

# Greater Geelong Planning Scheme

## Amendment C483ggee

### Explanatory Report

#### Overview

Amendment C483ggee has been prepared to remove the *Native Vegetation Precinct Plan, Geelong Ring Road Employment Precinct* (March 2013) (GREP NVPP) from the Greater Geelong Planning Scheme. The GREP NVPP is an incorporated document and is being deleted from the schedules to Clauses 52.16 Native Vegetation Precinct Plan and 72.04 Incorporated Documents. The GREP NVPP is no longer functionally appropriate as it contains outdated vegetation assessments, is inconsistent with the best practice for vegetation clearing and offset provision and is misaligned with Clause 52.17 Native Vegetation.

#### Where you may inspect this amendment

The amendment can be inspected free of charge at:

- the City of Greater Geelong website at [geelong.link/amendments](http://geelong.link/amendments)
- during office hours, at the City of Greater Geelong, Wurriki Nyal, 137-149 Mercer Street, Geelong, Monday to Friday 8am to 5pm (by appointment only)
- 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 amendment documentation.

#### Details of the amendment

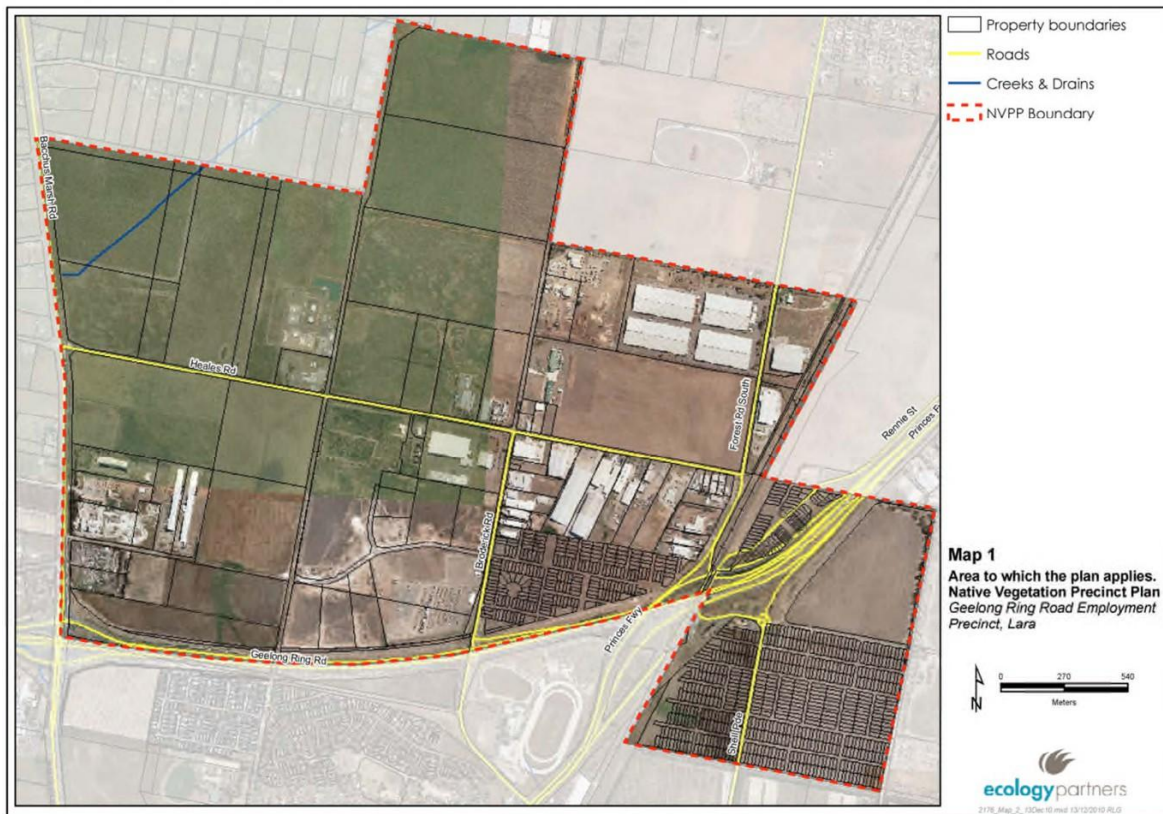
##### Who is the planning authority?

