



MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 28 April 2015

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

COUNCIL:

Cr. D. Lyons
Mayor

(G21 Geelong Regional Alliance, Finance, Governance, Regional Cities)

Cr. T. Ansett (*Windermere*)

(Heritage, Rural Communities)

Cr. L. Ellis (*Coryule*)

(Coastal Communities, Infrastructure, Parks and Gardens, Climate Change)

Cr. J. Farrell (*Beangala*)

(Community Safety, Youth, Women in Community Life, Finance)

Cr. K. Fisher (*Corio*)

(Community Development, Tourism)

Cr. B. Harwood (*Kardinia*)

(Enterprise Geelong, Primary Industries)

Cr. M. Heagney (*Brownbill*)

(Central Geelong, Planning)

Cr. J. Irvine (*Austin*)

(Sport and Recreation)

Cr. E. Kontelj (*Cowie*)

(Aboriginal Affairs, Multicultural Affairs, Finance)

Cr. Dr. S. Kontelj (*Kildare*)

(Veteran Affairs)

Cr. R. Macdonald (*Cheetham*)

(Major Projects, Knowledge Economy & Education)

Cr. R. Nelson (*Deakin*)

(Major Events)

Cr. A. Richards (*Buckley*)

(Environment & Sustainability, Transport, Arts & Culture, Climate Change)

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**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, 28 APRIL 2015
COMMENCING AT 7.00P.M.**

PRESENT: Crs D Lyons (Mayor), T Ansett, L Ellis, J Farrell, K Fisher, B Harwood (*7.22pm), M Heagney, J Irvine, E Kontelj, R Macdonald, R Nelson, A Richards

Also present: G Miles (Chief Executive Officer), D Frost (General Manager Strategy & Performance), P Bettess (General Manager Planning and Tourism), W Tieppo (General Manager City Services), L Quinn (Acting General Manager Community Services), J McMahon (Acting General Manager Projects, Recreation and Central Geelong), J Brown (Manager Administration and Governance), R Bourke (Governance Co ordinator), J Merlo (Senior Media Officer), A Paterson (EO – Mayor)

OPENING: The Mayor declared the meeting open at 7.00pm

ACKNOWLEDGEMENTS:

Council acknowledges Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

APOLOGIES: Cr S Kontelj

CONFIRMATION OF MINUTES:

Cr Irvine moved, Cr Ellis seconded -

That the Minutes of the Ordinary Meeting held on 14 April 2015 be confirmed and signed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST:

Cr Nelson declared an Indirect Interest by a Conflicting Duty in Agenda Item 4 – Sale of Land to Roman Catholic Trust – Peninsula Drive, Drysdale in that during his election campaign he had a regular and close association with the school listed in the report.

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.

Andrew Kelly asked questions in relation to Amendment C276 as follows:

- 1) If there was not enough information upon which to refer this planning amendment to a panel hearing on 28 October 2014, what has changed in the last six months to make the Councillors so sure it is the right decision tonight?

Peter Bettess responded the decision before Council tonight is whether or not to refer the Amendment to an Independent Panel, not to have everything squared away, and that is what the Councillors will be considering.

- 2) As this site does not fall within the Armstrong Creek Western Precinct Structure Plan where there is an abundance of housing diversity with some 22,000 dwellings approved for Armstrong Creek at an average density of 15-18 dwellings per/ha plus the opening of new estates to the north and east of the Hams Road site – why simply default to more of the same?

Peter Bettess responded once again it should be submitted to the Panel.

- 3) Do Council planning staff believe the traffic numbers and flow as detailed in the Traffic Impact Assessment Report and what traffic calming measures do Councillors believe to be satisfactory to overcome the 100% plus increase in traffic along Grange Park Drive and Brentwood Way in order to avoid catastrophic injury to a local resident making their way to or from buses or public transport by foot, skateboard, bike or stroller given the current amenity (no footpaths)?

Cr Richards responded there are a number of measures to be taken in order to deal with traffic generation. A report on transport infrastructure in Waurin Ponds was presented to Council on 14 April, but deferred. That report will be re-presented in two weeks time.

Mark Spoken asked –

- 1) Why won't Council abandon Planning Scheme Amendment C276 due to excessive traffic impacts and the adverse affect on area amenity, when Council have previously refused an application in the same estate based on inappropriate traffic levels and area amenity? Reference Permit number 1501/2007 Lot 20-22 Grange Park Drive.

Peter Bettess responded this rezoning was outside of the estate. The Management Plan required is part of the planning overlay which specifically addresses the minimizing of traffic.

- 2) Are Councillors aware that in the strategic justification section of their report pertaining to Planning Scheme Amendment C276 Council officers have noted the Armstrong Creek Urban Growth Plan states that the section of land, quote "be considered for future residential and/or recreational zoning". What constitutes recreational zoning and surely if officers don't consider this area to be a loss of significant farming land why has it not been considered for recreational zoning or open public space to provide for the community that is already here?

Peter Bettess responded the reason being the alignment of the Ringroad wasn't determined. The designated open space is on the other side of the railway line.

Jim Haigh asked if Council would consider rejecting the proposal to rezone this land based on this one simple premise or could Council move for an amendment for real, tangible traffic solutions prior to if the recommendation is to go to a panel hearing?

Peter Bettess responded the concerns about traffic flowing south will be tested by the Panel who have the ability to scrutinize the evidence.

Cr Richards added the Waurin Ponds Traffic Study will be presented to Council in the next two weeks.

* *Cr Harwood entered the meeting room at 7.22pm*

Dean Smith addressed Council as follows:

- 1) A petition with over 250 signatures was tabled to Council about the C276 Rezoning. These people asking for this rezoning to be abandoned. Do Council consider this petition and the number of residents in opposition to this rezoning and development into account when making their decision or do you continue without considering it and what if any bearing does it have on your decision?

Cr Richards responded that when a Councillor is elected you have to take into account your own personal views and beliefs and also take into account the views of the people who elected you.

Petitions are important as is the number of residents that are present here tonight.

The Mayor added petitions are extremely important.

- 2) The proponent has put forward block sizes that do not meet the current character of the adjoining neighbourhood. As I believe the upholding of neighbourhood character forms a strong part of the planning decision making process when considering such redevelopment, I would like to ask if all the Councillors have a strong knowledge of the current neighbourhood character and block sizes within the Grange Park Estate which adjoins the subject site and so feel qualified to make a decision regarding the current amendment and rezoning application?

Cr Richards indicated he was sure that Councillors are aware of the facts, and if they weren't before, they are now. This matter will be the subject of debate later this evening.

- 3) As previously brought to Council's attention there is a possibility of contaminated soil in the subject site due to an existing spray race and possible PCB contaminated soil from the adjoining Powercor switchyard, however to date there has been no soil testing done to determine whether or not this will impact on the land ability to be further developed. Do Council agree that prior to allowing for development and rezoning of the land that the land should be proved viable for further development?

Peter Bettess responded, 'yes, we do agree' and will be addressed in planning requirements.

Mick Robinson asked why are you considering selling the old Geelong Gaol?

The Mayor responded there are certain ways in other cities around the world that heritage is successfully transformed into better heritage sites.

Cr Ansett added there's also been many developers who buy historical developments that remain undeveloped.

Rhys Booth asked question in relation to the archaeological values and potential of the Old Geelong Gaol:

- 1) Is Council aware, that almost certainly, one burial exists on this land?. With the potential of at least five more. I use the term at least because as we saw at Pentridge archaeology often produces surprises, including potential building dating back pre 1854?
- 2) Does Council understand that if any development were to go ahead concerning the construction of buildings on site whether they are of a private or public nature that under the heritage act an archaeological investigation will be required, the costs of which would be substantial?
- 3) Is the Council aware of potential subterranean structures inside the grounds of the prison? Archaeologists working for the National Government reported a likely connection suggested a connection of some degree between the old Geelong Gaol and the now demolished Courthouse?
- 4) Finally, as we are looking at the past why in the twenty one year's Council has had control and ownership of the heritage site have they not considered either investing, subsidising or donating the prison? This prison has been neglected as an investment?

The Mayor responded this Council would put a lot of rigour around the Gaol and have passionate people on this Council who understand. It certainly isn't part of Council's business to run businesses. Council is aware of the potential of burials on the site.

Michael Williams asked if Amendment C276 is not abandoned tonight and is referred to a panel we will be directly affected. We may be away at the time of a panel hearing. How can we be sure of being notified and participating in the process whilst away?

The Mayor advised participation in the process could be referred to another person appearing on your behalf.

Michael Exton, Principal of St Ignatius College Geelong addressed Council as follows:

Is Council aware that:

- 1) a \$2 million grant toward a new Year 9 Centre is at real risk if the vacant Council land cannot be acquired? There are no Options B, C or D for additional land?

The Mayor responded he was unaware until this evening.

- 2) the long-term use or need of the St Leonards land owned by the local Catholic Parish has not yet been determined, and St Ignatius College is not in a position to accelerate the process?

The Mayor indicated he was made aware of this by Cr Eddy Kontelj. All other Councillors have been briefed.

- 3) the Church's internal processes to determine these issues will take time and if the sale of the vacant Council land is dependent on the sale of the parish land, then there is a considerable risk that the \$2 million grant from the Commonwealth Government becomes very, very real?

The Mayor responded, 'yes, I understand'.

- 4) the vacant farm land on the other side of Gilles Road, at the rear of the College, is unsuitable due to environmental reasons to accommodate the College expansion?

The Mayor indicated he was sure all Councillors are.

- 5) the stated purpose of the adjoining Council-owned land including the vacant land the College would like to obtain, as specifically zoned in the Council Planning Scheme reads: *“To encourage the use and development of the Drysdale Regional Community and Cultural Hub for a range of civic, community, education and recreation activities”, and these are the very activities that the College proposed for the land?*

The Mayor responded, ‘indeed’.

- 6) the Catholic Parish has committed to continuing dialogue with Council as the parish explores its own long term needs?

The Mayor advised all Councillors are advised now.

- 7) regardless of the outcome for the review for the long-term use of the parish land at St Leonards, that land is currently leased to the Department of Education for use by the well-attended St Leonards Primary School and the Parish is extending that lease as the Education Department have advise they have an on-going requirement for that land?

The Mayor advised he is aware.

Jodie Henner asked what can be done to convince Council to not sell the Gaol, because we are passionate about the history?

The Mayor advised this issue will be debated later this evening.

* *Cr E Kontelj left the meeting room at 7.52pm*

Colin Wallace asked:

On June 24 2014 I asked you, Mr Mayor, to consider if Council’s evident breach of the Ropeworks Section 173 Agreement by not producing the required half-yearly reports was deliberate. Cr Michelle Heagney intervened upon your response, conveying to the meeting the idea that she had obtained some legitimate resolution of the issue of First Street and proper process and consequently there was some justification for a refusal to ever answer the question I put to you. Included in what she said was the mention of her meeting with my wife and me and that we had got a letter.

- 1) Since in her reference to meeting with us Cr Heagney did not mention if anyone else was present and would therefore know what had occurred, would you Mr Mayor and other Councillors note that we have had four meetings in total with Cr Michelle Heagney, Mayor Keith Fagg was present at all four meetings and then Acting Manager of Engineering Services Vicki Shelton was present at the fourth one?
- 2) Since in her reference to meeting with us Cr Heagney was not specific at all about when it occurred, would you also note that these meetings occurred on 3 December 2012, 4 March 2013, 4 April 2013 and 9 May 2013 and observe that they were all prior to the resignation of Keith Fagg?
- 3) Since she was not specific at all about the letter we had got, would Cr Michelle Heagney identify this letter?

In response to Mr Wallace's questions The Mayor advised that Council has formally advised Mr Wallace that we will not be addressing any further questions in relation to this matter.

* *Cr E Kontelj re-entered the meeting room at 7.54pm*

Jennifer Bantow asked question in relation to the Old Geelong Gaol:

The National Trust is concerned that the recommendation to sell the Old Geelong Gaol comes from a Finance Committee, no-one from a cultural or heritage point of view was on this committee, giving the impression that there was no consideration of other value, the only consideration was finance? Also that the reference is said to be 'Sale of Land', this is not an empty block, it's what's on the land that's of great value!

Cr Farrell responded, that just to be clear, the process around the Submission Panel is that the Panel hear submissions and makes a recommendation to Council. The Panel has no further power.

PETITIONS: Nil.

1. AMENDMENT C276 - REZONING OF 35 HAMS ROAD AND 151-229 ANGLESEA ROAD, WAURN PONDS - CONSIDERATION OF SUBMISSIONS

Portfolio:	Planning- Cr Heagney
Source	Planning and Tourism - City Development
General Manager:	Peter Bettess
Index Reference	Application: C276

Purpose

The purpose of this report is to consider submissions to Amendment C276 to the Greater Geelong Planning Scheme and refer them to an Independent Panel.

Summary

- Amendment C276 proposes to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurin Ponds, from Farming Zone to General Residential Zone Schedule 1, apply the Development Plan Overlay and delete the Public Acquisition Overlay 3 (VicRoads) from the affected part of the site. The amendment also includes minor zoning changes to other areas of land adjoining the primary site.
- The site is bounded by Hams Road to the north, Ghazeepore Road to the east, the Geelong/Warrnambool railway line and the Baanip Boulevard to the south and the Princes Freeway (Geelong Ring Road) to the west.
- Strategic justification for the amendment is provided by the Armstrong Creek Urban Growth Plan (Adopted May 2008; Amended May 2010), the G21 Regional Growth Plan and State and Local Planning Policy.
- At its meeting on 24 June 2014, Council resolved to request the Minister for Planning to prepare and exhibit the amendment. The amendment was exhibited between 7 August 2014 and 8 September 2014.
- A total of 26 submissions were received including 11 late submissions. Six submissions were from referral authorities and 20 objections were from local residents in the Grange Park Estate to the north.
- A number of referral authorities, including the Corangamite Catchment Management Authority (CCMA) and VicRoads, requested changes to the exhibited Development Plan Overlay schedule. The former Department of State Development, Business and Innovation (DSDBI) provided Council with comments about the potential impact of the Boral limestone quarry south of the subject land and associated separation distances.
- The objecting submissions from residents were focussed on the possible increase in traffic through the Grange Park Estate and the associated loss of amenity from traffic noise, road safety, and impacts on the local road network. Concerns were raised about the level of development which residents described as being medium to high density development, the impact on the neighbourhood character of the Grange Park Estate, on-site environmental significance (flora and fauna, including the protection of the natural waterway), and the potential impact of the Boral quarry.
- After exhibition a residents group was formed and a public meeting held on 17th October 2014. A petition of 242 signatures objecting to the proposal was provided to Council.
- On 28 October 2014, Council considered a report on the submissions which recommended they be referred to a Panel. The officer's report was similar in content to this current report. Council resolved that the report be deferred.

- This followed a request from the proponent to defer consideration of the matter so that specialist consultants could be engaged to undertake a more detailed analysis of issues raised in submissions.
- Between November 2014 and March 2015 the proponent's consultants prepared three reports: a Planning Review, a Traffic Impact Assessment Report and Surveys of Growling Grass Frog, Natural Spring and Bird Habitat.
- In the same period two meetings have been held with representatives of the residents from the adjoining Grange Park Estate. The meetings included the proponent, Council officers and the Ward Councillor and occurred both before and after the further consultant's work was commissioned.
- The results of the further studies are outlined in this report. Changes have been made to the Development Plan Overlay Schedule to address some of the issues raised by submitters. However, there are still outstanding issues that have not been resolved.
- In accordance with the Planning and Environment Act 1987, Council must now either: change the amendment in the manner requested by the objecting submissions; refer submissions to an Independent Panel appointed by the Minister for Planning; or abandon the amendment or part of the amendment.
- It is recommended that the submissions be referred to an Independent Panel appointed by the Minister for Planning.
- A Panel hearing will provide a forum for all parties (submitters, the proponent and Council) to put their views forward to independent and impartial panel members who will then make recommendations back to Council as the Planning Authority.

Cr Richards moved, Cr E Kontelj seconded -

That Council having considered all submissions to Amendment C276 to the Greater Geelong Planning Scheme, resolve to abandon the Amendment.

Carried.

Division Requested:

For: Crs Ansett, Harwood, Nelson, E Kontelj, Ellis, Lyons, Richards, Farrell, Irvine

Against: Crs Fisher, Heagney, Macdonald

Background

Amendment C276 has been prepared by SMEC Urban consulting group on behalf of the landowners Waurm Ponds Trust and Echin Pty Ltd.

The amendment seeks to rezone land at 35 Hams Road and 151-229 Anglesea Road, Waurm Ponds, from Farming Zone to General Residential Zone Schedule 1, apply the Development Plan Overlay to the land and delete the Public Acquisition Overlay 3 (VicRoads) from the affected part of the site.

In addition to the proposed rezoning of land at 35 Hams Road and 151-229 Anglesea Road, Waurn Ponds, Council officers propose to:

- rezone the Powercor substation at 25 Hams Road, Waurn Ponds, from Farming Zone to General Residential Zone Schedule 1;
- rezone the VicRoads land to the south and west of the site from Farming Zone to Road Zone Category 1;
- rezone the Barwon Water land between the site and the Geelong/Warrnambool railway from Farming Zone to Public Use Zone 1; and
- delete the Public Acquisition Overlay 3 from the affected land in this area.

Appendix 1 provides a site location plan for all land affected by the amendment.

Appendix 2 shows the proposed rezoning of all land affected by the amendment.

Appendix 3 shows the application of the Development Plan Overlay to land at 35 Hams Road and 151-229 Anglesea Road.

Appendix 4 shows the deletion of the Public Acquisition Overlay 3 from the affected areas of land.

On 24 June 2014, Council resolved to exhibit the amendment, subject to authorisation from the Minister for Planning.

On 1 July 2014, Council wrote to the Minister for Planning requesting authorisation to prepare and exhibit the amendment. In accordance with the Planning and Environment Act 1987, Council prepared the amendment without authorisation after 16 July 2014.

A notice of preparation of the amendment appeared in the Victorian Government Gazette on 7 August 2014. Notices also appeared in the City News section of the Independent on 1 August 2014 and the Geelong Advertiser on 2 August 2014. Letters and notices were sent to nearby landowners and occupiers on 30 July 2014 and relevant Ministers and referral authorities on 31 July 2014.

The amendment was exhibited from 7 August 2014 to 8 September 2014.

Discussion

The exhibition resulted in a total of 26 submissions (including 11 late submissions made in October 2014). A map showing the location of submitters proximate to the subject land is shown in Appendix 5.

Six referral authorities provided comments on the amendment. No objections were received from referral authorities.

The coordinated response from the former Department of Transport, Planning and Local Infrastructure (DTPLI), VicRoads and Public Transport Victoria (PTV) did not object to the amendment provided that the VicRoads recommended changes to the schedule to the Development Plan Overlay were made. The changes requested related to road names and the requirement for an acoustic survey. These changes will be discussed later in this section.

DSDBI provided an informal response in relation to the proximity of the subject land to the Boral quarry. An extension of time was subsequently requested by DSDBI to provide Council with a formal response.

The CCMA requested one change to the schedule to the Development Plan Overlay in the form of a requirement for Flood/Hydraulic analysis.

Other relevant referral authority submissions will be discussed later in this report.

All objections to the exhibited amendment were received from residents of the Grange Park Estate, which is located to the north of the subject land. Key issues raised by submitters can be grouped as follows:

- Need/justification for rezoning farmland;
- Traffic impact and associated issues;
- Environmental issues;
- Proposed subdivision and development of the subject land- Impact on neighbourhood character;
- Boral Quarry;
- CCMA;
- DTPLI (VicRoads);
- Consultation.

A schedule of submitters and summary of submissions is provided in Appendix 6. A Council officer response to each individual submission is also included.

The following section discusses the key themes raised in submissions and provides a detailed council officer response, beyond the responses provided in Appendix 6. In the event that Council resolves to request the Minister for Planning to appoint an Independent Panel, this section will form the basis of Council's submission to the Panel.

Justification

A number of objectors questioned the need to rezone the subject land. Submissions generally focused on the loss of farmland and associates rural character, existing on-site constraints and adjoining land use constraints.

Council officer response:

It is important to outline the strategic basis for the rezoning application, which will provide a background as to why the subject land is being considered for residential use.

Strategic justification

The planning report states:

"The subject site provides an 'infill' development opportunity to consolidate the existing urban area of Waurin Ponds and make efficient use of surrounding physical and community infrastructure."

The planning report goes on to state:

"The subject site is the last remaining piece of Farming Zone land in the Waurin Ponds area. It is a fragmented piece of farm land and is not of a size and nature which is suitable for the majority of agricultural practices."

Council officers agree with the proponent's Planning report in so far as the subject land represents an 'infill' residential development opportunity that will consolidate the existing urban area and make efficient use of surrounding physical and community infrastructure. It is agreed that the subject land forms the last remaining wedge of fragmented farming land in the Waurin Ponds area. The loss of fragmented farming zone land is not considered a significant issue that would warrant the abandonment of the amendment. It is also noted that the land is only used for minor cattle grazing.

The Armstrong Creek Urban Growth Plan (UGP) (Adopted 13 May 2008; Amended May 2010) specifically refers to the site, being land “Northwest of Growth Area”. The UGP states:

“An isolated area of rural-zoned land is located north west of the growth area at 151-229 Anglesea Road and 35 Hams Road, Waurin Ponds. The land is between the future quarry area, the railway line and residential land, and is likely to be affected by the link road that will link the Geelong Ring Road to Surf Coast Highway via Anglesea Road.

It is recommended that land on the northern side of the proposed east-west link road that is not required for road purposes be considered for future residential and/or recreation zoning. This may add to the existing residential area to the north and increase the population within the catchment of the proposed Rossack Drive Railway Station and associated local activity centre.

The future of this land should be confirmed after the alignment of the link road is determined by VicRoads and take into account amenity issues created by the road. Land that falls outside (south) of the proposed east-west link should be reviewed at the same time.” (Emphasis added)

The UGP outlines the strategic approach for the consideration of the site, being investigating the potential rezoning of farming land for residential purposes. Given that the new road alignment for the Section 4C Baanip Boulevard has been determined and is now under construction, it is appropriate to consider the land for residential development - Amendment C276 comprises the formal assessment of the site.

The G21 Regional Plan (April 2013) and the G21 Residential Land Supply Monitoring Project (October 2013) are also important considerations in the strategic justification for rezoning the site.

The G21 Regional Plan seeks to deliver co-ordinated growth in the region to the year 2051 and make land supply available to provide for the predicted population target of 500,000 people. In responding to these considerations, the G21 Regional Plan seeks to minimise the continued expansion of the urban footprint and provides for a mix of infill development and targeted new development areas in suitable locations. The Regional Growth Plan defines urban Geelong as being the urban area within the Geelong Ring Road extending southwards from Norlane and inclusive of the Armstrong Creek Urban Growth Area. The subject land is considered to fall within this area.

The G21 Residential Land Supply Monitoring Project also identifies the site as ‘*potential residential*’ land.

Rezoning of the subject land for residential purposes will assist in implementing the objectives of the G21 Regional Plan by delivering residential land supply to accommodate for future population growth. It will also assist in maintaining an adequate supply of residential land within the municipality and assist in minimising the urban footprint.

The amendment will facilitate the rezoning of the site in accordance with Regional and Council strategic directions for this area. Further consideration of the Greater Geelong Planning Scheme provisions is provided in the *Policy* section of this report.

The amendment will also provide a range of net community benefits such as retention of the waterway, public open space, housing options, cycle and pedestrian links and a contribution toward regional community infrastructure. This will result in a positive planning outcome for Geelong and is a logical land use proposal for the site.

Traffic

The majority of submissions focused on the impact of increased traffic on the Grange Park Estate, the limited access to the subject land from Ghazeepore Road, the new intersection at Hams Rd/Ghazeepore Rd and the cumulative impact of development in the area on the surrounding road network.

Council officer response:

Grange Park Estate local road network

The extent to which vehicles will use the Grange Park Estate as a thoroughfare to Ghazeepore Road is difficult to determine at the rezoning stage as a development plan or subdivision layout have not been prepared. However, it is expected that the new intersection arrangement at Hams Rd/Ghazeepore Rd junction will be the principal access to and from the subject land.

It is acknowledged that the Grange Park Estate road network is designed to suit a more low density style residential subdivision and does not include typical General Residential Zone subdivision infrastructure such as footpaths or cycle lanes. Notwithstanding this, it is noted that the carriageway width of Grange Park Drive is similar to that found in other subdivisions in the general area, for example on the opposite side of Ghazeepore Road at Oakwood Cr.

A Development Plan Overlay will be applied to the subject land, which will require the proponent to prepare a development plan that will establish a framework for future subdivision and development of the land. It will also look at issues external to the subject land that must be addressed as a consequence of the development, such as traffic impact.

The Development Plan will include a *Road Network and Traffic Management Plan*, which will require a detailed traffic impact assessment. The exhibited DPO schedule confirms the following:

"The Road Network and Traffic Management Plan is to address all off-site traffic infrastructure requirements associated with the development of the site."

Consequently, the traffic impact assessment will fully consider the impact of the residential development of the subject land on the surrounding road network and provide measures to ensure that the road network can manage the increase in vehicle movements.

In specific terms, the traffic impact assessment will need to look at the two proximate junctions to the subject land, being Hams Rd/Ghazeepore Rd and Hams Rd/Grange Park Dr. The traffic impact assessment will need to look at the likely vehicle movements at these junctions and determine the extent of upgrade works necessary, if any, to ensure they continue to operate at an acceptable standard.

Road safety/Pedestrian safety

The issue of road safety/pedestrian safety raised by submitters from the Grange Park Estate is a valid concern. Given the existing road network in the Estate does not provide footpaths or cycle lanes and that residents are required to use the road carriageway as their footpath, this raises issues of safety in both the current context and future context as a result of potential increase in vehicle movements through the Estate from the subject land.

As outlined previously, the traffic impact assessment will look at the surrounding road network and determine if any traffic management improvements are required to the surrounding road network as a consequence of the residential development of the subject land. Notwithstanding this, the schedule to Development Plan Overlay requires that:

“The Road Network and Traffic Management Plan must be accompanied by a Road Safety Audit prepared by an appropriately qualified person and must address any safety issues raised in the Audit which arise as a consequence of the development of the land.”

The requirements of the exhibited schedule to the Development Plan Overlay in relation to road network and traffic management matters are considered reasonable and fit for purpose.

In discussion with Council's transport engineers, it is considered that detailed issues in relation to potential traffic implications on the surrounding local road network can be dealt with at the Development Plan stage. At that point, it will be possible to undertake a detailed assessment of likely vehicle movements arising from the subdivision of the subject land.

Access to the subject land and new intersection at Hams Rd/Ghazeepore Rd

Submitters raised concern about the limited access options to the subject land from Ghazeepore Road and how an increase in traffic would create issues at the Hams Rd/Ghazeepore Rd junction - the result of this being more traffic through the Grange Park Estate. Some submitters also questioned the effectiveness of a roundabout intersection at this junction.

Vehicle access to the subject land from Ghazeepore Road is limited to the Hams Rd/Ghazeepore Rd junction. It will not be possible to provide additional vehicle access points off Ghazeepore Road given the location of the Powercor substation and the proximity of the subject land to the Geelong/Warrnambool railway line level crossing.

Council has not determined the type of intersection to be provided at the Hams Road/Ghazeepore Road intersection. This will be finalised by the road network and traffic management plan. However, Council traffic engineers have discussed the possibility of a roundabout intersection at the Hams Rd/Ghazeepore Rd junction. The upgrade of the intersection at Hams Rd/Ghazeepore Rd will need to be of a standard suitable to accommodate the majority of vehicle users requiring access to Ghazeepore Road and the wider road network. There are a number of benefits to upgrading the intersection at Hams Rd/Ghazeepore Rd in the form of a roundabout. They can be summarised as follows:

- Balanced turning and through movements is an ideal environment for a roundabout;
- Is an appropriate intersection treatment for the intersecting road categories;
- Introduces a slow point in Ghazeepore Rd where speeding is a source of resident complaints;
- Reduces the amount of conflict points;
- Provides reasonable pedestrian amenity (splitter islands that act as pedestrian refuges so that they can cross one carriageway at a time);
- Continues a theme along Sugar Gum Dr where there will be roundabouts at each end, with two midblock;
- It has an adequate distance from the level crossing so as any queues that form from northbound traffic at the roundabout will not extend that far;

- It should act as a deterrent to trucks using Ghazeepore Rd and especially Sugar Gum Dr.

It is considered that an upgraded intersection arrangement at the Hams Rd/Ghazeepore Rd junction would be sufficient to accommodate the increased traffic arising from the subject land and minimise any use of the Grange Park Estate as an alternative route, albeit elongated, to Ghazeepore Rd. In discussion with Council traffic engineers, it is considered unlikely that there would be any real traffic implications from the upgraded intersection at Hams Rd/Ghazeepore Rd- this includes the cumulative impact arising from surrounding developments.

Cumulative traffic impact

A number of submitters raised concern about the cumulative impact of developments in the area, including the proposed rezoning of the subject land. Submitters discussed the detrimental impact on Ghazeepore Road- a road that already carries large volumes of traffic and is hindered, in parts, by on-road car parking.

As a result of the residential development of the subject land, traffic volumes on Ghazeepore Road will increase. The actual traffic volume figures will be dependent on the extent of subdivision of the subject land. It is expected that traffic volumes will also increase in Sugar Gum Drive and Monterey Drive.

In addition to the potential increase in traffic from the residential development of the subject land, Council officers are fully aware of ongoing developments in the vicinity including the new Waurin Ponds railway station to the east, the new Baanip Boulevard to the south, both of which are currently under construction, and the subdivision of land within the Grange Park Estate (45 Grange Park Drive; Permit ref: PP420/2014).

It is understood that the railway station will be limited to 292 car parking spaces and consequently, 600-700 vehicle movements are expected per day. The Baanip Boulevard will provide a new signalised intersection giving access to the Surf Coast Hwy, Anglesea Road, Princes Hwy and the Geelong Bypass. The subdivision at 45 Grange Park Drive is currently being considered by Council and is likely to require upgrades to the local road network (Grange Park Drive) and traffic management measures.

Council officers acknowledge that the cumulative impact of developments in the area is a consideration in terms of the impact on the road network. A further assessment of the proposed development and its contribution to the cumulative impact on the surrounding road network will be considered at the detailed development plan/planning permit stage.

Environmental concerns

Submitters raised a number of environmental concerns. Submitters considered that the site provides a habitat for a range of species including growling grass frog and that development of the land will lead to the destruction of vegetation and animals. Submitters stated that it is important to address the ecological importance of the site during the rezoning stage and stressed the importance of the waterway for biodiversity. One submitter raised an issue about the site previously containing a livestock dip.

Council officer response:

Fauna

The supporting Flora and Fauna Assessment considered the potential of the site to provide fauna habitat. It advised that the site contains patches of low quality vegetation with little habitat for significant species (degraded habitat). The report also stated that the waterway contains the most environmental sensitive areas within the site and requires careful consideration to avoid adverse impacts at the design stage.

The report did not identify any fauna of state or national significance during the site inspection.

Notwithstanding the findings of the flora and fauna assessment, Council officers consider it prudent to adequately address Clause 12.01 Biodiversity and Clause 21.05-3 Biodiversity of the Planning Scheme. This can be achieved by including a requirement in the schedule to the Development Plan Overlay for a detailed fauna assessment to be undertaken.

The purpose of the detailed fauna investigation will be to determine the use of habitat on site by significant fauna species, assess potential habitat and provision of measures required to mitigate impacts arising from development. Importantly, this requirement is also in response to the concerns raised by submitters in terms of the perceived ecological value of the site, the waterway and the indication of specific species seen on site, being growling grass frog and other significant species.

The requirement for a detailed fauna survey is further supported by the intention to carry out works to the waterway, which will be principally overseen by the CCMA. It would be beneficial to undertake the detailed fauna assessment during the preparation of the Development Plan to provide for an informed process prior to subdivision and development. (See Appendix 8 for the updated schedule to the Development Plan Overlay).

When dealing with relatively unknown technical issues such as on site biodiversity, it is important to exercise the precautionary principle through the strategic planning process. It is considered that the rezoning of the subject land can continue to be progressed on the basis that the above requirement is included in the schedule to the Development Plan Overlay.

Waterway

The retention of the waterway through the subject land has been a long standing objective of Council and the CCMA. The exhibited schedule to the Development Plan Overlay requires the retention of the designated waterway, both the length and alignment, a vegetated buffer of no less than 20 metres on both sides of the waterway and also, the preparation of a waterway management plan. In addition to this, Council officers will now be seeking a detailed fauna assessment of the subject land to ensure there are no adverse impacts on biodiversity.

The above requirements are considered sufficient to ensure appropriate treatment to the designated waterway and associated environmental/ecological matters.

Potential contamination

One submitter made reference to the subject land containing an historical livestock dip. The dip is not apparent when out on site and the submitter has not provided any factual information to confirm the statement. Council officers have sought additional information from the submitter and proponent and are waiting for information to be provided.

Given the historical agricultural land use of the site, there is potential for a livestock dip to have been used in the past. In discussion with Council's Environmental Health unit, it is considered that it would be in Council's interest to require an environmental assessment as part of the Development Plan. This will ensure that before a sensitive use commences, in this case being a residential use, the land must be deemed suitable for that sensitive use. (See Appendix 9 for updated schedule to the Development Overlay). The environmental assessment will require the proponent to confirm the extent and location of contamination on site, if any. Where significant contamination is identified, further works will be required to confirm the ability of the subject land to be used for residential purposes.

This issue will be further discussed during the weeks preceding and during the Panel Hearing to ensure the appropriate requirement/tool is used - the provision of further information from the submitter is crucial to determining the level of action required by Council.

Proposed Subdivision and Development - Impact on Neighbourhood character

Numerous submitters raised concerns about the extent of development on the subject land and described it as 'overdevelopment' and 'high density development'. Submitters also requested that the future subdivision of the subject land should match the subdivision layout/character of the Grange Park Estate.

Council officer response:

Subdivision layout

The request for the subject land to be subdivided in manner that matches that of the Grange Park Estate is considered to have limited justification.

The Grange Park Estate, whilst affected by a number of covenants (as advised by submitters), is not safeguarded by any planning control in relation to neighbourhood character or heritage.

Council officers acknowledge that the Estate is rather unique in comparison to other subdivisions in the surrounding area. It is not representative of a typical General Residential Zone subdivision layout. It contains large lots and has an internal road layout that has similar characteristics to that found in a low density residential subdivision.

Council officers consider that there is planning merit in requiring the subject land to be subdivided along its frontage to Hams Road in a manner that provides a transition between the existing Grange Park Estate subdivision.

This requirement can be achieved using the schedule to the Development Plan Overlay in clause 3.0 Urban Design. A requirement will be included in the schedule to ensure that land fronting Hams Road is subdivided using a 'conventional residential layout'. This will ensure that there is a relative transition between land uses to the north and south. (Conventional residential layout is generally considered to range between 500-1000 sq. metres lots.)

Council officers consider this will lead to a good planning outcome and should provide submitters with a reasonable level of comfort in terms of issues raised about the impact on neighbourhood character.

Overdevelopment/High Density Development

Concerns about overdevelopment and high density development are noted. However, the rezoning stage does not normally stipulate density requirements. This is a matter that is considered as part of the approval of the Development Plan and permits for subdivision.

Submitters have compared the potential subdivision layout of the subject land to the low density style subdivision layout found in the Grange Park Estate. In comparative terms, submitters have suggested that the future subdivision of the subject land will be 'high density'. Given the relative large sized lots in the Grange Park Estate, it is understandable that submitters from this area have raised concerns.

The schedule to the Development Plan Overlay will require a general subdivision layout that seeks a range of lot sizes and densities to provide for a range of housing types. It is highly unlikely that the subject land will contain what is known in the planning profession as 'high density development', which is generally the provision of lots at a density of 40 dwellings per hectare. The subdivision of the land is likely to predominantly consist of 'conventional style housing' with some areas of medium density housing.

Some submitters also raised issues about the draft concept plan that was included in the Council report of 24 June 2014. This plan was originally submitted to Council with the rezoning application. It was prepared for discussion purposes only and is not intended to represent the final layout or lot yield for the subject land. It simply demonstrates how the subject could be dealt with in terms of road layout, open space, drainage and density. The planning application also talks about an estimated lot yield of around 400 units. As discussed above, in comparison to the Grange Park Estate, this would be seen by submitters from the Grange Park Estate as 'high density' but in planning terms, this is not considered 'high density' and importantly, is not being proposed as part of the rezoning application.

Boral Quarry

A key issue in the consideration of the rezoning application is the proximity of the Boral limestone quarry and associated separation distances for non-blasting quarrying operations.

The EPA advises that residential encroachment on industry is one of EPA's top 6 key focus areas. With residential developments being built closer to existing industry, this can cause health and amenity impacts on the community and can affect industry viability. The EPA recommends that Council consider whether the General Residential Zone is an appropriate interface to the Boral Quarry (interface being land uses that are located within the separation distance between industrial land uses and sensitive land uses.) The EPA advises that sensitive land uses that require a separation distance are discouraged by EPA's separation distance guidelines. The EPA recommends that Council seek DSDBI's input on the amendment, specifically in relation to the potential impacts to residential development at this separation distance.

DSDBI provided Council with an informal response to the exhibition of the amendment.

DSDBI advised that the quarry extraction limit is in the process of being revised due to the proximity of the new Baanip Boulevard. The revised location of the extraction limit will enable DSDBI to assess the suitability of the separation distance between the quarry and the proposed residential zoning, being Amendment C276. DSDBI advised that a dust study was being prepared by VicRoads to assist in the determination of a suitable extraction limit with respect to the new road..

DSDBI advised that should discussions between VicRoads, Boral and DSDBI not be finalised prior to the exhibition closing date (8 September 2014), it will request additional time to provide Council with a formal response.

DSDBI followed up with an email of 24 October 2014. The email included a map showing an approximate location of the potential southern boundary of sensitive locations (including residences) in the land immediately north of Baanip Boulevard by measuring a distance of 250 metres (in accordance with EPA requirements) from the proposed new extraction limit. The new extraction limit is approximately 20 metres south of the Baanip Boulevard road reserve. Based on this information Council officers prepared the map in Appendix 7. The map shows the area of the proposed C276 residential rezoning that is affected by the 250 metre buffer from the new extraction limit of the Boral quarry.

The area affected is approximately 6ha which is 25% of the total 24 hectare site proposed for the General Residential Zone.

The proponent has advised Council that they will seek to address this matter prior to and during the course of the Panel Hearing.

Corangamite Catchment Management Authority (CCMA)

The CCMA has recommended that an additional requirement be included in the schedule to the Development Plan Overlay (clause 3.0 *Flooding, Stormwater and Drainage Management Plan*) in relation to flooding. The CCMA states that land within the affected area is subject to flooding to an 'unknown extent'. This request is considered logical in so far as determining the extent of the flooding on land that is being proposed for future residential use.

The CCMA has provided wording for inclusion in the schedule to the Development Plan Overlay (Refer to CCMA's submission (Submission No.1)).

Council officers consider that the CCMA's wording can be shortened and summarised as follows:

"A Flood Impact Report."

Council officers have also updated clause 4.0 Decision Guidelines of the schedule to the Development Plan Overlay. The change reflects the requirement for the flood impact report and for Council to seek the views of the CCMA in the assessment of the report given the CCMA is the managing authority for this designated waterway.

DTPLI (VicRoads)

The coordinated response by DTPLI on behalf of VicRoads has requested that the schedule to the Development Plan Overlay be updated to reflect the correct road names for the Princes Freeway and Baanip Boulevard. Council officers have made the relevant changes the schedule.

VicRoads also requested that the schedule to the Development Plan Overlay be updated in relation to the Acoustic survey. VicRoads proposed the following wording:

"Acoustic noise measurements and modelling must be undertaken to determine whether any proposed residential property is predicted to have noise level exceeding 63dBA (L1018hr) based on predicted traffic volumes 10 years hence from the Princes Freeway (Geelong Ring Road) and Baanip Boulevard. The Acoustic Report must include recommendations and conclusions about the extent of any works necessary to mitigate noise impacts to the satisfaction of VicRoads and the Responsible Authority."

Council officers originally included the requirement for an acoustic survey for the Baanip Boulevard. The acoustic assessment prepared in support of the rezoning application considered the Princes Freeway (Geelong Ring Road) and determined that no measures were necessary to mitigate against noise. Hence, Council officers request for only the Baanip Boulevard to be surveyed.

