

# MINUTES

## ORDINARY MEETING OF COUNCIL

**Tuesday, 29 January 2013**

Held at the  
Council Conference and Reception Centre  
City Hall, Little Malop Street, Geelong  
commencing at 7.00pm

**COUNCIL:**

|                                       |   |
|---------------------------------------|---|
| Cr. K. Fagg<br>- <i>Mayor</i>         | (G21 Geelong Regional Alliance, Governance Regional Cities,<br>Women in Community Life) |
| Cr. T. Ansett ( <i>Windermere</i> )   | (Heritage, Rural Communities)   |
| Cr. L. Ellis ( <i>Coryule</i> )       | (Coastal Communities, Infrastructure, Parks and Gardens)                                |
| Cr. J. Farrell ( <i>Beangala</i> )    | (Community Safety, Education and Youth)   |
| Cr. K. Fisher ( <i>Corio</i> )        | (Community Development)   |
| Cr. B. Harwood ( <i>Kardinia</i> )    | (Enterprise Geelong)  |
| Cr. M. Heagney ( <i>Brownbill</i> )   | (Arts and Culture, Central Geelong)   |
| Cr. J. Irvine ( <i>Austin</i> )       | (Sport and Recreation)  |
| Cr. E. Kontelj ( <i>Cowie</i> )       | (Aboriginal Affairs, Multicultural Affairs)   |
| Cr. Dr. S. Kontelj ( <i>Kildare</i> ) | (Finance)   |
| Cr. R. Macdonald ( <i>Cheetham</i> )  | (Major Projects, Planning, Knowledge Economy)   |
| Cr. R. Nelson ( <i>Deakin</i> )       | (Major Events, Tourism)   |
| Cr. A. Richards ( <i>Buckley</i> )    | (Environment & Sustainability, Transport, Primary Industries)                           |

## **SECTION A - PROCEDURAL MATTERS**

|   |     |
|---|-----|
| Acknowledgements .....                      | 1   |
| Apologies .....                             | 1   |
| Confirmation of Minutes .....               | 1   |
| Declarations of Conflicts of Interest ..... | 1   |
| Question Time.....                          | 2-7 |
| Petitions .....                             | 7   |

## **SECTION B – REPORTS**

|  |         |
|--|---------|
| 1. Amendment C254 Leopold Structure Plan – Panel Report and Adoption.....  | 8-68    |
| 2. Rippleside – Planning Permit 647/2004/A – Extension of Time .....   | 69-75   |
| 3. Skilling the Bay Project Progress Report.....   | 76-79   |
| 4. Waurm Ponds Hotel Gambling Permit Application .....   | 80-85   |
| 5. Sphinx Entertainment Centre Gambling Permit Application .....   | 86-93   |
| 6. G21 Regional Football (Soccer) Strategy .....   | 94-98   |
| 7. Consideration of Panel Report and Adoption Amendment C243 – Geelong<br>Ring Road Employment Precinct (GREP) Native Vegetation Precinct Plan<br>and Environment Significance Overlay Schedule 4..... | 99-130  |
| 8. Children’s Week 2012 Report.....  | 131-138 |
| 9. Strategic Alliance Opportunity with Places Victoria in Central Geelong .....  | 139-143 |
| 10. Bellarine Rail Trail Advisory Committee – Annual Report .....  | 144-148 |
| 11. Draft Geelong Road Safety Strategy 2012-2017 .....   | 149-152 |
| 12. Prospect Road Laneways, Newtown – Proposed Construction – SRC 334<br>– Declaration of Charge .....   | 153-163 |
| 13. Belmont Street, Belmont – Proposed Carpark Construction – SRC 304 –<br>Declaration of Charge .....   | 164-188 |
| 14. Amendment C270 - Public Acquisition Overlay 4 (PA04) – North South<br>Collector Road and Intersection Jetty Road Urban Growth Area .....   | 189-198 |
| 15. China Super Trade Mission September 2012 – Aviation and Aerospace<br>Delegation .....  | 199-217 |
| 16. Road Renaming – Princes Highway, Waurm Ponds – Waurm Ponds Drive.....  | 218-219 |

## **SECTION C - NOTICES OF MOTION**

## **SECTION D - COMMON SEAL REGISTER**

## **SECTION E - ASSEMBLY OF COUNCILLORS**

## **SECTION F - PLANNING DELEGATIONS**

**MINUTES OF THE ORDINARY MEETING  
OF THE GREATER GEELONG CITY COUNCIL  
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE  
CITY HALL, LITTLE MALOP STREET, GEELONG  
TUESDAY, 29 JANUARY 2013  
COMMENCING AT 7.00 P.M.**

**PRESENT:** Cr K Fagg (Chair), Crs T Ansett, L Ellis, J Farrell, K Fisher,  
B Harwood, M Heagney, J Irvine, S Kontelj, R Macdonald, R Nelson,  
A Richards

**Also present:** S Griffin (Chief Executive Officer), J Wall (General Manager  
Corporate Services), P Bettess (General Manager Economic  
Development, Planning and Tourism), G Van Driel (General Manager  
City Services), J McMahon (General Manager Community Services),  
D Frost (General Manager Projects, Recreation and Central  
Geelong), J Brown (Manager Administration and Governance),  
R Bourke (Governance Co ordinator), D Chiller (Co-ordinator  
Communication & Marketing)

**OPENING:** The Mayor declared the meeting open at 7.00pm

**ACKNOWLEDGEMENTS:**

**The Mayor acknowledged that we are here today on the land of the Wathaurong  
People and we pay our respects to Aboriginal elders past and present.**

**APOLOGIES:** Cr E Kontelj

**CONFIRMATION OF MINUTES:**

**Cr Heagney moved, Cr Nelson seconded -**

**That the Minutes of the Ordinary Meeting held on 11 December 2012 be confirmed  
and signed.**

**Carried.**

**DECLARATIONS OF CONFLICTS OF INTEREST:**

*Cr Fagg (Mayor) declared an Indirect Interest by a Conflicting Duty in Agenda Item 1  
– Amendment C254 Leopold Structure Plan – Panel Report and Adoption, in that he  
made a submission to Council on this matter.*

*Cr Fagg (Mayor) declared an Indirect Interest by Close Association in Agenda Item 2  
– Ripplside – Planning Permit 647/2004/A – Extension of Time, in that he is an  
adjoining landowner.*

*Cr S Kontelj declared an Indirect Interest by Close Association in Agenda Item 2 -  
Ripplside – Planning Permit 647/2004/A – Extension of Time, in that his sister has  
an interest in a property in Balmoral Crescent.*

*Due to gallery disruption the meeting was closed at 7.30pm  
The meeting reconvened at 8.15pm*

#### **QUESTION TIME:**

*Question Time is an opportunity for questions to be addressed to Council and while the minutes record the general content, they do not purport to be a transcript of what was said by individuals. Likewise Councillor or Officer verbal responses are in summary form only. Views expressed may not be the views of Council.*

*Council's practice is to provide a separate document on its website setting out questions and responses including any more detailed written responses which may be provided subsequent to the meeting.*

**William Cole** asked with reference to the Greater Geelong Planning Scheme Item 1 on tonight's agenda. The Panel Report Amendment C254 on page 40 or 56 the Panel notes that the Leopold Structure Plan (Pg 11) comments that ...protect this area because of its environmental significance and the potential location of culturally significant sites ... "isn't it true that a significant amount of money has been expended in investigating this point? There were a couple of small areas identified in the initial survey by Terra Culture. These were later resolved with no impediments to the development. Permission was sought and granted to disturb the registered sites and the Wathaurong aboriginal co-operative have in fact sent a letter of support to Mr More?

*Peter Bettess, General Manager Economic Development, Planning and Tourism responded that the question would be addressed during debate of the item.*

**Helen Lyth** asked questions in relation to Rippleside:

Trendcorp has already sought and received two extensions for Planning Permit 647/2004. This proposal is only the latest in a series of schemes proposed by Trendcorp starting with the original scheme approved in 1998, but never realised. Is there any realistic expectation that a further extension will result in the timely completion of building on the site and an expedition of the building of the shared path and other public facilities? This Rippleside site is absolute coastal land, reclaimed from sand flats in the 1950's as a shipyard. Given that the only acceptable reasons for alienation of coastal land from the public are for maritime industry and port uses, national security, industrial security and environmental preservation, and that the site is no longer required for port uses, when is the public likely to have access to the proposed shared path through the site?

*Peter Bettess responded that there is nothing Council can do at the moment to provide access through the land while it is privately owned.*

**Margaret Huber** asked the following in relation to Rippleside:

Today is 29 January. Tomorrow at midnight the Comprehensive development zone for Rippleside Quay lapses. A sunset clause states that the CDZ2 will lapse if development has not commenced in accordance with any permit issue for such development by January 2013.

## **QUESTION TIME (CONT'D)**

- 1) What happens to the zoning of the old ship yard sit if the CDZ2 lapses?
- 2) Does it revert back to being zoned for industrial port usage?
- 3) Does the applicant need to re-apply for re-zoning?
- 4) Please explain how can a planning permit be valid if the zoning of the property on which it is to be constructed has expired?

*Peter Bettess responded that the CDZ2 doesn't lapse. The applicant cannot do anything but act on current period which is set at midnight on 31 January 2013.*

**Pamela McGrath** asked:

You would imagine that the lapsing of the CDZ schedule 2 at midnight tomorrow (30 January 2013) would be of a greater concern to the developer than getting an extension to a permit which does not lapse until 28 February. However, it has come to my attention that the developer has already applied for an extension to CDZ2 and that this application has been denied at State level?

*Peter Bettess responded that the application for the extension of time is for the existing permit. The amendment being considered by VCAT included extensions of time.*

Given the application for extension of the zoning has been denied at State level, why would the responsible authority even consider granting a further permit extension?

*Peter Bettess responded that the recommendation before Council to permit extension of time will only be granted if VCAT issues the amendment. VCAT would have to make their decision by tomorrow night.*

*What happened in relation to the request for amendment, the Minister in January 2011, said that he would extend on that occasion until tomorrow, but would not use ministerial powers to extend again. There is some considerable doubt whether VCAT can issue before midnight tomorrow night.*

**Pauline Seitz** provided comments in relation to Rippleside, which did not require a response.

**Anne Wyllie** asked if Council can explain how the applicant Trendcorp can seek an extension to the 2005 permit for 176 dwellings, commercial facilities and marina, etc by Council as the responsible authority, yet at the same time be seeking an amendment to the permit at VCAT that involves significant changes to that permit?

*Peter Bettess responded that the application to Council to extend the existing permit, and the application to VCAT to amend the permit to longer, is for a different form of development.*

**Pam Hart** asked if it is custom and practice for the Responsible Authority to grant seemingly unlimited extensions to permit and if so can Council please identify which other developers have been granted multiple extension to permit on their projects?

*Peter Bettess responded that it is quite common place to extend permits. Provision in the Planning and Environment Act allows for extension.*

## **QUESTION TIME (CONT'D)**

**Peter Carson** asked why should this Council extinguish this 600 lot subdivision and in turn extinguish the dreams and aspiration of so many ratepayers that have invested their hard earned money in this very desirable and viable subdivision. The only restriction from Corio City Council at the time of purchase was that you could not build on the lots immediately advising that when current subdivision were substantially filled, then the NCE subdivision would be serviced and owners could build on their lots. This was the standard practice at the time.

*Peter Bettess responded that attached to the Council agenda item is a copy of the original advertisement for the sale. That advertisement said that a permit will not be issued for housing on that lot. From when the land was first sold that has been the process and that has not changed.*

**Paul Secen** addressed Council as follows in relation to the New Corio Estate:

Conservation of land has been a recent roadblock thrown up to thwart the dreams of long suffering ratepayers wanting to build on their blocks in the New Corio Estate. We have been made well aware of the responsibility placed on government bodies to conserve and protect native grasses. I question why Council would not purchase land elsewhere for such conservation purposes, from a sole farmer for example; rather than destroy the dreams of many ratepayers and extinguish a perfectly viable subdivision? It is quite offensive that Council officers are offering approx \$3,000 per lot after we have been paying rates for decades on this land

Council is still referring to the New Corio Estate as an old and inappropriate subdivision in spite of the fact the NCE satisfies all the requirements for being a very viable and desirable subdivision. We, the landowners, request that Council remove Amendment C243 as being a complete waste of money and resources and move forward to rezone the NCD subdivision to residential 1?

*Peter Bettess indicated this issue will be discussed during debate of the item later in the event.*

**Horst Pfeifer** addressed Council as follows in relation to the Leopold Structure Plan;

Is Council prepared to engage in a truly consultative process with those in the community that now access the bay from those few boating facilities that are available with overcrowded parking space?

*Cr Macdonald responded that Council is aware of the interest in this local community in accessing the bay and indicated he would address other matters raised during discussion around the Amendment.*

**Dennis More** asked the following re Amendment C254:

- 1) I request reference to urban development be deleted because how can a proper and full investigation take place without considering all options?
- 2) What is meant by urban development for example a caravan park is allowed in a residential area. Is a caravan park therefore urban development?
- 3) Why is the brief limited to a predetermined outcome for example no urban development?

## **QUESTION TIME (CONT'D)**

- 4) There is nothing wrong for a full and proper investigation?

*Peter Bettess indicated the issues raised will be discussed during debate of the item.*

**Joe Cotroneo** asked questions in relation to Amendment C243

- 1) No response has been received to the letter that was sent on 29 August 2012 to the City of Greater Geelong. We requested a copy of the supporting document cited in the evidence provided by Mr Mark Stockdale in the panel hearing. Please provide an update on the status of this request?

*Peter Bettess responded the question would be taken on notice for a written response.*

- 2) The landowners represented by New Corio Land Owners Group do not consent to the voluntary purchase scheme offered by the CoGG, as the approximate valuation of \$4 per sq metre or \$3,000 per block is far below its true market value of at least \$40,000 per block as undeveloped agricultural land. The land was originally subdivided as residential land which would value it at least \$150,000 per block if it were to be rezoned as residential land today?

*Jeff Wall responded that based on valuation advice it's effectively a voluntary scheme. If the owners are not prepared to accept the offer the land will remain in private ownership.*

- 3) Given that the report considers the NCE land of state conservation significance, any attempt to reserve the land for a public purpose, requires our consent and full and just compensation to the rightful landowners. We hereby request that the NCE be excluded from Amendment C243 as no vegetation offsets were required. The current proposal does not provide an equitable return to the New Corio Landowners.

*The Mayor responded – no further comment.*

**Paul Millar – Geelong Rangers** asked has Council done ongoing costings for a stadium for soccer to be built at Armstrong Creek?

*Dean Frost, General Manager Projects, Recreation and Central Geelong, responded that the question in relation to ongoing costings would be taken on notice.*

**Robert Fletcher** asked for the purposes of clarification about appropriated monies through federal funding documented in briefs how local government can receive funding of any amount when in the constitution of the Commonwealth states that local government cannot receive federal funding. For the appropriation of monies provided for the China Super Trade Mission please inform the constituents as to how this benefited the local economy and who paid for it?

*The Mayor took the question on notice.*

## **QUESTION TIME (CONT'D)**

*Jeff Wall, General Manager Corporate Services, responded that local government is constituted under the Victorian Constitution Act.*

*Council has a resolution to support the ALGA and the referendum for that will occur this year.*

*Cr Farrell added the ALGA withdrew support of constitutional recognition.*

**Rena Iliades** asked questions re MAV and ALGA Membership:

Why are and why is local Council taking direction and implementing policies at the direction of the MAV and ALGA who are a private membership organisation, no different to the RACV, who in all matters have a conflict of interest – driving constitutional recognition of local government. It would be like RACV consulting motoring bodies about transport, laws, totally inappropriate and it is a matter than should be put to the local people of each district before the submission. The local people should be asked if their council should make the submission?

*Cr Farrell responded the MAV is not a public organisation. Council doesn't take direction, but rather gives direction as members. ALGA is the state association.*

**Colin Wallace** addressed Council as follows:

In relation to my question at the last Council Meeting, 11 December 2012, when Peter Bettess said his understanding was that half-yearly summaries had not been provided because the developer didn't want them and that the developer was satisfied with how Council was spending the money, Mr Bettess gave no indication that his understanding was incomplete or tentative.

Immediately after Mr Bettess spoke, Mayor Fagg added the developer didn't want it. What Mayor Fagg said – a correct interpretation of what he had just heard Mr Bettess say – was not included in the minutes.

The minutes say Peter Bettess indicated he would have to check the details. He did not say that or anything of the sort. The inclusion of having to check the details in the Minutes version provides a bridge to a letter to me from Mr Bettess dated 15<sup>th</sup> January 2013, in which a significantly changed story is given.

The Question Time document, with Mr Bettess's letter to me in it, did not appear on the Council website till after last Tuesday's Councillor Briefing, 22<sup>nd</sup> January, so Councillors did not have this opportunity to independently view the letter or even know of its existence and be able to query Mr Bettess about it at the Councillor Briefing.

Even though my question was addressed to the Mayor and other Councillors, there was no indication on the letter that a copy of it was being forwarded to them.

Mr Bettess's letter does not in any legitimate way explain away the requirement upon Council to provide the half-yearly summaries mentioned in Section 7 f) of the Ropeworks Planning Permit to the owner/permit holder.

## **QUESTION TIME (CONT'D)**

In the light of this, would the Governance portfolio holder, Mayor Fagg, and Cr Stretch Kontelj, who, at the time of his appointment as Deputy Mayor, reportedly put himself forward as an advisor to the Mayor on governance matters during the Mayor's settling in phase, making mention of his experience as a lawyer and a councillor, attend to the concerns my wife and I have about the use of the \$100,000 referred to in Section 7 f) of the Ropeworks Planning Permit. We are willing to meet with Mayor Fagg and Deputy Mayor Kontelj together and I ask Mayor Fagg and Deputy Mayor Kontelj, whatever advice you take from officers put in your way or other councillors, would you get back to us about it?

*The Mayor responded he would provide a written response and arrange a meeting.*

**Mary Wallace** asked since the half-yearly summaries required by Section 7 f) of the Ropeworks Planning Permit to be provided to the owner/permit holder have to be first produced by Council in order to be provided to the owner/permit holder, has Council produced these half-yearly summaries?

*Peter Bettess responded he believed the question had been responded to but would take on notice.*

**David Secen** advised he has been a volunteer and board member at the Bell Park Sport Club for over ten years. Along with North Geelong Soccer Club we cater for the largest percentage of registered players in the region with our numbers increasing annually. Both our clubs are run by volunteers and provide an invaluable service for the local community and have been doing so for over 100 years. Why is it that we do not figure in the strategic plan for the region?

*Dean Frost responded that Council takes into consideration all providers of a particular sporting activity. To indicate your Club and the North Geelong Soccer Club do not figure in the structure is not correct. Council values and considers the contribution of all clubs and players in the region.*

**Erwin Boermans** submitted comments on the Leopold Structure Plan which did not require a response.

**Colleen Lincoln** asked why was Hancock Street, Drysdale reconstructed after the drainage works with a solid white line and the medium strip not reinstated.

*Gary Van Driel, General Manager City Services, responded that he would take the question on notice and added Council is aware of concerns and aware there are a lot of divided opinions. Council will continue to monitor the street.*

**Ivan Bereza** asked what studies were performed regarding the environmental impact on the Leopold Leisure Park proposal and were there any adverse results?

*Peter Bettess responded that he would take the question on notice.*

**PETITIONS:** Nil.

*Cr Fagg (Mayor) declared an Indirect Interest by a Conflicting Duty in Agenda Item 1 – Amendment C254 Leopold Structure Plan – Panel Report and Adoption, in that he made a submission to Council on this matter, and vacated the Chair prior to discussion at 9.00pm*

*Cr Harwood assumed the Chair at 9.00pm*

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254 - LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK**

**Portfolio:** Planning - Cr Macdonald  
**Source:** Economic Development, Planning & Tourism - Strategic Implementation  
**General Manager:** Peter Bettess  
**Index Reference:** Subject: Council Reports 2013  
Project: Amendment C254

### **Summary**

- Amendment C254 is a Council-initiated amendment to give effect to the Leopold Structure Plan and Urban Design Framework (UDF), adopted by Council on 27 September 2011.
- Amendment C254 includes an updated planning policy for Leopold and makes a number of minor zone and overlay changes.
- The exhibited Structure Plan and UDF give strong preference for expansion of the Activity Centre along Melaluka Road with Clifton Avenue being the limit to any westerly expansion along the Bellarine Highway. The Structure Plan maintains the northern settlement boundary at Portarlinton Road while allowing some expansion to the south east up to Mollers Lane.
- Public Exhibition of Amendment C254 commenced on 3 February 2012 until 12 March 2012.
- Council received 269 submissions, which mainly focussed on two key issues – expansion of the Activity Centre and development north of Portarlinton Road.
- Council resolved on 24 July 2012 to refer the submissions to an Independent Planning Panel appointed by the Minister for Planning.
- A Panel Hearing was held on 3, 4, 5 and 9 October 2012. Council officers provided a detailed presentation to the Panel. Nine submitters made presentations to the Panel. The two landowners of the future shopping centre expansion area - Lascorp Development Group (Australia) Pty and the Perez family - both instructed planning barristers to present their case and had a number of expert witnesses.
- The Independent Panel has recommended that the Amendment be adopted generally as exhibited, with some modifications.
- One of the key issues heard at the Panel hearing related to the direction of expansion of the existing shopping centre to a sub regional level (up to 35,000 square metres of floor space) and whether it should extend along the Bellarine Hwy west of Clifton Ave. This was the case put forward by the Lascorp lawyers and Masters Home Improvement Stores who wish to build a store at this location.
- The Panel has supported Council's preferred option (UDF Concept 1) that the settlement boundary not extend beyond Clifton Avenue. In the view of the Panel there is no basis for extending the activity centre west of Clifton Avenue.
- In the view of the Panel there is also no basis for extending the settlement boundary north over Portarlinton Road towards Port Phillip Bay. This does not preclude the Council investigating access to Port Phillip Bay.

**1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

- It is recommended that the amendment be adopted as described in this report.

**Cr Macdonald moved, Cr Fisher seconded -**

**That Council:**

- 1) re-adopt the Leopold Structure Plan 2011 (Amended 2013) with changes to the Structure Plan map as shown in Appendix 1-4 and other subsequent minor changes.**
- 2) adopt Amendment C254 in the form as outlined in Appendix 1-5 of this report;**
- 3) submit the adopted amendment with the prescribed information to the Minister for Planning requesting approval.**
- 4) requests that the project brief for investigating access to Port Phillip Bay includes the investigation of land uses (other than urban development) in this area, north of the Portarlington Highway .**
- 5) requests that an investigation be undertaken into the potential uses of the land to the north of the Leopold Shopping Centre and bounded by Clifton Avenue, Melaluka Road and the Portarlington Highway.**

**Amendment**

**Cr Farrell moved, Cr Richards seconded -**

**That Council:**

- 1) re-adopt the Leopold Structure Plan 2011 (Amended 2013) with changes to the Structure Plan map as shown in Appendix 1-4 and other subsequent minor changes.**
- 2) adopt Amendment C254 in the form as outlined in Appendix 1-5 of this report;**
- 3) submit the adopted amendment with the prescribed information to the Minister for Planning requesting approval.**
- 4) requests that the project brief for investigating access to Port Phillip Bay includes the investigation of land uses (other than urban development) in this area, north of the Portarlington Highway be at the cost of the landowner.**
- 5) requests that an investigation be undertaken into the potential uses of the land to the north of the Leopold Shopping Centre and bounded by Clifton Avenue, Melaluka Road and the Portarlington Highway.**

*Following debate Cr Farrell withdrew her amendment.*

**The motion was then put and carried.**

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

### **Report**

#### ***Background***

Amendment C254 is necessary to give effect to the adopted Leopold Structure Plan and Urban Design Framework (UDF). Both the Structure Plan and UDF were adopted by Council on 27 September 2011 after an "informal" process of community consultation.

As exhibited, the amendment proposes to:

- Update the Municipal Strategic Statement to:
  - Amend Clause 21.04 Municipal Framework Plan to recognise Leopold as a Sub Regional Centre.
  - Amend Clause 21.07-8 City of Geelong Retail Activity Centre Hierarchy to recognise Leopold as a Sub Regional Centre, and not a 'Potential Sub Regional Centre'.
  - Amend Clause 21.14 Bellarine Peninsula to reflect the recommendations of the Leopold Structure Plan and Urban Design Framework.
- Amend the Planning Scheme zoning and overlay maps and associated schedules to:
  - Rezone 143-145 Melaluka Road and 670-678, 672-678, 680-682, 684, 686, 688, 690-694 and 696 Bellarine Highway from a Low Density Residential Zone to a Mixed Use Zone, and introduce a Design and Development Overlay Schedule 29 to the properties.
  - Rezone a small parcel of land (3.2m<sup>2</sup>) known as TP861841 at 9 Elaine Place, Leopold, from a Low Density Residential Zone to a Residential 1 Zone.
  - Rezone 681 and 683 Bellarine Highway from the Low Density Residential Zone to a Residential 1 Zone.
- Rezone the following Council owned parks from the Residential 1 Zone to a Public Park and Recreation Zone, and delete Design and Development Overlay – Schedule 14 (DDO14):
  - 33-41 Yeoman Crescent
  - 16-24 Green Acre Drive
  - 16 Heywood Court
  - 116 – 122 Christies Road
  - 1-3 Cayley Place
  - 1-5 & 2-6 Grassland Grove
  - 71-73 & 75-77 Melaluka Road
  - 1-3 Pollard Drive
  - 14 Dorrigo Court

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

- Update the Incorporated Document 'Increased Housing Diversity Areas' (Clause 81.01) to include a 400m walkable catchment around the Ash Road and Dorothy Street Local Neighbourhood Centres and 800m walkable catchment for the Leopold Sub Regional Retail Activity Centre.

A copy of the Leopold Structure Plan map exhibited with C254 is attached at Appendix 1-1. A copy of the Urban Design Framework Concept 1, the preferred concept previously endorsed by Council, is in Appendix 1-2.

The amendment was exhibited for a period of one month between 3 February 2012 and 12 March 2012.

A total of 269 submissions were received. The submissions were predominantly "pro-forma" submissions on two key issues – expansion of the Activity Centre and development north of Portarlington Road. The breakdown of submissions is:

- 134 "Pro forma 1" submissions objecting to expansion of the Activity Centre north along Melaluka Road.
- 78 "Pro forma 2" submissions providing support for a private landowner proposal to develop land north of Portarlington Road.
- 57 individually written submissions from local residents, landowners, developers and service authorities.

Key issues raised include the future development direction of the sub-regional activity centre, access to Port Philip Bay, development of land north of Portarlington Road for leisure and tourism uses, inclusion of sites within the settlement boundary as suitable for residential development, and the urban consolidation opportunities of existing residential areas.

As a consequence of the formal exhibition period, Council officers recommended a number of changes to the exhibited amendment. These recommendations were put to the Council on 24 July 2012 as part of the report to consider submissions to the amendment. The Panel has considered these changes as part of Council's ultimate submission to the amendment.

### ***Discussion***

A two person Panel consisting of Chair, John Keaney, and Panel Member, Catherine Hunichen, conducted a directions hearing on 29 August 2012 and a public hearing of the submissions on 3, 4, 5 and 9 October 2012.

The Directions Hearing was held at Council Chambers. The Panel hearing was held at the City of Greater Geelong Council's Brougham Street offices on 3, 4, 5 October and the final day was held in the offices of Planning Panels Victoria, Melbourne.

Council officers provided a detailed presentation to the Panel. Nine submitters made verbal presentations to the Panel. Key submitters such as Lascorp Development Group (Australia) Pty Ltd and E, P and M Perez both instructed planning barristers who presented a number of expert witnesses to strengthen their case. Other submitters either represented themselves or were represented by planning consultants and solicitors.

A list of submitters taken from the Panel Report is included as Appendix 1-3 to this report.

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

The Panel report for Council's consideration was received on 21 November 2012, a full copy of which is available on Council's website. The Panel report was released to Councillors on 27 November 2012 and released to the general public on 7 December 2012.

The Panel has assessed the Amendment both in relation to general and specific issues. However, the Panel's report is explicit in stating the limits of its task. Panel report advises that the issue of the specific development of any land is 'not' before the Panel. The panel considers that Amendment C254 is a 'building block' type amendment which established the strategic foundation and which enables any landowner (or the Council) to then implement that strategic vision with a detailed plan. The Panel further advise that it must therefore limit its enquiry to determining if there is a strategic basis to justify the direction for the future development of Leopold as outlined, and as proposed to be implemented in Amendment C254.

### **Panel Conclusions and Recommendations**

The Panel has recommended that Amendment C254 be adopted, as exhibited, subject to the following modifications:

- *The UDF Concept 1 be included as the future direction for the growth of the Leopold sub regional activity centre.*
- *The land north of the Activity Centre be included in the next review and investigated for its potential for community facilities for Leopold.*
- *The UDF Concept 1 be included as the future direction for the growth of the Leopold sub regional activity centre.*
- *The LSP not identify any development north of Portarlington Road.*
- *The northern portion of 92 – 110 Mollers Lane be included in the settlement boundary of the Leopold Structure Plan 2011.*
- *The land at 21 – 39 Mollers Land and 31 – 39 Fines Lane not be include within the settlement boundary.*
- *The land at 21 – 39 Mollers Land and 31 - 39 Fines Lane and land at 1 – 19 Mollers Lane, 908 – 960 Portarlington Road and 891 – 899 Bellarine Highway be reviewed during the next 5 year review of the Structure Plan as areas with potential to accommodate the further expansion of Leopold.*
- *The Table to Clause 21.07- 8, the City of Greater Geelong Retail Activity Centre Hierarchy, be amended to remove Leopold from the section 'Proposed Sub Regional Centre'.*
- *The LSP and UDF be included as Reference Documents in the scheme.*
- *Schedule 30 to the Design and Development Overlay be modified in accordance with Appendix D and be re- numbered.*
- *The Low Density Residential Zone land be identified on the Leopold Structure Plan 2011 as land suitable for 'urban consolidation' subject to further investigation.*
- *Investigations into access to Port Phillip Bay be included as 'Further Strategic Work' in the MSS at Clause 21.14".*

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

Having considered the Panel Report, Council officers recommend that Amendment C254 to the Greater Geelong Planning Scheme is adopted with changes as described in this report.

The Panel's recommendations are consistent with the intent of Council's exhibited amendment and are generally supported. The following is a summary of the Panel's comments and recommendations on key issues together with related officer comments and recommendations.

### **1. Strategic context**

The Panel investigated whether the various levels of state, regional and local policy support the changes envisaged by the Leopold Structure Plan 2011 (LSP) and the Leopold Urban Design Framework 2011 (UDF).

*The Panel believes that "the LSP adequately addresses all of the opportunities and constraints affecting the town and takes account of the range of environmental limitations. The LSP has also benefited from extensive community consultation and input."*

The Panel makes a number of comments in support of the work done by Council and has only two criticisms of the strategic work.

*"...the Panel is not convinced that having two growth options for the activity centre in the UDF has assisted the process. The two concepts have tended to blur the discussion and focus submissions on layout and detail whereas the LSP was more correctly based on establishing the need for an expanded centre and then providing sufficient land for that to be achieved.*

*The second concern is that the LSP is a bit 'off centre' regardless of whether the activity centre extends beyond Clifton Avenue. The extension of the town boundary to at least Clifton Avenue brings into consideration all of the land to the north for community type uses".*

The Panel makes some strong statements about land north of the Activity Centre (i.e. between Melaluka Rd and Clifton Ave), including the following:

*"The most apparent shortcoming in the LSP concerns the land to the north of the nominated activity centre. While the Panel thinks it is logical to entrench and 'grow' the activity centre into a sub-regional centre, it thinks that the LSP has underestimated the obvious potential of the land north of the centre extending as far as Portarlington Road. If the town is to have its 'heart' on Melaluka and be flanked by recreation, community and commercial facilities, then the Panel agrees with Mr McNamara, Mr Ganly and Mr Barnes that it is something of a missed opportunity not to have identified the land north of the Perez land for either community, educational or higher density residential use. This would 'round out' the western side of Leopold and would provide a multi layered focus to the town.*

*The Panel urges Council to revisit the land north of the centre in the next review of the LSP."*

### **Panel Recommendation:**

*That the land north of the Activity Centre be included in the next review and investigated for its potential for community facilities for Leopold.*

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

### Officer comment:

Council officers support investigation of the land north of the activity centre i.e. land bounded by Melaluka Road, Portarlington Road, Clifton Avenue and the Activity Centre.

Any review of this area would need to include a comprehensive analysis of constraints and opportunities. This area is known to have serious drainage and stormwater management issues which may constrain its development potential. On the other hand, it is logical to consider medium to high density housing close to the activity centre to increase the population living within walking distance.

### **2. Expansion of Activity Centre**

The key two issues for resolution by the Panel were: has sufficient land been set aside for an expanded activity centre, and should the activity centre extend west of Clifton Avenue?

Much of the Panel hearing, and most of the submissions to the amendment, were concerned with this issue. In simple terms, the competing issues arising from submissions are about whether the primary direction of expansion should be north along Melaluka Road (UDF Concept 1 and Council and Perez preferred option) or west along the Bellarine Highway (UDF Concept 2 and Lascorp preferred option).

The two options are summarised by the Panel:

*"The 'Concept 1' option extends the activity centre in a northerly (and westerly) direction to consume all of the existing 'Lascorp' land up to Clifton Avenue and to consume all of the Perez land to the north. This is Council's 'preferred' option and it anticipates that a significant amount of retail, bulky goods and employment floorspace will eventually be developed in this consolidated area bounded by Bellarine Highway, Melaluka Road and Clifton Avenue.*

*The 'Concept 2' option is to extend the centre west over Clifton Avenue. Lascorp made it very clear to the Panel that it wishes to pursue a major retail extension to the existing centre (more or less consistent with its Amendment C277 request) and to develop a stand-alone bulky goods outlet on its land west of Clifton Avenue. It has secured a heads of agreement with the 'Masters' chain of stores to develop this land. Lascorp submitted that this site was the only option for the location of a Masters store. In the event that this option was not supported, it was its submission that Masters would not develop anywhere in the centre which would be to the loss of both Leopold and the Bellarine Peninsula."*

The Panel comments on the proposals include:

*"...More than anything else, the Panel thinks that Melaluka Road holds the key to the future of the centre and is the 'glue' that will bind old and new Leopold around a central and communal focus to provide it with the 'heart' that it has so long lacked. In the Panel's view, extending the centre to the west over Clifton Avenue will dilute the prospects of that happening.*

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

*In the view of the Panel, extending the centre beyond Clifton Avenue will inevitably shift the 'activity' in the centre. Like it or not, it will split the activity centre and will make Clifton Avenue and not Melaluka Road the 'heart' of Leopold simply because of the 'drawing' power of the businesses in a new east/west centre fronting the highway and dissected by Clifton Avenue. In the view of the Panel, that is not what is contemplated by the LSP and it would be a poor planning outcome for Leopold.*

*The Panel therefore supports the restrictions on development to the east side of Clifton Avenue and it is satisfied that there is sufficient land to accommodate the floor space requirements for all suggested uses (including a large format hardware store) to land on the east side of Clifton Avenue. The Panel therefore agrees with Council that the extension of the activity centre does not need to go beyond Clifton Avenue as there is sufficient space east of Clifton Avenue to accommodate the growth of the centre.*

*The remaining issue for the Panel to determine is whether a westerly extension over Clifton Avenue confounds or is supported by the long held planning policy of a non urban break between Leopold and Moolap. The Panel will now address that issue."*

### Panel Recommendation:

*The UDF Concept 1 be included as the future direction for the growth of the Leopold sub-regional activity centre.*

### Officer comment:

The Panel support for Council's preferred option (Concept 1) is welcomed. Council officers also endorse the Panel comments about Melaluka Road being the key to the future of the centre and providing a "heart" for Leopold.

Council officers are currently assessing detailed plans submitted by Lascorp as part of a combined rezoning (C277) and planning permit (944/2012) application for the sub regional activity centre. The plans will need to be cognisant of future development on the Perez land to the north. Officers are keen that the plans give Leopold a local "heart" or town centre focussed on Melaluka Road with the bigger sub regional components and large carparks being focussed toward the west.

## **3. The Non- Urban Break**

Council submitted that the overall purpose of the 'non-urban break' between Geelong and Leopold had been enshrined in various state, regional and local planning schemes for many years dating back to the 1970's and applied consistently ever since.

*The Panel notes the "strong planning policy basis in the Greater Geelong Planning Scheme for 'contained' townships. While this is a policy that applies across the municipality, it is particularly strong on the Bellarine Peninsula where the emphasis is on keeping the individual identity of towns and in keeping them separate. A 'containment' philosophy is consistent with State policy and is endorsed by the G21 regional emphasis on 'settlement breaks'."*

*The Panel therefore accepts that a non-urban break between Moolap and Leopold has been a longstanding policy at all levels, notwithstanding that there is no explicit reference anywhere to Clifton Avenue being the boundary of that break.*

**1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

*The Panel strongly supports the principle of the non-urban break between Leopold and Moolap. It therefore does not support a westerly expansion of the centre over Clifton Avenue."*

Panel Recommendation:

There was no formal recommendation on this issue but the Panel has endorsed protection of the non-urban break in its comments.

Officer comment:

The Panel comments are noted.

**4. Extension of the Settlement Boundary to the North of Leopold**

The Panel concluded that it supports:

*"Council's long standing policy on the delineation of settlement boundaries and agrees there is clear State Government policy re-enforcing this position. Portarlington Road forms a very distinctive boundary to the north of Leopold and should be supported.*

*The Panel also finds that at the present time there is sufficient land within the township to develop facilities and residential housing to meet the needs of Leopold into the future. The 5 yearly programme of Structure Plan review provides a timely review mechanism of the growth, infrastructure, community, housing, retail, open space and employment needs of the township.*

*The Panel does not think that Council's approach to the land north of Portarlington Road has been to sterilise the land. It is evident from permits issued over recent times that this is anything but a 'no go' area. It is a farming precinct within which Council is prepared to contemplate a variety of non urban uses. Houses are not one of them. In relation to the specific request to permit the extension of the existing caravan park, the Panel sees this issue as one that could be dealt with outside the Structure Planning process. This is not a matter for this Panel to resolve.*

*The Panel therefore does not support any development north of Portarlington Road. The Panel does not support any notation on the plan identifying that the land be the subject of further investigation as it sees no merit in developing this area for urban or tourist related purposes."*

Panel Recommendation:

*The LSP not identify any development north of Portarlington Road.*

Officer comment:

The Panel's recommendation is fully supported.

The principles and directions contained within the Leopold Structure Plan relating to development north of Portarlington Rd will remain as per the adopted plan of September 2011 and as exhibited as part of Amendment C254.

Future proposals for use and development of land within this area can be controlled by the statutory planning process.

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

### **5. Extension of the Settlement Boundary to the South and East of Leopold**

The Panel concluded that it supports:

*“... a minor addition to the boundary of the LSP to the south east of the town in accordance with Council’s recommendations. The Panel does not support any notations on the plan identifying that any further land to the east be included.”*

#### Panel Recommendations:

*The northern portion of 92 – 110 Mollers Lane be included in the settlement boundary of the Leopold Structure Plan 2011.*

*The land at 31 - 39 Fines Lane not be included within the settlement boundary.*

*The land at 21 – 39 Mollers Lane not be included within the settlement boundary.*

*The land at 21-39 Mollers Lane and 31-39 Fines Lane and land at 1-19 Mollers Lane, 908-960 Portarlinton Road and 891-899 Bellarine Highway during the next 5 year review of the Structure Plan as areas with potential to accommodate the further expansion of Leopold.*

#### Officer comment:

The Panel’s support for the inclusion of the northern portion of land at 92-110 Mollers Lane within the settlement boundary is acknowledged. The northern portion of the site will be included within the long term growth area boundary (see red hatching on plan in Appendix 1-4) and will be required to integrate with the wider area identified for conventional residential development to the north and west- known as the ‘Ash Road Area’.

Prior to the development of the site, further strategic work will be required to ensure issues in relation to drainage and landscape character are appropriately addressed. The Structure Plan will be amended to reflect the addition of this area of land and associated development requirements that would be necessary to include within the outline development plan overlay and/or development plan overlay.

The Panel’s recommendations in relation to land at 31-39 Fines Lane and 21-39 Mollers Lane are acknowledged. The eastern boundary of the Low Density Residential Zone at Birchbank Estate and the western boundary of Mollers Lane are considered to represent a logical and robust settlement boundary for the term of this Structure Plan. The inclusion of either parcels of land within the settlement boundary is not warranted.

The Panel’s recommendation in relation to these two properties and properties at 1-19 Mollers Lane, 908-960 Portarlinton Road and 891-899 Bellarine Highway being suitable for further investigation for inclusion within the settlement boundary is acknowledged. The most appropriate time for this to be undertaken is during the next Structure Plan review. Upon the commencement of the next Structure Plan review, an assessment of the adequacy of the residential lot supply will be undertaken to determine the requirement for additional land.

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

### **6. Implementation of Strategic Plans**

The Panel report includes discussion on implementation of the Structure Plan and UDF. In particular it comments on the proposed zoning and overlays, the Structure Plan map and whether the Structure Plan and UDF should be reference documents in the planning scheme.

*The Panel states "... it has a number of concerns with the detail of the exhibited Design and Development Overlay Schedule and these were raised at the Directions Hearing. Specifically, the Panel expressed concern about a 'development' control (the DDO) containing extensive 'use' provisions. The Panel has removed any reference to 'use' in its preferred DDO schedule....."*

*The DDO Schedule and accompanying planning scheme map should also be correctly numbered, with the next available number in the planning scheme.*

*It also follows from the above discussion that the Panel recommends that the LSP and UDF be included as Reference Documents in the scheme."*

#### Panel Recommendations:

*The Table to Clause 21.07-8, the City of Greater Geelong Retail Activity Centre Hierarchy, be amended to remove Leopold from the section 'Proposed Sub Regional Centre'.*

*The LSP attached at Appendix E [of the Panel Report] be adopted.*

*The LSP and UDF be included as Reference Documents in the scheme.*

*The Schedule to the Design and Development Overlay be modified in accordance with Appendix D [of the Panel Report] and be re-numbered.*

#### Officer comment:

The Table to Clause 21.07-8 has been amended to show Leopold as a Sub Regional Centre (rather than a Proposed Sub Regional Centre).

The Leopold Structure Plan map changes recommended by the Panel (see Appendix 1-4) have been accepted and included in map in Clause 21.14 which will form part of the planning scheme (see Appendix 1-5).

Officers agree that the Structure Plan and UDF should remain as reference documents. The UDF will remain unchanged and minor changes will be made to the Structure Plan including the new map as recommended by the Panel.

Officers agree with the Panel's changes to the Design and Development Overlay 28 and these are included in the version recommended for adoption (see Appendix 1-5).

### **7. Other Issues- Port Philip Bay Access and Urban Consolidation Opportunities**

The Panel concluded that:

Port Philip Bay Access

*"... while the submissions relating to gaining access to Port Philip Bay have merit, no changes are required to the Structure Plan to facilitate further investigation as it is already adequately dealt with on the Plan."*

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

### Urban Consolidation Opportunities

*"While the Panel supports the submissions, it believes that to isolate and rezone the two low density residential sites at this time would be premature as these sites and those adjoining them will require careful planning to ensure the integration of any new subdivision into the surrounding conventional subdivision layout. Infrastructure and servicing issues must also be satisfactorily addressed.*

*The Panel therefore endorses the approach outlined by the Council, which suggests that the area be identified for 'further investigation'. With the agreement of the majority of land owners, such an investigation may produce an ODP addressing these and other needs. Any ODP should consider the impact of development on adjoining landowners to ensure these impacts are minimised. Following this process, Council can then determine if a staged process of rezoning and development should occur."*

### Panel Recommendation:

***Investigations into access to Port Phillip Bay be included as 'Further Strategic Work' in the MSS at Clause 21.14.***

***The Low Density Residential Zone land be identified on the Leopold Structure Plan 2011 as land suitable for 'urban consolidation' subject to further investigation.***

### Officer comment:

#### Port Philip Bay Access

The Panel's recommendation in relation to investigations into access to Port Phillip Bay to be included as 'Further Strategic Work' in the MSS at Clause 21.14 is supported.

Council officers will report to Council on a project brief for investigating access to Port Phillip Bay in accordance with the Council resolution on 24 July 2012.

Clause 21.14 of the Planning Scheme will be amended accordingly to reflect this Structure Plan Direction.

#### Urban Consolidation Opportunities

The Panel's endorsement of the Council's approach to the further investigation of the low density residential zone at Melaluka Road south is acknowledged.

The requirement for a collective landowner approach to undertake investigations to demonstrate the viability of this area as suitable for rezoning to Residential 1 zone is logical and necessary. This Structure Plan Direction is key to unlocking the potential for rezoning of the land.

### ***Environmental Implications***

The development of the Structure Plan has regard to environmental issues and constraints.

The Structure Plan identifies a settlement boundary which will see population increases accommodated within the existing urban area, reducing urban sprawl and protecting the surrounding coastal and wetland and rural environments.

## **1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK (CONT'D)**

The Structure Plan has a number of recommendations relating to the environment. Broader sustainability outcomes have been considered for new urban areas (such as waste water reuse, WSUD principles, energy conservation, improving walking/bicycle opportunities to reduce vehicle reliance and directions relating to native vegetation protection/re-vegetation.

### ***Financial Implications***

The Council is responsible for the costs associated with the planning scheme amendment process including advertising, printing and Panel hearing, and approval of the amendment by the Minister for Planning.

### ***Policy/Legal/Statutory Implications***

The Structure Plan is consistent with all relevant State and Council planning policies which have been described and discussed in detail in the Structure Plan.

### ***Officer Direct or Indirect Interest***

In accordance with Section 80 © of the Local Government Act, Peter Bettess, General Manager, Economic Development, Planning and Tourism declares an indirect financial interest in that he owns Woolworths and Wesfarmers shares.

### ***Risk Assessment***

The development of the Structure Plan involved input from key agencies and groups and review of relevant legislation to ensure appropriate management of constraints and risks.

### ***Social Considerations***

The development of the Structure Plan had due regard to social and community issues with contributions from Council's social and recreation planners and from a range of other agencies.

The Structure Plan included input from community service providers and groups and examined directions and recommendations of the Bellarine Peninsula Strategic Plan. The Plan makes recommendations around walkability/accessibility, recreation needs; future social and community facilities and services and affordable housing.

### ***Communication***

The Structure Plan was informed by a number of reports which were subject to public consultation. The informal consultation of the draft Structure Plan and formal exhibition of Amendment C254 have provided an opportunity for internal and external stakeholders/departments and the community to have input and feedback.

**1. CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT  
C254- LEOPOLD STRUCTURE PLAN AND URBAN DESIGN FRAMEWORK  
(CONT'D)**

Submitters were notified of the Panel Hearing dates and afforded an opportunity to be heard by Planning Panels Victoria.

Submitters were sent a letter providing a copy of the Panel's conclusions and recommendations for amendment C254. Submitters will be notified of the final outcome of the amendment which will be decided by the Minister for Planning once Council has resolved to submit the amendment to the Minister for approval.

**APPENDIX 1-1**

**Exhibited Leopold Structure Plan Map**



**Urban Design Framework Concept 1 (Council/Panel Preferred Concept)**



Appendix A - Concept 1

- \* Corner/ intersection building/feature
- Entrance feature (gateway feature)
- - - Sub-Regional Activity Centre Study Are
- - - Proposed Urban Growth Boundary
- Retail Land Use Area
- Non-Retail Land Use
- Residential Land Use
- ▨ Pedestrian Crossing
- ★ Gathering Area / Public Plaza
- Primary Active Frontage
- Secondary Active Frontage
- Open Frontage - not screened
- Regional Cycle / Pedestrian Connection
- Pedestrian Connection
- Strategic Pedestrian Entrance
- Public open space / Passive Recreation
- Service Vehicle Route
- Vehicle Access / Entry
- Service Access / Entry
- Traffic signals
- ▨ Traffic calming measures

**APPENDIX 1-3**

**List of submitters to Amendment C254**

| No. | Submitter | Company / Organisation      |
|-----|-----------|-----------------------------|
| 1.  | Kim       | Abbott                      |
| 2.  | Hans      | Alberese                    |
| 3.  | Andrea    | Alexander                   |
| 4.  | Jake      | Alford                      |
| 5.  | Lachy     | Alford                      |
| 6.  | Lindsay   | Alford                      |
| 7.  | Eliza     | Alsop                       |
| 8.  | Kaitlyn   | Amer                        |
| 9.  | Louise    | Anderson                    |
| 10. |           | Architects Fulton & Salomon |
| 11. | Chris     | Aston                       |
| 12. | Jessica   | Aston                       |
| 13. | Glennys   | Barnett                     |
| 14. | Julie     | Barry                       |
| 15. |           | Barwon Water                |
| 16. | Daryl     | Baum                        |
| 17. | Ian       | Baxter                      |
| 18. | Gary      | Benson                      |
| 19. | Terry     | Benson                      |
| 20. | Kathryn   | Beveridge                   |
| 21. | Robert    | Beveridge                   |
| 22. | Ryan      | Binder                      |
| 23. | Doug      | Blackwell                   |
| 24. | Joseph    | Blahovec                    |
| 25. | Sascha    | Blazer                      |
| 26. | Shane     | Borczych                    |
| 27. | Allan     | Boyd                        |
| 28. | Matt      | Breckov                     |
| 29. | Colin     | Brooker                     |
| 30. | T         | Brooks                      |
| 31. | Peter     | Brown                       |
| 32. | R         | Burnie                      |

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| 33. | Chad    | Butterworth                                |
| 34. | Corey   | Byars                                      |
| 35. | Bree    | Cail                                       |
| 36. | Sam     | Calder                                     |
| 37. | Gary    | Callan                                     |
| 38. | Gary    | Callan                                     |
| 39. | John    | Cammarotto                                 |
| 40. | Chris   | Campbell                                   |
| 41. | Glen    | Campbell                                   |
| 42. | Jade    | Campbell                                   |
| 43. |         | Cardno                                     |
| 44. |         | Corangamite Catchment Management Authority |
| 45. |         | CFA  |
| 46. | Wayne   | Clay                                       |
| 47. | A       | Clifton                                    |
| 48. | Louis   | Clifton                                    |
| 49. | Mikaela | Clifton                                    |
| 50. | Paddy   | Clifton                                    |
| 51. | Rob     | Clifton                                    |
| 52. | Kerry   | Coghlan                                    |
| 53. | Trent   | Coghlan                                    |
| 54. | Ian     | Cole                                       |
| 55. | Sandi   | Collier                                    |
| 56. | Alan    | Collins                                    |
| 57. | Lisa    | Collins                                    |
| 58. | Lisa    | Collins                                    |
| 59. |         | BLANK                                      |
| 60. | Mary    | Core                                       |
| 61. | Adam    | Couchman                                   |
| 62. | Lyn     | Cramer                                     |
| 63. |         | CPG for Paul Masek                         |
| 64. | Brett   | Cunningham                                 |
| 65. | Simon   | D'Antino                                   |
| 66. | Eden    | Darragh                                    |
| 67. | Michael | Davies                                     |
| 68. | Heather | deBakker                                   |

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| 69.  | Shane    | Devlin            |
| 70.  | Chris    | Dimitrovski       |
| 71.  | J F & SI | Donovan           |
| 72.  | David    | Dowd              |
| 73.  | Anthony  | Dowie             |
| 74.  | Graham   | Drayton           |
| 75.  | Robin    | Drayton           |
| 76.  | Barbara  | Drummond          |
| 77.  | S        | Durbridge         |
| 78.  | Greg     | Dye               |
| 79.  | Mark     | Dye               |
| 80.  | James    | Eastwood          |
| 81.  | Paul     | Edwards           |
| 82.  | Libby    | Elliott           |
| 83.  | Michelle | Engel             |
| 84.  |          | ERM for Lascorp   |
| 85.  | Chloe    | Fagan             |
| 86.  | Simone   | Fagan             |
| 87.  |          | Fagg Bros Pty Ltd |
| 88.  | Guy      | Fantini           |
| 89.  | Marianne | Finn              |
| 90.  | H        | Flood             |
| 91.  | C        | Ford              |
| 92.  | David    | Ford              |
| 93.  | Ray      | Freer             |
| 94.  | Kristy   | Fromholtz         |
| 95.  | Dean     | Gall              |
| 96.  | Charles  | Gatt              |
| 97.  | Keith    | Gordon            |
| 98.  | Eliza    | Gravatt           |
| 99.  | Judi     | Gravatt           |
| 100. | Natalie  | Gray              |
| 101. | Pam      | Hammond           |
| 102. | Richard  | Hammond           |
| 103. | Ebony    | Hansen            |
| 104. | Heather  | Harbison          |

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| 105. | Damien       | Hardie      |
| 106. | Jane         | Hardman     |
| 107. | Greg         | Hardy       |
| 108. | Kirsty       | Harper      |
| 109. | Dianne       | Harry       |
| 110. | Dean         | Harty       |
| 111. | Alfred       | Hawkins     |
| 112. | Louvain      | Hawkins     |
| 113. | Paul & Paula | Hayes       |
| 114. | Kirsty       | Heazlewood  |
| 115. | Brenda       | Helwig      |
| 116. | Angela       | Hennessy    |
| 117. | Chris        | Hennessy    |
| 118. | Shane        | Hennessy    |
| 119. | Ian          | Hitchcock   |
| 120. | Wendy        | Hitchcock   |
| 121. | Anne-Maree   | Hoare       |
| 122. | Holly        | Hood        |
| 123. | C            | Horne       |
| 124. | R L & E M    | Hotchin     |
| 125. | Nick         | Hughes      |
| 126. | Paul         | Hulett      |
| 127. | Mark         | Humpage     |
| 128. | Lauren       | Humphris    |
| 129. | Marcus       | Illingworth |
| 130. | Alan         | Ireland     |
| 131. | Bill         | Iro         |
| 132. | Kenneth      | Ivory       |
| 133. | B            | Jafari      |
| 134. | Chris        | James       |
| 135. | Harry        | James       |
| 136. | Meredith     | James       |
| 137. | Nick         | James       |
| 138. | Max          | Jardine     |
| 139. | Sarah        | Jeffreys    |
| 140. | Steve        | Jeffreys    |

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| 141. | Sharelle        | Jenkin                             |
| 142. | Shane           | Jones                              |
| 143. | Gail            | Joordans                           |
| 144. | Paul            | Kelly                              |
| 145. | Taya            | Kemp                               |
| 146. | C               | Kerr-Nelson                        |
| 147. | Rod             | Kiddle                             |
| 148. | Anthony         | Kilfoyle                           |
| 149. | Rachel          | King                               |
| 150. | Annette         | Kontogeorgis                       |
| 151. | David           | Kos                                |
| 152. | Michael         | Lane                               |
| 153. | Brian & Lynette | Latter                             |
| 154. | Michael         | Law                                |
| 155. | Stacey          | Learmonth                          |
| 156. | Allan           | Lehman                             |
| 157. |                 | Leopold & District Community Assoc |
| 158. | Mandy           | Leworthy                           |
| 159. | Danielle        | Loader                             |
| 160. | Anita           | Long                               |
| 161. | Kaiden          | Long                               |
| 162. | Jess            | Lothian                            |
| 163. | M               | Maroulis                           |
| 164. | Peter           | Marshall                           |
| 165. | Thomas          | Marshall                           |
| 166. | Bob             | Mathieson                          |
| 167. | Jocelyn         | Matthews                           |
| 168. | Gillian         | McCallum                           |
| 169. | Shon            | McClintock                         |
| 170. | Tammy           | McDonald                           |
| 171. | Jara            | McElhinney                         |
| 172. | Karen           | McFarlane                          |
| 173. | Andrew          | McKie                              |
| 174. | David           | McKie                              |
| 175. | Mandy           | McKie                              |
| 176. | Kyra            | McKinnis                           |

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| 177. | Joanne    | McKnight    |
| 178. | Murray    | McLaren     |
| 179. | Robert    | McLaren     |
| 180. | Scott     | McLaren     |
| 181. | Emily     | McMahon     |
| 182. | Rod       | Merrett     |
| 183. | Hesham    | Metwally    |
| 184. | Paul      | Mitchell    |
| 185. | Dennis    | More        |
| 186. | Rod       | Mulgrew     |
| 187. | Luke      | Murray      |
| 188. | Rachel    | Murray      |
| 189. | Peter     | Nowell      |
| 190. | Sibena    | O'Halloran  |
| 191. | Kaye      | Oldham      |
| 192. | Xeni      | Pages       |
| 193. | Greg      | Parker-Hill |
| 194. | Kylie     | Parsons     |
| 195. | Deb       | Paver       |
| 196. | Allanah   | Penny       |
| 197. | A         | Perez       |
| 198. | Elizabeth | Perez       |
| 199. | Margarita | Perez       |
| 200. | Aaron     | Perus       |
| 201. | Dianne    | Perus       |
| 202. | Magenta   | Perus       |
| 203. | Judy      | Phillips    |
| 204. |           | Poligot     |
| 205. | Paul      | Read        |
| 206. | Paul      | Reynolds    |
| 207. | E         | Ricci       |
| 208. | Jake      | Robert      |
| 209. | Emma      | Rodda       |
| 210. | Rob       | Roiter      |
| 211. | Matt      | Russell     |
| 212. | Susan     | Ryan        |

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|      |                 |            |
|------|-----------------|------------|
| 213. | B               | Sampson    |
| 214. | J               | Sampson    |
| 215. | L               | Sampson    |
| 216. | Rebecca         | Sanderson  |
| 217. | Dean            | Sayers     |
| 218. | Tim             | Secombe    |
| 219. | Wendy           | Shaw       |
| 220. | John-Luke       | Shelley    |
| 221. | Myra            | Sheppard   |
| 222. | Anna            | Simonsen   |
| 223. | Matt            | Sinkinson  |
| 224. | Andrew          | Sloan      |
| 225. | James           | Smith      |
| 226. | Jessica         | Smith      |
| 227. | S               | Smith      |
| 228. | Brianna         | Spalding   |
| 229. | Felicity & Brad | Stapleton  |
| 230. | Karen           | Starr      |
| 231. | David           | Stephen    |
| 232. | Simon           | Stephenson |
| 233. | Anthony         | Storvik    |
| 234. | Tenille         | Storvik    |
| 235. | Marcus          | Stow       |
| 236. | James           | Styles     |
| 237. | Stan            | Sutas      |
| 238. | Sharon          | Taylor     |
| 239. | Jai             | Thompson   |
| 240. | Kirsty          | Timms      |
| 241. | Mel             | Tomlins    |
| 242. | Jesusa          | Torre      |
| 243. | Andrew          | Tozer      |
| 244. | Kahtaya         | Turnbull   |
| 245. | Leanne          | Turnbull   |
| 246. | D               | Turner     |
| 247. | G               | Turner     |
| 248. | Ian             | Turner     |

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|      |              |                |
|------|--------------|----------------|
| 249. | Sara & Paul  | Turner         |
| 250. | Trevor       | Van Arend      |
| 251. | Tim          | Varcoe         |
| 252. |              | VicRoads       |
| 253. | Ron          | Wagener        |
| 254. | Devinia      | Wainwright     |
| 255. | Nicole       | Walker         |
| 256. | Maureen      | Walsh          |
| 257. | Sylvia       | Walsh          |
| 258. | Trevor & Kay | Walsh          |
| 259. | Steve        | Walton         |
| 260. | Annette      | Watkins        |
| 261. | Brian        | White          |
| 262. | Adrian       | Wiese          |
| 263. |              | Williams       |
| 264. | Randy        | Williams       |
| 265. | John         | Wilson         |
| 266. | Daniel       | Wray           |
| 267. | Kelly        | Wurfel         |
| 268. | Ernest       | Harriss        |
| 269. | .            | Woolworths Ltd |

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**APPENDIX 1-4**  
**Panel Recommended changes to Leopold Structure Plan map**



**APPENDIX 1-5  
Amendment for Adoption**

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C254**

**INSTRUCTION SHEET**

The planning authority for this amendment is Greater Geelong City Council.

The Greater Geelong Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 5 attached maps.

**Zoning Maps**

Planning Scheme Map Nos 57 and 69 are amended in the manner shown on the attached maps marked Greater Geelong Planning Scheme, Amendment C254.

**Overlay Maps**

Planning Scheme Map No.57DDO is amended in the manner shown on the attached maps marked Greater Geelong Planning Scheme, Amendment C254.

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

In Local Planning Policy Framework – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document. The changes are as follows:

Municipal Framework Plan has been amended.

In Local Planning Policy Framework – replace Clause 21.07 with a new Clause 21.07 in the form of the attached document. The changes are as follows:

Subclause 21.07 – 8 has been amended.

