

Client
Leaf Corporation Pty Ltd.

Date
21 November 2022

Planning

Transport

Urban Design

Waste Management

Town Planning Evidence

Geelong Saleyards Amendment C434

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Project
Geelong Saleyards Amendment C434ggee

Prepared for
Leaf Corporation Pty Ltd.

Our reference
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Version	Date	Issue	Prepared by	Checked by
1	21/11/2022	Final	William Bromhead James Hamilton	William Bromhead

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1. Introduction

1.1. Introduction

1. I have been engaged by Leaf Corporation Pty Ltd. (Leaf), the owners of properties at 6A and 8-14 Thompson Road, North Geelong, to review Planning Scheme Amendment C434ggee to the Greater Geelong Planning Scheme.
2. I understand that the Amendment C434ggee will facilitate the use and redevelopment of the former Geelong Saleyards site, Gateways Support Services site, and other adjoining undeveloped land, generally in accordance with the Saleyards Comprehensive Development Plan, March 2022 (City of Greater Geelong).
3. The Amendment C434ggee¹ proposes the following amendments to the Greater Geelong Planning Scheme, in summary:
 - Rezoning 125-135 Weddell Road (part), 8-14 Thompson Road, 6A Thompson Road and 2-6 Thompson Road (part) from IN1Z to the Comprehensive Development Zone (**CDZ4**).
 - Amending the schedule to HO1915 to remove the exemption for prohibited uses.
 - Application of the EAO to 125-135 Weddell Road (part), 8-14 & 6A Thompson Road and 2-6 Thompson Road (part).
 - Amending Clause 21.06-8 Implementation to include the Saleyards Precinct Key Development Area in the Housing and Settlement Framework Plan and Key Development Area Maps.
 - Amending the schedule to Clause 53.01 Public open space contribution and subdivision to include an amount of contribution for the land proposed to be rezoned to CDZ4.
 - Amending the schedule to Clause 72.04 Incorporated documents to include the CDP as an incorporated document.
 - Amending the schedule to Clause 72.08 Background documents to include:
 - Saleyards Precinct Plan (City of Greater Geelong, June 2021);
 - Providing social housing as essential infrastructure in Geelong’s Saleyards precinct (SGS, March 2022); and
 - Geelong Saleyards Precinct Surface Water Management Strategy (BMT, April 2021).
 - Amending the zoning of 125-135 Weddell Road, which is located outside the Saleyards Precinct, from SUZ3 to PPRZ, to reflect the existing and continuing status of the land as public open space.
4. I note that other areas are included within the Saleyards precinct but are not affected by the Amendment C434ggee per se. These areas include:
 - Part of land at 125 Weddell Road currently in the PPRZ will be retained; and
 - HO1915 and SBO applying to 125 Weddell Road and 135 Weddell Road (part of), which affects part of the land, will be retained.
5. I further note that there are several Supporting Documents² that accompany the Amendment C434ggee and were included on Council’s website. These include amongst other things:
 - A draft Shared Infrastructure Funding Agreement; and
 - A draft Section 173 Agreement for infrastructure funding.
6. I understand that Council officers reported to Council on 27 September 2022 to consider submissions made to the public exhibition of the Amendment C434ggee between 16 June 2022 and 25 July 2022.
7. At its meeting, the Council resolved to request the Minister for Planning to appoint an independent Planning Panel to consider submissions in respect of the Amendment C434ggee in accordance with section 23 of the Planning and Environment Act 1987.

¹ C434ggee Amendment details are found on [DELWP’s website](#)

² Refer to City of Greater Geelong [Amendment C434 webpage](#)

8. I note that as part of the same resolution, Council resolved to:
- *Advise the Panel that Council supports high density development within this precinct of up to 10 storeys, subject to appropriate design and siting outcomes and all applications above 6 storeys requiring a planning notice.*³
9. In the context of the precinct and its vision, my report considers the strategic background to planning for major infill development in Geelong cognisant of ongoing population growth, housing demand, and strategic planning policy.
10. I have reviewed the full Amendment C434ggee under the context of the need to consider the role major redevelopment sites play within Geelong’s broader settlement hierarchy, alignment with planning policy, and the attributes of the site and surrounding area.
11. I have undertaken a strategic assessment of the Amendment C434ggee including the proposed controls. My focus in this report is on the strategic imperative that underpin the site as a Strategic Development site.

1.2. Guide to Expert Evidence

12. I acknowledge that I have read and complied with the Guide to Expert Evidence prepared by Planning Panels Victoria. In accordance with this guide, I provide the following information:

Name and Address

13. William Bromhead
Ratio Consultants Pty Ltd.
8 Gwynne Street
Cremorne VIC 3121

Qualification and Experience

14. I am a Director of Ratio Consultants Pty Ltd. I am a qualified town planner and have practiced since 1993. I have 29 years’ experience as a town planner working previously with Hansen Partnership Pty Ltd and Contour Consultants Pty Ltd. I hold a Bachelor of Applied Science (Planning) RMIT.
15. I am also a member of the Victorian Planning and Environmental Law Association (VPELA) and the Planning Institute of Australia (PIA).

Expertise to Make the Report

16. As a planning consultant for some 29 years, and a Director at Ratio Consultants Pty Ltd, I have had to assess and provide strategic and land-use planning advice on a wide range of town planning issues. This experience has included the giving of evidence to VCAT and Planning Panels Victoria.

Instructions

17. I have been requested by Rigby Cooke Lawyers, on behalf of Leaf, to provide independent expert opinion in respect of the Amendment C434ggee, as follows:
- *Review the Amendment and relevant background documents (as relevant to your expertise) from a planning perspective.*
 - *Subject to your preliminary comments, we may instruct you to prepare expert evidence within the scope of your expertise, and express your opinion as to whether the proposal is appropriate having regard to:*
 - *any regulatory framework applicable to the proposal which is within your expertise to examine and comment on;*
 - *your own judgement and experience; and*
 - *any other matter which you regard as relevant to the formulation of your opinion, stating clearly the basis of your views.*

³ Greater Geelong Council Meeting Minutes Tuesday 27 September 2022; Section 2.2

The Facts, Matters and Assumptions on which the Opinions are expressed in this Report

18. In the course of preparing this report, I have inspected the site and surrounds on 8 November 2022, and have had regard to the following documents:
- Amendment C434ggee - exhibition material and relevant Supporting Background Material
 - Submissions to the public exhibition of Amendment C434ggee
 - The Greater Geelong Planning Scheme
 - Plan Melbourne 2017-2050
 - G21 Regional Growth Plan 2013
 - City of Greater Geelong Settlement Strategy
 - City of Greater Geelong Housing Diversity Strategy 2007
 - Ministerial Direction No 1 – Potentially Contaminated Land
 - Ministerial Direction No 11- Strategic Assessment of Amendments
 - Planning Practice Note 46 (PPN46)- Strategic Assessment Guidelines
 - Council officer report- Ordinary Meeting of Council- Tuesday 27 September 2022
 - Amendment C434ggee to the Greater Geelong Planning Scheme Former Saleyards Council Submission Final (Maddocks; 21 October 2022)
 - Day 1 Panel version Saleyards Comprehensive Development Plan
 - Day 1 Panel version Schedule 4 to Clause 37.02 Comprehensive Development Zone Saleyards Precinct Plan
 - Other Greater Geelong Council Precinct Plans and emerging Urban Design Frameworks
19. I was assisted by Mr. James Hamilton (Senior Associate Planner) and Stefan Bettiol (Associate Planner), of my office, in the preparation of this report.
20. I inspected the Geelong Saleyards Precinct on Tuesday 8th November 2022.

