CITY OF GREATER GEELONG

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 27 September 2016

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 5.30p.m.

ADMINISTRATORS:

Dr Kathy Alexander (Chair)
Laurinda Gardner
Peter Dorling

SECTION A - PROCEDURAL MATTERS

Acknowledgements 1

Confirmation of Minutes 1

Declarations of Conflicts of Interest 1

Question Time 2-3

SECTION B – REPORTS

1. Saleyards 4-14
2. Amendment C328 (Part 1) – Barwon Water Surplus Property – Adoption 15-35
3. Amendment C345 – 530 Bacchus Marsh Road, Lara – Adoption of Amendment 36-47
4. Amendment C348 1-5 Ballarat Road, North Geelong – Adoption of Amendment 48-61
5. Amendment C321 & Permit 1234/2014 Geelong Road, Portarlington – Consideration of Panel Report 62-77
6. Amendment C346 Ocean Grove Structure Plan & Urban Design Framework – Consideration of Panel Report and Adoption of Amendment 78-130
7. Ocean Grove Significant Tree Project 131-148
8. Proposed Planning Scheme Amendment to Apply a Public Acquisition Overlay on Land at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont 149-152
9. Proposed Planning Scheme Amendment to Apply a Public Acquisition Overlay on Land at 1-87 Groves Road, Armstrong Creek and 109-215 Sparrovale Road, Charlemont 153-157
10. Development Contribution Plans – Annual Report 2015-16 158-172
11. Section 173 Agreement – Anco Seed and Turf P/L and City of Greater Geelong 173-179
12. Draft Greenhouse Strategy 180-184
13. Community Grants Program 2015/2016 – Summary of Allocations – 1 January to 30 June 2016 185-191
14. Renewal of Wicket Maintenance and Development Agreement Between the City of Greater Geelong and the Geelong Cricket Association 192-197
15. Delegations and Authorisation from Council to Chief Executive Officer and Staff 198-207
16. Sale and Purchase of Land – Use of Chief Executive Officer Delegation 208-210
17. Tender and Award of: Hendy Street Children and Family Centre 211-213
18. Tender and Award of: Barwon Heads Main Drainage Outfall, Ozone Road, Barwon Heads 214-217
19. Tender and Award of: Elcho Channel Main Drainage Infrastructure, Lara 218-220
20. Tender and Award of: Portarlington North East Group of Roads, Portarlington 221-223
21. Road Renaming – North/South Section Benita Place, Leopold 224-226

22. Thompson Road, North Geelong – Proposed Footpath Construction
SRC350 – Intention to Declare 227-240

SECTION C – ASSEMBLY OF COUNCIL

SECTION D – PLANNING DELEGATIONS

MINUTES OF THE ORDINARY MEETING OF THE GREATER GEELONG CITY COUNCIL HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE CITY HALL, LITTLE MALOP STREET, GEELONG TUESDAY, 27 SEPTEMBER 2016 COMMENCING AT 5.30P.M.

PRESENT: Dr K Alexander (Chair), L Gardner, P Dorling

Also present: P Bettess (Acting Chief Executive Officer), W Tieppo (Acting General Manager Strategy & Performance), J Van Slageren (Acting General Manager Planning and Development), V Shelton (Acting General Manager City Services), L Quinn (General Manager Community Life), B Luxford (General Manager Investment and Attraction), A Keen (Executive Manager People and Organisational Development), T McDonald (Manager Customer Service and Council Business)

OPENING: The Chair declared the meeting open at 5.30pm

ACKNOWLEDGEMENTS:

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

BROWNLOW MEDAL:

Council acknowledged and congratulated Patrick Dangerfield (Geelong Football Club) on winning the 2016 Brownlow Medal.

APOLOGIES: Nil.

CONFIRMATION OF MINUTES:

K Alexander moved, P Dorling seconded -

That the Minutes of the Ordinary Meeting held on 16 August 2016 and the Special Meeting held on 6 September 2016 be confirmed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

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, the Interim Administrator 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.

Ian Kelly raised questions in relation to the Saleyards at both the Community Engagement and Council Meetings. Council acknowledges these questions and will provide a written response within 14 days.

Ian Kelly asked the following question on behalf of Heather Wellington in relation to the Saleyards:

1) I am deeply concerned at the CoGG proposal to close the Saleyards. 26% of trade through the Saleyards comes from the Shire. In June 2015 the CoGG Council committed to 'work with neighbouring Councils to identify and develop a suitable regional solution with the view to initiating a future staged withdrawal from Saleyards operations'. To my knowledge this has not occurred and there is now a proposal, during caretaker period, for the Saleyards to be closed. Although CoGG itself is not in caretaker period it should recognise the impact of this potential decision on neighbouring municipalities and the constraints they are currently under in making their view heard.

   I ask that CoGG defers this item until neighbouring Councils exit caretaker period and have an appropriate opportunity to consider the issue and be heard.

   The investment required to maintain and continue to operate the Saleyards is modest compared with the benefit it brings (both economic and social) to small producers in the region.

   The questions were acknowledged and taken on notice for a written response within 14 days.

Gray Barton asked the following in relation to the Portarlington Structure Plan:

1) The 2016 Portarlington Structure Plan removes the right of all home owners to shared seaviews as per the 2007 structure plan and can you explain why this right was removed.

2) At the June C321 panel meeting members of the Bellarine Group sound out proposal in support of C321 with purchase of Seaspray Farm as some kind of satellite housing estate for Portarlington clearly in the Green belt! Shouldn't the community been involved in working parties on these structural plans?

   Joanne Van Slageren responded that the Portarlington Structure Plan was originally adopted in May 2016. Neither the May or the new September 2016 Portarlington Structure Plan removes planning controls that consider the sharing of views. Parts of Portarlington are applied with the Design and Development Overlay Schedule 14, which triggers a planning permit for dwellings above 7.5m in height.

Similarly, the Spray Farm Estate is unaffected by Amendment C321 and changes to the Portarlington Structure Plan. This property is outside the Portarlington Settlement Boundary and remains in the Farming Zone.

Kathy Alexander (Chair) read out the following question which was submitted by **Michael Tucker** at the Community Engagement Meeting on 21 September:

Where may one make submissions regarding the structure plan for Barwon Heads. Is there a web page being developed so the community may raise positive thoughts and concerns which will allow others to see previously submissions or messages?

Joanne Van Slageren responded that Council has responded to Mr Tucker and advised him of the links and information available on the website.

Mary Wallace asked which Manager the Co ordinator of Governance and Legal Services reports to?

Tim McDonald responded the Co ordinator of Governance and Legal Services reports to the Manager Customer Service and Council Business.

Tom O'Connor asked Council to acknowledge Jimmy Bartel winning the Jim Stynes Community Leadership Award at the Brownlow Medal Night 2016 for his work on raising awareness of domestic violence against women.

Jennifer Bantow asked the following in relation to the Sale of the Old Geelong Gaol:

1) When will the 'requests to be heard' stated in the Notice of Intention to Sell Land occur and what is the format for that Hearing?

2) The Notice says that Council will make available for public inspection submissions received in the last 12 months? Why has the National Trust request to see the Barwon Health submissions been refused?

3) This Notice is of Intention to sell Land. How can the land be separated from the structure on the land? Why isn't it a Notice to sell the whole property, land and buildings?

William Tieppo responded he would provide a written response.

PETITIONS: Nil.

1. SALEYARDS

(previously agenda item 11)

Source: **City Services - Engineering Services**
A/General Manager: **Vicki Shelton**
Index Reference: **Saleyards**

Purpose

To consider the future of the Geelong Saleyards site at Weddell Road North Geelong.

Summary

- Livestock throughput at the Geelong Saleyards has declined over the past 10 years and has a direct impact on income.
- The saleyards industry in Victoria is declining overall as alternative selling methods replace the traditional auction market.
- Operational costs have remained consistent over time but with reduced income has lead to declining financial performance of the site.
- A loss of $245,380 was recorded for the 2015/2016 financial year
- A recent structural engineering report has identified significant safety concerns. Due to these concerns the Geelong Saleyards were temporarily closed on 22 August 2016 to the sale of sheep and cattle whilst further investigation is undertaken in regard to the safety concerns.
- A heritage overlay requires any development of the site to consider the heritage significance of the saleyards.
- Loss of the main office building due to fire in June 2013 has diminished the heritage and social value of the site. The temporary replacement facilities do not provide the same level of service to staff and users.
- The current location is not suited to a saleyards facility.
- The total cost to reopen the saleyards with all rectification works is estimated to be around $916,000.
- If rectification works are to commence it would be April 2017 before the saleyards could be operational again.

K Alexander moved, L Gardner seconded -

That Council:

1) **reiterates the resolution of the previous Council, to pursue a staged withdrawal of operations at the Geelong Saleyards;**

2) **notes the extensive consultation undertaken by Council Officers, which included producers, agents, regional saleyard operators and officers of the Surf Coast Shire, Borough of Queenscliffe, Golden Plains Shire and Colac Otway Shire;**

3) **notes that it was unforeseen that the Saleyards would close due to safety concerns before a transition plan was developed for staged withdrawal;**

4) **requests Officers to undertake additional consultation for further consideration at the 22 November 2016 Council meeting.**

Carried.

Background

A number of reports and audits have been conducted since 1998 into the operations of the Geelong Saleyards. In 2014 an external consultant was engaged to conduct a thorough investigation including extensive consultation. In their report the consultant's recommended approach in regard to the future of the saleyards is to "facilitate a transition to a regional saleyards facility.

This will require a step by step approach and various actions in order to generate a successful outcome for Council, users and agents".

A report to Council on 9 June 2015 the following recommendations were adopted;

That Council:

1) seek opportunities for savings in operation of the saleyards;
2) actively identify potential uses of existing land and facilities outside normal saleyards operations;
3) work with neighbouring Councils to identify and develop a suitable regional solution with the view to initiating a future staged withdrawal from saleyards operation.

Actions Undertaken:

Council has replaced the coin operated truck wash system with an electronic key fob system which is administrated by Avdata. This system contributes between $4000 and $7500 in income per month which is up from the previous $1200 per month.

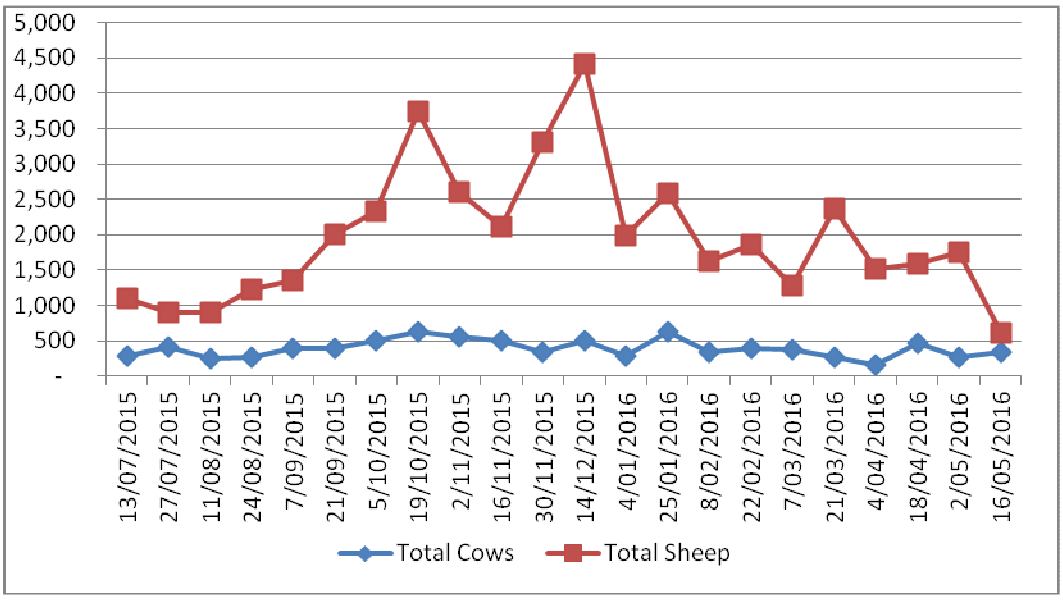
- A number of proposals and concepts for additional uses such as markets, of the saleyards property to ensure its use on non sale days have been put forward however there has been little interest from the community.
- A new regional facility is being built at Ballarat and another has been proposed for Mortlake.
- A structural assessment conducted in July 2016 lead to the subsequent temporary closure of the saleyards for the sale of sheep and cattle.

Discussion

Economic Issues

The number of stock being sold at the Geelong Saleyards has been declining over the past 10 years. In 2005 18,675 head of cattle were sold compared to 8839 in the 2015/16 financial year. The number of sheep sold in 2012 was 65,383 down to 45,092 in the 2015/16 financial year. Figure 1 shows the throughput figures for the 2015/2016 financial year.

Figure 1



An analysis of the throughput figures indicates that a large proportion of the sales at the Geelong saleyards are in small lots. As is evident in figure 2 below 78% of transactions of the stock sold comes from the immediate area but this only equates to 41% of the total head of stock. Alternatively 21% of the transactions come from the Colac Otway and Wyndham Shire areas but they contribute 58% of the total head of stock sold.

Figure 3 shows the break down of sales from within the City of Greater Geelong and the immediate neighbouring Council areas. 26% of all transactions are coming from the Surf Coast Shire area which equates to 15% of all stock sold. In contrast 14% of total transactions come from the Bellarine Peninsula which equates to 5% of total head sold at our saleyards. By this we see that a significant proportion of stock is bought and sold from outside of the City of Greater Geelong.

Figure 4 demonstrates how the cattle throughput numbers from the 2015/2016 financial year compare to nearby saleyards. As is evident in the graph the numbers at Geelong are significantly lower than other saleyards.

Figure 2

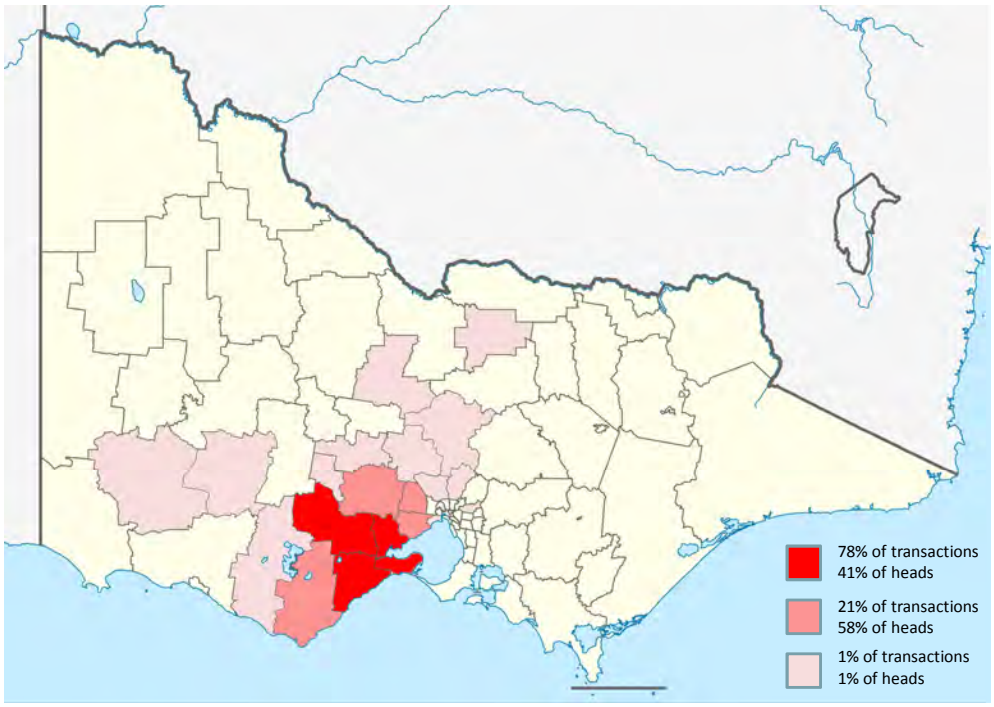


Figure 3

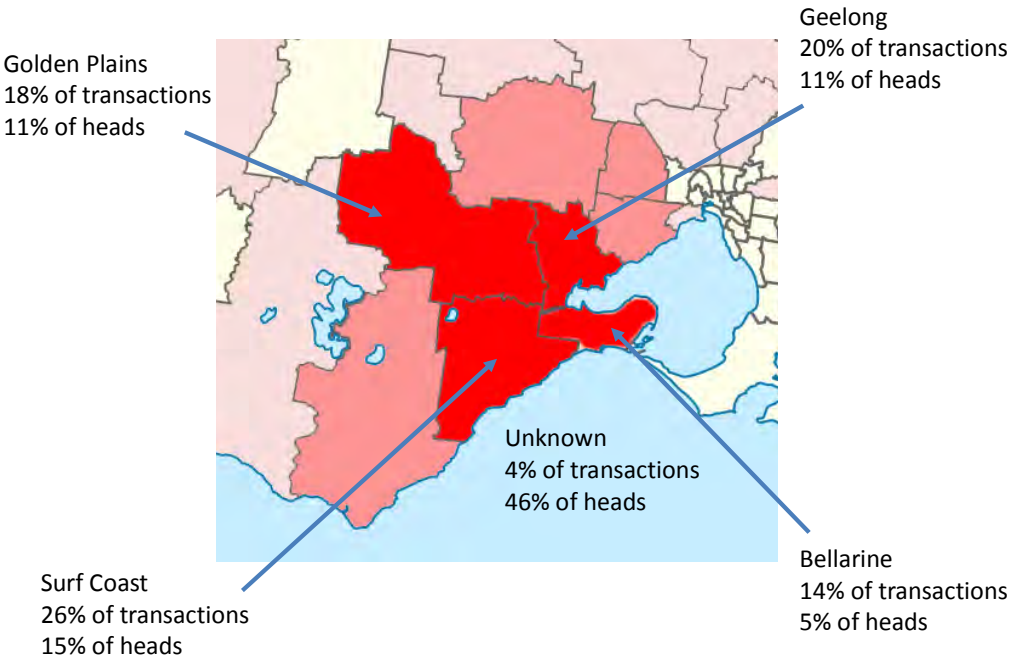
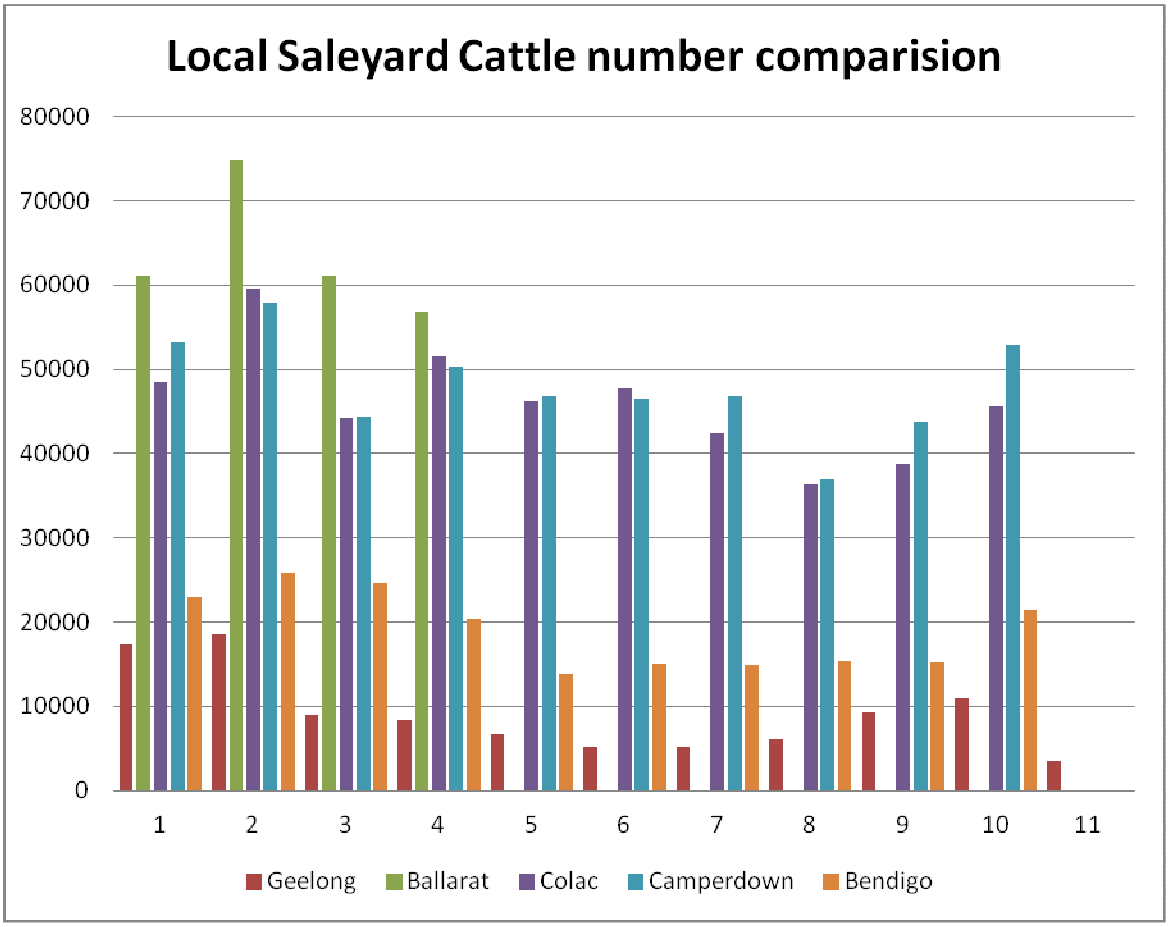


Figure 4



The decline in throughput is not unique to Geelong, with the Victorian average showing a cattle throughput decrease of -11.37% per annum over the past 10 years and a decrease in sheep throughput of -7.36% per annum over the past 4 years. However, the Geelong throughput decline is even greater than the Victorian average for both cattle and sheep. Overall Victorian trends suggest that it is unlikely that the Saleyards would be able to increase throughput or significantly improve financial performance under current conditions. The Saleyards industry is declining overall, as alternative selling methods replace part of the traditional auction market.

The saleyards are performing poorly financially. The saleyards accounts have recorded a loss in each of the past eight financial years with a loss of $245,380 for the 2015/2016 financial year, $206,532 for the 2014/2015 financial year and $194,458 for the 2013/2014 financial year. The long term income trend has been declining, generally in line with a reduction in throughput. Expenditure has remained relatively consistent over time.

Since 2007/08 Council has invested over $1.7 million to subsidise the operation of the Saleyards including capital improvements. In addition to the significant operating losses, significant capital investment has been made over the past 7 years to improve the facilities and buildings at the site. Despite this investment, the facility still requires significant investment to improve the overall standard and safety of facilities for employees and users.

At present a number of sheep ramps have been fenced off as they were deemed unsafe for use. It has been estimated that repairs to the associated retaining wall and the sheep loading ramps will be well over $100,000. The sheep yards also have access issues with users often having to climb over fences due to the lack of access gates.

In the cattle yards significant improvements have been made to the footing by concreting the yards last year. The yards themselves however are 150 years old and are getting to the point where they cannot be repaired, they will need to be replaced. There are issues with deterioration of the rails and the upright poles. There are also concerns about access and egress at the yards with many areas being impossible for someone to climb up and over if needed in an emergency.

It has just been announced that as of January 2017 all sheep will now need to be tagged and scanned like the cattle. This will require a new facility to be built for the scanning of sheep. Our scanning operator believes that the costs to establish new infrastructure could be up to $50,000.

It has been suggested that the current saleyards site could be sold and a new facility be build elsewhere close to Geelong. The cost to build a new facility that would need to meet all the guidelines for the operation of saleyards, including roofing, soft floor, waste management to name just a few would be prohibitive especially given the low throughput numbers over many years at Geelong.

A subsidy program for 2 years has been suggested for consideration to acknowledge the increase in transport costs should the Geelong Saleyards be closed. Stock agents have suggested $1 per sheep and $10 per cow sold from the City of Greater Geelong area could be applied. In the 2015/16 financial year 45,092 sheep and 8,839 cows were sold through the Geelong Saleyards. Based on these figures the cost to offer a subsidy for one year would be $133,482.

Safety Issues

Engineer and construction reports and quotes
Structural Engineer report – July 2016

Elevated Cattle Yard Platforms

“The elevated platforms to the cattle yards were installed approximately 10-15 years ago. They are a steel structure with handrails angled outwards. The platforms typically attach to the top of the timber posts to the pens below. The timber posts are in very poor condition where visible and likely to be worse below the concrete level where no ventilation is present. Another consideration is the likelihood that the columns will be impacted by an animal in one of the pens. If an animal runs into one of the columns, this has the potential to cause a column to break.

There is a high risk that failure of one of the timber posts will cause associated failure of the elevated platforms to the cattle yards”

It is the engineer’s belief that the risk of failure is not acceptable and the elevated steel platforms to the cattle yards should no longer be in use.

Temporary propping could be used to improve stability or the walkway platforms. This would involve diagonal props from the top of all the cantilever columns to ground. This would need to be done to all of the columns if the platforms are to be used.

Pedestrian Walkway Platforms

"The pedestrian walkway platforms are slightly elevated and are made up of timber planks. The top of the timber planks has been covered with a timber board. This is somewhat visible from underneath the walkway, but the top has been covered with asphalt. It is likely there is also decay to the top of the planks as no ventilation is provided due to the boarding and asphalt surfacing".

Sheep Pen Elevated Platforms
"The elevated auction platforms for the sheep pens are a steel structure similar to the cattle yards. The northern most platform is in good condition and appears in working order with low risk of failure".

"The remainder of the platforms are similar to the cattle yards in that they rely on either the decaying timber posts or the un-galvanised steel rail section. Both of these elements are likely to be in very poor condition just below the ground level where the highest amount of corrosion or decay occurs. The risk of failure of the elevated platforms supported by the decaying timber or corroding steel rails is high".

The engineer's report recommends that these platforms should not be used for sales.

Options

1) Full structural repair to the overhead walkways in the cattle pens, the sheep pens and the pedestrian walkways. The estimated cost for full structural repairs is $226,000 (include GST). This will take 3 months to complete.
2) Repair to one of the overhead walkways in the cattle pens, one walkway in the sheep pens and the pedestrian walkways. The estimated cost for a partial repair is approximately $40,000. This work will take 3 months to complete and will allow partial reopening of the saleyards for a temporary period. .
3) Full permanent closure of the Geelong Saleyards.

It is to be noted that if the costs to do the rectification works at the saleyards exceed $200,000 the City of Greater Geelong Procurement Policy states that a tender process must be undertaken. The will see the process take up to 6 months to complete. Therefore the saleyards would not be operational until March 2017.

If the rectification works are to be completed to ensure the overhead walkways can be used again there will be some other associated works that will also need to be completed for the saleyards to continue to operate for a longer period of time. These include improvement of the staff and public amenities as well as some additional maintenance and structural works. Please refer to Table 1.

Activity	**Estimated Cost**
Structural repairs to overhead walkways to cattle pens, sheep pens and pedestrian walkways	$226,000.00
Restoration works on the sheep ramps that are currently closed	$100,000.00
Amenities such as staff room, toilets, canteen and meeting rooms to be reinstated	$500,000.00
New facilities required to administer the change to scanning sheep to be implemented 1st January 2017	$50,000.00
Replacement of rails on all external fencing of the yards to reduce the risk of stock being able to get loose on the road.	$40,000.00
Total Estimate Cost	**$916,000.00**

Environmental Implications

Council currently has a trade waste agreement with Barwon Water to discharge liquid waste into the sewerage system. This is not the preferred method of livestock effluent management. Significant investment, in the order of $1 Million, would be required to bring this system to a standard supported by Barwon Water.

A stormwater harvesting facility has been recently installed on the Saleyards land. This facility currently supports saleyards operation by providing reused water from upstream catchments. This facility provides water for other Council functions external to the site.

EPA has previously recommended that the Saleyards and residences should not coexist within 500 metres of each other. At present, this distance is 50 metres.

Should the facility be decommissioned, the land would need to be tested for contaminants prior to establishing other uses.

Financial Implications

In the 2015/2016 financial year the saleyards site generated a net financial loss of $245,380.

The option to do full rectification works on the overhead walkways in the Cattle and Sheep pens and reinstatement of amenities would cost approximately $916,000

The option to do only rectification works to one of the overhead walkways in the Cattle and one in Sheep pens with no improvements to amenities would cost approximately $40,000. However this does not address all the concerns so would still be considered a temporary solution.

The option to relocate would require securing a new site and replacing infrastructure and plant and would be cost prohibitive.

Council has been paid out by its insurer in relation to the main office building fire. Money from the insurance would be used to retain staff and rebuild community facilities if the Saleyard are to be retained.

A subsidy program for 2 years has been suggested for consideration to acknowledge the increase in transport costs should the Geelong Saleyards be closed. Based on the throughput figures from 2015/16 the cost to offer a subsidy for one year would be $133,482. It is to be noted that this figure does include people live outside the City of Greater Geelong.

If we were to work on the percentages of the sales as per Figure 3 earlier in this report, 34% of the total sales at Geelong come from within the City of Greater Geelong. If this is the case 34% of the $133,482 estimated as the required amount to pay a subsidy would be $45,384.

It has just been announced that as of January 2017 all sheep will now need to be tagged and scanned like the cattle. This will require a new facility to be built for the scanning of sheep. Our scanning operator believes that the costs to establish new infrastructure could be up to $50,000

It is to be noted that if works are completed which allows the resumption of sales of livestock at the Geelong Saleyards there will be additional associated costs that will need to be met as per Table 1 on page 8.

Policy/Legal/Statutory Implications

Council currently has lease agreements in place that would need to be addressed should the site significantly change from its current situation.

The site provides some land to Target to allow parking for some of their staff under a lease arrangement. It is to be noted that Target is likely to vacate their site within the next few years.

Additionally, a lease exists with a private agricultural business and preliminary discussions with the business owner indicate a preference by the business to extend and even expand the lease arrangements.

The southern portion of the saleyards site is Crown Land zoned Public Park and Recreation Zone (PPRZ).

Alignment to City Plan

This report aligns to City Plan through the strategic direction of 'How We Do Business'. The Feasibility Study into the Geelong Saleyards and all subsequent studies reviewed how the service meets the requirements of a growing population through responsible and sustainable financial management as well as ensuring safety to City of Greater Geelong staff and members of the public.

Officer Direct or Indirect Interest

No council officer involved in this report has a direct or indirect conflict of interest.

Risk Assessment

A decision was made before the 8th of August sale to temporarily close the Geelong Saleyards to sheep and cattle sales due to safety concerns as outlined earlier. Without rectification works to the overhead walkways in the sheep and cattle pens there is no option to safely sell livestock at the Geelong Saleyards.

Social Considerations

The saleyards act partly as a social club for members of the rural communities, providing a valued meeting place and opportunity to socialise.

With reduced numbers of stock coming through the sales and many farmers not attending to view the sale of their stock there has been an obvious decrease in numbers attending the fortnightly sales. This together with the loss of the market office building has seen the social nature of the site has recently decline.

Human Rights Charter

There are no human rights charter issues resulting from the recommendation in this report.

Consultation and Communication

As part of our consultation process to determine the feasibility of the saleyards we have spoken to all the users and stakeholders.

- **The agents** indicated that they understood that the life of the Geelong Saleyards was coming to an end. Both agents advised that they currently sell stock at other yards including Colac and Ballarat. They also suggested that the sellers would adapt to the change albeit reluctantly by some.
- **The Buyers** already buy from the other yards and they reported that it can be difficult to get to the Geelong Saleyards due to timing with other bigger sales. They felt that as the sale price is not always competitive due to fewer buyers that sellers were selling at the other yards to secure the higher sale prices.
- **The local transporters** have indicated that there could be an impact on their businesses if the saleyard were to shut but conceded that they would now be doing more trips to the other yards.
- The representative from the **Livestock Saleyards Association of Victoria** has supported the suggestions that the Geelong Saleyards move to cease operating as an auction venue and possibly considering being a transfer hub for local farmers.
- The **onsite staff** at the saleyards have expressed their concerns over their ability to continue to maintain the site due to its age and level of deterioration.
- **Scanclear** are our onsite stock movement contractors. They initially indicated they might be interested in taking over the use of the saleyards as an ongoing auction venue however during our discussions they conceded that this was unlikely to be a viable option due to the condition of the infrastructure and the risk that that poses. They operate at many sites within Victoria and NSW and reported that all similar types of saleyards have long ceased operation and that there was a move to bigger more centralised selling facilities as that attracts more buyers therefore more sellers.
- A heritage overlay requires any development of the site to consider heritage significance of the saleyards. Council's **Heritage Officer** has indicated there would be no problem with the site being sold as the planning approval would require a plan to retain any key heritage components of the site.

- Representatives of the **VFF** and the 2 local Stock agents met recently to discuss the temporary closure of the Geelong Site and to determine if there were any other alternative methods of selling whilst the overhead walkways were out of action. No alternative methods that met OH&S guidelines were put forwards at this time.

Survey

Recently 1500 surveys were sent out to local producers with the cooperation of HF Richardson and Charles Stewart stock agents.

A total of 463 surveys were returned which is a 30% return rate. 86% of responders reported that they currently sell stock at the Geelong Saleyards with 42.5% advising that over the past 2 years they had sold 1-3 times per year. 58.7% of those selling at the Geelong Saleyards are selling sheep and 69.3% selling cattle.

When asked if they sold stock at other saleyards 42.7% responded yes and 57.3 responded No. Of those who indicated they sell at other saleyards 68% were selling at Ballarat and 55.7% at Colac. 47.9% of responders reported that they transport their own stock with 52.1% using a transporter. When asked about their future usage of the saleyards 79.1% indicated their usage would remain the same and only 14.4% thought their usage would increase.

2. AMENDMENT C328 (PART 1) – BARWON WATER SURPLUS PROPERTY – ADOPTION

(previously agenda item 1)

Source: **Planning and Development – Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application: Amendment C328 (Part 1)**
Application: Planning Permit 959/2015

Purpose

This report considers submissions on Amendment C328 (Part 1) and on Planning Permit 959/2015, relating to the subdivision of Barwon Water land at 600 and 602 Anakie Road, Lovely Banks. This report recommends adoption of this part of the Amendment and support for the granting of the Planning Permit.

Summary

- Amendment C328 seeks to rezone four sites in Staughton Vale, Anakie, Lovely Banks and St Leonards to facilitate their disposal by Barwon Water.
- The Amendment is combined with draft Planning Permits for subdivision pursuant to Section 96A of the Act. These relate to 600 and 602 Anakie Road, Lovely Banks and 38-42 Mainsail Drive, St Leonards.
- Amendment C328 was placed on public exhibition between 10 March and 11 April 2016. A total of eight submissions were received. The five objecting submissions all related to 38-42 Mainsail Drive, St Leonards.
- Barwon Water requested Amendment C328 be split into two parts, with the site at 38-42 Mainsail Drive processed separately. This was supported. Amendment C328 (Part 1) comprises:
    - 45 Staughton Vale Road, Staughton Vale;
    - 2395 Ballan Road, Anakie; and
    - 600 Anakie Road, Lovely Banks.
- On 29 June 2016 Council, under delegated authority, referred submissions on 38-42 Mainsail Drive, now known as Amendment C328 (Part 2), to a Panel. The Panel Hearing is to take place on 11 August 2016.
- The proposed rezonings in Part 1 of the Amendment are to the underlying zoning of the land in each case (Farming Zone in Staughton Vale and Anakie; Rural Living Zone in Lovely Banks).
- No objections were received regarding the sites in Amendment C328 (Part 1).
- A submission on 45 Staughton Vale Road advised that ongoing use of an approximately 1000 m2 portion of that lot is required for car parking and a gas tank for the adjoining Anakie Hall. At the time of writing, measures to secure the ongoing use of the land are under investigation. Rezoning 45 Staughton Vale Road from Public Use Zone to Farming Zone will not preclude a boundary rationalisation with the Anakie Hall site, should this be required, as this site is also within the Farming Zone.
- It is recommended that Part 1 of the Amendment be adopted as exhibited and that Council recommends to the Minister for Planning that Planning Permit 959/2015 be granted.

P Dorling moved, L Gardner seconded -

That Council:

1) **Adopts Amendment C328 (Part 1) in the form outlined in Appendix 4 of this report;**

2) **Recommends to the Minister for Planning that Planning Permit 959/2015 be granted pursuant to Section 96G of the *Planning and Environment Act* 1987 (the Planning Permit is in Appendix 6 of this report);**

3) **Submits the adopted Amendment with the prescribed information to the Minister for Planning requesting approval; and**

4) **Notes that a separate report will be prepared and submitted to Council to consider the Panel Report on Amendment C328 (Part 2) for 38-42 Mainsail Drive St Leonards, when the Panel Report is received.**

Carried.

Background

In July 2015 Council received a Planning Scheme Amendment request from SMEC Urban and St Quentin Consulting Pty Ltd, acting on behalf of Barwon Water, to rezone four sites to facilitate their disposal. This is part of a wider property realisation program Barwon Water is carrying out for its surplus land.

Amendment C328 was prepared and rezones:

- 45 Staughton Vale Road, Staughton Vale – from Public Use Zone 1 (Service & Utility) to Farming Zone;
- 2395 Ballan Road, Anakie – from Public Use Zone 1 (Service & Utility) to Farming Zone;
- a portion of 600 Anakie Road, Lovely Banks – from Public Use Zone 1 (Service & Utility) to Rural Living Zone.

The Amendment also:

- applies Schedule 5 to the Significant Landscape Overlay to 45 Staughton Vale Road, Staughton Vale; and
- deletes Heritage Overlay 1721 from a portion of 600 Anakie Road, Lovely Banks.

Pursuant to Section 96A of the Act, a draft Planning Permit (959/2015) for subdivision of 600 and 602 Anakie Road, Lovely Banks was exhibited concurrently with the Amendment. The draft Permit is to re-subdivide existing lots to create one rural living lot, already used for rural residential purposes, and a Barwon Water reserve.

In addition, the Amendment proposed zone and overlay changes to 38-42 Mainsail Drive, St Leonards and an adjacent Reserve. Planning Permit 762/205, proposing subdivision of 38-42 Mainsail Drive, was also exhibited concurrently with the Amendment.

On 11 January 2016, Council's delegate resolved to support the preparation and exhibition of Amendment C328 and the associated planning permits.

Amendment C328 was placed on public exhibition between 10 March and 11 April 2016. Notices were placed in local newspapers and the Government Gazette and letters sent to adjoining landowners, government authorities and service authorities.

Eight submissions were received during exhibition. Of these, five objected to the Amendment, while three only made comment. The five objecting submissions all related to the proposed rezoning and subdivision of 38-42 Mainsail Drive, St Leonards.

Barwon Water requested that Amendment C328 be split into two parts, with the site at 38-42 Mainsail Drive to be processed separately. This was supported. Amendment C328 (Part 1) comprises the Staughton Vale, Anakie and Lovely Banks sites, while Part 2 comprises 38-42 Mainsail Drive, St Leonards.

On 29 June 2016 Council, under delegated authority, referred submissions on 38-42 Mainsail Drive, to be known as Amendment C328 (Part 2) to a Panel. The Panel Hearing is to take place on 11 August 2016. Once the Panel Report is received, a report will be prepared and submitted to Council to consider this report.

Discussion

Subject land

45 Staughton Vale Road is an 8.678 ha lot, created by a recent consolidation of Barwon Water lots that also created a 4620 m^2 Reserve for Barwon Water purposes. The lot is around 3 km north of the Anakie townsite (location plan is at Appendix 1). It contains two decommissioned water reservoirs and a dwelling previously used as a caretaker's dwelling. The majority of the lot is cleared.

2395 Ballan Road is a 5.14 ha property around 2 km north of the Anakie townsite (location plan is at Appendix 2). The lot contains a building constructed but never used for water treatment purposes. The majority of the lot is leased and farmed in conjunction with adjacent land. Environmental Significance Overlay ESO 4 (Grasslands within the Werribee Plains Hinterland) applies to the land and is unchanged by the Amendment.

600 and 602 Anakie Road, Lovely Banks is a 13.543 property, comprising three lots on two Titles (location plan is at Appendix 3). The site contains three water reservoirs and a settling pond, various ancillary buildings and a former caretaker's dwelling. The dwelling and its driveway are divided from the balance of the site by a security fence and separately rented for residential use. Environmental Significance Overlay ESO 4 (Grasslands within the Werribee Plains Hinterland) applies to a portion of the site and is unchanged by the Amendment.

The Amendment proposes to zone a 1.133 ha portion of the site, including the former caretaker's dwelling, Rural Living Zone. Planning Permit 959/2015 proposes to create it as a separate lot.

Proposals

The land being rezoned in each of the three sites is surplus to Barwon Water requirements. The proposed rezonings are to the logical underlying zoning of the land in each case – Farming Zone in Staughton Vale and Anakie; and Rural Living Zone in Lovely Banks.

Private land adjacent to 45 Staughton Vale Road is subject of Significant Landscape Overlay SLO 5 (Edges of the Brisbane Ranges and Anakie). 45 Staughton Vale Road has similar landscape characteristics and, for consistency, this Amendment applies SLO 5 to the site.

Before exhibition, vehicular access to 2395 Ballan Road was identified as inadequate as there was no deceleration lane and insufficient space for a rigid truck to prop between Ballan Road and the gate in the security fence. Barwon Water has now adequately addressed this by indenting the entry gate to the site.

Heritage Overlay 1721 (Barwon Water Lovely Banks Basin) applies to all of 600 Anakie Road. This Amendment deletes the Overlay from the 1.133 ha portion of the site being rezoned to Rural Living Zone and created as a separate lot by the Planning Permit. The City's Heritage Advisor supported this proposal.

The proposed 1.133 ha lot, while irregular in shape, excludes all areas required for Barwon Water operations and all fabric of heritage significance. The plan of subdivision for the Planning Permit is at Appendix 5. The exhibited Planning Permit is at Appendix 6.

Submissions

A summary of the submissions that related to any of the three sites in Part 1 of the Amendment is at Appendix 7.

A submission from the Anakie & District Community Group Inc notes that an approximately 1000 m^2 portion of 45 Staughton Vale Road, directly adjacent to the Anakie Hall, has been used by the hall management committee for car parking for hall users since a lease agreement between the Shire of Corio and Barwon Water's predecessor. A gas tank is also located on this land. The submission notes that the portion of the land is vital to provide safe parking for the use of the Anakie Hall.

Discussion with the submitter confirmed that the submission constitutes comment only and not an objection to the Amendment.

It is clear from investigation that ongoing use of the portion of 45 Staughton Vale Road for car parking and a gas tank is required to enable ongoing practical use of the Anakie Hall.

A lease agreement existed between the former Shire of Corio and the then Geelong Waterworks and Sewerage Trust, but has now been terminated. The City's Property & Procurement Department has been in discussion with Barwon Water regarding the potential long term lease or purchase of the portion of land. At the time of writing, investigation of this matter is ongoing.

Should the City decide to purchase the subject portion of 45 Staughton Vale Road, a boundary rationalisation with the adjoining Anakie Hall site will be required. The rezoning of 45 Staughton Vale Road from Public Use Zone to Farming Zone will not preclude such boundary rationalisation as the Anakie Hall site (55 Staughton Vale Road) is also within the Farming Zone.

Conclusion

As no objections have been raised with respect to the three sites in Part 1 of the Amendment, these components of the Amendment should be adopted as exhibited and Planning Permit 959/2015 granted.

Environmental Implications

No adverse environmental consequences have been identified with respect to these proposals.

Financial Implications

It is not anticipated that these proposals will result in any financial implications for Council.

Policy/Legal/Statutory Implications

The Amendment is consistent with State Planning Policy in:

- Clause 11.07-5 (Geelong (G21) Regional Growth – Agricultural productivity), by zoning new land Farming Zone and making it available for sale.
- Clause 15.03-1 (Heritage conservation), by refining the extent of heritage controls over the Barwon Water Lovely Banks Basin.

- Clause 16.02-1 (Rural residential development), by appropriately zoning existing rural residential use within the Lovely Banks rural residential area.

The amendment is consistent with the Local Planning Policy Framework in:

- Clause 21.06-4 (Neighbourhood character), by appropriately zoning existing rural residential use in Lovely Banks to protect and maintain the character of this Rural Living area.
- Clause 21.07-5 (Rural areas), by zoning new land Farming Zone to provide for agricultural use.
- Clause 22.09 (Cultural Heritage), by refining the extent of heritage controls over the Barwon Water Lovely Banks Basin.

Alignment to City Plan

The Amendment is consistent with City Plan's Growing our Economy priority as it provides additional Farming zoned and facilitates it being made available for purchase.

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 no notable risks associated with implementing the recommendation contained in this report.

Social Considerations

The Amendment will have minimal social impacts. The Amendment will not preclude the boundary realignment and purchase of a small portion of 45 Staughton Vale Road, should this be necessary for ongoing practical use of the Anakie Hall by 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 Panel. Submitters had that opportunity in this case.

Consultation and Communication

The Amendment has been exhibited in accordance with the provisions of the Planning and Environment Act 1987 to provide for full public comment.

Appendix 1 Location Plan – 45 Staughton Vale Road, Staughton Vale



Appendix 2 Location Plan – 2395 Ballan Road, Anakie



Appendix 3 Location Plan – 600 and 602 Anakie Road, Lovely Banks



Appendix 4 **Amendment for adoption**

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C328 (PART 1)

INSTRUCTION SHEET

The planning authority for this amendment is Greater Geelong Planning Scheme

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 4 attached maps.

Zoning Maps

1. Amend Planning Scheme Map Nos. 5 and 25 in the manner shown on the 2 attached maps marked "Greater Geelong Planning Scheme, Amendment C328".

Overlay Maps

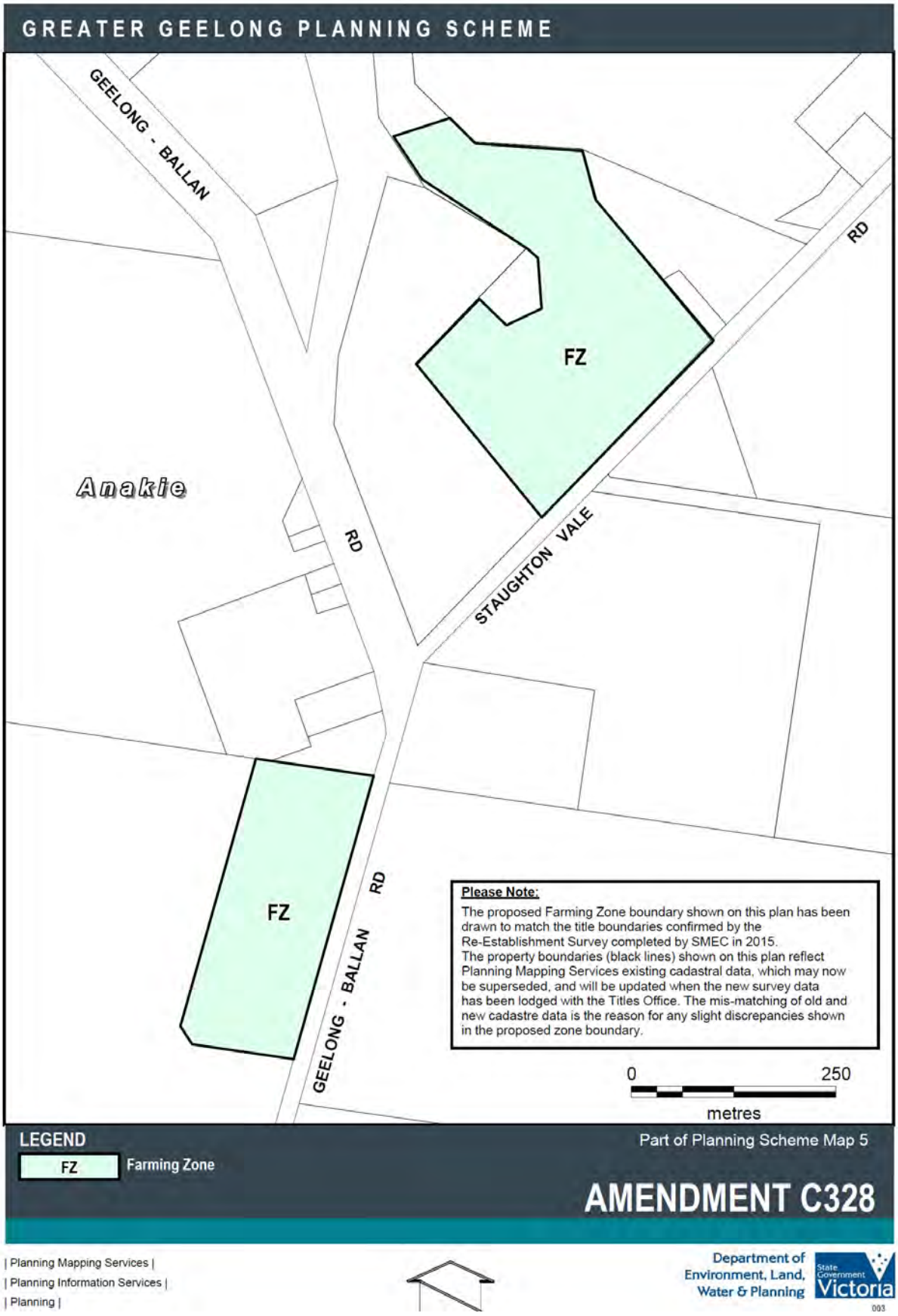
2. Amend Planning Scheme Map Nos. 5slo and 25ho in the manner shown on the 2 attached maps marked "Greater Geelong Planning Scheme, Amendment C328".

