

Greater Geelong Planning Scheme

Amendment C481ggee

Explanatory Report

Overview

The amendment amends the Small Lot Housing Code (the Code) provisions in Schedule 6 (Lara West Precinct Structure Plan) to Clause 37.07 (Urban Growth Zone) to ensure that dwellings on lots smaller than 300 square meters do not need a planning permit where the Code applies, introduces the Small Lot Housing Code (Victorian Planning Authority, November 2024) as an incorporated document, and updates the relevant schedules of the Urban Growth Zone (Schedule 5 and 6) to remove reference to older versions of the Code.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, at the following places:

- City of Greater Geelong website www.geelongaustralia.com.au
- During office hours, City of Greater Geelong, Wurriki Nyal 137-149 Mercer Street, Geelong

The amendment can also be inspected free of charge at the 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

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 City of Greater Geelong.

Land affected by the amendment

The amendment applies to land within an Urban Growth Zone in the City of Greater Geelong. Specifically, the Armstrong Creek Town Centre Precinct Structure Plan

area (zoned UGZ5) and the Lara West Precinct Structure Plan area (zoned UGZ6).

What the amendment does

The amendment incorporates the Small Lot Housing Code (Victorian Planning Authority, November 2024) document in the Greater Geelong Planning Scheme and removes reference to older versions of the Code.

The amendment also makes a correction to Schedule 6 to Clause 37.07 (Urban Growth Zone) to provide a specific provision where a permit is not required to construct or extend one dwelling on a lot of less than 300 square metres identified as a lot to which the Code applies and the development complies with the Code incorporated into this planning scheme.

Specifically, the amendment makes the following changes:

Planning Scheme Ordinance

- Amends Schedule 5 to Clause 37.07 (Urban Growth Zone) to remove reference to the '*Small Lot Housing Code (December 2012)*' and make administrative corrections.
- Amends Schedule 6 to Clause 37.07 (Urban Growth Zone) to remove reference to the '*Small Lot Housing Code (GAA, August 2011)*', include a special provision to exempt a permit requirement to construct or extend one dwelling on a lot less than 300 square metres identified as a lot to which the Small Lot Housing Code applies, and make administrative corrections.
- Amends the Schedule to Clause 72.04 (Incorporated Documents) to replace '*Small Lot Housing Code (December 2012)*' with '*Small Lot Housing Code (Victorian Planning Authority, November 2024)*'.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to correct a technical anomaly in Schedule 6 to Clause 37.07 Urban Growth Zone – Lara West Precinct Structure Plan (UGZ6). As currently drafted, UGZ6 requires a planning permit to construct or extend a dwelling on a lot smaller than 300 square metres, even when that lot is identified as subject to the Code and the dwelling complies with the Code.

This is contrary to the intended operation of the Code, which provides a streamlined assessment pathway allowing dwellings on small lots to proceed without a planning permit where the Code's standards are met. This streamlined process has been widely implemented across Victoria's growth areas and is a critical tool for supporting housing diversity, affordability, and delivery.

Not addressing this error results in:

- Unnecessary permit requirements for dwellings that would otherwise be exempt under the Code;
- Delays in housing delivery in designated growth areas, including Lara West, where housing supply is urgently needed;
- Increased administrative burden for council and applicants, without any clear planning benefit;
- Uncertainty and inconsistency in how the Code operates across the municipality and relative to other growth area planning schemes.

The Code encourages smaller housing products and allows for greater housing diversity by providing for dwelling approval and construction on lots less than 300 square metres without the need for a planning permit. This streamlined process, makes it easier for homeowners, developers and builders to build homes on smaller parcels of land in growth areas.

One of the key successes of the Code is the improvement to planning efficiencies through the reduction in the number of dwellings which otherwise would have required a planning permit. The approval of lots under the Code benefits the broader housing market by unlocking much needed supply of dwellings in the growth areas of Geelong while providing a diversity in lot types.

In addition to correcting the permit requirement in UGZ6, the amendment introduces the Small Lot Housing Code (Victorian Planning Authority, November 2024) into the Greater Geelong Planning Scheme and ensures consistency across schedules by removing outdated references to earlier versions of the Code.

The Small Lot Housing Code (Victorian Planning Authority, November 2024) improves the outcomes of existing Type A and B products and introduces new standards for a new housing typology (Type C).

