to be corrected to show only drainage asset 'WLRB02'</p> <p>Barwon Water advised no infrastructure within easement. No change.</p> <p>Agreed.</p>
15	<p><u>Ratio Consultants</u></p> <p>The Vision (page 21 of the PSP) is generally supported. However, it is recommended that the Vision be re-drafted to include reference to important role of employment</p>	<p>Not agreed. Area proposed to be re-designated for residential</p>

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	<p>within the precinct. The PSP identifies a total of 9.864 hectares of net developable employment land, which comprises c. 8% of the total precinct NDA.</p> <p>Objective 2 should be re-drafted to include wording that reflects the role of employment land within the PSP.</p> <p>Plan 9 includes 'existing trees to be retained' and 'vegetation to be retained' around the Barwon Heads Road / Marshalltown Road intersection that have been removed by the Barwon Heads Road duplication works.</p> <p>R40: The requirements set out in R40, and those shown on the Road Design Characteristics Plan at Section 4.3 need to be reconsidered in the context of the broader requirement to prepare a concept plan as required under R86. Mandating requirements relating to the provision of specific road cross sections this early in the process potentially prejudices the fundamental purpose of undertaking a concept planning exercise.</p> <p>R84, R85, &amp; R86, G43: The general intent of R84 &amp; R85 to provide direction for specific Commercial/Bulky Goods Areas is acknowledged. However, as a general comment, the drafting of these requirements and guidelines is somewhat lacking integration, consistency, and in parts reflects duplication and repetition of requirements contained in other planning controls within the Planning Scheme. We strongly recommend that these are revisited to provide a more succinct and clear set of requirements and guidelines.</p> <p>RS requires all subdivision abutting arterial transport routes to provide an internal local road and lot frontage priority to the transport route and does not make any distinction in application for Commercial areas.</p> <p>R45 requires that all access to lots fronting arterial roads must be from a local service frontage road and does not make any distinction for Commercial areas.</p> <p>R40 &amp; Cross Section M: recommend that the PSP requirements be reviewed such that there is a clear and consistent approach for access to Commercial areas from Barwon Heads Road that also recognises the importance of direct and convenient for land uses that will be permitted (as per the C2Z). This should include direct access to the land at 25 Horseshoe Bend Road and 391-399 Barwon Heads Road. Reference to the provision of an on-road cycle path should be removed.</p>	<p>Not agreed. Area proposed to be re-designated for residential.</p> <p>Refer to DTP response in Attachment 2.</p> <p>R40 to be redrafted as a consequence of re-designation to residential.</p> <p>Provisions to be redrafted as a consequence of re-designation to residential.</p> <p>No change required. Area proposed to be re-designated for residential.</p> <p>No change required. Area proposed to be re-designated for residential.</p> <p>Not agreed. R40 to be redrafted as a consequence of re-designation to residential.</p>
19	<p><u>Tract Consultants</u></p> <p>The future concept plan for the Station Precinct (Page 109) identifies the preferred location of retail/</p>	<p>Agree that the location of 'main street' in plan is inconsistent with the text.</p>

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	<p>commercial uses concentrated around an east-west Local Street rather than the nominated Main Street. This would therefore appear to contradict the requirements, objectives and guidelines set out elsewhere in the PSP, namely R83.</p> 	<p>The cross-section of 'main street (20m)' also supports places to rest as well as wider footpaths and is consistent with the text as being a pedestrian friendly environment and believe this could be in place of 'local access street (16m)'. Support switching these around in the image opposite – the Red would be the Main Street 20m and the blue would be the local access street 16m.</p>
<p>25</p>	<p><u>DEECA</u></p> <p>Recommends that, to aid clarity and future implementation, the PSP glossary include a definition for 'Conservation Reserve'.</p>	<p>Agree to include a definition in the glossary for 'Conservation Reserve' in consultation with DEECA.</p>

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1	Bartlett	Horseshoe Bend Rd. Marshall	Yes	<p>Landowner of Property No. 21 (<i>NOTE: the location of all Property Numbers in this table are shown on the last page of Attachment 2</i>)</p> <p>Objects to the proposed location and area size of the drainage assets, which reduces developable land and devalues the property.</p>	<p>The Marshall SWMS incorporates offline wetlands, retarding basins, sediment basins and main drainage pipes, which then defines developable area. No change to the SWMS is required.</p> <p>Drainage asset land has been valued and costed in the Marshall DCP. The Marshall SWMS, DCP and Valuation Report do not consider whether drainage assets devalue property sale price.</p>
2	Barwon Water	55-67 Ryrie St. Geelong VIC 3220	Yes	<p>Barwon Water generally supports the amendment proceeding however makes the following comments on the PSP:</p> <ul style="list-style-type: none"> <li>▪ FUS Plan 5: What is the proposed treatment adjacent the outfall sewer easement through the conservation reserve? Suggest the 6m easement is fenced through here and maintained separate to the conservation reserve. Barwon Water will need to ensure it can continue to be maintained and doesn't become overrun with significant vegetation affecting our ability to operate and maintain asset in the future. Suggest provision is made for the future outfall sewer relocation adjacent the drainage reserve by way of a 6m easement adjacent the Shared User Path.</li> <li>▪ R56: Barwon Water has been working closely with DEECA and local government across the region to pursue concepts for stormwater volume reduction, in line with the EPA Guidance Note (2021). DEECAs experts have advised that 'urbanisation, without appropriate stormwater management (including volume reduction) will negatively impact physical, ecological, social values of waterways and will result in the loss of high value wetlands.' It also states that 'stormwater harvesting can - and should - be</li> </ul>	<p>The sewer easement located on Property 10 partly sits within conservation reserve CR03. BW requests information on any proposed treatment adjacent to the easement through conservation reserve and suggests that this is fenced and maintained separately (presumably in future by the City) to ensure that the easement is not overrun by vegetation.</p> <p>No specific treatment adjacent the easement is proposed. The area is encumbered by native vegetation (noting applied ESO1) and the conservation status of the land is to maintain the status quo. Clearing this vegetation and/or bisecting the core patch of grassy woodland within the Marshall PSP is not supported.</p> <p>Stormwater volume reduction response provided in Attachment 1 under the theme: <i>Stormwater drainage</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p>

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				<p>considered an imperative to protect flow regimes and water quality and the receiving water bodies.' Most recently, Barwon Water received our Corporate Letter of Expectations (LOE 2024-25) from the Minister for Water, the Hon. Harriet Shing MP. It specifically calls out the above issues and risks of stormwater management, specifically, How does the Marshall PSP Stormwater Strategy propose to address this?</p> <ul style="list-style-type: none"> <li>▪ Removal or correction of R104, P15, P16 and T9.</li> </ul>	
3	Bingham	Horseshoe Bend Rd. Marshall	No	<p>Landowner of Property No. 27.</p> <p>Submitter requests to be kept informed on the progress of the amendment.</p>	Submission noted.
4	Corangamite CMA	64 Dennis St. Colac VIC 3250	No	<p>The CCMA submission focuses on the PSP land east of Barwon Heads Rd, stating it is subject to flooding from the Barwon River during a 1% AEP flood event. Flood extents and levels for the 1% Annual Exceedance Probability (AEP) flood event have been modelled for this area through the Lower Barwon &amp; Moorabool Flood Study (2019).</p> <p>The CCMA's assessment of the above information has determined that depths throughout the north-east areas of the PSP are largely greater than 0.3 metres, except for a narrow band of Land Subject to Inundation Overlay on the flood fringe. This is likely to limit residential, commercial, and industrial development within the floodplain in this area</p>	<p>Submission noted.</p> <p>The submission does not request any specific changes to the amendment. Flood constraints on land in the north east section of the precinct are identified and managed through the PSP and UGZ7. The CCMA is added as a recommended referral authority in the Schedule to Clause 66.04 for an application on land subject to flooding.</p>
5	Dept of Transport	GPO Box 2392,	Yes	DTP submission on behalf of the Head, Transport for Victoria. Notes opportunity to deliver on Vic Govt's <i>Housing Statement</i> .	Response provided in Attachment 1 under the theme: <i>Movement network and traffic</i>