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 the Geelong Ring Road Employment Precinct located in Corio and astride the Geelong Ring Road as shown in the map below:



## What the amendment does

The amendment deletes the GREP NVPP incorporated document from the Greater Geelong Planning Scheme.

Specifically, the amendment makes the following changes to the Planning Scheme:

### Planning Scheme Ordinance

1. Amends the Schedule to Clause 52.16 Native Vegetation Precinct Plan to delete the GREP NVPP.
2. Amends the Schedule to Clause 72.04 Incorporated Documents to remove the GREP NVPP as an incorporated document.

## Strategic assessment of the amendment

### Why is the amendment required?

The GREP NVPP was introduced as an incorporated document in the Greater Geelong Planning Scheme in September 2013 pursuant to Amendment C243. At the time, this was intended to guide vegetation protection, balance development with biodiversity values, and streamline vegetation removal approvals.

The GREP land is predominantly zoned for industrial use, as Industrial 1 Zone (IN1Z) and Industrial 2 Zone (IN2Z). The land also includes areas of Farming Zone

(FZ), Public Use Zone 1 (PUZ1), Transport Zone 1 (TRZ1), Transport Zone 2 (TRZ2), and Public Conservation and Resource Zone (PCRZ).

The land area also includes an old subdivision on Farming Zone land east of the Princes Highway, known as the 'New Corio Estate'. This subdivision has not been developed due to a lack of roads and services and Council currently has a buy-back scheme in place for affected landowners.

Operation of the GREP NVPP has created inconsistencies with current biodiversity policy, the Victoria Planning Provisions, and on-ground site conditions. Council has identified that the GREP NVPP is no longer functionally appropriate, due to:

- **Outdated assessments:** The plan relies on ecological surveys from over a decade ago. Current vegetation conditions of the subject site, including the extent and quality of native vegetation, differ significantly from those records.
- **Policy inconsistency:** The GREP NVPP allows clearing of critically endangered vegetation without offsets, contrary to current biodiversity policy and best practice.
- **Misalignment with Clause 52.17 Native Vegetation of the Victoria Planning Provisions:** Clause 52.17 is the state-wide policy provision to ensure there is no net loss to biodiversity because of the removal, destruction or lopping of native vegetation. Misalignment of the GREP NVPP with Clause 52.17 has caused confusion, delays, and inconsistent advice when processing development applications.
- **Existing alternative protections:** Areas of conservation significance are covered by the Environmental Significance Overlay Schedule 4 (ESO4) of the Planning Scheme, ensuring vegetation will continue to be protected and assessed appropriately if the GREP NVPP is removed.

To ensure best practice for managing vegetation removal in the GREP, the NVPP is being deleted and in future applications for native vegetation removal will be assessed using Clause 52.17 Native Vegetation and where applicable the ESO4.

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

The amendment supports the following objectives of planning in Victoria under section 4(1) of the *Planning and Environment Act 1987* (the Act):

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and*

*(g) to balance the present and future interests of all Victorians*

The amendment will improve the Greater Geelong Planning Scheme by removal of a redundant provision that is inconsistent with state policy for native vegetation removal as contained in the *Guidelines for the removal, destruction or lopping of native vegetation* (DEECA 2025). Native vegetation removal will be captured through the ESO4 (where applicable) and the permit triggers of Clause 52.17. This will continue to manage native vegetation in this area of Greater Geelong, continue to support industrial development in the GREP and balances growth and conservation demands.

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

### **Environmental**

The amendment will facilitate development outcomes for the Geelong Ring Road Employment Precinct which are aligned with current state native vegetation policy.

Removing the GREP NVPP as an incorporated document will remove barriers to implementing offset requirements for vegetation removal in the GREP area, which aligns any vegetation removal with the *Guidelines for the removal, destruction or lopping of native vegetation*.