Declaration

21. I declare that I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Panel.



1.3. Summary of Opinion

22. The Geelong Saleyards Precinct represents a unique opportunity to make a significant contribution to housing supply within the Geelong region. It represents a major urban infill opportunity that has multiple characteristics that lend themselves to achieving a high intensity of development. These characteristics include, amongst other things, the size of the precinct, the absence of a sensitive residential abutments, the proximity of public transport (including buses and trains), the non-fragmented nature of the lots and the limited number of landowners.
23. The Geelong Saleyards Precinct has the opportunity to make a meaningful contribution to housing supply and to contribute to the aim of providing 50% of housing in the form of infill housing by 2047 as outlined in the Housing Settlement Strategy. The full utilisation of infill development sites will help do some of the heavy lifting in an established urban area in terms of providing housing choice and diversity and affordability (including the provision of social and affordable housing).
24. I am generally satisfied that Amendment C434gee provides an orderly planning framework to support the vision for the Geelong Saleyards as contained in the Saleyards Comprehensive Development Plan May 2022. The designation of the Precinct as a Key Development Area in the Geelong Planning Scheme is appropriate on the basis of it the Precinct's characteristics and its locational attributes.
25. I consider that the proposed modifications to the Planning Policy Framework, the introduction of a tailored Comprehensive Development Zone coupled with the incorporation of the Comprehensive Development Plan and inclusion of the Precinct Plan as a Background Document generally provide an appropriate planning framework for the consideration of future use and development applications.
26. I support Council's resolution of 27 September 2022 that supports building heights up to and including 10 storeys. In my view, allowance for a greater building height up to 10 storeys is strategically justified on the basis that the Saleyards Precinct will be defined as a Key Development Area where it can play a key role in providing for high density housing and a limited range of commercial and community uses.
27. Notwithstanding this I believe that there are some aspects of the proposed controls that require further refinement. Specifically:
 - I believe there should be further changes to the CDP and CDZ to more explicitly support buildings up to 10 storeys as per the Council resolution.
 - The inclusion of mandatory criteria for the consideration of building heights above the preferred height limits (up to a mandatory maximum of 10 storeys) seeks to penalise development for achieving a preferred outcome and should be discretionary or removed altogether.
 - Some of the mandatory criteria to achieve buildings of up to 10 storeys are subjective and difficult to quantify and potentially create an unreasonable burden on the developer eg the use of the phrase 'significant' community benefit.
 - The proposed shadowing control of the Central Park should be amended to provide some reference to a time of day.
 - The proposed controls in relation to the provision of contributions for park embellishment and for public open space contributions are confusing and have not been adequately justified.
 - In relation to potential acoustic treatments, I support the redrafted provisions that has removed reference to a 2-metre-high acoustic fence along substantial proportions of the Precinct's boundary. However I think the wording of the control is repetitive of other requirements in the planning scheme and could be simplified further.
 - The reference to a possible future link to Hepner Place is unnecessary given the likelihood of that precinct remaining as industrial land. At the very least the reference to future possible link should be qualified on the basis of being provided only if land surrounding Hepner Place is redeveloped for residential purposes at some time in the future.
 - The requirement for 60% of housing to be accessible should be amended to 50% to be consistent with the Clause 58 requirement or deleted to avoid duplication of the existing provision.
 - The revised Day 1 wording of the proposed controls and development plan is an improvement over the exhibited version but I note that there are a number of other deficiencies in the drafting of the provisions which can be and should be corrected or improved.
28. Notwithstanding my comments and suggested changes, I am supportive of Amendment C 434gee and what it is seeking to achieve.

2. The Precinct

2.1. The Land Parcels

29. Leaf is a major landholder within the Saleyards precinct.
30. Specifically, Leaf owns land at:
 - 6A Thompson Road, North Geelong - comprises vacant land to the rear of 8-14 Thompson Road. The property is approximately 0.9ha. It is understood that this land was formerly owned by the Sphinx Hotel; and
 - 8-14 Thompson Road, North Geelong - comprises the Gateways Support Services buildings and associated areas of car parking. The property is approximately 3.8ha. The site is formerly home to the Target Head Office.
31. Collectively, the Leaf sites are approximately 4.7ha in area and take the form of an 'L-shape' within the broader precinct. The broader Saleyards precinct is approximately 12.51 ha⁴.
32. The broader Saleyards precinct comprises of the above Leaf properties and the following:
 - The former Geelong Saleyards site at 125-135 Weddell Road;
 - Part of the Sphinx Hotel land at 2-6 Thompson Road; and
 - Land at 117-123 Weddell Road.
33. The Precinct as a whole is strategic in scale, well -located and clearly has the capacity to accommodate high density housing development, as per the vision set out in the Saleyards Comprehensive Development Plan. It is advantageous in terms of achieving the stated strategic aims for the site that the site is primarily made up of two large landholders as opposed to being in more fragmented ownership. It is also of benefit that the Saleyards site is vacant and that the buildings on the Leaf property are generally tired and ripe for redevelopment.
34. Figure 1 below provides an aerial map of the site, whilst Figure 2 provides a plan that shows the landholdings within the context of the Saleyards precinct.

⁴ Saleyards Comprehensive Development Plan May 2022; Page 24

Figure 1: Site Aerial



Figure 2: Saleyards Future Urban Structure and the Site



2.2. Site Interfaces

35. Broadly speaking, the northern boundary of the Saleyards precinct is bound by industrial zoned land, the eastern boundary by Weddell Road, the southern boundary by land used for drainage purposes and the Geelong Golf Club, and western boundary by Thompson Road.

NORTH

36. The northern boundary is adjoined by land within the Industrial 1 Zone containing a range of existing industrial uses. In most instances, the rear of each industrial properties' buildings abut the boundary interface, although there are some industrial operations which have industrial yards adjacent to the precinct boundary. Examples of uses within the industrial precinct include hydraulic repairs, stone cutting services, and telecommunications service providers.

EAST

37. The eastern boundary of the Precinct abuts Weddell Road. There are currently four crossovers to the Precinct's Weddell Road frontage. One of the crossovers provides a vehicle connection via a sealed road from Weddell Road through the former saleyard land through to 8-14 Thompson Road. It is understood that this road was originally constructed to service Target employees gaining access to 8-14 Thompson Road via Weddell Road. The road continues to provide for employees of Gateway Support Services who occupy the buildings at 8-14 Thompson Road.

SOUTH

38. The southern boundary of the Precinct adjoins the Geelong Golf Club, and land used for drainage purposes as well as the Sphinx Hotel.
39. The southern boundary of 8-14 Thompson Road adjoins 2-6 Thompson Road, comprising the Sphinx Hotel with a direct interface comprising the Hotel car park. The Sphinx Hotel supports accommodation to the rear of the site and the buildings associated with the Sphinx complex are setback approximately 31 metres from the common boundary with the precinct.
40. The Sphinx Hotel is used as a live music venue.

WEST

41. The western boundary of the Precinct adjoins Thompson Road, which is included in a Transport Zone (TRZ2).

3. Planning Policy Context

- 42. I have set out below what I consider to be the relevant provisions of the Greater Geelong Planning Scheme as part of my consideration of the pertinent planning matters related to Amendment C434ggee.
- 43. I have provided a summary of each and in subsequent sections of my report, I will draw upon these as part of my discussion.
- 44. I note that since the public exhibition of Amendment C434ggee, the Greater Geelong Planning Scheme has been translated into the new format Planning Policy Framework as part of C417ggee. Consequently, the exhibited amendment document for C434ggee will need to be updated to accord with the relevant ordinance numbering of the amended planning scheme provisions.

3.1. Planning Policy Framework

- **Clause 02.03-1 Settlement** provides the following context for Geelong' settlement:
 - Geelong is expected to grow by an additional 152,000 people by 2036 based on an average annual growth rate of 2.5 per cent. This growth will create demand for over 73,400 additional dwellings which can be met under the City's identified planned growth.
 - A combination of greenfield and infill development will deliver housing for Geelong's growing population. Over time the share of new housing from infill is expected to increase.
 - Targeted infill development is supported in areas with access to infrastructure, goods and services. (*my emphasis*)
 - In order for medium and high-density housing to be embraced by established communities it needs to deliver high quality design and achieve a high level of amenity for future residents while being appropriate for the site and neighbourhood.
 - Strategic directions include:
 - Direct and contain growth within identified locations across the municipality.
- **Clause 11 Settlement** seeks to provide for the needs of existing and future communities by providing zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.
- **Clause 11.01-1S Settlement** seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Strategies to achieve this include:
 - Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
 - Encourage a form and density of settlements that supports healthy, active and sustainable transport.
 - Limit urban sprawl and direct growth into existing settlements.
 - Promote and capitalise on opportunities for urban renewal and infill redevelopment. (*my emphasis*)
- **Clause 11.01-1R Settlement- Geelong G21** contains relevant strategies that seek to:
 - Support the role of Central Geelong as a major regional city and revitalise and strengthen its role as Victoria's second city.
- **Clause 11.01-1L-01 Settlement- Greater Geelong** includes the following relevant strategies:
 - Direct the majority of future housing needs to urban Geelong (urban infill, Armstrong Creek and the Northern and Western Geelong Growth Areas). (*my emphasis*)
- **Clause 11.02-1S Supply of urban land** seeks to ensure a sufficient of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. Strategies to achieve this objective include:

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development. *(my emphasis)*
 - Ensure that sufficient land is available to meet forecast demand. *(my emphasis)*
 - Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. *(my emphasis)*
 - Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas including ensuring that sufficient land is available to meet forecast demand. *(my emphasis)*
- **Clause 13 Environmental Risks and Amenity** seeks that planning should identify, prevent and minimise the risk of harm to the environment, human health, and amenity through:
- Land use and development compatibility.
 - Effective controls to prevent or mitigate significant impacts.
- **Clause 13.05 Noise** seeks to assist with the management of noise effects on sensitive land uses and to ensure that development is not prejudiced and community amenity and health is not adversely impacted by noise emissions and to minimise the impact on human health from noise exposure to occupants of sensitive land uses near the transport system and other noise emission sources through suitable building siting and design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.
- **Clause 13.07-15 Land use compatibility** seeks to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. Strategies used to achieve this objective include:
- Ensure that use or development of land is compatible with adjoining and nearby land uses.
 - Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
 - Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.
 - Protect existing commercial, industrial and other uses from encroachment by use or development that would compromise the ability of those uses to function safely and effectively.
- **Clause 15 Built Environment and Heritage** seeks to ensure that planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- **Clause 16 Housing** seeks that:
- Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
 - Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.
 - Planning for housing should include the provision of land for affordable housing.
- **Clause 16.01-15 Housing Supply** seeks to facilitate well-located, integrated and diverse housing that meets community needs. To achieve this the strategies include:
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas. *(my emphasis)*
 - Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport. *(my emphasis)*
 - Identify opportunities for increased residential densities to help consolidate urban areas. *(my emphasis)*
 - Support opportunities for a range of income groups to choose housing in well-serviced locations.
- **Clause 16.01-25 Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services. Amongst other things, relevant strategies include:
- Increase the supply of well-located affordable housing by:
 - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
 - Ensuring the redevelopment and renewal of public housing stock better meets community needs

3.2. Regional Strategies

Plan Melbourne 2017-2050

45. Plan Melbourne comprises the metropolitan planning strategy that provides a framework to guide growth of the city over a 35 year period.
46. Plan Melbourne provides context to and role of regional Victoria and directs that investment be made in regional Victoria to support housing and economic growth⁵.
47. Plan Melbourne also provides insightful planning discussion and direction in relation to the provision of housing choice in locations close to jobs and services⁶. Plan Melbourne provides a number of Direction and policies that seek to meet this direction. I have summarised these below and consider that whilst pertaining to a Melbourne focus, they offer practical and orderly planning direction in respect of supporting housing choice proximate to existing services.
- **Direction 2.1** – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.
 - **Policy 2.1.2** - Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport. (*my emphasis*)
 - **Direction 2.2** – Deliver more housing closer to jobs and public transport
 - **Policy 2.2.2** – Direct new housing and mixed use development to urban renewal precincts and sites across Melbourne (*my emphasis*)
 - **Policy 2.2.3** – Support new housing in activity centres and other places that offer good access to jobs, services and public transport (*my emphasis*)
 - **Direction 2.3** – Increase the supply of social and affordable housing
 - **Policy 2.3.3** – Strengthen the role of planning in facilitating and delivering the supply of social and affordable housing
48. Plan Melbourne is guided by the principle of *20-minute neighbourhoods*⁷. I consider that this principle is directly relevant to the planning for major urban renewal precincts in Geelong, including the Saleyards precinct.
49. The 20-minute neighbourhood ultimately seeks to provide people with the ability to meet most of their daily needs within a 20 minute walk from home, with safe cycling and local transport options.
50. I will discuss this principle further in the context of attributes of the site and precinct and the need to maximise development outcomes in Geelong’s limited number of major redevelopment locations.

G21 Regional Growth Plan 2013

51. The G21 Regional Growth Plan is a Background document pursuant to Clause 72.08 of the Greater Geelong Planning Scheme. The G21 Regional Growth Plan provides historical context to the intentions on how to manage growth in the region. Since 2013, significant strategic planning work has been undertaken within the G21 region to implement planning framework to guide growth. This includes significant strategic projects such as the Northern and Western Geelong Growth Area Framework Plans and the Greater Geelong Settlement Strategy. I will discuss the latter in the following section in respect of population growth and the hierarchy implemented to accommodate housing growth up to 2050.
52. The Growth Plan contemplates targets set out in the Geelong Region Plan relating to 40% of new dwellings to be provided through urban infill at average densities of 20 dwellings per hectare in urban Geelong.
53. The Growth Plan ultimately supports the growth of Geelong with a focus on infill housing opportunities. A focus on locations comprising targeted activity centres and Key Development Areas as identified in the Greater Geelong Planning Scheme⁸.

⁵ Plan Melbourne 2017 (Page 130)

⁶ Plan Melbourne 2017 (Outcome 2; Page 43)

⁷ Plan Melbourne 2017 (Direction 5.1; Page 98)

⁸ G21 Regional Growth Plan (Map 7; Page 27)

Summary

54. The Greater Geelong Planning Policy Framework strongly supports urban consolidation in locations with access to key services and amenities. The PPF seeks to capitalise on opportunities to provide for urban consolidation through urban renewal and infill development.
55. Importantly, I note that PPF seeks to direct most of its housing needs to urban Geelong, which includes urban infill areas, and that there is a need to ensure sufficient land is available to meet forecast demand.
56. The Saleyards precinct and Leaf landholdings therefore are afforded explicit policy support to capitalise on the inherent opportunities to provide an integrated high-density residential outcome in this location proximate to good services and amenities.

4. Housing: The Need and Direction

57. With the planning policy context set out in Section 3 of my report, I will now consider the relevant strategies that underpin the overarching policy direction for Housing.
58. Amendment C434ggee proposes to include the Saleyards precinct as a *Key Development Area* in the Housing and Settlement Framework Plan and Key Development Area maps at Clause 21.06-8 Implementation⁹. I understand that the Key Development Area Maps are no longer included in the Scheme due to technical errors during the processing of Amendment C417 and that Council is liaising with DELWP to consider options to reinstate the Key Development Area Maps back into the Scheme.
59. This proposed designation is similar to other areas in urban Geelong that are designated as Key Development Areas including central Geelong, Waurin Ponds, and West Fyans.
60. It is my view that in designating the Saleyards as a Key Development Area, the precinct is required to play a significant role in contributing towards future infill development, with an emphasis on meeting housing needs. A role that should be underpinned by a complementary and enabling planning framework and a suite of planning controls.
61. I now consider relevant strategies in respect of confirming the housing needs of Geelong, and the embedded settlement hierarchy that directs future housing to designated locations, including infill areas in urban Geelong. These strategies are:
- Greater Geelong Settlement Strategy 2020
 - Greater Geelong Housing Diversity Strategy 2007

Greater Geelong Settlement Strategy 2020

62. The Geelong Settlement Strategy is a Background Document pursuant to Clause 72.08 of the Greater Geelong Planning Scheme. The role of the Settlement Strategy is to build on existing planning policy within the Greater Geelong Planning Scheme.
63. I note that the Settlement Strategy refers to Geelong's strong historical growth patterns and that the fact that in the five years prior to the preparation of the Settlement Strategy the growth rate increased from 1.5% to 2.7%¹⁰.
64. It is also clear that growth is set to continue along this trajectory over a sustained period and that to accommodate this growth, the role of the Settlement Strategy is to build and enhance what is already in place within the planning framework¹¹.
65. As an underlying parameter, the Settlement Strategy plans for a population growth scenario of 2.5% and notes that at the time of writing, there was in excess of 25 years of supply of residential land supply for infill and greenfield already identified¹².
66. Importantly, I note the recognition of infill development in established areas and its ability to contribute towards 50% of overall housing supply¹³.
67. Ultimately, the Settlement Strategy strongly encourages urban consolidation and its role as a contributor to overall housing supply and that increasing housing consolidation, particularly in Key Development Areas in urban Geelong is a major priority¹⁴.
68. The Settlement Strategy provides a set of seven Recommendations¹⁵ that comprise Principles and Directions to guide the spatial distribution of housing throughout the municipality and in what form. I note the following Recommendations, Principles and Direction as relevant to supporting the key role urban infill is expected to play in contributing the Geelong's overall housing supply:

⁹ I note that Amendment C417ggee translated the Greater Geelong Planning Scheme into the new format Planning Policy Framework, which has made changes to the structure of the planning ordinance and to Clause 21.06 in its exhibited format as part of C434ggee.