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	& Planning (DTP)	Melbourne VIC 3001		<p>Arterial and Road Network comments:</p> <ul style="list-style-type: none"> <li>▪ Unable to assess the impacts of the Amendment and PSP on the Principal Road Network from the supporting documentation exhibited.</li> <li>▪ The Traffic Impact Assessment (TIA) currently uses traffic volumes from 2015 which are not representative of the current network conditions.</li> <li>▪ DTP will not be able to support the movement networks proposed until the TIA updated to reflect current and future traffic volumes.</li> <li>▪ The TIA should consider staging of the PSP and requests the TIA be updated to assess traffic impacts of the proposed staging plan. The DTP also recommends consideration of alternative staging that begin in the south to better utilise Reserve Rd and the recently duplicated Barwon Heads Road.</li> <li>▪ The PSP Infrastructure Plan allocates responsibility for construction of the Bellarine Link, Drews Road and Horseshoe Bend Road intersection to the State Govt. However, the responsibility to deliver the interim intersection is left undefined. It is DTP's position that council should be the lead agency in the delivery of the interim intersection and for it to be included as DCP item.</li> <li>▪ The intersection of Reserve Rd &amp; the truncated northern section of Horseshoe Bend Rd will require modification dependant on the timing and sequencing of the internal connector roads linking up to Horseshoe Bend Rd. Should this occur prior to completion of the Bellarine Link, DTP recommends that a left-in/left-out treatment be</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p> <p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i></p> <p><u>PSP Infrastructure Plan responsibility – DCP interim intersection item (Bellarine Link/ Drews Rd/ HSB Rd)</u></p> <p>Response as follows:</p> <ul style="list-style-type: none"> <li>▪ PSP identifies IT01 interim as land and construction and lead agency CoGG.</li> <li>▪ PSP identifies separate IT01A ultimate land and construction, lead agency is State Govt.</li> <li>▪ DCP identifies DI_IT_01 and DI_LA_13 for interim construction and ultimate land take.</li> <li>▪ No change required.</li> </ul> <p><u>Appendix A – NVPP</u></p> <p><i>Comment 1 – Native vegetation removed as part of Barwon Heads Stage 1 is shown as retained. NVPP should be updated to accurately depict existing conditions.</i></p> <p>The approach of nominating the vegetation within the Barwon Heads Corridor as being retained was developed in consultation with MRPVs Planning and Environment Manager. At the time of drafting the NVPP the BHRD project's impact to native vegetation was uncertain, and Council did not inadvertently want to allow full removal of the vegetation</p>

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				<p>considered to avoid possibility of rat-running, and potential delays at the signals to the west.</p> <ul style="list-style-type: none"> <li>▪ Access arrangements to the proposed commercial/bulky goods areas are unclear in the PSP and TIA. DTP considers it unlikely that the proposed land use for these areas can be adequately serviced via the local road network. In particular, the commercial precinct in the wedge of land between Horseshoe Bend Rd &amp; Barwon Heads Rd is of concern to DTP, with Horseshoe Bend Rd (proposed to be a local access road) being the sole access in and out. Further consultation is required with DTP as it is unlikely to support direct access to Barwon Heads Rd, ensuring traffic flows on Barwon Heads Rd are not impaired.</li> <li>▪ Further consultation is required with DTP regarding the proposed new intersection with Barwon Heads Rd &amp; Keystone Ave (future road into NEIP). Re. DCP Plan 10 (Appendix C – Intersection Plans): previous modelling suggested two right-turn lanes into Keystone Ave from Barwon Heads Rd.</li> </ul> <p>Public Transport comments:</p> <ul style="list-style-type: none"> <li>▪ Supports provision of bus capable streets</li> <li>▪ Concerns regarding the location and design of the Station Precinct. Abutting directly with the Marshall Station carpark creates potential for the carpark to be patronised for uses other than rail / bus commuting.</li> <li>▪ There are opportunities to consolidate car parking within the Station Precinct and to reduce the overall footprint allocated to this function should be facilitated by the PSP, particularly within high and medium-high density zones.</li> </ul>	<p>within this footprint via a NVPP if some would end up being retained. Refer to Section 5.1 of the NVPP for more detail.</p> <p>While some of this vegetation will have since been removed by MRPV for the road project, Council does not consider that amending the NVPP to reflect this an absolute necessity, though it may be useful from a project implementation perspective to note what vegetation has been removed by this project in tables 7 and 8 within the NVPP, as the City will have a role in overseeing rollout of the NVPP over time.</p> <p><i>Comment 2 – Native vegetation within PAO3 for the Bellarine Link must not be shown as retained as it will likely need to be removed to meet design requirements and reduce likelihood of needing additional land beyond existing PAO.</i></p> <p>Council does not agree that this change should be made, and in the absence of an actual design or any funding to deliver the Bellarine Link that this vegetation is shown as being retained. The State could then utilise one of the newer provisions at Clause 52.30 or 52.35 to permit the removal of said vegetation should that be required. The State has utilised this approach for both BHRD stage 1, BHRD Stage 2 and the Geelong – Waurn Ponds Rail upgrade (Cl. 52.36) recently despite the NVPPs in those precincts allowing the removal of that vegetation anyway. Council will however redraft section 5.1 of the document to discuss this area specifically in addition to Barwon Heads Road.</p> <p><i>Comment 3 – Aerial imagery to be updated.</i></p>

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				<p>Active Transport comment:</p> <ul style="list-style-type: none"> <li>▪ Supports walkability objectives, noting there may be an opportunity to develop a continuous shared user path (SUP04) along the sewer easement (E01).</li> <li>▪ The Active Transport Network plan currently designates on-road cycling lanes on Drews Rd. Due to the expected volumes on Drews Rd, off-road cycling lanes should be considered further, to improve the overall safety outcomes of the active transport network.</li> <li>▪ Future station access to the west outside the Marshall PSP is generally supported. However, the station access should not double as an active transport link for through movements. Further consideration should be given to providing pedestrian permeability across the rail corridor and connecting with the existing pedestrian network outside of the precinct. Clarification should also be provided as to the type of access being considered to avoid multi-modal conflicts between active transport and vehicular access.</li> </ul> <p>General comments</p> <ul style="list-style-type: none"> <li>▪ Land to accommodate Marshall Station and its ongoing upgrade is currently owned by the Head, Transport for Victoria and managed by VicTrack under the Regional Infrastructure Lease (RIL). This land is nominated by the PSP to include mixed use and residential purposes. The southern portion of the land should not be included in this amendment to be rezoned, as it has not been declared surplus to transport, and must remain zoned Transport Zone 1 (TRZ1) until Council has undertaken the clearance</li> </ul>	<p>The aerial imagery was current at the time of drafting and given the pace of change in the area, it will be out of date reasonably quickly regardless. No change to the NVPP.</p> <p><u>Other</u>          Other comments not addressed above are noted.</p>