In Local Planning Policy Framework – replace Clause 21.14 with a new Clause 21.14 in the form of the attached document. The changes are as follows:

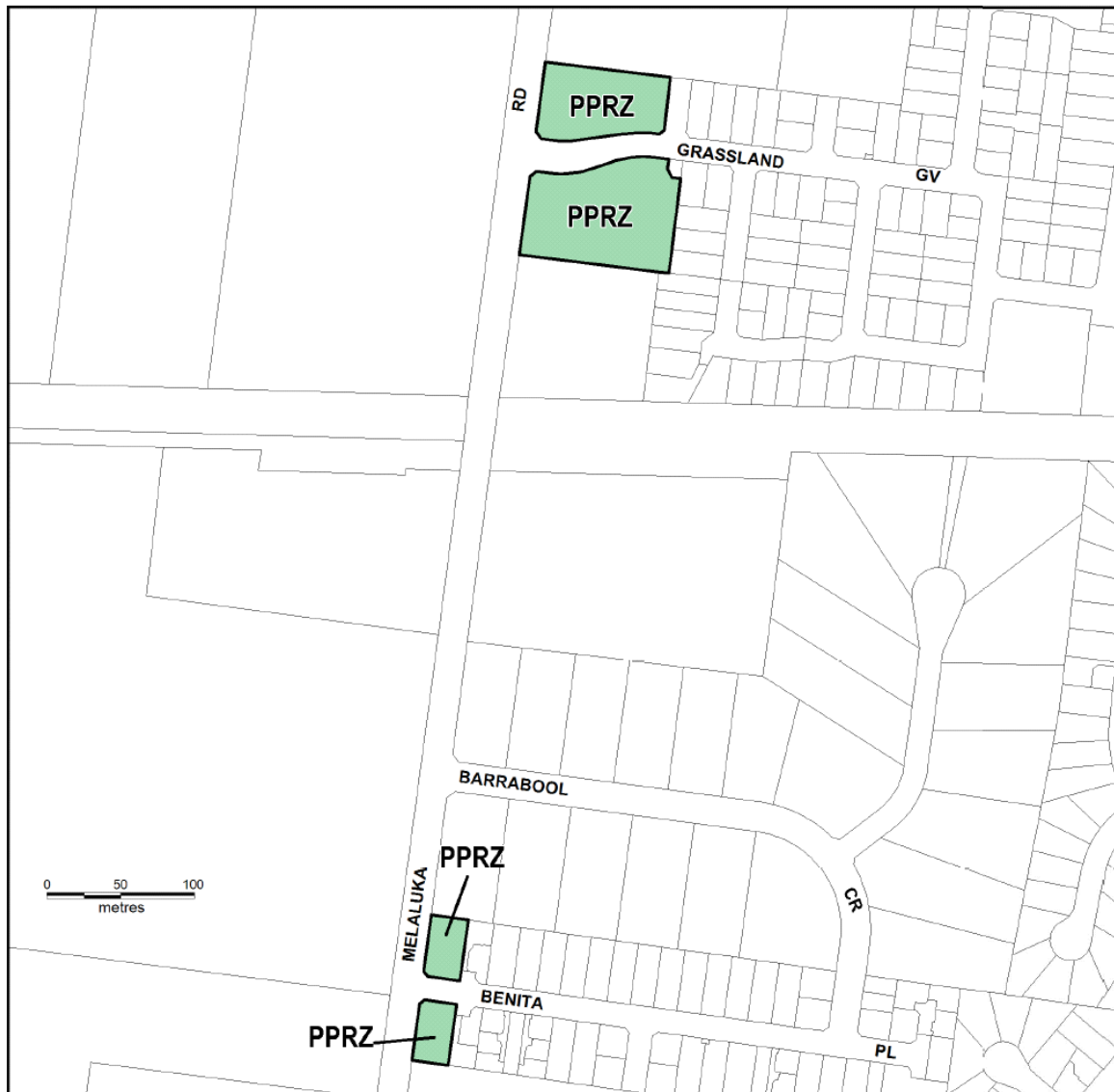
Subclauses 21.14 – 2 and 21.14-3 have been amended.

In Overlays – following Clause 43.02 insert a new Schedule 28 in the form of the attached document.

In Incorporated Documents – Clause 81.01, replace the schedule with a new schedule in the form of the attached document.

End of document

## GREATER GEELONG PLANNING SCHEME LOCAL PROVISION

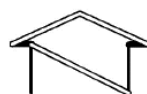


Part of Planning Scheme Map 57

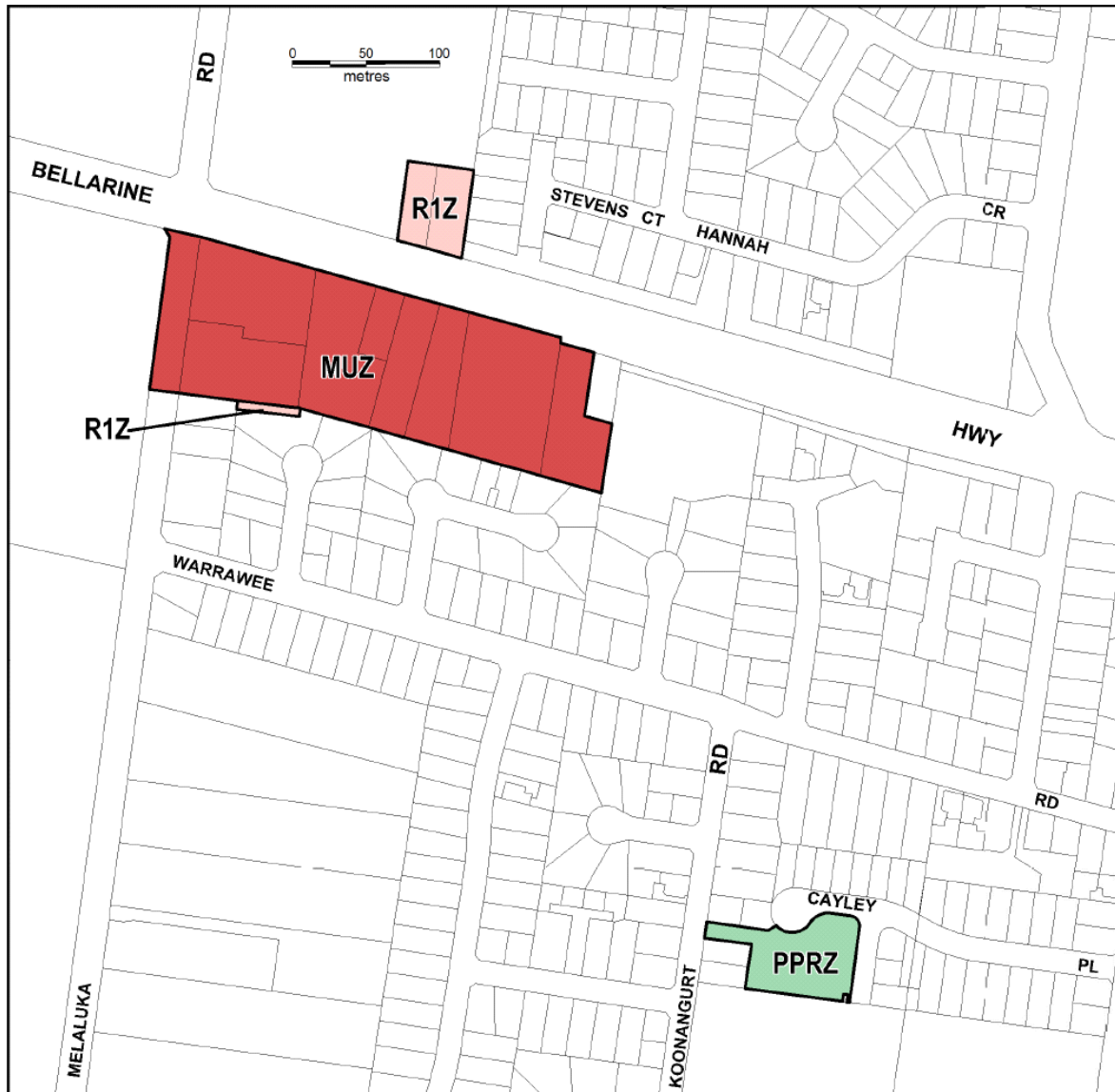
### LEGEND

**PPRZ** PUBLIC PARK AND RECREATION ZONE

## AMENDMENT C254



## GREATER GEELONG PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Maps 57,69

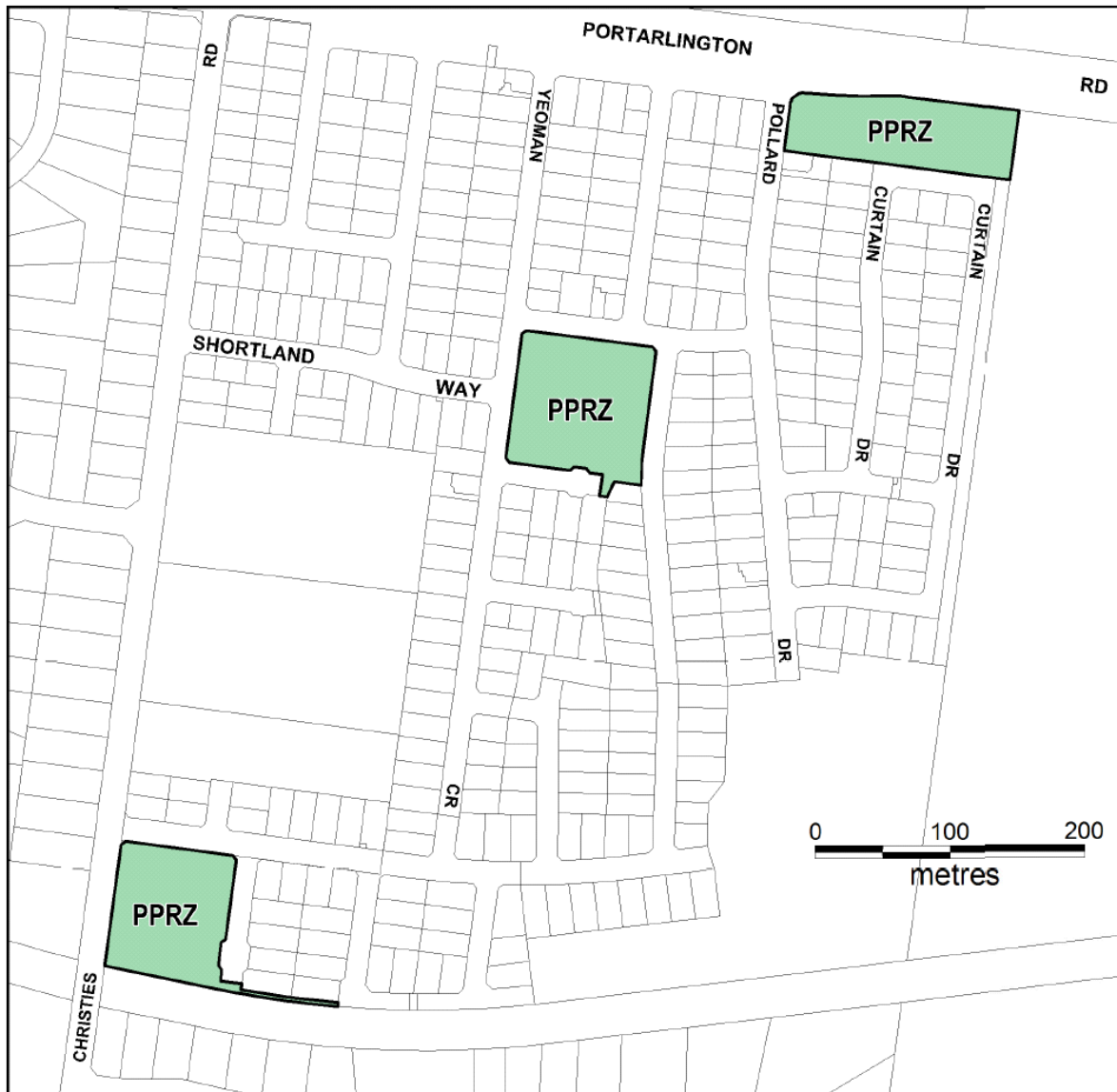
**LEGEND**

|      |                                 |
|------|---------------------------------|
| PPRZ | PUBLIC PARK AND RECREATION ZONE |
| R1Z  | RESIDENTIAL 1 ZONE              |
| MUZ  | MIXED USE ZONE                  |

# AMENDMENT C254



## GREATER GEELONG PLANNING SCHEME LOCAL PROVISION



Part of Planning Scheme Map 57

### LEGEND

 PUBLIC PARK AND RECREATION ZONE

## AMENDMENT C254



## GREATER GEELONG PLANNING SCHEME LOCAL PROVISION

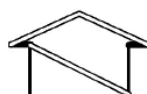


Part of Planning Scheme Maps 57,69

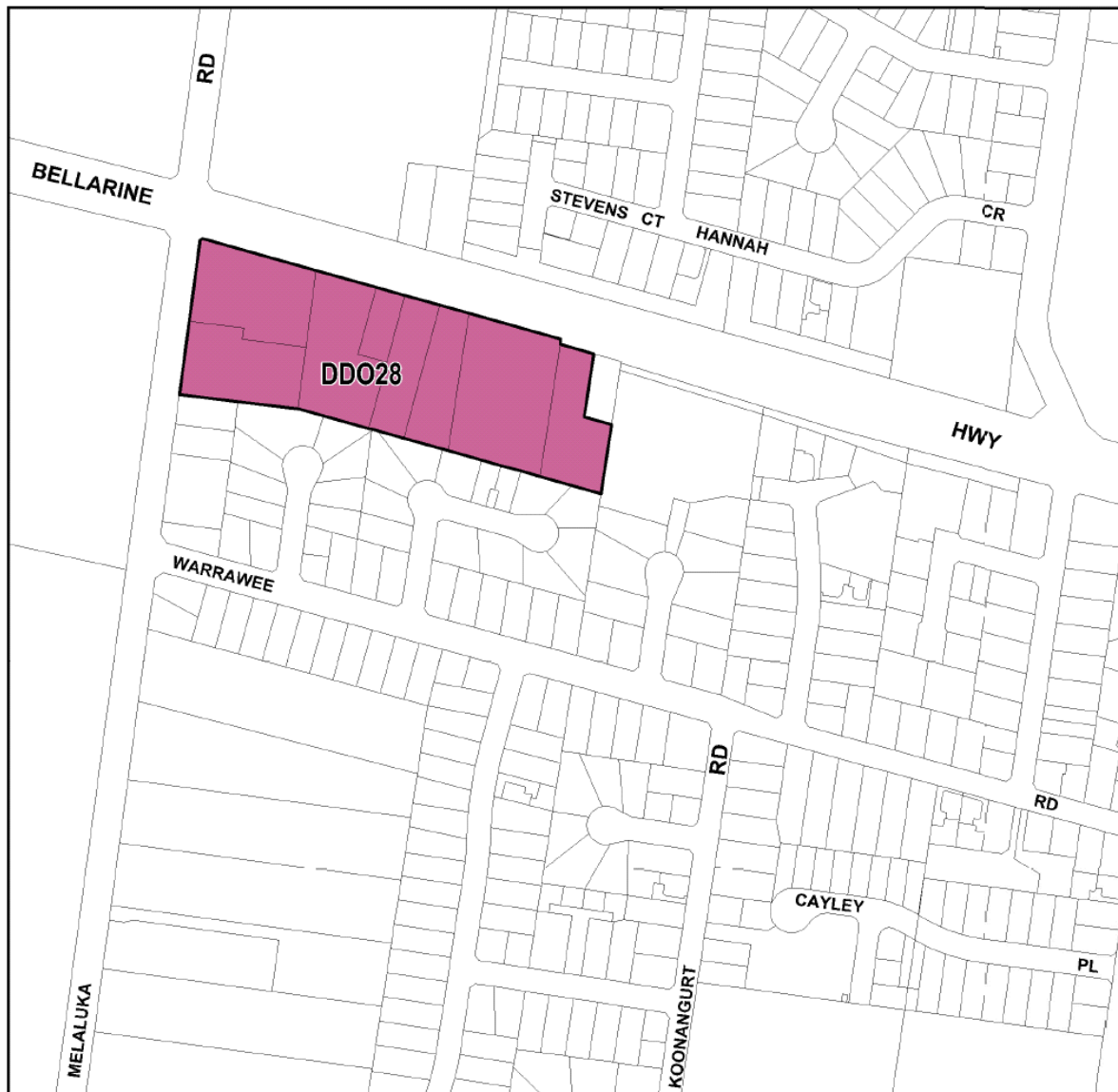
### LEGEND

 PUBLIC PARK AND RECREATION ZONE

## AMENDMENT C254



## GREATER GEELONG PLANNING SCHEME LOCAL PROVISION

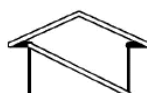


Part of Planning Scheme Map 57DDO

### LEGEND

|              |   |
|--------------|---|
| <b>DDO28</b> | DESIGN AND DEVELOPMENT<br>OVERLAY - SCHEDULE 28 |
|--------------|---|

## AMENDMENT C254

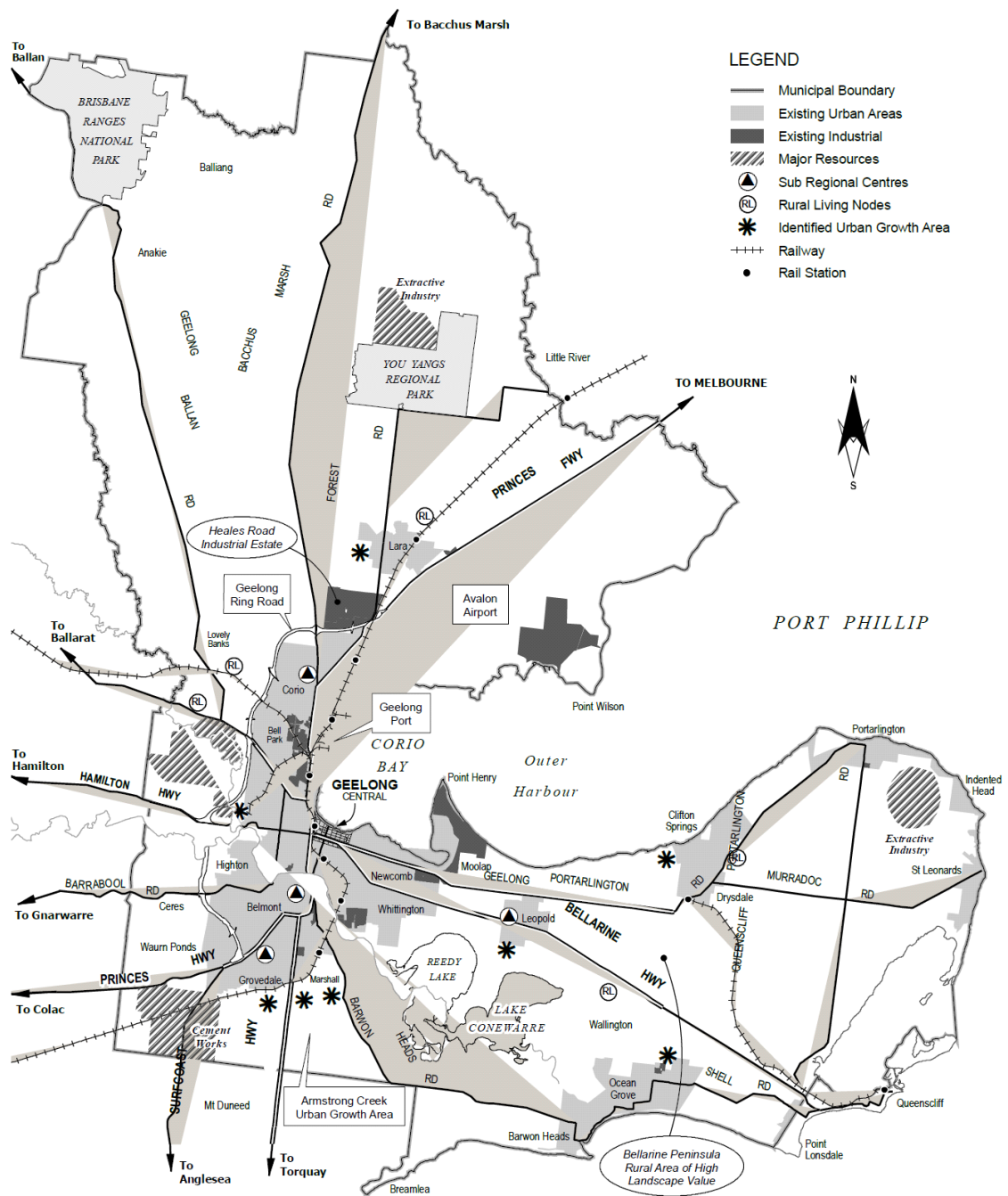


GREATER GEELONG PLANNING SCHEME

21.04 MUNICIPAL FRAMEWORK PLAN

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 C254

# Municipal Framework Plan



GREATER GEELONG PLANNING SCHEME

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 C254

**SCHEDULE TO CLAUSE 81.01**

| <b>Name of document</b>   | <b>Introduced by:</b> |
|---|-----------------------|
| 14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011   | <b>C257</b>           |
| Advertising Sign Guidelines, City of Greater Geelong, November 1997.  | <b>NPS1</b>           |
| Armstrong Creek East Native Vegetation Precinct Plan, May 2010  | <b>C206</b>           |
| Armstrong Creek East Precinct Structure Plan, May 2010  | <b>C206</b>           |
| Armstrong Creek North East Industrial Precinct Development Contributions Plan, May 2010.  | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct Growling Grass Frog Conservation Management Plan, May 2010.  | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010.   | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct, Precinct Structure Plan, May 2010.  | <b>C207</b>           |
| Armstrong Creek Urban Growth Plan Framework Plan, November 2008, Updated May 2010   | <b>C206</b>           |
| Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. Standards Association of Australia 1994.   | <b>NPS1</b>           |
| Environmental Weeds, City of Greater Geelong, September 2008  | <b>C129(Part 1)</b>   |
| Geelong Ring Road – Section 4C Incorporated Document, June 2010.  | <b>C232</b>           |
| Geelong TAC Office Development, October 2006.   | <b>C142</b>           |
| Heritage and Design Guidelines, City of Greater Geelong, 1997.  | <b>NPS1</b>           |
| Key Development and Increased Housing Diversity Areas, July 2009, updated February 2012.  | <b>C254</b>           |
| Melbourne Geelong Interconnection Project, June 2010.   | <b>C229</b>           |
| Newtown Heritage Study Review Report, Volume 3, City of Greater Geelong, 2008   | <b>C191</b>           |
| Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002.  | <b>VC17</b>           |
| Rail Upgrades at Geelong Port Project, May 2010.  | <b>C211</b>           |
| Rippleside Comprehensive Development Plan, February 2000.   | <b>C2</b>             |
| Rippleside Urban Design Guidelines, June 2000.  | <b>C2</b>             |
| Thirteenth Beach Golf Resort Barwon Heads, Barwon Heads Comprehensive Development Plan, Land Design Partnership, Anthony Cashmore & Associates and the Planning Group, May 2001 amended September 2006. | <b>C54</b>            |
| Waterfront Geelong Design and Development Code, Keys Young, July 1996   | <b>NPS1</b>           |
| West Fyans-Fyans Street Precinct Structure Plan, June 2009  | <b>C205</b>           |

GREATER GEELONG PLANNING SCHEME

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C254

**SCHEDULE 28 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO28**

**BELLARINE HIGHWAY MIXED USE CENTRE – LEOPOLD**

This schedule applies to properties at 143-145 Melaluka Road and 670 – 696 Bellarine Highway, Leopold.

**1.0 Design objectives**

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C254

- To implement the objectives of the Leopold Structure Plan 2011 (amended 2013) and Urban Design Framework 2011.
- To provide an attractive western gateway entrance for Leopold.
- To maximise the development opportunity for the centre.

**2.0 Buildings and works**

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C254

Any development in this mixed use centre should address the following principles:

General Principles

- For any redevelopment within the precinct, consider the objectives and strategies on a ‘whole of precinct’ approach, rather than on a site-by-site basis.

Building Design Principles

- Encourage development to take advantage of its gateway location into Leopold and be of high architectural standard.
- Provide active, attractive frontages and public spaces, including outdoor dining to Melaluka Road and the Bellarine Highway.
- Ensure buildings, including upper levels, address street frontages and are designed to encourage pedestrian activity, movement and engagement.
- Ensure development maximises the northern orientation of the site and views to Memorial Park, the Gateway Sanctuary and surrounding rural landscape.
- Development should be built to a maximum of 8 metres.
- Development should be designed to avoid the overshadowing of public spaces and the adjoining residential use to the south.
- Encourage building form, treatments, finishes and colours that make a positive contribution to the public realm.
- Ensure the design of new development is well articulated and the buildings are adaptable over time.

Vehicular Areas and Access Principles

- The preferred location of car parking and service areas is to the rear of sites, minimising visibility from the Bellarine Highway and adjacent residential areas.
- Car parking provided along Bellarine Highway, should be a maximum depth of two rows of angle car parking. It must be well landscaped and incorporated island beds to break up the hard surface area and improve visual amenity. View lines from any car parking area to Memorial Reserve should also be protected.
- Minimise the impact of vehicle access points of the pedestrian network.

GREATER GEELONG PLANNING SCHEME

- Provide a separate internal residential and service vehicle access lane, bisecting the precinct.
- Provide screening of car parking areas along the Bellarine Highway and Melaluka Road street edges with appropriate landscaping, a minimum of 2.5 metres to a maximum of 4 metres in width.
- Ensure landscaping of car parking areas do not provide areas of concealment and are well lit.

Sustainability Principles

- Encourage new development to include design features which incorporate environmentally sustainable design measures in the areas of energy and water efficiency.

Advertising Signs

- Signs should integrate with the building and be of architectural interest.
- Ensure signs are of a scale and size that complement the built form of the buildings.

**3.0**

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C254

**Subdivision**

**Requirements**

Subdivision of land should avoid fragmentation of land that does not support the design objectives.

**Exemption from notice and review**

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**4.0**

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C254

**Decision guidelines**

Before deciding on an application the Responsible Authority must consider:

- The design objectives and principles of this schedule.
- The objectives, standards and decision guidelines of Clause 54 and 55. This does not apply to a development of four or more storeys, excluding a basement.

**Reference Document**

- Leopold Structure Plan 2011 (amended 2013)
- Leopold Urban Design Framework 2011.

## **21.07 Economic development and employment**

### **21.07-1 Key issues and influences**

24/02/2011  
C177

#### **Economic Role and Function**

14/10/2010  
C168

Geelong is the largest regional city in Victoria and the primary service and employment hub for the G21 Geelong Region Alliance.

The City's infrastructure base includes Avalon Airport, the Geelong Port and major road and rail connections to Metropolitan Melbourne and Victoria's western regions.

The provision of high quality living, working and recreational environments is critical to attracting and retaining highly skilled people and the businesses in which they work.

#### **Industry**

There is a need to provide support for ongoing employment and economic development in the Geelong region.

There is a need to provide a diverse range of appropriately located, well serviced industrial land which meets the needs of a range of industry types and minimises land use conflicts.

Traditional manufacturing industries will continue to be key economic and employment drivers in the municipality, however at the same time the City's economy will need to focus on emerging industry sectors that underpin economic development, prosperity and employment growth in the new economy.

The changing nature of industrial development means that most industrial development now requires high amenity land that offers a high quality environment for workers and visitors.

There is a need to support industry through the maintenance and improvement of infrastructure including the road, rail, Avalon Airport, deep water port and associated facilities.

The extractive industry operations in the municipality make a vital contribution to the building and construction industries and are of major economic importance to the Geelong region.

#### **Retail**

The City of Greater Geelong Retail Activity Centre Hierarchy has been established to articulate the role and function fulfilled by centres of different sizes.

The retail hierarchy supports the primacy of Central Geelong as the focus of retail activity in the region.

There is a need to ensure a mix of commercial uses in activity centres.

The retail hierarchy will be enhanced through high quality urban design and improved pedestrian and public transport accessibility.

There is increasing development pressure for sites located away from activity centres, particularly for bulky goods and other large format retail development types that seek large sites with the capacity for significant car parking.

Greater Geelong exhibits a number of factors that contribute to an increased vulnerability to problem gambling which requires sensitive consideration of their location.

#### **Rural**

Agricultural production is modest, but locally important and economically significant for landowners.

There is potential for growth in agricultural production, particularly aquaculture.

Farming activity and the rural landscape are very significant elements to the identity, image and liveability of the City of Greater Geelong.

Farming and rural landscapes form non urban breaks and are a critical element to the settlement strategy, tourism function and lifestyle of the region.

Farming and agriculture are important and valued activities in the northern area of the municipality, particularly in the Anakie area.

Rural land in a number of urban fringe areas accommodates a range of uses and developments which require buffers from residential areas.

The City's rural areas contain important environmental assets.

### **Tourism**

Tourism is a key part of the economy of the Geelong region. The region includes major tourism destinations such as the Bellarine Peninsula and the coast.

Tourism activities in rural and coastal areas must be carefully managed so as not to compromise the natural environment and/or agricultural activities.

## **21.07-2 Industry**

03/06/2010  
C207

### **Objectives**

- To provide an adequate supply of appropriately located industrial land that meets the needs of different industries.
- To direct different types of industrial development to appropriate locations.
- To facilitate well designed and serviced industrial development that provides a high level of amenity for workers and visitors.
- To minimise land use conflicts.

### **Strategies**

- Focus new industrial development around major transport routes and infrastructure assets.
- Protect existing and designated future industrial areas from encroachment by incompatible land uses.
- Support the development of a technology/business park in the South Western Armstrong Creek Employment Area.
- Encourage regional and national scale industrial businesses to locate in the southern part of the Heales Road Industrial Estate, and in appropriate locations in the future South Western Armstrong Creek Employment Area.
- Direct industries which require substantial buffer zones from sensitive land uses to the core of the Industrial 2 Zone in the Heales Road Industrial Estate.
- Ensure all industrial development incorporates best practice water sensitive urban design and waste management practices.
- Ensure all industrial development is appropriately serviced by road, drainage, water, sewerage and telecommunications infrastructure.
- Ensure all industrial development provides high quality urban design and landscaping.
- Ensure new development in the Heales Road Industrial Estate is configured to minimise the individual and societal risk levels attached to the Shell LPG Storage Facility.
- Protect identified stone resources for future extraction and potential extraction industry operations from the encroachment of incompatible land uses.
- Direct materials recycling industries to locations that minimise land use conflicts and impacts on the amenity of surrounding areas.
- Support the establishment of infrastructure that reduces costs for business and industry.

- Support an integrated Geelong Transport Strategy, ensuring that industrial areas are well connected to each other and the rail/freeway network.
- Provide sufficient industrial land to meet a range of industrial needs in Geelong, including small to medium sized industry.
- Develop the North East Industrial Precinct as a vibrant, new generation, master planned industry and business park that will attract a wide range of users and respond to the changing needs of industry sectors over time, as a key business address in the region and Victoria.

### **21.07-3 Retail**

14/10/2010  
C168

#### **Objectives**

- To facilitate the development of vibrant and viable retail activity centres in accordance with the Geelong Retail Activity Centre Hierarchy included at Clause 21.07-8.
- To ensure all major retail developments, and out of centre developments, provide a clear net community benefit.
- To avoid the risk of exacerbating problem gambling.

#### **Strategies**

- Ensure that new retail development is directed to activity centres and is consistent with the role and function described in the Retail Activity Centre Hierarchy included at Clause 21.07-8.
- Ensure Central Geelong remains the primary retail activity centre in the G21 Region and the focus of retail activity in the G21 region.
- Direct restricted retail (bulky goods) use and development to Central Geelong, the nominated homemaker precinct at Waurm Ponds, the Corio homemaker precinct subject to appropriate re-zoning and other homemaker precincts and activity centres as detailed in Clause 21.07-8.
- Discourage restricted retail (bulky goods) development in industrial areas.
- Encourage a mix of retail, office, cafes, entertainment, housing, education and community facilities to locate within activity centres.
- Support accommodation uses above ground level floor space in activity centres subject to appropriate provision of parking and access requirements.
- Require that applications for new centres establish the retail need for such use and development and demonstrate that there are no adverse impacts on the operation of the retail activity centres hierarchy.
- Direct the location of gaming machines to venues that makes gaming accessible but not convenient as detailed in Clause 22.57.

### **21.07-4 Economic growth sectors**

28/01/2010  
C129(Part1)

#### **Objective**

- To facilitate development in the City's strategic economic growth sectors.

#### **Strategies**

- Support industry development in the following strategic growth sectors:
  - Knowledge, Innovation and Research.
  - Advanced Manufacturing.
  - Health.

- Tourism.
- Small, Micro and Home Based Business.
- Food and Horticulture.
- Support the development of the Geelong Technology Precinct located at the Deakin University Waurn Ponds campus, particularly biotechnology industry.
- Support the development of seafood and aquaculture industries in appropriate locations, particularly in North Geelong, Portarlington and Avalon.
- Support the development of health and medical industries, particularly in the Medical Health Cluster in central Geelong (as identified on the Central Geelong Structure Plan Map at Clause 21.09), and around the Deakin University campus at Waurn Ponds.
- Support the development of food, horticulture and viticulture industries in appropriate locations, particularly on the Bellarine Peninsula.
- Support the development of aerospace industries within the confines of the Avalon Airport site.

#### **21.07-5 Rural Areas**

28/01/2010  
C129(Part1)

##### **Objectives**

- To support the use of the northern, western and southern rural areas for productive agriculture.
- To ensure that rural areas provide an attractive setting through the preservation of a farmed rural landscape.
- To protect and enhance the Bellarine Peninsula as a productive rural area with highly significant landscapes based on farming and environmental features.

##### **Strategies**

- Maintain rural land in large and productive parcels, in accordance with the schedules to the farming zones.
- Minimise non farming land uses in rural areas.
- Ensure that any non farming land uses will not compromise farming activity in the area.
- Ensure development in rural areas respects the farmed landscape character, particularly significant landscapes identified through the Coastal Spaces Landscape Assessment Study.
- Ensure that new dwellings do not compromise the productive potential of land and are associated with the productive agricultural use of the land.
- Encourage agricultural development with export potential and specifically encourage aquaculture and horticulture activities in the rural areas around Avalon Airport.

#### **21.07-6 Tourism in rural areas**

28/01/2010  
C129(Part1)

##### **Objectives**

- To support tourism development in rural areas that respects the open farmed landscape of the area, and contributes to the economy.

##### **Strategies**

- Within the Bellarine Peninsula rural areas, support appropriately scaled, high quality, landscape responsive tourism uses that are subservient and complimentary to their rural landscape and environmental setting and are associated with agricultural activity on the land.

- In all other rural areas support tourism uses and developments in the Farming Zone that are associated with agricultural activity on the land.
- Support a limited number of larger scale rural based tourism development within rural areas that require rezoning.
- Direct major accommodation facilities to urban areas.

## **21.07-7 Implementation**

24/02/2011  
C177

These strategies will be implemented by:

### **Using policy and the exercise of discretion**

Where appropriate, referring applications for the development of land in the Heales Road Industrial Estate to Worksafe.

Using the Discretionary Uses in Residential Areas Policy at Clause 22.01.

Using the Sexually Explicit Adult Entertainment Venues, Adult Sex Bookshops and Adult Cinemas Policy at Clause 22.02.

Using the Assessment Criteria for Retail Planning Applications Policy at Clause 22.03.

Using the Agriculture, Rural Dwellings and Subdivision Policy at Clause 22.05.

Using the Tourism Development in Rural Areas Policy at Clause 22.06.

Using the Racing Dog Keeping and Training Policy at Clause 22.07.

Using the Materials Recycling Policy at Clause 22.08.

Using the Gaming Policy at Clause 22.57.

### **Applying zones and overlays**

Applying the Rural Activity Zone to major tourism proposals in accordance with Clause 22.06 – Tourism Development in Rural Areas.

Applying Schedule 1 to the Urban Growth Zone to the Armstrong Creek North East Industrial Precinct area in accordance with the North East Industrial Precinct, Precinct Structure Plan, May 2010.

Applying Schedule 1 to the Development Contributions Plan Overlay to the Armstrong Creek North East Industrial Precinct area in accordance with the North East Industrial Precinct, Precinct Structure Plan, May 2010.

### **Further work**

Support the development of a masterplan for the Avalon Airport site.

As a priority, commence an investigation into the future residential and industrial land use needs for Geelong, as a basis for future growth area planning that would include:

- assessment of the environmental, resource, landscape, development pattern, access, servicing, land use, economic and social constraints and opportunities associated with possible growth areas around Geelong,
- identification of a preferred growth area or areas, and
- preparation of detailed growth area plans.

### **References**

*Heales Road Industrial Estate Framework Plan*, MacroPlan Australia and the City of Greater Geelong, 2007.

*Armstrong Creek Urban Growth Plan*, City of Greater Geelong, 2006.

*City of Greater Geelong Retail Strategy*, Essential Economics and Hansen Partnership, 2006.

*City of Greater Geelong Economic Development Strategy*, City of Greater Geelong, 2005.

*Geelong Seafood Industry Strategy*, City of Greater Geelong, 2003.

*City of Greater Geelong Rural Land Use Strategy*, City of Greater Geelong, 2007.

*Coastal Spaces Landscape Assessment Study*, Department of Sustainability and Environment, 2006.

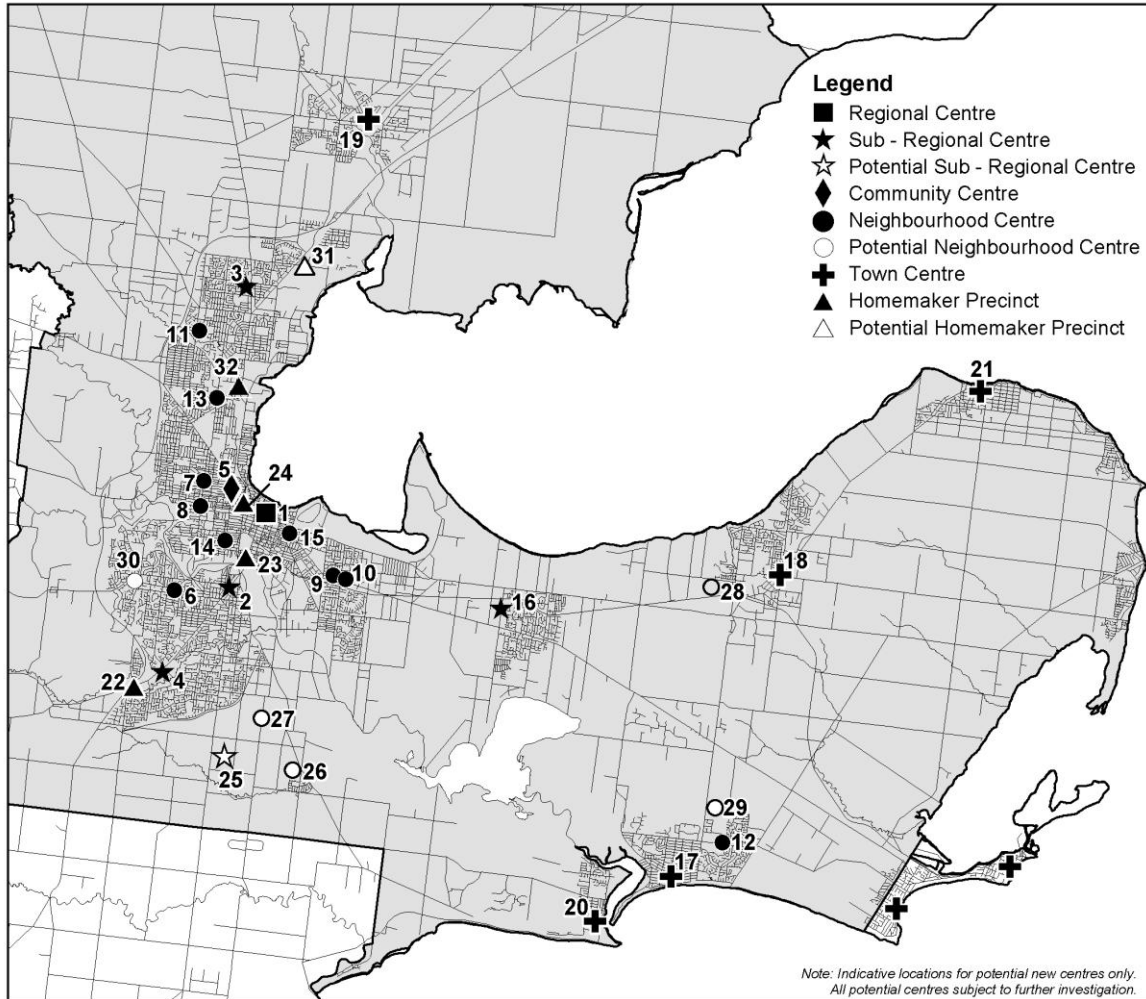
*North East Industrial Precinct, Precinct Structure Plan*, May 2010.

*North East Industrial Precinct, Development Contributions Plan*, May 2010

*Greater Geelong Gaming Policy Framework*, City of Greater Geelong, 2007.

**21.07-8 City of Greater Geelong Retail Activity Centre Hierarchy**

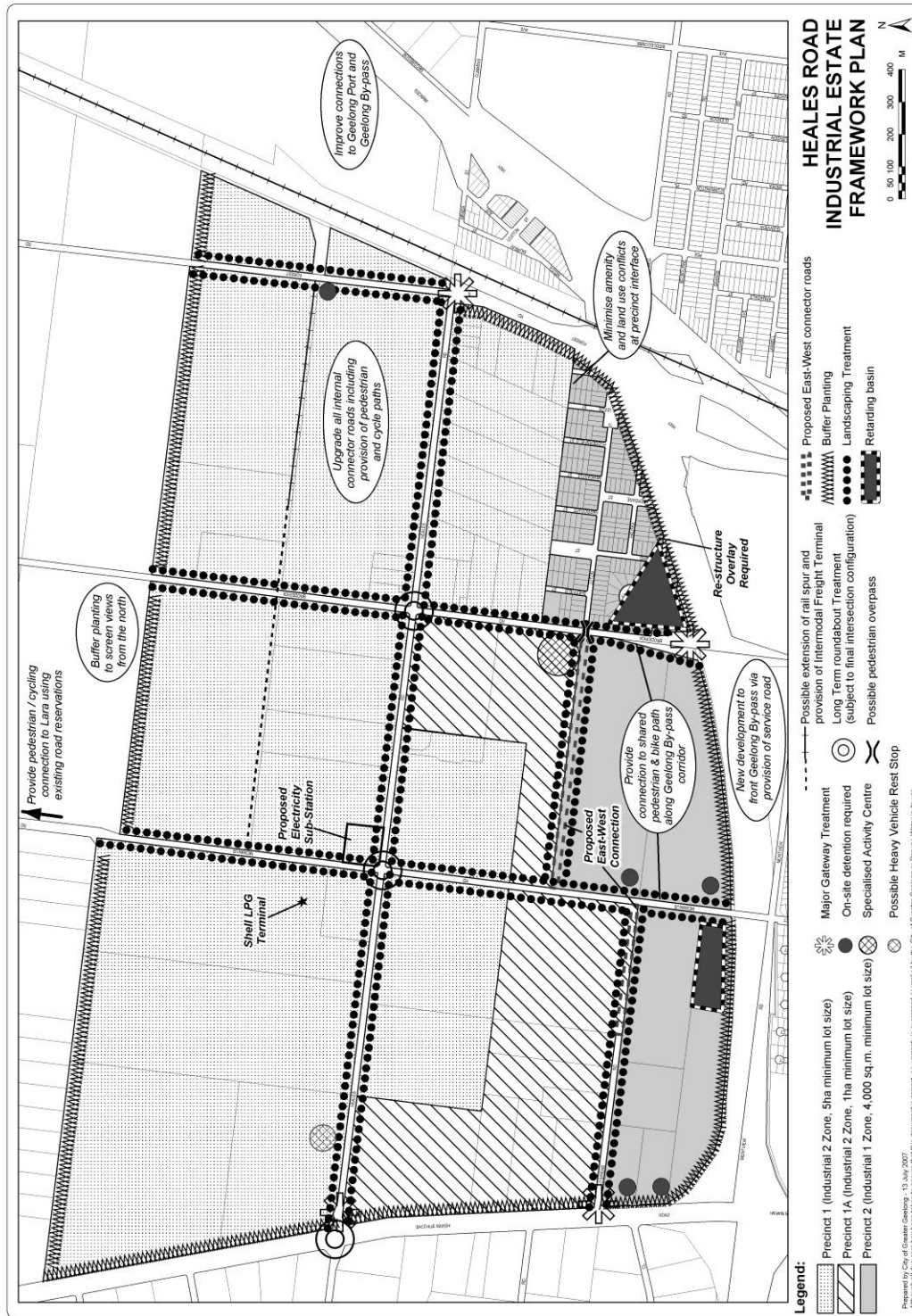
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C254



| <b>CITY OF GREATER GEELONG RETAIL ACTIVITY CENTRE HIERARCHY</b> |   |   |
|---|---|---|
| <b>LEVEL IN HIERARCHY</b>                                       | <b>IDENTIFIED CENTRES</b>   | <b>INDICATIVE FLOORSPACE AND EXAMPLE KEY TENANTS</b>  |
| <b>Regional Centre</b>  | Central Geelong (1)   | More than 100,000 sqm<br>Department store, discount store(s), mini major(s), supermarkets(s) and extensive range of specialties |
| <b>Sub-regional Centres</b>                                     | Belmont (2), Corio Village (3), Waurm Ponds (4) Leopold (16)  | 15,000 sqm to 35,000 sqm<br>Discount department store(s), mini major(s) supermarket(s) and specialties                          |
| <b>Community Centre</b>   | Pakington Street (Geelong West) (5)   | 10,000 sqm to 25,000sqm<br>Supermarket(s), mini major(s) and specialties  |
| <b>Neighbourhood Centres</b>                                    | Highton (6), Shannon Avenue (Geelong West) (7), Shannon Avenue (Newtown) (8), Bellarine Village (9), Newcomb Central (10), Bell Post (11), Ocean Grove marketplace (12), Separation Street (13), Pakington Street (Newtown) (14), Geelong East (15) | 2,500 sqm to 25,000 sqm<br>Supermarket (small or full line), primarily convenience oriented specialties                         |
| <b>Town Centres</b>   | Ocean Grove (Town Centre) (17), Drysdale (18), Lara (19), Barwon Heads (20), Portarlington (21)   | 1,500 sqm to 15,000 sqm<br>Supermarket, mini major(s), specialties  |
| <b>Homemaker Precincts</b>                                      | Waurm Ponds (22), Moorabool/Fyans (23), Geelong West (24), North Geelong (32)   | 5,000 sqm to 50,000 sqm<br>Large restricted retail type tenants   |
| <b>Potential Subregional Centres</b>                            | Armstrong Creek (25)  |   |
| <b>Potential Neighbourhood Centres</b>                          | Armstrong Creek East (26), Armstrong Creek Horseshoe Bend Rd (27), Jetty Road Growth Area (28), Ocean Grove north east growth corridor (29), Wandana Heights (30)   |   |
| <b>Potential Homemaker Precincts</b>                            | Corio (31)  |   |

**21.07-9 Heales Road Industrial Estate Framework Plan map**

28/01/2010  
 C129(Part1)



## **21.14 THE BELLARINE PENINSULA**

29/11/2012  
C273

### **21.14-1 Key issues and Influences**

28/01/2010  
C129(Part 1)

The Bellarine Peninsula comprises a series of contained townships separated by rural and coastal areas.

The rural and coastal areas on the Bellarine Peninsula form an important non-urban break between settlements. They are highly valued for their scenic attributes, tourism function, environmental function and lifestyle appeal.

The Bellarine Peninsula is one of the fastest growing areas in the City of Greater Geelong. Population growth on the Bellarine Peninsula is being driven by the attractiveness of the peninsula as a relaxed lifestyle destination within close proximity to urban Geelong.

Appropriately managing urban growth on the Bellarine Peninsula will be critical to retaining the peninsula's identity and attributes.

### **21.14-2 Objectives**

--/2013  
C254

- To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.
- To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula. In all other townships on the Bellarine Peninsula provide retail, commercial and community uses and facilities that serve the daily needs of the community and encourage street based activity.
- To provide for 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.

### **Strategies**

- Ensure that development responds to the identity and character of the individual township in which it is located.
- Protect rural and coastal environments from inappropriate urban encroachment.
- Ensure land use and development proceeds generally in accordance with the relevant Structure Plan maps included in this Clause.
- Ensure that development outside of settlement boundaries (as shown in the Structure Plan maps included in this clause) does not compromise the rural, environmental and landscape values of the non-urban breaks or longer term growth opportunities.
- Direct the bulk of residential growth and retail development to Ocean Grove, Drysdale/Clifton Springs and Leopold consistent with the relevant Structure Plan maps included in this clause.
- Direct bulky goods retailing and industrial development to existing and future areas as identified in Structure Plan maps included in this clause.

### **St Leonards:**

- Support a mix of retail, commercial, community and entertainment uses within the town centre.
- Encourage development which respects the coastal landscape setting of St Leonards by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.

- Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.
- Support the development of an appropriately located community centre.
- Support the on-going management, enhancement and sensitive development of the foreshore, Salt Lagoon Wildlife Reserve and Edwards Point State Faunal Reserve.
- Protect the scenic qualities of Murradoc Hill and Swan Bay.
- Support the development of a focal building, comprising retail and tourist related activities, at the south west corner of Murradoc and Bluff Roads.
- Integrate the town centre and pier-foreshore area.

**Portarlington:**

- Support a mix of retail, commercial, community and entertainment uses within the town centre.
- Encourage development which respects the coastal landscape setting of Portarlington by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.
- Support the establishment of a Community Centre in Portarlington within an existing public building.
- Support the provision of a new fire station at Portarlington.
- Support the integration of the Portarlington town centre and pier-foreshore area.
- Support the development of a focal building at 22-34 Newcombe Street, Portarlington, to contain retail uses, tourist accommodation and tourism related activities.
- Support development in the Portarlington town centre incorporating accommodation uses above ground level retail floor space, where such development meets all parking and access requirements.

**Indented Head:**

- Encourage development which respects the coastal landscape setting of Indented Head, by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.
- Support the on-going management, enhancement and sensitive development of the foreshore, Point Richards Flora and Fauna Reserve and Salt Lagoon Wildlife Reserve.
- Support expansion of the existing retail premises on The Esplanade, Indented Head.

**Ocean Grove:**

- Encourage development which respects the coastal landscape setting of Ocean Grove, by:
  - Providing reasonable sharing of views of the coast and foreshore
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
- Direct new greenfield residential development to the designated growth area in the north-east of the township, as shown on the Structure Plan map.

- Encourage a range of accommodation and housing options, including aged care within and adjacent to the town centre and other existing and proposed activity centres.
- Ensure development avoids impacts on environmental assets including the Coast, Buckley Park Foreshore Reserve, Goandra Estate, Ocean Grove Nature Reserve, Barwon River/Lake Conneware and the Lake Victoria Wetlands.
- Ensure the town centre remains the primary retail centre for Ocean Grove by providing for a range of retail, business and accommodation uses.
- Support expansion of the town centre, particularly in a northerly direction up to the Avenue.
- Support development of a new Neighbourhood Activity Centre on Grubb Road, to service the future population of the north-east growth area.
- Support the continued development of industrial, restricted retail and associated businesses on Grubb Road, and support the expansion of this type of development to the east and north, as shown on the Structure Plan map.
- Where appropriate, ensure new developments assist in the establishment of a safe bicycle-pedestrian path network around the town connecting the foreshore, river, nature reserve, Grubb, Banks and Bonnyvale Roads as shown on the Structure Plan map.
- Where appropriate, ensure new development contributes to the improvement of open spaces, key pedestrian links and roads as identified on the Structure Plan map.
- Provide for a range of appropriately scaled and located tourism accommodation and activities.
- Encourage a range of appropriately scaled tourism related activities on the rural periphery of the town which are complementary to the environmental and rural setting.
- Support the duplication of Grubb Road in a manner which preserves significant roadside vegetation, provides an attractive town entry, safe crossing points, pedestrian/cycle paths and undergrounding of powerlines.

**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 Growth Area and other areas identified for residential development on the Structure Plan map.
- 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.

**Barwon Heads:**

- Maintain a compact urban form and avoid outward sprawl.
- Protect the unique character of Barwon Heads as a coastal village located within a sensitive environment and significant landscape setting.
- Ensure the Hitchcock Avenue shopping centre remains the focus of retail activity in Barwon Heads.
- Restrict new commercial development to the existing business and mixed use zones in Hitchcock Avenue between Bridge Road and Ozone Road and the south side of Bridge Road.
- Ensure new housing development complements the character of Barwon Heads and provides for a variety of housing sizes and types.
- Support the continued development of 13th Beach Resort as a tourist destination.
- Continue upgrading the Barwon Heads Village Park and foreshore reserves in accordance with established master plans.
- Support development of appropriate tourist accommodation around the Barwon Heads town centre.

**Drysdale/Clifton Springs:**

- Contain urban development within the defined settlement boundary on the Structure Plan map.
- Support the development of the Jetty Road Urban Growth Area and other areas identified for residential development on the Structure Plan map.
- Ensure new development incorporates sustainability principles including environmentally sustainable design, energy efficiency, connectivity and water sensitive urban design.
- Reinforce the Drysdale town centre as the primary retail centre including the development of an additional supermarket.
- Confine future development of a service business or industrial nature in the identified precinct along Murradoc Road.
- Locate and integrate future education, community and recreation facilities to enhance their accessibility and to maximise joint use wherever possible.
- Develop the Council owned Palmerston Street site and the Drysdale Regional Community and Cultural Hub for community and recreation purposes.
- Ensure any development of short term tourist accommodation at the Curlewis Golf Course is located at the eastern end of the course in close proximity to the Jetty Road Urban Growth Area, functions as a minor component to the primary role of the site as a golf course and maintains the rural landscape character of the site.
- Provide additional bicycle and pedestrian opportunities throughout the townships including new footpaths and bicycle lanes.

**Point Lonsdale**

- Support low scaled and designed tourism opportunities on designated land identified on the Point Lonsdale Structure Plan map at Clause 21.14-12.
- Ensure new development strengthens the township's coastal village character and landscape setting by requiring a high standard of architectural and urban design response including;
  - Low scale forms
  - Articulation (materials, openings or features such as decks, balconies, wide eaves or canopies).

- Contemporary design quality.
- Use of materials such as timber, corrugated iron, weatherboard or light coloured render.
- Limiting site coverage and provide front and side setbacks that reflect existing neighbourhood patterns and provide opportunities for maintenance and planting of native coastal and indigenous vegetation.
- Ensure that new urban development street works and road designs contribute to the implementation of the identified primary and secondary pedestrian/cycle routes and are designed to complement the informal coastal streetscape character.

### **21.14-3 Implementation**

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- These strategies will be implemented by:

#### **Using policy and the exercise of discretion**

Ensure development respects the natural coastal landscape as described in the Coastal Spaces Landscape Assessment Study and, where relevant, assess applications against schedules 10, 11, 12 13 and 14 to the Significant Landscape Overlay.

#### **Ocean Grove**

Support buildings of up to three storeys within the town centre which utilise contemporary building forms and materials, articulation and setback of upper levels so as to complement the coastal setting, and which provide sufficient car parking.

Support higher density development including tourist accommodation of up to three storeys along The Terrace between Hodgson and Eggleston Streets which utilise contemporary building forms and materials, articulation and setback of upper levels to retain a coastal town character and provide for the reasonable sharing of coastal views.

Support further development of existing caravan parks and accommodation uses in residential areas, particularly those close to the beach and river, to provide a broader range of accommodation type and mix.

#### **Applying Zones and overlays**

##### **Ocean Grove**

Apply the Residential 1 Zone to growth areas identified in the Ocean Grove Structure Plan 2007 as appropriate.

Apply the Development Plan Overlay to those parts of the north-east growth corridor that are rezoned for urban development.

Apply the Development Contributions Plan Overlay to north-east residential corridor.

Apply the Industrial 3 Zone to any expansion of the Grubb Industrial Estate.

Apply the Development Plan Overlay to any expansion of the industrial-restricted retail precinct on Grubb Road.

Apply the Business 1 Zone over land bounded by The Avenue, The Parade, Presidents Avenue and Hodgson Street.

Apply the Mixed Use Zone over the former CFA depot (south-east corner The Avenue and Hodgson Street) and land to the immediate south.

##### **Leopold**

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

Apply a combination of business zones, a Design and Development Overlay and a Development Plan Overlay to facilitate the expansion of the Leopold Sub Regional Retail Activity Centre.

### **Drysdale**

Apply the Residential 1 Zone with a Development Plan Overlay (DPO) based on the principles identified in the Structure Plan to Princess Street, Central Road and Oakden Road.

Support the application of the Residential 1 zone to identified residential infill areas to a Residential Zone with appropriate DPO and Developer Contribution Plan (DCP) controls.

Support a joint rezoning and development application at the Curlewis Golf Club to facilitate short term tourist accommodation.

### **Point Lonsdale**

Apply the Residential 1 Zone with a Development Plan Overlay to the portion of the Lonsdale Golf Course shown for residential growth on the Point Lonsdale Structure Plan map at Clause 21.14-12 subject to an amendment and EES process.

Apply appropriate design and environmental overlays to areas of consistent urban and landscape character.

Rezone the Business 4 Zone land on the corner of Fellows Road and Bellarine Highway to facilitate tourism development.

### **Further work**

Review township structure plans as scheduled (in structure plans) to meet emerging needs of communities.

Review the planning framework for land identified in the Coastal Spaces Landscape Assessment Study as regionally significant in the south west of the Bellarine Peninsula to ensure the protection of landscape values is adequately addressed.

### **Point Lonsdale**

Work with the Borough of Queenscliffe to address climate change issues in Point Lonsdale and implement any relevant outcomes.

Prepare detailed streetscape design plans for designated primary and secondary routes as identified in the Point Lonsdale Structure Plan.

Investigate opportunities to establish a railway station-transport interchange precinct to link with the Queenscliff tourist railway service.

### **Portarlington**

Prepare an Urban Design Framework for the Portarlington Town Centre.

Support Parks Victoria Safe Harbour Project, including ensuring appropriate integration with the adjacent foreshore reserve and Town Centre.

### **Ocean Grove**

Prepare a Development Contributions Plan for the Ocean Grove Township, including the northern urban growth area.

Review the application of Significant Landscape Overlay 7.

Prepare an Urban Design Framework and Parking Precinct Plan for the Ocean Grove Town Centre.

Prepare Streetscape Plans for The Parade – Orton Street, Shell and Grubb Roads, Tuckfield Street, The Terrace, the Hodgson – The Parade Town centre entry and key streets between the beach and Town Centre.

### **Leopold**

Implement the Leopold Activity Centre Urban Design Framework, 2011.

Implement the Memorial Park Masterplan, 2011.

Support the implementation of the Kensington Road Community Hub Concept Design, 2008.

Undertake further assessment of sites nominated as "Urban Consolidation" in the plan attached to this Schedule.

Undertake a Flood Study to introduce controls over areas identified appropriate for Floodway Overlay (FO) or Land Subject to Inundation Overlay (LSIO).

### **Barwon Heads**

- Undertake a Landscape Assessment Study for the Ewing Blyth/Golf Links/Bridge Road and the Warrenbeen Court residential areas with the intention to apply an overlay to protect the existing character and vegetation.
- Undertake a detailed study of Murtnaghurt Lagoon to establish whether the boundaries of the existing Environment Significant Overlay require review.
- Implement the findings of the Barwon Heads Parking & Traffic Study.
- Consider the impacts of climate change on the future development of Barwon Heads in accordance with the Climate Change Adaptation Strategy to be developed by Council during 2010-2011.

### **Drysdale/Clifton Springs**

- Investigate the relocation of the bowling club and the Council depot site on Collins Street to support a combined rezoning and planning permit application on the Drysdale Bowling Club site to facilitate the development of a supermarket.
- Develop and implement an Urban Design Framework for the Drysdale town centre, including the Business 4 zoned land along Murradoc Road.
- Prepare a Master Plan for the development of a community hub on the Council owned land at Palmerston Street site in the town centre.
- Prepare a Master Plan for the development of the Drysdale Regional Community and Cultural Hub.

### **References**

*Bellarine Peninsula Strategic Plan*, City of Greater Geelong, 2006.

*Ocean Grove Structure Plan*, Hansen Partnership and the City of Greater Geelong, 2007.

*Portarlington Structure Plan*, City of Greater Geelong, 2007.

*Indented Head Structure Plan*, City of Greater Geelong, 2007.

*St Leonards Structure Plan*, City of Greater Geelong, 2006.

*Leopold Structure Plan*, City of Greater Geelong, 2011 (amended January 2013).

*Leopold Urban Design Framework*, City of Greater Geelong, 2011.

*Barwon Heads Structure Plan*, City of Greater Geelong, 2010.

*Drysdale Clifton Springs Structure Plan*, City of Greater Geelong, 2010.

