

**GREATER GEELONG PLANNING SCHEME**  
**AMENDMENT C436ggee**  
**PLANNING PERMIT APPLICATION PP573/2021**  
**EXPLANATORY REPORT**

**Overview**

An application has been made pursuant to Section 96A of the *Planning and Environment Act 1987* (the Act) for a combined planning scheme amendment and planning permit application for land at 1, 11, 23, 40 and 60 Harbourside Drive, and 1 to 20 Lumb Place, Rippleside.

The amendment seeks to replace Schedule 2 to the Comprehensive Development Zone to update the references to the *Rippleside Comprehensive Development Plan 2000* and *Rippleside Urban Design Guidelines 2000* to allow an increased maximum building height of 27.0 metres AHD (28.2 metres to the top of services) in the Stage 5 area. A planning permit will be concurrently considered for buildings and works associated with the construction of 84 apartments, an office and retail premises.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at:

- City of Greater Geelong website at [www.geelongaustralia.com.au/amendments/](http://www.geelongaustralia.com.au/amendments/)
- By appointment only during office hours at Wurriki Nyal Wadawurrung Country, 137-149 Mercer Street, Geelong - Monday to Friday 8am to 5pm
- Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

**Submissions**

Any person may make a submission to the planning authority about the amendment and/or planning permit. Submissions about the amendment and/or planning permit must be received by **25 September 2023**.

A submission must be sent to:

The Coordinator  
Strategic Implementation  
City of Greater Geelong

- either by mail to: PO Box 104, GEELONG VIC 3220
- or by email to: [amendments@geelongcity.vic.gov.au](mailto:amendments@geelongcity.vic.gov.au)
- or lodged online at: [www.geelongaustralia.com.au/amendments](http://www.geelongaustralia.com.au/amendments)

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 22 January 2024
- panel hearing: 19 February 2024

## Details of the amendment

### Who is the planning authority?

This amendment has been prepared by the City of Greater Geelong, which is the planning authority for this amendment.

The amendment has been made at the request of Urbis on behalf of Balmoral Quay Ptd Ltd.

### Land affected by the amendment

The amendment applies to land located at 1, 11, 23, 40 and 60 Harbourside Drive and 1 to 20 Lumb Place, Rippleside as shown on the below map:



The amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act.

The planning permit application also applies to 1 and 11 Harbourside Drive, Rippleside which is formally known as Lot S5 on Plan of Subdivision 814484L, and affects Common Property 1 on Plan of Subdivision 814484L which does not have a formal address.

### **What the amendment does**

The amendment proposes to amend Schedule 2 to the Comprehensive Development Zone (CDZ2) and the *Rippleside Comprehensive Development Plan February 2000* and *Rippleside Urban Design Guidelines June 2000* incorporated documents contained in the Schedule.

The *Rippleside Comprehensive Development Plan February 2000* currently permits a height of up to 13.5 metres AHD on 1 and 11 Harbourside Drive which this amendment is seeking to increase to 27.0 metres AHD (28.2 metres to the top of services).

Minor changes are also proposed to the *Rippleside Urban Design Guidelines June 2000*, mainly relating to updating the document to remove references to outdated planning policy and update relevant maps and figures where appropriate.

Specifically, the amendment proposes to:

- Amend Schedule 2 to Clause 37.02 Comprehensive Development Zone to update the references to the *Rippleside Comprehensive Development Plan 2000* and *Rippleside Urban Design Guidelines 2000* and to make various other consequential updates.
- Amend the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to:
  - replace the *Rippleside Urban Design Guidelines June 2000* with the *Rippleside Urban Design Guidelines March 2023*.
  - replace the *Rippleside Comprehensive Development Plan February 2000* with the *Rippleside Comprehensive Development Plan March 2023*.

The planning permit application seeks approval for:

- Buildings and works for the purpose of a seven-storey building containing 84 dwellings, office and retail premises.
- Reduction in the car parking requirements of Clause 52.06.

The planning permit is attached as a separate document to this Explanatory Report.

### **Strategic assessment of the amendment**

#### **Why is the amendment required?**

The amendment is required to facilitate Planning Permit 573-2021 which seeks to develop 1 and 11 Harbourside Drive with 84 apartments, one office and one retail premises.