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				<p>process for this land. Enquiry about the status of this land can be initiated via the VicTrack website.</p> <ul style="list-style-type: none"> <li>▪ All proposed development that has interface with the rail corridor should consider and comply with the VicTrack Rail Development Guidelines (2019).</li> </ul> <p>Detailed comments on the Marshall PSP, DCP and NVPP are provided in Appendix A to the DTP submission.</p>	
6	EPA Victoria	GPO Box 4395, Melbourne VIC 3001	Yes	<p>The EPA provides written views on the UGZ7 as follows:</p> <ul style="list-style-type: none"> <li>▪ Amend the Clause 3.0 <i>Application requirements</i> 'Requirement - Preliminary Risk Screen Assessment' as drafted in the submission.</li> <li>▪ Amend the Clause 3.0 <i>Application requirements</i> 'Requirement - Preliminary Site Investigation' as drafted in the submission.</li> <li>▪ Amend the Clause 3.0 <i>Application requirements</i> 'Requirement - Preliminary Risk Screen Assessment' as drafted in the submission.</li> <li>▪ Amend the Clause 4.0 <i>Application requirements</i> by deleting part of the condition: 'Condition – Environmental Audit'.</li> </ul> <p>The submission also notes</p> <ul style="list-style-type: none"> <li>▪ The explanatory report has provided a response to deferring environmental audit system requirements through application of an EAO.</li> </ul>	<p>The suggested changes to UGZ7 are accepted.</p> <p>Other potentially contaminated land matters, as well as how the amendment manages interface and separation distances and noise emissions are generally supported by EPA.</p>

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				<ul style="list-style-type: none"> <li>▪ Decisions about NEIP industrial land use interface and separation distances rests with the planning authority.</li> <li>▪ UGZ7 noise and vibration emissions provisions are consistent the EPA's recommended wording.</li> </ul>	
7	Giorgio	Sutalo St. Marshall VIC 3216	No	<p>Submission from resident outside the Marshall PSP area.</p> <p>Supports high-rise development in the local area and suggests expanding the native vegetation corridor to minimise the impact on the environment.</p>	<p>The Marshall NVPP establishes the native vegetation to be retained as part of future development. The vegetation will predominantly be retained within conservation reserves shown in the PSP and no additional vegetation corridors are proposed.</p> <p>Turning over more land to conservation will reduce developable land for housing, which is a key objective of the PSP. The PSP integrates conservation reserves with other areas of open space and the precinct as a whole provides the right balance between protecting native vegetation and enabling residential development.</p>
8	Hublet Capital Pty Ltd	5 Nicholsdale Rd. Camberwell VIC 3124	Yes	<p>The submission does not state which property(s) it owns or has an interest in. Council records show the submitter is the owner of 1-5 Tannery Rd (PN #38) and 7-9 Tannery Rd (PN #39).</p> <p>The submission raises the following concerns relating to the PSP local access street shown on property numbers 38, 39, 40 and 41:</p> <ul style="list-style-type: none"> <li>▪ Owned by unrelated investors not developers</li> <li>▪ High development cost may be financially unviable for individual owners.</li> <li>▪ Restrictive covenants restricts immediate use as a masterplan is required.</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i>. The property is proposed to be re-designated 'Conventional Residential'.</p> <p>Concerns that the UGZ7 masterplan requirement (sub-clause 2.4 &amp; 2.5) restricts immediate development will no longer apply as it is proposed to change the PSP designation to 'Conventional Residential'.</p> <p>The Local Access Street is also no longer required and will be deleted from the FUS Plan.</p> <p>Unrelated landowners, particularly within the catchment area H shown in PSP Table 9 and Plan 17, are encouraged to</p>

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				<ul style="list-style-type: none"> <li>▪ Appears to be an afterthought and band aid solution to bad design of the now built signalised intersection (Barwon Heads Rd &amp; Tannery Rd).</li> </ul> <p>The submission suggest a solution:                      Update the Local Access Street to Arterial and make it the responsibility of VicRoads or council to develop the same, this will provide a fast and clear solution to this issue which is being dealt by planners this will also allow better management of Flood overlay as part of the now truncated Horseshoe Bend Rd is within the Flood overlay zone.</p> <p>Addendum submission in response to Council’s letter dated 7 August 2024. Objects to the proposed change and submits a Mixed Use Zone designation is more appropriate and provides reasons.</p>	<p>coordinate development or consolidate activities so that permit applications are generally in accordance with the Marshall PSP and DCP, and service infrastructure is delivered in an orderly and efficient manner.</p>
9	Hungerford	Huntingdon St. Newtown VIC 3220	Yes	<p>Submission from the owner of Property No. 41. Submitter notes the drainage basin straddles PN #41 and PN #42.</p> <p>Opposes the location of SBRB02 for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The basin is sited over shedding which is used for storage of business plant and equipment.</li> <li>▪ Discrepancies in the land valuation of DI_LA_7 need to be rectified.</li> </ul> <p>Requests the following changes:</p> <ul style="list-style-type: none"> <li>▪ Move the basin to the eastern corner of Property 41</li> <li>▪ Provide a revised land valuation</li> <li>▪ Consider increasing the size of SBRB01 and SBRB03 and remove SBRB02.</li> </ul>	<p>The location and design of the basin is informed by the Marshall SWMS, discussed in sections 6.10 and 6.11 (pages 54-57). No change to the SWMS.</p> <p>A revaluation is not required. As is best practice, the subject land is valued at its highest and best use within the context of land zoned for urban purposes.</p>

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				Addendum submission in response to Council's letter dated 7 August 2024. Supports either commercial or medium/ high density housing designation.	Response provided in Attachment 1 under the theme: <i>PSP land uses</i> . The property is proposed to be re-designated 'Conventional Residential'.
10	ID_Land	L11, 484 St Kilda Rd. Melbourne VIC 3004	Yes	<p>Submission from the owner of Properties #44 and #45 – notes the land is to be acquired for the future construction of assets DI_DR_12 and DI_DR_12a, being a retarding basin and a piped main drain.</p> <p>Says full development of the Marshall PSP requires this land to be acquired and the basin delivered, however the PSP offers no certainty on timing. And it is not expected a single developer would be able to purchase the land from ID_Land.</p> <p>ID_Land requests the following:</p> <ol style="list-style-type: none"> <li>1. The City prioritise the transfer of land in the short term in order to remove the existing basin out of private ownership and to facilitate development of the PSP; and</li> <li>2. Discuss the matter further with the City.</li> </ol>	Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i>
11	Johnson	Tannery Rd Charlemont VIC 3217	Yes	<p>Submission from the owners of 31-39 Tannery Rd, Charlemont, whose land sits between the Marshall PSP and NEIP PSP and extends north to the Barwon River.</p> <p>The submission makes several comments/ requested changes:</p> <ul style="list-style-type: none"> <li>▪ Exclusion from the Marshall PSP – shift the precinct boundary to include part of the property with frontage to Tannery Rd (approx 2ha) and above flood prone land. This area should be regarded the same as parcels to the west.</li> <li>▪ Timing of when waterways WW04 &amp; WW05 are constructed – this is triggered when the Marshall PSP catchment development is 50%. In extreme rainfall events,</li> </ul>	<p><u>Rezoning</u></p> <p>The property is zoned Farming Zone and lies between the Marshall (UGZ) and NEIP (UGZ1) PSPs. The exhibited amendment does not propose to rezone all or part of the property or include any part of the property in the Marshall PSP.</p> <p>The land is substantially flood-prone however as a result of Amendment C339ggee the extent of the LSIO and FO were reduced and some land fronting Tannery Rd is now potentially available for development. The south east corner is burdened</p>