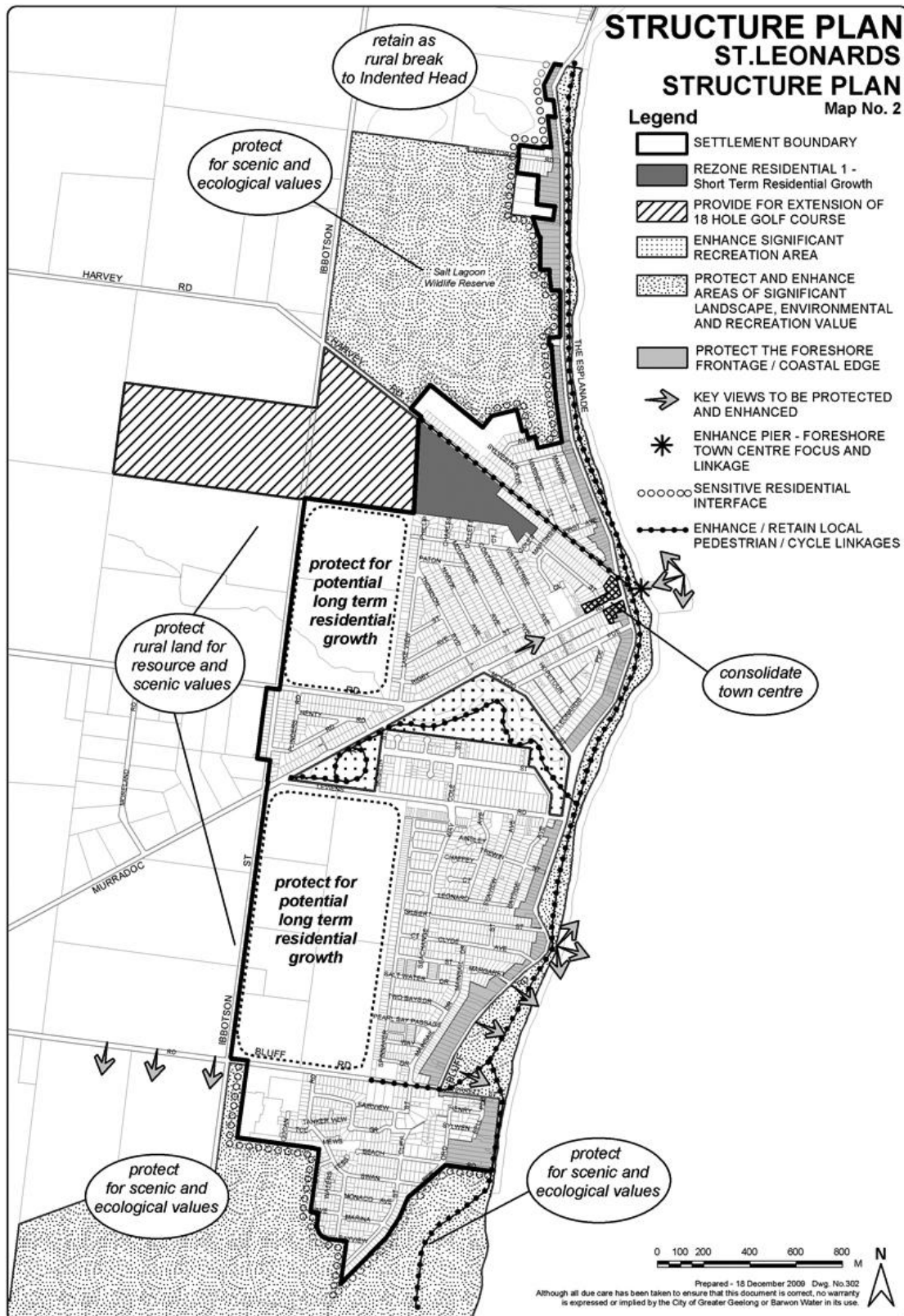
*Jetty Road Urban Growth Plan 2007*.

*City of Greater Geelong Municipal Reference Document, Coastal Spaces Landscape Assessment Study* (Planisphere, 2006).

*Point Lonsdale Structure Plan*, Planisphere, April 2009 (amended November 2011).

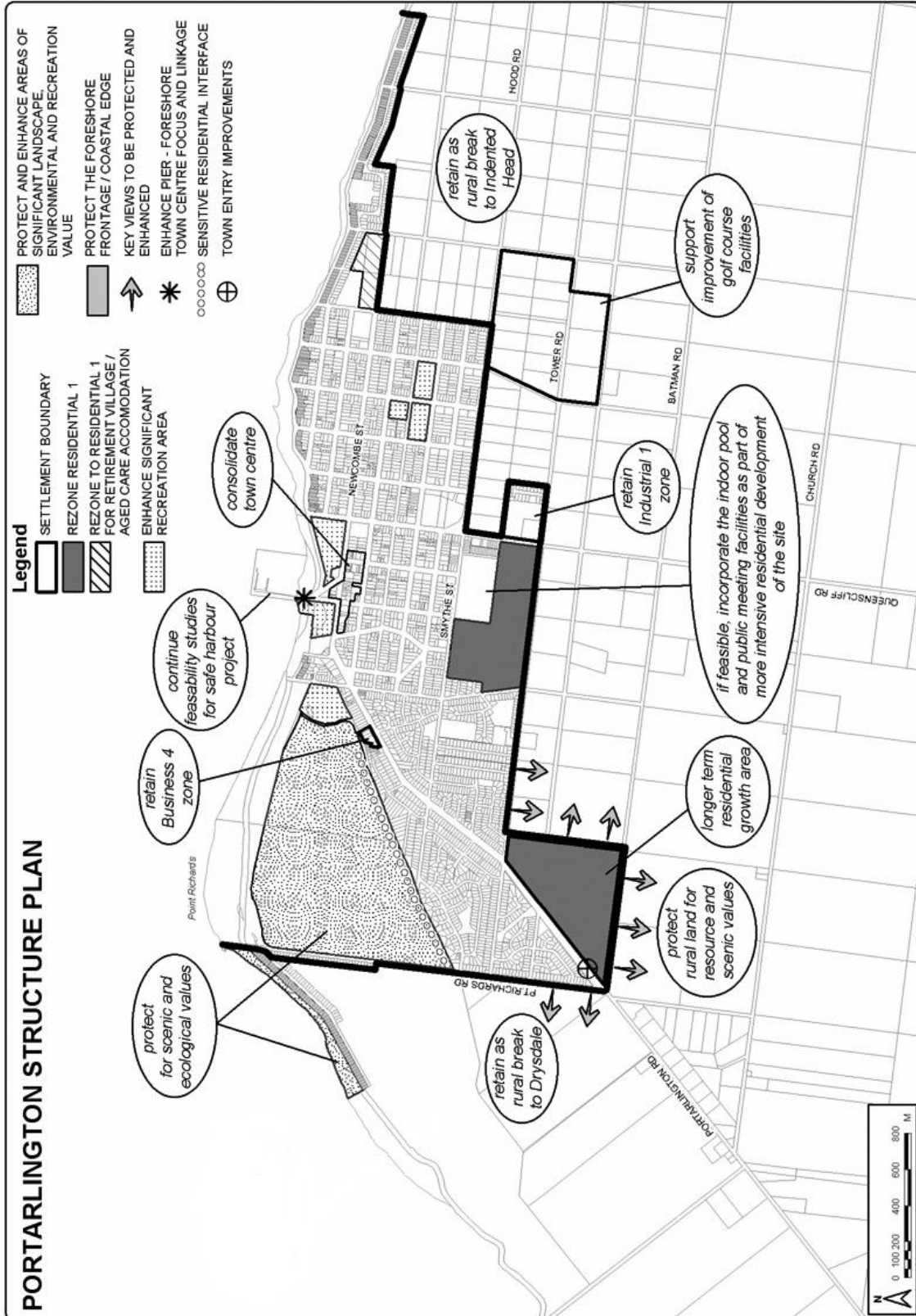
**21.14-4 St Leonards Structure Plan map**

28/01/2010  
 C129(Part 1)



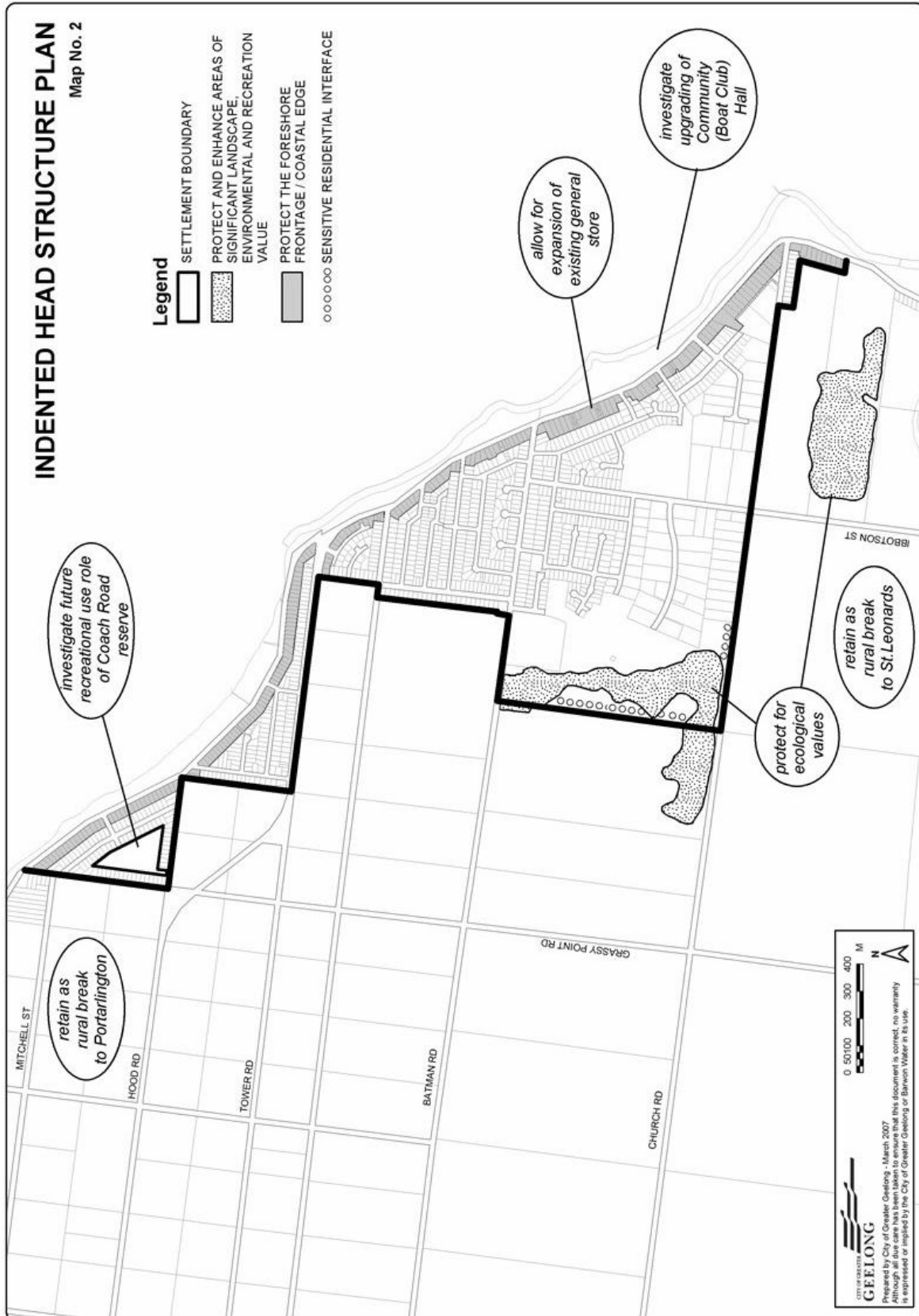
**21.14-5 Portarlington Structure Plan map**

29/11/2012  
 C273



**21.14-6 Indented Head Structure Plan map**

28/01/2010  
 C129(Part 1)



**21.14-7 Ocean Grove Structure Plan map**

28/01/2010  
 C129(Part 1)

26/08/2010  
 C159

**ocean grove  
 structure plan**

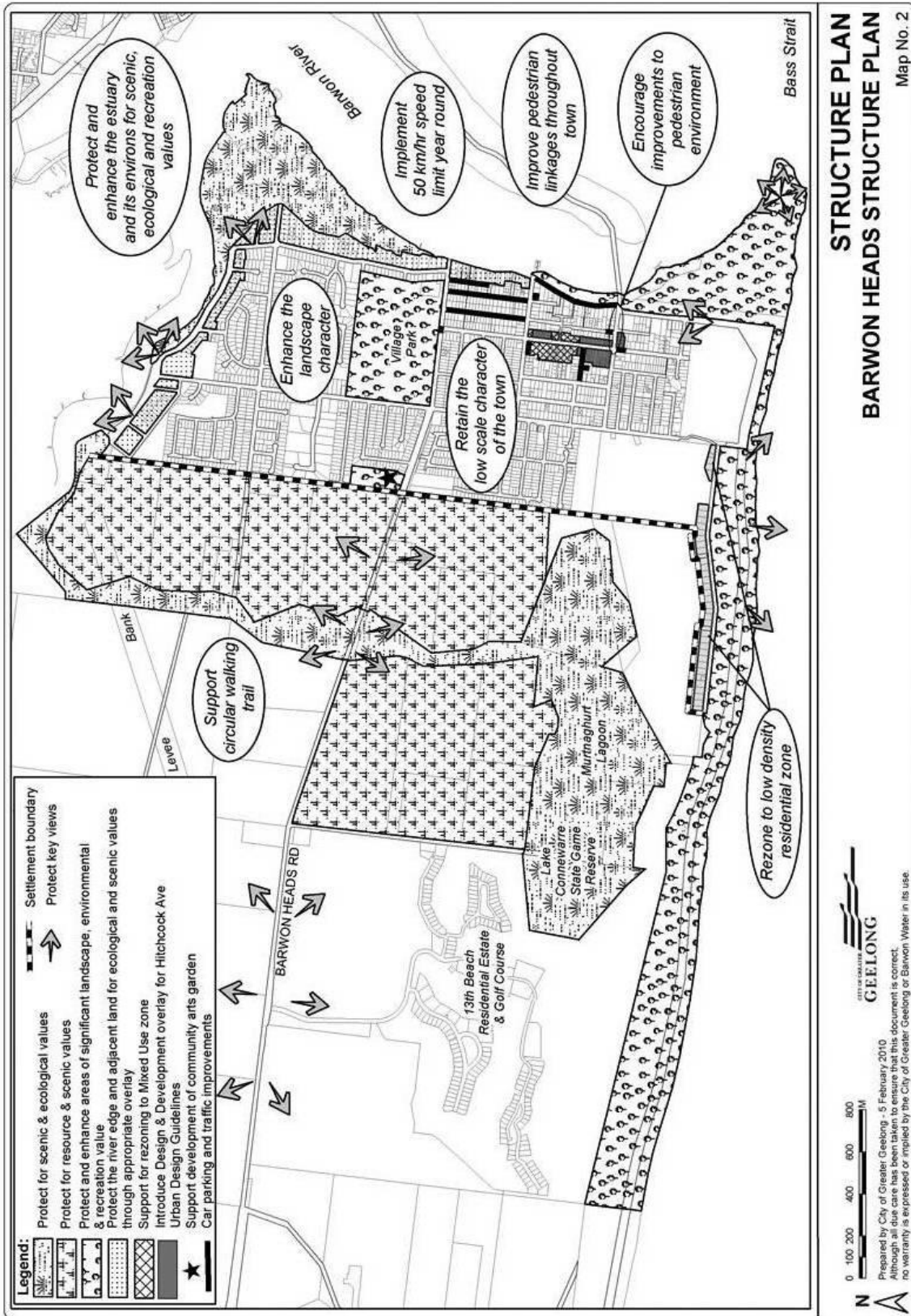


**21.14-8 Leopold Structure Plan map**

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 C254

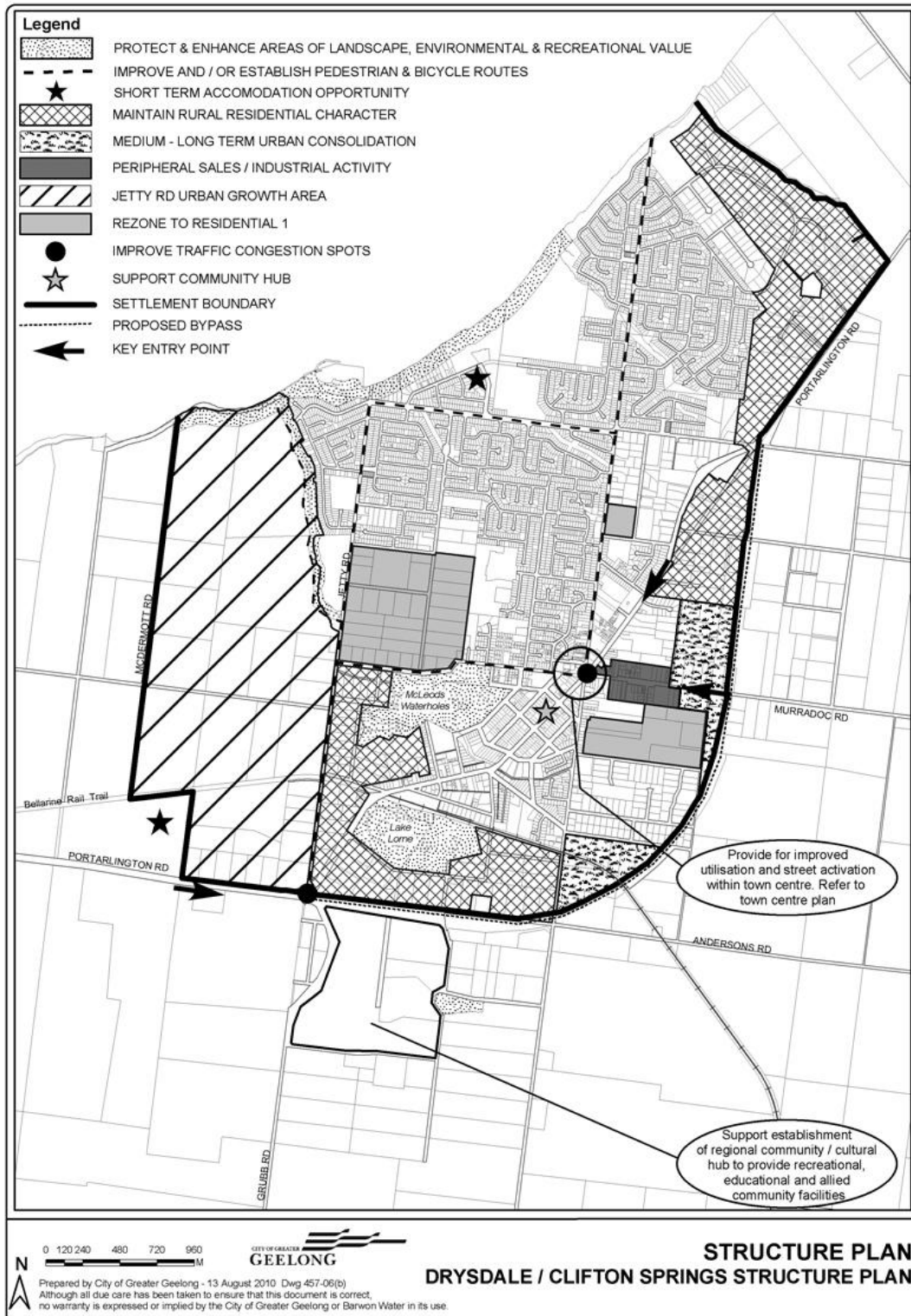


**21.14-9 Barwon Heads Structure Plan map**



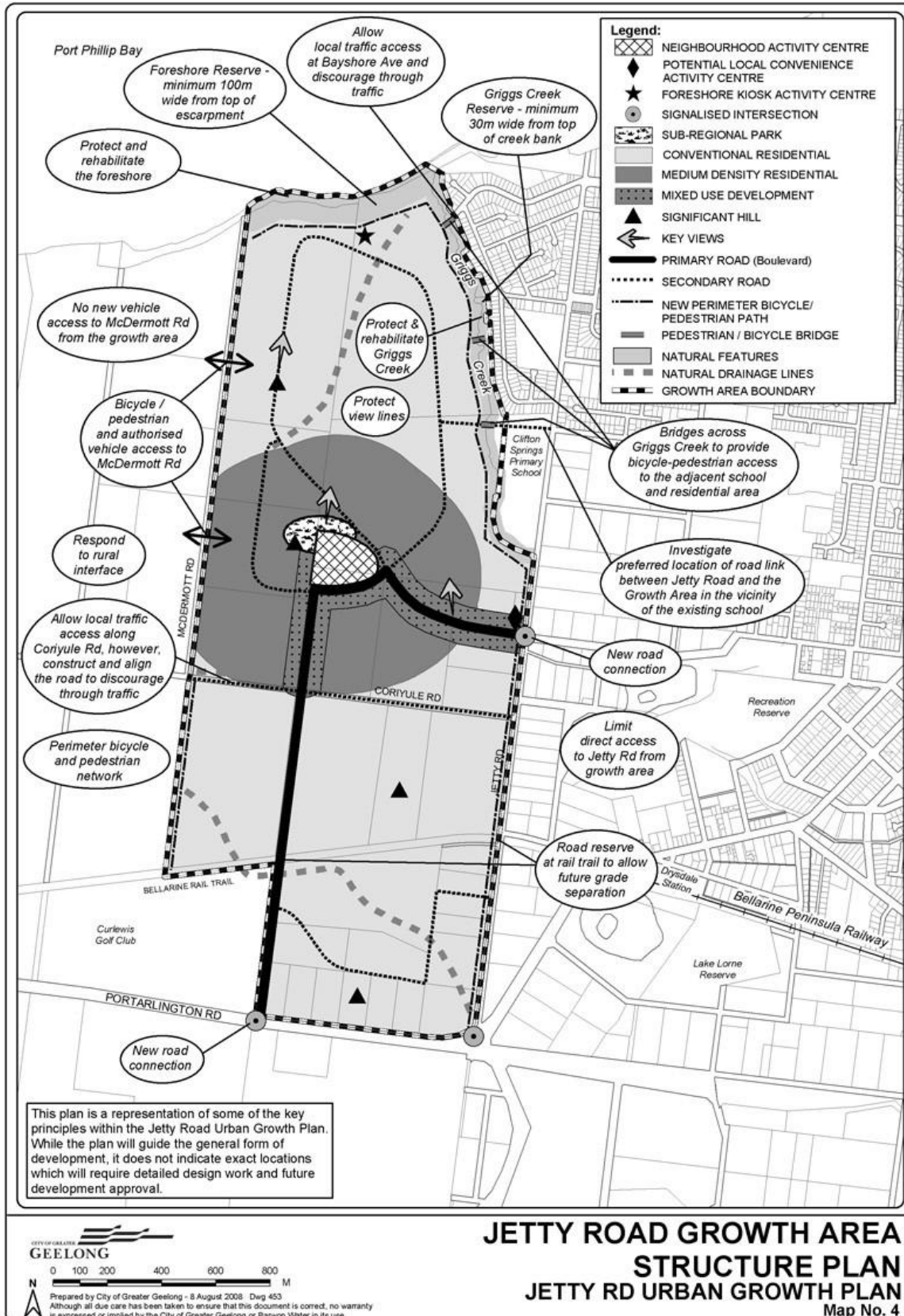
**21.14-10 Drysdale Clifton Springs Structure Plan map**

06/01/2011  
 C194)



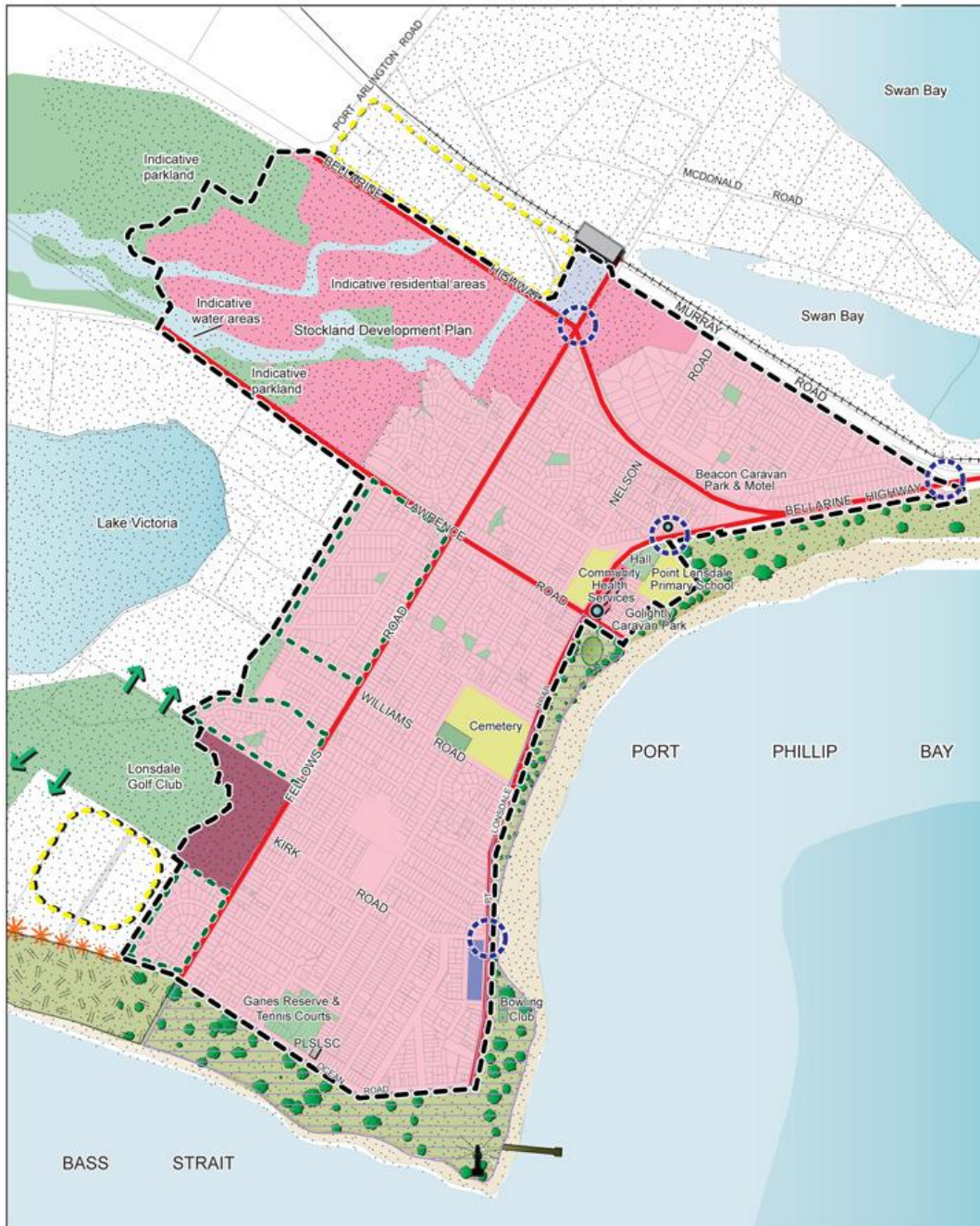
**21.14-11 Jetty Road Urban Growth Plan map**

28/01/2010  
 C129(Part 1)



**21.14-12 Point Lonsdale Structure Plan map**

26/07/2012  
 C165



**Township Structure Plan**

|                      |   |  |  |  |   |
|----------------------|---|--|--|--|---|
| <p><b>Legend</b></p> |   |  |  |  |   |
|                      | Existing public open space and golf course                      |  | Minimal change residential areas                                   |  | Encourage revegetation to coastal dune edge                                   |
|                      | Coastal dunes and vegetation                                    |  | Residential growth areas   |  | Significant entry points  |
|                      | Community infrastructure  |  | Potential residential growth area subject to an amendment and EES  |  | Local shop  |
|                      | Queenscliffe Coastal Management Plan Area                       |  | Rezone for tourist accommodation / activity                        |  | Neighbourhood activity centre   |
|                      | Buckley Park Management Plan Area                               |  | Land with environmental constraints                                |  | Proposed vegetation protection  |
|                      | Railway line, possible new station and interchange/parking area |  | Primary pedestrian & cycle route                                   |  | Opportunities for appropriately low scaled and designed tourism accommodation |
|                      | Point Lonsdale Settlement Boundary                              |  | Potential expansion of Golf Course subject to an amendment and EES |  |   |

*Cr Fagg (Mayor) declared an Indirect Interest by Close Association in Agenda Item 2 – Ripplside – Planning Permit 647/2004/A – Extension of Time, in that he is an adjoining landowner and remained out of the meeting room.*

*Cr S Kontelj declared an Indirect Interest by Close Association in Agenda Item 2 - Ripplside – Planning Permit 647/2004/A – Extension of Time, in that his sister has an interest in a property in Balmoral Crescent and left the meeting room prior to discussion of the item at 9.25pm*

## **2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME**

**Portfolio:** Planning - Cr Macdonald  
**Source:** City Development - Statutory Planning  
**General Manager:** Peter Bettess  
**Index Reference:** P647/2004/A

### **Summary**

- Planning Permit 647/2004 was issued by the Victorian Civil and Administrative Tribunal (VCAT) on 28 February 2005. This permit has been extended twice and is still valid. The development must now commence by 28 February 2013 and be completed within six years of the date of commencement.
- The permit allows the redevelopment of the site with a convenience shop, restricted recreation facility, marina and 178 dwellings.
- An application to amend the planning permit was made to VCAT in April 2012. In summary, the amendment sought to subdivide the land into a number of 'super lots' which could then be further subdivided through the operation of the permit. At the Council meeting of 10 July 2012, the Responsible Authority resolved to oppose the amendment.
- The amendment application went before VCAT for three days beginning 23 July 2012. VCAT is yet to make a decision as to whether to allow the amendment.
- On 10 December 2012, an application was made by Samantha Ramsay on behalf of the owner, Trendcorp Pty Ltd, to extend the date by which the planning permit must be commenced. A new commencement date of 28 February 2014 has been requested.
- The site is zoned Comprehensive Development Zone– Schedule 2 (CDZ2) and is subject to an Environmental Audit Overlay (EAO). The CDZ2 includes a sunset clause. The CDZ2 will lapse if the development of the site has not commenced in accordance with any permit issued for such development by 30 January 2013.
- The purpose of this report is to form Council's position on whether to support the extension of time request.

**Cr Heagney moved, Cr Richards seconded -**

**That the Responsible Authority decides to refuse the extension of time sought for Planning Permit 674/2004/A on 10 December 2012, except where VCAT decides to support the application to amend the planning permit that was heard by VCAT in July 2012 but for which a decision is yet to be made.**

**Carried.**

## **2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME (CONT'D)**

### **Report**

#### ***Background***

##### **The site and surrounding area**

The Rippleside Shipyard site occupies a 2.8 hectare parcel of reclaimed land that extends out from the escarpment or cliff below Balmoral Crescent. It is located between the beaches of St Helen's Park to the north and Rippleside Park to the south. Access to the site is provided via Liverpool Street.

The site is currently developed with a number of industrial buildings and sealed areas, with a jetty located to the east of the site extending over the water. An escarpment is located to the west of the site, apart from the escarpment the site falls towards the bay, with a fall of around 3.5 metres from west to east.

A number of large dwellings have been developed along the cliff top in Balmoral Crescent and these dwellings are designed to capture the views available of the coast and the ocean.

A Locality Map is provided at Appendix 2-1.

##### **History of the site**

In the 1990's the Port of Geelong determined that the shipyard, other than as a berth for its tug boats, was surplus to its needs and sold the site to the permit applicant. The permit applicant has also obtained a lease over the Crown land of the seabed under the jetty. The resultant site also includes the foreshore area in front of the site.

Following gazettal of Amendment R245, the land, other than the jetty, was rezoned to Comprehensive Development Zone– Schedule 2 (CDZ2) and an Environmental Audit Overlay was applied to the land. The Comprehensive Development Zone was put into place to ensure the integrated redevelopment of the site which is sympathetic to the surrounding residential and recreational environment.

The CDZ2 includes a sunset clause. It will lapse if the development of the site has not commenced in accordance with any permit issued for such development by 30 January 2013. The sunset clause has been extended twice, the last of which was in January 2011 through Amendment C237.

Planning permit application 647/2004 which sought the redevelopment of the site was lodged with Council in May 2004. A total of 100 objections were lodged in relation to the development, along with 65 submissions in support of the proposal. Council failed to make a decision on the application within the time prescribed by the *Planning and Environment Act 1987*, and an application was made to VCAT. Ultimately, VCAT supported the application which allowed for the redevelopment of the site with a convenience shop, restricted recreation facility, marina and more than 98 dwellings (178 dwellings).

## **2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME (CONT'D)**

The Planning Permit has been extended on two previous occasions - in February 2008 and November 2011. By letter dated 20 July 2011, Council officers advised the owner in relation to the 2011 extension that the request was supported and that, "Council considers that you will therefore have had adequate time to arrange finance and complete construction within that timeframe, noting that the original planning permit was issued in 2005." The development must now commence by 28 February 2013 and must now be completed within six years of the date of commencement.

An application to amend the planning permit was made to VCAT in April 2012. In summary, the amendment sought to subdivide the land into a number of 'super lots' which could then be further subdivided through the operation of the permit. At the Council meeting of 10 July 2012, Council resolved to oppose the amendment.

The amendment application went before VCAT for three days beginning 23 July 2012. VCAT is yet to make a decision as to whether to allow the amendment.

On 10 December 2012, a third request was made to extend the 'life' of the planning permit. A new commencement date of 28 February 2014 has been requested.

### ***Discussion***

The extension of time application includes the following reason for requesting the extension:

*"Permit 647/2004/A was issued by VCAT and Trendcorp Pty Ltd has applied to VCAT under the major cases list for an amendment to the existing permit to allow for subdivision of the building footprint area into superlots and eventually individual lots. The matter was heard by VCAT on the 23-25 July 2012. A decision was due to be provided by VCAT within 4 weeks of the hearing which would be late August.*

*"Given that a decision hasn't yet been made and that the expiry date is rapidly approaching, we respectfully request an extension of 12 months from the current date to allow for the VCAT decision and conditions precedent to be satisfied prior to the expiry. This would make the expiry date 28 February 2014."*

The accepted 'tests' for extension of time requests are set out in *Kantor vs. Murrindindi Shire Council* (18 AATR 285). They are:

- *Whether there has been a change in planning policy*
- *Whether the landowner is seeking to "warehouse" the permit*
- *Intervening circumstances as bearing upon grant or refusal*
- *The total elapse of time*
- *Whether the time limit originally imposed was adequate*
- *The economic burden imposed on the landowner by the permit*
- *The probability of a permit issuing should a fresh application be made.*

## **2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME (CONT'D)**

### **Whether there has been a change in planning policy**

The planning controls have not significantly altered since the permit issued in 2005. However, the site specific zoning that applies to the land (CDZ2) is due to lapse where the development is not commenced by 30 January 2013.

By letter dated 2 January 2011 in relation to Amendment C237 (that extended the sunset clause in 2011), the Minister for Planning wrote:

*"I note the site was rezoned to the Comprehensive Development Zone in 2001 and that this is the second time the date for the lapsing of the schedule has been extended. I am advised that the sunset clause included in Schedule 2 to the Zone was originally specified to try and avoid undue delays in the development of the site. I appreciate that large developments often have considerable lead times. However, I am concerned that extension of such a sunset clause and the related planning controls may also extend the uncertainty about the future of the Ripplside Quay site for the local community. Consequently I have advised the proponent that any further extension of these controls should be considered through the normal exhibited planning scheme amendment process."*

While development of the land could be commenced after 30 January 2013 where a valid permit allowed such development, it is considered that extending the life of the planning permit much more than 12 months beyond the sunset date is at odds with the intent of the CDZ2.

### **Whether the landowner is seeking to "warehouse" the permit**

The owner has sought a significant amendment to the planning permit. Council did not support the amendment and VCAT are yet to decide upon it. The amendment was lodged a considerable time after the planning permit was granted. The owner has been attempting to sell the approved dwellings from a sales office on the land. These factors may suggest that the development is not commercially viable and is unlikely to be acted upon.

Officers consider that the landowner is seeking to 'warehouse' the permit that is the subject of Planning Permit 647/2004/A.

### **Intervening circumstances as bearing upon grant or refusal of an extension**

The approaching sunset date in the CDZ2 and the outstanding VCAT decision are considered relevant intervening circumstances.

As discussed, the approaching sunset date is considered to give weight to not extending the permit. Part of the permit holder's justification for the recent amendment application is understood to be that the approved development has failed to attract sufficient interest to make that development commercially viable.

It is not known whether VCAT will allow the amendment sought to the planning permit, or by what conditions it might be subject to. It may eventuate that an amended permit issues but it has already expired or insufficient time is provided to act upon it.

It is considered reasonable that if VCAT were of a mind to allow an amendment to the permit, the proponent should be afforded the opportunity to act upon it.

## **2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME (CONT'D)**

### **The total elapse of time**

The permit was first issued in February 2005. Amendments to the plans were approved in October 2007. Two extensions of time have been granted and the development must now commence by 28 February 2013.

### **Whether the time limit imposed was adequate**

The time limit was adequate.

### **The economic burden imposed by the permit**

The economic burden imposed by the permit would be significant (but the time provided to act upon the permit has been significant).

### **The probability of a permit issuing should a fresh application be made**

The probability of a permit issuing is considered low in circumstances that the site specific zoning would lapse on 30 January 2013. Typically, a low probability gives weight to a conclusion that an extension should not be supported.

### **Conclusion**

On balance, it is recommended that an extension of time should be supported only to the extent that it might allow the development that is currently being considered by VCAT.

### ***Environmental Implications***

There are no known environmental implications for Council.

### ***Financial Implications***

There are no known financial implications for Council.

### ***Policy/Legal/Statutory Implications***

There are no known policy/legal/statutory implications for Council.

### ***Office Direct or Indirect Interest***

No Council officers involved in this report and request have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80 (C) of the Local Government Act.

### ***Risk Assessment***

There are no known financial risks for Council.

**2. RIPPLESIDE - PLANNING PERMIT 647/2004/A - EXTENSION OF TIME  
(CONT'D)**

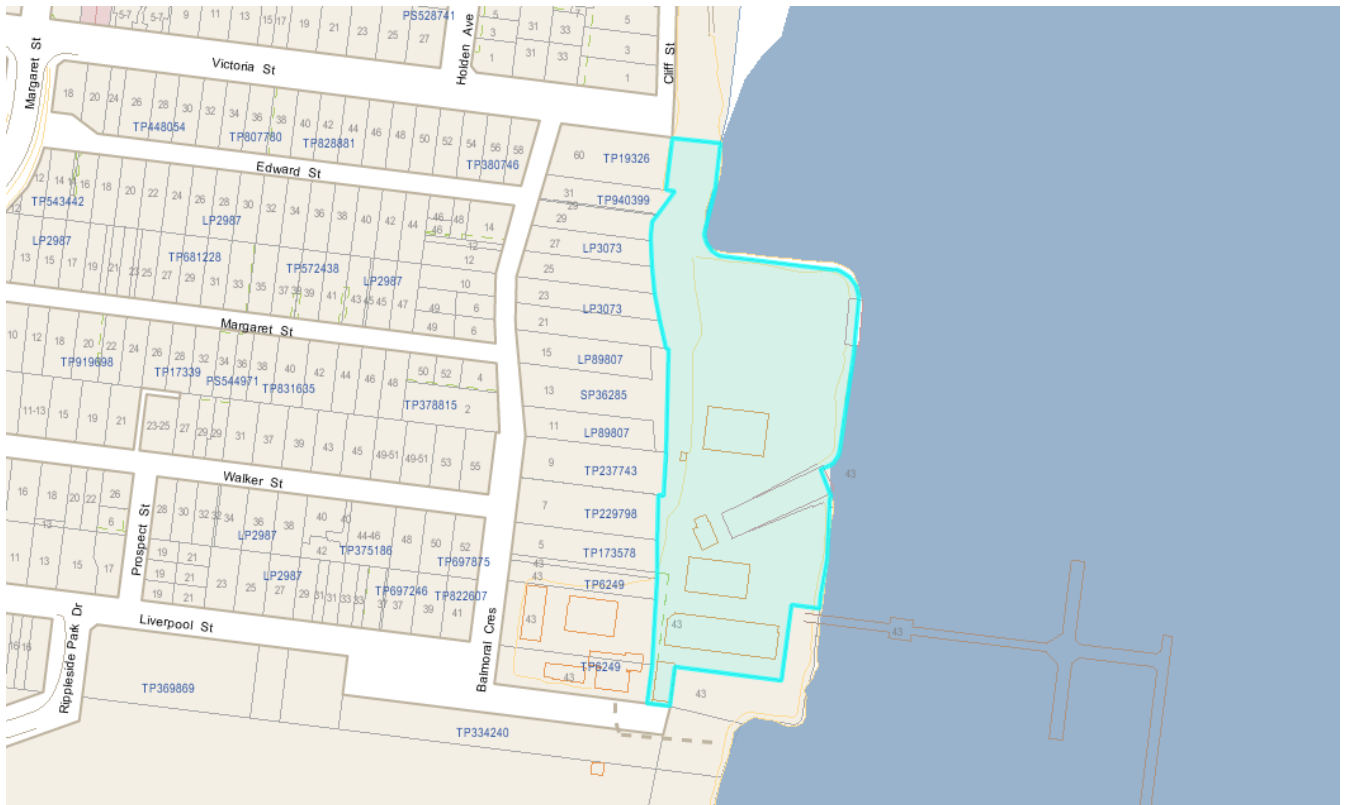
***Social Considerations***

The site has been vacant for a considerable period which has added to uncertainty for nearby residents. A waterside pedestrian link is included in the development proposal which is at risk if the development does not proceed.

***Communication***

Extension of time requests do not typically include third party notice.

**Appendix 2-1  
Locality Map**



*Cr Fagg (Mayor) and Cr S Kontelj re-entered the meeting room at 9.30pm*

*Cr Fagg (Mayor) resumed the Chair at 9.30pm*

### **3. SKILLING THE BAY PROJECT - PROGRESS REPORT**

**Portfolio:** Enterprise Geelong – Cr Harwood  
Knowledge Economy – Cr Macdonald  
Community Development – Cr Fisher  
**Source:** Economic Development, Planning & Tourism  
**General Manager:** Peter Bettess  
**Index Reference:** Skilling the Bay

#### **Summary**

- The State Minister for Higher Educations and Skills announced in April 2011 a for a project referred to as Skilling the Bay, \$500,000 was allocated to training retrenched workers from Ford, with \$1.3 million allocated to the Gordon, to support the Gordon and Deakin University to build the regions skill base, and support businesses to fast track new technologies.
- The project has been managed to date by an operational steering committee, chaired by the Gordon CEO, and officer representatives from Deakin University, the State Government and the City of Greater Geelong.
- The project has been scoped to include:
  - Initial research (labour market profile)
  - Future Industry demonstration projects
  - Specific sector (HACC) work force development activity
  - Development of a future jobs vision and implementation of this vision via training and development initiatives
- The Gordon, as the lead agency has sought the assistance of Council in the implementation of the Future Industry demonstration projects, and HACC workforce development project.
- It is recommended that Council actively support the roll out of the Skilling the Bay project generally, and specifically assist In the implementation of Future Industry demonstration initiative, and the HACC work force development program.

**Cr Harwood moved, Cr Macdonald seconded -**

**That Council resolves to:**

- 1) endorse the directions of the Skilling the Bay project and actively support the implementation program ongoing.**
- 2) formally accept the invitation to act as administrator for the future industry project.**
- 3) actively participate in the Home and Community Care Workforce Development Project.**

**Carried.**

### **3. SKILLING THE BAY PROJECT - PROGRESS REPORT (CONT'D)**

#### **Report**

##### ***Background***

Minister Peter Hall, the Minister for Higher Education and Skills in the State Government, announced in April 2011 the Skilling the Bay Project. The fund was in response to job losses at Ford and other economic challenges across Geelong. \$500,000 of the fund was committed to government-sponsored training places for Ford retrenched workers. With \$1.3 million committed to assist the Gordon and Deakin University to build the region skill base and support businesses to fast track new technologies and practices.

The two complementary objectives of Skilling the Bay project are:

- to develop a long-term jobs vision for Geelong and Workforce Development Action Plan to achieve it; and
- to support the growth of existing and emerging industries through targeted demonstration projects

The project is effectively being delivered in three phases:

- Detailed labour market profile identifying industries which are challenged or in transition, and also the identification of emerging sectors/opportunities and skills required to achieve success in these emerging fields.
- \$500,000 committed to a Skilling the Bay demonstration project which aims to trigger growth in an industry for the future, and Home/Community Care (HACC) workforce development project which is specifically targeted at addressing the unmet current and future workforce demands in the HACC sector by providing retraining and transitioning opportunities for retrenched and displaced workers.
- The third key element of the project is to develop a Geelong jobs vision and workforce development action plan via a jobs summit, which would benefit from the Geelong Labour market profile being completed, and demonstration projects having commenced. It is considered that at that point in the project an informed position could be taken by key stakeholders as to the key directions to steer Geelong into a positive training and employment future.

Beyond these steps and an implementation program has been developed to follow the jobs summit and will be rolled out from 2014. A copy of the draft delivery plan for the prospect is attached for information.

##### ***Discussion***

The project has been managed to date via an operational steering committee of the CEO of the Gordon, an officer representing the City of Greater Geelong, a Deakin University representative and officers of the State Higher Educations and Skills Group.

### **3. SKILLING THE BAY PROJECT - PROGRESS REPORT (CONT'D)**

The steering committee has endorsed the above-mentioned approach and the Gordon as the lead agency has requested the Councils assistance to administer the grant process associated with the Geelong Future Industry Project. The \$500,000 committed to this project obviously will be provided via the funding allocated to the Gordon. The Council's role will be to administer an Expressions Of Interest process to attract key parties which meet the objectives and eligibility criteria, and administer the distribution of grant monies subject to meeting milestones. The Gordon has requested the Councils support and physical assistance in relation to this aspect of the project given the councils established grant management systems and skills in this area across economic development

Further the Gordon as lead of the project has requested the Council engage, through the Aged and Disability Services Business Unit, in the Home and Community Care (HACC) Workforce Development Project given Council is one of the major employers of HACC personnel across the region. The partnering in the delivery of this project is considered appropriate to ensure the delivery of an appropriate outcome (refer

It is recommended that Council endorse the directions of the Skilling the Bay project, offer its support in relation to the promotion of the program, and accept the invitation to assist the project in managing the grant process for the Geelong Future Industry Project and to participate in the Home and Community Care Workforce Development Project.

#### ***Environmental Implications***

There are no environmental implications in relation to the report or recommendations.

#### ***Financial Implications***

The grant funding for the future industry project will be provided via the Gordon as part of the state grant monies, and the administration of the fund can be managed within existing budgets of the Planning Strategy and Economic Development Business Unit.

#### ***Policy/Legal/Statutory Implications***

There are no statutory limitations in relation to the recommendations of this report.

It is further considered that the recommendations to actively participate and support the Skilling the Bay project fit comfortably with the directions of the existing Economic Development Strategy of Council.

#### ***Officer Direct or Indirect Interest***

No council officer involved in the development of this report have a direct or indirect interest in the issue in accordance with section 80 (C) of the Local Government Act to which the report relates.

### **3. SKILLING THE BAY PROJECT - PROGRESS REPORT (CONT'D)**

#### ***Risk Assessment***

In relation to the specific exposure of Council in relation to administering the grant funding under the future industry project, each grant applicant will be subject to an individual risk assessment to ensure Council is not exposed in this regard, and similarly in relation to any participation in the HACC Workforce Development Plan, this will be subject to a detailed risk analysis when the project is formalised.

#### ***Social Considerations***

With the significant economic pressure on a range of industry sectors across Geelong it is of paramount importance that Council work collaboratively with partners in delivering direction for future industry and job growth. The recommendations of this report in supporting and participating in the Skilling the Bay project are considered to be appropriate actions in addressing these matters.

#### ***Communication***

As detailed in the report proper there will be a need for active communication and support from the Council in progressing the Skilling the Bay project. A Communication Strategy will be developed by the partners and, with Mayoral representation where appropriate in the Skilling the Bay project and will be part of the ongoing work in delivering the project.

#### **4. WAURN PONDS HOTEL GAMBLING PERMIT APPLICATION**

**Portfolio:** Community Safety – Cr Farrell  
**Source:** Community Services / Community Development  
**General Manager:** Jenny McMahon  
**Index Reference:** Subject: Community Services / Gambling

##### **Summary**

- Council has received an application from Waurnd Ponds Management Pty Ltd (in accordance with the Gaming Regulation Act 2003) to increase the number of Electronic Gaming Machines (EGMs) at the Waurnd Ponds Hotel, Princess Highway, Waurnd Ponds from 56 to 70.
- In recent years, Council has received two applications relating to the Waurnd Ponds Hotel: 2009 – the transfer of 21 EGMs from the Norlane Hotel to the Waurnd Ponds Hotel (for a total of 56 EGMs); 2011 – an application for 14 EGMs (for a total of 70 EGMs).
- These applications were not opposed as they resulted in an improvement in the distribution of EGMs within the municipality and improved distribution between areas of high and low SEIFA index. (Norlane is identified as an area of significant disadvantage as opposed to Waurnd Ponds which is identified as an area of relative advantage in which EGMs might be reasonably relocated.)
- The latter application was approved by the Victorian Commission for Gaming and Liquor Regulation (VCGLR) on the condition that stages 2 and 3 of the proposed redevelopment of the Waurnd Ponds Hotel were completed by a specified date (16 August 2013). The hotel owners have been unable to meet this timeline and have requested an extension. Council has been informed by the VCGLR that due to the specified date passing, the original 2011 EGM application approval will lapse and a new application is required. The current application is a re-submission of this previously approved application.
- The Waurnd Ponds Hotel is located in an area which can accommodate additional machines in accordance with Council's Strategic Gaming Policy and fits the criteria of a destination gaming venue (which also accords with Council's Gaming Policy as included in the Planning scheme). Refer Table 1, Attachment 4-1.
- In order to allow time for Council to consider this report and make a determination on the matter, Council has notified the VCGLR that it intends to make a submission on the application. However, given that the application is consistent with Council's Strategic Gaming Policy, and Council did not oppose the previous application, it is recommended that Council now write to the VCGLR stating that it will not be making a submission.

**Cr Farrell moved, Cr Heagney seconded -**

**That Council:**

- 1) not make a submission on the application by Waurnd Ponds Management to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to increase the number of electronic gaming machines from 56 EGMs to 70 EGMs at the Waurnd Ponds Hotel.**
- 2) writes to the VCGLR confirming this decision.**

**Carried.**

#### **4. WAURN PONDS HOTEL GAMBLING PERMIT APPLICATION (CONT'D)**

##### **Report**

###### ***Background***

Council adopted a Strategic Gaming Policy on 27 June 2006. This policy was developed in order to guide Council in its consideration of applications for EGMs in the City of Greater Geelong.

In order to guide this process, the municipality was divided into a number of areas which, depending on the local EGM density and Social-Economic Indexes for Areas (SEIFA 2001), were given a rating score. These ratings were in turn colour coded to guide decision-making on each application. The coding ranks areas from red – relatively disadvantaged, through pink, yellow, green and blue – relatively the most advantaged. The purpose of this coding is to indicate where EGMs should be relocated 'from', ie areas at the disadvantaged end of the spectrum, and where they should be relocated 'to' at the advantaged end. These rating scores have since been amended with the 2006 Census data (2011 data is not yet available at the neighbourhood level). The amended SEIFA scores for the 10 Gaming areas within the City of Greater Geelong / Borough of Queenscliffe are represented in Table 1, Attachment 4-1.

The areas of most disadvantaged are represented by the lowest average SEIFA score. Map 1, Attachment 4-1 shows the 10 areas, colour-coded to reflect the 2006 SEIFA average score. Disadvantaged areas are shaded red whereas advantaged areas are represented in green. Taking into account updated SEIFA data, Waurm Ponds is identified as an area of relative advantage and an area in which EGMs might be reasonably relocated.

###### ***Discussion***

In 2010 the Victorian State Government conducted an auction of all available electronic gaming machine licences. This resulted in a proposed shift of machines within the municipality (see Attachment 4-2). Where venues won bids for more machines than they were licensed for, they were/are required to make an application to the Victorian Commission for Gambling and Liquor Regulation to increase the number of machines.

In recent years, Council has received two applications relating to the Waurm Ponds Hotel: 2009 – the transfer of 21 EGMs from the Norlane Hotel to the Waurm Ponds Hotel (for a total of 56 EGMs); 2011 – an application for 14 EGMs (for a total of 70 EGMs). These applications were not opposed as they resulted in an improvement in the distribution of EGMs within the municipality and improved distribution between areas of high and low SEIFA index. (Note: Norlane is identified as an area of significant disadvantage as opposed to Waurm Ponds which is identified as an area of relative advantage in which EGMs might be reasonably relocated.)

The latter application was approved by the VCGLR on the condition that the proposed stages 2 and 3 of the redevelopment were completed within a specified date (16 August 2013). Due to finance difficulties, the hotel owners have requested the VCGLR for an extension. Council did not object to the extension of time, but has been informed by the VCGLR that due to the specified date passing, the original approval will lapse. Therefore a new application is required.

#### **4. WAURN PONDS HOTEL GAMBLING PERMIT APPLICATION (CONT'D)**

VCGLR regulations required Council to respond by 18 January as to whether it will make a submission in relation to the Waurm Ponds Hotel application. In order to allow time for Council to consider this report and make a determination on the matter, the VCGLR has been notified that Council intends to make a submission. However, given that the application is consistent with Council's Strategic Gaming Policy it is recommended that Council now write to the VCGLR stating that it will not be making a submission.

##### ***Environmental Implications***

Not applicable.

##### ***Financial Implications***

There are no financial implications.

Council will not be preparing a social and economic impact assessment of the proposal, nor obtaining legal representation.

##### ***Policy/Legal/Statutory Implications***

This application is consistent with the Victorian Government's regional cap on EGMs within regional cap area 8, comprised of City of Greater Geelong and Borough of Queenscliffe.

This application is consistent with the Council's Strategic Gaming Policy as adopted on 27 June 2006 and the revised map and data information pertaining to the policy.

##### ***Officer Direct or Indirect Interest***

No Council officer has direct or indirect interest in this report.

##### ***Risk Assessment***

Not applicable

##### ***Social Considerations***

This application is consistent with Council's Strategic Gaming Policy.

The effects of this application will result in a more balanced distribution of EGMs between the southern and northern regions of the municipality.

This application will add 14 EGMs to the Waurm Ponds area, which will result in residents and others having greater access to EGMs in this gaming venue.

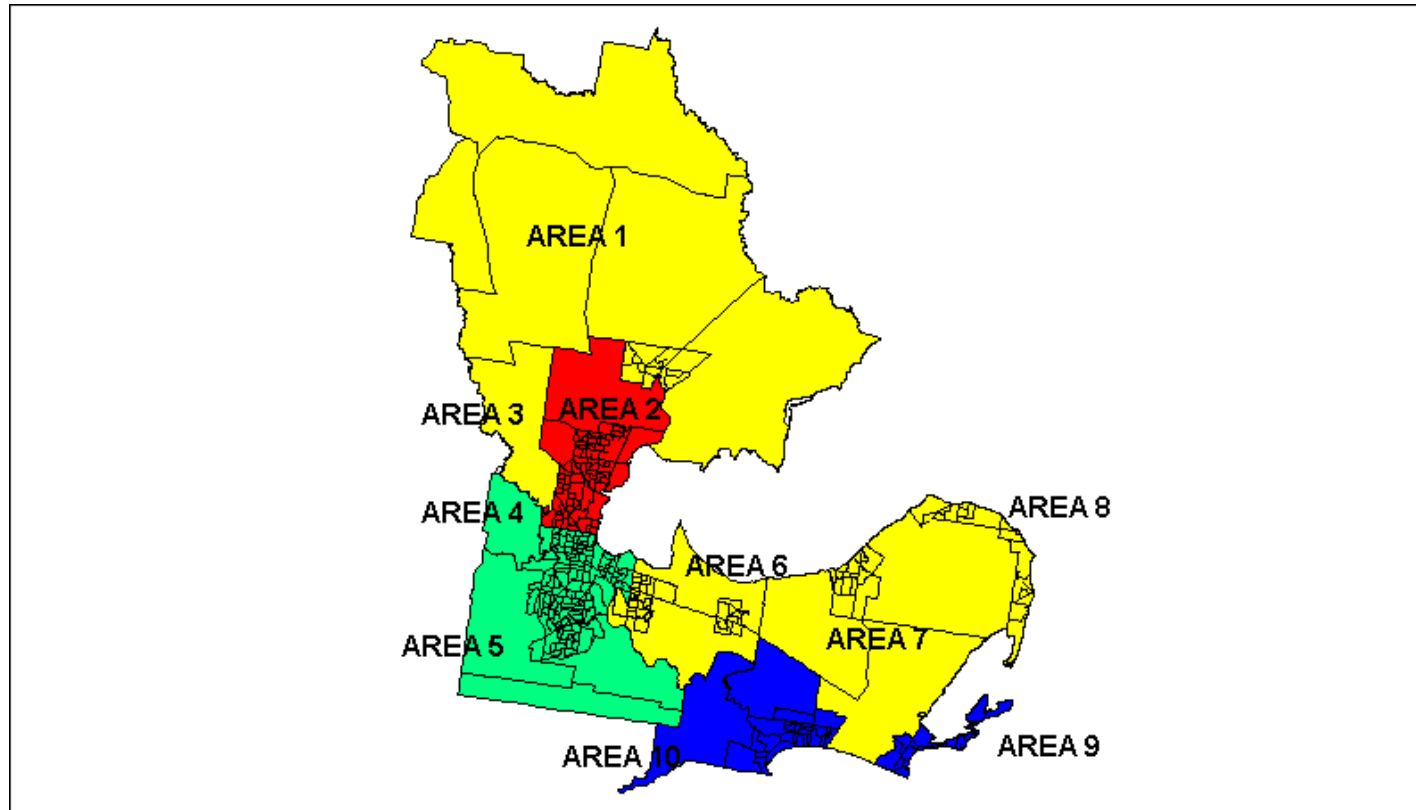
##### ***Communication***

Communication of this report is the responsibility of Council's Community Development Department.





**Table 1: Ten gaming areas within City of Greater Geelong as identified by average of SEIFA score 2006**

| Area                  | 2006 Average SEIFA Score | 2006 Colour SEIFA Average Score | 2001 Colour | Locations include  |
|-----------------------|--------------------------|---------------------------------|-------------|--|
| AREA 1                | 957.8728571              | Yellow                          | Yellow      | Lara, Balliang , Anakie, Little River  |
| AREA 2                | 825.4963043              | Red                             | Red         | Corio, Norlane, North Shore, Lovely Banks  |
| AREA 3                | 917.3785714              | Yellow                          | Pink        | Bell Park, Bell Post Hill, Hamlyn Heights, North Geelong, Rippleside, Batesford  |
| AREA 4                | 999.888254               | Green                           | Green       | Manifold Heights, Herne Hill, Geelong West, East Geelong, Fyansford, Newtown, Geelong, South Geelong, Thomson, Inner Highton |
| AREA 5                | 1000.515556              | Green                           | Yellow      | Highton, Wandana Heights, Belmont, Grovedale, Marshall, Mount Duneed, Waurrn Ponds   |
| AREA 6                | 928.4545455              | Yellow                          | Pink        | Breakwater, Newcomb, Whittington, St Albans Park, Moolap, Leopold  |
| AREA 7                | 949.8495238              | Yellow                          | Yellow      | Drysdale, Curlewis, Clifton Springs, Wallington, Marcus Hill   |
| AREA 8                | 933.5111111              | Yellow                          | Pink        | Portarlington, St Leonards, Indented Head  |
| AREA 9                | 1053.910833              | Blue                            | Blue        | Queenscliff, Point Lonsdale  |
| AREA 10               | 1040.60875               | Blue                            | Green       | Barwon Heads, Ocean Grove, Connewarre and Breamlea   |
| <b>Municipal Wide</b> | <b>958.1729121</b>       |                                 |             |  |

Map 1: Colour coded gaming areas within City of Greater Geelong



**Key**

-  Red – areas relatively most disadvantaged
-  Yellow
-  Green
-  Blue – areas relatively most advantaged

**Attachment 4-2**

**Victorian State Government 2010 EGM Auction Results for the City of Greater Geelong**

| <b>Venue/Licence Holder</b>             | <b>Pre-Auction Situation</b> | <b>Auction Results</b> |
|---|------------------------------|------------------------|
| Australian Croatian National Hall Assn  | 30                           | 30                     |
| Bairnsdale RSL Sub Branch               | 0                            | 10                     |
| Barwon Heads Hotel                      | 29                           | 29                     |
| Bell Park Sports & Recreation Club      | 28                           | 28                     |
| Clifton Springs Golf Club               | 40                           | 40                     |
| Gateway Hotel                           | 60                           | 50                     |
| Geelong Combined Leagues Club           | 105                          | 105                    |
| Geelong Football Club                   | 100                          | 100                    |
| Geelong RSL                             | 42                           | 42                     |
| Great Western Hotel                     | 36                           | 36                     |
| Grovedale Hotel                         | 80                           | 80                     |
| Jokers on Ryrie                         | 47                           | 47                     |
| Lara Hotel                              | 20                           | 40                     |
| Lara Sporting Club                      | 50                           | 50                     |
| Leopold Sportsman's Club                | 35                           | 35                     |
| Lord of The Isles                       | 60                           | 60                     |
| Norlane Hotel                           | 105                          | 84                     |
| Ocean Grove Bowling Club                | 60                           | 60                     |
| Peninsula Hotel                         | 55                           | 55                     |
| Pheonix Hotel                           | 28                           | 28                     |
| Polish Community Assn White Eagle House | 35                           | 35                     |
| Portarlington Golf Club                 | 55                           | 55                     |
| Pt Cook Investments                     | 0                            | 40                     |
| Shell Club                              | 100                          | 70                     |
| Sphinx Hotel                            | 63                           | 57                     |
| St George Workers Club                  | 35                           | 35                     |
| Waurm Ponds Hotel                       | 35                           | 70                     |
| <b>Total</b>                            | <b>1333</b>                  | <b>1371</b>            |

## **5. SPHINX ENTERTAINMENT CENTRE GAMBLING PERMIT APPLICATION**

**Portfolio:** Community Safety – Cr Farrell  
**Source:** Community Services / Community Development  
**General Manager:** Jenny McMahon  
**Index Reference:** Subject: Community Services / Gambling

### **Summary**

- Council has received an application from Dun-ra Investments Pty Ltd (in accordance with the Gaming Regulation Act 2003) to increase the number of electronic gaming machines (EGMs) by four at the Sphinx Entertainment Centre, Thompson Rd, Geelong North.
- The Sphinx Entertainment Centre currently has 57 electronic gaming machines as a result of the state-wide auction of EGM entitlements which came into effect on 16 August 2012. It is however, licensed to hold 63 EGMs.
- Dun-ra Investments Pty Ltd purchased 10 extra entitlements from Bairnsdale RSL as part of the statewide EGM market transfer process. As this purchase has taken the Sphinx Entertainment Centre over its licensed limit by four, Dun-ra had to apply to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) for an increase. As part of the application process, the company had to submit a Social and Economic Impact Assessment (SEIA) of the proposal. Their SEIA concluded that there will not be a net detriment to the community.
- Council's Strategic Gaming Policy states that there should not be an increase in gaming machines in the area occupied by the Sphinx Hotel. At its meeting held 11 December 2012, Council resolved to carry out its own SEIA and if this determined that there was a net detriment, then Council would consider opposing the application.
- The SEIA commissioned by Council identifies some positives and negatives arising from the application. It also raises concerns regarding the social and economic profile of the catchment area and its capacity to absorb gambling losses. However, the overall result of the SEIA is that there will be a net detriment to the community.
- As part of the social and economic impact assessment of the proposal, Council commissioned a survey of the local community. The results of the survey demonstrate that 59% of respondents are against the installation of the additional EGMs. However, in terms of the total development (including the EGMs), 47% of the population sample are in favour of the development, 40% are against and a further 11% are undecided.
- Solicitors acting on behalf of Council have commenced discussions with representatives of Dun-ra Investments Pty Ltd regarding the concerns raised in Council's SEIA. Legal representatives for Dun-ra Investments have clarified that the community contribution will amount to \$7,500 (half of which will be paid to gambling support service providers), the construction of a frosted glass partition separating the gaming room from the bistro, and will provide a commitment that the development works be completed by 30 June 2016.
- Council's Strategic Gaming Policy and the results of the Social and Economic Impact Assessment suggest that the application should be opposed. However, the outcome of negotiations to date with the applicant, would suggest that any net detriment resulting from the additional machines will be minimised through these amended conditions.