Council officers have sought clarification from VicRoads regarding their request to change the schedule to the Development Plan Overlay in relation to this issue. Council officers will give further consideration about updating the schedule once VicRoads has responded.

Subsequent changes have been made to clause 4.0 Decision Guidelines to ensure the views of VicRoads are sought in relation to any noise mitigation works.

Consultation

A number of submitters raised concern about the limited consultation undertaken and that the proponent should undertake a full consultation exercise to ensure that everyone in the Grange Park Estate knows about the proposed rezoning.

Council officer response:

Council officers notified affected properties fronting Hams Road and properties extending into the Grange Park Estate. Amendment notices were also placed in the Geelong Independent and Advertiser. It is noted that submissions were received from residents in the Grange Park Estate who did not receive direct notification. This may have been as a consequence of word of mouth or resident handouts.

Given the recurring theme of submissions raised by submitters from the Grange Park Estate, Council officers consider that all relevant issues have been raised and as such will be given due consideration as part of the rezoning process.

In response to a number of submitters, Council officers have offered meetings to discuss the proposed rezoning application. After exhibition a residents group was formed and a public meeting held on 17th October 2014. A petition of 242 signatures objecting to the proposal was provided to Council.

On 28 October 2014, Council considered a report on the submissions which recommended they be referred to a Panel. Council resolved that the report be deferred following a request from the proponent so that specialist consultants could be engaged to undertake a more detailed analysis of issues raised in submissions. These reports are described below.

In the same period two meetings have been held with representatives of the residents from the adjoining Grange Park Estate. The meetings included the proponent, Council officers and the Ward Councillor and occurred both before and after the further consultant's work was commissioned.

Additional Consultant Reports

Between November 2014 and April 2015 the proponent's consultants prepared three reports:

- *Planning Review - 35 & 69-93 Hams Road, Waurm Ponds*, 1 April 2015 (SMEC)
- *Traffic Impact Assessment Report - 35 & 69-93 Hams Road, Waurm Ponds*, March 2015 (SMEC)
- *Fauna Survey - Growling Grass Frog, Natural Spring, and Bird Habitat Survey*, Feb 2915 (Practical Ecology)

The *Planning Review* conclusions include:

“The subject site is capable of accommodating residential development being largely unconstrained, topographically suitable, serviceable and easily accessed. The site is immediately abutting existing residential land and is clearly defined adjacent rail and road networks, and thus does not give any rise to issues of sprawl or need for consideration in that regard. The principle of the development of the land for residential purposes is sound.”

In relation to impacts on the Grange park Estate, the review states:

“The issues of impacts to immediate residents to the north will be addressed through the provision of larger lots to that interface, providing a respectful response and appropriate transition in lot sizes across Hams Road.”

The review includes a plan showing larger lots (in the order of 750 square metres or larger) fronting Hams Rd. This plan is in Appendix 8. Council officers propose a change to the Development Plan Overlay (DPO) schedule to reflect this outcome (see next section of this report).

The *Traffic Impact Assessment Report* investigates proposed access arrangements to the site and assesses the traffic and safety implications of its development on the existing surrounding area and transport network. The report also considers the potential for “rat-running” along Grange Park Drive to access Ghazeepore Road and travel north of the site. Based on the findings of this report, SMEC is of the opinion that the proposed residential development of the site will not have an adverse impact on the operation of the surrounding road network. However, the report outlines a variety of options for “Local area traffic management treatments” (LATM) to limit “rat running” through the Grange Park estate, these include:

- Diversion Devices – e.g. Full road closure, Half road closure, Diagonal road closure, Modified T-intersection (as a traffic calming measure or to change priority) and Left in/ left out islands;
- Horizontal & Vertical Deflection Devices – e.g. Lane narrowings/ kerb extensions, Slow points, Centre blister islands, Midblock median treatments and Roundabouts, Road humps (to be installed as part of the Chablis Park Estate development), Road cushions, Flat top road humps and Raised pavements;
- Signs and Linemarking

The DPO has been changed to require LATM, the details of which will need to be resolved with Council traffic engineers.

The additional *fauna survey* report by Practical Ecology was intended to address community concerns regarding the rezoning while also guiding a decision on whether a referral is required for the threatened Growling Grass Frog (GGF) *Litoria raniformis* under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

Three waterbodies were surveyed for the presence of the GGF and suitable habitat. No GGF were detected over two nights of surveys. The report found that the significance of these waterbodies to the GGF is low and a referral is not recommended.

Proposed changes to the amendment

Council officers have amended the exhibited version of schedule 32 to the Development Plan Overlay in response to submissions and the additional consultant reports. A copy of the updated schedule 32 to the Development Plan Overlay is provided at Appendix 9 (track changes shown).

The post-exhibition changes are summarised below.

- The “Urban Design Master Plan” includes an additional requirement for residential lots of a minimum 750 square metres in area along the frontage to Hams Road to address the interface with the Grange Park Estate to the north.
- The “Road Network and Traffic Management Plan” includes two additional requirements:
 - Local area traffic management treatments to minimise vehicles from the development ‘rat-running’ or short cutting through Grange Park Drive and Brentwood Way to access Ghazeepore Road.
 - Vehicle access to the site to be limited to two access points on Hams Road only with no direct access to Ghazeepore Road
- The “Flooding, Stormwater and Drainage Management Plan” includes an additional requirement for a Flood/Hydraulic Analysis
- A requirement has been added for a detailed “Fauna assessment”
- A requirement has been added for an “Environmental Assessment” to assess the level and location of any soil contamination including from the former cattle dipping spray race adjoining the electrical sub-station.
- In clause 4.0 of the schedule- update the clause to reflect the requirement for relevant authorities to consider additional requirements outlined in clause 3.0.
- Various name changes have been made to roads as requested by Vic Roads.

Environmental Implications

The site is in the Farming Zone, it contains approximately 4.8 ha of native vegetation, is traversed by a designated waterway that is considered to have high ecological value (in parts) and is proximate to the Boral quarry and associated buffer requirements.

The rezoning of the site for residential purposes will remove one of the last parcels of Farming Zone land in the Waurin Ponds area. The site is not used for intensive agricultural purposes but rather for limited animal grazing. It is of a size that is considered to be inappropriate for intensive agricultural operations. Consequently, the loss of this land from an agricultural perspective is not considered a significant issue.

Native vegetation will be removed from the site to enable residential development and off-set requirements are likely to be provided off-site. The provision of off-set requirements off-site is considered a good planning and environmental outcome given the on-site constraints and future subdivision requirements.

The schedule to the Development Plan Overlay requires the proponent to undertake a detailed Fauna assessment. This will ensure that the site and in particular, the natural waterway, have been suitably addressed from an ecological perspective prior to subdivision.

In terms of the designated waterway, the CCMA has advised that a vegetated buffer will be required on both sides of the waterway and that its alignment and length should be retained. It is considered that the creation of a linear open space reserve incorporating the waterway, vegetated buffers and open space requirements will result in a good planning and environmental outcome. It will contribute to the rehabilitation of the waterway and formalise this part of the site as a recreational and ecological corridor similar to the approach adopted in the Armstrong Creek Urban Growth Area.

The supporting SWMS advises that potential issues relating to flood and stormwater can be mitigated through the provision of an appropriate retardation management system that will limit any off-site impacts downstream.

Proximity to the Boral quarry and associated potential amenity issues affecting the site will continue to be a consideration through the rezoning of the land. Until the Works Authority for the Boral quarry has been amended and approved, the site will continue to be affected by the industrial air emissions buffer requirements, as per the EPA Guidelines. This matter will be an on-going consideration during the amendment process.

Financial Implications

Beyond the administrative processing of the planning scheme amendment, there will be no financial implications for Council. Should an Independent Panel be appointed by the Minister for Planning, the proponent will bear the costs for this process.

Policy/Legal/Statutory Implications

The strategic justification for the proposed rezoning of the site has been confirmed in previous sections of this report. The Armstrong Creek Urban Growth Plan (Adopted 13 May 2008, Amended May 2010) provides the strategic basis to undertake an assessment as to the suitability of the site for residential purposes.

The G21 Regional Growth Plan and associated background material further provides support for the potential residential use of the land and in a broader context the development of infill sites.

Clause 11.02-1 Supply of urban land seeks to ensure a sufficient supply of land is available for a number of land uses, including residential. To achieve this objective, it is necessary to ensure the ongoing provision of land supporting infrastructure to support sustainable urban development. The proposed rezoning application can facilitate this objective.

Clause 21.06 Settlement and Housing discusses the importance of urban consolidation unless otherwise directed to designated growth areas. Locating development in areas that are well serviced and that have the capacity to accommodate sustainable development. The rezoning of the site from Farming Zone to General Residential 1 Zone will assist in meeting urban consolidation objectives. The site is clearly contained by existing and proposed infrastructure to the south and west. The rezoning of the site will effectively lead to the development of a greenfield site contained within an otherwise urban area.

The proposed General Residential Zone Schedule 1 is considered appropriate for the rezoning of the subject land for residential purposes. The General Residential Zone Schedule 1 will replace the Residential 1 Zone from July 2014. The General Residential 1 Zone is very similar to the Residential 1 Zone in terms of land uses and building and works requirements.

The proposed rezoning of land owned by Barwon Water, VicRoads and Powercor will result in a good planning outcome and will accurately reflect existing land uses and remove the Farming Zone from this general area.

The deletion of the Public Acquisition Overlay 3 is logical in so far as its purpose is no longer relevant due to the acquisition of the affected land by VicRoads.

Other provisions of the Greater Geelong Planning Scheme are relevant in so far as guiding the rezoning and future subdivision of the subject land- in particular, Clause 14.02-1 Catchment planning and management; Clause 52.01 Public Open Space Contribution and Subdivision and Clause 52.10 Uses with Adverse Amenity Potential are of importance in the assessment of the land proposed for residential use.

Alignment to City Plan

The report aligns with the City Plan's strategic direction *Sustainable Built and Natural Environment*. This direction seeks to protect and enhance natural ecosystems and to encourage sustainable design and reduced resource consumption. Specific priorities of the strategic direction included: Enhance and protect natural areas and ecosystems (including waterways); Advocate for and promote sustainable design and development (including the assistance of the planning system).

Officer Direct or Indirect Interest

No Council officers involved in the proposed rezoning application have a direct or indirect interest in matters contained in this report.

Risk Assessment

There are no notable risks that would inhibit the use of the land for residential purposes. The technical assessments prepared in support of the rezoning application outline the necessary steps required to inform the preparation of the Development Plan and subsequent permits for subdivision to ensure potential risks are dealt with appropriately.

It is noted that the land is currently identified as Bushfire Prone. However, the land is not affected by the Bushfire Management Overlay (BMO). The Minister for Planning has determined that specific areas are designated bushfire prone areas for the purposes of the building control system. However, this is matter that will need to be considered during the detailed design and construction stage. The subject land is relatively sheltered in this respect with established residential development to the north, the elevated Geelong Ring Road Section 4B to the west, the under construction Geelong Ring Road to the south and Ghazeepore Road to the east.

Social Considerations

The amendment will result in the rezoning of land for residential purposes proximate to a number of potential amenity constraints such as the Powercor substation, the Geelong/Warrnambool railway, relevant sections of the Geelong Ring Road and the Boral quarry to the south. The rezoning application has sought to deal with these matters and has provided recommendations for future residential subdivision with regard to mitigating any identified issues. It is considered that the land is suitable for residential purposes subject to incorporating the recommendations contained in the relevant supporting technical reports and the advice provided by relevant Council officers and external referral bodies.

The subject land will deliver a sizeable area of linear open space on both sides of the designated waterway. This area will be used for open space purposes and will incorporate a shared path connecting to the existing VicRoads shared path and underpass to the west of the site and to Ghazeepore Road to the east allowing for future connection to the wider regional open space network that will be delivered through the Armstrong Creek Urban Growth Area. This will result in a good outcome for the community.

Human Rights Charter

The Amendment will not impact on any basic rights, freedoms, and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs enabling people to freely express their views and if necessary, obtain a fair hearing before an Independent Planning Panel.

Consultation and Communication

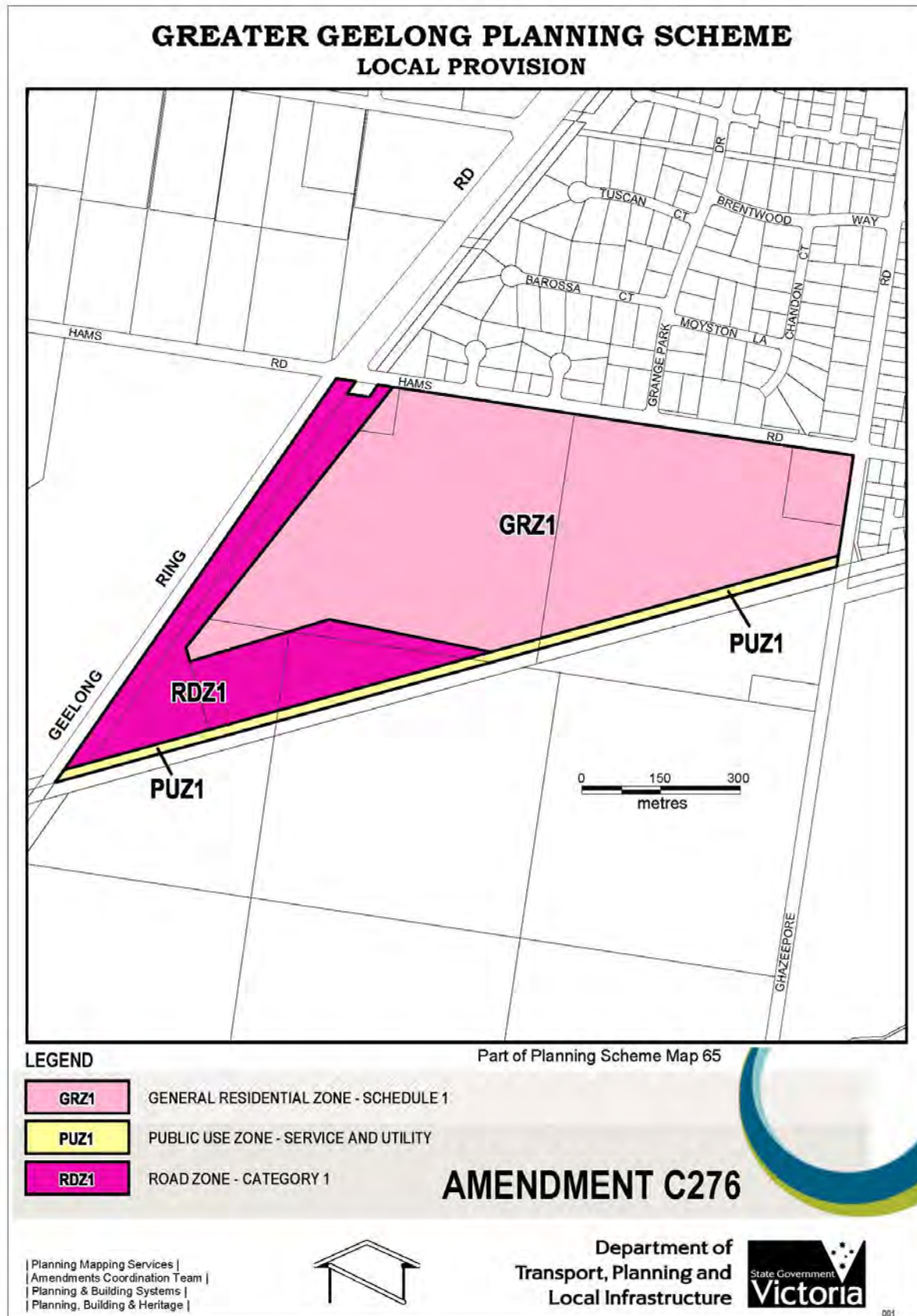
The amendment has been exhibited for 30 calendar days and provided affected property owners and service authorities an opportunity to submit comments for consideration.

Council officers have now considered all submissions and recommend that an Independent Panel be appointed by the Minister for Planning to hear the submissions. This forum will provide submitters with an opportunity to be heard by an independent panel of planning experts. Should Council resolve to request the Minister for Planning to appoint an Independent Panel, Planning Panels Victoria will contact submitters to inform them of the panel process.

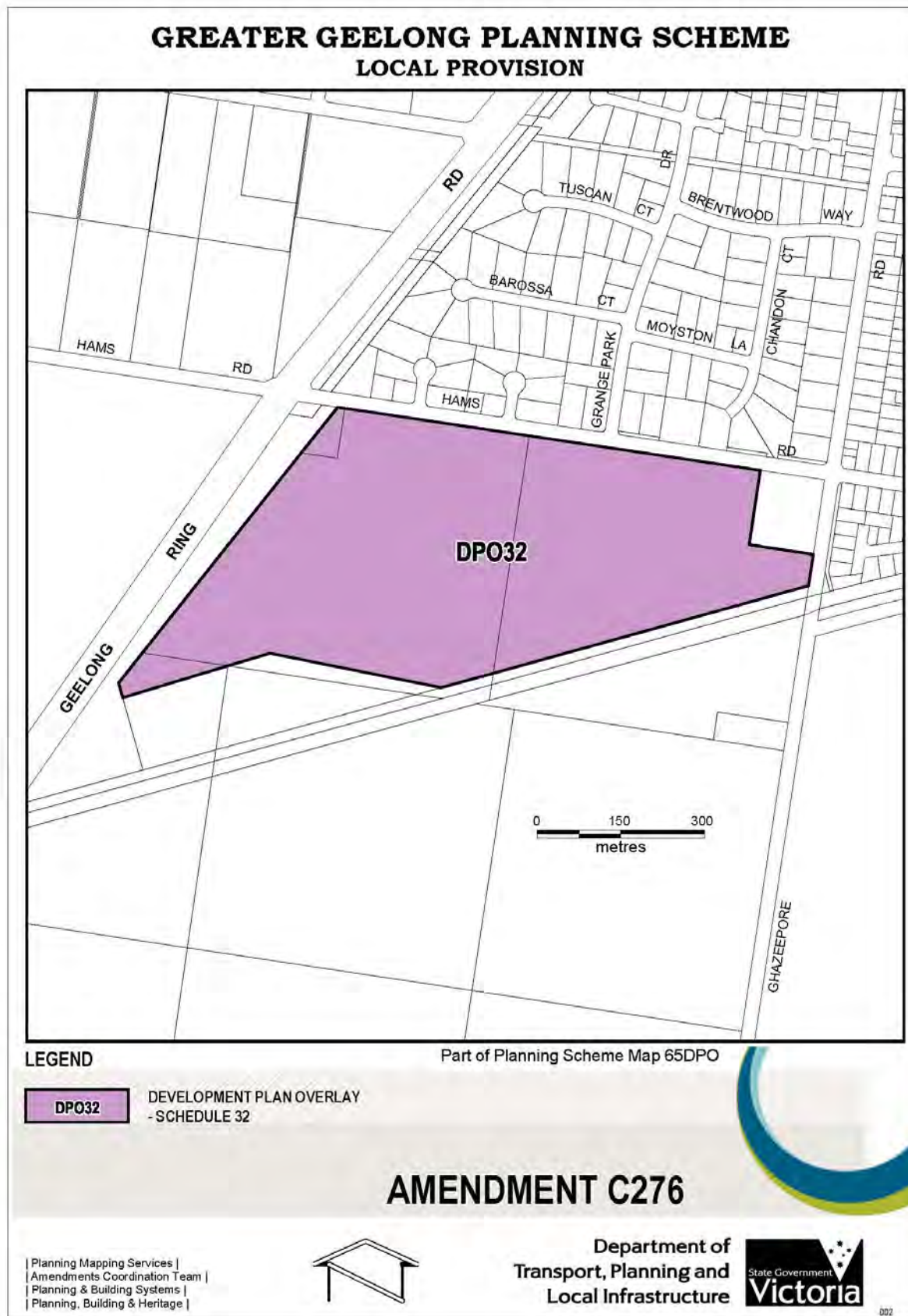
Appendix 1 Site location plan



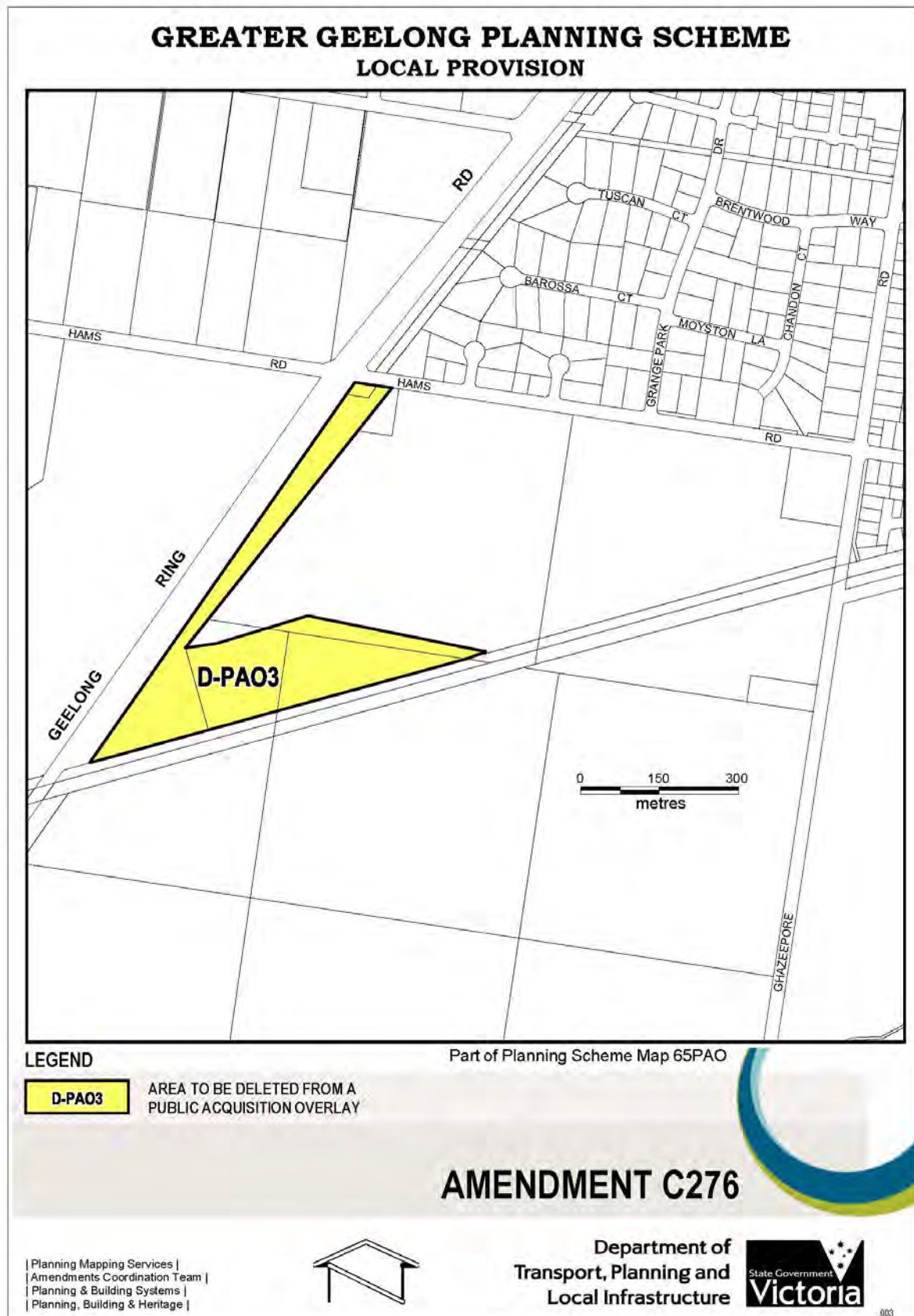
Appendix 2 Proposed rezoning



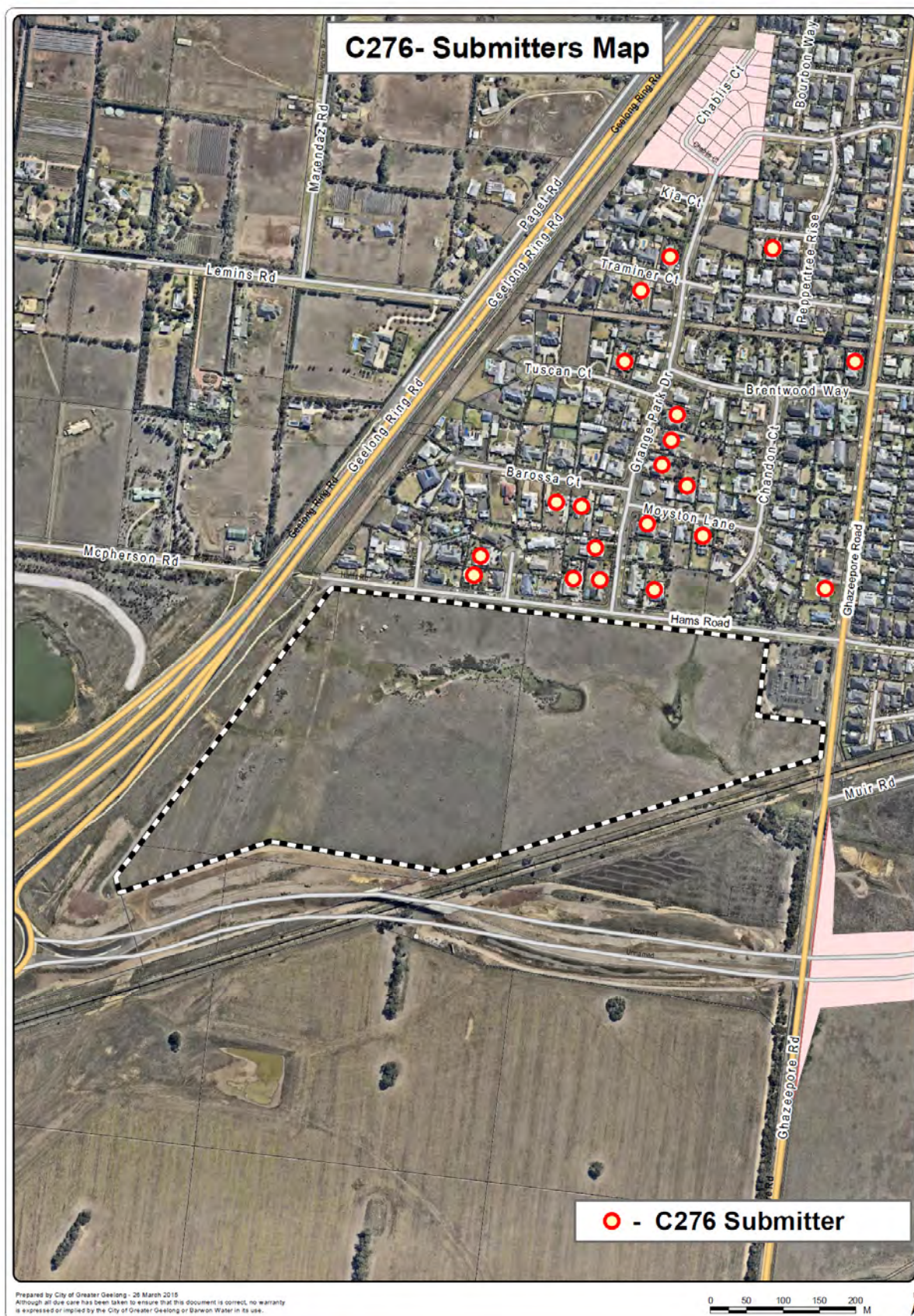
Appendix 3 Proposed Development Plan Overlay



Appendix 4 Proposed deletion of Public Acquisition Overlay 3



Appendix 5 C276 Submitters map



Appendix 6 Summary of Submissions and Response

(Note: Some details of private submitters have been removed)

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
1.	Corangamite Catchment Management Authority (CCMA)	Dr Geoff Taylor	PO Box 159	COLAC VIC 3250	Submission	- Land within the amendment area is likely to be subject to flooding of an unknown extent. - Recommend that wording be included in the DPO schedule requiring a robust and thorough floodplain assessment. (See CCMA's formal letter for proposed wording to be included in DPO schedule). - Acknowledges the requirement for a 20m wide buffer on both sides of the waterway and the recommendation that the waterway alignment be retained. - Supports inclusion of waterway management plan and thorough assessment of stormwater discharges.	CCMA's comments are noted and supported. The DPO schedule has been updated to include a requirement for a Flood/Hydraulic Analysis under the <i>Flooding, Stormwater and Drainage Management Plan</i>.
2.	Department of Environment and Primary Industries (DEPI)	Geoff Brooks	PO Box 103	GEEELONG VIC 3220	Submission	- Site contains native vegetation (NV). - Quality and location of NV would not, under current policy, present an obstacle to anticipated subdivision and development consistent with the proposed rezoning. - NV will need to be offset consistent with the requirements in CI 52.17 in the planning scheme on removal.	DEPI comments are noted in relation to Native Vegetation. The proponent will be required to submit a permit for the removal of native vegetation at a later stage in the planning process.
3.	Department of State Development, Business and Innovation (DSDBI)	Andrew Scott	121 Exhibition Street,	MELBOURN E VIC 3000	Informal submission	- DSDBI has been in close contact with Boral and VicRoads re. the proposed rezoning land. - The Boral quarry extraction limit is in the process of being revised due to the proximity of the new Baanip Blvd. - The revised extraction limit will enable DSDBI to assess the suitability of the separation distance between the quarry and the proposed residential rezoning.	A formal response from DSDBI is anticipated no later than 20 October 2014. This timeline is predicated on VicRoads providing their Dust Study to DSDBI prior to 6 October. Detailed discussion of this issue is provided in the Council report.

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						DSDBI understands that a dust study is being undertaken by VicRoads to assist in the determination of a suitable extraction limit with respect to the new road. DSDBI anticipates that the dust study will be prepared before the closing date for submissions, being 8 September. If not, DSDBI will request an extension of time to allow for a formal position on Amendment C276.	
4.	Department of Transport, Planning and Local Infrastructure (DTPLI)	Jozef Vass	PO Box 775	GEELONG VIC 3220	Submission	- Combined response on behalf of DTPLI, VicRoads and Public Transport Victoria. - No objection to amendment provided that the VicRoads changes are made to the DPO schedule: - Correct references to VicRoads road names. - Update wording in relation to the requirement for an Acoustic survey. - Update wording in the Decision Guidelines section. (Please see Council report for detailed discussion)	The DPO schedule has been updated to reflect the correct road names for the Princes Hwy and Baanip Blvd. The request to change the wording for the acoustic survey is currently being discussed between Council and VicRoads. Further clarification is sought from VicRoads as to their review of the noise assessment prepared in support of the rezoning application. The DPO schedule has been updated to reflect the changes to the Decision Guidelines clause.
5.	Environment Protection Agency (EPA)	Joanne Coupar	Cnr Little Malop & Fenwick Strs,	GEELONG VIC 3220	Submission	- EPA advises that residential encroachment on industry is one of EPA's top 6 key focus areas. EPA notes that residential developments built close to industry can cause health and amenity impacts on the community and can affect industry viability. - EPA notes that the subject land is affected by the 250 metre separation distance from the Boral limestone quarry. - EPA recommends Council consider whether the General Residential Zone is an appropriate interface to the Boral Quarry. (Interface uses	Council officers acknowledge the EPA as an important stakeholder in the rezoning process and consequently, the comments about the 250 metre separation distance from the quarry extraction limit are noted. Council are waiting for DSDBI's formal response about the amendment to the quarry extraction limit and will ensure that further discussions are held with DSDBI regarding the impact of the finalised extraction limit and 250 metre separation instance on the subject land. Detailed discussion regarding the proximity of the Boral Quarry is provided in the Council report.

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						being those located within the 250 metre separation distance). EPA recommends Council seek DSDBI's input on the amendment, specifically the potential impacts to residential development at this separation distance.	
6.	Hudson		Moyston Lane,	WAURN PONDS	Objection	- Rezoning will allow subdivision of the land. - View of farmland will diminish. - Devalue property. - No knowledge of rezoning when they purchased their property 12 months ago. - Increase in traffic and congestion. - Potential increase in crime. - Impact of traffic, congestion and crime would impact on the current quiet and peaceful neighbourhood.	The objector is correct in so far as the rezoning application will lead to the eventual subdivision of the land for residential purposes. A further consequence of this will be that the objector's current view of farmland will change to one of urban development. The loss of views in this respect are not considered a significant barrier to the rezoning of the land. The issue of devaluation of property is not a planning consideration. The objector's lack of knowledge of the rezoning application when they purchased their property 12 months ago is an unfortunate circumstance. The rezoning application was submitted to Council in November 2013. There will be an increase in traffic. The extent to which this will affect the Grange Park Estate has not been determined but will be considered in detail at the development plan stage. The issue of traffic and congestion will be dealt with in the Council report. The potential increase in crime is a subjective issue that is not a consideration as part of the rezoning.
7.	Kelly		Grange Park Drive	WAURN PONDS	Objection	- Concerns about the level of consultation for those property owners directly affected. - Commends the developers for their vision and request to rezone the land. However, must object on the basis of the information provided on Council's website. - Traffic - Proposed high density 430 lot	Council officers notified landowners within the vicinity of the subject land. It is considered that landowners who may be impacted by the proposed rezoning have been notified. Notification was also advertised in the Geelong Independent and Geelong Advertiser. Council officers acknowledge that this submission is not a result of direct notification. Council officers acknowledge the objector's

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						subdivision will require at least 2000 vehicles access, to and from, this estate on a daily basis. ○ Very few road options for entry to the proposed estate for residents. ○ Ghazeepore Road under pressure at the moment and is likely to see more pressure from the new railway station and new Geelong Ring Road. ○ Potential issues with road safety, safety of children, level crossing and lack of pedestrian crossing on Ghazeepore Road. ○ Proposed roundabout at the intersection of Sugargum Drive, Ghazeepore Road and Hams Road seems incompatible – particularly when located within metres of a level crossing and not too much further to the major intersection where Ghazeepore Road meets the new Ring Road connection. ○ At peak times, it seems reasonable to assume that residents of the proposed estate particularly those on the western side will prefer to use the Brentwood Way, Grange Park Drive option to eliminate the likely holdups at the Sugargum Drive – Ghazeepore Road – Hams Road intersection. ○ Brentwood Way, Grange Park Drive have no footpath access and the local residents are forced to use the road as a pathway - this can happen	recognition of the developer's aspirations. It is acknowledged that access options to the subject land are limited and that principal access will be taken off Ghazeepore Road. The development of the land for residential purposes will increase the number of vehicles on Hams Road, Ghazeepore Road and most likely through the Grange Park Estate. Consequently, the Road Network and Traffic Management Plan, to be prepared as part of the Development Plan, will need to have regard to these issues by way of a traffic impact assessment. Issues of pedestrian safety are an important consideration for existing residents in the Grange Park Estate. Consideration of traffic calming measures may be a response to resolving these concerns. As above, this will need to be considered as part of the Road Network and Traffic Management Plan. In terms of the intersection upgrade works at Hams Rd/Ghazeepore Rd, should a roundabout be considered the best option, it is likely that this would enable a relative free-flow of traffic rather than requiring a signalised intersection that would require vehicles to become stationary. (Further discussion is included in the Council report.) The presumption that future residents of the subject land may use the Grange Park Estate as an alternative route to access Ghazeepore Rd and associated issues about pedestrian safety are valid concerns. This is a consideration that will be discussed further in the Council report. Issues in relation to subsidence are noted. The issue of net community benefit is one of balance, which requires the consideration of a range of existing and future physical, social and environmental issues and determining the level of net benefit to the community.

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						○ because traffic is so light ○ These roads are also extremely susceptible to subsidence ○ Roads are incapable of holding anything more than light local traffic. Greater thought needs to be given to the safety of local residents, cyclists and other vehicle users. • Net community benefit ○ Seems incongruous that these traffic, social and noise implications are imposed on those who chose to live in the existing neighbouring estate and who already contribute to the fabric of the community in such a positive way. • Lot sizes ○ it is anomalous in the extreme to think lot sizes ranging from just 300m2 to 600m2 could even be contemplated, yet approved when the nearest contemporary neighbourhood/estate, Grange Park Estate (separated by only a road), has large lot sizes - the majority in excess of 1200m2 ○ Grange Park Estate also has a number of strong covenants with regards to the dwellings themselves, street views, colours, roof type, clothes lines and water tanks ○ Given these covenants and the evidenced actions of residents to preserve lot sizes/subdivisions whenever challenged in the past, it would be iniquitous to have	The request for the subject land to be subdivided at a similar level to the Grange Park Estate is noted. However, the Grange Park Estate is not the only subdivision close to this land and consequently, the subdivision layout of the Grange Park Estate is not a determining factor in how this land should be subdivided. Nonetheless, it is acknowledged that the Grange Park Estate is different to a typical General Residential Zone subdivision in terms of lot sizes. In recognition of the character found in the Grange Park Estate in terms of its large lot sizes and low density residential development layout, it is considered a reasonable approach to request that the subject land be subdivided along its frontage to Hams Road using a conventional residential subdivision layout to establish a relative transition between the existing and future subdivisions. The Development Overlay Schedule has been updated to reflect this requirement. The said covenants are only applicable to land within the Grange Park Estate. The subject land is not affected by these covenants. It is a case for the landowner/proponent to consider the merit of imposing covenants of a similar style on the future subdivision of the subject land.