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				<p>this presents an immediate threat and therefore construction timing should be revised forward.</p> <ul style="list-style-type: none"> <li>▪ Location of Tannery Rd culvert – this is proposed to be opposite the SE corner of our property with the open waterway angling to the adjoining property after the rest of the drain has been refilled. The design will apply resistance to the flow of water and presents as an aesthetic impediment. Requests the culvert be located east of property boundary and the earthen bank to the west of the existing drain be left intact, when the old drain is refilled.</li> <li>▪ The lowest point of Tannery Rd – This is located 70m west of the present culvert, and in extreme rainfall events the creek can back-up and flow over the road and across our property. Suggest building a piped storm water drain on the north side of Tannery Rd so the SBRB02 pipe can connect into it. Also the swale drain in front of our property is inadequate and is now receiving more runoff from the Barwon Heads Rd duplication.</li> <li>▪ Farm dam on the flood plain – a significant bird and potentially growing grass frog habitat. So to maintain this water body, the pipe will need to be extended east to the invert of the proposed new waterway, as the dam has no other water source.</li> <li>▪ The channel on western boundary of our property's river flats – this is a private channel to drain a low laying area. SBRB03 discharges into this channel and we consider that this may impede its function and cause more flooding on our property.</li> </ul>	<p>by an existing drainage easement and forms part of the Marshall SWMS – WW05 Barwon River Reach and DR11.</p> <p>The extent of flood-free land is about 1ha though a practical development parcel on the south-west corner with access from Property 41 or Tannery Rd is more like 500 square metres. There are also drainage considerations resulting from any future final design associated with the NEIP on the opposite side of Tannery Rd as outlined in the Marshall SWMS section 6.11 on pages 54-57.</p> <p>Rezoning some land to the UGZ7 is considered premature and would require a concurrent subdivision permit to prevent the property being applied with two zones. Further investigation would be required by the landowner.</p> <p><u>Farm dam</u></p> <p>The comment suggesting maintenance of the existing hydraulic regime to the farm dam onsite is supported (and noted as a recommendation of the Fauna work undertaken by Ecolink). The PSP will be revised to ensure the dam is not cut off from the relocated channel WW05 to the Barwon River, so as to prevent decline in habitat availability for GGF and Lathams Snipe.</p> <p><u>Waterway design for mosquitos</u></p> <p>Council has a mosquito management program which includes review of drainage asset design before approval, monitoring of breeding sites and mitigation.</p> <p><u>Stormwater drainage issues</u></p>

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				<ul style="list-style-type: none"> <li>▪ Ponding and meandering in the waterway – design should consider excessive breeding of mosquitoes.</li> </ul>	Response to be provided by Council’s drainage expert.
12	Mesh Planning	Level 2, 299 Clarendon St South Melbourne, VIC 3205	Yes	<p>Submission on behalf of Re-Grow Geelong Pty Ltd, landowner in the NEIP. The submission includes a map showing the location of the Re-Grow land and its relationship with the Marshall PSP.</p> <p>The submission raises three issues that require changes to the PSP and DCP:</p> <ol style="list-style-type: none"> <li>1. Designation of the commercial/ bulky goods area (proposed applied zone C2Z) on Barwon Heads Road lacks strategic basis and the applied zone should be residential consistent with the ACUGFP.</li> <li>2. Design and costing of DCP road intersection DI_IT_02 (Barwon Heads Rd &amp; east-West Connector Rd) is deficient and should be updated.</li> <li>3. DCP drainage projects that provide outfall to the Barwon River and Sparrovale Wetlands requires further review taking into consideration the close relationship between the Marshall PSP and the NEIP. The outfall to Sparrovale Wetlands issue is supported by an addendum submission.</li> </ol>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i></p> <p>Outfall to Sparrovale Wetlands response provided in Attachment 1 under the theme: <i>Stormwater drainage</i></p> <p>Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i></p> <p><u>Response to Issue 3 DCP drainage projects not addressed elsewhere in the report</u></p> <p><i>Implications associated with deletion of stormwater treatment assets (located within/adjacent to project DI_DR_10) that is included within the NEIP drainage strategy.</i></p> <p>This issue is acknowledged in the Marshall SWMS section 6.11 on pages 54-57, which also provides an example (p.55) design solution.</p> <p><i>Whether the alignment of project DI_DR_01a can be accommodated without impacting on privately owned land and whether it is required to service the NEIP land.</i></p> <p>This waterway drainage pipe outfall from WLRB02 is discussed in the Marshall SWMS at sections 4.4, 6.12 &amp; 6.13 and shown on the concept design plans (PDF pages 132 &amp; 133). Partly located on 425-499 Barwon Heads Rd and to be resolved with development planning for NEIP and Bellarine Link. All major</p>

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					drainage infrastructure is included in the Marshall DCP (refer to page 22).
13	Miloj	Horseshoe Bend Rd. Marshall VIC 3216	Yes	<p>Owners of Property No. 16.</p> <p>The Access Management Strategy (AMS) shows 4 options and option 2 runs through the northern side of Property #16 consuming 36% NDA. The submission requests details for selecting option 2 given Option 4 was the most practical option in the AMS.</p>	<p>The AMS was prepared by the City in May 2019. It was prepared at a point in time to identify potential high level transport network options within the Precinct, which would then be subject to a final detailed traffic impact assessment – being the July 2019 Cardno report. The AMS is referenced in the exhibited Marshall PSP Background Report but not listed as a technical report in the PSP.</p> <p>The submission correctly highlights that the AMS selected ‘Option 4’ as the preferred response, meaning no part of the E-W Connector Rd is proposed to be located on Property 16.</p> <p>Following completion of the AMS, the Marshall NVPP was finalised in October 2022. The NVPP identified recruitment of native vegetation within and near the alignment of the east-west connector road and at its intersection with Drews Road. Retaining the option 4 road alignment would result in levels of vegetation removal contrary to principles of ‘avoid and minimise’, particularly where alternatives are available. Delivery of the road would have been challenging given both sides would be fronted by conservation reserves for a section on Property 12, in effect resulting in a parcel with very limited development potential.</p> <p>For these reasons the alignment of the E-W Connector Rd is similar to AMS Option 2 and is the alignment shown in the Marshall FUS and informs the DCP. This alignment is supported by the 2023 Ratio Traffic Impact Assessment and the overall road and active transport network will provide appropriate</p>