## **5. SPHINX ENTERTAINMENT CENTRE GAMBLING PERMIT APPLICATION (CONT'D)**

- In order to meet the tight VCGLR time-lines, the General Manager Community Services has submitted Council's SEIA to the VCGLR, indicating that a Council decision on the application will be made on the 29 January 2013. The VCGLR will be notified of Council's decision on Wednesday 30 January.

**Cr Farrell moved, Cr S Kontelj seconded -**

**That Council:**

- 1) Notifies the Victorian Commission for Gambling and Liquor Regulation (VCGLR) that Council does not oppose the application by Dun-ra Investments Pty Ltd to increase the number of electronic gaming machines at the Sphinx Entertainment Centre on the condition that:**
  - **community contribution will amount to \$7,500 (half of which will be paid to gambling support service providers);**
  - **the construction of a frosted glass partition separating the gaming room from the bistro, and**
  - **provide a commitment that the development works be completed by 30 June 2016.**
- 2) Notes the submission of Council's Social and Economic Impact Assessment (SEIA) to the VCGLR (sent by the due date 22 January 2013), regarding the application by Dun-ra Investments Pty Ltd to increase the number of electronic gaming machines at the Sphinx Entertainment Centre.**

**Carried.**

## **Report**

### ***Background***

Council has received an application from Dun-ra Investments Pty Ltd (in accordance with the Gaming Regulation Act 2003) to increase the number (four) of electronic gaming machines (EGMs) at the Sphinx Entertainment Centre, Thompson Rd Geelong North.

The Sphinx Entertainment Centre is located in an area in which Council's Strategic Gaming Policy prohibits an increase in electronic gaming machines. The Sphinx currently has 57 electronic gaming machines as a result of the state-wide auction of EGM entitlements which came into effect on 16 August 2012. It is however, licensed to hold 63 EGMs.

Dun-ra Investments Pty Ltd has since purchased 10 extra EGM entitlements from Bairnsdale RSL as part of the statewide EGM market transfer process. As this purchase had taken the Sphinx Entertainment Centre over its licensed limit by four, it was required to apply to the Victorian Commission for Gambling and Liquor Regulation for an increase in machine numbers.

The number of EGMs within the State Gaming Region Eight including Greater Geelong and Borough of Queenscliffe is capped at 1,421 EGMs within 27 specified venues. Of these, 25 venues and 1,371 EGMs are located in Greater Geelong.

## **5. SPHINX ENTERTAINMENT CENTRE GAMBLING PERMIT APPLICATION (CONT'D)**

In order to manage applications for EGMs in the City of Greater Geelong, Council adopted a Strategic Gaming Policy on 27 June 2006. A key principle of the policy is to ensure that 'the impact of gaming should not be unevenly distributed on particular communities/populations...'.

In Council's Strategic Gaming Policy, areas in the municipality are organised into 10 gaming areas, each with a five kilometre radius, or catchment based on geographical concentrations of gaming activity (see Attachment 5-1, Table 1). Gaming Areas are ranked by their relative advantage and disadvantage, based on average SEIFA scores (Social and Economic Indices for Areas of Advantage and Disadvantage) for all census collector districts (areas identified in the relevant Commonwealth Census of Population and Housing, that include approximately 100 households).

Gaming Areas are ranked from red (the relatively most disadvantaged), through the colour spectrum to pink, yellow, green and to blue (the relatively most advantaged), (refer Attachment 5-1, Page 2). The purpose of the colour is to indicate where electronic gaming machines (EGMs) should be relocated 'from' as a priority (areas at the most disadvantaged end of the colour spectrum), and where they should be relocated 'to' (areas at the most advantaged end of the colour spectrum).

Council's Strategic Gaming Policy states that there should not be an increase in gaming machines in the area occupied by the Sphinx Hotel. At its meeting held 11 December 2012, Council resolved that:

- 1. Council informs the Victorian Commission for Gambling and Liquor Regulation (VCGLR) by 31 December 2012, of its intention to make a submission on the proposal by Dun-ra Investments Pty Ltd to increase the number of electronic gaming machines at the Sphinx entertainment Centre, 2 Thompson Road, Geelong North.*
- 2. Council undertakes a Social and Economic Assessment (SEIA) on the proposal.*
- 3. If the Social and Economic Impact Assessment demonstrates a net detriment to the local community, Council will consider opposing the application at the VCGLR hearing.*

### **Discussion**

Dun-ra Investments Pty Ltd has applied to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to amend their existing gaming venue operator's license. The company is seeking a license to operate 67 machines at the venue. The proposal would increase the license limit for the number of machines at the venue by four.

The Capire Consulting Group was commissioned to undertake an independent assessment of the impact that the Dun-ra application would have on the local community. A copy of the Executive Summary of the SEIA is contained in the Attachment 5-2.

Council's SEIA identifies some positive benefits and some negative. The primary social benefit that can be attributed to the proposal is the expected increase in financial contributions the venue's owner would make to community groups and charities. The applicant did not make clear the level of community contribution that it will be making. This is a matter under discussion with the applicant.

## **5. SPHINX ENTERTAINMENT CENTRE GAMBLING PERMIT APPLICATION (CONT'D)**

The negative impacts of the proposal relate to the risk of increasing problem gambling in the local community resulting from increased machine numbers. The venue's catchment is characterised by a level of disadvantage that is significantly higher than average levels in the City of Greater Geelong and Victoria. There are also a high proportion of low-income households in the local community surrounding the venue.

Although the application represents a modest increase in the number of machines at the venue, there is evidence to suggest that increasing the number of machines in a gaming venue will stimulate the persistence and speed of a gambler's betting behaviour. In the context of a community that is characterised by disadvantage, low-income households and problem gambling vulnerability, this presents a concern for Council.

Dun-ra Investments Pty Ltd is intending to redevelop motel facilities at the Entertainment Centre. It is unclear whether the redevelopment is contingent on the application going ahead as there are conflicting statements contained within the submission by the applicant. The Capire report was written on the assumption that the redevelopment is not contingent upon additional gaming machines being approved. Consequently, redevelopment of the motel facilities is not considered as a social or economic benefit associated with the application. The report also raised concerns regarding the 'strong interface' between parts of the bistro and the gaming room (thereby an increased potential for problem gambling).

As part of the social and economic impact assessment of the proposal, a survey of the local community was conducted. The results of the survey resulted in 59% of respondents being against the installation of further EGMs. However, it also showed that 47% of the population sample were in favour of the development as a whole, with 40% being against and a further 11% being undecided. This would suggest that while a majority within the community are against an increase in the number of EGMs, this would be tolerated if they were seen as integral to the overall development of the venue.

Solicitors acting on behalf of Council have commenced discussions with representatives of Dun-ra Investments Pty Ltd regarding concerns raised in the SEIA. This has resulted in Dun-ra Investments being prepared to negotiate an additional community contribution of \$7,500 (half of which will be paid to gambling support service providers), the construction of a frosted glass partition separating the gaming room from the bistro, and a sunset clause at which time the licence will lapse if the development is not substantially completed.

Council's Strategic Gaming Policy and the results of the Social and Economic Impact Assessment suggest that the application should be opposed. However, the outcome of negotiations to date with the applicant, would suggest that any net detriment resulting from the additional machines will be minimised through these amended conditions. It is therefore recommended that, if these amended conditions are confirmed by the applicant, then the proposal should not be opposed.

### ***Environmental Implications***

Not applicable.

## **5. SPHINX ENTERTAINMENT CENTRE GAMBLING PERMIT APPLICATION (CONT'D)**

### ***Financial Implications***

Council's expenditure to date on the preparation of the social and economic impact of the application, including the community survey is approximately \$40,000.

Should Council oppose the application, additional legal fees relating to representation at the VCGLR hearing will apply.

### ***Policy/Legal/Statutory Implications***

This application is consistent with the Victorian Government Cap on EGMs and venues for the Geelong/Queenscliffe region.

This application is not consistent with the Council's Strategic Gaming Policy as adopted on 27 June 2006 and the revised map and data information pertaining to the policy.

In order to meet the tight VCGLR time-lines, the General Manager Community Services has written to the VCGLR notifying it that Council will be making a submission regarding the application by the Dun-ra Investments Pty Ltd. In addition, Council has submitted an SEIA to the VCGLR by the due date 22 January 2013.

### ***Officer Direct or Indirect Interest***

No Council officer has direct or indirect interest in this report.

### ***Risk Assessment***

Not applicable.

### ***Social Considerations***

This application is not consistent with Council's Strategic Gaming Policy and Council's SEIA has found that the proposal will result in a net detriment for the community.

While Council and the community continues to have concern in regard to problem gambling, Council is required to review each application in line with the Policy and make a recommendation in light of the application. Council continues to be involved actively at a state and local level in advocating for a range of initiatives to address problem gambling and ensure the wellbeing of the community.

### ***Communication***

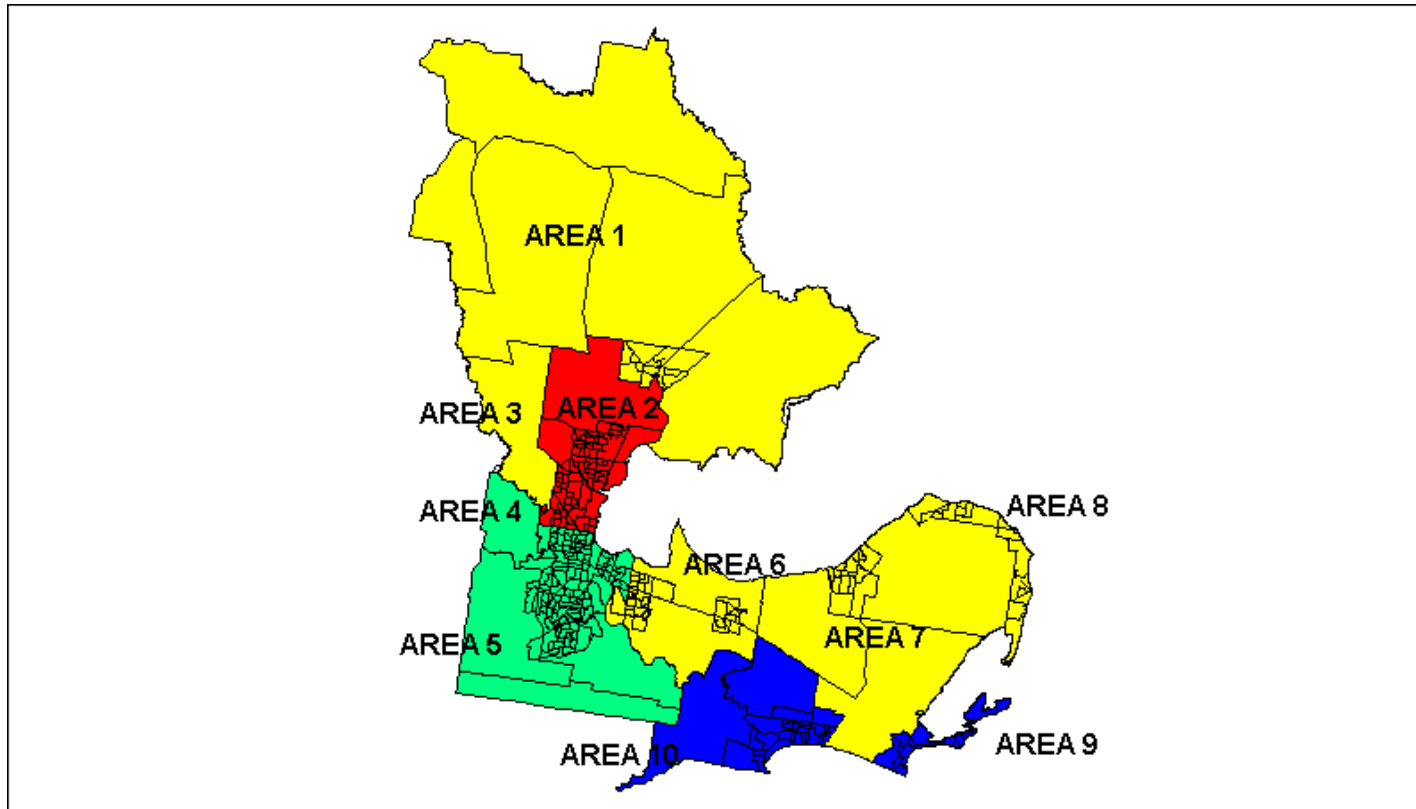
Communication of this report is the responsibility of Council's Community Development Department.

**Table 1: Ten gaming areas within City of Greater Geelong/Borough of Queenscliffe, as identified by average of SEIFA score 2006**





| Area                  | 2006 Average SEIFA Score | 2006 Colour SEIFA Average Score | 2001 Colour | Locations include  |
|-----------------------|--------------------------|---------------------------------|-------------|--|
| AREA 1                | 957.8728571              | Yellow                          | Yellow      | Lara, Balliang , Anakie, Little River  |
| AREA 2                | 825.4963043              | Red                             | Red         | Corio, Norlane, North Shore, Lovely Banks  |
| AREA 3                | 917.3785714              | Yellow                          | Pink        | Bell Park, Bell Post Hill, Hamlyn Heights, North Geelong, Rippleside, Batesford  |
| AREA 4                | 999.888254               | Green                           | Green       | Manifold Heights, Herne Hill, Geelong West, East Geelong, Fyansford, Newtown, Geelong, South Geelong, Thomson, Inner Highton |
| AREA 5                | 1000.515556              | Green                           | Yellow      | Highton, Wandana Heights, Belmont, Grovedale, Marshall, Mount Duneed, Waurm Ponds  |
| AREA 6                | 928.4545455              | Yellow                          | Pink        | Breakwater, Newcomb, Whittington, St Albans Park, Moolap, Leopold  |
| AREA 7                | 949.8495238              | Yellow                          | Yellow      | Drysdale, Curlewis, Clifton Springs, Wallington, Marcus Hill   |
| AREA 8                | 933.5111111              | Yellow                          | Pink        | Portarlinton, St Leonards, Indented Head   |
| AREA 9                | 1053.910833              | Blue                            | Blue        | Queenscliff, Point Lonsdale  |
| AREA 10               | 1040.60875               | Blue                            | Green       | Barwon Heads, Ocean Grove, Connewarre and Breamlea   |
| <b>Municipal Wide</b> | <b>958.1729121</b>       |                                 |             |  |

This table shows that while there has been an improvement in the average SEIFA score for Area 3 (in which the Sphinx is located), it continues to be an area of concern and one in which Council policy does not support an increase in the number of EGMs.

Colour coded gaming areas within City of Greater Geelong/Borough of Queenscliffe



Key

-  Red – areas relatively most disadvantaged
- 
- 
-  Blue – areas relatively most advantaged

## **Attachment 5-2**

### **Executive Summary – Sphinx Entertainment Centre Social and Economic Impact Assessment (SEIA)**

Dun-ra Investments Pty Ltd has applied to the Victorian Commission for Gambling and Liquor Regulation to amend their existing gaming venue operator's license. The company is seeking a license to operate 67 machines at the venue. The proposal would increase the number of machines licensed at the venue by four.

City of Greater Geelong commissioned Capire Consulting Group to undertake an independent assessment of the impact that this proposal would have on the local community. The results of this assessment are detailed within this report.

Dun-ra Investments Pty Ltd is intending to redevelop motel facilities at the Entertainment Centre. This impact assessment has proceeded on the assumption that the redevelopment is not contingent upon additional gaming machines being approved. This assumption is based on statements that have been submitted by Dun- Ra Investments. Consequently, redevelopment of the motel facilities is not considered as a social or economic benefit associated with the application.

In considering both the negative and positive impacts of this proposal the assessment concludes that the proposal would have a negative impact on the local community.

A positive social benefit that can be attributed to the proposal is the expected increase in financial contributions that the venue's owner would make to community groups and charities. However, the venue owner has not provided any specific commitment regarding increased community funding should the application be approved. In the absence of this information, Capire estimates that the funding increase is likely to be small.

The negative impacts of the proposal relate to the risk that the proposal increases problem gambling in the local community. The venue's catchment is characterised by a level of disadvantage that is significantly higher than average levels in the City of Greater Geelong and Victoria. There are also a high proportion of low-income households in the local community surrounding the venue.

Although the application represents a modest increase in number of machines at the venue, there is evidence to suggest that increasing the number of machines in a gaming venue will stimulate the persistence and speed of a gambler's betting behaviour. In the context of a community that is characterised by disadvantage, low income households and problem gambling vulnerability, this is concerning.

The negative impact associated with an increased risk of problem gambling is considered to outweigh positive impacts stemming from the new community funding.

If it is established that the redevelopment of the motel is contingent upon the approval of the additional gaming machines, then additional social and economic benefits can be associated with the application. Specifically, increasing the quantity and variety of accommodation at the venue would have a positive impact on the broader tourism industry in the City of Greater Geelong. Employment associated with the construction and operation of additional motel facilities would also be considered as a social and economic benefit.

At the time of preparing this assessment, City of Greater Geelong is discussing the scale and nature of community funding with Dun-ra Investments. As further information becomes available, the social impacts associated with the proposed increase in community funding will need to be reassessed.

## **6. G21 REGIONAL FOOTBALL (SOCCER) STRATEGY**

*(Previously Agenda Item 9)*

**Portfolio:** Sport & Recreation - Cr Irvine  
**Source:** Projects, Recreation & Central Geelong  
**General Manager:** Dean Frost  
**Index Reference:** Subject: Sport, Leisure & Recreation / Planning & Strategy / Regional Soccer Strategy

### **Summary**

- The G21 Regional Football (Soccer) Strategy is a collaborative planning project between City of Greater Geelong (CoGG), Surfcoast Shire, Colac Otway Shire, Golden Plain Shire, Sport and Recreation Victoria and Football Federation Victoria.
- The strategy focuses on five key areas for improvement which include -
  - Alignment of football planning;
  - Participation pathways;
  - Facility management;
  - Club management and support and
  - Resourcing and partnering.
- The strategy recommends a standard of facility provision equating to Football Federation Victoria (C Class) for all new or redeveloped facilities across the Geelong region.
- The strategy also identifies the need for a range of sports development opportunities including the employment of a regional administrator.

**Cr Irvine moved, Cr Richards seconded -**

**That Council:**

**1) note the G21 Regional Football (Soccer) Strategy report with the following amendment:**

**1.1 remove action GG1 as it relates to the Connewarre Reserve.**

**2) release the G21 Regional Football (Soccer) Strategy document in line with G21 partner Councils.**

*Cr Farrell left the meeting room at 10.15pm*

*Cr Farrell re-entered the meeting room at 10.18pm*

**Carried.**

### **Report**

#### ***Background***

Australian Rules Football, cricket, tennis and netball have traditionally been the focus of sport and recreation provision in regional and rural Australia. It has become evident that the world game is now making its claim for resources as participation in soccer trends upwards.

## **6. G21 REGIONAL FOOTBALL (SOCCER) STRATEGY (CONT'D)**

Anecdotally, most Local Government authorities can confidently declare that soccer has grown and continues to grow in popularity. The game has enormous appeal as:

- it is played across the globe;
- it appeals to boys and girls, men and women; *and*
- as a non-contact sport parents perceive that it is a safe game for children to play.

This popularity has led to significant participation growth in soccer over the last decade. During discussions at regional forums soccer was identified as a sport of mutual concern in terms of infrastructure provision (both current and future). Similarly there were shared concerns across the region regarding the growth of soccer from a sports development perspective.

Four Local Government Authorities (LGAs) decided to collaboratively investigate soccer infrastructure and sports development needs from a local and regional perspective. Together the LGAs identified the need to develop clear strategies to assist in assessing current and future provision from a local viewpoint with a regional outlook.

The strategy at its inception involved discussions with Sport and Recreation Victoria, Colac Otway Shire, Golden Plains Shire, Surf Coast Shire, City of Greater Geelong, Leisure Networks, Football Federation of Victoria and the Geelong Regional Football Association. The City of Greater Geelong (CoGG) auspiced the strategy.

### ***Discussion***

The G21 Regional Football (Soccer) Strategy has been prepared following a review of current soccer provision across the G21 Region.

The project aim is,

*“To develop a strategic approach to the future provision of football (soccer) in the G21 Region, including regional and local needs for football (soccer) development, governance and facilities.”*

Addressing issues and challenges facing Football (Soccer) using a regional approach provides many benefits to project partners and to the sport. It recognises that sporting competitions are not played within a single municipality and that the suite of facilities and service are required within the region to support the sports growth and development.

This regional approach allows Local, State and Federal Governments to target resources in a planned and coordinated way and to integrate future projects and funding opportunities towards achieving wider success and impact. It also assists in the avoidance of facility duplication and it strengthens the ability of partners to provide a diverse range of facilities and services that are accessible to a greater number of participants.

## **6. G21 REGIONAL FOOTBALL (SOCCER) STRATEGY (CONT'D)**

The strategy identified a range of opportunities in its creation and has accordingly developed a set of recommendations in line with these to promote and grow soccer in the region. Each municipality has a set of recommendations specific to its geography. Key recommendations are grouped under the following sub headings

- Alignment of football planning,
- Participation pathways,
- Facility management,
- Club management and support,
- Resourcing and partnering.

It is anticipated that the strategy implementation will be a shared responsibility between the project partners with the responsibilities of each being noted in the report.

### ***Environmental Implications***

The G21 Regional Football (Soccer) Strategy will have no adverse effects on the Environment. The recommendations contained in the report where appropriate will be subject to an environmental impact study.

### ***Financial Implications***

G21 Regional Football (Soccer) Strategy has a range of financial implications for the Council, however, the vast majority of these works are underpinned by existing planning. These plans include but are not limited to –

- Hume Reserve Master Plan;
- Lara Outdoor Recreation Facilities Study;
- Drysdale / Clifton Springs Sports Precinct Masterplan;
- Stead Park Masterplan;
- Myers Reserve Landscape Plan;
- St Leonards Reserve Masterplan;
- Ocean Grove Sporting Infrastructure Plan;
- Eastern Park and Geelong Botanic Gardens Strategic Plan;
- Grovedale / Waurm Ponds Leisure Needs Study; *and the*
- Barwon Heads Village Park Management Plan (2002) .

The items contained within the G21 Regional Football (Soccer) Strategy as with the aforementioned plans will be considered annually by council as part of its budget process.

### ***Policy/Legal/Statutory Implications***

G21 Regional Football (Soccer) Strategy has no legal or statutory implications. The strategy does recommend a standard of soccer facility provision (C Class).

## **6. G21 REGIONAL FOOTBALL (SOCCER) STRATEGY (CONT'D)**

### ***Officer Direct or Indirect Interest***

No Council officers involved in the preparation of this report have direct or indirect interest in matters for consideration.

### ***Risk Assessment***

No significant risks have been identified that relate to this report.

### ***Social Considerations***

Sport and Recreation and in particular organised sport and recreation such as soccer contributes significantly to social capital and is a key contributor to community strength.

The strategies and recommendations contained within the G21 Football (Soccer) Strategy with build social capital via creating and supporting a strong and resilient soccer community.

### ***Communication***

The G21 Regional Football (Soccer) Strategy has been prepared following a review of Local, State Government and sport specific literature, analysis of demographic, participation and trend data and a detailed consultation process involving:

- Master Class
- Numerous project and steering group meetings
- Opportunities survey
- Individual Council meetings and discussions
- Two Football (Soccer) club forums<sup>1</sup>
- Football (Soccer) club surveys
- Football (Soccer) stakeholder interviews
- Presentation and workshop of the key issues with Local Council, SRV and FFV representatives<sup>2</sup>,
- Analysis of workshop discussions.

The Master Class, with expert input from Nigel Hargreaves and key stakeholders from the sport, Council's and community recreation providers in the region allowed for stakeholders to gain a broader perspective of issues impacting their areas of responsibility.

## **6. G21 REGIONAL FOOTBALL (SOCCER) STRATEGY (CONT'D)**

The draft G21 Regional Football (Soccer) Strategy was placed on public exhibition with the following feedback received:

- 22 responses
- 18 responses from the City of Greater Geelong region, 3 Golden Plains Shire and one response did not being geographically aligned.
- Issues raised in the submissions included:
  1. Funding support for private football clubs (unique to CoGG);
  2. Location of the regional football centre;
  3. G21 branding of the document;
  4. Encouragement of synthetic pitches;
  5. Advocacy for female friendly change room facilities;
  6. Player Registration statistics.

As a consequence of the submissions the following changes were made:

- G21 branding has been changed throughout the report.
- An updated FFV player statistics table was added.

All other comments have been duly noted, but no amendments to the strategy have been made. The issue of the City of Greater Geelong's financial support for clubs operating on privately owned land was not addressed within the study as it is a specific policy issue for CoGG and beyond the scope of this regional plan.

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 –  
GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE  
VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE  
OVERLAY SCHEDULE 4**

*(Previously Agenda Item 15)*

**Portfolio:** Planning – Cr Macdonald  
**Source:** Economic Development, Planning & Tourism –  
Strategic Implementation  
**General Manager:** Peter Bettess  
**Index Reference:** Subject: Council Reports 2013  
Application: C243 – Reports Council & Other

**Summary**

- Amendment C243 is a Council initiated amendment to:
  - incorporate a Native Vegetation Precinct Plan (NVPP) into the planning scheme and,
  - amend the extent of the application of Schedule 4 to the Environment Significance Overlay (ESO4) in a manner consistent with the NVPP.
- Exhibition of the Amendment resulted in the receipt of total of 15 submissions. The submissions consisted of 9 submissions from landowners within the New Corio Estate (NCE) objecting to the amendment, 1 submission on behalf of a landowner within the Geelong Ring Road Employment Precinct (GREP) supporting the amendment and seeking the deletion of the ESO4 from additional land beyond the investigation area on which the NVPP is based and 5 submissions from public authorities which do not object to the Amendment.
- Council resolved at its meeting of 12 April 2012 to refer the Amendment and submissions to an Independent Planning Panel appointed by the Minister for Planning.
- A Directions Hearing was held in Geelong on 18 June 2012.
- The Panel Hearing was held in Geelong on 16 July 2012.
- The Independent Panel has recommended that the Amendment be adopted generally as exhibited, with minor modifications.
- It is recommended that the Amendment be adopted as described in this report.

**Cr Macdonald moved, Cr Richards seconded -**

**That Council:**

- 1) Adopt Amendment C243 in the form as outlined in Appendix 7-1 (A) – (E) to this report, consistent with the changes recommended by the Planning Panel;**
- 2) Adopt the Geelong Ring Road Native Vegetation Precinct Plan in the form contained at Appendix 7-2 (A) to this report, subject to incorporation of Appendix 7-2 (B) *Ecological Values within the New Corio Estate*, consistent with the recommendation of the Planning Panel; and**
- 3) Submit the adopted Amendment together with the prescribed information to the Minister for Planning requesting approval.**

**Carried.**

## **7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)**

### **Report**

#### ***Background***

Amendment 243 applies to undeveloped industrial land in Lara, within the GREP, affected by Schedule 4 to the Environment Significance Overlay (ESO4) and an old inappropriate subdivision in the Farming Zone (FZ) in Corio, the New Corio Estate (NCE).

The proposed changes will ensure that the extent of the application of the ESO4 within the study area more accurately reflects the presence or absence of significant native vegetation. Areas that have been identified as having significant ecological value within the current extent of the ESO4 will be retained.

In the NCE, which is currently not affected by any overlays, it is proposed to introduce the ESO4. The native vegetation identified within the NCE is of high conservation significance and the application of the overlay to this area will ensure its ecological value is protected indefinitely.

In the GREP it is proposed to remove the ESO4 from all affected land except for one site on the west side of McManus Road.

The Amendment and Native Vegetation Precinct Plan were exhibited from 28 July 2011 to 29 August 2011. Notice of the Amendment and NVPP were given to owners and occupiers of affected land and to relevant authorities and Ministers in accordance with the requirements of the Planning and Environment Act 1987.

Fifteen (15) submissions were received in response. Nine (9) were objecting submissions from landowners within the New Corio Estate (NCE) objecting to the amendment, 1 submission on behalf of a landowner within the Geelong Ring Road Employment Precinct (GREP) supporting the amendment and seeking the deletion of the ESO4 from additional land beyond the investigation area and 5 submissions from public authorities which do not object to the Amendment.

Council considered the submissions at its meeting of 12 April 2012 and resolved to refer Amendment C243, together with all submissions received, to an Independent Planning Panel.

#### ***Discussion***

A two person Panel, consisting of Chair, Alison Glynn, and Member Rod Gowans, conducted a directions hearing on 18 June, 2012 and a public hearing of the submissions on 29 August, 2012. Both hearings were held at Geelong City Hall. The Panel also undertook unaccompanied site inspections on 18 June and 16 July.

Council officers provided a submission to the Panel in the role of Planning Authority. A separate submission was made by Mr Greg Tobin, Solicitor of Harwood Andrews Lawyers, on behalf of Council as proponent of the Amendment. Mr Tobin called Mr Mark Stockdale, Ecologist of Ecology and Heritage Partners, as a witness.

Two of the objecting submitters made verbal submissions to the Panel. Mr Chris Marshall, Town Planner of TGM Group, appeared on behalf of another objecting submitter.

## **7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)**

The Panel report for Council's consideration was received on 6 August 2012, a full copy of which is available on the City website.

The Panel has assessed the NVPP and the Amendment together with the points of submission put to it during the Hearing and as contained in the submissions.

A list of submitters is included as Appendix 7-4 to this report.

### Panel Conclusions and Recommendations

The Panel has recommended that the Amendment and NVPP be supported subject to changes, for the reasons set out in its report.

### Panel recommendation:

*For the reasons outlined in this report, the Panel recommends that should be adopted subject to the following recommendations:*

- 1. Remove land at 580 Princes Highway, Corio from the amendment.*
- 2. Incorporate a clearer, more appropriately scaled plan (or plans) into the NVPP that identifies the area of significant vegetation and property boundaries in both the GREP and NCE areas.*

### Response to Panel Recommendations

Having considered the Panel Report Council Officers recommend adoption of Amendment C243 to the Greater Geelong Planning Scheme with the inclusion of the changes recommended by the Panel, for the reasons set out in this report:

The Panel's recommendations in relation to the Amendment are consistent with the intent of Council's exhibited Amendment and are supported by Council Officers. The following excerpts from the Planning Panel Report, together with related Officer comments, provide direction for Council on the Panel Recommendations.

### Key Issues:

The Panel Report states that:

*"The submissions to the amendment and the evidence presented raised a number of issues for resolution. The Panel has summarised these as follows:*

- Does the vegetation on the NEC and GREP land warrant protection under the planning scheme?*
- Are the mechanisms proposed by Council to protect the vegetation under the planning scheme appropriate?*
- Should additional land at 270 Bacchus Marsh Road be included as part of the amendment to delete the ESO4 from this site.*

## **7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)**

The Panel further summarised the issues as follows:

*“The amendment proposes to remove the ESO4 such that it will generally align with the results of on-ground surveys of native vegetation and fauna. Amendment C243 proposes that the ESO4 be deleted over the major part of the GREP to reflect the*

*degraded values of the vegetation within the GREP. It will also impose the ESO4 over the NCE where native vegetation has been identified in the on ground surveys.*

*The key issue to be resolved in this amendment is whether the area sought to be included in an extension of the ESO4 to the NCE contains vegetation that warrants protection under the planning scheme. Conversely the Panel needs to be satisfied that it is appropriate to reduce the extent of the ESO4 over the GREP.”*

### **A. Does the vegetation on the NEC and GREP warrant protection?**

The following extracts from the Panel Report provide a summary of the evidence and submissions presented to the Panel:

*“Snezana Akinola, Keith Allender, Violetta Boyd, Joe Cotroneo, Eddy Komadina all submitted that they disputed the significance of the native vegetation on the NCE. They generally suggested that this vegetation was no different to the vegetation on the GREP (where the existing ESO4 is proposed to be deleted) and proposed the ESO4 should not be applied to the NCE.*

*Chris Velcek submitted that Council should purchase his property to protect the significant native vegetation.*

*In their presentation to the panel Paul and David Secen opposed the extension of the ESO4 to the NCE, suggesting the relocation of the native grassland and conservation of grasslands should not constrain development of the area. This view was also put by Snezana Akinola, with her father in their presentation to the Panel.*

*Chris Marshall for the TGM Group Pty Ltd (Bisinella Developments Pty Ltd) supported the deletion of the ESO4 from his client’s land within the GREP (215-295 Heales Road and 175 Heales Road). Mr Marshall, in presenting to the Panel, provided reports from Mark Trengrove Ecological Services that state that his client’s land contain vegetation that is ‘...overwhelmingly exotic and degraded.’ The land was described as having ‘...negligible significance for biodiversity conservation.’*

*Mark Stockdale’s evidence on behalf of the City of Greater Geelong, was that the vegetation within the NCE was ‘... of at least State ecological significance ...’*

*Mr Tobin in his submission, relying on the evidence of Mr Stockdale, described the high values of the grassland within the NCE and the comparatively low values within the GREP. ...*

*Geoff Brooks for the Department of Sustainability and Environment submitted that the Department agreed with the evidence provided by Mr Stockdale. ... Within the GREP, Mr Brooks indicated that he agreed the majority of the vegetation had been identified as modified treeless vegetation and that this vegetation had been approved for removal except for an area of Plains Grassy Wetland of high conservation significance that will be retained. This is located in the area where the ESO4 will be retained.*

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243  
– GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE  
VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE  
OVERLAY SCHEDULE 4 (CONT'D)**

Panel Findings

The findings of the Panel regarding the issues are set out below:

(i) Vegetation Significance

*“Based on the evidence provided, the Panel accepts the identification of vegetation of significance as worthy of protection under the planning scheme.”*

(ii) Competing land use issues

*“The Panel finds that based on the evidence, the protection through the planning scheme of the significant Plains Grassland and Plains Grassy Wetland vegetation identified in the study area is required, regardless of the zoning of the land.”*

Officer Comment:

The Panel’s findings are consistent with the expert evidence provided in support of the Amendment, the NVPP, the studies which underpin the NVPP and the professional opinion of Officers of the Department of Sustainability and Environment.(DSE).

The findings of the Panel are supported by Council Officers.

**B. Are the tools proposed to protect the vegetation through the planning scheme appropriate?**

The following extracts from the Panel Report provide a summary of the evidence and submissions presented to the Panel:

*“Mr Gough, in his submission to the Panel, provided a detailed description of the proposed amendment including the extent of the application of the ESO4 to coincide with the area containing significant native vegetation. ... a number of other landowners, including Mr Secen and Ms Akinola who attended the Panel, oppose the inclusion of their land holdings in the ESO4 and question if there is vegetation of significance on their land that needs to be protected by the ESO4 provisions.*

*... Corio Maltings Pty Ltd objected to the application of the ESO4 to its land as the property was already developed containing a house and sheds. Council submitted that as the land is comparatively remote from the area containing significant native vegetation and was already developed, it supported removal of the property from the proposed ESO4 area.”*

Panel Assessment & Findings

The assessment and findings of the Panel regarding the issues are set out below:

(i) GREP land

*The western GREP section of land forms parcels of land over 0.4Ha and therefore currently triggers permit requirements for the removal of native vegetation under Clause 52.17 of the planning scheme. However, the vegetation analysis indicates that the vegetation worthy protection is isolated to a small section of this land.*

## 7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)

*The Panel accepts there is no rationale to retain the ESO4 over land that well distant from areas that contain vegetation of significance. This results in the removal of the ESO4 across the majority of the GREP area. The Panel supports the retention of the ESO4 over the parcel, within the GREP, where some remnant vegetation has been identified.*

*Further the Panel accepts that by incorporating the NVPP across all the GREP land it is clear that no permit is required to remove non-significant vegetation in accordance with the NVPP. This can remove any doubt that proper consideration and assessment of vegetation has been undertaken to demonstrate that vegetation clearance on lots in this area has had regard to the Native Vegetation Framework for Victoria.*

### (ii) NCE land

*The eastern NCE land generally comprises lots less than 0.4Ha and therefore these do not trigger permit requirements under Clause 52.17. Consequently, without protection through an overlay or similar restriction, there is a danger that significant vegetation could be removed without this being assessed through a planning permit with consideration of the Native Vegetation Framework for Victoria.*

*A mosaic of land within the NCE area has been identified by the vegetation survey studies to be significant ... the Panel accepts that this warrants protection through planning scheme provisions.*

*The ESO4 is proposed to apply to all land in the NCE, however, the significant vegetation, defined as "Plains Grasslands" has only been identified in 'blobs' within this area. ...*

*The Panel accepts that to create a complicated mosaic of zone and overlay provisions over the NCE would achieve little, and potentially complicate the scheme interpretation. ...*

*To this extent the Panel accepts that applying the ESO4 over all of the NCE area, combined with incorporating the NVPP is an appropriate combination of planning provisions for addressing vegetation protection at this time. ...*

*The Panel also considers that Council should consider zoning its larger, contiguous holdings (being lots and unconstructed road reserves) to PCRZ to provide a more transparent acknowledgement of its intention to only use its holdings in the area for conservation purposes. This may allay some of the concerns by private land owners about Council's intentions in its purchasing of lots in the area. The Panel does not make formal recommendation about this given it is an issue that did not form part of the exhibited amendment.*

### Findings

*The Panel accepts the general principles of the amendment proposed by Council to include ESO4 and incorporating a NVPP to address remnant vegetation in the GREP and NCE land generally as exhibited.*

## **7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)**

### Recommendation

- *The Panel recommends that the following changes be made to the amendment prior to adoption.*
  - *Remove land at 580 Princes Highway, Corio from the amendment.*
  - *Incorporate a clearer, more appropriately scaled plan (or plans) into the NVPP that identifies the area of significant vegetation and property boundaries in both the GREP and NCE areas.*

### Officer Comment:

The Panel's recommendation to remove the land at 580 Princes Highway, Corio from the Amendment is consistent with the view put by Council in its submission to the Panel Hearing and is supported.

The recommendation of the Panel that larger plans be included in the NVPP that clearly identifies significant vegetation and property boundaries is supported.

Appendix 7-2 (A) is a plan prepared by Ecology & Heritage Partners which clearly indicates the habitat zones to be protected within the NCE and the location of those habitat zones relative to property boundaries.

The inclusion of this plan at A4 size in the NVPP, modified to include in the legend the details of the habitat zones to be protected, would be consistent with the recommendations of the Panel.

In view of the large lot sizes within the GREP and the comparatively small number and large size of areas of vegetation to be protected, the Panels recommendation for a larger plan can be addressed by increasing the size of the existing A5 sized Map 2, on Page 6, to A4 size.

Officers have noted and concur with the comments of the Planning Panel regarding the zoning of Council owned land within the NCE, including lots and unconstructed road reserves. The re-zoning of this Council owned land to Public Conservation and Resource Zone could occur subject to a further Amendment. Officers agree with the Panel that this would provide certainty for private landowners as to Council's long term intentions for its landholdings within NCE.

### C. Should the ESO4 be deleted from 270 Bacchus Marsh Road, Corio?

The following extracts from the Panel Report provide a summary of the evidence and submissions presented to the Panel:

### Evidence and submissions

Mr Marshall submitted on behalf of TGM Group that deleting the ESO4 from land from 270 Bacchus Marsh Road was a logical extension of the amendment given vegetation surveys undertaken on behalf of the landowner identified that there was no vegetation of significance on this land.

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 – GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE OVERLAY SCHEDULE 4 (CONT'D)**

*Both Council and DSE objected to this land being included into the amendment on the basis that it was not exhibited as part of the amendment and neither body had opportunity to properly review the vegetation analysis undertaken on behalf of the land owner.*

*This land falls outside the area that was exhibited as part of the amendment. The Panel therefore accepts that there has been no opportunity for other relevant parties to consider the implications of this additional change in the amendment. ...*

*The Panel therefore does not support extending Amendment C243 to incorporate this land at 270 Bacchus Marsh Road. From submissions made, the Panel understands that a separate amendment is also being sought to rezone part of the land at 270 Bacchus Marsh Road for commercial use. This may provide a more logical opportunity to address this matter as at the time of writing the Panel understands this amendment had not yet gone on exhibition.*

Findings

*The Panel does not support deleting the ESO4 provisions from land at 270 Bacchus Marsh Road, Corio as part of Amendment C243.*

Officer Comment:

The Panel's finding is supported.

History of New Corio Estate

While not directly relevant to the consideration of the merits of the amendment, this section provides background information on the planning history of the New Corio Estate. This information responds to the concerns of a number of the submitters as to the appropriateness of the zoning of the land referred to by the Panel in its report. Officers advise that, at all times since the introduction of planning controls, the NCE has been zoned for non-urban type use, whether designated as Agricultural "A", Rural (General Farming), or, Rural. The land is currently located in the Farming Zone.

Documentation held by Council supports the view that purchasers of land in the NCE since at least the early 1960s ought to have been aware that they should have no expectation of a right to develop individual lots.

This documentation, Appendix 7-3 (A) – (C) of this report, includes:

A. real estate brochures from the early 1960s which states:

- i. Town Plan Zoning
- ii. "Under the Geelong and District Planning Scheme, these allotments are zoned Agricultural "A". Building permits will NOT be issued for areas less than 5 acres with a 5 chain frontage to roadway."
- iii. The statement quoted has been highlighted in blue in the appendix.

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243  
– GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE  
VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE  
OVERLAY SCHEDULE 4 (CONT'D)**

The map which forms part of this brochure includes the following lots owned by objecting submitters:

| <b>Property Address</b>     | <b>Submission No.</b> |
|-----------------------------|-----------------------|
| 51 Lansell Road, Corio      | 8                     |
| 30-32 Selbourne Road, Corio | 9                     |
| 66 Orrong Road, Corio       | 10                    |
| 19 Stanhope Street, Corio   | 11                    |
| 12 Orrong Road, Corio       | 13                    |

These properties constitute 5 of the 8 properties of objecting submitters within NCE to which it is proposed to apply the ESO4

- B. A contract for sale for land identified in the above brochure which includes the following 'special conditions':

*"2. The purchaser purchases subject to all statutory restrictions of the said land and in particular to restrictions resulting from the said land being zoned as Agricultural A under the Geelong and District Planning Scheme.. ...*

*4. The parties hereby acknowledge receipt of a copy of this document at the time that their signatures were obtained thereto."*

The first of these two quotes is highlighted in yellow in the appendix.

- C. A Planning Certificate issued by the Shire of Corio in 1977 in relation to another lot within the NCE which identifies the zoning of the land as being in the Rural (General Farming) zone under the Geelong Interim Development Order and which states, in capital letters:

**"NO BUILDING PERMIT WILL BE ISSUED IN RESPECT OF THIS"**

Appendices 3(A) and (B) date from the period Feb - April 1962. Appendix 3 (C) is dated 4 January 1977.

***Environmental Implications***

The incorporation of the NVPP into the Planning Scheme achieves a positive outcome for the retention of significant native vegetation within the precinct. It is considered that the NVPP meets the objectives of the ESO4 which are to:

- *Prevent a decline in the extent and quality of native vegetation and native fauna habitat of the Victorian Volcanic Plain;*
- *Enhance the environmental and landscape values of the area;*
- *Avoid the fragmentation of contiguous areas of native vegetation or native fauna habitat;*
- *Ensure that any use, development or management of the land is compatible with the long term conservation, maintenance and enhancement of the grasslands;*

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 –  
GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE  
VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE  
OVERLAY SCHEDULE 4 (CONT'D)**

- *Avoid the destruction of habitat for native fauna resulting from the modification of land form and disturbance of surface soils and rocks; and*
- *Enable areas of environmental significance, due to their native vegetation or habitat values, to be identified.*

The native vegetation to be removed from the study area has been identified as 'Modified Treeless Vegetation'. The sites at which this vegetation is located are heavily disturbed areas that are no longer representative of the original vegetation community. No offsets are required for the removal of 'modified treeless vegetation' and the removal of these areas from the study area has the support of the Department of Sustainability and Environment (DSE).

The areas of vegetation proposed to be protected by the NVPP are predominantly located within the New Corio Estate which has been identified as containing significant native vegetation. The protection of the vegetation within the NCE provides a net gain outcome for the local environment and the native vegetation communities of the Victorian Volcanic Plain.

***Financial Implications***

The incorporation of the *Geelong Ring Road Native Vegetation Precinct Plan, February 2011*, as an incorporated document and the alteration to the extent of the ESO4, has no significant financial implications for Council.

While the ESO4 is proposed to be removed from land in the GREP, some of which is owned by Council, it is considered unlikely that this will have any impact on the underlying value of the land, given that the overlay was only recently applied to the land without the sites being inspected and the NVPP has subsequently confirmed the absence of protected vegetation.

The application of the ESO4 to the New Corio Estate may potentially result in an increase in the value of these lots.

***Policy/Legal/Statutory Implications***

The amendment is consistent with State and Local planning policies as set out in the Explanatory report which forms part of the Amendment documentation.

While Council is a landowner within both the GREP and the NCE, the planning recommendations which form part of this report have been developed relying solely on relevant considerations under the Planning and Environment Act, 1987.

***Officer Direct or Indirect Interest***

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates, in accordance with the requirements of Section 80(c) of the Local Government Act.

**7. CONSIDERATION OF PANEL REPORT & ADOPTION AMENDMENT C243 –  
GEELONG RING ROAD EMPLOYMENT PRECINCT (GREP) NATIVE  
VEGETATION PRECINCT PLAN & ENVIRONMENT SIGNIFICANCE  
OVERLAY SHEDULE 4 (CONT'D)**

***Risk Assessment***

The Amendment is not expected to result in the creation of risk to Council or the community.

***Social Considerations***

The amendment is expected to result in net community benefit, in that the revised extent of the application of the ESO4 will both facilitate the development of Industrial zoned land in the GREP while also protecting the native vegetation which has been identified within the NCE.

***Communication***

Amendment C243 has been through a formal exhibition process with consideration of submissions by Council and review by an Independent Panel. All submitters have been advised of the timing of Council's consideration of this report and will be advised of the final decision of the Minister.

**Appendix 7-1 –Instruction Sheet, Ordinance, Zone &Overlay Map Changes**

**1 A Instruction Sheet**

*Planning and Environment Act 1987*

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C243**

**INSTRUCTION SHEET**

The planning authority for this amendment is the City of Greater Geelong.

The Greater Geelong Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 2 attached maps:

*Overlay Maps*

1. Planning Scheme Maps No. 17, 18 and 26 are amended in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C243".
2. Planning Scheme Map No. 26 is amended in the manner shown on the attached map marked "Greater Geelong Planning Scheme, Amendment C243".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In General Provisions – Clause 52.16, replace the schedule with a new schedule in the form of the attached document.
4. In Incorporated Documents – Clause 81.01, replace the schedule with a new schedule in the form of the attached document.

End of document

**1 B Schedule to Clause 52.16**

GREATER GEELONG PLANNING SCHEME

Xx/xx/2012  
C243

**SCHEDULE TO CLAUSE 52.16**

**1.0**

**Native vegetation precinct plan**

Xx/xx/2012  
C243

**Name of plan**

Armstrong Creek East Native Vegetation Precinct Plan, May 2010

Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010

Geelong Ring Road Employment Precinct Native Vegetation Precinct Plan, February 2011

**1 C Schedule to Clause 81.01**

GREATER GEELONG PLANNING SCHEME

--/2012  
 C243

**SCHEDULE TO CLAUSE 81.01**

| <b>Name of document</b>   | <b>Introduced by:</b> |
|---|-----------------------|
| 14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011   | <b>C257</b>           |
| Advertising Sign Guidelines, City of Greater Geelong, November 1997.  | <b>NPS1</b>           |
| Armstrong Creek East Native Vegetation Precinct Plan, May 2010  | <b>C206</b>           |
| Armstrong Creek East Precinct Structure Plan, May 2010 Amended November 2011.   | <b>C214</b>           |
| Armstrong Creek East Precinct Development Contributions Plan, Version 4.1 Alternate Version November 2011.  | <b>C214</b>           |
| Armstrong Creek North East Industrial Precinct Development Contributions Plan, May 2010.  | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct Growing Grass Frog Conservation Management Plan, May 2010.   | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010.   | <b>C207</b>           |
| Armstrong Creek North East Industrial Precinct, Precinct Structure Plan, May 2010.  | <b>C207</b>           |
| Armstrong Creek Urban Growth Plan Framework Plan, November 2008, Updated May 2010   | <b>C206</b>           |
| Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. Standards Association of Australia 1994.   | <b>NPS1</b>           |
| Environmental Weeds, City of Greater Geelong, September 2008  | <b>C129(Part 1)</b>   |
| Geelong Ring Road Employment Precinct Native Vegetation Precinct Plan, February 2011  | <b>C243</b>           |
| Geelong Ring Road – Section 4C Incorporated Document, June 2010.  | <b>C232</b>           |
| Geelong TAC Office Development, October 2006.   | <b>C142</b>           |
| Heritage and Design Guidelines, City of Greater Geelong, 1997.  | <b>NPS1</b>           |
| Jetty Road Urban Growth Area Development Contributions Plan, September 2011   | <b>C230</b>           |
| Key Development and Increased Housing Diversity Areas, July 2009, Drysdale IHDA updated Sept 2010   | <b>C103</b>           |
| Melbourne Geelong Interconnection Project, June 2010.   | <b>C229</b>           |
| Newtown Heritage Study Review Report, Volume 3, City of Greater Geelong, 2008   | <b>C191</b>           |
| New Station Estate Restructure Plan, July 2010  | <b>C187</b>           |
| Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002.  | <b>VC17</b>           |
| Rail Upgrades at Geelong Port Project, May 2010.  | <b>C211</b>           |
| Rippleside Comprehensive Development Plan, February 2000.   | <b>C2</b>             |
| Rippleside Urban Design Guidelines, June 2000.  | <b>C2</b>             |
| Thirteenth Beach Golf Resort Barwon Heads, Barwon Heads Comprehensive Development Plan, Land Design Partnership, Anthony Cashmore & Associates and the Planning Group, May 2001 amended September 2006. | <b>C54</b>            |

GREATER GEELONG PLANNING SCHEME

| Name of document  | Introduced by: |
|---|----------------|
| Waterfront Geelong Design and Development Code, Keys Young, July 1996 | NPS1           |
| West Fyans-Fyans Street Precinct Structure Plan, June 2009            | C205           |

**1 D Deletions from ESO Maps 17,18 & 26**



Part of Planning Scheme Maps 17ESO, 18ESO & 26ESO

**LEGEND**

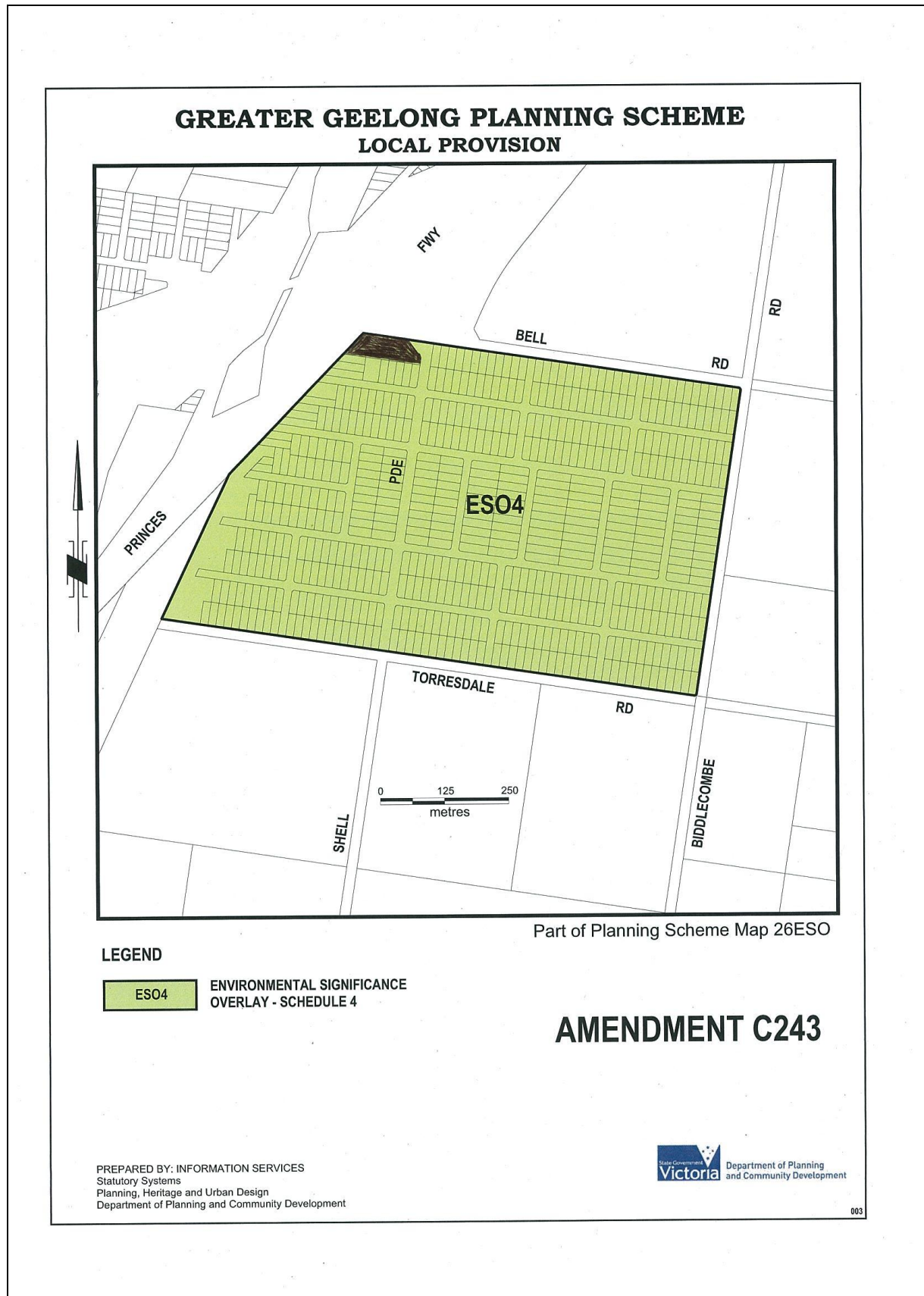
-  D-ESO4 AREA TO BE DELETED FROM AN ENVIRONMENTAL SIGNIFICANCE OVERLAY

**AMENDMENT C243**

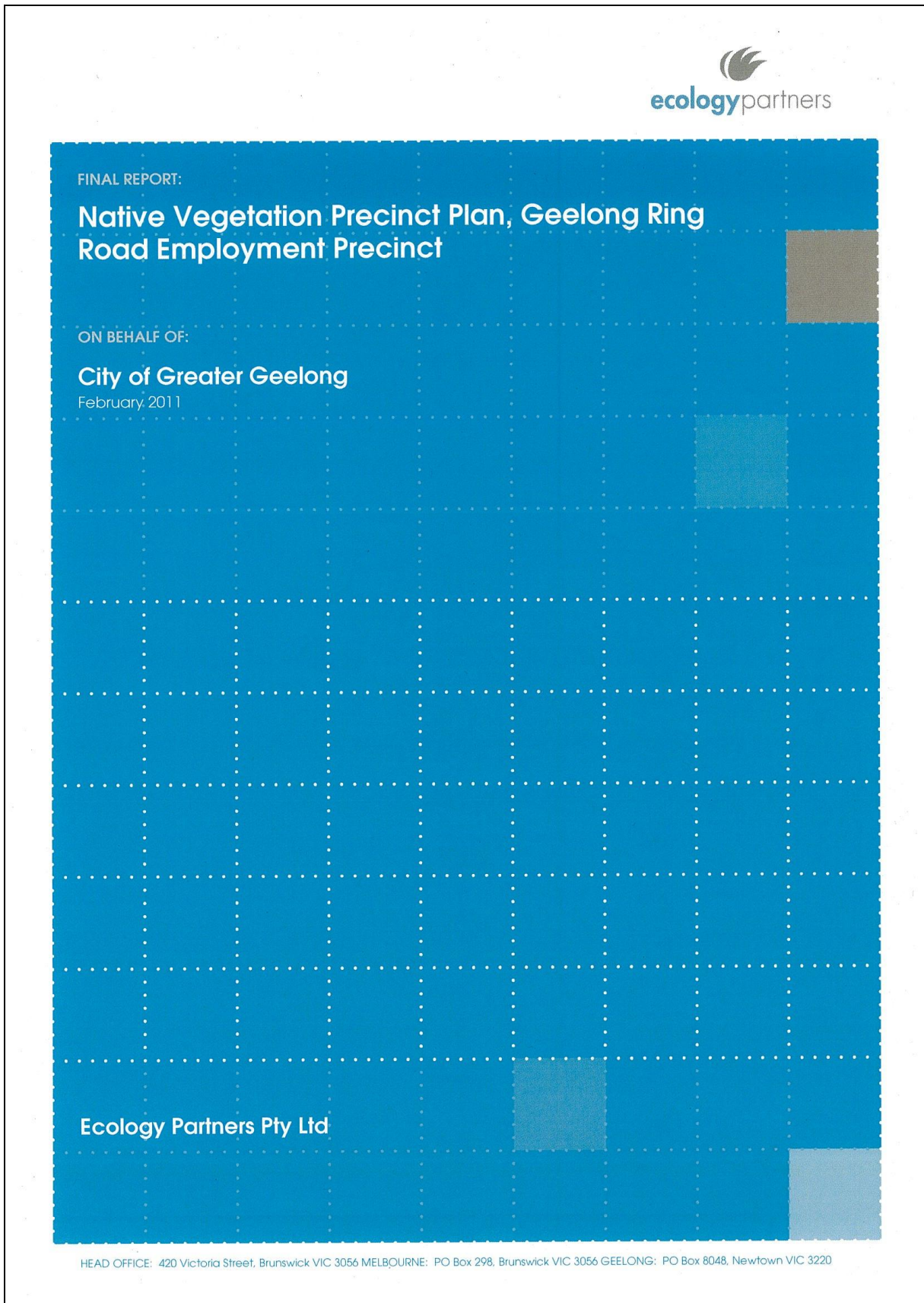
PREPARED BY: INFORMATION SERVICES  
Statutory Systems  
Planning, Heritage and Urban Design  
Department of Planning and Community Development



**1 E Additions to ESO Map 26**



**Appendix 7-2 A – GREP Native Vegetation Precinct Plan**



## Table of Contents

|               |  |            |
|---------------|--|------------|
| <b>1</b>      | <b>Native Vegetation Precinct Plan .....</b>                     | <b>119</b> |
| 1.1           | Background.....  | 119        |
| 1.2           | Purpose.....   | 119        |
| 1.3           | Vegetation Objectives to be Achieved .....                       | 120        |
| <b>2</b>      | <b>Native Vegetation to be Protected .....</b>                   | <b>121</b> |
| <b>3</b>      | <b>Native Vegetation to be Removed, Destroyed or Lopped.....</b> | <b>6</b>   |
| <b>4</b>      | <b>Offset Calculations .....</b>                                 | <b>7</b>   |
| 4.1           | Overview .....   | 7          |
| 4.2           | Requirements .....   | 7          |
| 4.3           | Conditions .....   | 7          |
| 4.4           | Procedures for the Collection of any Payments .....              | 7          |
| 4.5           | Other Information .....  | 7          |
| 4.6           | Reference Documents.....   | 8          |
| <b>Tables</b> |  |            |
|               | Table 1: Habitat Zones to be protected.....                      | 121        |
|               | Table 2: Habitat Zones which may be removed .....                | 6          |

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## **Acknowledgements**

We thank the following people for their contribution to the project.