¹⁰ Greater Geelong Settlement Strategy 2020; Page 5

¹¹ Ibid

¹² Ibid

¹³ Ibid

¹⁴ Settlement Strategy Page 61

¹⁵ A full set of Recommendations, Principles and Directions are provided in the Settlement Strategy (Pages 4-17)

— **1. Spatial Distribution of Growth and Land Supply**

- Principle: Provide clear strategic direction on the spatial distribution of residential growth in Greater Geelong.
 - Direction a- Direct the majority of future housing needs to urban Geelong (urban infill, Armstrong Creek and the Northern and Western Growth Areas)
- Principle: Maintain an adequate supply of residential land

— **2. Housing Diversity**

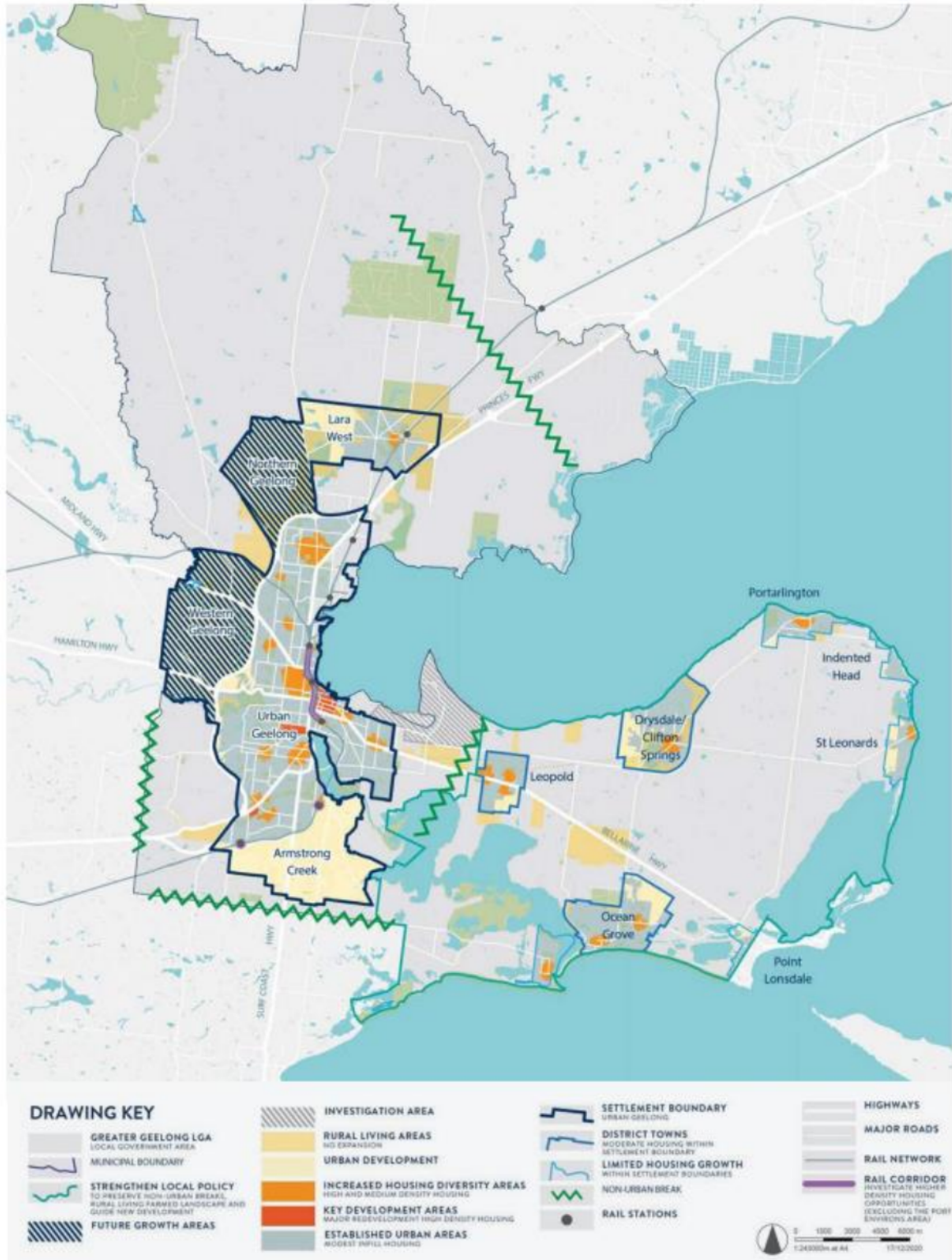
- Principle Ensure housing diversity is achieved in existing and growth area communities.
 - Direction a- Continue to implement and build upon the Housing Diversity Strategy to increase housing diversity in existing communities.
 - Direction c- Work with interested parties to deliver high quality clever and creative housing solutions that will provide greater housing choice in Geelong.
- Principle Increase the level of affordable and social housing in Greater Geelong.
 - Direction a- Support affordable housing in areas suitable for urban consolidation.

— **6. Urban Consolidation**

- Principle Increase the role of urban consolidation as part of Geelong's overall housing supply.
 - Direction a Facilitate infill development to increase its housing supply contribution to 50 per cent, by 2047. (my emphasis)
 - Direction b - Support the population target of 10,000 people by 2026 in Central Geelong through increased residential development.
- Principle Articulate the preferred location for increased housing densities.
 - Direction a - Continue to support the following policy directions set out in the Housing Diversity Strategy:
 - Direct high-density housing growth to the Central Geelong, Fyans/West Fyans and Waurin Ponds Key Development Areas. (I note that C434ggee proposes the Saleyards as a Key Development area)
- Principle Manage the impact of increased housing densities on neighbourhoods
 - Direction c - Ensure new major developments are designed and located to maximise public and active transport options.

69. The Greater Geelong Housing Framework Plan- 2036 (shown in my report as Figure 3 below) provides direction in terms of the role of extant Key Development Areas and defines them as '*major redevelopment high density housing*'. Existing Key Development Areas are coloured red on the framework plan. Refer to the Housing Framework Plan below.

Figure 3: Greater Geelong Housing Framework Plan- 2036¹⁶



¹⁶ Clause 02.04-3 Settlement and Housing of the Greater Geelong Planning Scheme contains the same plan

70. It is my opinion that the Principles and Directions outlined above provide a clear and direct basis upon which to capitalise on the key attributes and benefits of the Saleyards as one of Geelong's major redevelopment areas and deliver on its proposed role as a defined Key Development Area.
71. When it comes to identifying and planning for major infill redevelopment and intensification opportunities, I support an approach that seeks to consider and evaluate each site on its merit and to use the existing planning framework and policy and guidance to determine an appropriate development outcome.
72. The Settlement Strategy refers to using the Housing Diversity Strategy as a starting point, which I agree is a sound basis. However, there is a need to consider changing times, market trends, matters that relate to potential underestimation of demand, and capitalisation of opportunities to ensure urban renewal delivers density of scale. I note the Settlement Strategy contemplates this matter insofar as experience and the higher housing growth rates being observed¹⁷.
73. I agree with the Settlement Strategy in relation to the need to plan for unexpected upturn in demand¹⁸. Moreover, I agree that the consequences of underestimating or not planning for potential outliers can ultimately create delays in planning for growth more broadly, inadequacy of land supply, rising land prices and critically, fuel the ongoing issue relating to housing affordability. Competition in the housing supply market is also important.
74. I therefore consider that it is strategically sound to plan for future housing and to capitalise on Geelong's major infill opportunities. Opportunities that can provide housing diversity at increased densities and importantly, in sustainable locations proximate to key services and amenities.

Greater Geelong Housing Diversity Strategy 2007

75. The Greater Geelong Housing Diversity Strategy 2007 is a Background Document pursuant to Clause 72.08 of the Greater Geelong Planning Scheme. The Housing Diversity Strategy set out Council's approach to planning for urban consolidation.
76. The Housing Diversity Strategy considers Higher Density Housing to comprise attached townhouses or apartments, usually more than 3 storeys in height, resulting in a gross residential density of more than 40 dwellings per hectare¹⁹.
77. The document is now 15 years old and whilst it still has relevance, it is evident that it is need of review. For example, I would consider that the notion of high density housing having a development density of 40 dwellings per hectare to be underestimate of what is considered to be high density housing today.
78. I note that the Housing Diversity Strategy identifies three different area types that can accommodate housing demand and provide a range of diversity²⁰. These are:
 - **Key Development Areas**, being large existing and future development areas that have the potential to accommodate significant amounts of new medium and higher housing, including mixed use development;
 - **Increased Housing Diversity Areas**, being areas where a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area; and
 - **Incremental Change Areas**, being residential areas where the majority of new development will be in keeping with Geelong's traditional suburban character
79. I note that this approach enables the most substantial increase in housing densities in Key Development Areas across the city, such as central Geelong or other large development sites (existing and future), without having detrimental impacts on amenity²¹.
80. I further note that the definitions contained in the Housing Diversity Strategy are not 'targets' and that different areas will achieve different development densities, depending on the capacity of the area, including the housing market and specific policy context.
81. Clearly, Key Development Areas always have been and remain envisaged as the one of the key 'providers' of high density housing where inherent scale of land and proximity to key services allows for opportunity to optimise outcomes.
82. It is evident, however, that a number of areas such as central Geelong, West Fyans, and Waurn Ponds have not yet fully delivered on their vision. In this regard, I note that in the case of Waurn Ponds no significant advances appear to have been made in this area and note the complexities involved with the West Fyans area in terms of landownership and integration with extant industry operations.
83. I understand that central Geelong is currently awaiting approval of the central Geelong Framework Plan as part of Amendment C434ggee, that provides a refresh to the vision for the city centre and an aspiration to house

¹⁷ Settlement Strategy Page 83

¹⁸ Settlement Strategy; Page 64

¹⁹ Housing Diversity Strategy 2007; Page 8

²⁰ Housing Diversity Strategy; Page 25

²¹ Ibid

12,000 people. The revised planning framework for central Geelong is expected to provide a reasonable platform upon which to enable the city centre to be home to a significantly increased resident population.

