

**REASONS FOR DECISION
TO EXERCISE POWER OF INTERVENTION**

**UNDER SECTION 20(4) OF THE
PLANNING AND ENVIRONMENT ACT 1987**

GREATER GEELONG PLANNING SCHEME AMENDMENT C477ggee

The *Planning and Environment Act 1987* (the P&E Act), the *Heritage Act 2017* and the *Victorian Civil and Administrative Tribunal Act 1998* provide for the intervention of the Minister for Planning in planning and heritage processes.

In exercising my powers of intervention, I have agreed to:

- make publicly available written reasons for each decision; and
- provide a report to Parliament at least every 12 months detailing the nature of each intervention.

REQUEST FOR INTERVENTION

1. The Victorian Planning Authority (VPA), now within Department of Transport and Planning (DTP) has requested that I use my powers under section 20(4) of the P&E Act to exempt myself from the notice requirements of sections 17, 18 and 19 of the P&E Act and prepare, adopt and approve Amendment C477ggee (the amendment) to the Greater Geelong Planning Scheme to implement the Greater Avalon Employment Precinct.

WHAT POWER OF INTERVENTION IS BEING USED?

2. I have decided to exercise my powers to exempt myself from all the requirements of sections 17, 18 and 19 of the P&E Act and the Regulations in respect to Amendment C477ggee to the Greater Geelong Planning Scheme.
3. Section 20(4) of the P&E Act enables the Minister for Planning to exempt an amendment which the Minister prepares from any of the requirements of sections 17, 18 and 19 of the P&E Act or the Regulations.
4. In seeking to exercise this power, section 20(4) of the P&E Act requires that the Minister must consider that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

BACKGROUND

5. *Plan for Victoria* and *Victoria's Housing Statement* identify the Greater Avalon Employment Precinct as priority project for regional Victoria, and the *Economic Growth Statement* identifies it as one of three regional greenfield locations to unlock industrial and employment land. Amendment C477ggee to the Greater Geelong Planning Scheme seeks to facilitate a new employment precinct whilst also protecting areas of environmental conservation significance.
6. Public consultation on the draft amendment occurred from 13 November to 11 December 2025, and 59 submissions were received (including nine late submissions). Key issues within submissions were referred to the VPA Projects SAC for independent review on 18 February 2026.
7. Following the referral of submissions to the SAC, the hearing for Amendment C477ggee was convened between 29 April to 19 May 2026. Key matters considered at the hearing related to flooding, drainage and integrated water management matters, biodiversity, the strategies under clause 11.03-6L-06 and the drafting of planning scheme ordinance.

8. Planning Panels Victoria provided their report on 24 June 2026 and was broadly supportive of the strategic rationale of Amendment C477ggee and has recommended that it be prepared and approved subject to changes.

BENEFITS OF EXEMPTION

9. The main benefit of exemption is that it will enable a prompt decision to be made on the adoption and approval of the amendment, and in doing so will provide certainty to stakeholders about the future direction of the development in the Greater Avalon Employment Precinct.
10. The consultation process was generally consistent with the formal notice requirements that would have been required under sections 17, 18 and 19 of the P&E Act. The exemption under section 20(4) of the Act avoids unnecessary duplication of the extensive consultation process already undertaken.
11. Greater Geelong City Council, individuals, landowners and government agencies were afforded the opportunity to make a submission on the amendment, and it is unlikely that a further formal exhibition and notice process under sections 17, 18 and 19 of the P&E Act would result in a discernibly different outcome.

EFFECTS OF EXEMPTION ON THIRD PARTIES

12. Exempting the amendment from compliance with the requirements of sections 17, 18 and 19 of the Act has the effect that parties potentially affected by the amendment will not be formally notified or have the opportunity to make submissions in relation to the amendment and have those submissions considered by an independent planning panel.
13. The views of affected parties are known and have been taken into consideration through key agency and community consultation that was undertaken by the VPA in the preparation of the amendment.
14. Parties have had an opportunity to be heard via the SAC processes. The SAC considered all matters referred to it and conducted a hearing facilitated by Planning Panels Victoria. The views of those persons who participated in the SAC processes have been considered by the SAC as part of its reports and, where appropriate, the SAC recommended changes to the relevant aspects of the draft amendment in response to submissions.
15. Greater Geelong City Council's views on the project are known and were considered during the preparation of the amendment.
16. A formal exhibition process for the amendment is unlikely to identify any new issues which were not considered as part of the consultation and SAC process for the project.

ASSESSMENT AS TO WHETHER BENEFITS OF EXEMPTIONS OUTWEIGH EFFECTS ON THIRD PARTIES

17. The exemption will enable a prompt decision to be made on the adoption and approval of an amendment which facilitates the timely delivery of a project of importance to this part of Victoria, which will enable approval and development of employment land and job creation in Victoria.
18. The VPA consultation process mirrored the notice requirements of sections 17, 18 and 19 of the PE Act and the regulations, and I am therefore satisfied that third parties who were likely to be affected by the amendment were provided with the opportunity to provide feedback during the VPA consultation processes on the project. I also consider that the views of such persons are adequately understood and have been documented by the VPA and have subsequently been considered during the preparation of the amendment, including consideration by the VPA Projects SAC.
19. I am satisfied that the benefits of exemption outweigh effects upon third parties as the matter has undergone a significantly similar process to that which would have occurred had formal notice been given and exhibition undertaken.

20. Further consultation would be reasonably unlikely to identify any new issues, or to result in changes to the amendment.
21. Accordingly, I consider that the benefits of exempting myself from sections 17, 18 and 19 of the P&E Act outweigh any effects of the exemption on third parties.

DECISION

22. I have decided to exercise my power to exempt myself from all the requirements of sections 17, 18 and 19 of the P&E Act and the Regulations in respect of Amendment C477ggee to the Greater Geelong Planning Scheme.

REASONS FOR INTERVENTION

23. I provide the following reasons for my decision to exercise my power under section 20(4) of the P&E Act.
24. I am satisfied that:

Compliance with any of the requirements of sections 17, 18 and 19 of the P&E Act and the Regulations is not warranted because:

- The community was given the opportunity to comment on the project during the VPA's public consultation program. I also consider that the views of such persons who engaged in this process are adequately understood and have been documented by the VPA and have subsequently been considered during the preparation and approval of the amendment.
- Greater Geelong City Council, relevant government agencies and owners and occupiers of land to which the incorporated document will apply were provided with notice of the draft amendment and submissions in relation to the project and the amendment were invited. This feedback was subsequently considered in the preparation of the draft amendment, and I am aware Greater Geelong City Council are generally supportive of the strategic intent of the amendment and provided details on potential changes through the consultation and SAC process.
- Based on the consultation undertaken by the VPA, the feedback provided and changes made to the draft amendment in response to submissions, I consider it reasonably unlikely that further consultation through a formal planning process would result in significant changes or improvements to the amendment.

The interests of Victoria or any part of Victoria make such an exemption appropriate because:

- The amendment is necessary to facilitate the delivery of a project which I consider to be in the public interest and of importance to this part of Victoria.
- The delivery of the project is part of Plan for Victoria, Victoria's Housing Statement, the Economic Growth Statement and will expedite the prompt approval and delivery of developable land to the area.
- Requiring the amendment to be notified and follow the usual planning processes will delay the delivery of these benefits.
- To the extent a formal planning process has the potential to enable further feedback and result in recommended changes, I consider the benefits of that potential to be significantly outweighed by the advantages of timely delivery and the desirability of avoiding delay.

SIGNED BY THE MINISTER

HON SONYA KILKENNY MP
Minister for Planning

Date: 13 September 2026