- Bill Johnsen (City of Greater Geelong) for project information.
- Donna Burns and Nathan MacDonald (Department of Sustainability and Environment) for planning information.

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Ecology Partners Pty Ltd personnel who contributed to the project include:

Mark Stockdale, Robyn Giles and Andrew Hill.

**Project #2176**

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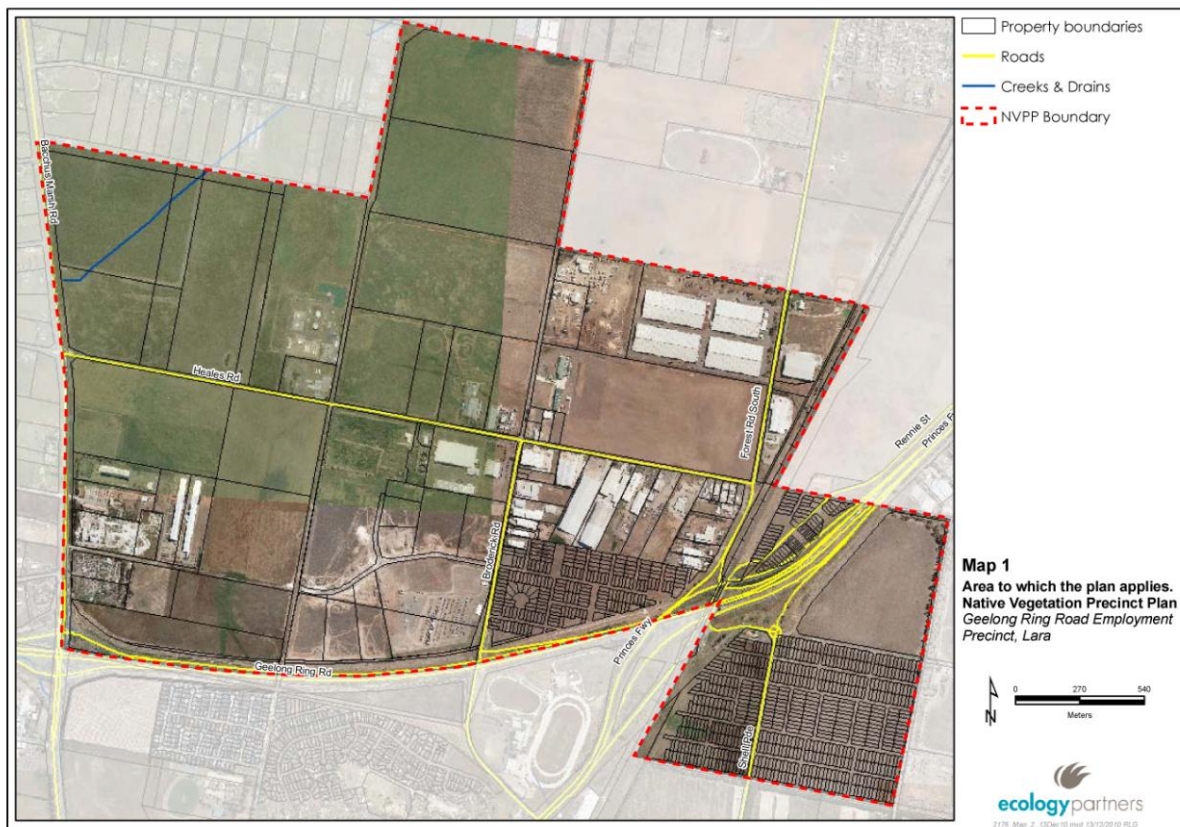
# 1 Native Vegetation Precinct Plan

## **Background**

This is the Geelong Ring Road Employment Precinct (GREP) Native Vegetation Precinct Plan (NVPP) listed under the Schedule to Clause 52.16 of the City of Greater Geelong Planning Scheme. The Relevant Authority for the implementation of conditions specified within the NVPP is the City of Greater Geelong.

The removal, destruction or lopping of native vegetation in accordance with this NVPP, does not require a permit provided conditions and requirements specified in this NVPP are met.

### **Map 1: Area to which the NVPP applies**



## **Purpose**

The purpose of the GREP NVPP is to:

- Specify the native vegetation to be protected and the native vegetation that can be removed, destroyed or lopped;
- Ensure that areas set aside to protect native vegetation are managed to conserve ecological values;

- Ensure that the removal, destruction or lopping of native vegetation specified to be protected is consistent with conserving the ecological values of these areas and is in accordance with the three-step approach to net gain as set out in *Victoria's Native Vegetation Management – a Framework for Action* (DSE 2002);
- Set out the works or other necessary actions required to offset the removal, destruction or lopping of native vegetation; and,
- Streamline the planning approvals process through a landscape approach to native vegetation protection and management.

### ***Vegetation Objectives to be Achieved***

The objectives for native vegetation protection are to:

- Protect and manage floristic communities listed under the *Environment Protection Biodiversity Conservation Act 1999* (Natural Temperate Grassland of the Victorian Volcanic Plain).
- Protect and manage floristic communities listed under Victoria's *Flora and Fauna Guarantee Act 1988* (Western (Basalt) Plains Grassland).
- Protect and manage Ecological Vegetation Classes listed as endangered in the Victorian Volcanic Plain bioregion (*Heavier-soils* Plains Grassland (EVC 132\_61) and Plains Grassy Wetland (EVC 125).
- Develop a land management plan to improve the condition and habitat value of native vegetation specified to be retained for nationally listed significant flora (i.e. Spiny Rice-flower *Pimelea spinescens* subsp. *spinescens*) and fauna (i.e. Golden Sun Moth *Synemon plana*).
- Implement specific environmental objectives outlined in Environmental Significance Overlay – Schedule 4 (ESO 4) to the Greater Geelong Planning Scheme, including:
  - Prevent a decline in the extent and quality of native vegetation and native fauna habitat of the Victorian Volcanic Plain;
  - Enable areas of environmental significance, due to their native vegetation or habitat values, to be identified; and,
  - Enhance the environmental and landscape values of the area.

## 2 Native Vegetation to be Protected

- Native vegetation to be protected is shown in Map 2 and described in Table 1. This vegetation should not be removed.

**Table 1:** Habitat Zones to be protected

| Property Address           | Habitat Zone | EVC no and initials | Size (Hectares) | Habitat Hectares | Conservation Status | Conservation Significance |
|----------------------------|--------------|---------------------|-----------------|------------------|---------------------|---------------------------|
| New Corio Estate           | PG3          | PG 132_61           | 0.06 ha         | 0.03 Hh          | Endangered          | Very High                 |
| New Corio Estate           | PG 1, 2 & 4  | PG 132_61           | 29.31 ha        | 9.79 Hh          | Endangered          | High                      |
| 137-207 McManus Road, Lara | PGW 1        | PGW 125             | 3.06 ha         | 0.52 Hh          | Endangered          | High                      |

**Notes:** PG = Plains Grassland, PGW = Plains Grassy Wetland

Native vegetation shown in table 1 and map 2 as to be protected should not be removed as a landscape approach to native vegetation retention and removal has been adopted in the preparation of this NVPP, rather than using a site by site approach.

Decisions relating to removal of areas of native vegetation have been made in a holistic manner taking into account areas of native vegetation which are proposed to be protected. The adhoc removal of native vegetation which is identified as to be protected may undermine the holistic and landscape wide approach to the preparation of this NVPP.

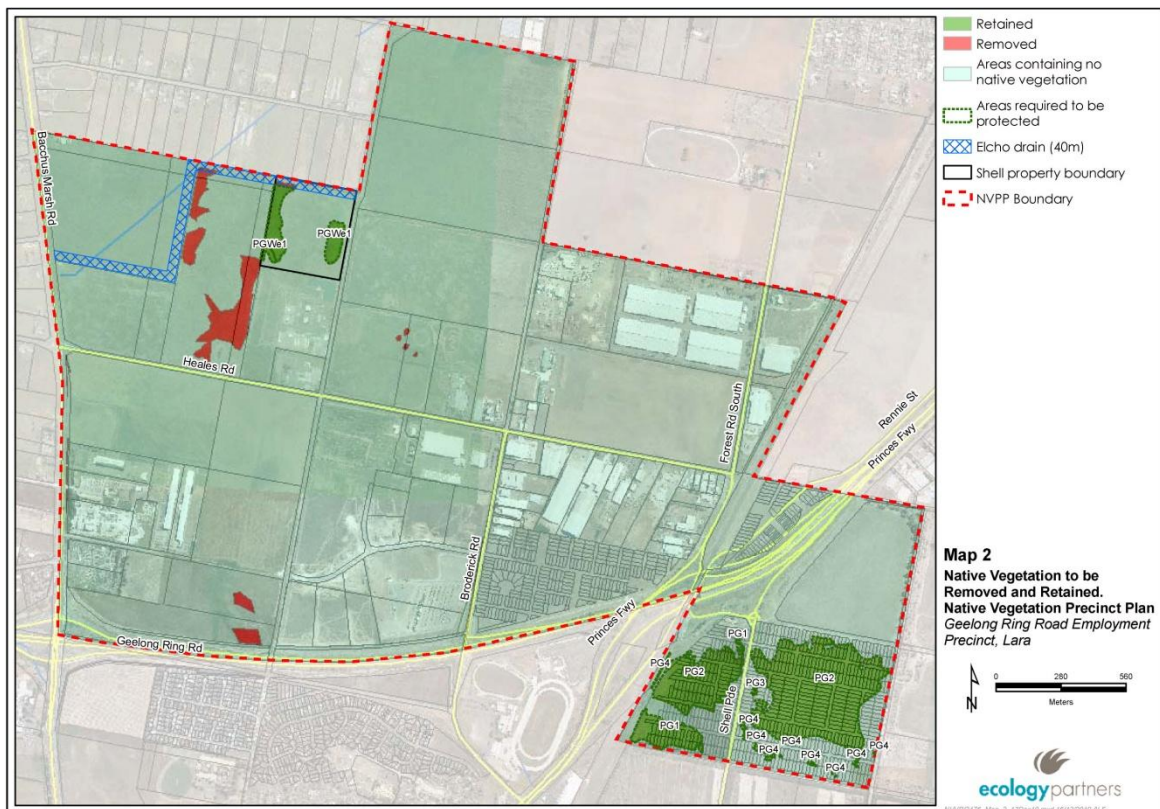
### 3 Native Vegetation to be Removed, Destroyed or Lopped

The native vegetation described in Table 2 and shown in map 2 as vegetation that can be removed may be removed subject to the requirements and conditions in this NVPP, as allowed under Clause 52.16 of the Greater Geelong Planning Scheme. Note: Native vegetation required for the removal within the GREP and the Elcho Channel has been identified as 'modified treeless vegetation' (DSE 2010a).

**Table 2:** Habitat Zones which may be removed

| Property Number | Property Address               | Habitat Zone                 | EVC number and initials | Size (Hectares) |
|-----------------|--------------------------------|------------------------------|-------------------------|-----------------|
| 284334          | 220A Heales Road, Lara         | Modified Treeless Vegetation | N/A                     | 6.5             |
| 299269          | 120 Heales Road, Lara          | Modified Treeless Vegetation | N/A                     | 0.1             |
| 282220          | 21-79 McManus Road, Corio      | Modified Treeless Vegetation | N/A                     | 0.45            |
| 294838          | 310A Bacchus Marsh Road, Corio | Modified Treeless Vegetation | N/A                     | 0.63            |
| 284331          | 130 Heales Road, Lara          | Modified Treeless Vegetation | N/A                     | 0.14            |
| 284333          | 137-207 McManus Road, Lara     | PGW1                         | PGW 125                 | 0.18            |

**Notes:** PGW = Plains Grassy Wetland



**Map 2:** Native Vegetation to be Protected and Removed

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## **4 Offset Calculations**

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### **4.1 Overview**

No vegetation offsets are required for the removal of 'modified treeless vegetation' (DSE 2010b).

### **4.2 Requirements**

Requirements of the GREP NVPP include:

- A Land Management Plan is required for areas of native vegetation to be protected, specifically for weed control and to improve vegetation condition and habitat value for significant flora and fauna species.

### **4.3 Conditions**

The following conditions apply from the gazettal of the NVPP:

- Any native vegetation to be removed (in accordance with this NVPP) must be clearly marked on site to the satisfaction of the Responsible Authority whilst works are being undertaken within the vicinity.
- All earthworks must be undertaken in a manner that will minimise soil erosion and adhere to *Construction Techniques for Sediment Pollution Control* (EPA 1991).
- Any construction stockpiles, fill and machinery must be placed away from areas supporting native vegetation and drainage lines to the satisfaction of the responsible authority.
- Water run-off must be designed to ensure that native vegetation to be protected is not compromised.
- Only indigenous plants of local provenance may be used in revegetation works of conservation areas.

### **4.4 Procedures for the Collection of any Payments**

No payments are necessary or specified.

### **4.5 Other Information**

Referral to the Department of Sustainability and Environment for the removal of native vegetation under ESO 4 of the Greater Geelong Planning Scheme is not required, provided works are in accordance with this Native Vegetation Precinct Plan.

#### **4.6 Reference Documents**

DPCD 2010. Planning Schemes Online: <http://www.dse.vic.gov.au/>. Department of Planning and Community Development.

DSE 2010a. 'Determining the requirements of degraded treeless vegetation', Department of Sustainability and Environment.

DSE 2010b. 'Clarifying when an offset may not be required', Department of Sustainability and Environment.

Earth Tech 2005. 'Proposed Industrial Development, O'Brien's Road, Lara - Flora and Fauna Assessment'. Unpublished report to the City of Greater Geelong, Earth Tech Pty Ltd.

Ecology Partners 2010. Net Gain Assessment of Geelong Ring Road Employment Precinct. Unpublished report to the City of Greater Geelong.

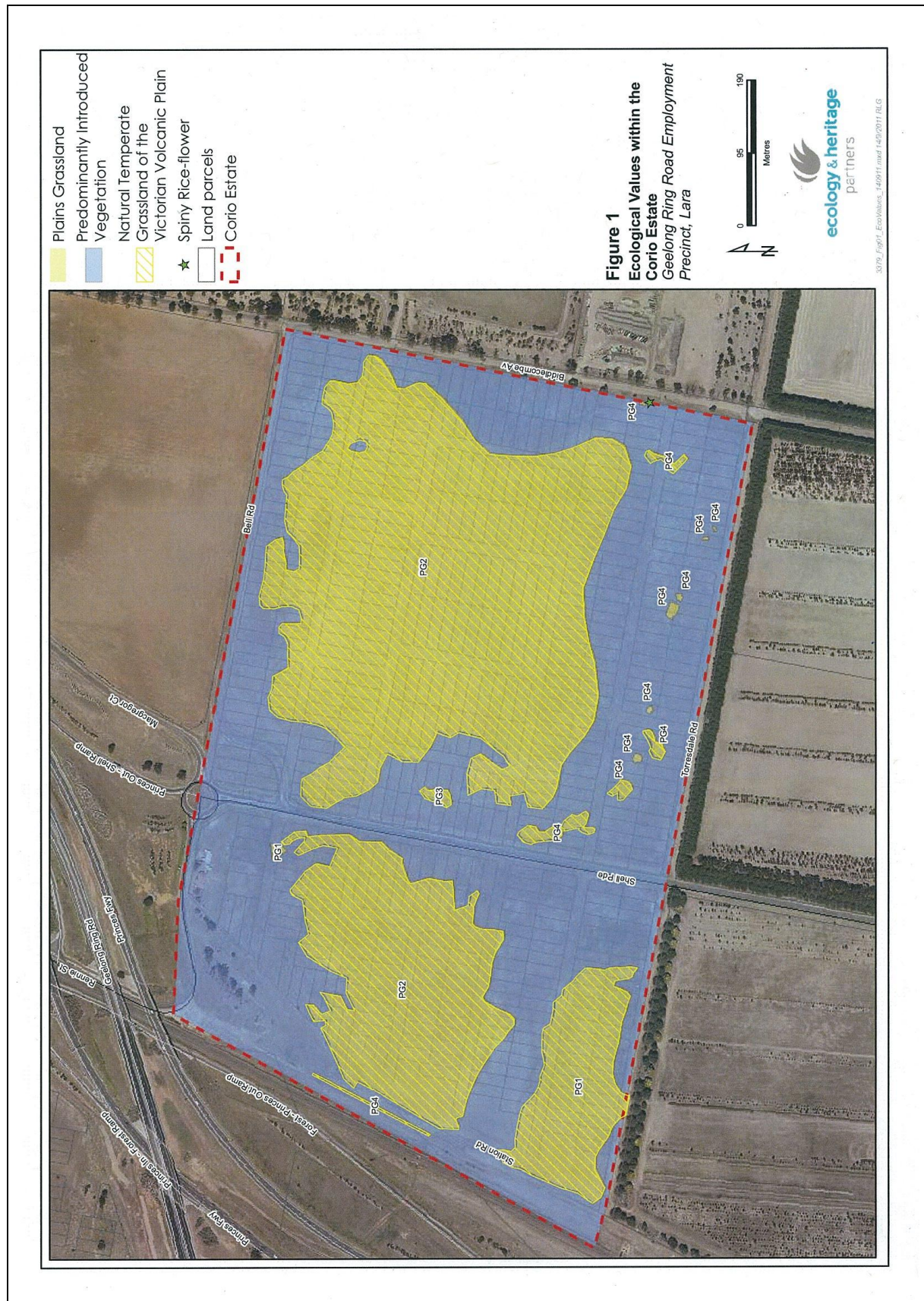
Ecology Partners 2010. Vegetation Assessment of 240 Heales Road, Lara. Unpublished report to the City of Greater Geelong.

Ecology Partners 2010. Vegetation Assessment of O'Briens Road, Lara. Unpublished report to the City of Greater Geelong.

Ecology Partners 2011. General Fauna Assessment and Targeted Golden Sun Moth Survey, Lara. Unpublished report to the City of Greater Geelong.

MWH 2007. 'Flora, Fauna and Net Gain Assessment of Council Land'. Unpublished report to the City of Greater Geelong, MWH Pty Ltd.

**Appendix 7-2 B – Ecological Values New Corio Estate**



Appendix 7-3 A

NCE Real Estate Brochure 1962

**LAND SALE**  
NEW CORIO ESTATE  
BETWEEN  
GEELONG GRAMMAR SCHOOL  
CORIO OVERPASS  
**114**  
ALLOTMENTS  
ZONED "AGRICULTURAL A"  
FROM **£65** FULL PRICE  
FULL PARTICULARS FROM THE MANAGING AGENTS  
C. J. KEANE & CO.  
147 RYRIE STREET GEELONG  
PHONE 95894

We suggest this land for your consideration as  
**AN INVESTMENT OPPORTUNITY**  
With the continued progress of Geelong this land  
should appreciate in value.

**DRIVE OUT AND INSPECT**

Turn right off Princes Highway at sign board to  
Grammar School along School Road, turn left at  
school gates along Biddlecombe Road.

**FROM GEELONG**

Turn left off Princes Highway at sign board to  
Grammar School just before Corio Overpass.

**FROM MELBOURNE**

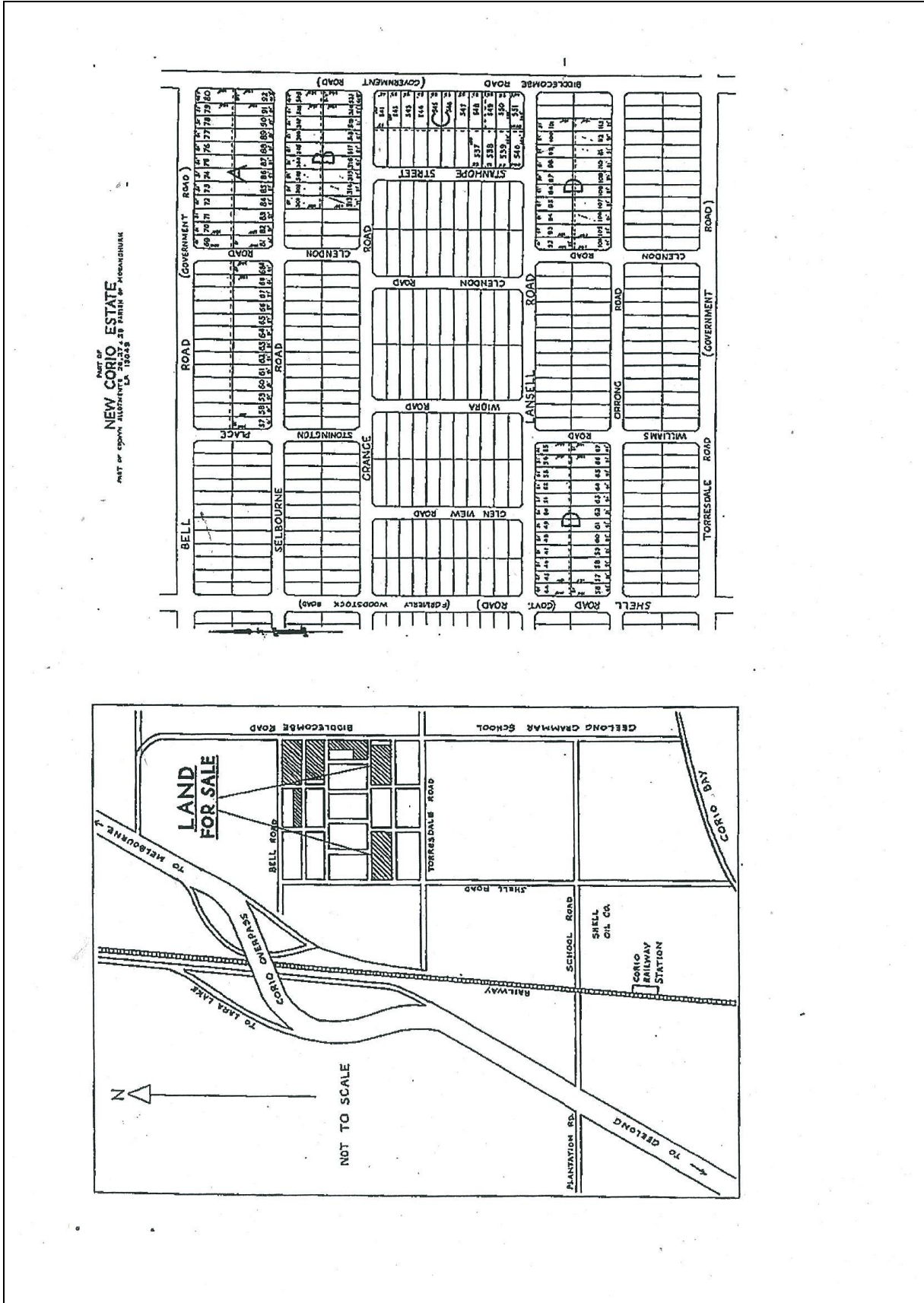
**TOWN PLAN ZONING** Under the Geelong and District Town Planning  
Scheme, these allotments are zoned Agricultural "A".  
Building permits will NOT be issued for areas less  
than 5 acres with a 5 chain frontage to roadway.  
Interested purchasers are advised to make enquiries  
with The Secretary, Geelong & District Town Plann-  
ing Committee, 65 Ryrie Street, Geelong or The  
Secretary, Shire of Corio, Swinburne Street, North  
Geelong.

For further particulars,  
Phone or call the Managing Agents:



**C. J. KEANE & CO.,**  
147 RYRIE ST.,  
GEELONG

PLEASE PASS ON TO FRIEND.



Appendix 7-3 B "Special Conditions", New Corio Estate Contract of Sale - 1962

2. The Purchaser shall pay to the vendor interest calculated from the date of his becoming entitled to possession or the receipt of the rents and profits of the land sold as the case may be with interest at the rate of per cent per annum on the residue of the purchase money, such interest to be payable as from the said date.
3. (a) So far as this Contract relates to land under the operation of the Transfer of Land Act 1958 the Conditions in Table A of the said Act shall apply hereto and so far as it relates to other land the Conditions in the Third Schedule to the Property Law Act 1958 shall apply hereto.  
(b) Condition 9 of the said Table A and of the said Third Schedule shall both be read and construed as if the words "no insurance premiums" were omitted therefrom.
4. If the land is sold at auction the auctioneer shall be deemed the agent of the vendor and not a stakeholder.
5. All moneys falling due under this Contract may be paid free of exchange to  
**C. J. Keane & Co.,  
147 Byrnie Street,  
Geelong.**

6. The purchaser hereby attorns and becomes tenant to the vendor from week to week at a rental equivalent to the interests and instalments (if any) from time to time due by the purchaser hereunder and payable on the dates fixed for payment of such interest and instalments (if any). Provided that punctual payment of such interests and instalments (if any) shall be equivalent to payment of such rental. If the purchaser makes default in such punctual payment and such default continues for seven days then or at any time thereafter although no legal or formal demand for payment thereof shall have been made it shall be lawful for the vendor upon leaving seven days previous notice upon the land sold or with the purchaser in that behalf to determine the tenancy created by the aforesaid attornment and upon the expiration of the said notice to recover possession of the said land under the provisions of the Landlord and Tenant Act 1958.

7. The foregoing conditions (including the conditions set out in the said Table A or the said Third Schedule as the case may be) if inconsistent with the special conditions set out hereunder shall be read subject to such special conditions.

SPECIAL CONDITIONS

1. In this contract where the context so admits or requires the singular number shall include the plural and words importing the masculine gender shall include the feminine.
2. The purchaser purchases subject to all statutory restrictions on the use of the said land and in particular to restrictions resulting from the said land being zoned as Agricultural A under the Geelong and District Town Planning Schemes.
3. The purchaser acknowledges receipt of a written statement in accordance with section 34 of the Estate Agents' Act, 1958 prior to the acceptance of a deposit by the Agent or the signing of any contract agreement or binding document.
4. The parties hereby acknowledge receipt of a copy of this document at the time that their signatures were obtained thereto.

I/We acknowledge that a copy of this Document was given to me/us by the Estate Agent at the time I/we signed this Document.

I/We acknowledge that a copy of this Document was given to me/us by the Estate Agent at the time I/we signed this Document.

Signed.....  
I/We acknowledge that a copy of this Document was given to me/us by the Estate Agent at the time I/we signed this Document.

Signed.....

Signed.....

Appendix 7-3 C Planning Certificate, New Corio Estate - 1977

27/10/2011 10:30 0394641366 CLARK FLOORS PAGE 02  
Osborne House, Swindurne Street,  
Geelong, 3215. Telephone: 78 2811

Town and Country Planning Act 1961  
GEELONG REGIONAL PLANNING SCHEME  
CERTIFICATE

CERTIFICATE No 2033

TO: ~~Access~~ ~~High St~~  
Preston 3072 MH: LK

At the date of issue of this CERTIFICATE the parcel of land described in application numbered  
1951 being Lot 36 LP 13079  
Orrong Road Corio 1939/878

IS  within an area in respect of which an INTERIM DEVELOPMENT ORDER applies in  
respect of which this Authority is the Responsible Authority;  
~~IS NOT~~  within an area in respect of which an APPROVED PLANNING SCHEME applies in  
respect of which this Authority is the Responsible Authority;  
~~IS NOT~~  within an area in respect of which the Governor in Council has authorized the  
preparation of an urban renewal proposal.

It should be noted that the land is also the subject of.....

Date 4-1-77  
Authorized Officer  
Council of the SHIRE OF CORIO  
Responsible Authority by Delegation from the  
Geelong Regional Planning Authority.

Note relating to the Geelong Regional Interim Development Order and to Areas under the Develop-  
ment Areas Act 1973.  
N.B. This note does not form part of Statutory Certificate No. 2033 forwarded here-  
with but is for advice and assistance only.

(1) While any person having an interest or contemplating the acquisition of an interest in land  
to which the Geelong Regional Interim Development Order applies should examine that Order,  
copies of which have been deposited in accordance with the provision of the Town and  
Country Planning Act, the information set out hereunder is furnished with the purpose of facili-  
tating the ascertainment of the effect (if any) of the Interim Development Order on the land:—

The land referred to in the above Certificate:

(a) Is in a Rural (General Farming) zone;  
(b) is or forms part of land reserved for the purpose of .....  
(c) ~~DOES~~ DOES NOT abut on an Arterial Road or Freeway.

(2) The land referred to in the above Certificate ~~IS~~ IS NOT within a Designated Area under the  
Development Areas Act 1973, particulars of which can be obtained on application to the Town  
and Country Planning Board.

(3) No BUILDING PERMIT WILL BE ISSUED IN RESPECT OF THIS

**Appendix 7-4 List of Submitters**

| <b>No.</b> | <b>Submittor</b>  | <b>Affected Property</b>         |
|------------|---|----------------------------------|
| 1          | Snezana Akinola   | 3 Wiora Rd Corio (NCE)           |
| 2          | Keith Allender  | 87 – 89 Lansell Rd Corio (NCE)   |
| 3          | Barwon Water  | None Specified                   |
| 4          | Violetta Boyd   | 21 Wiora Rd Corio (NCE)          |
| 5          | Country Fire Authority (CFA)                                    | None Specified                   |
| 6          | Corangamite Catchment Management Authority (CCMA)               | None Specified                   |
| 7          | Corio Maltings Pty Ltd  | 580 Princes Highway Corio (NCE)  |
| 8          | Joe Cotroneo  | 51 Lansell Rd Corio (NCE)        |
| 9          | Eddy Komadina   | 30 – 32 Selbourne Rd Corio (NCE) |
| 10         | Otavio Secen  | 66 Orrong Rd Corio (NCE)         |
| 11         | Paul Secen  | 19 Stanhope St Corio (NCE)       |
| 12         | TGM Group Pty Ltd (on behalf of Bisinella Developments Pty Ltd) | 275 Bacchus Marsh Rd Corio       |
| 13         | Chris Valcek  | 12 Orrong Rd Corio (NCE)         |
| 14         | VicRoads  | None Specified                   |
| 15         | Department of Sustainability and Environment (DSE)              | None Specified                   |

## **8. CHILDREN'S WEEK 2012 REPORT**

*(Previously Agenda Item 6)*

**Portfolio:** Community Development – Cr Fisher  
**Source:** Community Services – Family Services  
**General Manager:** Jenny McMahon  
**Index Reference:** Subject: Projects/Programs – Community Services – Family Services Events

### **Summary**

- The purpose of this report is to present to Council the outcomes of the 2012 Geelong Children's Week celebrations, held between 20 and 28 October, 2012.
- Children's Week is an international event designated by the United Nations and celebrated annually. The focus of Children's Week is to recognise and promote the unique role and contributions to the community of young children.
- Council has been responsible for the coordination, planning and promotion of Children's Week in Geelong since 2005. The annual development and implementation of the Children's Week program represents a positive collaboration between a wide range of local community organisations, groups and Council services.
- The program of events conducted throughout Geelong during Children's Week has demonstrated continued participation and interest from the local community. This year, the Children's Week program incorporated 66 separate events hosted by 50 local organisations.
- A total of 22 grants of up to \$300 each were provided to local services and community groups to support and facilitate local Children's Week events, in addition to funding of key events provided through Council services.
- Geelong's Children's Week, 2012 was advertised via community billboards and local newspapers. This included the distribution of more than 42,000 Children's Week Calendars through the Geelong Advertiser's GT Magazine and a further 10,000 copies directly to early years services, schools and customer service centres.
- The Geelong Australia website and social media were also used to promote Children's Week, including the *Ranger Roo, Where are You?*, an online competition in partnership with Parks Victoria and Geelong Regional Libraries.
- The diverse range of local events held during Children's Week 2012 targeted children aged between 0–12 years, and resulted in high levels of participation by children and adults, including involvement by more than 400 paid staff and volunteers.
- Council's support for Children's Week is consistent with key objectives contained within the Municipal Early Years Plan.

**Cr Fisher moved, Cr Irvine seconded -**

**That Council acknowledges the success of Children's Week in Geelong, October 2012, and the contribution by volunteers and local organisations.**

**Carried.**

## **8. CHILDREN'S WEEK 2012 REPORT (CONT'D)**

### **Report**

#### ***Background***

In 1954 the United Nations General Assembly proclaimed Universal Children's Day as a day to promote friendship and understanding amongst children of the world. Since then, Universal Children's Day has been incorporated into Children's Week which is celebrated annually in Australia in the fourth week of October, supported by the Children's Week Council of Australia.

Council, through the Family Services Department, has been responsible for the coordination, planning and promotion of Children's Week in Geelong since 2005. Children's Week in Geelong has continued to grow strongly, and provide enhanced opportunities to encourage children's civic participation, and the promotion of the unique contributions children make to the local community.

#### ***Discussion***

Geelong's Children's Week program represents one of the largest Children's Week celebrations currently hosted by any municipality in Victoria. Its success is evidenced by strong participation from local children and families in a wide range of events and activities held throughout the week.

Children's Week generates significant good will and is truly unique in that it is a community driven event. While Council coordinates the local planning, promotion and funding for the event program, the majority of the events and activities held during Children's Week are hosted by local community groups and organisations.

#### **Promotion and Advertising**

Children's Week event calendars were circulated via the Geelong Advertiser's GT Magazine on 6 October. This equated to a distribution of more than 42,000 calendars with an estimated readership of 87,000. In the lead up to Children's Week 2012, advertisements also appeared in Geelong Advertiser, the Geelong Independent, the Bellarine Times and on community billboards in North Geelong and Kardinia Park.

A further 10,000 copies of the Children's Week Calendar were distributed to local early childhood services, primary schools, community groups and Council Customer Service Centres. Individual organisations promoted their respective activities and events through the distribution of flyers, posters, newsletters, notice boards, invitations, radio and social media.

The Geelong Australia website and social media were also used to promote the week's activities, resulting in more than 160 'likes' on Facebook. Approximately 1,500 visits were made to the Geelong Australia website during the campaign, with activity peaking around the launch date of 19 October.

Both the Geelong Independent and Geelong Advertiser newspapers published details and photographs of various events and activities held throughout Children's Week.

#### **Children's Week Grants and Participation**

Approximately 450 local organisations, including: early childhood services, toy libraries, playgroups, child care centres, kindergartens, schools, maternal and child health centres, family support agencies, and community groups were invited to participate in the Children's Week Program.

## **8. CHILDREN'S WEEK 2012 REPORT (CONT'D)**

More than 50 local organisations registered 66 separate events and activities targeted at children aged 0-12 years. Children's Week grants of up to \$300 each were provided to 22 of the 50 organisations to support their activity.

Funding was also provided to a range of Council services to hold Children's Week activities, including: the Maternal and Child Health Service, Waterworld, Bellarine Sport and Aquatic Centre, Splashdown Aquatic Centre, City Learning and Care Centres at Ariston and Ocean Grove and Supported Playgroups. A list of funding and grant recipients can be found at Attachment 6-1.

Estimates received from participating community groups and organisations indicate that almost 12,000 adults and children attended events across the municipality, including approximately 400 paid staff and volunteers (see Attachment 6-2 for a complete list of participating organisations and estimated attendance).

### **Activities and events delivered by Family Services**

The former Mayor, Cr John Mitchell launched Geelong's Children's Week, 2012 at the Waurin Ponds Library on 19 October. Approximately 60 children and 40 adults attended the special story-time event jointly hosted with Geelong Regional Libraries.

In 2012, the '*Ranger Roo – where are you?*' online competition was held in partnership with Geelong Regional Libraries and Parks Victoria to promote Children's Week more broadly and increase attendance at the Playgroup in Park, twilight event held at the Botanical Gardens' Playspace.

More than 150 competition entries were received during the promotional period. In 2012, Playgroup in the Park was attended by more than 450 people. This was more than double the attendance of the previous year.

Early Years Expos were held at the Potato Shed, Drysdale and at Centenary Hall, Corio to promote services available to the local community. Both events were well supported by local organisations with 17 stallholders present at the Potato Shed, and 20 at Centenary Hall. The latter was funded by the Corio-Norlane, LSEY/Best Start Partnership.

Both events were well attended with 80 adults accompanying more than 100 children to the Potato Shed, and approximately 108 people (37 families) visiting Centenary Hall.

### **Participant Feedback**

Family Services received feedback forms from 30 participating organisations following Children's Week, 2012. Key points are summarised below:

- Organisations indicated that Geelong's Children's Week was highly valued and used as a platform to promote their services or programs and engage with children and families.  

"A great opportunity to promote services and provide fun activities for children and for the community to have the opportunity to enjoy activities they normally couldn't afford."
- The majority (87 per cent) of respondents rated the level of support from Council as excellent or very good.
- The Children's Week Program distributed through early years services and GT Magazine in the Geelong Advertiser was rated by 94 per cent of respondents as excellent or very good.

## **8. CHILDREN'S WEEK 2012 REPORT (CONT'D)**

- Approximately half (54 per cent) of the responding organisations indicated they would continue with a Children's Week activity in future years if the grants program was unavailable, while 18 per cent said they would not, and 29 per cent were unsure.

In 2013, Children's Week will be celebrated from 19 – 27 October.

### ***Environmental Implications***

All events and activities conducted during Children's Week attempt to promote and operate according to good environmental sustainability practices and principles, including appropriate waste management and recycling wherever possible.

### ***Financial Implications***

The cost to Council of this year's Children's Week Program was \$51,820.

A contribution of \$500 was received from the Victorian State Government through the Department of Education and Early Childhood Development.

All applicants were successful in receiving a Children's Week grant. A full list of grant recipients can be found at Attachment 6-1.

The sustainability of Council's role in coordinating and promoting future Children's Week programs and activities remains subject to continued funding and resources being provided through Council.

### ***Policy/Legal/Statutory Implications***

Council's role in supporting the provision of local programs and activities for children and families is consistent with local government requirements stipulated under Section 3E (a); (b); (c); and (d) of the Victorian Local Government Act 1989 and also the Victorian Charter of Human Rights and Responsibilities.

Council's City Plan 2010–14 also details corporate planning objectives, service delivery priorities and commitments that are consistent with and closely aligned to the matters contained in this report, especially in relation to the development and provision of opportunities to facilitate community participation and engagement.

Council's role and responsibilities toward the hosting and support of Children's Week are consistent with key recommendations endorsed by Council in the existing Municipal Early Years Plan and Children's Services Policy (2006).

Key recommendations within the Municipal Early Years Plan reflect Council's commitment to: "Continue to provide opportunities for children and families to actively participate in the community and civic activities". This includes: 'Promotion of community events for children and families throughout the municipality'. (Municipal Early Years Plan: recommendation 20, page 26.)

## **8. CHILDREN'S WEEK 2012 REPORT (CONT'D)**

### ***Officer Direct or Indirect Interest***

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

### ***Risk Assessment***

The future planning and promotion of Children's Week in Geelong remains subject to continued financial support from Council. Any reduction in available funding is likely to significantly curtail and diminish the potential to support future events and participation by local children and families.

Risk assessment planning is routinely completed for all Council hosted events in accordance with Council event planning guidelines.

### ***Social Considerations***

Children's active engagement and participation in their community has significant social and developmental benefits that are shared by children, families, and the whole community. Children's Week provides a unique opportunity to promote civic participation by young children.

Growth in participation in Children's Week by a large and diverse range of organisations and community groups (including schools, kindergartens, childcare services, family support agencies, playgroups, toy libraries, neighbourhood houses, and churches) provides a positive platform for partnership – building the further development of major local events.

### ***Communication***

The communication of this report along with material produced in relation to the development and promotion of Children's Week in Geelong is the responsibility of Council's Family Services Department.

**Attachment 8-1**

**Funding and grants provided to events and organisations for Children's Week 2012**

| <b>Event/Organisation</b>   | <b>\$</b>       |
|---|-----------------|
| Funding recipients - CoGG   |                 |
| Bellarine Sport & Aquatic Centre  | 1,500           |
| Bellarine Early Years Expo  | 1,138           |
| CLAC Ariston  | 300             |
| CLAC Ocean Grove  | 300             |
| Maternal and Child Health   | 1,500           |
| Playgroup in the Park (Supported Playgroup & Parenting Initiative)                      | 2327            |
| Splashdown Leisure Centre   | 1500            |
| Supported Playgroup & Parenting Initiative (Portarlington & Little Blossoms Playgroups) | 630             |
| Waterworld  | 5000            |
| Children's Week grant recipients - Community Organisations                              |                 |
| Association of Geelong and District Angling Clubs                                       | 300             |
| Allanvale Preschool   | 300             |
| Bellarine Community Health  | 300             |
| Belmont Toy Library   | 300             |
| Bluebird Foundation   | 300             |
| CatholicCare  | 300             |
| Club Italia   | 300             |
| Friends of Geelong Botanic Gardens  | 250             |
| Foodskil  | 300             |
| Fyans Park Kindergarten   | 300             |
| Geelong YMCA  | 300             |
| Glastonbury Community Services  | 300             |
| Lara Kindergarten   | 100             |
| Leopold Toy Library   | 300             |
| Newtown Primary School  | 300             |
| MIS Polish Playgroup  | 200             |
| Ocean Grove Neighbourhood Centre  | 300             |
| Paddington Toy Library  | 300             |
| People & Parks Foundation   | 473             |
| Portarlington Preschool/Portarlington Playgroup   | 1,100           |
| Rix Street Kindergarten   | 300             |
| St Laurence Community Services  | 300             |
| <b>Total:</b>   | <b>\$21,418</b> |

**Attachment 8-2**

**Summary of 2012 Children's Week events and activities held across the City of Greater Geelong by location and estimated participation rates**

| <b>Location</b> | <b>Event</b>   | <b>Estimated Participation</b> |
|-----------------|--|--------------------------------|
| Belmont         | Belmont Toy Library Open Day   | 100                            |
| Bell Post Hill  | Leisuretime Centre - Sports Expo   | *                              |
| Bell Post Hill  | Little Blossoms Multicultural Playgroup                                    | 33                             |
| Corio           | Bluebird Foundation Muddy Musical Adventures                               | 50                             |
| Corio           | Best Start - North Early Childhood Expo                                    | 110                            |
| Norlane         | FoodSkil - Healthy Lunches and snacks for kids                             | 60                             |
| Corio           | Children's Fun Day @ Waterworld  | 322                            |
| Drysdale        | The Potato Shed - Family Fun Day   | 3023                           |
| Drysdale        | Bellarine Community Health - Children's Garden Event                       | 90                             |
| Drysdale        | Bellarine Early Years Expo   | 210                            |
| Drysdale        | Bellarine Community Health - Childhood behaviour and sleeping presentation | *                              |
| Drysdale        | CLAC Drysdale - Literacy Week  | 65                             |
| Geelong         | Free child restraint fitting   | 65                             |
| Geelong         | MIS Polish Playgroup   | 18                             |
| Geelong         | Playgroup in the Park  | 451                            |
| Geelong         | Deakin University - Literacy Panel   | 90                             |
| Geelong         | GPAC - Poppykettle Kinder Day  | 1,302                          |
| Geelong         | GPAC - Poppykettle Primary Day   | 330                            |
| Geelong         | Friends of Geelong Botanic Gardens - Follow your nose x 2                  | 105                            |
| Geelong         | Market Square Shopping Centre - Humphrey B Bear                            | 100                            |
| Geelong         | CatholicCare - Creating a feelings book                                    | 186                            |
| Geelong         | Maternal and Child Health Centres - Children's Week Activities             | 140                            |
| Geelong         | People & Parks Foundation - Ranger Roo                                     | *                              |
| Geelong         | Carousel - 2 for 1 rides   | 15                             |
| Geelong         | Bluebird Foundation - Wild Moves dance and drumming workshops              | 86                             |
| Geelong West    | Geelong West Toy Library - 11th Annual Toy sale                            | 80                             |
| Grovedale       | Paddington Toy library - Open Day  | 50                             |
| Herne Hill      | Road to Reading - Open Day   | *                              |
| Herne Hill      | Rix Street Kindergarten - Fun Day  | *                              |
| Herne Hill      | GAMBA - Playgroup for families with multiples                              | *                              |
| Lara            | Serendip Sanctuary - Back to the bush story time in the park               | 18                             |
| Lara            | Lara Kindergarten - Mask making  | 50                             |
| Lara            | St Laurence - Spark in the Park Community Fair                             | 373                            |
| Leopold         | Leopold Toy Library - Teddy Bear's Picnic                                  | 326                            |
| Leopold         | Allanvale Preschool - Animal Farm Visit                                    | 79                             |
| Moolap          | Club Italia - Children's Halloween   | 366                            |
| Newtown         | Fyans Park Kindergarten  | 123                            |

**Summary of 2012 Children's Week events and activities held across the City of Greater Geelong by location and estimated participation rates (Cont'd)**

|               |   |       |
|---------------|---|-------|
| Newtown       | YMCA Preschool Gymnastics Class x 4                               | 171   |
| Newtown       | CLAC Ariston - Aboriginal Involvement                             | 50    |
| Newtown       | Celebrating the arts at Newtown Primary School                    | 585   |
| Norlane       | FoodSkil - Healthy Lunches and snacks for kids                    | 42    |
| Norlane       | CLAC Trudy Moritz - Jungle Party                                  | *     |
| North Geelong | Centre Court Indoor Tennis - Have a Ball                          | *     |
| North Geelong | Ron Nelson Memorial Junior Fishing Clinic                         | 410   |
| North Geelong | One World For Children - Cultural Music and Dance                 | *     |
| Ocean Grove   | Ocean Grove Toy Library Open Day x 2                              | 52    |
| Ocean Grove   | Ocean Grove Neighbourhood Centre - Magical Hour of Play           | 107   |
| Ocean Grove   | Friends of Ocean Grove Nature Reserve - Picnic with the Wallabies | 15    |
| Ocean Grove   | BASC - Children's Fun Day   | 267   |
| Ocean Grove   | CLAC Ocean Grove - Animal Farm Visit                              | 82    |
| Portarlington | Celebrating belonging at Portarlington Preschool and Playgroup    | 112   |
| Waurm Ponds   | Children's Week Launch  | 103   |
| Waurm Ponds   | Child & Infant CPR Workshops x 3                                  | 82    |
| Whittington   | Early Learning & Family Centre @ Apollo - Playgroup Farm Day      | 69    |
| Whittington   | Flamefest   | 1,200 |
| Whittington   | Early Learning & Family Centre @ Apollo Outdoor fun               | 158   |
| Whittington   | Splashdown - Children's Fun Day                                   | 380   |

\* Estimates were not available for these events.

## **9. STRATEGIC ALLIANCE OPPORTUNITY WITH PLACES VICTORIA IN CENTRAL GEELONG**

*(Previously Agenda Item 7)*

**Portfolio:** Major Projects – Cr Macdonald  
**Source:** Projects Recreation & Central Geelong  
**General Manager:** Dean Frost  
**Index Reference:** Customer: Places Victoria

### **Summary**

- Places Victoria (the Victorian Urban Renewal Authority trading as Places Victoria) moved to increase its presence in Geelong, opening a local office in March 2012. The aim is to identify and manage the delivery of urban renewal project outcomes focussing on the three regional cities of Geelong, Ballarat and Bendigo.
- This growth in Places Victoria's activities is seen as a great opportunity for Geelong to introduce new capital and target key urban renewal projects that will assist Central Geelong to develop into a city that is a more vibrant attractive place in which to live, work and recreate.
- Council Officers have been working with Places Victoria to determine the best way to target renewal projects that will assist Central Geelong in being more vibrant and successful as a city centre.
- Places Victoria is highly experienced in facilitating and delivering high quality, commercially focussed developments that provide good place making outcomes.
- A management structure including a Project Steering Group (PSG) and a Project Working Group (PWG) is to be formed to manage the projects for best results and ensure good governance.
- Key targets for shared projects in the Geelong CBD are shop top housing demonstration projects and the redevelopment of a Council owned car parks to facilitate residential mixed use development outcomes whilst maintaining adequate parking supply.

**Cr Macdonald moved, Cr Harwood seconded -**

**That Council:**

- 1) formalises a strategic alliance with Places Victoria to explore urban renewal project opportunities within Central Geelong;**
- 2) adopts a Project Structure (Appendix 9-1) and Committee Terms of Reference for the Project Working Group & Project Steering Group (Appendices 9-2 & 9-3);**
- 3) receives further reports on the progress of the working groups.**

## **9. STRATEGIC ALLIANCE OPPORTUNITY WITH PLACES VICTORIA IN CENTRAL GEELONG (CONT'D)**

### **Report**

#### ***Background***

It has become widely accepted that Central Geelong could operate as a more desirable and vibrant city centre through a substantial increase in residents living and working within the CBD. The issue of creating an eighteen hour (not twenty four hour) city is a major strategy for progressing Central Geelong as a city and to do this people must not only work and recreate in the city but also live there.

This goal proves hard to attain because of a classic cycle of thinking. Typically people do not wish to live in the city centre because it is so quiet after hours and it is quiet at these times because people do not live there to create activity and demand.

The Victorian Urban Renewal Authority Victoria (trading as Places Victoria) was established in October 2011 by the State Government. It is headquartered in Melbourne Dockland and now has a branch in Geelong to implement key urban renewal projects in regional Victorian cities. In Dandenong, Places Victoria is driving some long-term urban renewal and takes a variety of different roles in different areas. In Geelong, their goal is around individual projects that will make positive contributions to Central Geelong.

It is a unique opportunity to be able to partner with an organisation such as Places Victoria to help achieve the aims of the city.

Places Victoria is committed to the principles of community engagement and works closely with the private sector and Government to deliver appropriate land use outcomes and homes in metropolitan Melbourne and strategic regional locations. Places Victoria is also self funding and development is generally not financed by the State budget.

#### ***Discussion***

The intervention of an organisation such as Places Victoria can help Central Geelong by applying commercial principles and its capital resources to deliver urban renewal project outcomes, often in partnership with the private sector. . Whilst Places Victoria must be self funding, and operate on a commercial basis it is prepared to consider lower returns than the private sector, particularly where strong policy outcomes can be delivered and there is an opportunity to lead the market in new directions.

#### **Places Victoria's Role:**

Places Victoria facilitates urban renewal, with a view to enhancing the liveability and resilience of communities throughout Victoria by delivering great places to live, work and visit.

#### **The key elements in achieving this vision are:**

- *Place making* – delivering authentic places which nurture and inspire diverse groups of people.
- *Private sector investment facilitation* – overcoming market impediments and facilitating investment and partnership opportunities.

## **9. STRATEGIC ALLIANCE OPPORTUNITY WITH PLACES VICTORIA IN CENTRAL GEELONG (CONT'D)**

- *Strategic future planning* – establishing a framework for implementing a long-term vision for urban outcomes supported by aligned physical and social infrastructure programs.
- *Finance* – operating in a financially sustainable manner, applying rigorous commercial discipline and delivering best value for public funds.
- *Sustainability and affordability* – delivering social, economic and environmental outcomes and responding to the needs of diverse households.
- *Social and community* – actively engaging with communities and optimising social and economic opportunities.
- *Design leadership* – delivering efficient forms of development and demonstrating world class urban outcomes.
- *Best practice* – demonstrating and promoting industry leadership.

The vision for central Geelong has similarities with the revitalisation initiative underway in central Dandenong,

In 2006, Places Victoria in partnership with the City of Greater Dandenong and the State Government commenced the Revitalising Central Dandenong (RCD) project to transform seven hectares of land in the heart of the city over 20 years. The RCD initiative seeks to restore central Dandenong as the capital of Melbourne's south east and bring new energy, activity, amenity, and dynamism to the heart of this urban centre. . The state government's \$290m commitment to rejuvenating the city centre aims to attract over \$1.2b in private sector investment. To date this urban renewal initiative has delivered over \$330m in private sector investment, 700 jobs and 400 new homes in central Dandenong.

Government intervention in central Geelong would not be expected at the level of RCD initiative and the role of Places Victoria is more about targeted investment into strategic site specific or precinctural renewal projects that will accelerate positive development of Central Geelong.

RCD initiative has been up and running for over five (5) years now and significant progress has already been made.

The shared vision for the 20 year revitalisation of central Dandenong includes:

- The creation of 'inviting' streets that provide easy and safer pedestrian connections around the city by day and by night.
- Less traffic congestion.
- A direct and attractive link connecting the station precinct with the city centre.
- Improved public transport.
- Compact and lively shopping hub with a variety of shops and places to visit.
- A vibrant market well connected to other parts of the city centre.
- More people living and working in the city centre.
- More opportunities for learning.
- Attractive public spaces for people to relax and meet.
- High quality building designs, including high standards of environmental sustainability.
- A character and identity that reflects the multicultural community.
- More life on the streets, colour and green across the city centre.

## **9. STRATEGIC ALLIANCE OPPORTUNITY WITH PLACES VICTORIA IN CENTRAL GEELONG (CONT'D)**

Some of the elements that are being delivered are:

- Redevelopment of Lonsdale Street.
- Redevelopment of the Station Precinct.
- Metro Village housing development.
- New office, residential and educational development.
- Palm Plaza redevelopment.
- Foster Street Redevelopment.
- City Square Redevelopment.

Planning and works in Dandenong started in 2006 and are projected to continue beyond 2025.

Other Places Victoria urban renewal projects include , Docklands, Fisherman's Bend, Footscray, Heathmont Highett, Kilgour Place Geelong, Maribyrnong, Mildura, Officer, Richmond Train Station and Wodonga.

Places Victoria has been very keen and diligent about working with Council and its officers, to ensure project opportunities reflect a true partnership approach between the two organisations.

To facilitate good outcomes for the projects, as well as responsible governance, it is proposed to create a Project Steering Group (PSG) and a Project Working Group (PWG).

The PSG will manage the project at a high level as well as liaise with Council.

The PWG will take a direct role in defining and managing the projects with their associated risk issues and financial complexities to ensure successful outcomes for both Places Victoria and the City of Greater Geelong.

The initial projects of interest are shop "top living" demonstration projects in existing CBD building stock and the redevelopment of strategically located Council owned car parks adjacent to the city core in Little Ryrie and/or Little Malop Streets.

### ***Environmental Implications***

The aims of these projects are to increase city living opportunities and enhance the activation of Central Geelong. . By Increased CBD living will assist to create a more sustainable city with more efficient energy and infrastructure use and less reliance on outwards expansion through "greenfields" urban growth.

Places Victoria has a well proven history of leading the industry in high performing environmentally sound developments.

### ***Financial Implications***

Council currently has no financial obligations to an alliance with Places Victoria.

A project on a Council owned car park site will most likely entail the surrendering of the land value in return for the retained parking. Funding subsidies may be required to support the viability of redevelopment projects and/or provide additional parking above the existing supply to support residential/mixed redevelopment.

## **9. STRATEGIC ALLIANCE OPPORTUNITY WITH PLACES VICTORIA IN CENTRAL GEELONG (CONT'D)**

Upon the site being developed, Council would then gain income from the rateable retail, commercial and residential properties that are created.

In the case of development of shop "top living" in existing buildings it is envisioned that there would be no cost to Council for development. These properties should have a higher value and pay a higher proportion of rates.

### ***Policy/Legal/Statutory Implications***

Projects developed are to be designed to respond directly to Council's Planning Scheme, relevant structure plans and guidelines as well as responding to the expressed requirements of the Council. Some planning control dispensations and concessions may need to be considered to assist project delivery.

It is planned the Council and Places Victoria enter into a Memorandum of Understanding agreement stipulating each parties responsibilities and requirements.

### ***Officer Direct or Indirect Interest***

There are no direct or direct conflicts of interest that relate to this report.

### ***Risk Assessment***

The assessment of project risks will be an integral element of both the PSG and PWG deliberations.

### ***Social Considerations***

Places Victoria as State Government owned business enterprise is required to provide developments that are commercially sound, environmentally responsible and deliver best practice place making outcomes. A key driver for Council is to form an alliance with Places Victoria to facilitate urban renewal projects in central Geelong.

### ***Communication***

The working groups will be responsible for ensuring quality consultation with Council, Council Staff, key stakeholders and importantly with the wider community. Good outcomes in these projects would be difficult without community ownership of the goals and outcomes.

## **10. BELLARINE RAIL TRAIL ADVISORY COMMITTEE - ANNUAL REPORT**

*(Previously Agenda Item 8)*

**Portfolio:** Infrastructure, Parks & Gardens - Cr Ellis  
**Source:** Projects, Recreation & Central Geelong  
**General Manager:** Dean Frost  
**Index Reference:** Subject: Parks, Gardens, Reserve & Foreshore / Tracks and Trails / Bellarine Rail Trail  
Property: #269184 Bellarine Rail Trail, Drysdale

### **Summary**

- The Bellarine Rail Trail Advisory Committee (BRTAC) was formed to assist Council with the management and development of the Bellarine Rail Trail. There is a requirement in the BRTAC Terms of Reference to report to Council on an annual basis.
- The BRTAC membership is made up of a Councillor, a Council Officer, representatives from relevant statutory authorities, special interest groups and community representatives.
- The major activities that the BRTAC has supported Council in delivering over the past 12 months include:
  - The implementation of capital improvements in line with the Bellarine Rail Trail Development Plan Stages 1 & 2;
  - The development of the Bellarine Rail Trail Development Plan Stage 3 & 4;
  - The successful delivery, in partnership with the Rotary Club of Highton and Rotary Club of Kardinia, the Bellarine Rail Trail Fun Run and Thomas Family Fun Day events;
  - Re-vegetation and conservation activities; *and*
  - General trail maintenance and management.
- Over the next 12 months the BRTAC will focus on supporting the following activities:
  - The ongoing implementation of the Bellarine Rail Trail Development Plan; *and*
  - The continuation of re-vegetation and conservation activities.

**Cr Ellis Moved, Cr Macdonald seconded -**

**That Council notes the annual report and activities of the Bellarine Rail Trail Advisory Committee.**

*Cr Heagney left the meeting room at 10.25pm*

*Cr Heagney re-entered the meeting room at 10.27pm*

*Cr Irvine left the meeting room at 10.28pm*

### **Report**

#### ***Background***

The Bellarine Rail Trail Advisory Committee (BRTAC) was formed in 2004 to assist Council with the management and development of the Bellarine Rail Trail. The BRTAC currently has 10 members comprising of the following representatives:

## **10. BELLARINE RAIL TRAIL ADVISORY COMMITTEE - ANNUAL REPORT (CONT'D)**

- Cr Macdonald was appointed by Council as the Chairperson of the Advisory Committee;
- A Council Officer appointed by Council to act as the Executive Officer of the Advisory Committee;
- A representative from the Department of Sustainability and Environment;
- A representative from the Geelong Steam Preservation Society;
- Two representatives from the Friends of Bellarine Rail Trail Inc; *and*
- Four community representatives including representation from the Swan Bay Integrated Catchment Management Committee, Bicycle Users Geelong, Bellarine Landcare and a local community member.

The BRTAC meets on a quarterly basis.

The purpose of this report is to inform Council of this Committees major activities and discussions since its last Council report.

### ***Discussion***

The following outlines the major activities the Bellarine Rail Trail Advisory Committee (BRTAC) has provided guidance on since its last report to Council.

#### **The ongoing implementation of the Bellarine Rail Trail Development Plan Stages 1 & 2.**

This plan was developed to identify priority capital improvements to the Rail Trail to guide decision-making by both advisory and operational staff in the development of associated work plans for the trail.

The following details capital improvement works that are identified within this development plan and have been completed within the past 12 months:

- The construction of a picnic shelter (including public toilets) at the historic site of the Suma Park Railway Station in Marcus Hill;
- The construction of a picnic shelter at the historic site of the Mannerim Railway Station in Mannerim;
- The construction and installation of distance/emergency location markers along the trail; *and*
- The sealing of the Trail path between Christies Road, Leopold and Curlewis Road, Curlewis.

These developments have contributed to a significant improvement in the usability of this facility and have been well received and utilised by traditional and new rail trail users.

#### **The development of the Bellarine Rail Trail Development Plan Stages 3 & 4.**

As most capital improvements identified in the Bellarine Rail Trail Development Plan Stages 1 & 2 have been completed the development of Stages 3 & 4 of this plan was undertaken to identify future facility improvement priorities.

## **10. BELLARINE RAIL TRAIL ADVISORY COMMITTEE - ANNUAL REPORT (CONT'D)**

Subject to funding becoming available the following works have been identified as priorities for consideration within the next 12 months:

- The development and installation of additional interpretive signage along the trail to provide details of the historical and environmental significance of the rail corridor;
- The sealing of the Trail path between Curlewis Road, Curlewis and the Drysdale Railway Station; and
- The improvement of drainage infrastructure and the path surface between Drysdale Railway Station and Fellows Road, Queenscliff.

### *Bellarine Rail Trail Fun Run with Thomas Family Fun Day*

The Bellarine Rail Trail Fun Run with Thomas Family Fun Day is run on an annual basis with the most recent event occurring on Sunday 11 March 2012. The purpose of the Family Fun Day is to promote the Bellarine Rail Trail and encourage greater utilisation of this community recreation facility.

The attendance of this event has grown significantly over recent years and was estimated to be approximately 1500 people at this years event of which 558 were young children who participated in the “fun run against Thomas” activities. People in attendance consisted primarily of families from within the City of Greater Geelong and tourists visiting the Bellarine Peninsula.

### *Grant Development*

The Friends of the Bellarine Rail Trail received the following grants from Council:

- \$444 to fund the construction and installation of distance markers along the Bellarine Rail Trail;
- \$500 to fund landscaping works at the sites of the newly constructed picnic shelters at historic sites of the Suma Park and Mannerim railway stations; and
- \$2,500 for the purchase of plants and equipment for the enhancement of the environment under Council's Park Stewardship program.

The Friends of Bellarine Rail Trail also receive approximately \$7000 of in-kind support from the CoGG on an annual basis. The majority of CoGG's in-kind support is for garden bed preparation, mulch supply and administrative support.