Currently the *Rippleside Comprehensive Development Plan February 2000* has a maximum permitted height of 13.5 metres AHD for 1 and 11 Harbourside Drive. The proposed building has an overall height of 27.0 metres AHD (28.2 metres to the top of services), and as such an amendment to the incorporated documents to reflect this change is required.

The amendment is in accordance with state policy which seeks to promote opportunities for urban renewal and provide for sustainable and liveable urban areas in an integrated manner. It responds to the direction of the Greater Geelong Settlement Strategy to increase housing supply contribution of infill development to 50 per cent by 2047, as well as ensure housing diversity is achieved in existing communities.

Whilst the majority of development within the CDZ2 has either been completed or approved, this amendment will facilitate the final stage. Given the significant amount of time that has elapsed since the Rippleside Comprehensive Development Plan and Urban Design Guidelines were created and incorporated into the Greater Geelong Planning Scheme, these are out of date and not clearly reflective of the already approved and constructed development outcomes at the site. As such the maps will be updated and the redundant policy references removed.

### **How does the amendment implement the objectives of planning in Victoria?**

The changes sought as part of this amendment will enable the development of the site in accordance with Section 4(1) of the Act. Specifically, the amendment gives effect to the following objectives:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- *To facilitate development in accordance with the objectives set out in the points above; and*
- *To balance the present and future interests of all Victorians.*

### **How does the amendment address any environmental, social and economic effects?**

The amendment will provide for the following positive environmental, social and economic outcomes.

#### *Environmental Effects*

The amendment will facilitate the future development of the site which includes soil remediation and landscaping treatments. The Certificate of Environmental Audit Report prepared by Lane Piper concluded that the site is suitable for sensitive uses subject to additional works being completed which will be required to be undertaken in accordance with the relevant approval.

Of the existing trees proposed for removal, none were assessed as having high protection value in the accompanying Arboricultural Assessment. Ecological advice was provided to advise that the trees were planted and no permit to remove these trees is required in accordance with Clause 52.17 of the Greater Geelong Planning Scheme.

#### *Social Effects*

The development proposed on the site will contribute to achieving urban consolidation within the area and the environmental and social benefits of providing housing within proximity of existing residential and community infrastructure. The proposal will contribute a net community benefit to the broader Greater Geelong area with regard to investment in the region, employment during construction, and housing choice when complete.

#### *Economic Effects*

The amendment will allow for the development of the land for housing, providing for an increase in population in an area strategically located within proximity to the Geelong CBD. In turn, this will increase demand for shopping and services in the area, boosting the local economy.

The amendment will accommodate additional residents on the subject land, as well as some non-residential uses which will be limited to avoid significant economic impacts on existing nearby activity centres.

The development of the site will also generate construction employment in the short and medium term.

### **Does the amendment address relevant bushfire risk?**

The amendment meets bushfire policy in Clause 13.02-1S of the Greater Geelong Planning Scheme, which seeks to strengthen the resilience of settlements and communities to bushfire and prioritising human life over all other policy considerations.

The site is not located within a 'Bushfire Prone Area' as declared by the Minister for Planning under the Building Regulations 2018. The site is not subject to a Bushfire Management Overlay at Clause 44.06 of the Greater Geelong Planning Scheme. Overall, it has been determined that there is no bushfire factor that would warrant a planning scheme amendment not proceeding.

**Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

*Ministerial Direction No. 1 – Potentially Contaminated Land*

The amendment complies with this direction. The Certificate of Environmental Audit Report prepared by Lane Piper has concluded that the site is suitable for sensitive uses including high density residential, commercial and recreation/open space subject to conditions requiring additional works to be completed.

*Ministerial Direction No. 11 – Strategic Assessment of Amendments*

This explanatory report has been prepared in accordance with these assessment requirements.

*Ministerial Direction No. 15 – Planning Scheme Amendment Process*

This planning scheme amendment has been prepared in accordance with this direction.

*Ministerial Direction No. 19 – EPA advice*

The proposal has been referred to the EPA, which has advised that the proposed amendment is unlikely to represent a risk to the environment, amenity or human health as a result of pollution or waste and therefore EPA will not be providing a formal response.