84. The designation of Key Development Areas in the Greater Geelong Housing Diversity Strategy 2007 has sound merit. The implementation of enabling planning frameworks is the subsequent step to capitalising on these strategic sites. It is clear that each key development area currently designated in the planning scheme has unique attributes and, in some cases, attributes or interfaces that potentially limit full capitalisation of these areas.
85. I am of opinion that where a key development area benefits from inherent enabling characteristics or attributes, that these should be capitalised upon to truly deliver the vision for these areas to host to high density housing. Moreover, where there are limitations that exist on current Key Development Areas, new areas that benefit from limited constraints should be maximised.
86. In the following section of my report, I set out the attributes of the Precinct.

5. The Precinct & Its Key Attributes

87. The settlement hierarchy for urban Geelong is well defined. There is a particular focus on urban consolidation-through urban infill development. The Greater Geelong Settlement Strategy 2020 as one of its key Directions seeks to facilitate infill development providing 50% of housing supply by 2047. Whilst this is less than the aspirations of Plan Melbourne²², it is nonetheless a sustainable approach to providing development in the right locations.
88. Geelong's existing Key Development Areas have not yet fulfilled their potential role since their designation back in 2007. Notwithstanding this, opportunities to explore new large scale redevelopment opportunities that can provide similar urban renewal benefits should be explored and capitalised on where appropriate.
89. I consider that the Geelong Saleyards Precinct provides an appropriate location to satisfy the directions of the Settlement Strategy and its ambition of providing 50% housing supply in the form of infill development by 2047.

5.1. The Inherent physical and locational benefits of the Precinct

90. In paragraphs 38-39 of this report, I referenced Plan Melbourne and the principle of 20-minute neighbourhoods. I consider this principle to provide a sound basis upon which to demonstrate several of the key attributes of the precinct, and of course, the Leaf landholdings.
91. Figure 4 below provides a copy of the 20-minute neighbourhood framework or 'hallmarks' and therefore demonstrating the key attributes necessary to fulfill this policy aspiration. Note that it is not a requirement to satisfy all matters rather the principle is to aspire to as many as possible.
92. The 20-minute journey represents an 800m walk from home to a destination, and back again.

²² Plan Melbourne aspires to achieve 70% infill housing contribution.

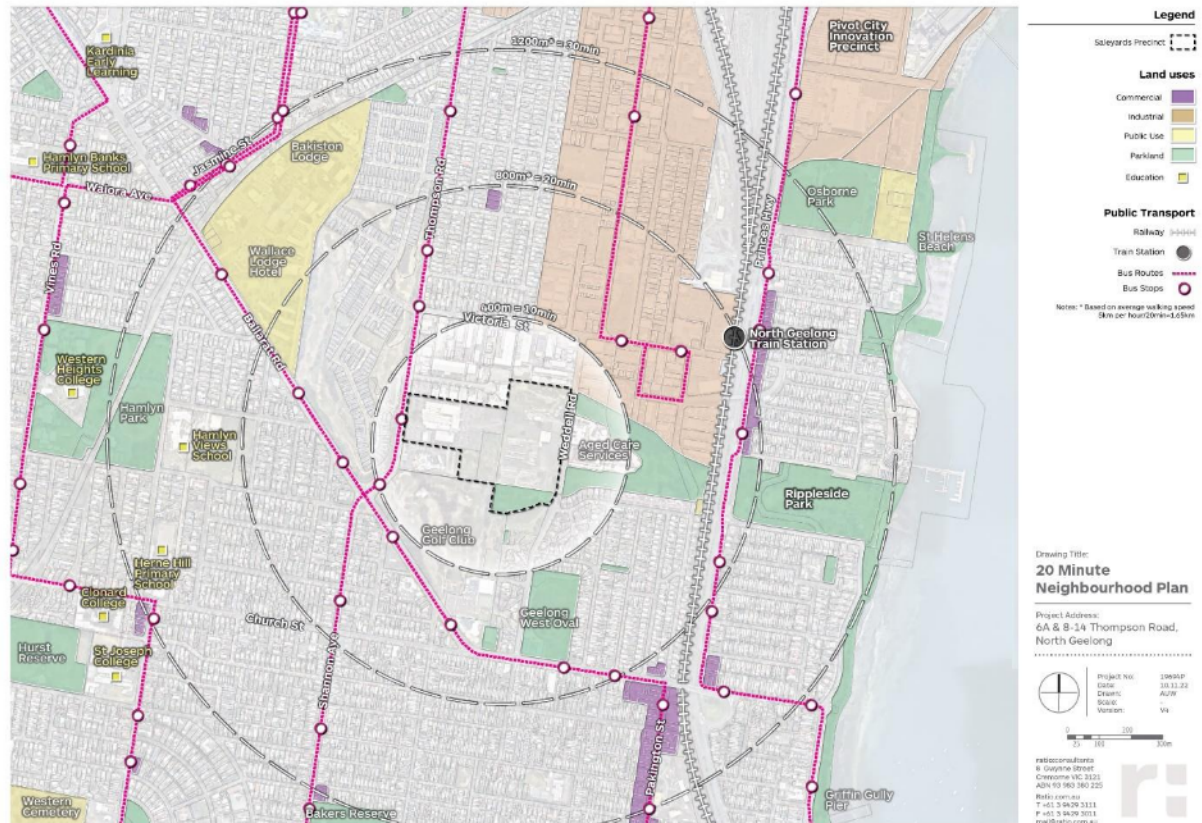
Figure 4: The 20-minute neighbourhood principle



Source: Plan Melbourne 2017

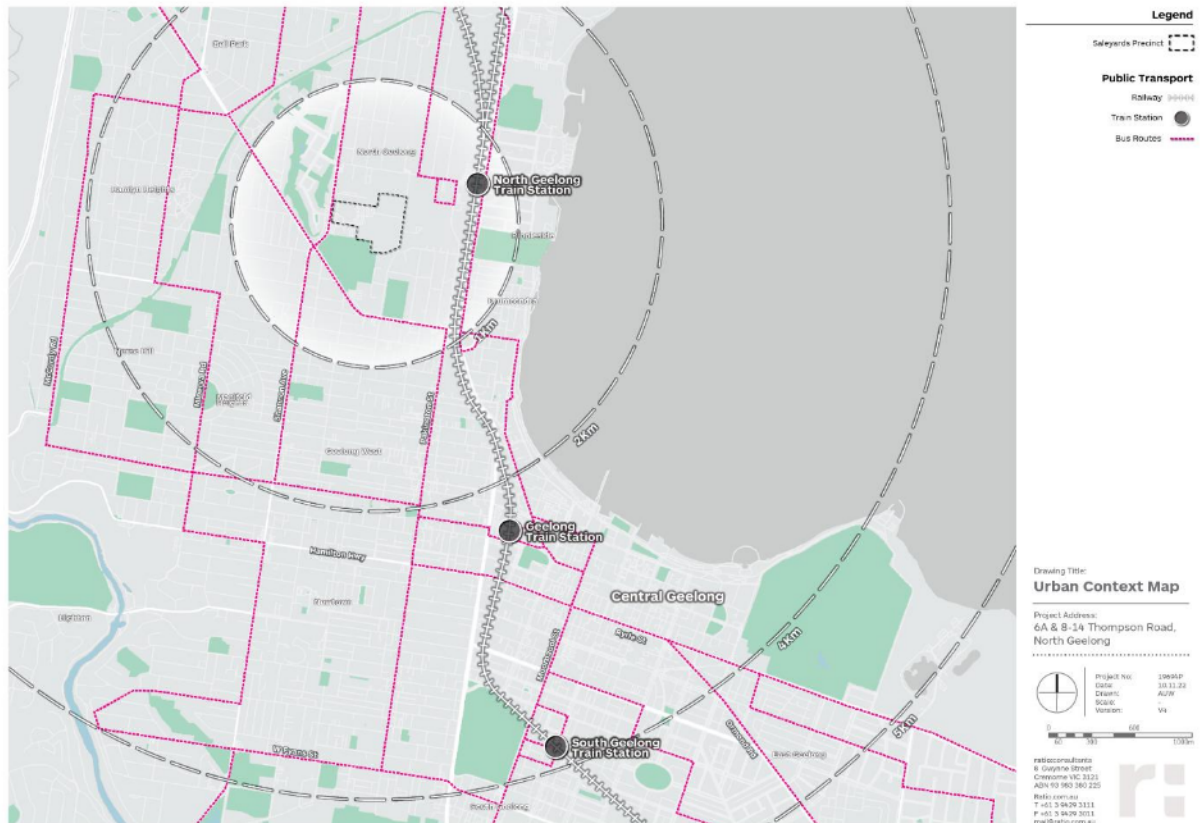
93. The precinct undoubtedly can satisfy many of the hallmarks shown in Figure 5 and therefore provides an opportunity to capitalise upon its attributes particularly in the context of proximity to major public transport networks.
94. To demonstrate the key attributes of the precinct, Figure 5 below provides a snapshot of the levels of accessibility to key land uses and services.

Figure 5: Saleyard precinct 20-minute neighbourhood plan



95. Figure 6 demonstrates a high level of accessibility for the precinct. This includes the
 - Bus services along Thompson Road and Ballarat Road that provide approximately 15-minute journeys into Geelong CBD.
 - Bus services along Thompson Road and Ballarat Road that provide approximately 10-minute journeys Pakington Street activity centre.
 - North Geelong railway station within an 800 walking distance.
 - Access to employment areas within 400-800 metres walking distance
 - Access to sporting facilities and reserves within a 400-800 walking distance
96. It is also fair to assume that upon the development of the precinct, accessibility will be further enhanced through the provision of associated uses to serve the community therein, noting that the Comprehensive Development Plan envisages the incorporation of a Mixed Use precinct.
97. It is also important to note the precinct’s strategic location in the context of central Geelong, being the City’s epicentre for education, commercial, retail, health, entertainment and cultural amenities and services. Figure 6 below further confirms the precinct’s level of accessibility via public transport.

Figure 6: Accessibility to central Geelong



98. Cognisant of the above, I consider that the precinct, given its size at approximately 9 ha of net developable area and its locational benefits, must be provided with an enabling planning framework from the outset, which provides flexibility to explore design opportunities through future detailed planning processes.
99. The precinct has the potential to provide a greater density through increased built form outcomes beyond what the Comprehensive Development Plan and associated planning controls allow for as a baseline. This potential is discussed from a strategic perspective in the following section.
100. I believe the future detailed planning for the precinct must be allowed to leverage off these key attributes.

6. What Height and Density is Appropriate for the Precinct?

101. The locational attributes of the precinct and its position within the broader urban environment as an ‘island site’ marry together and present a logical proposition to capitalise on these features and deliver a truly optimal outcome for the precinct.

6.1. Reasons for Capitalising on the Precinct’s Attributes

102. I consider that the revised position of Council in respect of preferred maximum building heights (ie Council being supportive of high density development within the precinct up to 10 storeys) to be appropriate²³.
103. In support of the revised position of Council and to supplement the strategic policy support for capitalising on urban infill locations, I consider the size of the precinct and its interfaces to add further justification for the allowance of building heights and ultimately, the ability to capitalise on these key attributes.

Size of the Precinct

104. The size of the precinct (approx. 9 ha NDA) will allow for future design processes to consider, with some flexibility, the location of future buildings at a range of building heights, and how these buildings can respond to the primary northern and southern interfaces with existing operations.
105. The size of the precinct further allows the ability to provide appropriate east-west connections between Thompson Road and Weddell Road and connection with the broader pedestrian and cycling infrastructure network.

Interface & Neighbourhood Character

106. In my opinion, the lack of sensitive interfaces adds weight to the proposition of enabling greater building heights within the precinct. Subsequent to enabling these outcomes, the detailed design process can cater for specific responses to existing interface matters such as noise from nearby commercial and industrial premises noting that these require attention irrespective of the heights of buildings proposed within the precinct.
107. The need to be mindful of an established residential character is of lesser significance in my opinion than in some other locations. The precinct is somewhat of an ‘island site’ and does not have direct residential abuttals and therefore is less constrained in terms of having to respond to an established neighbourhood character, but rather has the opportunity to create its own character. Again, this further substantiates the opportunity to explore greater density / intensity through additional building height as now supported by Council.

²³ Refer to section 1.1 and section 7.1 of my report respectively.

Other UDFs

108. In the context of the size and interfaces of the precinct, it is important to mention other recently adopted and ongoing planning frameworks relative to key development locations in urban Geelong and to note some of the challenges therein in terms of capitalising on their locational attributes.
109. I understand that both the South Geelong and Pakington Street Urban Design Frameworks have undergone extensive community engagement, which has resulted in concern raised about buildings heights and impact of neighbourhood character. This is notwithstanding some of locational attributes of these precincts including the South Geelong UDF, which has key development sites adjacent to the South Geelong railway station.
110. In the case of the South Geelong UDF, preferred maximum building heights have been reduced from the original aspirations set out during the preparation of the UDF. This has resulted in a reduction of buildings heights from 10 to 6 storeys, with a planning scheme amendment process yet to commence. Similarly, in the Pakington Street UDF (North Precinct) there are a number of precincts where building heights have been reduced in response to community consultation. I make no judgement about the appropriateness or otherwise of these height reductions but just note that the proximity of residential precincts and residential populations often stymies the desire by planning authorities to achieve increased densities in existing urban areas.
111. As I have set out above, where the situation allows, major redevelopment sites that are disconnected from areas of established residential character, have few sensitive interfaces adjoining and are within walking distance of key public transport nodes, should be maximised for their redevelopment potential.
112. The Saleyards precinct is somewhat unique in the sense of its minimal limitations and importantly its beneficial locational attributes and therefore, its inherent opportunities should be capitalised, not restricted.

6.2. What Heights are Appropriate?

113. The Council resolution suggests that the Council now actively supports development within this precinct of up to 10 storeys, which is a positive step, but I still have some reservations about the way in which the potential for increased height is being approached.
114. The Day 1 version of the Comprehensive Development Plan, the Saleyards Precinct Plan, and the associated proposed planning controls continue to provide the ability to consider additional height above the preferred maximums (noting that the exhibited version of the documents provided for the discretion to exceed the preferred maximum heights but did not specify a mandatory maximum height).
115. In this regard, the preferred maximum building heights for the precinct are provided as a Guideline (G11) and state the following:
- *Buildings should not exceed the following heights:*
 - a. *22 metres or 6 storeys (whichever is lesser) if located directly adjacent to Thompson Road, Central Park, Mixed Use Area Plaza, the Northern and Southern Open Space all as shown on Plan 1 – Future Urban Structure, or the golf course adjacent to the southern boundary of the Precinct*
 - b. *15 metres or 4 storeys (whichever is lesser) in all other areas.*
116. Where a proposal seeks to exceed the preferred maximum building height, it must meet set criteria, as provided for in the Comprehensive Development Zone at Clause 4.0. These include:
- A permit which exceeds a preferred maximum building height as set out in the Incorporated CDP by one storey or more must meet all of the following requirements:*
- *The development must materially exceed the minimum environmentally sustainable development standard set out in the Incorporated CDP.*
 - *The development must demonstrate high quality architecture and urban design.*
 - *The building height must not exceed 34 metres or 10 storeys (whichever is lesser)*
 - *The development must not result in an unreasonable loss of amenity to through overshadowing, overlooking and visual bulk; and*
 - *The development must provide a significant community benefit comprising:*
 - *affordable housing which is greater than the amount referred to in the Incorporated CDP; and/or*
 - *a higher contribution to public open space than the requirement in clause 53.01.*
117. Council has indicated support for buildings up to and including 10 storeys and included this as a mandatory maximum. The imposition of criteria that are also mandatory in nature to achieve a preferred or at least acceptable outcome is unreasonable in my view as it potentially ‘stands in the way’ of what is already considered to be a supportable development outcome (ie 10 storeys).

118. The re-drafted wording in this case seems too onerous to be justified on the back of the Council resolution of 27 September 2022. I consider that the requirement, in its revised form, creates a perception of penalisation for development that is seeking to capitalise on the inherent attributes of the site.
119. I think a better approach would be to make the considerations discretionary in nature particularly given the subjective nature of some of the considerations eg it is difficult in my view to mandate a requirement that the development must 'materially' exceed the minimum environmentally sustainable development standard set out in the CDP and the development must demonstrate 'high quality architecture and urban design'. These criteria would benefit from being expressed as discretionary requirements.
120. Similarly, in relation to the fifth dot point and its two sub points, I am unclear as to what constitutes a 'significant community benefit'. I am unsure as to how a contribution could be determined as 'significant' and concerned how this wording might be interpreted during the assessment of a planning permit application, noting that I cannot find reference to the meaning of 'significant' community benefit in the Greater Geelong Planning Scheme.
121. I therefore think that the fifth criteria should be deleted in its entirety noting that:
- the potential additional height would likely result in an uplift in intensity of development and therefore would also proportionally increase the contribution made in terms of affordable housing numbers – which is a definite positive in any case.
 - The amount of public open space that is required to be provided is already sufficient in my view.
122. Finally, I could envisage a situation where perhaps 4 out of the 5 criteria are met and where there is a genuine net community benefit achieved but the additional height is not considered appropriate because the development 'falls short' in relation to one criteria. Discretion in the wording would remove this concern.
123. It is my overall view that Council should be seeking to support housing in strategically identified and capable locations to ensure that firstly, to assist it in managing and responding to housing demand and secondly, optimising sites that have a genuine ability to provide substantial yield of high-density housing product in locations proximate to key services and infrastructure. The use of mandatory criteria in assessing building heights above preferred maximums to a mandatory maximum is unnecessary in my view.
124. In coming to this view, I am also cognisant of Planning Practice Note (PPN60) which states:
- The application of discretionary controls, combined with clear design objectives and decision guidelines is the preferred form of height and setback controls.*
- Discretionary controls are more likely to facilitate appropriate built form outcomes rather than mandatory controls by providing more flexibility to accommodate individual or unique circumstances. Innovative or exemplary design is not of itself reasonable justification to exceed discretionary building height and setback requirements. When appropriate height and setback controls are identified, they should be included on the relevant planning scheme as discretionary controls with clear design objectives and decision guidelines.*
125. In relation to density, I note that Guideline G9 seeks a 'preferred minimum dwelling density of 60 dwellings per net developable hectare'. (my emphasis)
126. I generally agree with this approach to density. This approach that is often used in situations where an element of flexibility in built form outcomes is considered reasonable. It also provides 60 dwellings per hectare as a preferred minimum dwelling density providing the opportunity to exceed this benchmark.
127. As a Background Document, the Saleyards Precinct Plan refers to building heights and density in a more general sense and are largely directed by density. The Precinct Plan refers to the following:
- The Saleyards site will be defined as a 'Key Development Area' given it has the potential to accommodate high-density housing (including housing, as part of mixed-use developments) in excess of 40 dwellings per hectare (around 80 dwellings/ha based on the concept plan). It is within 800m from the North Geelong train station²⁴.
 - Opportunities for various building typologies including 2-3 storey row housing and maisonettes, apartments at 4-6 storeys with basement car parking, and mixed use buildings²⁵.
 - The site offers an opportunity to be ambitious and deliver a different approach to housing in Geelong²⁶.
 - Based on an indicative concept plan, there is opportunity to provide 80 dwellings per NDA (HA) for the precinct²⁷.
128. In summary, it is my view that there is an opportunity to express clearer support for taller building heights within the Comprehensive Development Plan and the Comprehensive Development Zone by removing the mandatory requirements for exceeding the preferred maximum heights. Consideration could be given to more strongly articulating support for higher building forms (up to 10 storeys).

²⁴ Saleyards Precinct Plan; Page 9

²⁵ Ibid; Page 29

²⁶ Ibid

²⁷ Ibid

7. Other Matters

129. The sections below relate to my review of the other matters of interest in the documents prepared and submitted by Maddocks on behalf of the City of Greater Geelong Council, to the Planning Panels Victoria Panel Coordinator, on 4 November 2022.
130. The documentation prepared was provided in response to direction 16 of the Panel Directions dated 28 October 2022, which included a copy of the following:
- Updated Saleyards Comprehensive Development Plan for circulation as the Day 1 Panel version
 - Updated Schedule 4 to the Comprehensive Development Zone for circulation as the Day 1 Panel version
131. I have set out my discussion based on key matters contained within both documents as I consider relevant to ensuring an orderly outcome as part of this planning scheme amendment.

7.1. Affordable Housing

132. I am instructed that matters related to Affordable Housing are the subject of discussions between the Council and Leaf to seek an agreed position and therefore I have not addressed this matter in my statement.

7.2. Public Open Space

133. The Amendment C434ggee proposes to amend the Schedule to Clause 53.01 Public Open Space Contribution and Subdivision of the Greater Geelong Planning Scheme and introduce a 10% requirement for the Saleyards Comprehensive Development Plan.
134. It is unclear from the documentation whether an assessment has been undertaken to justify an open space contribution greater than 5% in Clause 53.01.
135. I note that the Council report of 27 September 2022 [28] states in respect of open space provision:
- The main open space area will be a 5000 square metre central park, which will include a number of heritage items to be retained. The Amendment includes a requirement for a 10 percent public open space contribution, which is consistent with the requirements for similar large redevelopments and greenfield areas in the planning scheme.*
136. Council is seeking a 10% contribution under Clause 53.01 which is stated as being consistent with other areas such as large scale greenfield locations like the Armstrong Creek Urban Growth Area, which is underpinned by a several Precinct Structure Plans and set to be home to up to 60,000 people. Notably, PSPs are generally located in areas with limited or no existing accessible, public open space. In that sense, it is not a like for like comparison and the need for public open space needs to be determined on a case by case basis, as is required by the Subdivision Act.
137. I believe further clarification of the precise amount of public open space contribution required should be provided. In the absence of a justification for an increased open space provision established by the Subdivision Act I believe that the contribution under Clause 53.01 should revert to the standard 5%.
138. The exhibited and updated versions of the Comprehensive Development Plan note in Table 2 that the precinct will make a 5% unencumbered open space contribution based on NDA. This being the Central Park.
139. I also note that some parcels within the precinct are not shown as providing any public open space contribution in land. This means that these parcels will be required by the Amendment C434ggee to fulfill their 10% NDA public open space contribution as a cash payment.
140. This cash payment will be in addition to the cash payment being required by the Shared Infrastructure Funding Plan for the \$1.25M embellishment of the central open space. I am conscious, that 'equity' is a general planning

²⁸ Greater Council Minutes of Ordinary Meeting of Council 27 September 2002; Page 144)

principle, accordingly the Council must avoid charging twice for the same open space infrastructure through different mechanisms.

141. It is unclear to me from the documentation provided that the landowners of these parcels are not being charged twice, through separate mechanisms (Cl.53.01 and the Shared Infrastructure Funding Plan) for the same infrastructure.

7.3. Interface/Acoustic Treatment

142. The revised Day 1 Panel Version of the CDP proposes to remove reference on the Future Urban Structure Plan to a 2m high noise attenuation barrier and replace it with “Areas where noise attenuation measures must be implemented”. I think this is an improvement, but I think the requirements would be better expressed as a ‘should’ rather than ‘must’, noting that the revised controls now include the requirement for the submission of an acoustic report at the time of an application being made.

143. Whilst acoustic fences may form part of the ultimate suite of acoustic measures proposed at the permit application stage, there are other acoustic measures that can be implemented which may remove the need for an acoustic fence altogether or at least reduced in extent.

144. It is also relevant that there are other provisions of the planning scheme which address the issue of noise. These include *Clause 13.05-1S Noise Management*, which states the following as a strategy to manage noise effects on sensitive land use and seeks to:

Minimise the impact on human health from noise exposure to occupants of sensitive land uses (residential use, child care centre, school, education centre, residential aged care centre or hospital) near the transport system and other noise emission sources through suitable building siting and design (including orientation and internal layout), urban design and land use separation techniques as appropriate to the land use functions and character of the area. (my emphasis)

145. Clause 13.05-1S provides further reference in relation to Policy guidelines and states to consider, as relevant, the noise requirements in accordance with the Environment Protection Regulations under the *Environment Protection Act 2017*. Clause 13.05-1S also provides a list of Policy Documents that are to be considered as relevant by the Responsible Authority.

146. I further note *Clause 53.06 Live Music Entertainment Venues*, which acknowledges the contribution these venues make to the economy and the need to protect both venues and noise sensitive interfaces at the same time.

147. With respect to the Sphinx Hotel and the future residential development of the precinct, Clause 53.06 applies to a noise sensitive residential use that is within 50 metres of a live music entertainment venue. It states that a noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- *Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)*
- *Outdoor live music entertainment venue to below 45dB(A), assessed as an Leq over 15 minutes.*

148. I further note that Clause 53.06 also requires as part of an application, details of existing and proposed acoustic attenuation measures.

149. I consider that the matters set out in Clause 13.05-1S do not need to be repeated in either the CDP or Schedule 4 to the CDZ. An example of this repetition can be found at Requirement R10 of the CDP.

150. Further to above, the Day 1 Panel version of both the Comprehensive Development Plan and Schedule 4 to the Comprehensive Development Zone continue to show noise attenuation areas within the precinct. These areas are shown in a hatched purple label and relate to potential noise impacts arising from existing off-site operations.

151. The updated provisions of the Schedule 4 to the Comprehensive Development Zone, include updated Application Requirements for buildings and works. One of these relates to the requirement for an acoustic report. The wording states:

An acoustic report from a qualified professional which considers the need for acoustic measures for any sensitive use in or near an area identified as Noise Attenuation Area in Plan 1 to the Saleyards Comprehensive Development Plan. The report should have regard to the Geelong Saleyards Precinct Plan Acoustic Report (Renzo Tonin & Associates May 2022).

152. I question the utility of referencing ‘the Geelong Saleyards Precinct Plan Acoustic Report (Renzo Tonin & Associates May 2022)’ and am of the opinion that a clause requiring an acoustic report from a qualified professional which considers the need for acoustic measures for any identified sensitive uses on the site having regard to existing external noise sources would suffice. I am also not convinced that Plan 1 to the Saleyards Comprehensive Development Plan needs to reference a Noise Attenuation area given that this can be investigated and assessed at the time of an application.

7.4. Overshadowing controls for Central Park

153. The amended Comprehensive Development Plan contains the following mandatory requirement
At no given time may more than 30% of Central Park be overshadowed by built form.
154. The update was made to simplify the control which previously stated:
- i. At the equinox (September 22), no additional shadow is to be cast over the north boundary of the Central park by any built form above a hypothetical 11.5 metre high built form set back 6 metres north of the northern boundary of the Central park (inclusive of a 3 metre wide shared path) between 10:00am and 3:00pm.*
 - ii. At the winter solstice (June 21), no additional shadow is to be cast over the north boundary of the Central park by any built form above a hypothetical 11.5 metre high built form set back 6 metres north of the northern boundary of the Central park (inclusive of a 3 metre wide shared path) between 11:00am and 2:00pm. This requirement is shown in Image 1 – Overshadowing of Central park northern boundary.*
 - iii. To further reduce overshadowing of the Central park at the winter solstice (June 21), built form opposite the centre of the north boundary of the Central park must be of lower scale, and must not exceed 8 metres in height above natural ground level and must provide a minimum separation distance of 9 metres between adjacent built form to the east and west. The built form within this separation distance must also be setback 9 metres from the northern boundary of the Central park. This requirement is demonstrated on Plan 2 – Lower scale built form opposite centre of Central park north boundary.*
155. I accept the merits of protecting the Central Park from shadow all year round and I acknowledge Council’s desire to simplify the original wording of the control but I think it may now have been oversimplified. To inform my opinion about the extent of allowable shadow and time of day, I reviewed overshadowing controls for a range of other open spaces across Melbourne. I have summarised these in the following table:

Precinct	Open Space	Mandatory or discretionary	Time of year	Time of day	Allowable Shadow
Coburg	Civic Square Market	Discretionary	Winter	10:30am – 2pm	50%
East Village	Town Square	Mandatory	Winter	11am – 2pm	No shadow except for 15m street wall.
Preston Market	Central Open Space	Mandatory	Winter	11am – 2pm	50%
Arden	Central Open Space	Mandatory	Winter	11am-2pm	No shadow except for applicable street wall height.
Fishermans Bend	Lorimer Central	Mandatory	Winter	11am-2pm	No shadow except for applicable street wall height.
	Sandridge central open space	Mandatory	Winter	11am – 2pm	No shadow except for applicable street wall height.
	Wirraway central open space	Mandatory	Winter	11am-2pm	No shadow except for applicable street wall height.

Precinct	Open Space	Mandatory or Discretionary	Time of year	Time of Day	
Amendment C278	Park Type 1	Mandatory	Winter	10am-3pm	No additional shadow beyond existing shadow
	Park Type 2	Mandatory	Winter	10am-3pm	No additional shadow beyond existing shadow or allowable shadow (whichever is greater)
	Park Type 3		Winter	10am-2pm 12pm-3pm (panel reco)	No additional shadow beyond existing shadow

156. This review indicates relatively consistent level of support for mandatory winter solstice protection between 11am and 2pm, and in the case of Amendment C278 between the hours of 10 am and 3 pm with some allowance for shadowing. The area of shadowing permitted within these times is variable, being either nothing above existing, 50% or shadows cast by allowable built form or 'allowable shadow'.
157. I see merit in the proposal to protect a greater proportion of the Central Park from shadow. I believe protecting 50% of the open space from shadow at the winter solstice, on the shortest day of the year, would appropriately balance the need to protect amenity while also encouraging urban consolidation in an appropriate location. It is also fundamental that a timeframe is inserted so that the 30% or any other percentage for that matter does not apply for example at 8 am in the morning when shadows would be particularly long.

7.5. Hepner Place Possible Future Link

158. The Future Urban Structure Plan identifies a 'possible future link' from the Leaf landholdings north into Hepner Place. Hepner Place forms part of a broader industrial precinct and hold long-established land use operations. Its land use composition and underpinning land use zoning provide a clear and distinctive interface between that which is envisaged by the Saleyards Comprehensive Development Plan.
159. I consider that unless there were compelling reasons for the future rezoning of land at Hepner Place, the justification for a possible connection between it and a high-density residential precinct has little merit. I think reference to the potential future link should either be removed or at least clarified to confirm that a potential future link would only ever be considered if the land to the north around Hepner Place were rezoned to provide for residential use. If the Hepner Place precinct remains as an Industrial precinct then I can see no benefit in the mixing of residential and industrial traffic.

7.6. Accessibility Requirement

160. Requirement 5 of the Day 1 CDP requires that 60% of dwellings must achieve accessibility standard D17 at Clause 58.05-1. This is inconsistent with the 50% requirement under Clause 58.05-1 and in my opinion the CDP should be amended to be consistent with this provision or deleted to avoid duplication.

7.7. Road Cross-sections

161. The road cross-sections at the rear of the Day 1 CDP should remove reference to building forms. They currently all show a variety of building forms including 1 storey, 3 storey and 5 storey and I think it is not necessary to show these given that other parts of the CDP deal with building heights and setbacks.

7.8. Other drafting comments

162. I note that there are a number of other deficiencies in the drafting of the provisions which can be and should be corrected or improved. Some of these include:
- Requirement 4 in the CDP is not clearly understood, I recommend the provision is reverted to the Requirement which was exhibited.
 - I recommend Requirement 7 in the CDP become a discretionary guideline.
 - I recommend Requirement 8 in the CDP become a discretionary guideline.

Conclusion

163. The Geelong Saleyards Precinct represents a unique opportunity to make a significant contribution to housing supply within the Geelong region. It represents a major urban infill opportunity that has multiple site characteristics that lend themselves to achieving high density development. The designation of the Precinct as a Key Development Area in the Geelong Planning Scheme is appropriate on the basis of its characteristics and locational attributes.
164. The Geelong Saleyards Precinct has the opportunity to make a meaningful contribution to housing supply and to support the aim of providing 50% of housing in the form of infill housing by 2047. The full utilisation of infill development sites will help do some of the heavy lifting in terms of the provision of housing choice and diversity.
165. I consider that the proposed modifications to the Planning Policy Framework, the introduction of a tailored Comprehensive Development Zone coupled with the incorporation of the Comprehensive Development Plan and inclusion of the Precinct Plan as a Background Document generally provide an appropriate planning framework for the consideration of future use and development applications.
166. I support buildings of 10 storeys on the site and supportive of Amendment C434ggee. I have made some suggested modifications to the drafting of the provisions throughout my report that I believe will further improve way in which the proposed controls will operate.
167. On this basis of my observations and suggested changes, I am supportive of the Amendment.



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