The focus for CoGG in conjunction with the BRTAC over the next 12 months will be to identify funding opportunities to fund the continued implementation of identified priorities of the Bellarine Rail Trail Development Plan.

### *Re-vegetation and Conservation Activities*

The following Groups have undertaken re-vegetation and conservation activities along the Rail trail:

- Bellarine Landcare;
- Swan Bay Integrated Catchment Management Committee; and
- The Friends of the Bellarine Rail Trail.

## **10. BELLARINE RAIL TRAIL ADVISORY COMMITTEE - ANNUAL REPORT (CONT'D)**

The Bellarine Rail Trail Vegetation Management Plan is used as the reference document that guides these and other community plantings.

The re-vegetation work of the Friends of Bellarine Rail Trail requires special acknowledgement. During the 2011/12 financial year this group planted approximately 6,500 plants and contributed more than 1400 volunteer hours to the improvement of the Rail Trail. The key activities of this group include the establishment of garden beds and the planting and maintaining of trees, shrubs and grasses along the length of the Trail between South Geelong and Drysdale. In addition to re-vegetation, the Friends of Bellarine Rail Trail have also constructed and installed a number of seats and picnic tables along the trail.

### ***Environmental Implications***

Public reserves such as old railway easements have been less impacted by direct land clearance typical of the public and private lands that they commonly intersect with. The rail trail supports remnants indigenous vegetation and by virtue of its public land status has become the focus of community interest whether for conservation or recreational purposes.

Activities to enhance the Bellarine Rail Trails value as a community asset have traditionally centred on infrastructure improvements (picnic facilities, signage, pathway formation etc.) as well as weed control and re-vegetation works. The establishment and continuing use of The Bellarine Rail Trail Vegetation Management Plan has promoted the greater focus on activities that consider the principles of conservation as well as re-vegetation.

The relationships between the BRTAC and environmental interest groups have continued to strengthen for the betterment of the Bellarine Rail Trail and the promotion of environmental considerations in the management of this facility.

### ***Financial Implications***

In the 2011/12 Council Budget a total of \$23,000 was allocated for the development and promotion of the Trail. Of this figure \$17,000 was used to fund minor facility upgrade works and \$6,000 was used to fund the delivery of the Bellarine Rail Trail Fun Run with Thomas Family Fun Day.

In the 2012/13 Council Budget a further \$23,000 has been allocated to the development and promotion of the Trail.

Significant capital projects requiring Council contribution are subject to consideration through Council's Budget process and through application for grants and sponsorship.

### ***Policy/Legal/Statutory Implications***

There is a requirement in the BRTAC Terms of Reference to report to Council on an annual basis.

## **10. BELLARINE RAIL TRAIL ADVISORY COMMITTEE - ANNUAL REPORT (CONT'D)**

### ***Officer Direct or Indirect Interest***

No Council staff or persons engaged in the BRTAC have a direct or indirect interest in the matters considered within the report.

### ***Risk Assessment***

Activities of the Committee are carried out in accordance with the Committee's Terms of Reference.

### ***Social Considerations***

The purpose of the BRTAC is to assist Council with the management and development of the Bellarine Rail Trail through the effective use of community skills, knowledge and resources.

The continuing development of the Rail Trail helps promote Geelong and the Bellarine Peninsula as a legitimate cycling destination for local residents and tourists alike as well as providing an essential link between rural residents and community infrastructure.

The annual Bellarine Rail Trail Fun Run with Thomas Family Fun Day acts to promote physical activity and to strengthen the profile of the Rail Trail.

### ***Communication***

The activities of the committee are communicated via distribution of minutes to all committee representatives. Each committee representative is responsible for reporting committee activities to their respective organisations.

## **11. DRAFT GEELONG ROAD SAFETY STRATEGY 2012-2017**

*(Previously Agenda Item 10)*

**Portfolio:** Transport and Infrastructure – Cr Richards  
**Source:** City Services – Engineering Services  
**General Manager:** Gary Van Driel  
**Index Reference:** Road Safety Plans 2012 – 2017

### **Summary**

- The purpose of this report is for Council to approve the release of Geelong's Draft Road Safety Strategy 2012-2017 for public exhibition and comment before formal endorsement.
- The Strategy will guide the ongoing improvement of road safety in the City of Greater Geelong.
- The Strategy provides a number of Action Plans focusing on the areas of Organisation, Land Use Planning, Encouragement, Education, Engineering and Enforcement.
- The draft Strategy is submitted for approval.

**Cr Richards moved, Cr Ellis seconded -**

**That:**

- 1) Council approves the placement of the draft Geelong Road Safety Strategy 2012-2017 on public exhibition for a minimum four week period and invites submissions and;**
- 2) a further report be presented to Council outlining the submissions and any recommended changes to the strategy.**

*Cr Irvine re-entered the meeting room at 10.30pm*

**Carried.**

### **Report**

#### ***Background***

The City of Greater Geelong's Road Safety Strategy which was adopted in 2003 requires review and updating. An internal working group was formed earlier this year within the Asset and Traffic Management Unit of the Engineering Services Department to lead the review process

The purpose of the Safer Roads Strategy is to raise the profile of road safety issues at the community level and has as a specific goal to reduce the incidence and severity of road crashes in the municipality. The Strategy has been formulated following a detailed analysis of crashes in the City and feedback obtained through a workshop involving road safety stakeholders and City staff.

The road safety community workshop was held on 18 April 2012, where community based issues or concerns were discussed and noted. The issues identified from the workshop are included in the road safety action plans.

## **11. DRAFT GEELONG ROAD SAFETY STRATEGY 2012-2017 (CONT'D)**

The workshop comprised representatives from the City, VicRoads, Roadsafe Barwon, Department of Education and Early Childhood Development (DEECD), Country Fire authority, Victoria Police, Global Health and Occupational Safety Technologies (GHOST), Geelong Local Safety Committee, Vision Australia, Bicycle User Geelong (BUG), Road Trauma Support Services (Geelong), Wilcare Services (Bike Ed trainers), SES (South Barwon), Surf Coast Shire, Activiti Consulting Pty Ltd and CoGG Councillors.

The Road Safety Strategy document outlines the City of Greater Geelong's input to the Statewide Road Safety Strategy.

### ***Discussion***

The purpose of this report is for Council to note the draft Road Safety Strategy and release the document for public exhibition, comment and refinement before formal endorsement by Council.

The aim of the Road Safety Strategy is to reduce the incidence and severity of road crashes within the municipality.

The following key issues have been highlighted in the draft Strategy:

- There were 35 fatal, 889 serious and 1295 other injuries during the 5 year period 2006-2010
- Fatal crashes reduced by 15, compared to the previous 5 year period
- Serious injury crashes have increased from 727 to 889, compared to the previous 5 year period
- The highest risk group is those aged 18 – 24 years accounting for 23.6% of casualty crashes ,yet comprising only 9.1% of the total Geelong population
- For the period 2006 – 2010 most of the road trauma crashes took place in the 60km/hr speed zones for motor vehicles (38%), motor cycles (40%) and trucks(29%)
- During the same period the main user groups involved in serious and fatal crashes were drivers (55%), passengers (29%), pedestrians (6%) and motorcyclists (5.3%) bicyclists (3%)
- The total number of crashes have reduced from 2774 (2000 – 2005) to 2219 (2006 -2010)
  
- There are a significant number of accidents involving vehicles:
  - Off path straight (481)
  - Rear End (396)
  - Cross Traffic (247)
  
- Over 56 percent of crashes occur on Geelong's arterial road network.
- Most of the accidents (87%) occurred during day time.

## **11. DRAFT GEELONG ROAD SAFETY STRATEGY 2012-2017 (CONT'D)**

The recommended components of the Road Safety Strategy are listed as Action Plans that clearly identify:

- the objectives and actions;
- the desired outcomes;
- the nominated priorities; and
- implementation responsibilities.

In order to prepare an Implementation Strategy for the Action Plans the first step as recommended in the Strategy is to prioritise the issues according to risk and severity. In view of this, some initial planning for the first stage of implementation will occur within the first 6 months of adoption of the report.

It is recommended that the Draft Road Safety Strategy be placed on public display for four weeks to collect any submissions. All submissions will be assessed and a further report presented to Council outlining the submissions and any recommended changes to the strategy.

### ***Environmental Implications***

There are no environmental considerations associated with this report.

### ***Financial Implications***

Council currently has funds allocated in the recurrent budget for staffing, minor traffic treatments and education costs including a designated Road Safety Officer. Within the core capital works program a number of projects are identified each year which respond to road safety issues within the road network- totalling some \$400,000. Ongoing priorities are assessed within these current resources.

This Council Road Safety Strategy advocates a number of projects that are currently unfunded. Business cases would need to be developed and submitted to the budget process for consideration.

The Strategy recommends initiatives that may require future funding. These are listed as high, medium and low priority and will be considered for inclusion in Council's programs through the normal project evaluation processes. The Strategy will also be useful by providing guidance in the development of other adopted Council projects to maximise community safety.

Council's ability to secure funding for road projects, particularly where safety issues are involved, will be significantly improved by the existence of this Strategy and given the wide application of the Strategy to the various road systems, it would be appropriate to seek additional funds from VicRoads, TAC and RoadSafe Barwon and other road safe groups.

### ***Policy/Legal/Statutory Implications***

This Road safety strategy will provide direction for the ongoing improvement of road safety within the Municipality. When adopted by Council, it will also demonstrate that the City is taking a responsible position on road safety issues.

## **11. DRAFT GEELONG ROAD SAFETY STRATEGY 2012-2017 (CONT'D)**

As this Road Safety Strategy has been created within the legal requirements and there are no policy, legal or statutory implications.

The City of Greater Geelong as co-ordinating road authority for municipal roads has a statutory duty under the Road Management Act 2004 to provide a safe road environment.

### ***Officer Direct or Indirect Interest***

No Council staff involved in the preparation of this report have a direct or indirect interest in the draft Geelong Road Safety Strategy 2012-2017

### ***Risk Assessment***

There are no immediate risks associated with this report.

### ***Social Considerations***

Appropriate planning of road safety within the City leads to a positive overall effect on social activities.

### ***Communication***

Council maintains ongoing communication with community through a number of committees and advisory group such as the Community Safety Committee, Street Access Committee, Disability Access Committee and Roadsafe Barwon.

The process for dissemination and deployment of this Road Safety Strategy has included a workshop attended by a large range of key stakeholders, Councillors and CoGG staff.

The working group met frequently on many occasions to discuss and review the Draft Strategy. A workshop for stakeholders was held in April 2012 with thirty six attendees from a wide range of organisations.

Many issues raised at this workshop have been addressed in the Strategy. The next stage of consultation involved the wider community with public exhibition of the Draft Strategy for a four-week period. Submissions received will be considered by the working group to make the required amendments to the Draft Safety Strategy.

## **12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE**

*(Previously Agenda Item 11)*

**Portfolio:** Infrastructure - Cr Ellis  
**Source:** City Services - Engineering Services  
**General Manager:** Gary Van Driel  
**Index Reference:** Special Rates and Charges, Prospect Road, Newtown

### **Summary**

- This report relates to the proposed construction of two laneways in Newtown bounded by Mercer Parade, Talbot Street and Prospect Road, Newtown (see plan – Appendix 12-3).
- There is one east-west laneway and 1 north-south laneway both are nominally 6m wide. The predominant laneway has a basalt pitcher open drain along its centre line.
- Council has received complaints over a period of time and a petition from property owners requesting construction. Concern has been expressed regarding the condition of the laneways, particularly after rain.
- There are 28 properties involved in the scheme. The total estimated cost is \$162,041.50 and individual property costs vary between \$2,174.33 and \$8,969.93.
- Property owners receive benefit from the works by way of improved vehicular access, removal of nuisance, proper drainage and general amenity improvement.
- The scheme was advertised and 4 Submissions and 3 Objections received. A Submissions Panel Hearing took place on 9 October 2012.
- The Submissions Panel agreed the scheme should proceed subject to further investigation regarding underground drainage and speed humps.
- A survey conducted indicated there was insufficient support for owners funding this additional infrastructure.
- The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Act along with the Council's Special Rates and Charges policy.
- The report seeks a resolution by Council to "Declare the Charges" for road construction for the laneways bounded by Mercer Parade, Talbot Street and Prospect Road, Newtown.

**Cr Richards moved, Cr S Kontelj seconded -**

**That**

**1) The following declaration of a Special Charge be confirmed:**

- a) a special charge be declared for the period until the work has been completed and the scheme finalised.**
- b) the special charge be declared for the purpose of defraying any expenses incurred by Council in relation to construction of the laneways bounded by Mercer Parade, Talbot Street and Prospect Road, Newtown, which project:**

**12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED  
CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE (CONT'D)**

- b1) will provide proper vehicular access, proper drainage, removal of nuisance and enhancement to the general amenity for each of the properties included in the scheme;**
  - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and**
  - b3) arises out of Council's function of planning for and providing infrastructure for property owners.**
- c) The:**
  - c1) cost of performing the function described in Part 1 (b) of this Resolution based on estimated cost, be recorded as \$162,041.50.**
  - c2) total amount of the special charge to be levied, as based on estimated cost, be recorded as \$121,757.01.**
- d) It be recorded that, for the purposes of Section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ( $R \times C = S$ ), the:**
  - d1) 'benefit ratio' (R) being calculated at 100%, and representing the total benefits of the special charge scheme that will accrue as special benefits to all persons liable to pay the special charge; and**
  - d2) 'community benefit' (C) being assessed as zero in the Prospect Road laneways, Newtown.**
- e) the following be specified as the area for which the special rate is so declared:**
  - e1) the area within municipal district of Council highlighted in the plan attached to this Resolution ("the area").**
- f) the following be specified as the land in relation to which the special charge so declared:**
  - f1) land within the area shown on the plan.**
- g) the following be specified as the criteria which form the basis of the special charge so declared:**
  - g1) ownership of any land described in Part 1(e) of this Resolution.**
- h) the following be specified as the manner in which the special charge so declared will be assessed and levied:**
  - h1) a unit of cost allocated to each property;**
  - h2) the special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.**

**12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE (CONT'D)**

- i) **having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that, subject to any further Resolution of Council, the special charge will be due and payable on the date(s) fixed under Section 167 of the Local Government Act 1989 as the date or dates on or by which Council's general rates are due.**
- 2) **there are no incentives declared as incentives to be given by Council for the payment of the special charge before the date(s) specified for its payment under Section 167 (3) of the Local Government Act 1989.**
- 3) **Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163 (4) of the Local Government Act 1989.**

**Carried.**

## **Report**

### ***Background***

This project relates to the construction of an east-west laneway between Prospect Road and Mercer Parade and a short north-south laneway which connects Prospect Road and Mercer Parade. Generally, the only means of vehicular access to all the properties is via the laneways.

The laneways are therefore extensively used. The main, east-west laneway has a low point in the centre which had led to flooding problems and complaints from owners in the vicinity. The project has been designed to provide proper sealed access to the rear of the properties as well as resolve the flooding problem by the provision of a new, upsized pipe to Mercer Parade. The drainage component of the works has been separated and is considered to be the responsibility of Council and is to be funded accordingly.

In mid 2011, Council corresponded with all owners and sent out a standard letter of support for owners to sign and return. Over half the property owners returned the letter.

Construction involves the addition of some pavement, the matching of road pavement with many and varied driveways, sealing and some drainage works.

Council considered an "Intention to Declare Charges" report at the 24 July 2012 meeting and resolved to proceed. The scheme was subsequently advertised and submissions and objections invited. Four submissions were received and broadly indicated the following:

- Laneway becomes potholed and is a driving risk. Difficult in wet conditions;
- Difficult access to garages;
- Increased traffic in laneways and measures should be put in place to limit to local traffic only;
- Disagrees with the equal cost unit method of apportionment; and
- Do not use laneway.

## **12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE (CONT'D)**

Objectors raised issues relating to:

- Construction unwarranted;
- Laneway used by non-residents;
- Developers want laneway sealed;
- Cost is significant;
- Low traffic does not require a sealed surface; and
- Should be a Council/State Government responsibility.

A Submissions Panel Hearing took place on 9 October 2012. Eight owners spoke at the Hearing. Two matters were raised by owners which the Panel considered should be further investigated. These were:

- Possible inclusion of an underground drain along the length of the laneway such that drainage from properties could be connected underground directly, in lieu of discharging to the surface on what would be the sealed surface.
- The inclusion of speed humps in the short north-south laneway to discourage through traffic.

As a follow up these matters were investigated. The additional cost for both would add around 26% to the overall cost or \$1,155 per property.

This information was sent to owners. Sixteen property owners responded. There was no response from 11. The responses were as follows:

- Support drainage 4
- Support speed humps 3
- Do not support drainage 13
- Do not support speed humps 12

It was considered that the response was not sufficient to take the matter further. A further complicating factor would have been the requirement to re-initiate the scheme, considering the proportion of additional cost involved.

### ***Discussion***

Property owners receive benefit by way of improved vehicular access, property drainage, removal of nuisance being dust and mud and general improvement to the amenity of the area.

The estimated cost of the scheme is as follows:

|                 | Estimated Cost |
|-----------------|----------------|
| Property Owners | 121,757.01     |
| Council         | 40,284.49      |
| Total           | 162,041.50     |

## **12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE (CONT'D)**

The method of apportionment adopted is the cost unit method. Many of the blocks are of a similar size. Some have been subdivided into two, with a Unit built on each. Essentially, the benefit owners gain is similar. There is one large block at the corner of Talbot Street and Mercer Parade, which is clearly a double block, capable of being subdivided into two or more blocks, putting aside the existing building. This property has been allocated 2 units of cost. A property fronting Talbot Street has only a 3m wide driveway access to the laneway and has been allocated 0.5 cost units.

### ***Environmental Implications***

This project allows for the development of orderly, urban infrastructure. During the course of construction and the manufacture and procurement of materials, there is expenditure of energy and green house emissions. This does cease however, when construction is complete.

The project does not create waste with the exception of some excess spoil.

The proposal does not affect any natural habitats.

Construction of drainage and a sealed pavement will reduce the amount of silt washed into the drainage system and eventually, Corio Bay.

### ***Financial Implications***

The project has a one off capital cost and there will be minimal ongoing maintenance costs. Given approval the scheme could proceed in the current financial year.

### ***Policy/Legal/Statutory Implications***

The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act along with Council's Special Rates and Charges Policy.

### ***Officer Direct or Indirect Interest***

There are no Council Officers involved in the administration or subsequent construction of the works, who have a direct or indirect interest in the project

### ***Risk Assessment***

There are no risks associated with Council proceeding to adopt the recommendation and advertise the scheme.

**12. PROSPECT ROAD LANEWAYS, NEWTOWN - PROPOSED  
CONSTRUCTION - SRC 334 - DECLARATION OF CHARGE (CONT'D)**

***Social Considerations***

There are no social implications for Council proceeding to adopt the recommendation.

***Communication***

As a result of the special charge process, owners have had the opportunity to place submissions and objections before Council. The Submissions Panel has considered these along with the verbal presentations given. A further survey regarding the additional works was undertaken.

**Appendix 12-1  
 Page 1**

**SCHEDULE 'A'  
 OWNER FUNDED WORKS - COST ESTIMATE  
 PROSPECT ROAD LANEWAYS, NEWTOWN**

The works for the construction of laneways in Newtown bounded by Mercer Parade, Talbot Street and Prospect Road, which consists of excavation, pavement works, concrete works, drainage works, sealing, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

| ITEM         | DESCRIPTION   | QUANTITY | UNIT | RATE<br>\$ | AMOUNT<br>\$        |
|--------------|---|----------|------|------------|---------------------|
| <b>1.00</b>  | <b>General</b>  |          |      |            |                     |
| 1.01         | Site establishment and setup  |          | Item |            | 9,016.73            |
| 1.02         | Traffic Management  |          | Item |            | 1878.48             |
| 1.03         | Set out of works  |          | Item |            | 375.70              |
| <b>2.00</b>  | <b>Earthworks:</b>  |          |      |            |                     |
| 2.01         | Clean up site and remove rubbish and vegetation                               |          | Item |            | 5,000.00            |
| 2.02         | Trim plantings  |          | Item |            | 500.00              |
| 2.03         | Saw cut asphalt paving  |          | Item |            | 200.00              |
| <b>3.00</b>  | <b>Pavement Works</b>   |          |      |            |                     |
| 3.01         | Supply, place and use to prepare for seal, nominal 40mm depth, CL 2, 20mm FCR | 125      | cm   | 120        | 15,000.00           |
| 3.02         | Prepare road pavement for sealing   |          | Item |            | 5,000.00            |
| 3.03         | Supply and place 30mm compacted depth asphalt                                 | 1,665    | sqm  | 20         | 33,300.00           |
| <b>4.00</b>  | <b>Drainage</b>   |          |      |            |                     |
| 4.01         | Supply and place 150mm UPVC sewer grade pipe                                  | 5        | m    | 77         | 385.00              |
| 4.02         | Supply and place 900mm by 600mm SE pit 1.5m deep with grating                 | 1        | no   | 1,700      | 1,700.00            |
| 4.03         | Supply and place 900mm x 600mm sump grate with HD cover                       | 1        | no   | 1,200      | 1,200.00            |
| 4.04         | Remove existing sump grates and install 300mm gatic type grate                | 6        | no   | 400        | 2,400.00            |
| 4.05         | Modify existing SW discharge drains to suit new level                         | 16       | no   | 100        | 1,600.00            |
| 4.06         | Modify existing SW downpipes to suit new level                                | 12       | no   | 100        | 1,200.00            |
| <b>5.00</b>  | <b>Concrete</b>   |          |      |            |                     |
| 5.01         | Reconstruct basalt v-drain  | 40       | m    | 300        | 12,000.00           |
| 5.02         | Construct 125mm crossovers  | 45       | sqm  | 135        | 6075.00             |
| <b>6.00</b>  | <b>Provisional Items</b>  |          |      |            |                     |
| 6.01         | Excavation of soft spots and replace with 200mm min, 20mm CL 2, FCR           | 30       | cm   | 180        | 5,400.00            |
| Subtotal     |   |          |      |            | 102,230.91          |
| <b>7.00</b>  | <b>Contingency – 10%</b>  |          |      |            | 10,223.09           |
| <b>8.00</b>  | <b>Design and Administration of Special Charge Scheme</b>                     |          |      |            | 9303.01             |
| <b>Total</b> |   |          |      |            | <b>\$121,757.01</b> |

**Appendix 12-1  
 Page 2**

**SCHEDULE 'A'  
 COUNCIL FUNDED WORKS - COST ESTIMATE  
 PROSPECT ROAD LANEWAYS, NEWTOWN**

The works for the construction of laneways in Newtown bounded by Mercer Parade, Talbot Street and Prospect Road, which consists of excavation, pavement works, concrete works, drainage works, sealing, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

| ITEM         | DESCRIPTION   | QUANTITY | UNIT | RATE<br>\$ | AMOUNT<br>\$       |
|--------------|---|----------|------|------------|--------------------|
| <b>1.00</b>  | <b>General</b>  |          |      |            |                    |
| 1.01         | Site establishment and setup  |          | Item |            | 2983.27            |
| 1.02         | Traffic Management  |          | Item |            | 621.52             |
| 1.03         | Set out of works  |          | Item |            | 124.30             |
| <b>2.00</b>  | <b>Earthworks:</b>  |          |      |            |                    |
| 2.01         | Remove and dispose of 125mm concrete crossovers                         | 43       | sqm  | 60         | 2,580.00           |
| 2.02         | Removal and disposal of existing RC stormwater drainage inlet structure |          | Item |            | 2,000.00           |
| 2.03         | Removal and disposal of existing RC junction pit in Mercer Parade       |          | Item |            | 2,000.00           |
| <b>3.00</b>  | <b>Drainage</b>   |          |      |            |                    |
| 3.01         | Supply and place 300mm pipe   | 1.3      | m    | 150        | 195.00             |
| 3.02         | Supply and place 450mm pipe   | 50       | no   | 210        | 10,500.00          |
| 3.03         | Supply and place 2000mm x 600mm grated inlet pit with HD type cover     | 1        | no   | 5,400      | 5,400.00           |
| <b>4.00</b>  | <b>Concrete</b>   |          |      |            |                    |
| 4.01         | Construction of RC retaining wall                                       | 12       | m    | 410        | 4,920.00           |
| <b>5.00</b>  | <b>Provisional Items</b>  |          |      |            |                    |
| 5.01         | Reconnection of sw drains to new 450mm dia drain                        | 5        | no   | 500        | 2,500.00           |
| Subtotal     |   |          |      |            | 33,824.09          |
| <b>6.00</b>  | <b>Contingency – 10%</b>  |          |      |            | 3,382.41           |
| <b>7.00</b>  | <b>Design and Administration of Special Charge Scheme</b>               |          |      |            | 3,077.99           |
| <b>Total</b> |   |          |      |            | <b>\$40,284.49</b> |

**Appendix 12-2**

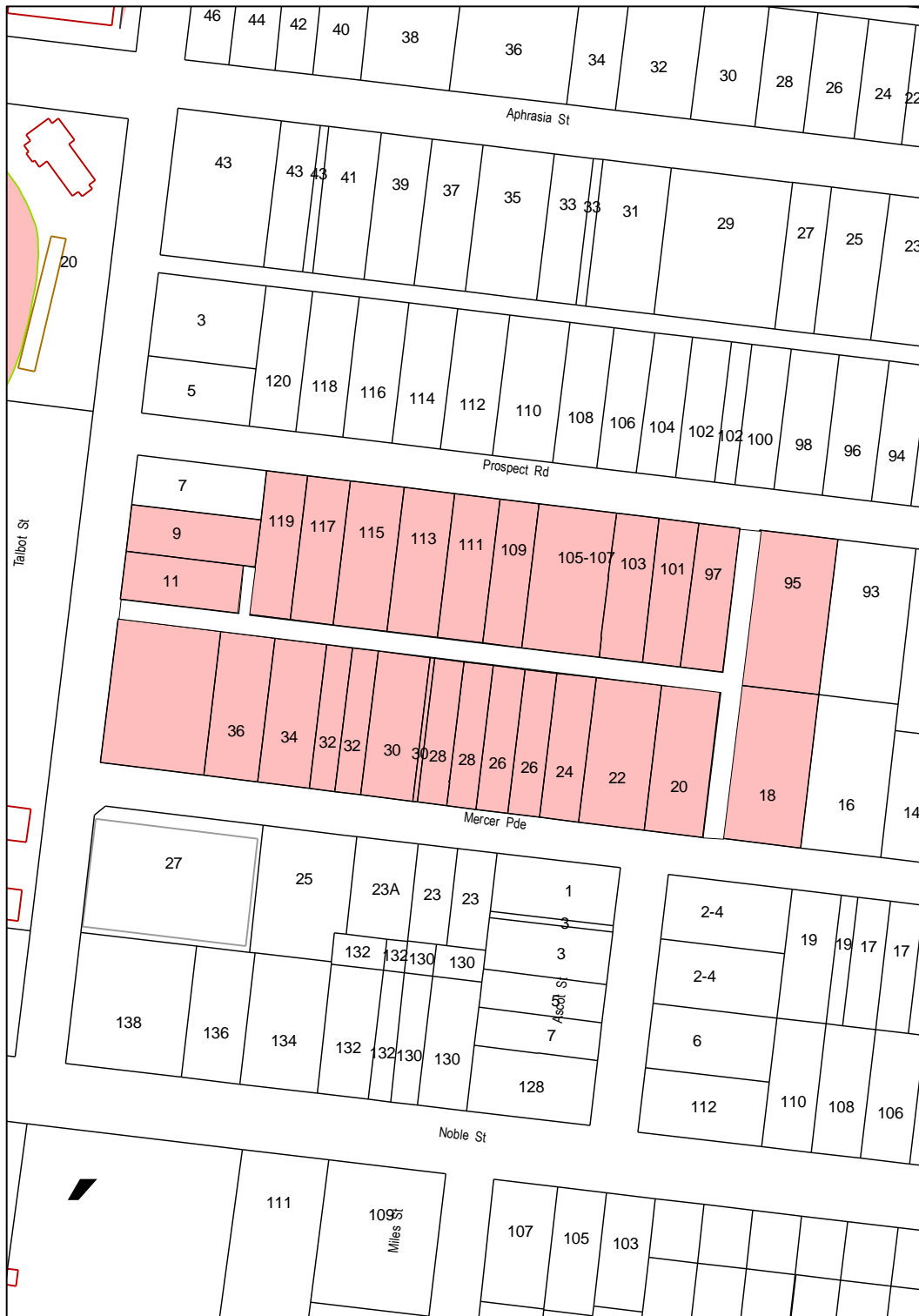
**SCHEDULE 'B'**

**PROPOSED SPECIAL CHARGE SCHEME FOR  
PROSPECT ROAD LANEWAYS, NEWTOWN**

|    | <b>COL 1</b>                | <b>COL 2</b>                | <b>COL 3</b>              | <b>COL 4</b>                           |
|----|-----------------------------|-----------------------------|---------------------------|--|
|    | <b>PROPERTY DESCRIPTION</b> | <b>TOTAL ESTIMATED COST</b> | <b>PROPERTY REFERENCE</b> | <b>PROPERTY DETAILS</b>                |
| 1  | Pt CA 8 Sec 7               | \$2,174.23                  | 205297                    | 9 Talbot Street, Newtown VIC 3220      |
| 2  | Lot 1 TP 17122              | \$4,348.46                  | 205298                    | 11 Talbot Street, Newtown VIC 3220     |
| 3  | Lot 1 TP 5284               | \$4,348.46                  | 204179                    | 119 Prospect Road, Newtown VIC 3220    |
| 4  | Pt CA 8 Sec 7               | \$4,348.46                  | 204178                    | 117 Prospect Road, Newtown VIC 3220    |
| 5  | Pt CA 8 Sec 7               | \$4,348.46                  | 204177                    | 115 Prospect Road, Newtown VIC 3220    |
| 6  | Lot 1 TP 21413              | \$4,348.46                  | 204176                    | 113 Prospect Road, Newtown VIC 3220    |
| 7  | Lot 1 TP 012764             | \$4,348.46                  | 204175                    | 111 Prospect Road, Newtown VIC 3220    |
| 8  | Pt CA 8 Sec 7               | \$4,348.46                  | 204174                    | 109 Prospect Road, Newtown VIC 3220    |
| 9  | PC 369889                   | \$8,696.93                  | 204173                    | 105-107Prospect Road, Newtown VIC 3220 |
| 10 | Lot 1 TP 17038              | \$4,348.46                  | 204171                    | 103 Prospect Road, Newtown VIC 3220    |
| 11 | Pt CA 8 Sec 7               | \$4,348.46                  | 204170                    | 101 Prospect Road, Newtown VIC 3220    |
| 12 | Lot 1 TP 21832              | \$4,348.46                  | 204169                    | 97 Prospect Road, Newtown VIC 3220     |
| 13 | Lot 1 TP 122429             | \$4,348.46                  | 204168                    | 95 Prospect Road, Newtown VIC 3220     |
| 14 | Pt CA 8 Sec 7               | \$6,522.70                  | 205299                    | 13-15 Talbot Street, Newtown VIC 3220  |
| 15 | Lot 1 LP 9824               | \$4,348.46                  | 202886                    | 36 Mercer Parade, Newtown VIC 3220     |
| 16 | Lot 2 LP 9824               | \$4,348.46                  | 202887                    | 34 Mercer Parade, Newtown VIC 3220     |
| 17 | Lot 2 PS 503559             | \$4,348.46                  | 315788                    | 1/32 Mercer Parade, Newtown VIC 3220   |
| 18 | Lot 1 PS 503559             | \$4,348.46                  | 315787                    | 2/32 Mercer Parade, Newtown VIC 3220   |
| 19 | Lot 4 LP 9824               | \$4,348.46                  | 202889                    | 30 Mercer Parade, Newtown VIC 3220     |
| 20 | Lot 2 PS 629492             | \$4,348.46                  | 343745                    | 1/28 Mercer Parade, Newtown VIC 3220   |
| 21 | Lot 1 PS 629492             | \$4,348.46                  | 343746                    | 2/28 Mercer Parade, Newtown VIC 3220   |
| 22 | Lot 2 PS 623638             | \$4,348.46                  | 340196                    | 1/26 Mercer Parade, Newtown VIC 3220   |
| 23 | Lot 1 PS 623638             | \$4,348.46                  | 340197                    | 2/26 Mercer Parade, Newtown VIC 3220   |
| 24 | Pt CA 8 Sec 7               | \$4,348.46                  | 202892                    | 24 Mercer Parade, Newtown VIC 3220     |
| 25 | Pt CA 8 Sec 7               | \$4,348.46                  | 202893                    | 22 Mercer Parade, Newtown VIC 3220     |
| 26 | Pt CA 8 Sec 7               | \$4,348.46                  | 202894                    | 20 Mercer Parade, Newtown VIC 3220     |
| 27 | Lot 1 TP 2431               | \$4,348.46                  | 202895                    | 18 Mercer Parade, Newtown VIC 3220     |

**Appendix 12- 3**

**PLAN**



 Properties included in the scheme     Laneways proposed to be constructed

**Attachment 12-1**

**PROCESS CHART**

**SPECIAL CHARGE PROJECTS –  
(Section 163 – Local Government Act 1989)**

**PROSPECT ROAD LANEWAYS, NEWTOWN**

| <b>Stage</b>                            | <b>Status</b> | <b>Description</b>   |
|---|---------------|--|
| <i>Approval to prepare scheme</i>       | ✓             | Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.   |
| <i>Intention to Declare Scheme</i>      | ✓             | Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. 24 July 2012  |
| <i>Advertisement</i>                    | ✓             | The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. 4 August 2012  |
| <i>Submissions</i>                      | ✓             | From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.   |
| <i>Submissions Review Panel Hearing</i> | ✓             | A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme. 9 October 2012  |
| <i>Declaration Report</i>               | ✓             | Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme. |
| <i>Appeal</i>                           |               | Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.  |
| <i>Construction</i>                     |               | Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.   |
| <i>Final Cost Report</i>                |               | At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.  |

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE**

*(Previously Item 12)*

**Portfolio:** Infrastructure – Cr Lindsay Ellis  
**Source:** City Services - Engineering Services  
**General Manager:** Gary Van Driel  
**Index Reference:** Street: Belmont Street, Belmont  
Subject: Carpark, Special Rates and Charges

#### **Summary**

- This report relates to a proposed special charge scheme for the construction of a carpark in Belmont Street, Belmont to service the High Street business and retail precinct, refer to plan – Appendix 13-4.
- Council purchased the land for the carpark in 2007 which was the subject of a report to Council on 26 April 2006. At this time Council agreed to the purchase of land and subsequent construction on the basis of the initiation of a special charge scheme to recover 50% of the cost of the land and carpark construction.
- The cost of the land was \$665,205 and the cost of the carpark construction is estimated at \$243,965. The amount to be recovered from owners is \$204,585.
- The State Government agreed to contribute \$200,000 to the works and a further Council allocation of \$100,000 has been committed.
- There are 179 properties in the scheme and charges vary from \$67 to \$18,107. The capital improved value of the properties has been used as a basis for calculating the charge.
- All properties are zoned either business 1 or business 2, however, there are 15 properties in these zones used for residential purposes. The recommendation is in two parts, firstly proposing to declare the charges and secondly, providing a concession to the owners using properties for residential purposes. This is in the way of a deferred charge which becomes payable when the property reverts to commercial use.
- The area to be included in the scheme has been determined on the basis of proximity to the proposed carpark with some weighting reductions provided for the more remote properties on the north-west side of High Street.
- Council considered a report on 23 March 2010 and the scheme was advertised and submissions invited. The Submission Panel considered all submissions and agreed to proceed with the scheme.
- The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act, along with Special Rates and Charges Policy.
- This report seeks a resolution by Council to “Declare the Charges” for carpark construction in Belmont Street, Belmont in accordance with the Special Charge Scheme Process

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
- SRC 304 - DECLARATION OF CHARGE (CONT'D)**

Cr Richards moved, Cr S Kontelj seconded -

**Recommendation A – Declaration of Charges**

**Council resolves that in accordance with the provisions of the Local Government Act 1989, Section 163;**

- 1) the following declaration of a Special Charge be confirmed:**
  - a) A special charge be declared for the period until the work has been completed and the scheme finalized.**
  - b) The special charge be declared for the purpose of defraying expenses incurred by Council in relation to purchase of land at 9 Belmont Street, Belmont and the construction of the carpark which project:**
    - b1) will provide a formal sealed carpark adjacent to High Street to provide a parking facility for customers, shoppers, clients, staff and general visitors to the area and will assist in attracting and retaining clients and customers and generally enhance the viability of the business and retail precinct;**
    - b2) Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and**
    - b3) arises out of Council's function of planning for and providing infrastructure for property owners.**
  - c) The:**
    - c1) cost of performing the function described in Part b of this Resolution based on estimated cost be recorded as \$909,170; and**
    - c2) total amount of the special charge be levied be recorded as \$204,585.**
  - d) It be recorded that, for the purposes of section 163 (2A) of the Local Government Act 1989, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula ( $R \times C = S$ ), the:**
    - d1) benefit ratio' (R) being calculated as 1 for the High Street precinct and representing the total benefits of the Special Charge Scheme that will accrue as special benefits to all persons liable to pay the special charge; and**
    - d2) 'community benefit' (C) being assessed as zero.**
  - e) The following be specified as the area for which the special charge is so declared:**
    - e1) The area within the municipal district of Council highlighted in the plan attached to this Resolution ("the area").**
  - f) The following be specified as the land in relation to which the special charge so declared:**

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK  
 CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

- f1) All land within the area shown on the plan and includes the sub-areas numbered 1, 2, 3, 4, 5, 6, 7 & 11 contained within the area.
- g) The following be specified as the criteria which form the basis of the special charge so declared:
  - g1) Ownership of any land described in Part e of this Resolution.
- h) The following be specified as the manner in which the special charge so declared will be assessed and levied:
  - h1) The capital improved value (CIV), in accordance with the 2008 year municipal valuations and in conjunction with weighting factors relating to the areas shown on the plan – Appendix 13-5, is the basis of the distribution of costs to property owners nominated in the scheme. The table of areas and weightings is as follows;

| Area | Weighting Factor |
|------|------------------|
| 1    | 1                |
| 2    | 0.5              |
| 3    | 0.5              |
| 4    | 1                |
| 5    | 0.25             |
| 6    | 0.5              |
| 7    | 1                |
| 11   | 0.5              |

Weighting factors have as their basis, the distance of the sub-area from proposed carpark and the degree of difficulty in accessing the carpark.

The cost for an individual property has been calculated by identifying the area in which the property is situated by means of the plan – Appendix 5, locating the weighting factor in the above table and applying the formula as follows;

$$\text{Cost to property} = \frac{\text{CIV of property} \times \text{weighting factor}}{\text{Sum of CIV of all properties in the scheme} \times \text{by respective weighting factors}} \times \$204,585 \text{ (the amount to be recovered)}$$

- h2) The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Local Government Act 1989.
- i) regard to the preceding parts of the Resolution but subject to Section 166 (1) of the Local Government Act 1989, it be recorded that;

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
- SRC 304 - DECLARATION OF CHARGE (CONT'D)**

- i1) the owners of the land described in column 1 of Schedule B to the resolution are estimated liable for the respective amounts set out in column 2 of Schedule B; and
- i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
  - i2a) The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167(3) of the Local Government Act 1989.
  - i2b) Interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council.
  - i2c) In accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).
- 2) There are no incentives declared as incentives to be given by Council for the payment of the special charge before the date(s) specified for its payment under Section 167 (3) of the Local Government Act 1989.
- 3) Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163 (4) of the Local Government Act 1989.

**Recommendation B – Grant of a Concession**

**That:**

- 1) The following concession arrangement be granted:
  - a) The concessions be applied to the special charges as proposed by the High Street, Belmont precinct special charge scheme for purchase of land and carpark construction for 9 Belmont Street (the scheme).
  - b) The concessions be applied to those properties forming part of the scheme which are used solely for residential purposes and which are shown in Schedule C attached to this resolution.
  - c) It be recorded that Council may grant a concession in accordance with Section 169 (i)(d) of the Local Government Act 1989 (The Act) in order to assist the proper development of the High Street business and retail precinct, Belmont.
  - d) Council considers the granting of a concession to the specified properties will provide community benefit in that it facilitates and increases the likelihood of success of a special charge scheme for carpark construction which will ultimately benefit traders, business owners, shopping clientele and the general public, by means of improved accessibility and convenience. Construction of the carpark is

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
- SRC 304 - DECLARATION OF CHARGE (CONT'D)**

considered to be infrastructure required for the orderly and proper development of the High Street, Belmont, business and shopping precinct.

- e) Having regard to Section 169(1B)(a) of The Act, Council confirms that the concessions to owners of the specified properties do not exceed one third of the rateable properties in the municipal district.
- f) The following be specified as the manner in which the concession shall be given;
  - f1) All properties included in the scheme which at the time of declaration, are used solely for residential purposes shall be the subject of the concession.
  - f2) Properties in accordance with f1) above, shall have charges resulting from the scheme, deferred (the deferred charges).
- g) The following be specified as the manner in which the deferred charges will become payable;
  - g1) Deferred charges relating to properties in accordance with f1) above shall become due and payable;
    - g1a) When the use of the property reverts, changes or alters in any way, from that used solely for residential purposes.
  - g2) In accordance with g1a) it be recorded that on change of property use and status, the concession will be revoked and the special charge in accordance with the scheme , will become due and payable.
- h) Having regard to the previous parts of this Resolution, when charges become due and payable pursuant to g2) above, it be recorded that;
  - h1) The owners of the land granted concessions, for special charges in accordance with the scheme, and being the owners of land described in column 1 of Schedule B to Resolution pursuant to the scheme, be liable for the respective amounts set out in column 2 of Schedule B and;
  - h2) such owners may, subject to any further resolution of Council pay the special charge in the following manner:
    - h2a) The charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Local Government Act 1989.
    - h2b) Interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in accordance with any repayment arrangements that may be agreed on by Council.
    - h2c) In accordance with Section 172 of the Act, the rate of interest which is payable on the special charge which has not been paid by the specified date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
 - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).

- 2) There are no incentives declared as incentives to be given by Council for the payment of the special charge before the date(s) specified for its payment under Section 167 (3) of the Local Government Act 1989.
- 3) Council's Chief Executive Officer be authorised to levy the Special Charge in accordance with Section 163 (4) of the Local Government Act 1989.

**Carried.**

**Report**

**Background**

A report was presented to Council on 26 April 2006 regarding the matter of additional parking to serve the High Street, Belmont business and retail precinct. At the time Aldi Foods Pty Ltd was establishing a supermarket at the corner of Regent Street and High Street Belmont and had land surplus to their needs. Negotiations were underway regarding the purchase of the land by Council for the purposes of establishing a car park.

The High Street, Belmont shopping centre provides around 35,000m<sup>2</sup> in total floor area covering retail, commercial and service industry uses. Like other strip centres including Pakington Street and Highton, Belmont has experienced significant rejuvenation in the past ten years with extensions to Coles/KMart, BiLo (now Coles) and the construction of Aldi.

In May 2002 a report on parking in High Street, Belmont was prepared for the Council by consultants Turnbull Fenner.

The report focused on the areas between Regent Street and Mt Pleasant Road (Precinct 1) and Roslyn Road and Regent Street (Precinct 2). The land to be purchased is located in Precinct 2. Precinct 3 around Coles/Kmart was not analysed in detail as most uses in this area are self contained in terms of off street parking.

The following table provides an indication of the overall parking assessment for Precincts 1 and 2.

| Type of parking                                 | Supply     |            |            |            | Theoretical demand (land use) | Observed parking (spaces occupied) |
|---|------------|------------|------------|------------|-------------------------------|------------------------------------|
|   | On Street  | Off Street | Private    | Total      |                               |                                    |
| <b>Precinct 1 (Regent St to Mt Pleasant Rd)</b> |            |            |            |            |                               |                                    |
| Short term                                      | 44         | 141        | 0          | 185        | 269                           | 99                                 |
| Long term                                       | 63         | 234        | 26         | 323        | 150                           | 152                                |
| <b>Total</b>                                    | <b>107</b> | <b>375</b> | <b>26</b>  | <b>508</b> | <b>419</b>                    | <b>251</b>                         |
| <b>Precinct 2 (Roslyn Rd to Regent St)</b>      |            |            |            |            |                               |                                    |
| Short term                                      | 138        | 267        | 0          | 405        | 446                           | 357                                |
| Long Term                                       | 134        | 142        | 102        | 378        | 294                           | 365                                |
| <b>Total</b>                                    | <b>272</b> | <b>409</b> | <b>102</b> | <b>783</b> | <b>740</b>                    | <b>722</b>                         |

The table shows that there is greater demand for off street parking in Precinct 2 which is where the majority of the shops are located including the BiLo (now Coles) and Aldi supermarkets.

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

Total actual and theoretical demand almost matches actual supply and observed peak demand for car spaces occupied 92% of available spaces. These indicators support the need for additional parking.

In addition to the parking analysis, the 2002 report conducted a survey of 44 traders and 129 shoppers in the centre. The main findings of the survey were:

- 1) 93% of all staff (#300) travelled to work by car.
- 2) Of those staff, some 15% parked on site in spaces which are likely to be the "private" parks in the above table, 58% parked in car parks and 27% parked on street, mainly in surrounding residential streets.
- 3) 65% of traders felt there was insufficient parking for customers and 57% felt there was insufficient long term parking.
- 4) Most of the congestion occurs in the BiLo (now Coles) car park.
- 5) 52% of all shoppers were from locations other than Highton or Belmont indicating that the centre is serving a wider role than a neighbourhood centre.
- 6) 86% of all shoppers travelled to the centre by car.
- 7) 34% of shoppers attended the centre for purposes other than shopping indicating the diversity of uses in the centre.
- 8) 33% of shoppers parked on street and 58% parked off street.

In summary, the 2002 report concluded that the parking demand in Precinct 2 where the property at 9 Belmont Street is located is just met by the supply. In addition, there are issues associated with long term parking in the surrounding residential streets that can be partly offset by allocating some of the newly created spaces for this purpose.

Council resolved to enter into a contract of sale to purchase 3,122 sq. metres of land from Aldi for a purchase price of \$660,000. Council also resolved to recover 50% of the purchase price and capital cost of developing the land to use as a car park.

In 2007, Council applied for and was granted a planning permit for the development of a car park on the site. The conditions of the permit were of a standard nature, however there was a condition that Council "Negotiate with adjoining property owners 159B to 153 High Street and 11 Belmont Street to construct an easement drain through the car park by means of a special charge scheme".

In late 2007, Council finalised the purchase of the land from Aldi.

A report was adopted by Council at the 23 March 2010 meeting, resolving to proceed to advertise the scheme. This was undertaken and submissions / objections invited. As a result Council received a total of 12 responses made up of 9 objections and 3 submissions. All objections and submissions have previously been circulated to Councillors.

The Submissions Panel met and considered all written and verbal submissions and agreed to proceed with the scheme.

Following on from the State Election in 2010, the State Government agreed to contribute \$200,000 to offset property owners contribution costs for the project. In discussions with the Department of Planning and Community Development, it appears to be "no strings attached" funding with the exception that the funds must only be used to offset property owners contributions. An agreement has been signed by both parties.

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

In addition, the Council has agreed to contribute an additional \$100,000.

One property has been removed from the scheme being 5-7 Church Street which is vacant, residential zoned land which fronts Church Street and does not form part of the commercial area.

Property valuations are reviewed and updated on a 2 year cycle. Since the "Intention to Declare Charges" report was presented to Council a different set of property valuations apply.

The scheme has been prepared on the basis of the 2008 valuations and it is considered reasonable for Council to continue to use this valuation framework as the basis for the scheme. Should a new valuation base be used, this could be seen as a material change to the scheme, for at least some of the properties. The scheme could be challenged on this basis.

#### ***Discussion***

The proposed special charge scheme is complex in nature and in the first instance Council needs to establish that a special benefit flows to every property included in the scheme. Special benefit is benefit the group of properties receives which is "over and above that received by other properties not included in the scheme".

Special benefit applying to the properties is as follows:

- Provision of parking over and above the existing provides a greater attraction for persons to enter the precinct and stay for purposes of shopping or attendance to business matters. Given the potential to attract more people, there is the opportunity for businesses/shops to expand to cater for a larger clientele, conduct business at a greater level and at higher profitability.
- Given an increase in profitability this enhances the marketability or value of the business operations as well as land and buildings and also includes rental.
- High Street is an older shopping centre in competition with nearby centres such as the Central Activities Area and Waurin Ponds. The provision of upgraded parking facilities places the High Street precinct in a better position to compete.

The special benefit referred to above centres around retaining and increasing business and shopping activity and is sufficient in nature to support a special charge scheme. An added issue is the fact that Council is funding half the cost of the project. This provides solid support for the project and is a significant commitment and measure of support by Council.

A matter which is important to the establishment of special benefit relates to the "catchment" or area of the precinct selected for inclusion in the scheme. This matter has been given special consideration. Initially all properties in B1Z and B2Z from Mt Pleasant Road to Roslyn Road/Corio Street and just beyond were included. This area was divided into 14 sub-areas and distances from centroid of parking area to centroid of sub-area calculated. Given that there is a general acceptance that a figure of approximately 200 metres is a desirable maximum walking distance from park to destination, nine of the sub-areas were selected and five excluded. This explains why sub areas 1, 2, 3, 4, 5, 6, 7 and 11 only are nominated with sub areas 8, 9, 10, 12 and 13 not shown on the plan, excluded by the process.

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

In addition to this parameter, which is one of only an approximate nature, weightings (reductions) were applied to some areas where the path from park to destination crosses a busy road. For example a 50% reduction was applied to compensate for crossing High Street. The reduction was initially applied to the capital improved value of the property and therefore directly lowered the cost allocated to the particular properties. This was considered to be a fair method of distributing costs given those properties closest to the car park would stand to gain the highest level of benefit and those more distant, a lesser degree.

It should be noted that for the purposes of a special rate or charge scheme, Council does not need to assess the level or degree of benefit which may be different for many properties. Differing degrees of benefit do not justify a scale of charges or in fact removal from a scheme. This matter has been confirmed by the Victorian Civil and Administrative Tribunal (VCAT) on a number of occasions. Council need only establish that special benefit does apply to those properties forming the scheme.

Two letters have been sent out advising owners that the proposal is in the stage of preparation. A number of discussions have been held. A common theme where newer developments are involved is the claim that all Council conditions have been complied with in relation to parking on site and in some cases, parking in excess of those requirements has been provided. It is a fact that there are a range of businesses/shops in the precinct of varying vintages. Some of the older developments would not have provided any parking. The most recent developments have provided the full compliment. This is considered incidental, however, as all developments would have complied with the requirements of the day, regardless of what they were. To now ask the owner of an older development to upgrade parking to the current standard would not be a fair and reasonable approach. In reference to the special benefit issues explained above, any additional car park such as this has the potential to provide additional business activity in the precinct. All properties have the opportunity to take advantage of this additional business activity regardless of whether they have the current standard of parking or none at all. Enhancement of property values applies over the precinct and is not dependent on existing individual property parking arrangements. A further difficulty would be the location of records of some businesses which may date back 50 years, for example.

As indicated the land included in the scheme is B1Z and B2Z. None of the surrounding R1Z (residential) is included. There are however, 15 properties in the business zones which are used for residential purposes. These are essentially in the Belmont Street area almost adjacent to the carpark. There is one in Regent Street on the north-west side of High Street. Careful consideration was given whether to include or exclude these from the scheme.

The principle of special benefit, once established, applies regardless of whether the property is put to its best or highest economic use. In this instance Council can be guided by precedent established in VCAT, the NSW Supreme Court and the High Court of Australia. Four relevant decisions are as follows:

- Bankstown Municipal Council v Fripp (1919) HCA 41; (1919) 26 CLR 385 (8 August 1919).
- Parramatta City Council v Pestell (1972) 128 CLR 305.
- OG Rich and ors vs Moira Shire Council 1998 / 95260 VCAT
- Seventh Day Adventist Church Warragul v Baw Baw SC (2007) VCAT 905 (18 May 2007)

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

The Parramatta v Pestell case is of particular significance and has particular similarities with the scheme proposed. In this case the Council proposed to upgrade roads, kerb and channel and footpath and imposed a local rate. The area included was essentially an industrial area, although it contained a number of cottages used for residential purposes. Some of the properties were removed from the scheme, some were included. An owner of a cottage included in the rate scheme objected via the Supreme Court of N.S.W. and was successful. The Council subsequently appealed via the High Court and 4 of the 5 Judges considered the rate scheme to be improperly constructed in that all properties received benefit, including those omitted and the scheme was therefore unfair and should be quashed.

The two High Court cases have particular relevance to the special rate and charge provisions of the Victorian Local Government Act, and have provided a description and definition of special benefit which is commonly in use today.

In Rich v Moira, VCAT Tribunal Member Marsden relied on Bankstown v Fripp and Parramatta v Pestell. The Tribunal Member makes specific reference to zoning: *"...In this case the special benefit is not remote in that the works will immediately increase the capacity of the land to be used for the purpose for which it is zoned, and enhance the value of that land. The Tribunal cannot simply ignore the zoning of the land because, at the moment, it is being used for another purpose. The zoning of land plays an important part in an assessment of its valuation."*

On the basis of the above, it appears quite clear, Council should include the properties used for residential purposes, in the scheme. Failure to do so would likely jeopardize the scheme, if reviewed by VCAT.

This is, however, an unusual set of circumstances whereby a charge for a car park to be used for commercial purposes, is to be levied on properties used solely for residential purposes. In view of this and to provide some relief to these owners, the following is proposed;

- the properties used solely for residential purposes be included in the scheme;
- the charges to these properties be deferred;
- the charges would become payable when the properties come into use for commercial purposes; and
- the normal interest requirement applies on the issue of the notice regarding payment of the charge.

The above provides relief for the current owners, yet includes the properties in the scheme and therefore does not jeopardize the scheme.

A scheme has also been prepared for an easement drainage project to service properties 159B to 153 High Street, 11 Belmont Street and includes part of the proposed car park. This easement drainage scheme is being presented concurrently with the car park scheme. The easement drainage scheme can exist independently of the car park scheme.

These properties fronting High Street, no's 153, 155 and 157 High Street have rear abuttal to the carpark. Access to the rear of no's 155 and 157 is from High Street via a shared driveway. No 155 is currently under redevelopment and No 157 a chemist and both have deliveries via the driveway and High Street. Good traffic management practice would dictate that access via High Street be removed wherever possible.

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
 - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

Controlled access to these two properties as well as the third, No 153 High Street would be appropriate and this can be done by means of the creation of a carriageway easement, in favour of all three lots along the rear and entry via No 157 and exit via No 153 High Street, to and from the car park. It would not be desirable from the point of view of management of traffic in the car park, to have total, unfettered access to the rear of these properties from the car park.

Associated with the closure of the driveway from High Street is the need for pedestrian access. The planning permit for the redevelopment of 155 High Street has provided for a pedestrian walkway from the carpark through to High Street. The preferred arrangements provide benefits to all parties, including the general public. There are some minor costs associated with this rearrangement of access which include creation of easement, fees, forming the access and rearranging the fencing. It is reasonable this work be cost neutral for the owners and therefore costs have been included in the special charge scheme as the pedestrian thoroughfare provides considerable benefit to the carpark users.

It is proposed that the car park have a 2 hour limit which is consistent with the Aldi car park adjacent and surrounding car parks.

The financial arrangements for the scheme have been amended since it was first put to Council and subsequently advertised. This results in a considerable reduction for property owners of approximately 55%. The following table indicates the changed financial contributions.

|  | Council Cost                       | Owners Cost | Total   |
|--|------------------------------------|-------------|---------|
| Original Scheme                              | 454,585                            | 454,585     | 909,170 |
| New Scheme                                   |                                    |             |         |
| Additional Council contribution of \$100,000 | 404,585<br>(+100,000,<br>=504,585) | 404,585     | 909,170 |
| State Government contribution of \$200,000   | 504,585                            | 204,585     | 909,170 |

Council's recently adopted policy stipulates where ex-gratia funding is provided to a scheme, whether internally or externally, it will be applied to the total cost of the works thus reducing the overall project cost.

In order to be eligible for the State Government Grant, however, Council cannot apply this criterion. In the circumstances and considering the magnitude of the grant Council needs to depart from policy in this instance.

***Environmental Implications***

The car park currently has a part pavement and seal as it was previously the quadrangle area of the old school on the site. The construction process will require the expenditure of energy both in the construction and the provision of the component materials such as crushed rock, drainage pipes and asphalt. This is only short term as the duration of the construction process is only a few weeks.

**13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION  
- SRC 304 - DECLARATION OF CHARGE (CONT'D)**

Ongoing maintenance thereafter will be only minimal and therefore no additional, ongoing energy sources will be drawn on. There are no carbon offset arrangements for this type of construction.

As indicated existing pavement material on site will be reused. Sealing of the area will reduce the amount of silt passing through the underground drainage system and eventually reaching the Barwon River.

Runoff from the site is proposed to be collected in infiltration beds, parallel to Regent Street. Water will be filtered via this system before entering the underground system. There are no natural habitats on the site.

***Financial Implications***

The total cost of this project is \$909,170 which is made up of the land purchase (\$665,205) and the car park construction (\$243,965) by means of the special charge scheme.

Should the scheme be unsuccessful, Council will be required to meet the full cost, if the project is to proceed. An option would be for Council not to proceed with construction, however, the land has already been purchased, therefore Council is committed in this respect.

***Policy/Legal/Statutory Implications***

The scheme has been prepared in accordance with the special rate and charge provisions of the Local Government Act as well as Council's Comprehensive Infrastructure Funding Policy. Particular emphasis has been placed on researching similar cases which have been through various legal jurisdictions, to ensure that in the event of a challenge, the scheme can be substantiated. There are no matters relating to the Human Rights Charter which require consideration of Council.

***Officer Direct or Indirect Interest***

There are no Council Officers involved with the project who either own properties in the area or have an interest. Therefore, there is no Officer direct or indirect interest in the project.

***Risk Assessment***

There are no specific risk assessment issues associated with Council resolving its intention to declare the charges for the scheme. This simply commences the process of the special charge scheme as the next step is formal advertising.

Provision of formal parking will assist in avoiding instances of illegal or errant parking in the local area.

### **13. BELMONT STREET, BELMONT - PROPOSED CARPARK CONSTRUCTION - SRC 304 - DECLARATION OF CHARGE (CONT'D)**

#### ***Social Considerations***

The High Street shopping and business precinct is surrounded by a residential area. Traditionally parking extends into this area which can disenfranchise local residential property owners. The addition of a carpark will assist in concentrating this parking closer to High Street in the B1 Zone. The car park will provide disabled parking spaces and all construction will comply with the requirements for vision impaired and wheelchair bound persons.

#### ***Communication***

In 2005/2006, Council become aware of the Aldi land which was surplus to their needs. Discussions were held at that time with the Belmont Business Association. A public meeting was held to explore the proposal, however, this was poorly attended. Council then proceeded to the purchase of the land.

An initial advisory letter was sent out to all owners in April, 2008 and a further letter sent out recently. A number of telephone discussions have taken place. Property owners have had the opportunity to speak with Councillors and address the Panel through the Submissions Process. Special Rates and Charges schemes have an established communication process, with the public as outlined in the Process Chart – Attachment 13-1.

**Appendix 13-1  
Page 1**

**SCHEDULE 'A'**

The works for the purchase of land and associated legal costs, construction of roadworks, drainage and street furniture in the Belmont Street carpark, Belmont, which consists of excavation, road pavement, kerb and channel, asphalt surfacing, underground drainage and associated pits, bioretention system, lighting, signing, linemarking, landscaping, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the estimates shown below.

