

# PLANNING SCHEME AMENDMENT PLANNING REPORT

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**REZONING OF LAND from FZ to GRZ**

**672-690 and 692-700 Portarlington Road, Leopold**

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30 November 2021

**Context.**

Planning

Town Planning Consultants

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### DOCUMENT INFORMATION

File Name	TOWN PLANNING REPORT Re-zoning of Land from FZ to GRZ
Prepared For	627 Leopold Pty Ltd
Prepared By	Context Planning Pty Ltd
Report Date	30 November 2021
Revisions	

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## 1

## Amendment Summary

<b>Proposal</b>	Planning Scheme Amendment involving the Rezoning of Land from a Farming Zone (FZ) to a General Residential Zone (GRZ)
<b>Land Description</b>	The land is made up of two Land Parcels: → 672-690 Portarlinton Road - Lot 1 PS 085126 → 692-700 Portarlinton Road – Lot 1 on TP120971E
<b>Requestor</b>	<b>Context Planning Pty Ltd</b> <i>(For an on behalf of 627 Port Road Pty Ltd and the current owners of 672-690 Portarlinton Road)</i>

In support of this application, the following supporting documentation and reports are provided and are referenced through the application and are attached as appendices. These include:

- **Amendment documentation including Explanatory Report.**
- **Preliminary Environmental Site Assessment, Provincial Geotechnical P/L (Nov 2021)**
- **Ecology & Vegetation Assessment, Mark Trengrove (Nov 2021)**
- **Flood Assessment, Cardno (Nov 2021)**
- **Other reports and documents as attached.**

A summary of these reports is provided at Part 4 of the Town Planning Report.

# 2

## Executive Summary

This report has been prepared to accompany the Planning Scheme Amendment Request rezone the land from a Farming Zone (FZ) to a General Residential Zone (GRZ1) in accordance with the Leopold Structure Plan at Clause 21.14-9 of the Greater Geelong Planning Scheme.

The purpose of the report is to:

- Provide a written response the Greater Geelong Planning Scheme including an assessment of the proposal against the State and Local Planning Policy Framework as relevant to this application.
- Consider any relevant strategic documents relevant to this site.

This planning assessment describes the proposal, the site's context and provides a detailed assessment of the proposal against the relevant policies and strategic documents.

This report concludes that the proposed planning scheme amendment is consistent with the key policies and objectives of the Greater Geelong Planning Scheme.

In addition to the Leopold Structure Plan at Clause 21.14-9, there is a specific implementation strategic direction at Clause 21.14-4 to apply the General Residential Zone Schedule 1 to land designated for future residential growth shown on the Leopold Structure Plan.

This Planning Scheme Amendment clearly and unambiguously seeks to implement policy direction set in the Greater Geelong Planning Scheme.

This application includes the rezoning of 692-700 Portarlington Road, Leopold at the request of Council given the strategic direction of the Leopold Structure Plan. However please note that Context Planning does not represent the land owner of 692-700 Portarlington Road, Leopold or have any control over this part of the site.

# 3

## Site and Location Description

### 3.1 The Site

The subject site is located on the north western edge of the Leopold Settlement Boundary. It is located approximately **500 metres** north form the Leopold Sub Regional Activity Centre (Gateway Plaza Leopold), and is within close walking distance to community facilities and both passive and active open spaces and also public transport – with a Bus Stop on the corner of Melaluka and Portarlinton Road.

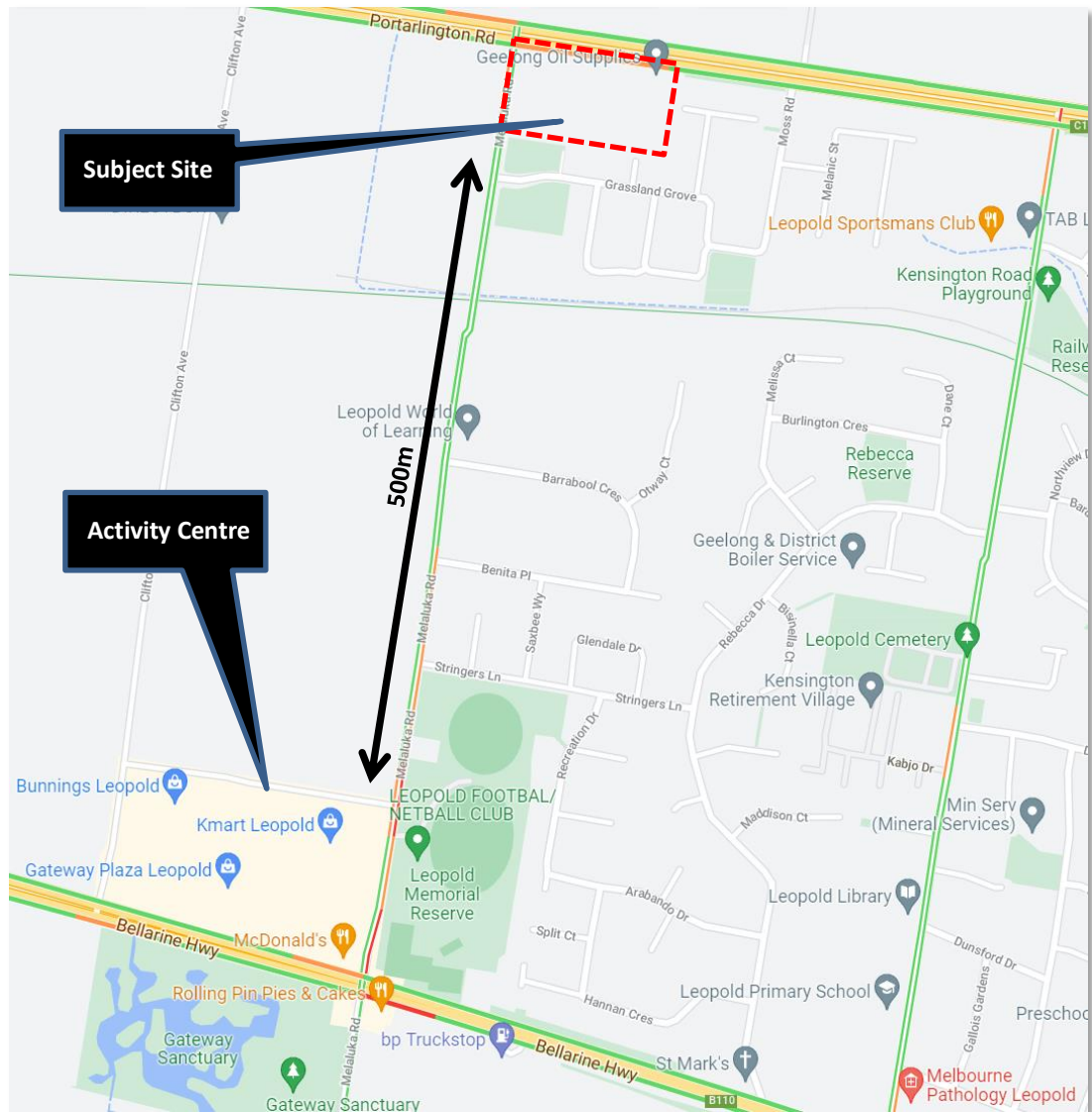


Image 1 Locality Plan

The land is made up of two Land Parcels:

- 672-690 Portarlington Road - Lot 1 PS 085126
- 692-700 Portarlington Road – Lot 1 on TP120971E



Image 2 Aerial Photo

### 672-690 Portarlington Road

The lot contains an existing single storey dwelling with usual outbuildings. In terms of access, two existing driveways are provided via Portarlington Road and also via a single access from Melaluka Road.