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						variations in lot sizes to the magnitude of those proposed should the land in question be rezoned ○ The proximity of the proposed estate should require that it be uniform to the existing arrangements within Grange Park Estate	
8.	Maiolo		Moyston Lane	WAURN PONDS	Objection	• Grange Park Estate offers, quiet, semi – rural environment, safe and secure environment. • Increase in traffic, decrease safety and amenity in the Grange Park Estate- Transport Assessment has not acknowledged this issue. • Concerned about through-traffic in the Grange Park Estate from Hams Drive to Ghazeepore Road via Grange Park Drive and Brentwood Way. Small streets with no footpaths. • Increase in noise from traffic. • A roundabout intersection at Hams Road could result in the Grange Park Estate becoming a viable alternative traffic route to access Ghazeepore Road.	As mentioned above, it is acknowledged that the Grange Park Estate is different to the typical General Residential Zone subdivision found on the opposite side of Ghazeepore Rd to the subject land. The supporting transport assessment is “preliminary” and precludes the requirement for a full traffic impact assessment, as required by the Development Plan Overlay Schedule. The preliminary transport assessment considers that there will be no upgrade requirements to the intersections along Hams Road as it is anticipated that they will carry minimal additional traffic arising from the subject land. However, Council officers acknowledge the concerns of submitters and acknowledge that this will need to be addressed as part of a more detailed assessment. Potential noise increase arising from additional traffic is acknowledged. However, it is difficult at this stage to determine the level of impact on existing residents in the Grange Park Estate. The proposition of a roundabout intersection at Hams Rd/Ghazeepore Rd intersection is considered a logical proposal, albeit, the intersection arrangement is yet to be determined. The benefits of a roundabout intersection have been outlined above and are discussed in detail in the Council report. It is considered that principal access/egress from Hams Road will be via the new intersection as opposed to an elongated route via Grange Park

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
							Drive Estate. Again, it is acknowledged that Grange Park Estate will inevitably be subject to additional traffic, the extent to which is unknown.
9.	McVey		Brentwood Way	WAURN PONDS	Objection	• Traffic- ○ increased traffic in Grange Park Estate; roads already require upgrading. Two accidents at Brentwood Way/Ghazeepore Rd intersection- potential for increase in accidents through the use of Brentwood Way as a through-route. Ghazeepore Road already under pressure. ○ TIA and drainage review needs to be undertaken now and upgrades to Brentwood, Grange Park and Ghazeepore undertaken before rezoning. ○ Decrease in traffic safety. • Proximity to Quarry- ○ Existing Boral mining lease needs to be extinguished before any amendment can be accepted. ○ Quarry land to the south has been approved to be mined. ○ Significant noise and dust emissions where there is a prevailing wind. ○ Has not seen anywhere in Australia where residential development has been within 1km radius. ○ The expansion of any mining activity and nature of groundwater/springs in this area would require detailed investigation due to issues of subsidence and other instability issues which may occur due to any extractive issue and alteration of	The objector's concerns in relation to increased traffic in Brentwood Way are noted and also, the issues of safety at the junction with Ghazeepore Rd. The requirement for a full traffic impact assessment at the rezoning stage is considered unnecessary and will be required as part of the Development Plan process. Issues relating to the Boral Quarry will be discussed in detail in the Council report, which will cover the majority of matters raised by the objector. It is noted that parts of the Grange Park Estate and subdivision at Sugar Gum Drive are located within a 1 km radius of the current Boral Work Authority. Consequently, the objector's statement is considered inaccurate about residential properties being within 1km of a quarry. The Boral Works Authority is being reviewed as a consequence of the new Baanip Boulevard. The implications of a revised Works Authority will be relevant to the assessment of the rezoning application. Extinguishing the Works Authority is not an option as part of the rezoning of the subject land. There is potential for dust emissions from the quarrying of land to the south of the subject land. The extent to which this will be an issue is currently being determined and is likely to be an ongoing consideration in the assessment of the rezoning application through to the Panel Hearing. The rezoning application is supported by a Surface Water Management Strategy. This considers the implications of the development of the land, associated issues of stormwater drainage and the surrounding land uses and

No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						groundwater before any land can be rezoned. It would be negligent to approve a rezoning if impacts from mining have not been assessed. - Stormwater- - Where is the stormwater going to go? - Existing issues due to surrounding land use constraints (railway line, roads and topography). - Oversupply- - Just because it is an individual's investment profile to subdivide their land it is also in the commercial interests to not create a glut in an already depressing market and the impact this will have on a range of other investors could be detrimental. - Environmental reasons- - area is a key habitat for many species and is unique in that it is fed by a spring which creates a unique flora and fauna. - essential to assess the risk to the sensitive environmental issues before rezoning. - Additionally I am aware from other pastoral landholders in the region that an old livestock "dip" was on the site. The significant residual contaminates and the impact these can still have today would need to be eliminated before the land is opened up for more direct exposure - Not against people getting a return on their investment, when it is in line	natural waterways. The proposed strategy is considered acceptable subject to further detailed investigations that will be required as part of the Development Plan process. The issue of oversupply is noted. However, there is strategic justification in the Armstrong Creek Urban Growth Plan to investigate this area for future residential development. The rezoning application is now undertaking that work. Council has a number of growth areas that will deliver residential housing over time, such as the Armstrong Creek Urban Growth Area. These areas are very strategic and will be developed over a long period. It is understood that the subject land will be advanced after rezoning and is likely to be on-line to deliver housing to meet the needs of residents in the short - medium term. The rezoning application is supported by a flora and fauna assessment, which is considered sufficient for this stage of the planning process. A further requirement has been included in the DPO schedule requiring the detailed assessment of fauna on site. This is a direct response to the concerns raised by submitters. Council officers are not aware of a historical cattle dip on the site. Council officers have requested information from the objector and also, the proponent, in order to investigate this matter further. A requirement for an Environmental assessment has been included in the DPO schedule in the interests of precaution. This matter can be considered further as part of the Panel process. As discussed in other responses, in recognition of the character found in the Grange Park Estate in terms of its large lot sizes and low density residential development style, it is considered a reasonable approach to request that the subject land be subdivided along its frontage to Hams Road in a conventional residential development style to establish a relative transition between the

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						with best practice and all considerations have been suitably assessed. • Would expect conditions such as fitting in the amenity of the adjacent subdivisions is critical and any expansion is large blocks, suitably planned from a traffic, stormwater perspective and maintains the existing critical habitat. • Would also like to see the proponents undertake some significant consultation and education of their aspirations and plans as many people in impacted areas only stumbled across late, and from the neighbourhood grapevine.	existing Grange Park subdivision and future subdivision. The key issues for this site are being considered as part of the rezoning process. The rezoning stage is the first step in a lengthy process that leads to subdivision and development of land. It sets the framework for which further detailed assessment is required. The rezoning stage fleshes out key issues that would be of a magnitude sufficient to warrant the abandonment of an amendment and consequently, the subdivision and development of land. In terms of consultation, Council has undertaken notification in line with the requirements of the Planning and Environment Act 1987. Council officers have also offered this objector an opportunity to meet to discuss matters further.
10.	Pecchiari		Grange Park Drive,	WAURN PONDS	Objection	• Drawn to the area by rural nature, large blocks and quiet lifestyle. • Influx of traffic around the Grange Park Estate will significantly impact on the peaceful nature and safety of the landscape. • Roads within Grange Park Estate and adjoining roads, including Hams Road, poor foundation, constantly requiring upgrades. • Increase in traffic would continue to impact on the integrity of the surrounding road surfaces requiring constant repair and costs to Council.	It is acknowledged that the Grange Park Estate is on the urban edge of Geelong currently adjacent to the farming land that is subject to this rezoning application. Detailed discussion of traffic related issues will be discussed further in the Council report. Issues in relation to the current state of the road network in the Grange Park Estate/Hams Road are noted. Hams Road will be upgraded and widened as part of the subdivision of the land. This will result in a good outcome for car users, cyclists and pedestrians. Costs for the upgrade works to Hams Road and Ghazeepore Road will be burdened by the developer.
11.	Smigowski		Hams Road	WAURN PONDS	Objection	• Statements about rezoning are inaccurate in relation to environmental impact- major impact on natural waterways and ponds. • New development won't mirror Grange Park Drive Estate. • Waterway is filled with natural water run off- never been dry- will rezoning have no significant impact	The rezoning application is supported by a flora and fauna assessment. The assessment acknowledges the waterway as being the most environmentally sensitive area within the site and that it will require careful consideration during the detailed design. Council has considered this issue and has included an additional requirement in the schedule to the Development Plan Overlay requiring a detailed fauna assessment to be

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						on that... - Proponents study suggests land is no longer viable for farming- presumption is that this refers to arable farming. Land has been used for grazing. - If high density development proceeds, vegetation and animals will be destroyed. - Estate agent advised that south side of Hams Road would not be developed- significant factor in buying property. - Large frog population in waterway and ponds- healthy environment. - Questions Council's integrity in seeking to rezone the land. - Ideal area for recreational use.	undertaken. It is unlikely that the subdivision of the land will match that of the Grange Park Estate. Council officers support a transition between the existing Estate and the new subdivision, as outlined in previous responses. The waterway that traverses the site is designated under the Waterway Act. Consequently, the CCMA will require a permit for works in, on or over the waterway. CCMA require that the natural alignment and length of the waterway be retained and that a minimum 20 metre vegetated buffer be provided on both sides of the waterway. This should ensure that existing environmental conditions are considered as part of the preparation of the development. The retention of the natural waterway should also ensure that existing water flows are retained. In general terms, given the size and fragmented nature of the subject land, its viability for intensive agricultural production is considered limited. The objector's presumption that the land's limited viability for intensive agricultural use relates to arable farming is incorrect. The objector's reference to 'high-density' density is ambiguous. It is considered that this statement refers to the relative high density likely to occur on the subject land compared to the Grange Park Estate, which is very much a low density style residential subdivision. The delivery of what is known industry wide as 'high density' (40 dwellings per hectare) on the subject land is unlikely to occur but rather conventional to medium density development. It is an unfortunate situation that misinformation was provided by the estate agent at the time the objector purchased his property. The objector's reference to frog population is noted- it is unclear as to what species of frog. As outlined above, the flora and fauna assessment has considered the likely of the site being used

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							by significant fauna species. Further assessment will be required as part of the Development Plan process. Council's role is to assess the merits of the rezoning of the land as suitable for residential development. Issues relating to integrity are not relevant in this case. The application before Council seeks to rezone the land for residential purposes not for recreational use. The Armstrong Creek Urban Growth Plan discusses the potential of the subject land to be considered for future residential and/or recreation zoning. This may add to the existing residential area to the north and increase the population within the catchment of the proposed Rossack Drive Railway Station and associated local activity centre.
12.	Smith		Grange Park Drive	WAURN PONDS	Objection	- Vast increase in traffic flows through Grange Park Estate- Transport Assessment has overlooked this issue. - Potential for 800 plus cars to access Ghazeepore Road via the Grange Park Estate. - Grange Park Estate has a largely rural character with spacious blocks, large wide nature strips and no footpaths. Very little traffic flow. - To try and protect pedestrian safety in the estate would be to dramatically alter the amenity and character of the existing neighbourhood. - Transport study makes no mention of new railway station which will greatly increase traffic on Ghazeepore Road and the new intersection to be provided. - Impact on the value of their property.	Traffic through the Grange Park Estate is likely to increase, the extent to which is unknown. However, it is considered that the majority of vehicles will utilise the new intersection at Hams Rd/Ghazeepore Rd to gain access to the wider road network. It is difficult to determine the increase in vehicle movements as a result of the completed development of the subject land. It is also considered highly unlikely that all cars exiting from the subject land would utilise the Grange Park Estate to access Ghazeepore Road. On the basis that the objector would not want to try to protect pedestrian safety in the Grange Park Estate because it may dramatically alter the amenity and character of the neighbourhood, is a difficult situation for Council officers to address. It is considered that the objector would like to see no increase in vehicles in the Grange Park Estate beyond those of existing residents- this would be unrealistic. The preliminary transport assessment does

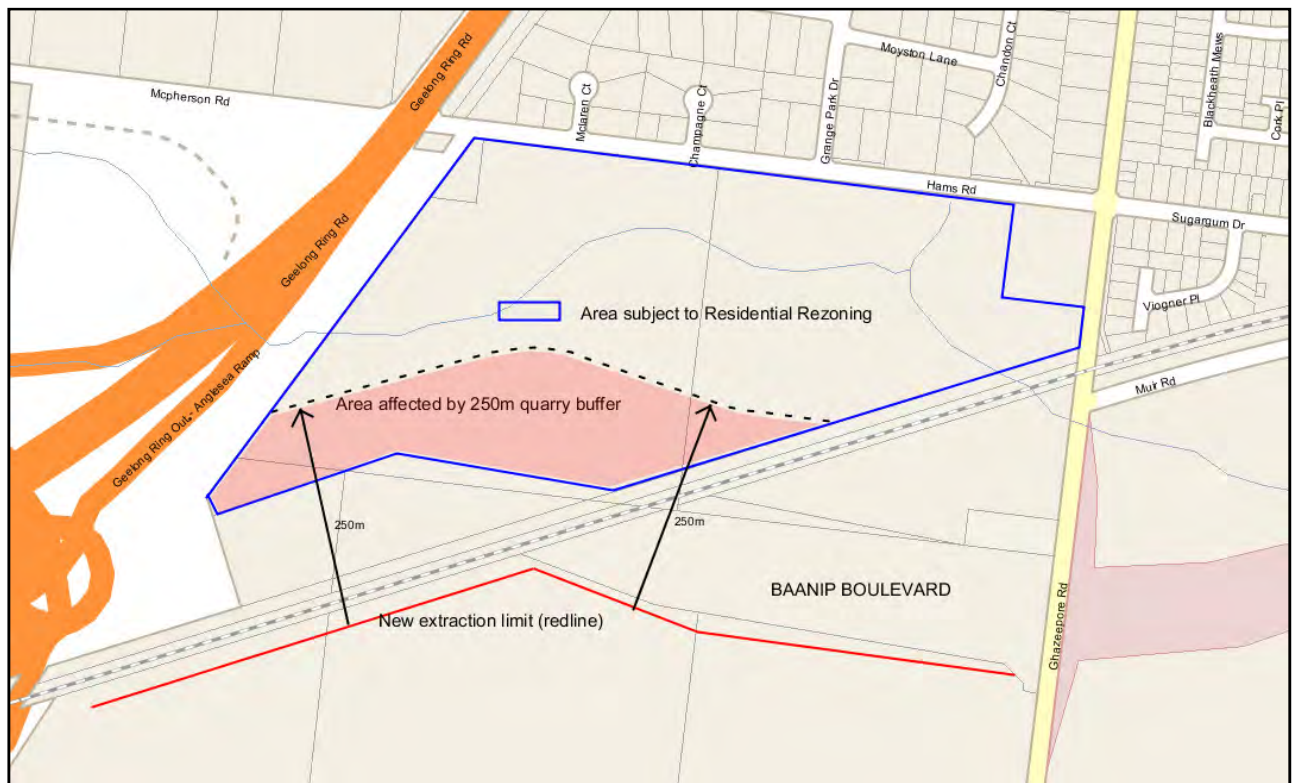
No.	Surname	Name	Address	Suburb	Type	Summary of Submission	Council officer response
						- The proposed subdivision (medium density superlots, medium density and conventional housing) will not be in keeping with the character of the area which is one of spacious lots. - Numerous frog-egg colonies present on the site in the dam and in the natural spring to the east. Growling grass frog present- a better assessment needs to be undertaken. Their habitat should be protected. - Advertising of the amendment has not been successful- many residents do not receive the Independent.	discuss the new railway station. However, not to the extent where it considers the impact of on Ghazeepore Rd and the new intersection to be delivered at Hams Rd/Ghazeepore Rd. Impact on property value is not a planning consideration. A variety of housing densities will be encouraged on the subject land. It has been outlined above that a requirement will be included in the Development Plan Overlay schedule to consider the transition in built form between the Grange Park Estate and the subdivision of land fronting Hams Road on the south side. The supporting flora and fauna assessment considers potentially occurring significant fauna species, including the growling grass frog. The report states that 'no recent records, degraded habitat on site- may be seasonal movement.' Notwithstanding this, a requirement for a detailed fauna assessment has been included in the schedule to the Development Plan Overlay.
13.	SP AusNet	Deepank Gupta	Level 30, 2 Southbank Boulevard	SOUTHBAN K VIC 3006	Submission	- AusNet has a 250mm gas transmission pipeline in the vicinity of 151-229 Anglesea Road, traversing north-south. - Refers to the Safety Management Study prepared to inform the rezoning application. - With an understanding that the detailed development plans will be prepared in later stages, AusNet services has no objection with the proposed rezoning, provided that Council notifies AusNet services as part of the assessment of a planning permit and that the SMS is referred to in the planning application.	SP AusNet's comments are noted and supported, as per the terms of the Safety Management Study undertaken for the rezoning application.
14.	Strickland		Grange Park Drive,	WAURN PONDS	Objection	- Grange Park Drive- low density; 118 allotments; majority of lots above 2,000 sq.m. - Objects to last portion of farming land being turned into medium-high	The existing character of the Grange Park Estate is acknowledged. There is strategic justification to review the subject land for residential development, as

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						density housing with approximately 430 allotments ranging in size from 300 sq.m to 600 sq.m. • Increase in traffic- additional 800 vehicles. • Overflow traffic will travel through Grange Park Drive to Ghazeepore Rd via Brentwood Way. • Traffic impact on Ghazeepore Rd including additional traffic from Waurm Ponds train station. • Cars parked on Ghazeepore Road make it very difficult for buses to stop and impacts on traffic flow. • Safety of children. • Proponent's noise assessment was prepared prior to the ring road opening and has given false results as the noise in the area has impacted greatly. Noise will only get worse once the Baanip Boulevard is opened. • There is a natural spring on the land- how will it be protected? • Why is Powercor substation being rezoned to general residential? Gross overdevelopment Massive increase in traffic Safety of residents Loss of amenity Noise	outlined in previous responses. The likely density to be provided on the amendment land will be conventional to medium density housing, representative of typical subdivisions in the General Residential Zone and as found in nearby subdivisions on Sugar Gum Drive. Traffic implications will be discussed in detail in the Council report and matching concerns have been discussed in previous responses. Existing parking issues on Ghazeepore Road are acknowledged. This is an issue beyond the scope of the rezoning application but is acknowledged in so far as the proposed site will increase numbers of traffic users on Ghazeepore Road. The noise assessment was prepared after the Ring Road was opened. The assessment considers the Geelong Ring Road (Section 4B) in terms of potential noise impact on the future subdivision of the amendment land. A noise assessment of the new Baanip Boulevard will be required in the schedule to the Development Plan. Council officers are not aware of a natural spring located on the site. The designated waterway that traverses the site will be retained and will include vegetated buffers on both sides to protect the waterway. The Powercor substation is being zoned General Residential as it is the most suitable land use zone. Minor utility installations such as this one are permitted in the General Residential Zone and exempt from permit requirements for buildings and works, as provided for in the Planning Scheme.
15.	Williams		Champagne Court	WAURN PONDS	Objection	• Ill conceived and should not proceed. • Grange Park Estate- quiet, semi-rural feel with low traffic, low-density housing and unique neighbourhood aspect.	The objector's request to stop the rezoning is noted but not supported. The existing character of the Grange Park Estate is acknowledged. As discussed previously, high density

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						- Allowing an unconstrained high density development immediately opposite an extensively controlled and concept managed area is unfair. The proposed site will be very different from the Grange Park Drive Estate and the inconsistency will be inappropriate. - Increase in light from new development will destroy the current night amenity of the area. - Increase in vehicle activity and noise on Hams Road- destroy amenity. - Proposed number of dwellings- ludicrous. Poor access arrangements. - Residents use Hams Road and Grange Park Drive for recreational walking, riding and exercise. Grange Park area does not have footpaths- residents use roadways as pedestrian ways. - Increase in volumes of traffic on Grange Park Drive and Brentwood Way. New residents will use the existing estate as a through-way detrimental to the amenity of area, safety and road structure issues. - Treatment of waterway is fanciful and will destroy natural character. It is a natural wetlands area that should not be artificially restructured. - Significant area for local fauna. Supporting flora and fauna assessment is limited. Present on site: - Frogs - Possible fish - Resident parrots - Wedge tail eagles and predatory birds	development is not being proposed for the subject land. It is considered that the objector is speaking in relative terms to the large lots subdivided in the Grange Park Estate. The subdivision of the subject land is likely to be different to the Grange Park Estate, albeit, Council officers will endeavour to establish a transition between the Grange Park Estate and the subject land along Hams Road. There will be an increase in light from the future development of the land. It is not considered that this would be detrimental to the amenity of existing residents in the Grange Park Estate. Hams Road will be upgraded and widened and connect with the existing court bowl at the western extent of Hams Road and with the intersection at Ghazeepore Road. It will be capable of accommodating the increase in traffic from the residential development of the subject land. The proposed number of dwellings that are discussed in the Council's report of 24 June 2014 are conceptual and unlikely to be achieved once detailed design is undertaken and on-site constraints addressed. Principal access to the subject land will be via Hams Road. Other access points on Ghazeepore Road are not viable due to the location of the Powercor Station and the level crossing. The existing road set-up in the Grange Park Estate is noted. It is suited to a more low density style of development and it is likely to be used by some vehicle users from the subject land. The extent to which the Grange Park Estate may be used as a thoroughfare is unknown until detailed assessment is undertaken. As mentioned in previous responses, the CCMA are responsible for designated waterways. It is considered that subject to further detailed considerations, the retention of the waterway and

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						- Ducks; Swans; Cockatoos; Finches - Bird flight paths- migratory birds. - Kangaroos - Creating artificial open space or shared paths along a wetland course will destroy the watercourse habitat. The reserve will be minimized and artificialised. - Land is subject to natural water runoff/springs and is a heavily clay area. Developer will need to spend a lot of money to turn land in residential areas.	requirement for vegetated buffers on both sides of the waterway, including a waterway management plan, will lead to a good outcome. The inclusion of a shared path along the waterway will provide good connections to the existing wider shared path network and bring activity to the waterway reserve. The extent of fauna listed by the objector is noted. As above, an additional requirement has been included in the schedule to the Development Plan Overlay for this issue. The cost implications for the proponent are not a consideration for Council.
ADDITIONAL LATE SUBMISSIONS							
16.	Black		Grange Park Drive	WAURN PONDS	Objection	NOTE: Submissions 16 to 26 have not been summarised in this report. The submissions raise issues that are the generally the same issues already raised in the other submissions. All the key issues are addressed in the body of this Council report. A full summary of the submissions will be prepared for the Panel Hearing	
17.	Cooper		Barossa Court	WAURN PONDS	Objection		
18.	Cronin		Grange Park Drive	WAURN PONDS	Objection		
19.	Haigh		Tuscan Court	WAURN PONDS	Objection		
20.	Monea		Hams Road	WAURN PONDS	Objection		
21.	Mountjoy		Grange Park Drive	WAURN PONDS	Objection		
22.	Nott		Ghazeepore Road	WAURN PONDS	Objection		
23.	Simpson		Traminer Court	WAURN PONDS	Objection		
24.	Smith		Tigerlilly Lane	WAURN PONDS	Objection		
25.	Spronken		Barossa Court	WAURN PONDS	Objection		
26.	Trigg		Hams Road	WAURN PONDS	Objection		

Appendix 7 – Area affected by 250m Boral Quarry Buffer



Appendix 8 – Proposed Interface Treatment along Hams Rd



INDICATIVE RESIDENTIAL INTERFACE CONCEPT 35 & 69-93 HAMS ROAD, WAURN PONDS		 SMEC <i>Local People. Global Experience.</i>
 Scale: 1:2000 @ A3 0 20 40 60m	ref: 16359604 date: 13 March 2015 drawn: GWA/20 checked: JCT	notes: This plan is based on preliminary information only and may be subject to change as a result of further Council planning process, detailed site investigations and confirmation by survey.

Appendix 8 - Updated Development Plan Overlay Schedule

GREATER GEELONG PLANNING SCHEME

VERSION FOR COUNCIL MEETING 28 APRIL 2015

Highlights changes made since exhibition.

Yellow highlights are changes made since Council report of 28 Oct 2014

DDMM/YYYY
C276

SCHEDULE 32 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO32**

35 Hams Road and 151 – 229 Anglesea Road, Waurin Ponds

A Development Plan must be prepared, to the satisfaction of the Responsible Authority, to guide the future subdivision, use and development of the land and to require a range of detailed planning issues to be resolved prior to the commencement of development of the area.

1.0 Requirement before a permit is granted

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Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or carry out works provided that it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

2.0 Conditions and requirements for permits

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C276

A permit must contain conditions or requirements which give effect to the provisions and requirements of the approved Development Plan.

A permit for subdivision must contain a condition which requires the owner to enter into an agreement with the Responsible Authority pursuant to a Section 173 Agreement of the Planning and Environment Act 1987 to secure the following works:

- Road Works;
- Drainage Works;
- Open Space Works.

as outlined in the approved Development Plan.

3.0 Requirements for development plan

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Only one Development Plan may be approved for the area covered by this Schedule, to the satisfaction of the Responsible Authority.

The Development Plan must include:

An **Urban Design Masterplan** that includes:

- The location of all proposed land uses including but not limited to roads, public open space, drainage reserves, and other known authority reserves.
- Contours of land at 0.5m intervals.
- The general subdivision layout including the location and distribution of lots showing a variety of lot sizes and densities to provide for a range of housing types. The layout is to maximise solar efficiency to as many lots as possible.
- Residential lots of a minimum 750 square metres in area along the frontage to Hams Road to address the interface with the Grange Park Estate to the north.
- The location of access and connection points to the site on Hams Road and Ghazepore Road.
- The retention of the designated natural west-east waterway (length and alignment, where practical), must be incorporated into the subdivision layout.

GREATER GEELONG PLANNING SCHEME

- Vegetated buffer zones at least 20 metres wide along each side of the designated waterway. The vegetated buffer zones must be set aside for ecological and recreational purposes.
- A linear open space reserve along the natural west-east waterway, incorporating the vegetated buffer zones, including a shared path located on one side of the waterway (the path may change sides, if necessary and appropriate) and above the 1 in 100 year flood extent. Logical connections to the Princes Freeway (Geelong Ring Road) shared path, the Hams Road underpass and to Ghazeepore Road must be provided.
- An urban design response to address the interface with:
 - the Powercor utility station;
 - the Princes Freeway (Geelong Ring Road) and Baanip Boulevard (Sections 4B and 4C);
 - the Geelong-Warrnambool railway line- the recommendations included in the *Marshall Day Acoustics Road traffic and Rail Noise Assessment report July 2013* should be incorporated; and
 - Ghazeepore Road- the recommendations included in the *Marshall Day Acoustics Road traffic and Rail Noise Assessment report July 2013* should be incorporated.
- Designation of fencing design provisions in relation to the interface with public open space- permeable fence treatments must be provided to all lot boundaries with public open space areas, including walkway reserves.

A Road Network and Traffic Management Plan that includes:

- An internal road layout that provides for a high level of permeability through, and access within, the development, for all vehicular and non-vehicular traffic and which responds to the topography of the site.
- Definition of the cross-sections, including where relevant, verge widths, nature strips, kerb and channel, pavement widths and pathways for all identified roads within and abutting the development, to meet the network traffic needs and be capable of incorporating any drainage elements (e.g. WSUD).
- Local area traffic management treatments to minimise vehicles from the development 'rat-running' or short cutting through Grange Park Drive and Brentwood Way to access Ghazeepore Road.
- Vehicle access to the site to be ~~located~~ limited to two access points on Hams Road only with no direct access to Ghazeepore Road.
- The upgrading of the intersection at Hams Road and Ghazeepore Road.
- The upgrading and widening of Hams Road between the Hams Road court bowl and the intersection at Ghazeepore Road.
- The upgrading and widening of Ghazeepore Road between the Hams Road and Ghazeepore Road intersection and the Geelong-Warrnambool Railway Reserve.
- Pedestrian/cycle crossing arrangements at Ghazeepore Road will be required to a level of safety and amenity provided at the intersection at Hams Road and Ghazeepore Road.

The Road Network and Traffic Management Plan is to address all off-site traffic infrastructure requirements associated with the development of the site. The Road Network and Traffic Management Plan must be accompanied by a Road Safety Audit prepared by an

GREATER GEELONG PLANNING SCHEME

appropriately qualified person and must address any safety issues raised in the Audit which arise as a consequence of the development of the land.

A **Flooding, Stormwater and Drainage Management Plan** that adopts an integrated approach to stormwater system management, is designed with reference to the whole of the catchment and includes:

- Reference to:
 - *WSUD Engineering Procedures: Stormwater*, CSIRO Publishing, 2005;
 - *Clause 56-07 Integrated Water Management of the Greater Geelong Planning Scheme*;
 - *City of Greater Geelong Stormwater Management Plan, 2002*;
 - *Infrastructure Design Manual and related City of Greater Geelong Design Notes*.
- A Drainage Feasibility Study.
- Water Quality Impact Report.
- A Flood/Hydraulic Analysis, including detailed information pertaining to the flood prone nature of the site. Any plans provided must identify the extent of flooding in a 1% AEP flood event for pre-development and post-development conditions.
- A single, integrated stormwater management system, which ensures that peak discharge rate, and pollutant load of stormwater leaving the site post-development is no greater than pre-development conditions and provides for discharge to the existing drainage system.
- Approximate size and location of all drainage system components, including any upgrades, modifications or reconstruction requirements of culverts/culvert crossings, both on and off-site.
- Arrangements for altering the drainage network within the Princes Freeway (Geelong Ring Road) (~~Section 4B~~) road reserve to consolidate the overland flow path through the proposed development site within the waterway corridor.
- A Waterway Management Plan.

The Flooding, Stormwater and Drainage Management Plan is to address all off-site drainage infrastructure requirements associated with the development of the site and be developed with due consideration of other land in the whole of the catchment containing this site.

An **Open Space and Landscape Masterplan** that includes:

- An open space contribution equal to 10% of the developable residential land or in-lieu cash payment or combination of both.
- Encumbered land shall not be credited as Public Open Space including land set aside for plantation buffer treatments (unless it is demonstrated that the plantation buffers can be used for the purpose of open space), drainage reserves and land within the waterway defined as the bed and banks and the area generally required for the overland flow in the 1 in 100 year occurrence interval flows.
- The natural west-east waterway (linear open space reserve) will comprise the principle area of public open space on the site. The open space and landscape masterplan must:

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- Show the useable areas of public open space and the ability of the linear open space reserve to accommodate the waterway, vegetated buffer zones, stormwater management system, including drainage basins.
- Show the location of the shared path and should include seating and resting points, wayfinding signage, linkages to Ghazeepore Road and the VicRoads shared path. The shared path is to provide a continuous link from the eastern end to the western end of the site.
- Show areas of vegetation to be retained and new areas of planting.
- The open space and landscape masterplan must consider the recommendations contained in the *Practical Ecology report Flora and Fauna and No Net Loss Analysis Recommendations April 2014*.
- The natural west-east waterway (linear open space reserve) shall have an active frontage on both sides to provide passive surveillance.
- The extensive use, where possible, of local indigenous plant species throughout the development site and in particular within the waterway vegetated buffer.

The Open Space and Landscape Masterplan is to ensure that areas set aside for useable public open space are clearly visible and accessible, providing safe and convenient land to serve the recreational needs of current and future residents in the locality. Passive surveillance to such areas shall accord with Crime Prevention Through Environmental Design (CPTED) principles.

A **Cultural Heritage Management Plan** (CHMP) should be prepared to inform the Development Plan. The CHMP should be prepared in accordance with the recommendations contained in the *Benchmark Heritage Management Cultural Heritage Assessment April 2014*.

A detailed **Fauna Assessment** to determine the use of habitat on site by significant fauna species, assess potential habitat and the provision of measures required to mitigate impacts arising from development, where required.

An **Environmental Assessment** that must include:

Assessment of the land by a suitably qualified environmental professional detailing the level and location of any contamination including from the former cattle dipping spray race adjoining the electrical sub-station. The assessment is to be peer reviewed by a suitably qualified environmental professional approved by the Responsible Authority. If the Responsible Authority is satisfied that significant levels of contamination have been found:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment protection Act 1970; or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Any planning permit must contain whatever conditions are reasonably necessary to give effect to the requirements of the certificate or statement as the case may be.

An **Acoustic Survey** must be undertaken to determine the extent of noise arising from the ~~Geelong Ring Road (Section 4C~~ Baanip Boulevard) and the potential impact on sensitive land uses within the development site. The acoustic survey must include recommendations and conclusions about the extent of any works necessary to mitigate noise impacts.

A **Staging Plan** must be prepared to show the stages by which the development of the land will proceed. The staging plan must identify the infrastructure required to facilitate development.

An **External Works Delivery Plan** must identify all external works identified in the other plans and include the timing of provision and relevant provision trigger (e.g. dates or

GREATER GEELONG PLANNING SCHEME

events such as lot numbers) of off-site works for all relevant plans that comprise part of the Development Plan.

4.0 Decision guidelines

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In considering whether or not to approve or amend a development plan, the responsible authority must consider:

- The objectives and requirements of this schedule.
- The State and Local Planning Policy Frameworks.
- The views of the Environment Protection Agency and the Department of Economic Development, Jobs, Transport and Resources in relation to the recommended separation distance for industrial residual air emissions arising from the Boral quarry.
- The views of the Corangamite Catchment Management Authority in relation to works in, on or over the designated natural west-east waterway, including the provision of the vegetation buffer zones (extent and setback reference point), ~~and the waterway management plan, and the Flood/Hydraulic Analysis-~~
- The views of the Department of Environment, Land, Water and Planning ~~and Primary Industries~~ in relation to the removal and offsetting of native vegetation ~~and the detailed Fauna assessment-~~
- The views of VicRoads in relation to the connection to the Geelong Ring Road (Section 4B) shared path network, the Hams Road underpass, noise mitigation works and for drainage works within the road reserve.
- The views of SP AusNet in relation to the high-pressure gas pipeline that runs adjacent to the western boundary of the subject land and the referral of any future planning permit applications to SP AusNet.
- The views of Powercor in relation to the interface to the utility installation.
- The views of the Watharung Aboriginal Corporation in relation to the Cultural Heritage Management Plan.
- The need to secure the provision and timing of delivery of external works necessary to facilitate the development of the land.

2. INCREMENTAL HOUSING AREA REVIEW 2015

Portfolio:	Central Geelong and Planning - Cr Heagney
Source	Planning and Tourism
General Manager:	Peter Bettess
Index Reference	Project: Incremental Change Area Review 2015

Purpose

The purpose of this report is for Council to adopt the findings and recommendations of the Incremental Change Area Review 2015 and to give them statutory effect by including them in the Greater Geelong Planning Scheme.

Summary

- In 2007 Council adopted a Housing Diversity Strategy (HDS). The HDS identified three approaches to deliver housing diversity across Geelong; Key Development Areas, Increased Housing Diversity Areas and Incremental Change Areas.
- The Residential Zone Reform undertaken through Amendment C300 introduced a further work Clause into the Planning Scheme at Clause 21.06-6, to *undertake further work to review the implementation of areas identified for incremental change in the Housing Diversity Strategy, to consider the application of General Residential Zone Schedule 2 (GRZ2).*
- Council officers undertook a review of existing incremental change areas, that is land in the General Residential Zone Schedule 1 (GRZ1) to determine if any of these locations exhibited a garden character and therefore should be rezoned to GRZ2.
- The review considered the following elements contributed to an area having a garden character; building age, lot size, site coverage, and street tree density. State Government housing development data from 2005-12 was also reviewed to determine the locations where medium density housing growth is occurring.
- The review determined that there were 4 locations within the GRZ2 that exhibited a garden character; these include Bell Post Hill, North Geelong, Newcomb and Point Lonsdale.
- It is recommended that these areas be rezoned to the General Residential Zone Schedule 2 to ensure that the planning controls in these areas provide greater protection of the existing neighbourhood character. This is done by varying the requirements for open space, landscaping, building height and subdivision.

Cr Heagney moved, Cr Harwood seconded -

That Council:

- 1) adopt the recommendations of the Incremental Change Area Review 2015 including rezoning the four identified garden character areas at Bell Post Hill, North Geelong, Newcomb and Point Lonsdale to the General Residential Zone Schedule 2 and**
- 2) seek authorisation from the Minister for Planning to prepare a planning scheme amendment to implement the recommendations of the review into the Greater Geelong Planning Scheme.**

Carried.

Background

In 2007 Council adopted a Housing Diversity Strategy (HDS). The HDS identified three development fronts to deliver housing diversity across Geelong;

- Key Development Areas; being large existing and future development areas that have the potential to accommodate significant amounts of new medium and higher density housing, including mixed use development;
- Increased Housing Diversity Areas; being areas where a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area; and
- Incremental Change Areas; being residential areas where the majority of new development will be in keeping with Geelong's traditional suburban character.

Incremental changes areas are zoned either GRZ1 or GRZ2. The existing incremental change areas that have been zoned GRZ2 were identified as areas exhibiting a more refined garden character.

Submissions made to the recent Residential Zone Review (Amendment C300) suggested there were other locations across Geelong that exhibited a garden character and should be zoned GRZ2. In response to submissions Council supported the inclusion of a further work requirement at Clause 21.06-6 of the Geelong Planning Scheme to *undertake further work to review the implementation of areas identified for incremental change in the Housing Diversity Strategy, to consider the application of General Residential Zone Schedule 2.*

Discussion

Council officers undertook a review of existing General Residential Zone Schedule 1 (GRZ1) land to determine if any of these locations exhibited a garden character and therefore should be rezoned to GRZ2. A map showing the location of the study area is at Appendix 1.

General Residential Zone

Within the Greater Geelong Planning Scheme the General Residential Zone has two schedules. Council's Housing Diversity Strategy forms the policy basis to support where each schedule has been applied. A schedule allows for certain planning application requirements to be varied from the standard requirements. In relation to the General Residential Zone this generally allows for variations to the standard Clause 54 and 55 (Rescode) requirements.

Schedule 1 is the default schedule applied to all residential land within Greater Geelong. This schedule does not vary any of the planning application requirements.

Schedule 2 was applied to areas where only incremental change is intended or planned to occur. This schedule varies application requirements relating to the size of open space, landscaping, building height and subdivision. These variations seek to ensure the scale and space around new buildings is in keeping with the garden character of these suburbs.

Appendix 2 is a copy of the General Residential Zone and Schedules.

Garden Character

A desktop review of the study area was undertaken. It was considered the following elements contributed to an area having a garden character; building age, lot size, site coverage, and street tree density. State Government housing development data from 2005-12 was also reviewed to determine the locations where the city was experiencing medium density housing growth.

From this initial assessment 75 areas were identified as exhibiting potential garden character elements. Appendix 3 shows the locations of these further investigation areas.

To further refine whether these areas had a garden character site visits were undertaken. During the site visits the following filters were observed;

- Setting or space around buildings, providing an opportunity for planting.
- On site vegetation or an established garden was present
- Condition and appearance of buildings including the approximate age of the buildings
- Presence of a nature strip and footpath.
- Confirmation of street tree planting, new or recently established plantings.

From the site visits it was determined that there were 4 areas which exhibited a garden character including areas at Bell Post Hill, North Geelong, Newcomb and Point Lonsdale. Within these areas there are approximately 4330 lots which are recommended to be rezoned from General Residential Zone Schedule 1 to General Residential Zone Schedule 2. Appendix 4 shows the location of the 4 areas.

Impact on Housing Development and Diversity

The introduction of additional General Residential 2 zoned land will improve housing diversity within the municipality. It will reinforce Councils preferred location for different types of housing particularly medium density housing. The rezoning of land will help to protect the existing garden character established suburbs. The application of the GRZ2 will ensure that where new multi dwelling development occurs there is a requirement to provide a more spacious setting, helping to protect the existing garden character of these areas.

The introduction of additional GRZ2 land will not significantly impact on the ability of Council to meet housing demand or housing choice across the municipality. The majority of this demand will be met within the Armstrong Creek, Lara, Leopold, Clifton Springs, Ocean Grove and Fyansford growth areas. Infill development will continue to occur in established areas at varying development densities based on the direction established through planning policy and the new residential zone reforms.

The introduction of additional GRZ2 land will not significantly result in a reduced number of infill development opportunities within these locations. The State Government housing development data 2005-12 suggests that the majority of lots within the 4 proposed GRZ2 areas would typically yield 1 to 2 dwellings. The changes to the zone schedule may result in reduced building footprints to accommodate larger open space areas but still result in the development of up to 2 dwellings.

Environmental Implications

This review and subsequent planning scheme amendments will result in minimal environmental impacts. The review recommends the retention of larger open space areas at 4 locations within the municipality helping to retain existing vegetation and reduce the amount of hard surfaces, reducing storm water run off.

Financial Implications

This review recommends that Council prepare a planning scheme amendment to rezone land to the GRZ2. The costs associated with this amendment process will need to be met by Council through the planning scheme amendment budget allocation.

Policy/Legal/Statutory Implications

The Amendment is consistent with the State Planning Policy implementing the objectives and strategies of Clause 11 *Settlement* and Clause 16 *Housing*.

The amendment is also consistent with the Local Planning Policy Framework; in particular Clause 21.06 *Settlement & Housing* which seeks to provide an appropriate range of development densities and urban consolidation opportunities. It supports Clause 21.06-4 Neighbourhood Character which seeks to protect areas with a significant garden character.

Alignment to City Plan

The review supports the *Sustainable Built and Natural Environment* strategic directions of City Plan. The recommendations of the review will help new development retain existing vegetation in the established suburbs as well as minimising hard surface areas and reducing storm water run off.

Officer Direct or Indirect Interest

No Council Officers involved in the preparation of this report, 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 minimal risks to Council in adopting the recommendations of this review and implementing them through a planning scheme amendment process. Affected property owners will be given an opportunity to comment on the proposed zone changes as part of the planning scheme amendment process.

Social Considerations

Social considerations were considered as part of submissions to Amendment C300 which recommended that this review be undertaken to reassess the previous recommendations of Council's adopted Councils Housing Diversity Strategy 2007.

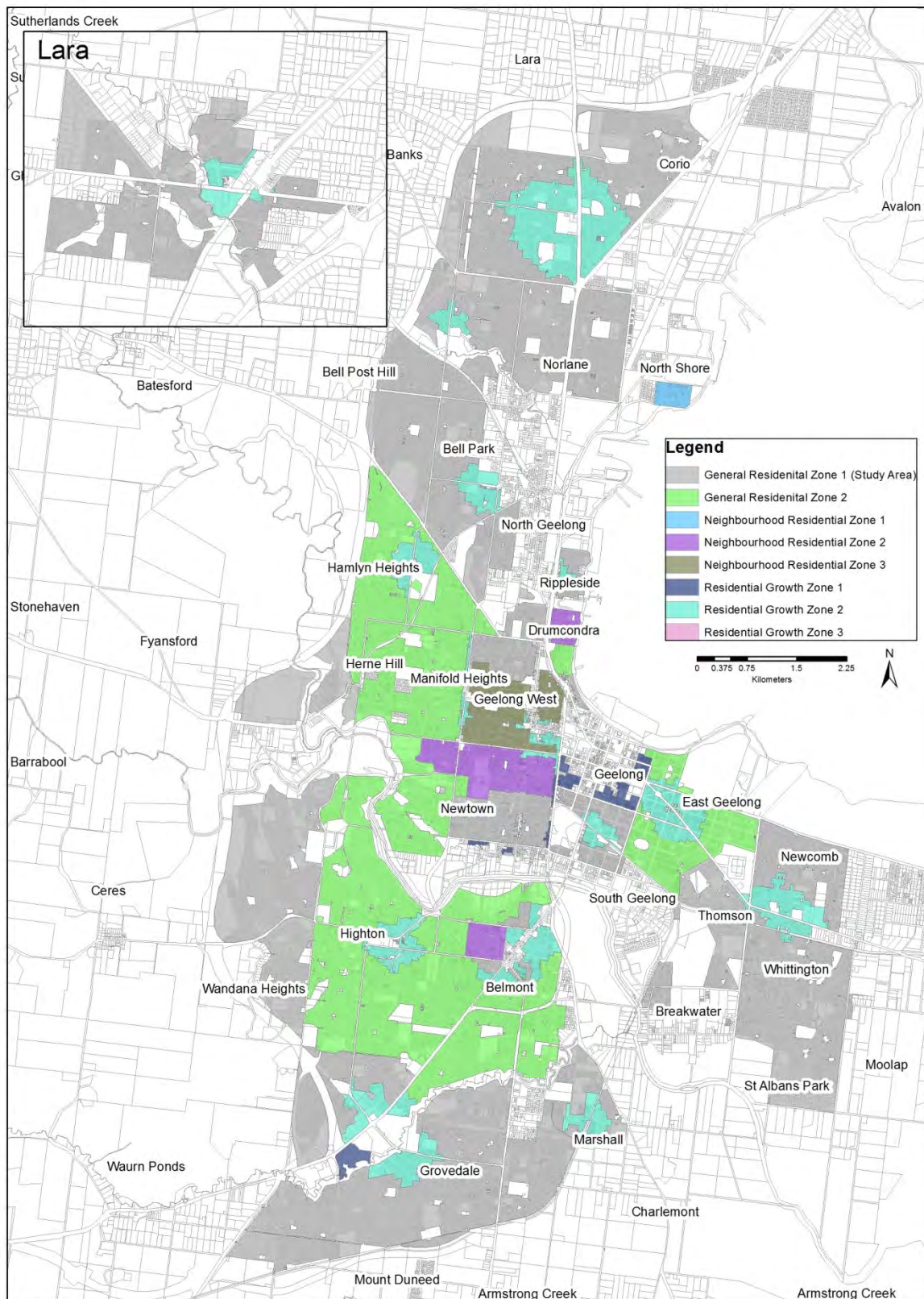
Human Rights Charter

The proposal does not impact on any human rights and responsibilities set out in the Charter. Planning legislation ensures an open community consultation process occur enabling people to freely express their views on an Amendment and if necessary, obtain a fair hearing before an Independent Panel.

Consultation and Communication

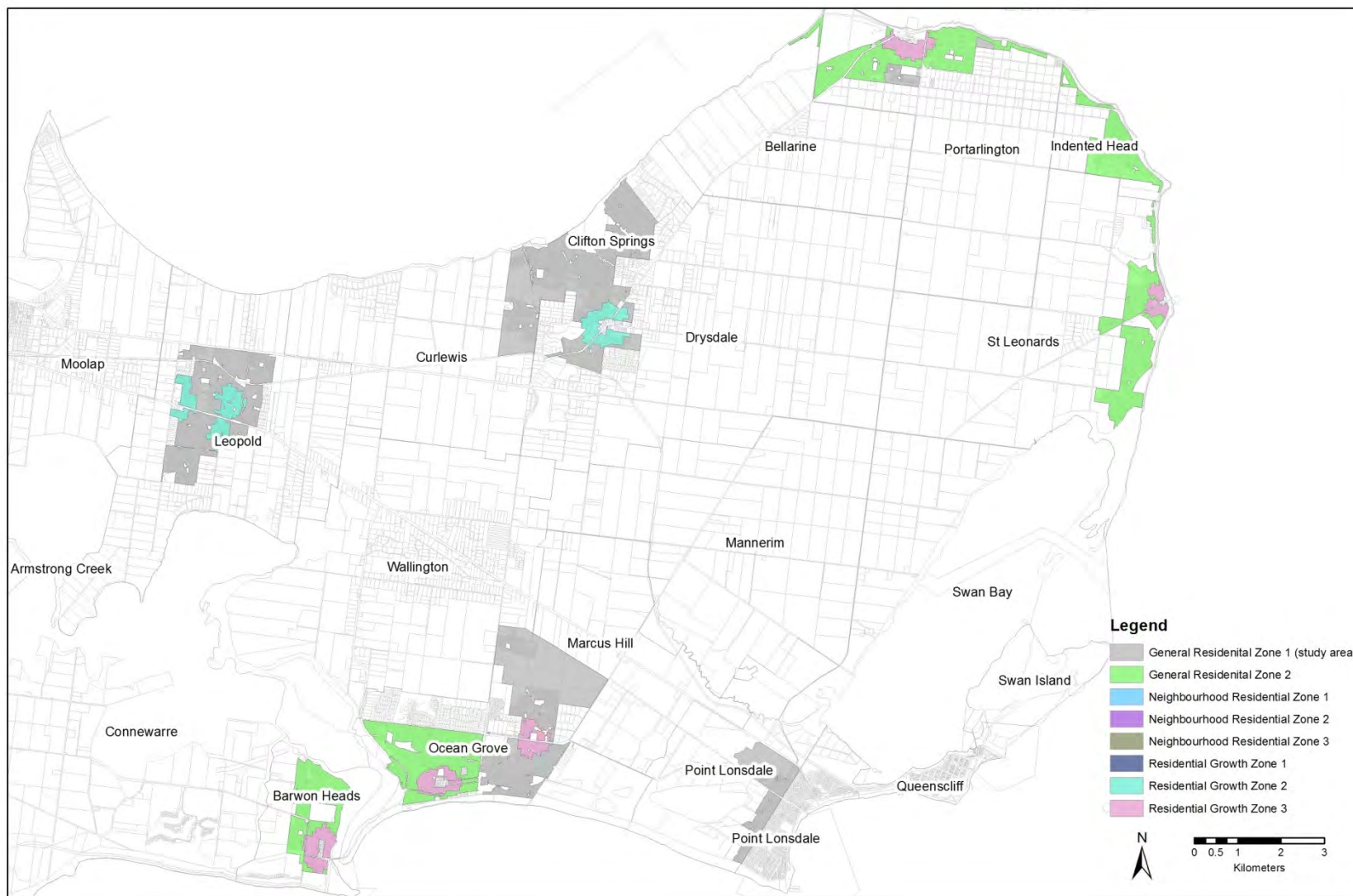
Affected property owners will be given an opportunity to comment on the proposed changes during the planning scheme amendment process in accordance with the provisions of the Planning and Environment Act 1987. All affected property owners will be notified by mail and public notices will be placed in the local papers.

Appendix 1 – Study Area - Location Residential Zone Land



Location of Residential Zoned Land - Urban Geelong

Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong, Barwon Water or the State of Victoria in its use.



Location of Residential Zoned Land - Bellarine Peninsula

Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong, Barwon Water or the State of Victoria in its use.

APPENDIX 2 – GENERAL RESIDENTIAL ZONE

32.08

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VC16

GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Table of uses

32.08-1
01/07/2013
16

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under clause 52.05-3. The site must adjoin, or have access to, a road in a Road Zone.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	

GENERAL RESIDENTIAL ZONE

PAGE 1 OF 7

Use Condition

Tramway

Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	The site must either: - Adjoin a commercial zone or industrial zone. - Adjoin, or have access to, a road in a Road Zone. The site must not exceed either: 3000 square metres. 3500 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.

GENERAL RESIDENTIAL ZONE

PAGE 2 OF 7

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	
Amusement parlour	
Animal boarding	
Animal training	
Brothel	
Cinema based entertainment facility	
Horse stables	
Industry (other than Car wash)	
Intensive animal husbandry	
Motor racing track	
Nightclub	
Office (other than Medical centre)	
Retail premises (other than Community market, Convenience shop, Food and drink premises, Plant nursery)	
Saleyard	
Stone extraction	
Transport terminal	
Warehouse (other than Store)	
Subdivision	
Permit requirement	
A permit is required to subdivide land.	
An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:	
- Must meet all of the objectives included in the clauses specified in the following table. - Should meet all of the standards included in the clauses specified in the following table.	
Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

GENERAL RESIDENTIAL ZONE

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32.08-3 01/07/2013 V8	Construction and extension of one dwelling on a lot Permit requirement A permit is required to construct or extend one dwelling on: - A lot of less than 300 square metres. - A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone. A permit is required to construct or extend a front fence within 3 metres of a street if: - The fence is associated with one dwelling on: - A lot of less than 300 square metres, or - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and - The fence exceeds the maximum height specified in Clause 54.06-2. A development must meet the requirements of Clause 54. No permit required No permit is required to: - Construct or carry out works normal to a dwelling. - Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level. Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings Permit requirement A permit is required to: - Construct a dwelling if there is at least one dwelling existing on the lot. - Construct two or more dwellings on a lot. - Extend a dwelling if there are two or more dwellings on the lot. - Construct or extend a dwelling if it is on common property. - Construct or extend a residential building. A permit is required to construct or extend a front fence within 3 metres of a street if: - The fence is associated with 2 or more dwellings on a lot or a residential building, and - The fence exceeds the maximum height specified in Clause 55.06-2. A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement. A permit is not required to construct one dependent person's unit on a lot.
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GENERAL RESIDENTIAL ZONE

PAGE 4 OF 7

Transitional provisions

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:

- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

32.08-5

01/07/2013
V0

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme;
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.08-6

01/07/2013
V0

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

32.08-7

01/07/2013
V0

Maximum building height requirement for a dwelling or residential building

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone.

This does not apply to:

- An extension of an existing building that exceeds the specified building height, provided that the extension does not exceed the existing building height;
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

If no building height is specified, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

32.08-8

01/07/2013
V0

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55;
- For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35;
- For an application for subdivision, a site and context description and design response as required in Clause 56;
 - Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation;
 - The siting and use of existing and proposed buildings.

GENERAL RESIDENTIAL ZONE

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32.08-9

01/07/2013
V0

Exemption from notice and review

- Adjacent buildings and uses;
- The building form and scale;
- Setbacks to property boundaries;
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare;
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space 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.

32.08-10

01/07/2013
V0

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
- The purpose of this zone;
- Any other decision guidelines specified in a schedule to this zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings;
- For subdivision of land for residential development, the objectives and standards of Clause 56;

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54;
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55;
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

GENERAL RESIDENTIAL ZONE

Page 6 of 7

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-11
616/78613
16

Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

Notes:

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

GENERAL RESIDENTIAL AREA

1.0
30/06/2014
C283

Permit requirement for the construction or extension of one dwelling on a lot.

Is a permit required to construct or extend one dwelling on a lot of between 500 square metres and 500 square metres?

No

2.0
30/06/2014
C283

Requirements of Clause 54 and Clause 55

Standard	Requirement
Minimum street setback	A3 and B6 None specified
Site coverage	A5 and B8 None specified
Permeability	A6 and B9 None specified
Landscaping	B13 None specified
Side and rear setbacks	A10 and B17 None specified
Walls on boundaries	A11 and B18 None specified
Private open space	A17 None specified
Front fence height	B28 None specified
	A20 and B32 None specified

3.0
30/06/2014
C283

Maximum building height requirement for a dwelling or residential building

None specified

4.0
30/06/2014
C283

Application requirements

None specified

5.0
30/06/2014
C283

Decision guidelines

None specified

1/1/1/2014
C300
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2

INCREMENTAL CHANGE AREAS

1.0
1/1/1/2014
C300
Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0
1/1/1/2014
C300
Requirements of Clause 54 and Clause 55

Standard	Requirement
Minimum street setback	A3 and B6 None specified
Site coverage	A5 and B6 None specified
Permeability	A6 and B9 None specified
Landscaping	B13 One canopy tree per dwelling
Side and rear setbacks	A10 and B17 None specified
Walls on boundaries	A11 and B18 None specified
Private open space	A17 An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
	B28 An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
Front fence height	A20 and B32 None specified

3.0
1/1/1/2014
C300
Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or residential building must not exceed a height of 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case it must not exceed a height of 10 metres.

4.0
1/1/1/2014
C300
Application requirements

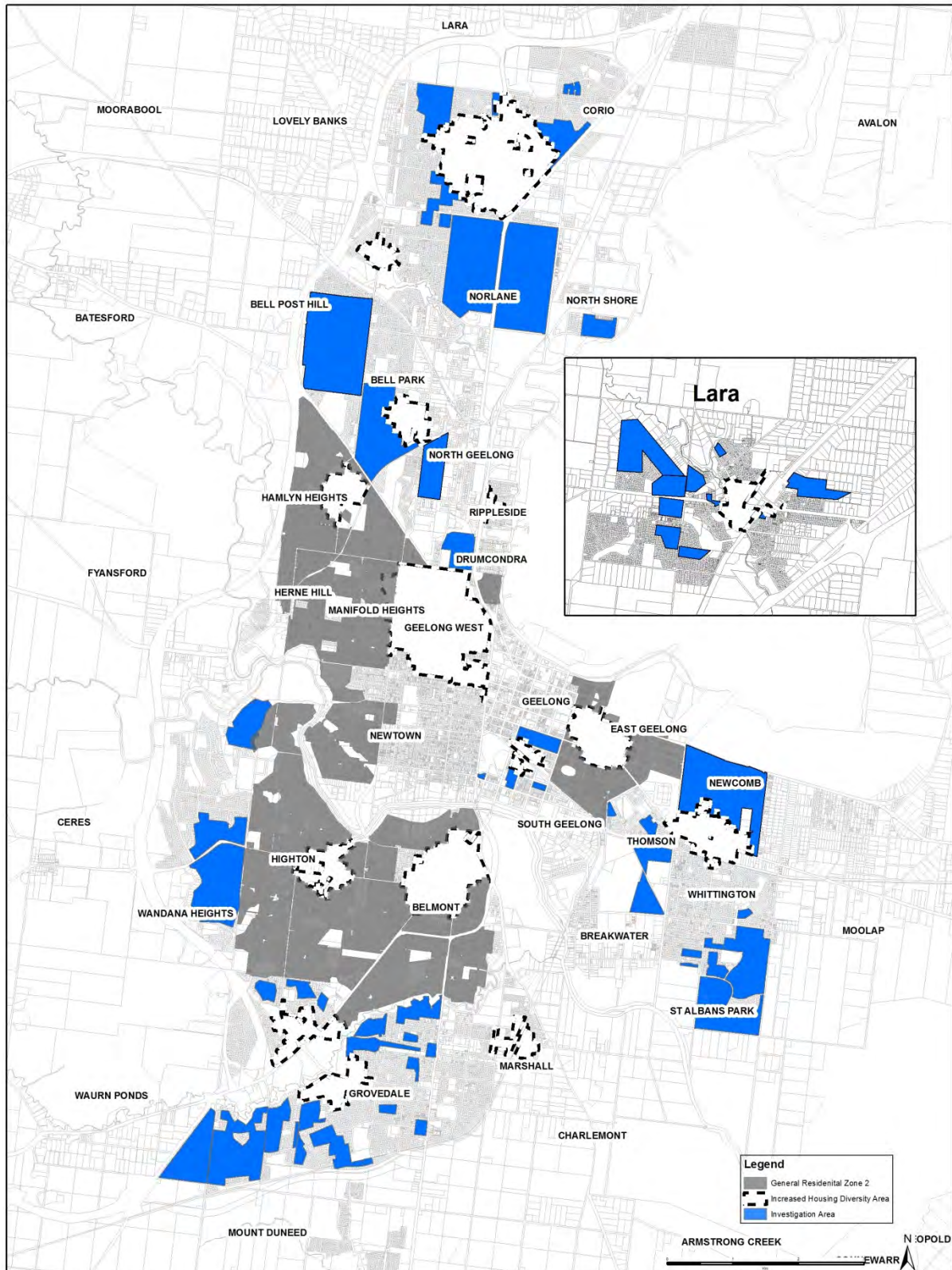
Subdivision

When any of the lots being created are less than 500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

5.0
6/10/2014
C300
Decision guidelines

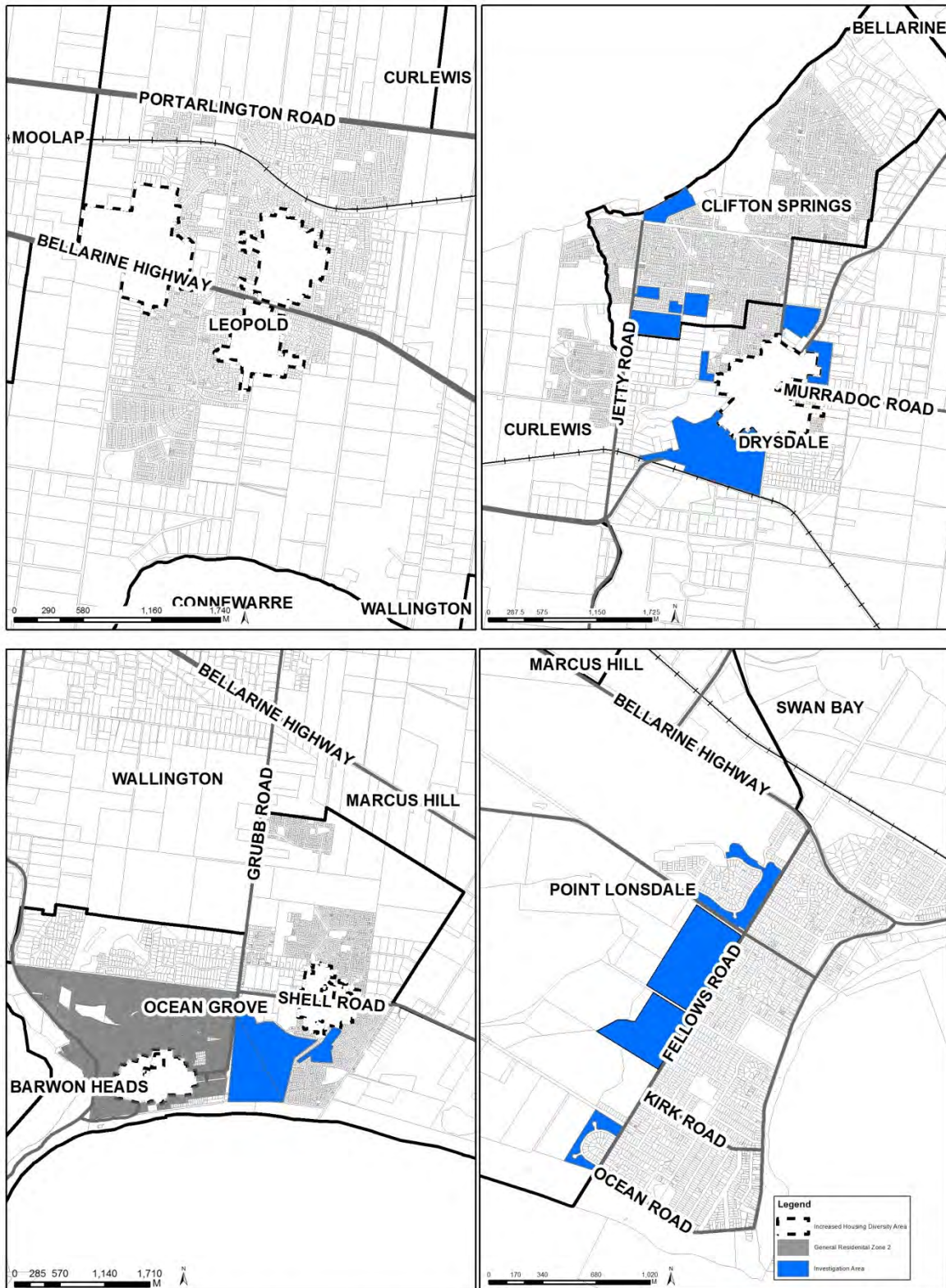
None specified

APPENDIX 3 – Further Investigation Areas



**Further Investigation Areas
- Urban Geelong**

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Further Investigation Areas - Bellarine

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APPENDIX 4 – PROPOSED GARDEN CHARACTER AREAS



Proposed Garden Character Area - Bell Post Hill

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Proposed Garden Character Area - North Geelong

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CITY OF GREATER
GEE LONG



Proposed Garden Character Area - Point Lonsdale

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INCREMENTAL CHANGE AREA REVIEW

March 2015



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Discussion 13

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INCREMENTAL CHANGE AREA REVIEW 2015

Introduction

Recent zone reform implemented by the State Government has provided an opportunity for Council to clearly identify the preferred location for conventional, medium and high density housing. Three new residential zones have been introduced into the Victorian planning system consisting of the General Residential, Neighbourhood Residential and Residential Growth Zone.

Council officers undertook a Residential Zone Review which looked at the purpose of each new zone and sought to apply them in the locations which best reflected Councils adopted Increased Housing Diversity Strategy 2007 and Council's Municipal Strategic Statement. This review formed the basis of Amendment C300 to the Greater Geelong Planning Scheme which was gazetted on 13 November 2014.

In considering amendment C300 it was identified through submissions, that there were locations across the municipality that potentially had a more refined garden character, but were not zoned to reflect this. Council, when adopting amendment C300 recommended that additional further work be undertaken to identify locations that exhibited a garden character and therefore areas where incremental change would take place. Clause 21.06-6 of the Municipal Strategy Statement identifies the need to *undertake further work to review the implementation of areas identified for incremental change in the Housing Diversity Strategy, to consider the application of General Residential Zone Schedule 2.*

This report has reviewed the existing General Residential Zone Schedule 1 (GRZ1) to determine whether there are new areas where the General Residential Zone Schedule 2 (GRZ2) would more accurately reflect the characteristics of the area.

Background to Review

In 2007 Council engaged David Lock and Associates to develop a housing strategy for the City of Greater Geelong (COGG). The recommendations of the Housing Diversity Strategy (HDS) were incorporated into the Greater Geelong Planning Scheme (GGPS) through amendment C129.

The HDS identified three development fronts to deliver housing diversity across Geelong;

- Key Development Areas; being large existing and future development areas that have the potential to accommodate significant amounts of new medium and higher density housing, including mixed use development;
- Increased Housing Diversity Areas; being areas where a mix of high, medium and conventional density housing will be encouraged, with the density of development being highest within the commercial core of the area and lower at the edge of the area; and
- Incremental Change Areas; being residential areas where the majority of new development will be in keeping with Geelong's traditional suburban character.

The incremental change areas were originally identified as all areas **not** identified as either Key Development Areas or Increased Housing Diversity Areas. It was proposed to rezone incremental change areas to the Residential 3 Zone (now known as the GRZ2).

The Planning Panel appointed to consider amendment C129 was critical of the way the Residential 3 zone was to be applied.

"It seems to us that the Residential 3 zoning is trying to do two things: Identify the areas for IHD or Key Development (by zoning the areas not within these areas), and Apply neighbourhood character controls.

The first task does not imply the second. Such controls should only be applied to those areas where they are properly justified. We do not think that the way the Residential 3 areas have been chosen (as the areas left over from the IHD areas) justifies the proposed controls."

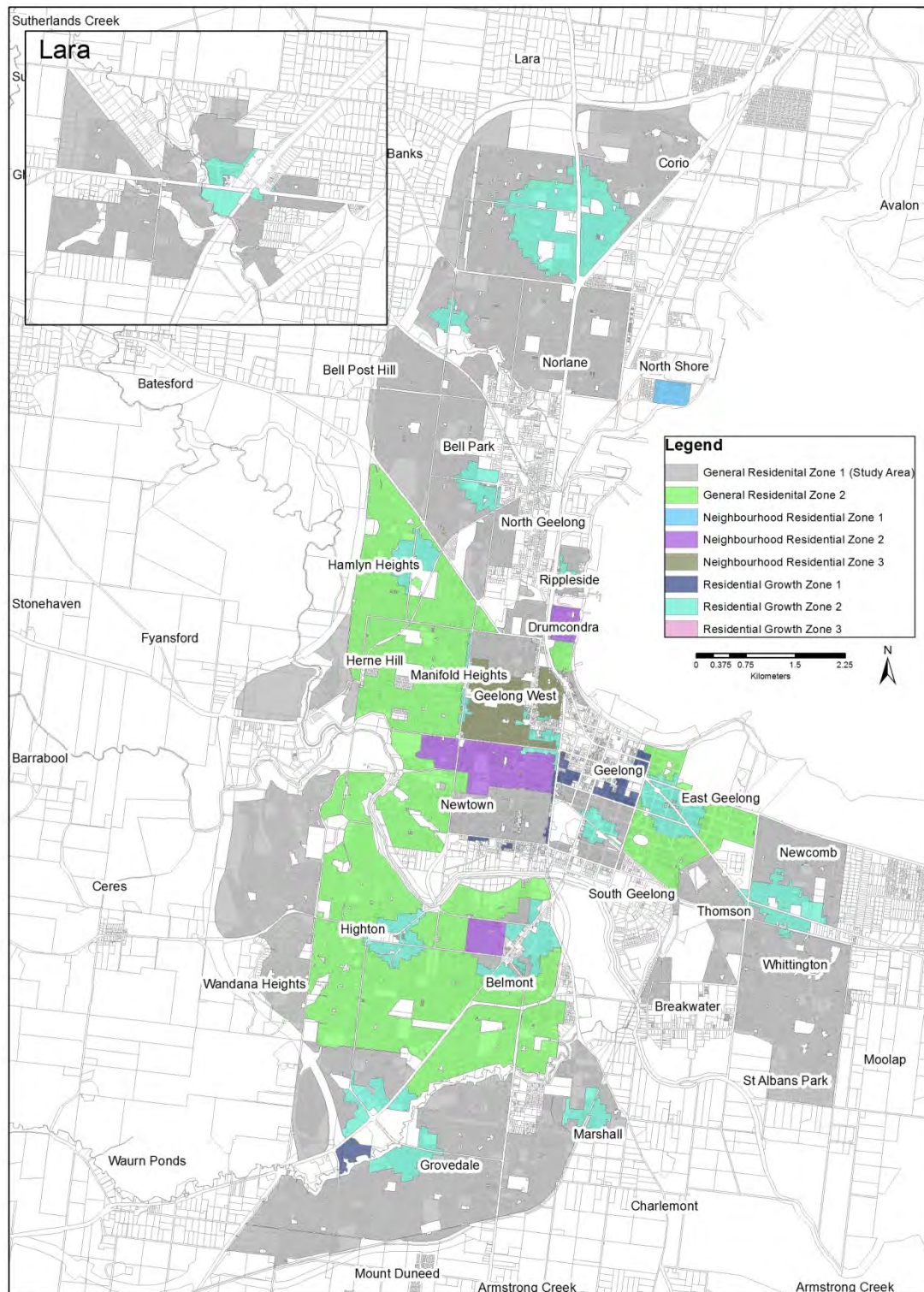
We also think that if the justification is primarily on character grounds then boundaries should more logical following character area boundaries Identified in the Neighbourhood Character study. The application of character controls should relate to the character precinct boundaries and earlier character work that Council has carried out."

Council did not concur with the panel recommendations and requested that the Minister for Planning apply the Residential 3 Zone to all incremental change areas, with the exception of Geelong West, Newtown, Manifold Heights and Point Lonsdale and other smaller site specific locations across Geelong which at the time were subject to other reviews.

The Minister for Planning did not apply the Residential 3 Zone as adopted by Council, but restricted the application to areas exhibiting a more defined garden character.

Figures 1 and 2 shows the location of residential zoned land in Geelong including the GRZ1 study area.

Figure 1 – Location of the Residential Zoned Land



Location of Residential Zoned Land - Urban Geelong

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Location of Residential Zoned Land - Bellarine Peninsula

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Comparison of the Schedules to the General Residential Zone

Within the City of Greater Geelong the General Residential Zone has two schedules. Council's Housing Diversity Strategy forms the policy basis to support where each schedule has been applied. A schedule allows for certain planning application requirements to be varied from the standard requirements. In relation to the General Residential Zone this generally allows for variations to the standard Clause 54 and 55 (Rescode) requirements.

Schedule 1 is the default schedule it does not vary any of the planning application requirements.

Schedule 2 was been applied to areas where only incremental change is expected to occur. This schedule varies application requirements relating to the size of open space, landscaping, building height and subdivision. These variations seek to ensure the scale and space around new buildings is in keeping with the garden character of these suburbs.

A copy of the General Residential Zone and the two schedules can be found at Appendix 1.

Methodology

This review reassessed the existing GRZ1 land within the municipality to determine if there are areas which have a defined garden character. Where areas are considered to have a garden character this report recommends that the areas are rezoned to GRZ2 to accommodate only moderate residential growth.

The review excluded existing General Residential Zone 2 land, areas within an Increased Housing Diversity Area and where the land was used for school or recreation purpose. Land within the suburbs of Geelong West, Newtown, and Manifold Heights have also been excluded from this review as a change to the zoning of these suburbs was assessed as part of Amendment C300.

Stage 1 Assessment

Criteria used to establish a garden character

The City of Greater Geelong does not have a definition of what is meant by the term 'garden character.' However the term garden character is acknowledged within Council's Municipal Strategic Statement at Clause 21.06-4 Neighbourhood Character. Garden character is considered to form part of an area's neighbourhood character.

The original recommendations of the HDS to define incremental change areas were not based on establishing that an area had a garden character. The C129 Panel Report and then Planning Minister introduced the concept of 'garden character' to support the inclusion or exclusion of the incremental change areas identified in Council's HDS.

A desktop review of the study area was undertaken to establish what criteria or elements an area needed to possess to be considered to have a garden character. It was considered that there were five elements that contributed towards an area having a garden character.

The information was sourced from Council's GIS database and the State Government's Housing Development Data. The data was mapped to allow for a comparison across each suburb within the GRZ1. For an area to be considered to have potential garden character, it would need to exhibit at least three of the five elements.

The elements were:

Building age – construction pre 1965's

The suburbs which have been developed pre 1965 are well established, often with smaller housing footprints. In these locations there is generally space surrounding houses which have allowed for the planting of gardens and buildings to be setback from property boundaries.

Appendix 2 is a map showing the age of buildings across the municipality.

Housing Development Data 2005-2012.

The State Government prepared the Housing Development Data Report March 2012 for Greater Geelong. This report identifies the location and number of new housing developments that occurred from 2005 to 2012. This data has been mapped to establish where within the municipality there have been development pressures for medium density housing.

Appendix 3 is a map showing housing development between 2005 and 2012.

Lot size – between 500 and 800 sqm;

A review of all housing development data between 2005-2012 for Greater Geelong revealed that a total of 9161 dwellings were approved. 843 of these were applications for multiple dwellings (2 or more). 409 or 48.5 % of these were approved on lots between 500-800m². It is considered that lots between 500 and 800m² occupied by a single dwelling generally have a spacious garden setting which could be impacted upon by the development of multiple dwellings

Note: 58.2% or 51573 lots within all of Greater Geelong are between 500-800m².

Appendix 4 is a map showing the location of lots between 500 and 800sqm

Site coverage – less than 30%

Areas with low site coverage generally have space surrounding dwellings which has allowed for the planting of gardens and buildings to be setback from property boundaries. The average site coverage across land zoned GRZ1 is 32 %

Appendix 5 is a map showing site coverage across the municipality.

Street tree density – greater than 9 trees per hectare

Street trees add significant appeal to areas where they are present particularly in locations where they are well established. Street trees can add to the garden character of an area.

Appendix 6 is a map showing street tree density across the municipality

From this initial assessment 75 areas were identified as exhibiting garden character elements. Appendix 7 shows the locations of these further investigation areas.

Stage 2 – Further Investigation Areas

To further refine whether these areas had a garden character a site visit to each area was undertaken. During the site visits the following characteristics were observed;

- Setting or space around buildings, providing an opportunity for planting.
- On site vegetation or an established garden was present
- Condition and appearance of buildings including the approximate age of the buildings
- Presence of a nature strip and footpath.
- Confirmation of street tree planting, new or recently established plantings.

For an area to have garden character it would need to exhibit all of the above elements. From the site visits it was determined that there were 4 areas which exhibited a garden character. The observations from the site visits are explained in more detail below:

Bell Post Hill

The Bell Post Hill further investigation area is located to the north of Central Geelong between the Geelong Ring Road and Anakie Road. The area is characterised by a mixture of brick and weatherboard dwellings on allotments predominantly between 500 and 800 square metres. The majority of dwellings were constructed pre 1965 and this is reflective in the overall size of buildings and the style of dwellings present on lots.

The site coverage of the majority of properties is low and buildings are often offset from both side boundaries. Garaging is located at the rear of properties or not present at all. Carports appear to be common and are located to the side of dwellings. Many of the dwellings in the area are elevated to take advantage of the views towards Corio Bay or the You Yang's.

The area has a significant number of street trees which add to the visual appeal of the area. Properties also have established gardens of a modest scale with a combination of lawn, trees and small shrubs. Front gardens are generally well maintained and add significantly to the appearance and character of the areas. Footpaths are generally present on both sides of a street.

Buildings appear to be in good condition with some infill development occurring including multi dwelling developments.

North Geelong

The North Geelong further investigation area is located between Thompson Road to the west, Kerr Street to the north, Kildare Street to the east and Victoria Street to the South. The area is characterised by a mixture of brick and weatherboard dwellings predominantly on allotments between 500 and 800 square metres. The majority of dwellings were constructed pre 1965 and this is reflective in the overall size of buildings and the style of dwellings present on lots.

The site coverage of the majority of properties is low and buildings are often offset from both side boundaries. Garaging is located at the rear of properties or not present at all. Carports appear to be common and are located to the side of dwellings.

The area has a significant number of street trees which add to the visual appeal of the area. The appearance of street trees appears more prominent as a result of the length of the north-south streets. Properties also have established gardens of a modest scale with a combination of lawn, trees and small shrubs. Front gardens are generally well maintained and add significantly to the appearance and character of the areas. Footpaths are generally present on both sides of a street.

Buildings appear to be in good condition with some infill development occurring including multi dwelling developments.

Newcomb

The Newcomb further investigation area is located between Boundary Road to the west, Portarlington Road to the north, Helms Street to the East and the Residential Growth Zone land to the south. The area consists of a mixture of brick and weatherboard dwellings on allotments predominantly between 500 and 800 square metres. The majority of dwellings were constructed pre 1965 and this is reflective in the overall size of buildings and the style of dwellings present on lots.

The site coverage of the majority of properties is low and buildings are often offset from both side boundaries. Garaging is located at the rear of properties or not present at all. Carports appear to be common and are located to the side of dwellings.

The area has established street trees although not as many as the other identified further investigation areas, the trees still add to the visual appeal of the area. Properties also have established gardens of a modest scale with a combination of lawn, trees and small shrubs. Front gardens are generally well maintained and add significantly to the appearance and character of the areas. Footpaths are generally located on both sides of a street.

Buildings appear to be in poor to good condition with some infill development occurring including multi dwelling construction. There is a visual change in the appearance and condition of housing between the east and west sides of Wilsons Road. This is likely to be a result of a larger concentration of older housing stock (pre 1965) being present on the eastern side of Wilsons Road.

Point Lonsdale

The Point Lonsdale further investigation area is located in the south eastern tip of the municipality. Point Lonsdale is a sea side township which was mainly developed during the 1990's. The area is characterised by a mixture of brick and weatherboard dwellings set amongst coastal vegetation. There are no footpaths within the area and street tree planting often mixes with plantings on private property. This mix helps to create a coastal setting within the surrounding area.

The site coverage of the area is relatively low however newer dwellings tend to be larger and located on smaller lots. In Pt Lonsdale garaging tends to be attached to dwellings although dwellings are still setback from one or more boundaries.

Dwellings appear to be in good condition with some infill development occurring including multi dwelling developments.

A map showing the location of the 4 areas is at appendix 8.

Policy Context

There is State and Local Planning Policy support to zone land in accordance with Council's housing strategies and preferred direction for growth. This review is supported by the following State and Local Planning Policies.

State Planning Policy Framework

Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 11.02-1 Supply of urban land

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

- Planning for urban growth should consider:
 - Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
 - Neighbourhood character and landscape considerations.
 - The limits of land capability and natural hazards and environmental quality.
 - Service limitations and the costs of providing infrastructure.
- Monitor development trends and land supply and demand for housing and industry. Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.
- Restrict low-density rural residential development that would compromise future development at higher densities.

Clause 11.05-1 Regional settlement networks

To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.

Strategies

Deliver networks of high-quality settlements by:

- Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.
- Balancing strategic objectives to achieve improved land-use and development outcomes at a regional, catchment and local level.
- Preserving and protecting features of rural land and natural resources and features to enhance their contribution to settlements and landscapes.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs in accordance with the relevant regional growth plan.

Clause 11.05-2 Melbourne's hinterland areas

To manage growth in Melbourne's hinterland, the area immediately beyond Metropolitan Melbourne and within 100 kilometres of the Melbourne's Central City.

Strategies

- Maintain the attractiveness and amenity of hinterland towns.
- Strengthen and enhance the character and identities of towns.

Clause 11.05-5 Coastal settlement

To plan for sustainable coastal development.

Strategies

Support a network of diverse coastal settlements which provides for a broad range of housing types, economic opportunities and services.

Clause 16 Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

Strategies

- Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities.

Clause 16.01-4 Housing diversity

To provide for a range of housing types to meet increasingly diverse needs.

Strategy

Encourage the development of well-designed medium-density housing which:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.

Clause 15 Built environment and heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Clause 15.01-5 Cultural identity and neighbourhood character

To recognise and protect cultural identity, neighbourhood character and sense of place.

Strategies

- Ensure development responds and contributes to existing sense of place and cultural identity.
- Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
- Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:
 - The underlying natural landscape character.
 - The heritage values and built form that reflect community identity.
 - The values, needs and aspirations of the community.

Local Planning Policy Framework

Clause 21.02 City of Greater Geelong Sustainable Growth Framework

Managing Urban Growth

Council will:

- Set clear settlement boundaries and consolidate development within those boundaries in a managed way.
- Encourage diversity in all communities.

Clause 21.06 Settlement and Housing

Clause 21.06-2 Urban growth

To improve housing affordability through the maintenance of appropriate urban land supplies, the promotion of competition in the housing market and the development of a diverse range of well located housing stock.

Clause 21.06-3 Urban consolidation

- To provide for the consolidation of existing urban areas in a managed way.
- To encourage an appropriate range of development densities.
- To improve accessibility to urban services.
- Manage urban consolidation and housing change across the municipality, by:
- Accommodating medium and high density housing in Key Development Areas (as defined by the maps included in this clause).
- Maximising opportunities for housing within Increased Housing Diversity Areas (as defined in Clause 22.63 Increased Housing Diversity Areas) by accommodating;
- high density housing in the activity centres consistent with their primary commercial and retail role; and
- medium density housing in residential areas with more intensive development being located closest to the core of activity centres.
- Supporting appropriate medium density housing in the General Residential Zone (Schedule 1) areas.
- Providing for incremental change in the General Residential Zone (Schedule 2) areas.
- Limiting change in the Neighbourhood Residential Zone areas.

Clause 21.06-4 Neighbourhood character

- To manage the impact of urban change on existing neighbourhoods.
- To ensure that new development responds to the existing neighbourhood character.
- To protect areas with a significant garden character.
- To protect areas with views to significant landscape features.

Strategies

- Ensure that development is responsive to the established character of the area.
- Support appropriate medium density housing that respects the existing neighbourhood character in the General Residential Zone areas.

Response to State and Local Planning Policy

The introduction of additional GRZ2 land will improve housing diversity within the municipality. It will provide clear policy direction regarding Council's preferred location for different types of housing particularly medium density housing. The rezoning of land will help to protect the existing garden character of established suburbs. The use of the GRZ2 zone will ensure that where new multi dwelling development occurs there is a requirement to provide a more spacious setting helping to protect the existing garden character of these areas.

Discussion

This review determined that 4 of the 75 review areas exhibit a garden character. These areas include Bell Post Hill, North Geelong, Newcomb and Pt Lonsdale. Within these areas there are approximately 4330 lots which are recommended to be rezoned from GRZ1 to GRZ2.

Amendment C129 Panel Recommendations

The C129 Panel report makes reference to using Council's Residential Character Precinct Brochures to help establish areas that have a garden character. Amendment C300 removed the reference to these brochures from the planning scheme as they were considered out of date and too generic to provide assistance in establishing the character of an area.

Garden Character

The determining factors when considering whether land should be zoned GRZ1 or GRZ2 is the presence of a garden character as indicated in the C129 Panel Report and subsequent Ministerial approval process. From a desktop review and site visits of the 75 areas it was considered that garden character was made up of a number of features including;

- Space around buildings including buildings being offset from property boundaries.
- Street appeal i.e. presence of street trees and nature strips
- Lack of garaging or garaging being sited at the rear.
- Small building footprints resulting in low site coverage.
- Mature private gardens
- Environmental factors including retention of existing vegetation.

Overall it was determined that these features tend to be present in the older more established areas of Urban Geelong. The exception to this is Point Lonsdale, which due to its sensitive coastal location has resulted in more site responsive dwelling development in keeping with the environmental characteristics of the area.

These features are different to those that create a heritage precinct. This review has not placed an emphasis on the architectural or historical background to the development of an area. There has also been no consideration given to the dwelling style or type, a contiguous construction era or historical subdivision pattern that is often critical in establishing the heritage significance of an area.

Use of the General Residential Zone 2

A key objective of the General Residential Zone is to protect the neighbourhood character of an area. Landscape character forms part of an area's neighbourhood character. The areas where the GRZ2 is to be applied have been identified within this review as having a more prominent garden character than other locations across Greater Geelong. The GRZ2 is considered to be the most appropriate zone to apply to these areas. This zone supports incremental growth and seeks through variations to the zone schedule to provide opportunities to protect and build upon

the garden character of these areas. This approach is consistent with the application of the GRZ2 through the C300 amendment process.

Reformed Zones and Impact on Housing Supply

Recent zone reform has provided more certainty to the development industry and the wider community about where Council is seeking different forms of housing. Changes to Clause 21.06 of Council's Municipal Strategic Statement, zone objectives, and the introduction of new zone schedules give policy support to encourage higher density development within and around activity centres and lower densities away from these centres. It is envisaged that over time the density of housing will increase in accordance with the new zoning provisions.

The introduction of additional GRZ2 land will not significantly impact on the ability of Council to meet housing demand or housing choice across the municipality. Urban Geelong (excluding the Bellarine Peninsula) will need to accommodate an additional 1667 dwellings per annum till 2031¹. The majority of this demand will be met within the Armstrong Creek, Lara and Fyansford Residential Growth Areas with the remainder being infill development. The introduction of additional GRZ2 land will not result in a reduced number of infill development opportunities within the existing suburbs of Geelong. The changes to zoning controls have strengthened policy support for higher density development within other parts of Geelong.

Within the existing General Residential Zone 1 study area there were 9161 lots developed with new housing between 2005 and 2012. A total of 5077 of these lots (55%) were between 500 and 800sqm in area. A large proportion of lots in the size range (5042 lots or 99.7%) were developed with up to two dwellings. 4621 (91%) of these lots were developed with 1 dwelling. This data indicates that within Greater Geelong lots of between 500 and 800 sqm generally support development of up to two dwellings.

There are 3,428 lots (85.7%) within proposed GRZ2 areas that are between 500 and 800sqm. It is not anticipated that there would be a significant change to the number of dwellings developed on a lot within the GRZ2, when compared to the development densities achieved in the past. There may be a reduction in the size of a building footprint as a result of the requirement for larger open space areas, but this is not considered significant enough to result in a reduced number of dwellings. It is therefore anticipated that the level of dwelling density previously experienced within these areas would be likely to continue within the GRZ2. Higher densities may be achieved if it can be demonstrated that development meets the variations contained within the schedule to the GRZ2.

Recommendations

It is recommended that a planning scheme amendment be undertaken to rezone the four garden character areas identified in the map at appendix 8, known as Bell Post Hill, North Geelong, Newcomb and Point Lonsdale to be GRZ22. Existing planning policy is sufficient to support incremental growth in these locations and therefore there is no requirement to make changes to the Municipal Strategic Statement.

Conclusion

This review finalises the application of the reformed residential zones into the Greater Geelong Planning Scheme by implementing the further work requirement to undertake this review at Clause 21.06-6 of Council's Municipal Strategic Statement. The review also seeks to implement the recommendations of the C129 panel report and respond to submissions received as part of the C300 amendment process. The recommendations of this review will provide clear policy direction for the community and development industry about the preferred location for conventional, medium and high density housing. This review has established criteria to define

¹ Residential Land Supply Monitoring Project - G21 Region (Geelong) Oct 2013 Final

what is meant by the term 'garden character' within the City of Great Geelong. The garden character of the four proposed incremental change areas will be protected and enhanced through the addition of stringent application requirements which will require additional space to be provided around dwellings allowing for planting and buildings to be setback from property boundaries. The recommendations of the review are supported by State and Local Planning Policy and will help to protect the neighbourhood character of areas which have an identified garden character.

APPENDIX 1 – GENERAL RESIDENTIAL ZONE

32.08
04/2024
VC16

GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ, R1Z, R2Z or R3Z** with a number (if shown).

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
To encourage development that respects the neighbourhood character of the area.
To implement neighbourhood character policy and adopted neighbourhood character guidelines.
To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Table of uses

32.08-1
04/2024
VC16

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under clause 52.06-5. The site must adjoin, or have access to, a road in a Road Zone.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	

GENERAL RESIDENTIAL ZONE

PAGE 1 OF 7

Use	Condition
Townway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse husbandry and intensive animal husbandry)	
Animal keeping (other than Animal boarding) – If the section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2. The site must adjoin, or have access to, a road in a Road Zone.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Place of assembly (other than Amusement parkour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	The site must either: • Adjoin a commercial zone or industrial zone. • Adjoin, or have access to, a road in a Road Zone. The site must not exceed either: • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles, and not for the primary purpose of occupation of a resident of a dwelling on the lot. The site must adjoin, or have access to, a road in a Road Zone.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.

GENERAL RESIDENTIAL ZONE

PAGE 2 OF 7

Use	Condition
Utility installation (other than Minor utility installation and telecommunications facility)	
Any other use not in Section 1 or 3	
Section 3 – Prohibited Use	
Amusement parlour	
Animal boarding	
Animal training	
Brothel	
Cinema based entertainment facility	
Horse stables	
Industry (other than Car wash)	
Intensive animal husbandry	
Motor racing track	
Nightclub	
Office (other than Medical centre)	
Retail premises (other than Community market, Convenience shop, Food and drink premises, Plant nursery)	
Saleyard	
Stone extraction	
Transport terminal	
Warehouse (other than Store)	

32.08-2 Use

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.06-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

GENERAL RESIDENTIAL ZONE

PAGE 3 OF 7

32.08-3 Use

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

32.08-4 Use

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

A permit is not required to construct one dependent person's unit on a lot.

GENERAL RESIDENTIAL ZONE

PAGE 4 OF 7

32.08-5 04/2023 01/2023	Requirements of Clause 64 and Clause 65
	A schedule to this zone may specify the requirements of: - Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme. - Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme. If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.
32.08-6 04/2023 01/2023	Buildings and works associated with a Section 2 use
	A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.
32.08-7 01/2023 01/2023	Maximum building height requirement for a dwelling or residential building
	The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone. This does not apply to: - An extension of an existing building that exceeds the specified building height, provided that the extension does not exceed the existing building height. - A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision. If no building height is specified, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.
32.08-8 01/2023 01/2023	Application requirements
	An application must be accompanied by the following information, as appropriate: - For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55. - For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35. - For an application for subdivision, a site and context description and design response as required in Clause 56. - Plans drawn to scale and dimensioned which show: - Site shape, size, dimensions and orientation. - The siting and use of existing and proposed buildings.

GENERAL RESIDENTIAL ZONE

PAGE 5 OF 7

32.08-9 04/2023 01/2023	Exemption from notice and review
	Adjacent buildings and uses: - The building form and scale. - Setbacks to property boundaries. - The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare. - Any other application requirements specified in a schedule to this zone. If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
32.08-10 04/2023 01/2023	Decision guidelines
	Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate: General - The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. - The purpose of this zone. - Any other decision guidelines specified in a schedule to this zone. Subdivision - The pattern of subdivision and its effect on the spacing of buildings. - For subdivision of land for residential development, the objectives and standards of Clause 56. Dwellings and residential buildings - For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54. - For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. - For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

GENERAL RESIDENTIAL ZONE

PAGE 6 OF 7

32.08-1
GZ33
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

GENERAL RESIDENTIAL AREA

1.0
32.08/2914
GZ33
Permit requirement for the construction or extension of one dwelling on a lot
Is a permit required to construct or extend one dwelling on a lot of between 200 square metres and 500 square metres?

No

2.0
32.08/2914
GZ33
Requirements of Clause 54 and Clause 55

Standard	Requirement
Minimum street setback	A3 and B5 None specified
Site coverage	A5 and B8 None specified
Permeability	A6 and B9 None specified
Landscaping	B13 None specified
Side and rear setbacks	A10 and B17 None specified
Walls on boundaries	A11 and B18 None specified
Private open space	A17 None specified
Front fence height	B28 None specified
	A20 and B32 None specified

3.0
32.08/2914
GZ33
Maximum building height requirement for a dwelling or residential building

None specified

4.0
32.08/2914
GZ33
Application requirements

None specified

5.0
32.08/2914
GZ33
Decision guidelines

None specified

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-11

01/07/2013

vs

Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

Notes:
Refer to the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found in Particular Provisions.

When any of the lots being created are less than 500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

5.0 Decision guidelines

01/12/2014
5.0.10
None specified

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

15/11/2014
C200
Shown on the planning scheme map as GR22

INCREMENTAL CHANGE AREAS

1.0 Permit requirement for the construction or extension of one dwelling on a lot

15/11/2014
C200
Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

Standard	Requirement
Minimum street setback	A3 and B6 None specified
Site coverage	A5 and B8 None specified
Permeability	A6 and B9 None specified
Landscaping	B13 One canopy tree per dwelling
Side and rear setbacks	A10 and B17 None specified
Walls on boundaries	A11 and B18 None specified
Private open space	A17 An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or rooftop terrace.
	B28 An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and include a balcony or rooftop terrace.
Front fence height	A20 and B32 None specified

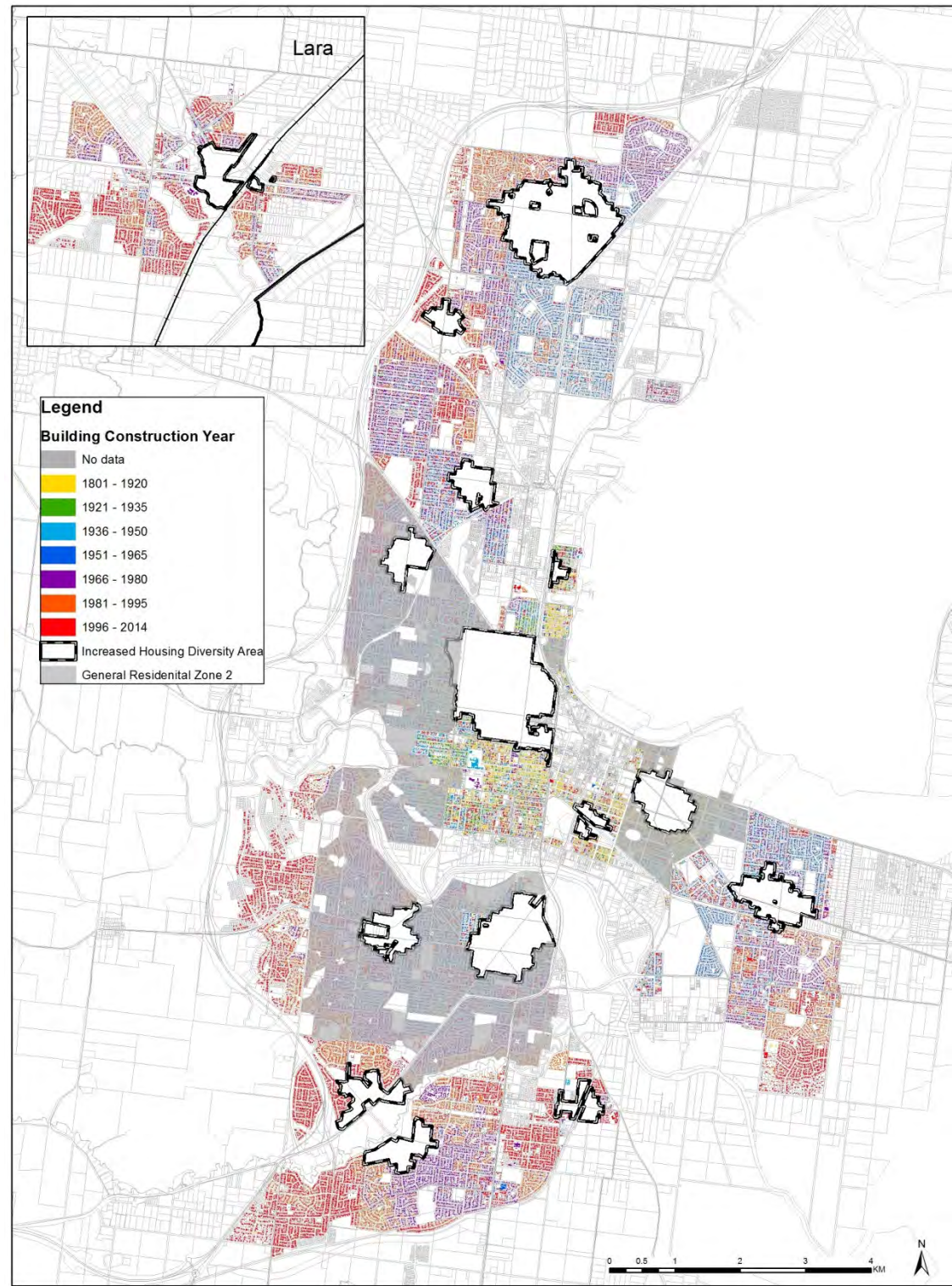
3.0 Maximum building height requirement for a dwelling or residential building

15/11/2014
C200
A building used as a dwelling or residential building must not exceed a height of 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case it must not exceed a height of 10 metres.

4.0 Application requirements

15/11/2014
C200
Subdivision

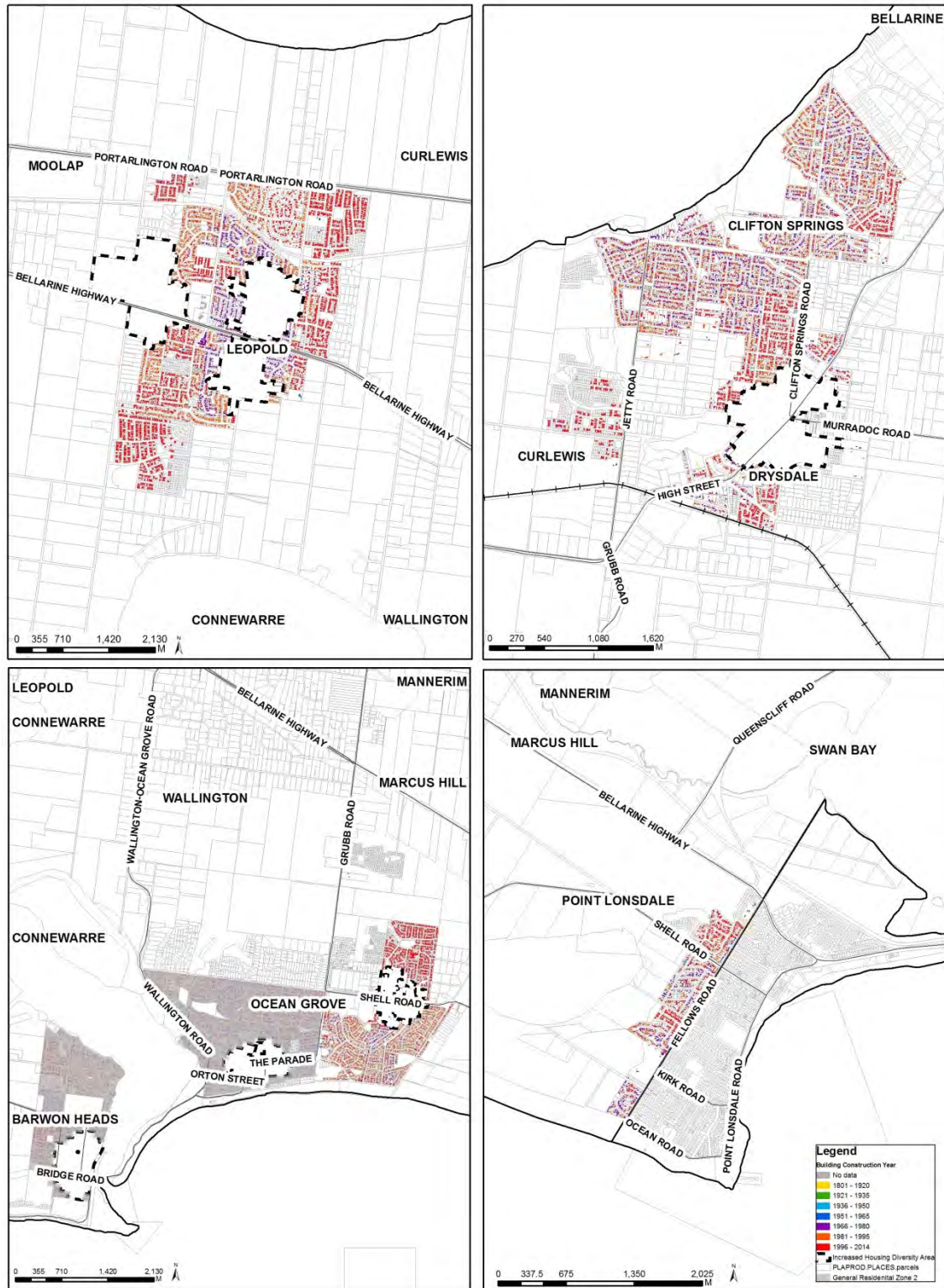
APPENDIX 2 – BUILDING AGES



Building ages - Urban Geelong

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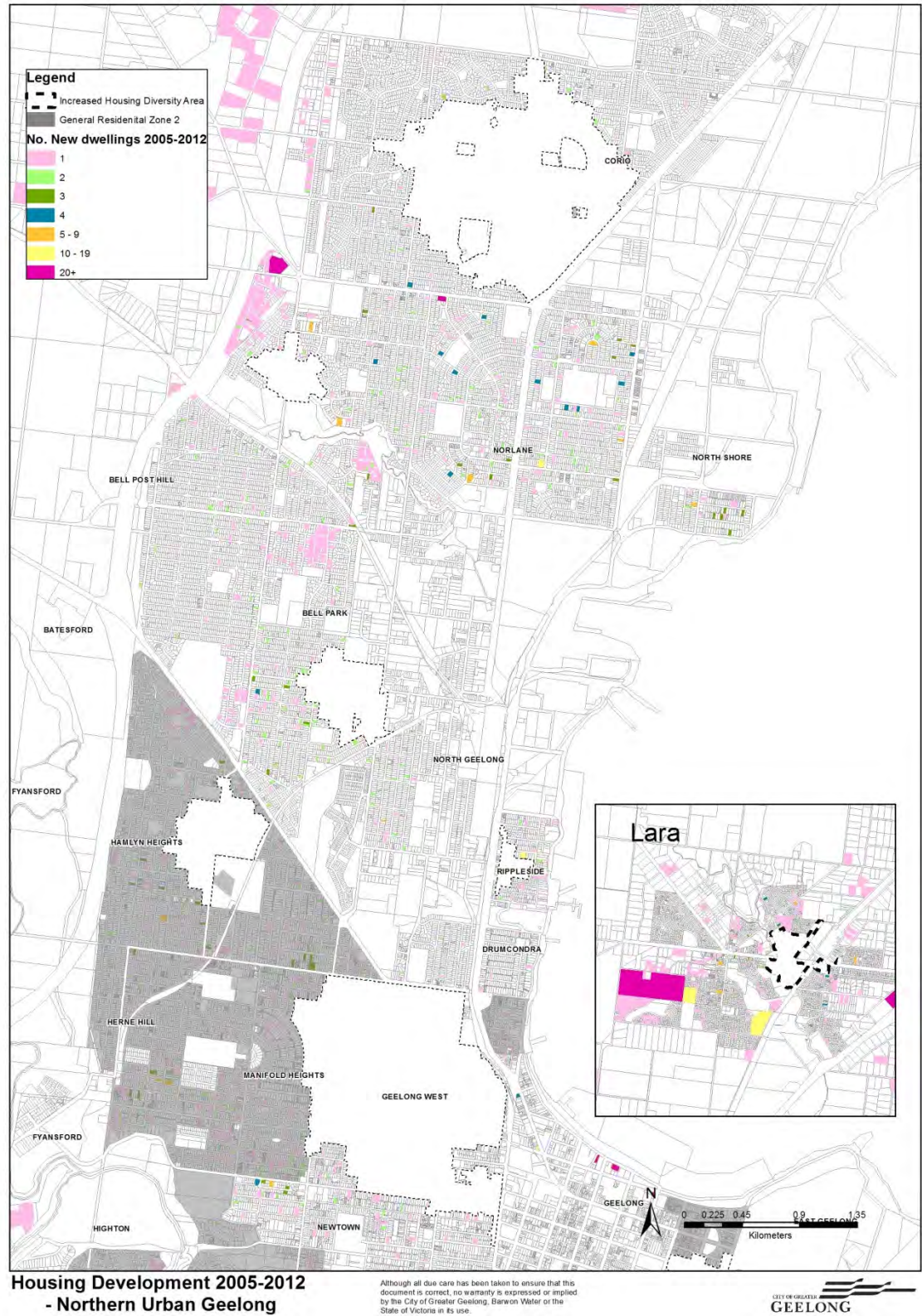




Building Ages - Bellarine Peninsula

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APPENDIX 3 – STATE GOVERNMENT HOUSING DEVELOPMENT DATA 2005-2012





Housing Development 2005-2012
- Southern Urban Geelong

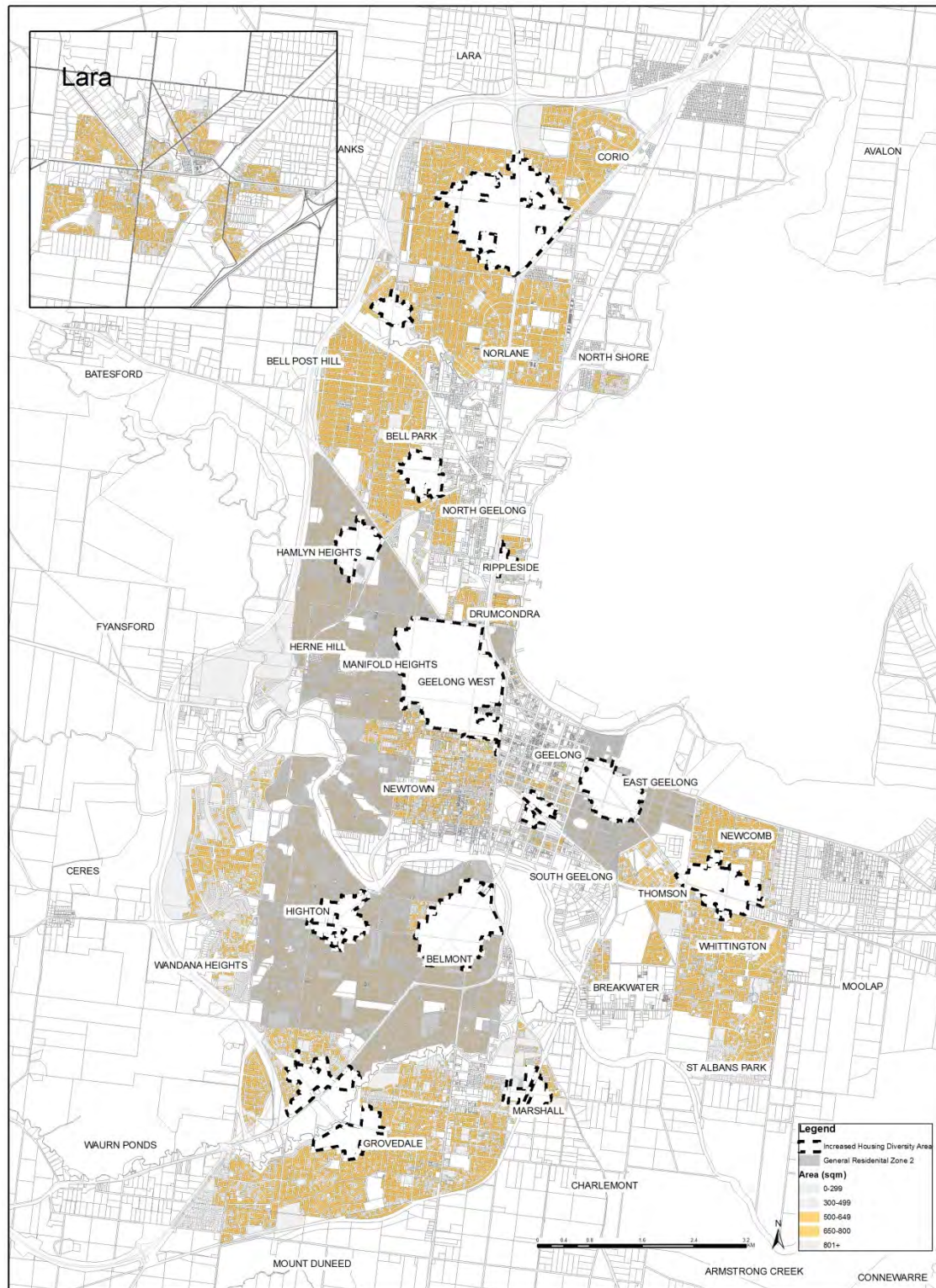
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Housing Development 2005-2012
- Bellarine

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APPENDIX 4 – LOCATION OF LOTS BETWEEN 500 AND 800 SQM



Lot size - Urban Geelong

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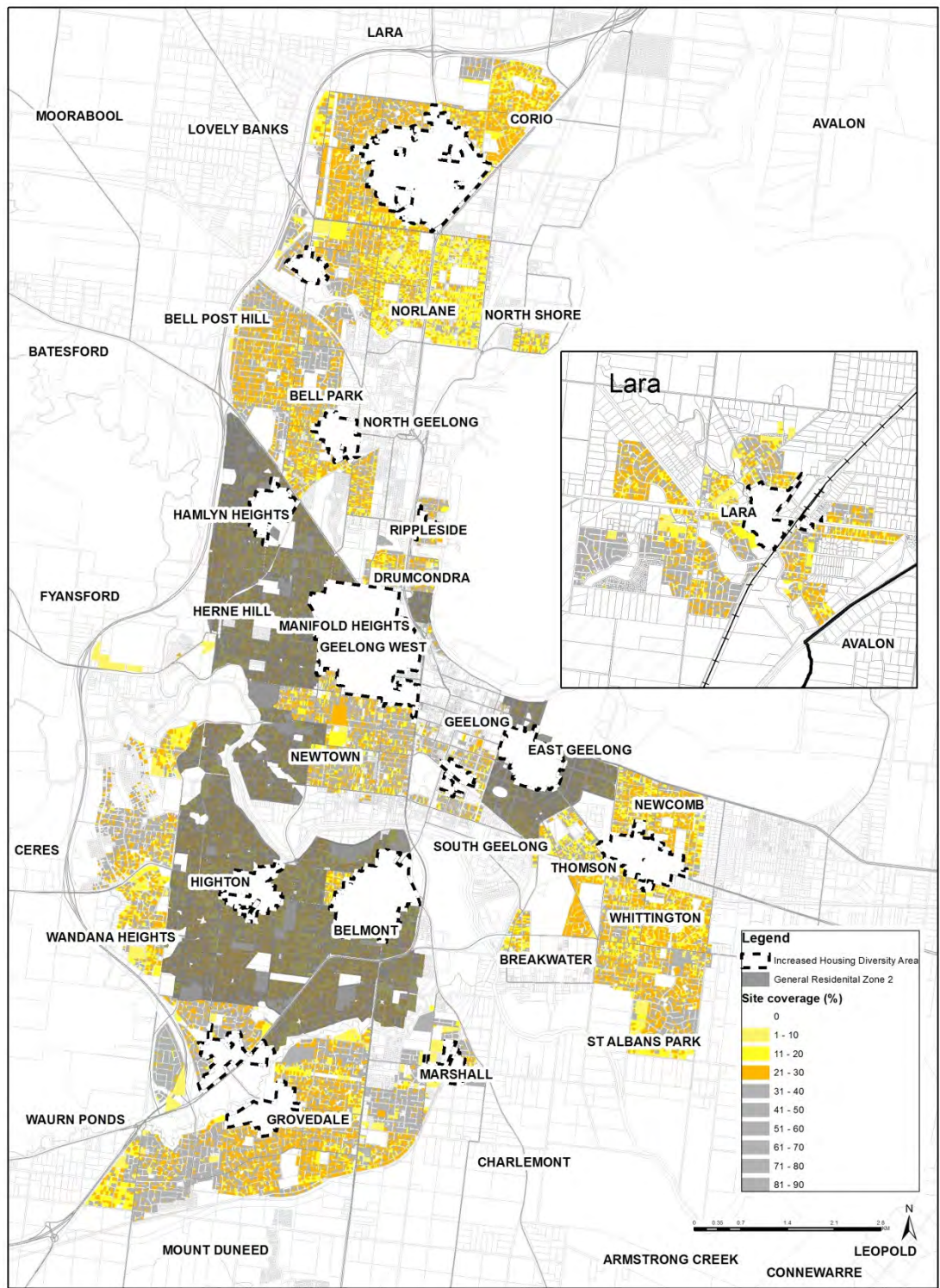
CITY OF GREATER
GEELONG



Lot size - Bellarine Peninsula

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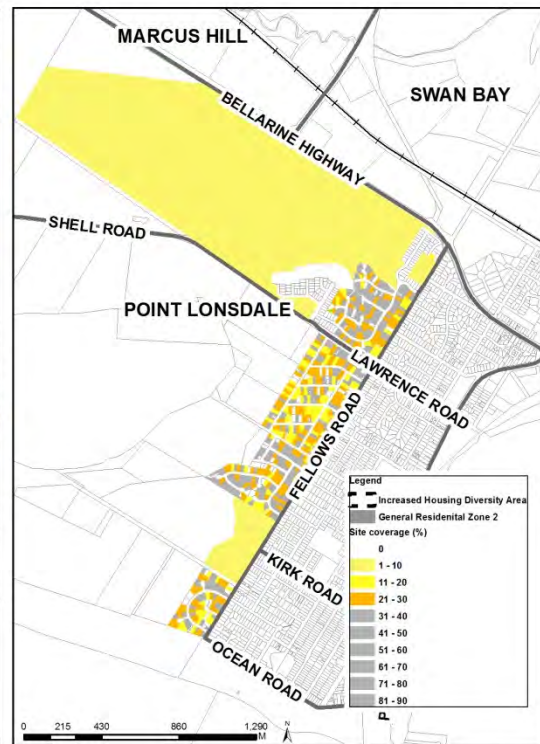
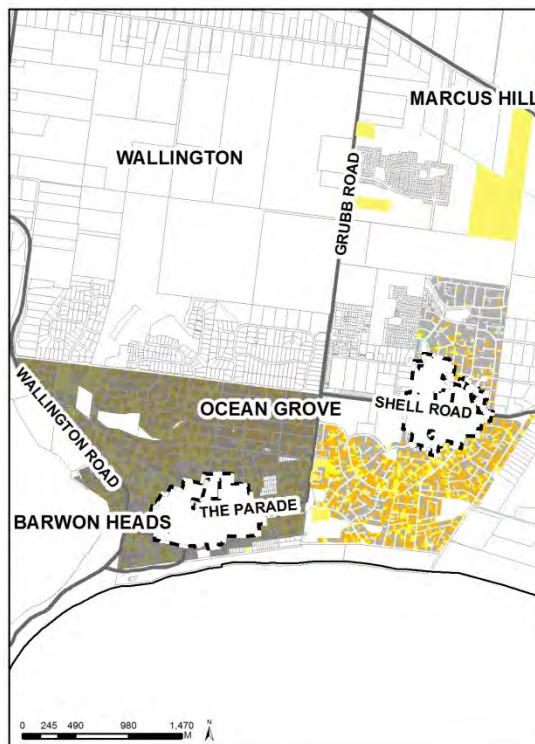
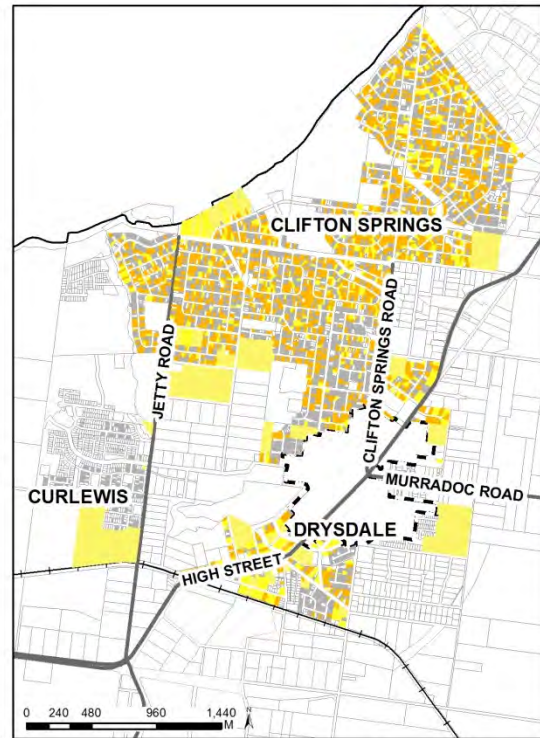
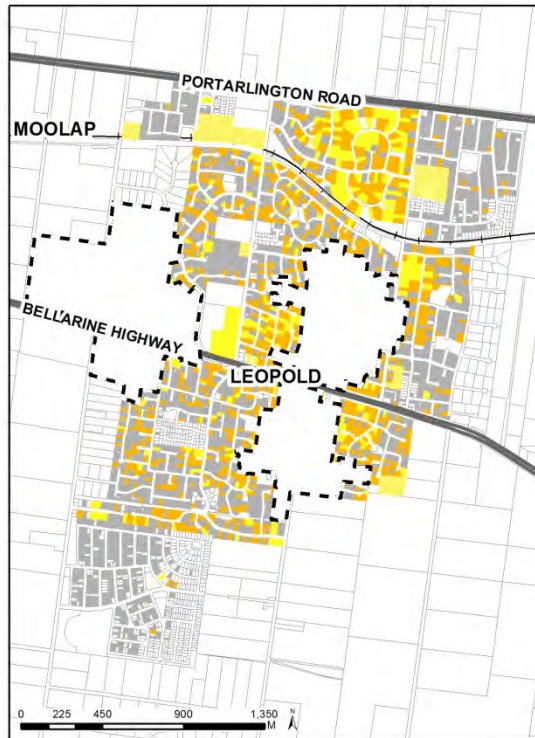
APPENDIX 5 – SITE COVERAGE



Average Site Coverage by Block - Urban Geelong

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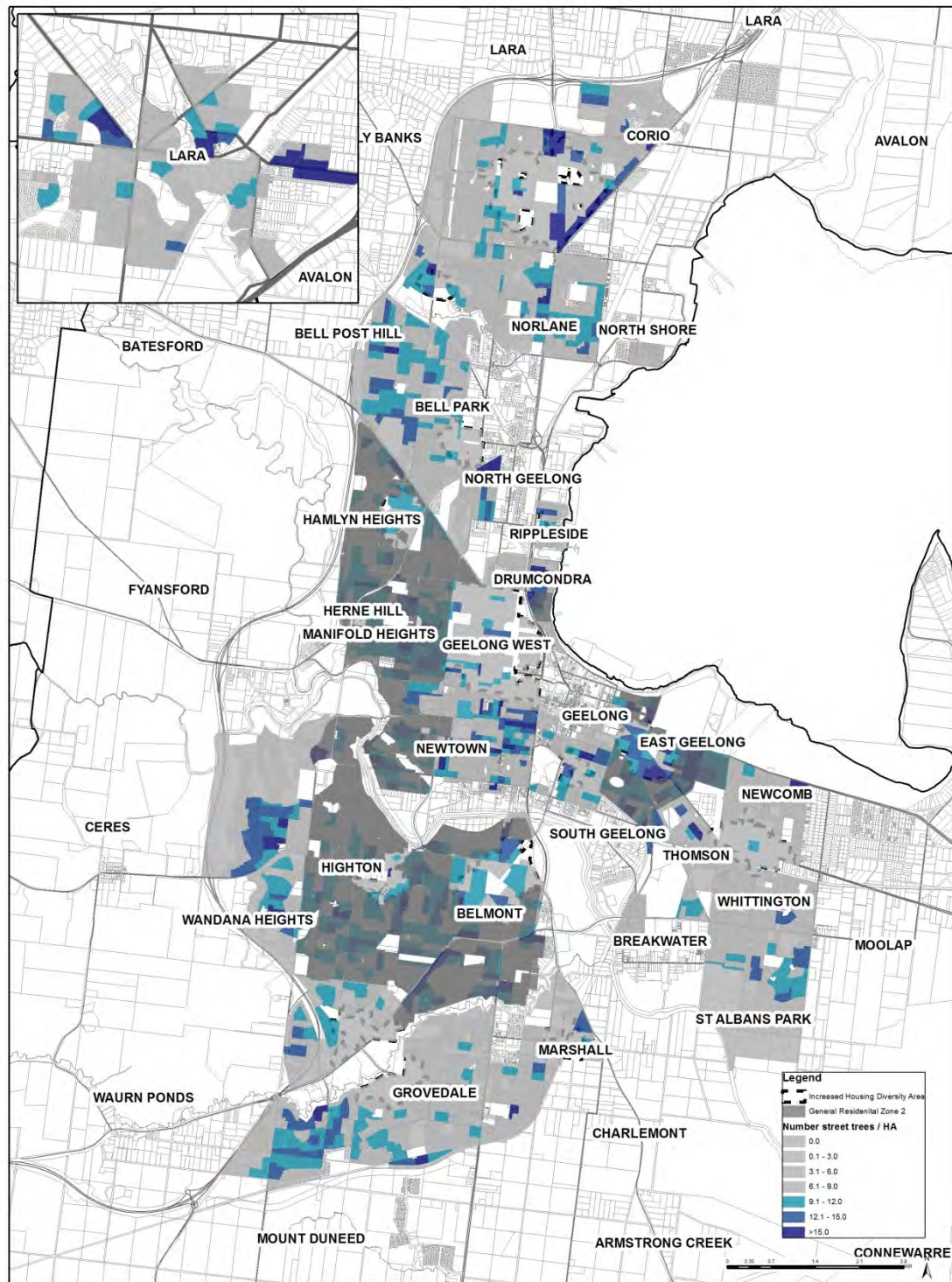




Site coverage - Bellarine Peninsula

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APPENDIX 6 – STREET TREE DENSITY



Street Tree Density - Urban Geelong

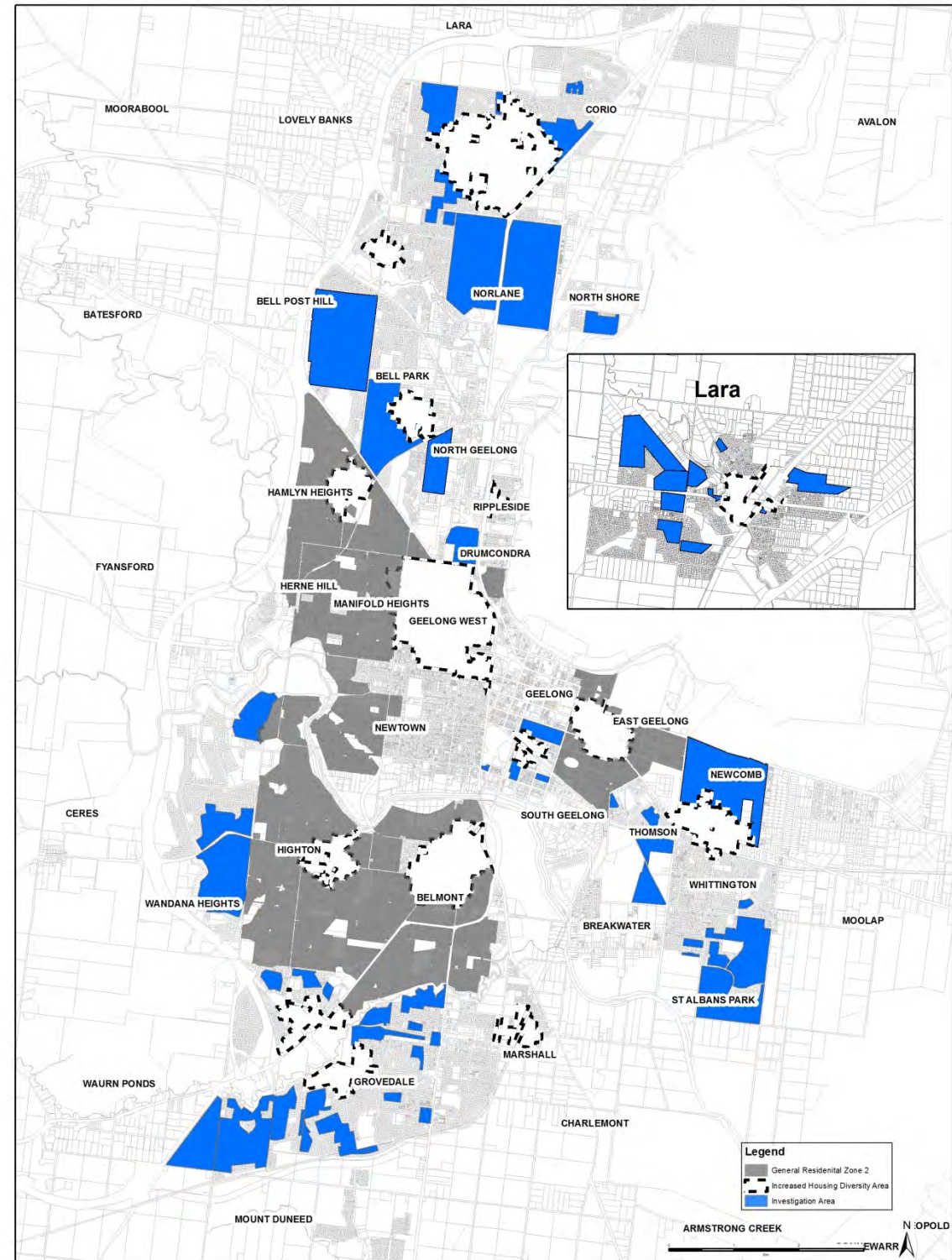
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Street Tree Density - Bellarine Peninsula

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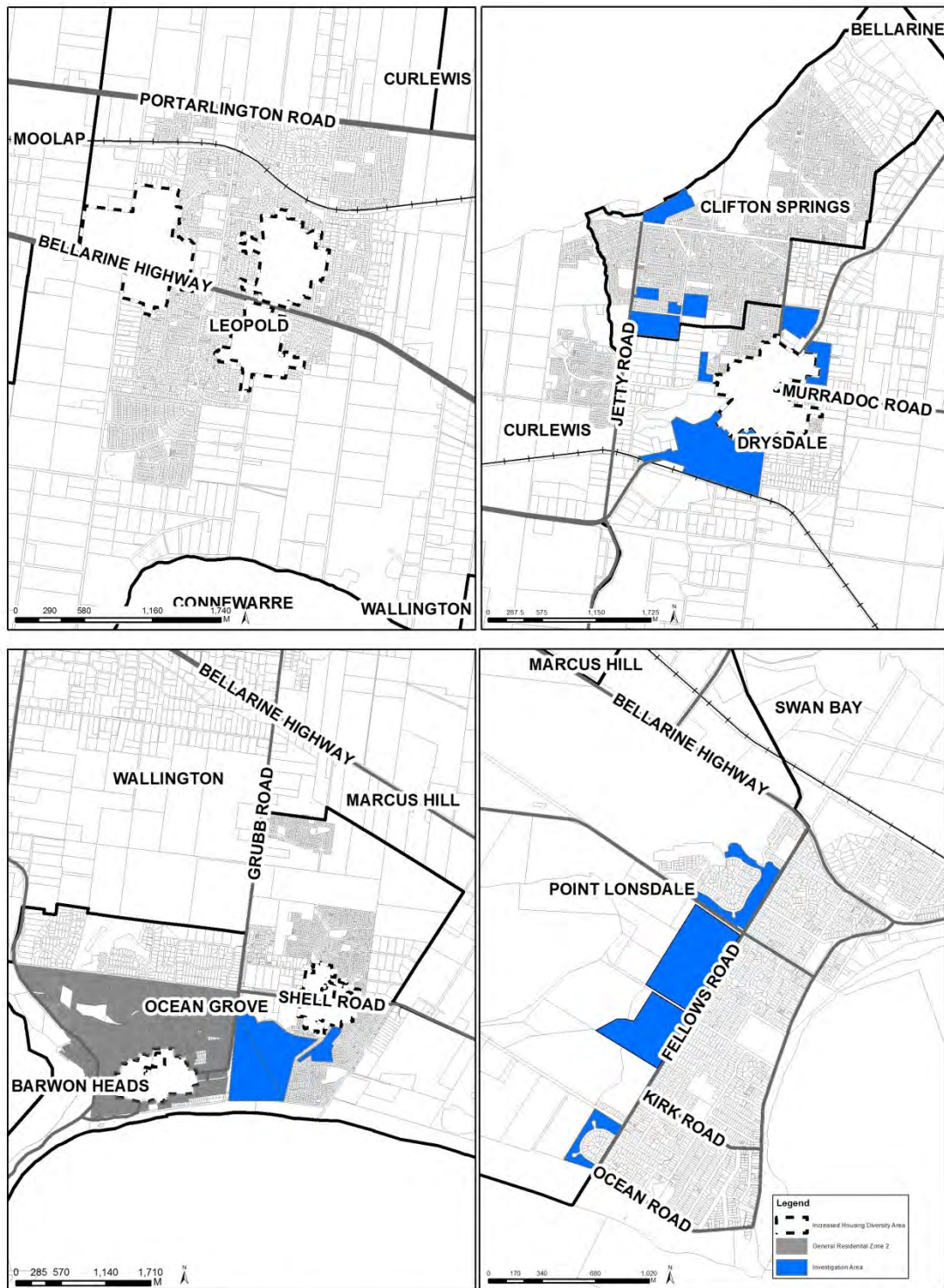
APPENDIX 7 – LOCATION OF FURTHER INVESTIGATION AREAS



**Further Investigation Areas
- Urban Geelong**

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Further Investigation Areas - Bellarine

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APPENDIX 8 – PROPOSED GARDEN CHARACTER AREAS





Proposed Garden Character Area - North Geelong

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Proposed Garden Character Area - Newcomb

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Proposed Garden Character Area - Point Lonsdale

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3. SALE OF THE OLD GEELONG GAOL – CONSIDERATION OF SUBMISSIONS

Portfolio:	Finance - Cr Lyons (Mayor), Cr Farrell, Cr E Kontelj
Source	Strategy & Performance – Property Management
General Manager:	Dean Frost
Index Reference	Sale of land

Purpose

The purpose of this report is to consider submissions received to the proposed sale of the Old Geelong Gaol ("the Gaol") and to recommend that the Council call for expressions of interest for the sale of the Gaol.

Summary

- The Council became the owner of the Gaol in 1994 when the State Government's sale process failed to secure a private purchaser. The Council was at the time under the control of government appointed Commissioners and purchased the property with a government loan which has not been repaid.
- Since purchase the Gaol has been leased to Geelong Rotary which operates the old cell block as a museum and leases out parts of the complex to tenants. Apart from limited maintenance expenditure the Gaol is essentially unimproved since purchase and has a significant and mounting maintenance backlog program. There is no forward master plan for the improvement and operation of the complex.
- On 25 June 2013 the Council resolved that its preferred option was to sell the gaol and established a Reference Group to look at potential future uses.
- At its meeting on 10 June 2014 the Council, having considered the findings of the Reference Group, resolved to give notice of intention to sell the Old Geelong Gaol under s189 of the Local Government Act. 13 submissions were received 5 of which were heard by the Submissions Review Panel. The report of the Panel, consisting of minutes of its meetings, is in Attachment 2.
- Each of the individual submissions is summarised in Attachment 3. Four core submissions emerge from all submissions as follows:
 - Continued ownership of the Gaol by Council will ensure preservation of its buildings and heritage values.
 - Submissions in support of more investment by the Council in developing and operating the Gaol as a tourist attraction.
 - Rotary proposes formation of a Project Planning Group to develop a new business model and plan over a 6-12 month period.
 - Submissions relating to the interests of tenant.

Responses are provided to these core submissions in the attached report.

- The Submissions Review Panel recommends that the Council, over a six month period, investigate alternative ways of Council retaining ownership while funding the maintenance program and achieving its tourism potential including partnerships with other groups and entities.
- It is recommended that the Gaol be sold by expressions of interest which will be assessed by a panel to report back to Council on the recommended purchaser.

Cr Ansett moved, Cr Farrell seconded -

That:

- a) Council, over a six month period, investigate alternative ways of retaining ownership while funding the maintenance program and achieving its tourism potential including partnerships with other groups and entities;**
 - b) A report to be brought back to Council with recommendations in November.**
- Carried.**

Division Requested:

For: Crs Ansett, Harwood, Nelson, Ellis, Richards, Farrell, Irvine

Against: Crs E Kontelj, Lyons, Heagney, Fisher, Macdonald

Background

In 1991 the State Government decommissioned the Old Geelong Gaol and offered the property for sale by tender in 1994. The Council, under the control of Commissioners, supported a private tender to purchase and use it for a car museum, however the tenderer withdrew shortly after acceptance.

After giving consideration to the Government's conditions of release for the private tenderer, the Council stepped in as purchaser using an interest free Government loan to purchase the property. Soon after purchase in November 1994 the Council installed Geelong Rotary as the head tenant which in turn has sub-let parts to a range of tenants. The main cell block continues to be operated by Rotary as a tourist attraction.

The title to the Gaol consists of a Crown Grant of estate in fee simple meaning that the land is owned freehold by the Council which may dispose of the property. The Minister for Planning has indicated that the outstanding loan is payable upon disposal of the property.

Over the last seven financial years the average annual rent to Council from Rotary has been \$35,700 and the average annual maintenance expenditure for the same period has been \$30,700. Apart from replacement of the main gates maintenance expenditure has been minimal and no improvements of any significance have been implemented since the Gaol was decommissioned. Parts of the complex have been shut down due to structural deterioration, non compliance with building regulations and safety risks. The built infrastructure continues to deteriorate, mainly in the non masonry elements.

At present the income from sub tenancies to Rotary is approximately \$76,000 per year and under the lease Rotary is responsible for operating and utility costs.

On 25 June 2013 a report on the future of the Gaol was presented and the Council resolved to:

- 1) Note the cost projections for the continued ownership of the Gaol;*
- 2) Note that the projections will fund some outstanding maintenance and achieve a modest level of compliance without providing any improvements that will allow the property to be used for alternative uses;*
- 3) (Recognise) that the preferred option is that Council does not wish to retain ownership of the subject property;*
- 4) Establish the Old Geelong Gaol reference group for the purposes of receiving a report on potential future uses by a third party, prior to proceeding with the sale or transfer of ownership.*

Having considered the findings of the Reference Group, on 10 June 2014 the Council resolved to:

1) *Commence the procedures to sell the Gaol by expressions of interest;*

Give notice under section 189 of the Local Government Act 1989 ("the Act") of its intention to sell the Gaol and that public notice of and the right of a person to make a submission be given in the Geelong Advertiser and the Geelong Independent;

Appoint the Submissions Review Panel to hear any submissions and report to the Council on any submissions received;

Make the Conservation Management Plan review publically available when the property goes on the market.

Discussion

Consideration of Submissions

Following the advertising period 13 written submissions were received and the Submissions Hearing Panel convened on 2 December 2014 to hear 5 of those submissions. The Panel re-convened on 24 February 2015 to further consider its position. The report of the Submissions Hearing Panel is in Attachment 2 and a summary of all submissions is in Attachment 3.

This section of the report sets out and responds to the four main points made by many of the submitters.

2) Continued ownership of the Gaol by the Council will ensure preservation of buildings and heritage values.

The Old Geelong Gaol is included on the Victorian Heritage Register (H991) and is within a Heritage Overlay (HO143) in the Greater Geelong Planning Scheme. Heritage Victoria has control over changes to the building fabric including demolition and those controls remain in place no matter who owns the property.

A Conservation Management Plan May 2014 (CMP) has been prepared for the site by Council's consultant Ivar Nelson, and that document will be the key reference point for any changes to the building fabric. In relation to management and ownership of the site the CMP states "...While public ownership appears to provide a degree of community comfort, it does not guarantee the resources or investment to responsibly manage the physical fabric of the Gaol. The conservation of the Gaol is more an issue of resources and investment, than it is of public or private ownership."

There are sufficient statutory controls on use and development over the site to ensure that the significant buildings are protected and that any modifications to these buildings are carried out in a manner that retains and enhances its heritage values.

3) Submissions in support of more investment by the Council in developing and operating the Gaol as a tourist attraction.

Comment:

The Gaol is currently operated as a low level tourist attraction by the head tenant Rotary using all volunteer resources with an estimated modest visitation of 10,000 pa.

In order to determine if the site has the potential to develop into a viable and significant tourist attraction research was carried out into 11 other disused jails within Australia.

That research concluded that there are a number of similar facilities which have been adapted as tourist attraction with limited success and both State and Local government authorities have disposed of jails with varying results.

One essential characteristic of jails that have become successful tourist attractions is that they are of high national and international significance and draw considerable interest from tourists for this reason. Of particular note are the Old Melbourne Gaol, Port Arthur and the Fremantle Jail.

The Fremantle Jail is of particular interest as it operates relatively successfully as a tourist attraction and to some extent the City of Fremantle shares the second city characteristics of Geelong. The Fremantle facility is owned and managed by the State and operated directly by its Finance Department. Recurrent income is about \$5m from 190,000 visits (\$3m), events and rents, and recurrent expenditure is about the same as recurrent income, including salaries (\$2.5m), maintenance, utilities and other costs. In the period 2001 to 2008 the facility received about \$10m in capital funding for building improvements and now receives capital funding on an as needs basis. It is a world heritage listed site and as such has received modest grants from the Commonwealth on a 50/50 basis. There are no volunteer staff and all are trained and paid by the department and visitor numbers have steadily built up in response to improvements in the quality of the experience.

In contrast to the Fremantle facility is the Adelaide Gaol which like Fremantle is now owned and operated by the State, having previously experimented with a volunteer operator. The facility attracts 15,000 visitors pa, is operated by 2 full time staff and, with annual revenue of \$232,000, it operates at a recurrent loss. Recent capital expenditure of \$646,000 has been allocated and allocations are subject to the State annual budget process.

The Old Geelong Gaol, while of interest for its former use and relatively intact fabric, is not of national or international significance and has no specific point of interest to give it the advantages it would need to become a successful tourist attraction in itself.

- 4) Head tenant Rotary has proposed that a Project Planning Group be established to develop a new business model and plan over a 6-12 month period. The Group would consist of Rotary personnel with a range of diverse business backgrounds.**

Comment:

In June 2013 when Council first decided that it would review its ownership of the Gaol, Rotary approached the then Mayor and sought a review of the operation of the facility. Council's response was to defer consideration of the sale of the property and establish a Reference Group consisting of Councillors, staff, Rotary and people with skills in tourism and heritage place management.

The Reference Group met twice and reported to the Council on its findings. It did not identify a clear direction for the future of the facility and was open to investigating what sort of response would be received from alternative owners under a sale by EOI process.

Given the current knowledge and work carried out to date, the proposal to establish a Project Planning Group does not provide a clear case for Council to invest the considerable recurrent and capital resources required to lift the facility to a level that justifies the resources required. Further, if such a case exists, there is no necessary relationship between successful operation and Council ownership.

5) Submissions relating to the interests of the tenants.

Comment:

There are submissions relating to the future of services for people with disabilities which have been provided from the site by St Laurence Services. Those submissions were made just prior to St Laurence vacating the site and relocating those services. Karingal has back filled part of the premises formerly occupied by St Laurence however Karingal is using the space as offices and not for the provision of on site disability services.

Other tenants including Barwon Health (offices, storage and parking), Diversitat (hostel), and Protective Services (offices) are all occupying space on short term leases in recognition of the pending decision by the Council regarding the future ownership of the site.

Rotary being the head tenant is beneficiary of the subtenant's rent after the rent to Council has been paid, and those funds are retained by Rotary in pursuit of its charitable objectives. If the property is sold Rotary's income may be at risk depending on their role in the future management of the Gaol.

Maintenance Projections

Technical reports commissioned indicate that known maintenance and compliance works required are expected to cost \$1,559,000. The actual maintenance cost will exceed this amount as the estimates were obtained using non invasive walk through techniques and do not account for contingencies relating to lack of documentation and conservation restrictions.

If the maintenance works were implemented much of the deteriorating elements of the complex will be stabilised and increased allocations for recurrent maintenance budgets will be required to ensure that maintenance backlogs do not re-accumulate. These works will only stabilise the existing infrastructure and will not upgrade the complex to allow any new or innovative uses. No estimates of capital works for adaptive or conservation works have been prepared however the resources required for such work are likely to be considerable.

Conservation Management Plan (CMP)

Conservation consultant Ivar Nelson was engaged to prepare a review of the CMP (now complete). The purpose of the review was to take the original 1997 CMP and identify the significance of the structures and parts of structures within the complex.

The following table provides a snapshot of the allocation of significance levels of the building elements by the CMP.

Level of Significance	Elements Included in level
Significant Fabric (mandatory retention)	Original fabric and changes up to 1900 including: • Cell block • Perimeter and internal walls, watchtowers and front and rear entrances. • Governor's and warder's residences. • Forecourt and SW yard.
Fabric of some value (retention not mandatory, may be altered)	• Laundry and boiler room. • Recreation building. • Trade workshop • Showers • Other yards.
Fabric of little or no significance	• Courtyard porches.

(removal recommended)	• SE yard cellblock porch. • E cellblock sheds. • SE courtyard WC.
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The CMP must be interpreted as a whole to understand how the future of the complex is to be managed to retain, maintain and enhance its heritage values. Significantly the review states:

“The conservation of the Geelong gaol must give due regard to its on going and sustainable use and maintenance when considering changes to its fabric.

Change is inevitable. It is not necessarily a threat to conservation but, if directed appropriately, can contribute to the ongoing and sustainable use and maintenance of the Gaol.

Change can be minor changes to Significant Fabric, the removal of Fabric of Some Value and/or the introduction of new fabric to contribute to the use and future of the Gaol.”

The CMP review provides a progressive overview of the complex and provides a framework for change to encourage sustainability and viability of the complex.

The Cost of Continued Ownership

The Council is free to consider its options for future ownership of the Old Geelong Gaol including on going ownership or sale.

Should the Council continue to own the complex and not fund the works backlog, access to various parts of the complex over time will be further prevented including the main cell block where the central wooden skylight structure continues to deteriorate. At a minimum it is likely that unsupervised public access to the main cell block will be restricted. This option does not present a sustainable approach to the ownership of the facility.

Council could continue to own the Gaol and fund maintenance and compliance works from internal and external sources. External funding sources include State and Federal Government grant programs, however funding from these sources is likely to be limited with the Council remaining exposed to most of the costs and risks.

On going ownership will mean that in addition to the identified works, the cost of unidentified maintenance, changes to compliance requirements and any future conservation works will remain the prime responsibility of the Council. As noted above the cost of unidentified works, including capital improvements for alternative use, is likely to be substantial.

On going ownership will also expose the Council to operating costs. If an experience is to be offered to enhance visitation, it will need to be professionally managed and may not include volunteer resources, if the experiences at Freemantle and Adelaide are relevant.

Conclusion

The option of on going arms length management of the Gaol by the Council through a head and sub lease structure, while convenient, is neither generating sufficient funds to meet maintenance and compliance requirements, nor does it represent a sustainable model for long term management.

Ongoing ownership of similar disused prisons in Victoria have not been supported either by State or Councils, with the State Government having sold many to private owners and Mt Alexander Shire Council having disposed of the Castlemaine Gaol in 2012. It is difficult to reconcile ownership of a disused Gaol with Council's primary role as a local government authority.

Any plans to develop the Gaol as a significant tourist attraction, in addition to the cost, introduces business risks evidenced by comparison with other successful Australian tourism based gaols which have either national or international recognition of their heritage fabric. The Old Geelong Gaol is not significant at this level and is not unique within Victoria. Without this basic criteria of significance or uniqueness there is doubt that the Gaol will, even with the considerable investment in staffing, marketing, maintenance and capital, achieve a level of visitation and income to justify the application of resources. It is however acknowledged that visits could experience a modest increase through improved marketing and professional tours.

The main cell block is unable to be substantially modified for alternative uses due to restrictions on demolition and major internal reconstruction. The future of the property is likely to see the use of the main cell block as a tourist attraction with some scope to host events. To support that use there is a need to find adaptive uses other than car parking for the other spaces and buildings particularly the development of new buildings in the courtyard spaces which is recognised in the CMP. A future in that form is not aligned with the Council's needs and requires investment from other sources, particularly the private sector.

Sale by EOI Process

A sale by EOI as described below is recommended under a process that will allow the Council realistically test the potential for private investment in the site. As a market testing exercise, it needs to be acknowledged that while some interest has been expressed over recent years in the site, there are no existing documented proposals.

1. Provide an EOI document to the market based on the Council's standard EOI format including contents:
 - Geelong Community Profile
 - Tourism Visitation
 - The Land
 - Title Particulars
 - Head Lease and Sub Leases
 - Council Requirements
 - Information Sought
 - Conservation Management Plan
 - Planning Controls
 - Commercial Issues
 - Native Title
 - Evaluation
2. Advertised and marketed through an appointed estate agent.
3. Information Sought
 - Price
 - Maintenance program
 - How will public access to the cell block be provided?
 - Broad concept description (master plan)
 - Experience capability of purchaser
 - Contract conditions requested
4. Council Requirements.
 - Cell block open to the public.
 - Implementation of minimum maintenance program.

5. EOI's assessed by an assessment panel consisting of the Ward Councillor, General Manager – Strategy and Performance and Manager – Corporate Strategy and Property Management.
6. Assessment panel recommends to Council a preferred purchaser. The EOI assessment process may be a single or two stage process depending on the number of responses and the level of information provided.
7. Evaluation criteria will include
 - Response to Council requirements
 - Experience and capability
 - Master Plan
 - Purchase price

The EOI process described is a guide to Council's requirements and how the process will be conducted. The Council may vary the terms and conditions of the EOI depending upon responses.

Report by Submissions Review Panel

The Submissions Review Panel recommends that the Council, over a six month period, investigate alternative ways of Council retaining ownership while funding the maintenance program and achieving its tourism potential including partnerships with other groups and entities.

Environmental Implications

The recommendations of this report have no environmental implications.

Financial Implications

The Minister for Planning in June 2013 advised the Council that the interest free Government loan of \$360,000 taken out by the Council in 1996 for the purchase of the Gaol shall be repayable in full upon sale of the asset. However the Minister also advised that upon repayment of the loan consideration will be given to establishing a Geelong Heritage Restoration Fund for the conservation of heritage places in the City of Greater Geelong.

Policy/Legal/Statutory Implications

The Local Government Best Practice Guideline for the Sale and Exchange of Land recommends that where ever possible land be sold by a public process such as public auction or listing.

Section 189 of the Local Government Act ("LG Act") requires that Council obtain a certified valuation dated not more than six months prior to the sale of the land being the date of the contract of sale. A valuation will be obtained and used as a basis for setting a price.

Under the same section of the LG Act the Council is required to give public notice of its intention to sell the land and consider any submissions received. If any submissions are received they will be heard by the Submissions Review Panel followed by a report to Council. If no submissions are received the land will be sold by listing with an estate agent.

Alignment to City Plan

The recommendation supports the action priority relating to Responsible and Sustainable Financial Management by avoiding significant maintenance and capital costs through the continued ownership of the Old Geelong Gaol.

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

On going ownership and arms length management of the property by the Council in the absence of a commitment to fund maintenance and improvements represents an unacceptable risk.

Should the Council continue to own the property it will be accepting risks relating to the use of buildings for which they were not designed along with growing and unavoidable cost of maintenance and capital improvements.

The risks associated with the sale of the complex can be managed by obtaining appropriate advice and following normal management procedures.

Social Considerations

The effects on any of the tenants or subtenants will be taken into account when the EOI's are assessed and recommendations of the assessment panel will be taken into account when the Council considers the panel's recommendation.

Human Rights Charter

The recommendations of this report and the subsequent sale process have no implications relating to the Human Rights Charter.

Consultation and Communication

The tenants have been kept informed of Council's intentions in relation to the future ownership of the property.

Attachment 1 Aerial Image Old Geelong Gaol



Attachment 2 Submissions Review Panel Minutes

Minutes

SUBMISSIONS REVIEW PANEL

Hearing of Submissions

Notice of Intention to Sell Land - The Old Geelong Gaol

Time and Venue: 5pm, 2 December, 2014. Rm 3, City Hall, Little Malop St

Present: Cr Heagney (Chair) and Crs Lyons, Ansett, Farrell and Ellis

Also Present: Lindsay Allan, Alan Grant

Apologies: Crs E Kontelj, Irvine, Macdonald, Fisher and Nelson. It is noted that Cr Fisher attended but did not participate as a member of the Panel.

Declarations of Interest or Conflicts of Interest: Nil

Items for consideration:

Hearing of Submissions

All submitters being heard have provided written submissions which are separately summarised. The following are key points of submissions made at the hearing.

1. Geelong Rotary. Presentation by Barry White (President) and other members.

The Rotary submission followed a Power Point presentation the main points of which were:

- Existing management of property is unsustainable and Rotary proposes a new business model to focus on development as a tourist precinct.
- Objectives of new business model are to ensure appropriate maintenance, generate employment and revenue, attract visitors and provide involvement of and benefits to the community.
- Propose establishment of a project group to develop a new business model over 6-12 months.

2. National Trust Geelong Branch. Presented by Jennifer Bantow.

- Heritage Victoria is greatly reduced and local government offers the best protection for heritage places.
- Conservation of the Gaol is best served if it remains in public ownership.
- Council subsidises community activities and cultural activities should be treated the same way.
- Mentioned legal agreements on title, assistance of National Trust, support from community, further heritage assessments, involvement of individuals and private companies.

3. Robin Povey

- Has experience with visitors to the Gaol and what motivates visits.
- Freemantle Gaol is successful.

- Mentioned the use of technology to enhance tourism experience.
- Other Gaols in private ownership have fallen into disrepair.
- If sold there needs to be a return in terms of maintenance, use and public access.

4. Margaret Wedding

- Points to Inveraray Jail in Scotland as successful example.
- Importance of convict stories and heritage.
- Integration with other regional attractions.

5. Alec Hand

- Expressed importance of retaining the buildings.
- Support for submission by Rotary.

Committee Deliberations

The Panel met immediately following the hearings and discussed the potential sale of the property. The Panel decided to reconvene at a later date to consider its preferred position.

Hearing Closed at 6.00pm
Panel discussions concluded at 6.25pm

Panel Reconvened at 5.30pm Tuesday 24 February 2015.

Panel members present Cr Heagney (Chairperson), and Crs Farrell, Ansett and Ellis. Apology from Cr Lyons (Mayor).

Also Present: Lindsay Allan, Alan Grant

Following discussions between Panel members the Panel considers that retaining Council ownership of the Gaol will:

- Ensure protection of heritage elements; and
- Ensure community access to the site.

The Panel also noted that the Council did form a Reference Group to examine alternative uses for the Gaol however that group did not provide viable alternative ownership and management model for the facility.

Recommendation:

The Submissions Review Panel recommends that the Council, over a six month period, investigate alternative ways of Council retaining ownership while funding the maintenance program and achieving its tourism potential including partnerships with other groups and entities.

Attachment 3 Summary of Submissions – Old Geelong Gaol

#	Submitter	Submission Summary
1	Diana Daley	- Gaol is an important part of our heritage. - Make it a bigger drawcard.
2	Sean Middleton	- Help save Gaol. - Do not let it go to overseas buyers. - History should be touchable.
3	Beverly Segon	- Disabled people depend on the Gaol. - Reconsider, have a heart, you don't need to sell it.
4	Ian Trezise MP	- Has been approached by people concerned that consultation is proceeding at the same time as the sale process. - Complete consultation process prior to sale.
5	Jennifer Adler	- If sold Gaol's originality is gone forever. - Should be on National Trust list and preserved in original state with less historic buildings used for commercial purposes. - In near unaltered state, unique experience for visitors. - Victoria's only intact 19th century gaol. - Benefits of retention include learning and honouring the past. - Selling the Gaol would destroy its main attraction being a true insight into our history without disguise or glamour. - Gaol has commercial potential currently attracting 10,000 visitors per year and visitors go elsewhere to spend money. - Less historic parts could be used by service providers and for housing and kitchen could be used for hospitality. - Ghost tours could be offered in the package. - Uses should be pure and singularly related to the Gaol. - No commercial tenants including parking, service providers or housing. - Allow visitors, accommodation, hospitality, retail, ghost tours and school programs. - Retention of Gaol would be good for Geelong's morale, employment, and a sign that Councillors care about history. - If sold it would be gone forever.
6	Anton Van Doornik	- Concerned at sale of Gaol with close of industries all that is left is tourism. - Why would one come to Geelong - there is nothing to see or do. - Gaol is one of only a few historic buildings left in Geelong. - Maybe time to go and live somewhere with a vision of future direction. - If sold the property would deteriorate. - Can't see a 5 star hotel built in the Gaol. - Keep the property in public hands.
7	R & D Povey	- Heritage must be valued and protected. - Australia recognised for colonial past and transportation of convicts. - Gaol provides a link to convict era. - Seeing conditions prisoners endured reflects English heritage and current Australian character. - Educational value of Gaol must be recognised and retained. - Gaol is picture of forefathers which is being eroded. Rotary has created unique tourist experience. - International visitors are impressed. - Rotary has raised \$1.5m for community projects.

		• Very little of Rotary's rent paid to Council for maintenance has been appropriately utilised. Council has abandoned its obligations. • Gaol provides an opportunity to become a core tourism hub linked to employment opportunities. • Gaol and other Geelong historic buildings linked to Ballarat Goldfields could be a bus tour for Melbourne based tourists. • Gordon students could use tourism for training. • Other Australian gaols have been abandoned by Councils due to poor research on avoiding maintenance costs. • Sales of other gaols have lacked strategic planning and constraints over private sector intentions. • Council has obligation to prepare plans for protection and enhancement of heritage buildings it owns. Such plans are expected by the community and should not include private interests and build on tourism opportunities. • Rotary has done a good job and should be a partner in any future Council plans for the Gaol. • Council should halt plans to sell the Gaol and engage with community leaders to develop it for tourism and education.
8	Mandy Oldham	• Gaol has heritage and commercial value that Council should utilise. • Only intact 19 century gaol in southern Victoria and would be a loss if lost. • Has 10,000 visitors annually and could be increased with promotion. • Sale of Gaol when Geelong is losing industrial icons would exacerbate the recession facing Geelong. • Keep Gaol to train students and provide jobs.
9	Margaret Wedding	• Makes a submission for retention of the Gaol as a tourist attraction museum based on experience in Scotland. • Incorporating settlement history, trades taught to prisoners, closing Lt Myers Street, underground parking, bus tours to other attractions, ghost tours, café, children's play areas and activities, former prisoners history, punishments, convict history, artefacts and weapons, photographs, food vendors, torture methods, films, prison clothing, employment office, gaol sports, convict settlement display, bus terminal for visitors, displays of drugs, educational centre, cost less than Sovereign Hill, purchase 2 busses to run tours to other regional attractions.
10	Geelong Historical Society	• Supports Rotary's proposal for Gaol to be developed as a tourism precinct with museum, wine bars, wine cellar, restaurant, ghost and historic tours. • Should not be sold to owner who may not hold the best interests of the Gaol. • Should be developed to attract businesses that compliment the Gaol. • Compares to success of Abbotsford Convent. • Sales of Gaol would be a grave mistake by an overzealous and apathetic Council. • Council should support Gaol become a tourist destination.
11	Alec Hand	• Over time Geelong has lost many historic buildings. • Council should retain and develop the Gaol as a tourist attraction. • The Gaol is a significant part of Geelong's heritage. • The gaol has generated \$0.5m for the Council and \$1.5m for Rotary for community projects.

		To fund the development of the Gaol as a tourist attraction, parts of the complex can be sold.
12	Rotary Club of Geelong	- Rotary has provided a submission of text and illustrations. - The Gaol is of historic significance, prime real estate close to the centre of Geelong. - The significance of the site should be protected and maintained. - Maintenance and the needs of current users should be catered for. - Rotary has the head lease with sub leases to Barwon Health, St Laurence and Diversitat. Ghost tours operate. All income goes back into the community. - Tony Robinson was filmed at the Gaol and Rotary has sponsored publication of a book. 10,000 visitors per year, more than \$1.5m directed to community projects, \$30,000 per year in rent to Council. - The site is undervalued and underdeveloped and Rotary supports developments than benefit the community, Council, investors and the Club. - The Gaol should remain in public ownership and developed as a major tourist attraction. Activities include open space, arts, entertainment, jewellery, wine bars, cultural activities, museums, coffee shops, restaurants. - Funding could come from partial sale of the site in 6 portions. - Should the Council decide to sell the Gaol, Rotary supports development to protect the tourism potential. A sale process will include: - selection criteria should be the overall benefit to Geelong; - benefits to Geelong including assumptions; - concept plan of development; - provisions of a 5/10 year plan; - how maintenance will be funded; - upgrading of heritage buildings including cost and timing; - ability of purchaser to perform. - Heritage Victoria has advised on levels of significance of buildings. - The submission provides a description of potential development around existing buildings and open areas. - A list of potential uses is provided. - Most early colonial gaols in Australia remain in public ownership with Councils with the most successful being run by States. - A list of old gaols in throughout Australia is provided, some of which are operated by municipal Councils. Of the 27 listed 7 are operated by Councils. - Rotary opposes the Council's decision to sell the Gaol. - The Gaol tells a story of our past providing a link to the convict era. - It could become a tourism hub following overseas examples. - Tourists driving to the coast are unaware of the history of the site. - A number of gaols have been abandoned by Councils. - The Council has the opportunity and obligation to prepare a master plan for the Gaol which should be fully independent of commercial interests and based on tourism and employment creation. - Council should abandon the sale for ill defined commercial purposes and engage with community leaders with the ability to embrace opportunities for enjoyment and education of locals and visitors. - SUMMARY - Gaol should remain in community ownership.

		○ Improvements are required to improve visitor experience. ○ New exhibits and extended hours. ○ Gordon and Deakin students interested in casual work. ○ History and its preservation paramount. ○ Cell block should be preserved at all costs. ○ All Rotary Clubs willing to discuss involvement. ○ Rotary Club has proven record in major projects and could supervise work and achieve savings. ○ Attempts to privatise other gaols has not worked. ○ City needs more tourist attractions and jobs. ○ Rotary generates \$100,000 pa from Gaol for community benefit. ○ Rotary continues to seek new tenants.
13	National Trust	• The building is important and one of the few standing in the world built on the Pentonville prison model. • Support for the submission by Rotary.

Cr Nelson declared an Indirect Interest by a Conflicting Duty in that during his election campaign he had a regular and close association with the school listed in the report and left the meeting room at 8.52pm prior to discussion.

4. SALE OF LAND TO ROMAN CATHOLIC TRUST – PENINSULA DRIVE DRYSDALE

Portfolio:	Finance - Cr Lyons (Mayor), Cr Farrell & Cr E Kontelj
Source:	Strategy & Performance - Property Management
General Manager:	Dean Frost
Index Reference:	Land Sale

Purpose

To recommend that the Council sell approximately 2.6ha of land at Peninsula Drive, Drysdale to the Roman Catholic Trust for the expansion of St Ignatius Secondary College.

Summary

- The Council owns approximately 45 ha of vacant land located in the vicinity of Peninsula Drive, Drysdale which was part of a larger parcel purchased by the former Shire for urban development.
- The Catholic Archdiocese in 2011 approached the Council to purchase vacant Council land to the east of the Potato Shed for the expansion of Saint Ignatius Secondary College which is located on adjoining land to the north at 9-27 Peninsula Drive (refer to Attachment 1).
- There is insufficient space at Saint Ignatius College to meet projected growth in student numbers. Further space is required to meet the needs of a projected 11% growth in students in the next 3 years and to provide learning rooms, sport and physical education areas.
- The Council land containing the Potato Shed is a Reserve of 5.01ha and is zoned Special Uses Zone 13 being a zone that provides for education use along with recreation and community uses.
- There is a master plan for the expansion of the Potato Shed (refer to Attachment 3). If the eastern part of the Reserve of approximate area 2.6ha is sold to the Roman Catholic Trust ("RC Trust") there is sufficient land remaining in Council's ownership to achieve the expansion of the Potato Shed as well as any long term future plans relating to this use.
- The large area of vacant Council land to the west of Peninsula Drive is similarly zoned Special Uses Zone 13 and the Drysdale Clifton Springs Sports Precinct Masterplan designates the majority of this land for sporting ovals, grounds, parking and pavilions (refer to Attachment 2).
- Since discussions commenced with the Archdiocese about the Potato Shed land the Council has identified a future need for a children's services facility at St Leonards, and land owned by the RC Trust in Murradoc Rd St Leonard's was been identified as a possible site.
- Discussions with the Archdiocese and local parish have been proceeding since late 2013 to try to achieve a land exchange where simultaneous contracts of sale would apply to both the Drysdale and St Leonards land.

- The College has now received a \$2m Federal Capital Grant towards the construction of a new Year 9 centre and needs to confirm a site and commence development.
- In relation to the St Leonards land the Archdiocese has informed the Council that while the parish is willing to continue discussions about the future of this land, the timeframe for a resolution of that site is outside that for the College to commence its year 9 centre.
- It is recommended that the Council proceed to sell 2.6ha of land in Peninsula Drive to the RC Trust for \$700,000 plus GST being the Council's valuation. Any costs associated with the subdivision of the land will be met by the purchaser.
- Prior to selling the land Council is required to give public notice of its intention to do so under s189 of the Local Government Act and allow for the hearing of submissions. If submissions are received they will be heard by the Submissions Review Panel and a further report will be put to Council. If no submissions are received the land will be subdivided and sold.
- Any sale of part of this land for a school requires that the land be subdivided and the Reserve restriction be removed from the title.

Cr Ellis moved, Cr Farrell seconded -

That Council:

- 1) **Commence the procedures to sell land of approximately 2.6ha ("the land") located at 29-39 Peninsula Drive, Drysdale to the Roman Catholic Trust Corporation on the following terms:**
 - **The price being \$700,000 plus GST if applicable;**
 - **Settlement to occur upon registration of a plan of subdivision of the land;**
 - **Other appropriate terms and conditions; and**
- 2) **Purchase from the Roman Catholic Trust Corporation approximately 2,500m² of land at 1343-1349 Murradoc Road, St Leonards on the following terms:**
 - **The price being no more than the Council's certified valuation of the land;**
 - **Settlement to occur upon registration of a plan of subdivision of the land;**
 - **Other appropriate terms and conditions; and**
- 3) **Requires that an exchange of land agreement be entered into where the contracts for the sale and purchase of land referred to in 1) and 2) above be entered into and settled simultaneously;**
- 4) **Commence the procedures under section 189 of the Local Government Act 1989 ("the Act") to sell the land and that public notice of and the right of a person under section 223 of the Act to make a submission in relation to the proposed sale be given in the Geelong Advertiser and Geelong Independent; and**
- 5) **Appoint the Submissions Review Panel to hear and report to the Council on any submissions in relation to the proposed sale; and**
- 6) **In the event that no submissions are received sell the land at Peninsula Drive, Drysdale to and purchase the land at Murradoc Road, St Leonards from the Roman Catholic Trust Corporation; and**

7) Authorise the General Manager – Strategy and Performance to execute the Contract of Sale.

Carried.

Division Requested:

For: Crs Ansett, Harwood, Ellis, Lyons, Heagney, Fisher, Richards, Farrell, Irvine

Against: Cr E Kontelj, Macdonald

Background

The Catholic Archdiocese of Melbourne approached the Council in 2011 to purchase land at the rear of the Potato Shed, Drysdale to expand St Ignatius College.

The Council is the owner of approximately 45ha of undeveloped vacant land in the vicinity of Grubb Road and Peninsula Drive, Drysdale which was part of a larger parcel of land purchased by the former Shire of Bellarine for urban development purposes. Approximately 16 years ago parts of the larger parcel were sold to the Roman Catholic Trust Corporation and Department of Education for the schools currently located on Peninsula Drive (refer to Attachment 1).

The Council's multi arts facility, the Potato Shed, is located on a 5.010ha Reserve on the eastern side of Peninsula Drive between the schools and includes a bus interchange and car park.

The rest of the Council's land to the east of Peninsula Drive is either vacant or leased to various users including the Education Department or used for grazing purposes.

The Council's land is zoned Special Uses Zone 13 being a zone that allows for a range of civic, community, education and recreation activities. This zone was introduced in 2011 under amendment C194 to the Planning Scheme. Previously the land was more widely zoned for general urban development including residential development, and while the current zone considerably restricts permitted uses it continues to recognize educational use.

The RC Trust is the owner of land at 1343-1349 Murradoc Road St Leonards part of which has become of interest to the Council for a children's services facility.

Discussion

St Ignatius College is seeking to expand its campus at this location to provide more general purpose and specialist learning rooms, and sport and physical education areas. Student numbers have almost doubled since 2007 and are projected to grow by 11% in the next 3 years, and the College requires additional land as its current site is fully developed.

Much of the College's building stock consists of re-locatable buildings and additional land will allow permanent classrooms to be built without the prior demolition of the re-locatable classrooms they are intended to replace.

The College has recently received a \$2m Federal Government Capital Grant to support the construction of a new year 9 centre and needs to confirm a site and commence construction in the short term.

Council's intentions for its vacant land in this area have in recent years been expressed in 2 strategic plans.

- Attachment 2. In 2011 the Council adopted the Drysdale Clifton Springs Sports master plan which establishes a concept plan for the use of the vacant Council land to the west of Peninsula Drive for a series of sports grounds and Council uses.

- Attachment 3. The Potato Shed has a master plan that shows future expansion of the facility including additional theatre space, music labs, recording space, exhibition space and general purpose areas.

The eastern portion of the Council's Reserve containing the Potato Shed, being the land proposed to be sold, has not been designated for any purpose under either of the above master plans.

If the land of area 2.6ha at the eastern end of the Reserve was sold for the expansion of Saint Ignatius College that would leave approximately 2.4ha of land in Council's ownership around the Potato Shed providing sufficient land to accommodate the expansion of the facility as envisaged in the master plan as well as yet to be determined long term future plans.

The Potato Shed master plan also proposes a relocation of the current car park and bus interchange to the western side of Peninsula Drive which would provide greater land for expansion if required.

The Council land is the preferred location for the expansion of Saint Ignatius College. The alternative is for the school to purchase land to the east of Gillies Road which would require an eastern extension of urban zones into land currently zoned rural and would require the relocation of Gillies Road to avoid having a road through the school campus.

The Council in 2013 identified a future need for a site in St Leonards for a children's services facility consisting of a kindergarten, MCH and community rooms. The RC Trust is the owner of land at 1343-1349 Murradoc Road which has the potential to provide a site suitable for Council's requirements. The timing of the requirement for this facility has not been defined and will depend on future demand.

Discussions have been held over the past 18 months to attempt to agree an exchange of land between the parties where contracts of sale for both parcels of land would be settled simultaneously. These discussions have been held between Councillors and various sections of the church including local parish representatives.

Following those discussions the Council has been advised that while the parish is willing to continue discussions about the future of this land, the timeframe for a resolution of that site is outside that for the College to commence its year 9 centre.

Environmental Implications

There are no environmental implications associated with the recommendation of this report.

Financial Implications

A certified valuation of the land dated January 2015 has been obtained which is the agreed sale price.

Advice has been received from Council's engineering consultant that costs of approximately \$55,000 will be incurred in subdividing the land. Those costs, in addition to any valuation and survey costs, will be met by the purchaser.

Policy/Legal/Statutory Implications

The Local Government Best Practice Guideline for the Sale and Exchange of Land recommends that where ever possible land be sold by a public process such as auction or listing. In this case a direct sale to the Roman Catholic Trust is recommended to assist with its expansion plans.

Section 189 of the Local Government Act ("LG Act") requires that Council obtain a certified valuation dated not more than six months prior to the sale of the land being the date of the contract of sale.

Under the same section of the LG Act the Council is required to give public notice of its intention to sell the land and consider any submissions received. If any submissions are received they will be heard by the Submissions Review Panel followed by a report to Council. If no submissions are received the land will be sold to the Roman Catholic Trust.

The Council land is a Reserve which is a restriction on the title that needs to be removed prior to sale, and a planning permit is required for this purpose. In addition the land requires subdivision prior to sale.

Alignment to City Plan

The sale of the land will provide the best option for the expansion of St Ignatius College to meet its projected demands for education.

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 risks associated with the subdivision and sale of this land are able to be managed following normal management procedures and processes.

Social Considerations

With the sale of the land to the Roman Catholic Trust the Council still has sufficient land in around the Potato Shed and to the west of Peninsula Drive to cater for the medium to long term community and sporting needs of Drysdale and the wider Peninsula.

Human Rights Charter

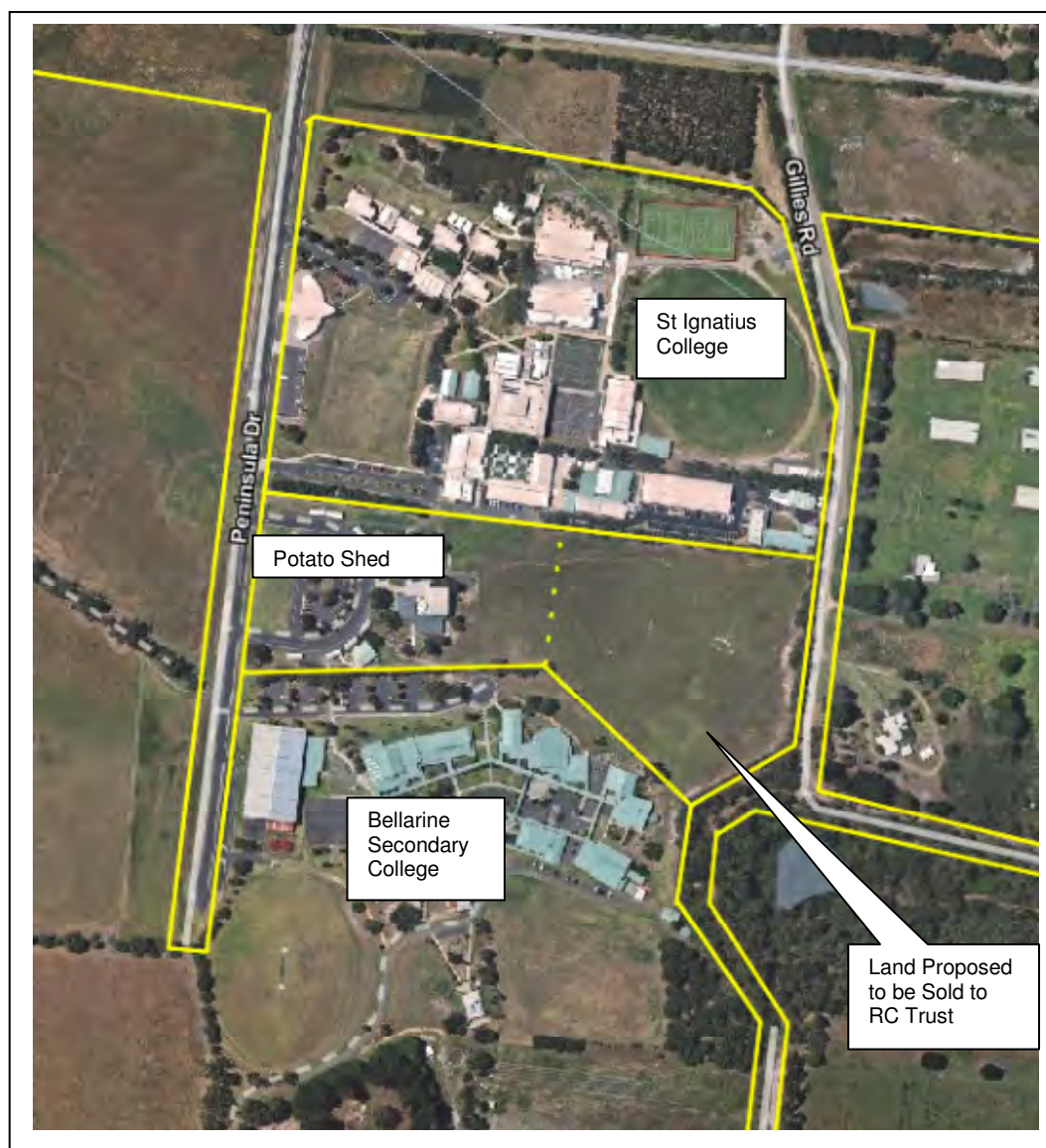
No human rights will be affected by the recommendation of this report.

Consultation and Communication

The relevant internal departments have been consulted in the preparation of this report. Public submissions on the proposed sale will be invited as described above.

Attachment 1

Aerial View of Schools and Council Land in Peninsula Drive Drysdale



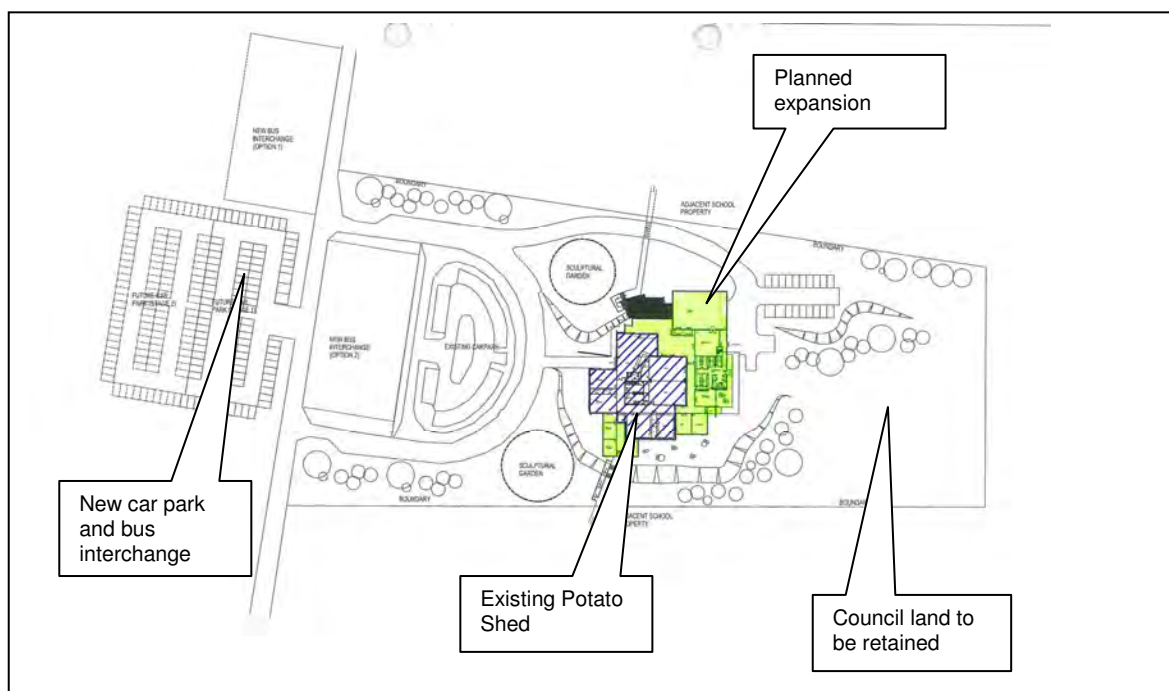
Attachment 2

Drysdale Clifton Springs Sports Masterplan



Attachment 3

Potato Shed Masterplan



Cr Nelson re-entered the meeting room at 9.07pm

5. 2016 GENERAL VALUATIONS COMPLIANCE WITH VALUATION OF LAND ACT 1960

Portfolio:	Finance - Cr Lyons (Mayor), Cr E Kontelj & Cr J Farrell
Source	Strategy & Performance - Financial Services
General Manager:	Dean Frost
Index Reference	Financial Management / Reporting

Purpose

The purpose of this report is to ensure legislative administrative matters are completed.

Summary

- Council has contracted Westlink Consulting to undertake the 2016 general valuation.
- To comply with the Valuation of Land Act 1960 certain administrative matters require resolving by Council, namely:
 - For Council to resolve that a general valuation be undertaken, as the valuation authority responsible for the municipal area.
 - Advise every other rating authority within its area of Council's resolution to cause a general valuation to be made.
 - Note the statutory declaration by the appointed Valuer that the valuation and return will be impartial and true.

Cr E Kontelj moved, Cr Farrell seconded -

That Council in accordance with the Valuations of Land Act 1960, as the valuation authority resolves to:

- 1) Undertake the 2016 General Valuation;**
- 2) Give the necessary notice to other statutory authorities, and;**
- 3) Note receipt of the Contract Valuer's statutory declaration.**

The Mayor vacated the Chair at 9.07pm

Cr Heagney assumed the Chair at 9.07pm

Carried.

Background

Council is required under the Valuation of Land Act 1960 to conduct bi-annual valuations. The 2016 Revaluation will be the ninth since bi-annual valuations were introduced in 2000 by the Valuer-General Victoria. To date, five of the previous bi-annual valuations (2000, 2002, 2004, 2006, & 2008) for Council have been conducted by Southern Cross Property Services. Our current Contractor Westlink Consulting have completed the 2010, 2012 and the 2014 General Valuations.

Following the 2012 General Valuation the Fire Services Property Act 2012 was introduced with the requirement that Council, as the valuation authority for the municipality, also include all non-rateable leviable land (as defined by that Act) in its General Valuations.

The 2014 General Revaluation Contract C1300003 was awarded to Westlink Consulting. A tender report recommending Westlink Consulting was adopted by Council on 13 November 2012. This contract allowed for an option to extend the contract for the 2016 General Revaluation. This option was exercised in August 2014.

Appointing Westlink Consulting the contract does not fully satisfy all requirements under the Valuation of Land Act 1960 for undertaking municipal General Valuations and this report is required to satisfy compliance requirements.

In accordance with the Valuation of Land Act 1960 certain administrative matters should be noted and recorded in the minutes of Council.

Discussion

The Valuation of Land Act 1960, Section's 11, 13 DC and 13H outline Council's obligations as a valuation and rating authority in regards to the conducting of General Valuations of property. The Sections explain that a valuation authority, for the purposes of the Local Government Act 1989 and the Fire Services Property Levy Act 2012, must cause a valuation of all rateable land and non-rateable leviable land within its municipal district to be made as at 1 January of every even calendar year and returned to the valuation authority before 30 June in that year.

Section 6(1) of the Valuation of Land Act 1960 requires a rating authority to give to the Valuer-General Victoria, the State Revenue Office and every other rating authority within its area not less than one months notice of its resolution to cause such a General Valuation to be made.

Section 13DH (2) of the Valuation of Land Act 1960 requires the appointed Valuer *"to make a statutory declaration that the valuation and return will be impartial and true and to the best of that person's judgement and will be made by that person or under that person's immediate personal supervision"*.

A copy of the Valuer's declaration is provided in Attachment A.

Environmental Implications

There are no environmental impacts arising from this report.

Financial Implications

The 2016 General Valuation including objections is to be conducted in accordance with Contract Number C1300003 by Westlink Consulting.

Funding is available in the current approved budget.

Policy/Legal/Statutory Implications

All municipal rating valuations must comply with the Valuation of Land Act 1960, the Local Government Act 1989 and the Fire Services Property Levy Act 2012.

Alignment to City Plan

This report is aligned in Council's City Plan objective on 'How We Do Business'.

Officer Direct or Indirect Interest

There is no Officer direct or indirect interest involved in this report.

Risk Assessment

Compliance with statute negates any risk.

Social Considerations

There are no social implications arising from this report.

Human Rights Charter

There are no known positive or negative effects.

Consultation and Communication

The Valuer-General Victoria, the State Revenue Office and the following neighbouring municipalities will be advised of Council's resolution:

- Surf Coast Shire Council
- Wyndham City Council
- Golden Plains Shire Council
- Borough of Queenscliff
- Moorabool Shire Council

Attachment A



STATUTORY DECLARATION

DECLARATION UNDER THE PROVISIONS OF SECTION 13DH (2) OF THE VALUATION OF LAND ACT 1960.

I, Aimee Ellen Williams, Certified Practising Valuer of Westlink Consulting in the State of Victoria, DO SOLEMNLY AND SINCERELY DECLARE THAT:

The Valuation and Return for the 2016 General Revaluation will be made by me or under my personal supervision and will be impartial and true to the best of my judgement.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act of Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

DECLARED at *Geelong*

In the State of Victoria this *23rd*

Day of *February*, *2015*

Before me

Joan Scott JP
JUSTICE OF THE PEACE FOR VICTORIA
REG. NO 8636
JOAN SCOTT JP
8 RIATA AVENUE
BROVEDALE VIC 3216

2016 Revaluation

6. GEELONG GALLERY REDEVELOPMENT COMMUNITY COMMENT

Portfolio:	Arts & Culture – Cr Richards
Source	Community Services – Arts & Culture
Act/General Manager:	Linda Quinn
Index Reference	Subject: Arts & Culture/Reports
	Customer: Geelong Art Gallery

Purpose

The purpose of this report is to advise Council of the community response to the preferred option for the redevelopment of the Geelong Gallery.

Summary

- The Gallery is a pivotal component of Geelong's Cultural Precinct and has been identified as having the greatest potential as an arts/cultural tourism attractor for Geelong and the region. It possesses one of the finest collections in regional Australia.
- The Gallery's capacity to contribute to the region's economic and cultural renewal is compromised by its current physical limitations of space and layout, severely constraining its ability to properly showcase the valuable permanent Collection, and to attract popular, large scale touring exhibitions as well as to develop major in-house exhibitions.
- In 2014 Council and the Geelong Gallery were successful in securing funding from the State Government under Regional Development Victoria to undertake a Business Case that identified and assessed options for the Gallery's future redevelopment and expansion options, and to provide a platform for prospective future funding bids.
- Ten redevelopment options were assessed including several within the Gallery's current location, as well as alternative locations. Spatial massing designs and costs estimates were undertaken for each.
- At 9 December 2014 meeting, Council noted Option 4 as the preferred option for the Geelong Gallery redevelopment.
- In Option 4, the Gallery expands from its current (2,200m²) footprint eastwards and upwards into the driveway and footprint of the conference centre/meeting room annex of City Hall. Option 4 includes funding for reclamation of lost space to Council.
- Option 4 requires a one off total capital investment in the order of \$40m with an estimated increase in recurrent operating costs of \$800k including \$450k for programme and exhibition development and \$350k for annual maintenance. It would provide the Gallery with sufficient space (5,400m²) to develop and secure major ('blockbuster') ticketed exhibitions; increase the percentage of collection items on display; increase capacity to deliver public and education programmes; enhance essential visitor amenities including the Gallery Shop; develop a café/restaurant; and, provide crucial exhibition preparation and storage areas.

- As part of any such development, the Gallery would need to undergo a fundamental repositioning, substantially broadening and deepening its programming mix and target markets. This is anticipated to lead over time to a tripling of annual visits from around 60,000 to up to 200,000, bringing significant economic, social, cultural and community benefits to Geelong and region.
- 1290 community surveys were completed during the community comment period. Based on the responses received 98.6% rated the importance of the expansion as “very important” or “important” with 98.9% agreeing that the Geelong Gallery plays an “absolutely vital” role in the City’s cultural wellbeing and is one of Geelong’s major cultural attractions. 98.3% believe a redeveloped Gallery is “absolutely vital” or “important” to the appeal and success of the Cultural Precinct. 93.9% rated Option 4 as “a very good idea” or “a reasonable idea”. In addition hundreds of respondents provided detailed and overwhelmingly positive comments on the importance of the Geelong Gallery and its development to the City and the region.

Cr Richards moved, Cr Ansett seconded -

That Council:

- 1) note the outcome of the community comment process;**
- 2) endorse Option 4, the Gallery expanding eastwards and upwards into the driveway and conference centre/meeting room annex of City Hall as the preferred option for the redevelopment of the Geelong Gallery;**
- 3) receive a further report detailing the next steps for the redevelopment of the Geelong Gallery.**

Cr Fisher left the meeting room at 9.10pm

Cr Fisher re-entered the meeting room at 9.12pm

The Mayor re-entered the meeting room at 9.14pm

Amendment

Cr Harwood moved, Cr E Kontelj seconded –

- 1) note the outcome of the community comment process;**
- 2) receive a further report detailing the next steps for the redevelopment of the Geelong Gallery.**

Lost.

The motion was then put and carried.

Division Requested:

For: Crs Ansett, Ellis, Lyons, Heagney, Fisher, Macdonald, Richards, Farrell, Irvine

Against: Crs Harwood, Nelson, E Kontelj

Background

As the City’s cultural institution with the potential to become its most significant arts tourism draw-card, and custodian of a nationally significant collection of works of art, consideration of the Geelong Gallery’s future is crucial. No major development has occurred since 1971 although some minor upgrading of the facility took place in 2001.

The Geelong Cultural Precinct Masterplan (December 2007) recognised that the Precinct had significant potential as a major contributor to Central Geelong, with associated cultural, social and economic benefits to the G21 region.

In 2014 Council and the Geelong Gallery were successful in securing funding from the State Government under Regional Development Victoria to undertake a Business Case, essential to determine the future options for the Gallery's development.

Opportunities for the Geelong Gallery's future direction were considered through a process of demographic, existing and potential market opportunities, and both gap and SWOT analysis. A benchmarking study with other galleries identified that 5,400m² was required for the Geelong Gallery to adequately service the residents of Greater Geelong and the region, as well as enabling it to develop into a significant cultural tourism draw-card.

Discussion

In order to safeguard the major Collection on behalf of the Geelong community, to maximise its tourism potential and to vastly enhance and develop the visitor experience, it is necessary to establish the best option for the Geelong Gallery's future development.

The Business Case identified ten options (including do nothing) for consideration. All options were systematically evaluated against objectives as well as the additional consideration of achievability – important in the context of likely funding constraints for both capital and operation. Option 4 was assessed as the preferred option. In this option the Gallery expands eastwards and upwards into the driveway and conference centre/meeting room annex of City Hall. The option includes an allowance to replace the 700m² of the City Hall annex on the same or an alternative site to ensure Council business is not disadvantaged.

The existing Gallery site of 2,200 m², plus a new 3,200m² addition made up of multi floor expansion into the driveway – including 700m² of the conference/meeting room annex of City Hall – would provide the Gallery with a total area of 5,400m². In this option potential also exists for further Gallery expansion if/when required. This option was presented for community comment in the form of a survey.

1290 surveys were completed, considered a very high response. Demographics indicate that 69% of respondents were from the Geelong region; 15% Metropolitan Melbourne, 11% regional Victoria; 3% interstate and 1% overseas while 1% didn't provide a postcode.

Based on the responses received, 98.6% rated the importance of the expansion as "very important" or "important" with 98.9% agreeing that the Geelong Gallery plays a vital role in the City's cultural wellbeing and is one of Geelong's major cultural attractions. 98.3% believe a redeveloped Gallery is "absolutely vital" or "important" to the appeal and success of the Cultural Precinct. 93.9% rated Option 4 as "a very good idea" or "a reasonable idea".

Hundreds of comments were also provided which were overwhelmingly supportive of the redevelopment of the Gallery in recognition of its existing reputation and its ability to contribute to tourism and the cultural and economic future of the City and region.

As part of any such development, the Gallery would need to undergo a fundamental repositioning, substantially broadening and deepening its programming mix and target markets. The re-development would provide the Gallery with sufficient space to develop and secure major ('blockbuster') ticketed exhibitions; increase the percentage of collection items on display; grow its Education and Public programme; enhance essential visitor amenities including the Gallery Shop; develop a café/restaurant; and provide crucial exhibition preparation and storage areas. This is anticipated to lead over time to a tripling of annual visits, from around 60,000 to up to 200,000, having a significant impact on Geelong's economy.

The Gallery Board and staff are already extending their programming initiatives to respond to the growing population and to reach a wider audience, including whole-of-life education, and to further attract the tourism market.

Option 4 brings direct economic benefits and job creation. The construction phase would provide an additional 67 regional jobs (direct and indirect). An additional 51 ongoing regional jobs (direct and indirect) would be created once a redeveloped Gallery is operational. Once completed the project would increase regional output (conservatively) by \$13.3m annually (direct and indirect). Over the first ten years it would contribute \$133m to the Geelong economy.

Option 4 requires a one off total capital investment in the order of \$40m (rounded off) with an increase in recurrent operating costs around \$800,000 with an additional \$350k for annual maintenance. The Geelong Gallery is confident it can make a significant financial contribution to major exhibitions through fundraising, corporate and business sponsorships and the sourcing of grants. To realise the capital development, investment would be required in partnership with Council from Federal and State Governments as well as the Geelong Gallery.

A further report is proposed to be brought back to Council outlining next steps for the redevelopment of the Geelong Gallery. This would include a strategy for implementation of Option 4, including how the project could be phased to ensure it has the best opportunity for partner investment.

Environmental Implications

The development of the Business Case included a review of current environmental issues as well as consideration of best practice for future development. Council's Sustainable Buildings Policy has been referenced along with other relevant documents such as the Environment Management Strategy. There is currently an allowance in construction costs of 3% for ESD works. Additional financing would be required to bring the Gallery to green star rating. Option 4 utilises the existing gallery negating the need for a complete rebuild.

Financial Implications

The Geelong Gallery redevelopment would need to be considered with regard to Council's existing commitments and future budgets. A financial partnership between the Federal and State Governments, the City of Greater Geelong and the Geelong Gallery would be required for the capital delivery. Up to \$15m would be required by Council for capital with the remainder to be sought from project partners. An increase in recurrent operating costs would be required in the order of \$800,000 (rounded off). This includes an increase of \$450k for programme and exhibition costs and an average annual maintenance of \$350k, based on 1% of the construction cost. If 2% of the construction cost were to be applied, maintenance costs would increase accordingly. The Gallery anticipates it would make significant financial contribution toward major exhibition development.

Policy/Legal/Statutory Implications

The Geelong Art Gallery is located on Crown Land with a lease period of 999 years due to expire on the 16th June 2854. The Building is a Council asset, operated by the Geelong Art Gallery Incorporated, as a not-for-profit body associated for artistic and cultural purposes. The Board is elected each year at the Annual General Meeting. The Board operates under a Charter. The Portfolio Holder for Arts & Culture is currently Council's representative on the Geelong Gallery Board.

A Project Steering Group was established to oversee the development of the Business Case. It is composed of three representatives (each) from Council, the Geelong Gallery Board and the State Government. A Working Group composed of staff of the Geelong Gallery and City of Greater Geelong has provided advice to the Steering Group.

Alignment to City Plan

The development of a Business Case aligns with multiple City Plan Strategic Directions and Priorities.

Community Wellbeing:

- Connected, creative and strong communities.

Growing Our Economy:

- Support existing businesses and encourage new and emerging growth sectors;
- A successful and vibrant City Centre;
- A leading city for tourism, arts, culture and events.

How We Do Business:

- Lead by advocating and collaborating on issues important to the Greater Geelong community.

The Business Case will respond to key principles embodied in multiple Council strategies, including:

- Central Geelong Action Plan;
- Implementation of the Cultural Precinct Masterplan;
- Council's current Cultural Strategy Creativity +;
- Geelong Major Events Strategy.

Officer Direct or Indirect Interest

There is no officer direct or indirect interest in this project.

Risk Assessment

The Business Case incorporates a well developed risk analysis with all foreseen risks listed with rankings and mitigating actions to be taken.

The Gallery has a reputation as a leading regional gallery to maintain and enhance. To do so it must be able to continue to develop its exhibition and educational/public programmes and activities, particularly to attract the tourism market and to substantially fulfil its cultural, community and education responsibilities and its overall mission. The physical constraints, making the hosting or development of large-scale temporary exhibitions extremely challenging, and limiting the percentage of Collection able to be seen, put at risk the Gallery's operations in general - as well as its state, national and international reputation. At times, opportunities will simply be lost, while on other occasions alternative, non-arts venues, not suitable or appropriate, will be used as a last resort to host large-scale exhibitions, reducing audiences and costing Council and/or other parties funds and resources to adapt.

Social Considerations

Galleries play a significant role in the cultural, social, educational and economic development of the city and region. The Geelong Gallery plays an important role in the collection, conservation and exhibition of the Region's cultural heritage as expressed in works of art. The Gallery's programmes are similarly a contributor to community wellbeing. The reputation of the Gallery, as one of the finest regional galleries in Australia, is a source of civic pride for many and has the potential to be for considerably more. The Galleries exhibitions, educational and public programmes as well as curatorial services are highly valued and sought-after resources. The opportunities that the Gallery provides for our emerging and established artists are vital to the Region's cultural development. All these however are currently compromised by the Gallery's physical limitations.

Cultural facilities, cultural programming, cultural collaboration, cultural heritage and cultural identity bring a city alive, day and night, for locals and for visitors. Cultural investment renews and regenerates more than just the economy.

The focus on audience for the Gallery is critical. One of the great challenges for some cultural venues is finding the right mix and balance of programming for broader audience appeal – this is where the provision of space and facilities which give flexibility becomes so necessary and why major upgrades of galleries have proved so beneficial as evidenced by state, national and international experiences. Vibrant Galleries with a range of education programmes not only directly enhance young people's experiences and knowledge they also contribute to a community's sense of identity, self-esteem and place. International experience demonstrates children, like university students, are more likely to want to stay in their city if they have wonderful cultural experiences in that place.

Human Rights Charter

Responding to immigration, refugees and new arrivals with democracy and equality is an important issue for cultural organisations. Galleries, like other cultural institutions can make an important, even vital contribution to the perception and experience of new arrivals to this City as a welcoming, compassionate and appealing place.

Consultation and Communication

As the project is a partnership between Council and the Geelong Gallery, the recommendations within this report will be communicated by the Arts & Culture Department with the Communication & Marketing Department, and by the Geelong Gallery.

The Mayor assumed the Chair at 9.27pm

7. 2015 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – CALL FOR MOTIONS

Portfolio:	Governance – Cr Lyons (Mayor)
Source	Strategy & Performance - Administration & Governance
General Manager:	Dean Frost
Index Reference	Subject: ALGA

Purpose

To have Council endorse a motion for inclusion on the agenda for the 2015 National General Assembly of Local Government Conference.

Summary

The Australian Local Government Association (ALGA) is calling for motions for the for the 2015 National General Assembly of Local Government conference under the theme of "Closest to the Community".

Cr Richards moved, Cr E Kontelj seconded -

That Council endorse the proposed motion set out in Appendix 1 of this report to be submitted to ALGA for possible inclusion on the agenda for the 2015 National General Assembly of Local Government conference.

Carried.

Background

The theme "Closest to the Community" for the conference, reflects the renewed focus across all levels of government and respect to the overlap of the roles and responsibilities between spheres of government. The Commonwealth Government has invited all interested parties to consider potential reform of the Federation and taxation.

ALGA is seeking motions that:

- are relevant to the work of local government nationally;
- complement or build on the policy objectives of respective State and Territory local government associations, and
- proposes a clear action or outcome.

The Federal Government is inviting Councils to reflect on the roles and responsibilities of local government, it's funding and relative place in the Federation.

The Commonwealth has released five White Papers which discuss key issues: They are:

- A Federation for Our Future
- Roles and Responsibilities in Housing and Homelessness
- Roles and Responsibilities in Health
- Roles and Responsibilities in Education
- COAG and Federal Financial Relations

Two other White Papers in progress are on Taxation and Reform of the Federation.

The Reform of Federation paper will discuss reducing overlap within all tiers of government, redefining roles and responsibilities of the tiers; and how to achieve equity and sustainability in the funding of programmes.

The motion proposed by the City of Greater Geelong is set out in appendix 1 of this report.

Discussion

Motions must be relevant to the work of local government nationally and complement or build on the policies of State and Territory local government associations.

Environmental Implications

Not applicable

Financial Implications

There are no financial implications in presenting a motion to ALGA. Notwithstanding this, if a motion is successful then financial benefits may result.

Policy/Legal/Statutory Implications

If a motion is supported by ALGA they will be debated on the floor of the National General Assembly.

Alignment to City Plan

How We Do Business

Officer Direct or Indirect Interest

No officer involved in the preparation of this report has any direct or indirect interest.

Risk Assessment

There are no risks associated with endorsement of the motion.

Social Considerations

Nil

Human Rights Charter

The outcome of the motion may have a positive impact on human rights.

Consultation and Communication

The outcome of the National General Assembly is intended to contribute to Commonwealth, State, Territory and Local Government policy, roles and responsibilities and funding reforms.

Appendix 1

ALGA

MOTION

COST SHIFTING AND FREEZING INDEXATION OF FEDERAL ASSISTANCE GRANTS

Submitted by: City of Greater Geelong

MOTION:

That ALGA calls on the Federal Government for improved recognition of Local Government and cessation of divestment of responsibility without appropriate maintenance or commitment to ongoing funding strategies.

National Objective (Max 100 Words)

It has been evident for many years that funding of Federal and State programs typically encompasses funding for a limited period then it either reduces or is withdrawn, leaving local government to decide its future. While there has been discussion around achieving rationalisation of roles and responsibilities between the levels of government, better use of resources and better quality services for local communities, little progress has been achieved and in the decline in funding is causing substantial hardship on local government. The most recent examples are freezing indexation of local government financial assistance grants and the recent uncertainty in respect to continued funding of universal access to early childhood funding.

Summary of Key Arguments Max 300 words

Background information

In May 2002, House of Representatives Standing Committee on Economics, Finance and Public Administration (Parliament of Australia) resolved to inquire into the cost shifting to Local Government. In addition, various reports and discussion papers have been prepared for consideration. These reports and papers established overwhelmingly evidence of cost shifting to Local Government from all levels of government.

Supporting arguments

Through the peak bodies local government has sought to achieve recognition of several key issues:

- An acknowledgement that cost shifting, the transfer of more and more unfunded tasks to Councils, was causing substantial hardship for local government and was impeding its ability to deliver basic services and maintain infrastructure.
- A new funding system for local government be introduced that provides Council's with access to a fair share of revenue backed by intergovernmental agreement, together with mechanisms to stop cost shifting; withdrawal or freezing of Federal Government support for programs and services, while leaving Local Government the responsibility for either the ongoing provision of the program or service.
- That the roles and responsibilities of the three levels of government be reviewed with the view to removal of duplication of resources and administration. Savings realised can be applied to topping up funding to Local Governments, which in real terms has diminished over many years. While these issues have been acknowledged for several years, little real progress has been made to implement reform in public sector administration thus enabling improvement in efficiency and effectiveness of service delivery to the community and financial sustainability of local government.

8. SUBMISSION TO SENATE INQUIRY INTO THE FUTURE ROLE AND CONTRIBUTION OF REGIONAL CAPITALS TO AUSTRALIA

Portfolio:	Planning – Cr Heagney
Source	Planning & Tourism
General Manager:	Peter Bettess
Index Reference	Council Reports 2015

Purpose

To consider and endorse a submission to the Senate Inquiry into the future role and contribution of regional capitals to Australia.

Summary

On 11 February 2015, the Senate moved that the future role and contribution of regional capitals to Australia be referred to the Senate Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 December 2015. Submissions are requested by 30 April 2015.

Cr Macdonald moved, Cr Farrell seconded -

That Council endorses the submission to the Senate Inquiry into the future role and contribution of regional capitals to Australia.

Cr Heagney left the meeting room at 9.29pm

Cr Heagney re-entered the meeting room at 9.31pm

Carried.

Background

On 11 February 2015, the Senate moved that the following matters be referred to the Senate Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 December 2015.

The future role and contribution of regional capitals to Australia, including:

- a. an assessment of current demographic trends and the changing role of regional capitals;
- b. an analysis of current funding provided to regional capitals;
- c. an analysis of the benefit of additional funding regional capitals could receive based on population, demand for services and their strategic importance for the region, state or country;
- d. investment challenges and opportunities to maintain or grow regional capitals, including infrastructure, community and human services, communications and natural resources;
- e. incentives and policy measures that would support sustainable growth in regional capitals;
- f. the impact the changing environment will have on regional capitals; and
- g. any other related matters.

The Senate Standing Committee on Rural and Regional Affairs conducting the Inquiry comprises:

- Senator Glenn Sterle, Australian Labor Party, NSW, Chair
- Senator the Hon Bill Heffernan, Liberal Party of Australia, NSW, Deputy Chair
- Senator Joe Bullock, Australian Labor Party, WA
- Senator Sue Lines, Australian Labor Party, WA
- Senator Peter Whish-Wilson, Australian Greens, Tas
- Senator John Williams, The Nationals, NSW

Discussion

Regional Capitals Australia (RCA), of which the City of Greater Geelong is a member, has lobbied for greater recognition at Federal Government level of the role that regional capitals can play in Australia's future development. The Senate Inquiry provides an opportunity for regional capital issues to be considered by the Federal Government.

RCA has engaged with key Senators and Ministerial staff since the announcement of the Inquiry to better understand how best to submit to the Inquiry. The key points arising from this engagement are:

- The major political parties are likely to develop a "regional capitals" policy position for the upcoming Federal election;
- submissions need to provide the rationale for future strategic investment in regional capitals rather than a 'wish-list' of projects.
- Key issues to be addressed are social and economic matters in regional capitals, including policies/strategies to encourage employment, business migration, secondary freight route infrastructure and health and education services.
- The Inquiry is most likely to be influenced by submissions from a number of bodies in a regional city rather than a single one. The aim being to get the Inquiry to visit the region.

Council officers have liaised with the Committee for Geelong, G21 and Deakin University in preparing this submission. .

Environmental Implications

This report has no environmental implications. The inquiry is addressing any impact of the changing environment will have on regional capitals.

Financial Implications

There are no direct financial implications in this report. The inquiry is considering the implications from a federal funding policy perspective.

Policy/Legal/Statutory Implications

The submission to the Inquiry will assist in shaping national regional capitals' policy.

Alignment to City Plan

Federal government recognition of Geelong's needs as a regional capital is consistent with the strategic directions of City Plan.

Officer Direct or Indirect Interest

No Council officers have any direct or indirect interest in accordance with section 80C of the Local Government Act.

Risk Assessment

There are no risks associated with making a submission to the Inquiry.

Social Considerations

The Inquiry will be considering the investment challenges and opportunities to address social issues in regional capitals.

Human Rights Charter

The submission to the inquiry does not impact on any basic rights, freedoms and responsibilities as set out in the Charter.

Consultation and Communication

The council submission to the inquiry will be public and will be considered as part of the public process of the inquiry. The submission has been prepared in consultation with the committee for Geelong and G 21.

SUBMISSION TO THE SENATE INQUIRY INTO THE FUTURE ROLE AND CONTRIBUTION OF REGIONAL CAPITALS TO AUSTRALIA

The City of Greater Geelong welcomes the opportunity to make a submission to the inquiry. The City of Greater Geelong is a member of Regional Cities Victoria and Regional Capitals Australia.

The council's submission is structured according to the terms of reference of the Inquiry

Assessment of current demographic trends and the changing role of regional capitals

The City of Greater Geelong includes Geelong, Victoria's second city, and is located 75 kilometres from the centre of Melbourne. Urban Geelong has an estimated population of 184,182 (2014), whilst the local government area has an estimated population of 224,926 (2014).

Geelong is the economic and service hub for the G21 region (Borough of Queenscliffe, Surf Coast Shire, Golden Plains Shire, Colac-Otway Shire and City of Greater Geelong) and is a convenient alternative to Melbourne for a large part of western and south-western Victoria in providing higher order services such as specialist medical services and higher education.

The recently completed paper: 'Local government growing regional Australia' by the ACELG¹ in conjunction with Regional Capitals Australia, outlines the region's key characteristics, key drivers and inhibitors, significant recent events and the role of local governance and leadership in a case study about the City of Greater Geelong and the G21 Alliance.

Geelong's proximity to Melbourne accounts for its faster growth than more remote centres, largely due to people seeking a regional city lifestyle within commuting distance to Melbourne.

Research by the Grattan Institute in 2011^{1 2} identified that fast growing (bolting) cities near capital cities provide an economic and service hub for a region that is supported by the proximity to the capital city.

The Council submits that the policy response needs to recognise and support the unique role of second cities such as Geelong in contributing to national prosperity.

The City of Greater Geelong, as part of the G21 alliance, has produced a Regional Growth Plan³ and Implementation Plan⁴. These Plans provide a regional picture and proposed growth directions for the next 30 to 40 years. The aspirational population target of 500,000 people identified in the Geelong Region Plan (2007) is considered to be the population required for Geelong to become a self-sustaining economic centre.

The Regional Growth Plan provides for a base growth of 1.5% per annum (or 4,462 people) or a high-growth of 2.5% per annum (or 7,437 people). If higher growth rates were achieved through changes in government policies that actively direct population to the region, the timelines in the plan would be brought forward.

The key challenge is to boost local employment opportunities. Government policies such as locating agencies to regional centres are key catalysts for increased employment opportunities in regional capitals. This has been demonstrated in Geelong with the relocation of the Transport Accident Commission (2009) and the National Disability Insurance Agency (2014).

¹ Grattan Institute, *Investing in regions: Making a difference*, May 2011.

² Australian Centre of Excellence for Local Government, *Local Government Growing Regional Australia*, 2015.

³ G21 Geelong Region Alliance in partnership with state government, *G21 Regional Growth Plan*, 2013

⁴ G21 Geelong Region Alliance in partnership with state government, *G21 Regional Growth Plan Implementation Plan*, 2013

Essential Economics, in a study for Regional Cities Victoria⁵, found that the net state benefits associated with increasing populations in regional cities include:

- Efficient use of taxpayer resources with regard to population settlement and associated infrastructure and service delivery.
- Reduced stress on metropolitan Melbourne infrastructure, which would assist in improving existing congestion-related inefficiencies (assuming a proportion of future population settlement in regional cities would otherwise be in Melbourne's outer growth areas).
- Enhanced economic and social outcomes for regional communities e.g. economic output, new business investment opportunities; expanded skills pool; industry diversification; improved service provision; enhanced lifestyle opportunities; improved support for small towns, and enhanced social outcomes.
- Continuation of successful State Government policy with regard to population and business expansion, and government investment in Regional Victoria.

Although this study was for Victoria, similar benefits are likely to accrue nationally through increased populations in Regional Capitals.

An analysis of current funding provided to regional capitals

The Government's decision to freeze indexation of Financial Assistance Grants (FAGs) to local government in the May 2014 for three years to 2017-2018 will have a disproportionate effect on high growth regional capitals. These grants are a vital part of the council's revenue base to fund essential local services and infrastructure.

The FAGs for the City of Greater Geelong includes a general purpose grant of \$16.2M, Natural Disaster Assistance of \$35K and local roads funding of \$3.1M, totalling \$19.3M (estimated 2014-2015). Council will be approximately \$370K unfavourable to budget for the 2014-2015 allocation and a further reduction of \$1.5M in grant income in the remaining three years. This freeze compounds the impact of the reduced grant income in a growing municipality where there is a high demand for infrastructure and services to support growth.

Federal Funding through the National Stronger Regions Fund provides some support, but is a long way short of enabling Council to meet the demands for infrastructure, whilst the Geelong Region Innovation and Investment Fund provides support to firms seeking to grow as Geelong's economy undergoes significant structural change.

An analysis of the benefit of additional funding regional capitals could receive based on population, demand for services and their strategic importance for the region, state or country

Regional capitals provide services, infrastructure and amenities for their regions. Investment in the regional capital local government area has wider benefits in supporting the population in surrounding municipalities. These services include:

- Hospitals
- Community, family and arts facilities
- Sporting and recreational services
- Elderly and community support services
- Employment services
- Public transport facilities
- Education services
- Tourism and events

⁵ Essential Economics Report for Regional Cities Victoria, *Implications of Population Growth on Infrastructure and Resources in Regional Cities*, 2012, p5

Some Geelong examples include:

Hospital

Facility	Visits	Percentage from Municipality	Percentage from Regional Catchment
University Hospital Geelong	750,00 patients (includes 100,000 seasonal population visits)		53% from outside City of Greater Geelong

Sport and recreation facilities

Leisure Link Geelong		90% from City of Greater Geelong	10% from outside City of Greater Geelong
The Arena Geelong		80% from City of Greater Geelong	20% from outside City of Greater Geelong
Simonds Stadium Geelong	205,684 (not including VFL/TAC matches)	Melbourne Rebels Match: 38.5% from City of Greater Geelong Melbourne Victory Asian Champions League Qualifier: 36% from City of Greater Geelong	Melbourne Rebels Match: 61.5% from outside City of Greater Geelong Melbourne Victory Asian Champions League Qualifier: 59.6% from outside City of Greater Geelong

Community and Arts Facilities

Geelong Performing Arts centre		50% from City of Greater Geelong	50% from outside City of Greater Geelong
Geelong Library and Heritage Centre		Library: 79.5% from City of Greater Geelong Heritage Centre: 70% from City of Greater Geelong	Library: 20.5% from outside City of Greater Geelong Heritage Centre: 30% from outside City of Greater Geelong
Geelong Art Gallery	60,000	55% from City of Greater Geelong	45% from outside City of Greater Geelong
National Wool Museum Geelong	35,670	51% from City of Greater Geelong	49% from outside City of Greater Geelong

Education

The Gordon TAFE Geelong	15,769	55% from City of Greater Geelong	45% from outside City of Greater Geelong
Deakin University Geelong Campuses	9,530 enrolments	51% term address in the Geelong region	45% term address in the rest of Victoria. 4% term address unknown.

Regional Cities Victoria commissioned a report by Essential Economics³⁶ on the implications of population growth on infrastructure and resources in regional cities. For Geelong the estimated total infrastructure and resource requirements (indicative) for 2021 and 2031 under a base case, medium growth and high growth scenario are set out in the attached table.

³⁶ Essential Economics Report for Regional Cities Victoria, *Implications of Population Growth on Infrastructure and Resources in Regional Cities*, 2012.

Investment challenges and opportunities to maintain or grow regional capitals, including infrastructure, community and human services, communications and natural resources

The G21 Regional Growth Plan Implementation Plan (November 2013):

- identifies the critical infrastructure required to support the housing and employment growth directions of the region and provides a program for its optimal delivery.
- Provides land supply data and incentives for achieving strategic housing outcomes to support infrastructure and settlement planning
- identifies key considerations and a pathway for planning of longer term growth areas

The Implementation Plan has a 35 year outlook to 2050. It considers long-term issues such as sustainable thinking and practices in the context of future challenges and opportunities, including climate change and variability, increasing energy costs, food security, technology advancement and the economy, as well as societal changes around accessing jobs, education, health and other services. Where possible the Implementation Plan considers the impact of these changes on planning for the region.

Catalytic projects to support a regional population of 500,000 by 2050, in addition to improving transport links to Melbourne and adjoining regions, are:

- Connection of the Geelong ring road to the Bellarine Peninsula
- Geelong ring road and rail freight connections to Geelong Port and the Geelong ring road employment precinct
- Geelong Port shipping channel access and berthing improvements
- Development of the Avalon airport precinct and rail link. These are complemented by number of other key projects including:

Transport

- Upgrades to key in key transport links from Geelong to growth areas in Armstrong Creek and Torquay/Jan Juc
- Princess Highway duplication to Colac
- Midland highway duplication to Bannockburn
- Rail corridor upgrades Geelong-Grovedale and station upgrades
- Public transport service improvements in Geelong and to Colac, Bannockburn, Torquay and the Bellarine Peninsula

Utilities

- Main outfall sewer duplication to Geelong
- Colac water supply and water reclamation plant upgrade
- Potable water trunk line connection to Lethbridge intensive agriculture node
- Gas provision to Bannockburn and Winchelsea
- Drainage infrastructure for the Geelong ring Road Employment precinct and Colac.

Community Facilities

- Regional Research and Information centre
- Vocational training school in northern Geelong
- Centre for Advanced design in engineering training (CADET)
- Geelong Centre for emerging infectious diseases
- Bellarine community health centre facility upgrades
- Colac area health Centre expansion
- Expanded community health centre services in Northern Geelong, Bannockburn and Winchelsea
- Redevelopment of the Geelong Performing Arts Centre and Geelong Gallery

- Regional trails network implementation
- Completion of Simonds Stadium development
- Emergency services facilities in Armstrong Creek, Bannockburn and Colac

Business and tourism

- Portarlington Safe Harbour development
- Queenscliff ferry terminal facilities upgrade
- Colac livestock selling Centre redevelopment
- Geelong Convention and exhibition centre and Yarra Street Pier construction
- Colac CBD and entrances project implementation
- Torquay surf city precinct development

Other work priorities include

- road and rail freight connections to ring road, port and GREP options study.
- Geelong stabling yards relocation options study.
- Colac bypass land use planning and route designation.
- development of a Geelong integrated transport plan.
- development of a next generation waste management and resource recovery plan.
- coastal vulnerability assessments and asset management strategies.
- development of a regional natural assets and open space assets strategy.
- Digital roadmap implementation, particularly in providing high speed broadband to attract global knowledge workers to Geelong and the G21 region.

Incentives and policy measures that would support sustainable growth in regional capitals

- Decentralisation of Commonwealth government jobs to regional capitals.
- Infrastructure investment in transport and communications infrastructure to reduce the need to travel to State and Territory capital cities.
- Commonwealth government grants linked to future population growth rather than historical growth.
- Active Austrade presence in regional capitals.
- Federal government support for road and rail freight connections as key components of the Geelong Port supply chain. The Geelong Port has the potential to become south-east Australia's dominant bulk commodity port increasing throughput from 12.5 million tonnes in 2011-12 to approximately 50-60 million tonnes by 2050.⁷
- Federal government support for Avalon as an international airport to capitalise on the increasing Asian tourist visitation to Greater Geelong, the Bellarine and the Great Ocean Road.
- Federal government support for regional education and training to attract students to study and train in regional capitals.

The impact the changing environment will have on regional capitals

In October 2014, the Council adopted the Environment Management Strategy 2014-2017⁸ that includes the key drivers of Geelong's environment future including climate change, population, lifestyles and economic model. It provides a strategic framework for planning and decision making, monitoring of actions and reporting on these.

The Strategy sets strategic priorities and a broad range of actions to achieve these. The Strategic priorities are:

- Council Leadership
- Enhance Natural Areas and Ecosystem Health
- Sustainable Urban and Rural Development
- Greener Economy
- Sustainable Living

The Strategy provides baseline figures against which identified targets will be measured against.

⁷ City of Greater Geelong and partner organizations, *Geelong Port-City 2050, Final report of the Geelong Port and Land Infrastructure Plan*, July 2013.

⁸ City of Greater Geelong, *Environment Management Strategy 2014-2017*, October 2014.

The City of Greater Geelong is also a leader in addressing the impact of a changing environment through its Future Proofing Geelong Program, a low carbon growth plan and climate change Adaptation.

Future Proofing Geelong

Future Proofing Geelong is an innovative program that brings together business, industry, government, educational institutions and the community in a collaborative effort to work towards a sustainable future.

A key initiative of Future Proofing Geelong is working with business and industry is the establishment of Cleantech Innovations Geelong.

Cleantech Innovations Geelong is an alliance of business and industry looking to develop markets for cleantech. The aim is to establish Geelong as a Centre of Excellence for cleantech in Australia, by attracting investment, creating jobs and building skills. The program is a partnership funded through the Manufacturing Productivity Network (State Government), the Geelong Manufacturing Council and Future Proofing Geelong.

The members of the alliance have participated in a market analysis to establish the needs of the cleantech sector as they relate to business and industry in Geelong. Alliance members have also participated in a skills audit to establish our current capabilities to meet those needs. The Market Development Plan outlines the gaps and opportunities in the cleantech market, and projects which will respond to these gaps and opportunities. The projects identified in the Market Development Plan will focus on those which expand businesses, create/maintain jobs and develop skills in the cleantech sector.

Cleantech Innovations Geelong has been set up to improve the productivity and competitiveness of the participating Victorian manufacturing and engineering firms, those occupying or wishing to occupy green buildings, and those supplying environmental goods and services; by strategically planning to secure market development opportunities. We will endeavour to deliver:

- Brokerage services to link suppliers and buyers
- Collaborative projects to develop the market for cleantech
- Secure funding sources for collaborative projects
- Establish Forward Commitment Procurement initiatives
- Identify export opportunities
- Facilitate skills & capabilities initiatives
- Host marketing activities and events

Low Carbon Growth Plan

The Low Carbon Growth Plan for Geelong, developed in conjunction with ClimateWorks Australia, provides a foundation for practical actions to reduce the Geelong region's energy consumption and greenhouse gas emissions.

The plan will also identify opportunities to collaborate with state government, local industry and the community to build a low-carbon economy. It will serve as a catalyst for new partnerships, research and development and employment opportunities, by increasing local demand for sustainability services and clean technology solutions.

The aim is for Geelong to serve as a demonstration city showcasing how a community can make the transition to a low carbon future whilst retaining local business and industry, growing the economy and ensuring liveability.

Climate Change Adaptation

The City of Greater Geelong adopted a climate change Adaptation strategy in 2011. that accepts and works with the constraints and challenges posed by climate change.

In particular, it aims to build the overall capacity of Council to make decisions that are robust to future climate change. Decisions that are as insensitive as possible to the uncertainties that surround future climate.

Council's Strategic Objectives provide a framework for decision making that embraces complexity and uncertainty. The Strategic Objectives are:

1. Lead the City of Greater Geelong community in adapting appropriately to climate change

The City of Greater Geelong will take the lead in proactively identifying risks and seeking solutions. This will reduce the chance of surprise impacts. It will also start implementing those changes that will take time to deliver results, but are essential to protect Council and the residents of the City of Greater Geelong.

2. Build awareness and understanding of climate change across Council and within the community

By ensuring the community knows what Council is doing and why, Council minimises the chance of barriers to adaptation in the form of community responses due to alarm or misinformation.

3. Acknowledge the links between climate change and other challenges and opportunities for the City of Greater Geelong

Climate change will interact with existing social, economic and ecological factors. It has the potential to exacerbate many existing problems, but it could also create opportunities. By understanding the links, Council can start working to minimise the impact of the challenges and position itself to capitalise on the opportunities.

4. Plan for decisions that remain viable under the widest possible range of climate futures

Climate models can provide us with a range of plausible climate futures but they cannot predict which will come to pass. Planning for a single scenario can result in over-, under- or mal-adaptation. A safer option is to choose actions that remain viable under the widest range of probable climate futures Council can afford to address, as this lowers the chance of getting the decision disastrously wrong.

5. Use lessons from the results of decisions made to inform better decisions in the future

Adaptation actions should be designed to avoid, where possible, a 'locked in' outcome so decision making processes and outcomes evolve with understanding and knowledge. This is a necessary part of adaptive management, in which change is anticipated and accommodated through cycles of continuous evaluation and iterative learning.

6. Link with others to drive understanding of and action on climate change adaptation

Climate change impacts will challenge our existing governance structures. They will present unanticipated scenarios for which society is ill-equipped to deal and stretch our resources and capacity. Forming strategic links with other agencies and the broader community will better enable Council to confront these challenges, through pooling of knowledge, capacity and capability and other resources.

7. Implement solutions that:

- a. **are cost effective:** cost-effectiveness analysis is an alternative decision-making tool to cost-benefit analysis. It is better suited for cases where wider benefits or costs need to be included in analysis but it is difficult to assign an appropriate monetary value. It can also be more appropriate when dealing with deep uncertainty.
- b. **are transparent and defensible:** adaptation decisions have the potential to be made in highly charged political situations. Although decision-making bodies can make well-informed and sound decisions, adaptation actions will be judged by their future success. This makes it even more important for Council to be able to retrospectively show and defend why it selected a particular course of action.
- c. **recognise the needs of vulnerable groups:** vulnerable groups are likely to be those most affected by climate change impacts. Given this, adaptation policy needs to expressly incorporate their needs and interests.
- d. **ensure equitable outcomes:** climate change may exacerbate existing inequalities in society, or cause new inequalities to emerge. As a result, it is vital that equity is always considered when planning adaptation responses.

GREATER GEELONG

Population projections for Geelong (derived from VIF 2012) show that the municipality's population is forecast to increase from its current level of approximately 223,050 persons to between 302,360 persons (Base Case Scenario) and 332,930 persons (High Growth Scenario) by 2031. This represents growth between 79,310 (Base Case Scenario) and 109,880 (High Growth Scenario) additional residents over the 20-year period. Indicative total infrastructure and resource requirements under each growth scenario for 2021 and 2031 are shown in Table A 3.

Table A.3: Estimated Total Infrastructure and Resource Requirements (Indicative Only), Geelong, 2021 and 2031

Indicator	Description and Measure	2008	Existing	2021			2031		
				Base Case Growth Scenario	Medium Growth Scenario	High Growth Scenario	Base Case Growth Scenario	Medium Growth Scenario	High Growth Scenario
Population		205,930	223,050	261,310	268,480	276,050	302,360	317,230	332,930
1. Water									
Household usage	Estimated annual water consumption levels (billion litres)	13.2	12.8	15.0	15.5	15.9	17.4	18.3	19.2
2. Public Transport									
Bus services	Estimated number of daily bus routes operating within the municipality	35	81	34	35	36	39	41	43
Rail services	Estimated number of regular weekly train/coach passenger services to and from Metropolitan Melbourne	350	380	445	457	470	515	540	567
3. Energy									
Household electricity consumption	Estimated annual household electricity consumption (billion kWh)	0.57	0.53	0.64	0.66	0.68	0.76	0.80	0.84
Household gas consumption	Estimated annual household gas consumption (GJ)	5.28	5.06	6.16	6.33	6.51	7.31	7.66	8.04
4. Communications									
Broadband access*	Estimated broadband coverage across municipality	85%	97%	98.5%	98.5%	98.5%	100.0%	100.0%	100.0%
5. Land supply									
Total dwellings	Estimated number of private dwellings (vacant) for development	87,980	95,600	110,300	113,320	116,520	131,350	137,800	141,620
Residential land supply	Estimated amount of residential land available (vacant) for development								
Industrial land supply	Estimated amount of industrial land available (vacant) for development								

IMPLICATIONS OF POPULATION GROWTH ON INFRASTRUCTURE AND RESOURCES IN REGIONAL CITIES
2012 REPORT-FINAL

Indicator	Description and Measure	2008	Existing	2021			2031		
				Base Case Scenario	Medium Growth Scenario	High Growth Scenario	Base Case Scenario	Medium Growth Scenario	High Growth Scenario
6. Health									
Hospital beds	Estimated number of private and public beds located in municipality	640	950	1,110	1,140	1,170	1,290	1,350	1,420
Hospital emergency department presentations	Estimated number of emergency patients attended to each year (admitted and non-admitted)	43,990	56,310	65,970	67,780	69,690	76,340	80,090	84,050
No of GPs	Estimated number of GPs required in municipality	250	370	430	440	450	500	520	550
7. Education									
Primary schools places	Estimated number of public and private primary school places required in municipality	18,350	18,900	21,410	22,000	22,620	24,770	25,980	27,270
Secondary schools places	Estimated number of public and private secondary school places required in municipality	19,260	18,880	21,380	21,970	22,590	24,740	25,950	27,240
University Places	Estimated number of university places required in municipality	5,350	7,720	9,040	9,290	9,550	10,460	10,970	11,520
TAFE Places	Estimated number of TAFE places required in municipality	27,650	27,650	32,390	33,280	34,220	37,480	39,330	41,270
8. Social Infrastructure									
Library floorspace	Estimated amount of public access library floorspace (m ²) required in municipality	5,700	6,700	7,850	8,070	8,300	9,090	9,530	10,010
Kindergarten places	Estimated number of kindergarten places required in municipality	3,670	4,390	5,130	5,270	5,420	5,490	5,760	6,040
Childcare places	Estimated number of childcare places required in municipality	1,430	3,190	3,730	3,830	3,940	3,980	4,180	4,390
Aged care	Estimated number of aged care beds required in municipality	2,330	2,410	3,350	3,440	3,540	4,550	4,780	5,010
9. Recreation									
Arts and cultural facilities	Estimated number of major arts centres, museums, galleries required in the municipality	16	6	7	7	7	8	9	9
Sports facilities	Estimated number of major council operated indoor and outdoor sports centres/stadiums required in the municipality	n/a	11	13	13	14	15	16	16
10. Waste Management									
Municipal waste	Estimated amount of Kerbside municipal waste collected in the municipality (tonnes pa)	62.0	65.1	79.3	81.5	83.8	94.1	98.7	103.6

Source: Figures rounded

Note: *2008 estimates relate to broadband coverage of at least 256Kbps (ie first wave broadband). Existing estimates and forecasts relate to speeds of 8Mbps and above (ie second and third wave broadband)

9. CONSIDERATION OF TENDER NO T1400059 - PROVISION OF INFRINGEMENT ADMINISTRATION SERVICES

Portfolio:	Governance - Cr Lyons (Mayor)
Source	Community Services
Act/General Manager:	Linda Quinn
Index Reference	Project: T1400059
	Subject: Community Laws Management / Infringements

Purpose

To provide Council with the requisite information in order to facilitate the approval of the Tender Evaluation Panel's recommendation in relation to the Provision of Infringement Administration Services.

Summary

- Council has sought tenders from experienced providers for the provision of infringement administration services for a period of three (3) years with an option to extend the contract by a period of two (2) years (1 X 1) at the sole discretion of Council. The service is planned to commence 1 May 2015 following expiration of the existing contract arrangement.
- The object of the proposed service is to provide a comprehensive and consolidated solution to the management of infringements and the collection of debt subsequent to their issue.
- City of Greater Geelong is a statutory body empowered to issue infringements under both local and state legislation. Council currently issues a variety of infringement notices and has a relationship with an external provider for a range of services relating to the management of infringements after they have been issued. This includes dealing with enquiries, appeals, nominated driver requests, penalty reminders, Infringements Court lodgements, fine payment plans, receiving payments, withdrawing infringements and all associated documentation.
- The provision of infringement administrative services applies to all program areas throughout the municipality, which involve the issuing of infringements for parking, animal, local laws, health and fire prevention offences.
- Following the invitation of public tenders, one (1) tender submission was received, that being from Tenix Solutions Pty Ltd.
- A full evaluation of the tender submission has been undertaken by an evaluation panel of Council officers as identified in the body of this report.
- Following a detailed evaluation by the Evaluation Panel, it is considered that the tender submission of Tenix Solutions Pty Ltd meets tender requirements.

Cr Farrell moved, Cr Ellis seconded -

That Council:

- 1) accept the tender submission from Tenix Solutions Pty Ltd for Tender No T1400059 – Provision of Infringement Administration Services for the fixed price fee per infringement & associated schedule of rates as submitted exclusive of GST;**
- 2) sign and seal the contract documents.**

Carried.

Background

Tenders for the provision of infringement administration services were invited via public advertisement in the Geelong Advertiser and The City News on Saturday 18 October 2014.

At the close of tenders on Wednesday 12 November 2014, the following tender submission was received:

- Tenix Solutions Pty Ltd

Discussion

The tender submission was evaluated by a panel consisting of:

Steve Sodomaco	Manager Health & Local Laws
Kathy Fulton	Co-ordinator Financial Reporting
Mark Stevens	Co-ordinator Revenue Property & Valuations
Peter Walker	Senior Contracts Officer – Procurement Services (non voting member)

As required, the submission responded to the requirements set down in the tender documents and assessment was based on the respondent's performance in the following areas:

Criteria	Weighting
Acquisition Costs	40%
Service Requirements & Processes	20%
Capability & Past Performance	15%
Proposed Staffing	10%
Methodology and Innovation	10%
Quality Management	3%
Economic Contribution to the Geelong Region (*)	2%
Total	100%

(*) Prior to inviting tenders, the panel surveyed the market and determined that there are no local suppliers with the relevant capabilities and experience to undertake the specified works. The panel sought an extension to the existing contract in the belief that a new 'provider' would enter the market place that might have an economic benefit to the region. However no submission was lodged in response to the tender.

A number of meetings were held with representatives from the sole tenderer, Tenix Solutions Pty Ltd and CoGG, to review the terms and conditions of the Contract together with refining the reporting processes. Both parties are now in agreement to terms and conditions of Contract.

The Evaluation Panel considers that Tenix have demonstrated a proven technical capability to meet the needs of COGG's service specifications, which includes a comprehensive knowledge of the infringements enforcement lifecycle, strong relationships within the industry and the provision of contemporary and quality systems to provide the necessary services required by Council. Tenix Solutions Pty Ltd is suitably resourced with highly skilled and dedicated staff at both the technical expertise and management levels.

Tenix Solutions Pty Ltd has excellent quality assurance programs that ensures service is delivered in accordance with policies and procedures to a high standard. Tenix Solutions continues to invest in innovative developments of program areas such as advanced hand-held infringement issuing devices, debt collection systems/strategies, aged receivables, 'blue-tooth' integration, favourable on line payment options including Australia Post and the ability to pre pay for infringements prior to the infringement being uploaded to the system.

The price tendered is considered to be comparable to the existing rates for such services under the current contractual arrangement provided by Tenix Solutions. In evaluating this tender, service enhancements have been incorporated into the tender and agreed to as part of the response and evaluation process.

Environmental Implications

There are no environmental issues relating to the award of this tender.

Financial Implications

The rate submitted by Tenix Solutions per infringement unit compared favourably to those rates that would apply to the service being delivered in-house.

The funding for this service is through recurrent Health and Local Law budget allocations.

Policy/Legal/Statutory Implications

The requirements of Section 186 of the Local Government Act have been complied with for this tender. There is no other policy, legal or statutory implications associated with this tender process.

Alignment to City Plan

The provision of this service has a positive impact on all key City Plan objectives.

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 not considered to be any risks associated with the acceptance of this tender that cannot be managed through the contract conditions.

Social Considerations

There are no social implications that will arise from the acceptance of this tender.

Human Rights Charter

There are no Human Rights Charter implications that will arise from the acceptance of this tender.

Consultation and Communication

Health and Local Laws will manage the infringements administration contract. Communication with Customer Service, Finance and IT will be undertaken throughout the Contract with Health and Local Laws taking the lead role.

10. CONSIDERATION OF TENDER SUBMISSIONS FOR TENDER NO.T1500013 COUNCIL FACILITIES RECYCLING & WASTE COLLECTION SERVICES

Portfolio:	Governance – Cr Lyons (Mayor)
Source	Strategy & Performance - Procurement
General Manager:	Dean Frost
Index Reference	Project T1500013

Purpose

To inform and seek Council approval in respect to the tender evaluation panel's recommendation in relation to the Recycling & Waste Collection Services from Council Facilities.

Summary

- Council provides a wide variety of services to the Geelong Region. A large number of these services generate a significant amount of waste which is not of a domestic nature / size. Councils recycling & waste collection services currently operate in a decentralised manner. Council in the past has managed this service through a combination of site and service specific Council contract arrangements.
- A review of the Service was undertaken by Council. The review identified an opportunity for Council to improve its recycling & waste collection services by establishing a clear management structure and standardising bin requirements. The review has confirmed the need for Council to engage a Panel of Contractors to undertake the Service.
- Council has sought tenders for the supply, delivery and clearance of Bins at various Council Locations and Serviced Sites including and disposal of materials to waste disposal or recycling processing facilities. This service requires a variety of bin sizes and incorporates general waste, commingled recycling (plastic, glass, aluminium, paper) and cardboard waste collection.
- The term of the Panel Contract for the provision of this service shall be for an initial period of two (2) years with a further three (3), one (1) year options available at the sole discretion of Council.
- A total of four companies have provided tender submissions for the panel arrangement for the Recycling & Waste Collection Services of Council Facilities. Tender submissions include an extensive schedule of rates for the supply of a range of bins and the removal of general waste, commingled recycling and cardboard waste collection.
- The estimated annual value of the services associated with this contract \$500,000.
- A detailed evaluation of all tender submissions has been undertaken by an evaluation panel of Council officers, as identified in the body of this report.
- Following an evaluation of each of the submissions the following suppliers have been recommended for inclusion to the panel of preferred suppliers:-
 - Corio Waste Management Pty Ltd
 - Sita Australia Pty Ltd
 - Transpacific Cleanaway Pty Ltd

Cr Ellis moved, Cr Richards seconded -

That Council :

1) accept the tender submissions from:

Corio Waste Management Pty Ltd

Sita Australia Pty Ltd

Transpacific Cleanaway Pty Ltd

for Tender No T1500013 – Panel arrangement for the supply, delivery and clearance of Bins at various Council Locations and Serviced Sites including and disposal of materials to waste disposal facility or a recycling processing facility.

2) sign and seal the contract documents.

Carried.

Background

The City of Greater Geelong invited tenders for the Recycling & Waste Collection Services of Council Facilities invited via public advertisement in Tenderlink and the Geelong Advertiser on Saturday 8 November 2014.

At the close of tenders on Wednesday 3 December 2015 the following tender submissions were received:

Tenderer
Corio Waste Management Pty Ltd
Sita Australia Pty Ltd
Transpacific Cleanaway Pty Ltd
Danroma Pty Ltd trading as Local Waste

All tenders have been submitted rates exclusive of GST.

Discussion

The tender submissions associated with this supply service were evaluated by a panel consisting of:

John Brown	Manager Administration & Governance
Richard Russell	Team Leader – Waste Collection Management
Matt Robb	Venue Operations Co-ordinator Simonds Stadium
Peter Walker	Senior Contracts Officer (Non Voting)

Stage One – Mandatory Criteria

OHS mandatory requirements applies to this Tender.

All submissions responded to all mandatory requirements set down in the Tender documents and are considered to conform.

Stage Two –Comparative Criteria

Tender submissions were assessed based on the respondent's performance or tender response in the following areas:

Criteria	Weighting
Methodology/plan for performing the contract	20%
Capability and relevant experience, past performance over the last 3 years	35%
Staffing levels, plant and equipment	25%
Quality management	10%
Economic Contribution to the Region	10%
	100%

Following the evaluation of tenders against the technical criteria it was determined by the Evaluation Panel that the selected Tenderers offered Council value for money.

At the conclusion of the evaluation process the tenderers were ranked in the following order in accordance with the above criteria:

Tenderer	Rank
Corio Waste Management Pty Ltd	1
Sita Australia Pty Ltd	2
Transpacific Cleanaway Pty Ltd	3
Danroma Pty Ltd trading as Local Waste	4

It is preferred to appoint the three highest ranked companies to a panel contract arrangement; however Council warrants no volume of work to any of the three selected panel contractors. The Evaluation Panel is satisfied that the top three ranked tenderers can fully satisfy Council's waste collection and recycling services from Council facilities.

The recommended tenderers satisfied all Councils requirements and adequately addressed all the above listed evaluation criteria and provided competitive pricing. Each of the three companies are well known to Council, are capable, experienced and local providers in the waste industry and have adequate resources (plant and personnel) to undertake the services required within the at various Council Locations and Serviced Sites.

The Evaluation Panel are satisfied that all the recommended tenderers will be able to successfully provide the range of services to Council.

Financial Implications

This is a schedule of rates tender and it is incumbent on each service provider to make provision for the use recycling and waste collection services.

Policy/Legal/Statutory Implications

The requirements of Section 186 of the Local Government Act have been complied with for this tender. There is no other policy, legal or statutory implications associated with this tender process.

Alignment to City Plan

Sustainable Built and Natural Environment and How We Do Business

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 known risks associated with the acceptance of this tender that cannot be managed through the contract conditions.

Social Considerations

The recommended tenderers employ local people and support the local economy through sourcing services and materials from local suppliers.

Human Rights Charter

There are no Human Rights Charter implications that will arise from the acceptance of this tender.

Consultation and Communication

There is no communication issues associated with the acceptance of this tender.

NOTICE OF MOTION – Cr Kylie Fisher

AFL BARWON

Background

Concerns have been raised about the AFL Barwon's overage policy and whether this policy supports children with a disability being able to participate in a game of football.

An overage policy enables children to be able to play down an age level under certain circumstances.

The AFL itself in its Australian Football Match Policy gives junior leagues the ability to grant permission to a player to play down an age level where a legitimate reason exists such as physical capacity or disability.

The success of policies such as these is heavily reliant on the willingness of organisations to consider the intent of the policy in its application.

It's of concern that children with a disability may be missing the opportunity to participate in Australian Rules Football.

To this end, and to ensure that children with a disability get the best opportunity to participate in a game of footy with their friends that Council seek clarification from the AFL Barwon Commission about its own policy and how it encourages, promotes and enables children with disability to play football.

Cr Fisher moved, Cr Heagney seconded -

That Council write as a matter of urgency, to the AFL Barwon Commission raising concerns about its current overage policy and seeking advice and information about how it encourages and supports children with a disability to play football down an age level or at all with any clubs in the region.

Carried.

ASSEMBLY OF COUNCILLORS RECORD

Portfolio: Governance – Cr Lyons (Mayor)
Source: Strategy & Performance
General Manager: Dean Frost

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 Macdonald moved, Cr Ellis seconded -

That the information be received.

Carried.

RECORD OF ASSEMBLIES OF COUNCILLORS
(Council Meeting 28 April 2015)

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Budget Briefing 13 April 2015	Crs Ansett ,Irvine, Ellis, Farrell, Fisher, Harwood, Heagney, Lyons, E Kontelj, S Kontelj, Macdonald, Richards	G Miles (CEO) D Frost (GM) W Tieppo (GM) J McMahon (A/GM) P Jane (A/GM) L Quinn (A/GM) P Bettess (GM) M Kelly (MGR) K Fulton (CO ORD) A Paterson (EXEC OFF – MAYOR)	• Matters arising from prior budget briefing • Funding requests • Fees and charges • Other matters	• Cr Irvine declared he is a member of the St Albans Cricket & Football Club • Cr Heagney declared a Conflict of Interest in the Ryrie Street Lights Project • Cr E Kontelj declared he is a member of the Geelong Soccer Club • Cr Harwood declared an Indirect Interest in the Green Waste Contract • Cr Farrell declared an indirect interest in the VLGA
Graffiti Reference Group 14 April 2015	Cr Farrell	J Wager (CO ORD) H Manzl (CO ORD) J Brown (OFF) Z Smith (OFF)	• Audit Update • Budget • Police and Court Report • Graffiti Team Leader Report • Department of Corrections Report	• Nil.
Councillor Briefing 21 April 2015	Crs Ansett, Ellis, Farrell, Fisher, Harwood, Heagney, Irvine, E Kontelj, S Kontelj, Macdonald, Nelson, Richards	G Miles (CEO) P Bettess (GM) W Tieppo (GM) D Frost (GM) J McMahon (ACT/GM) L Quinn (ACT/GM) A Grant (PROP ADV) A Paterson (Exec Officer – Mayor) R Bourke (CO ORD)	• Senate Inquiry Regional Capitals • Incremental Housing Area Review 2015 • Sale of the Old Geelong Gaol – Consideration of Submissions • Sale of Land to Roman Catholic Trust – Peninsula Drive, Drysdale • 2016 General Valuations Compliance Valuation of Land Act 1960 • 2015 National General Assembly of Local Government – Call for Motions • Amendment C276 – Hams Road, Waurin Ponds – Consideration of Submissions • Consideration of Tender Submissions for Tender T1500013 – Council Facilities Recycling and Waste Collection Services • Consideration of Tender T1400059 – Provision of Infringement Administration Services • Geelong Gallery Redevelopment Community Comment	• Cr Nelson declared an Indirect Interest in the Sale of Land to Roman Catholic Trust – Peninsula Drive, Drysdale and left the room prior to discussion.

PLANNING DELEGATIONS

Portfolio:	Planning - Cr Heagney
Source:	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 Ellis moved, Cr E Kontelj seconded -

That the information be received.

Carried.

Planning Decisions Report - March 2015

App	Location	Application Type	Decision	Description	Authority Description
1027/2014	181-199 Matthews Road, LEOPOLD VIC 3224	Use of Land as a Residential Hotel, Sale and Consumption of Liquor (On-premises licence) and Construction of Associated Buildings and Works	20/3/2015	Refusal to Grant a Planning Permit	Development Hearings Panel
1292/2014	30-32 Seachange Way, ST LEONARDS VIC 3223	Variation of Restrictive Covenants AC043689Y and PS504234Q	6/3/2015	Refusal to Grant a Planning Permit	Development Hearings Panel
1336/2014	17 Burdekin Road, HIGHTON VIC 3216	Construction of a Second Dwelling, Two (2) Lot Subdivision and Removal of Restrictive Covenant T082093F dated 11/05/1994	20/3/2015	Refusal to Grant a Planning Permit	Development Hearings Panel
1487/2014	351 Moorabool Street, SOUTH GEELONG VIC 3220	Change of Use Education Centre (Business College) and a Reduction in the Car Parking Requirement and Bicycle Parking Requirement	20/3/2015	NOD - Planning Permit	Development Hearings Panel
1548/2014	32 High Street, DRYSDALE VIC 3222	Use and Development of the Land for a Restaurant, Display of Business Identification Signage, Liquor Licence and Reduction in Car Parking Requirement	6/3/2015	NOD - Planning Permit	Development Hearings Panel
	32 High Street, DRYSDALE VIC 3222	Use and Development of the Land for a Restaurant, Display of Business Identification Signage, Liquor Licence and Reduction in Car Parking Requirement	31/3/2015	PI - Delegate - No Appeal Lodged	Delegated Authority
240/2014	1225-1239 Swan Bay Road, SWAN BAY VIC 3225	Use and Development of the Land as a Camping and Caravan Park	3/3/2015	PI - No Appeal Lodged Permit	Development Hearings Panel
330/2012/A	1B Victoria Street, RIPPLESIDE VIC 3215	Development of a Three (3) Storey Building Comprising Eleven (11) Apartments, an Eleven (11) Lot Subdivision and a Reduction in Visitor Car Parking	24/3/2015	PI - Extended Planning Permit	Delegated Authority
339/2014	28 Barcelona Street, NORLANE VIC 3214	Buildings and Works for the Construction of Two (2) Dwellings and Two (2) Lot Subdivision	6/3/2015	Refusal to Grant a Planning Permit	Development Hearings Panel
451/2012	45 North Valley Road, HIGHTON	Construction of a Caretaker's House at First Floor	4/3/2015	PI - Extended	Delegated Authority
1177/2014	89 Dare Street, OCEAN GROVE	Construction of Three (3) Dwellings and Three (3) Lot	25/03/2015	NOD - Delegate	Objectors - 1
1273/2014	94 Bluff Road, ST LEONARDS VIC 3223	Construction of a Dwelling	5/03/2015	NOD - Delegate	Objectors - 3

1282/2014	1/102 Dare Street, OCEAN GROVE VIC 3226	Alterations and Additions to the Existing Dwelling	11/03/2015	NOD - Delegate	Objectors - 1
1379/2014	202-204 West Fyans Street, NEWTOWN VIC 3220	Additions to an existing kindergarten to accommodate an additional 37 children and associated car parking dispensation	23/03/2015	NOD - Delegate	Objectors - 4
1556/2014	23-25 Palmerston Street, DRYSDALE VIC 3222	Alterations and Additions to Building, Including Second Storey Extension	5/03/2015	NOD - Delegate	Objectors - 1
1570/2014	Shop No. 2/82 The Terrace, OCEAN GROVE VIC 3226	Use the Land to Sell and Consume Liquor - Restaurant and Cafe Licence, Partial Demolition, Buildings and Works in a Heritage Overlay and Removal of Covenant 0230036	11/03/2015	NOD - Delegate	Objectors - 3
1615/2014	4-12 Grubb Road, OCEAN GROVE VIC 3226	Variation of Liquor Licence No. 32201018 to increase Licensed Area	23/03/2015	NOD - Delegate	Objectors - 1
270/2014	452 Latrobe Terrace, NEWTOWN VIC 3220	Construction of Multi-Level Building containing Twenty-One (21) Dwellings and Office, Continuation of the Use of Land for an Office, Alteration and Creation of Access to a Road in a Road Zone, Category 1 and Reduction in Car Parking Requirements	31/03/2015	NOD - Delegate	Objectors - 2
662/2014	58 McKillop Street, GEELONG VIC 3220	Use of the Land (Part) for a Medical Centre (Laser Skin Clinic), Display of Business Identification Signage and a Reduction in the Standard Carparking Requirement	17/03/2015	NOD - Delegate	Objectors - 1
882/2014	65 Old Ballarat Road, BATESFORD VIC 3213	Five Lot Subdivision	24/03/2015	NOD - Delegate	Objectors - 3

CLOSE OF MEETING

As there was no further business the meeting closed at 9.52pm. Tuesday, 28 April 2015.

Signed: _____
Chairperson

Date of Confirmation: _____