

# **Greater Geelong Planning Scheme**

## **Amendment C475ggee**

### **Explanatory Report**

#### **Overview**

This amendment rezones a portion of the land at 2-6 Fenwick Street, Geelong, from Transport Zone 1 – State Transport Infrastructure (TRZ1) to Activity Centre Zone – Schedule 1 (ACZ1). The current zoning of the land within the TRZ1 is reflective of its historical use and association with the railway. This amendment will rectify the anomalous zoning and apply an appropriate land use zone consistent with the balance of the Gordon TAFE Geelong City campus and surrounding area.

#### **Where you may inspect this amendment**

The amendment can be inspected free of charge at:

- the Department of Transport and Planning website at [www.planning.vic.gov.au/public-inspection](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.
- By appointment only during office hours at City of Greater Geelong, Wurriki Nyal, 137-149 Mercer Street, Geelong – Monday to Friday 8am to 5pm by contacting the council on (03) 5272 5272, and on the Council's website at [www.geelongaustralia.vic.gov.au](http://www.geelongaustralia.vic.gov.au).

#### **Details of the amendment**

##### **Who is the planning authority?**

This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

The amendment has been made at the request of the Gordon TAFE.

##### **Land affected by the amendment**

The amendment applies to part of the land located at 2-6 Fenwick Street, Geelong (refer to Figure 1).

The amendment specifically applies to two titles currently zoned within the TRZ1 (refer to Figure 2), formally known as:

- Lot 1 on Title Plan 097207T
- Lot 1 on Title Plan 115706E



Figure 1: Land subject to the amendment shown red. (Source: Nearmap)



Figure 2: Current zoning, subject land highlighted red (source: VicPlan)

## What the amendment does

The amendment rezones part of the land at 2-6 Fenwick Street, Geelong, specifically

Lot 1 on TP097207T and Lot 1 on TP115706E, from the Transport Zone 1 – State Transport Infrastructure (TRZ1) to Activity Centre Zone – Schedule 1 (ACZ1). No changes to any overlays affecting the site are proposed.

The amendment allows for the ongoing use and development of the land by the Gordon TAFE, a regionally important tertiary education provider within Central Geelong.

## **Strategic assessment of the amendment**

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

The amendment is required to correct a historic zoning anomaly. The land is no longer owned or used by VicTrack for transport purposes and is currently owned and used by the Gordon TAFE for education purposes. The amendment will resolve the anomalous TRZ1 zoning of land within the Gordon TAFE campus to an appropriate zone, being the Activity Centre Zone – Schedule 1 (ACZ1), which is consistent with the orderly planning of the area. The amendment will allow for the ongoing use and development of the Gordon TAFE Geelong City Campus.

The subject land was transferred from VicTrack (formerly the State Transport Authority) in 1985 to the Minister for Education and later to the ownership of the Gordon TAFE. At the time of the land transfer the Gordon TAFE Geelong City campus was within the Public Purposes Zone 11 – Education Department. This zone has now been superseded and replaced with the ACZ1.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987*, and of particular relevance:

- a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*
- c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- d) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- e) *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

The amendment will achieve these objectives by:

- Rectifying a zoning anomaly by applying an appropriate zone consistent with the orderly planning of the area.
- Ensuring the planning controls are consistent with the majority balance of the subject site and the site surrounds in accordance with the directives of the

Central Geelong Framework Plan.

- Enabling the orderly provision of the land by applying the ACZ1. The zoning is reflective of the site's current use and ownership by a regionally significant education facility.
- Ensuring the appropriate built form controls are applied to guide any future use and development of the land.

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

### *Environmental Effects*

The amendment seeks to rectify a historic zoning anomaly and is unlikely to cause any adverse environmental effects. No changes are proposed to the existing Special Building Overlay (SBO) that applies to the site. The continued application of the SBO will ensure future use and development appropriately considers urban flood risk and management.

### *Social Effects*

The Gordon TAFE provides vital and regionally significant tertiary education services to Geelong and the broader regional community. The amendment will ensure that appropriate zoning is applied to enable future land use and development consistent with the current land use by the Gordon TAFE, and the directives of the Central Geelong Framework Plan. The amendment provides greater certainty regarding the future use and development of the land.

### *Economic Effects*

The rezoning of this land, which is now owned by the Gordon TAFE, will enable the continued use and development of the land for education purposes. The Gordon TAFE contributes to the prosperity of Geelong's economy, job creation and education opportunities. There will be no detrimental economic effects as a result of the amendment, which seeks to amend an anomalous zoning.

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

The subject land is not located within a designated Bushfire Prone Area and is not subject to a Bushfire Management Overlay. Accordingly, the amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

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

The following ministerial directions are relevant to the proposal:

[Ministerial Direction on the Form and Content of Planning Schemes](#)

The amendment has been prepared in accordance with the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the *Planning and Environment Act 1987*.

#### Ministerial Direction No. 1 Potentially Contaminated Land

The amendment complies with Ministerial Direction No. 1. There is no known historic use of the land for storage of chemicals, waste or other materials that would have potential to contaminate the land. The proposal is to correct an anomalous rezoning of land that has been used and developed by the Gordon TAFE for a significant period.

#### Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment provides a strategic assessment of the appropriateness of the rezoning, and responds to the matters outlined in Ministerial Direction 11.

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

The amendment is consistent with and gives effect to the following provisions of the Planning Policy Framework:

**Clause 11.01-1S Settlement** seeks to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

**Clause 11.01-1R Settlement-Geelong G21** seeks to support and strengthen the role of Geelong as Victoria's second city whilst also supporting growth and development of Geelong's satellite towns.

**Clause 11.03-1S Activity Centres** seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

**Clause 11.03-1L Activity Centres in Greater Geelong** seeks to support the role and function of centres in the Geelong Retail Centre Hierarchy and to support the continued diversification of retail centres over time.

The subject land is located within Central Geelong, a regionally significant activity centre that ensures accessible major retail, residential, commercial, administrative, entertainment and cultural developments. Application of the ACZ1 will provide surety that land will be used and developed in a manner consistent with the objectives of Activity Centres in Greater Geelong policy and the Central Geelong Framework Plan.

**Clause 15.01-1S Urban Design** seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

The application of the ACZ1 will ensure any future use and development considers and implements the built form objectives within the Central Geelong Framework Plan.

**Clause 17.01-2R Innovation and Research** – Geelong G21 seeks to support growth of education and research hubs at Waurin Ponds and Central Geelong with Deakin, CSIRO, The Gordon and Barwon Health.

**Clause 18.01-1S Land Use and Transport Integration** seeks to facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

The application of the ACZ1 is appropriate given the site's proximity to the Geelong Railway Station and existing transport infrastructure. The amendment will not impact on the VicTrack land, existing rail operations or future network development.

**Clause 19.02-2S Education Facilities** seeks to assist the integration of education and early childhood facilities with local and regional communities.

**Clause 19.02-2R Education Precincts – Geelong G21** seeks to support education hubs at Waurin Ponds and Central Geelong with Deakin and The Gordon.

The amendment will support the role of the Gordon TAFE as a vital educational hub within Central Geelong and ensure that campus facilities can expand in response to the educational needs of the local and regional communities.

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

The amendment is consistent with and gives effect to the relevant objectives and strategies of the Municipal Planning Strategy as follows:

**Clause 02.02 Vision** provides Council's overarching vision for Greater Geelong which is as follows:

- *Geelong, coast, country and suburbs, is the best place to live through prosperity and cohesive communities in an exceptional environment.*
- The relevant land use and development aspiration is a *prosperous economy that supports jobs and education opportunities.*

**Clause 02.03-1 Settlement** identifies Central Geelong as a regionally important activity centre in the Geelong Retail Centre Hierarchy and a focus of education within the region. The key strategies for the activity centre seek to ensure that it remains the primary activity centre within the region and encourages appropriate development.

**Clause 02.03-9 Infrastructure** seeks to ensure the continued provision and upgrade of development and community infrastructure within the municipality.

The amendment supports the Municipal Planning Strategy by:

- Contributing to the prosperity of Geelong's economy, job creation and education opportunities (Clause 02.02).
- Applying an appropriate zone that ensures use and development within Central Geelong is reflective of commerce, arts and culture, hospitality,

entertainment, education, health, and institutional activity (Clause 02.03-1).

The rezoning will ensure zone consistency is achieved across the precinct and ensure that the Gordon TAFE Geelong City Campus can continue to be used and developed as a key regional educational institute.

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

The amendment makes proper use of the VPP. The amendment seeks to rectify a historical zoning anomaly by rezoning the land to the ACZ1. The application of the ACZ1 is the most appropriate planning provision that best reflects the site's context and current and future use and development. Whilst the standard is for educational uses such as TAFEs to be within the Public Use Zone 2 – Education (PUZ2), zoning the land to ACZ1 will ensure consistency across the precinct noting that the balance of the site is within the ACZ1.

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

The views of VicTrack and the City of Greater Geelong have been considered. VicTrack have advised that the proposed rezoning will not impact on the adjacent VicTrack land, existing rail operations or future network development. The City of Greater Geelong acknowledges the anomalous zoning and supports the amendment. The City have also advised that no other landowners or parties are required to be consulted.

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

The amendment is consistent with the requirements of the *Transport Integration Act 2010*. The land was transferred to the (then) Minister for Education from the (then) State Transport Authority in 1985. At the time of land transfer, the Gordon TAFE was included in the (then) Public Purposes (Existing) Zone 11 Education Department. The subject land should have also been included in this zoning. The public zoning has since been superseded by the ACZ1 and broader changes to the zoning across Central Geelong. The land was determined surplus to the needs of VicTrack and is currently owned by the Gordon TAFE. Given this zoning anomaly, it is considered appropriate to apply the ACZ1.

### **Resource and administrative costs**

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

The amendment is unlikely to impact on the administrative costs of Geelong City Council. The land is owned, used, and developed by the Gordon TAFE which is a subsidiary of the Minister for Training and Skills. Any other future buildings and

works conducted by the Gordon TAFE are exempt from permit requirements pursuant to Section 16 of the *Planning and Environment Act 1987*.