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					<p>connectivity to Marshall Station for local and broader area residents.</p> <p>It is noted that the submitters land still contains 62.6% NDA and the E-W Connector Rd is a DCP land item in the Marshall DCP (DI_LA_16).</p>
14	Mitchell	Saunders St. Coburg VIC 3058	No	Owner of Property No. 11. General support for the amendment subject to other submissions not negatively impacting on the NDA.	Submission noted.
15	Ratio Consultant s	Geelong Office, 12-14 Union St. Geelong VIC 3220	Yes	<p>Submission on behalf of the owner of:</p> <ul style="list-style-type: none"> <li>▪ 25 Horseshoe Bend Rd, Marshall (PN #20)</li> <li>▪ 8 Tannery Rd, Charlemont (PN #42)</li> <li>▪ 391-399 Barwon Heads Rd, Charlemont (PN #43)</li> </ul> <p>Generally supportive of the amendment including designation of commercial/ bulky goods land in the PSP and UGZ7 applied Commercial 2 Zone.</p> <p>However recommends several drafting changes to the PSP and UGZ7 or provides comments to that effect:</p> <ul style="list-style-type: none"> <li>▪ Redraft the 'Vision' to include the important role of employment within the precinct.</li> <li>▪ Plan 9 shows existing trees to be retained that have been removed by the road duplication.</li> <li>▪ Redrafting of R40.</li> <li>▪ Integrated water management requirements (Plan 12, Table 10 &amp; R56) must allow flexibility in design and location.</li> <li>▪ Redraft requirements relating to employment, retail and community facilities (R84, R85, R86 &amp; G43).</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>Marshall PSP land uses</i>. The properties are proposed to be re-designated 'Medium/High Density Residential' (#20) and 'Conventional Residential' (#42 &amp; #43).</p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i>.</p> <p>Given Council's proposed re-designation of the commercial/ bulky goods area east of Barwon Heads Rd to 'Conventional Residential', the UGZ7 applied zone for the land will change from C2Z to General Residential Zone. This means a Supermarket is prohibited unless it is associated with a use or development to which Clause 53.23 applies (excluding subdivision).</p> <p>Even were the C2Z to remain, Council does not support the objection and would continue to propose a Supermarket be prohibited in the UGZ7 applied zone. Further consideration under the theme: <i>Marshall PSP land uses</i>.</p>

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				<ul style="list-style-type: none"> <li>Objection to the prohibition of a supermarket use in UGZ7.</li> </ul> <p>Addendum submission in response to Council’s letter dated 7 August 2024. Objects to the proposed change and submits the ‘commercial/ bulky good’ designation is appropriate and provides several reasons.</p>	
16	Spiire Australia	2/10 Moorabool St. Geelong VIC 3220	Yes	<p>Submission on behalf of the owner of 62-80 Horseshoe Bend Rd, Marshall (Property No. 13).</p> <p>Generally supportive submission, though seeking:</p> <ul style="list-style-type: none"> <li>Application of the PAO on land designated for drainage assets.</li> <li>Reconsideration of Guideline G58 and Plan 17 in relation to staging and sequencing</li> <li>Alternative design solutions and/or funding to reduce DCP and affordable housing rates.</li> <li>Demonstrated justification of Requirement R18 (ESD provisions).</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p>
17	Spiire Australia	2/10 Moorabool St. Geelong VIC 3220	Yes	<p>Submission on behalf of the owner of 205-243 Reserve Rd, Marshall (Property No. 33).</p> <p>Generally supportive submission, though seeking:</p> <ul style="list-style-type: none"> <li>Reconsideration of Guideline G58 and Plan 17 in relation to staging and sequencing</li> <li>Alternative design solutions and/or funding to reduce DCP and affordable housing rates.</li> <li>Demonstrated justification of Requirement R18 (ESD provisions).</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p>

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18	Tomkinson	Western Ave Westmeadows, VIC	Yes	<p>Submission from Tomkinson Consultants on behalf of the owners of 91-109 Reserve Rd (Property No. 5). There are two key issues raised:</p> <p>(1) The submission notes the property is identified for Medium/ High Density Residential and RGZ is the applied zone. However there is objection to this designation and it is submitted the land is more suitable for high density in the form of multi-unit apartments and terraced/ row housing. It is requested the land be identified as 'High Density Residential' in the PSP.</p> <p>(2) The submission notes the property is included in Stage D on PSP Plan 17. There is opposition to including the property in Stage D since the land currently has road access to the Marshall Station and has the potential for early delivery of housing. It is requested the land be included in an earlier development stage and that the phasing approach be revisited to facilitate earlier development of land closer to the station.</p>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i></p> <p>Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i></p>
19	Tract Consultants	39 Gheringhap St. Geelong VIC 3220	Yes	<p>Submission on behalf of Marshall Dev Co Pty Ltd, a subsidiary of Ample Investments, owner of 62-84 Drews Road, Marshall (Property No. 2).</p> <p>The submission notes the site is located within, and makes up a majority of, the proposed 'Station Precinct' of the PSP and DCP. The future 'Station Precinct' is intended to accommodate a mix of uses, including high density residential, commercial and retail. The Site is approximately 4.5ha in area and is located immediately south of Marshall Station.</p>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p> <p>Response provided in Attachment 1 under the theme: <i>DCP infrastructure cost, delivery and staging</i></p>

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				<p>The submission is broadly supportive of the amendment however raises the following issues:</p> <ul style="list-style-type: none"> <li>▪ Consistency between guidelines and plans</li> <li>▪ Station Precinct (Local Activity Centre) Supermarket floorspace cap</li> <li>▪ Drainage infrastructure and consequential delay</li> </ul> <p>The submission is supported by attached documents:</p> <ul style="list-style-type: none"> <li>▪ Coles Supermarket letter of support</li> <li>▪ Spiire memo</li> <li>▪ CHC Station Precinct Concept Plan</li> <li>▪ VMK Station Precinct Concept Plan</li> </ul>	
20	UDIA Victoria	54 Wellington St. Collingwood VIC 3066	Yes	<p>The UDIA supports the overall intent of the PSP and DCP, but in its current form does not facilitate the timely delivery of private housing at an affordable price point.</p> <p>Refers to the Victorian Government’s 2023 <i>Housing Statement</i> and that Marshall represents one of a limited number of opportunities that Council can seek to maximise land use and development and embed a sustainable and efficient approach to housing delivery.</p> <p>Raises the following implementation issues:</p> <ul style="list-style-type: none"> <li>▪ Environmental sustainability concerns (ESD, social/affordable housing, urban greening).</li> <li>▪ High DCP residential rate and substantial amount of encumbered land (NDA is just 58% of total precinct).</li> <li>▪ The total credited open space at 2.36% of NDA while Clause 53.01 requirement is 10%, is too high for such a constrained PSP with so much useable encumbered land.</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p> <p>Response provided in Attachment 1 under the theme: <i>DCP Infrastructure cost, delivery and staging</i></p>

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				<ul style="list-style-type: none"> <li>▪ Drainage infrastructure delivery: apply PAOs upfront to avoid a significant portion of the precinct not being delivered in a timely manner.</li> <li>▪ Utility subdivision application requirements in the PSP identified too soon and should be designed in at functional design stage.</li> </ul>	
21	Urbis Ltd	8 James St. Geelong VIC 3220	Yes	<p>Submission on behalf of DRD (Vic) Pty Ltd, who control the following landholdings</p> <ul style="list-style-type: none"> <li>▪ 84-104 Drews Rd (Properties #3, 4a and 4b)</li> <li>▪ 113-129 Reserve Rd (Property #6)</li> </ul> <p>Supportive of the amendment but advocates for a more flexible and balanced approach to the PSP. The requirements present significant challenges to development.</p> <p>Raises the following general matters of concern:</p> <ul style="list-style-type: none"> <li>▪ Residential density targets – set more flexible density requirements to allow for standard larger home residential use (not only medium/ high density) to respond to site-specifics and market conditions.</li> <li>▪ High development contributions levy – the high DCP cost will create a significant barrier to development and the DCP should be reviewed with a focus on the land items.</li> <li>▪ Affordable housing – requiring prescriptive social housing requirements will lead to increased delivery costs and impact affordability. Encourage a more balanced and context-specific approach.</li> <li>▪ ESD requirements – the PSP should focus on setting sustainability principles not prescribing specific design solutions as found within R18.</li> </ul>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p> <p>Response provided in Attachment 1 under the theme: <i>DCP Infrastructure cost, delivery and staging</i></p> <p>Response to specific issues:</p> <p><u>Conservation area CR05 (113-129 Reserve Road)</u></p> <p>The submission suggests that the space allowed for the retention of CR05 is too large and queries the benefit of retaining this patch at all due to a lack of a specific description of fauna values in the NVPP. The conservation reserve is larger than the patch size listed in the NVPP (0.508ha and 0.293ha respectively), and Urbis submit that the reserve should be reduced to 0.293ha or deleted entirely.</p> <p>The approach of nominating a conservation reserve of the exact size of the patch of native vegetation was used in previous Armstrong Creek PSPs and resulted in poor outcomes. It fails to acknowledge that to actually retain native vegetation, particularly if large trees are present, construction can't occur</p>