**COST ESTIMATE FOR PURCHASE OF LAND  
AND CONSTRUCTION OF THE BELMONT STREET CARPARK, BELMONT**

| ITEM                                    | DESCRIPTION  | QUANTITY | UNIT           | RATE<br>\$ | AMOUNT<br>\$     |
|---|--|----------|----------------|------------|------------------|
| <b>SECTION A – LAND PURCHASE</b>        |  |          |                |            |                  |
| 1.00                                    | Purchase price.  |          |                |            | 660,000          |
| 2.00                                    | Legal costs.   |          |                |            | 5,205            |
| <b>Total</b>                            |  |          |                |            | <b>\$665,205</b> |
| <b>SECTION B – CARPARK CONSTRUCTION</b> |  |          |                |            |                  |
| 1.00                                    | <b>Preliminaries:</b>  |          |                |            |                  |
| 1.01                                    | Site establishment, traffic management and setout.                                     |          | item           |            | 10,000           |
| 2.00                                    | <b>Earthworks:</b>   |          |                |            |                  |
| 2.01                                    | Excavation for new pavement and disposal of material.                                  | 402      | m <sup>3</sup> | 40         | 16,080           |
| 2.02                                    | Removal of tree including backfill.  |          | item           |            | 2,000            |
| 3.00                                    | <b>Pavement works:</b>   |          |                |            |                  |
| 3.01                                    | Supply and place 150mm depth of Class 3, 40mm nom crushed rock.                        | 175      | m <sup>3</sup> | 100        | 17,500           |
| 3.02                                    | Supply and place 150mm depth of Class 2, 20mm nom fine crushed rock.                   | 175      | m <sup>3</sup> | 120        | 21,000           |
| 3.03                                    | Supply and place 30mm depth 10mm nom asphalt.  | 3000     | sqm            | 20         | 60,000           |
| 4.00                                    | <b>Drainage:</b>   |          |                |            |                  |
| 4.01                                    | Sawcut for trenching in Belmont Street   | 100      | m              | 15         | 1,500            |
| 4.02                                    | Trench for, supply and place 300mm dia RCP including granular backfill and compaction. | 102      | m              | 130        | 13,260           |
| 4.03                                    | Supply and place asphalt surfacing over drainage trench in Belmont Street.             | 120      | sqm            | 25         | 3,000            |
| 4.04                                    | Supply and place grated junction pits in bioretention system.                          | 2        | No.            | 2,000      | 4,000            |
| 4.05                                    | Supply and place junction pits in Belmont Street with Gatic lids.                      | 2        | No.            | 2,000      | 4,000            |
| 4.06                                    | Break into existing pit at Belmont/Regent Street intersection.                         | 1        | No.            | 500        | 500              |

**Appendix 13-1  
 Page 2**

|       |  |     |     |      |                  |
|-------|--|-----|-----|------|------------------|
| 5.00  | <b>Concrete works:</b>   |     |     |      |                  |
| 5.01  | Supply and place barrier kerb and channel.   | 200 | m   | 60   | 12,000           |
| 5.02  | Supply and place barrier kerb along Belmont Street frontage and islands in carpark.                | 170 | m   | 50   | 8,500            |
| 5.03  | Supply and place new concrete slab at Belmont Street entrance.                                     | 20  | sqm | 100  | 2,000            |
| 6.00  | <b>Landscaping:</b>  |     |     |      |                  |
| 6.01  | Supply and place granitic sand infill to island and planting.                                      |     |     | item | 2,500            |
| 6.02  | Supply and place materials for bioretention system including planting.                             |     |     | item | 5,000            |
| 7.00  | <b>Signing, Linemarking and lighting:</b>  |     |     |      |                  |
| 7.01  | Supply and place overhead lighting including trenching for underground power.                      |     |     | item | 10,000           |
| 7.02  | Supply and place all Linemarking in carpark.   |     |     | item | 3,000            |
| 7.03  | Supply and place internal and external signs   |     |     | item | 2,000            |
| 8.00  | <b>Miscellaneous</b>   |     |     |      |                  |
| 8.01  | Preparation of creation of easement plans for No's 153, 155 and 157 High Street including all fees |     |     | item | 3,500            |
| 8.02  | Removal of fence sections and provision of access from carpark to properties                       |     |     | item | 2,000            |
| 8.03  | Closure of access at High Street including placement of bollards                                   |     |     | item | 1,500            |
|       | <b>Subtotal</b>  |     |     |      | <b>\$204,840</b> |
| 9.00  | <b>Contingency – 10%</b>   |     |     |      | 20,484           |
| 10.00 | <b>Design and Administration</b>   |     |     |      |                  |
| 10.01 | Design   |     |     |      | 11,881           |
| 10.02 | Administration of Special Charge Scheme  |     |     |      | 6,760            |
|       | <b>Total</b>   |     |     |      | <b>\$243,965</b> |

|   |           |
|---|-----------|
| Total Cost For Sections A & B   | \$909,170 |
| State Government Grant  | \$200,000 |
| Council Proportion of Scheme including additional Council allocation of \$100,000 | \$504,585 |
| Owners Proportion of Scheme   | \$204,585 |

**Appendix 13-2  
Page 1**

**SCHEDULE 'B'**

**SPECIAL CHARGE SCHEME FOR THE CONSTRUCTION OF  
CARPARK 9 BELMONT STREET, BELMONT**

**AREA 1**

| COL 1   | COL 2               | COL 3              | COL 4                                 |
|---|---------------------|--------------------|---------------------------------------|
| PROPERTY DETAILS  | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                      |
| Lot 1 LP 14613  | \$1,559             | 221372             | 11 Belmont Street, Belmont VIC 3216   |
| Lot 1 PS 425883   | \$1,107             | 230096             | 1/13 Belmont Street, Belmont VIC 3216 |
| Lot 2 PS 425883   | \$1,107             | 230095             | 2/13 Belmont Street, Belmont VIC 3216 |
| Lot 6 LP 8734   | \$1,283             | 221376             | 15 Belmont Street, Belmont VIC 3216   |
| Lot 1 PS 527884   | \$18,107            | 335792             | 149-151 High Street, Belmont VIC 3216 |
| Pt Sec 24 CA 2  | \$1,609             | 351037             | 153A High Street, Belmont VIC 3216    |
| Pt Sec 24 CA 2  | \$1,609             | 351038             | 153B High Street, Belmont VIC 3216    |
| Pt Sec 24 CA 2  | \$3,219             | 229259             | 155 High Street, Belmont VIC 3216     |
| Lot 1 TP 6327   | \$4,175             | 229261             | 157 High Street, Belmont VIC 3216     |
| 1/3 Share of Lot 2 TP 119165, 1/3 Share of Lot 1 TP 119165                          | \$1,534             | 229263             | 159 High Street, Belmont VIC 3216     |
| 1/3 Share of Lot 1 TP 119165, 1/3 Share of Lot 2 TP 119165                          | \$1,408             | 229264             | 159A High Street, Belmont VIC 3216    |
| 1/3 Share of Lot 1 TP 119165, 1/3 Share of Lot 2 TP 119165                          | \$1,408             | 229265             | 159B High Street, Belmont VIC 3216    |
| 1/3 Share of Lot 1 LP 8734  | \$1,333             | 229266             | 161 High Street, Belmont VIC 3216     |
| 1/3 Share of Lot 1 LP 8734  | \$905               | 229267             | 161A High Street, Belmont VIC 3216    |
| 1/3 Share of Lot 1 LP 8734  | \$1,031             | 337309             | 161B High Street, Belmont VIC 3216    |
| Part of: Lot 2 LP 8734, Lot 3 LP 8734, Lot 4 LP 8734, LP 8734, LP 8734, Res LP 8734 | \$13,213            | 229268             | 163 High Street, Belmont VIC 3216     |

**AREA 2**

| COL 1                        | COL 2               | COL 3              | COL 4                                   |
|------------------------------|---------------------|--------------------|---|
| PROPERTY DETAILS             | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                        |
| Lot 1A RP 1987               | \$1,119             | 221385             | 3 Belmont Centreway, Belmont VIC 3216   |
| Lot 4 RP 1987                | \$729               | 221386             | 4 Belmont Centreway, Belmont VIC 3216   |
| Lot 5 RP 1987                | \$704               | 221387             | 5 Belmont Centreway, Belmont VIC 3216   |
| Lot 6 RP 1987, Lot 7 RP 1987 | \$1,195             | 221388             | 6-7 Belmont Centreway, Belmont VIC 3216 |
| Lot 8 RP 1987                | \$566               | 221389             | 8 Belmont Centreway, Belmont VIC 3216   |
| Lot 9 RP 1983                | \$553               | 221390             | 9 Belmont Centreway, Belmont VIC 3216   |
| Lot 10 RP 1983               | \$666               | 221391             | 10 Belmont Centreway, Belmont VIC 3216  |
| Lot 11 RP 1983               | \$553               | 221392             | 11 Belmont Centreway, Belmont VIC 3216  |

**Appendix 13-2  
 Page 2**

**AREA 2 Cont'd**

|                              |          |        |  |
|------------------------------|----------|--------|--|
| Lot 12 RP 1983               | \$553    | 221393 | 12 Belmont Centreway, Belmont VIC 3216         |
| Lot 13 RP 1983               | \$553    | 221394 | 13 Belmont Centreway, Belmont VIC 3216         |
| Lot 8 PS 509670              | \$679    | 333476 | Shop No. 1/13 Discovery Lane, Belmont VIC 3216 |
| Lot 7 PS 509670              | \$541    | 320254 | Shop No. 2/13 Discovery Lane, Belmont VIC 3216 |
| Lot 6 PS 509670              | \$767    | 320255 | Shop No. 3/13 Discovery Lane, Belmont VIC 3216 |
| Lot 4 PS 509670              | \$440    | 229158 | 15 Discovery Lane, Belmont VIC 3216            |
| PT CA2 SEC 24                | \$1,786  | 229240 | 138 High Street, Belmont VIC 3216              |
| Lot 1 TP 8400                | \$943    | 229242 | 140 High Street, Belmont VIC 3216              |
| Lot 2 GLS 1429               | \$1,949  | 229244 | 142 High Street, Belmont VIC 3216              |
| 1/2 Share of Lot 1 GLS 1429  | \$855    | 229246 | 148 High Street, Belmont VIC 3216              |
| 1/2 Share of Lot 1 GLS 1429  | \$943    | 229248 | 150 High Street, Belmont VIC 3216              |
| Lot 1 RP 14628               | \$679    | 229249 | 1/152 High Street, Belmont VIC 3216            |
| Lot 2 RP 14628               | \$742    | 229250 | 2/152 High Street, Belmont VIC 3216            |
| 1/2 Share of Lot 3 RP 14628  | \$566    | 229251 | 3/152 High Street, Belmont VIC 3216            |
| Lot 4 RP 14628               | \$350    | 229252 | 4/152 High Street, Belmont VIC 3216            |
| Lot 5 RP 14628               | \$350    | 229253 | 6/152 High Street, Belmont VIC 3216            |
| 1/2 Share of Lot 3 RP 14628  | \$282    | 298819 | 7/152 High Street, Belmont VIC 3216            |
| Lot 6 RP 14628               | \$402    | 229254 | 8/152 High Street, Belmont VIC 3216            |
| Lot 3 PS 509670              | \$918    | 229256 | 1/154 High Street, Belmont VIC 3216            |
| Lot 2 PS 509670              | \$792    | 229257 | 2/154 High Street, Belmont VIC 3216            |
| Lot 1 PS 509670              | \$604    | 333938 | 3/154 High Street, Belmont VIC 3216            |
| CP 166022                    | \$2,087  | 229260 | 156 High Street, Belmont VIC 3216              |
| PC 364115                    | \$10,286 | 229262 | 158-162 High Street, Belmont VIC 3216          |
| Lot 8 RP 3540                | \$1,132  | 229269 | 15/164 High Street, Belmont VIC 3216           |
| Lot 6 RP 3540, Lot 7 RP 3540 | \$1,270  | 229270 | 16-17/164 High Street, Belmont VIC 3216        |
| Lot 5 RP 3540                | \$641    | 229271 | 18/164 High Street, Belmont VIC 3216           |
| Lot 4 RP 3540                | \$767    | 229272 | 19/164 High Street, Belmont VIC 3216           |
| Lot 3 RP 3540                | \$792    | 229273 | 20/164 High Street, Belmont VIC 3216           |
| Lot 1 RP 3540, Lot 2 RP 3540 | \$1,094  | 229274 | 21/164 High Street, Belmont VIC 3216           |
| Lot 14 RP 1983               | \$1,220  | 229283 | 166 High Street, Belmont VIC 3216              |
| Lot 2 RP 1987                | \$868    | 229286 | 168 High Street, Belmont VIC 3216              |
| Lot 3A RP 1987               | \$692    | 334246 | 168A High Street, Belmont VIC 3216             |

**Appendix 13-2  
Page 3**

**AREA 3**

| COL 1                          | COL 2               | COL 3              | COL 4                                  |
|--------------------------------|---------------------|--------------------|--|
| PROPERTY DETAILS               | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                       |
| 1/9 Share of Lot 1 TP 229720   | \$156               | 24960              | 1 Belmont Arcade, Belmont VIC 3216     |
| 1/9 Share of Lot 1 TP 229720   | \$156               | 24961              | 1A Belmont Arcade, Belmont VIC 3216    |
| 1/9 Share of Lot 1 TP 229720   | \$156               | 24962              | 2 Belmont Arcade, Belmont VIC 3216     |
| 1/9 Share of Lot 1 TP 229720   | \$309               | 24963              | 3 Belmont Arcade, Belmont VIC 3216     |
| 1/9 Share of Lot 1 TP 229720   | \$ 98               | 24964              | 4 Belmont Arcade, Belmont VIC 3216     |
| 1/9 Share of Lot 1 TP 229720   | \$279               | 24965              | 6 Belmont Arcade, Belmont VIC 3216     |
| Lot 1 SP 24282                 | \$729               | 24977              | 1 Belmont Square, Belmont VIC 3216     |
| Lot 2 SP 24282                 | \$692               | 24978              | 2 Belmont Square, Belmont VIC 3216     |
| Lot 3 SP 24282                 | \$767               | 24979              | 3 Belmont Square, Belmont VIC 3216     |
| Lot 4 SP 24282                 | \$390               | 24980              | 4 Belmont Square, Belmont VIC 3216     |
| Lot 5 SP 24282                 | \$428               | 24981              | 5 Belmont Square, Belmont VIC 3216     |
| Lot 6 SP 24282                 | \$372               | 24982              | 6 Belmont Square, Belmont VIC 3216     |
| Lot 7 SP 24282                 | \$372               | 24983              | 7 Belmont Square, Belmont VIC 3216     |
| Lot 1 LP 68848                 | \$1,446             | 26430              | 170 High Street, Belmont VIC 3216      |
| Lot 2 LP 68848                 | \$1,220             | 26431              | 170A High Street, Belmont VIC 3216     |
| 1/2 Share of Pt CA 1 Sec 24    | \$3,144             | 26433              | 172 High Street, Belmont VIC 3216      |
| 1/2 Share of Pt CA 1 Sec 24    | \$1,107             | 26434              | 172A High Street, Belmont VIC 3216     |
| Lot 1 LP 68138                 | \$566               | 26436              | 1/174 High Street, Belmont VIC 3216    |
| Lot 1 LP 73340                 | \$780               | 26439              | 1/174A High Street, Belmont VIC 3216   |
| Lot 1 LP 68138                 | \$1,345             | 26435              | 174 High Street, Belmont VIC 3216      |
| Lot 2 LP 73340                 | \$943               | 26441              | 174B High Street, Belmont VIC 3216     |
| Lot 1 LP 73340                 | \$516               | 26440              | 2/174A High Street, Belmont VIC 3216   |
| Lot 2 LP 18152                 | \$1,496             | 26442              | 176 High Street, Belmont VIC 3216      |
| 177.5m2 Lot 1 TP 830165        | \$1,245             | 26443              | 178 High Street, Belmont VIC 3216      |
| Pt CA 1 Sec 24, Lot 1 TP 15952 | \$1,270             | 26444              | 180-182 High Street, Belmont VIC 3216  |
| 1/9 Share of Lot 1 TP 229720   | \$1,195             | 26445              | 184 High Street, Belmont VIC 3216      |
| 1/9 Share of Lot 1 TP 229720   | \$993               | 26446              | 186 High Street, Belmont VIC 3216      |
| 1/9 Share of Lot 1 TP 229720   | \$566               | 26447              | 186A High Street, Belmont VIC 3216     |
| Lot 1 TP 818905                | \$1,094             | 26448              | 188 High Street, Belmont VIC 3216      |
| Pt 1 TP 11618                  | \$322               | 28012              | 46B Roslyn Road, Belmont VIC 3216      |
| Lot 1 TP 11618                 | \$578               | 28013              | 46C Roslyn Road, Belmont VIC 3216      |
| Lot 1 SP 22394                 | \$566               | 28972              | 1/57 Thomson Street, Belmont VIC 3216  |
| Lot 11 SP 22394                | \$541               | 28981              | 11/57 Thomson Street, Belmont VIC 3216 |
| Lot 2 SP 22394                 | \$465               | 28973              | 2/57 Thomson Street, Belmont VIC 3216  |
| Lot 3 SP 22394                 | \$629               | 28974              | 3/57 Thomson Street, Belmont VIC 3216  |

**Appendix 13-2  
Page 4**

**AREA 3 Cont'd**

|                                |         |       |   |
|--------------------------------|---------|-------|---|
| Lot 4 SP 22394                 | \$478   | 28975 | 4/57 Thomson Street, Belmont VIC 3216   |
| Lot 5A SP 22394                | \$654   | 28976 | 5/57 Thomson Street, Belmont VIC 3216   |
| Lot 6A SP 22394                | \$654   | 28977 | 6/57 Thomson Street, Belmont VIC 3216   |
| Lot 7 SP 22394                 | \$541   | 28978 | 7/57 Thomson Street, Belmont VIC 3216   |
| Lot 8 SP 22394                 | \$679   | 28979 | 8/57 Thomson Street, Belmont VIC 3216   |
| Lot 9 & 10 SP 22394            | \$968   | 28980 | 9/57 Thomson Street, Belmont VIC 3216   |
| Lot 1 SP 29167                 | \$453   | 28983 | 1/63 Thomson Street, Belmont VIC 3216   |
| Lot 3 SP 29167, Lot 2 SP 29167 | \$742   | 28984 | 2-3/63 Thomson Street, Belmont VIC 3216 |
| Lot 4 SP 29167                 | \$350   | 28985 | 3/63 Thomson Street, Belmont VIC 3216   |
| Lot 5 SP 29167                 | \$528   | 28986 | 4/63 Thomson Street, Belmont VIC 3216   |
| Lot 6 SP 29167                 | \$440   | 28987 | 5/63 Thomson Street, Belmont VIC 3216   |
| Lot 7 SP 29167                 | \$591   | 28988 | 6/63 Thomson Street, Belmont VIC 3216   |
| Lot 9 SP 29167                 | \$1,081 | 28942 | 63-67 Thomson Street, Belmont VIC 3216  |
| Lot 8 SP 29167                 | \$654   | 28989 | 7/63 Thomson Street, Belmont VIC 3216   |

**AREA 4**

| COL 1                          | COL 2               | COL 3              | COL 4   |
|--------------------------------|---------------------|--------------------|---|
| PROPERTY DETAILS               | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS  |
| Lot 5 SP 28348                 | \$1,031             | 229275             | 1-2/165 High Street, Belmont VIC 3216                     |
| Lot 4 SP 28348, Lot 6 SP 28348 | \$2,439             | 229278             | 3/165 High Street, Belmont VIC 3216                       |
| Lot 3 SP 28348                 | \$1,031             | 229280             | 4/165 High Street, Belmont VIC 3216                       |
| Lot 1B SP 28348                | \$1,358             | 229281             | 5/165 High Street, Belmont VIC 3216                       |
| Lot 1A SP 28348                | \$1,333             | 229282             | 6/165 High Street, Belmont VIC 3216                       |
| Unit 2 SP 28348                | \$1,081             | 327839             | Suite No. 1/Level No. 1 165 High Street, Belmont VIC 3216 |
| Lot 7 SP 28348                 | \$734               | 229279             | Suite No. 3/Level No. 1 165 High Street, Belmont VIC 3216 |
| Lot 8 LP 8734                  | \$2,867             | 229284             | 167 High Street, Belmont VIC 3216                         |
| Lot 1 TP 618935                | \$1,987             | 229285             | 167A High Street, Belmont VIC 3216                        |
| Lot 2 PS 345011                | \$1,559             | 229287             | 169 High Street, Belmont VIC 3216                         |
| Lot 1 PS 345011                | \$2,087             | 229288             | 169A High Street, Belmont VIC 3216                        |
| Lot 3 PS 345011                | \$1,861             | 229289             | 169B High Street, Belmont VIC 3216                        |
| Lot 10 LP 8734                 | \$4,074             | 229292             | 171 High Street, Belmont VIC 3216                         |

**AREA 5**

| COL 1                        | COL 2               | COL 3              | COL 4                                    |
|------------------------------|---------------------|--------------------|--|
| PROPERTY DETAILS             | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                         |
| 1/2 Share of Lot 1 PS 339874 | \$1,848             | 26332              | 1/110-112 High Street, Belmont VIC 3216  |
| 1/2 Share of Lot 1 PS 339874 | \$1,572             | 112283             | 1A/110-112 High Street, Belmont VIC 3216 |
| Lot 2A PS 339874             | \$478               | 815703             | 2A/110-112 High Street, Belmont VIC 3216 |

**Appendix 13-2  
Page 5**

**AREA 5 Cont'd**

|                              |       |        |  |
|------------------------------|-------|--------|--|
| Lot 2B PS 339874             | \$553 | 815704 | 2B/110-112 High Street, Belmont VIC 3216 |
| Lot 2C PS 339874             | \$534 | 815705 | 2C/110-112 High Street, Belmont VIC 3216 |
| Lot 3 PS 339874              | \$327 | 26334  | 3/110-112 High Street, Belmont VIC 3216  |
| Lot 4 PS 339874              | \$327 | 26335  | 4/110-112 High Street, Belmont VIC 3216  |
| Lot 5 PS 339874              | \$497 | 26336  | 5/110-112 High Street, Belmont VIC 3216  |
| Lot 6 PS 339874              | \$692 | 26337  | 6/110-112 High Street, Belmont VIC 3216  |
| Lot 7 PS 339874              | \$692 | 26338  | 7/110-112 High Street, Belmont VIC 3216  |
| Lot 8 PS 339874              | \$886 | 100805 | 8/110-112 High Street, Belmont VIC 3216  |
| Lot 1 PS 330701              | \$434 | 26345  | 1/124 High Street, Belmont VIC 3216      |
| Lot 2 PS 330701              | \$185 | 26346  | 2/124 High Street, Belmont VIC 3216      |
| Lot 3 PS 330701              | \$80  | 26347  | 3/124 High Street, Belmont VIC 3216      |
| Lot 4 PS 330701              | \$74  | 26348  | 4/124 High Street, Belmont VIC 3216      |
| Lot 5 PS 330701              | \$96  | 26349  | 5/124 High Street, Belmont VIC 3216      |
| Lot 6 PS 330701              | \$67  | 26350  | 6/124 High Street, Belmont VIC 3216      |
| 1/2 Share of Lot 7 PS 330701 | \$112 | 26351  | 7/124 High Street, Belmont VIC 3216      |
| 1/2 Share of Lot 7 PS 330701 | \$258 | 26352  | 8/124 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$346 | 26356  | 1/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$346 | 26357  | 2/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$156 | 26358  | 3/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$175 | 26359  | 4/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$156 | 26360  | 5/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$156 | 26361  | 6/130 High Street, Belmont VIC 3216      |
| 1/7 Share of Lot 1 TP 834474 | \$156 | 26362  | 7/130 High Street, Belmont VIC 3216      |
| Lot 1 TP 242087              | \$421 | 26363  | 132 High Street, Belmont VIC 3216        |
| 1/2 Share of Lot 1 TP 689143 | \$428 | 26364  | 132A High Street, Belmont VIC 3216       |
| 1/2 Share of Lot 1 TP 689143 | \$201 | 26365  | 132B High Street, Belmont VIC 3216       |
| Pt CA 2 Sec 24               | \$239 | 26366  | 134 High Street, Belmont VIC 3216        |
| CA 2 Sec Pt24                | \$384 | 26369  | 136 High Street, Belmont VIC 3216        |
| Pt CA 2 Sec 24               | \$597 | 27768  | 20 Regent Street, Belmont VIC 3216       |
| Lot 1 TP 22522               | \$528 | 27770  | 22 Regent Street, Belmont VIC 3216       |

**Appendix 13-2  
Page 6**

**AREA 6**

| COL 1   | COL 2               | COL 3              | COL 4                                 |
|---|---------------------|--------------------|---------------------------------------|
| PROPERTY DETAILS                              | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                      |
| Lot 1 LP 110417, R1 LP 110417, Lot 9 LP 14655 | \$2,867             | 229201             | 107-113 High Street, Belmont VIC 3216 |
| Lot 2 LP 110417, Lot 5 LP 18347               | \$2,024             | 229213             | 115-117 High Street, Belmont VIC 3216 |
| Lot 5 LP 18347, Lot 2 LP 110417               | \$1,886             | 299808             | 119-121 High Street, Belmont VIC 3216 |
| Lot 1 LP 40082, Lot 2 LP 40082                | \$1,283             | 229214             | 123 High Street, Belmont VIC 3216     |
| Pt CA 2 Sec 24                                | \$3,596             | 229225             | 127 High Street, Belmont VIC 3216     |
| Lot 1 SP 33626                                | \$880               | 229237             | 135 High Street, Belmont VIC 3216     |
| Lot 2 SP 33626                                | \$805               | 229239             | 137 High Street, Belmont VIC 3216     |
| Lot 3 SP 33626                                | \$805               | 229243             | 141 High Street, Belmont VIC 3216     |
| Lot 4 SP 33626                                | \$1,257             | 229245             | 145 High Street, Belmont VIC 3216     |
| Lot 5 SP 33626                                | \$1,320             | 236436             | 18 Regent Street, Belmont VIC 3216    |

**AREA 7**

| COL 1                          | COL 2               | COL 3              | COL 4  |
|--------------------------------|---------------------|--------------------|--|
| PROPERTY DETAILS               | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                               |
| Lot 1 PS632351                 | \$480               | 348657             | 1/2 Belmont Street, Belmont VIC 3216           |
| Lot 1 PS632351                 | \$511               | 348658             | 2/2 Belmont Street, Belmont VIC 3216           |
| Lot 1 PS632351                 | \$518               | 348659             | 3/2 Belmont Street, Belmont VIC 3216           |
| Lot 1 LP 16051                 | \$1,685             | 221367             | 4 Belmont Street, Belmont VIC 3216             |
| Pt Sec 24 CA 2                 | \$1,207             | 221369             | 6 Belmont Street, Belmont VIC 3216             |
| Pt Sec 24 CA 2                 | \$1,333             | 221370             | 8 Belmont Street, Belmont VIC 3216             |
| Pt Sec 24 CA 2                 | \$1,333             | 221371             | 10 Belmont Street, Belmont VIC 3216            |
| Pt Sec 24 CA 2                 | \$1,333             | 221373             | 12 Belmont Street, Belmont VIC 3216            |
| Lot 4 LP 62588                 | \$1,081             | 221375             | 14 Belmont Street, Belmont VIC 3216            |
| Pt CA 3 Sec 24                 | \$1,584             | 236437             | 19 Regent Street, Belmont VIC 3216             |
| 1/2 Share of Lot 1 TP 9227     | \$664               | 236439             | Suite No. 1/21 Regent Street, Belmont VIC 3216 |
| 1/2 Share of Lot 1 TP 9227     | \$287               | 335658             | Suite No. 2/21 Regent Street, Belmont VIC 3216 |
| Lot 1 GLS 1123                 | \$956               | 236441             | 23 Regent Street, Belmont VIC 3216             |
| Lot 1 LP 62588                 | \$1,559             | 237211             | 36 Roslyn Road, Belmont VIC 3216               |
| Lot 3 LP 62588, Lot 2 LP 62588 | \$2,414             | 237212             | 38 Roslyn Road, Belmont VIC 3216               |

**AREA 11**

| COL 1                            | COL 2               | COL 3              | COL 4                               |
|----------------------------------|---------------------|--------------------|-------------------------------------|
| PROPERTY DETAILS                 | ESTIMATED COST (\$) | PROPERTY REFERENCE | PROPERTY ADDRESS                    |
| Lot 1 TP 553608, Lot 2 TP 553608 | \$805               | 224335             | 3 Corio Street, Belmont VIC 3216    |
| PC 356216                        | \$1,936             | 300206             | 75-77 Roslyn Road, Belmont VIC 3216 |
| PC 157686                        | \$2,072             | 237251             | 77A Roslyn Road, Belmont VIC 3216   |

**Appendix 13-3**

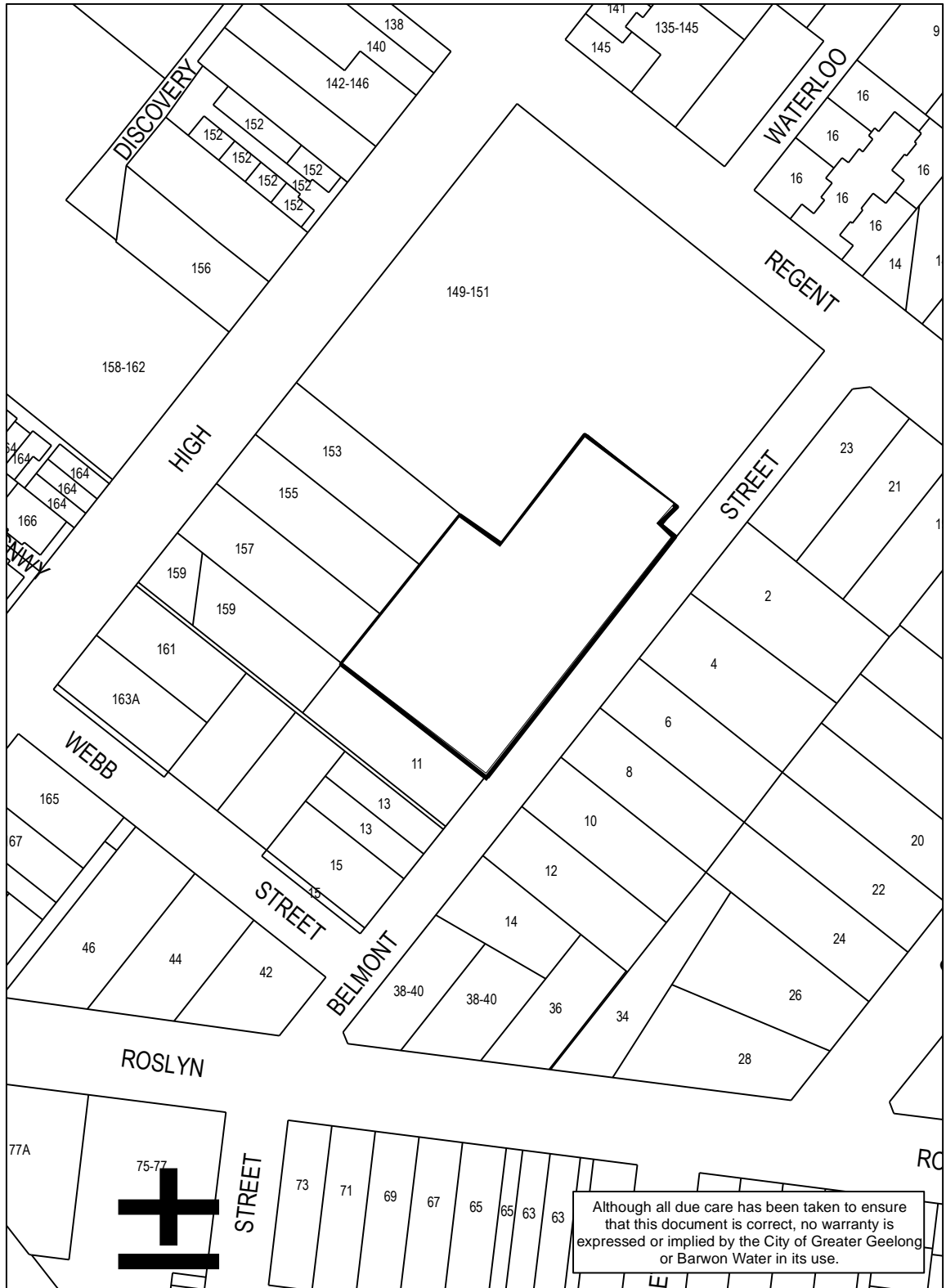
**SCHEDULE 'C'**

**The following properties are those referred to in  
 Recommendation B – Intention to Grant a Concession**

| <b>COL 1</b>            | <b>COL 2</b>               | <b>COL 3</b>              | <b>COL 4</b>                 |
|-------------------------|----------------------------|---------------------------|------------------------------|
| <b>PROPERTY DETAILS</b> | <b>ESTIMATED COST (\$)</b> | <b>PROPERTY REFERENCE</b> | <b>PROPERTY ADDRESS</b>      |
| Lot 1 PS 632351         | \$480                      | 348657                    | 1/2 Belmont Street, Belmont  |
| Lot 2 PS 632351         | \$511                      | 348658                    | 2/2 Belmont Street, Belmont  |
| Lot 3 PS 632351         | \$518                      | 348659                    | 3/2 Belmont Street, Belmont  |
| Lot 1, LP16051          | \$1,685                    | 221367                    | 4 Belmont Street, Belmont    |
| Pt. Sec 24, CA2         | \$1,207                    | 221369                    | 6 Belmont Street, Belmont    |
| Pt. Sec 24, CA2         | \$1,333                    | 221370                    | 8 Belmont Street, Belmont    |
| Pt. Sec 24, CA2         | \$1,333                    | 221371                    | 10 Belmont Street, Belmont   |
| Pt. Sec 24, CA2         | \$1,333                    | 221373                    | 12 Belmont Street, Belmont   |
| Lot 1, LP62588          | \$1,559                    | 237211                    | 36 Roslyn Road, Belmont      |
| Lot 1, GLS 1123         | \$956                      | 236411                    | 23 Regent Street, Belmont    |
| Pt. Sec 24, CA3         | \$1,584                    | 236437                    | 19 Regent Street, Belmont    |
| Lot 1, LP 14613         | \$1,559                    | 221372                    | 11 Belmont Street, Belmont   |
| Lot 1, PS425883         | \$1,107                    | 230096                    | 1/13 Belmont Street, Belmont |
| Lot 2, PS425883         | \$1,107                    | 230095                    | 2/13 Belmont Street, Belmont |
| Lot 1 TP22522           | \$528                      | 236440                    | 22 Regent Street, Belmont    |

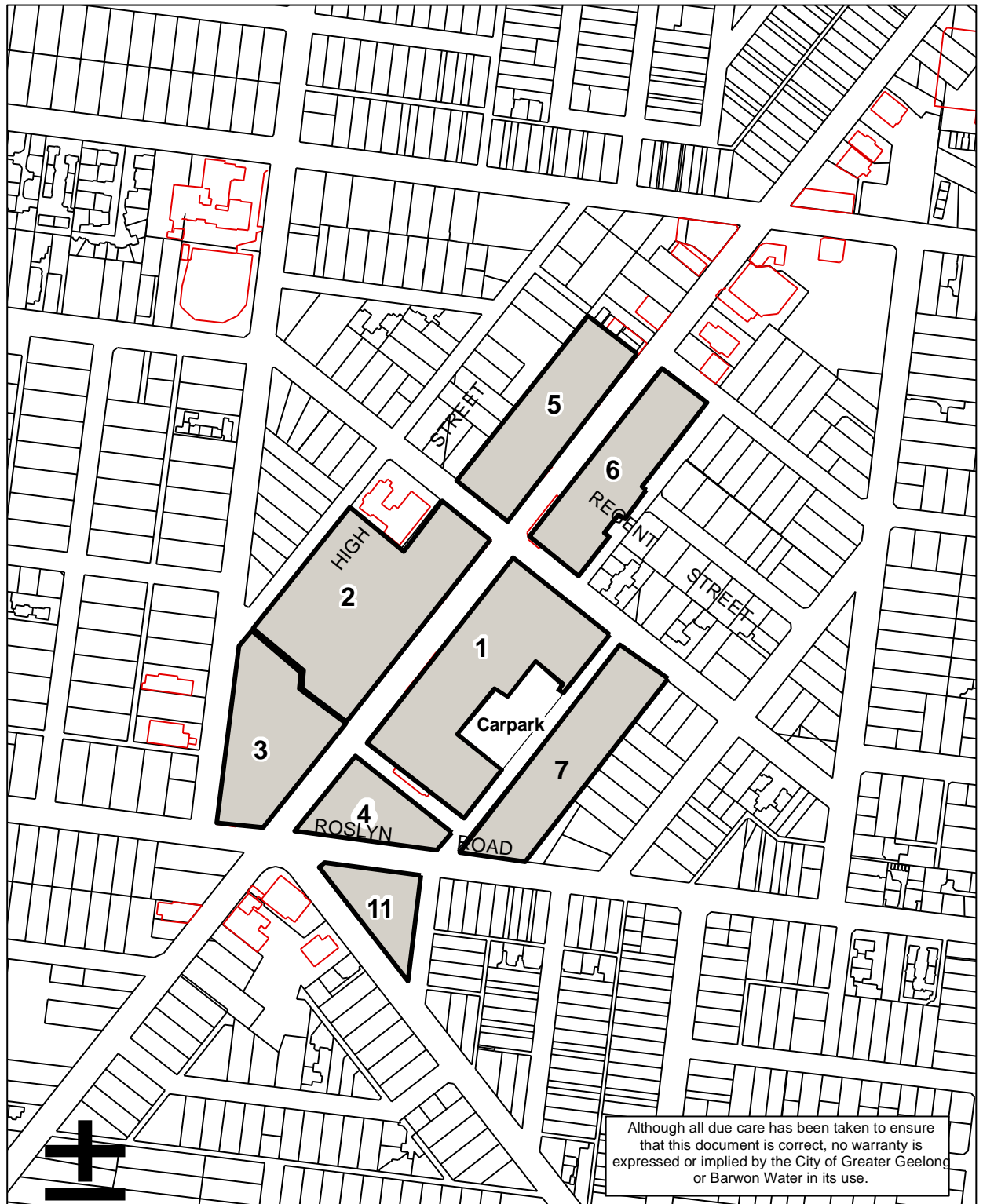
**Appendix 13-4**

**PLAN**



Appendix 13-5

PLAN SHOWING NOMINATED SUB-AREAS



**Attachment 13-1**

**PROCESS CHART**

**SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)**

**9 BELMONT STREET, BELMONT – PROPOSED CONSTRUCTION OF CARPARK**

| <b>Stage</b>                            | <b>Status</b> | <b>Description</b>   |
|---|---------------|--|
| <i>Approval to prepare scheme</i>       | ✓             | Decision made to prepare scheme following consideration of surveys of property owners and feed back from the community. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.   |
| <i>Intention to Declare Scheme</i>      | ✓             | Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process. 23 March 2010   |
| <i>Advertisement</i>                    | ✓             | The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time. 23 April 2010  |
| <i>Submissions</i>                      | ✓             | From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.   |
| <i>Submissions Review Panel Hearing</i> | ✓             | A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme. 21 September 2010.  |
| <i>Declaration Report</i>               | ✓             | Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme. |
| <i>Appeal</i>                           |               | Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.  |
| <i>Construction</i>                     |               | Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.   |
| <i>Final Cost Report</i>                |               | At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.  |

#### **14. AMENDMENT C270 - PUBLIC ACQUISITION OVERLAY 4 (PAO4) - NORTH SOUTH COLLECTOR ROAD AND INTERSECTION, JETTY ROAD URBAN GROWTH AREA**

*(Previously Agenda Item 13)*

**Portfolio:** Planning – Cr Macdonald  
**Source:** Economic Development, Planning Strategy Tourism-Strategic Implementation  
**General Manager:** Peter Bettess  
**Index Reference:** Amendment: C270 Public Acquisition Overlay 4  
Subject: Council Reports 2013

##### **Summary**

- The purpose of this report is to seek Council support to prepare and exhibit a planning scheme amendment to the Greater Geelong Planning Scheme.
- Amendment C270 is Council-initiated and seeks to apply the Public Acquisition Overlay 4 (PAO4) on land at Portarlington Road.
- C270 will facilitate the construction of the North South Collector Road and the intersection at Portarlington Road, forming part of the Jetty Road Urban Growth Area primary road network.
- The affected land forms part of the Curlewis Golf Club at 1201-1419 Portarlington Road, Curlewis, and privately owned land at 1421-1423 Portarlington Road, Drysdale, (Appendix 14-1 provides a plan of the subject land).
- The two affected property owners have previously been notified of the additional land required for the construction of the road and intersection. Further discussions will be held with the owners prior to public exhibition.
- The PAO4 will cover an area of 0.39ha.
- The existing zoning is Special Use Zone 3 (Curlewis Golf Club) and Rural Living Zone (Privately owned land). (Appendix 14-2 provides a copy of the existing zoning controls).
- C270 follows amendment C230, which applied the existing PAO4 for the initial stage of the North South Collector Road. Additional land is now required to facilitate both the construction of the North South Collector Road and the intersection at Portarlington Road in a concurrent manner.
- The additional areas of land have been determined by a detailed re-examination of the original intersection design. (Appendix 14-3 provides a copy of the proposed additional land take areas.)
- Amendment C270 will facilitate the development of the North South Collector Road and intersection funded by the Jetty Road Urban Growth Area Stage 1 Development Contributions Plan.
- The amendment will result in a good planning outcome. The amendment will assist in delivering key infrastructure as part of the Jetty Road Urban Growth Area.

## **14. AMENDMENT C270- PUBLIC ACQUISITION OVERLAY 4 (PAO4) - NORTH SOUTH COLLECTOR ROAD AND INTERSECTION, JETTY ROAD URBAN GROWTH AREA (CONT'D)**

**Cr Richards moved, Cr S Kontelj seconded -**

**That Council resolves to support the preparation and exhibition of amendment C270 to the Greater Geelong Planning Scheme, to apply a Public Acquisition Overlay (PAO4) as shown in Appendix 14-4 of this report, subject to the authorisation of the Minister for Planning being obtained.**

**Carried.**

### **Report**

#### ***Background***

Amendment C270 is Council-initiated and proposes to apply the Public Acquisition Overlay 4 (PAO4) on land at 1201-1419 and 1425-1429 Portarlington Road. The amendment will facilitate the construction of a new North South Collector Road and intersection at Portarlington Road. (Appendix 14-4 provides a copy of the proposed PAO4).

The proposed North South Road was originally designated in the Jetty Road Urban Growth Plan as shown on the Structure Plan in Appendix 14-5. It will provide a new entry road to the growth area and the future activity centre and will alleviate traffic pressure on Jetty Road and the Jetty Road/Portarlington Road intersection.

The adopted Jetty Road Urban Growth Area Stage 1 Development Contributions Plan identifies the North South Collector Road and intersection as two key infrastructure items that require the application of the PAO4:

- North South Collector Road (DCP Project Ref: ROO1)
- North South Collector Road and Portarlington Road Intersection (DCP Project Ref: ROO3)

C270 follows amendment C230 Jetty Road Development Contributions Plan. C230 applied a number of planning overlays, including the PAO4 on land to facilitate the initial construction of the North South Collector Road along the western edge of property 1421-1423 Portarlington Road, Drysdale.

Amendment C230 was subject to review by an Independent Panel. For the North South Collector Road, the Panel recommended the proposed layout and costings of the intersection be revisited to allow the signalised intersection to be constructed at the same time as the North South Collector Road is opened.

Council accepted the Panel's recommendations and the original North South Collector Road and Portarlington Road intersection layout has now been reviewed. Additional land must be acquired either side of the area subject to the existing Public Acquisition Overlay 4 to enable the construction of a duplicated road reserve layout at the approach to the intersection and to accommodate existing services running along Portarlington Road.

The additional areas of land required to accommodate the revised layout for the North South Collector Road and Portarlington Road intersection are shown in Appendix 14-3 (highlighted colours- blue and red) and are detailed below in Table 1. Table 2 details the land take area of the existing PAO4.

**14. AMENDMENT C270- PUBLIC ACQUISITION OVERLAY 4 (PAO4) - NORTH SOUTH COLLECTOR ROAD AND INTERSECTION, JETTY ROAD URBAN GROWTH AREA (CONT'D)**

**Table 1 – Land Acquisition for North South Road and Intersection**

| <b>Address</b>                                  | <b>Dimensions of area to be acquired (metres)</b>        | <b>Area to be acquired (square metres)</b> | <b>Notes</b>  | <b>Colour on map</b> |
|---|--|--|---|----------------------|
| 1201-1419 Portarlington Road, Curlewis VIC 3222 | 3 x 145<br>(Splay of 12.3m <sup>2</sup> )                | 447.3                                      | This is a 3 metre wide strip of land along Portarlington Rd – part of Curlewis Golf Course                            | Red                  |
| 1425-1429 Portarlington Road, Drysdale VIC 3222 | 3 x 87.4<br>16 x 198.4<br>(Splay of 12.5m <sup>2</sup> ) | 262.2<br>3174.4                            | This is a 3 metre wide strip of private land along Portarlington Rd, plus a section of the North South Collector Road | Blue                 |
| <b>Total Acquisition Land:</b>                  |  | <b>Total:<br/>3449.1<br/>(.39 ha)</b>      |   |                      |

**Table 2- Existing PAO**

| <b>Address</b>                                  | <b>Dimensions of area to be acquired (metres)</b> | <b>Area to be acquired (square metres)</b> | <b>Notes</b>  | <b>Colour on map</b> |
|---|---|--|---|----------------------|
| 1421-1423 Portarlington Road, Drysdale VIC 3222 | 9600  | 16 x 600                                   | This land is already subject to the PAO4, applied by Amendment C230 | Yellow               |

**Discussion**

The PAO4 will act as a safeguard necessary for the construction of the new road/intersection and, importantly, the acquisition of privately owned land in accordance with the provisions of the Land Acquisition and Compensation Act 1986.

As a result of the C230 Panel recommendations, Council commissioned an independent engineering firm to prepare a more precise functional layout and review and cost the intersection. The revised layout now accommodates a fully signalised intersection to be constructed at the same time as the opening of the North South Collector Road. The revised design has resulted in the requirement for additional land.

The additional land required to the west of PAO4 comprises land within the grounds of Curlewis Golf Club. Presently, this land is zoned 'Special Use Zone'. The inclusion of this area of land within the PAO4 boundary might have an impact on the golf course itself in terms of the minor repositioning of existing greens/tee-offs. Any uncertainty regarding the overall proposals and potential impact will be discussed with the golf course board members prior to exhibition of the proposed amendment.

**14. AMENDMENT C270- PUBLIC ACQUISITION OVERLAY 4 (PAO4) - NORTH SOUTH COLLECTOR ROAD AND INTERSECTION, JETTY ROAD URBAN GROWTH AREA (CONT'D)**

The additional land to the east of the existing PAO4 will require acquisition from a private land owner. Presently, this land is zoned 'Rural Living'. There will be an impact on the landowner but the additional land take falls within the area identified as Stage 2 of the Jetty Growth Area. Consequently, the future development of this land for an enlarged road reservation including the intersection, was already planned as part of the Stage 2 development of Jetty Road UGA.

The two affected property owners have previously been notified of the additional land required for the construction of the road and intersection. Further discussions will be held with the owners prior to public exhibition.

The Jetty Road Urban Growth Area Stage 1 Development Contributions Plan Overlay Schedule 2 (DCPO2), deals with the necessary infrastructure items to facilitate development in this area. Amendment C230 implemented DCPO2, also incorporating the costings and delivery timescales associated with the revised North South Collector Road and intersection.

DCPO2 provides Infrastructure Project Sheets in relation to key projects associated with the Jetty Road Urban Growth Area. The timing of Project R002- North South Collector Road Part A- Land Acquisition has a commencement date of 2013-2014 or 450 lots. Amendment C270 will facilitate with meeting these timescales by way of acquiring the necessary additional areas of land to facilitate the construction of the North South Collector Road and Intersection (DCPO2 Projects ROO1 and ROO3).

Vic Roads and Council Engineering Services have been involved in the review of the intersection.

***Environmental Implications***

The construction of the North South Collector Rd and intersection will result in the loss of vegetation. However, prior to the construction of the new road and intersection, a survey will be undertaken of the affected land to confirm the species and quality of vegetation.

***Financial Implications***

The Jetty Rd Stage 1 Development Contributions Plan (DCP) includes the cost of the land to be acquired by the Council for the new road. The cost for the land will be collected from the Stage 1 landowners/developers.

DCP Infrastructure Item R002 - North South Collector Road Part A- Land Acquisition has established a project cost of \$294,800 to acquire the land. The project cost is expressed in July 2011 dollars and is based on a land valuation undertaken in 2011. When the Council formally engages in the land acquisition process i.e. the process of purchasing the land, the affected area will be re-valued to provide an updated cost for the land.

The DCP funds only cover the value of the land to be acquired. Associated costs such as legal fees, conveyancing fees etc. are not included in the DCP project cost. Council has been advised by its DCP consultants that legal costs cannot be included when preparing a DCP.

**14. AMENDMENT C270- PUBLIC ACQUISITION OVERLAY 4 (PAO4) - NORTH SOUTH COLLECTOR ROAD AND INTERSECTION, JETTY ROAD URBAN GROWTH AREA (CONT'D)**

There will be associated planning scheme amendment costs (amendment fees, panel costs and representation as required) as part of the implementation process given this is a Council initiated amendment. This can be accommodated within the existing budget.

***Policy/Legal/Statutory Implications***

Amendment C270 is consistent with State and Local Planning Policy Frameworks. Council, in its role as Planning Authority, will be bound by the provisions of the Land Acquisition and Compensation Act 1986 in its pursuit of land for the above purpose.

The planning scheme amendment will be carried out in accordance with the Planning and Environment Act 1987.

***Officer Direct or Indirect Interest***

No officers or contractors involved in the preparation of this report have a direct or indirect interest in matters to which this report relates.

***Risk Assessment***

There are no notable risks associated with the implementation of the Public Acquisition Overlay 4 (PAO4).

However, should the process of land acquisition run into difficulties, this could create issues for delivery of the intersection. The timely acquisition of land is important to the overall delivery of the North South Collector Road and Intersection.

Acquisition of land will be purchased using monies collected from Stage1 landowners.

***Social Considerations***

The amendment is not expected to generate any significant social impacts.

***Communication***

Prior to formal exhibition of the amendment, all landowners will be notified of the Council's intention to prepare and exhibit amendment C270. During the formal exhibition of the planning scheme amendment, all landowners will be notified of the proposed PAO.

Respective landowners will have the opportunity to make submissions and be heard by an Independent Panel.

Consultation with relevant referral authorities has also been undertaken in the lead up to the Amendment exhibition i.e. Vic Roads, and liaison with key referral authorities will continue during the course of the amendment process.

**Appendix 14-1 Subject Land**



Prepared by City of Geelong - 9 November 2012 (Aerial Imagery - 25 February 2012)  
Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Geelong or Barwon Water in its use.



**Appendix 14-2 Existing Zoning Map**

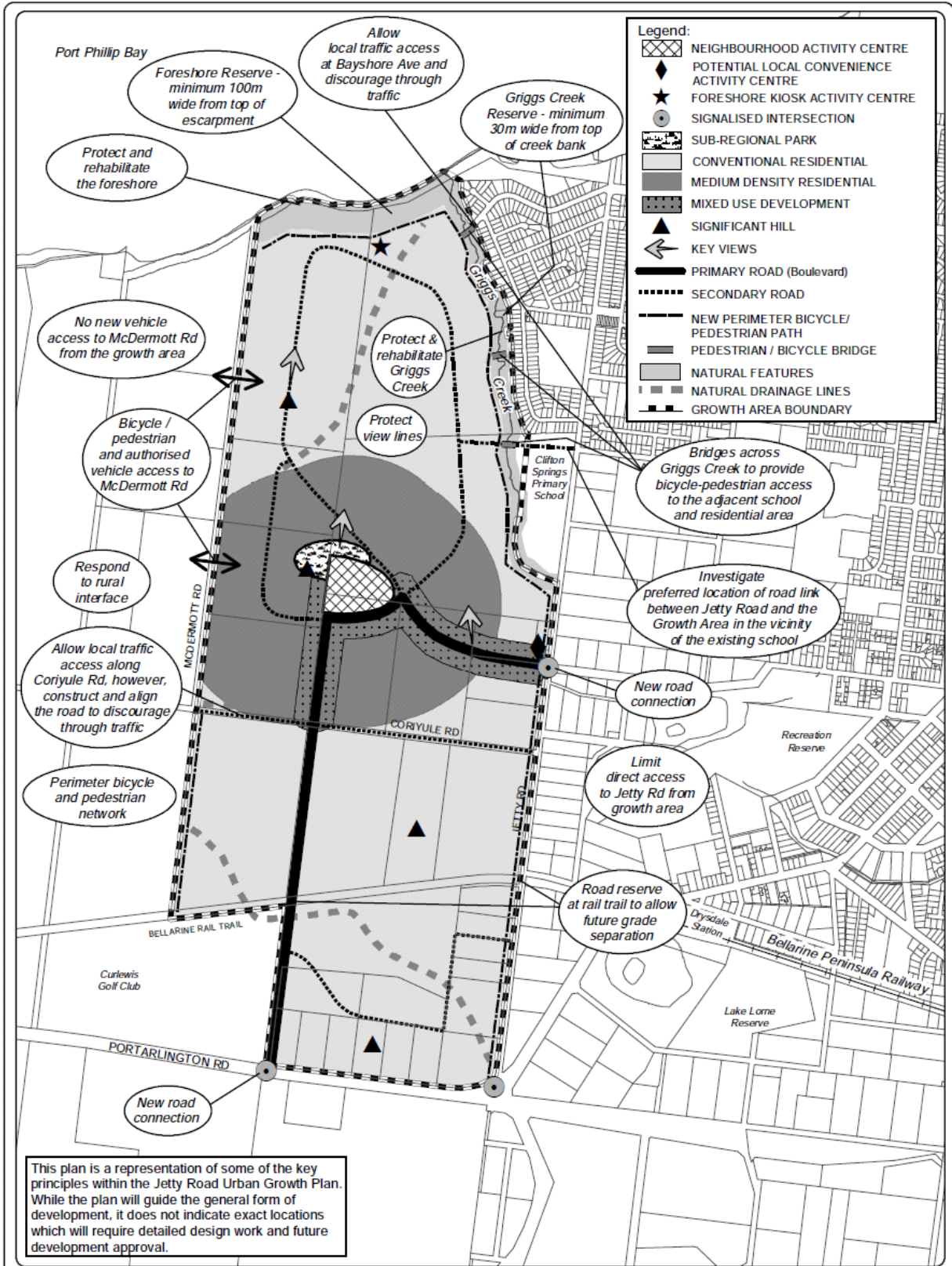




**Appendix 14-4 Proposed PAO4 in red outline (existing PAO4 shown in yellow)**



**Appendix 14-5 Jetty Road Urban Growth Plan – Structure Plan**



## **15. CHINA SUPER TRADE MISSION SEPTEMBER 2012 - AVIATION AND AERO SPACE DELEGATION**

*(Previously Agenda Item 14)*

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Enterprise Geelong – Cr Harwood<br/>Knowledge Economy – Cr Macdonald</b> |
| <b>Source:</b>          | <b>Planning Strategy and Economic Development</b>                           |
| <b>General Manager:</b> | <b>Peter Bettess</b>  |
| <b>Index Reference:</b> | <b>Open for Business / Aviation / Economic Development</b>                  |

### **Summary**

- On 11 September 2012, the Victorian Government outlined its plan to develop a long-term partnership with China to grow trade, open new markets and attract investment.
- In accordance with these strategic priorities, the Premier of Victoria, the Hon Ted Baillieu MLA led Victorian organisations on a Super Trade Mission to China from 17 - 21 September 2012.
- Keelie Hamilton, Co-ordinator Economic Development attended the Super Trade Mission to China in support of growth and expansion opportunities of Avalon Airport.
- The Geelong contingent of the Aviation and Aerospace delegation met with eight entities including airlines, education institutions and investment multinationals. The mission included a further five opportunities for networking and business. The delegation visited seven cities over five days.
- The outcomes of the meetings held as part of the Super Trade Mission to China provide opportunity for further engagement with and generation of economic investment from China. Appendix 15-1 detail outcomes and recommendations identified to build on the introductions made as part of this trade mission.

**Cr Harwood moved, Cr Macdonald seconded -**

**That Council:**

- 1) note the ongoing engagement activities being undertaken by the Economic Development Unit;**
- 2) endorses extending invitation to the Chinese mission meeting hosts to attend the City of Greater Geelong Corporate Chalet at the Avalon International Airshow, February 2013 as part of the Asia Pacific aviation and Aerospace Leadership Summit.**

**Carried.**

## **15. CHINA SUPER TRADE MISSION SEPTEMBER 2012 - AVIATION AND AERO SPACE DELEGATION (CONT'D)**

### **Report**

#### ***Background***

On 11 September 2012 the Victorian Government outlined its plan to develop a long-term partnership with China to grow trade, open new markets and attract investment.

The Victoria-China Engagement Strategy has five strategic priorities for engaging with China:

#### **Priority One: Facilitate Exports**

The Victorian Government will:

- Conduct regular trade missions to China to support businesses to enter the competitive China market.
- Provide in-country support for businesses through Victorian Government Business Offices located in Beijing, Nanjing, Shanghai and Hong Kong.
- Organise inward trade missions bringing key Chinese decision makers, business people and influencers to Victoria.
- Help prepare Victorian companies for market entry through targeted training programs in Chinese business culture and practice and international business skills.

#### **Priority Two: Attract Investment**

The Victorian Government will:

- Implement a targeted investment program to attract Chinese investors, including in relation to major infrastructure projects.

#### **Priority Three: Partner through Research and Development (R&D)**

The Victorian Government will:

- Help foster deeper R&D ties through stronger government-to-government relationships.
- Promote Victoria's research capabilities and strengths, including through trade missions and communication to government and industry in-market.

## **15. CHINA SUPER TRADE MISSION SEPTEMBER 2012 - AVIATION AND AERO SPACE DELEGATION (CONT'D)**

### **Priority Four: Develop Relationships that Strengthen Ties with China**

The Victorian Government will:

- Deepen ties with Jiangsu Province, Victoria's sister state, including through stronger government relationships and policy dialogue.
- Forge new relationships in other provinces and cities, including in western China.
- Work collaboratively with Victorian local governments that have established sister and friendship city relationships in China.
- Draw on established business and community relationships between Victoria and China to support deeper engagement.

### **Priority Five: Boost Victoria's "China Literacy"**

The Victorian Government will:

- Deepen understanding of China through education programs, cultural exchanges and the arts.
- Conduct and promote Chinese language training, including the in-country Hamer Scholarships Program.

### ***Discussion***

In consideration of achievement of the five strategic priorities, the Premier of Victoria, the Hon Ted Baillieu MLA led Victorian organisations on a Super Trade Mission to China from 17 - 21 September 2012.

The City of Greater Geelong submitted an Expression of Interest to attend the Super Trade Mission to China in the Aviation and Aerospace contingent with consideration of the importance of Avalon Airport to the ongoing economic prosperity of the Geelong region. This Expression of Interest was accepted.

China is Victoria's largest trading partner and is a major engine of global economic growth. This mission allowed participants to gain a first-hand understanding of China's market dynamics and gave them the opportunity to showcase their organisation and forge new connections with potential qualified customers, business partners and investors.

The Super Trade Mission to China was the largest ever to leave Australia's shores. Participants represented industries of strategic importance to both Victoria and China including: automotive, aviation and aerospace, cleantech, education, food and beverage, ICT, life sciences, mining equipment and technology services, professional services (including financial, carbon markets and healthcare), sustainable urban design and tourism.

## **15. CHINA SUPER TRADE MISSION SEPTEMBER 2012 - AVIATION AND AERO SPACE DELEGATION (CONT'D)**

Twenty-three people attended the meetings representing various areas of the aviation and aerospace sectors. Keelie Hamilton, Co-ordinator of Economic Development attended the aviation and aerospace delegation in support of growth and expansion of Avalon Airport.

Other attendees in support of Avalon:

- David Fox, Avalon Airport, Executive Chairman
- Justin Giddings, CEO, Avalon Airport
- Li Ding, Avalon Airport (Huili Investments)
- Allison Murphy, Redstick Strategic Communications

Appendix 15-1 provides information regarding the opportunities for Avalon / Geelong. Appendix 15-2 provides information regarding other opportunities for Geelong not directly related to the mission and the global context of economic growth for Australia.

### ***Environmental Implications***

There are no environmental implications that have arisen as part of this delegation.

### ***Financial Implications***

The Victorian Government coordinated programmed events, site visits and business matching meetings. The direct cost to participants included items such as international airfares, internal airfares, train travel and accommodation.

As an eligible entity the City of Greater Geelong claimed \$3,000 towards expenses incurred under the Victorian Government Trade Mission Assistance Program (TMAP).

All associated costs were met by the 2012-2013 Economic Development Unit budget.

### ***Policy/Legal/Statutory Implications***

The development of the National Freight and Logistics hub inclusive of Avalon Airport is a primary policy objective of Council and attending the Super trade Mission is in line with Councils commitment to this policy objective.

Delivering on the Open for Business policy is a primary strategic direction of the Planning Strategy, Economic Development and Tourism division of Council. The mission is consistent with the Open for Business policy.

**15. CHINA SUPER TRADE MISSION SEPTEMBER 2012 - AVIATION AND AERO SPACE DELEGATION (CONT'D)**

***Officer Direct or Indirect Interest***

No officer involved has a direct or indirect financial interest.

***Risk Assessment***

There are no known associated risks with having undertaken the Super Trade Mission.

***Social Considerations***

The expansion and growth of economic activity at Avalon Airport delivers significant societal benefits across Geelong. Advocating and supporting Avalon to aid jobs growth is a high priority for the prosperity of our community.

***Communication***

The Super Trade Mission has been communicated to the general public as part of the Victorian State Governments press. The City of Greater Geelong has supplemented this press with our own media release. This report forms part of the communication of the actionable outcomes of the mission.

## **Appendix 15-1**

### **Delegation Meetings**

Lead by Andrew Ferrington, Director Aviation and Tourism Investment Attraction, each meeting followed a similar format. General introductions were made by both parties with mission delegates provided the opportunity to make direct reference to the reason for attending the meeting if appropriate. A general presentation by the Chinese entity followed introductions, with the delegation afforded a brief time to ask specific questions. Gift presentation and group photos then followed. Meetings were supported by Nick Yan, Senior business Development Manager, Victorian Government Business Office, Shanghai.

#### **Beijing - Day 1**

##### **Welcome breakfast**

Met with Colin Barrow, Deakin University attending for life sciences. Colin was meeting with Beijing Pharma and undertaking a site visit the following day. This will have relevance and importance for bioGeelong. Subsequent follow up with Colin indicated that this meeting was valuable and that further engagement with a company in the vicinity of Beijing Pharma will have significance for bioGeelong.

##### **Meeting 1 – CAAC (Civil Aviation Administration of China)**

A ministry level organisation under state government control, the CAAC is responsible for the National civil aviation affairs.