An unmade road also adjoins the sites southern boundary along with an existing Council open space and drainage reserve.

The site has a scattered cover of planted vegetation (planted by the current owner) which as outlined in the Ecological Assessment prepared by Mark Trengrove (November 2021) confirms there are no Local State or National significant plant species were recorded. The results show that no native vegetation condition is recorded for the study area.

Consequently, there would be no implications for the removal of native vegetation under the Native Vegetation Permitted Clearing Regulations.

The site has a frontage to Portarlinton Road of 152.15 metres, depth of 126.02 metres and a total site area of 2.02 hectares. The site is relatively level and is not encumbered by any easements or restrictions which impact on this rezoning request.

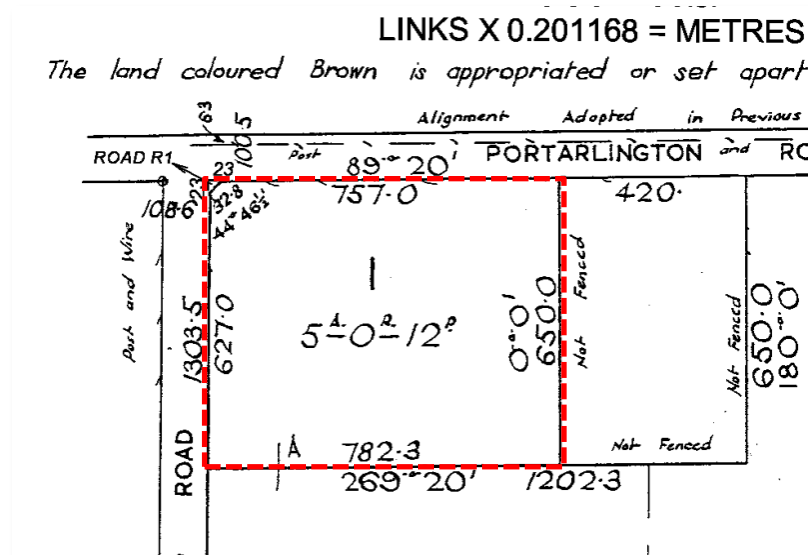


Image 3 Title Plan - 672-690 Potarlinton Rd

### 692-700 Portarlinton Road

At the request of Council, this lot has been included in the rezoning request although we note that Context Planning or the current owner of 672-690 Portarlinton Road have no association.

The lot contains an existing single storey dwelling with usual outbuildings. In terms of access, a single driveway is provided via Portarlinton Road. A road abuttal is also provided on the eastern boundary however no physical access has been constructed. A small dam is located along the southern boundary.

The site has a frontage to Portarlinton Road of 84.49 metres, depth of 130.76 metres and a total site area of 1.105 hectares. The site is relatively level and is not encumbered by any easements or restrictions which impact on this rezoning request.

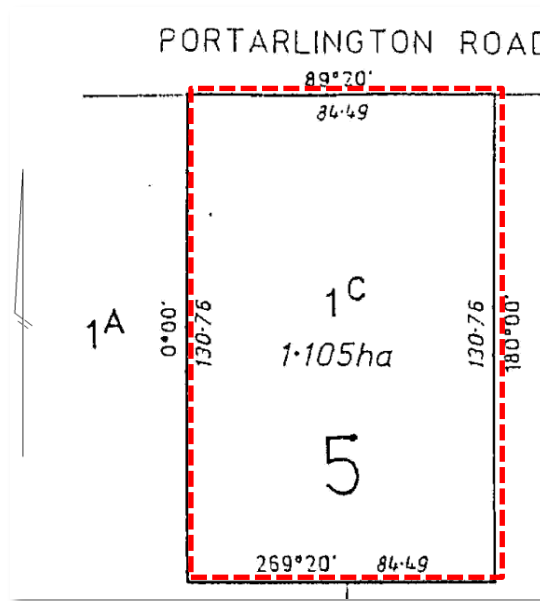


Image 4 Title Plan - 692-700 Portarlington Road

### The use of surrounding land

The use of the surrounding land is residential to the east and the south. The land to the west and the north is located within a Farming Zone.

### Services and Infrastructure

All necessary services and infrastructure are available to the title boundaries and/or via existing road reserves. Both Portarlington Road and Melaluka are fully constructed and sealed. There is a fully signalled intersection on the corner of Melaluka Road and Portarlington Road including a Bus Stop.

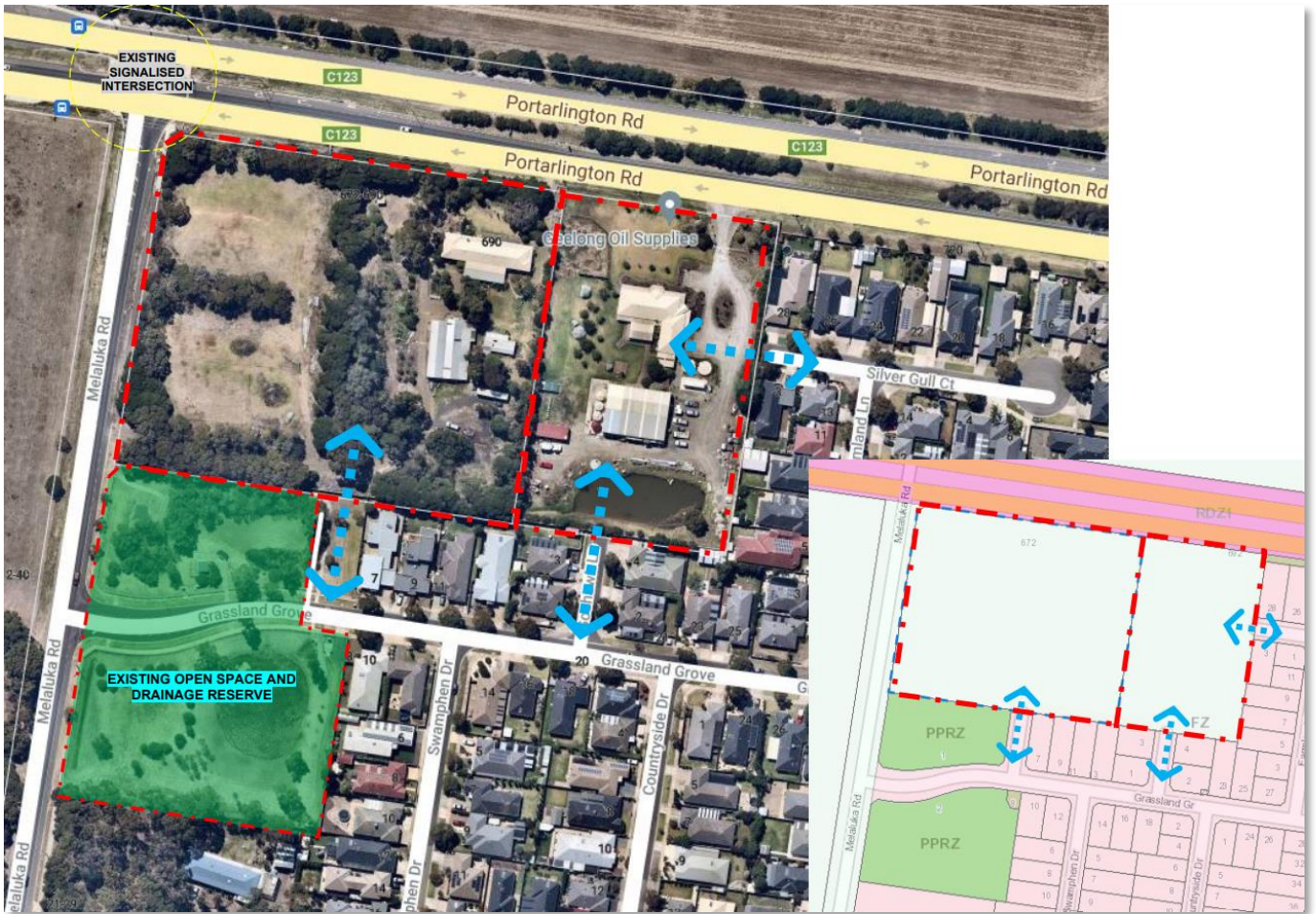


Image 5 Site Context Plan

### 3.2 Planning Controls - Adjoining Land

Direction	Zone	Overlays
North	<ul style="list-style-type: none"> <li>Road Zone Category</li> <li>Farming Zone</li> </ul>	Nil
East	<ul style="list-style-type: none"> <li>General Residential Zone</li> </ul>	Nil
South	<ul style="list-style-type: none"> <li>General Residential Zone</li> <li>Public Park and Recreation Zone</li> </ul>	Nil
West	<ul style="list-style-type: none"> <li>Farming Zone</li> </ul>	Nil

