

**IN PLANNING PANELS VICTORIA
GREATER GEELONG PLANNING SCHEME
AMENDMENT C433ggee
PAKINGTON STREET URBAN DESIGN FRAMEWORKS**

CLOSING SUBMISSION ON BEHALF OF GREATER GEELONG CITY COUNCIL

INTRODUCTION

1. This closing submission is made on behalf of Greater Geelong City Council (**Council**), the planning authority for Amendment C433ggee (**Amendment**) to the Greater Geelong Planning Scheme (**Planning Scheme**).
2. It is to be read in conjunction with the Part A and B submissions circulated on 10 and 16 February 2026 and the expert evidence statements of John Glossop of Glossop Town Planning and Amanda Roberts of Lat Studios.
3. This closing submission addresses the following matters:
 - 3.1. Which submissions specifically argued the Amendment is not strategically justified;
 - 3.2. Whether the *Pakington Street & Gordon Avenue UDF Traffic Network Impact Assessment* (One Mile Grid, 23 September 2021) (**One Mile Grid Report**) can still be relied upon in support of the Amendment.
 - 3.3. Whether the *Pakington Street and Gordon Avenue Built Form Framework* (Hodyl & Co, August 2021) (**Hodyl & Co UDF**) remains a relevant document, or whether the two Urban Design Frameworks for Pakington North and Gordon Avenue supersede that report.
 - 3.4. Approach to strategic development sites and why Council isn't advocating for a Development Plan Overlay on strategic development sites;
 - 3.5. The suitability of the proposed controls for 39-45 Gordon Avenue and whether it should be identified as a strategic development site;

- 3.6. The suitability of the proposed controls for the Pakington Strand site;
- 3.7. How the Environmental Audit Overlay (**EAO**) has been applied to sites within the Amendment area.

SUBMISSIONS CONTESTING STRATEGIC JUSTIFICATION

4. The Panel has requested clarification from Council as to which public submissions on the Amendment contest its strategic justification. In Attachment 2.13.1 to the officer report to Council on 25 November 2025, it was stated that 6 of the 51 submitters raised concern with the strategic merit of the Amendment.¹
5. In Attachment 2.13.2 to the report which comprises a summary of submissions and Council's response, submissions 10, 15, 16, 27, 30 and 42 are all identified as raising concern with the strategic merit of the amendment.

THE TRAFFIC NETWORK IMPACT ASSESSMENT

6. The Panel has asked Council if the One Mile Grid Report can still be relied upon to support the Amendment and for the future planning of the precincts. In essence, the Panel has asked this question noting the Report:
 - 6.1. Was prepared in 2021;
 - 6.2. Did not include empirical assessments due to the timing of the assessment occurring due to COVID travel restrictions; and
 - 6.3. Relied on traffic data ranging from 2014 to 2019;
 - 6.4. Precedes a significant shift in State planning policy regarding sustainable transport.
7. In Council's submission, even acknowledging the limitations of the One Mile Grid Report referred to above, the Report is still "fit for purpose". It was only intended to be a "high-level assessment" of the future traffic growth generated by the realisation of the development aspiration of the Hodyl & Co UDF and to outline a series of broad measures to manage that projected traffic growth.²
8. Whilst Council moved away from the Hodyl & Co UDF for the Pakington North precinct, it still formed the basis of the Gordon Avenue UDF adopted by Council. Council acknowledges that the additional housing capacity (and therefore additional residents) generated by the two UDFs compared with the single Hodyl & Co UDF appears to

¹ Under the heading 'Common Themes and Responses', at [28].

² One Mile Grid Report, page 3.

have increased from approximately 2,391 new dwellings under the Hodyl & Co UDF³ to 3,827 new dwellings under the adopted UDF's⁴. Whilst an increase of 1,565 dwellings might sound significant, it ought to be borne in mind that the traffic generated by full development of the Hodyl & Co UDF was predicted to generate a very modest increase in traffic volumes of 0.7% per year over a 20-year period. In that context, Council considers the Panel can be confident that an additional 1,565 dwellings is unlikely to generate such a significant increase in traffic volumes over a 20-year period as to warrant an update to the One Mile Grid report before the Amendment is finalised.

9. The purpose of procuring a “high-level assessment” of the future traffic growth in these circumstances was primarily:
 - 9.1. To support Council’s consultation with the Department of Transport and more specifically, the Head, Transport for Victoria (**HTV**) regarding any impacts to Principal Road Network (for which HTV is the responsible road manager) including intersections of the Principal Road Network with local roads including any broad measures to manage those impacts;
 - 9.2. To support Council’s consideration of any impacts to its own local road network including any broad measures to manage those impacts.

10. Even on a “high-level assessment” of the existing conditions, the One Mile Grid Report found three key intersections within the precincts were already operating close to or above their theoretical capacity during the peak times:
 - 10.1. The Pakington Street/Church Street was operating close to capacity in both the morning and afternoon peak hours; and
 - 10.2. The Pakington Street/Gordon Avenue was operating close to capacity in the afternoon peak hour; and
 - 10.3. The Latrobe Terrace/Gordon Avenue was already operating above capacity during both peak hours.⁵

11. Whilst the One Mile Grid Report identified the latter two key intersections as likely to require upgrading to help manage future traffic growth⁶, those upgrades are not identified solely because of development under the UDFs. In any case, HTV had already earmarked the intersection of Latrobe Terrace/Gordon Avenue for a future upgrade whilst planning and funding for improvements to the Pakington Street/Gordon

³ One Mile Grid Report, Table 1, page 11.

⁴ COGG Part A Submission, at [110] to [111].

⁵ One Mile Grid Report, page 3.

⁶ One Mile Grid Report, page 4.

Avenue intersection will be a matter for Council. In its submission dated 8 September 2025, HTV did not raise any concern about impacts either to the Latrobe Terrace/Gordon Avenue intersection, the Church Street/Pakington Street intersection or to the broader arterial road network except in recommending inclusion of an additional, “specific requirement/objective” to address development interfaces with Latrobe Terrace and Church Street as follows:

3	Schedule 57 to Clause 43.02 Design and Development Overlay	8	Inclusion of additional control requirements under ‘Access, parking and services’ as per the below: “New development that abuts Church Street to avoid direct access to Church Street (where possible) and make use of the local road network for access”.
4	Schedule 57 to Clause 43.02 Design and Development Overlay	8	Updating the schedule under ‘Access, parking and services’ as per the below: “Minimise or consolidate vehicular access points and carefully design ramps into basements to support increased amenity and safety for pedestrians and bicycles. Where possible, provide access via local streets. ”

12. In Council’s submission, the Version 1 documents address the substantive intent of these recommendations.
13. Local streets were found to be operating within their daily vehicle volume capacity (existing conditions).⁷ The report identifies significant increases in daily vehicle volumes on Spring Street and Autumn Street in the Gordon Avenue precinct with development of the precincts⁸ and also recommends exploring Local Area Traffic Management measures, such as traffic calming, parking restrictions and one-way traffic movements to minimise impacts on residential streets.⁹ Indeed, preparing a Local Area Traffic Management Plan for the Pakington North precinct is a specific guideline in the Pakington North UDF¹⁰.
14. Of course, local roads including Pakington Street itself are a Council responsibility. As previously submitted, development will occur incrementally over a long period of time and Council will monitor traffic volumes on these roads including having regard to the traffic impact assessment reports required to be prepared for specific development proposals under the new controls and plan for and implement traffic mitigation measures to the extent necessary. Once the Amendment is gazetted and the final controls for the precincts therefore certain, Council can start planning for this with some

⁷ One Mile Grid Report, page 3.

⁸ Ibid.

⁹ One Mile Grid Report, page 4.

¹⁰ Pakington North UDF, Page 54.

certainty including via its new Integrated Transport Strategy¹¹ which is currently under development.

15. However, this is not a case where Council is seeking to introduce a development or infrastructure contributions plans to fund traffic or car parking related infrastructure for the precincts concurrently with the Amendment. In those circumstances, a more detailed and current traffic impact assessment would be required to support the Amendment.
16. As to whether the One Mile Grid Report can still be relied upon to inform future planning of the precincts given it precedes a significant shift in State planning policy regarding sustainable transport, Council says that it can. A key recommendation of the Report was to “[s]upport and encourage new developments with reduced car parking provision and enhanced sustainable transport infrastructure”.¹² The proposed controls implement that recommendation by requiring permit applications under the DDOs to include a traffic impact assessment report prepared a suitably qualified traffic engineer that amongst other things, “promotes sustainable transport modes”. Council’s aspirations to facilitate a mode-shift in this regard will be supported by recent changes to the car parking provisions at Clause 52.06 in the Planning Scheme which seek to align car parking rates with demand and reduce the number of car parks required in locations well-served by public transport.
17. The Panel has heard the views of community submitters about the shortcomings of the public bus network in Geelong. In Council’s Part B Submission, the Panel also heard about HTV’s review of bus services in Geelong.¹³ Public transport is one piece of the puzzle in achieving a mode shift.
18. Council also says that the Amendment facilitates a mode shift to sustainable transport by rezoning land in an activity centre to allow housing close to services.

RELEVANCE OF HODYL & CO URBAN DESIGN FRAMEWORK

19. At [34] of Council’s Part A Submission, it identified the two UDFs and Amendment as being founded on and informed by various pieces of strategic work including the Hodyl & Co UDF. Whilst Council shifted away from the Hodyl & Co UDF to develop the

¹¹ <https://yoursay.geelongaustralia.com.au/its>

¹² One Mile Grid Report, page 29.

¹³ COGG Part B Submission, at [33].

current UDF for the Pakington North precinct, it is fair to say that the Hodyl & Co UDF has informed the Gordon Avenue UDF.

APPROACH TO STRATEGIC DEVELOPMENT SITES

20. The Panel has asked why Council isn't advocating for a Development Plan Overlay on strategic development sites, noting Council has referred to the planning controls for Central Geelong at times in support of the proposed controls here.
21. In Council's submission, whilst there are most certainly aspects of the approach to the Central Geelong planning controls that can be applied to the Pakington North and Gordon Avenue precincts in response to common issues such as wind impacts and identifying indicative future open space or laneways, the suite of controls adopted for Central Geelong are otherwise quite different, involving an Activity Centre Zone, which itself contains various built form controls. There are also some 11 strategic development sites identified in Central Geelong, each with their own Development Plan Overlay or Design and Development Overlay.
22. In contrast, we have only one strategic development site (after exclusion of the railway sidings) in the Pakington North precinct. The use of a Development Plan Overlay was not considered to be warranted in the circumstances, where a master planned approach has been encouraged in the proposed local policy and the landowner of the Pakington Strand site has not previously advocated for a Development Plan Overlay being applied to its site. Additionally, Council is concerned the further resources this approach would require beyond the current Amendment. Further, is concerned about how the Development Plan Overlay would integrate with or talk to the Design and Development Overlay noting the very significant role of the site in the Pakington North precinct.

Suitability of the proposed controls for 39-45 Gordon Avenue

23. As to why it is not identified as a strategic site, Council says:
 - 23.1. It is not of a comparable size to the Pakington Strand site;
 - 23.2. There are other sites of a similar size in DDO56;
 - 23.3. The site is not in a gateway location in the Gordon Avenue precinct.
24. The only planning expert asked about the site, Mr Glossop, agreed there could be some benefit in a site being recognised as a strategic site but did not agree that this

site should be one. He also observed that the proposed controls are discretionary and allow for variations to the preferred built form controls to be considered where a public benefit proposed.

25. Regarding the proposed site coverage control for the site, Mr Glossop was ambivalent about whether it should be 70 or 80% for Commercial 1 Zoned land.

26. Much was made by the Gordon Avenue Property Trust in its submissions about the VCAT decision that directed the grant of Planning Permit PP-691-2020 for the site¹⁴ as providing a basis for modifying the proposed controls to accommodate a taller and more intense built form on the site. Council urges the Panel not to give too much weight to those submissions for the following reasons:

26.1. The strategic planning context has changed. When the VCAT decision was made, the Central Geelong Framework Plan was still being developed and the Gordon Avenue UDF was still in draft.

26.2. The acceptability of the proposal was assessed by the Tribunal having regard to the location of the site in a Commercial 2 Zone which, as Mr Glossop observed, accommodates pretty utilitarian buildings.

26.3. It was a relevant factor in determining the acceptability of the proposal before the Tribunal that the project offered a significant public benefit in the form of the internal walkway from Gordon Avenue to Spring Street and a public car park in the basement.¹⁵

26.4. The Tribunal considered the 'extra' height above 6 storeys in the context of the variation to discretionary requirements consideration in the then draft UDF saying:

[81] In summary, we consider that if this point was tested, the subject land would qualify to fully utilise this bonus-height type arrangement with the 2021 UDF, which would bring the 2021 UDF recommended height for the subject land up to 8 storeys. We would see this as compatible with the proposed heights here of 8 and 9 stories for the two towers i.e. the height difference for one tower of one extra storey is fairly insignificant.

26.5. Condition 1 b) of the permit directed to be issued by the Tribunal required revisions to the building height and/or setbacks to show no overshadowing of

¹⁴ *Gordon Avenue Investments Pty Ltd v Greater Geelong CC* [2021] VCAT 1005.

¹⁵ *Ibid*, at [81] and [100].

the southern footpath of Spring Street between 11am and 2pm on the Spring equinox. There are still no endorsed plans which respond to this and show the ultimate height/setbacks of the building.

- 26.6. The Tribunal was referring to the acceptability of a building of 8/9 storeys not a building of 10 storeys.
27. We also observe that as apparent from condition 1b) of the Permit, even without overshadowing controls in the Planning Scheme, the Tribunal considered solar access to the southern footpath of Spring Street should be protected between 11am and 2pm on the Equinox.

SUITABILITY OF THE PROPOSED CONTROLS FOR PAKINGTON STRAND SITE

28. Council maintains that the proposed DDO controls are suitable for the Pakington Strand site. It would oppose the site being left out of the Amendment for the same reasons that it has been identified as a strategic development site.
29. It is too important to leave out having regard to its size and location at the gateway to the Pakington North precinct, the residential area to the west and to the heritage precinct directly south of the site. Its scope to influence the remainder of precinct and surrounding area is very significant. It has the potential to undermine achievement of the vision for the Pakington North precinct if left unchecked.
30. Importantly, Gelprop's expert, Ms Jordan, didn't dispute the appropriateness of the preferred height controls. Council understands her evidence to have been focussed on how the proposed controls worked together specifically in relation to the Pakington Strand site and if whether they would unreasonably constrain development of the land. This was including having regard to the proposed site coverage, and what Ms Jordan perceived to be a proposed requirement in the planning controls to provide open space (over and above under clause 53.03) on two locations on the site.
31. Council clarified that it was not seeking to introduce a requirement for two open spaces, but more so to investigate the opportunity for an open space on the site. Council agreed to remove the reference to open space in the south-east corner of the site and indicated its preference for open space to be located in front of the Rope Works building.
32. Ms Jordan was concerned that built form modelling had not been done to demonstrate whether regarding the indicative open space on the south-east corner of the site, the

solar access requirement for that open space could be achieved without comprising the preferred height controls.

33. Even with the limitations of the modelling provided by Council in Appendix D to its Part B Submission, where site coverage was limited to 60%, Council says it is clear that in relation to the option of providing open space only on the south side of the Rope Walk Shed, that open space can be provided with acceptable solar access, whether the space is provided for the part of full length of the shed, without compromising on the preferred building height controls.
34. In the circumstances and noting the proposed controls are discretionary, Council says it is unnecessary to undertake further modelling work for the site.
35. Regarding Ms Jordan's criticism about identification of two areas of indicative open space on the sites and the lack of detail about the size in the proposed DDO, Council has no desire to specify the size of an area of open space on the site in the DDO. As the Panel heard, there are different ways that open space might be delivered on the site, whether as voluntary public benefit in support of an application to vary the discretionary controls in the DDO or whether as a public open space contribution under clause 53.03 of the Planning Scheme.
36. Importantly, Ms Jordan agreed that there some strategic justification for providing open space somewhere on the site.
37. Ms Jordan continued to oppose the 70% preferred maximum site coverage for the site whereas Mr Glossop was not. The Panel have heard Council's submissions about the proposed site coverage being consistent with the default maximum site coverage in the Mixed Use Zone.
38. It is also noted that Ms Jordan did not oppose the introduction of discretionary solar access controls for open space at the Equinox but between the hours of 11am and 2pm rather than 10am and 2pm as proposed by Council. It was Ms Roberts evidence that the solar access controls should be mandatory. Council welcomes a recommendation from the Panel in this regard but noting it has not advocated for mandatory solar access controls.
39. Regarding the encouragement in the proposed local policy of a coordinated masterplanned approach to development the site, Council sees no harm in this approach. Accepting it will not result in a document endorsed by Council under the

Planning Scheme, it is still of benefit if it encourages the developer to engage with Council about redevelopment of the site and discourages a piecemeal approach to its future redevelopment.

APPLICATION OF THE ENVIRONMENTAL AUDIT OVERLAY

40. Regarding the Environmental Audit Overlay (EAO), the Panel asked if Council applied the EAO only to the sites shown in red font in Table 3 of the Landserv report (30 June 2003).
41. Council implemented the recommendations of Landserv report which involved:
- 41.1. Applying the EAO to the sites shown in red font in Table 3 (extracted below) identified as having a high potential for contamination and where the Amendment would facilitate a change to a sensitive use; and
- 41.2. Applying the EAO to the sites shown in amber font in Table 3 under the category d) identified as having medium potential for contamination and where the Amendment would facilitate a change to a sensitive use and it was recommended that further investigation be undertaken.¹⁶

Table 3. EAO and Planning Recommendations

¹ Category	Potential for Contamination (PPN30)	Land Use Change PSA	Recommendations (Colour)
a)	High Potential for PCL	Change to a sensitive land use	EAO (Red)
b)	High Potential for PCL	Existing sensitive land use and no change	² Reduced Planning Requirements (Amber)
c)	High Potential for PCL	Existing non sensitive land use and no change	² Reduced Planning Requirements (Amber)
d)	Medium Potential for PCL	Change to a sensitive land use	² Reduced Planning Requirements (Amber)
e)	Medium Potential for PCL	Existing sensitive land use and no change	² Reduced Planning Requirements (Amber)
f)	Medium Potential for PCL	Existing non sensitive land use and no change	² Reduced Planning Requirements (Amber)
g)	Low Potential for PCL	Remaining sites	No action required

Note 1 – Further descriptions are provided below for each category.

Note 2 - Reduced planning requirements refers to RA obligations under Cl65.01 and Cl13.04-1S of the VPP. See description of recommended responses below for each category of 'amber' properties.

CLOSING

¹⁶ See Landserv Report, 3.4.5 Category d) (amber) properties, page 11.

42. In closing, Council says the Amendment has strategic support. Amendment has strategic support. The Panel has heard different submissions at the Hearing making the case for higher or lower preferred heights including from some community submitters who say the heights along Pakington Street should be two storeys lower. Council considers the proposed controls strike the appropriate balance for the precincts.
43. Council thanks the Panel for its consideration and looks forward to its recommendations.
44. This concludes Council's closing submission.

20 February 2026

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on behalf of

GREATER GEELONG CITY COUNCIL