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				<p>The submission then raises concerns specific to the site:</p> <ul style="list-style-type: none"> <li>▪ Designated conservation area – reconsider CR05 as an asset to be retained or limit to 0.293 ha.</li> <li>▪ Public open space location – relocate the Southern Local Park to improve the distribution of open space.</li> <li>▪ Staging – located within Catchment D and suggests a review to provide greater flexibility of the requirements and prevent development delays.</li> <li>▪ Bushfire setbacks – provide greater flexibility and clarity of the PSP R78, for the setback from woodlands. Redraft to <i>‘dwelling setback to be determined at detailed assessment’</i> to allow for site-specific considerations.</li> <li>▪ Land acquisition – PAOs should be considered.</li> <li>▪ Realignment of Drews Rd – eager to understand what alternative solutions were considered for the proposed Drews Rd realignment.</li> </ul>	<p>along the very edge of the patch. In other PSPs this results in a conflict with the strategic intent of the NVPP if a permit application was to be approved, or a deviation from the land budget to include a buffer to the patch and allow retention to occur. Learning from this, Council sought to include buffers on CR05, and specific to this patch have squared off a reserve to allow for a more logical and implementable edge road design.</p> <p>Regarding deletion of the conservation reserve due to a lack of identified fauna values, an NVPP is a strategic tool to inform retention and removal of native vegetation only. Fauna values have been one input to the broader approach to conservation in the precinct, and a lack of specifically identified fauna values does not then mean that there is no value in retaining native vegetation. This argument is not valid. Council notes that the DEECA submission supports the use of buffers to native vegetation to be retained to protect from construction and conflicting land uses.</p> <p><u>Bushfire Setbacks</u>        Council has no concerns with the approach of defining dwelling setbacks at detailed design, though propose that the requirement of an edge road is maintained adjacent conservation reserves. Agree to redraft R78.</p> <p><u>Location of southern local park (LP03)</u>        Not supported. Purposely designed and located to compliment conservation reserve CR05 and shared user path 05.</p>

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22	Whiteman Property & Assoc Pty Ltd	3/20 Enterprise Drive, Bundoora VIC	Yes	<p>Submission on behalf of the owner of 25 Horseshoe Bend Rd Marshall (Property #20).</p> <p>Raises the following issues:</p> <ul style="list-style-type: none"> <li>▪ The PSP restricts the long-term viability of the site noting a significant portion of the property is currently inhibited by a drainage reserve.</li> <li>▪ Requests amending the PSP to provide flexibility in the location of the drainage reserve by locating it within the AusNet Services Electrical Easement (220kV high voltage transmission lines). The submission notes discussions with AusNet that the asset is currently de-energised, with no immediate plans for reuse.</li> <li>▪ Refers to the TGM Servicing Plan indicating AusNet would not object to the co-usage of the easement for wetlands, drainage, so long as compliant with regulations.</li> <li>▪ Relocation of the drainage assets could be accompanied by shared paths within the easement, improving surveillance and activation of open space, and offsetting the space becoming a 'wasteland'.</li> <li>▪ Other benefits include a reduction in DCP levies</li> </ul> <p>Suggests if council is flexible with the location of the drainage reserve, WPA propose to obtain 'in-principle' approval from AusNet Services to confirm the shift of the reserve to within the transmission easement.</p> <p>Addendum submission in response to Council's letter dated 7 August 2024. Objects to the proposed change and submits the 'commercial/ bulky good' designation is appropriate and provides several reasons.</p>	<p>The Ausnet electrical transmission easement and assets within the easement form a significant feature of the precinct and the Marshall PSP is designed accordingly.</p> <p>The PSP shows the location and width of the drainage reserve (WW03) within the easement which was informed by the Marshall SWMS - refer to Section 6.7.3.</p> <p>The Marshall SWMS design followed advice from Ausnet, which is now confirmed by their submission (No. 23).</p> <p>It is noted that the exhibited TGM servicing plan is outdated, though it does conclude the precinct can be readily serviced. Marshall PSP P15 Utility Service is 'draft only' and will be updated before the amendment is adopted.</p> <p>No change to the drainage reserve location.</p> <p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i>. The property is proposed to be re-designated 'Medium/High Density Residential'.</p>

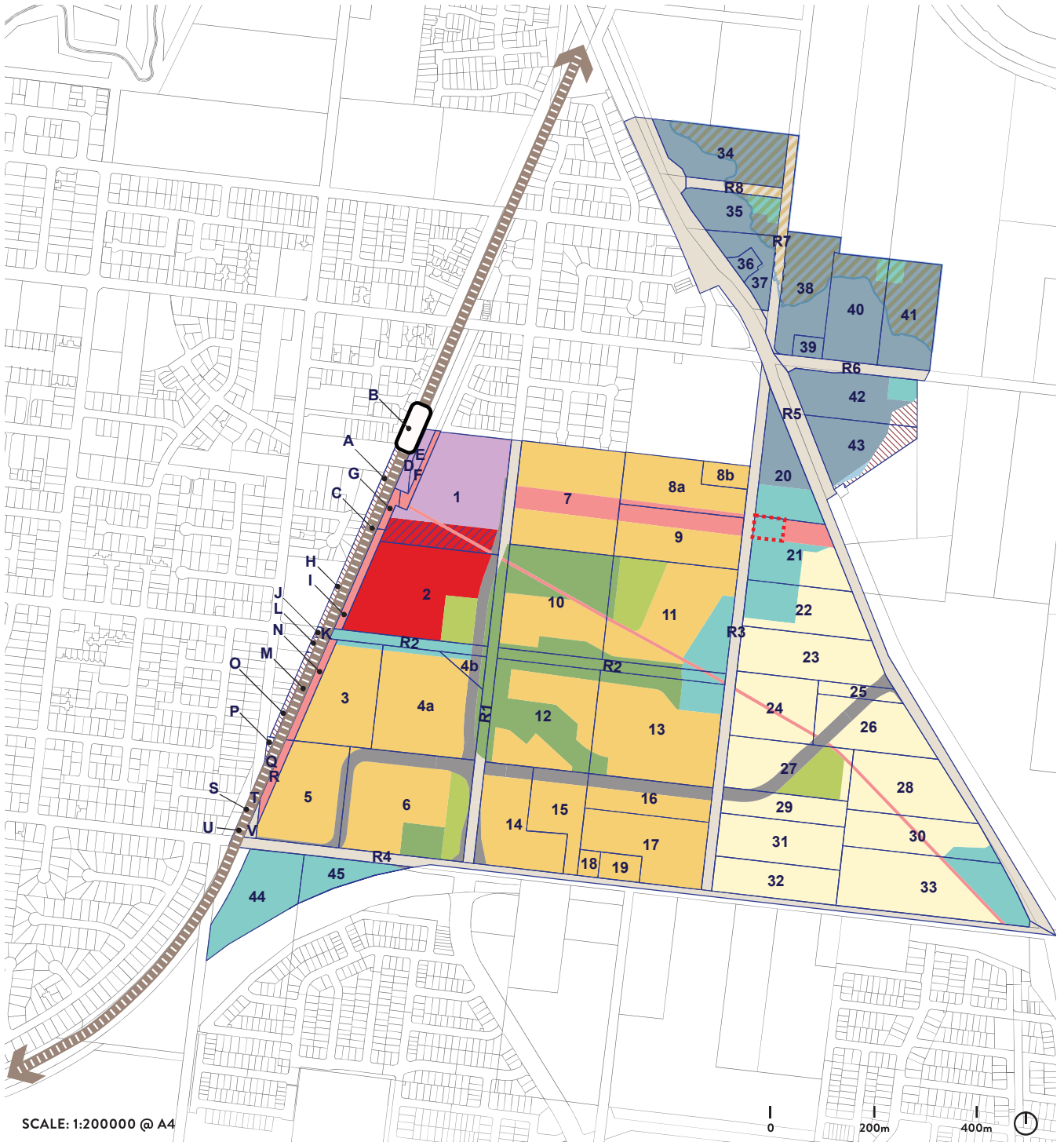
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23	AusNet Services	L31, Southbank Blvd Southbank VIC 3006	No	<p>Submission from the AusNet Property Manager, stating:</p> <ul style="list-style-type: none"> <li>▪ AusNet supports the Greater Geelong Planning Scheme Amendment C278ggee - Marshall Precinct Structure Plan, as advertised.</li> <li>▪ Including the specific protection and design references to interfaces with the High Voltage Transmission Easement (including the treatment of drainage reserve infrastructure design and road interfaces adjacent the easement).</li> <li>▪ Any future development proposal contrary to the advertised Amendment would be subject to review and consent of AusNet.</li> </ul>	Submission noted.
24	Country Fire Authority	CFA Fire Risk, Research & Community Preparednes s, 8 Lakeside Drive, Burwood East VIC 3151	No	<p>Supportive submission from the CFA Land Use Planning Coordinator, stating:</p> <p>CFA are generally supportive of the bushfire protection measures included within PSP and understand that, as part of this amendment, the PSP will be an incorporated document within the GGPS. This will give effect to the bushfire protection measures required to ensure future development will satisfy bushfire policy at Clause 13.02-1S.</p>	Submission noted.
25	Dept. of Energy, Environme nt and Climate Action (DEECA)	Planning & Environment Assessment PO Box 103, GEELONG VIC 3220	Yes	<p>Generally supportive submission to introduce the Marshall PSP and Marshall NVPP. Provides the following comments:</p> <p><u>Planning Scheme Amendment components</u></p> <ul style="list-style-type: none"> <li>▪ Clause 66.04: accepts the referral authority role for vegetation removal however recommends change to preferred legal dept name.</li> </ul>	<p>Stormwater volume reduction response provided in Attachment 1 under the theme: <i>Stormwater drainage</i></p> <p>Response provided in Attachment 1 under the theme: <i>Marshall PSP drafting and plans</i></p> <p><u>UGZ7</u></p>

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				<ul style="list-style-type: none"> <li>▪ UGZ7: unclear how feasible it is to retain trees in the mixed use – high density residential area. Queries some provisions in sub-cluse 4.0.</li> <li>▪ Marshall NVPP: recommends update of aerial imagery, remove reference to native vegetation that has already lawfully been removed and correct the precinct boundary.</li> <li>▪ Marshall PSP comments focus on biodiversity and integrated water management: supports conservation reserves and greenways, supports the requirements and recommends including a definition of ‘Conservation Reserve’, and add requirement(s) to meet volume reduction targets as per EPA Publication 1739.1, June 2021).</li> </ul> <p><u>Other supporting documents</u></p> <ul style="list-style-type: none"> <li>▪ Marshall SWMS (2022): notes no assessment of stormwater volume reduction and this may not be adequate under current policy settings and legislative requirements (GED).</li> <li>▪ Marshall Servicing Plan (2018): unclear on the future role of the plan.</li> <li>▪ VGED Habitat Assessment (2024): supports the report findings that moderate level habitat may require on-ground assessment at time of development.</li> </ul>	<p>Plan 1 depicts trees as being retained in high density areas and DEECA notes concerns regarding how feasible this will be. The City has a relatively mature and robust approach to significant tree retention as development proceeds. Council does not have concerns with feasibility of retention.</p> <p>Re. ‘<i>Condition – Security of Conservation Land</i>’: agree to redraft in consultation with DEECA.</p> <p><u>Marshall NVPP</u>        Recommended changes –</p> <ul style="list-style-type: none"> <li>• Update aerial imagery – refer to DTP response.</li> <li>• Remove reference to native vegetation that has been removed lawfully – refer to DTP response.</li> <li>• Consistently depict precinct boundary. Change is agreed as appropriate.</li> </ul> <p><u>TGM Servicing Plan</u>        DEECA have identified that this plan doesn’t necessarily integrate with requirements of the PSP and NVPP and may result in conflicts in delivery, specifically with conservation areas. Agree that this document should be reviewed to ensure that the servicing plan can be implemented as intended without barrier/contradictions with other requirements.</p> <p><u>VGED</u>        DEECA are supportive of the approach undertaken in the exhibited Ecolink report. The report will be added as a technical report in the Marshall PSP.</p>

No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C278ggee	Council Officer Response
26	Drews Developm ent Pty Ltd	Susan Court Mount Waverley VIC 3149	Yes	<p>Late submission from the owners of 67-87 Drews Road, Marshall (Property #10) objecting on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Trees Identified in the Report: Our property contains one large tree and several smaller, common trees, whereas properties such as 197 Reserve Road, Marshall, which have more trees, are not classified as Conservation Zones. We seek clarity on why our property is classified as such.</li> <li>2. Native Vegetation on the Property: We fully support measures to protect native vegetation and recognize its importance for local biodiversity and environmental health. However, we are interested in exploring options for vegetation relocation. There are areas on our site without native vegetation or significant trees, yet these areas are also classified as Conservation Zones.</li> </ol>	<p>Point one refers to '197 Reserve Rd' which is not a listed address. It is assumed the correct address is 181-203 Reserve Rd (Property #32). Property 32 does not contain any native vegetation.</p> <p>The submitters land supports the best intact patch of woodland native vegetation within the Marshall Precinct and identified in the Marshall NVPP for retention. The whole property is also applied with ESO1 <i>AREAS OF FLORA AND FAUNA HABITAT AND OF GEOLOGICAL AND NATURAL INTEREST</i></p> <p>Regarding point 2, established native vegetation cannot be relocated. Areas of the property not containing native vegetation, but still designated as 'Conservation Reserve', are designated as such for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ to square off the reserve;</li> <li>▪ allow a buffer to the biodiversity values; and</li> <li>▪ to absorb small area pockets that can't be logically developed.</li> </ul>
27	Costa Asset Managem ent	174 Moorabool St. Geelong VIC 3220	No	<p>Submission in response to Council's letter dated 7 August 2024. Costa is the owner of 345 and 355 Barwon Heads Rd (Property #36 &amp; #37).</p> <p>The submission notes that the site comprises part of a triangular wedge bound by Barwon Heads Road, Gilliland Street (formerly Horseshoe Bend Rd) and Devine Street. No. 355 Barwon Heads Rd is developed as a service station accessed by southbound traffic on Barwon Heads Rd via a slip lane. No.345 Barwon Heads Rd is developed with a single dwelling.</p>	<p>Response provided in Attachment 1 under the theme: <i>PSP land uses</i>, noting the submission is agreed.</p>


No.	Surname/ Business Name	Address	Is a change request ed?	Summary of Submission to Amendment C278ggee	Council Officer Response
				Costa objects to the proposed change and submits the 'commercial/ bulky good' designation is appropriate and provides several reasons.	
28	Spiire Australia	2/10 Moorabool St. Geelong VIC 3220	No	<p>Submission in response to Council's letter dated 7 August 2024. Spiire act on behalf of the owners of 331-343 Barwon Heads Rd (Property #35).</p> <p>Spiire objects to the proposed change and submits the 'commercial/ bulky good' designation is appropriate and provides several reasons.</p>	Response provided in Attachment 1 under the theme: <i>PSP land uses</i> , noting the submission is agreed.

# P6. PRECINCT LAND USE BUDGET










## KEY

### CONTEXT







-  Property Boundary
- #12** Property Identification Number \*

### EXCLUDED & ENCUMBERED LAND

-  Land excluded from Land Budget (NEIP PSP Area) \*
-  Existing Road Reserve Retained as Road
-  Conservation Reserve

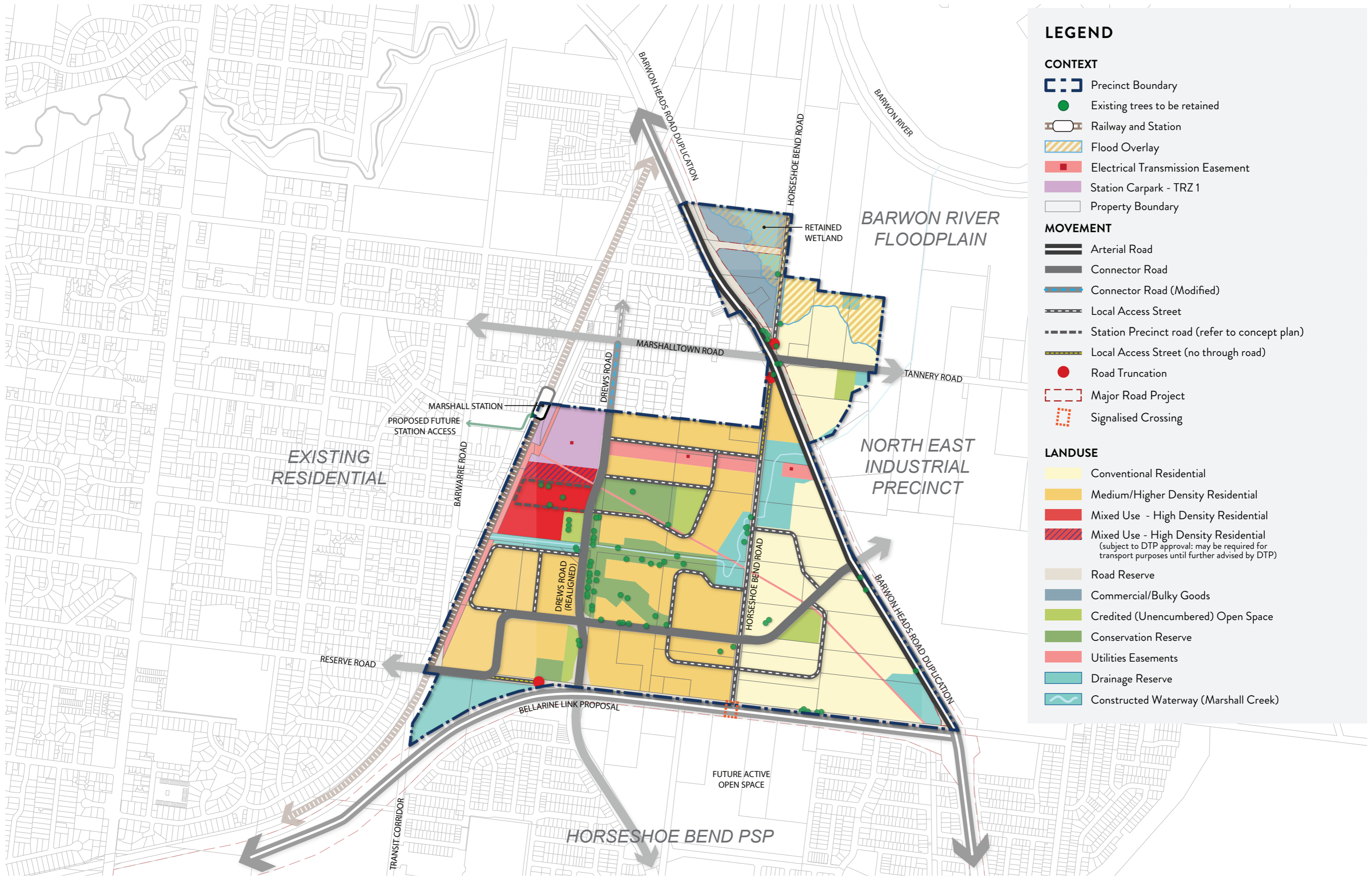
-  Utilities Easements
-  Drainage Reserve
-  Station & Carpark TRZ 1
-  Proposed DCP Connector Road
-  Barwon River Floodplain
-  Drainage area included on Transmission Easement

### NET DEVELOPABLE LAND

-  Conventional Residential
-  Medium/Higher Density Residential
-  Mixed Use - High Density Residential
-  Mixed Use - High Density Residential (subject to DTP approval: may be required for transport purposes until further advised by DTP)
-  Commercial/Bulky Goods
-  Credited (Unencumbered) Open Space

\* Refer to property-specific land use budget table for more detailed land use classification

**Attachment 3 - Post-exhibition Marshall PSP Future Urban Structure (Plan 5)**



### LEGEND

**CONTEXT**

- Precinct Boundary
- Existing trees to be retained
- Railway and Station
- Flood Overlay
- Electrical Transmission Easement
- Station Carpark - TRZ 1
- Property Boundary

**MOVEMENT**

- Arterial Road
- Connector Road
- Connector Road (Modified)
- Local Access Street
- Station Precinct road (refer to concept plan)
- Local Access Street (no through road)
- Road Truncation
- Major Road Project
- Signalised Crossing

**LANDUSE**

- Conventional Residential
- Medium/Higher Density Residential
- Mixed Use - High Density Residential
- Mixed Use - High Density Residential (subject to DTP approval: may be required for transport purposes until further advised by DTP)
- Road Reserve
- Commercial/Bulky Goods
- Credited (Unencumbered) Open Space
- Conservation Reserve
- Utilities Easements
- Drainage Reserve
- Constructed Waterway (Marshall Creek)



## MARSHALL PRECINCT

## PLAN 5. FUTURE URBAN STRUCTURE

PROJECT NO.: PRJ-16-1158 REVISION: 03 DATE: 27.08.2024 DRAWN BY: BT & KD