# 4 The Proposal

## 4.1 Overview

This Planning Scheme Amendment request seeks to rezone the land from a Farming Zone (FZ) to a General Residential Zone (GRZ1) in accordance with the Leopold Structure Plan at Clause 21.14-9 of the Greater Geelong Planning Scheme.

It is considered that the proposed amendment implements the objectives of planning in Victoria of the Act and adequately addresses any environmental, social and economic effects given that the proposal is considered to achieve a net community benefit for the reasons outlined in this report and supporting reports.

## 4.2 Summary of Supporting Reports

This Planning Scheme Amendment request is supported by the following:

### 4.2.1 Amendment documentation including Explanatory Report

An Explanatory Report along with Instruction Sheet, Proposed Rezoning Plan is attached.

### 4.2.2 Preliminary Site Investigation (PSI) - Environmental (Provincial Geotechnical P/L, Nov 2021)

The Site Assessment prepared for 672-690 Portarlington Road confirms the land is suitable for residential development and states:

*“Based on the physical site investigation undertaken this site does not indicate evidence of contamination or historical contaminating activities that would prevent development of the existing site for the proposed use.*

*Based on the laboratory analysis program undertaken, this site does not yield concentrations of the analytes tested to a level of concern in respect to human health for the proposed site use including rezoning.”*

Based on all available information, the soil at the Site has a Low risk of contamination.

This view is formed based on:

- *The existing residential use and no history of commercial use.*
- *The site’s location with the urban settlement boundary and strategic intent for this site to be located within a residential zone.*
- *The soil testing and physical inspection undertaken.*

- *There is a Low likelihood of chemical contamination of soil in the paddocks due to application of fertilizers and/or herbicides.*
- *The Site is surrounded by low-risk properties.*
- *There is no apparent soil staining, soil discoloration or odors at the Site.*
- *There is no apparent asbestos contamination.*
- *There is no apparent Prescribed Industrial Waste or Putrescible Waste.*

The Site Assessment prepared for 672-690 Portarlinton Road also states that:

*“We consider this PSI to be adequate to support the rezoning. With consideration to the Planning Practice Note 30, Potentially Contaminated Land (July 2021) and whether an auditor is required to prepare a PRSA, we note this is “preferred” but is not mandatory and the Practice Note confirms that a PRSA can be deferred in certain situations. In this case, while we are satisfied that the site is low risk and suitable for rezoning, if considered necessary, a Preliminary Risk Screen Assessment (PRSA) could be deferred to a condition of a residential subdivision permit or more intensive sensitive land use.*

*The Practice Note also confirms this can be appropriate when there will be a “subsequent planning approval required” This is the case here where Planning Permits are still required for future land use and/or development. The Practice Note also confirms that an exemption can be requested where the land is already used for a sensitive use, agriculture or open space as is the case here”*

An environmental site assessment for 692-700 Portarlinton Road, Leopold has not been undertaken and therefore consideration is deferred to a later planning process at the time the land owner wishes to consider development of their site. This includes deferring the need for a PRSA to a condition of a residential subdivision permit or more intensive sensitive land use at the appropriate stage of development.

While this application includes the rezoning of 692-700 Portarlinton Road, Leopold, this has only been proposed at the request of Council and Context Planning does not represent the land owner or have any control over this part of the site.

#### 4.2.3 Ecological Assessment prepared by Mark Trengrove (November 2021)

The Ecological Assessment prepared by Mark Trengrove (Nov 2021) confirms that the site is **‘dominated by exotic and planted non-native vegetation’** and that there are no Local State or National significant plant species were recorded.

The results show that no native vegetation condition is recorded for the study area. Consequently, there would be no implications for the removal of native vegetation under the Native Vegetation Permitted Clearing Regulations.

The assessment considers the Ecological Vegetation Classes (EVCs), Flora, Vegetation Condition and Flora. Consideration was also given to the Native Vegetation Permitted Clearing Regulations and the Greater Geelong Planning Scheme.

The Assessment at Part 5 concludes:

***“the subject of this report, has been subjected to past disturbance and contains vegetation that is relatively degraded and dominated by exotic plant species and planted specimens. Habitat values within these areas are negligible. No areas of native vegetation were recorded.”***

An Ecological Assessment for 692-700 Portarlington Road, Leopold has not been undertaken as Context Planning does not represent the land owner or have any control over this part of the site.

#### 4.2.4 Flood Assessment prepared by Cardno (November 2021)

The Flood Assessment supports the rezoning of the land subject to the preparation of a Site Stormwater Management Plan (SSMP) at the development stage.

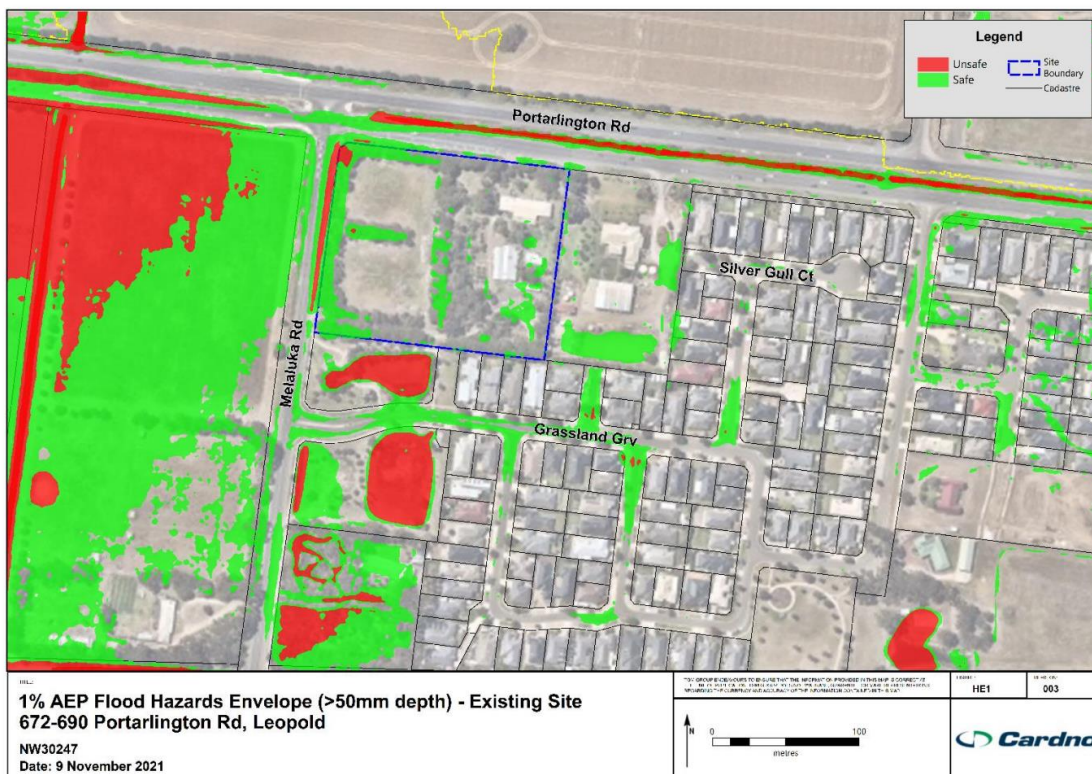


Image 6 - Cardno Flood Hazard Plan (Safe)