**How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment supports and implements numerous policies within the Planning Policy Framework and State Policy. The most relevant policies are listed below:

- **Clause 11.01-1S (Settlement)** looks to develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. It also seeks to plan for development and investment opportunities along existing and planned transport infrastructure and limit urban sprawl by directing growth into existing settlements.
- **Clause 11.011R (Settlement – Geelong G21)** supports 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 (Settlement – Greater Geelong)** directs the majority of future housing to urban Geelong and that the share of housing on the Bellarine Peninsula is reduced.
- **Clause 11.02-1S (Supply of Urban Land)** plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis. Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- **Clause 15.01-1S (Urban Design)** looks to ensure development supports public realm amenity and safe access to walking and cycling environments and public transport. Additionally, it seeks to promote good urban design along and abutting transport corridors.
- **Clause 15.01-2S (Building Design)** seeks to ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development. It looks at ensuring development responds and contributes to the strategic and cultural context of its location.

- **Clause 15.01-2L (Environmentally Sustainable Development)** seeks to achieve best practice in ESD from the design stage through to construction and operation.
- **Clause 15.03-2S (Aboriginal Cultural Heritage)** reiterates the requirements around the protection and conservation of places of Aboriginal cultural heritage significance and ensure that approvals align with the recommendations of any relevant Cultural Heritage Management Plan.
- **Clause 16.01-1S (Housing Supply)** seeks to ensure that appropriate housing quantity, quality and typology is provided to cater for a wide range of the community through increasing the proportion of housing in established urban areas (including under-utilised urban land). Policy seeks diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types
- **Clause 16.01-1R (Infill housing – Geelong G21)** facilitates infill development in Central Geelong and around activity areas within urban Geelong.
- **Clause 16.01-2S (Housing Affordability)** seeks to provide housing affordability by increase choice in housing type, tenure and cost to meet the needs of housing as they move through the life cycle to support diverse communities.
- **Clause 17.01-1R (Diversified Economy – Geelong G21)** seeks to build on the region’s competitive strengths, including tourism and agricultural land resources and economic, social and natural assets and support new businesses that provide employment and innovation opportunities in identified employment nodes across the region.
- **Clause 18.02-1S (Walking)** facilitates an efficient and safe walking network and to increase the proportion of trips made by walking.
- **Clause 18.02-3S (Cycling)** facilitates an efficient and safe bicycle network and increase the proportion of trips made by cycling.

#### **How does the amendment support or implement the Municipal Planning Strategy?**

The amendment supports and implements numerous policies within the Municipal Planning Strategy. The most relevant are listed below:

- **Clause 02.02 (Vision)** highlights key land use and development aspirations for Geelong including:
  - Sustainable development that supports population growth and protects the natural environment.
  - An inclusive, diverse, healthy and socially connected community.
- **Clause 02.03 (Strategic Directions)** includes key strategy with respect to settlement that outlines the predicted growth of Geelong that will create a demand for in excess of 73,000 new dwellings that are to be delivered via a combination of greenfield and infill development, with the share of infill development to increase over time.
- **Clause 02.03-5 (Building Environment and sustainability)** outlines directions that seek to ensure that development enhances Geelong’s sense of place and identity, support the design and provision of health, walkable neighbourhoods, encourages environmentally sustainable design in all development and provide high quality urban design and landscaping.
- **Clause 02.03-6 (Housing)** outline areas for increased housing diversity and also directs the facilitation of infill development to increase its housing supply contribution and increase housing diversity in established communities.

#### **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions. The Comprehensive Development Zone continues to be the appropriate mechanism to control development outcomes on this unique site, and the amendment is reflective of this by amending the relevant incorporated documents of the Comprehensive Development Zone.

As such it is considered that the amendment utilises the most effective controls available from the Victoria Planning Provisions in the form of the gazetted Greater Geelong Planning Scheme.

**How does the amendment address the views of any relevant agency?**

The views of the EPA, Barwon Water, Corangamite CMA, Department of Transport and Planning, Country Fire Authority, Department of Energy, Environment and Climate Action, Powercor and the Wadawurrung Traditional Owners Aboriginal Corporation were sought as part of the consideration of this application. The authorities did not object to the approval of an amendment, and relevant conditions were supplied to be included on any future permit which have been included in the draft planning permit being exhibited.

**Does the amendment address relevant requirements of the *Transport Integration Act 2010*?**

The amendment is consistent with the objectives and decision-making principles in the *Transport Integration Act 2010*. The surrounding road network is capable of accommodating the proposed use and associated user requirements. The Department of Transport and Planning offered no objection to the proposal.

**Resource and administrative costs**

**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment will have no adverse impact on the resources and administration costs of the responsible authority.