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

The amendment implements the objectives of planning in Victoria under Section 4(1) of the *Planning and Environment Act 1987* (the P&E Act). In particular, the amendment implements objectives:

- (a) provide for the fair, orderly, economic and sustainable use, and development of land;
- (c) secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (fa) to facilitate the provision of affordable housing in Victoria;
- (g) balance the present and future interests of all Victorians.

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

Environmental effects

The amendment will have positive environmental effects as it introduces standards to provide for deep soil areas to facilitate private tree planting amongst other revised and new standards.

Social effects

The introduction of the Type C standards will facilitate the delivery of greater housing diversity which is intended to facilitate the provision of housing to more diverse household types. Type C will provide for the smallest lot size possible in growth areas.

Economic effects

The amendment facilitates the streamlined approval pathway for dwellings on lots less than 300 square metres which positively contributes to the delivery of housing and reduced administrative costs to home builders and reduces planning permit assessments for council.

Overall, the amendment will encourage the application of the most up-to-date version of the SLHC in Geelong's growth areas and will assist in addressing housing diversity and efficient delivery of housing. The improved standards of the 2024 Code will also ensure that better built form outcomes will be achieved. This in turn will contribute to positive environmental and social effects.

Reducing existing misinterpretations of the Code will also reduce associated time and cost delays which has positive economic effects.

Does the amendment address climate change?

The amendment does not consider climate change in accordance with section 12(2A) of the Act and Ministerial Direction No. 22 Climate Change Consideration under section 12A of the Act. The amendment is largely administrative in nature and does not enable significant change to and/or intensification of the use and development of urban land, or enable a new use and development of land that may be exposed to a natural hazard that arises from, or is likely to arise from, the impacts of climate change.

Does the amendment address relevant bushfire risk?

The amendment does not increase the risk to life or property as a result of bushfire.

Areas affected by the amendment are within designated bushfire prone areas. The Building Regulations 2018, through application of the Building Code of Australia, applies bushfire protection standards for buildings and works in designated bushfire prone areas.

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

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

Ministerial Direction No. 11: Strategic Assessment of Amendments

Ministerial Direction No. 11 seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This explanatory report addresses the requirements outlined in this direction.

Ministerial Direction No. 12: Urban Growth Areas

Part 6 of Ministerial Direction No. 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about the following:

How the amendment implements any Growth Area Framework Plan applying to the land

The amendment implements the updated Code which has been amended to improve existing standards, introduce new Type C standards and address ongoing misinterpretation issues. The Code supports the implementation of any relevant Growth Area Framework Plan.

How does the amendment accord with the Precinct Structure Planning Guidelines (October 2021)?

Facilitating ongoing use and uptake of the Code will facilitate housing choice, diversity and affordability, consistent with the purpose of the Guidelines which seeks, amongst other things, to increase densities, affordability and diversity to growth areas.

Ministerial Direction – The form and content of planning schemes

The amendment complies with the Ministerial Direction on form and content.

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

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of the clauses:

Clauses 11.01 (Victoria), Clause 11.02 (Managing Growth), Clause 11.03 (Planning for Places)

The amendment enables the timely and efficient development of residential land within designated growth areas with access to existing and planned amenities, services, and infrastructure. It also facilitates higher density housing to be delivered within the urban growth boundary.

Clause 15.01 (Built Environment)

By implementing the SLHC 2024, the amendment positively contributes to the built environment by facilitating additional tree planting, increased setbacks, improved public open space areas and high levels of street activation and building articulation.

Clause 16.01 (Residential Development)

The amendment facilitates the timely and efficient development of residential land that is well serviced and with access to transport, employment opportunities, community infrastructure and open spaces.

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

The amendment supports the MPS of the Greater Geelong Planning Scheme by implementing an improved Code for application within the growth areas.

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

The amendment makes proper use of the Victoria Planning Provisions by updating and amending relevant sections of the planning scheme which administer the use of the Code.

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

The views of any relevant agency were not sought in the preparation of this amendment.

As part of the review on the SLHC, the Victorian Planning Authority sought targeted feedback from an Advisory Group in 2022 and conducted public consultation on the revised Type A and B standards and new Type C standards.

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* because it promotes social and economic inclusion by developing residential areas close to an existing transport network. Furthermore, because the amendment is largely administrative in nature, it is unlikely to have a significant impact on the transport network and such impacts were considered in detail at the time that the Urban Growth Zone was applied.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

The land subject to this amendment is not within the area declared under the *Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017* and does not have an effect on Yarra River land.

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 reduce the administrative burden on council resources. The Code is designed to allow for development that meets the standards, without the need for a planning permit which reduces the demands on council resources.