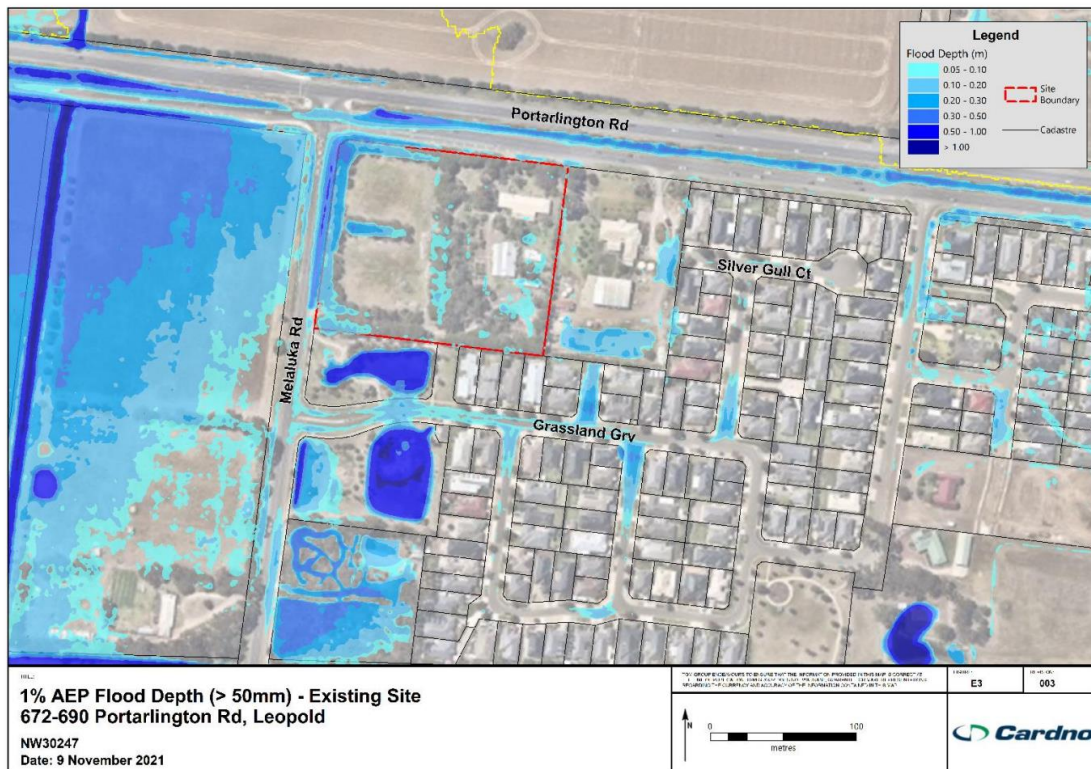


Image 7 Cardno Flood Depth Plan

The key findings of the assessment are as follows:

- The 1% AEP existing flood extent is predominantly confined to the western boundary of the site, with partial intrusions along the northern and southern boundaries, as well as a narrow intrusion between the existing earth mounds.
- The 1% AEP flood hazard envelope map shows that safe access (egress) can be achieved to and from the subject site via the 3 existing driveways.
- The flood extent south of the subject site offers the potential of further investigating the existing open space and drainage reserve as a storage option. Further assessment is required to determine whether this is a viable option.
- An on-site detention basin providing approximately 500m<sup>3</sup> of storage would likely be required to be constructed in order to achieve no worsening downstream flood impacts as a result of the proposed development. Minimum batter slopes must be achieved and service proofing must be carried out to determine the likely storage depth and area needed for the detention basin.
- The basin area, properties and detention storage location must be confirmed and may be optimised during the SSMP design stage.
- This will enable the subdivision to meet the conditions and requirements set in the planning scheme for stormwater management. The objectives outlined in Section 1.1 should inform stormwater designs and ensure that stormwater quantity and quality targets are achieved and maintained.

- *The stormwater analysis undertaken as part of this assessment has not identified any reasons as to why the initial subdivision of the site cannot proceed. Beyond this, future Planning Permits issued for the ultimate development and/or subdivision of the land should include appropriate engineering conditions including the preparation of a Site Stormwater Management Plan (SSMP).*

The assessment also acknowledges that proposed development will likely include a local road connection to Grassland Grove to the south along with a local road connection to the separate development immediately east of the site (692-700 Portarlinton Road). However, the adjoining site to the east and the subject site itself (672-690 Portarlinton Rd) can be developed independently from each other.

The stormwater analysis undertaken as part of this assessment has not identified any reasons as to why the initial subdivision of the site cannot proceed. Beyond this, future Planning Permits issued for the ultimate development and/or subdivision of the land should include appropriate engineering conditions including the preparation of a Site Stormwater Management Plan (SSMP). It is recommended that this assessment would include the presentation of appropriate stormwater designs and evidence that the stormwater quality and quantity targets are met. This has been addressed as a requirement in the Draft DDO.

# 5

## Zone & Overlay Controls

The site is currently located within a Farming Zone and is not covered by an Overlays.

The existing Farming Zone is an anomaly and does not accord with Council's strategic direction therefore this request seeks to correct this alignment.

The proposed amendment makes proper use of the VPPs as it is the necessary tool to facilitate the development of the land. The GRZ aligns with the Structure Plan and the proposed DDO seeks to ensure the orderly and logical development of the land including stormwater management, movement and access and urban design. The use of the DDO also aligns with Clause 21.14-4 (implementation).

### 5.1.1 Use of the GRZ and DDO

The use of the GRZ directly complies with the Implementation strategy at Clause 21-14-4: Leopold:

*Apply the General Residential Zone Schedule 1 and ... the Design and Development Overlay to land designated for future residential growth shown on the Leopold Structure Plan map included in this clause.*

## 5.2 General Residential Zone (Proposed Zone)

### *Purpose*

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential*
- *uses to serve local community needs in appropriate locations*

The GRZ is the most appropriate zone to be allied given the adjoining zone and also the Implementation strategy at Clause 21-14-4.

## 5.3 Design and Development Overlay (Proposed Overlay)

A new Design and Development Overlay has been prepared to support this amendment. The Design Objectives are:

- *To facilitate the orderly and integrated development of the area.*
- *To ensure best practice stormwater management and water quality treatment to prevent any adverse impact on downstream areas.*

The operative provisions seek to apply Stormwater Management, Movement and Access and Urban Design outcomes at the appropriate stage of development.

## **Stormwater Management**

- A stormwater management system must be designed to ensure that:
  - peak discharge rates and pollutant loads of all stormwater leaving the site post development are regulated to integrate with downstream infrastructure, at no greater than pre-development rates.
  - no adverse impacts to any surrounding land, upstream or downstream.

## **Movement and Access**

- A road network which utilises existing access connections from the adjoining street network.
- New direct access from Portarlinton Road be limited to the corner of Portarlinton and Melaluka Roads. Any access from Portarlinton Road must be supported by a Traffic Impact Assessment prepared by a suitably qualified Traffic Engineer.
- Internal road connections within the site to achieve an integrated and continuous network.

## **Urban Design**

- Mix of lot sizes which are designed to achieve passive surveillance of the adjoining Council Reserve.
- Consideration of medium density built form options, particularly adjacent to the Council Reserve and Melaluka Road and to maximise views to Corio Bay and Geelong.
- Consideration for a potential commercial activity on the corner of Portarlinton and Melaluka Roads. If in the opinion of the Responsible Authority, an acoustic report prepared by a suitably qualified acoustic consultant should be provided for any commercial activity.

Image 8 - Draft DDO Schedule

# 6

## General & Particular Provisions

### 6.1 Clause 52.17 (Native Vegetation)

The Ecological Assessment prepared by Mark Trengrove (Nov 2021) confirms that the site is 'dominated by exotic and planted non-native vegetation' and that there are no Local State or National significant plant species were recorded.

The results show that no native vegetation condition is recorded for the study area. Consequently, there would be no implications for the removal of native vegetation under the Native Vegetation Permitted Clearing Regulations.

The assessment considers the Ecological Vegetation Classes (EVCs), Flora, Vegetation Condition and Flora. Consideration was also given to the Native Vegetation Permitted Clearing Regulations and the Greater Geelong Planning Scheme.

The Assessment at Part 5 concludes:

***“the subject of this report, has been subjected to past disturbance and contains vegetation that is relatively degraded and dominated by exotic plant species and planted specimens. Habitat values within these areas are negligible. No areas of native vegetation were recorded.”***

### 6.2 Clause 65 – Decision Guidelines

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. To assist Clause 65 details a number of decision guidelines for guidance, some of these include:

- *The matters set out in Section 60 of the Act.*
- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *The proximity of the land to any public land.*
- *Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.*

### 6.2.1 Response to Decision Guidelines (Clause 65)

It is submitted that the proposal will accord with the long term and orderly planning of the area, and will not adversely affect the character or amenity of the area.

The proposed represents a logical extension to the existing zoning and strategic planning for the area. The proposed controls under the General Residential Zone (GRZ) and Design and Development Overlay (DDO), along with the relevant policies of the Greater Geelong Planning Scheme will ensure the appropriate and orderly planning of the area.

## 7 Planning Policy Framework

### 7.1 Planning Policy Framework (PPF)

Relevant policies include:

- Clause 11.01-1R – Settlement - Geelong G21
- Clause 15.01 – Built Environment
- Clause 16 – Housing
- Clause 18 – Transport
- Clause 19 – Infrastructure
- Clause 21.04 – Municipal Framework Plan
- Clause 21.06-1 – Settlement and Housing
- Clause 22.63 - Increased Housing Diversity Areas
- Clause 22.71 – Environmentally Sustainable Development

#### **Clause 11.01 Victoria**

*To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

*Strategies include (among other things):*

*Focus investment and growth in places of state significance in Metropolitan Melbourne and the major regional cities of Ballarat, Bendigo, **Geelong**, Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.*

#### **Clause 11.01-1-1R Settlement- Geelong G21**

Support the role of Central Geelong as a major regional city and revitalise and strengthen its role as Victoria's second city.

Relevant strategies to implement the above State policies within the region include:

- Support the growth of Bannockburn, Colac, Drysdale/Clifton Springs, Lara, **Leopold**, Ocean Grove and Torquay/Jan Juc as district towns by building on existing and planned infrastructure and focussing growth along key road and rail networks.
- Reinforce the role of district towns in providing services to surrounding areas.
- Provide for settlement breaks between towns to maintain their unique identities.
- Require a settlement boundary for all towns.
- Protect critical agricultural land by directing growth to towns.

### **Clause 11.02 Managing Growth (among other things):**

*To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

#### **Clause 11.02-2S - Structure planning**

##### *Objective*

*To facilitate the orderly development of urban areas.*

##### *Strategies*

*Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.*

*Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.*

*Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:*

- *Take into account the strategic and physical context of the location.*
- *Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.*
- *Provide for the development of sustainable and liveable urban areas in an integrated manner.*
- *Assist the development of walkable neighbourhoods.*
- *Facilitate the logical and efficient provision of infrastructure.*
- *Facilitate the use of existing infrastructure and services.*

#### **Clause 11.02-3S Sequencing of development**

##### *Objective*

*To manage the sequence of development in areas of growth so that services are available from early in the life of new communities*

##### *Strategies*

*Define preferred development sequences in areas of growth to better coordinate infrastructure planning and funding.*

*Ensure that new land is released in areas of growth in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.*

*Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.*

*Improve the coordination and timing of infrastructure and service delivery in areas of growth.*

*Support opportunities to co-locate facilities.*

*Ensure that planning for water supply, sewerage and drainage works receives high priority in early planning for areas of growth.*

### **Clause 11.03-6S Regional and local places**

*Objective*

*To facilitate integrated place-based planning.*

*Strategies*

*Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns. Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.*

### **Clause 12 ENVIRONMENTAL AND LANDSCAPE VALUES**

*Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.*

...

### **Clause 12.01-1S Protection of biodiversity**

*Objective*

*To assist the protection and conservation of Victoria's biodiversity.*

### **Clause 12.05-2S Landscapes**

*Objective*

*To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.*

*Strategies*

*Ensure significant landscape areas such as forests, the bays and coastlines are protected.*

*Ensure development does not detract from the natural qualities of significant landscape areas.*

*Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.*

*Recognise the natural landscape for its aesthetic value and as a fully functioning system.*

*Ensure important natural features are protected and enhanced.*

### **Clause 13 ENVIRONMENTAL RISKS AND AMENITY**

*Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.*

*Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts.*

*Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.*

*Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.*

*Planning should prepare for and respond to the impacts of climate change*

### **Clause 13.02-1S Bushfire planning**

*Policy application This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:*

- *Within a designated bushfire prone area;*
- *Subject to a Bushfire Management Overlay; or*
- *Proposed to be used or developed in a way that may create a bushfire hazard.*

### **Clause 13.05-1S Noise abatement**

*Objective*

*To assist the control of noise effects on sensitive land uses.*

*Strategy*

*Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

### **Clause 13.07-1S Land use compatibility**

*Objective*

*To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.*

*Strategies*

*Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:*

*Directing land uses to appropriate locations.*

*Using a range of building design, urban design, operational and land use separation measures.*

### **Clause 15.01-1S Urban design**

*To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

### **Clause 15.01-2S Building Design**

*To achieve building design outcomes that contribute positively to local context and enhance the public realm. Urban Design Guidelines for Victoria (2017) is to be considered.*

### **Clause 15.01-4S Healthy neighbourhoods**

*To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

### **Clause 15.01-5S Neighbourhood character**

*To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

### **Clause 16 Housing**

*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.*

#### **16.01-1S Integrated housing**

*To promote a housing market that meets community needs*

#### **16.01-2S Location of residential development**

*To locate new housing in designated locations that offer good access to jobs, services and transport.*

#### **16.01-3S Housing diversity**

*To provide for a range of housing types to meet diverse needs*

#### **16.01-4S Housing affordability**

*To deliver more affordable housing closer to jobs, transport and services.*

### **Clause 18 TRANSPORT**

*Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.*

#### **Clause 18.01-1S Land use and transport planning**

*Objective*

*To create a safe and sustainable transport system by integrating land use and transport.*

#### **Clause 18.02-1S Sustainable personal transport**

*Objective*

*To promote the use of sustainable personal transport.*

#### **Clause 18.02-2S Public Transport**

*Objective*

*To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.*

#### **Clause 18.02-3S Road system**

*Objective*

*To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.*

### **Clause 19 INFRASTRUCTURE**

*Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.*

*Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.*

*Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.*

*Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.*

*Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.*

*Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.*

### **Clause 19.01-1S Energy supply**

#### *Objective*

*To facilitate appropriate development of energy supply infrastructure.*

#### 7.1.1 Bellarine Peninsula Distinctive Area and Landscape

In addition to current State Policy, on 29 October 2019, the Bellarine Peninsula was declared a Distinctive Area and Landscape under the Planning and Environment Act 1987. The declaration triggers the requirement to prepare a Statement of Planning Policy (SPP).

The SPP will include a 50-year vision and land use strategies to better protect the unique features of the Bellarine Peninsula for current and future generations. It also provides the opportunity to designate long term settlement boundaries. The SPP will be informed by strategic planning work already undertaken, relevant technical studies and outcomes from community engagement.

A draft SPP was released for public consultation in mid-2021. It is not expected that Amendment will conflict with the draft SPP as the land is located within an existing settlement boundary and is already earmarked in the planning scheme for rezoning.

Map 10: Proposed Leopold protected settlement boundary

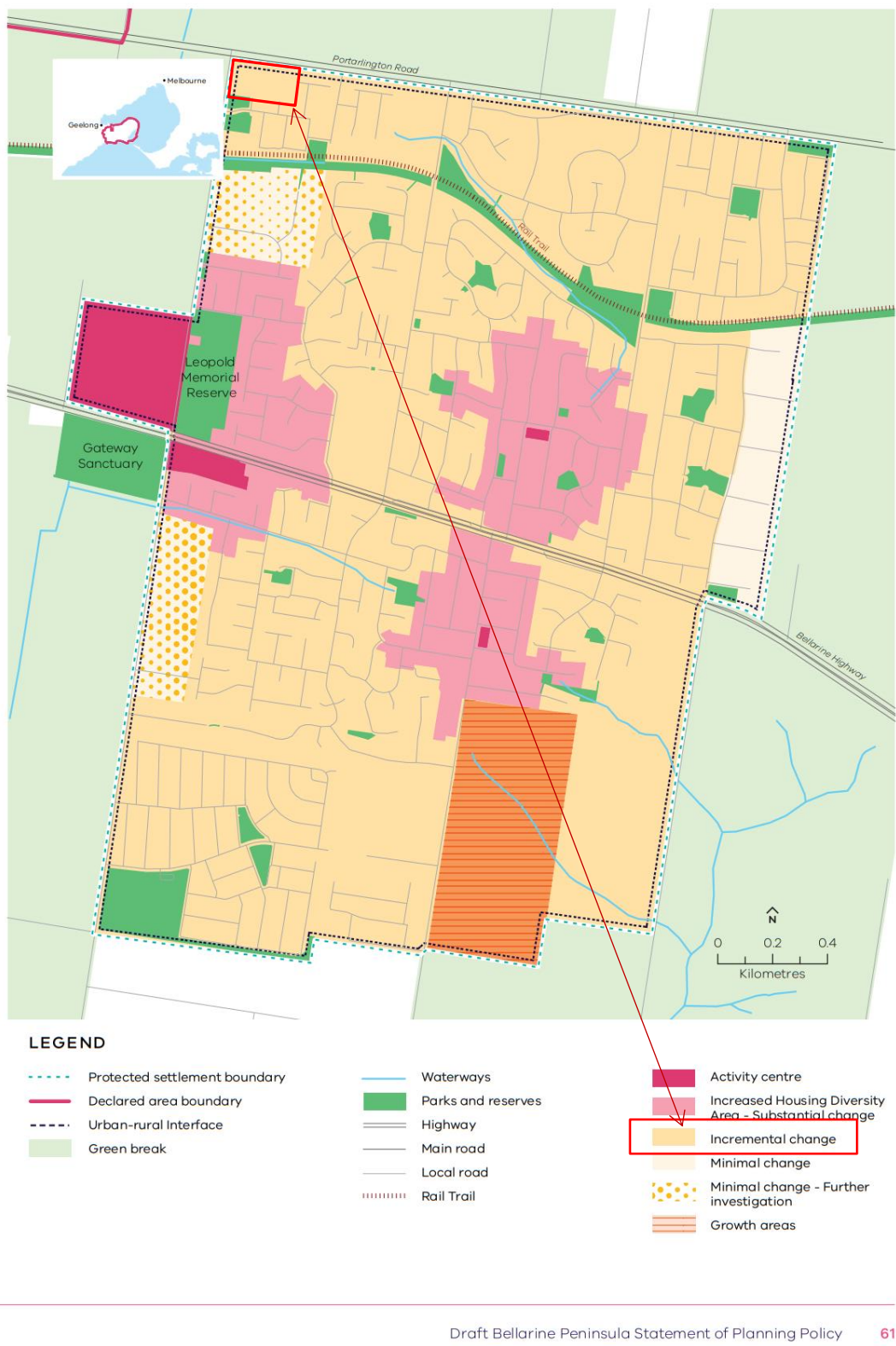


Image 9 Draft Bellarine Peninsula Statement of Planning Policy

## 7.2 Local Planning Policy Framework

### 7.2.1 Municipal Strategic Statement (MSS) and Local Policies

*The proposal is considered consistent with the aims and objectives of the Municipal Strategic Statement (MSS) including:*

- Clause 21.02 - City of Greater Geelong Sustainable Growth Framework
- Clause 21.05 – Natural Environment
- Clause 21.06 - Settlement and Housing
- Clause 21.06-2 - Spatial Distribution of Growth and Land Supply
- Clause 21.06-4 - Housing Diversity
- Clause 21.06-5 - Urban consolidation
- Clause 21.06-6 - Neighbourhood character

#### *21.06-2 - Spatial Distribution of Growth and Land Supply*

The objective of Clause 21.06-2 of the Municipal Strategic Statement is to:

- Contain growth within identified locations across the municipality.

#### *Strategies*

- Direct the majority of future housing needs to urban Geelong (urban infill, Armstrong Creek and the Northern and Western Geelong Growth Areas).
- Ensure development occurs within designated settlement boundaries.
- Adopt a population scenario approach to plan for future housing needs based on the regular monitoring and review of housing and population data and adjust as required.

#### *21.06-4 – Housing Diversity*

The objective of Clause 21.06-4 of the Municipal Strategic Statement is to:

- Ensure housing diversity is achieved in established and growth area communities.
- Increase the level of affordable and social housing in Greater Geelong.

#### *Strategies*

- Continue to implement and build upon the Housing Diversity Strategy to increase housing diversity in established areas.
- Increase housing diversity in growth areas through the delivery of a broad range of lot sizes, capable of accommodating a variety of different housing types, including the identification of locations appropriate for mixed use and high and medium density housing in strategically identified locations.
- Work with interested parties to deliver high quality clever and creative housing solutions, including social housing, to provide greater housing choice.
- Support social housing in areas with good access to services and facilities.

### **21.06-5 - Urban consolidation**

The objective of Clause 21.06-5 of the Municipal Strategic Statement is to:

- *Facilitate infill development to increase its housing supply contribution to 50 per cent, by 2047.*
- *Nominate the preferred location for increased housing densities.*
- *Manage the impact of increased housing densities on neighbourhoods.*

### **Strategies**

- *Manage urban consolidation and housing change across the municipality, by:*
  - *Accommodating medium and high density housing in Key Development Areas (as defined by the maps included in this clause).*
  - *Maximising opportunities for housing within Increased Housing Diversity Areas (as defined in Clause 22.63 Increased Housing Diversity Areas) by accommodating;*
    - *high density housing in the activity centres consistent with their primary commercial and retail role; and*
    - *medium density housing in residential areas with more intensive development being located closest to the core of activity centres.*
  - *Supporting appropriate medium density housing in the General Residential Zone (Schedule 1) areas.*
  - *Providing for incremental change in the General Residential Zone (Schedule 2) areas.*
  - *Limiting change in the Neighbourhood Residential Zone areas.*
- *Encourage medium density housing in the Mixed Use Zone.*
- *Optimise the contribution the rail corridor can make to future housing needs.*
- *Increase the level of high quality residential development in Central Geelong.*
- *Review housing opportunities within established areas to determine if further localised housing intensification can be achieved.*
- *Require retirement accommodation to be located within urban areas, preferably within close proximity to existing or proposed activity centres and public transport facilities.*

### **Clause 21.06-6 - Neighbourhood character**

The objective of Clause 21.06-4 of the Municipal Strategic Statement is to:

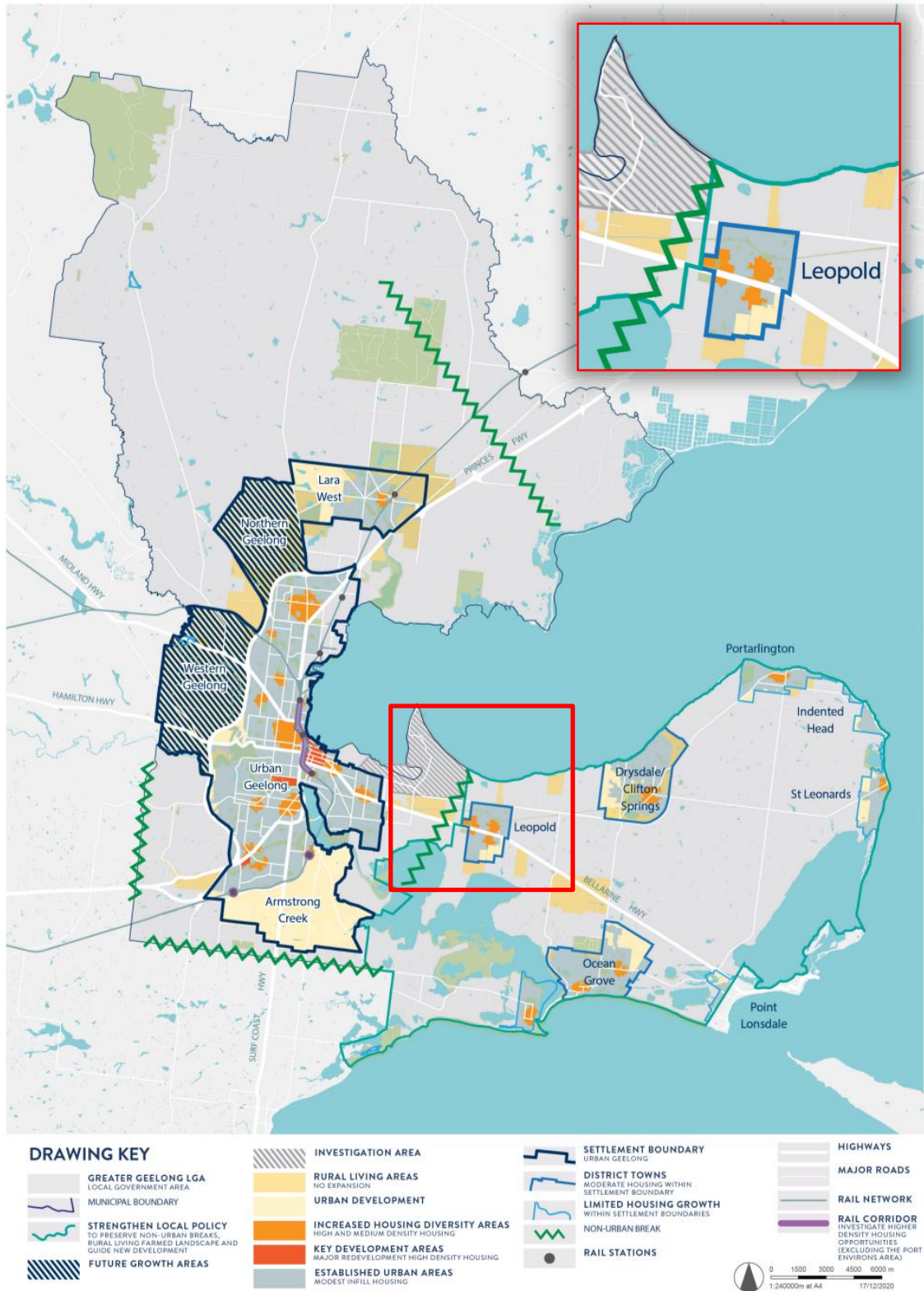
- *manage the impact of urban change on existing neighbourhoods.*
- *ensure that new development responds to the existing neighbourhood character.*
- *protect areas with a significant garden character.*
- *protect areas with views to significant landscape features.*

### *Strategies*

- *Acknowledge that neighbourhood character in the Increased Housing Diversity Areas will adapt and evolve over time, particularly within and on the edges of activity centres, where land use and development will intensify.*
- *Ensure that development is responsive to the established character of the area.*
- *Support appropriate medium density housing that respects the existing neighbourhood character in the General Residential Zone areas.*
- *Ensure that development in the transition areas of the Residential Growth Zones is responsive to and respectful of the neighbourhood character in any adjoining residential zones.*
- *Support the redevelopment of dwellings owned by the Office of Housing, as part of urban renewal initiatives.*
- *Retain existing vegetation wherever possible, particularly vegetation that contributes to the municipality's tree canopy.*
- *Avoid gated communities.*
- *Maintain the character of the Rural Living and Low Density Residential Zoned areas.*

## GREATER GEELONG PLANNING SCHEME

### Housing and Settlement Framework Plan



## 7.2.2 The Bellarine Peninsula

### Objectives

- *To protect and enhance the rural and coastal environment and landscapes on the Bellarine Peninsula and maintain non-urban breaks between settlements.*
- *To support the different roles and functions of townships on the Bellarine Peninsula.*
- *To provide attractive and sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.*
- *To preserve the individual character, identity and role of each Bellarine township*

### Leopold:

- *Support Leopold as a Sub Regional Retail Activity Centre for the Bellarine Peninsula, whilst providing local community, recreational and employment facilities to Leopold's residents.*
- *Ensure the retention of Leopold as an urban island - supporting urban growth contained to the settlement boundary and preserving the surrounding rural hinterland.*
- *Support the development of the Ash Road / Mollers Lane Growth Area and other areas identified for residential development on the Structure Plan map.*
- *Ensure that future urban form and subdivision integrates seamlessly across the Ash Road East and Mollers Lane Growth Area. Support increased housing densities around the Sub Regional Retail Activity Centre and neighbourhood shopping strips at Ash Road and Dorothy Street.*
- *Encourage the northerly expansion of the Sub Regional Retail Activity Centre, ensuring any development integrates with the existing centre and surrounding community facilities, and enhances its appearance and functionality.*
- *Support the local convenience role of the Ash Road and Dorothy Street neighbourhood shopping centres, whilst restricting any future expansion of these centres.*
- *Support the development of Council's Kensington Road Community Hub to provide a wide range of community, health, education and civic services/facilities.*
- *Encourage the creation of an additional local mixed use centre on the south east corner of Bellarine Highway and Melaluka Road. Any redevelopment of this site could accommodate restaurants, convenience shops, offices and residential development.*
- *Provide public open space within existing and proposed residential areas to cater for the passive and active recreation needs of the community.*
- *Provide an improved transport network which includes better traffic movements, pedestrian and cyclist linkages and public transport options.*
- *Ensure environmentally sensitive areas including Lake Connewarre and Reedy Lake are protected from localised development pressure.*
- *Investigate opportunities for public access to Port Phillip Bay.*

### Implementation – Clause 21-14-4: Leopold

- *Apply the General Residential Zone Schedule 1 and the Development Plan Overlay or the Design and Development Overlay to land designated for future residential growth shown on the Leopold Structure Plan map included in this clause.*

## GREATER GEELONG PLANNING SCHEME

### Leopold Structure Plan map



# 8

## Strategic Planning Assessment

### 8.1 Overview

The amendment appropriately implements several objectives of planning in Victoria under section 4 of the Planning and Environment Act 1987 (the Act), in particular:

- *To provide for the fair, orderly, economic and sustainable use and development of the land,*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria,*
- *To balance the present and future interests of all Victorians.*

The amendment gives effect to these guiding principles and objectives by encouraging the orderly development of land that will make a positive contribution to the locality as it will align it with the strategic intent of the area and is consistent with the *Objectives* of planning in Victoria.

The proposed Design and Development overlay will also ensure the land is developed in an orderly manner.

### 8.2 Assessment against State and Local Planning Policy

The PPF is based on general themes of sustainable land management, orderly planning, improving accessibility, land use, transport integration and the protection of significant landscapes. The amendment is consistent with these broad objectives and in doing so, supports the major principles of the policy framework.

The proposed GRZ will provide a more orderly outcome through aligning the strategic planning with future built form outcomes and is clearly a logical and planned extension to the adjoining GRZ.

The ultimate development of the subject site will provide a number of potential land use and development opportunities which are able to leverage off the existing services and infrastructure which already currently exist.

It will optimise and take full advantage of the locational attributes of the subject land. Land use, design and building form matters can still be appropriately addressed through the Planning Permit process. This includes ensuring an appropriate interface with all the road abutments and open space.

The land is mostly vacant, flat and large enough to accommodate a range of built form types. The land does not have any significant development constraints and access can be achieved without impacting on the road network.

## 9

## Strategic Assessment Guidelines

With consideration to the Strategic Assessment Guideline (Planning Practice Note 46 – August 2018) and Ministerial Direction No.11:

### ***Why is an amendment required?***

The Amendment is required to rezone land to facilitate residential growth in Leopold in accordance with the urban growth direction in Clause 21.14 as also identified in the Leopold Structure Plan.

It is submitted that the proposal is appropriately supported by the state and local planning policy framework and achieves a net community benefit, particularly through the sites access to services and infrastructure.

### ***Does the amendment implement the objectives of planning and address any environmental, social and economic effects?***

The amendment implement the objectives of planning in Victoria (sections 4(1) and 12(1)(a) of the Act) by:

- *Providing for the fair, orderly, economic and sustainable use, and development of land.*  
The amendment seeks to align the zoning of the land with the strategic intent as outlined in the Leopold Structure Plan.
- *Providing for the protection of natural and human-made resources.*  
The amendment demonstrates that future development will not negatively on natural systems including vegetation and flood storage.
- *Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*  
The amendment contributes to a planning framework that will minimise risks to life and property from flooding (by using high-quality flood data).
- *Protecting public utilities and other assets.*  
The amendment ensures that development does not exacerbate flood risks to these assets.
- *Facilitating development in accordance with the above objectives.*  
The amendment establishes clear provisions that allow for different solutions to address potential flooding issues.

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

The proposal would ultimately result in a decrease to the risk to life and property from bushfire. The land is currently grassland or scattered woodland or mostly cultivated gardens which currently represents a potential risk and as such is in a designated bushfire prone area. The development of the site would removed this risk through a number of measures including improved access and all

new development will need to comply with AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).

The state policy at Clause 13.02-1S relates to Bushfire planning. This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

The site is within a designated bushfire prone area (not Bushfire Management Overlay) therefore consideration to the policy at Clause 13.02-1S is required. The broader area, including the other land in the Mixed Use Zone and Rural Living Zone is also within the designated bushfire prone area.

In relation to existing and potential bushfire hazards, the proposal is not considered to represent a significant risk particularly given its access to a major road and internal road connections in the event of evacuation. The access arrangements, including internal accessways, can be designed to enable the safe and efficient movement of vehicles in and around the site. It is also likely that new buildings can easily achieve a BAL-12.5 rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).

It is also noted that the list of land uses at Clause 13.02-1S are generally of a sensitive nature and where large numbers of people congregate. This proposal does not seek to introduce a use listed in the policy. Importantly it is submitted that:

- The risk of bushfire to people, property and community infrastructure as a result of this amendment is negligible and no more than what currently exists in the locality.
- The implementation of appropriate bushfire protection measures to address the identified bushfire risk can be addressed at the Planning or Building Permit stage as required.
- Any bushfire protection measures can be implemented without unacceptable biodiversity impacts.

### ***Does the amendment comply with all the relevant Minister's Directions?***

The proposed amendment complies with the requirements of the Ministerial Direction – The Form and Content of Planning Schemes (section 7(5) of the Act) and Ministerial Direction No. 11 (Strategic Assessment of Amendments)

### ***How does the amendment support or implement the Planning Policy Framework (PPF)?***

An assessment of how the proposal responds to the policy framework is provided earlier in this report.

The proposal supports the relevant objectives and strategies of the PPF through the facilitation of rezoning and ultimate development which has access to all services and infrastructure, has excellent access and will improve road network linkages.

These outcomes of the amendment support or give effect to the policy framework and provide a net community benefit.

***How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?***

An assessment of how the proposal responds to the policy framework is provided earlier in this report.

Relevant policy includes (but not limited to) Clause 21.14-4 (Implementation)

Leopold

*“Apply the General Residential Zone Schedule 1 and the Development Plan Overlay or the Design and Development Overlay to land designated for future residential growth shown on the Leopold Structure Plan map included in this clause.”*

The proposal also implements the Leopold Structure Plan at Clause 21.14-9.

The proposed Design and Development Overlay (DDO) will also ensure the land is developed in an orderly manner.

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

The proposed amendment makes proper use of the VPPs as it is the necessary tool to facilitate the development of the land.

The GRZ aligns with the Structure Plan and the proposed DDO seeks to ensure the orderly and logical development of the land including stormwater management, movement and access and urban design. The use of the DDO also aligns with Clause 21.14-4 (implementation).

***How does the amendment address the views of relevant agencies?***

Preliminary discussions with relevant agencies have confirmed that there are no foreseeable issues with the serviceability or infrastructure provision to the site.

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

The amendment is not likely to have an impact on the transport system, as defined by section 3 of the Transport Integration Act 2010.

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

The cost implications for a responsible authority in implementing and administering the new planning provisions is comparable to any other planning scheme implementation task in Greater Geelong.

# 10 Aboriginal Cultural Heritage

The *Aboriginal Heritage Regulations 2007* which specify the circumstances in which a Cultural Heritage Management Plan is required for an activity or class of activity. Part 2 - Division 2 of the *Aboriginal Heritage Regulations 2007* specifies exempt activities which do not require a Cultural Heritage Management Plan.

The site is **not** located within an area of cultural heritage sensitivity therefore a Cultural Heritage Management Plan **is not** required.

# 11 Conclusion

It is considered that the proposed amendment is appropriate and responds to policies contained within the Greater Geelong Planning Scheme. The proposal provides a logical extension to the existing GRZ and directly aligns with the strategic planning framework and community expectation of the area.

It will optimise and take full advantage of the locational attributes of the subject land and surrounds, including through walkability to open space, public transport and the nearby Gateway Plaza Activity Centre.

It will generate a positive net community benefit through *filling the gap* to allow the site to be developed.

Land use, design and building form matters can still be appropriately addressed using the existing planning framework and through the proposed Design and Development Overlay.

It is therefore recommended that Council support this proposal.