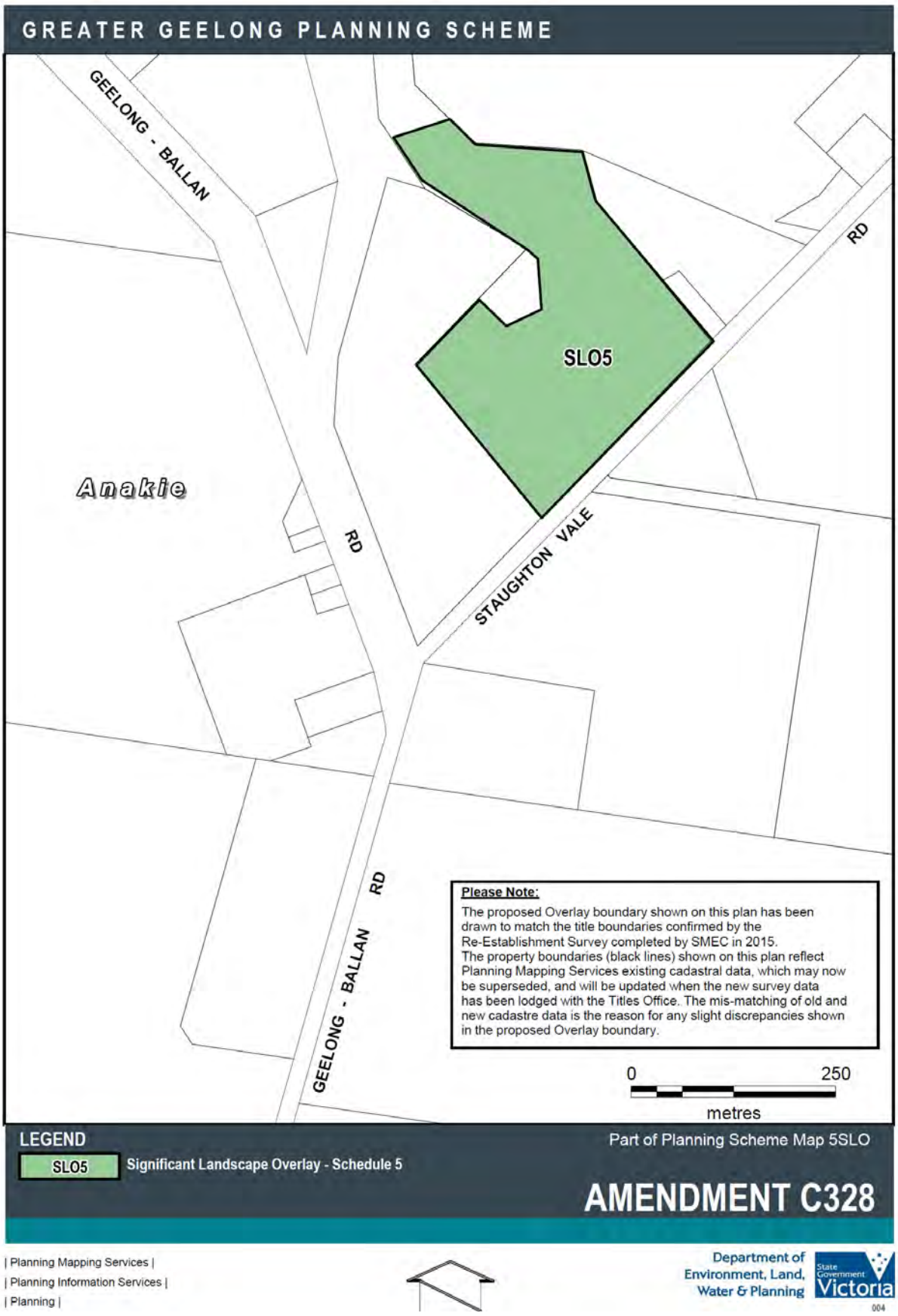
Planning Scheme Ordinance

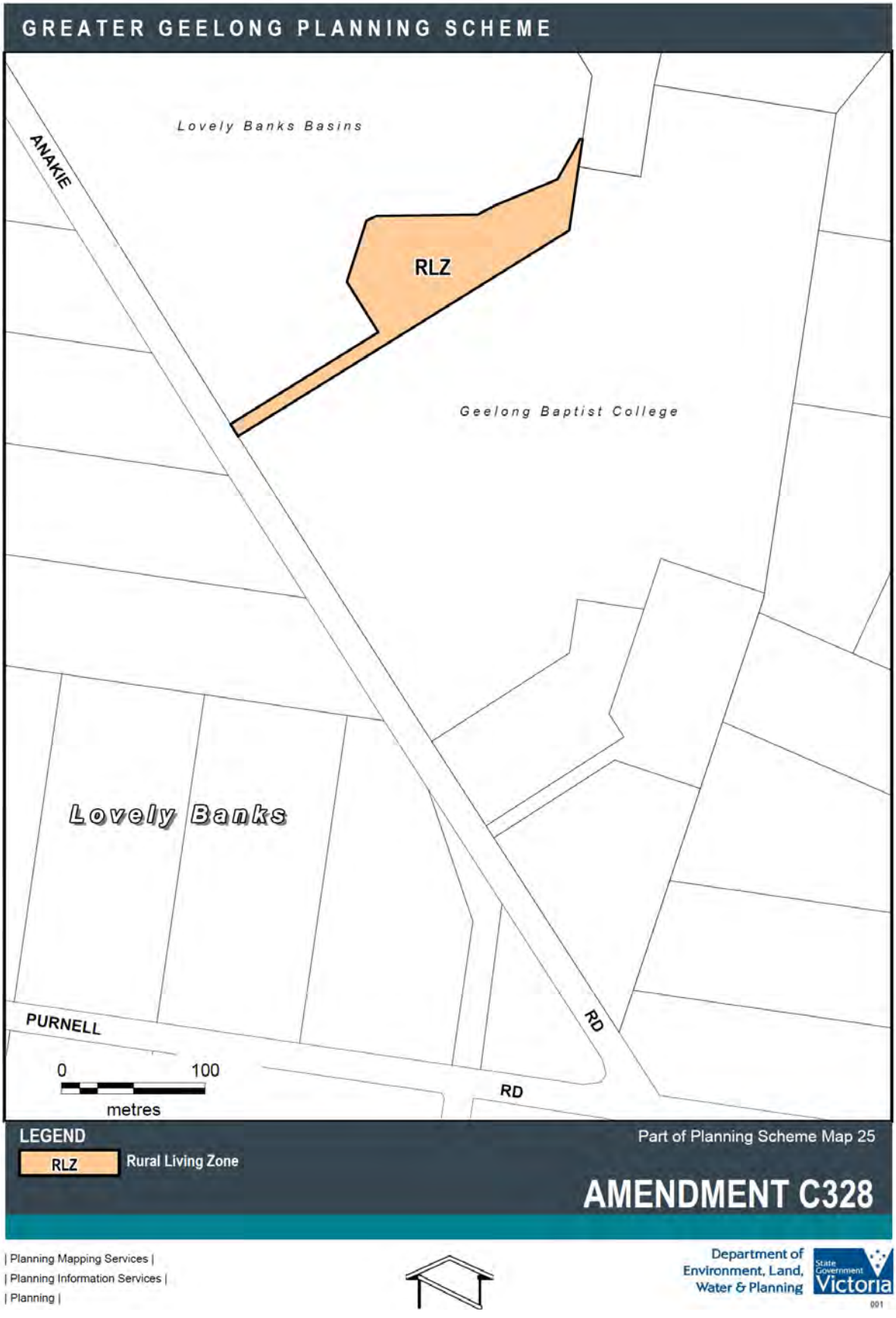
The Planning Scheme Ordinance is amended as follows:

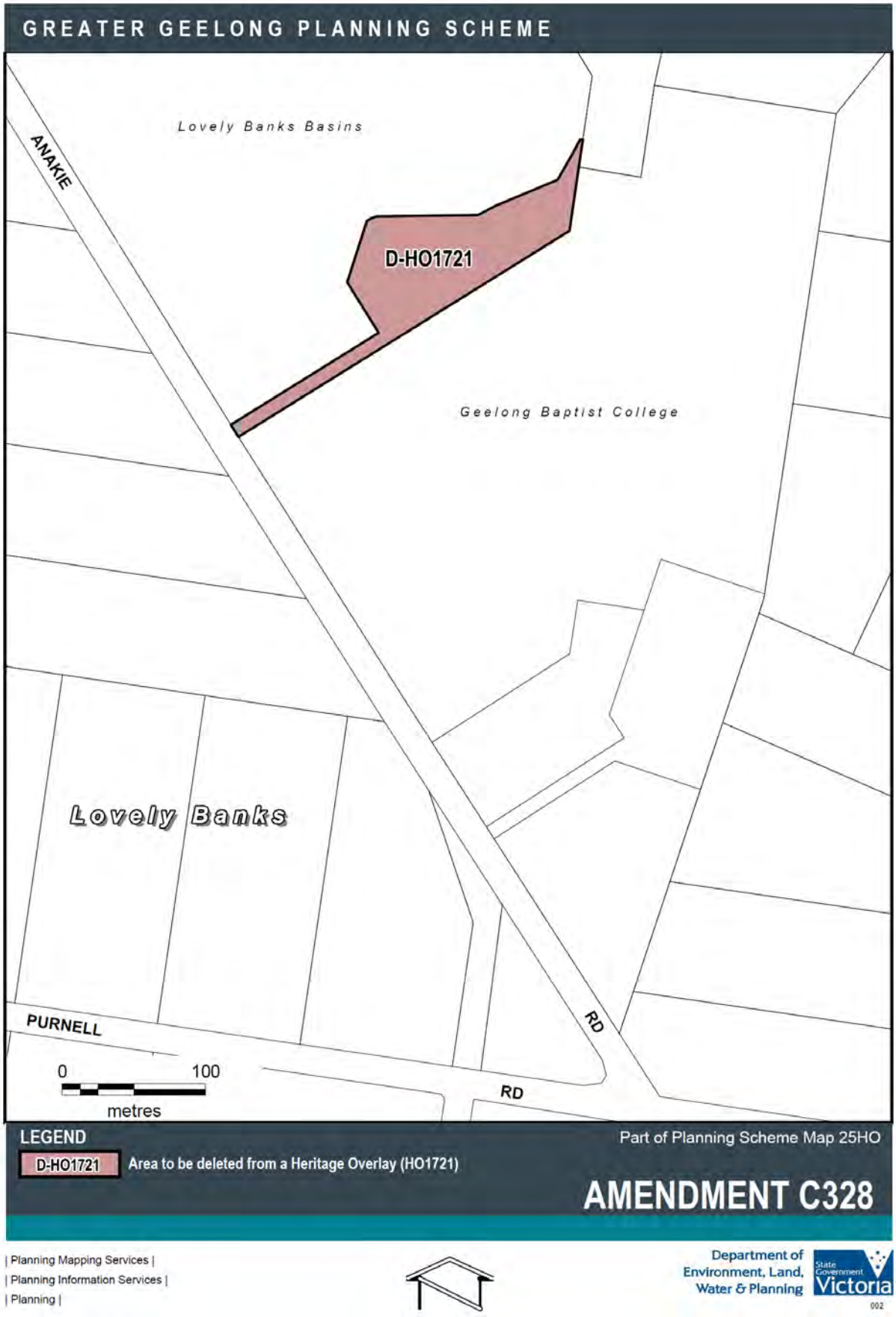
3. In Overlays – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document


GREATER GEELONG PLANNING SCHEME
GEELONG - BALLAN RD
STAUGHTON VALE RD
Anakie
FZ
FZ
GEELONG - BALLAN RD
Please Note:
The proposed Farming Zone boundary shown on this plan has been drawn to match the title boundaries confirmed by the Re-Establishment Survey completed by SMEC in 2015.
The property boundaries (black lines) shown on this plan reflect Planning Mapping Services existing cadastral data, which may now be superseded, and will be updated when the new survey data has been lodged with the Titles Office. The mis-matching of old and new cadastre data is the reason for any slight discrepancies shown in the proposed zone boundary.
0
250
metres
LEGEND
FZ
Farming Zone
Part of Planning Scheme Map 5
AMENDMENT C328
| Planning Mapping Services |
| Planning Information Services |
| Planning |
Department of Environment, Land, Water & Planning
State Government Victoria
003


GREATER GEELONG PLANNING SCHEME
GEELONG - BALLAN RD
SLO5
Anakie
STAUGHTON VALE RD
GEELONG - BALLAN RD
Please Note:
The proposed Overlay boundary shown on this plan has been drawn to match the title boundaries confirmed by the Re-Establishment Survey completed by SMEC in 2015.
The property boundaries (black lines) shown on this plan reflect Planning Mapping Services existing cadastral data, which may now be superseded, and will be updated when the new survey data has been lodged with the Titles Office. The mis-matching of old and new cadastre data is the reason for any slight discrepancies shown in the proposed Overlay boundary.
0
250
metres
LEGEND
SLO5
Significant Landscape Overlay - Schedule 5
Part of Planning Scheme Map 5SLO
AMENDMENT C328
| Planning Mapping Services |
| Planning Information Services |
| Planning |
Department of Environment, Land, Water & Planning
State Government Victoria
004


GREATER GEELONG PLANNING SCHEME
Lovely Banks Basins
ANAKIE
RLZ
Geelong Baptist College
Lovely Banks
PURNELL
RD
RD
0
100
metres
LEGEND
RLZ
Rural Living Zone
Part of Planning Scheme Map 25
AMENDMENT C328
| Planning Mapping Services |
| Planning Information Services |
| Planning |
Department of Environment, Land, Water & Planning
State Government Victoria
001


GREATER GEELONG PLANNING SCHEME
Lovely Banks Basins
ANAKIE
D-HO1721
Geelong Baptist College
Lovely Banks
PURNELL
RD
RD
0
100
metres
LEGEND
D-HO1721
Area to be deleted from a Heritage Overlay (HO1721)
Part of Planning Scheme Map 25HO
AMENDMENT C328
| Planning Mapping Services |
| Planning Information Services |
| Planning |
Department of Environment, Land, Water & Planning
State Government Victoria
002

11/02/2016
C349
Proposed LC328

SCHEDULE TO THE HERITAGE OVERLAY

The requirements of this overlay apply to both the heritage place and its associated land.

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO104	**Aberdeen Street Baptist Manse** 1 Aberdeen Street, Newtown	Yes	Yes	No	No	No	Yes		No
HO105	**Aberdeen Street Baptist Church (former)** 3 Aberdeen Street, Newtown	-	-	-	-	Yes Ref.No.H426	Yes		No
HO103	**Aberdeen Street Baptist Church (present)** 7 Aberdeen Street, Newtown	-	-	-	-	Yes Ref.No.H427	Yes		No
HO1206	**"Rosnashane", Reception Centre** 11 Aberdeen Street, Newtown	Yes	No	No	No	No	No		No
HO600	Office 14 Aberdeen Street, Geelong West	No	No	No	No	No	No		No
HO601	Office 16 Aberdeen Street, Geelong West	No	No	No	No	No	No		No

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO613	**Residence** 28 Albert Street, Geelong West	Yes	No	No	No	No	No		No
HO850	**Mason House** 30 Alexandra Avenue, Geelong	Yes	No	No	No	No	No		No
HO851	**Residence** 36 Alexandra Avenue, Geelong	No	No	No	Yes- fence	No	No		No
HO1753	**Residence** 25 Amundsen Street, Belmont	Yes	No	No	Yes- front fence	No	No		No
HO1721	**Barwon Water Lovely Banks Basin** ~~600~~-602 Anakie Road, Lovely Banks	No	No	Yes	No	No	No		No
HO852	**Residence** 19 Anderson Street, Geelong	No	No	Yes	Yes- fence	No	No		No
HO184	**"Kelvin" Residence,** 11-13 Aphrasia Street, Newtown	Yes	No	No	No	No	Yes		No
HO202	**"Milton" Residence,** 14 Aphrasia Street, Newtown	-	-	-	-	Yes Ref.No.H1164	Yes		No

Appendix 5 Plan of subdivision – 600 and 602 Anakie Road



Appendix 6

Planning Permit 959/2015 – 600 and 602 Anakie Road, Lovely Banks

PLANNING PERMIT GRANTED UNDER SECTION 96I OF THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.: 959/2015

Planning scheme: Greater Geelong

Responsible authority: City of Greater Geelong

ADDRESS OF THE LAND: 600 & 602 ANAKIE ROAD, LOVELY BANKS

SUBDIVISION OF LAND TO CREATE TWO (2) LOTS.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Endorsed Plans

1. The layout and site dimensions of the proposed subdivision as shown on the endorsed plan(s) shall not be altered or modified without the written consent of the Responsible Authority. There are no requirements to alter or modify the endorsed plan if a plan is certified under the provisions of the Subdivision Act 1988 that is generally in accordance with the endorsed plans.

Prior to Certification

2. The Plan of Subdivision submitted for certification must include all easements deemed necessary to protect existing or future drainage lines within the subject site, and any easements required between the subject site and the nominated legal point of discharge must be created to the satisfaction of the Responsible Authority.

3. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

Servicing Agreements

5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

6. The owner of the land must enter into agreements with:

   a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and,

   b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

Prior to Statement of Compliance

7. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

   a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and,

   b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre

BARWON WATER
General

8. The owner shall create easements for Pipelines or Ancillary Purposes in Favour of Barwon Region Water Corporation over all existing and proposed water mains located within the subdivision. The width of these easements shall be 5.0 m along the northern boundary and 2.0m over the existing 90mm water line along the eastern property boundary.

9. The plan of subdivision must be referred to Barwon Water in accordance with the Subdivision Act 1988 and any subsequent amendments to the plan provided to Barwon Water.

Water

9. The provision and installation of individual water services including meters to all lots in the subdivision in accordance with Barwon Water's requirements and Victorian Plumbing Regulations. A dimensioned plan showing location of all meters relative to the allotment boundaries, and its number(s), is to be submitted. Note that tappings and services are not to be located under existing or proposed driveways.

10. Barwon Water's records indicate that an existing water service and meter is located on this property. A dimensioned plan showing the location of existing meters, and the location of the meter relative to the existing boundaries, and its number, is to be submitted. Private water service pipes are not permitted to cross allotment boundaries and must be plugged and abandoned at the boundaries of such allotments.

Note: The developer is to apply to Barwon Water for details relating to costs and conditions required for the provision of water supply and sewerage services to the subdivision. It would be appreciated if all communication between the developer/agent and Barwon Water quote Barwon Water reference number L012522.

Expiry

11. This permit as it relates to subdivision will expire if one of the following circumstances applies:

   a) The plan of subdivision has not been certified within two (2) years of the date of this permit.

   b) A statement of compliance is not issued within five (5) years of the date of certification.

   The Responsible Authority may extend the periods referred to in part a) if a request is made in writing before the permit expires or within six (6) months afterwards.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C328 to the Greater Geelong Planning Scheme.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
   - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
   - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development: or
   - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

Appendix 7

Summary of Submissions for Amendment C328 (Part 1)

No	Name	Address	Type	Summary of Submission	Officer Response
1	Anakie & District Community Group Inc.	Ballan Road, ANAKIE	Comment	Land on 45 Staughton Vale Road, Staughton Vale, attached to Anakie Hall, has been used by the hall management committee since agreement of a lease agreement with the Shire of Corio and Geelong Water Works and Sewerage Trust to provide car parking for hall users [attached plan shows an 87.8 m x 11.3 m area of 45 Staughton Vale Road, abutting 55 Staughton Vale Road, site of Anakie Hall]. In 1983 the Shire of Corio placed a large gas tank on this area. Later, the City of Greater Geelong placed a bitumen surface to the car park. The building and land is leased from the City of Greater Geelong by a committee of management of Anakie Hall, under management of Anakie & District Community Group Inc. The car park area under question is vital for users of Anakie Hall as without it there is limited car parking availability on-site. Roadside parking is too dangerous due to narrow verges.	Discussion with the submitter has confirmed that this submission constitutes comment only and not an objection to the Amendment. A lease agreement existed between the former Shire of Corio and the then Geelong Waterworks and Sewerage Trust regarding the use of a portion of 45 Staughton Vale Road; this lease has now been terminated. It is clear that the ongoing use of that land for car parking and a gas tank is required to enable ongoing practical use of the Anakie Hall. The City's Property & Procurement Department has been in discussion with Barwon Water regarding the potential long term lease or purchase of the portion of land. At the time of writing, investigation of this matter is ongoing. Should the City decide to purchase the subject portion of 45 Staughton Vale Road, a boundary rationalisation with the adjoining Anakie Hall site will be required. The rezoning of 45 Staughton Vale Road from Public Use Zone to Farming Zone will not preclude such boundary rationalisation as the Anakie Hall site (55 Staughton Vale Road) is also within the Farming Zone.
2	AusNet Services	Southbank Boulevard, SOUTHBANK	Comment	None of the Amendment sites are in the vicinity of high voltage electricity assets. No submission is required from AusNet Transmission Group.	Noted.

No	Name	Address	Type	Summary of Submission	Officer Response
3	Barwon Water	PO Box 659, GEELONG	Support	Barwon Water responded to this Amendment and Planning Permit application in September 2015. Barwon Water's comments are unchanged. Support this Amendment proceeding.	All permit conditions requested by Barwon Water in its correspondence of 17 September 2015 have been incorporated in the exhibited draft Planning Permits 762/2015 and 959/2015. Noted.

3. AMENDMENT C345 - 530 BACCHUS MARSH ROAD, LARA – ADOPTION OF AMENDMENT

(previously agenda item 2)

Source: **Planning & Development - Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application: Amendment C345**

Purpose

The purpose of this report is for Council to consider Amendment C345 for adoption and referral to the Minister for Planning for approval.

Summary

- Amendment C345 was prepared as a result of the Environment Protection Authority Victoria (EPA) recommending Council amend the Planning Scheme to apply an Environmental Audit Overlay (EAO) to 530 Bacchus Marsh Road Lara.
- The subject land, which has an area of 2.82 ha, is occupied by a detached house and various outbuildings. The EPA's concern arises from its prior use as a truck repair business which resulted in contaminated soil from discarded industrial waste.
- The EPA believes that whilst the owner has made some attempts to clean up the polluted soil, there would be legacy pollution on the premises. It is concerned that any future sensitive use could be affected by this contamination and application of an EAO will ensure such issues are addressed in the future.
- Amendment C345 was exhibited between 16 June 2016 and 18 July 2016. The only submission received was from the EPA which supports the Amendment.
- Application of the EAO will result in no immediate imposition on the existing owners and will trigger the need for a planning permit for future sensitive uses as set out in this report. Most importantly, it will alert any future owners to the existing contamination.
- It is recommended the amendment now be adopted and sent to the Minister for approval.

P Dorling moved, L Gardner seconded –

That Council:

1) adopts Amendment C345 (Appendix 4 of this report); and

2) submits the adopted Amendment and the prescribed information to the Minister for Planning requesting approval.

Carried.

Background

Amendment C345 resulted from the Environment Protection Authority (EPA) recommending to Council it amend the Planning Scheme to apply an Environmental Audit Overlay (EAO) to 530 Bacchus Marsh Road, Lara. A copy of the EPA's letter is Appendix 1. The EPA advises it has issued an Official Warning to the owners of the property for their failure to clean up contamination resulting from its previous use as a truck repair business.

It believes that, whilst some attempts have been made to clean up the pollution, the likelihood is that legacy pollution of the soil and potentially the groundwater would remain.

The subject land has an area of 2.82 ha and is currently occupied by a detached house and various outbuildings as shown in the aerial photograph at Appendix 2. Visual evidence of the previous use also exists.

The land falls within a Rural Living zone as shown in Appendix 3.

The EPA's concern is that the contamination issues need to be adequately addressed in the event the site is developed for a sensitive use in the future.

In the Rural Living zone, there are a number of discretionary sensitive uses for which a permit could be sought in the future e.g dwellings, education centre, childcare, hospital.

Application of an Environmental Audit Overlay to the land in the Planning Scheme would mean that before any new sensitive use could commence or any buildings or works in association with a sensitive use commences either:

- 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.

Discussion

Amendment C345 was exhibited between 16 June 2016 and 18 July 2016. The owner of the subject land and the EPA received direct notification of the Amendment. The Council sought and received exemption from the Minister for Planning from other notification requirements (other than specified Ministers and the Gazette Notice) pursuant to Section 20 (2) of the Act because no other owners or authorities are affected by the Amendment.

The only submission received as a result of the exhibition of the Amendment was from the EPA which supports the Amendment. As no objecting submissions were received the Amendment can now proceed for adoption.

This Amendment is supported as the most prudent course of action to alert any future owners about the potential contamination issue. It would be most unfortunate if the subject land was offered for sale and a new owner decided to construct a dwelling on the land without even being aware of the potential contamination issue.

The general area is expected to see very considerable urban growth both in the short term (Lara West) and potentially in the longer term if the development at Lovely Banks proceeds.

Application of the EAO will result in no immediate imposition on the existing owners and will only trigger the need for a planning permit for any proposed sensitive use as described in the previous section of this report. Appendix 4 is a copy of the Amendment recommended for adoption.

Environmental Implications

The Amendment will produce a positive environmental outcome in that any residual contamination from the previous industrial use will need to be adequately addressed and if necessary remedial action taken prior to the land being used for a sensitive use.

Financial Implications

The proposal has no financial implication for Council other than the costs associated with the processing of this Amendment.

Policy/Legal/Statutory Implications

The Amendment is consistent with Clause 13.03-1 Use of contaminated and potentially contaminated land and Clause 21.02 CoGG Sustainable Growth Framework which refers to restoring Geelong's natural systems and the need to "dispose of waste responsibly". It is also consistent with the purpose of the Environmental Audit Overlay at Clause 45.03 of the Planning Scheme.

Alignment to City Plan

The Amendment supports the overall thrust of the Sustainable Built and Natural Environment strategic direction of City Plan.

Officer Direct or Indirect Interest

No Council Officers have a direct or indirect interest, in accordance with the Section 80 (c) of the Local Government Act, to which this Amendment relates.

Risk Assessment

There are no risks to Council associated with this Amendment. Failure to act on the EPA recommendation could expose Council and a future owner to legal and cost implications if the land is developed for a sensitive use without contamination issues being addressed.

Social Considerations

The Amendment has no social implications.

Human Rights Charter

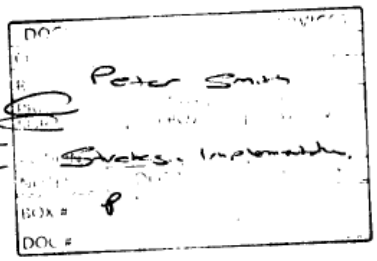
The Amendment will not impact on basic human rights, freedoms and responsibilities as set out in the Charter.

Consultation and Communication

The owners of the land affected by the Amendment have been made aware of the EPA recommendations. A copy of Council's Delegated Authority Report and Amendment notification including a copy of all Amendment documents were sent to them.

The owners have not made a submission about the Amendment.

Appendix 1 – EPA Letter



Our Ref: 73008-1

Mr Peter Smith
Coordinator Strategic Implementation
City of Greater Geelong
GEELONG 3220

EPA VICTORIA

Environment Protection Authority Victoria

Geelong State Government Offices
30-38 Little Malop St
Geelong VIC 3220

DX 216073

T 1300 372 842
1300 EPA VIC

W epa.vic.gov.au

Dear Mr Smith

530 Bacchus Marsh Road, LARA 3212

I am writing to inform you about concerns of the use of the land located at 530 Bacchus Marsh Road, LARA.

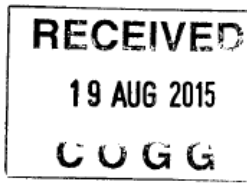
The premises were brought to EPA's attention in June 2014 for a pollution report of discarding industrial waste. At the time the duty holder, Klos Custom Trucks Pty Ltd was operating a truck repair and body works operation on the site. Investigations of the premises lead to a remedial notice being served for clean-up of contaminated soil on the premise.

In August this year an Official Warning was served on the premises for failing to report on the clean-up of the premises.

Although the duty holder had made some attempt to clean up the hydrocarbon contaminated soil it is believed that there would be legacy pollution on the premises. The depth to the water table is approximately 5-10 metres and given the soil type in the area it is likely that some groundwater contamination may have occurred.

The current business operations have been relocated to new premises in North Geelong. What is of concern to EPA is the ongoing use of the land at the premise.

The current zoning for the premise is Rural Living zone. Given the nature of the business that was operating for some time on the premise, EPA is concerned that any future development may be affected by legacy contamination issues. EPA would like to recommend that Council apply an Environmental Audit Overlay to the premise. The application of the Environmental Audit Overlay will ensure that contamination issues are addressed appropriately if the site is developed for a sensitive use in the future.



Victoria

2

If you require any additional information or assistance, please contact me on 1300 EPA VIC (1300 372 842).

Yours Sincerely

Helen Hodgkins
Senior Environment Protection Officer
South West Region
EPA Victoria

Appendix 2 – Aerial Image



Appendix 3 – Zoning Map



Appendix 4 – Amendment for Adoption

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C345

INSTRUCTION SHEET

The planning authority for this amendment is Greater Geelong City Council

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one attached map sheet.

Overlay Maps

1. Amend Planning Scheme Map No 18 EAO in the manner shown on the one attached map marked Greater Geelong Planning Scheme, Amendment C345.

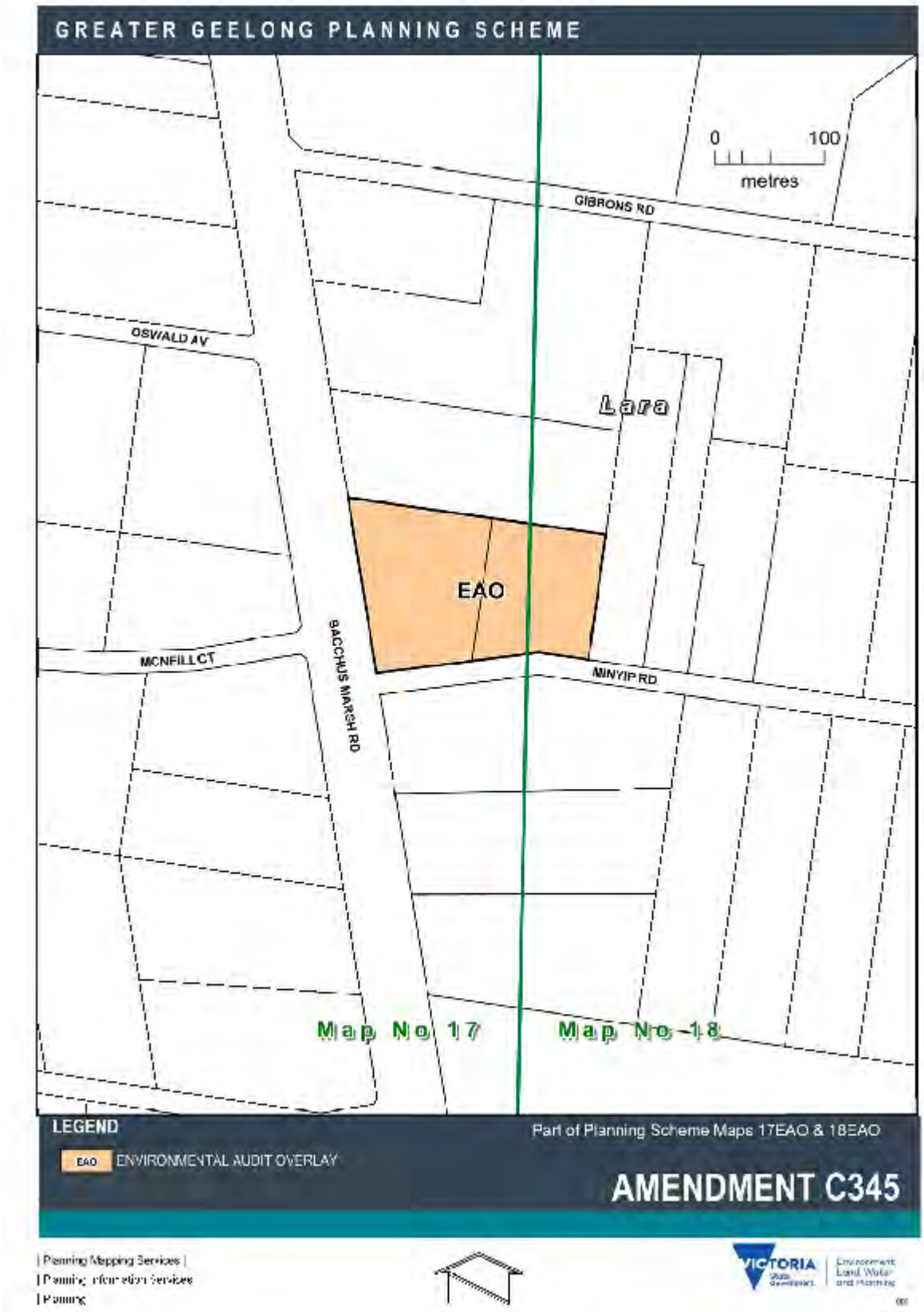
2. Insert Planning Scheme Map No 17 EAO in the manner shown on the one attached map marked Greater Geelong Planning Scheme, Amendment C345.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In General Provisions – Clause 61.03, replace the schedule with a new Schedule in the form of the attached document.

End of document


GREATER GEELONG PLANNING SCHEME
0
100
metres
GIBBONS RD
OSWALD AV
Lara
EAO
MCNEILL CT
BACCHUS MARSH RD
MINYIP RD
Map No. 17
Map No. 18
LEGEND
EAO ENVIRONMENTAL AUDIT OVERLAY
Part of Planning Scheme Maps 17EAO & 18EAO
AMENDMENT C345
Planning Mapping Services
VICTORIA

SCHEDULE TO CLAUSE 61.03

17/03/2016

Maps comprising part of this scheme:

- 1, 1VPO, 1SLO, 1WMO
- 2, 2ESO, 2VPO, 2SLO, 2HO, 2WMO
- 3, 3ESO, 3VPO, 3HO, 3LSIO-FO, 3PAO
- 4, 4ESO, 4HO, 4PAO
- 5, 5ESO, 5VPO, 5SLO, 5HO, 5WMO
- 6, 6ESO, 6VPO, 6SLO, 6HO, 6LSIO-FO
- 7, 7ESO, 7VPO, 7SLO, 7HO, 7LSIO-FO, 7PAO, 7WMO
- 8, 8ESO, 8SLO, 8HO, 8LSIO-FO, 8PAO, 8WMO
- 9, 9ESO, 9HO, 9LSIO-FO
- 10, 10ESO, 10HO, 10LSIO-FO
- 11, 11ESO, 11LSIO-FO, 11DCPO
- 12, 12ESO, 12SLO, 12LSIO-FO, 12VPO, 12WMO, 12DCPO, 12DPO
- 13, 13ESO, 13SLO, 13HO, 13VPO, 13WMO, 13PAO
- 14, 14ESO, 14VPO, 14LSIO-FO, 14PAO
- 15, 15ESO, 15PAO, 15VPO, 15HO, 15LSIO-FO
- 16, 16ESO, 16LSIO-FO
- 17, 17ESO, 17HO, 17DDO, 17VPO, 17DCPO. 17EAO
- 18, 18ESO, 18DDO, 18DPO, 18LSIO-FO, 18PAO, 18EAO, 18SBO, 18DCPO
- 19, 19ESO, 19VPO, 19HO, 19LSIO-FO, 19DDO
- 20, 20ESO, 20VPO, 20DPO, 20LSIO-FO, 20DDO, 20PAO
- 21, 21ESO, 21DPO, 21DDO, 21LSIO-FO
- 22, 22ESO, 22PAO, 22LSIO-FO
- 23, 23ESO, 23LSIO-FO
- 24, 24ESO, 24HO, 24LSIO-FO
- 25, 25ESO, 25DPO, 25LSIO-FO, 25PAO, 25EAO, 25HO, 25DDO14, 25DDO, 25SBO
- 26, 26ESO, 26HO, 26SBO, 26PAO, 26EAO, 26DDO, 26RO, 26DPO
- 27, 27ESO, 27VPO, 27HO, 27LSIO-FO, 27EAO
- 28, 28ESO, 28DPO, 28DDO
- 29, 29ESO, 29DPO, 29DDO, 29LSIO-FO
- 30
- 31, 31ESO, 31HO, 31DPO, 31LSIO-FO, 31PAO, 31EAO
- 32, 32ESO, 32HO, 32DDO14, 32SBO
- 33, 33HO, 33DDO14, 33DPO, 33DDO, 33SBO, 33EAO
- 34, 34ESO, 34HO, 34DDO
- 35, 35DDO

- 36, 36ESO, 36HO, 36DPO, 36LSIO-FO, 36EAO, 36DDO14, 36SBO
- 37, 37HO, 37DDO, 37EAO, 37DDO14, 37DPO, 37LSIO-FO, 37SBO
- 38, 38HO, 38EAO, 38DDO, 38SBO
- 39
- 40, 40ESO, 40HO, 40DDO
- 41, 41HO, 41DDO14, 41SLO
- 42, 42ESO, 42HO, 42PAO, 42DDO14, 42DDO, 42SLO
- 43, 43ESO, 43VPO, 43HO, 43DDO14, 43DPO, 43DDO, 43SLO, 43SBO
- 44, 44VPO, 44HO, 44DDO14, 44DDO, 44SBO
- 45, 45HO
- 46, 46LSIO-FO, 46HO
- 47, 47SLO, 47HO, 47DDO, 47LSIO-FO, 47EAO, 47DDO14, 47DPO, 47RXO
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- 49, 49SLO, 49HO, 49DDO, 49LSIO-FO, 49PAO, 49DDO14, 49EAO, 49RXO, 49SBO
- 50, 50HO, 50DDO,50EAO, 50LSIO-FO, 50SBO
- 51, 51ESO, 51HO, 51DDO, 51SBO
- 52, 52HO, 52LSIO-FO, 52DDO14, 52DDO, 52DPO
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- 57, 57VPO, 57HO, 57DPO, 57DDO14, 57DDO
- 58, 58VPO, 58HO, 58DDO
- 59, 59VPO, 59HO, 59PAO, 59DDO14, 59DDO, 59DPO, 59DCPO
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- 61, 61VPO, 61SLO
- 62, 62ESO, 62VPO, 62HO, 62DDO14, 62DDO, 62DPO, 62SLO
- 63, 63DDO
- 64, 64VPO, 64SLO, 64PAO
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- 66, 66VPO, 66HO, 66DPO, 66LSIO-FO, 66PAO, 66DDO14, 66ESO, 66DDO, 66DCPO, 66PO
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- 70, 70VPO, 70HO, 70LSIO-FO, 70PAO, 70SLO
- 71, 71ESO, 71VPO, 71HO, 71PAO, 71DPO, 71SLO
- 72, 72ESO, 72VPO, 72HO, 72SLO
- 73, 73ESO, 73VPO, 73SLO

- 74, 74ESO, 74DDO14, 74SLO
- 75, 75VPO
- 76, 76VPO, 76PAO
- 77, 77VPO, 77HO, 77LSIO-FO, 77ESO, 77DCPO
- 78, 78ESO, 78VPO, 78LSIO-FO, 78PAO, 78HO, 78DCPO
- 79, 79ESO, 79VPO, 79LSIO-FO, 79PAO, 79HO, 79SLO
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- 82, 82ESO, 82VPO, 82SLO, 82HO, 82DDO, 82DPO, 82LSIO-FO, 82PAO 82DDO14, 82WMO
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- 84, 84ESO, 84VPO, 84SLO
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- 86, 86ESO, 86HO, 86LSIO-FO, 86WMO, 86DDO
- 87, 87ESO, 87HO, 87SLO, 87SBO
- 88, 88ESO, 88HO, 88LSIO-FO, 88DDO, 88SBO
- 89, 89ESO, 89DDO14, 89WMO, 89SLO, 89DPO

4. AMENDMENT C348 - 1 – 5 BALLARAT ROAD NORTH GEELONG – ADOPTION OF AMENDMENT

(previously agenda item 3)

Source: **Planning & Development - Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application C348**

Purpose

The purpose of this report is for Council to consider Amendment C348 for adoption and referral to the Minister for Planning for approval.

Summary

- Amendment C348 resulted from an application made by Planning & Property Partners on behalf of Links Investco No 1 P/L to rezone part of the land situated at 1 – 5 Ballarat Road, North Geelong from Special Use Zone Schedule 3 (SUZ3) to General Residential Zone 1 (GRZ1)
- The Amendment also proposes to apply Environment Audit Overlay (EAO) and remove Development Plan Overlay – Schedule 9 (DPO9) and Land Subject to Inundation Overlay from the subject land.
- The subject land (Lot S31 on P.S. 647500V) which was created as part of the redevelopment of the former Geelong Golf Course has a total area of 6277 sq m. and falls within 2 zones (GRZ1 and SUZ3).
- It is intended to develop the subject land for residential aged care. However, any residential use of the land will need to obtain access to Ballarat Road over the SUZ3 portion of the land which would be prohibited by the Planning Scheme, hence requiring an Amendment to realign the zone and title boundaries. The Overlay Amendments are simply consequential to the zone change.
- Any future development of the subject land will require a subsequent planning permit application.
- Amendment C348 was exhibited between 16 June 2016 and 18 July 2016. Two submissions were received which offered no objection to the Amendment.
- Adoption of the Amendment is supported as it will facilitate the long-intended development of the subject land in accordance with residential zoning provisions.

P Dorling moved, L Gardner seconded –

That Council:

1) adopts Amendment C348 (Appendix 5 of this report); and

2) submits the adopted Amendment and the prescribed information to the Minister for Planning requesting approval.

Carried.

Background

Amendment C348 resulted from an application made by Planning and Property Partners on behalf of Links Investco No 1 P/L to rezone part of land situated at 1 – 5 Ballarat Road North Geelong from SUZ3 to GRZ1. It also sought to both apply an EAO and remove DPO9 from the land being rezoned.

The subject land is lot S31 on Plan of Subdivision 647500V as shown on the title at Appendix 1 with an area of 6277 sq metres.

The subject land falls within 2 zones, GRZ1 and SUZ3 which were applied in Amendment C110 gazetted on 1 March 2007 as part of the redevelopment of the former Geelong Golf Course. This Amendment provided for residential subdivision and a redeveloped 9 hole golf course which is now substantially completed. The existing zoning plan is at Appendix 2.

The subject land is affected by 4 overlays as follows:

- DPO9 which was applied as part of Amendment C110 to the SUZ3 portion of the subject land.
- EAO which was applied as part of Amendment C110 to that part of the site currently zoned GRZ1.
- LSIO which was applied as part of Amendment C110 to that part of the site currently zoned GRZ1.
- SBO which was subsequently applied to the eastern portion of the site (and the wider drainage catchment) as part of Amendment C127 part 2 gazetted on 24 November 2011.

Appendix 3 shows existing Overlays.

The subject land is currently vacant although is substantially sealed and used for car parking in association with the 9 hole golf course. Its eastern boundary adjoins a table tennis centre owned by the Geelong Table Tennis Association and a detached house at 7 Par Court. Land to the north, identified as a 5ha lot A on P.S.647500V (see Appendix 1) is vacant and is subject to a planning permit 362/2011 for lawn bowling club facilities etc.

A fresh permit application 276/2016 by the lawn bowling club has recently been submitted to Council and is currently under consideration. The new application proposes substantial modifications to the previously issued permit.

Appendix 4 is an aerial photo of the subject land and the surrounding area.

It is intended to develop the subject land for a multi-storey aged care facility which will be the subject of a future planning permit application. However the applicant's consultant has been advised by the Statutory Planning Dept that any such use of the land which will need to obtain access to Ballarat Road from the existing access point falling within the SUZ9 portion of the site would be prohibited by the planning scheme. This part of the site could also provide access to a basement car park and also have some ground level parking in association with the aged car facility.

VicRoads has advised that it would not support any change to the location of the existing access point to Ballarat Road, removing the option of relocating the access into the GRZ1 portion of the site.

The rezoning as proposed by this Amendment will align the zone and title boundaries of the subject land and enable development to proceed in accordance with the GRZ1 provisions, which would otherwise be prohibited for the reasons set out above.

The Overlay changes being proposed are consequential to the zone change as follows:

- the EAO which applies to the existing GRZ1 portion of the land needs to be extended to the balance of the land to be zoned GRZ1.

- the DPO9 which applies to the SUZ3 portion of the land needs to be removed. This Overlay does not and was never intended to apply to the GRZ1 portion of the subject land.
- the LSIO which was originally applied to the GRZ1 portion of the land to address the issue of potential overland flooding is now redundant with the subsequent application of the SBO over the subject land. Removal of the LSIO is supported by Council's Engineering Services Department.

The existing access to Ballarat Road on the subject land, which will be shared with the adjoining lawn bowling club and golf clubhouse, is already protected by way of a carriageway easement (E46) shown on the title in Appendix 1.

Discussion

The Council sought and received exemption from the Minister for Planning pursuant to Section 20 (2) of the Act for newspaper notification because of the minor nature of this Amendment.

Direct notification was given to owners of adjoining properties (i.e. table tennis centre, owner of 7 Par Court, the lawn bowling club), VicRoads & CCMA.

Amendment C348 was exhibited between 16 June 2016 and 18 July 2016. Two submissions where received as follows:

VicRoads	No Objection
CCMA	No objection to the Amendment. Notes that the subject land is affected by the 1% floodplain. Any future development proposal of the site will require referral to CCMA to ensure stormwater issues are adequately resolved.

As no submissions have been received which raise any issues of objection to this Amendment it can proceed for adoption.

This Amendment is supported because it will facilitate the long intended development of the subject land in accordance with the residential zone provisions.

Appendix 5 is a copy of the amendment recommendation for adoption.

Environmental Implications

This Amendment will have no environmental implications.

Financial Implications

The proposal has no financial implications for Council.

Policy/Legal/Statutory Implications

This Amendment was prepared essentially because development of the existing GRZ1 portion of the subject land would be prohibited using the only permissible access to Ballarat Road which falls within the SUZ. The Amendment is consistent with the broad theme of State and Council planning policies which encourage urban consolidation and housing diversity in established urban areas

Alignment to City Plan

The Amendment supports the overall thrust of Growing our Economy and Sustainable Built and Natural Environment Strategic directions in that it facilitates the development of land already substantially zoned for residential uses.

Officer Direct or Indirect Interest

No Council Officers have a direct or indirect interest, in accordance with Section 80(c) of the Local Government Act, to which this Amendment relates.

Risk Assessment

There are no risks to Council in aligning zone and title boundaries as being proposed by this Amendment.

Social Considerations

The facilitation of an aged care facility on the subject land (which will require a separate planning permit) provides for a positive social outcome.

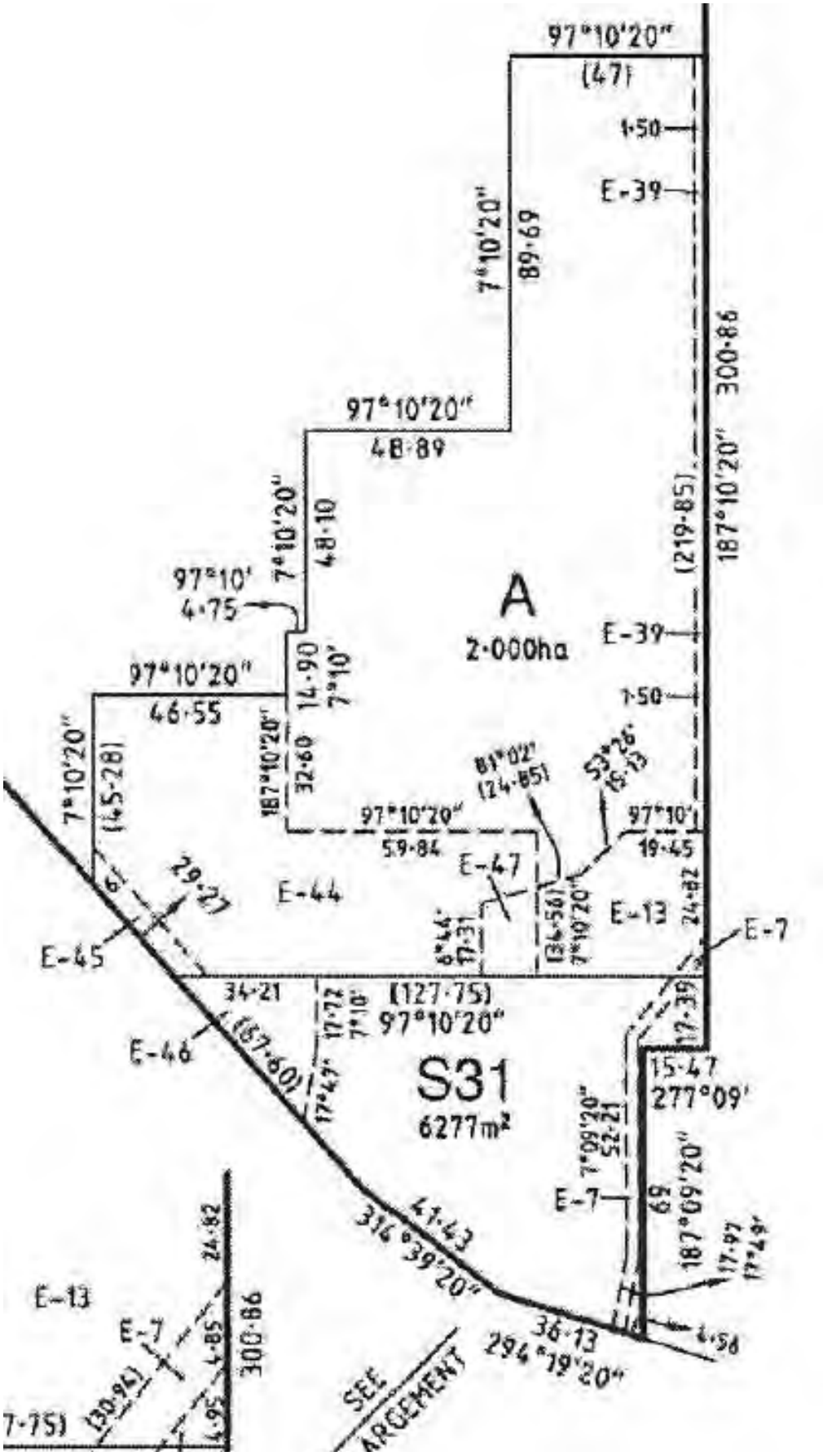
Human Rights Charter

The Amendment will not impact on any basic human rights, freedoms and responsibilities as set out in the charter.

Consultation and Communication

All affected properties were directly notified at the time of exhibition of this Amendment.

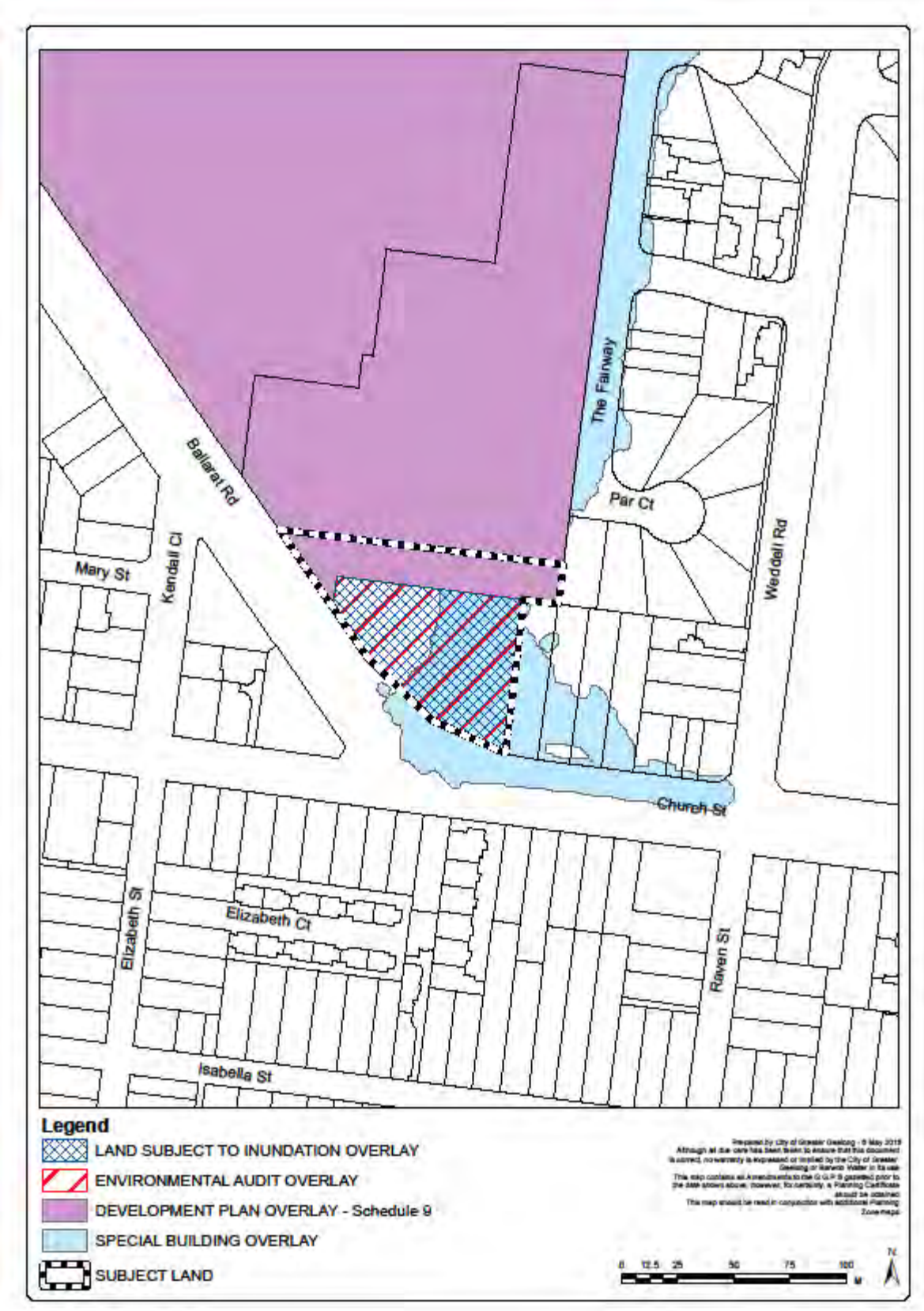
Appendix 1 Extract of Title



Appendix 2 – Existing Zoning



Appendix 3 – Existing Overlays



Appendix 4 – Aerial Photo



Appendix 5 – Amendment Recommended for Adoption

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C348

INSTRUCTION SHEET

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

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 4 attached maps sheets:

Zoning Maps

4. Amend Planning Scheme Map No. 37 in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme, Amendment C348.

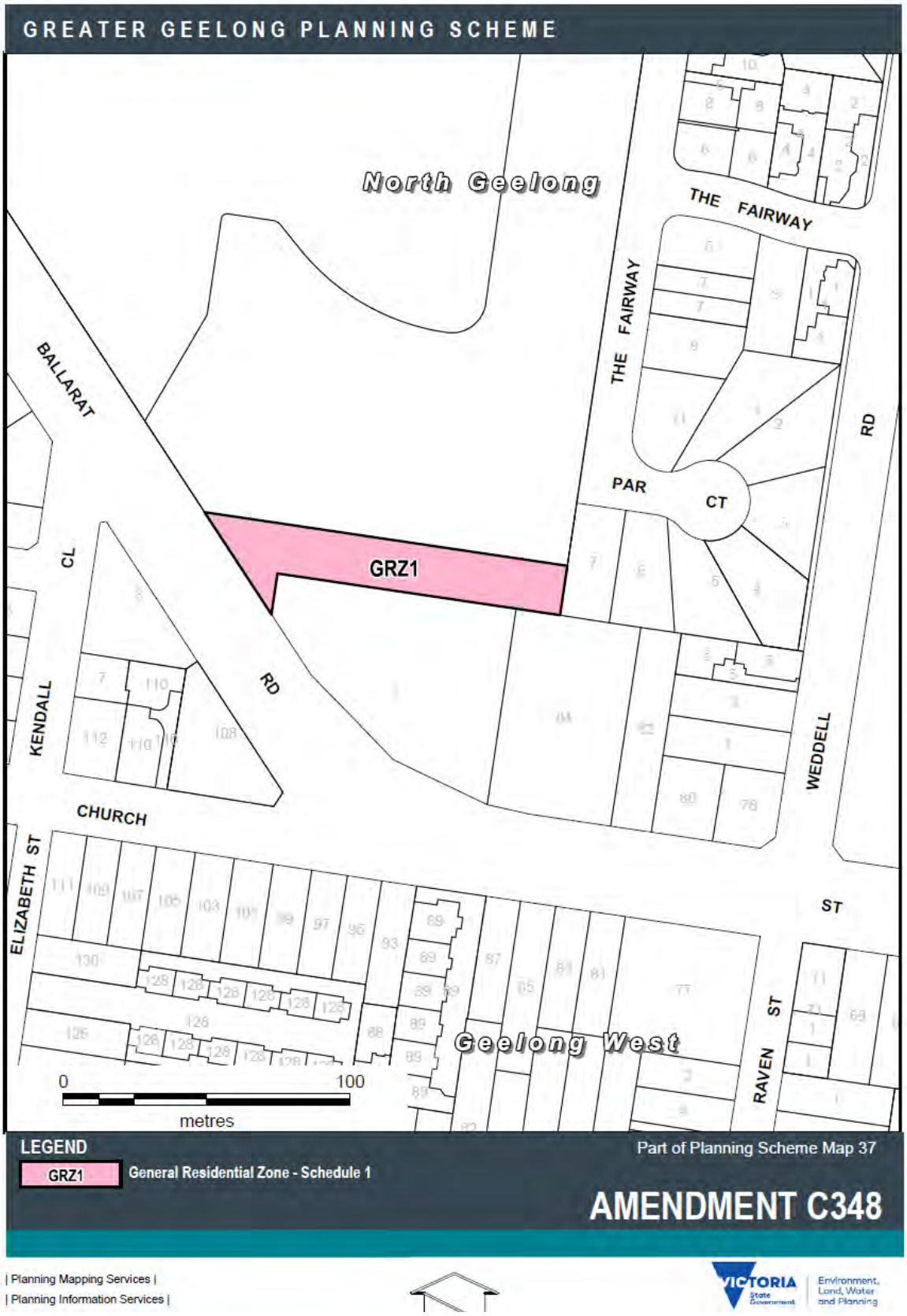
Overlay Maps

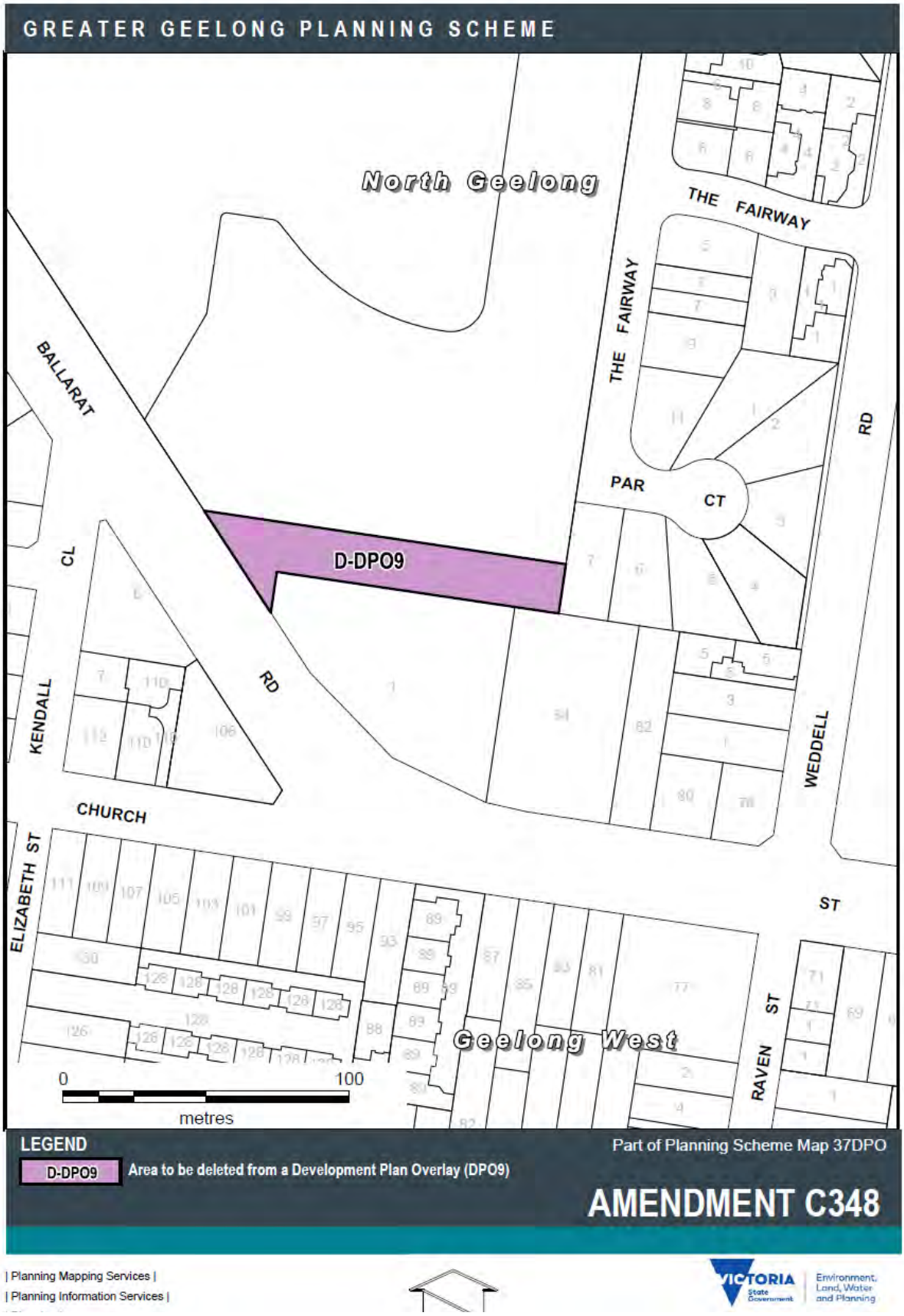
5. Amend Planning Scheme Map No. 37DPO in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme, Amendment C348.

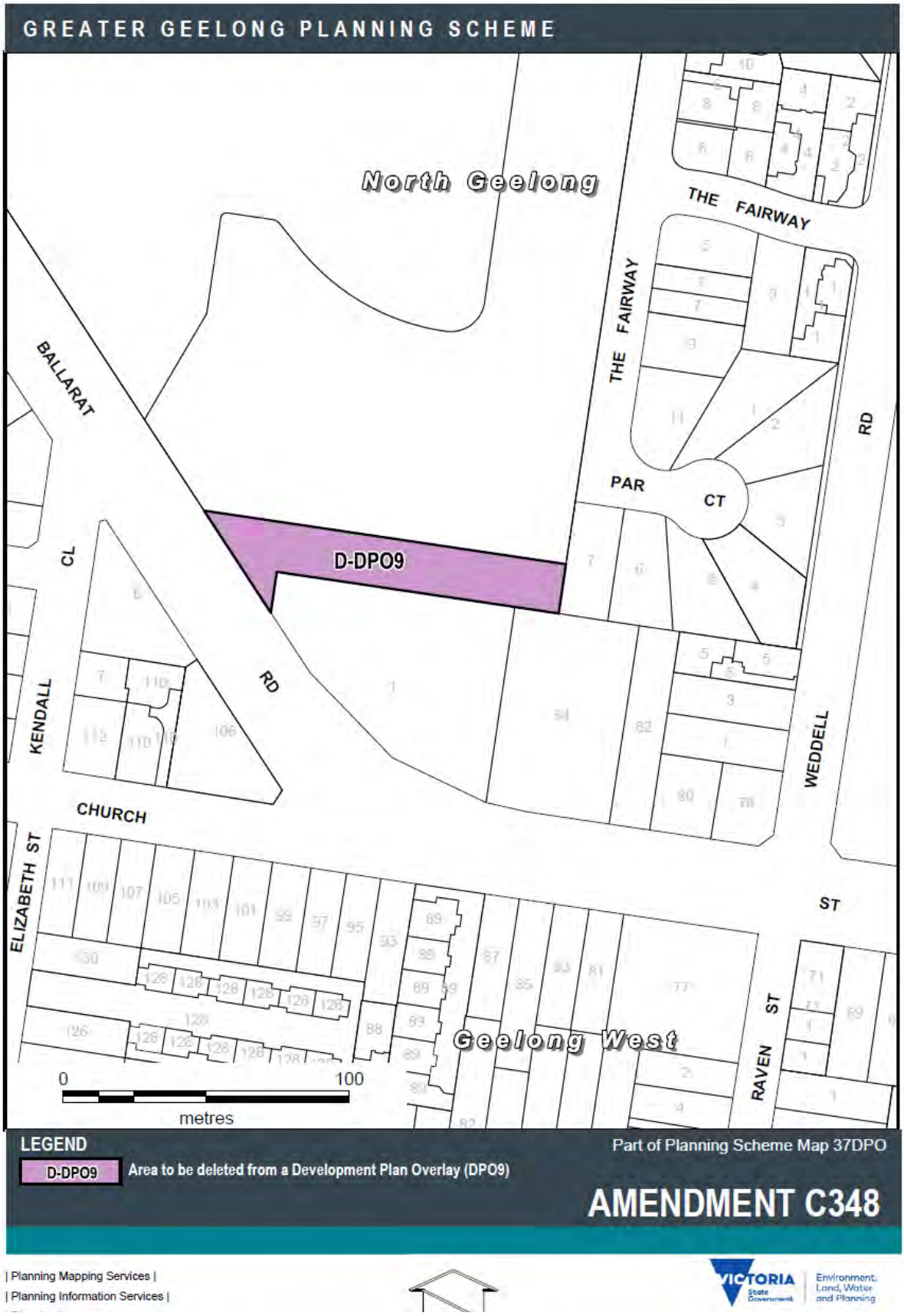
6. Amend Planning Scheme Map No 37LSIO in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme Amendment C348.

7. Amend Planning Scheme Map No. 37EAO in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme, Amendment C348.

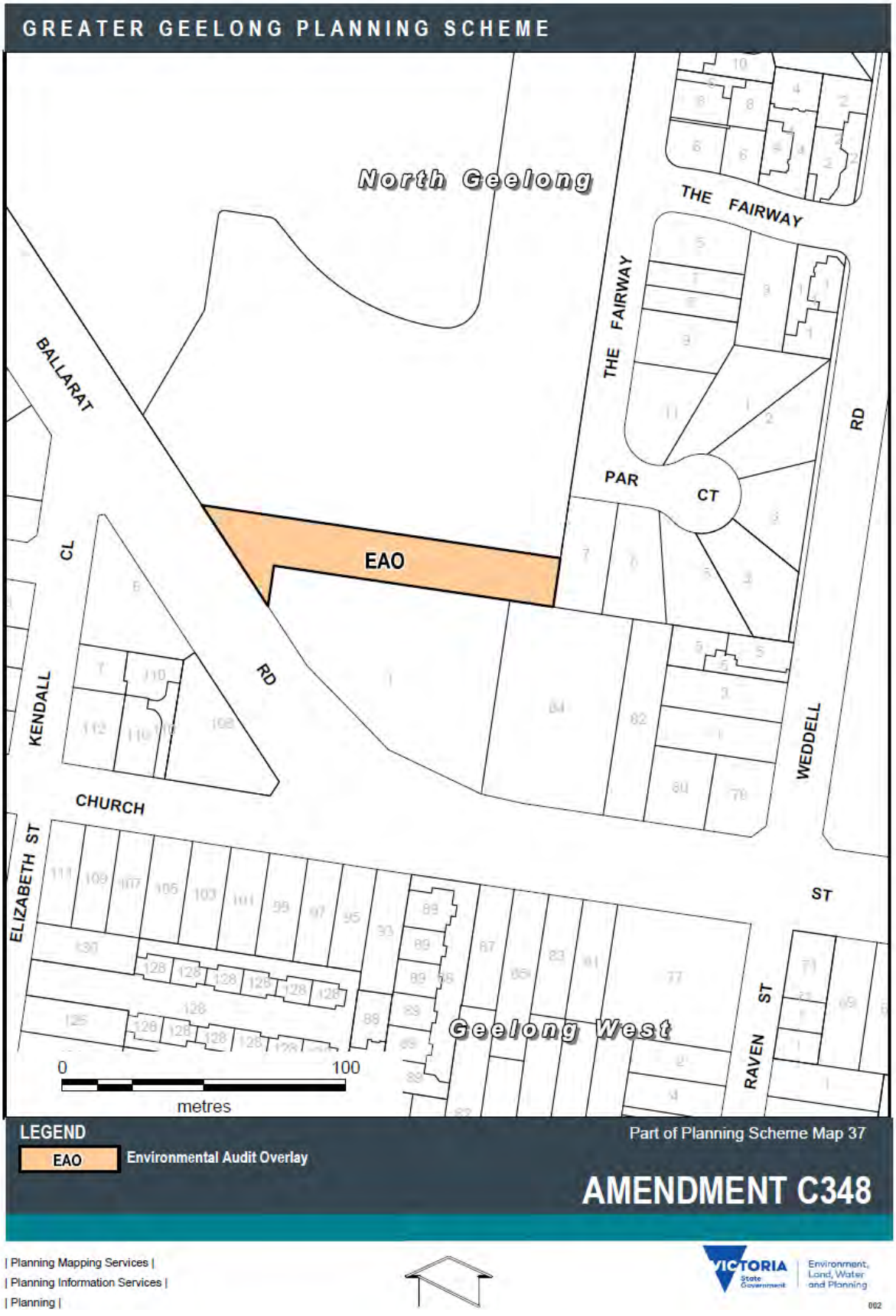
End of document


GREATER GEELONG PLANNING SCHEME
North Geelong
THE FAIRWAY
THE FAIRWAY
BALLARAT
RD
PAR
CT
GRZ1
CL
KENDALL
RD
WEDDELL
CHURCH
ELIZABETH ST
ST
Geelong West
RAVEN ST
0
100
metres
LEGEND
GRZ1
General Residential Zone - Schedule 1
Part of Planning Scheme Map 37
AMENDMENT C348
| Planning Mapping Services |
| Planning Information Services |
VICTORIA
State Government
Environment, Land, Water and Planning


GREATER GEELONG PLANNING SCHEME
North Geelong
THE FAIRWAY
THE FAIRWAY
BALLARAT
RD
PAR
CT
D-DPO9
CL
KENDALL
RD
CHURCH
WEDDELL
ST
ELIZABETH ST
Geelong West
RAVEN ST
0
100
metres
LEGEND
D-DPO9
Area to be deleted from a Development Plan Overlay (DPO9)
Part of Planning Scheme Map 37DPO
AMENDMENT C348
| Planning Mapping Services |
| Planning Information Services |
VICTORIA
State Government
Environment, Land, Water and Planning


GREATER GEELONG PLANNING SCHEME
North Geelong
THE FAIRWAY
THE FAIRWAY
BALLARAT
RD
PAR
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CL
KENDALL
RD
CHURCH
WEDDELL
ELIZABETH ST
ST
Geelong West
RAVEN ST
0
100
metres
LEGEND
D-DPO9
Area to be deleted from a Development Plan Overlay (DPO9)
Part of Planning Scheme Map 37DPO
AMENDMENT C348
| Planning Mapping Services |
| Planning Information Services |
VICTORIA
State Government
Environment, Land, Water and Planning


GREATER GEELONG PLANNING SCHEME
North Geelong
Geelong West
BALLARAT RD
KENDALL CL
CHURCH ST
ELIZABETH ST
THE FAIRWAY
THE FAIRWAY PAR CT
WEDDELL RD
RAVEN ST
D-LSIO
0
100
metres
LEGEND
D-LSIO
Area to be deleted from a Land Subject to Inundation Overlay
Part of Planning Scheme Map 37LSIO
AMENDMENT C348
| Planning Mapping Services |
| Planning Information Services |
| Planning |
VICTORIA State Government
Environment, Land, Water and Planning
004


GREATER GEELONG PLANNING SCHEME
North Geelong
Geelong West
BALLARAT RD
THE FAIRWAY
THE FAIRWAY
PAR CT
RD
EAO
KENDALL CL
CHURCH
WEDDELL ST
ELIZABETH ST
RAVEN ST
0
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metres
LEGEND
EAO
Environmental Audit Overlay
Part of Planning Scheme Map 37
AMENDMENT C348
| Planning Mapping Services |
| Planning Information Services |
| Planning |
VICTORIA State Government
Environment, Land, Water and Planning
002

5. AMENDMENT C321 & PERMIT 1234/2014 GEELONG RD PORTARLINGTON – CONSIDERATION OF PANEL REPORT

(previously agenda item 4)

Source: **Planning & Development - Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application: Amendment C321**
Application: Permit Application 1234/2014

Purpose

The purpose of this report is two fold:

a) consider the Amendment C321 and Planning Permit 1234/2014 Independent Panel Report and a recommendation that the Amendment be abandoned; and

b) make consequential changes to the 2016 Portarlington Structure Plan.

Summary

- Amendment C321 proposes to rezone 30-42 Geelong Road, Portarlington, from the Commercial 2 Zone to the Mixed Use Zone. The proponent is the owner of 30 and 32 Geelong Road.
- The Amendment also applies the Environmental Audit Overlay to all the land being rezoned.
- The Amendment is concurrent with a planning permit to allow the development and use of the land for a four storey accommodation and retail complex.
- The Amendment was exhibited for a 7 week period closing on 8 February 2016.
- Council received 35 submissions, 27 of which objected – plus a signed petition with 231 signatures. There were 8 positive submissions including submissions from the Portarlington Business Development Association and the Director of Jack Rabbit Winery.
- Council resolved under delegation on 22 April 2016 to refer the submissions to an Independent Planning Panel appointed by the Minister for Planning. The hearing was held in June 2016.
- The Panel has recommended that the Amendment should be abandoned.
- While the Panel accepted much of the 'high level' strategic support and economic benefits of the proposal, it concluded that the Mixed Use Zone at this location is not supported by the Local Planning Policy Framework nor is high density housing.
- The Panel considered that any future development of the Amendment land should include built form guidance, particularly to control height.
- The Panel agreed that the strategic direction of the Amendment land has changed and is likely to undergo regeneration in the future. The Panel found that introducing residential uses would be consistent with the surrounding underlying land use and potentially contaminated land issues can be managed.
- Because the Panel does not support the rezoning, the draft Permit seeking to allow 'accommodation' is prohibited in the Commercial 2 Zone. The Panel noted that if it had the ability to consider the planning permit, it would not have been supported due to built form, height and scale issues, as well as insufficient car parking.

- The Panel further recommended that Council revisit the 2016 Portarlington Structure Plan to provide a more holistic review of the Amendment land and what planning controls should apply.
- The Panel recommendation is supported. The Panel has exposed flaws which are unable to be resolved within the confines of this Amendment.
- At the hearing Council officers emphasised the substantial net community benefits of the proposal, such as its ability to meet the need for quality self-contained tourist accommodation on the Northern Bellarine. However, it is accepted that further assessment is required to support a rezoning and permit request.
- Officers recommend changes to the Adopted May 2016 Portarlington Structure Plan to remove reference to rezoning the Amendment land to the Mixed Use Zone but retain designation of the precinct as a 'development opportunity'.

L Gardner moved, P Dorling seconded -

That Council resolves to:

1) abandon Amendment C321 as outlined in this report;

2) abandon Planning Permit Application 1234/2014 as the 'Accommodation' use is prohibited in the Commercial 2 Zone; and

3) readopt the 2016 Portarlington Structure Plan dated 'September 2016' as outlined in this report.

Carried.

Background

On 25 September 2014 a request from St Quentin Consulting for a concurrent Planning Scheme Amendment and Permit Application under Section 96A of the *Planning and Environment Act* 1987 was received by Council. The request was made on behalf of the proponent, Grabble Pty Ltd, owner of the land at 30 and 32 Geelong Road, Portarlington.

The applicant was subsequently revised to Batman Management Group Pty Ltd and the owner has further acquired 34 Geelong Road, Portarlington.

It is proposed to rezone the land at 30, 32, 34, 36-38, 40 and 42 Geelong Road, Portarlington, from the Commercial 2 Zone to the Mixed Use Zone, apply the Environmental Audit Overlay to all the land being rezoned, and amend the map at Clause 21.14-5 of the Greater Geelong Planning Scheme.

The draft Permit applies to 30 and 32 Geelong Road for development of a four storey, 55 dwelling apartment building with 569m² of commercial floor space and 57 basement car spaces. It is intended that the apartments will be made available for either short-term accommodation (through a serviced model) or for longer term occupancy by owners. The development would also include public access from Geelong Road to the Portarlington Recreation Reserve.

An aerial map of the Amendment land is shown at Appendix 1 and a current zoning map is shown at Appendix 2. The aerial map shows the location of the proposed development (Permit 1234/2014) within the established commercial precinct.

The proposed (abandoned) rezoning map and development plan are shown at Appendix 3 and 4, respectively.

As a result of a 7 week exhibition period closing on 8 February 2016, 35 submissions were received; 27 objecting. Key issues arising from the submissions included: tourism benefits; opposition to the rezoning; character, height and amenity negative impacts; traffic concerns, impacts on views; and the devaluation of properties.

Under delegation Council then resolved on 22 April 2016 to refer the submissions to an Independent Planning Panel appointed by the Minister for Planning. The Panel Hearing was held on 15, 16 and 17 June 2016.

Discussion

A two person Panel conducted the hearing. Hearing party attendees were Greater Geelong Council officers, Spiire representing the proponent, Kings Lawyers representing the neighbouring landowner at 28 Geelong Road (and calling planning evidence), two local residents, the PBDA and Committee for Bellarine.

The Panel provided its report to Council on 20 July 2016. A copy of the Panel Report's Executive Summary is in Appendix 5.

Amendment C321

The Panel accepted much of the 'high level' strategic support and other benefits of the proposal, such as:

- The land has re-development potential.
- The ability to meet the need for high quality tourist accommodation.
- Creating jobs during and after construction.
- Providing for ongoing support for other existing businesses.
- The role of the Amendment land has changed from 2007 where it was to provide for uses within the seafood industry.
- Providing public access to the recreation reserve to the rear of the Amendment land.
- The Amendment land is set within a broader residential context and has the capacity to accommodate residential uses.

However, the Panel ultimately recommended that the Amendment be abandoned for the following reasons:

- Local planning policy for Portarlington strongly favours development that respects the character and role of Portarlington where the low scale coastal character is to be maintained. Higher density mixed use development is encouraged in the town centre and high density apartment style housing development in and around the town centre.
- The Amendment land is not located within the Portarlington Increased Housing Diversity Area where high density residential housing is expected and is an isolated precinct within a traditional residential context.
- The Mixed Use Zone would facilitate uses that cumulatively could compete with the role of the town centre. This includes commercial uses and higher density residential development.
- The Mixed Use Zone, under Council local policy is to provide for medium density, not high density housing. The Panel concludes the Mixed Use Zone is not appropriate for the site and future consideration should be given to the General Residential Zone.

- Despite most land in Portarlington having some control over height whether it be by zone or overlay, Council elected not to conduct a strategic investigation into the opportunities and constraints of the Amendment land with a view to providing some overall built form and height guidance. The Panel considers future development of the Amendment land should have this guidance.

Officers principally relied on the higher level strategic planning support to justify the Amendment. It was submitted that the development would be a good outcome for Portarlington, the Northern Bellarine and the Geelong Region. Officers argued that Portarlington needs to consolidate, diversify and play to its competitive strengths.

The Panel was presented with the January 2016 *Greater Geelong and The Bellarine Tourism Development Plan*. The *Tourism Development Plan* is the most relevant guiding document to direct and prioritise tourism-related infrastructure in the region. The *Plan* confirms a need on the Northern Bellarine for the type of self-contained accommodation facility proposed and that the facility should be located in Portarlington.

Officers maintain that the precinct presents as an urban renewal site and redevelopment opportunity within the Portarlington Settlement Boundary.

While it is disappointing that the Panel placed greater weight on the local policy context, it is accepted that flaws in the proposal cannot be remedied within the confines of Amendment C321.

It is therefore accepted that the Mixed Use Zone is not sufficiently justified. This though does not change the fact that the precinct is in need of renewal and residential uses should be able to form part of that renewal. The precinct offers opportunities for but not limited to: self-contained quality short term accommodation; medium density housing; retirement living; and food and drink premises.

These types of uses (all permit required) can be accommodated in the General Residential Zone.

Officers accept that future redevelopment of the precinct should include investigation into height controls and other design features. The Panel has suggested a Design and Development Overlay that guides height, graduation of built form that could increase towards the middle of the site, use of materials, view sharing and access to the Portarlington Recreation Reserve and from Geelong Road.

Draft Planning Permit 1234/2014

As the Panel concluded that it could not support the Amendment, the draft Planning Permit 1234/2014 also could not be supported as the Commercial 2 Zone prohibits 'accommodation' uses.

The Panel however provided the following findings:

- The height of the building at four storeys plus recreational roof garden and lift overruns is an overdevelopment of the site. This is borne out by the failure to meet a number of ResCode objectives and standards.

- The building will have an inappropriate impact upon neighbouring residential properties as it does not graduate the built form with increased side setbacks.

- Consideration of vehicle access to the site was hindered by the lack of a plan that detailed the protected right hand turn lane into the site from west bound traffic, road widening and line marking that VicRoads required. A key issue for submitters was the issue of traffic access and parking; which the Panel was unable to deal with fully. The Panel was also concerned that there was no understanding of how access was to be managed across all of the Amendment land.

- There is an overreliance on the provision of car parking along Geelong Road or neighbouring streets.

At the hearing Council supported the built form because it represented an appealing, attractive new development of high architectural quality. The retail outlets were considered to provide excellent street activation including activation of the proposed public access through to the Portarlington Recreation Reserve.

Higher built form elements should not be automatically discounted. However the Panel has highlighted a number of design flaws that led it to conclude the building was an overdevelopment. This conclusion is accepted noting that the proponent was encouraged to redesign the building, access and parking once the land at 34 Geelong Road was acquired.

Portarlington Structure Plan

The Panel says its recommendation to abandon the Amendment should require a revisiting of the adopted, but yet to be implemented, Portarlington Structure Plan 2016 along with a more holistic review of the Amendment land and what controls should apply.

Officers have supported this approach by delaying exhibition of Amendment C352 – which seeks to implement the key planning elements of the Adopted May 2016 Portarlington Structure Plan. Consequential changes to the May version (affecting the Amendment land only) are outlined in this section.

Given that it is recommended that the Amendment be abandoned, it is important that the Structure Plan articulates the preferred future planning direction for the precinct. Retaining the 2007 Structure Plan direction to: *'retain the Business 4 Zone'*, limits redevelopment potential.

The Panel acknowledged that the role of the Amendment land has changed from an aquaculture focus and concluded the introduction of residential uses is consistent with the surrounding underlying land use. The Panel says future consideration should be given to the General Residential Zone.

Recognising that the precinct provides redevelopment opportunities, any future rezoning request should take into consideration housing and tourism strategies, design and built form, access and parking, impacts on the Town Centre and potentially contaminated land.

Council however should be mindful of the impact to the existing uses in the precinct, primarily the auto-marine repairs business. This business would become a non-conforming use in the General Residential Zone with existing use rights (i.e. a legal right to continue). This is not an uncommon scenario for land in transition and consultation with landowners and business owners should form part of a future developer-driven planning scheme amendment request.

Until such a request is received (and the precinct rezoned) the existing Commercial 2 Zone allows a number of 'as-of-right' uses such as Supermarket, Trade supplies, Restricted retail premises, and Office. Only a permit for buildings and works would be required. Other uses such as Industry, Warehouse and Shop are permit required uses. Given the history and current condition of the precinct new investment in these sectors is considered unlikely.

It is noted that the underutilised Industrial 1 zoned land on Tower Road in Portarlington is able to accommodate commercial and industrial uses. Land has also recently been rezoned to the Commercial 2 Zone on Murradoc Road in nearby Drysdale.

As addressed above, the Structure Plan should provide guidance on height and other design features relevant to the precinct. Any proposed 'sensitive use', such as a residential use, will require assessment of potentially contaminated land.

The Portarlington Structure Plan Map (May 2016) is shown in Appendix 6 and the new Map (September 2016) is shown in Appendix 7.

In summary, it is recommended that the following changes are made to the May 2016 version:

1. Re-title the document as 'Portarlington Structure Plan, Adopted September 2016'.
2. Remove reference on the Structure Plan Map to *'Rezone to Mixed Use Zone'*.
3. Retain reference on the Structure Plan Map identifying the Amendment land as a *'Development Opportunity'*.
4. Provide commentary in the body of the Structure Plan to inform Council consideration of any future planning permit and/or rezoning application for the precinct. The Structure Plan shall address (but not be limited to):

- Council's housing and tourism strategies
- Design and built form including height controls, view sharing and car parking
- Access to Geelong Road and through to the Recreation Reserve
- Surrounding residential and recreational land uses
- Current operating businesses
- Potentially contaminated land.

Environmental Implications

There are no environmental implications as a result of abandoning the Amendment.

Financial Implications

No impact to budget.

Policy/Legal/Statutory Implications

Abandoning the Amendment requires consequential changes to the Portarlington Structure Plan. The commercial precinct will continue to be recognised as a redevelopment opportunity in the Structure Plan.

Alignment to City Plan

Abandoning the Amendment and Permit will prevent proposed new investment in Portarlington. This will impact on 'Growing the economy' as construction jobs, jobs associated with the future on-site business opportunities, and regional tourism benefits of providing quality short-term accommodation are lost.

The recommended changes to the adopted Portarlington Structure Plan are intended to facilitate redevelopment of the precinct.

Officer Direct or Indirect Interest

No officers involved in this report have any direct or indirect interest in accordance with Sec 80(c) of the Local Government Act.

Risk Assessment

There are no notable risks associated with implementing the recommendations contained in this report

Social Considerations

Abandoning the Amendment will maintain the status quo. Any future redevelopment opportunities associated with rezoning the precinct to a residential zone are likely to improve the amenity of the area.

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 Panel.

Consultation and Communication

Council officers have notified the Amendment landowners and submitters of the Panel Report release. Landowners and submitters will be notified of the final decision of Council.

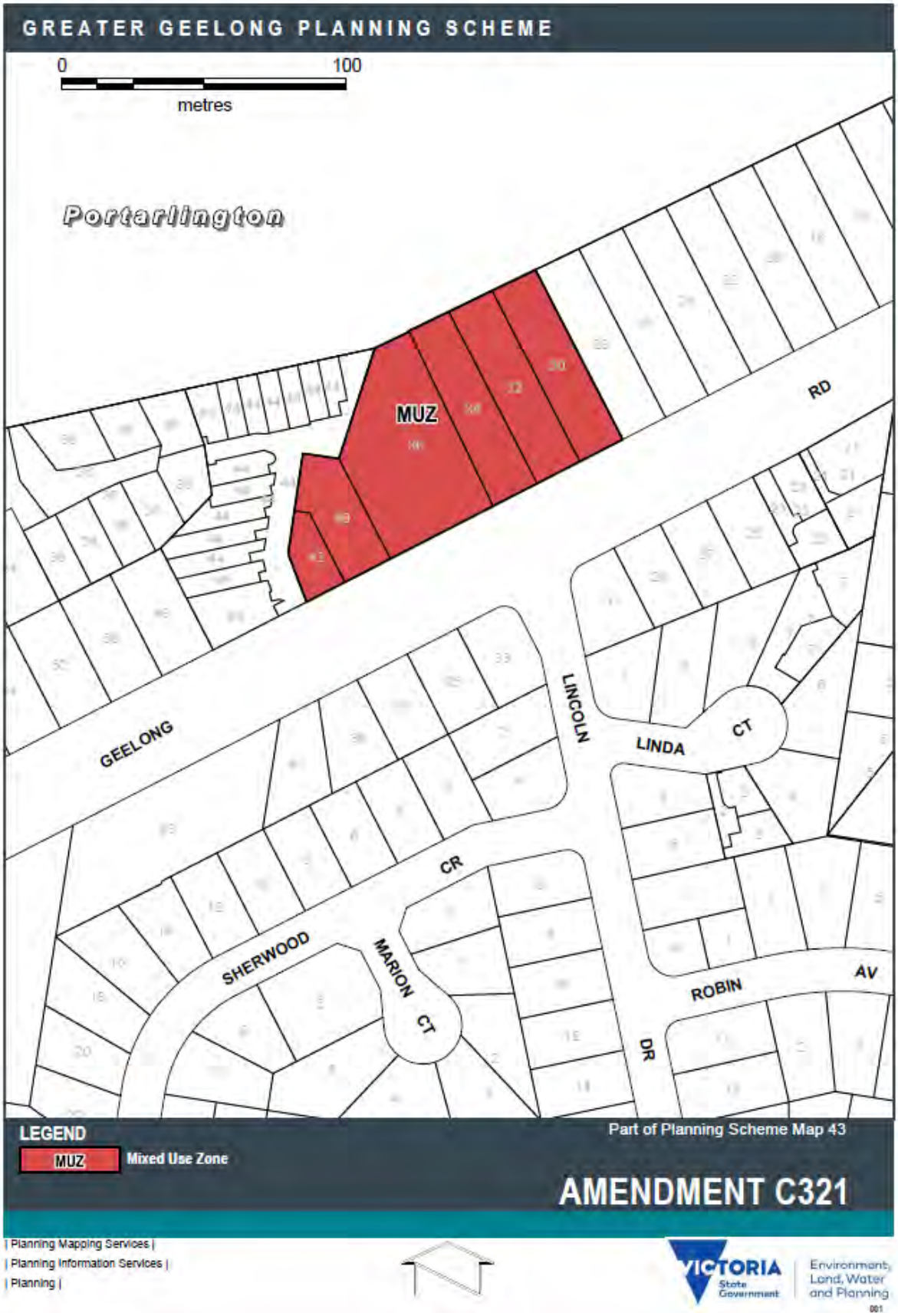
Appendix 1 - Aerial Map



Appendix 2 - Existing Zoning Map



Appendix 3 - Abandoned Rezoning Map



Appendix 4 - Abandoned Permit 1234/2016 Street Elevation Plans



30-32 Geelong Road, Portarlington

Streetscape Views

Job No. 1308117 | Scale: NTS | Dwg. No. TP8-001 | Rev. C

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Revision

date	issue	dwg no.	description
19.12.13	A		Issued for Review
02.04.14	B		Issued for Council Review
01.09.14	C		Issued for Town Planning Lodgement

Notes

Architectural documents are to be read in conjunction with relevant structural, fire service, mechanical, hydraulic, electrical, landscape and consultants drawings and specifications. Any discrepancies are to be reported to the Architect before commencement of work. Do not scale drawings. Use figured dimensions only. Inform Architect of any conflict between site and drawn dimensions. Verify all dimensions on site before commencement of work or shop drawings.

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Appendix 5 - Panel Report Executive Summary

Executive Summary

Amendment C321 seeks to rezone 30-42 Geelong Road, Portarlington from the Commercial 2 Zone to the Mixed Use Zone. Planning Permit 1234/2014 proposes a four storey, 55 dwelling apartment building with 569 sqm of commercial floorspace and 57 underground basement car spaces at 30-32 Geelong Road, Portarlington.

The process was initiated in 2014 with a rezoning and permit submission by the Batman Management Group for 30-32 Geelong Road. Council required all of the Commercial 2 Zone land to be rezoned as part of the request.

A total of 35 submissions were received, including 27 objecting submissions.

Those in support of the Amendment and permit proposal considered it would meet a critical shortage for high quality short term tourist accommodation on the Bellarine Peninsula; provide local jobs during and after construction; facilitate the redevelopment of a poorly presented precinct and public access to the recreation reserve to the rear; is a 'gateway' site that can accommodate higher built form, provide a well-designed development that is consistent with local policy and the coastal character of Portarlington.

The objecting submissions considered:

- the use of the Mixed Use Zone was inappropriate
- the height and bulk of the development was excessive and not in keeping with the low scale character of Portarlington
- there was a lack of parking for the commercial floorspace
- amenity would be detrimentally impacted by increased traffic, noise and construction activity
- high density housing should be located in the Increased Housing Diversity Areas of Portarlington
- the town centre would be adversely impacted by commercial uses that will be in conflict with its primary retail role
- the rezoning should have been considered in a thorough review of the Portarlington Structure Plan 2007.

The Panel has considered all written and oral submissions.

The Panel accepts much of the 'high level' strategic support and other benefits referred to by Council and the Proponent for the Amendment and planning permit, such as:

- the land has re-development potential
- the ability to meet the need for high quality tourist accommodation
- creating jobs during and after construction
- providing for ongoing support for other existing businesses
- the role of the Amendment land has changed from 2007 where it was to provide for uses within the seafood industry
- providing public access to the recreation reserve to the rear of the Amendment land
- the Amendment land is set within a broader residential context and has the capacity to accommodate residential uses.

However, this does not mean this outcome should override all other policy considerations. They need to be considered in a strategic sense that provides a local context such as the structure plan review for Portarlington.

The Panel does not support the Amendment and it should be abandoned for the following reasons:

Process issues

- Council chose to use the combined amendment and permit process. This process should only be used where the strategic basis of the Amendment is sound, particularly for a site specific rezoning and where the proposed development is appropriate. Neither is the case in this instance. Council's own policy framework does not support this outcome. The Panel has found significant inconsistencies with the Greater Geelong Planning Scheme and the Portarlington Structure Plan 2007.
- Despite most land in Portarlington having some control over height whether it be by zone or overlay, Council elected not to conduct a strategic investigation into the opportunities and constraints of the Amendment land with a view to providing some overall built form and height guidance. The Panel considers future development of the Amendment land should have this guidance.

Strategic considerations

- Local planning policy for Portarlington strongly favours development that respects the character and role of Portarlington where the low scale coastal character is to be maintained. Higher density mixed use development is encouraged in the town centre and high density apartment style housing development in and around the town centre. This is supported by Clause 21.06-3 (Urban consolidation), Clause 21.14 (The Bellarine Peninsula) and Clause 22.63 (Increased Housing Diversity Areas).
- The Amendment land is not located within the Portarlington Increased Housing Diversity Area where high density residential housing is expected and is an isolated precinct within a traditional residential context.
- The Mixed Use Zone would facilitate uses that cumulatively could compete with the role of the town centre. This includes commercial uses and higher density residential development. The Portarlington Structure Plan 2016, yet to be implemented in the planning scheme, was not given significant weight by the Panel as it has not been exhibited, tested or independently reviewed. The choice of zone and the built form opportunities should have been considered in the context of the review of the structure plan or, individually, by a more detailed strategic investigation. The Panel considers neither of these has occurred to a satisfactory level. The Panel considers the Amendment is premature.
- The Mixed Use Zone, under Council local policy is to provide for medium density, not high density housing. The Panel concludes the Mixed Use Zone is not appropriate for the site and future consideration should be given to the General Residential Zone.

The reference by parties to a VCAT decision at 1 Newcombe Street, Portarlington that refused a four storey apartment complex has not been given significant weight as it is located in a different zone and has different circumstances. The Panel's conclusion is based

upon the current policy within the planning scheme and how the Amendment and the proposal responds to this policy context.

The Panel's recommendation to abandon the Amendment should require a revisiting of the adopted, but yet to be implemented, Portarlington Structure Plan 2016 along with a more holistic review of the Amendment land and what controls should apply. It is for Council to determine how to approach this.

Planning Permit 1234/2014

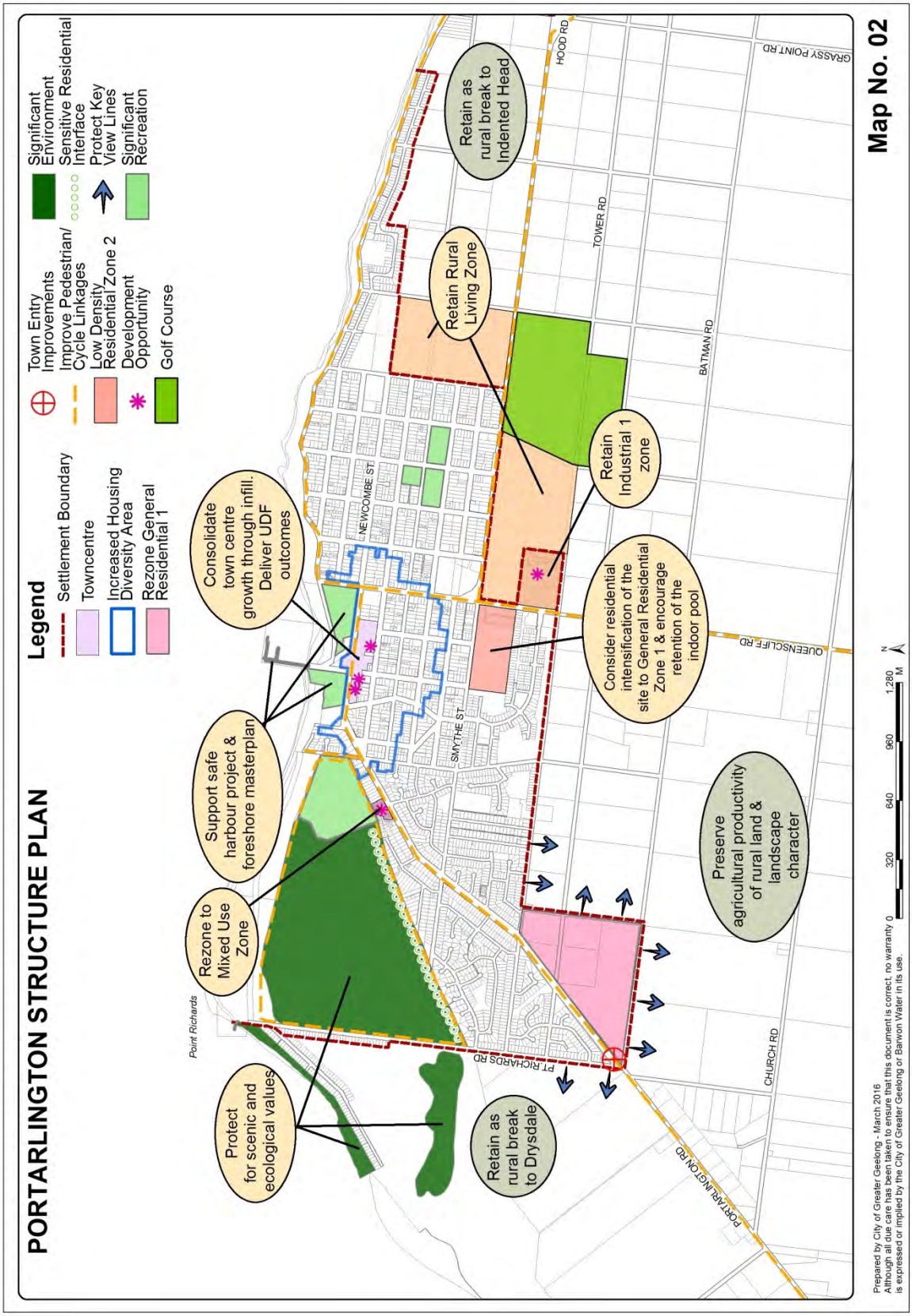
As the Panel concludes it cannot support the Amendment, the draft Planning Permit 1234/2014 cannot be supported as the Commercial 2 Zone prohibits 'accommodation' uses. The Panel does note that if it did have the ability to consider the planning permit, it would not have been supported due to built form, height and scale issues, as well as insufficient car parking. The inconsistencies with ResCode standards is an indication that the development is an overdevelopment of the site.

Recommendation

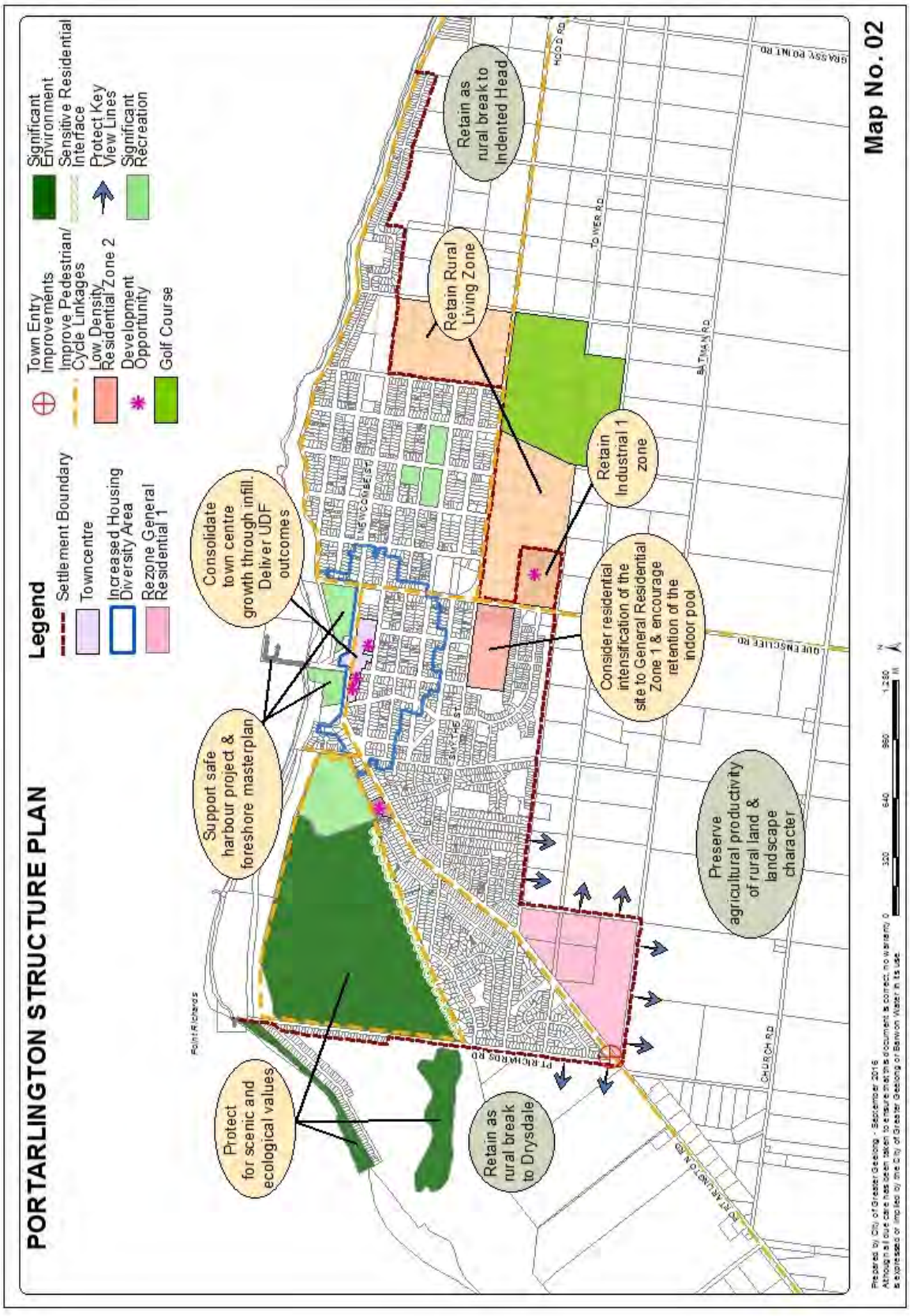
Based on the reasons set out in this Report, the Panel recommends:

1. **Greater Geelong Planning Scheme Amendment C321 be abandoned.**
2. **Planning Permit 1234/2014 cannot be granted as the 'accommodation' use is prohibited in the Commercial 2 Zone.**

Appendix 6 - Superseded Portarlington Structure Plan Map (May 2016)



Appendix 7 - New Portarlington Structure Plan Map (September 2016)



6. AMENDMENT C346 OCEAN GROVE STRUCTURE PLAN & URBAN DESIGN FRAMEWORK – CONSIDERATION OF PANEL REPORT & ADOPTION OF AMENDMENT

(previously agenda item 5)

Source: **Planning & Development – Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application: Amendment C346**

Purpose

The purpose of this report is for Council to consider the Independent Panel report into Amendment C346 and to adopt the Amendment.

Summary

- Amendment C346 seeks to include the key strategies and objectives of the new Ocean Grove Structure Plan and Ocean Grove Town Centre Urban Design Framework into the Planning Scheme.
- The main planning scheme changes being introduced by Amendment C346 include a new Clause 21.14 to reflect recommendations of these policy documents and application of new Design and Development Overlays to the town centre and new Grubb Road Activity centre.
- The new Structure Plan was adopted by Council in December 2015 and the Urban Design Framework was adopted in June 2014. Extensive informal consultations including workshops, public meetings, resident surveys and meetings with owners and developers were conducted as part of the preparation of these documents.
- Amendment C346 was exhibited in the normal manner between 4 February 2016 and 4 March 2016 resulting in the receipt of 42 submissions being: 10 submissions in support, 11 providing comments and 21 objecting.
- The submissions were considered under delegation on 22 March 2016 and were referred to an independent Panel appointed by the Minister for Planning.
- Following a 5 day panel hearing conducted in Geelong in early May 2016 the Panel has now presented its report for Council's consideration.
- By far the major issue raised in submissions and addressed by the Panel relates to the future long-term urban growth boundary for Ocean Grove as proposed in the Structure Plan.
- The Panel has recommended Amendment C346 be adopted by Council subject to a number of changes as described in this report.
- Whilst the overall thrust of the Panel's recommendations are supported, this report provides detailed justification where officers prefer alternative planning scheme wording to the Panel's recommendations.
- Consideration of submissions and the Panel's recommendations has necessitated changes to the 2015 Ocean Grove Structure Plan. It is also recommended an amended Structure Plan be adopted.

L Gardner moved, P Dorling seconded -

That Council :

1) **adopts Amendment C346 (Appendix 7 of this report);**

2) **submits the adopted Amendment and prescribed information to the Minister for Planning requesting approval; and**

3) **adopts the Ocean Grove Structure Plan 2015 (amended September 2016).**

Carried.

Background

Amendment C346 seeks to implement the findings of the following Council adopted documents into the Greater Geelong Planning Scheme:

- the Ocean Grove Structure Plan (December 2015); and
- the Ocean Grove Town Centre Urban Design Framework (June 2014).

The Amendment will:

- Amend Clause 21.14 Bellarine Peninsula to include the key strategies of the Ocean Grove Structure Plan (December 2015) and the updated Ocean Grove Structure Plan Map, and recommendations of the Ocean Grove Town Centre Urban Design Framework Plan (June 2014).
- Insert a new schedule 39 to Clause 43.02 Design and Development Overlay to implement the key urban design recommendations for the Grubb Road activity centre and restricted retail precinct in the north-east growth area.
- Insert a new schedule 40 to Clause 43.02 Design and Development Overlay to implement the key design recommendations of the Ocean Grove Town Centre Urban Design Framework (2014) for the Town Centre.
- Delete Schedule 16 to Clause 43.02 Design and Development Overlay (Presidents Avenue Ocean Grove).
- Delete Schedule 27 to Clause 43.02 Design and Development Overlay (Hodgson Street Mixed Use Precinct).
- Apply Schedule 20 to Clause 43.02 Design and Development Overlay (Industrial 1,2 and 3 zones) to the Industrial 3 Zone land within the north east growth area.
- Amend Planning Scheme Maps 81 DDO and 82 DDO.

Ocean Grove Structure Plan Review 2015

At its meeting on 8 December 2015 the Council considered a detailed report on the findings of the review of the 2007 Structure Plan (amended 2008) and

- Adopted the new draft Structure Plan; and
- Resolved to prepare and exhibit an amendment to include the recommendations of the new Structure Plan into the Planning Scheme.

The draft Structure Plan built on the township vision originally developed as part of the Bellarine Strategic Plan 2006 – 2016 and updated the earlier Plan with changes to the State and Local Planning Policy Framework as well as Council studies. It contains key directions about urban growth, settlement and housing, infrastructure, natural environment, economic development and employment and rural areas.

Given Ocean Grove's role as an urban growth location, it is under pressure to accommodate further urban development. Analysis of lot supply data for the municipality, the Bellarine and the town revealed that there are sufficient residential land stocks to meet the forecast population growth over the short to medium term. Consequently, from a land supply perspective the new Structure Plan did not need to consider additional growth areas.

Key changes in the new Structure Plan included the deletion of the indicative long-term settlement boundary from the Structure Plan map including the wording "protect long-term growth option" that affects land outside the existing settlement boundary west of Grubb Road; the realignment of the eastern settlement boundary along Banks Road and the proposed implementation and review of planning controls to guide future land use and development, particularly for commercial areas and older parts of the town.

The Structure Plan review commenced in late 2014. Informal stakeholder consultation was undertaken in May 2015 as part of the review process which received a high level of interest and engagement.

The Council report of 8 December 2015 discussed in considerable detail the issues raised during the consultation process and planning considerations resulting in the recommendations of the new Structure Plan.

A copy of the existing 2007 Structure Plan map (which is currently at Clause 21.14 of the Planning Scheme) is in Appendix 1**.** The proposed new Structure Plan map as exhibited in Amendment C346 is Appendix 2.

Ocean Grove Town Centre Urban Design Framework 2014

At its meeting on 24 June 2014 the Council considered a detailed report on the preparation of the UDF including consideration of the submissions which were made as part of the extensive informal public consultation process. As a result Council:

- Adopted the UDF document,
- Resolved to prepare an implementation plan for the Hodgson Street/The Parade intersection area; and
- Resolved to prepare and exhibit an amendment to introduce the recommendations of the UDF into the Planning Scheme.

The development of the UDF was underpinned by the input Council received from residents, businesses, community associations, sporting clubs, schools and government agencies through an Enquiry by Design (EbD) workshop. The two day workshop was held in May 2013 and the preferred future outcomes identified at the workshop were encapsulated in the UDF.

The UDF seeks to guide future growth and development, built form outcomes, streetscapes, traffic and pedestrian movements, carparking and land use as well as providing a framework for Council investment in the town centre over the next 10 years. It provides a vision for how the centre should develop, provides design principles and recommends improvements to existing infrastructure and functionality of the town. The UDF will also assist in the assessment of future development proposals.

The UDF was placed on informal consultation for an eight week period from 5 February until 31 March 2014. A community information session was attended by 70 people. A total of 104 submissions were received.

The key concerns raised in the submissions where the need for pedestrian and cycle infrastructure improvements, the impact of building heights on coastal character, the need for a civic hall, development within and around the Ocean Grove Park, the preferred arterial road route and provision of future car parking areas.

The Council report considered these submissions which resulted in changes being made to the final UDF prior to its adoption.

A copy of the UDF Plan 2014 is Appendix 3.

Discussion

Amendment C346 was exhibited between 4 February 2016 and 4 March 2016. As a result, 42 submissions were received of which 10 supported, 11 provided comments and 21 objected.

The key themes/issues raised in the submissions were:

- Removal of the indicative long term boundary on the west and east sides of Grubb Road.
- Changes to the settlement boundary east of Banks Road
- Request to extend the settlement boundary to the Bellarine Highway
- Grubb Road Neighbourhood Activity Centre - Design & Development Overlay (DDO39)
- Town Centre Urban Design Framework and DDO40
- Traffic Issues (Grubb Road/The Terrace)
- Other Planning Issues
- Footpath Issues
- Structure Plan Consultation Process.

The Delegated Authority report dated 22 March 2016 both summarises all of the submissions and provides a detailed officer response to all of the issues raised. This report is available on Council's website at www.geelongaustralia.com.au/amendments (under the C346 webpage).

All submissions where considered under delegated authority and referred to an Independent Panel appointed by the Minister for Planning.

The appointed 2 person panel held a Directions Hearing on 5 April 2016 and a 5 day Panel Hearing in Geelong on 2 – 5 May and 13 May 2016.

The Panel has now presented its report to Council for its consideration and has recommended that Amendment C346 be adopted as exhibited subject to a number of changes. Appendix 4 is the Executive Summary of the Panel report which outlines the issues considered by Panel and contains the consolidated panel recommendations (i.e. recommended changes to the exhibited amendment documentation).

A full copy of the Panel's Report has been placed on Council's website www.geelongaustralia.com.au/amendments (under the C346 webpage). The following sections of this report make reference to page numbers in the Panel report where specific issues have been addressed.

By far the major issue raised in the submissions and addressed by the Panel relates to the future long-term urban growth boundary for Ocean Grove as proposed in the 2015 Structure Plan.

In particular the Panel has addressed the issues of whether the 2015 Structure Plan provides appropriate strategic justification for the deletion of the long-term settlement boundary and the new policy emphasis on the landscape values west of Grubb Road and whether (future) potential areas for residential growth should be (now) evaluated.

Section 2 of the Panel report (page 10 onwards) addresses the settlement boundary issue in considerable detail. It assesses the policy and strategic context for such changes, addresses broad hectare land requirements, questions whether long-term growth areas need to be evaluated now and comments on specific submissions relating to future potential growth areas.

Council officers support the overall thrust of the Panel's conclusions which, briefly summarised, are:

- A future review of the Structure Plan should include evaluation of potential areas for urban expansion in a town identified for growth.
- A future settlement boundary needs to recognise the full range of policy and planning considerations (such as protecting landscape values, maintaining rural breaks between settlements, environmental & conservation protection, township character etc).
- There is ample existing zoned land to accommodate residential development for between the next 13 – 20 years.
- There is a need to commit to a timeframe to assess potential long-term growth areas to the north, north-west & east of Ocean Grove. Pending this review, the long-term settlement boundary shown in the 2007 Structure Plan should be deleted (as was proposed by the exhibited 2015 Structure Plan).

What has become increasingly clear as a result of preparation of the new Ocean Grove Structure Plan, the submissions received and the subsequent Panel hearing is the need to undertake a wider and detailed review of planning for the whole Bellarine Peninsula. The current policy of directing the majority of growth to 3 growth areas (Leopold, Drysdale/Clifton Springs and Ocean Grove) originated from work undertaken during the 1980s by the Geelong Regional Commission culminating in the Geelong Regional Development Strategy 1988. Since that time there has been extensive residential development in each of these towns. Reviews of both the Drysdale/Clifton Springs and Leopold Structure Plans, scheduled within the next 1 – 2 years, will certainly give rise to similar issues such as further loss of attractive rural farming landscapes and impacts on conservation and environmental values which contribute strongly to the unique character of the Bellarine Peninsula. At the same time the need to provide opportunities for outward growth at each of these locations needs to be re-evaluated.

The Bellarine Peninsula Localised Planning Statement September 2015 which now forms part of the State Planning Policy Framework of the Planning Scheme recognises these values and demonstrates the importance of the Bellarine Peninsula from a State perspective.

Prior to the next review of the Ocean Grove Structure Plan as recommended by the Panel (and prior to reviewing the Leopold and Drysdale/Clifton Springs Structure Plans), Council officers intend to seek funding in the next financial year to undertake a wider municipal settlement strategy. Among other things, a key aim of the settlement strategy would be to provide greater clarity and certainty on the future direction of the municipality's settlements. Importantly, the role and function of the townships on the Bellarine will be an important consideration. An essential aspect of the study will be the need to ensure strong public communication and participation.

Detailed response to Panel's recommendations.

Whilst the overall thrust of the Panel's recommendation as summarised above are supported, it is necessary to provide a detailed response to each of the Panel's recommendations. The consolidated panel recommendations in the Executive Summary (Appendix 4) represent the Panel's findings and proposed changes to the exhibited amendment documents contained throughout the panel report.

Appendix 5 sets out the Panel's recommendations, the Council officer responses and reasons where, in a small number of occasions, the Panel's recommended wording changes are either not supported or require modification.

It should be noted that other than the long-term boundary issue, all other issues which were subject to submissions and Panel recommendations (UDF, DDO's 39 & 40, traffic and other planning issues) were generally quite minor in nature and for the most part resolved. These items are all addressed in Appendix 5.

Ocean Grove Structure Plan

As a result of the consideration of submissions to Amendment C346 and the recommendations contained in the Panel's report, a number of changes have been made to the adopted 2015 Structure Plan as outlined in this report and Appendix 5.

It is therefore necessary for Council to adopt a new Structure Plan which will be named Ocean Grove Structure Plan 2015 (amended September 2016). A copy of the proposed amended Structure Plan has been placed on Council's website www.geelongaustralia.com.au/amendments (under the C346 webpage). The revised Structure Plan Map is in Appendix 6.

Amendment Recommended for adoption

Appendix 7 is the updated Amendment C346 documentation being recommended for adoption resulting from consideration of submissions and recommendations contained in the Panel's report.

In very brief summary, changes have been made to the exhibited Clause 21.14, the Ocean Grove Structure Plan map at Clause 21.14-7 and Schedule 39 to the Design and Development Overlay, all as described in Appendix 5 of this report. In addition a revised Clause 21.06 has been introduced into the amendment as recommended by the Panel but with different wording to that recommended. The changes made to the exhibited documents are shown in the track-changes format in Appendix 7.

Environmental Implications

Environmental implications where considered as part of the Structure Plan review. Key environmental features within and around the town have been reviewed and considered in terms of future land use and development and associated impacts. Further investigation work is also supported by the Structure Plan including assessing vegetation in older parts of the town that contribute to the overall landscape and neighbourhood character. The current growth direction of the town focuses on the north-east growth area. The 1993 and 2007 Structure Plans directed growth away from the environmentally sensitive areas such as the coastline, Barwon Estuary and Lake Victoria environs, also the Ocean Grove Nature Reserve. The new Structure Plan continues to support this key land use direction.

The Town Centre UDF project does not have direct environmental impacts. It encourages pedestrian connectivity to the centre and higher density sustainable built form for new development.

Financial Implications

Adoption and approval of Amendment C346 will have no significant financial implications for Council. Implementation of the UDF projects will be subject to future Council budget consideration as described in the 24 June 2014 Council Report.

Policy/Legal/Statutory Implications

Amendment C346 has been prepared having regard to existing relevant State, regional and local planning policies as described in some detail in the Explanatory Report accompanying the exhibited amendment.

The existing Clause 21.14 of the Planning Scheme acknowledges the need for additional planning work to be undertaken for the town centre in the form of an UDF.

The Independent Panel has considered in detail all relevant aspects of State, regional and local planning policies in providing its recommendations to Council. .

Alignment to City Plan

Both the Structure Plan and the UDF, the subject of Amendment C346, align with the directions of the Sustainable, Built and Natural Environment and Growing our Economy strategic directions in City Plan.

Officer Direct or Indirect Interest

No Council officers involved in the preparation of this Amendment, the development of the new Structure Plan and UDF and the preparation of this report have any direct or indirect interest, in accordance with Section 80 (c) of the Local Government Act, to which this report relates.

Risk Assessment

There are no risks associated with processing a Planning Scheme Amendment as recommended by this report.

Social Considerations

A whole range of social considerations have been taken into account in the preparation of the Structure Plan including community needs for housing, employment and provision of a range of commercial and community services.

The UDF includes proposals that will deliver significant long term social benefits to the Ocean Grove community. These include better use of existing commercial land, increased diversity of housing types, improved streetscapes, better pedestrian connections between the town's key assets – the beach, the Town Centre and the park, slower traffic speeds and better pedestrian safety and amenity throughout the Town Centre. The UDF will create a new town square to become a focus for social interaction within the Terrace.

Human Rights Charter

The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Both the Structure Plan and UDF have been subject to extensive community consultation as part of their preparation.

Consultation and Communication

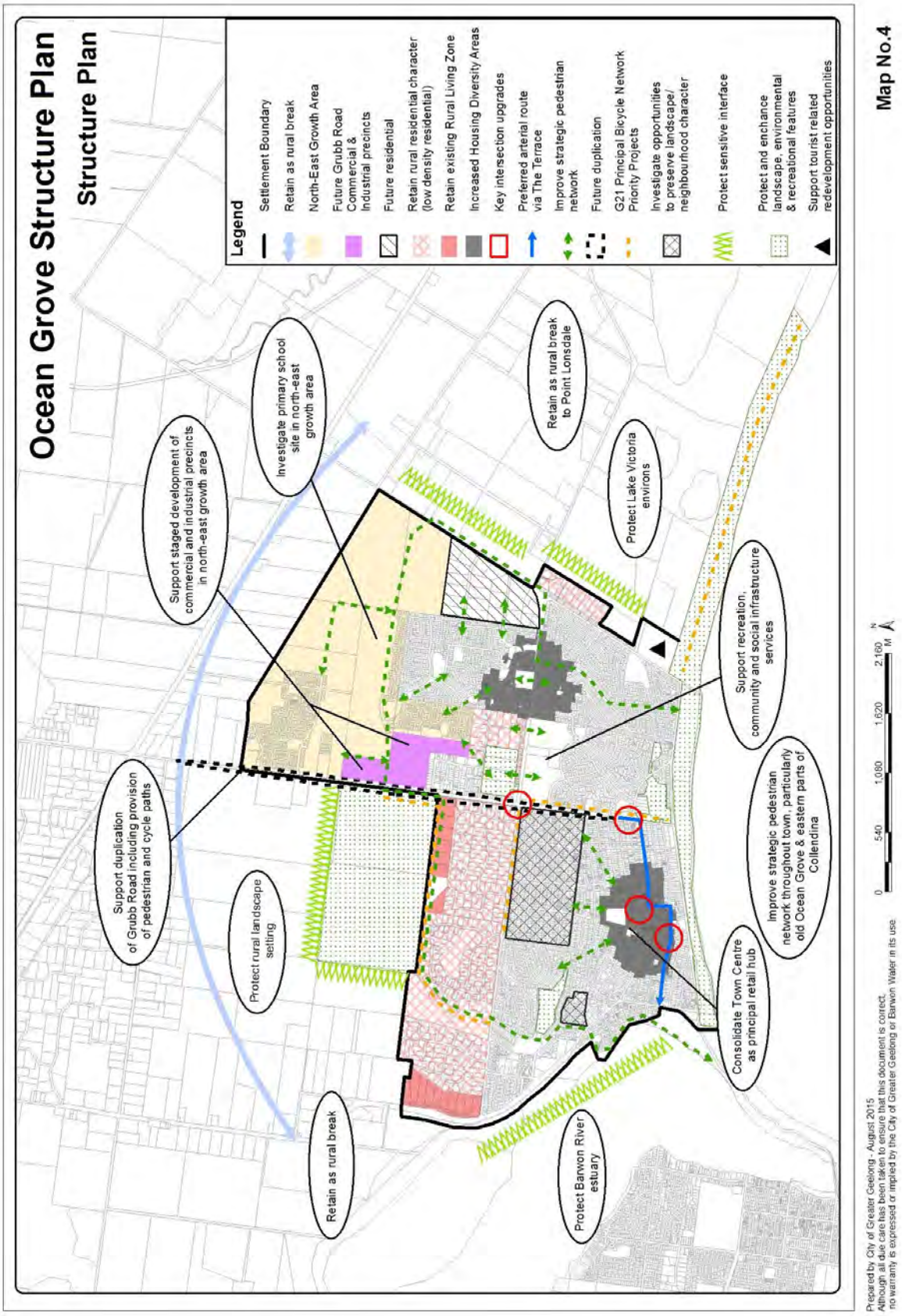
Amendment C346 has been exhibited in accordance with the provisions of the Planning and Environment Act and all persons who lodged a submission had an opportunity to be heard before an Independent Panel appointed by the Minister for Planning. This report has also outlined the extensive informal consultation processes undertaken in the preparation of both the Structure Plan and the UDF.

Appendix 1- Existing 2007 Structure Plan Map (Clause 21.14 of the Scheme)



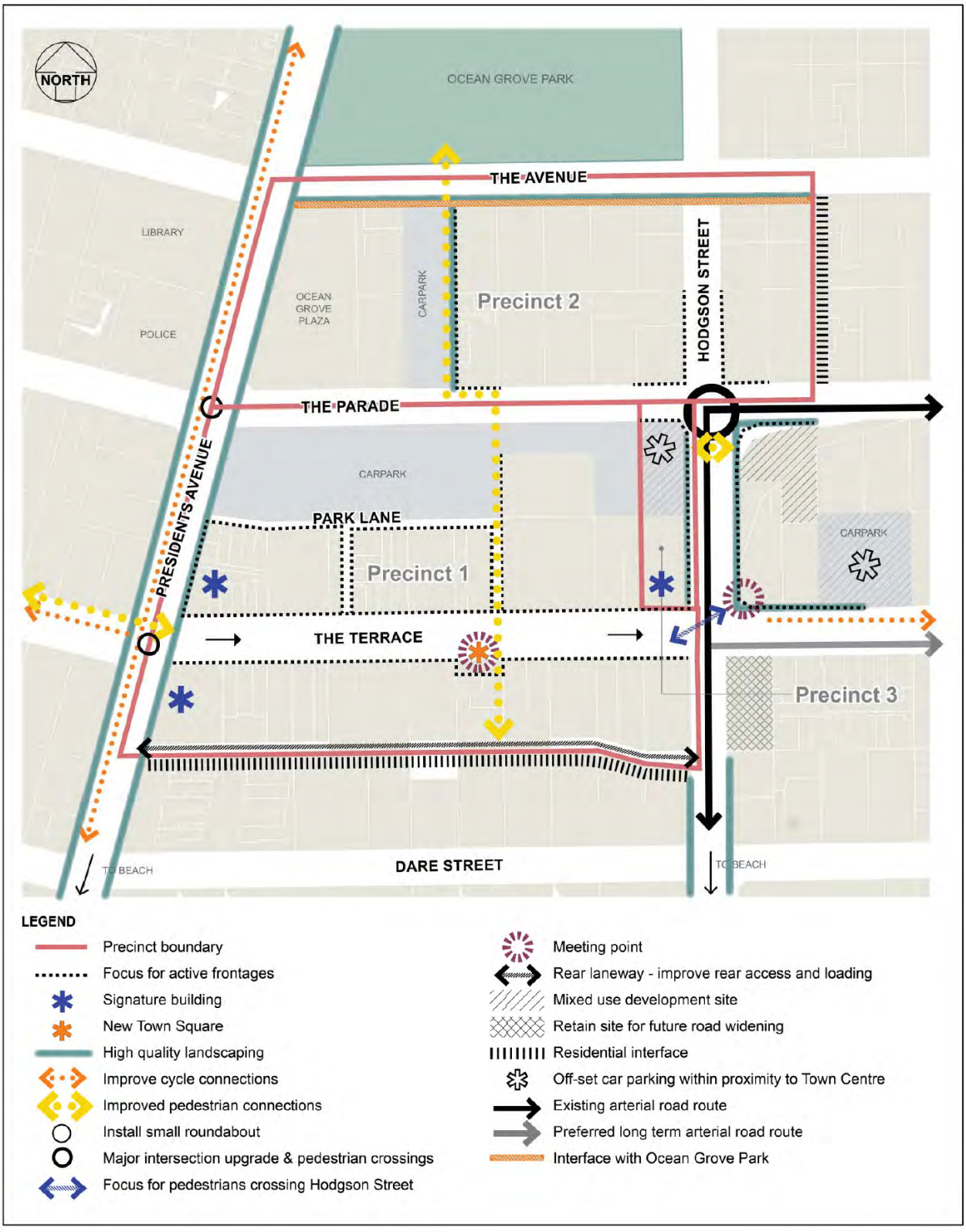
Appendix 2- New 2015 Structure Plan Map

(version exhibited as part of C346)



Appendix 3 – Exhibited UDF Plan

Map 1: Framework Plan



Appendix 4 – C346 Panel Report Executive Summary

Executive Summary

Summary

Amendment C346 proposes to implement the revised *Ocean Grove Structure Plan* (the 2015 Structure Plan) and the *Ocean Grove Town Centre Urban Design Framework* (the Urban Design Framework) through changes to Clause 21.14 and the application of Design and Development Overlays (DDOs) to the town centre and the new Grubb Road activity centre.

Exhibition of the Amendment resulted in 43 submissions.

The strong focus on potential residential growth areas in submissions and at the Hearing suggests that much of the 2015 Structure Plan and the Urban Design Framework enjoys broad acceptance. As a result, this report also focuses on the appropriate settlement boundary to accommodate projected growth in Ocean Grove and, in particular, whether potential long term growth opportunities should be protected.

The 2015 Structure Plan

The major issue raised in submissions result from the proposed removal from the Structure Plan map of the *"Long-term boundary beyond 2020"* on the east and west sides of Grubb Road and exclusion of land to the east of Banks Road from the settlement boundary. The significant associated shift in policy reflected in changes to the annotations on the Structure Plan map showing *'protect rural landscape setting'* replacing *'protect long term growth option'* was also contentious.

An enduring settlement boundary that provides, or at least preserves options, for long term growth is important to provide certainty for public and private investment decisions, particularly for a town which designated for growth, such as Ocean Grove.

The 2015 Structure Plan was underpinned by forecasts that understated likely land requirements and this informed the view that there was no need to assess options to provide for growth beyond the 2007 Structure Plan 2020 settlement boundary.

As the necessary strategic justification to reduce the growth ambitions, limit the planning horizon, and preclude evaluation of long term development options in Ocean Grove has not been provided, the Panel supports recognition in the planning scheme of the need to review the relative merits of potential growth areas. This assessment should integrate the range of planning policy and applicable constraints.

While the analysis of land requirements confirms there is no urgent need to rezone land or advance additional growth options, the review should occur in the short to medium term and should not rule in or rule out options to the north, north-west or east of the current settlement boundary.

As the Panel has been conscious not to pre-empt the review, it has not made recommendations relating to specific areas inside the long term boundary or requests for extension of the settlement boundary to the north of the existing north-east growth area. However, the Panel has set out the nature of submissions made to it and, as illustrated by

the strategic precincts in planning evidence from Mr Milner, it is apparent there is substantial variation in the development potential of areas to be assessed.

The Urban Design Framework

The Panel finds that the Urban Design Framework provided a sound basis for the built form provisions of the Amendment. A design feasibility will be required to ensure the planned laneway is functional and parking implications are addressed.

Views to the coast are highly valued and the Panel endorses Council plans to reinforce the importance of view sharing between properties as part of the review of Schedule 7 to the Significant Landscape Overlay (SLO). An additional design and built form guideline could also be included in the schedule to DDO40.

In view of the absence of support from VicRoads, the Panel considers the alternative arterial route along The Terrace should be identified as a potential, rather than the preferred, long term arterial route.

Other matters

The Panel consideration of various other matters raised in submissions concluded that:

- a revised DDO39 should be retained to guide the future development of the Grubb Road activity centre
- the planned duplication of Grubb Road should be informed by consultation with all stakeholders and an urban design or landscape study
- the protection of neighbourhood character in the area north of Asbury Street West is within the scope of work being undertaken by Council that is well advanced
- the reference to the potential school site co-located with the Grubb Road activity centre in the 2015 Structure Plan should be maintained but this does not preclude the investigation of other possible school locations
- Council's approach to address submissions relating to pedestrian and cycle network improvements through its Principal Pedestrian Network project is appropriate
- the informal consultation preceding the Amendment provided opportunities for the community and stakeholders to input to the review of the 2007 Structure Plan and the Panel has not identified any issues with the exhibition of the Amendment.

Consolidated panel recommendations

Based on the reasons set out in this Report, the Panel recommends:

Greater Geelong Planning Scheme Amendment C346 be adopted as exhibited subject to the following changes:

1. **Preserve the potential of land to the north, north-west and east of Ocean Grove for urban development in the long term and include a commitment in the planning scheme to establish an enduring settlement boundary for Ocean Grove by changing clause 21.06 and 21.14 as follows:**
   a) **At clause 21.06-6 Further Work add:**
      - **Assess the potential of rural land to the north, north-west and east of Ocean Grove for future urban development to determine the location of an enduring settlement boundary around Ocean Grove.**

b) At clause 21.14-2 under Ocean Grove add:
- Avoid development of rural land to the north, north-west and east of Ocean Grove (identified on the Ocean Structure Plan in this clause) that would compromise development for urban purposes in the future.

c) At clause 21.14 Further Work add:
- Review the Ocean Grove Structure Plan at least every 5 years.
- Assess long term growth options (both infill and settlement expansion) for Ocean Grove by no later than 2020. The assessment should include consideration of:
  - the role of Ocean Grove as a district town
  - other planned growth on the Bellarine Peninsula
  - development trends, lot supply and housing capacity within the settlement boundary
  - the desirability of providing a diversity of living options
  - physical and environmental constraints, including the importance of protecting the biodiversity values of the Reserve and maintaining a rural break between settlements
  - the protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road
  - the implications for significant agricultural uses and their employment generating potential
  - whether any adjustments to the settlement boundary are required.

d) At Clause 21.14 on the Ocean Grove Structure Plan:
- identify the need for a rural break and interface treatment along the Bellarine Highway
- indicate in relation to areas to the north, north-west and east of Ocean Grove *'Protect long term growth potential'*
- reinstate the current settlement boundary to the east of Banks Road, move the annotation *'protect sensitive interface'* to land at the interface with the reinstated settlement boundary and maintain the existing annotation *'further investigation site'.*

2. Update the 2015 Structure Plan reference document to ensure consistency with changes recommended by the Panel.

3. Reinforce the importance of view sharing between properties by:
   a) Considering extension of Significant Landscape Overlay Schedule 7 to include the properties on the south side of The Terrace via proposed Amendment C300; or
   b) Adding a design and built form guideline to Design and Development Overlay Schedule 40 to address the issue of view sharing.

4. Change the annotation on Map 1 of Design and Development Overlay Schedule 40 from *'preferred long term arterial road route'* to *'potential long term arterial route'*.

5. **Adopt the revised changes to Design and Development Overlay Schedule 39 as agreed by Lascorp and Council (Hearing document 14), subject to the following:**
   a) **Under Built Form and Scale section replace:**
      - **dot point five to read 'Provide articulation to larger built forms to break up continuous frontages and visual bulk'**
      - **dot point ten to read 'Built form should provide an articulated and attractive presentation towards Grubb Road avoiding blank facades and back of house uses'**
   b) **Under Vehicle Access and Movement:**
      - **dot point one - replace the word *'multiple'* with *'restricted'*.**

Appendix 5 – Council officer response to Panel Recommendations

The Panel has recommended that Amendment C346 be adopted as exhibited subject to changes which are detailed in 5 separate points which will be individually addressed.

Long Term Boundary issue

The Panel recommends that the following changes be made to the exhibited amendment:-

1. Preserve the potential of the land to the north, north-west and east of Ocean Grove for urban development in the long term and include a commitment in the planning scheme to establish an enduring settlement boundary for Ocean Grove by changing clause 21.06 and 21.14 as follows:

a) At clause 21.06-6 Further Work add:

- **Assess the potential of rural land to the north, north-west and east of Ocean Grove for future urban development to determine the location of an enduring settlement boundary around Ocean Grove.**

b) At clause 21.14-2 under Ocean Grove add:

- **Avoid development of rural land to the north, north-west and east of Ocean Grove (identified on the Ocean Grove Structure Plan in this clause) that would compromise development for urban purposes in the future.**

c) At clause 21.14 Further Work add:

- **Review the Ocean Grove Structure Plan at least every 5 years.**
- **Assess long term growth options (both infill and settlement expansion) for Ocean Grove by no later than 2020. The assessment should include consideration of:**
  - **The role of Ocean Grove Structure as a district town.**
  - **Other planned growth on the Bellarine Peninsula.**
  - **Development trends, lot supply and housing capacity within the settlement boundary.**
  - **The desirability of providing a diversity of living options.**
  - **Physical and environmental constraints, including the importance of protecting the biodiversity values of the Reserve and maintaining a rural break between settlements.**
  - **The desirability of providing a diversity of living options.**
  - **Physical and environmental constraints, including the importance of protecting the biodiversity values of the Reserve and maintaining a rural break between settlements.**
  - **The protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road.**
  - **The implications for significant agricultural uses and their employment generating potential.**
  - **Whether any adjustments to the settlement boundary are required.**

Officer Response:

Council officers support the overall thrust of the Panel's recommendations on the long term boundary and future growth of Ocean Grove.

This is consistent with Council's submission to the Panel where officers agreed to undertake further detailed strategic assessment of the areas to the north, north-west and east of Ocean Grove as possible future growth options so that an enduring settlement boundary can be established.

Council officers don't support recommendations 1 a) and b) or the first dot point of c) in the form proposed by the Panel. Council officers believe the assessment of growth for Ocean Grove needs to be undertaken within the framework of an overall municipal-wide settlement strategy as described in the Council Report.

In Clause 21.06-6 Further work, rather than make reference to potential growth areas at Ocean Grove, it is proposed to refer to the preparation of a new municipal-wide settlement strategy. It is more appropriate to refer to the specific potential Ocean Grove growth areas in Clause 21.14 (as proposed by the Panel).

In Clause 21-14-2 the Panel recommended dot point b) referring to "Avoid development…" is not supported because it may well apply an unnecessary freeze on development of these areas for some years pending completion of Council's planning work. Inclusion of reference to the need to assess these specific areas is more appropriately located in Clause 21.14 under the "Further Work" heading.

The Panel's recommendation of a time commitment for Council to undertake a review of Ocean Grove's long term growth options (both infill and settlement expansion) is supported. Rather than 2020 as recommended by the Panel, 2021 provides a more manageable timeframe particularly in light of the need to prepare a municipal settlement strategy beforehand. There is more than ample existing zoned residential land to ensure no interruption to residential lot supply requirements by extending the date to 2021.

All of the Panel's other recommended wording changes to Clause 21.14 are supported.

See Appendix 6 for a revised Structure Plan Map and Appendix 7 for a complete set of changes to Clause 21.14 with changes proposed in response to the Panel Recommendations highlighted in yellow.

The Panel has recommended 3 changes to the exhibited Ocean Grove Structure Plan map, as follows:

d) At Clause 21.14 on the Ocean Grove Structure Plan:

- **Identify the need for a rural break and interface treatment along the Bellarine Highway.**
- **Indicate in relation to areas to the north, north-west and east of Ocean Grove 'Protect long term growth potential'.**
- **Reinstate the current settlement boundary to the east of Banks Road, move the annotation 'protect sensitive interface' to land at the interface with the reinstated settlement boundary and maintain the existing annotation 'further investigation site'.**

Officer Response:

The first two dot point recommendations are not supported. The exhibited map already contains a graphic with the wording "Retain as rural break" applying to all of the area stretching from Wallington Road to Banks Road to the north and north west of the town. This does not need to be changed; any reference to Bellarine

Peninsula interface implies the prospect of urban expansion which is an issue to be addressed in the next Structure Plan review.

Inclusion of the wording "Protect long-term growth potential" on the map is considered unnecessary because the commitment to review these areas will be contained in the revised Clause 21.14 as indicated above. Bubble diagrams or arrows on maps pointing to general areas creates confusion and can raise unintended expectations among landowners (as demonstrated by such designations on the 2007 Structure Plan map).

The other change to the Structure Plan map relating to the boundary at Banks Rd and referred to in the third dot point above is supported.

Ocean Grove Structure Plan 2015 document.

The Panel has recommended changes be made to the 2015 Structure Plan document as follows:

2. Update the 2015 Structure Plan reference document to ensure consistency with changes recommended by the Panel.

Officer Response:

This recommendation is supported.

It is important to ensure that the Structure Plan document, as a reference document in the Planning Scheme, is consistent with the proposed changes to the text of Clause 21.14 as outlined above.

It also became apparent and acknowledged by Council during the course of the panel hearing that the forecasts of future land requirements for residential development in the Structure Plan were too conservative. These figures in the Structure Plan have been updated in accordance with the evidence presented by Council at the Panel hearing.

Since adoption of the 2015 Structure Plan considerable progress has been made and agreements reached with the owners and developers of the new Grubb Road Neighbourhood Activity Centre (NAC) regarding urban design objectives and overall site layout in accordance with the Grubb Road Activity Centre Framework Plan 2015. The Structure Plan document needs to be updated to also reflect these changes. Council officers indicated to the developer (Lascorp) prior to the panel hearing that these changes would be made.

Ocean Grove Town Centre Urban Design Framework (UDF)

The Panel has made the following recommendations referring to the UDF and the proposed DDO40 which is intended to give effect to the recommendations of the UDF

3. Reinforce the importance of view sharing between properties by:

a) Considering extension of Significant Landscape Overlay Schedule 7 to include the properties on the south side of The Terrace via proposed Amendment C300; or

b) Adding a design and built form guideline to Design and Development Overlay Schedule 40 to address the issue of view sharing.

Officer Response;

Council officers do not support these recommendations.

The proposed urban design guidelines and building height provisions in DDO40 were widely canvassed and accepted by property owners and the wider community during the preparation of the UDF. This has been reflected in the fact that only one submission was received about the proposed maximum 13.5 metres height level and the only submitter to the hearing regarding the UDF expressed concern about view sharing arrangements within the town centre and adjoining Residential Growth Zone.

Part 3 of the Panel report (pages 45 – 48) addresses the UDF. In summary, the Panel has found "that the heights proposed by the Urban Design Framework are well founded" and that "the proposed planning framework should reinforce the importance of view sharing between properties".

The concerns raised by the submitter about view sharing arrangements in the adjoining Dare Street RGZ are already addressed by the current application of SLO7 to the Dare St properties and the proposed retention of view sharing objectives through the application of DDO14 as part of the Ocean Grove Significant Tree Study currently underway. It is expected an Amendment to give effect to this change will be exhibited in late 2016.

Application of SLO7 to the commercially zoned areas along The Terrace is not supported because:

- This overlay is essentially directed at protecting landscape character and vegetation and providing a balance between built form and vegetation within a residential (rather than commercial) environment. The low site coverage and landscape requirements are completely inappropriate in the town centre and conflict with the design guidelines in DDO40; and
- The Terrace occupies the hill-top or ridge-line and any development within the town centre will not result in any substantial lots of views i.e. all properties will always retain their predominant existing ocean views to the south west, south and south east.

The Panel's alternative options to reinforce view-sharing arrangements to apply to the town centre are not supported and no change to the exhibited DDO40 is proposed.

Alternative arterial road

The Panel has made the following recommendation regarding designating The Terrace as the long-term arterial route through the town.

4. Change the annotation on Map 1 of Design and Development Overlay Schedule 40 from '*preferred long term arterial route*' to '*potential long term arterial route*'.

Officer Response:

Council officers accept this recommendation.

This issue has been addressed on page 17 of the Delegated Authority Report dated 22 March 2016 and the Panel report on pages 47 – 48. No submitters appeared before the Panel about this issue.

The prospect of changing the arterial road from The Parade to The Terrace has been raised in both the 1993 and 2007 Structure Plans.

No objection is seen to the slight change in emphasis from the use of the word "preferred" to "potential" in the map forming part of DDO40. The Structure Plan Map and wording in Clause 21.14 should be similarly modified for the sake of consistency.

Design and Development Overlay 39 – Grubb Road NAC

The Panel has made the following recommendations regarding the proposed DDO39 to apply to the new Grubb Road Neighbourhood Activity Centre & adjoining Commercial 2 zone:

5. Adopt the revised changes to Design and Development Overlay Schedule 39 as agreed by Lascorp and Council (Hearing document 14), subject to the following:

a) Under Built Form and Scale section replace:

- **dot point five to read 'Provide articulation to larger built forms to break up continuous frontages and visual bulk'**
- **dot point ten to read 'Built form should provide an articulated and attractive presentation towards Grubb Road avoiding blank facades and back of house uses'**

b) Under Vehicle Access and Movement:

- **dot point one - replace the word 'multiple' with 'restricted'.**

Officer Response:

Council officers accept these recommendations.

This issue has been addressed on page 15 of the Delegated Authority report and pages 49 – 51 of the Panel report.

Prior to the hearing, the Council and Lascorp (shopping centre developer) reached agreement on the provisions of a revised DDO39 and Lascorp withdrew their request to be heard by the Panel. Shell Road Developments were also satisfied with the changes.

The Panel agreed that the DDO39 should be retained to provide urban design guidance for further stages of the shopping centre and adjoining C2 zone.

The Panel's recommended changes in point a) above have the effect of strengthening the urban design principles applying to future development applications and are supported. Recommendation b) above is a VicRoads' requirement and also supported.

Other issues

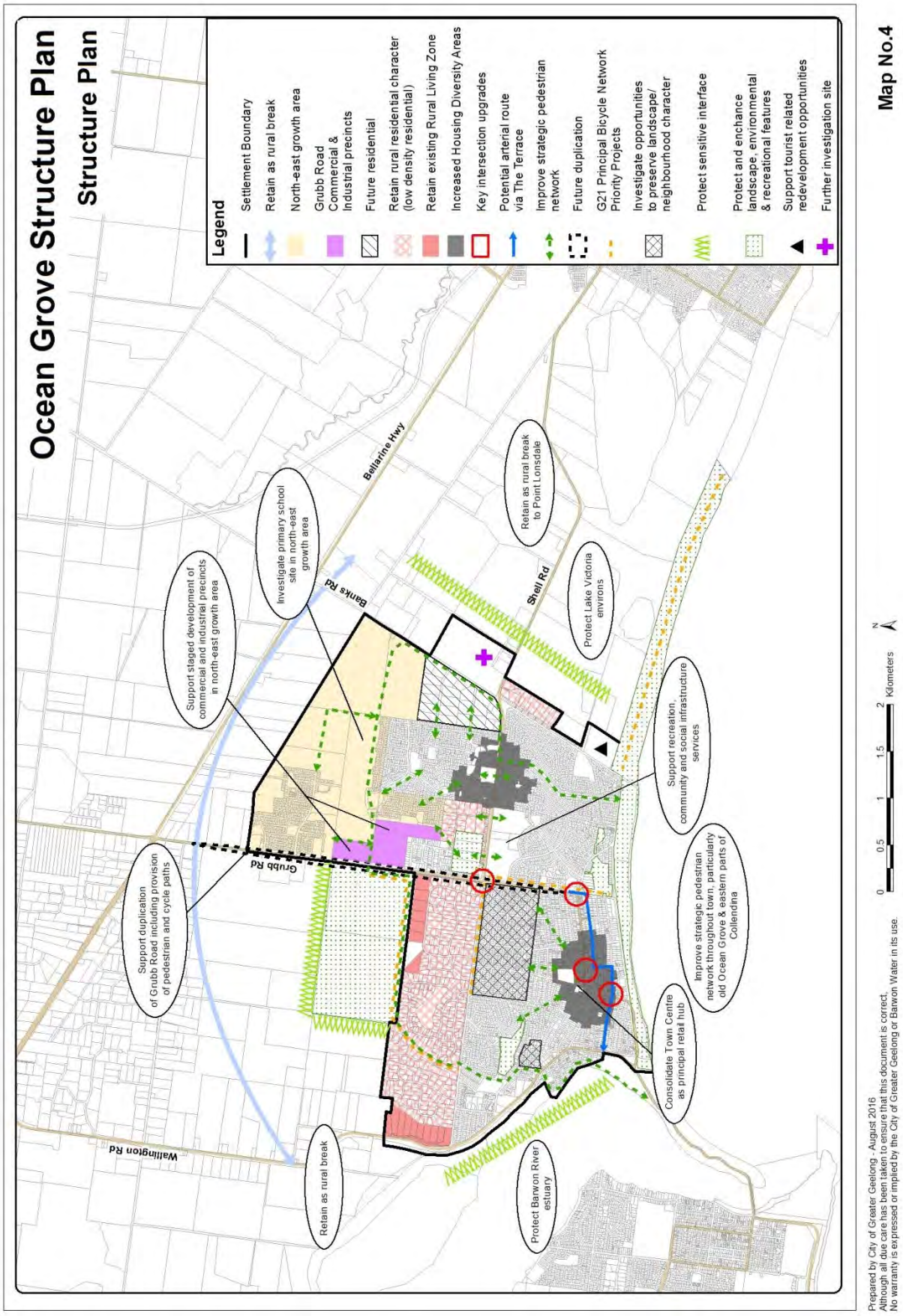
The Panel Report has, as required, addressed issues raised in other submissions referred to the Panel but where submitters chose not to appear before the Panel. These issues include:

- Grubb Road duplication
- Location of a new school
- Footpath and pedestrian movements
- Structure Plan consultation process
- Protection of neighbourhood character north of Asbury Street West.
- Soccer facilities

These issues are dealt with on pages 17 - 19 of the Delegated Authority report and pages 51 - 57 of the Panel report.

In summary the Panel has been satisfied with Council's response to the issues raised and has not as a result recommended any changes be made to the exhibited Amendment C346 documentation.

Appendix 6 – Revised Structure Plan Map



Appendix 7 – Amendment for Adoption

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C346

INSTRUCTION SHEET

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

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos.81DDO and 82DDO in the manner shown on the 3 attached maps marked "Greater Geelong Planning Scheme, Amendment C346".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.

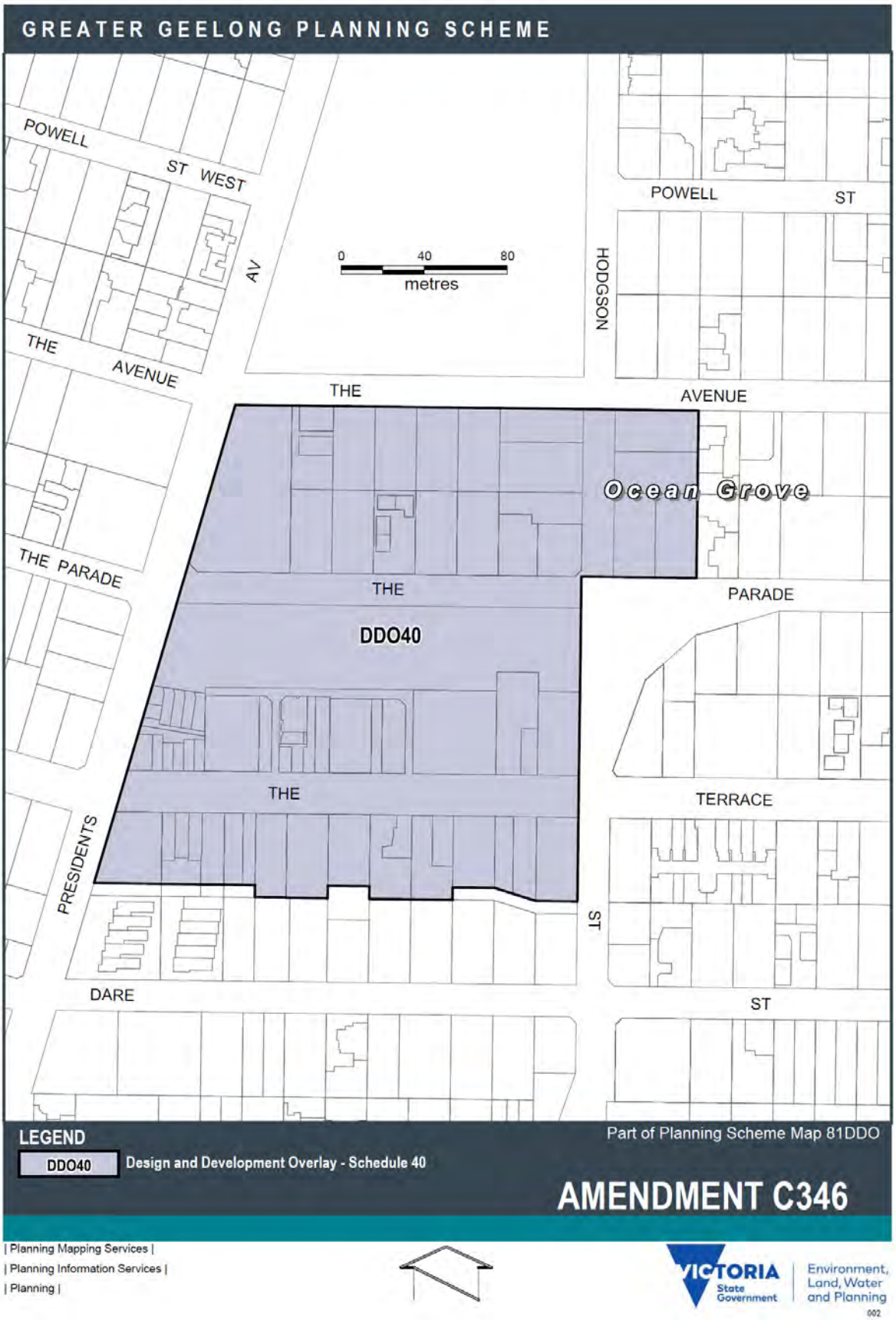
3. In Local Planning Policy Framework – replace Clause 21.14 with a new Clause 21.14 in the form of the attached document.

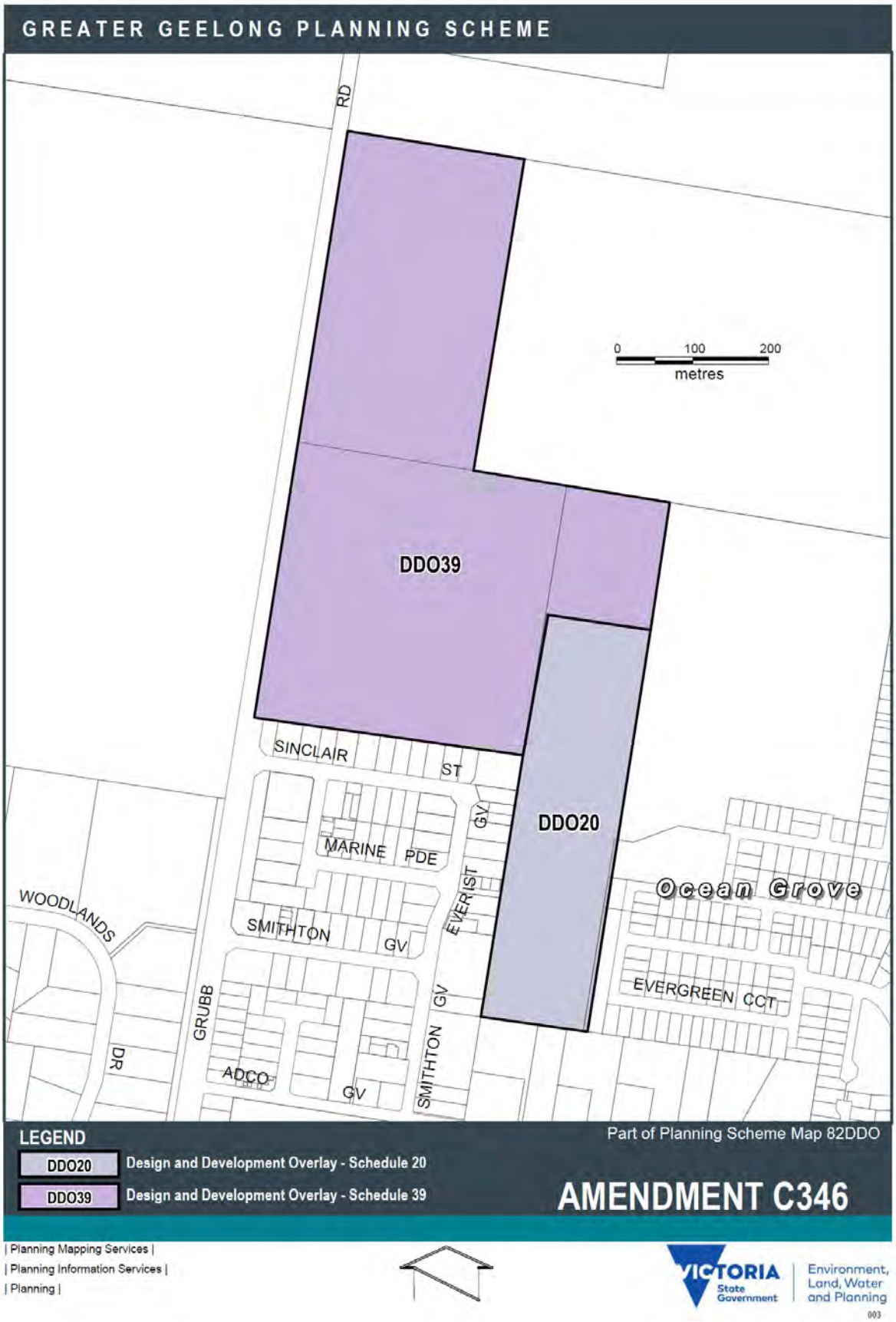
4. In Overlays – Clause 43.02, insert new Schedules 39 and 40 in the form of the attached documents.

5. In Overlays – Clause 43.02, delete Schedules 16 and 27.

End of document


GREATER GEELONG PLANNING SCHEME
POWELL ST WEST
AV
THE AVENUE
THE PARADE
0 40 80
metres
POWELL ST
HODGSON
THE AVENUE
D-DDO16
D-DDO27
THE
PARADE
Ocean Grove
THE
TERRACE
PRESIDENTS
DARE
ST
ST
LEGEND
D-DDO
Area to be deleted from a Design and Development Overlay
Part of Planning Scheme Map 81DDO
AMENDMENT C346
| Planning Mapping Services |
| Planning Information Services |
| Planning |
VICTORIA State Government
Environment, Land, Water and Planning
001


GREATER GEELONG PLANNING SCHEME
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Design and Development Overlay - Schedule 40
Part of Planning Scheme Map 81DDO
AMENDMENT C346
| Planning Mapping Services |
| Planning Information Services |
| Planning |
VICTORIA State Government
Environment, Land, Water and Planning
002


GREATER GEELONG PLANNING SCHEME
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DDO20
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MARINE
PDE
EVERIST
WOODLANDS
SMITHTON
GV
Ocean Grove
EVERGREEN CCT
GRUBB
DR
ADCO
GV
SMITHTON
GV
LEGEND
Part of Planning Scheme Map 82DDO
DDO20
Design and Development Overlay - Schedule 20
DDO39
Design and Development Overlay - Schedule 39
AMENDMENT C346
| Planning Mapping Services |
| Planning Information Services |
| Planning |
VICTORIA
State Government
Environment, Land, Water and Planning
003

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Proposed C346

SCHEDULE 39 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO39**

GRUBB ROAD ACTIVITY CENTRE AND RESTRICTED RETAIL PRECINCT

This overlay applies to land in the Commercial 1 and Commercial 2 Zones on Grubb Road within the north-east growth area.

1.0 Design objectives

--/--/----
Proposed C346

To achieve a high quality, innovative and contemporary urban design outcome for ~~the Main Street~~Coastal Boulevard, Cheviot Terrace and Grubb Road.

To encourage development that creates a high level of amenity to residents, workers and visitors.

To provide a safe and accessible pedestrian environment.

To encourage development to provide an appropriate interface to adjoining land uses.

To ensure that the subdivision design maximises and enhances the development potential of land.

To encourage development to incorporate best practice environmental sustainable design.

2.0 Buildings and works

--/--/----
Proposed C346

All buildings and works should satisfy the following design principles:

Built form and scale

- Ensure that built form responds to key pedestrian routes along ~~the Main Street~~Coastal Boulevard and Cheviot Terrace.
- Encourage built form that maximises safety and utilises Crime Prevention Through Environmental Design (CPTED) principles.
- Ensure that built form minimises its impact on the amenity of surrounding sensitive land uses to the north and east.
- Built form should be configured to limit overshadowing of the public realm.
- Provide articulation to larger built forms ~~and a variation of ground floor setbacks~~ to break up continuous frontages and visual bulk.
- Wrap smaller built form around bulky built form anchors.
- Provide a design response that addresses both frontages where a building is located on a corner.
- Encourage a variety of materials and textures for all prominent facades visible from pedestrian priority areas.
- Provide weather protection for pedestrians in the form of verandas or awnings along ~~the Main Street~~Coastal Boulevard including the local street network, where relevant.
- Built form should ~~not present a blank facade or back of house to~~provide an articulated and attractive presentation towards Grubb Road avoiding blank facades and back of house uses.
- Ensure there are generous breaks between built form adjoining Grubb Road to allow for views from the road through to the activity centre.
- Provide pedestrian-scaled active interfaces on ~~the Main Street~~Coastal Boulevard.
- Provide pedestrian-scaled interfaces on Cheviot Terrace where possible. A variety of frontage configurations and setbacks should be provided.
- Provide regular breaks in any built form along Cheviot Terrace to allow pedestrian permeability and connection with adjoining land uses.

- Loading areas should be carefully designed to avoid impacts to the public realm and sensitive land uses.
- Embed loading areas within the mass of the built form wherever possible and reduce the width of loading areas where they meet the public realm.
- Loading areas should be shared between tenancies, where possible particularly along Cheviot Terrace.

Pedestrian and cycle access and movement

- Promote pedestrian and cycle access to the activity centre via a clear set of priority routes.
- Provide safe and convenient pedestrian access throughout the activity centre and restricted retail precinct.
- Ensure road reserves are scaled and detailed to promote pedestrian and cyclist safety and movement.

Vehicle Access and Movement

- Provide for restricted~~multiple~~ access points along Grubb Road to the activity centre and restricted retail precinct while retaining the primacy of ~~the Main Street~~Coastal Boulevard.
- Minimise the number of vehicle crossing points from ~~the Main Street~~Coastal Boulevard.
- Ensure key junctions are designed to prioritise pedestrian and cycle movements.
- Encourage the convenient location of bus stops linked centrally to the pedestrian network.
- Encourage truck access routes that avoid ~~the Main Street~~Coastal Boulevard and key pedestrian routes.
- Ensure that truck crossovers have a limited frontage to the street network.
- ~~Avoid~~ Minimise access to loading areas along key pedestrian routes, including ~~the Main Street~~Coastal Boulevard.

Car Parking

- Encourage car parking to be located in a small number of consolidated parking areas in the activity centre and restricted retail precinct.
- Locate car parking away from sensitive interfaces.
- Ensure there is an efficient layout of internal access roads and parking aisles.
- Ensure the dimensions of individual car spaces allow for ease of use and movement, particularly in high turnover areas.
- Provide pedestrian footpaths and safe movement routes that respect desire lines through car parks particularly to major anchors.
- Incorporate CPTED for car parks.
- ~~Avoid~~ Minimise dominant car parking areas on ~~the Main Street~~Coastal Boulevard ~~including angle car parking~~ and parking close to the Grubb Road signalised intersection.

Landscaping

- Landscaping should draw upon the surrounding context including the Ocean Grove Nature Reserve.
- Provide high quality landscaping to public realm areas including key pedestrian routes and key entry points using a variety of hard and soft landscaping materials.
- Provide high quality landscaping that responds to the scale and siting of built form along ~~the Main Street~~Coastal Boulevard and Cheviot Terrace.
- Incorporate landscaping in car parking areas including opportunities for canopy trees ~~to provide~~ appropriate for shading.

Sustainability and Water Sensitive Urban Design (WSUD)

- Encourage new development which incorporates environmentally sustainable design measures in the areas of water and energy efficiency.
- Provide a range of WSUD initiatives to limit runoff from roofs, structures and impermeable surfaces.

3.0 Subdivision

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Proposed C346

The subdivision of land should satisfy the following principles:

- Subdivision of land within the activity centre and restricted retail precinct should maximise opportunities to create active street frontages to ~~the Main Street~~Coastal Boulevard and to address Grubb Road in a manner that provides an attractive gateway entrance to the Town.
- Subdivisions should maintain the opportunity for development to reflect the land uses typically provided for in respective land use zones.

4.0 Advertising signs

--/--/----
Proposed C346

The design and siting of advertising sign(s) should satisfy the following design principles:

- Signs should be incorporated into the built form where possible.
- Signs should be of a size and height that is ~~complementary to~~appropriate in the context of the built form of the buildings and surrounding landscape.
- Signs should be limited in number and incorporate limited detail other than is necessary to identify the building name and key tenants; and
- Signs should be consolidated to avoid the visual clutter of signage and displays.

5.0 Decision guidelines

--/--/----
Proposed C346

Before deciding on an application, the responsible authority must have regard to the following:

- Whether the design responds to the requirements of this schedule.
- Whether the design provides for a high quality urban design outcome for ~~the Main Street~~Coastal Boulevard, Cheviot Terrace and Grubb Road.
- Whether the design caters for pedestrian and cyclist connections.
- Whether the location of car parking maximises layout and functionality.
- Whether design creates active frontages to ~~the Main Street~~Coastal Boulevard and key pedestrian routes.
- Whether subdivision in both commercial zones provides an appropriate response to ~~the Main Street~~Coastal Boulevard and maximises development opportunities.
- Whether there is appropriate interface treatment with adjoining zones and land uses.
- Whether the design incorporates environmentally sensitive measures.

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Proposed C346

SCHEDULE 40 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO40.**

OCEAN GROVE TOWN CENTRE

Precinct 1 – The Terrace

Precinct 2 – The Avenue

Precinct 3 – Hodgson Street

Refer to Map 1 for precinct boundaries

1.0 Design objectives

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Proposed C346

- To implement the objectives of the Ocean Grove Town Centre Urban Design Framework (2014).
- To strengthen the role of the Ocean Grove Town Centre as the commercial and civic heart of Ocean Grove.
- To promote contemporary design and built form that demonstrates design excellence, contributes to the relaxed coastal atmosphere and has strong connections with the beach and surf culture.
- To promote the redevelopment of underutilised land and identified Council owned sites in the Town Centre.
- To improve pedestrian and cyclist safety and amenity in the Town Centre.
- To reduce the dominance of car parking and access ways through site layout and landscaping.
- To ensure that the supply of car parking increases commensurate with parking demands from new development.
- To ensure development does not prejudice the use of The Terrace (east of Hodgson Street) as the long term arterial road route.

2.0 Buildings and works

--/--/----
Proposed C346

Permit Requirements

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

A permit is required to construct a fence which abuts a road or public area, including a car park.

Design Guidelines

Design and built form

Development, where relevant should:

- Ensure the height of buildings is consistent with Map 2 of this clause. Where the building height exceeds the preferred maximum building height a specific urban design benefit must be demonstrated.

- Meet the design objectives and requirements for the relevant precinct detailed in Table 1.
- Achieve design excellence by incorporating contemporary building design that complements the coastal character of Ocean Grove.
- Provide a high quality designed signature building on the locations shown on Map 1 that respond to the visual prominence of the sites in the surrounding landscape and mark the gateway to the Town Centre.
- Provide active pedestrian oriented frontages on streets and pedestrian connections shown in Map 1. On other frontages the built form should address the street and make a positive contribution to the activation of the streetscape.
- Avoid blank walls on facades fronting public areas. Where blank walls cannot be avoided, windows or openings should be provided to promote interaction with the street. If windows or openings are not appropriate other design treatments may be considered to break up the surface and provide visual interest.
- Encourage the use of retractable doors to provide interaction with outdoor and indoor dining areas.
- Use a colour palette that reflects the vegetated landscape character of Ocean Grove.
- Use a variety of building materials to provide visual interest and break up the building bulk of upper levels.
- Use lighter looking building material such as timber.
- Avoid the use of exposed brick and masonry cladding that do not contribute to the coastal character.
- Encourage the siting and design of buildings that minimises the impacts on solar access to adjoining balconies and open space areas.
- Encourage the siting of buildings to maximise the opportunity for passive energy efficiency.
- Provide ground floor setbacks and building corner splays in accordance with Map 2.
- Provide upper floor setbacks in accordance with Map 2 that provide articulation and reduce the visual bulk of new developments.
- On upper floors vary the setback of the front wall to create articulation and break up the bulk of the building.
- Encourage the use of balconies and roof top areas to provide passive surveillance of streets, lanes and open space areas.
- Provide balconies that are at least 30 per cent transparent.
- New development should minimise amenity impacts on the surrounding residential area and provide a sensitive transition on sites abutting or adjacent to a Residential Zone.

Access and parking

Car parking and vehicle access should be designed to:

- Provide parking areas at the rear of properties or in a basement car park.
- Provide one crossover per property and encourage the sharing of access ways and car parking areas where possible to maximise pedestrian safety.
- Provide safe, attractive and convenient pedestrian facilities along key desire lines within new car parking areas.
- Provide on-site car parking to meet the demand generated by the development or provide the car parking requirements at an alternative site within close proximity to the Town Centre.
- Ensure that customer and visitor parking is visible and accessible for users.
- Provide water sensitive urban design treatments for stormwater in new or upgraded car parking areas.
- Discourage the use of pedestrian fences. If necessary use landscaping to discourage mid-block crossing.

Landscaping

New development should:

- Provide landscaping in new developments and car parking areas that enhances the coastal character of Ocean Grove through the use of species suitable for a coastal environment, dense understorey planting and moderate size canopy trees.
- Provide trees with a canopy cover of at least 25% of the parking areas in public and larger private car parks.
- Encourage the incorporation of landscaping into the design of facades, setbacks, balconies and roof top areas.

Exemption from notice and review

An application 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. This exemption does not apply to an application for buildings and works that exceeds the preferred building height or does not comply with the preferred setback requirements outlined in Table 1 and Map 2 to this Schedule.

Application requirements

For development of three storeys and above include a site analysis and urban context report and shadow assessment, which demonstrates how the proposal achieves:

- The design objectives of this schedule and relevant precinct objectives and requirements at Table 1 and Map 2 of this schedule.
- Environmentally sustainable design principles in terms of orientation, day lighting, thermal comfort, energy ratings, as well as the minimisation of energy consumption, waste emissions and water usage.

3.0 Subdivision

--/--/----
Proposed C346

A permit is required to subdivide land.

Exemption from notice and review

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

4.0 Advertising signage

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Proposed C346

Where a permit is required to display an advertising sign, the signage should:

- Be proportionate to the design and scale of the building on which it is displayed and does not impact on the amenity of the Town Centre.
- Encourage the design and colour of signage to respect the coastal vegetated setting.
- Avoid the use of internally illuminated, animated and electronic signage that will distract from the coastal setting.
- Avoid promotional signage fronting Ocean Grove Park that will impact on the amenity of the Park.
- Avoid signage on the back or side walls of buildings, particularly at upper levels where it will be highly visible on entry points to the Town Centre.
- Avoid the use of signage above verandah height unless the signage is incorporated in the building architecture in an innovative way and will enhance the streetscape.
- Encourage the co-location of signage for buildings with multiple tenancies.

5.0 Decision guidelines

--/--/----
Proposed C346

Before deciding on an application the Responsible Authority must consider:

- Whether the development achieves the design objectives and design guidelines of this schedule.
- The need to waiver of car parking requirements to facilitate the reuse or change of use of existing buildings.

Reference Document

Ocean Grove Town Centre Urban Design Framework 2014

Table 1:

Precinct 1 – The Terrace		
Design objectives	**Building design requirements**	**Access and parking requirements**
• To promote development in The Terrace and Park Lane that includes shops on the ground floor and office or residential on upper floors. • To reinforce the low scale, open air repeating shopfronts that are built to the front and side boundaries that characterise the existing street environment. • To ensure new development provides upper floor setbacks to reduce the amenity impacts of new development on properties in Dare Street, the bulk and prominence of development when viewed from the south and the visual dominance of upper floors in The Terrace. • To ensure rear access is provided for new development. • To provide a future town square in The Terrace.	• A building should have a zero front setback at ground level unless civic space is integrated with the footpath. • Buildings should include simple cantilevered verandahs to reflect the prevailing character of verandahs in The Terrace. • At ground floor level facades should provide a high proportion of glazing to promote visibility to stores. • Where large buildings are proposed the traditional pattern of repeating small shop fronts should be provided. • In the rear laneway, balconies at the first floor level must not extend beyond the wall of the ground floor.	• New vehicle access must not be provided from The Terrace. • Existing driveways in The Terrace should be removed when sites are redeveloped. • Loading and unloading should occur in Park Lane or the rear lane way and be avoided on The Terrace.

Precinct 2 – The Avenue		
Design objectives	**Building design requirements**	**Access and parking requirement**
• To create a landscaped pedestrian linkage from The Avenue to The Terrace. • To promote new development that responds to the landscape setting of the Ocean Grove Park. • To promote a mix of office, retail and residential uses within buildings that can adapt over time as demand for retail and commercial floor space grows. • To provide a transition from the commercial areas to the surrounding residential areas. • To maximise the opportunity for shared car parking.	• Space should be provided between buildings for the provision for landscaping. • Built form should address the street, the pedestrian linkage and the Park and provide visual interest and articulation. • Low scale fencing and landscaping in the front and side setbacks should provide a strong connection with the Park. • Built form should allow for ground floor residential uses to be adapted for future office and retail uses. • Provide a combination of	• New parking areas fronting the Park should provide a dense landscaping buffer that enhances the public realm and connection with the park. • Maintain access to the existing car parking on The Avenue and The Parade to disperse traffic. • Access to a consolidated redevelopment of 89 and 91 The Parade should be from Hodgson Street. If necessary access to The Parade should be restricted to left turn in, left turn out.

	glazing and solid materials at ground floor level. • Development adjoining the pedestrian linkage should provide a landscape buffer to the car park that is integrated with the footpath and public realm. • Any buildings or works constructed on a lot that abuts land in the Residential Growth Zone should meet the requirements of Clauses 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.	

Precinct 3 – Hodgson Street		
Design objectives	**Building design requirements**	**Access and parking requirement**
• To improve pedestrian safety and amenity through improvements to the public realm and intersection upgrades. • To maximise opportunities to capture views from upper levels. • To provide a continuation of the retail character of The Terrace around the corner to Hodgson Street.	• The traditional image of repeating shop fronts with awnings should be provided on Hodgson Street. • At ground floor level facades should provide a high proportion of glazing to promote visibility to stores. • Development should establish a high quality design outcome that responds to the precinct as a key gateway to the Town Centre.	• Vehicle access must not be provided from Hodgson Street. • Maximise distance between driveways and arterial road intersections. • Consolidated car parking should be located at the rear of the buildings or underground.

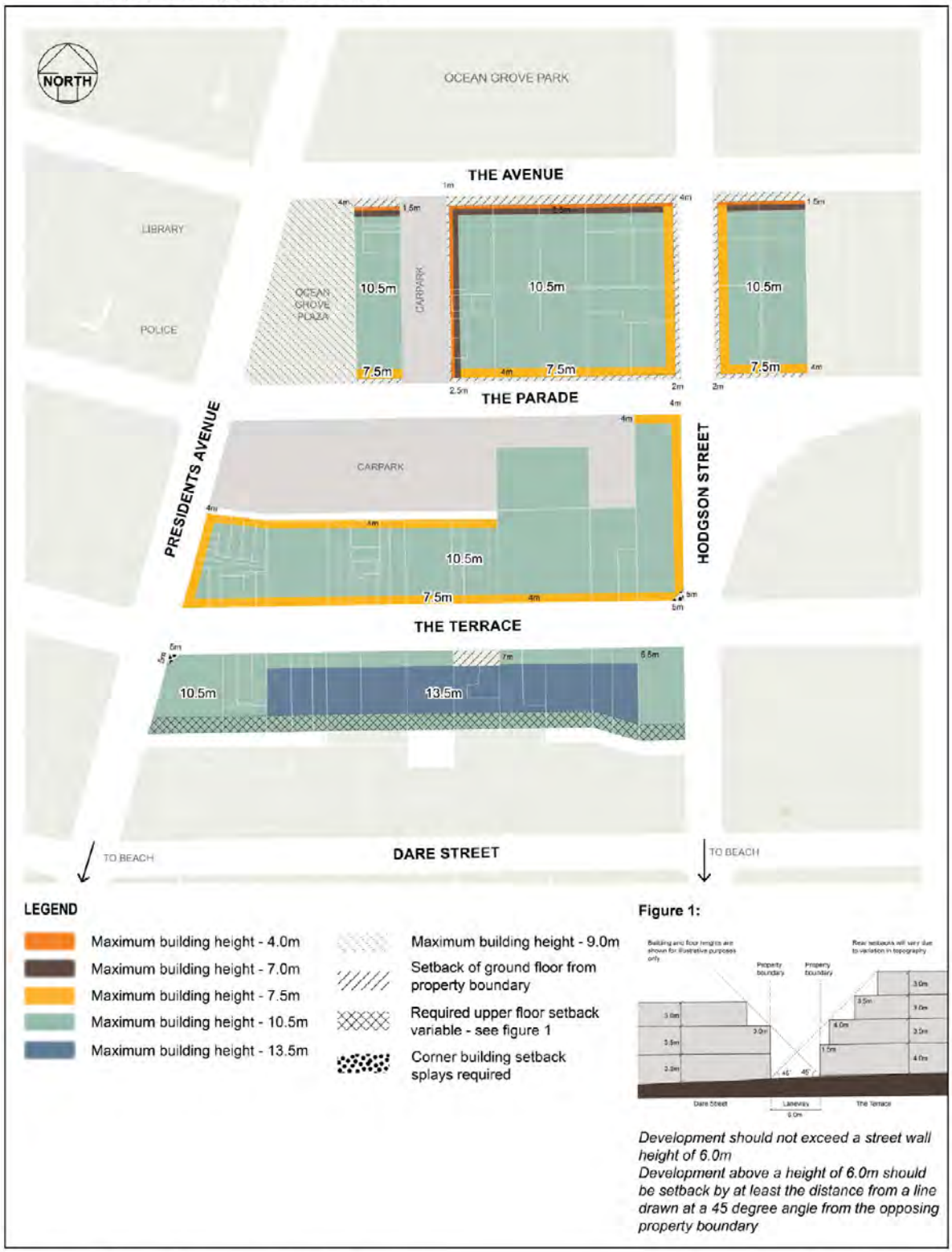
Map 1: Framework Plan



LEGEND

- Precinct boundary
- Focus for active frontages
- Signature building
- New Town Square
- High quality landscaping
- Improve cycle connections
- Improved pedestrian connections
- Install small roundabout
- Major intersection upgrade & pedestrian crossings
- Focus for pedestrians crossing Hodgson Street
- Meeting point
- Rear laneway - improve rear access and loading
- Mixed use development site
- Retain site for future road widening
- Residential interface
- Off-set car parking within proximity to Town Centre
- Existing arterial road route
- Potential long term arterial road route
- Interface with Ocean Grove Park

Map 2: Building height and setback



21.06 SETTLEMENT AND HOUSING

09/06/2016 C334 Proposed C346

13/11/2014 C300

Key issues and influences

Demographics

Between 2006 and 2031, it is estimated that the municipality will need to accommodate an additional 63,000 persons. This level of population growth will generate demand for approximately 41,000 new dwellings.

The region's population is ageing rapidly through the in-migration of retiring persons and the ageing-in-place of existing residents. The municipality is a popular retirement destination, particularly the coastal towns on the Bellarine Peninsula.

Although the population is ageing, it is vitally important that the City continues to provide an environment that attracts and supports children, young people and families.

Housing

The majority of new housing development in the municipality will continue to be in the form of detached dwellings on conventionally sized blocks; however the demand for smaller dwelling types is expected to escalate. This trend will be driven by significant growth in smaller households (primarily singles, childless couples and sole parents), as well as emerging preferences for lower maintenance dwellings that are close to urban services.

The ageing of the population will contribute substantially to the increase in demand for low maintenance dwellings and retirement accommodation. This accommodation will need to be close to urban services.

In order to meet these demands, there is a need to provide for a range of housing typologies including unit, townhouse, attached, multilevel and apartment dwellings.

There is a need to maintain competition and diversity in the housing market.

Settlement

There is an environmental, economic and social imperative to reduce urban sprawl and improve accessibility to urban services, principally by consolidating urban development around places of activity and public transport infrastructure.

New infill development should be directed to well serviced areas and should be of a high design quality and respond to the locality. Outward urban growth needs to be carefully managed and directed to designated locations that offer the greatest net benefit to the Geelong community, can be appropriately serviced and which have the capacity to accommodate sustainable development.

All development should contribute positively to the quality of the urban environment so that it may be enjoyed and respected by the existing and future community.

Whilst rural living areas provide for greater consumer choice in the housing market, they can be inefficient to service and generally contrary to the objective of maintaining a farmed rural landscape in the City's rural areas. There is consequently a need to restrict rural living to specific locations and to ensure that consumers meet their equitable share of the cost of servicing such locations.

The municipality's rural living nodes will continue to rely on established townships and urban Geelong for commercial and community facilities.

Identity

The City of Greater Geelong is within the traditional territory of the Wathaurong Aboriginal clan groups.

Recognition, respect and protection of Greater Geelong's Indigenous and European cultural heritage is of critical importance to the City's identity moving forward.

21.06-2 Urban growth

28/01/2010
C129(Part 1)

Objectives

- To limit urban sprawl by directing urban growth to designated urban growth areas.
- 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.

Strategies

- Direct the majority of new greenfield residential development to the designated primary urban growth areas at Armstrong Creek, Ocean Grove, Drysdale/Clifton Springs, Lara and Leopold.
- Maintain the non-urban break between Geelong and Werribee and, in particular, prevent further expansion of the Little River township boundary.
- Maintain the Geelong Ring Road as the western boundary of urban Geelong.
- Ensure that land use and development does not compromise the capacity or potential future development of areas designated for future urban growth, as shown on the relevant Structure Plan or Urban Growth Plan.
- Require a minimum residential density of 15 dwellings per hectare in all new urban growth areas.
- Ensure development occurs within designated settlement boundaries.
- Where possible use natural boundaries to define the edges of urban areas.
- Provide for infill urban growth in the Fyansford area.
- Prevent further subdivision and medium density housing in Breamlea.
- Limit rural living development to existing zoned land in the existing nodes at Lara, Drysdale/Clifton Springs, Wallington, Lovely Banks and Batesford.
- Ensure new residential neighbourhoods provide a mix of housing suited to the needs of a diverse range of household types.

21.06-3 Urban consolidation

13/11/2014
C300

Objectives

- 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.

Strategies

- 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.
- Encourage medium density housing in the Mixed Use Zone.
- Require retirement accommodation to be located within urban areas, preferably within close proximity to existing or proposed activity centres and public transport facilities.

21.06-4 Neighbourhood character

13/11/2014
C300

Objectives

- 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

- Acknowledge that neighbourhood character in the Increased Housing Diversity Areas will adapt and evolve over time, particularly within and on the edges of activity centres, where land use and development will intensify.
- 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.
- Ensure that development in the transition areas of the Residential Growth Zones is responsive to and respectful of the neighbourhood character in any adjoining residential zones.
- Support the redevelopment of dwellings owned by the Office of Housing, as part of urban renewal initiatives.
- Retain existing vegetation wherever possible, particularly vegetation that contributes to the municipality's tree canopy.
- Avoid gated communities.
- Maintain the character of the Rural Living and Low Density Residential Zoned areas.
- Ensure that dwellings and extensions to dwellings over 7.5 metres have regard to the design objectives and decision guidelines of Schedule 14 to the Design and Development Overlay.

21.06-5 Heritage and identity

28/01/2010
C129(Part 1)

Objectives

- To ensure that urban development enhances Geelong's sense of place and identity.
- To conserve and enhance individual places and areas of pre and post contact cultural heritage significance.

Strategies

- Protect places of Aboriginal cultural heritage significance.

- Retain culturally significant heritage places and areas recognised as being of State, regional, local and contributory significance.
- Ensure that the use and development of a heritage place contributes to its heritage significance and longevity.
- Encourage the design of new development in heritage areas to provide for a contemporary interpretation that relates to the location, bulk, form and materials of existing and/or neighbouring significant buildings

21.06-6 Implementation

09/06/2016 ~~C334~~ Proposed C346

- These strategies will be implemented by:

Using policy and the exercise of discretion

Ensure all advertising signage complies with the City of Greater Geelong Advertising Sign Guidelines.

Use the Increased Housing Diversity Areas Policy at Clause 22.63.

Use the Heritage Policies at Clause 22.

Use the Discretionary Uses in Rural Living and Low Density Residential Areas at Clause 22.04.

Use the Discretionary Uses in Residential Areas at Clause 22.01.

Prevent residential development from occurring outside of the settlement boundaries set out in any Framework Plan, Structure Plan or Urban Growth Plan for an area.

Ensure new development in heritage areas is in accordance with the Incorporated Document City of Greater Geelong Heritage Design Guidelines.

Where appropriate, require the preparation of Conservation Management Plans for heritage places.

Applying zones and overlays

Apply an appropriate zone to identified Key Development Areas.

Further work

Review the residential areas around Central Geelong to determine Residential Growth Zone opportunities.

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

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

Work with the Director of Housing to progress and implement the Norlane Housing Regeneration Development Areas within the Norlane-Corio Urban Renewal Feasibility Study.

Prepare a settlement strategy for the muncipality.

References

City of Greater Geelong Housing Strategy Background and Issues Report, Swinburne University, 2005.

City of Greater Geelong Housing Diversity Strategy, alphaPlan, David Lock Associates and the City of Greater Geelong, 2007.

Pages 5-7 of Clause 21.06 not included in this report

Clause 21.14 for Adoption (Post Panel changes highlighted in yellow)

21.14 THE BELLARINE PENINSULA

25/06/2015
~~C312~~Proposed C346

Key issues and Influences

28/01/2010
C129(Part 1)

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

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

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

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

21.14-2 Objectives

25/06/2015
~~C312~~Proposed C346

- To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.
- To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula. In all other townships on the Bellarine Peninsula provide retail, commercial and community uses and facilities that serve the daily needs of the community and encourage street based activity.
- To provide for sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.
- To preserve the individual character, identity and role of each Bellarine township.

Strategies

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

St Leonards:

- Support a mix of retail, commercial, community and entertainment uses within the town centre.
- Encourage development which respects the coastal landscape setting of St Leonards by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.

- Support the on-going management, enhancement and sensitive development of the foreshore, Salt Lagoon Wildlife Reserve and Edwards Point State Faunal Reserve.
- Protect the scenic qualities of Murradoc Hill and Swan Bay.
- Support the development of a focal building, comprising retail and tourist related activities, at the south west corner of Murradoc and Bluff Roads.
- Support the development of Growth Areas 1 and 2 identified on the Structure Plan map.
- Facilitate development of a community facility including an Early Years Learning Centre, preferably at 1345 Murradoc Road.
- Integrate the town centre and pier-foreshore area.

Portarlington:

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

Indented Head:

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

Ocean Grove:

- Contain urban development within the defined settlement boundary on the Structure Plan map.
- Encourage development which respects the coastal landscape setting of Ocean Grove, by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.

- Support the continued development of the north-east growth area as shown on the Structure Plan map. ~~Direct new greenfield residential development to the designated growth area in the north-east of the township, as shown on the Structure Plan map.~~
- Encourage a range of accommodation and housing options, including aged care within and adjacent to the T~~t~~own C~~c~~entre and other existing and proposed activity centres.
- Ensure development avoids impacts on environmental assets including the c~~C~~oast, Buckley Park Foreshore Reserve, Goandra Estate, Ocean Grove Nature Reserve, Begola Wetlands, Barwon River/Lake Conneware and the Lake Victoria Wetlands.
- Ensure the T~~t~~own C~~c~~entre remains the primary retail centre for Ocean Grove by providing for a range of retail, business and accommodation uses.
- Ensure that the supply of car parking in the Town Centre increases commensurate with parking demands from new development. ~~Support expansion of the town centre, particularly in a northerly direction up to the Avenue.~~
- Preserve The Terrace as the potential~~preferred~~ long-term arterial route through the Town Centre.
- Support the development of a new Neighbourhood Activity Centre, including community, recreation and open space uses, in the north-east growth area ~~on~~ adjacent to Grubb Road~~, to service the future population of the north-east growth area.~~
- Support the ~~continued~~ development of the restricted retail and industrial precincts within the north-east growth area~~, restricted retail and associated businesses on Grubb Road, and support the expansion of this type of development to the east and north, as shown on the Structure Plan map~~.
- Support the development of a strategic footpath network for the town that provides permeable and safe routes to key destinations and services.
- Where appropriate, ensure new development~~s~~ assists in the establishment of a safe bicycle-pedestrian path network around the town connecting the foreshore, river, nature reserve, Grubb, Banks and Bonnyvale Roads as shown on the Structure Plan map.
- Where appropriate, ensure new development contributes to the improvement of open spaces, key pedestrian links and roads ~~as identified on the Structure Plan map~~.
- Provide for a range of appropriately scaled and located tourism accommodation and activities, including opportunities for revitalisation of existing uses.
- ~~-~~Support further development of existing caravan parks and accommodation uses in residential areas, particularly those close to the beach and river, to provide a broader range of accommodation type and mix.
- Where appropriate, e~~E~~ncourage a range of appropriately scaled tourism related activities on the rural periphery of the town which are complementary to the environmental and rural setting.
- Support the duplication of Grubb Road in a manner which preserves significant roadside vegetation, provides an attractive town entry, safe crossing points, pedestrian/cycle paths and undergrounding of powerlines.
- Support the provision of community and social infrastructure commensurate with population growth, including the investigation of a site for a new primary school in the north-east growth area.

Leopold:

- Support Leopold as a Sub Regional Retail Activity Centre for the Bellarine Peninsula, whilst providing local community, recreational and employment facilities to Leopold's residents.
- Ensure the retention of Leopold as an urban island - supporting urban growth contained to the settlement boundary and preserving the surrounding rural hinterland.

- Support the development of the Ash Road Growth Area and other areas identified for residential development on the Structure Plan map.
- Support increased housing densities around the Sub Regional Retail Activity Centre and neighbourhood shopping strips at Ash Road and Dorothy Street.
- Encourage the northerly expansion of the Sub Regional Retail Activity Centre, ensuring any development integrates with the existing centre and surrounding community facilities, and enhances its appearance and functionality.
- Support the local convenience role of the Ash Road and Dorothy Street neighbourhood shopping centres, whilst restricting any future expansion of these centres.
- Support the development of Council's Kensington Road Community Hub to provide a wide range of community, health, education and civic services/facilities.
- Encourage the creation of an additional local mixed use centre on the south east corner of Bellarine Highway and Melaluka Road. Any redevelopment of this site could accommodate restaurants, convenience shops, offices and residential development.
- Provide public open space within existing and proposed residential areas to cater for the passive and active recreation needs of the community.
- Provide an improved transport network which includes better traffic movements, pedestrian and cyclist linkages and public transport options.
- Ensure environmentally sensitive areas including Lake Connewarre and Reedy Lake are protected from localised development pressure.
- Investigate opportunities for public access to Port Phillip Bay.

Barwon Heads:

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

Drysdale/Clifton Springs:

- Contain urban development within the defined settlement boundary on the Structure Plan map.
- Support the development of the Jetty Road Urban Growth Area and other areas identified for residential development on the Structure Plan map.
- Ensure new development incorporates sustainability principles including environmentally sustainable design, energy efficiency, connectivity and water sensitive urban design.
- Reinforce the Drysdale town centre as the primary retail centre including the development of an additional supermarket on the south side of Murradoc Road
- Provide for the expansion of the Drysdale town centre to the east along Murradoc Road.

- Locate future development of a service business or industrial nature in the identified precinct along Murradoc Road extending to the proposed Drysdale Bypass.
- Locate and integrate future education, community and recreation facilities to enhance their accessibility and to maximise joint use wherever possible.
- Develop the Council owned Palmerston Street site and the Drysdale Regional Community and Cultural Hub for community and recreation purposes.
- Ensure any development of short term tourist accommodation at the Curlewis Golf Course is located at the eastern end of the course in close proximity to the Jetty Road Urban Growth Area, functions as a minor component to the primary role of the site as a golf course and maintains the rural landscape character of the site.
- Provide additional bicycle and pedestrian opportunities throughout the townships including new footpaths and bicycle lanes.
- Provide for the creation of consolidated parking areas in the town centre.

Point Lonsdale

- Support low scaled and designed tourism opportunities on designated land identified on the Point Lonsdale Structure Plan map at Clause 21.14-12.
- Ensure new development strengthens the township's coastal village character and landscape setting by requiring a high standard of architectural and urban design response including;
  - Low scale forms
  - Articulation (materials, openings or features such as decks, balconies, wide eaves or canopies).
  - Contemporary design quality.
  - Use of materials such as timber, corrugated iron, weatherboard or light coloured render.
  - Limiting site coverage and provide front and side setbacks that reflect existing neighbourhood patterns and provide opportunities for maintenance and planting of native coastal and indigenous vegetation.
- Ensure that new urban development street works and road designs contribute to the implementation of the identified primary and secondary pedestrian/cycle routes and are designed to complement the informal coastal streetscape character.

21.14-3 Implementation

25/06/2015
~~C312~~Proposed C346

These strategies will be implemented by:

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

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

~~**Ocean Grove**~~

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

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

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

Applying Zones and overlays

Ocean Grove

Apply the Commercial 1 Zone to the surplus park at 94 The Parade.

Apply the Commercial 1 Zone to the surplus road reserve from upgrade of the Hodgson Street/The Parade intersection.

Apply the Design and Development Overlay to the Town Centre to implement the findings of the Ocean Grove Town Centre Urban Design Framework.

Apply the Design and Development Overlay to the Commercial 1 and Commercial 2 Zone precincts in the north-east growth adjacent to Grubb Road.

Apply schedule 20 to the Design and Development Overlay to the Industrial 3 Zone in the north-east growth area.

Apply the Public Acquisition Overlay to The Terrace rear laneway.

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

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

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

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

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

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

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

Leopold

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

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

Drysdale

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

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

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

Point Lonsdale

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

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

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

St Leonards

Apply the General Residential Zone Schedule 1 to Growth Areas 1 and 2.

Apply the Development Plan Overlay to Growth Area 2.

Apply the Development Contributions Plan Overlay (or an equivaelleant agreement with landowners) in conjunction with the rezoning of Growth Areas 1 and 2.

Further work

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

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

Point Lonsdale

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

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

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

Portarlington

Prepare an Urban Design Framework for the Portarlington Town Centre.

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

Ocean Grove

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

Review the application of schedule 7 to the Significant Landscape Overlay~~7~~.

Undertake a review of the older parts of the town as identified on the Structure Plan map to investigate the introduction of new planning overlay controls to protect important landscape and built form attributes.

Work with VicRoads to prepare a network operating plan (SmartRoads) for the town.

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

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

Review the Structure Plan including an assessment of long term growth options (both infill and settlement expansion) for Ocean Grove by no later than 2021. The assessment should include consideration of:

- land to the north, north-west and east of Ocean Grove.
- the role of Ocean Grove as a district town.
- other planned growth on the Bellarine Peninsula.
- development trends, lot supply and housing capacity within the settlement boundary.
- the desirability of providing a diversity of living options.
- physical and environmental constraints, including the importance of protecting the biodiversity values of the Nature Reserve and maintaining a rural break between settlements.
- the protection of landscape values and implications for the character of approaches to Ocean Grove township along the Bellarine Highway, Grubb Road and Wallington Road.~~:~~
- the implications for significant agricultural uses and their employment generating potential.

- whether any adjustments to the settlement boundary are required.

Leopold

Implement the Leopold Activity Centre Urban Design Framework, 2011.

Implement the Memorial Park Masterplan, 2011.

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

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

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

Barwon Heads

Undertake a Landscape Assessment Study for the Ewing Blyth/Golf Links/Bridge Road and the Warrenbeen Court residential areas with the intention to apply an overlay to protect the existing character and vegetation.

Undertake a detailed study of Murtnaghurt Lagoon to establish whether the boundaries of the existing Environment Significant Overlay require review.

Implement the findings of the Barwon Heads Parking & Traffic Study.

Consider the impacts of climate change on the future development of Barwon Heads in accordance with the Climate Change Adaptation Strategy to be developed by Council during 2010-2011.

Drysdale/Clifton Springs

Investigate the relocation of the Council depot site at 22A Collins Street

Prepare a Master Plan for the development of a community hub on the Council owned land at Palmerston Street site in the town centre.

Undertake a Drysdale Town Centre Community Facilities Planning Project to investigate and provide direction for future development and community use of 38 – 40 High Street and 2 – 8 Wyndham Street (senior citizens building) adjacent to the Town Square.

Prepare a Master Plan for the development of the Drysdale Regional Community and Cultural Hub.

Review the extent of the Heritage Overlay in the Drysdale Commercial Heritage Area.

References

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

Ocean Grove Structure Plan, ~~Hansen Partnership and the~~ City of Greater Geelong, ~~2007~~2015 (amended September 2016).

Ocean Grove Urban Design Framework, City of Greater Geelong, 2014.

Portarlington Structure Plan, City of Greater Geelong, 2007.

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

St Leonards Structure Plan, City of Greater Geelong, 2015.

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

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

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

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

Jetty Road Urban Growth Plan, City of Greater Geelong, 2007 (amended September 2008).

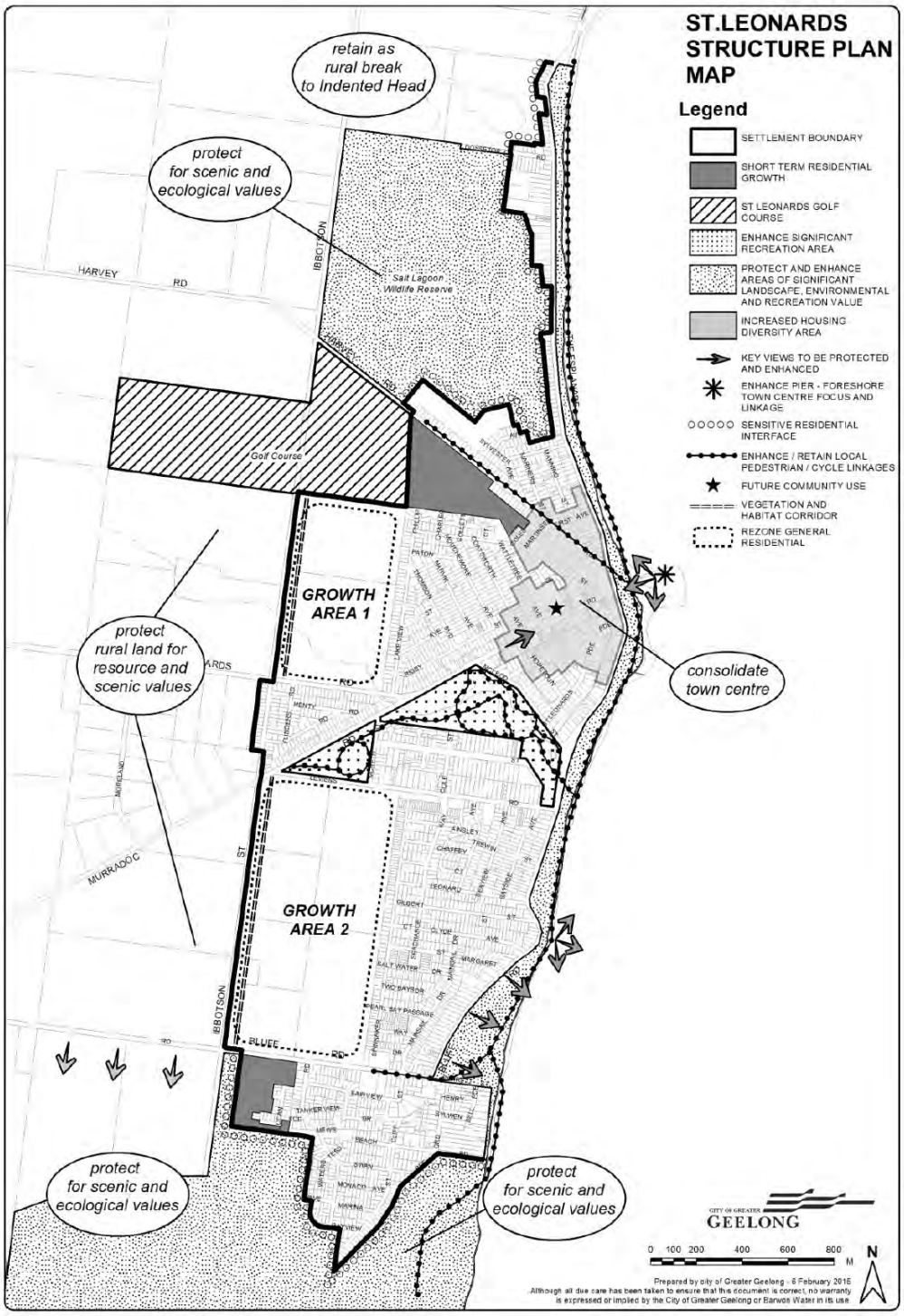
City of Greater Geelong Municipal Reference Document, Coastal Spaces Landscape Assessment Study, ~~(~~Planisphere, 2006~~)~~.

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

Drysdale Urban Design Framework, City of Greater Geelong, 2012.

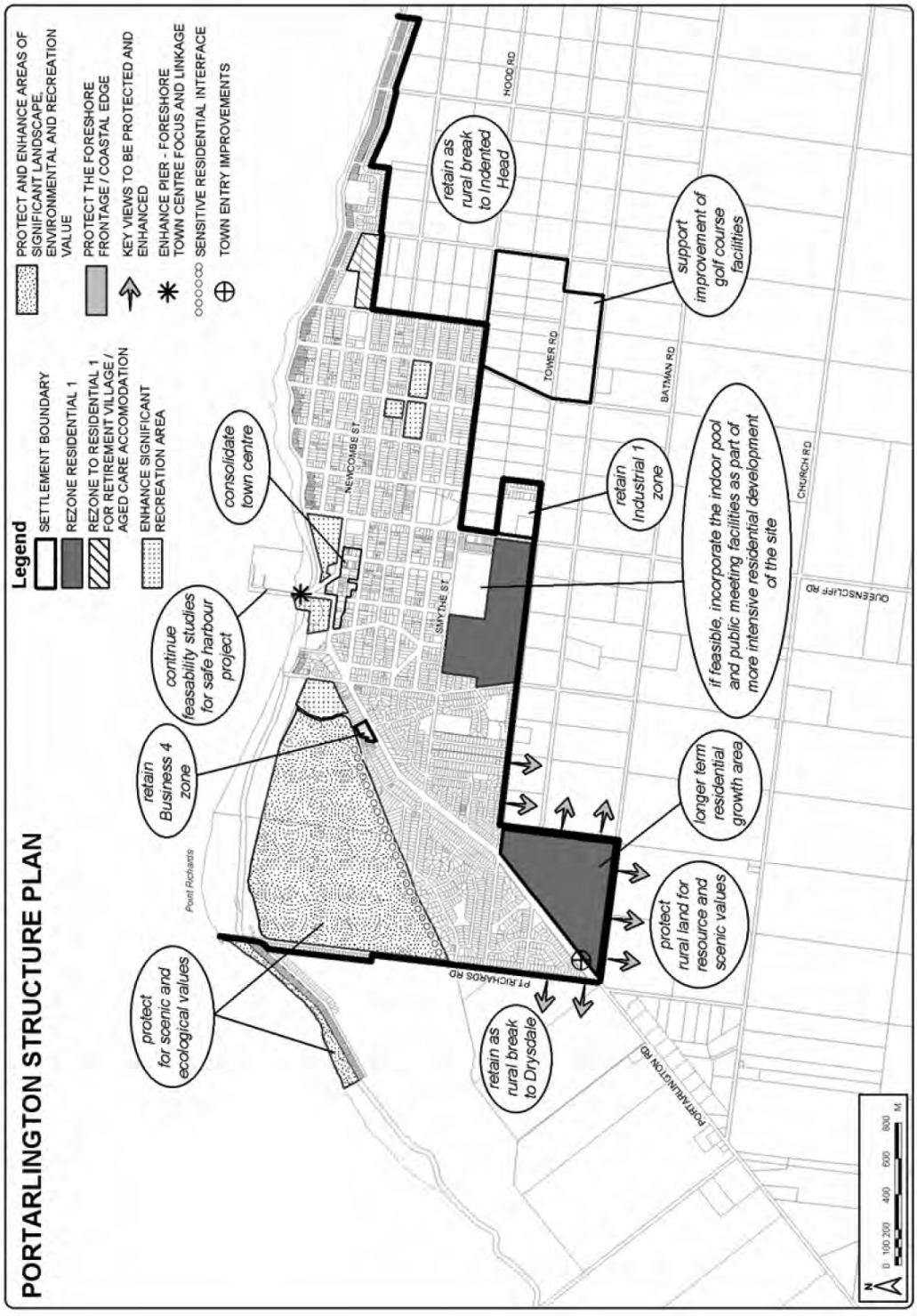
21.14-4 St Leonards Structure Plan map

25/06/2015
C312



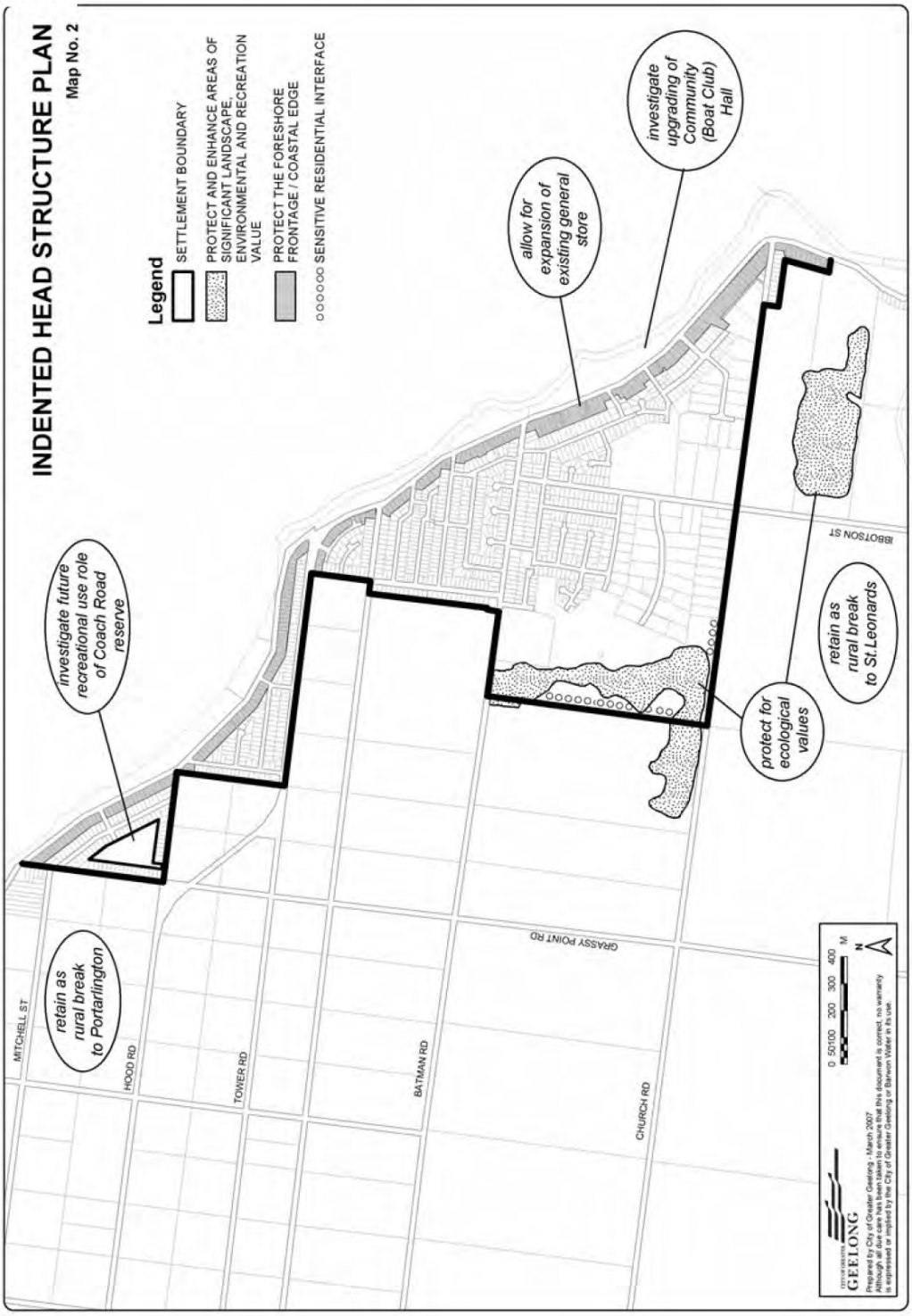
21.14-5 Portarlington Structure Plan map

29/11/2012
C273



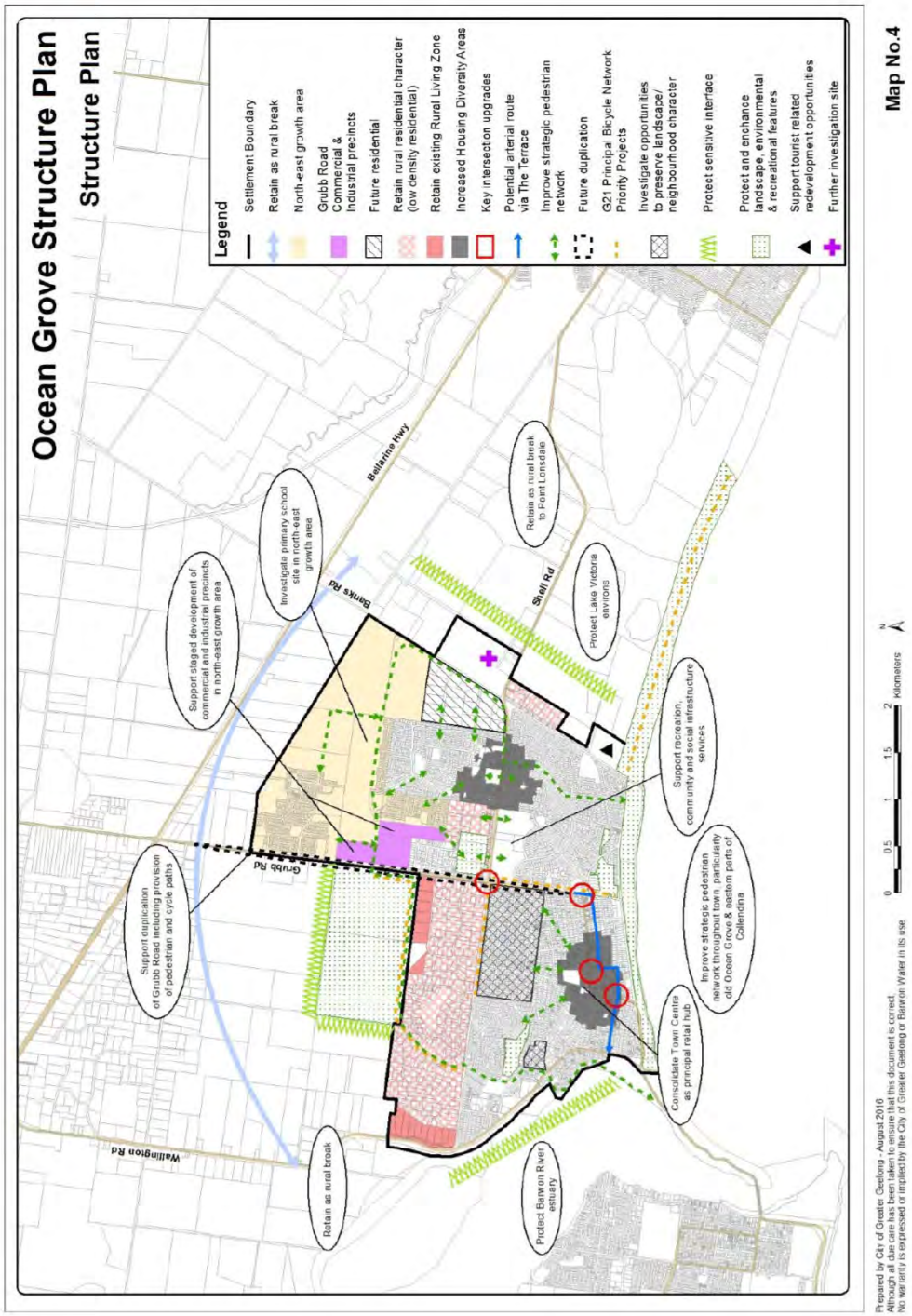
21.14-6 Indented Head Structure Plan map

28/01/2010
C129(Part 1)



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

28/01/2010
~~C129(Part 1)~~Proposed C346





Pages 14-18 of Clause 21.14 not included in this report

7. OCEAN GROVE SIGNIFICANT TREE PROJECT

(previously agenda item 6)

Source: **Planning & Development - Planning Strategy**
General Manager: **Peter Bettess**
Index Reference: **PRJ-16-2993**

Purpose

This report recommends that Council adopts the findings and recommendations of the 'Ocean Grove Significant Tree Project, Final Report 2016' and to give them statutory effect by including them in the Greater Geelong Planning Scheme via a planning scheme amendment.

Summary

- The development of the 2015 Ocean Grove Structure Plan identified further work to address issues with Significant Landscape Overlay 7 (SLO7) and to assess the need for character controls in the older parts of Ocean Grove. These matters form the basis of the 'Ocean Grove Significant Vegetation Project'.
- In June 2015 Council engaged specialist consultants 'Okologie' to carry out vegetation surveys and make recommendations on how to best protect and manage the vegetated landscape character in the identified areas.
- Officers prepared a draft background report which included the vegetation survey findings, analysis of development history, SLO7 issues, building data, policy etc.
- A set of draft policy, zone and overlay provisions were then drafted with the aim of preserving and enhancing the identified vegetated landscape character.
- Informal public consultation occurred April - May 2016. As a result 26 submissions were received. 5 supportive, 1 requesting clarification and 20 raising objections or recommending changes.
- As a result of submissions a number of changes have been made to the proposed planning provisions.
- It is recommended Council adopts the findings and recommendations of the 'Ocean Grove Significant Tree Project – Final Report 2016' and give them statutory effect by including them in the Greater Geelong Planning Scheme via a planning scheme amendment.
- As part of the formal amendment process it is recommended Council apply for interim overlay controls to avoid vegetation loss while the amendment is being considered.

P Dorling moved, L Gardner seconded -

That Council:

1) adopts the Ocean Grove Significant Tree Project, Final Report 2016;

2) requests the Minister for Planning authorise the preparation of an amendment as detailed in this report; and

3) requests the Minister for Planning exercise powers under Section 20(4) of the Planning and Environment Act 1987 by applying an interim Significant Landscape Overlay Schedule 15 to the identified precinct while the formal Planning Scheme Amendment is prepared and considered.

Carried.

Background

The Ocean Grove Significant Vegetation Project aims to identify and protect, through planning controls, the unique coastal/bush landscape character within the well established areas of the township of Ocean Grove.

This project was identified in the previous and current Ocean Grove Structure Plan 2015 which identified the following further work:

- Undertake a review of Schedule 7 to the Significant Landscape Overlay as per Part C of the Structure Plan. This overlay currently applies to the hilllside area and aims to achieve a balance between rooftops and vegetation. Permits are triggered for buildings over 7.5m in height, some vegetation removal and site permeability less than 30%.
- Undertake a review of the older parts of Ocean Grove as identified on the Structure Plan map to investigate the introduction of new planning overlay controls to protect important landscape and built form attributes.

To help inform the project vegetation consultants, Okologie, were engaged mid 2015 to undertake vegetation surveys on public and private land and to make recommendations around vegetation protection. Two areas were identified for investigation; the current extent of the SLO7 or hillside area and the area in the north east part of old Ocean Grove known in the project as the Significant Tree Area (STA).

Along with vegetation surveys a detailed background report was prepared to help inform the draft planning controls. The background material now forms part of the 'Ocean Grove Significant Tree Project – Final Report 2016' which is provided as an attachment to this report.

The background report identified 3 key precincts each with proposed customised planning controls:

- Significant Tree Area – north east pocket of 'old Ocean Grove' below Thacker Street characterised by spacious blocks with scattered mature trees
- Hillside Area – escarpment overlooking the ocean characterised by dwellings taking advantage of views with moderate levels of vegetation
- Coastal Fringe Area – close to the dunes generally south of Orton/Dare Streets characterised by dwellings taking advantage of views with lower growing coastal vegetation.

As part of the public consultation a project brochure and precinct flyers were prepared detailing the proposed controls. The flyer was sent out to property owners as part of the informal public notification phase. Copies of the brochure and flyers are provided in the Final Report (Attachment 1).

Informal public consultation on the draft background report and planning controls occurred April - May 2016. A total of 26 submissions were received:

- 5 were supportive;
- 1 requested clarification;
- 20 raised objections or recommended changes.

Discussion

The 'Ocean Grove Significant Tree Project – Final Report 2016' is provided as an attachment to this report. The Report outlines in detail the public consultation activities, summary of submissions and an officer response to submissions.

The key concerns with the draft controls were:

- Discouraging urban consolidation by restricting development.
- Limiting choice and type of development.
- Risk and expense associated with trees in urban areas.
- Existing controls not being implemented what is the point of new ones.
- Detrimental impacts on property values.
- Unfair for those who have not yet developed compared to those that have.
- People should be able to do what they want with their own property.
- Questioning accuracy of vegetation data.
- Inadequate public consultation.
- Council should focus on public land not restrict private property.

The supporting submissions made the following points:

- Recent development is too large and too bulky and does not leave room for vegetation - controls are needed to address this.
- Trees are a major part of the appeal in the STA which are at risk from increased development.
- When blocks are cleared there is little or no replacement vegetation being planted affecting character and habitat.
- Looking at what has been developed in the SLO7 it is clear the control is failing and needs strengthening.
- The proposed controls allow for redevelopment while still keeping the coastal environment.
- Absence of any controls will see a continuation of development setting new precedents and absence of landscaping.
- We can't rely on people doing the right thing, planning protection needed and sanctions required for those who don't do the right thing.

In response to submissions a number of changes were made to the draft controls including:

- Coastal fringe precinct now included as part of the Hillside Precinct (generally previous SLO7 extent) - site coverage increased from 40% to 50% and area for landscaping/permeability reduced from 40% to 30%.
- 2 metre side setback included as permit trigger in overlay only not in schedule to the zone.
- No changes to height controls.
- Two canopy trees required in landscaping plans instead of one making a greater contribution to the vegetated existing and preferred character of the area
- Area required for canopy tree and canopy tree size not specified in overlays providing greater flexibility.
- Increased scope of works not requiring an arborist reducing potential costs for minor works.

- Significant trees defined in overlays based on tree type and height.
- View sharing decision guidelines added to SLO7 to improve built form and view outcomes.
- Caravan Park to be included in Hillside precinct.
- SLO7 to be retained on east side of town centre where it was recommended for removal.

The final planning scheme recommendations are summarised below with copies of the proposed ordinance schedules provided in Appendix 1 and summary maps, including the current and proposed zones and overlays provided in Appendix 2:

Ordinance:

1. MSS (Cl. 21.14-2) Strategies: Add point to strategy under Ocean Grove
2. Add a new Schedule 3 to the GRZ (Cl. 32.08)
3. Add a new Schedule 4 to the NRZ (Cl. 32.09)
4. Revise wording of Schedule 7 to the SLO (Cl. 42.03)

Maps:

1. Rezone Significant Tree Area from GRZ2 to (new) NRZ 4
2. Rezone Hillside Precinct* from GRZ2 and RGZ3 to (new) GRZ 3
3. Delete DDO14 (except small pocket south of Blackwell Street) and SLO7 from the Significant Tree Area and replace them with (new) SLO15
4. Change a portion of the Hillside Precinct* from SLO7 to DDO14 (RGZ3 / Increased
5. Housing Diversity Area)
6. Rezone Hillside Precinct west of Field Street from RGZ3 to (new) GRZ3

(* Hillside Precinct incorporates the previous Coastal Fringe Precinct)

Other matters considered as part of the project:

Clause 52.48 Bushfire Protection – Vegetation Clearance Exemptions

Council considered a Report and wrote to the Minister for Planning in early 2016 to request the Minister investigate the blanket application of this provision as it is seeing vegetation removed in urban areas with no identified fire threat.

The Minster advised in writing in June 2016 that DELWP (the department) is currently investigating a proposed update to the clause based on a more risk based approach and the matter will be considered ‘in due course’.

Tree Planting Guidelines

Council is looking to provide guidelines for applicants to assist them with vegetation and landscaping plans. This will be provided as information only and will not form part of the planning scheme. See Attachment 2 for a copy of the draft guidelines.

Planning Scheme Amendment

Copies of the proposed planning controls are provided in the Final Report which will form the basis of the formal planning scheme amendment. They are also provided as an appendix to this report.

Interim Controls

It is recommended Council apply for interim controls for the Significant Landscape Overlay Schedule 15 while the amendment is being considered. This will help ensure development that does not meet the proposed landscape objectives is not approved in the period between adoption and consideration of the amendment. Without interim controls there could be a loss of vegetation and development that does not support the landscape objectives detrimentally impacting upon the existing and preferred neighbourhood character.

It is not proposed the revised Significant Landscape Overlay 7 is applied as an interim control as this would create major administrative issues given there will be a existing and proposed control and given the boundary adjustments proposed for SLO7. The existing control will be in place throughout the amendment process.

Interim controls are routinely applied where heritage overlays are proposed and there have been instances where Councils have applied them to vegetation such as Banyule and the implementation of their Strategy for Substantial trees in Banyule's Garden Court and Garden Suburban Neighbourhoods 2013 (the Strategy for Substantial Trees).

Transitional Arrangements

It is recommended transitional arrangements form part of the proposed overlays so applicants who have made applications under the current planning regime are not unfairly affected.

Environmental Implications

The project has positive environmental implications including the retention of existing vegetation and promoting new vegetation leading to improved biodiversity, storm water management, habitat and urban heat impact outcomes.

Financial Implications

There will be no significant financial implications on Council as part of the future planning scheme amendment process or final Ministerial approval of the controls . All future statutory processes will be covered by respective departmental budgets.

Policy/Legal/Statutory Implications

The Project has considered the relevant State and local planning considerations. To give proposed controls statutory weight, a planning scheme amendment will be initiated to implement them in the Greater Geelong Planning Scheme.

Alignment to City Plan

This report aligns with the directions of the Sustainable and Built Environments theme in City Plan.

Officer Direct or Indirect Interest

No Council officers involved in the development of the Ocean Grove Significant Tree Project and preparation of the report have a direct or indirect interest in the issue, in accordance with Section 80(c) of the Local Government Act, to which this report relates.

Risk Assessment

There is a risk that there will be continued loss of the vegetated landscape character without the introduction of the proposed planning controls.

Social Considerations

The planning scheme amendment process affords landowners and residents a formal opportunity to participate.

Human Rights Charter

We have taken into consideration the human rights relative to the subject matter of this report, including rate-payers property rights and the right to a fair hearing.

Consultation and Communication

In addition to the informal community consultation, the planning scheme amendment process will include a statutory consultation period (minimum 30 days). Where submissions cannot be resolved, an Independent Panel will be requested.

Appendix 1 – Proposed Zone and Overlay Schedules

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**

OCEAN GROVE HILLSIDE AREA

1.0 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 Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	50%
Permeability	A6 and B9	None specified
Landscaping	B13	At least 30% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.
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 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 Application requirements

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

- Whether the landscaping requirement can be met by including existing trees that are
- considered worthy of retention.
- Whether the development provides for adequate landscaping opportunities.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.

SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**

OCEAN GROVE SIGNIFICANT TREE AREA

1.0 Minimum subdivision area

None specified.

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

	Requirement
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

3.0 Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	40%
Permeability	A6 and B9	None specified
Landscaping	B13	At least 40% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17 and 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 a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room

	Standard	Requirement
Front fence height	A20 and B32	None specified

4.0 Number of dwellings on a lot

None specified.

5.0 Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 9 metres.

6.0 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 construction of the dwellings.

7.0 Decision guidelines

- Whether the landscaping requirement can be met by including existing trees that are
- considered worthy of retention.
- Whether new lots and developments are of a spacious nature and allow for a design that is respectful of neighbourhood character.
- Whether the development provides for adequate landscaping opportunities.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.

SCHEDULE 7 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO7

OCEAN GROVE HILLSIDE AREA

1.0 Statement of nature and key elements of landscape

Ocean Grove is a growing coastal township located on a hillside extending to a popular ocean surf beach. Areas of public and private land within established Ocean Grove supports a mix of remnant coastal and grassy woodland vegetation, indigenous and planted Australian natives which contribute to the unique coastal and vegetated character of the township.

The area also supports the threatened Bellarine Yellow Gum *Eucalyptus leucoxylon subsp. bellarinensis* which is endemic to the area. The retention of these trees is important for the ongoing survival of the species. The incremental loss of vegetation and the impact of not providing adequate space for the re-establishment of vegetation around buildings are having a major impact on the landscape character of the area.

The preferred character for this area includes achieving a balance between landscape and built form where buildings sit within a landscaped setting. Vegetation, in particular trees are required to soften the impact of buildings in the environment. There are examples of development where this balance has not been achieved and buildings dominate the site and streetscape. While these developments form part of the character of the area they do not represent the preferred character.

The retention of and ability to plant screening vegetation along boundaries and fronting the street and building height and bulk that does not dominate the streetscape, neighbouring properties and long distance views are all important landscape elements.

The hillside topography has encouraged development that seeks to maximise views. Part of the landscape character of Ocean Grove that is valued by the local community is the ability to view the ocean and/or the Barwon River from numerous points in public areas and from private dwellings. Respect for the sharing of views, rather than necessarily the retention of all existing views, is therefore an important characteristic of this coastal town.

Significant trees are defined as an indigenous and Australian native trees 3 or more metres in height.

2.0 Landscape character objective to be achieved

- To conserve, enhance and reinstate the preferred character of buildings sitting within vegetated settings including in areas that have been substantially cleared of vegetation.
- To preserve the balance between roof tops and vegetation in long distance views of the town.
- To encourage vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas.
- To promote buildings that fit within the landscape and do not dominate the streetscape and long distance views.
- To provide a balance between buildings and vegetation canopy.
- To ensure that buildings are sited and designed to avoid and/or minimise removal of Australian native/indigenous vegetation.
- To encourage development that sits within a vegetated setting by providing space at the front, side and rear of buildings for the retention and planting of screening vegetation.
- To maximise opportunities for view sharing, particularly where views are available to the ocean and river from private dwellings.

3.0 Permit requirement

Buildings and Works

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- The height of any part of the building, excluding any television antenna, chimney or flue, is less than 7.5 metres above natural ground level.
- No more than 70% of the site is covered by buildings and impervious/hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.
- At least 30% of the site is available (free from hard surfaces) for soft landscaping (eg. vegetation).
- Buildings are setback a minimum of 2 meters from one side boundary.
- There is only one dwelling on the lot.

▪ Vegetation Removal

A permit is required to remove, destroy or lop vegetation. This does not apply to:

- Indigenous vegetation less than 3 meters in height.
- Australian native vegetation less than 3 meters in height.
- Exotic vegetation.
- Vegetation listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which contributes to the coastal character of this area.
- Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded
- Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.
- Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling

- Vegetation that is dead to the satisfaction of the responsible authority.
- Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority.
- Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority.

4.0 Application Requirements

An application must be accompanied by the following information, these requirements may be waived or reduced if the information is not relevant to the assessment of an application:

A Design Response which shows the development in relation to:

Building and Works

A schedule of construction materials, external finishes and colours (incorporating samples).

View Sharing

A view impact analysis should be submitted when the proposed development is over 7.5 meters in height and is likely to impact on views to significant landscape features. The view impact analysis should demonstrate how the design objectives to achieve a reasonable sharing of views have been met, having regard to topography, siting, height and visual bulk.

Landscaping

An application for buildings and works, or to remove, destroy or lop vegetation must be accompanied by a landscaping plan prepared by a suitably qualified person and should incorporate at least 2 canopy trees per site and the use of local indigenous or Australian native species.

Buildings and works occurring within the drip line of a significant tree on the subject land or adjoining site requires a report from a suitably qualified arborist that shows how the tree will be managed during construction.

Vegetation Removal

An application to remove, destroy or lop a significant tree must be accompanied by the following information.

A report from a suitably qualified arborist (level 5 or equivalent) that:

- Includes a site plan (drawn to scale) showing the boundaries of the site, existing and proposed buildings and works, existing vegetation and the vegetation to be removed.
- Details of vegetation within 3 meters of the subject site boundary on any adjoining property.
- Describes the vegetation to be removed, including the genus, species, extent, number, height, health and quality of vegetation to be removed.
- Specifies the purpose of the proposed removal, destruction or lopping of vegetation.
- Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable.
- Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of trees.
- Provides a vegetation management plan for the construction period.

5.0 Transitional Arrangement

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before the approval date of the amendment that introduced this schedule to Clause 43.02 into the Greater Geelong Planning Scheme.

6.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- The siting and design of buildings to achieve a reasonable sharing of views between properties with significant landscape features having particular regard to the following:

- The impact of the proposed buildings and works on the view from another property or the street as a result of the design, siting, height, size, bulk (including the roof), and colour of the building.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.
- The opportunity for a reasonable sharing of views having regard to the extent of the available view(s) and the significance of the view(s) from the properties affected.

- Whether a vegetated setting is reinforced or reinstated as part of the development.
- Whether the removal, lopping and/or destruction of vegetation that contributes to the screening of development from property boundaries and the street has been avoided.
- Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of significant vegetation and space for new canopy vegetation.
- Whether hard surfaces like driveways have been minimised
- Whether setbacks can be varied to minimise the removal of native/indigenous vegetation.
- The size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
- Whether there is a valid reason for removing the vegetation and alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming vegetation.
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall health and appearance of any trees.
- Whether a loss of character would result from a variation to part 3.0 of this clause.
- Whether any street trees will need to be removed or detrimentally affected.

SCHEDULE 15 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO15**

OCEAN GROVE SIGNIFICANT TREE RESIDENTIAL AREA

1.0 Statement of nature and key elements of landscape

This precinct within Ocean Grove is distinctive due to the high number of significant canopy trees (indigenous and Australian native) located on both public and private land. These trees are a dominant feature of the neighbourhood with buildings nestled within spacious bush garden settings.

Dwellings in the area generally sit below the tree canopy and are characterised by low density and scale, detached housing surrounded by generous areas of open space capable of accommodating significant and multiple canopy trees.

Vegetation includes the threatened Bellarine Yellow Gum *Eucalyptus leucoxylon subsp. bellarinensis* which are endemic to the area. The residential streetscape and private gardens within the precinct support a large component of the remnant Bellarine Yellow-gum population. The retention of these trees is important for the ongoing survival of the species.

The incremental loss of significant Australian native and indigenous canopy trees has the potential to change the character of the area over time. The retention of and ability to establish new canopy trees will help integrate and reduce the impact of new development on neighbourhood character.

Managing development, tree protection and management together with new and replacement tree planting on public and private property will help safeguard the unique landscape character of the area.

Significant trees are defined as an indigenous tree 3 or more metres in height and an Australian native tree 5 or more metres in height.

2.0 Landscape character objective to be achieved

- To protect and ensure the long term future of significant canopy vegetation which is the dominant visual and environmental feature of the precinct
- To ensure that buildings and works retain an unobtrusive profile and do not dominate the landscape.
- To ensure that a reasonable proportion of a lot is free of buildings and hard surfaces to provide for the retention and planting of significant canopy trees and generous open space areas.
- To minimise the effect of future development on significant canopy vegetation.
- To ensure that new development has proper regard for the established landscape character in terms of building height, scale, site coverage, site permeability, siting and landscaping.
- To minimise the impact of vehicle access, road works, fences, service trenches etc have on existing vegetation.
- To ensure adequate tree protection zones are provided around existing trees as part of any development.
- To encourage strategic replanting on public and private land to provide for the long term maintenance of landscape and environmental values within the precinct.
- To prevent the premature removal of vegetation from a site prior to consideration of design options for a proposed development.
- To ensure that appropriate replacement planting is provided and located appropriately on site where tree removal occurs.
- To promote the use of locally indigenous plants for landscaping.

3.0 Permit requirement

Buildings and works

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- No more that 60% of the site is covered by buildings and impervious /hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.
- At least 40% of the site is available (free from hard surfaces) for soft landscaping (eg. vegetation).
- Buildings are setback a minimum of 2 meters from one side boundary.
- There is only one dwelling on the lot.
- Works are not being carried out within the drip line (outer edge of tree canopy) of a significant tree including a significant tree on an adjoining property or nature strip.

Vegetation Removal

- A permit is required to remove, destroy or lop vegetation. This does not apply to:
- Indigenous vegetation less than 3 meters in height.
- Australian native vegetation less than 5 meters in height.
- Exotic vegetation
- Vegetation listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008, except Coastal Tea-tree which contributes to the coastal landscape character in this location.
- Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded.
- Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.
- Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling.
- Vegetation that is dead to the satisfaction of the responsible authority.

- Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority.
- Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority.

4.0 Application Requirements

- An application must be accompanied by the following information, these requirements may be waived or reduced if the information is not relevant to the assessment of an application:
- A Design Response which shows the development in relation to:
- Location of the proposed building(s) on the site and on surrounding properties;
- The use of surrounding buildings;
- Location of significant trees existing on the site and any significant trees removed;
- Details of significant vegetation within 3 meters of the subject site boundary on any adjoining property;
- Location and canopy size of street trees adjacent to the site;
- Views to and from the site;
- Any other notable features or characteristics of the site.

Landscaping

- An application for buildings and works, or to remove, destroy or lop vegetation must be accompanied by a landscaping plan prepared by a suitably qualified person and should incorporate at least 2 canopy trees per site and the use of local indigenous or native species.
- Buildings and works occurring within the drip line of a significant tree on the subject land or adjoining site requires a report from a suitably qualified arborist that shows how the tree will be managed during construction.

Vegetation Removal

- An application to remove, destroy or lop a significant tree must be accompanied by the following information.
- A report from a suitably arborist (level 5 or equivalent) that:
- Includes a site plan (drawn to scale) showing the boundaries of the site, existing and proposed buildings and works, existing vegetation and the vegetation to be removed.
- Details of vegetation within 3 meters of the subject site boundary on any adjoining property.
- Describes the vegetation to be removed, including the genus, species, extent, number, height, health and quality of vegetation to be removed.
- Specifies the purpose of the proposed removal, destruction or lopping of vegetation.
- Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable.
- Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of trees.
- Provides a vegetation management plan for the construction period.

5.0 Transitional Arrangement

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before the approval date of the amendment that introduced this schedule to Clause 43.02 into the Greater Geelong Planning Scheme.

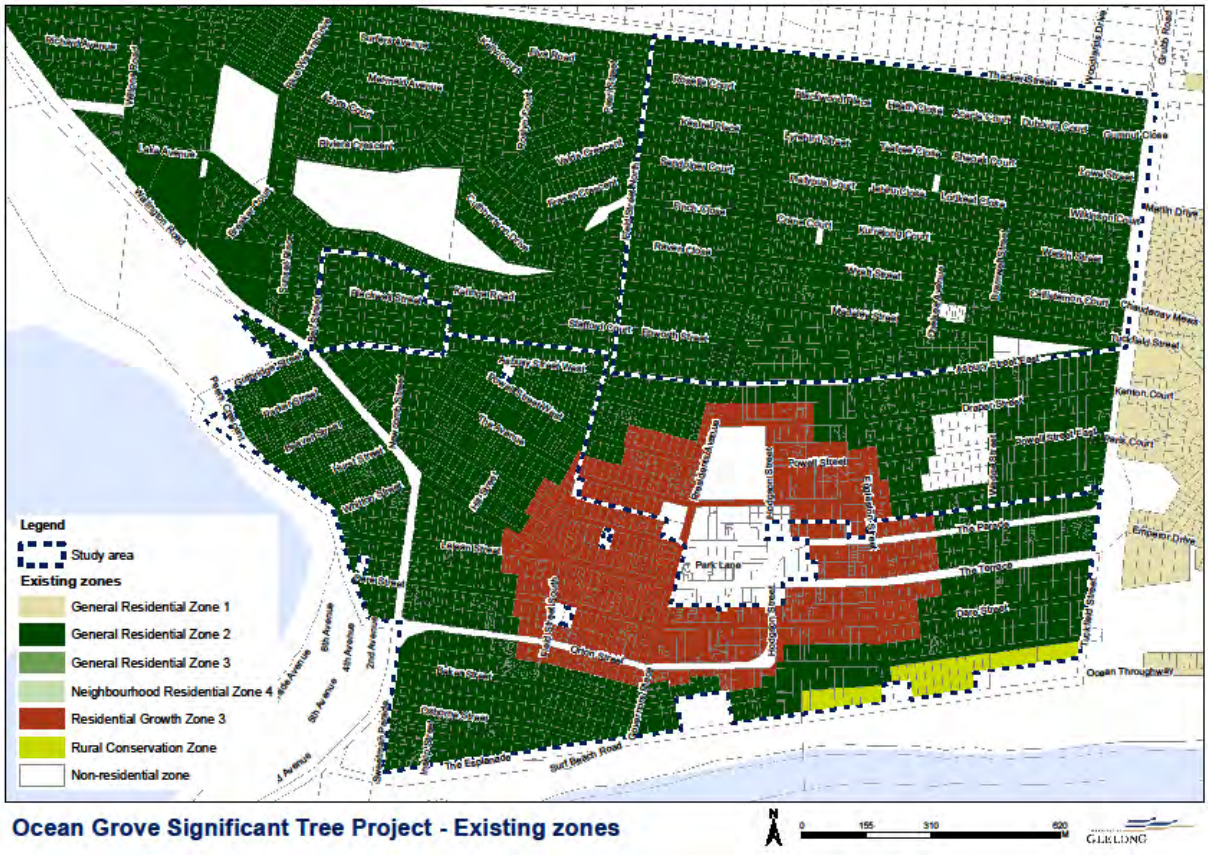
6.0 Decision guidelines

- Before deciding on an application the responsible authority must consider:
- Whether buildings sit within a vegetated landscape.

- Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of significant vegetation and space for new canopy vegetation.
- The need to retain significant vegetation due to its species, age, health, growth characteristics and/or contribution to neighbourhood character.
- The size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
- Whether there is a valid reason for removing the vegetation and alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming vegetation.
- Whether new trees are consistent with the character of existing vegetation, have sufficient space to reach maturity and the proportion of new trees that would be semi-advanced or advanced in size at the time of planting.
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall health and appearance of any trees.
- Whether a loss of character would result from a variation to part 3.0 of this clause.
- Whether any street trees will need to be removed or detrimentally affected.

Appendix 2 – Summary Planning Control Maps

Existing Zones



Proposed Zones



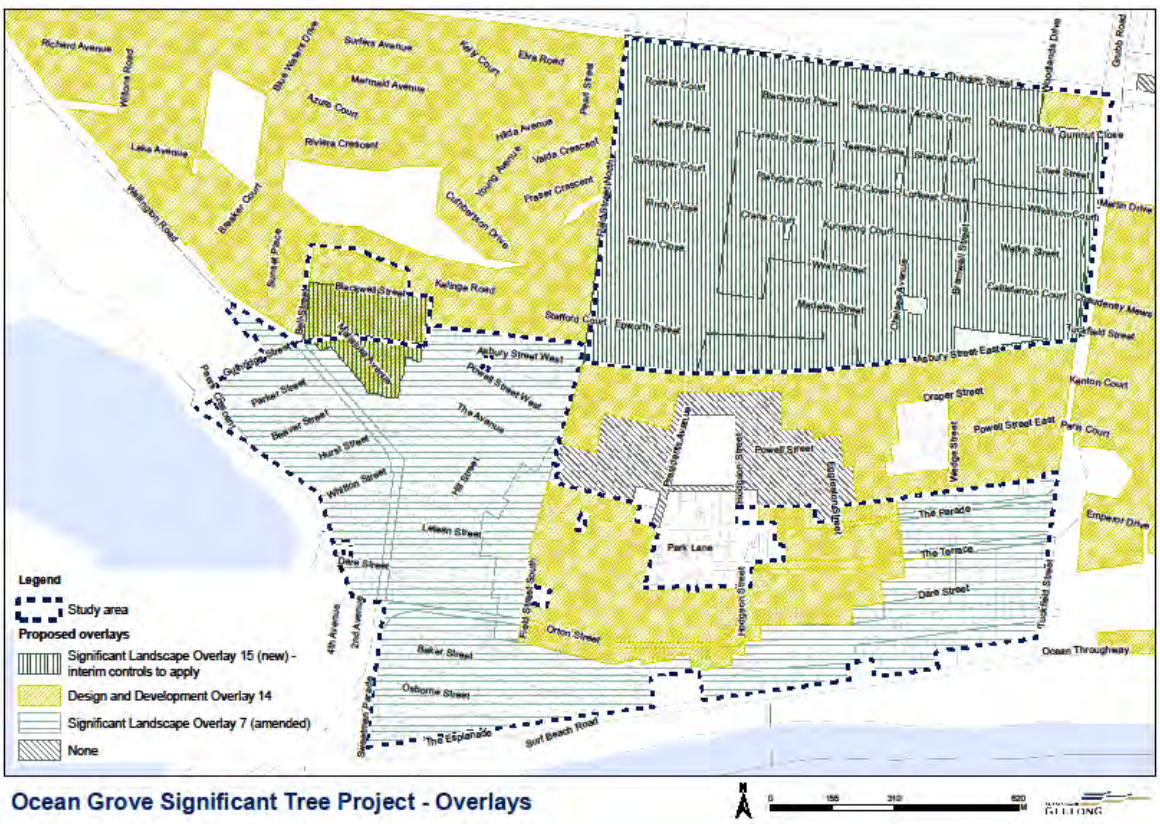
Ocean Grove Significant Tree Project - Proposed Zones

Existing Overlays



Ocean Grove Significant Tree Project - Existing overlays

Proposed Overlays



OCEAN GROVE SIGNIFICANT TREE PROJECT



NEW PLANNING CONTROLS FOR VEGETATION PROTECTION

FINAL REPORT

AUGUST 2016

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CITY OF GREATER GEELONG

EXECUTIVE SUMMARY 3
1. INTRODUCTION 3
2. BACKGROUND 4
3. DEVELOPMENT HISTORY 6
3.1 Subdivision History 6
3.2 Dwelling Size 8
3.3 Site Coverage 9
3.4 Development Examples 14
3.5 Landscaping Requirements 15
4. PLANNING CONSIDERATIONS 18
4.1 Residential Character Study 2001 18
4.2 Character Brochures 19
4.3 Neighbourhood Character Overlay 20
4.4 Significant Landscape Overlay 7 (SLO7) 20
4.5 Ocean Grove Structure Plan 2007 21
4.6 Ocean Grove Structure Plan Review 2015 22
4.7 Housing Diversity Strategy 22
4.8 C300 - Introduction of New Residential Zones 23
4.9 Conflicting Planning Control Objectives 24
4.10 Ocean Grove Town Centre - Urban Design Framework (UDF) 25
4.11 Design and Development Overlay Schedule 25
4.12 Planning Provision 52.48 Bushfire Protection: Exemptions 25
4.13 State Policy 26
4.14 Vegetation Protection in Urban Areas Practice Note 26
4.15 Bellarine Localised Planning Statement 2014 26
4.16 Local Policy 27
4.17 Other Considerations 27
5. SUMMARY OF ISSUES 28
6. VEGETATION SURVEYS 28
7. VEGETATION SURVEY FINDINGS 29
7.1 Significant Tree Study Area 29
7.2 SLO7 Study Area 31
8. VEGETATION SURVEY RECOMMENDATIONS 33
8.1 Significant Tree Study Area 33
8.2 SLO7 Study Area 33
9. COMMUNITY ENGAGEMENT 34
9.1 Response to Submissions 34
10. PROPOSED PLANNING CONTROLS 49
10.1 Significant Vegetation Study Area 49
10.1.1 Policy 49
10.1.2 Zone 49
10.1.3 Overlays 50

10.2 Hillside Study Area 51
10.2.1 Zone 51
10.2.2 Overlays 52
11. SUMMARY ZONING AND OVERLAY MAPS 53
12. VEGETATION MANAGEMENT 54
12.1 Tree Planting Guidelines 54
12.2 Tree Replacement Strategy & Seed Collection 54
12.3 Tree Protection Zones (TPZ) 54
13. RECOMMENDATIONS 55
13.1 Planning recommendations 55
13.2 Planning Implementation 61
13.3 Other Recommendations 61
14. CONCLUSION 62
15. REFERENCES 63

Appendices

1. Aerial Photos - History of Development in Significant Tree Area and Hillside Area
2. Copy of the current Significant Landscape Overlay schedule 7 (SLO7)
3. Copy of Design and Development Overlay schedule 14 (DDO14)
4. Public consultation brochure (1) and flyers (3)
5. Municipal Strategic Statement - Bellarine Peninsula 21.14-2 Strategies Ocean Grove
6. Neighbourhood Residential Zone schedule 4 draft Ocean Grove Significant Tree Area (NRZ4)
7. Significant Landscape Overlay schedule 15 draft Ocean Grove Significant Tree Area (SLO15)
8. General Residential Zone schedule 3 Ocean Grove Hillside Area (GRZ3)
9. Revised Significant Landscape Overlay schedule 7 Ocean Grove Hillside Area draft (SLO7)

Executive Summary

Vegetation loss and its impact on the landscape character of Ocean Grove has been an issue raised by the community over a number of years, most recently as part of the Structure Plan review for the township. Issues raised included the effectiveness of existing vegetation planning controls and the lack of any controls in some areas.

In response to these issues Council engaged Okologie Consulting to survey, assess and provide recommendations around vegetation in identified areas within the township from a landscape, ecological and arboriculture perspective.

The results of the surveys indicate there is still a moderate to high level of indigenous and native vegetation located in the north-east area of old Ocean Grove and the hillside area overlooking the ocean.

The indigenous vegetation found represents 3 EVC (Ecological Vegetation Class) types; Grassy Woodland, Coastal Dune Scrub and Coastal Alkaline Scrub. Among the indigenous species found was the Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis* which is listed as endangered in Victoria and is endemic to the Bellarine Peninsula. Other important species included Coast Wirilda *Acacia uncifolia*, and Moonah *Melaleuca lanceolata subsp. lanceolata.*

The consultants made a number of planning and vegetation management recommendations, which have been considered as part of this report. Alongside the vegetation survey work Council planners have looked at the development history of the area, site coverage and dwelling size data, planning approvals and controls and conducted site visits.

As a result of all this work a new planning regime is recommended for two precincts within old Ocean Grove. This includes the application of the Neighbourhood Residential Zone schedule 4 and Significant Landscape Overlay 15 to the north-east area of old Ocean Grove known in this report as the 'Significant Tree Area' and a new schedule to the General Residential Zone 3 and revised Significant Landscape Overlay schedule 7 to the hillside area. These controls aim to preserve and enhance the identified landscape character of these areas and provide directions around landscaping and vegetation retention, management and removal.

1. Introduction

The township of Ocean Grove has a unique coastal urban character. The town has experienced strong growth over the years, which has seen it change from a traditional holiday maker village to a major urban settlement.

Community consultation associated with various Council projects such as the recent Ocean Grove Structure Plan review has identified a desire to preserve and enhance the unique coastal landscape character of the township.

The 2007 Structure Plan identified a number of issues associated with the existing landscape character planning control, Significant Landscape Overlay 7 (SLO7) and made a number of recommendations to address them. The community has also identified a desire to protect and enhance significant vegetation in the older parts of the township.

This project aims to address issues raised in the Ocean Grove Structure Plan and by the community more generally around protecting the unique landscape character of the town. To assist the project Council engaged specialist consultants to survey and provide advice on vegetation in identified areas of the township.

Along with the vegetation data council planners have looked at the development history of the area, site coverage and dwelling size data, planning approvals and controls and conducted site visits. This work informs the implementation of a new planning regime aimed at better reflecting community aspirations around retaining significant vegetation and enhancing the landscape character of the township.

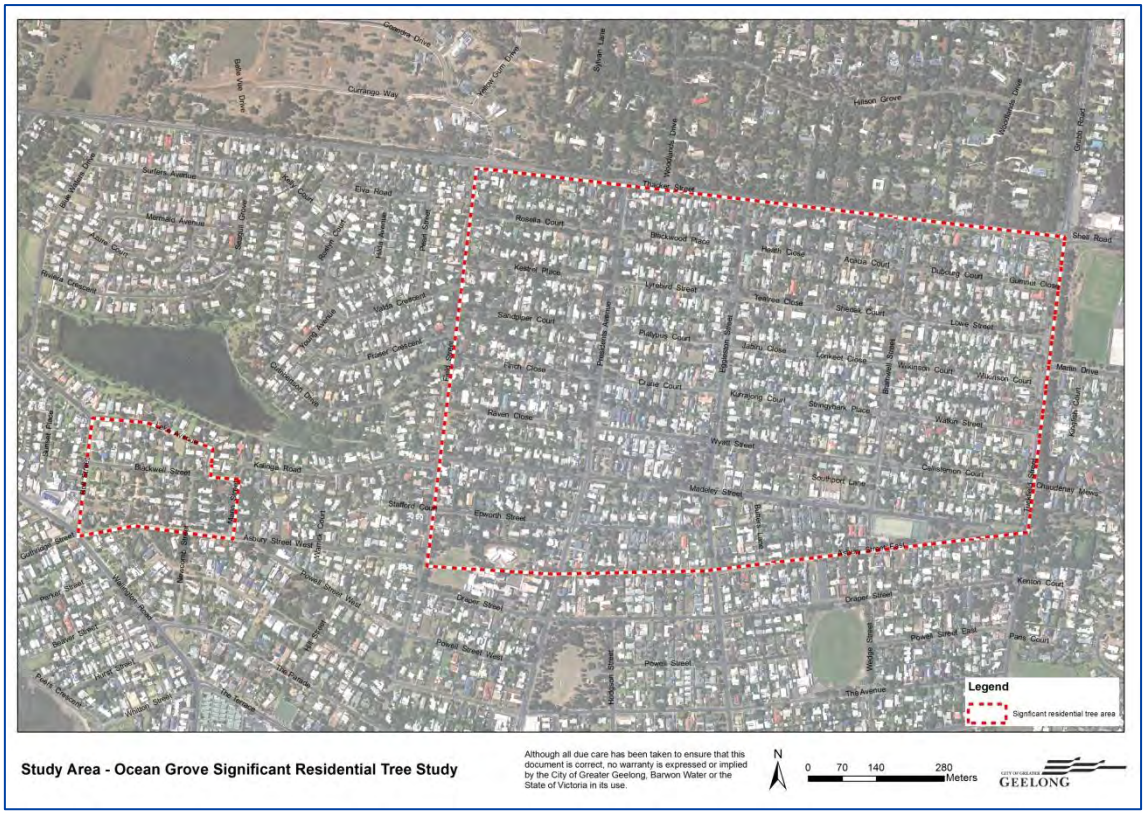
This report outlines all the considerations that have informed the development of a new planning regime for the identified areas. It also provides discussion around the various planning tools available and recommends preferred options. Draft planning documentation has also been prepared to show how the recommendations will be implemented.

2. Background

The township of Ocean Grove has experienced strong growth over recent years which has seen increased levels of development in established areas. This development has seen the loss of vegetation and an increase in multi-dwelling and multi-storey housing. This project aims to provide an understanding of development, vegetation and planning controls in identified areas in order to come up with a planning regime that better reflects community aspirations.

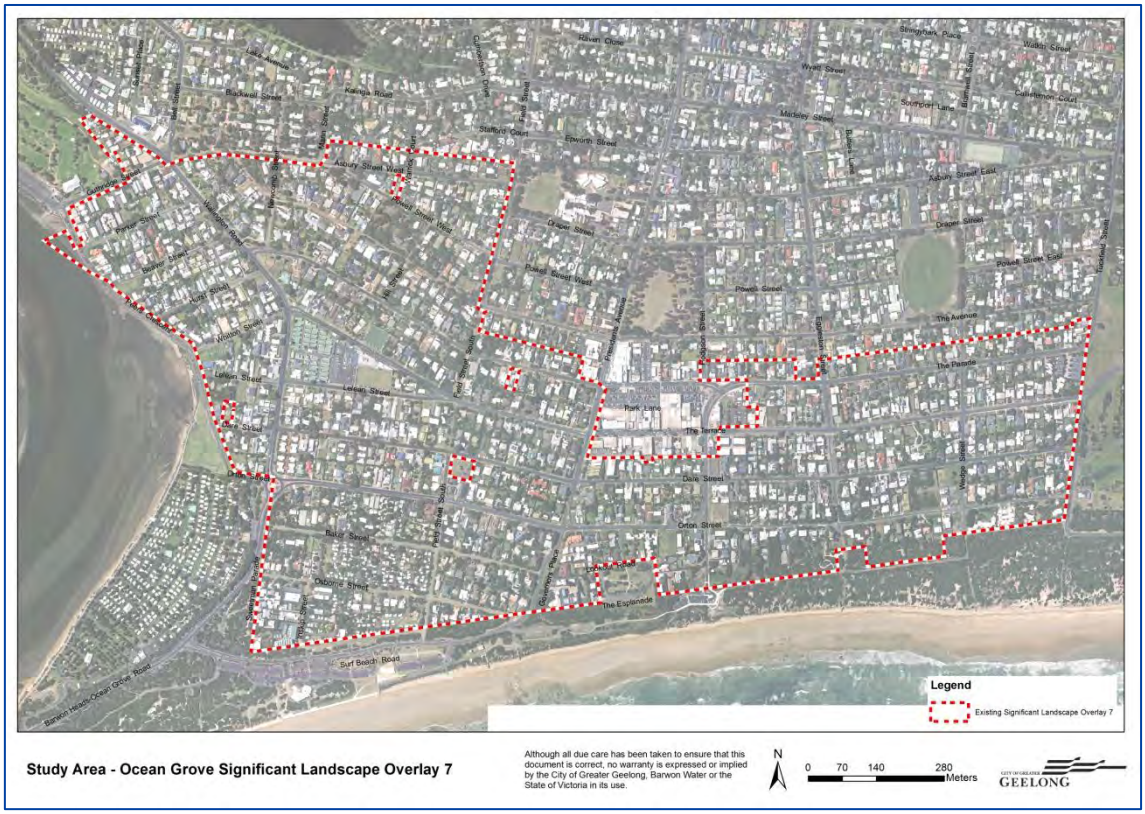
Council engaged Okologie Consulting (ecology specialists) to carry out vegetation surveying in two indentified areas within the Ocean Grove township. The findings assisted in determining the most appropriate tools for ongoing vegetation/landscape management and protection.

The first area identified for investigation is known as the ‘Significant Tree Area’. This area is bound by Thacker Street, Field Street, Tuckfield Street and Asbury Street East (see Map 1 over the page). This area was identified by Council as significant and warranting further investigation due to the high number of significant canopy trees, including the endangered Bellarine Yellow Gum, on both public and private land.



Map 1: Significant Tree Area Study Area

The second investigation area is known as the 'Significant Landscape Overlay 7 (SLO7) Hillside Area' (see map 2).



Map 2: Significant Landscape Overlay 7 Hillside study area

The SLO7 is a planning control that was introduced into the Scheme in 2003 with the aim of protecting the landscape character of the coastal area, whilst balancing development pressure with landscape qualities. The objectives include:

- Preserve balance between roof tops and vegetation in long distance views;
- Encourage development to fit within the landscape and not dominate the streetscape from long distance views;
- Minimise projection of buildings above the tree canopy;
- Provide space around buildings for retention of and planting of vegetation, particularly canopy trees;
- Maximise opportunities for view sharing; and
- Protect vistas of the ocean and the river from public viewing points.

The 2007 Ocean Grove Structure Plan identified a number of issues in relation to the implementation of the SLO7 and made various recommendations. As part of any SLO7 review the need for a vegetation survey was indentified to inform the prevalence and type of existing vegetation and whether the vegetation controls in the overlay were effective in achieving the stated objectives.

Vegetation surveys were carried out in August/September 2015 and focused on data collection such as species, height, health, significance etc and recommendations around how significant trees could best be protected and managed.

As a result of the survey work the consultant prepared two reports:

1. Ocean Grove Significant Residential Tree Project
2. Assessment of Tree Cover for Significant Landscape Overlay Schedule 7, Ocean Grove.

The consultant reports provide the basis for recommended vegetation management measures including physical management and the implementation of the planning recommendations outlined in this report. A full copy of these reports were made publicly available as part of the informal public consultation phase.

3. Development History

3.1 Subdivision History

In 1887, the Ocean Grove area was subdivided as a unique development based on the precepts of the Methodist Episcopal Church. Ocean Grove was formed according to the ideals espoused by the American Methodist clergy, who came to Victoria and conducted tent missions. A consortium of Victoria's Wesleyan Methodist Church clergy and businessmen were persuaded to support the Americans' plan for establishing a summer settlement around a camp meeting site similar to the Ocean Grove settlement in New Jersey, U.S.A. About 2,500 blocks of land were offered for sale, with roads and streets named after Victorian Methodist ministers or places associated with Methodism (Ocean Grove Structure Plan, 2015). The development of the two study areas can be tracked using aerial photography dating from the 1950's to 2013 (see Appendix 1).

The western end of the 'significant tree area' was largely developed the 1970 & 80s as shown in figure 1 below. This area has the highest number of significant trees. The eastern end was developed 70 and 80's with the north-east corner developed into the 1990's. The development of lots was characterised by single detached housing with generous setbacks from most boundaries. This development pattern has provided opportunities for vegetation establishment and the retention/planting of significant canopy trees creating a unique bush garden setting.

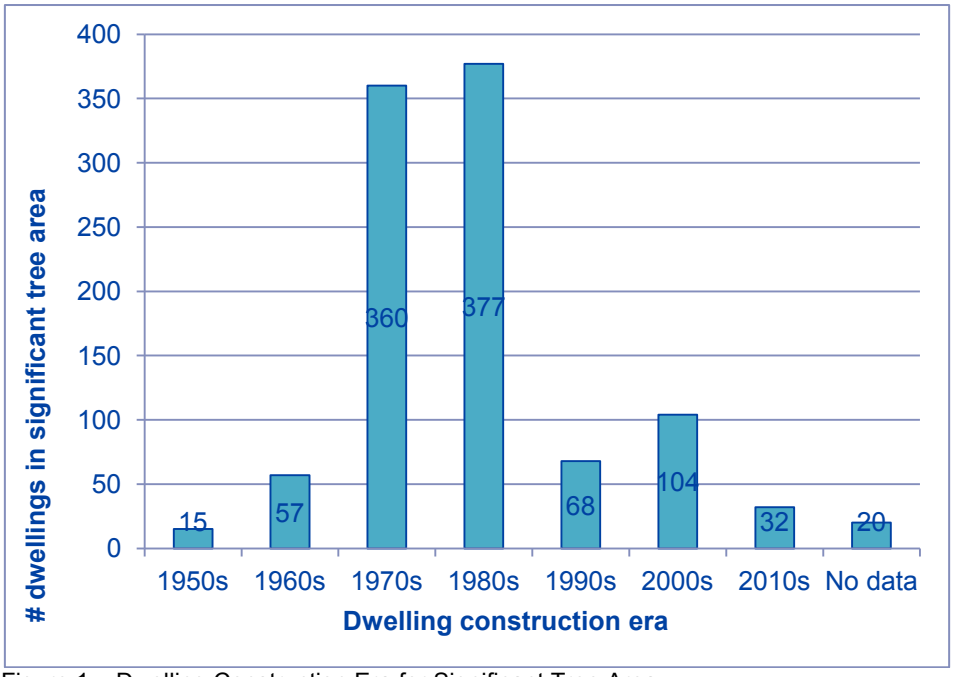


Figure 1 – Dwelling Construction Era for Significant Tree Area

The SLO7 hillside area had strong levels of development in the 1970's and again in the 2000s as shown in figure 2 below and in the aerial photography in Appendix 1.

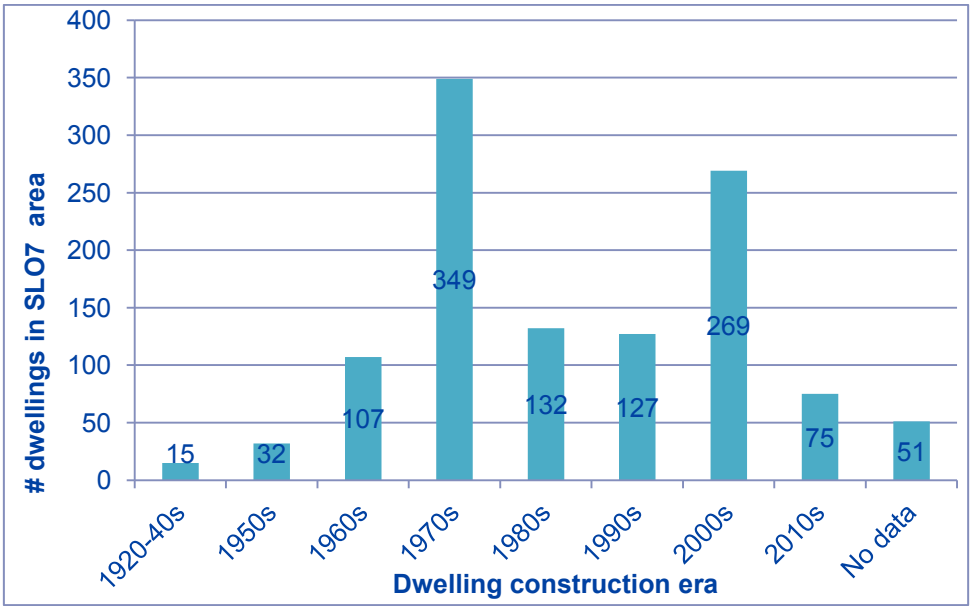


Figure 2 – Dwelling Construction Era SLO7 Hillside Area

3.2 Dwelling Size

When Ocean Grove was first developed housing would typically have been modest detached single storey housing on generous blocks. More recent development typically has large detached dwellings both single and double storey on modest blocks. This change in development pattern has had an impact on the character of residential areas.

The Australian Bureau of Statistics (ABS) have tracked how the typical house in Australia has evolved from having three bedrooms, one bathroom and separate living areas into a more open plan, including a fourth bedroom and ensuite facilities. Popular extras, such as rumpus rooms, walk-in wardrobes, walk-in kitchen pantries etc also add to the overall size of modern homes.

Residential buildings, both houses and other dwellings (such as flats, units, semi-detached houses and townhouses) have increased in size over the past 18 years.

Table 1 - Average Floor Area New Houses in Victoria (ABS)

Year	1984-85	1993-94	2002-03	Change 84 - 03	Change 93 - 03
Area	163.6	177.4	222.4	36%	25.4%

Table 2 – Dwelling Floor Areas in Victoria 2003 - 2013

Time Period	Floor Area m^2
2003-04	229.3
2004-05	238.5
2005-06	241.9
2006-07	237.6
2007-08	240.9
2008-09	252.5
2009-10	238.6
2010-11	247.1
2011-12	247.8
2012-13	243

There has been a steady increase in the average floor area of new residential dwellings over the 28 financial years to 2012-13. The average floor area of all new residential dwellings increased from 149.7m² to 207.6m² over this time, an increase of 38.7%. New houses increased from 162.4m² to 241.1m² (48.5%), while new other residential dwellings increased from 99.2m² to 133.9m² (35.0%).

Table 3, shows an increase of 6.0m² (2.6%) in the average floor area of new houses over the ten financial years from 2003-04 to 2012-13.

Table 3 – Increase in dwelling size from 2003 to 2013 (ABS)

Year	House m^2	% change
2003-04	235.1	2.6
2004-05	238.2	1.3
2005-06	242.6	1.8
2006-07	239.3	-1.4
2007-08	239.7	0.2
2008-09	247.7	3.2
2009-10	238.8	-3.7
2010-11	242.9	1.7
2011-12	244.9	0.8
2012-13	241.1	-1.6

These statistics show that housing developed in the 1980's had an average size of 163sqm and by 2013 this had increased to 222sqm, an additional 59sqm which has an impact on overall site coverage and the ability to retain and plant significant vegetation.

3.3 Site Coverage

As noted above a trend towards larger houses generally increases the footprint and therefore the site coverage of a block. Where dwellings and associated structures such as garages, sheds, decks and pools take up a significant portion of a block the opportunities for vegetation retention and planting becomes diminished. This impact has been studied by Tony Hall, Griffiths University as part of a paper '*Goodbye to the Backyard? – The Minimisation of Private Open Space in the Australian Outer-Suburban Estate'* in 2010.

This Study shows the optimal building site coverage on a block which allows for significant canopy trees to be planted should be 30-35% for a house and associated structures and 65-70% for open space, ideally with an 8-10m setback from the back fence.

This is because significant trees need space to grow both for the canopy and most importantly the roots. Hall states the narrow dimensions of the space around more recent dwellings will lead to a substantial reduction in tree cover in perpetuity, as there will be no room for trees to grow at the sides and backs of houses. The planting of street trees alone does not compensate for the lack of trees amongst the houses.
Hall identifies the benefits of low site coverage and allowing greater space and opportunity for trees as:

- Increased biodiversity;
- decreased storm water runoff;
- climate control (heat island effect etc);
- green outlook;
- outdoor space for food production, clothes drying, rain water tanks, outdoor entertaining and
- children's play space.

Some Ocean Grove examples of new development and development in established 'older' areas are shown over page (photos 1-4).

A street and aerial view of Sandpiper Court (within the 'Significant Tree Area') shows generous lots (often over 600sqm) and dwellings typically constructed in spacious settings allowing for significant trees to thrive in front, side and rear yards.



Photo 1 - Sandpiper Court: significant street and front yard trees help provide a 'bush' character.



Photo 2: Sandpiper Court - significant canopy vegetation found all around houses.

Below is a street and aerial view of a more recent subdivision in the Kingston Estate. Opportunities for significant canopy trees are limited within house lots (typically between 400-600sqm). Street trees will be relied upon to provide significant canopy vegetation.



Photo 3: Walyunga Mews – when street trees mature some canopy vegetation will be provided.



Photo 4: Walyunga Mews – smaller lots and larger houses means space is limited around houses making establishing significant canopy vegetation more difficult, if not impossible.

A GIS analysis has been undertaken to calculate the existing average building site coverage within the study areas. This analysis is based on building footprint data collected in 2012 and does not include impervious areas such as driveways or other surfaces such as decks and pools.

The average building site coverage in the study area is 33% and has been steadily increasing in recent years to an average of 46% for buildings constructed in the 2000s and 2010s. This trend is shown in figure 3 below. Lots with site coverage of zero (i.e. vacant undeveloped lots) have been removed from the analysis.

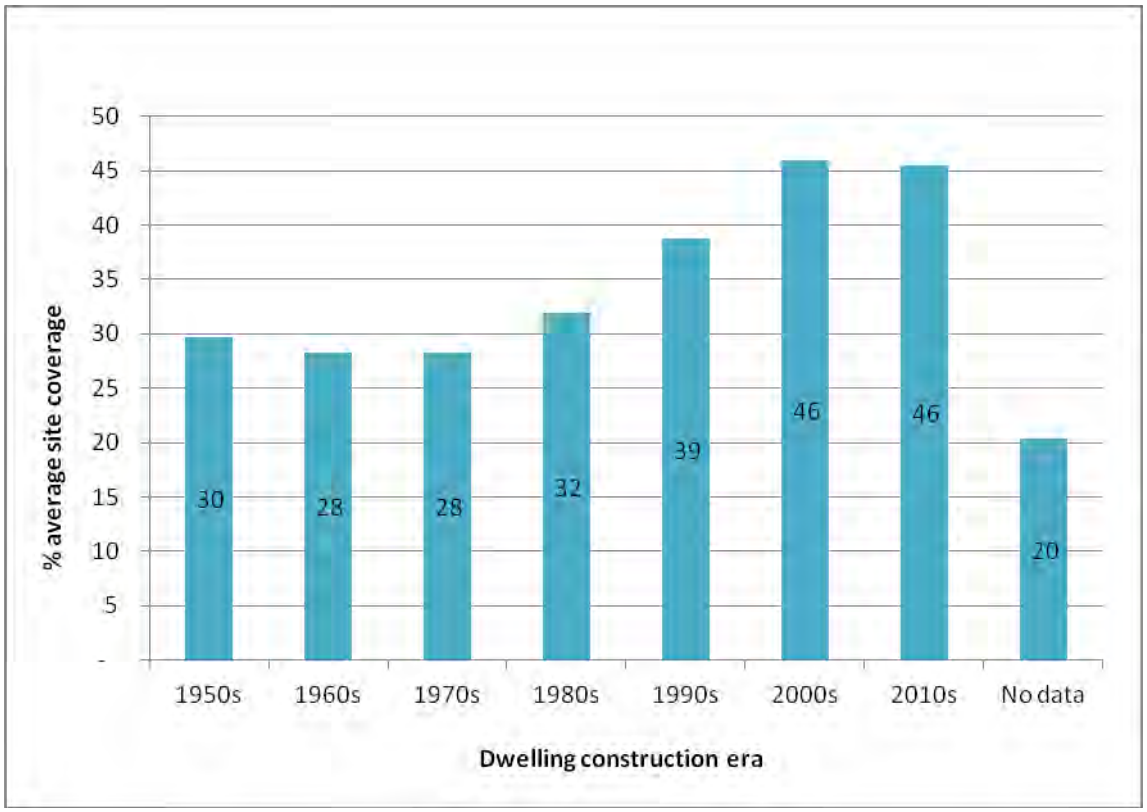


Figure 3 – Significant Tree Area - average site coverage and construction era

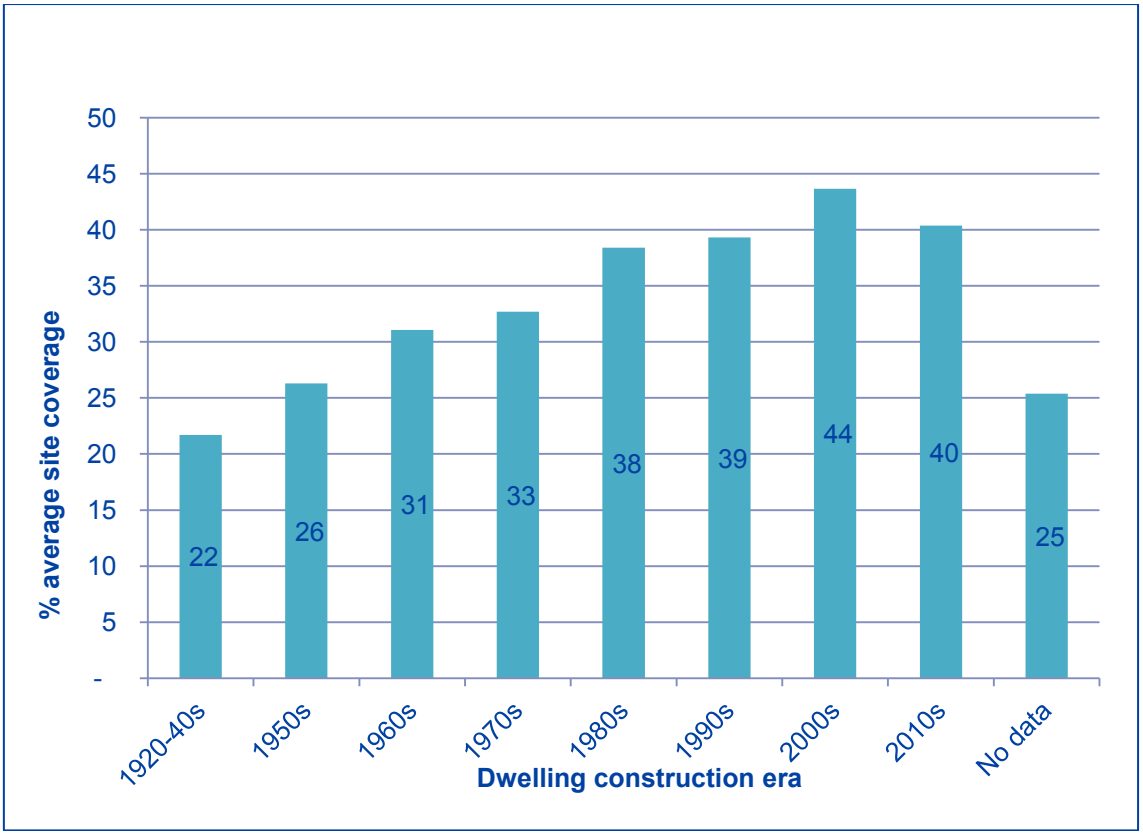


Fig 4: Significant Landscape Overlay 7 Hillside Area - average site coverage and construction era

When the building site coverage data is analysed with the vegetation survey findings (further discussed in sections 6-8 of this report) a correlation between the presence of significant vegetation on private property and building site coverage emerges. The tables below show the results of the analysis for both the significant tree area and the SLO7 hillside area.

In the significant tree area, 87.5% of all indigenous and significant planted native vegetation is found on lots with site coverage of less than 35% despite lots with site coverage of less than 35% only making up 64.2% of all lots. The threat to indigenous vegetation through increased site coverage is even more significant with 90.6% of vegetation being located on lots with building site coverage less than 35%.

Table 4: Relationship between vegetation and site coverage in the Significant Tree Area

Site Coverage %	% of indigenous trees	% of significant planted native trees	% of all identified trees	% of total lots
Lots with site coverage less than 35%	90.6	85.1	87.5	64.2
Lots with site coverage greater than or equal to 35%	9.4	14.9	12.5	35.8

Table 5: Relationship between vegetation and site coverage in the SLO7 area

Site Coverage %	% of indigenous trees	% of significant planted native trees	% of all identified trees	% of total lots
Lots with site coverage less than 35%	92.8	86.3	89.8	55.9
Lots with site coverage greater than or equal to 35%	7.2	13.7	10.2	44.1

As part of the development approvals process Rescode sets out a requirement for site coverage at 60%:

Clause 54.03-3 Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:

- *The maximum site coverage specified in a schedule to the zone, or*
- *If no maximum site coverage is specified in a schedule to the zone, 60 per cent.*

There is no variation in the site coverage standard in the schedule to the General Residential Zone 2 which is the current zone in both study areas.

54.05-2 Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

The existing schedule to the GRZ2 states:

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.

This additional open space requirement was identified as part of the Housing Diversity Strategy in 2007 to conserve the family oriented backyard character of suburban areas and to provide additional space for vegetation, particularly to screen the visual impact of buildings on adjoining properties.

Whilst this additional open space requirement goes some way to providing additional open space for new substantial tree planting and to protect the existing trees from impacts from new development it would not be enough to protect the existing character of the study areas. A significant issue is the inclusion of often substantial decks, pools and hard paving surfaces in these open space areas which impacts on the ability to retain or provide vegetation.

An example is shown below in figure 5 below. The development meets the requirements of the variation to clause 54.05-2 however the addition of decks, pools and other hard surfaces limits opportunities for canopy tree establishment.

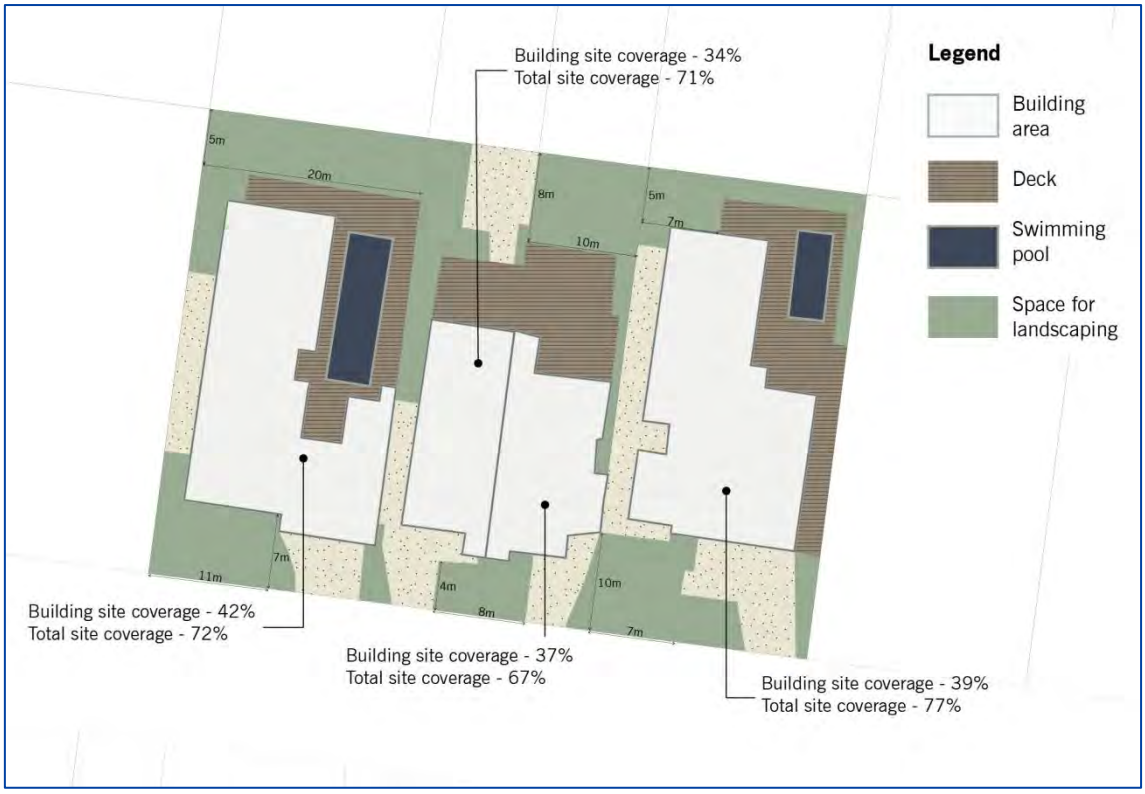


Figure 5 – Development site coverage examples

Managing site coverage is seen as a practical tool for vegetation management. Site coverage encourages development to fit in with the established character of an area by discouraging; at least some tree removal, due to the fact that trees will not be the only factor limiting development potential. Any planning control regime will need to look appropriate site coverage and landscaping levels to encourage vegetation retention and space for planting in identified areas.

3.4 Development Examples

Within the 'Significant Tree Area' where recent development has occurred on vacant lots; housing stock has turned over; dwellings are extended or multi-dwellings are constructed, there is generally an increase in site coverage compared with dwellings constructed 1950's to 1990's.

The examples below are based on developments within the study area and show how redevelopment that increases the site coverage of a lot, also, significantly restricts the ability to retain existing or establish new canopy trees for the future. The incremental loss of vegetation and inability to re-establish canopy vegetation will have a significant impact on the current vegetated landscape character of the area over time.

EXAMPLE 1 – Single dwelling replaced by dual occupancy



Fig 6: Pre development



Post development

EXAMPLE 2 – Vacant lot developed with dual occupancy



Fig 7: Pre development



Post development

3.5 Landscaping Requirements

Site coverage is only one consideration in trying to achieve or maintain a bush garden or coastal landscape character. Requiring a certain amount of open space as part of a development is only half the equation, ensuring that space is available and utilised for soft landscaping including canopy trees is the other.

It is standard to require a landscaping plan as part of a development application or as a condition on the permit. A number of council's now require the planting of a canopy tree within an open space area of all permit required housing developments. To show how these trees will be accommodated on-site, landscape plans are required to show 'tree zones' which demonstrate that the space needs of the nominated canopy tree can be met when the tree reaches maturity.

This type of landscaping provision can be found in the '*Banyule City Council Tree Planting Guidelines 2011'*. Below is an extract taken from the guidelines which shows a correct 'tree planting zone' with limited encroachments from hard surfaces. The encroachment of hard surfaces within a tree zone can impact not only on tree health but also the adjacent infrastructure as the tree grows to maturity.

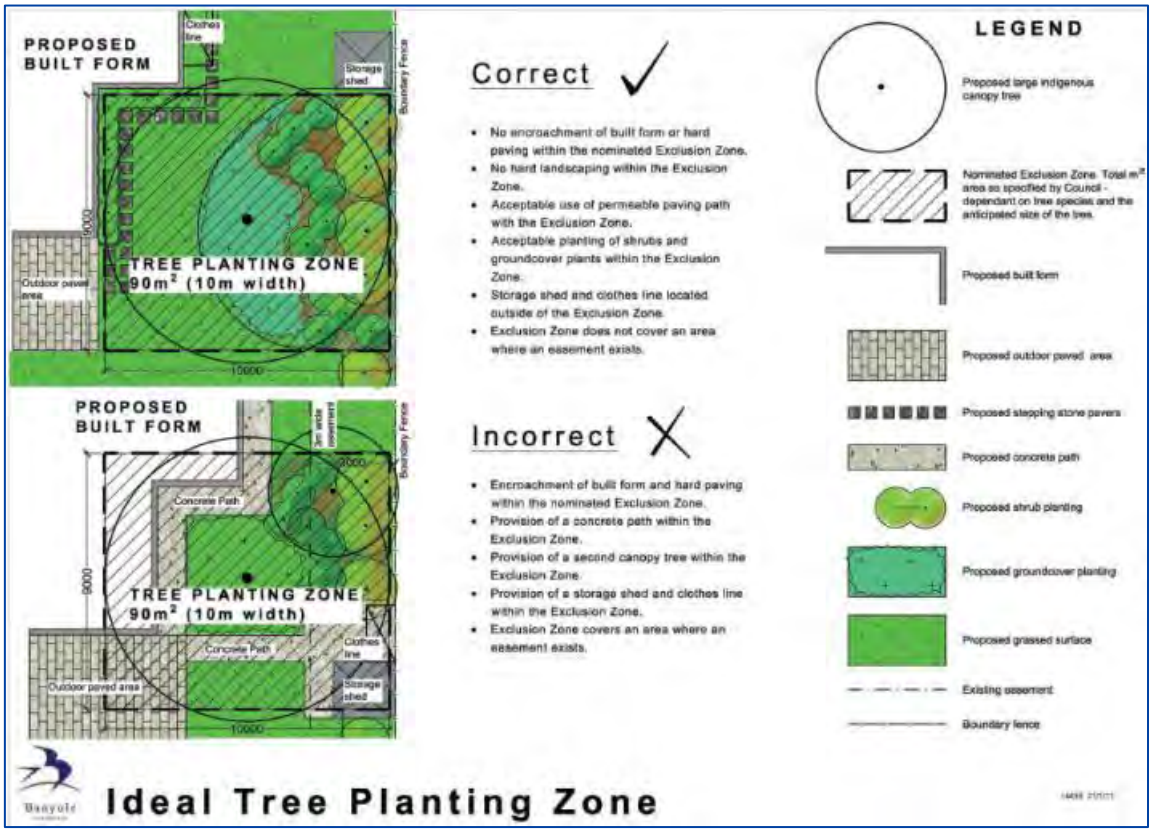


Figure 8 – Extract from 'Banyule City Council Tree Planting Guidelines 2011'

As part of implementing a planning regime to protect and enhance the identified coastal landscape setting within the study areas it is recommended landscaping requirements form part of any planning controls. Council already requires the planting of *'one canopy tree per dwelling'* under the current General Residential Zone schedule 2 provisions.

Ideally canopy trees planted in the study areas would be indigenous as this maximises character and environmental benefits. The space requirements for common indigenous trees within the study areas have been calculated based on height and width at maturity. The formula used has been taken from the above mentioned 'Banyule Tree Planting Guidelines, 2011':

$$\text{Soil volume } (m^3) = \frac{\text{Height (m) X DBH (mm)}}{100}$$

Once the soil volume of calculated it is assumed roots will utilise soil within a 1m depth of ground level and thus the area required can be calculated.

Table 6 - Indigenous Canopy Trees Space Requirements

Trees	EVC	Height	Width	Established Average Diameter at Breast Height (DBH)*	Ground area required m^2
Bellarine Yellow-gum	Grassy woodland	10	-	500	50
Narrowleaf Peppermint	Grassy woodland	15	10	500	75
Swamp Gum	Grassy woodland	10	6-10	500	50
Manna Gum	Grassy woodland	10	8-15	500	50
Drooping Sheoak	Grassy woodland	10	3-6	300	30
Sweet Bursaria	Grassy woodland	6	2-3	300	18
Coastal tea tree	Coastal dune & alkaline scrub	6	3	300	18
Coast beard heath	Coastal dune & alkaline scrub	4	2-3	300	12
Coast wirilda	Coastal dune & alkaline scrub	8	3-5	300	24
Moonah	Coastal dune & alkaline scrub	5	3-6	300	15

*based on average data collected as part of this project

To provide space for a large canopy tree an area around 50 square metres is required with a minimum dimension of around 7m.

Based on development examples in the study area and the required 'tree zones' of common indigenous canopy trees likely to be incorporated into a landscape plan, the following scenarios have been prepared:



Figures 9 & 10 – Development scenarios showing space for canopy trees

The development scenarios above share common characteristics to meet the site coverage and space requirements for soft landscaping and the provision of a canopy tree:

- development is two storeys
- 'tree zones' are free from decks and other hard surfaces such as service areas.
- driveways have been minimised to ensure adequate space for tree retention and planting of new trees.

4. Planning Considerations

4.1 Residential Character Study 2001

In 2001 Council initiated a residential neighbourhood character study. The brief for the study was to survey the residential character of each part of the city, describe that character through words and photographs, and produce guidelines, policies and controls to maintain, enhance and improve the character of each part of the municipality.

The study identified 12 precincts within the Ocean Grove township and was implemented as a reference document into the planning scheme via amendment C40.



Map 3 - Unique precincts identified as part of the Residential Character Study

4.2 Character Brochures

The township brochure for Ocean Grove provided the following vision statement:

The seaside character and identified environmental qualities of Ocean Grove will be maintained and strengthened, and the visual cohesiveness of the township improved by:

- Encouraging retention and the use of appropriate native coastal vegetation species;
- Encouraging the use of appropriate building materials;
- Ensuring the siting of buildings to reflect spacing patterns;
- Managing site coverage to maintain a balance between buildings and vegetation;
- Ensuring building height and scale does not dominate the streetscape or long distance views;
- Ensuring building form and scale reflects predominant patterns; and
- Encouraging common public domain street treatments.

Avoid:

- Removal of native and indigenous vegetation in areas where this is an important characteristic.
- High site coverage or extensive paving in areas where vegetation is an important characteristic.
- Extensive use of exposed brick in areas with a mixture of building materials.

Community issues included:

- Retaining the 'beachiness' feel of the town.
- Removal of native and indigenous vegetation.
- Maintaining the environmental qualities of the coastal environment.
- Maintaining a low scale building form.
- Maintaining the balance between roof tops and tree tops in views across the township.
- Maintaining equitable access to views of the sea.
- Encouraging and retaining an informal style of public domain streetscape treatments.
- Discouraging large, bulky dwellings with high site coverage and boundary to boundary development.

Each precinct within Ocean Grove also contained a brochure of preferred character actions and things to avoid.

Reference to the Character Study and brochures were removed from the Planning Scheme as part of the major residential review carried out in 2013/2014 as they were outdated.

4.3 Neighbourhood Character Overlay

As a pilot project the township of Ocean Grove was used to test the implementation of the Residential Character Study by the introduction of a Neighbourhood Character Overlay over part of Ocean Grove via amendment C41 however, this overlay was abandoned due to concerns raised by an Independent Panel in May 2003 and the Minister applied the Significant Landscape Overlay – schedule 7 instead. The SLO7 was introduced into the scheme via amendment C74 approved in April 2003.

4.4 Significant Landscape Overlay 7 (SLO7)

The intent of the overlay is to protect the landscape character of the coastal area, whilst balancing development pressure with landscape qualities. The objectives of SLO7 are:

- Preserve balance between roof tops and vegetation in long distance views;
- Encourage development to fit within the landscape and not dominate the streetscape from long distance views;
- Minimise projection of buildings above the tree canopy;
- Provide space around buildings for retention of and planting of vegetation, particularly canopy trees;
- Maximise opportunities for view sharing; and
- Protect vistas of the ocean and the river from public viewing points.

A planning permit is triggered by SLO7 if any of the following are proposed:

- buildings exceed 7.5m in height.
- outbuildings normal to a dwelling project forward of the front building line.
- site coverage of buildings or impervious surfaces exceed 70 per cent.
- removal of vegetation subject to a number of exemptions.

A copy of the current SLO7 can be found at Appendix 2.

4.5 Ocean Grove Structure Plan 2007

The 2007 Structure Plan planned for a population of 21,000 persons by 2020. Key directions included:

- Improvements to the Town Centre
- Improvements to Open Space and Access and Movement
- Provision of additional community and social infrastructure to serve the growing population
- Direct medium density development around activity centre
- Protect and enhance natural environment assets
- Protect rural areas surrounding the town and encouraging land use opportunities that support rural areas, including opportunities for tourism related activities.

Since the implementation of the SLO7 in 2003 a number of issues/concerns have been raised over its effectiveness to maintain the unique coastal character of Ocean Grove. These issues were investigated as part of the Ocean Grove Structure Plan adopted in 2007 and include:

- The urgent need for SLO7 and the Residential Character Areas that apply to the SLO area to be reviewed to provide for greater guidance, consistency in application and achievement of the Overlay purpose.
- Issues related to when the SLO triggers the need for a planning permit, and how the provisions of Clause 54 and 55 prevail over the objectives of the SLO for medium density development when a planning permit is not required under the provisions of the SLO.
- The need to control subdivision (An SLO cannot be used to control subdivision however, subdivision within these areas has a tangible impact on landscape and character values)
- The need to clarify the exemptions that allow vegetation to be removed without the need for a planning permit, and to address the issue that tea tree can be removed without a permit from some parts of the area but not other parts, particularly where tea tree is often the predominant vegetation type and recognised within the Overlay purpose.
- Lack of design guidance.

A point of discussion in the 2007 Structure Plan related to the need to control subdivision. No changes were made in relation to this, however, the recent introduction of the General Residential Zone Schedule 2 (GRZ2) - Incremental Change Areas as part of Planning Scheme Amendment C300 has addressed this issue. Section 4.8 of this report provides a detailed discussion on amendment C300.

The new GRZ2 states *'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.'* This effectively means Council have both the ability to assess the subdivision of land which has the potential to impact on the landscape character of an area and also the built form which can impact on the coastal character of these areas. The requirements of GRZ2 also seek the provision of *'one canopy tree per dwelling.'*

4.6 Ocean Grove Structure Plan Review 2015

The adopted (8 December 2015) Structure Plan 2015 provides a strategic planning framework up to the year 2030. The Structure Plan contains key directions around urban growth, settlement and housing, infrastructure, natural environment, economic development and employment and rural areas.

A number of the suggested changes in the 2007 Structure Plan were implemented via Amendment C300. A major change was the inclusion of application requirements including a schedule of construction materials and a written design response for new development.
During the review of the 2015 Structure Plan, a number of additional issues were raised in relation to SLO7 including:

- Conflict with the purpose of the Residential Growth Zone/Increased Housing Diversity Area.
- Clarity of meaning of the permit trigger requirements.
- Effectiveness in protecting vegetation through a review of the permit triggers.
- Usefulness of the Decision Guidelines.

The Structure Plan also supports the 'development of existing caravan parks and motels including broadening of accommodation type mix particularly on sites close to the Town Centre and the beach'. This includes the Wynndean caravan Park which is located within the SLO7 hillside area.

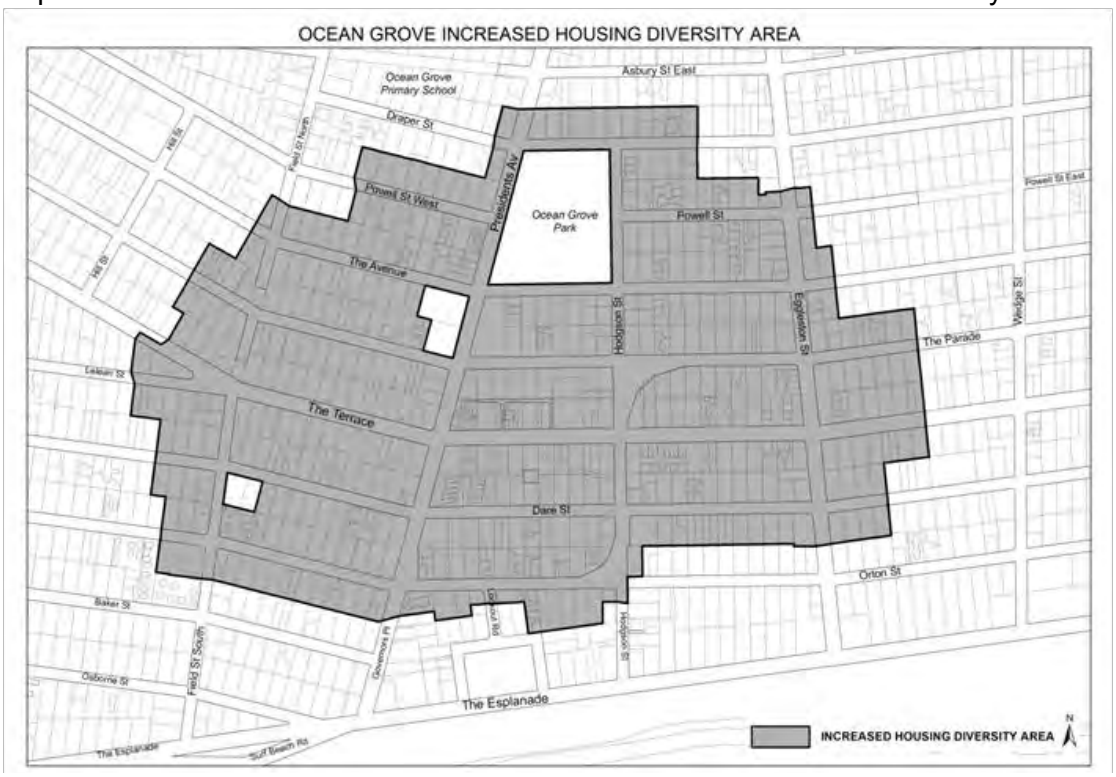
4.7 Housing Diversity Strategy & Increased Housing Diversity Areas

The Housing Diversity Strategy (HDS) recommends that residential areas that are within 400 metres of an identified activity centre should be subject to increased housing diversity. The main purpose Increased Housing Diversity Areas (IHDA's) is to support urban consolidation and, thereby, reduce urban sprawl and provide greater housing diversity. Encouraging higher densities around activity centres will make better use of existing infrastructure and enable residents to have better access to services.

New residential development within the IHDA's is guided by Clause 22.63 Increased Housing Diversity Areas of the Greater Geelong Planning Scheme. Specific guidance in Clause 22.63 for coastal IHDA's seeks to encourage innovative architecture that respects the coastal setting and captures views, retains the openness of the streetscape by avoiding the use of front fences or by providing low permeable fences and encouraging landscaping to be incorporated into the overall development including planting of a canopy tree and/or large shrubs within front setbacks.

Whilst supporting increased densities, the policy seeks to ensure that the established neighbourhood character is not lost through new development and that new development seeks to reflect the built form and landscape attributes of these areas.

Map 4 below identifies the IHDA around the Ocean Grove town centre activity centre:



Map 4 – Increased Housing Diversity Area

4.8 C300 - Introduction of New Residential Zones

In 2013 the state Government created a suite of new residential zones which were required to be implemented by local government councils by mid 2014. Geelong undertook an extensive review of all residential areas in order to apply the new zones. In Ocean Grove this saw the former Residential 1 and Residential 3 Zones replaced by the Residential Growth Zone Schedule 3 Coastal Areas, General Residential Zone Schedule 1 - General Residential Areas and the General Residential Zone Schedule 2 - Incremental Change Areas.

In Ocean Grove the Residential Growth Zone Schedule 3 (RGZ3) was applied around the Town Centre and Marketplace neighbourhood activity centre. The extent of the RGZ3 was defined by the boundaries of the Increased Housing Diversity Areas for both activity centres. The RGZ3 reflects the aspirations of the IHDAs in so far as supporting increased densities close to existing services and infrastructure, including supporting building heights up to 10.5 metres.

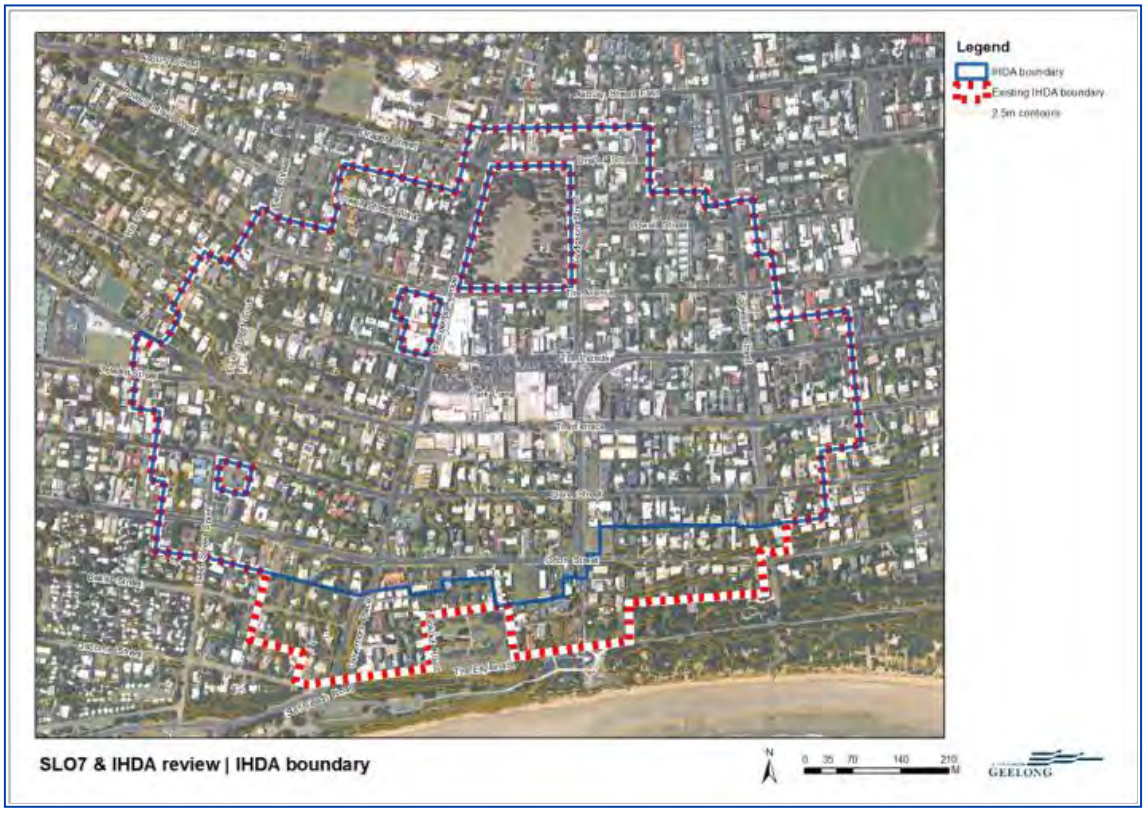
The General Residential Zone Schedule 1 (GRZ1) was applied to Residential 1 Zone areas such as Collendina, Kingston and the North-East growth area. The GRZ1 reflects the typical suburban style of residential subdivision and development found across the municipality and in the township.

The General Residential Zone Schedule 2 (GRZ2) was applied to former Residential 3 Zone areas, principally in the old Ocean Grove area. The GRZ2 is used to reflect established suburban garden character and in the case of Ocean Grove, to reflect the established coastal landscape character of the old town. The GRZ2 also contains a restriction on building height of 9 metres and the requirement for larger private open space areas.

4.9 Conflicting Planning Control Objectives

As part of the residential review and introduction of the new residential zones the boundary of the Ocean Grove Town Centre IHDA was revisited to ensure any areas of significant character were not unduly affected by a potential increase in the density of development. As a result of this review the area south of the properties fronting Orton Street were removed from the IHDA.

This area interfaces with coastal vegetation reserves, stands of remnant vegetation or are highly visible from public viewing locations. The scale and character of new development in these areas should be carefully considered to ensure that the significant vegetation and landscape characteristics are maintained. This area was subsequently zoned for incremental change. The original and revised IHDA boundary is shown in Map 5 below.



Map 5 – Boundary adjustment of IHDA as part of C300

The 2015 Structure Plan discussed areas covered by both the IHDA and the SLO7 and noted a balanced approach needs to be applied. The SLO7 does potentially impact on the capacity of the Ocean Grove IHDA to deliver the housing change anticipated in an IHDA. However, a review of the area has shown it is delivering housing change, increases in density and quality architectural styles when compared to other IHDAs. At the time of the residential review it was recommended the SLO7 be retained with administrative improvements to clarify when the overlay should be considered and to require a permit for the removal of Tea-Tree in locations where it is indigenous.

The new residential zones were implemented via amendment C300 which also made minor changes to the wording in SLO7 including deleting reference to the character study, clarifying 'space' around a dwelling, clarifying outbuilding includes a garage, clarifying tea-tree removal not acceptable when indigenous, updating application requirements to include more information on vegetation and view sharing.

As part of this project, based on the vegetation surveys and other findings it is proposed to review the SLO7 and IHDA boundaries to remove any overlap of these controls. This means where there is a strong vegetated character in the IHDA the RGZ will be removed and replaced with GRZ and where there is limited or no vegetated character the SLO7 will be removed from the IHDA. This will remove any conflict, real or perceived from the residential areas adjacent to the town centre.

4.10 Ocean Grove Town Centre - Urban Design Framework (UDF)

As part of the Town Centre UDF, Council is preparing a new Design and Development Overlay (DDO) which will replace the existing DDO16 for Presidents Avenue and DDO27 for Hodgson Street. Among other things, the purpose of the DDO will be to strengthen the role of the Ocean Grove Town Centre as the commercial and civic heart of Ocean Grove through high quality urban design, redevelopment of underutilised land, improved accessibility for all modes of transport and provision of adequate car parking.

The new DDO will be implemented in to the Planning Scheme via a separate planning scheme amendment process. This work does not impact on the extent of the IHDA or the SLO7.

4.11 Design and Development Overlay Schedule 14- Dwellings over 7.5 metres in areas with access to views (DDO14)

DDO14 affects areas of the Ocean Grove township with access to views. It triggers a permit for dwellings over 7.5 metres ensuring that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features.

The DDO14 is not currently applied in either of the Study Areas but is a tool available as part of any planning controls review. A copy of DDO14 is found in Appendix 3.

4.12 Planning Provision 52.48 Bushfire Protection: Exemptions

Amendment VC83 introduced clause 52.48 into the Victoria Planning Provisions and all planning schemes on 18 November 2011. This provision was developed in response to recommendations of the 2009 Victorian Bushfires Royal Commission.

Clause 52.48 allows the removal, destruction or lopping of vegetation to reduce fuel load around existing buildings used for accommodation and adjacent to fences on property boundaries without requiring a planning permit. These permit exemptions for vegetation removal only apply to buildings and fences existing or approved before 10 September 2009.

This provision applies to the entire Geelong municipality regardless of identified fire threat. This means within urban areas of Geelong vegetation identified for protection through various overlays can be removed under the bushfire exemption. Council wrote to the Minister for Planning in May 2016 requesting the exemption be more strategically applied. In a letter dated June 2016 the Minister indicated the Department were currently looking into a more risk based approach and that the matter will be considered in due course.

4.13 State Policy

12 Environmental and Landscape Values

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

4.14 Vegetation Protection in Urban Areas Practice Note

The VPP Practice Note provides guidance on how to assess the significance of vegetation in urban areas and how to protect significant vegetation through the planning scheme.

Six steps are identified for developing a strategy for vegetation protection:

1. Undertake a vegetation survey
2. Determine vegetation significance
3. Prepare a local policy (MSS and local policy)
4. Apply overlay provisions where appropriate
5. Enforce the planning scheme where necessary
6. Monitor outcomes

The practice note was used to inform the vegetation survey work and to prepare the planning controls. We are now at step four in the process.

4.15 Bellarine Localised Planning Statement 2014

The Localised Planning Statement (LPS) identifies the key valued attributes of the Bellarine and puts in place objectives and strategies to ensure that they are preserved and enhanced for ongoing use by present and future generations.

The LPS acknowledges the residential and tourist role of the township and its status as an urban growth area whilst also acknowledging the importance of maintaining non-urban breaks with open farmed landscapes between settlements.

The key policy objectives and strategies relating to Ocean Grove include:

- To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks with open farmed landscapes between settlements.
- Protect rural and coastal environments from inappropriate urban encroachment and development.
- Protect the scenic qualities of key landscape features.

- Ensure development outside of settlement boundaries (as shown in the Structure Plan maps) does not compromise the rural, environmental and landscape values of the non-urban breaks, significant views or long term growth opportunities.
- To support and encourage diverse and sustainable tourism as a key economic activity in townships and in rural areas where it complements and respects the farmed rural landscape of the area, does not impact upon existing farming activities and contributes to the local economy.

4.16 Local Policy

21.14 The Bellarine Peninsula, Ocean Grove

Encourage development, which respects the coastal landscape setting of Ocean Grove, by:

- Providing reasonable sharing of views of the coast and foreshore
- Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.

4.17 Other Considerations

CoGG Urban Forest Strategy 2015-2025

This strategy has 4 key objectives:

- Green the city
- Cool the city
- Engage the city's community and build regional partnerships
- Demonstrate best practice urban tree management

This strategy looks at the existing make-up of public trees in Geelong, the issues and opportunities, action plan for the future and it outlines the many benefits of streets and their importance to the urban environment.

Environmental Management Strategy 2014-2017

This Strategy guides planning decisions and policy making in those areas that have the ability to influence or impact on the environment. It also identifies significant opportunities to help improve our environment, economy and lifestyle. Some key relevant actions include:

- Net increase native and indigenous street trees
- Preserve remnant vegetation and local biodiversity including indigenous flora

Biodiversity Strategy 2003

This Strategy details the context of biodiversity in Geelong, its importance, value and legislative obligations for its protection. The Biodiversity inventory is provided in summary whilst the Strategy itself details the Vision, Mission, Guiding Principles, Commitment and Targets to ensure Biodiversity protection and enhancement.

- Encourage local nurseries to supply indigenous plant stock propagated from local areas and seed sources
- Development of horticulture operational guidelines for roadside reserves to facilitate the use of local indigenous vegetation where appropriate
- The active promotion of the benefits of indigenous vegetation to private landowners
- Recognise biodiversity through the planning scheme.

5. Summary of Issues

The following is a summary of issues identified:

- Impact of increasing house sizes and site coverage on vegetation retention and establishment
- Managing site coverage and open space
- Vegetation management and landscaping options
- Cumulative impact of incremental tree removal on the landscape character of areas
- Effectiveness of SLO7
- Appropriateness of boundaries/conflicts of SLO7 & IHDA
- State Bushfire Vegetation Removal Clause

6. Vegetation Surveys

Council engaged Okologie Consulting to undertake vegetation surveys in two areas of the Ocean Grove township (see previous maps 1 & 2). The surveys were completed in July – September 2015. The surveys aimed to:

- Identify the extent of significant trees on public and private land.
- Provide guidance for future management and planning controls, and inform the Ocean Grove Structure Plan.

As a result of the survey work two reports have been presented to Council:

- Assessment of Vegetation Cover for the Significant Landscape Overlay – Schedule 7, Ocean Grove Vegetation Survey Findings
- Ocean Grove Significant Tree Project

These reports form a key component of this project and a full copy of the reports were available during the public consultation phase. A summary of the key survey findings for each of the study areas is provided in the next section.

7. Vegetation Survey Findings

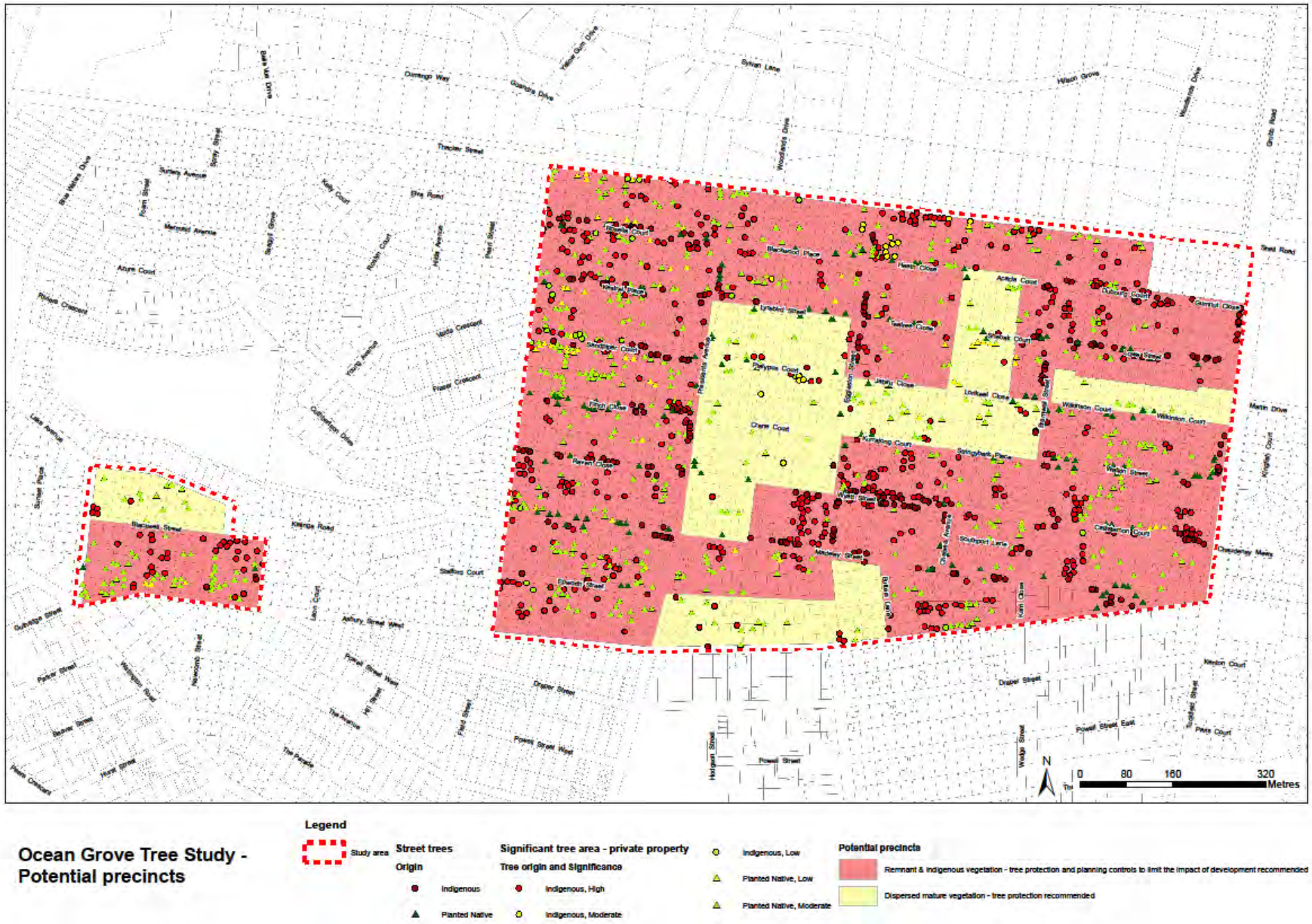
7.1 Significant Tree Study Area

Areas of remnant vegetation within the project area were attributed to Grassy Woodland which generally comprised of Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis*, Narrow-leaf Peppermint *Eucalyptus radiata*, Swamp Gum *Eucalyptus ovata*, Manna Gum *Eucalyptus viminalis*, Drooping Sheoak *Allocasuarina verticillata* and Sweet Bursaria *Bursaria spinosa.*

Planted native species included Yellow-gum *Eucalyptus leucoxylon*, Sugar Gum *Eucalyptus cladocalyx*, Southern Mahogany *Eucalyptus botryoides*, Bundy *Eucalyptus goniocalyx*, River Red-gum *Eucalyptus camaldulensis*, Bushy Yate *Eucalyptus lehmannii*, Tuart *Eucalyptus gomphocephala*, Spotted Gum *Corymbia maculata* and Red Flowering Gum *Corymbia ficifolia*.
A total of 517 significant street trees were recorded within the project area, which comprised 362 indigenous trees and 155 planted native trees. The assessment of private property trees identified 1050 trees, consisting of 480 indigenous trees and 570 planted native trees

A species of note is the Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis* which is endemic to the Bellarine Peninsula and is listed as threatened in Victoria. The population of trees in the study area is significant and needs to be managed to ensure the survival of the
species.

The results of the survey can be found on map 7 overleaf.



Map 7 - Significant Tree Area Vegetation Survey Results

7.2 SLO7 Study Area

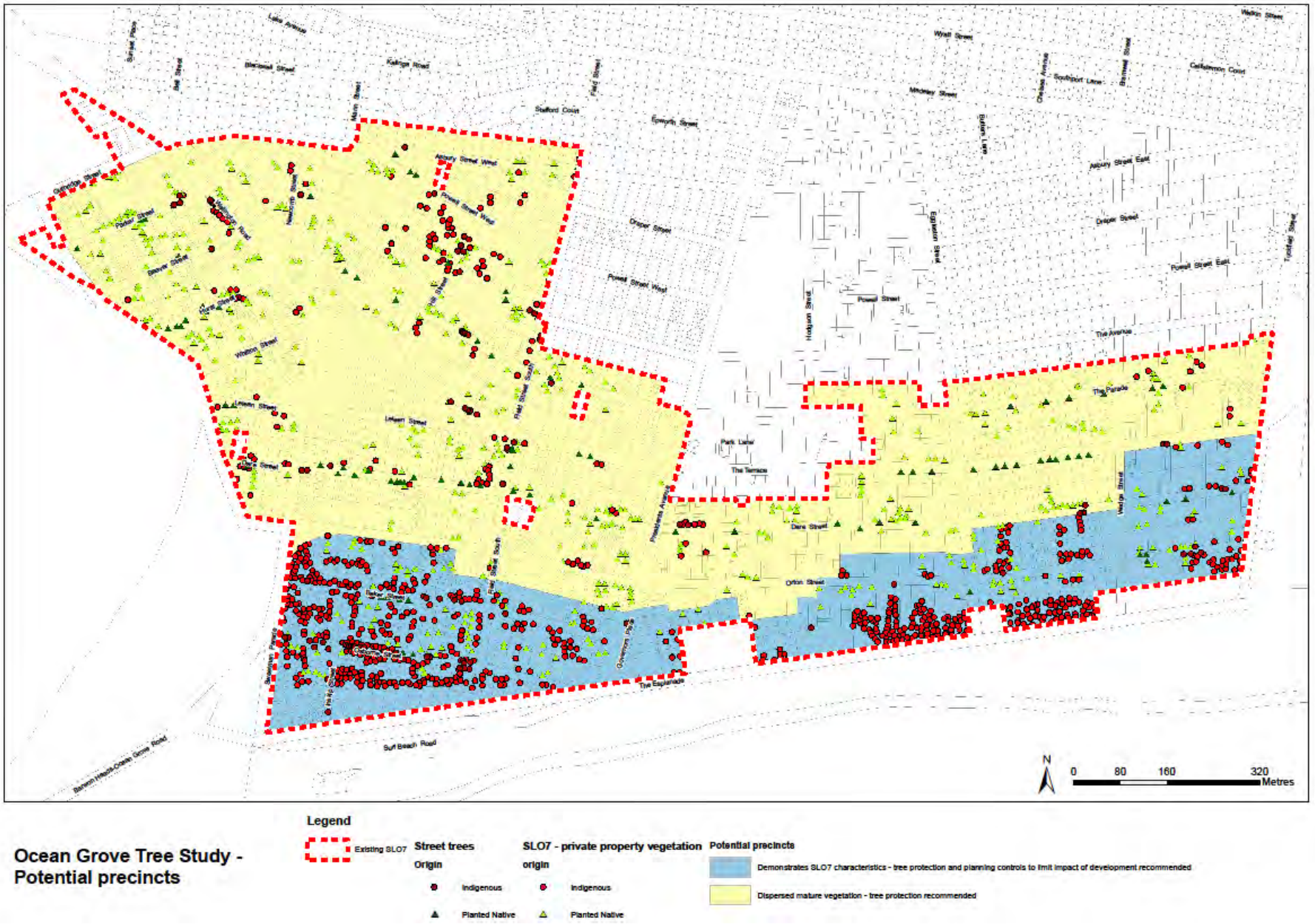
Remnant vegetation within the project area was attributed to Grassy Woodland, Coastal Dune Scrub and Coastal Alkaline Scrub based on floristic, life form and ecological characteristics.

Indigenous trees comprised of Coast Tea-tree *Leptospermum laevigatum*, Coast Beardheath Leucopogon parviflorus, Coast Wirilda Acacia uncifolia, and Moonah Melaleuca lanceolata subsp. Lanceolata, Bellarine Yellow-gum Eucalyptus leucoxylon subsp. bellarinensis and Manna Gum Eucalyptus viminalis.

Planted native species included Yellow-gum Eucalyptus leucoxylon, Sugar Gum *Eucalyptus cladocalyx*, Southern Mahogany *Eucalyptus botryoides*, Bushy Yate *Eucalyptus lehmannii*, Tuart *Eucalyptus gomphocephala*, Red Flowering Gum *Corymbia ficifolia*, Bracelet Honey-myrtle *Melaleuca armillaris* and Coast Banksia *Banksia integrifolia*.

A total of 233 street trees were recorded within the project area, which comprised 114 indigenous trees and 119 planted native trees. Private property trees identified 1330 trees, consisting of 772 indigenous trees and 558 planted native trees.

The results of the survey can be found on map 8 overleaf.



Map 8 – Significant Tree Area Vegetation Survey Results

8. Vegetation Survey Recommendations

A summary of the key survey recommendations for each of the study areas is provided below.

8.1 Significant Tree Study Area

It is recommended the responsible authority:

- Develop precincts within Ocean Grove that identify areas of significant indigenous and planted native trees on public and private land.
- Prepare a Vegetation Protection Overlay, Significant Landscape Overlay or Environmental Significance Overlay to protect significant indigenous and planted native trees within precincts of Ocean Grove.
- Develop a Design and Development Overlay to ensure best practice of the management of significant trees in and around development sites, which includes allocation for the adequate replacement of mature trees.
- Request a level 5 arborist assessment for development proposals on how individual significant trees can be protected through TPZs, and management measures on public and private land.
- Request tree surveys by a level 5 arborist for established trees on proposed future development sites to manage tree impacts.
- Ensure all tree works within precincts of Ocean Grove be undertaken by a level 3 arborist.

8.2 SLO7 Study Area

It is recommended the responsible authority:

- Review SLO7 to include planted native canopy trees as part of the coastal character.
- Review the extent of SLO7 based on precincts that support indigenous and planted native trees on public and private land, and consider use of a Vegetation Protection Overlay for significant trees on public and private property.
- Include permit triggers for vegetation removal with thresholds for indigenous vegetation over 3m tall, planted trees over 5m tall and all Bellarine Yellow Gum trees.
- Ensure best practice management of indigenous and planted native trees in and around development sites, which includes retention where practicable and protection of existing trees, and allocation of space for the adequate replacement of mature canopy trees.

9. Community Engagement

Based on the data, survey results and recommendations and information noted in the previous sections of this report a set of draft controls were developed for informal public consultation. The consultation materials are found in Appendix 4 of the report and consist of:

- Consultation Summary brochure
- Significant Tree Area brochure
- Hillside Precinct brochure
- Hillside DDO14 brochure
- Coastal Fringe brochure

The draft controls went out on informal public exhibition from the 8th of April to the 13th of May 2016. The following consultation activities were conducted:

- All properties affected (around 2,200) by the proposal were sent a notice via mail including a brochure outlining the key changes for each precinct.
- Council held two information sessions including after hours on a week night and long weekend to allow working people and holiday home owners the opportunity to attend.
- Information was available online (over 850 views / 500 document downloads) with hard copies available in Ocean Grove & Geelong.
- Upon request hard copies and additional information was provided.
- The project managers email and phone number were provided if additional advice or meetings were required.
- Ads were placed in local newspapers (Geelong Advertiser, The Echo, Bellarine Times, Geelong Indy)

The community were able to submit feedback via an online form, by post, by email or by hand to Customer Service Centres.

A total of twenty six (26) submissions were received. Five were supportive, one requested clarification and twenty raised objections or recommended changes.

9.1 Response to Submissions

A summary of the key themes to come out of the submissions and an Officer response is provided below:

<u>Urban Consolidation</u>

A number of submitters felt that the use of the Neighbourhood Residential Zone (NRZ) would limit infill and medium density opportunities, particularly single storey multi-dwelling developments, given the more restrictive site coverage and permeability controls proposed in the zone schedule and/or overlay. It was also argued that given the proximity of land in the study area to the town centre support should be given to consolidation utilising existing residential land.

Response

Council is now looking to use the NRZ in the Significant Tree Area only. The coastal fringe area was originally recommended for the NRZ but is now proposed to remain in the General Residential Zone (GRZ) for reasons including the extent and location of the current SLO7, level of development that has already occurred and community feedback. The Significant Tree Area has not experienced the development pressure of the coastal fringe and there is an opportunity to be pro-active in relation to preserving landscape character.

Council is encouraging urban consolidation via the introduction of the Residential Growth Zone (RGZ), where more intensive development is encouraged in and around the town centre. To facilitate development in the RGZ any overlap with the SLO7 is being removed. Trimming of both the RGZ and the SLO7 has occurred to achieve this.

In relation to consolidation opportunities more generally, the study area is already zoned GRZ2 (incremental change areas) which sets out higher than standard area/dimensions for private open space. On all but above average sized lots (~750+sqm) the open space requirement rarely caters for 3 or more dwellings on a lot.

The lots sizes within the STA are shown below. Recent multi-dwelling developments in the area are dominated by dual occupancies for this reason. The maps below highlight lot sizes and development type in the STA.

Map 9 - Lot Sizes in the Significant Tree Area



Map 10 – Development Types in the Significant Tree Area



The use of the NRZ as opposed to the GRZ in the Significant Tree Area acknowledges the landscape characteristics of the area and clearly indicates this is not an area indentified for increased residential development. It is the preservation of larger lots in this area (lots that could see 3+ dwellings under the GRZ) that will be crucial to preserving the overall spacious vegetated landscape character and provide for large canopy trees. The preservation of pockets within the town with strong landscape characteristics is important for the towns overall identity, particularly as more typical 'suburban' character is dominating infill and new subdivisions, where lot and dwelling size often limits opportunities for canopy trees. This matter is discussed in more detail in the background report. The preservation of township character is consistent with policy for the Bellarine Peninsula in the localised planning statement and clause 22.14 which aims to preserve the individual character and identity of each township.

The use of the NRZ could result in the net loss of around 158 potential new dwellings. This is based on Council's housing data, the presumption all lots are available for development including recently constructed lots, the infill target of 40% set out in the G21 Regional Growth Plan and the yield assumptions set out in the table 7 below:

Lot size (m^2)	No. of lots	Development under GRZ2 (potential no. of houses)	Net Increase	Dev under NRZ4 (potential no. of houses)	Net increase
600-750	322	2	322	2	322
750-1000	306	3	612	2	306
1000-1500	26	4	78	2	26
1500+	12	5	48	2	12
	666		**1060**		**666**

Table 7 – Lot supply under zone options

Overall it is considered accommodating growth through the use of the RGZ and GRZ and preserving what makes the town unique through the use of NRZ and existing and proposed overlays provides a reasonable balance.

Site Coverage & Permeability

A number of submissions expressed disapproval for changing the standard site coverage (60%) and permeability (20%) in the zone and overlay provisions.

Under the advertised draft controls the following was proposed:

Area	Site coverage (%)	Site permeability (%)	Landscaped area (%)
STA	40	40	40
Coastal Fringe	40	40	30
Hillside	50	30	30

Table 8 – Proposed schedule changes

Submitters felt this was too restrictive, would limit multi-dwelling opportunities and only allow two storey development which could discriminate elderly and disabled.

Response
The background report goes into the data analysis around lot sizes, site coverage, dwelling footprints, presence of vegetation etc which helped inform the draft controls. The controls were drafted with the aim of protecting existing vegetation and providing space for new vegetation. Managing site coverage and allocating space for vegetation as part of development is seen as the best way to achieve this.

Depending of the size of a lot and the size of proposed dwellings there is still the potential to construct a multi-dwelling development that includes single storey housing. Other councils around Victoria who have identified areas with vegetation/landscape values have taken a similar approach with site coverage figures of around 40% and areas free of impervious surfaces available for planting also around 40%. Examples include:

Surf Coast Shire - Lorne Residential Areas – Neighbourhood Character Overlay 2

A5/B8 Site coverage
The area of a lot covered by buildings should not exceed 35 per cent.
The plot ratio of a building should not exceed 0.5.

A8 Significant trees

- *At least 50 per cent of a lot should be available for the planting of vegetation (excludes driveways and tennis courts of all surface types).*
- *An area of 100m^2, with a minimum dimension of 8 metres, should be provided for vegetative landscaping that includes canopy trees.*
- *Sites, in particular the front and rear building setback areas, should be landscaped in a manner that places buildings in a bushland setting, softens the appearance of buildings in the streetscape and from adjoining properties and compliments the character of the town.*
- *A group of canopy trees should be planted on each lot with at least two in the front building setback area.*

B13 Landscaping

In addition to the requirements of clause 55.03-8:

- *At least 50 per cent of a lot should be available for the planting of vegetation (excludes driveways and tennis courts of all surface types).*
- *An area of 100m2 per dwelling with a minimum dimension of 8 metres, must be provided for vegetative landscaping that includes canopy trees.*
- *Sites, in particular the front and rear building setback areas, should be landscaped in a manner that places buildings in a bushland setting, softens the appearance of buildings in the streetscape and from adjoining properties and compliments the character of the town.*
- *A group of canopy trees should be planted on each lot with at least two in the front building setback area.*

Maroondah – Ridgeline Protection Area - Significant Landscape Overlay 1

Buildings and works
A permit is not required to construct a building or construct or carry out works provided that:

- *The building does not cover more that 40 per cent of the site when combined with the area of any existing building.*

South Gippsland – Sandy Point – Design and Development Overlay 3

2.0 Buildings and Works
A permit is not required to construct a building or carry out works other than for:

- *A development that does not achieve the following site coverage requirements:*
- *A building site coverage of no more than 40 per cent;*
- *A paved area (permeable paving) of no more than 20 per cent; and*
- *An area free of buildings or impervious surfaces of at least 40 per cent.*

Queenscliffe – Point Lonsdale Contributory Area – Design and Development Overlay 5

- *Site coverage - buildings should not occupy more than 40% of the area of a site.*

As a result of submissions changes are proposed to the Coastal Fringe precinct which will now form part of the Hillside precinct:

Requirement	**Coastal Fringe Advertised draft**	**Coastal Fringe Post submissions**
ZONE	Neighbourhood Residential Zone 5	General Residential Zone 3
Site coverage	40%	50%
Permeability	40%	30%
Landscaping	-	30%
OVERLAY	Significant Landscape Overlay 16	Significant Landscape Overlay 7
Site coverage	40%	50%
Landscaping	40%	30%

Table 9 – Draft and Final controls comparison

This is generally consistent with the current SLO7 which specifies:

- *At least 30 per cent of the site is not covered by buildings or impervious surfaces including driveways, paving, swimming pools or tennis courts.*

However the current control does not state that this 30% be set aside for the purpose of vegetation/landscaping which is specified in the revised SLO7. This avoids any confusion of decks, gravel etc being permeable but not being available for landscaping.

The recommendations provide clarity and consistency across the zone and overlay provisions. Any requests to vary the areas nominated under the zone/overlay will have to demonstrate how the landscape objectives are being met.

Minimum Lot Size - NRZ4

A couple of submitters in the STA were supportive of lower site coverage and higher permeability/landscaping requirements. They also suggested nominating a minimum subdivision area of 500sqm and 600sqm respectively.

Response
Implementing a minimum lot size of 500 or 600sqm would preclude multi-dwelling development from all but very large or double allotments. Current two dwelling developments in the area create lot sizes on average of around 350-400sqm.

The proposed NRZ4 and SLO15 allows for two dwellings on a lot with site coverage, permeability and landscaping requirements. The implementation of a minimum lot size of 500/600sqm would severely restrict infill opportunities beyond what is considered a reasonable balance between protecting landscape character and providing infill opportunities. Applying a minimum subdivision area is not recommended.

Side Setbacks

The requirement for a 2 metre setback from one side boundary was seen by some as too onerous. The setback was questioned in relation to vegetation preservation/promotion given a canopy tree could not exist in this space.

A submitter in the STA recommended the 2 metre setback apply to all boundaries.

A submitter recommended a 1m setback with an average of a 2 metre setback.

Response
The purpose of the 2 metre setback is to reflect the more spacious character of the precincts which traditionally have a more spacious setting and do not having buildings built across the entire street frontage. Two dwelling developments are the most common in the area and many are constructed side by side across the street frontage. If this type of development minimises driveway areas and provides quality landscaping along the driveways and in the front setback the 2 metre side setback could be justified.

It is recommended the 2 metre setback is removed from the zone schedule and just apply as a permit trigger in the SLO. The 2 metre setback is a ‘should’ not a ‘must. Any request to for a variation would need to clearly demonstrate how the landscape objectives were still being met.

Height Limits

A number of submitters raised the issue of reduced heights under the proposed NRZ in the Coastal Fringe area. This was seen as an issue with the reduced site coverage proposal which would require people to build up instead of out. It was felt council should be to be facilitating 2 storeys in this case.

Response
In the coastal fringe precinct the maximum height was proposed to be reduced from 9m to 8m. There were no height changes in the hillside or STA precincts.

A substantial 2 storey home can be constructed with a maximum height of 8m, indeed many substantial two storey developments in the area have a maximum height of 7.5m in order to avoid a planning permit under the current SLO7.

The proposed use of the NRZ5 is being altered on the coastal fringe and as such the maximum height of 9m under the GRZ3 will apply. The 7.5 height trigger will still apply under the SLO7 which will apply to hillside and coastal fringe precincts.

Trees in Urban Areas

The practicalities of requiring a canopy tree were queried in relation to maintenance, fire risk, risk to buildings, obstruction of views, blocking light etc. It was also stated the overlay requirements in relation to trees were too onerous.

Response
The Greater Geelong Planning Scheme already requires the planting of one canopy tree under the current GRZ2 (currently applies to all 3 precincts). It is recommended this be increased under the SLO provisions (both the SLO7 and SLO15) to 2 canopy trees per site, existing trees being retained can be included. It is already standard practice to provide 1 under the zone and the overlays are aimed at preserving/providing a vegetated character beyond the 'standard'.

This provision is consistent with that found in urban Torquay/Jan Juc where planting of significant canopy trees in a built up urban environment is encouraged:

Torquay Jan Juc Coastal Townscape Character – DDO1
Application Requirements
The planting of at least two canopy trees within the front setback area.

A detailed planting schedule using species predominantly selected from the Indigenous Planting Guide (2003), with emphasis on the use of Bellarine Yellow Gum, Messmate Stringybark, Ironbark, Manna Gum, Drooping Sheoak and Moonah Woodland community species, as appropriate to the locality.

It is recommended the need to show the allocation of a nominated space for a canopy tree as a permit trigger is removed. Landscaping plans are required as part of development proposals and an experienced designer should understand the space requirements of selected trees with consideration also given to proximity to buildings/assets, fire risk etc and make plant selections and placement recommendations based on this.

It is acknowledged that trees nominated on plans may ultimately die or be removed however setting aside space for planting means the opportunity to plant in the future is safe guarded. Officers can also carry out enforcement if landscaping plans are not carried out in accordance with endorsed plans.

Council is proposing to prepare 'tree planting guidelines' for residents which provides a guide for allocating space for trees, preferred species list, tree protection etc.

Requiring an Arborist

Many submissions raised the issue of the added expense of requiring an arborist to report on trees or carry out works.

Response
It is recommended reference to 'the work is undertaken by a suitably qualified arborist' is removed from the 'vegetation removal' section of the SLO's.
It is considered all but extensive trimming will fall within the permit exemption and will not require a permit.

For significant tree removal it is considered an arborist report is required to ascertain if the tree can be reasonably incorporated into a development, its quality to determine what if any replacement trees are required and management practices for protection during development. Specialist knowledge is required to determine these things.

Current Controls not being Implemented

A large number of submitters felt the current review would not be required if the existing controls were adequately and consistently applied. There was a genuine sense of frustration and disappointment at the perceived inaction of council on this matter.

Submitters voiced concerns over objections to developments not meeting current requirements being approved and the lack of enforcement on illegal vegetation removal. A lack of follow-up/compliance on landscaping plans was also raised as an issue. A number of submitters provided photographs of developments they felt did not meet the intent of the SLO7 and questioned how such approvals occurred.

It was argued even with the SLO7 in place significant development has already occurred which has irrevocably changed the character/landscape of the area. The notion that this could be 'wound back' by applying stricter controls than those that applied during peak development was seen as flawed.

A number of submitters noted the recommendation from the Panel when the SLO7 was introduced should have been implemented which would have negated the need for this project.

Response
A visit to the SLO7 area shows there has been significant development over the past 10 years. There are instances where developments that do not seem to meet the intent of the SLO7 have been constructed. There are a number of factors relating to this:

- Lack of clarity in the SLO7 control – these issues are discussed in detail in the background report and Structure Plan, the proposed revisions aim to address these.
- