

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

PART B SUBMISSION ON BEHALF OF GREATER GEELONG CITY COUNCIL

INTRODUCTION

1. This Part B 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. This Part B submission is to be read in conjunction with the Part A submission circulated on 10 February 2026 and the expert evidence statements of John Glossop of Glossop Town Planning and Amanda Roberts of Lat Studios.
3. In accordance with the Panel's directions dated 19 January 2026, this Part B submission addresses the following matters:
 - 3.1. Council's response to submissions;
 - 3.2. Council's response to expert evidence;
 - 3.3. how the proposed mandatory provisions align with the criteria set out in Planning Practice Note 59: The Role of Mandatory Provisions (**PPN59**) in Planning Schemes; and
 - 3.4. Council's final position on the Amendment.
4. As noted in Council's Part A submission, the Council officer report forming part of the Council meeting agenda for 25 November 2025 sets out Council's response to key issues (or 'themes') raised in submissions as well as Council's response to individual submissions.
5. The intent of this Part B submission is to expand upon Council's response to issues raised in submissions, with reference to the expert evidence of Mr Glossop and Ms

Roberts and having regard to the expert evidence of Sophie Jordon of Contour Consultants filed by PPP on behalf of GELPROP Nominees.

OVERVIEW OF COUNCIL'S POSITION

6. There is no dispute in the expert evidence before the Panel, that there is broad strategic justification for the Amendment. As observed by Mr Glossop, Greater Geelong has the highest housing target of all municipalities in Victoria *"indicating an urgency to provide more, and more diverse, development opportunities."*¹ With this in mind, the time is ripe to update the planning policy and controls for the Pakington North and Gordon Avenue precincts. In Council's submission, the Amendment appropriately implements the Pakington Street North and Gordon Avenue UDF's via built form controls that are largely discretionary and performance based. Importantly, the implementation of the proposed controls follows extensive strategic work and community consultation.
7. In Council's submission, the Amendment will strike an appropriate balance between facilitating a significantly increased capacity for a diversity of housing and commercial opportunities in an established and well serviced area proximate to Central Geelong, whilst protecting the valued amenity and character of the surrounding area and ensuring the precincts will be an attractive place to live, work and visit. Whilst some changes are now proposed to the built form controls in response to submissions and expert evidence, the built form controls, these are considered refinements. Council maintains that the Amendment is strategically justified and ought to progress albeit with some changes in response to submissions and expert evidence.

RESPONSE TO KEY ISSUES RAISED IN SUBMISSIONS

8. As set out in Council's Part A submission, the key issues raised in submissions can be categorised into 10 themes, each of which are addressed below.

Theme 1: Lack of strategic justification and concerns regarding public consultation

9. Some submissions contend that the Amendment lacks strategic justification and is not appropriate for its locality, while others raise concerns in relation to the nature and extent of community consultation and notification (including the deliberative community consultation process that informed the Pakington North UDF).

¹ Evidence statement of John Glossop (9 February 2026), at [18].

10. In response, Council submits that the Amendment is strategically justified for the reasons set out in Council’s Part A submission and supported by the evidence of John Glossop and Amanda Roberts. The Amendment implements the Urban Design Frameworks, which are the outcome of extensive strategic work and community consultation. In doing so, the Amendment strikes an appropriate balance between:
- 10.1. facilitating increased housing and commercial opportunities in the Gordon Avenue and Pakington North Precincts in line with the vision of a “vibrant, compact and thriving urban village” articulated in the Pakington Street and Gordon Avenue UDF; and
 - 10.2. simultaneously protecting and enhancing the amenity of the public realm, existing neighbourhood character and the heritage values of the Heritage Core Precinct and surrounding residential areas.
11. Mr Glossop’s evidence statement sets out the strategic context of the study area, highlighting that Geelong is a major regional city and a focus for investment and growth under the Planning Policy Framework.² Mr Glossop notes that the municipality of Greater Geelong has high population growth projections and a housing target of 128,600 new dwellings by 2050, including 77,500 new dwellings (60.5%) in established urban areas.³ Mr Glossop also notes that the *Geelong Settlement Strategy* (City of Greater Geelong, August 2020) provides that the majority of future housing is to be directed to urban Geelong and seeks to increase infill development to 50% of all housing by 2047. This is combined with policy objectives in relation to diversifying housing stock.⁴ Pulling all of this together, Mr Glossop observes:
- Greater Geelong is a complex city with ‘lots of moving parts’. It has the highest housing target of all Victorian municipalities indicating an urgency to provide more, and more diverse, development opportunities. Running parallel with these objectives is a need to establish the services necessary to support the growing population.⁵*
12. Mr Glossop also considers the status of the Pakington Street (Geelong West) and Gordon Avenue activity centres in Geelong’s retail hierarchy and explains that the Amendment has its genesis in the *City of Greater Geelong Retail Strategy 2020-2036*

² Clauses 11.01-1 and 11.01-1R; paragraph 12.

³ Clauses 02.03-1 and 16.01-1S; paragraph 13.

⁴ Clauses 02.03-6, 11.03-1S and 16.01-1R; paragraph 17.

⁵ Paragraph 18.

(City of Greater Geelong and SGS Economics and Planning, August 2020)⁶ and to a lesser degree, the Settlement Strategy, which identifies the Gordon Avenue Precinct as a potential urban renewal project.⁷

13. As Mr Glossop observes, this culminated in the Amendment, which is principally supported by the UDFs.⁸ The Amendment is required to implement the built form and land use findings of the UDFs and translate those findings into rezonings and new overlay controls. In Mr Glossop's opinion:

*The Amendment is broadly facilitative, meaning that it will enhance the ability of the study area to achieve the broader housing and activity centre policies. It has also regard to the important influences upon the site's context, including residential amenity, heritage and the interface to the Central City. These factors have been balanced in favour of net community benefit. The town planning principles underpinning the Amendment are sound and strategically supported.*⁹

14. From an urban design perspective, Ms Roberts concludes that, subject to a number of "targeted refinements", the Amendment "will provide an excellent, achievable, and progressive framework for the future of the Pakington North and Gordon Avenue Precincts."¹⁰

15. Finally, from economic perspective, the memorandum prepared by Tim Nott dated 3 February 2026 (appended to Council's Part A submission) finds that:

15.1. the extension of the C1Z around the Pakington Street (Geelong West) activity centre will not lead to the over-provision of retailing. In fact, the additional C1Z land will be required if the centre is to meet the forecast in the Retail Strategy;¹¹

15.2. successful implementation of the UDFs will generate additional local residents, adding to the demand for new local retailing and other services and improving the viability of existing retail and commercial activities;¹²

⁶ Paragraph 19-21.

⁷ Paragraph 27.

⁸ Paragraph 28.

⁹ Paragraph 30.

¹⁰ Paragraph 176.

¹¹ Page 6.

¹² Page 8.

- 15.3. the additional dwellings that are enabled by the Amendment will improve the mix of housing in the municipality and go some way to meeting the need for affordable housing in Geelong, thereby reducing the economic inefficiencies caused by an imbalance of supply and demand;¹³ and
- 15.4. infrastructure capital costs underpinning housing and urban development are considerably higher in greenfield areas than in established urban areas. Infill development makes use of existing infrastructure and any required upgrades can be more fully attributed to the developer. New housing developments, such as those enabled through the Amendment, will reduce the need for greenfield expansion on the urban fringe and reduce the overall cost of providing homes for the Geelong community.¹⁴
16. Overall, Mr Nott concludes:
- ...the balance of economic benefits and costs is clearly in favour of the Amendment. The implementation of the Urban Design Frameworks for the Pakington Street Activity Centre will enable the centre to expand to its potential while improving the equity and efficiency of urban development. The costs can be managed through sensitive implementation of the Amendment and coordination of other City development activities, including public transport improvements and creation of new employment precincts.¹⁵*
17. On that basis, Council submits that the Amendment is well-founded and strategically justified and will introduce appropriate planning controls and policies for its locality.
18. In terms of public consultation, Council submits that it has provided ample opportunity for the community to participate and provide feedback in relation to the preparation of the UDFs and that it provided notice of the Amendment in accordance with the requirements of the *Planning and Environment Act 1987* (Vic) (**P&E Act**). Council relies upon its Part A submission in that regard.

Theme 2: Traffic congestion, car parking and public transport

19. Some submissions contend that the Amendment will exacerbate existing traffic congestion and a lack of car parking in and around the activity centres because it will

¹³ Page 11.

¹⁴ Page 11.

¹⁵ Page 13.

lead to an increase in population density and visitor numbers in circumstances where there are limited public transport services. In particular, submitters raise concerns in relation to traffic management and traffic spill-over into residential streets surrounding the activity centres.

20. Many submissions also object to the loss of car parking on Autumn Street (noting the proposal to rezone Council-owned land at 21-33 Autumn Street from C2Z to PPRZ).
21. Council makes the following submissions in relation to traffic impacts, car parking and public transport services.

Traffic impacts

22. As part of the preparation of the UDFs and the Amendment, Council commissioned One Mile Grid to prepare the Pakington Street & Gordon Avenue UDF Traffic Network Impact Assessment (One Mile Grid, 23 September 2021) (**Traffic Network Impact Assessment**).
23. The Traffic Network Impact Assessment demonstrates that:
 - 23.1. redevelopment in the study area in line with the Original UDF¹⁶ is expected to generate a modest increase in traffic volumes (0.7% over a 20-year period) which the report concludes is reasonable;
 - 23.2. the most significant increases in traffic movements will be experienced at the Pakington Street and Gordon Avenue intersection (13% during morning peak hour and 10% during afternoon peak hour); and
 - 23.3. daily traffic volumes on Spring Street and Autumn Street are expected to increase significantly.¹⁷
24. However, the Traffic Network Impact Assessment explains that predicted traffic increases are not expected to be fully realised within the 20-year timeframe. Rather, it is expected that travel behaviour will adapt and change over time. Some drivers will find alternative (quicker routes), others will change their mode of travel, and others will change when they travel to avoid peak times.¹⁸

¹⁶ Assuming full development of the Pakington North and Gordon Avenue Precincts, noting no change is proposed in the Heritage Core Precinct.

¹⁷ Traffic Network Impact Assessment, page 3.

¹⁸ Traffic Network Impact Assessment, page 4.

25. Accordingly, Council submits that increases in traffic volumes are expected to occur gradually over time, in line with redevelopment, and that it will be appropriately monitored and managed via infrastructure upgrades, behavioural change and site-specific measures that will be required to be carried out as part of the planning permit process (through the DDO56 and DDO57). For example, the DDO56 and DDO57 require permit applications to include a “Traffic Impact Assessment Report prepared by a suitably qualified traffic engineer that assesses and minimises the impacts of traffic and parking within the precinct and promotes sustainable transport modes.” This will ensure that traffic impacts are assessed and managed on an ongoing basis through the permit application process.
26. Furthermore, Council notes that the “indicative” laneways shown on Map 1 to the DDO56 not only derived from the UDF but also informed by the Traffic Network Impact Assessment, which identifies a potential laneway network that would allow for connections between the local streets without having a detrimental impact on the La Trobe Terrace / Gordon Avenue intersection.¹⁹
27. While Mr Glossop expresses concern in relation to the identification of indicative laneways and pedestrian links on Map 1 to the DDO56 in the absence of a Public Acquisition Overlay,²⁰ Council observes that various Planning Panels and Advisory Committees have found that it is not necessary to identify a means of acquisition as part of a strategic planning process such as this, nor is it a relevant consideration for a Planning Panel or Advisory Committee when considering a planning scheme amendment that seeks to implement a framework plan, structure plan or the like. For example:
- 27.1. In relation to the Central Geelong Framework Plan, the Advisory Committee found that:
- Overall, the Committee is satisfied that the provision of the new laneways and through block links in the locations identified on Maps 4 and 5 in the ACZ1 are well supported from an orderly planning and urban design perspective. The acquisition strategies required to deliver these future links is not a matter for the Committee. The Committee does, however, agree with submitters that this will require consultation with and cooperation from the relevant landowners.*

¹⁹ Traffic Network Impact Assessment, page 10.

²⁰ Expert evidence statement of John Glossop (9 February 2026) at [101]-[104].

...

The Committee concludes:

- *The aspirations for delivering laneways and connecting gaps in the Central Geelong laneway and pedestrian networks, including the preferred locations of the new laneway and pedestrian connections are appropriate, although the Committee makes no comment on the acquisition strategies for acquiring the land needed for these new connections.*²¹

27.2. In relation to Planning Scheme Amendment C308melb (Central Melbourne Urban Design), the Panel supported the inclusion of requirements in the DDO in relation to pedestrian connections, including that they be “publicly accessible at ground level and appropriately secured by legal agreement”;²² and

27.3. In relation to Planning Scheme Amendment C237glen (implementation of Carnegie Structure Plan), the Panel found that it is appropriate to include a map showing the activity centre’s access and movement network in the DDO schedule and that the DDO schedule should be amended to clearly differentiate between existing and “potential future publicly accessible laneways” (in the absence of any Public Acquisition Overlay).²³

28. On that basis, Council submits that the indicative new laneways shown on Map 1 to the DDO56 are strategically justified and will assist in distributing traffic through the Gordon Avenue Precinct and the Pakington Street activity centre more broadly, and that it is not necessary to apply the Public Acquisition Overlay or provide any further detail in relation to potential acquisition/delivery strategies as part of this Amendment process.

Car parking

29. Council submits that the site at 21-33 Autumn Street is an appropriate location for future public open space, and that rezoning the land to PPRZ as part of the Amendment will ensure that surrounding development considers and responds to the

²¹ [Central Geelong Framework Plan \(AC\) \[2021\] PPV 107 \(23 December 2021\)](#) at pages 179-180.

²² [Melbourne C308 \(PSA\) \[2019\] PPV 28 \(16 May 2019\)](#), page 41.

²³ [Glen Eira C237glen \(PSA\) \[2024\] PPV 11 \(28 March 2024\)](#), pages 87-89.

future open space. The loss of car parking at 21-33 Autumn Street will not occur immediately but rather in line with future development and increased demand for open space.

30. In terms of public car parking, the *Pakington Street (Geelong West) Public Parking Plan* (Movement & Place Consulting, 26 February 2024) was completed in February 2024.²⁴ The report considers public parking facilities located in and around the Heritage Core and Pakington North Precincts. It aims to reduce driver frustration, improve the customer experience through reliability and availability of car parking and optimise the use of existing car parking spaces. Funding for the implementation of the plan will be considered as part of Council's future resource planning and annual budget planning process. The provision of new, off-street public parking spaces will be considered as part of future work to be undertaken by Council.
31. In terms of private car parking, the provision of car parking will continue to be assessed and regulated as part of the permit application process for any new use or development in accordance with Clause 52.06 of the Planning Scheme.

Public transport services

32. While the adequacy of existing public transport services is beyond the scope of the Amendment, Council observes that the UDFs include actions in relation to improving bus infrastructure, advocating for increased bus service frequency and strengthening sustainable transport connections.
33. The Head, Transport for Victoria is responsible for bus services and Council defers to the Head, Transport for Victoria in that regard. In its submission, the Head, Transport for Victoria advised that:

The 2025/26 State Budget allocated funding for localised development work across regional Victoria that will deliver bus network plans for high-priority regional areas, including Geelong. The Geelong Bus Network Review will identify gaps and opportunities across the network, enabling proactive responses to emerging priorities.

Pakington Street and Gordon Avenue are important streets for bus movements for both current and future bus services. Depending on the outcome of the Geelong Bus Network Review, improvements to both corridors

²⁴ <https://yoursay.geelongaustralia.com.au/PSPP>

may be required to provide for a reliable and efficient bus network for commuters.

Theme 3: Building heights

34. In relation to building height, some submissions object to the proposed scale of development and maximum building heights (particularly in the Pakington North Precinct) and raise concerns that the associated increase in population density will have negative impacts on existing neighbourhood character, the amenity of the public realm (including the amenity of surrounding residential areas) and heritage values.
35. Other submissions request greater maximum building heights than proposed (particularly in the Gordon Avenue Precinct).
36. Council submits that the proposed building height controls are appropriate and strategically justified. The controls are discretionary and performance-based, allowing for flexibility in design and statutory decision-making (where applicable objectives are met). Furthermore, the controls are derived from technical assessments combined with extensive community consultation and feedback. Consistent with the UDFs, the proposed building height controls will facilitate mid-rise buildings of varying forms and typologies within the Pakington North and Gordon Avenue Precincts, balancing the need to deliver increased housing density and diversity with the need to protect the amenity of the public realm, existing neighbourhood character and the heritage values of surrounding commercial and residential areas.
37. As Mr Glossop explains:

The study area is intended to grade down from Central Geelong, both visually and in terms of the intensity of land uses. The Central City is subject to Activity Centre Zone – Schedule 1 (ACZ1), where land opposite and north of Gordon Avenue is designated as the Station Precinct and is intended to accommodate some of the largest future buildings. Geelong Station itself is designated as a Strategic Development Site.²⁵

38. And further:

The proposed building heights generally grade upwards from the Heritage Core towards the north and east. In DDO56 (Gordon Avenue Precinct), the

²⁵ Paragraph 66.

tallest anticipated buildings (36m) will create a statement at the Autumn Street / Latrobe Terrace intersection. In Pakington North, the highest forms (also 36m) are at the entrance to the commercial area at the intersection of Church Street. Mostly within the intervening land, heights range from between 15m to 29m, generally responding to lot sizes and sensitive interfaces.²⁶

39. Having regard to the preferred maximum building heights specified in the Activity Centre Zone – Schedule 1 in relation to Central Geelong, it is Mr Glossop’s evidence that:

*The proposed arrangements for building height are consistent with the mapping provided in the UDFs, which further describe the strategic outcomes underpinning their selection. **The building heights are notably less than in Central Geelong and adopt an appropriately mediated volume, sitting between the suburban style housing that exists around the study area.**²⁷*

[emphasis added]

40. From an urban design perspective, Ms Roberts confirms that she is supportive of the preferred maximum building heights in the DDO56 and DDO57.²⁸
41. Ms Roberts does, however, recommend further built form testing of the preferred 10-storey maximum height along Latrobe Terrace to test whether acceptable overshadowing outcomes can be achieved.²⁹ The overshadowing outcomes referred to by Ms Roberts are the requirements in DDO56 to avoid overshadowing of the southern footpath on Gordon Avenue and Autumn Street which both intersect with Latrobe Terrace at the eastern end of the precinct. It is the land on the north side of these two streets where the preferred maximum building height is 10 storeys or 36 metres. Built form testing of 202-210 Latrobe Terrace on the north side of Gordon Avenue (see **Appendix A** to this Part B Submission), demonstrates that the preferred maximum building height and compliance with the overshadowing requirement can still be achieved in this location with the two upper-level setbacks from Gordon Avenue 15m.

²⁶ Paragraph 72.

²⁷ Paragraph 73.

²⁸ Paragraphs 81 and 135.

²⁹ Paragraph 83.

42. Ms Roberts also recommends that the preferred height at the corner of McNicol Street and Spring Street be checked and resolved, noting a minor discrepancy between Map 1 in the DDO56 and Figure 20 in the Pakington Street (Geelong West) and Gordon Avenue UDF, where no preferred height was nominated for the property at the corner of McNicol and Spring Street in the UDF whilst a preferred maximum height of 15m or 4 storeys is identified in the DDO56.³⁰ Council considers the maximum 4 storey height appropriate for that land, being the lowest of the maximum building heights in the Gordon Avenue precinct and the need to provide a transition in building height to the established more fine grain residential area on the south side of Spring Street.
43. Ms Roberts' evidence demonstrates that building heights should not be considered in isolation – other controls and guidelines play an important role in achieving a good urban design outcome, including:
- 43.1. preferred maximum site coverage requirements;
 - 43.2. preferred maximum street wall height requirements;
 - 43.3. mandatory ground level setback requirements;
 - 43.4. preferred setback above street wall/podium requirements;
 - 43.5. preferred side separation requirements;
 - 43.6. building design requirements;
 - 43.7. active frontage requirements;
 - 43.8. solar access, wind and weather requirements; and
 - 43.9. access, parking and services requirements.
44. Together with the design objectives, permit application requirements and decision guidelines specified in the DDO56 and DDO57, the preferred maximum building height requirements will encourage the creation of vibrant commercial and residential precincts characterised by high quality architectural design and a variety of building typologies which (a) meet community needs, (b) protect and enhance the amenity of the public realm and (c) transition appropriately to sensitive interfaces. As Ms Roberts states:

³⁰ Paragraph 82.

“For medium and higher-density housing to be acceptable within established communities, it must deliver high-quality design outcomes and provide a high level of residential and public realm amenity appropriate to the site and surrounding neighbourhood.”³¹

45. In Council’s submission, the Amendment meets this threshold and, in doing so, strikes an appropriate balance between facilitating medium and higher density housing and protecting and enhancing those things that make the Pakington Street and Gordon Avenue activity centres places that people want to live and visit both now and into the future.
46. In summary, Council submits that the preferred maximum building height requirements are supported by the expert evidence of Mr Glossop and Ms Roberts and should be retained in the DDO56 and DDO57 as drafted, subject to addressing Ms Roberts’ recommendations in relation to the DDO56.

Theme 4: Drainage

47. Some submissions raise concerns in relation to stormwater management, drainage and the capacity of the sewer network, particularly in areas affected by overland stormwater flow / flooding.
48. While parts of the Gordon Avenue Precinct are affected by flooding and overland flows from the urban drainage system, Council notes that the Special Building Overlay applies to the relevant extent of land and therefore flood risk is appropriately managed as part of the statutory planning process.
49. Moreover, the Pakington Street and Gordon Avenue UDF recognises this risk and encourages the provision of an “integrated design response to manage flood risk that integrates landscape and eliminates the need for steps at the street interface in the Gordon Avenue precinct.”³² The proposed mandatory minimum ground level setback of 3m from Gordon Avenue in DDO56 ensures adequate space is provided in the front setback to provide a comfortable transition from the street level to the internal floor levels (which will need to be at least 300mm above the flood level) and integrate landscaping to ensure a high amenity contribution to the streetscape.

³¹ Paragraph 16.

³² Page 39.

50. Council also notes that it is currently preparing a Catchment Management Strategy for Central Geelong, which includes detailed flood modelling for Central Geelong, Newtown, Manifold Heights and East Geelong. The Catchment Management Strategy aims to understand and manage flood risk, stormwater quality and water supply in the Central Geelong area. The project is in its final stages, with community feedback gathered in 2023, 2024 and 2025 and the Strategy expected to be finalised in mid-2026.³³

Theme 5: Open space

51. Some submissions raise concerns in relation to a lack of public open space or green space in the Pakington Street and Gordon Avenue activity centres and contend that the Amendment does not provide for sufficient new or enhanced green space.
52. In Council's submission, the Amendment facilitates the provision of new open space and encourages urban greening and sustainable development outcomes in line with the vision, guiding principles and objectives of the UDFs. For example:
 - 52.1. the land at 21-33 Autumn Street, which is owned by Council, is proposed to be rezoned from C2Z to PPRZ to facilitate the delivery of a future park in the Gordon Avenue Precinct. The site is identified as "indicative open space" on the maps forming part of the DDO56;
 - 52.2. the DDO56 seeks "generous landscaping at residential interfaces to contribute to urban cooling and greening, biodiversity and create a visual buffer" (design objective) and requires a permit application for development to "integrate landscape planting with building design and encourage the planting of canopy trees within setbacks" and "encourage landscape planting in front setbacks...";
 - 52.3. the DDO57 identifies two potential indicative new open space / plaza locations within Pakington Strand (consistent with the Pakington North UDF) and provides that new open spaces and/or plazas should be provided generally in those locations, noting Council's position is that the two locations shown on the Pakington Strand site were intended to be shown as 'alternative' locations;
 - 52.4. the DDO57 requires a permit application for development to "integrate landscaping with building design by incorporating green walls, roof top

³³ <https://yoursay.geelongaustralia.com.au/CGSMS-1>

gardens and functional courtyards” and “encourage the provision of open spaces (e.g. central courtyards) and landscaped areas to the front and rear of buildings, including the planting of canopy trees...”; and

- 52.5. the discretionary site coverage requirements in the DDO56 and DDO57 will prompt future development to incorporate extensive landscaping and urban greening consistent with the objectives and permit application requirements of the DDO56 and DDO57.
53. Having regard to the above provisions, Council submits that the Amendment will facilitate new public open space and improved urban greening and landscaping within the Pakington Street (Geelong West) and Gordon Avenue activity centres.

Theme 6: Application of the EAO

54. In relation to the EAO:
- 54.1. Homes Victoria (Submission 18) submits that the EAO should not be applied to the land at 1/29 Church Street;
- 54.2. Submission 43 raised concerns in relation to underground contamination along Gordon Avenue and argues that it will constrain residential development and needs to be addressed; and
- 54.3. Gordon Avenue Property Trust (Submitter 20) withdrew its submission in relation to the application of the EAO to its site at 39-45 Gordon Avenue.
55. Council’s response to Homes Victoria’s submission is set out in its Part A submission.
56. In response to Submission 43, Council submits that the proposed application of the EAO is the appropriate strategic planning response to the identification of potentially contaminated land. The EAO will provide for the necessary environmental investigations prior to the commencement of a sensitive use (including a residential use) in accordance with Planning Practice Note 30: Potentially Contaminated Land (**PPN30**) and in line with the *Environment Protection Act 2017* (Vic).

Theme 7: Application of zones

57. Some submissions object to the application of the RGZ or the C1Z, and some submissions include requests to rezone specific properties to alternative zones or leave specific properties in their current zone.

Rezoning to RGZ

58. Council submits that the proposed rezoning of land within the Gordon Avenue Precinct to the RGZ is strategically justified and supported by the expert evidence of Mr Glossop. Council further submits that the RGZ is more appropriate than the MUZ in the centre of the Gordon Avenue Precinct (along Gordon Avenue, Spring Street and Autumn Street) for the reasons that follow.
59. The application of the RGZ reflects the vision for the Gordon Avenue Precinct – “a vibrant sustainable mid-rise precinct that provides an appropriate transition from the low density character of the surrounding residential area to the future high-density scale of Central Geelong.” As Mr Glossop explains, the rezoning from C2Z to RGZ will allow for the introduction of higher density residential land uses on high quality and between the Pakington Street (Geelong West) Specialised Activity Centre and the Central City, with immediate proximity to the Geelong Railway Station. Mr Glossop considers that the land within the Gordon Avenue Precinct will play an important role in meeting the municipality’s housing target and lends itself to diverse housing opportunities, including medium and high density housing which is specifically called for in well-serviced locations such as this area of land.³⁴ In Mr Glossop’s opinion, “...the east-west streets of the Gordon Avenue Precinct are more suited to residential than they are to purely commercial purposes” and the introduction of a principally residential typology into Gordon Avenue, together with the proposed built form controls, “...will substantially improve the amenity of these streets.”³⁵
60. Furthermore, the application of the RGZ is consistent with Planning Practice Note 91: Using the Residential Zones (January 2026) (**PPN91**), which provides that the RGZ is to be “applied to areas suitable for housing diversity and housing at increased densities in locations offering good access to services, jobs and public transport, and to provide a transition between areas of more intensive use and development such as activity centres and other residential areas.”
61. On that basis, Council submits that the RGZ is the appropriate zone to be applied to land within the Gordon Avenue Precinct to facilitate mid-rise, residential development in a well-serviced location which provides a transition between the higher scale built form in Central Geelong and the low-density residential areas surrounding the Gordon Avenue activity centre. In contrast, the MUZ has been selected as the appropriate zone

³⁴ Paragraphs 47-48.

³⁵ Paragraphs 50-51.

for land along Latrobe Terrace because, as Mr Glossop explains, it facilitates a range of land uses with few prohibitions, and the environment along Latrobe Terrace is “fairly harsh” owing to its large width and traffic volumes, therefore it is a good location for businesses to occupy the lower levels of buildings with dwellings provided on upper levels.³⁶

Rezoning to C1Z

62. Homes Victoria requests that several properties owned by Homes Victoria and adjoining the Gordon Avenue Precinct be rezoned to C1Z to provide better redevelopment opportunities. As set out in Council’s Part A submission, the properties are located outside the study area and therefore lack the strategic justification for a rezoning at this stage. 46-50 Villamanta Street is currently in two different zones and the Amendment proposes to correct this anomaly by rezoning the entire site to the GRZ (consistent with the current land use).
63. Submitter 42 objects to the rezoning of land to the C1Z in the Pakington North Precinct, contending that the C1Z prioritises generic apartment development at the expense of existing diverse businesses, services and creative industries. The submitter requests the application of the Commercial 3 Zone because it would sustain small-scale manufacturers, start-ups, and creative industries while balancing moderate population growth. In response, Council submits that the C1Z is the appropriate zone for land in the Pakington North Precinct – the purpose of the C1Z is to create “create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses” and “provide for residential uses at densities complementary to the role and scale of the commercial centre.” When combined with the built form controls and decision guidelines in the DDO57, the C1Z is the most appropriate zone to achieve the vision for the Pakington North Precinct as set out in the Pakington North UDF:

“Pakington North Precinct will be a vibrant destination with local shops, offices and communal spaces at lower levels fronting Pakington Street and residential living above. By becoming a people friendly and inclusive precinct, businesses will thrive, residents will benefit from a range of housing choices close to amenities and visitors will be inspired by the quality of the public realm and architecture.

Pakington Street will be enhanced as a green street that improves the urban environment and contributes to the canopy cover targets for Geelong.”³⁷

³⁶ Paragraph 51.

³⁷ Pakington North UDF, page 38.

64. Mr Glossop supports the proposed rezoning from C2Z to C1Z, finding that:

...the affected land visually and logically could form part of the Pakington Street Specialised Activity Centre, which is essentially what the Amendment will allow. The rezoning offers the opportunity to reinvigorate this stretch of land and shift its emphasis from 'general' commercial to retail / hospitality / residential. This land will provide for the retail shortfall identified in the Retail Strategy, increase activity levels and improve built form outcomes (in particular by improving the public / private interface).

One of the most significant differences between the C1Z and C2Z, is that the former allows Accommodation land uses. The rezoning, therefore, creates a considerable area of well-located land for new housing opportunities. Pakington Street itself provides an excellent opportunity to supply the type of urban infill sought by policy. Housing would be proximate to services, including the Geelong Railway Station, and residents would enjoy living within what will be an attractive, high amenity location. Additional housing will increase foot traffic along Pakington Street (including in the evenings, improving safety) and support broader activity centre functions.³⁸

65. To the extent that the Amendment removes land from the C2Z, Mr Glossop observes that this commonly occurs when land around activity centres is identified for renewal. In Mr Glossop's opinion, the Pakington North Precinct is not a 'good' location for C2Z land and the net community benefit of creating more C1Z land outweighs the retention of retaining the land in a C2Z.³⁹
66. Furthermore, the memorandum prepared by Tim Nott dated 3 February 2026 in relation to economic matters observes that land currently zoned C2Z in the Pakington North Precinct is already occupied, in large part, by activities that could be found in the C1Z, although existing retailers are in larger format premises than those in the Heritage Core Precinct. Mr Nott also observes that there is potential for any displaced activity to locate elsewhere in the municipality, including some 175 hectares of C2Z land, land in industrial precincts (including approximately 292 hectares of vacant land) and planned employment land.⁴⁰

³⁸ Paragraphs 40-41.

³⁹ Paragraph 44.

⁴⁰ Page 7.

67. Having regard to the expert evidence of Mr Glossop, and expert advice of Mr Nott, Council submits that the C1Z is the appropriate zone for land in the Pakington North Precinct (and at the western end of the Gordon Avenue Precinct).

Theme 8: Drafting of the DDO56 and DD57

68. Some submissions request changes to various provisions in the DDO56 and DDO57.
69. Council's consideration and response to these requested changes is set out in the table at **Appendix B** (extracted from the Council officer report forming part of the Council meeting minutes dated 25 November 2025).
70. Council expands on its response to submitters participating in the Panel hearing process below and also provides a response to expert evidence recommendations in a table in **Appendix C**.

Theme 9: Drafting of local policy

71. Two submitters request changes to the local policy provisions:
- 71.1. Submitter 28 requests that policy provisions in relation to public realm amenity, solar access, wind protection and high-quality built form outcomes be included in Clause 11.03-6L-06; and
- 71.2. The Head, Transport for Victoria (Submitter 51) requests the inclusion of a new local policy provision acknowledging that the rail sidings yard in the Pakington North Precinct is an essential site for the provision of rail services.
72. Council does not agree with Submitter 28's request, because it would duplicate State policy at Clauses 15.01-1S (Urban Design) and 15.01-2S (Building Design) and public realm amenity, solar access, wind protection and high-quality built form outcomes are also addressed in the DDO56 and DDO57.
73. Council agrees with the Head, Transport for Victoria's request and proposes to amend Clause 11.03-6L-06 to include the following policy:

The rail sidings yard at 28–64 Pakington Street is an essential site for the operation of rail services in Geelong and must be protected for ongoing transport use.

74. Council's proposed response to this request a post-exhibition change is included in the Council Version 1 Amendment Documents which introduces the following policy objective for the Pakington North Precinct:

To protect the rail sidings yard at 28-64 Pakington Street as an essential site for the operation of rail services in Geelong

Theme 10: Changes to the UDFs

75. Several submitters request changes to the UDFs:
- 75.1. Submitter 36 supports the visions in the UDFs but suggests changes in relation to wayfinding, station parking integration and connectivity to Central Geelong and the waterfront;
 - 75.2. Gordon Avenue Property Trust (Submitter 20) submits that the Pakington Street and Gordon Avenue UDF should be amended to identify the site at 39-45 Gordon Avenue as a key strategic site; and
 - 75.3. The Head, Transport for Victoria requests that the Pakington North UDF be amended to reflect the retention of rail infrastructure at the rail sidings yard.
76. While Council appreciates that submitters have taken the time to review and respond to the UDFs as part of this Amendment process, Council notes that the UDFs have been finalised and adopted by Council and comprise the strategic basis for the Amendment. In other words, the Amendment seeks to implement the UDFs by rezoning land, applying the DDO56 and DDO57 and introducing local policy provisions in relation to the Gordon Avenue and Pakington North precincts. Furthermore, the UDFs are the product of extensive technical work and community consultation. Therefore Council does not intend to amend the UDFs as part of the Amendment process.
77. In response to Submission 36, Council agrees that wayfinding improvements, station parking integration and connectivity with Central Geelong and the waterfront are important infrastructure planning matters. However, these matters require coordination with State Government agencies and advocacy on the part of Council and will be addressed as part of separate infrastructure planning processes.
78. Council's response to Gordon Avenue Property Trust's submission is set out below.

79. In relation to the rail sidings yard, Council submits that its proposed post-exhibition change to Clause 11.03-6L-06 satisfactorily addresses the concerns raised by the Head, Transport for Victoria.

RESPONSE TO SPECIFIC ISSUES RAISED IN SUBMISSIONS

Gordon Avenue Property Trust (Submission No. 20)

80. Gordon Avenue Property Trust owns the land at 39-45 Gordon Avenue, Geelong West. The land has the benefit of Planning Permit No. PP-691-2020 which allows buildings and works for the construction of a 9-10 storey building to be used as a residential hotel together with other mixed uses including office, shop and restricted recreation facility. The planning permit was granted on 8 November 2021 and extended on 23 October 2023, such that the development must have commenced by 8 November 2025 and be completed by 8 November 2028. The use must commence by 8 November 2028.
81. In its submission, Gordon Avenue Property Trust supports the proposed rezoning of land in the Gordon Avenue Precinct but raises the following issues:
- 81.1. The UDF should be amended to identify the land at 39-45 Gordon Avenue as a 'key site' given its scale, location and ability to contribute to public realm outcomes, noting that it was originally identified as a 'key site' in the draft Pakington Street and Gordon Avenue UDF;
- 81.2. in terms of the DDO56:
- 81.2.1. the maximum building height for the land at 39-45 Gordon Avenue DDO56 (6 storeys) is overly restrictive and unreasonably limits development – the site can accommodate 12 or more storeys without causing adverse impacts in relation to amenity and heritage values;
- 81.2.2. the maximum site coverage control (60%) is inconsistent with urban renewal and more restrictive than adjacent GRZ land (70%) – the preferred maximum site coverage should be increased to better support active ground floors, conceal servicing, deliver a stronger public realm and allow for more functional floor plates;

- 81.2.3. the interface controls (front setbacks, street wall height and building separation requirements) unreasonably limit development opportunities and will have a negligible impact on public or private amenity; and
- 81.2.4. when the FAR control is applied in conjunction with height, setback and site coverage controls, it is overly restrictive – a more flexible, performance-based approach should be adopted to enable viable mixed-use outcomes on larger strategic sites.
82. Council notes that Gordon Avenue Property Trust withdrew its submission in relation to the application of the EAO because it does not have any information to confirm that the site is not contaminated.⁴¹
83. In response to the issues raised by Gordon Avenue Property Trust, Council submits as follows.
84. The Gordon Avenue Precinct is proposed to be identified as a Key Development Area at Clause 16.01-1L-01 in recognition of its suitability for medium and high density development. The Pakington Street and Gordon Avenue does not identify any specific sites within the Gordon Avenue Precinct as ‘key sites’ because none of the sites in the Gordon Avenue Precinct were considered so large as to warrant requiring a master-planned approach.
85. The preferred maximum height limit of 6 storeys is aimed at establishing a mid-rise built form along Gordon Avenue. In Council’s submission, it strikes an appropriate balance between facilitating development and protecting the amenity and neighbourhood character of the surrounding area. Importantly the discretionary nature of the control allows for flexibility in design response and statutory decision-making. The preferred maximum building height of 6 storeys is supported by the expert evidence of Mr Glossop and Ms Roberts. In particular, Mr Glossop observes that the DDO56 is “appropriately drafted” with discretionary height limits to allow for instances such as this where there is an opportunity to achieve a taller building. In Mr Glossop’s opinion, from a town planning perspective, it is not necessary to modify the height applied to 39-45 Gordon Avenue in light of the existing planning permit.⁴²

⁴¹ Email from Human Habitats to Megan Quigley, City of Greater Geelong dated 18 September 2025.

⁴² Paragraphs 75-76.

86. The preferred maximum site coverage requirement is a discretionary control that is informed by the built form testing and community consultation undertaken as part of the preparation of the Gordon Avenue and Pakington Street UDF. However, Council acknowledges that the preferred maximum site coverage of 60% in the 'Gordon West' area to be zoned Commercial 1 is probably too low. Council is supportive of increasing the maximum site coverage to 70% consistent with the preferred maximum site coverage controls proposed for the adjacent Residential Growth Zone land. In Council's submission, the preferred maximum site coverage of 70%, which is only one determinant of floor space yield, is also reflective of the various built form requirements that will apply to these sites. It also reflects an expectation for sites to provide functional open spaces (eg. central courtyards) and landscaped areas, with deep soil planting to support canopy trees around buildings..
87. In relation to interface requirements:
- 87.1. the mandatory ground level setback of 3 metres along Gordon Avenue is strategically justified. The setback is based on built form testing that was undertaken as part of the preparation of the UDF and is intended to avoid a cluttered and inconsistent streetscape, provide opportunities for landscaping with canopy trees in accordance with the UDF and improve the amenity of ground floor uses. Upper-level setbacks and street wall/podium heights are proposed to be discretionary to provide flexibility in design outcomes;
 - 87.2. the preferred maximum street wall/podium height of 15 metres along Gordon Avenue responds to the scale and massing of existing built form. It is a discretionary control which provides for flexibility where a proposed development meets applicable design objectives; and
 - 87.3. Council agrees that tower separation requirements should be reduced, and to that end Council proposes to amend the preferred side separation for buildings built to the boundary to 6 metres for all buildings above 4 storeys (refer to Council's tracked changes to the DDO56 in the Version 1 Amendment Documents).
88. In relation to the FAR requirements, Council accepts Ms Roberts' recommendation and proposes to remove the FAR requirements from the DDO56 and DDO57 on the basis that the preferred maximum building height and site coverage requirements will achieve similar built form outcomes.

GELPROP Nominees Pty Ltd (Submission No. 35)

89. GELPROP Nominees Pty Ltd (**GELPROP**) owns the site known as Pakington Strand in the Pakington North Precinct (95-103 Pakington Street).
90. Together with the Rail Sidings Yard, Pakington Strand is identified as a strategic site in the Pakington North UDF because it is a large landholding (20,997 sqm) under single ownership. It is currently developed with a shopping centre including a Woolworths and various retail shops with frontage to Pakington Street. It also includes State-heritage listed buildings which formed part of the former Kinnears Ropeworks.⁴³
91. GELPROP submits that while the identification of Pakington Strand as a strategic site is logical, it has several concerns in relation to the DDO57 insofar as it relates to the site. In particular:
- 91.1. GELPROP submits that it is important that the built form controls are flexible and discretionary so that there is an opportunity for good and efficient design outcomes to be tested through a planning permit application process. In that regard, GELPROP requests that the mandatory provisions in the DDO57 (including street wall / interface controls) be removed insofar as Pakington Strand is concerned;
 - 91.2. GELPROP objects to the designation of 'indicative new open space / Plaza' on Pakington Strand in the Pakington North UDF and the DDO57;
 - 91.3. GELPROP submits that the overshadowing controls, combined with the proposed locations of the new open space on Pakington Strand, will undermine the redevelopment potential of the site and do not appear to have been considered in the background built form testing report;
 - 91.4. GELPROP also submits that the footpath on the north side of Waratah Street should be removed from the overshadowing controls, because any single-level development would overshadow the north side of Waratah Street; and
 - 91.5. GELPROP objects to the 60% site coverage control insofar as it applies to Pakington Strand, submitting that it is akin to a development control in a suburban residential street and that its application to a key urban renewal site in the Pakington Street activity centre lacks strategic justification.

⁴³ <https://vhd.heritagecouncil.vic.gov.au/places/7610>

92. GELPROP relies on the expert evidence of Sophie Jordan in relation to planning matters. Importantly, Ms Jordan supports the strategic intent of the Amendment to facilitate increased density and mixed-use development in the Pakington North and Gordon Avenue Precincts, noting this support is largely based on the well-documented need for housing throughout Victoria and the establishment of a framework and planning controls that will encourage the delivery of housing in an infill location, proximate to the Geelong CBD.⁴⁴
93. It is common ground between Ms Jordan and Council that the Pakington Strand site is an important strategic redevelopment site in the Pakington North Precinct. Indeed, whilst the railway sidings site remains in the Transport 2 Zone and critical to the operation of the Geelong rail network, Council agrees with Ms Jordan's observation that the Pakington Strand site is currently the only strategic redevelopment site in the precinct.⁴⁵ It is also common ground that requiring a master planned approach for a strategic redevelopment site like Pakington Strand can deliver significant benefits including coordinated access, open space, built form and land use outcomes and streamline the approach process of permit applications consistent with the masters plan.⁴⁶ However, it is Ms Jordan's evidence that, if a master planned approach is considered necessary for Pakington Strand, it should be facilitated through the application of a Development Plan Overlay and the site removed from DDO57 and Map 1.⁴⁷
94. In contrast with Ms Jordan's recommended approach, Council has sought to avoid applying a separate planning control to the Pakington Strand site and has simply sought, through local policy at Clause 11.03-6L-06, to "encourage" a master planned approach to the site informed by the Indicative Concept Plan at Map 12 in the policy. In Council's submission, this is a reasonable approach given the concept plan is a high-level plan and very clearly expressed to be indicative. However, in response to Ms Jordan's concern about the preliminary nature of the Indicative Concept Plan and its interplay with the built form controls in DDO57, Council proposes to delete reference to the Indicative Concept Plan in DDO57, noting it was referred to only in the context of a built form requirement for improved pedestrian amenity and permeability across the Pakington Strand site.

⁴⁴ Evidence Statement of Sophie Jordan (10 February 2026), at [196] to [196], page 43.

⁴⁵ Evidence Statement of Sophie Jordan (10 February 2026), at [89] and [159], pages 24 and 37.

⁴⁶ Evidence Statement of Sophie Jordan (10 February 2026), at [188], page 42.

⁴⁷ Evidence Statement of Sophie Jordan (10 February 2026), at [194], page 42.

95. In relation to the merit of the proposed planning policy and controls and how they would apply to the Pakington Strand site specifically, Ms Jordan:

95.1. is critical of the identification of two potential new open space / plaza areas on the Pakington Strand site, noting that the Pakington North UDF nominates two open space areas on the one property, at the edge of the precinct and in close proximity to one another, resulting in all new open space that Council has deemed necessary being concentrated at the southern end of the precinct (given that the Rail Sidings Yard is unlikely to deliver new public open space in the foreseeable future);⁴⁸

95.2. questions whether the built form outcomes, as envisioned by the Pakington North UDF and DDO57, can be achieved on the Pakington Strand site noting that the potential new open space/plaza areas are identified to the south of new built form (with a preferred height of between 6-8 storeys) whilst also subject to solar access requirements under the DDO57;⁴⁹ does not oppose solar access requirements for new open space in principle, but identifies some shortcomings of the built form analysis and solar access study undertaken and particularly, expresses concern about whether new open space could in fact be accommodated in the south-east corner of the Pakington Strand site (i.e. corner of Pakington St and Waratah St) whilst complying with the solar access requirements for new open space;⁵⁰

95.3. notes that a number of matters remain unresolved in relation to the potential new open space / plaza areas, including whether one or both areas are required, their intended role and function, their size, the expected treatment of the open space or potential use by adjacent buildings, the mechanism for their delivery and their ongoing ownership or management (i.e. whether the open spaces are intended to be delivered by the landowner and remain in private ownership with public access, or whether they are intended to be acquired by Council);⁵¹

95.4. suggests that the proposed preferred maximum site coverage requirement of 60% for the Pakington Strand site is “without foundation”⁵² on the basis it:

⁴⁸ Evidence Statement of Sophie Jordan (10 February 2026), at [113], page 29.

⁴⁹ Evidence Statement of Sophie Jordan (10 February 2026), at [122], page 31.

⁵⁰

⁵¹ Evidence Statement of Sophie Jordan (10 February 2026), at [123] to [124], page 31.

⁵² Evidence Statement of Sophie Jordan (10 February 2026), at [166], page 38.

- 95.4.1. is inconsistent with the approach applied to the remainder of the Pakington North precinct where a higher site coverage of 70 or 80% is generally associated with areas where taller built form outcomes are anticipated;⁵³
 - 95.4.2. is comparatively low for a 'strategic' redevelopment site intended to accommodate more intensive development;⁵⁴
 - 95.4.3. materially limits the development capacity of the site when combined with other built form requirements in the DDO57 (i.e. overshadowing and interface requirements and public open space provision),⁵⁵
- 95.5. questions the strategic value of the indicative new pedestrian link through the Pakington strand site to Donaghy Street and considers that further clarification is required in relation to the status of the indicative new streets and pedestrian links shown on the Indicative Concept Plan for Pakington Strand, including whether the connections are intended to be delivered as public infrastructure to be vested in Council or whether they are to be provided by the landowner and remain in private ownership (but publicly accessible).
96. Council's response to the GELPROP submission and Ms Jordan's evidence follows.

Mandatory provisions

97. The only mandatory provisions in the DDO57 are the ground level setback requirements and the unsafe wind requirements. These mandatory provisions are strategically justified and satisfy the criteria set out in PPN59 as discussed below. The remainder of the requirements in the DDO57 are discretionary or performance-based requirements, which allow for flexibility in design responses and statutory decision-making. Council submits that the mandatory provisions in the DDO57 should be retained.

New open space / plazas

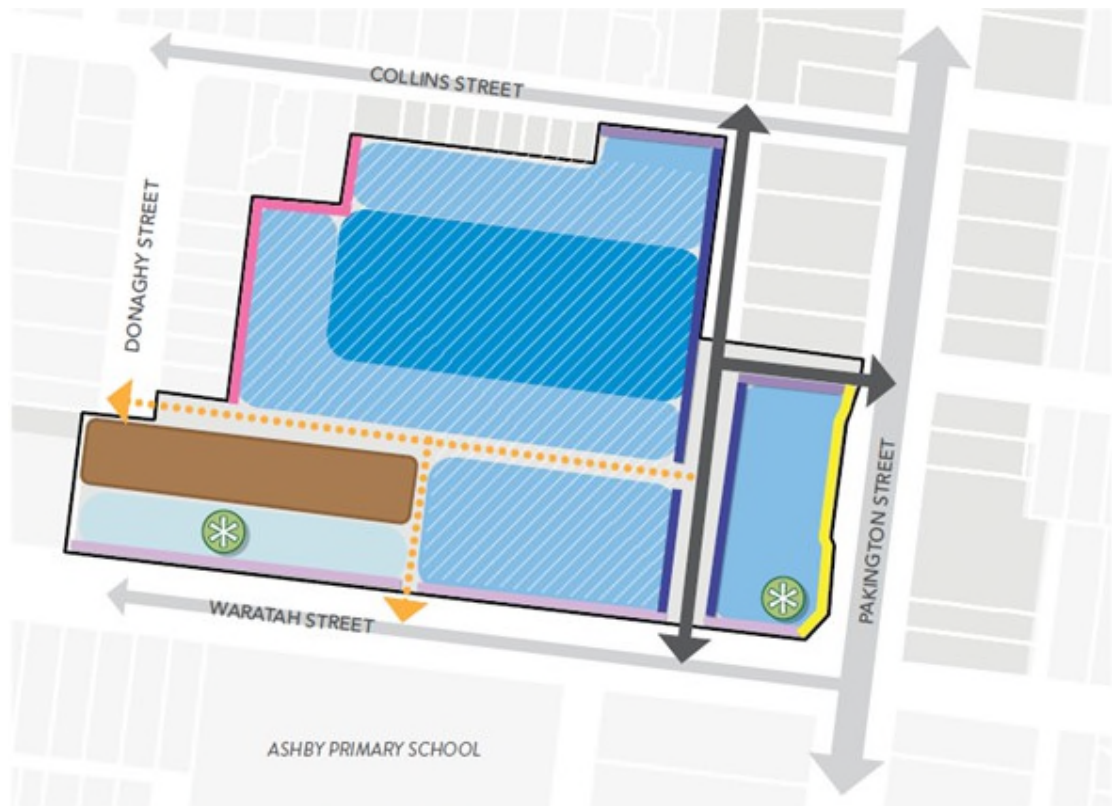
98. The designation of two indicative new open space / plaza locations within Pakington Strand is appropriate in circumstances where Pakington North is a key strategic site and the proposed policy provisions at Clause 11.03-6L-06 seek to "Facilitate opportunities for new open space within large sites such as Pakington Strand and Rail Sidings Yard" and "encourage a coordinated, master planned approach to the

⁵³ Evidence Statement of Sophie Jordan (10 February 2026), at [161] to [162], page 37.

⁵⁴ Evidence Statement of Sophie Jordan (10 February 2026), at [164], page 37.

⁵⁵ Evidence Statement of Sophie Jordan (10 February 2026), at [164], page 37.

redevelopment of Pakington Strand as a Strategic Site informed by the Indicative Concept Plan” which identifies the same two areas as “investigate opportunities for new open spaces” –



Map 12. Indicative concept plan for Pakington Strand

KEY

Precinct Boundary	BUILDING HEIGHTS	INTERFACE	ACCESS AND MOVEMENT
Heritage building	15m (4 storeys)	Key Street Type 1A	Existing Street Network
Investigate opportunities for new open spaces	22m (6 storeys)	Waratah Street 2A	Indicative new streets
	29m (8 storeys)	Side Street 2B	Indicative new pedestrian links
	36m (10 storeys)	New Street Type 3	Investigate opportunities for consolidated parking facilities
		Open Space Type 5	
		Residential Type 6B	

99. The identification of two locations as “Investigate opportunities new open spaces” on the Indicative Concept Plan was not intended to convey an expectation that two new open spaces should be provided within the Pakington Strand site. Rather, it was intended to indicate alternative locations within the site which could be investigated for that purpose.
100. The identification of potential open space opportunities within Pakington Strand is consistent with the objectives and strategies of the Pakington North UDF in relation to the public realm and open space. In particular, the UDF seeks to “establish new open

space within strategic sites of Pakington Strand and Railing [sic] Sidings Yard.”⁵⁶ It also seeks to “provide space for activity and culture with an inclusive and welcoming environment for residents and visitors to pause, explore and connect” within Pakington Strand including by delivering appropriately sized public open space south of the Ropeworks Shed and/or on the corner of Waratah and Pakington Streets.⁵⁷ Council submits that it is logical to encourage strategic sites to provide publicly accessible plazas, open space or streetscape improvements as part of any redevelopment. Pakington Strand acts as a gateway and anchor within the Pakington North Precinct and presents an opportunity for the delivery of public benefits such as publicly accessible open space or pedestrian links through the site to be considered in a net community benefit assessment of a landmark development proposal that might exceed discretionary built form controls. This is reflected in the inclusion of a decision guideline in DDO57 under the sub-heading “Variations to preferred requirements” which invites the responsible authority to consider:

Whether the development results in, or substantially facilitates, the delivery of appropriately secured community benefits including:

- *Incorporation of social or affordable housing.*
- *Upgrades of new local infrastructure including public spaces to meet the needs of the community and provide spaces for residents to linger and enjoy.*
- *Provision of pedestrian links or public open space in excess of any minimum requirement in this Scheme.*

101. Furthermore, the location of the new open space / plaza locations are indicative only, thus providing both a starting point and flexibility for a permit applicant seeking to investigate an opportunity to provide open space as part of a development.

102. In response to Ms Jordan’s evidence in relation to this issue, Council:

102.1. proposes to amend Map 1 in the DDO57 and the Indicative Concept Plan for Pakington Strand at Clause 11.03-6L-06 to remove the new open space / plaza location at the south-eastern corner of the Pakington Strand site, noting this is not Council’s preferred location for potential new open space and

⁵⁶ Page 60.

⁵⁷ Page 66.

Council only ever intended to indicate alternative locations within the site which could be investigated for that purpose; and

- 102.2. otherwise submits that it is appropriate to identify opportunities to provide publicly accessible open space on privately owned sites (as acknowledged by the Advisory Committee in relation to the Central Geelong Framework Plan)⁵⁸ and the acquisition strategies that may be required to deliver the open space is not a matter that is before this Panel but will of course necessitate consultation with the relevant landowner (consistent with the approach taken by the Advisory Committee in relation to the Central Geelong Framework Plan albeit in relation to new laneways and pedestrian links).⁵⁹

Overshadowing requirements

103. Council notes that the overshadowing (open space interface) requirements in the DDO57 were the subject of built form testing carried out as part of the preparation of the Pakington North UDF. The built form testing report was made available on Council's website.⁶⁰ However, the built form testing involved testing of overshadowing requirements measured at the Spring equinox, whereas the DDO57 (as exhibited) erroneously referred to the Winter solstice (between 11am and 2pm) in relation to solar access to public open space (see Table 3). Council proposes to correct this by:

- 103.1. amending Table 3 in the DDO57 by correcting this so that the requirement applies between 10am and 2pm at the Spring equinox consistent with the Council officer recommendation in the report to Council dated 25 November 2025;

- 103.2. updating Figure 8 to reference the Spring equinox between 10am and 2pm.

104. Subject to this post-exhibition change, Council submits that the overshadowing (open space interface) requirements are necessary to ensure good solar access within public open space. The solar access to new open space requirements are generally supported by the expert evidence of Ms Roberts / Mr Glossop, subject to some recommended clarifying drafting improvements.

105. Specifically, Ms Roberts states:

⁵⁸ [Central Geelong Framework Plan \(AC\) \[2021\] PPV 107 \(23 December 2021\)](#) at page 145.

⁵⁹ [Central Geelong Framework Plan \(AC\) \[2021\] PPV 107 \(23 December 2021\)](#) at page 179.

⁶⁰ C433ggee – Built Form Testing Pakington North Precinct (City of Greater Geelong, July 2025) <<https://www.geelongaustralia.com.au/amendments/item/8d90e220d33bb2d.aspx>>

“Solar access controls, which inform height and upper-level setbacks of abutting developments, are also supported.”⁶¹

106. Whilst Council no longer seeks to identify indicative new open space in the south-east corner of the Pakington Strand site on Map 1 in DDO57 or in the Indicative Concept Plan in Clause 11.03-6L-06 ‘Pakington Street Geelong West, Council has produced further built form modelling of the Pakington Strand Site at **Appendix D** which models the provision of new open space on the site in two alternative locations. The modelling demonstrates that open space could be provided in the south-east location of the site and a built form envelope provided on the site that still achieves the preferred maximum building heights and minimum setbacks with acceptable solar access within the public open space.

Site coverage requirements

107. On reflection, Council accepts the 60% site coverage requirement for the Pakington Strand is too low relative to the default maximum site coverage requirement of 70% that would apply otherwise applies to land in the Mixed Use Zone via Clauses 54, 55 and 57. As observed by Ms Jordan, a preferred maximum site coverage of 70% is also more consistent with the remainder of the Pakington North precinct where the preferred maximum site coverage is 70 and 80%.
108. However, Council does not consider a higher site coverage beyond 70% to be realistic for the Pakington Strand site due to the competing land demands associated with:
- 108.1. The building design requirement of ensuring improved pedestrian amenity and permeability across the site;
 - 108.2. The aspiration for open space to be provided on the site combined;
 - 108.3. The built form requirements relating to overshadowing and interface setbacks;
 - 108.4. The constraint presented by the existing heritage building on the site.
109. Importantly though, the maximum site coverage requirement is discretionary and therefore allows for flexibility if the requirement is discretionary and allows for flexibility provided that applicable design objectives are met.

⁶¹ See Statement of Evidence of Amanda Roberts (10 February 2026), at [145].

Indicative new streets and pedestrian links

110. Council submits that the identification of “indicative new streets” and “indicative new pedestrian links” on the Pakington Strand Site as part of local policy at Clause 11.02-6L-06 align with the urban structure principles of the Urban Design Guidelines for Victoria⁶² that seek to provide a permeable and functional urban structure of blocks and streets (objective 1.1.1) and ensure accessible and functional activity centres (objective 1.2.1) and find strategic support in the Pakington North UDF.
111. Council notes that the Advisory Committee in relation to the Central Geelong Framework Plan similarly supported the Framework Plan’s “aspirations” to address existing deficiencies and missing links within the laneway network by creating new laneways and pedestrian links including on large strategic sites. The Advisory Committee found that:

...The connection of Dennys Place to Malop Street, and the pedestrian links through Market Square to Little Myers Street, and the Westfield site through to Brougham Street, if delivered, would improve pedestrian permeability, provide improved linkages and generally improve options for moving around the city.

On larger sites such as Westfield, Market Square and the former Council offices site, it is reasonable to expect mid block through connections that promote connectivity to the waterfront. These aspirations align with the urban structure principles of the Urban Design Guidelines for Victoria, that seek to provide a permeable and functional urban structure (objective 1.1.1) and ensure accessible and functional activity centres (objective 1.2.1).

There was some discussion at the Hearing about the practicalities of delivering a new 24 hour publicly accessible pedestrian link through the Westfield site, and whether that link should be open to the sky. These are matters of detail that are beyond the scope of the Framework Plan. They can be resolved through the development plan process for the redevelopment of the Westfield sites.

Overall, the Committee is satisfied that the provision of the new laneways and through block links in the locations identified on Maps 4 and 5 in the ACZ1 are well supported from an orderly planning and urban design perspective. The

⁶² <https://www.planning.vic.gov.au/guides-and-resources/guides/urban-design-guidelines-for-victoria>

*acquisition strategies required to deliver these future links is not a matter for the Committee. The Committee does, however, agree with submitters that this will require consultation with and cooperation from the relevant landowners.*⁶³

112. Council submits that the same principles apply in this case, and that the means of delivering the future links is not a matter that is before this Panel. Furthermore, Council reiterates that the identification of “indicative new streets” and “indicative new pedestrian links” will inform the future master-planned approach that is envisioned by the Pakington North UDF and policy objective at Clause 11.03-6L-06 but are not identified on the maps that form part of the DDO57 in order to provide flexibility as part of the statutory planning process.

Angela Mangan (Submission No. 27)

113. Ms Mangan raises multiple issues in her submission. Council’s response to the issues raised by Ms Mangan is set out below, except where Council has responded to an issue raised by Ms Mangan as part of its response to ‘key themes’, in which case Council’s response is not repeated here.
114. In relation to housing, Council disagrees with Ms Mangan’s submission that Pakington Street is not an appropriate or viable location to help ease the housing crisis because apartments will be too expensive. State planning policy specifically encourages the delivery of higher density housing on sites that are well-located in relation to jobs, services and public transport, and the delivery of diverse housing that offers choice and meets changing household needs.⁶⁴ State planning policy also seeks to provide opportunities for a range of income groups to choose housing in well-serviced locations.⁶⁵ In Council’s submission, the Pakington North and Gordon Avenue Precincts are precisely the types of locality where higher density housing should be encouraged, subject to appropriate built form controls and guidelines to protect the amenity of the public realm, existing neighbourhood character and the heritage values of surrounding properties, among other considerations.
115. Ms Mangan submits that the Waterloo Heritage Area (Maitland Street, Anglesea Terrace and Waterloo Street) should remain zoned Neighbourhood Residential Zone – Schedule 3 (**NRZ3**) to prevent the spread of commercial uses into residential areas. Council notes that the Amendment does not affect any land within the Waterloo

⁶³ [Central Geelong Framework Plan \(AC\) \[2021\] PPV 107 \(23 December 2021\)](#) at page 179.

⁶⁴ Clause 16.01-1S Housing Supply

⁶⁵ Clause 16.01-1S Housing Supply

Heritage Area (Heritage Overlay PS Map Ref. HO1962), as shown on the Map at Appendix A to Council's Part A submission.

Dr Jane Mooney (Submission No. 30)

116. Dr Mooney's submission considers the Amendment insofar as it relates to the Pakington North Precinct. The issues raised by Dr Mooney are addressed as part of Council's response to 'key themes' above.

Pati Seiler (Submission No. 42)

117. Ms Seiler's submission also considers the Amendment insofar as it relates to the Pakington North Precinct. The issues raised by this submitter relate to the proposed rezoning in that precinct, traffic impact, public transport services and the public consultation process. Again, these issues are addressed as part of Council's response to 'key themes' above.

RESPONSE TO EVIDENCE

118. To the extent that Council has not responded to matters raised in expert evidence as part of its response to issues raised in submissions, Council's preliminary response to expert evidence is set out in the table of recommendations at **Appendix C** to this Part B Submission.

119. Where Council accepts Mr Glossop's and Ms Roberts' recommended changes to the Amendment ordinance, these changes are shown as further post-exhibition changes on the 'Version 1 Amendment Documents'.

MANDATORY PROVISIONS

120. The Amendment includes two mandatory provisions in each of the DDO56 and DDO57.

121. Firstly, a mandatory ground level setback requirement, which is expressed as follows:

Development must meet the ground level setbacks ...specified in Table 3 and Figures 1-5 to this schedule.⁶⁶

and

⁶⁶ DDO56

*Development must meet the ground level setbacks ... specified in Table 2 and Map 1 to this schedule.*⁶⁷

122. Secondly, a mandatory wind requirement, which is expressed as follows:

Buildings and works with an overall height equal to, or greater than 16 metres:

- *Must not cause unsafe wind conditions as specified in Table 4 on public land, publicly accessible areas on private land, private open space and communal open space,*⁶⁸

Wind condition	Requirement
Unsafe wind conditions	Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.

123. The mandatory wind requirement is supported by an application requirement in both DDOs requiring:

A Wind Report prepared by a suitably qualified person for commercial buildings exceeding a height of 16 metres (5 storeys) which addresses appropriate mitigation measures to achieve safe and comfortable wind conditions on and nearby the site, without relying on street trees or excessive screening elements.

124. Council notes that the building separation requirement in relation to balconies is not intended to be mandatory. Council accepts Mr Glossop's recommendation that the provision be amended to "*Balconies ~~must~~ should not encroach into side setbacks.*" This proposed post-exhibition change will be reflected in the Version 1 Amendment Documents.

125. In addition, in response to the expert evidence of Mr Glossop and Ms Roberts, Council has reconsidered the mandatory ground level setback requirement and determined that it should only be pursued in relation to key street interfaces in the Gordon Avenue and Pakington North Precincts, namely Gordon Avenue, Pakington Street and Church Street (with the exception of 2-8 Church Street). All other street interfaces are proposed to be discretionary in recognition of the reduced importance of creating a

⁶⁷ DDO57

⁶⁸ Same drafting in DDO56 and DDO57.

cohesive corridor in those locations (predominantly side streets). Council's proposed changes to the DDO56 and DDO57 are noted on the Version 1 Amendment Documents.

126. Planning Practice Note 59: Mandatory Provisions in Planning Schemes (August 2023) (**PPN59**) specifies a number of criteria which are intended to provide guidance on whether the use of a mandatory provision (rather than a performance-based or discretionary provision) is appropriate. The criteria set out in PPN59 are applied to the mandatory ground level setback requirement (as proposed to be amended) and the mandatory wind requirement in turn.

Mandatory ground level setback requirement

127. Applying the PPN59 criteria to the mandatory ground level setback requirement:

Is the mandatory provision strategically supported?

- 127.1. The mandatory ground level setback requirement is strategically supported by the policy objectives and strategies in Clause 11.03-6L-06 Pakington Street Geelong West, which is proposed to be introduced by way of the Amendment. Mandating ground level setbacks will provide opportunities for sustainable development outcomes, including urban greening, green street corridors, increased canopy cover, and water sensitive urban design. It will encourage the integration of landscape as a key driver of building design through the provision of functional open spaces and landscaped setbacks to the front and rear of buildings.
- 127.2. In relation to the Gordon Avenue Precinct in particular, policy at Clause 11.03-6L-06 seeks landscaped setbacks to Gordon Avenue which can support a canopy tree in the residential centre of the precinct and landscaped setbacks along Latrobe Terrace to protect internal amenity at the ground floor and contribute to the improvement of the public realm along major traffic routes. The mandatory provision will ensure that these policy aspirations can be achieved.
- 127.3. The policy objectives and strategies at Clause 11.03-6L-06 are derived from the UDFs, hence the UDFs themselves provide strategic support for the mandatory ground level setback requirement. For example:

- 127.3.1. the Pakington Street and Gordon Avenue UDF sets out a desire for landscape to be a key driver of building design through the provision of landscaped areas to the front and rear of buildings, the provision of ground floor landscape setbacks at the interface to low-scale and sensitive residential areas, and the provision of landscape setbacks along traffic streets to improve ground floor amenity;⁶⁹ and
- 127.3.2. the Pakington North UDF specifically identifies minimum ground floor setbacks for certain streets to allow for landscaping, align with the predominant street character in some locations and enable a transition to lower-scale residential streets.⁷⁰

Is the mandatory provision an appropriate substitute for a performance-based provision?

- 127.4. It is appropriate to depart from a performance-based provision in this instance because a failure to provide sufficiently wide ground level setbacks would detract from the abovementioned policy objectives and strategies in Clause 11.03-6L-06. In order to implement the UDFs and achieve the visions for the Gordon Avenue and Pakington North Precincts, it is important that future development is required to provide ground level setbacks which provide opportunities for landscaping, enhance ground level amenity, ensure a transition in scale to sensitive residential areas and achieve a coherent, green street corridor. The mandatory nature of the control is contemplated in the UDFs and will ensure consistent and predictable development outcomes that implement the objectives of the UDFs.

Does the mandatory provision provide for the preferred outcome?

- 127.5. For the reasons set out above, the mandatory ground level setback requirement avoids the risk of adverse outcomes such as incoherent street corridors with a lack of urban greening and an unacceptable amount of visual bulk/built form in a way that a performance-based approach cannot. A performance-based approach would require consideration of ground level setbacks on a case-by-case basis as part of the permit application process,

⁶⁹ Pakington Street and Gordon Avenue UDF, page 40

⁷⁰ Pakington North UDF, page 45-48.

and detract from Council's ability to enforce a consistent ground level setback along the entire street corridor.

Mandatory wind requirement

128. Applying the PPN59 criteria to the mandatory wind requirement:

Is the mandatory provision strategically supported?

- 128.1. The mandatory wind requirement is strategically supported by the Pakington Street and Gordon Avenue UDF, which as part of the wider framework identifies the necessity of minimising wind effects from taller built form and improving amenity within existing and proposed new connections.⁷¹ It also recommends that wind mitigation strategies be provided on site.⁷²
- 128.2. In Council's submission, inclusion of the mandatory wind requirement for buildings exceeding a height of 16 metres is necessary to protect the amenity of the public realm in both UDF areas due to their vulnerability to adverse wind conditions arising from their location proximate to Corio Bay and risk of those conditions being exacerbated by taller buildings.
- 128.3. The inclusion of the same mandatory wind requirement in Central Geelong was considered and supported by the Advisory Committee for the Central Geelong Framework Plan who observed:

"While no evidence was led that substantiates the existing baseline for wind conditions, the Committee accepts that Central Geelong 's location on the bay and in a natural amphitheatre creates the potential for windy conditions. It is widely accepted that taller development can exacerbate windy conditions, particularly where towers are closely spaced. On that basis, the Committee is satisfied that it is appropriate that wind requirements should accompany development controls that promote and facilitate taller more intensive development in Central Geelong.

The Committee considers that on balance, the proposed blend of mandatory and discretionary wind controls is appropriate. The

⁷¹ Pakington Street and Gordon Avenue UDF, page 38.

⁷² Pakington Street and Gordon Avenue UDF, page 44.

mandatory requirement only applies to unsafe wind conditions – the requirements relating to comfortable wind conditions are discretionary. Creating conditions that are safe for the public is, in the Committee’s view, adequate justification for a mandatory requirement.

Unsafe wind conditions are described in Table 9 as:

Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions

No evidence was led that established that these conditions in fact pose a risk to safety. However the Committee accepts that the metrics are consistent with the mandatory requirements to avoid unsafe wind conditions introduced into the Melbourne Planning Scheme by Amendment C270.”⁷³

- 128.4. In Council’s submission, for the same reasoning as adopted by the Advisory Committee in Central Geelong, on balance, the proposed mandatory requirement to avoid unsafe wind conditions should be supported.

Is the mandatory provision an appropriate substitute for a performance-based provision?

- 128.5. The mandatory wind requirement is appropriate because any contravention of the requirement would result in unsafe wind conditions, which is an unacceptable planning outcome.

- 128.6. The mandatory wind requirement prescribes an outcome which must be met, but it does not prescribe how it must be met. That is, future development must not cause unsafe wind conditions, defined as “Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions”, but that could be achieved using a variety of different design responses and wind mitigation measures on a case-by-case basis. Therefore the mandatory provision

⁷³ [Central Geelong Framework Plan \(AC\) \[2021\] PPV 107 \(23 December 2021\)](#), Section 11.7 Wind effects, pages 189-190.

provides a sufficient level of flexibility and could in fact be characterised as a mandatory but also performance-based provision.

Does the mandatory provision provide for the preferred outcome?

128.7. The mandatory wind requirement is not overly limiting because, as set out above, it allows for a variety of different design responses to achieve the mandatory outcome – avoiding unsafe wind conditions.

128.8. Furthermore, it avoids the risk of adverse outcomes – unsafe wind conditions – in a way that a discretionary requirement would not (i.e. a discretionary requirement would not guarantee that unsafe wind conditions, as defined above, will be avoided).

129. On that basis, Council submits that the mandatory provisions are strategically justified and satisfy the criteria in PPN59.

FINAL POSITION ON THE AMENDMENT

130. Council submits that the Amendment is well-founded and strategically justified having regard to:

130.1. the background and supporting documents to the Amendment;

130.2. Council's Part A and B submissions, including Council's response to issues raised in submission;

130.3. the economic impact assessment of Mr Nott; and

130.4. the evidence of Mr Glossop and Ms Roberts.

131. In Council's submission, the evidence of Mr Glossop and Ms Roberts should be afforded considerable weight by the Panel in its assessment of the Amendment, with both experts having undertaken a comprehensive assessment of the Amendment and the issues raised in submissions (as relevant to their area of expertise).

132. On that basis, Council submits that the Panel ought to recommend that the Amendment be adopted, subject to the post-exhibition changes shown tracked on the Version 1 Amendment Documents and any further post-exhibition changes circulated following the conclusion of all parties' submissions and expert evidence.

133. Council reserves the right to propose further post-exhibition changes in response to submissions and evidence presented during the Panel hearing, and to respond to any new matters that are raised during the Panel hearing, as part of its closing submission.
134. This concludes Council's Part B submission.

16 February 2026

KATE MORRIS

HARWOOD ANDREWS

on behalf of

GREATER GEELONG CITY COUNCIL