### **Social**

The amendment does not have any significant social effects.

### **Economic**

The amendment will remove a redundant control for native vegetation removal in the GREP area. This will benefit landholders and developers and reduce confusion and delays for permits.

## **Does the amendment address climate change?**

The amendment has considered the climate change requirements set out in Ministerial Direction 22 Climate Change Consideration under section 12A of the Act. As this amendment is deleting an incorporated document that is to be replaced by the current provisions of other parts of the planning scheme, there are no climate change implications requiring a climate change consideration report.

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

The amendment affects an area that is not subject to the Bushfire Management Overlay, but which is substantially covered by the bushfire prone area designation.

The amendment is removing an incorporated document from the scheme and not making any other changes such as rezoning or permitting new development that could be at risk from bushfire.

As permit triggers for native vegetation clearing will remain under Clause 52.17, there is no identified increase to the risk to life, property, community infrastructure and the natural environment from bushfire.

There is no impact to the strategies for Bushfire risk at Clause 13.02.

The CFA has not been consulted about this amendment which is an ordinance change to delete an incorporated document.

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

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

The amendment complies with the requirements of the Ministerial Direction No. 11 (Strategic Assessment of Amendments) under Section 12 of the Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

The amendment complies with the requirements of the Ministerial Direction No. 15 on the planning scheme amendment process.

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

The amendment supports the following policies:

- Clause 12.01-1S Protection of biodiversity seeks to protect and enhance Victoria's biodiversity through various strategies including supporting land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.
- Clause 12.01-2S Native vegetation management seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is to be achieved with the strategies to avoid, minimise impacts where avoidance cannot be achieved and to provide for offsets.
- Clause 12.01-1L Protection of biodiversity has the strategy to ensure that land use and development enhances areas of native vegetation and other habitats.

The deletion of the redundant GREP NVPP will remove confusion and delays for landowners submitting development proposals in the area. The provisions of Clause 52.17 Native Vegetation will apply and ensure that native vegetation management continues to be aligned with state and local policies at Clause 12.01-1S and 12.01-2S and facilitate offsets that aren't provided for under the current NVPP.

### **Is the amendment consistent with the delivery of the relevant**

## **housing target set out in the Planning Policy Framework?**

The amendment does not affect land identified for additional housing provision nor is it intended to convert the land for housing.

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

The GREP is identified in the Municipal Framework Plan at Clause 02.04-1 as being an existing industrial area.

Clause 02.03-2 Environmental and landscape values outlines that development has a direct impact on the natural environments and the flora and fauna they sustain with remnant vegetation estimated to be approximately 5 percent of that that existed pre-European settlement.

The removal of the GREP NVPP from the planning scheme will not impact the City of Greater Geelong's strategic directions to protect the habitats of indigenous species from the impact of land use and development. The amendment removes a redundant control that is better managed in an ongoing way through Clause 52.17 Native Vegetation which ensures that there is no net loss to biodiversity. This is achieved through a three-step approach in accordance with the *Guidelines for the removal, destruction or lopping native vegetation*. Removal of the GREP NVPP will align permit applications for vegetation removal, destruction, or lopping with the purpose of this clause.

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

The amendment deletes the GREP NVPP from the schedules to Clauses 52.16 and 72.04. This is the appropriate use of the tools for deletion of the GREP NVPP.

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

The City of Greater Geelong Council consulted with the Department of Energy, Environment and Climate Action (DEECA) about the proposed change to delete the GREP NVPP. DEECA supported the amendment and sought to be provided with a final copy of the amendment documents. This has been facilitated.

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

The amendment does not have any significant impact on the transport system objectives and decision-making principles as required under Section 25 of the *Transport Integration Act 2010*.

## **How does the amendment have regard to the principles set out in**

**the *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?**

The amendment does not impact any land in or near the Yarra River.

## **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 expected to have minimal impact on the resources of the responsible authority. The deletion of the GREP NVPP as an incorporated document will mean that planning permits and offset obligations for vegetation removal will be required unless exemptions apply. This can be accommodated within the existing resources of the responsible authority.