Chinese Representatives:

Jin Junhao – Director of General Aviation. Responsible for the Chinese General Aviation (GA) Industry including approval of operations and administration, policy and regulation.

Bai Wenli – Deputy Director International Air. Responsible for the approval of International flight rights that fly through China and originate from China.

##### **Opportunity for Avalon / Geelong**

- Collaborative proposal for International Accredited Course. Potential for training opportunity at Avalon Airport. Discussion to be held with Avalon Airport and the State Government to ascertain support for pursuing.
- Invitation to attend the Avalon International Airshow in 2013 to further build relationships.

##### **Meeting 2 – Hainan Airlines (HNA Group)**

Hainan Airlines is the largest privately owned air transport company and the fourth largest airline in terms of fleet size in the People's Republic of China. It operates scheduled domestic and international services on 500 routes from Hainan and nine locations on the mainland, as well as charter services. Hainan Airlines have 19 sister airlines and operates as part of the HNA group.

While operating one of China's largest commercial Airlines, Hainan Airlines also operates numerous subsidiaries in a variety of related and unrelated industries, including: 11 airports, 47 hotels and inns, 13 financial service providers, 5 marine transport firms and 2 retailers.

Discussion with Hainan Airlines indicated that they have a particular interest and need for skilled staff.

### **Opportunity for Avalon / Geelong**

- Follow up regarding opportunities for tourism investment. This would be long term engagement potentially lead by GOT or Strategic Projects, dependant upon strategy and project priority for infrastructure delivery.
- Invitation was made to the marketing team to visit Geelong during the International Airshow.
- Economic Development Unit of COGG is providing statistical data provided to assist Avalon in further discussions.

### **Meeting 3 – Air China (AC)**

Meeting attended by:

- Louise Asher – Minister for Tourism and Major Events, Minister for Innovation, Services and Small Business, Victorian Government
- Peter Poggioli, Chief of Staff, Ministers Office
- Leigh Harry, Chief Executive Officer, Tourism Victoria
- Allen Kwok, Victorian Government Trade and Investment Office, Investment Director.

Air China was established on 1 July 1988 as a result of the Chinese government's 1987 decision to split the operating divisions of Civil Aviation Administration of China (CAAC) into six separate airlines: Air China, China Eastern, China Southern, China Northern, China Southwest, and China Northwest. Air China was given chief responsibility for intercontinental flights and took over the CAAC's long haul aircraft (Boeing 747s, 767s, and 707s) and routes.

In 2010, Air China carried 60 million domestic and international passengers with an average load factor of 80%. The airline reported a net profit of 12 billion yuan (USD \$1.83 billion) in 2010. Air China has code-share agreements with 29 airlines including Qantas.

### **Opportunity for Avalon / Geelong**

- Justin Giddings, CEO Avalon Airport made a proposal to Air China to nominate as an alternative airport. This proposal can potentially save Air China \$400k and generate additional revenue for Avalon. Discussions are positive.

#### **Meeting 4 – CSSC (China State Shipbuilding Corporation)**

The China State Shipbuilding Corporation (CSSC) is one of the two largest shipbuilding conglomerates in China, CSSC consists of various ship yards, equipment manufacturers, research institutes and shipbuilding related companies in China.

This meeting was a stand up introduction and presentation followed by a collaboration ceremony.

#### **Nanjing - Day 2**

#### **Meeting 5 – Civil Aviation University of China**

The CAUC is a national university under the CAAC. It provides aviation education and continuing education open to Chinese and overseas trainees. The University has over 1500 staff, 1000 teachers and a total population of approximately 22,000 students studying at the university.

Professor Wang, Chair of the Chinese delegation, has a reciprocal arrangement with RMIT and had just returned from Melbourne last week.

The CAUC has:

- 15 Colleges including Aeronautical engineering, Aeronautical automation, Electronic engineering, Economics and management, Science, Computer science and technology safety science and engineering, Flight techniques, and Vocational technical college (general aviation)
- 2 Flight Schools: Continued education and Engineering techniques training centre
- 15 master degree programs
- 21 auto service aircraft for students to practice
- 42 engines
- B737 simulator
- Computer blades training for Boeing
- Air traffic control simulator
- Aircraft maintenance simulators
- Research Centres
- International cooperation and exchange

Significant government policy change regarding GA has recently been implemented reflecting the standard of living of the population. This is part of national 5 year plan to see GA considered part of the strategic industries initiative for industry restructure and airport construction plan for civil aviation plan. GA Manufacturing is part of the strategic direction of the country. The policy platform being delivered supports this and the development of supply chain industries.

The objective for civil aviation by 202 is that 82% of cities and town will be covered by aviation, some served by GA commuter flights. The CAAC will subsidise the GA activities.

General aviation companies have grown from 10 in 2000 to 111 in 2010. GA registered aircraft has increased from 615 in 2006 to 907 in 2010.

The GA industry employs 10,800, 1,000 of these are pilots.

The objective from 2010 (the directive for lower airspace reform) until 2020 is maturity of GA industry including increase of flight hours by 17% annually and increase in registered GA craft from 6k to 12k+.

China needs 5000 technical people to deliver this objective.

“China GA is underdeveloped, with a history, and we want to learn from others” Xia Wang.

### **Opportunity for Avalon / Geelong**

- Potential connection with Deakin University Australian Future Fibres Research and Innovation Centre (AFFRIC) and the Transportation and Aviation Technology and Science College. Keelie Hamilton to meet with Ian Kett, Program Director – AFFRIC, Deakin University February 2012.

### **Whole of Mission Networking function - Nanjing**

#### **Opportunity for Avalon / Geelong**

- Softwood Plantation Exporters Geelong West - Business Visit. Meeting held Oct 2012. Connection to Future Proofing made.
- Urban bio Systems – Potential connection for Future Proofing and bioGeelong
- Emerge Capital – Tim Frogley, Director. Opportunity for ongoing discussion regarding Geelong investment.
- Hampton Court Investment Bank – Dr Marcus Lee. Based in Shanghai.

### **Shanghai – Day 3**

#### **Meeting 6 – Jiangsu Aviation Enterprises Group (JAEG)**

The JAEG is an investment holding company with 6 fully owned subsidiaries and equity participation enterprises. This includes the fully owned subsidiary of the Nanjing Airport hotel. The main business scope is aviation fuel supply and general aviation services. Besides these two main sectors JAEG also develop projects in real estate, organic agriculture, catering industries and others.

### **Opportunity for Avalon / Geelong**

- Opportunity for investment in various sectors in Geelong, predominantly in tourism and infrastructure support services. JAEG asked a direct question regarding investment in Geelong. Seeking clarification on what type of opportunity may exist. Follow up with required with JAEG. Forward correspondence in mandarin and video clip that was made in-house by Economic Development Unit especially for this mission. Clip features Avalon and Geelong opportunities voiced over in mandarin.
- Follow up with JAEG on opportunities in Geelong. Provide link to Geelong's Economic Profile in Mandarin (via website)
- Invitation to attend Avalon International Airshow to build relationship and promote Geelong's capabilities and attributes further.

### **Shanghai – Day 4**

#### **Meeting 7 – Avalon Private Meeting with Chinese Quarantine.**

Attended by:

- Justin Hanney Deputy Secretary, Trade and Industry Development, Victorian Department of Business & Innovation,
- Wang Jian Victorian Government Business Office Shanghai,
- Bill Sharpley, Ben Anderson, Andy Chan (Sungold) Warrnambool Cheese and Butter,
- Justin Giddings, CEO, Avalon Airport
- Li Ding, Avalon Airport,
- Allison Murphy, Redstick Strategic Communications,
- Keelie Hamilton, City of Greater Geelong.

This meeting was convened by Avalon Airport to progress discussions regarding fresh export of milk to China. Warrnambool has successfully tested the export process for two years with little complication. However an actual shipment involves around 100,000 litres of milk at a time, and all parties require certainty that this milk will not be held up in Chinese quarantine.

During the meeting the Chinese authority advised the milk must be tested before it can be sold, and this process would take up to 1 month. As the milk is fresh and has a shelf life of 17 days, this delay in quarantine is not acceptable.

This project has enormous potential, for not just Avalon and the milk producing regions, but also for Geelong. Milk is a generally heavy product, and therefore a shipment will mean that the aircraft will max out of weight before it maxes out on capacity. More specifically, if Avalon can start exporting milk, an enormous opportunity exists for other local exporters.

### **Opportunity for Avalon / Geelong**

- The Fox Group have progressed these discussions.
- Discussion continue with Government regarding the free trade agreement. (FTA) Justin Hanney advised that the timing is right to raise the issue with Commonwealth authorities.
- Keelie Hamilton, attended the Australia China Business Council Business Luncheon in November 2012. Keynote speaker was HE Ms Frances Adamson Australian Ambassador to the People's Republic of China. Ms Adamson is charged with progressing the FTA in China. Avalon reps have been provided this contact to pursue.

### **Whole of Mission Networking function – Chendu**

#### **Opportunity for Avalon / Geelong**

- There is opportunity to take the learning from this Collaboration Ceremony and apply to Avalon Airport. With the support of the State Government there is an opportunity for the City of Greater Geelong to auspice funding to support a resource to source and attract an international carrier. This could be a potential project for "Go Avalon".

### **Guangzhou – Day 5**

#### **Meeting 8 – China Southern Airline**

China Southern Airlines operates the largest fleet, most developed route network and largest passenger capacity of any airline in China. It is the third largest Airline in the world. China Southern transported more than 80 million passengers in 2011 and have established 18 subsidiary airlines in order to service China. China Southern has 500 aircraft in the fleet, inclusive of subsidiaries and employ approximately 60,000 people.

Flights between China and Australia are occurring at around 38 per week with further Australian connection including a flight school in Western Australia.

China Southern had two teams represented at the meeting.

Flight Management Team - responsible for training, liaison with other airlines flight training and management.

Human Resources Team – Represented by Manager of Flight Management and Assistant Administration Manager for training

#### **Opportunity for Avalon / Geelong**

- Invitation for a Chinese delegation to visit Geelong to explore further pilot training at Avalon during 2013.
- Justin Giddings, CEO Avalon Airport made a proposal to China Southern to nominate as an alternative airport.

## **Whole of Mission Networking function – Mission Hills**

### **Opportunity for Avalon / Geelong**

- Discussion regarding transportation of livestock from Avalon to China.
- Discussion regarding automated vehicle compliance.

### **Other discussions and opportunities**

- Meeting held with IT company that has a relationship with China to Manufacture their Australian designed product in Geelong.
- Jim Carden CEO – Aviation / Aerospace Australia. Agreement reached that the Economic Development Unit will host the Asia Pacific Aviation Aerospace Leadership Summit delegation at the Corporate Chalet at the Avalon Airshow in February 2013.
- The Hon Bruce Atkinson MLC President, Legislative Council of Victoria – discussion regarding Geelong Intermodal.
- Geoff Hill – Manager Economic Development Latrobe City Council – Reciprocal visit arranged to discuss NBN, Investment Funds and economy transition.
- Review of Sister City responsibilities and engagement.
- WTFN – Wes Crook, Head of Branded Entertainment, Coxy's Big Break and Geelong opportunities.
- Protocols and Management of inward delegations. Development of meeting format and formal protocols for engagement.
- Local Government representation was well received by the Chinese meeting attendees. The meeting with Air China where all three tiers of Government were represented and able to show support for expansion of Avalon was a strong statement. Opportunity exists to develop a formal International Engagement Strategy and to leverage off of the State and Federal Government directions.

### **Follow up Meetings Held and Pending:**

- Jim Carden, Aviation / Aerospace Australia - October 17<sup>th</sup> Geelong. Relationship formed in support of A/AA Summit Feb/March 2013.
- Warrnambool Butter and Cheese – Warrnambool, October 2012.
- Several Meetings and discussions held with Avalon CEO in support of their International strategy. Undertaking 3D modelling of the Master Plan for consultation and inward investment marketing.
- Geoff Hill, Manager Economic Development Latrobe, – Staff Information Exchange, November 14<sup>th</sup> 2012.
- Colin Barrow – Deakin University, Beijing Pharma 18th October 2012.

- John De Lorenzo – Softwood Plantation Exporters, Nth Geelong, October 2012.
- Meeting held with RDA representative to explore support for local vineyards to develop export capabilities to China.
- Meeting held with Aust IT Company. Progressing discussions regarding Geelong as a suitable location for development of their Health IT platform. Connecting CEO with Keystone Business Park developers.
- Meeting held with REMPLAN regarding translation of Economic Data to Chinese. Data now available on CoGG website. Business/Invest in Geelong/ International Investment.
- Meeting pending with Ian Kett, Program Director, AFFRIC Deakin (Feb 2013)
- Meeting pending with Geelong based agri sector exporter (Feb 2013)

## **Appendix 15-2**

### **Economic Development Information**

#### **CBD Development**

The 12th Beijing Central Business District (CBD) Business Festival themed "building an international business central area with innovation," was held from September 15 to September 22.

The business festival featured:

- The annual meeting of the International Cities Forum,
- Annual meeting of the World Business District Network Summit (a global organization launched by business districts from different countries to promote sustainable development) – theme "the innovative sustainable development of CBD."
- A Culture Industry Summit,
- CBD public health seminar,
- Exhibitions on Top 10 development bases in Chaoyang District,
- International financial forum,
- CBD trade fair - to promote bilateral and multilateral economic and investment cooperation between Chaoyang District and other countries and regions.

Industrial experts, CEO's of Fortune 500 enterprises and policy makers shared experience and discussed city management, public services and other hot topics.

Beijing's CBD was mapped in the early 1990s and is now the capital's economic and financial hub. 50 multinational corporations' headquarters, 160 of the Fortune 500 enterprises, offices of more than 100 international organizations and more than 250 foreign-invested financial institutions are operating here.

The first CBD Business Festival was held in 2000. Since then, the event has built a platform for exchange and cooperation between regions, governments and enterprises. It has promoted the development of China's business districts and Beijing's internationalization.

#### **Education**

The phenomenon of education attainment not matching needs in the real world is a global one. China has recognised that there is a mismatch of human resources to employer need. The country's workplace faces a profound structural problem, with university graduates having a hard time getting a job even as businesses have difficulty recruiting workers and technicians. It is noted that corporations are profit driven and by nature want to use people who have experience or have already been trained. Corporations should however have a sense of social responsibility and hire young people who are the future of the nation. Corporations should let universities know what type of talent they require and then co-operate with schools on programs to train students.

## **Foreign Trade**

China's economic growth eased to 7.6% in the second quarter of this year, the slowest pace in over three years as demand for goods at home and abroad slackened. The State Council has announced a series of combatant measures to stabilize foreign trade growth. Administrative procedures, such as inspections and quarantine will be simplified and the related costs lowered from next year in order to improve efficiency and lower costs during customs clearance.

China will expand imports, particularly those of advanced technology equipment, key components and consumer goods. With a total foreign trade of \$2.5 trillion in the first eight months of the year (6.2% increase, far below the 10% full year target set) the measures are set to have significant impact on trade in the second half of the year as well as in coming years. Wang Jun, a researcher with the China Centre for International Economic Exchanges states that "we must have the confidence to enlarge trade markets to provide a new boost for China's economic growth in the next 20 years."

## **Global relations**

Since it first established sister city relationships with Montpellier in France and Ljubljana in Slovenia in 1981, Chengdu in the province of Sichuan (inland Western China) now has 18 sister city partnerships and formal friendly relations with another 36 foreign countries. This effort helped Chengdu to earn the rights to host the third China International Friendship City conference in September.

This 2012 two day conference held opened on September 12<sup>th</sup> with the theme of "happy city and green living". The conference attracted delegations from 49 countries, more that 700 representatives from 95 foreign cities and 90 domestic cities.

During the conference the city signed agreements with Perth Australia, and Maastricht in Holland adding these new members to its sister city list.

With the help of Phoenix, its first sister city relationship in the US, Chengdu succeeded in persuading Intel to locate its production facility in Chengdu in 2002. Sheffield, the first in the United Kingdom to establish a sister city with Chengdu is renowned as a "green city". In 2011, the two cities agreed to build the "Town of Sheffield" in Chengdu, working together on sustainable development, low-carbon technology and the concept of the garden City.

Last year Chengdu gathered its entire base of sister cities together to meet to find ways for multilateral co-operation. It also helped the city's efforts to innovate and create a tourism alliance of international sister cities. The tourism alliance agreement calls for member cities to open their tourism markets to one another as well as develop special travel routes exclusively for tourists from sister cities.

Willoughby, Australia is one of the first 12 member cities and will take its turn as chair country in the future, while permanent secretariat remains in Chengdu.

## **Growth**

After enjoying a two-figure growth for three decades in a row, the Chinese economic expansion is finally slowing down. But it still remains the fastest-growing major economy in the world. In the last decade, it surpassed France, United Kingdom, Germany, and, finally, Japan to become the second largest economy in the world. According to Goldman Sachs' analysts the People's Republic of China (PRC) will eventually exceed the US in terms of GDP (nominal) by 2027.

Consumerism is the new 'ism' in China. The gap between the rich and the poor has widened gradually. Nevertheless, Deng's theory, which emphasises economic construction and stability, has boosted the average per capita income, and thus managed to thrust the poverty rate down from 85 per cent in 1980 to just over 15 per cent in 2005.

China's growth was facilitated by huge investment in infrastructure by the government and also by the expansion of the private sector. As many as 159 large state-owned enterprises assist the private sector with utilities, energy resources and minerals to raise investment.

Today, China (population 1.3 billion) is consuming about 40 per cent of the world's trade in commodities and purchasing large resource companies and industries around the world to feed its growth. Each year around 30 million people move to China's cities from rural areas this means the countries retail industry is developing rapidly. The scale of China's urbanisation is like a whole Hong Kong moving into cities every two years.

## **Innovation**

A centre for innovation with a growing global reach Beijing's Zhongguancun Science Park (innovation zone) is becoming increasingly attractive to talent from around the world. As of the end of last year the Park had attracted 9000 foreign experts. They are currently engaged in emerging fields such as electronic information, alternative energy, modern manufacturing, environmental protection, biological medicine and marine engineering. After 20 years of development, the Parks companies generated 92.1 billion yan (13 billion AUD) worth of products exported last year. 7-8% of Beijing's GDP comes from Zhongguancun Park revenue. The zone signed co-operation agreements with France Sofia Science Park in 2008 and jointly set up an innovation centre with Helsinki business Hub in Finland in 2010. Zhongguancun Park is a member of the IASP (International Association of Scientific Parks).

## **International Relations**

The 9<sup>th</sup> Annual China ASEAN (Association of South East Asian Nations) Business and Investment Summit took place in Nanning on Friday 21 September.

ASEAN members are among the top destinations for Chinese enterprises going global, and a key source of foreign investment in China in recent years. China and ASEAN have a trade volume target of \$ 500 billion by 2015. A trade balance of \$11billion was realised for the first time in 2011.

The forum on the China-ASEAN Free Trade Areas looks to fully implement agreements and to duties to further open up markets to promote trade and investment. In August China reduced duties of approx \$50billion yan (\$7.93 billion USD) for products from ASEAN.

With a population of 1.9 billion, the China-ASEAN free trade area is the world's first free trade area (FTA) established among developing countries and the world's third largest such area in terms of trade volume. (after the North American and European FTA's)

Following the establishment of the China – ASEAN free trade area on 1 January 2010, bilateral trade between China and ASEAN members rose to \$136.5 billion in the first half of 2010, and increase of 55% year on year.

ASEAN countries – Brunei, the Philippines, Indonesia, Malaysia, Thailand, Lao, Myanmar, Vietnam, Singapore and Cambodia.

### **Low Carbon**

Development of eco-cities is the focus of the China International Eco City Forum in Binhai New Area in Tianjin. Unlike many other industrial zones in China, Binhai New Area focuses on ecology and hosting emerging and high-tech industries which are friendly to the environment.

The previous two events have attracted more than 400 companies and low-carbon cities from China and abroad as well as more than 120,000 visitors. Contract worth over 5 billion yuan (\$792 million) have been agreed the expo concentrates on state-of-the-art concepts in eco city planning and design.

A number of Chinese and foreign cities showcase their advanced concepts, successful experiences and frontier technologies in terms of planning and constructing the city facilities in a low carbon way.

### **The Knowledge Economy**

As countries progress towards higher income levels their success or failure depends upon their economies ability to move up the production ladder (from low value added manufacturing based on imported technology to high value added products less reliant on technology imports.) Numerous middle income countries that were initially high economic performers have failed or are struggling to make this transition. As wages and other production costs increase they can no longer compete with low labour cost countries.

Counties that have avoided this trap have two lessons to impart.

- 1) education and
- 2) innovation.

With production becoming more sophisticated workers technical and vocational skills are acquiring increasing importance. Skill development must be aligned with problem solving skills and creativity by moving from an exam based structure to a more student centred learning. China suffers from skill shortages in several sectors and its aging population is likely to reduce rather than increase labour market flexibility. Hence, China has to pay more attention to skills and labour markets.

Education is only part of the solution. Without a creative private sector innovative economic activity will not be possible. Spending on R&D and ICT are crucial. Less than 10% of China's R&D is in ICT industries whilst in knowledge driven economies it is typically 20-25%.

SME's play a key role in China generating 65% of patented inventions and 80% of innovative products. Bus SME's have insufficient access to credit which limits their access to skills and technology.

## **Transport**

### **Automotive**

In the month of August 2012 more that 1.22 million cars were sold in China. The number represent a year on year growth of 11%. SUV sales continue to be the mainstay of the market in China notching up a 30 percent rise in sales to 1.27 million units.

Premium brands are growing much faster than mid to low-end ones in China. Large proportion of sales are European brands such as Mercedes Benz, Audi and BMW. Reacting quickly to the Chinese government's policy on encouraging greener vehicles is another reason for ongoing success of European brands in the Chinese market.

China overtook the US last year to become the largest market for Rolls Royce and during the year the company sold 3,538 cars, record in its 107 year history. Jaguar Land Rover also enjoyed record sales last year with 76 percent sales growth in China.

### **Aviation**

This month the US aircraft manufacturer Boeing forecast a market outlook that China will need 5,260 new commercial airliners valued at \$670 billion over the next 20 years.

The General Aviation sector (as detailed in this report) is set to deliver catalytic change for the Chinese economy. As the disposable income of the population increases and GA becomes more popular, the infrastructure and supply chain needs (training, infrastructure, equipment) provides opportunity for significant stimulus to the economy.

### **Rail (Fast and Standard)**

In 1998, China started the construction of its first high speed rail, the [Qinhuangdao–Shenyang Passenger Dedicated Line](#), which was opened in 2003 and in October 2010, China opened its 15th high speed rail.

The [Beijing–Shanghai High-Speed Railway](#) opened to the public in June 2011 and is the first one in the world with designed top speed of 380 km/h in commercial service.

China has the world's [longest](#) high-speed rail network with about 8,358 km of routes capable for at least 200 km/h running in service as of January 2011, including 2,197 km of rail lines with top speeds of 350 km/h.

In early 2011, it was stated that China had committed investment of US\$107.9 billion in railway construction in 2010 and during 2011 would invest US\$106 billion in railway construction, starting construction of 70 railway projects, including 15 high-speed rail projects.

According to [China Securities Journal](#), China plans to invest \$451 to \$602 billion in its high-speed rail network between 2011 and 2015

Integration of transport services is the new model. Delivering on integration across, road, rail and air, this integration brings rapid growth to the outlying city areas and connects cities in a way never before seen. (Transit rail meets fast rail meets air services meets vehicle transit).

Building multiplatform integrated transport services offering seamless transition from one form to another is transforming the industrial and business district landscapes and rapidly promoting city expansion.

### **Shipping**

To promote its shipping logistics and tourism industries, Xiamen a special economic zone in East China's Fujian province, is laying the ground work for a global shipping hub. The shipping hub will become the country's fourth international shipping centre. Together with Tianjin, Shanghai, and Dalian, Xiamen will help enhance the countries shipping intelligence network.

The centres core framework and services will be in place by 2020 and be able to deal with a variety of businesses such as international transit, purchase, allocation and distribution, ship leasing, customs clearance and offshore outsourcing.

In a bid to attract more companies to ship goods in Xiamen and help the city towards its goal of becoming an international shipping centre inbound imported cargo will be free of duties and domestic cargo entering the zone will be designated as exports and relevant taxes will be refunded. In 2011, Xiamen handled 6.47 million TEU (twenty-foot equivalent units) ranking 7<sup>th</sup> in China and 18<sup>th</sup> in the world. Anticipated results at 201 see Xiamen reaching 200 million tonnes and 10 million TEU.

## **16. ROAD RENAMING - PRINCES HIGHWAY, WAURN PONDS - WAURN PONDS DRIVE, WAURN PONDS**

|                         |  |
|-------------------------|--|
| <b>Portfolio:</b>       | <b>Governance – Mayor</b>  |
| <b>Source:</b>          | <b>Corporate Services - Financial Services</b>   |
| <b>General Manager:</b> | <b>Jeff Wall</b>   |
| <b>Index Reference:</b> | <b>Subject/Financial Management - Reporting<br/>Subject/Roads, Footpaths &amp; Streets</b> |

### **Summary**

- Stage 4B of the Geelong Ring Road project is nearing completion and will create a road naming issue.
- Princes Highway, Wauron Ponds will be truncated near Draytons Road, Wauron Ponds.
- The section which runs from Anglesea Road through to truncation point requires a new name to enable easy identification of properties in an emergency.
- This proposed renaming affects 38 properties and was advertised in the Geelong Independent newspaper on 13 July 2012 and the Geelong Advertiser newspaper on 14 July 2012.
- Ten submissions were received. A survey of residents identified that “Wauron Ponds Drive”, Wauron Ponds is the preferred name.

**Cr Richards moved, Cr S Kontelj seconded -**

**That Council approve the renaming of the section of Princes Highway from Anglesea Road to truncation point to “Wauron Ponds Drive, Wauron Ponds”.**

**Carried.**

### **Report**

#### ***Background***

VicRoads are completing stage 4B of the Geelong Ring Road project which is truncating the Princes Highway, Wauron Ponds at Draytons Road, Wauron Ponds. (Refer Attachment A).

The section of roadway from Anglesea Road to the truncation point will require a new name due to the ring road bypass utilising the name Princes Highway.

#### ***Discussion***

Council has consulted with the property owners adjoining the section of Princes Highway, Wauron Ponds which is proposed to be renamed.

Council proposed to name the section of roadway as Wauron Ponds Drive, Wauron Ponds and advertised this proposal in the Geelong Independent newspaper on 13 July 2012 and the Geelong Advertiser newspaper on 14 July 2012. 10 submissions were received in regards to this road name. Three submissions agreed with the proposed name and seven submissions suggested alternative names.

## **16. ROAD RENAMING - PRINCES HIGHWAY, WAURN PONDS - WAURN PONDS DRIVE, WAURN PONDS (CONT'D)**

After reviewing the names submitted it was noted that one of the new names proposed complied with the guidelines. Therefore, Council wrote to all affected residents and people who lodged a submission requesting that they complete a survey indicating their preference on either "Waurm Ponds Drive" or "Chain of Ponds Drive", Waurm Ponds.

"Waurm Ponds Drive" received 26 votes and "Chain of Ponds Drive" received 8 votes.

Waurm Ponds Drive is the residents preferred option.

### ***Environmental Implications***

There is no environmental issue arising from this report.

### ***Financial Implications***

Council is responsible for street signage and notification to relevant authorities.

### ***Policy/Legal/Statutory Implications***

The Local Government Act 1989, Geographic Place Names Act 1998 and the Guidelines for Geographic Names 2010 have been followed and met.

The proposal was advertised in the Geelong Independent newspaper on 13 July 2012 and the Geelong Advertiser newspaper on 14 July 2012 and 10 submissions were received. All submissions have been dealt with.

### ***Officer Direct or Indirect Interest***

There is no Council Officer direct or indirect interest involved in this report.

### ***Risk Assessment***

If an emergency situation was to occur in this section of roadway, this renaming would assist emergency services to quickly locate the situation.

### ***Social Considerations***

This renaming will allow for easy identification to the public and utility services in case of an emergency.

### ***Communication***

This proposed renaming was advertised in the Geelong Independent newspaper on 13 July 2012 and the Geelong Advertiser newspaper on 14 July 2012.

Subject to Council and The Registrar of Geographic Names approval, the relevant authorities and abutting owners will be notified of the official registration of this road name.

## **NOTICE OF MOTION – Cr J Farrell**

### **REALLOCATION OF CAPITAL FUNDS – BEANGALA WARD**

Council has been working with a number of sporting groups in Ocean Grove to deliver new and improved sporting infrastructure at Shell Road Reserve, following the adoption of the Ocean Grove Sporting Infrastructure Plan in 2010.

The funding model developed for the delivery of over \$6 million of sporting infrastructure at Shell Road was a three-way split between Council and Federal and State governments.

An allocation of \$2 million from the federal government has already delivered a significant power upgrade, four netball courts, cricket nets, soccer, netball and football lighting, and car parking. Council has budgeted for its \$2 million contribution but as yet the state government has not confirmed its contribution. As a result the construction of a shared pavilion for cricket, soccer, netball and football has been delayed.

The netball club currently plays on two courts in Draper Street that have deteriorated significantly over the past few years, to the point that both the club and the league have advised that they are unsafe for play at this time. The runoffs are also below current standards.

The four new netball courts at Shell Road will be completed in March/April and the club is keen to begin playing on the new courts. There is currently a budget shortfall of \$36,000 with regard to the recommended coating of the netball courts which this funding re-allocation will address.

The Surfside Waves Soccer club and the Ocean Grove Football and Netball club have requested that Council purchase temporary change rooms, to be shared by netballers and female soccer players, and place them on site on Shell Road until the pavilion can be constructed.

In the 2012/13 budget \$120,000 was allocated to the Memorial Reserve Toilet Upgrade (C13826). Memorial Reserve is currently home to the Ocean Grove Cricket Club and Ocean Grove Football and Netball Club. With the support of both clubs, this project will be delayed until the 2013/14 year.

A further allocation of \$50,000 was included in the 2012/13 budget for Shell Road Reserve Soccer Storage (C13818). Soccer storage has been incorporated into the plans for the new pavilion and Surfside Waves has requested that these funds be used for temporary shared women's facilities.

**Cr Farrell moved, Cr Harwood seconded -**

**That Council support the following funding reallocations:**

| <b>Ward</b>     | <b>Project description</b>                 | <b>Budget</b>     | <b>Budget ID</b> |
|-----------------|--|-------------------|------------------|
| <b>Beangala</b> | <b>Memorial Reserve Toilet Upgrade</b>     | <b>-\$70,000</b>  | <b>C13826</b>    |
| <b>Beangala</b> | <b>Shell Road Reserve - Soccer Storage</b> | <b>-\$50,000</b>  | <b>C13818</b>    |
| <b>Beangala</b> | <b>Shell Road Sporting Infrastructure</b>  | <b>+\$120,000</b> | <b>C12858</b>    |

**Carried.**

## **NOTICE OF MOTION – Cr Ansett**

### **GEELONG RANGERS SOCCER CLUB**

An application has been received under the Councillor Community Grants Program that falls outside the established grant guidelines.

The applicant is the Geelong Rangers Soccer Club who has applied for \$7,410 to support the pre-season soccer cup to be held during February and March 2013. The event has previously received funding from this program. The Councillor Community Grants Program does not generally provide funding on an ongoing basis.

Where Councillors wish to support and fund such applications from the Councillor Community Grants Program funding allocation, the applications are brought to Council for consideration.

**Cr Ansett moved, Cr Richards seconded –**

**That Council support the following Councillor Community Grant Ward allocations to Geelong Rangers Soccer Club for the 2013 pre-season soccer cup:**

| <b>Ward Name</b>         | <b>Allocation</b> |
|--------------------------|-------------------|
| <b>Cowie</b>             | <b>\$2,000</b>    |
| <b>Windermere</b>        | <b>\$2,000</b>    |
| <b>Buckley</b>           | <b>\$1,000</b>    |
| <b>Corio</b>             | <b>\$1,000</b>    |
| <b>Coryule</b>           | <b>\$1,000</b>    |
| <b>Brownbill</b>         | <b>\$ 450</b>     |
| <b>Total Allocation:</b> | <b>\$7,450</b>    |

**Carried.**

## **NOTICE OF MOTION – Cr Ellis**

### **REALLOCATION OF CAPITAL FUNDS – CORYULE WARD**

As part of the 12/13 budget, Council allocated \$20,000 to Improvements to Town Entrances (St Leonards) (C11715) and \$10,000 to Heritage Investigation – Geelong to Ballarat Railway (D65A01).

At present \$30,000 remains unspent.

It is therefore appropriate that Council consider reallocating excess project funds to other projects.

It is proposed that the excess funds are re-allocated to the following project:

- **Portarlington Shopping Precinct CCTV & WiFi**

This project aims to install a number of cameras in the main street of Portarlington to provide surveillance of the shopping strip as well as implementing a small WIFI system to allow people to access emails whilst using cafes and shopping.

It is proposed to install cameras and WiFi points at four locations on Newcombe St Portarlington between Harding St and Brown St, with vision from the cameras to be transmitted wirelessly to the Portarlington Police Station.

Reallocation of \$30,000 from projects C11715 & D65A01 to this project will mean the community are safe and that they have convenient access to the internet.

**Cr Ellis moved, Cr Farrell seconded –**

**That Council support the following reallocations:**

| <b>WARD</b>    | <b>PROJECT DESCRIPTION</b>                                  | <b>BUDGET</b>    | <b>BUDGET ID</b> |
|----------------|---|------------------|------------------|
| <b>Coryule</b> | <b>Improvements to Town Entrances (St Leonards)</b>         | <b>-\$20,000</b> | <b>C11715</b>    |
| <b>Coryule</b> | <b>Heritage Investigation – Geelong to Ballarat Railway</b> | <b>-\$10,000</b> | <b>D65A01</b>    |
| <b>Coryule</b> | <b>Portarlington Shopping Precinct CCTV &amp; WiFi</b>      | <b>\$30,000</b>  |                  |

**Carried.**

## **NOTICE OF MOTION – Cr Ellis**

### **REALLOCATION OF CAPITAL FUNDS – CORYULE WARD**

As part of the 11/12 budget, Council allocated \$18,520 to New CoGG Signage (C11716), \$25,000 to the Arts Sculpture Project – Beacon Point Rd (D57623) and \$20,059 to the Bellarine Lookout Opportunity Analysis (D66195).

At present \$63,579 remains unspent from C11716, D57623 and D66195.

It is therefore appropriate that Council consider reallocating excess project funds to other projects.

It is proposed that the excess funds are re-allocated to the following project:

- **Coryule Ward – Parks & Playgrounds Improvements**  
This project aims to fund the renewal and upgrade of Sport & Recreation Infrastructure throughout the Ward. The funding will assist in providing adequate facilities for the community.

Reallocation of \$63,579 from projects C11716, D57623 and D66195 to this project will provide quality facilities for the local community.

**Cr Ellis moved, Cr Farrell seconded –**

**That Council support the following reallocations:**

| <b>WARD</b> | <b>PROJECT DESCRIPTION</b>                      | <b>BUDGET</b> | <b>BUDGET ID</b> |
|-------------|---|---------------|------------------|
| Coryule     | New CoGG Signage                                | -\$18,520     | C11716           |
| Coryule     | Arts Sculpture Project – Beacon Point Rd        | -\$25,000     | D57623           |
| Coryule     | Bellarine Lookout Opportunity Analysis          | -\$20,059     | D66195           |
| Coryule     | Coryule Ward – Parks & Playgrounds Improvements | \$63,579      |                  |

**Carried.**

## **NOTICE OF MOTION – Cr Ellis**

### **REALLOCATION OF CAPITAL FUNDS – CORYULE WARD**

As part of the 11/12 budget, Council allocated \$40,000 and \$10,646 to the Portarlington Sports Precinct Master Plan (C11835 / D66158) and in the 12/13 budget funding was allocated to the Southern Lux project of \$40,000 (D57642).

At present \$38,870 remains unspent from C11835 and \$10,646 remains unspent from D66158, while the entire \$40,000 remains in D57642, totally \$89,516.

It is therefore appropriate that Council consider reallocating excess project funds to other projects.

It is proposed that the excess funds are re-allocated to the following project:

- **Portarlington Rec Reserve – Sports Change Facilities (C13831)**  
This project involves the design and construction of new transportable change facilities for the Netball section of the Portarlington Football & Netball Club. The facilities will provide the club with change facilities and shelter from the elements.

Reallocation of \$89,516 from projects C11835, D66158 and D57642 to this project will mean the community have current and accessible change facilities and amenities.

**Cr Ellis moved, Cr Farrell seconded –**

**That Council support the following reallocations:**

| <b>WARD</b>    | <b>PROJECT DESCRIPTION</b>                                  | <b>BUDGET</b>    | <b>BUDGET ID</b> |
|----------------|---|------------------|------------------|
| <b>Coryule</b> | <b>Portarlington Sports Precinct Master plan</b>            | <b>-\$38,870</b> | <b>C11835</b>    |
| <b>Coryule</b> | <b>Portarlington Sports Precinct Master plan</b>            | <b>-\$10,646</b> | <b>D66158</b>    |
| <b>Coryule</b> | <b>Southern Lux</b>   | <b>-\$40,000</b> | <b>D57642</b>    |
| <b>Coryule</b> | <b>Portarlington Rec Reserve – Sports Change Facilities</b> | <b>\$89,516</b>  | <b>C13831</b>    |

**Carried.**

## **NOTICE OF MOTION – Cr A Richards**

### **INTEGRATED COMPREHENSIVE TRANSPORT PLAN**

The City of Greater Geelong has experienced significant population growth which will continue for some time. This has changed the transport needs for all forms of transport including, walking, cycling, public transport including trains and buses, private vehicles, and freight including Avalon Airport and the Port of Geelong.

The growth in cycling, both for commuters and for recreation, has not been met by an increase in funding for cycling related infrastructure. Concurrently, many studies and reports have shown that residents are not getting enough exercise, and that the lack of walkability in a community plays a part.

Public Transport provision in the City of Greater Geelong is also under funded. It is recognised that the Regional Rail Link will improve some aspects of public transport. However, bus services, access to rail stations and provision of services at rail stations are recognised as inadequate.

The need to make the Geelong CBD more liveable, and to find alternate routes for freight is also a significant issue, along with the expansion of Avalon Airport and the Port of Geelong.

There are several studies and reports that deal with different aspects of transport in the City of Greater Geelong, but there is no single comprehensive plan or strategy that includes all forms of transport and how they work together to move people and goods around and through the City. Given the City of Greater Geelong's continued growth, it is timely that council develop a comprehensive integrated transport plan for all forms of transport.

The first step in this process is to work out what needs to be done, and how much it will cost to put a comprehensive integrated transport strategy together.

**Cr Richards moved, Cr Macdonald seconded -**

**That Council officers bring a report back to Council detailing all existing strategies and reports dealing with transport in the City of Greater Geelong, along with what extra work needs to be done to develop a comprehensive integrated transport strategy, involving all forms of transport, including the costs of such work. The report to include all forms of transport including walking, cycling, public transport, freight and private vehicles, and to include transport hubs such as Avalon Airport and the Port of Geelong.**

**Carried.**

## **COMMON SEAL REGISTER**

### **DEECD CAPITAL FUNDING AGREEMENT – LEOPOLD COMMUNITY AND CHILDREN’S CENTRE**

**Portfolio:** Community Development – Cr Fisher  
**Source:** Community Services – Community Development  
**General Manager:** Jenny McMahon  
**Index Reference:** Project: C10503 – Leopold Community Hub

#### **Summary**

- The Department of Education and Early Childhood Development (DEECD) has committed funding of \$1.5 million towards the construction of an Integrated Children’s Centre in Leopold.
- At the Ordinary Council Meeting on 25 September 2012, Council resolved to note the DEECD commitment of funds.
- Council has previously received two reports regarding the Leopold Community Hub (12 April 2011 and 26 August 2008).
- DEECD requires a Capital Funding Agreement to be signed and sealed by Council in order to provide the capital funding for the project.

**Cr Ansett moved, Cr Macdonald seconded -**

**That Council delegates to the Chief Executive Officer and Mayor, to sign and seal the DEECD Capital Funding Agreement (two copies), for the Leopold Community and Children’s Centre.**

**Carried.**

## **COMMON SEAL REGISTER**

**Cr Ansett moved, Cr Macdonald seconded –**

**That the following documents be signed and sealed by Council.**

**Carried.**

**1. TRANSFER OF LAND: GREATER GEELONG CITY COUNCIL TO STEPHEN TEMPLE FOR PART OF 90 KEERA STREET, GEELONG**

|                         |  |
|-------------------------|--|
| <b>Portfolio:</b>       | <b>Finance – Cr S Kontelj</b>  |
| <b>Source:</b>          | <b>Corporate Services – Corporate Strategy and Property Services</b> |
| <b>General Manager:</b> | <b>Jeff Wall – Corporate Services</b>                                |
| <b>Property:</b>        | <b>Part of 90 Keera Street, Geelong</b>                              |

### **Summary**

Council has entered into a Contract for the sale of part of Council's land located at 90 Keera Street, Geelong (Land).

The Land has been sold to an adjoining property owner located at 82 Keera Street, Geelong.

A Contract of Sale was signed by Jeff Wall, General Manager – Corporate Services, under delegated authority from Stephen Griffin dated 2 February, 2012.

Settlement of the sale of the Land is due to take place in accordance with the terms and conditions of the Contract.

### ***Council Obligations***

As part of the conveyancing process, Council must sign and seal a Transfer of Land instrument to convey the Land to the purchaser once the purchaser has effected settlement of the purchase transaction.

**2. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND TONI LEE LUKAUSKAS FOR 100 DARE STREET, OCEAN GROVE**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>100 Dare Street, Ocean Grove</b>                 |
| <b>Application No:</b>  | <b>326/2010</b>                                     |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 2 of Planning Permit No. 326/2010 issued on 06 January 2011 which allowed the construction of a second dwelling and subdivision of land into two lots.

The purpose of the Agreement is to register on title that unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance:

All development to be in accordance with the endorsed plans forming part of Planning Permit 326/2010 (or any amendment to that permit) or any subsequent Planning Permit.

This Agreement has been prepared by one of Council's panel solicitors.

***Owner's Obligations***

The owner agrees that following registration of the plan of subdivision approved by the Subdivision Permit any development of the Subject Land must accord with the endorsed plans forming part of the Development Permit (or any amendment to the Development Plan) or any subsequent planning permit issued by Council.

The owner further agrees to facilitate the Council making application to the Registrar of Titles and do all things necessary to record this agreement in the registrar on the Certificate of Title to the Subject Land in accordance with Section 181 of the Act and pay all cost of preparation and execution of the agreement and entry of the memorandum on the Certificate of Title to the Subject Land.

***Council Obligations***

Nil.

**3. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND STEWART JAMES MCKENZIE FOR 29 CENTRAL ROAD, CLIFTON SPRINGS**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>29 Central Road, Clifton Springs</b>             |
| <b>Application No:</b>  | <b>818/2009/A</b>                                   |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 18 (b) of Planning Permit No. 818/2009/A issued on 22 January 2010 which allowed the construction of two dwellings and a two lot subdivision.

The purpose of the Agreement is to ensure the land is developed in accordance with the plans endorsed under PP 818/2009A. Before Statement of Compliance is issued for the subdivision, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

To develop the land in accordance with the plans endorsed under PP818/2009A.

***Council Obligations***

Nil.

**4. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND URBAN LAND DEVELOPMENTS PTY LTD FOR 37 PRINCESS STREET, DRYSDALE**

**Portfolio:** Planning – Cr Macdonald  
**Source:** Economic Development, Planning & Tourism  
**General Manager:** Peter Bettess  
**Property:** 27 & 37 Princess Street, Drysdale &  
22-40 & 42 Clarendon Road, Drysdale  
**Application No:** 466/2011/A

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 25 of Planning Permit No. 466/2011/A issued on 24 October 2011 which allowed Staged Multi Lot Subdivision & Removal of Easements - E-1 (TP17298P), E1 & E2 (PC356099E) & E1 (PS337795B)

The purpose of the Agreement is to comply with condition 25 of the planning permit which states that:

*Prior to the issuing of Statement of Compliance, details of how the temporary pedestrian link shown on the approved Development Plan will be provided, including details of the trigger for the provision and details of how the link will be physically defined on site, must be submitted to and approved in writing by the Responsible Authority. The temporary pedestrian link must be provided in accordance with the approved details, and must be retained as a pedestrian link with unobstructed public access until such time as the pedestrian connection to Mortimer Street to the north-west of the area covered by DPO24 (as shown in the Urban Design Masterplan in the approved Development Plan) has been provided, to the satisfaction of the Responsible Authority.*

This Agreement has been peer reviewed by one of Council's panel solicitors.

**Owner's Obligations**

The Owner covenants, agrees and acknowledges that it will do the following to the satisfaction of the Responsible Authority:

- a) In the absence of the provision of the Permanent Pedestrian Link, the Owner will, prior to the issue of a statement of compliance in respect of the first stage of the subdivision allowed under the Planning Permit, submit plans for endorsement by the Responsible Authority:
  1. depicting the detailed design of the Temporary Pedestrian Link ; and
  2. confirming the anticipated timeframe for the delivery of the approved Temporary Pedestrian Link works;
- b) Establish the Temporary Pedestrian Link in accordance with the plan(s) endorsed pursuant to clause a) of this Agreement immediately upon registration of the first stage of the subdivision allowed under the Planning Permit.

- c) Maintain the Temporary Pedestrian Link in a form to the satisfaction of the Responsible Authority, until such time as the Responsible Authority assumes responsibility for the Temporary Pedestrian Link in accordance with clause 6(3) of this Agreement.
- d) Provide clear unobstructed public access over the Temporary Pedestrian Link subject to the provisions of this Agreement.

#### **Further obligations of the Owner**

The Owner further warrants and agrees that:

#### **Notice and registration**

The Owner must bring this Agreement to the attention of all prospective purchasers, mortgagees, transferees and assigns of the Land.

#### **Property rights affecting Temporary Pedestrian Link**

The Owner will use its best endeavours to ensure that there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the Owner affecting the Temporary Pedestrian Link not disclosed by the usual searches or notified to the Responsible Authority.

#### **Mortgagee to be bound**

The Owner covenants to obtain the consent of any mortgagee to be bound by the covenants in this Agreement if the mortgagee becomes Mortgagee in possession of the Land.

#### **Responsible Authority's costs to be paid**

The Owner must pay immediately on demand the reasonable costs of the Responsible Authority of and incidental to the preparation, execution, registration and enforcement of this Agreement. The Owner agrees that those costs are and remain a charge on the Land until paid. Such costs payable by the Owner shall include the costs and disbursements associated with the registration of the Agreement on the titles to the Land and removal therefrom.

#### **Responsible Authority access**

The Owner agrees to allow the Responsible Authority to enter the Land at any reasonable time to assess compliance with this Agreement following two (2) days written notice to the Owner.

#### **Recording of Agreement**

The Owner will do all that is necessary to enable the Responsible Authority to make an application to the Registrar of Titles to make a recording of this Agreement on the Certificate of Title to the Land in accordance with Section 181 of the Act immediately upon commencement of the Agreement, including the signing of any further agreement, acknowledgment or other document.

### **Successors in Title**

Until such time as this Agreement is registered on the certificate of title to the Land, the Owner shall ensure that successors in title will give effect to this Agreement, and do all acts and sign all documents which will require those successors to give effect to this Agreement, including executing a deed agreeing to be bound by the terms of this Agreement.

### **Further assurance**

The parties agree that:

- a) they must do or cause to be done all things that are reasonably necessary to give effect to this Agreement; and
- b) this Agreement is not intended to dedicate the Temporary Pedestrian Link as a “road” for the public.

### **Council Obligations**

The Responsible Authority agrees:

- a) the Owner will, at its discretion and with 48 hours prior written notice to the Responsible Authority, be entitled to block access to the Temporary Pedestrian Link for a 24 hour period once every 12 months.
- b) that upon the Responsible Authority becoming responsible for the maintenance of the Temporary Pedestrian Link in accordance with clause 6(3) of this Agreement, it will indemnify and keep indemnified the Owner (and/or its Related Entities) in relation to all costs, expenses, losses or damages that it may sustain, incur, suffer or become liable for or in respect of any suit, action, proceeding, judgement or claim brought by any person arising from the grant of public access along the Temporary Pedestrian Link or otherwise referable to the matters set out in this Agreement (including any breach of this Agreement) which are directly related to the negligent acts, errors or omissions of the Responsible Authority, provided that the Owner is covered by appropriate third party liability insurance.
- c) that upon the issue of a statement of compliance for the final stage of subdivision permitted under the Planning Permit, or four years after the date of this Agreement (whichever is the earlier), it must maintain the Temporary Pedestrian Link in a suitable condition until the Temporary Pedestrian Link is closed (the Term) to avoid or mitigate any losses or damages that may be referable to Clause (2) above.
- d) that the Temporary Pedestrian Link will be closed by the Owner once the Permanent Pedestrian Link is opened to the public.
- e) that neither the Responsible Authority (or any other third party) will be entitled to claim that the Temporary Pedestrian Link constitutes a “public highway” or a “road” for the public nor will any other property rights accrue.

**5. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND GEELONG CONSTRUCTIONS PTY LTD FOR 26-28 MARSH COURT DRYSDALE**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>26-28 Marsh Court, Drysdale</b>                  |
| <b>Application No:</b>  | <b>1227/2010</b>                                    |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 13b) of Planning Permit No. 1227/2010 issued on 26 October 2011 which allowed the construction of nine dwellings and a nine lot subdivision.

The purpose of the Agreement is to ensure that the development is constructed in accordance with the endorsed plans.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

The Owner's obligation is that they must construct the development in accordance with the endorsed plans forming part of planning permit 1227/2010 (or any amendment to that permit) or any subsequent planning permit.

***Council Obligations***

Nil.

**6. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND IONEL JULIAN MIERLA FOR 12 WARREN STREET, THOMSON**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>12 Warren Street, Thomson</b>                    |
| <b>Application No:</b>  | <b>627/2012</b>                                     |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 13 of Planning Permit No. 627/2012 issued on 14 August 2012 which allowed Construction of Second Dwelling and Two (2) Lot Subdivision.

The purpose of the Agreement provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 627/2012 (or any amendment to that permit) or any subsequent Planning Permit for the abovementioned site. Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

***Owner's Obligations***

The owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority which provides for all development to be in accordance with the endorsed plans forming part of Planning Permit 627/2012 (or any amendment to that permit) or any subsequent Planning Permit. The owner must pay the costs of preparation, execution and registration of the agreement and the agreement must be registered on the newly created title/s. The Section 173 Agreement may be ended by the Responsible Authority at the written request of the owner and at no cost to Council.

***Council Obligations***

Nil

**7. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND TAVIS PETER HOLMAN MYERS AND CAROLINE ANNA MYERS FOR 26 TORQUAY ROAD, BELMONT**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>26 Torquay Road, Belmont</b>                     |
| <b>Application No:</b>  | <b>1466/2011</b>                                    |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 15 of Planning Permit No. 1466/2011 issued on 3 May 2012 which allowed construction of a second dwelling and a two (2) lot subdivision.

The purpose of the Agreement is to ensure the lots are developed in accordance with plan endorsed under Planning Permit No. 1466/2011.

This Agreement has been prepared by Council's solicitors.

***Owner's Obligations***

The Owner covenants, agrees and acknowledges with the Council that all development on the Subject Land must be in accordance with the endorsed plans forming part of the Planning Permit, or any subsequent planning permit issued by the Council relating to the Subject Land.

***Council Obligations***

Nil.

**8. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND SIMON MICHAEL MCAULIFFE FOR 25 HANNAH COURT, LOVELY BANKS**

**Portfolio:** Planning – Cr Macdonald  
**Source:** Economic Development, Planning & Tourism  
**General Manager:** Peter Bettess  
**Property:** 25 Hannah Court, Lovely Banks  
**Application No:** 1082/2012

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 2 of Planning Permit No. 1082/2012 issued on 2 November 2012 which allowed the use and development of a replacement dwelling on a Rural allotment.

The purpose of the Agreement is to register the existing dwelling on site to be converted to a non-habitable outbuilding within three (3) months of the occupation of the new dwelling hereby permitted. Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been prepared by one of Council's panel solicitors.

***Owner's Obligations***

The Owner covenants, acknowledges and agrees with the Responsible Authority that he will:

3.

- i. Convert the existing dwelling into a Non-habitable Outbuilding within 3 months of the issue of an occupancy permit under the Building Act 1993 for the dwelling to be developed on the Land in accordance with the permit; and*
- ii. Provide a floor plan and photographic evidence the toe Responsible Authority to demonstrate that the Dwelling has been converted to a Non-habitable Outbuilding in accordance with 3(i) of this Agreement within 21 days of such conversion, to the satisfaction of the Responsible Authority.*

***Council Obligations***

Nil

**9. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND RITA POSTERINO FOR 11-13 BOND STREET, NEWTOWN**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>11-13 Bond Street, Newtown</b>                   |
| <b>Application No:</b>  | <b>192/2011</b>                                     |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 12 of Planning Permit No. 192/2011 issued on 12 July 2011 which allowed the construction of a second double storey dwelling and garage to the existing dwelling.

The purpose of the Agreement is to register that in the event of any operational difficulties with the pump system to be installed on site it is the responsibility of the land owner to rectify these difficulties. Any pump system is to be replaced by gravity discharge if and when available. Prior to the commencement of development, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been prepared by one of Council's panel solicitors.

***Owner's Obligations***

Prior to the commencement of development the land owner must enter an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987. All costs associated with setting up the agreement must be borne by the land owner. The agreement is to be registered on title and run with the land, and is to provide to the satisfaction of the Responsible Authority:

- a) In the event of any operational difficulties with the pump system, it is the Responsibility of the land owner to rectify these difficulties;
- b) Any pump system is to be replaced by gravity discharge if and when available, and if directed by the Responsible Authority, at the land owner's full cost.

***Council Obligations***

Nil

**10. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND VINCENT PETER DEMAIO AND JOSEPHINE DEMAIO FOR 72 WILSONS ROAD, NEWCOMB**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>72 Wilsons Road, Newcomb</b>                     |
| <b>Application No:</b>  | <b>712/2012</b>                                     |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 12 of Planning Permit No. 712/2012 issued on 13 August 2012 which allowed a second dwelling and two (2) lot subdivision.

The purpose of the Agreement is to provide for all development to be in accordance with the endorsed plans forming part of Planning Permit 712/2012 (or any amendment to that permit) or any subsequent Planning Permit. The owner of the land must enter into this agreement prior to the issue of Statement of Compliance for the subdivision of the land.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

The Owners covenant, acknowledge and agree with the Responsible Authority that all of the development on the land will be in accordance with the endorsed plans forming part of the Permit, or any amendment to that permit or any subsequent permit issued by the Responsible Authority.

***Council Obligations***

Nil.

**11. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND 54 PERCY ST PTY LTD FOR 54 PERCY STREET, NEWTOWN**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>54 Percy Street, Newtown</b>                     |
| <b>Application No:</b>  | <b>1248/2011</b>                                    |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 4 of Planning Permit No. 1248/2011 issued on 14 February 2012 which allowed the subdivision of the land into 24 lots.

The purpose of the Agreement is to provide for all development to be in accordance with the endorsed plans forming part of the Planning Permit 1510/2010 (or any amendment to that permit) or any subsequent Planning Permit. Prior to the issue of Statement of Compliance, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

To only develop the Subject Land in accordance with the endorsed plans forming part of the Development permit or any amendment to the Development Permit or any subsequent planning permit issued by the Council.

***Council Obligations***

Nil.

**12. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND BRIAN AND SILVANA KENWOOD FOR 3 FELLOWS ROAD, POINT LONSDALE**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>3 Fellows Road, Point Lonsdale</b>               |
| <b>Application No:</b>  | <b>1600/2011</b>                                    |

***Officers' Comments***

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Planning Permit No. 1600/2011 issued on 11 May 2012 which allowed the construction of two (2) dwellings and subdivision of the land into two (2) lots.

***Owner's Obligations***

The agreement must set out the following matters:

- a) The building envelope and defendable space envelope to achieve the Bushfire Attack Level approved under this permit.
- b) Vegetation management requirements and arrangements suitable to implement and maintain the defendable space approved under this permit.
- c) The access and water supply requirements approved under this permit.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Council's Obligations***

Nil

**13. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND MELINDA MARY LEE FOR 195 MERRAWARP ROAD, CERES**

**Portfolio:** Planning – Cr Macdonald  
**Source:** Economic Development, Planning & Tourism  
**General Manager:** Peter Bettess  
**Property:** 195 Merrawarp Road, Ceres  
**Application No:** 558/2012

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 2 of Planning Permit No. 558/2012 issued on 22 June 2012 which allowed the construction of a replacement dwelling on a rural allotment.

The purpose of the Agreement is to register the existing dwelling on site to be wholly removed or demolished within three (3) months of the occupancy of the new dwelling hereby permitted on the abovementioned site.

Before construction commences on site for the dwelling, application must be made to the Registrar of Titles to register the Section 173 Agreement on Title to the land under Section 181 of the Act.

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

1. That within three (3) months of issue of an occupancy permit under the *Building Act 1993* for the Replacement Dwelling the existing dwelling situated on the Subject Land as at the date of commencement of this Agreement will be removed from the Subject Land or demolished to the satisfaction of the Council;
2. To bring this Agreement to the attention of any mortgagee of the Subject Land and any assignee, transferee, lessor or licensee of the Subject Land;
3. To carry out and comply with the requirements of all statutory authorities and comply with all statutes, regulations, local laws and planning controls in relation to the Subject Land; and
4. To take all necessary steps to comply with the obligations of each and every clause in this Agreement.

***Council Obligations***

Nil

**14. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND GREG RAYMOND JONES AND LISA JOY JONES FOR 31 PLEASANT STREET, NEWTOWN**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>31 Pleasant Street, Newtown</b>                  |
| <b>Application No:</b>  | <b>CCG-2012-548</b>                                 |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was the requirement by Council for consent to construct a dwelling on land liable to flooding.

The purpose of the Agreement is to register obligations relating to the construction of a dwelling on land liable to flooding

This Agreement has been peer reviewed by one of Council's panel solicitors.

***Owner's Obligations***

The owner is to accept full risk and responsibility for any flood related damage and is to indemnify the Greater Geelong Council, its Officers and Agents from any claims resulting from flooding.

***Council Obligations***

Nil

**15. SECTION 173 AGREEMENT BETWEEN GREATER GEELONG CITY COUNCIL AND NEETI BROOTA & MANU KHURANA FOR 3 VICTORIA STREET, NORTH GEELONG**

|                         |   |
|-------------------------|---|
| <b>Portfolio:</b>       | <b>Planning – Cr Macdonald</b>                      |
| <b>Source:</b>          | <b>Economic Development, Planning &amp; Tourism</b> |
| <b>General Manager:</b> | <b>Peter Bettess</b>                                |
| <b>Property:</b>        | <b>3 Victoria Street, North Geelong</b>             |
| <b>Application No:</b>  | <b>791/2012</b>                                     |

**Officers' Comments**

This Agreement pursuant to Section 173 of the Planning and Environment Act 1987 was required by Condition 4 of Planning Permit No. 791/2012 issued on 19 July 2012 which allowed the subdivision of land in to two allotments.

The purpose of the Agreement is to provide for all development of the land to be in accordance with the endorsed plans forming part of Planning Permit 1210/2011 (or any amendment to that permit) or any subsequent Planning Permit.

This Agreement has been prepared by one of Council's panel solicitors.

***Owner's Obligations***

The Owner covenants, acknowledges and agrees with the Responsible Authority that all development on the Land shall be in accordance with the endorsed plans forming part of the Development Permit (or any amendment to the Permit) or any subsequent planning permit issued by the Responsible Authority.

***Council Obligations***

Nil.

## **ASSEMBLY OF COUNCILLORS RECORD**

**Portfolio:** Democracy and Governance  
**Source:** Corporate Services  
**General Manager:** Jeff Wall

### **Summary**

- Section 80A (2) of the Local Government Act 1989 requires the record of an Assembly of Councillors be reported to the next practicable Ordinary Meeting of Council.
- A record of Assembly of Councillors meeting(s) is attached as an Appendix to this report.

**Cr Ansett moved, Cr Nelson seconded -  
That the information be received.**

**Carried.**

## **PLANNING DELEGATIONS – DECEMBER 2012**

**Portfolio:** Planning - Cr Macdonald  
**Source:** Economic Development, Planning & Tourism - City Development  
**General Manager:** Peter Bettess  
**Index Reference:** Delegation

### **Summary**

- Section 98 of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987 empower Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.
- Council may also delegate to committees comprising Councillors and staff or a combination of both, pursuant to sections 86 and 87 of the Local Government Act and section 188 of the Planning and Environment Act.
- At its meeting on 13 March 2007 Council established a Planning Committee and a Development Hearings Panel with delegated powers to determine upon any development applications which have been the subject of an objection or in circumstances where officers have recommended refusal of the application.
- At its meeting on 23 September 2008 Council adopted a recommendation to allow Officers (restricted to Manager, Coordinator and Team Leader level) the ability to consider and approve applications with five or less objections.
- The appendix to this report contains a schedule of all applications determined under these delegations.

**Cr Macdonald moved, Cr Ansett seconded -**

**That the information be received.**

**Carried.**

## **CLOSE OF MEETING**

As there was no further business the meeting closed at 10.55pm. Tuesday, 29 January 2013.

**Signed:** \_\_\_\_\_  
**Chairperson**

**Date of Confirmation:** \_\_\_\_\_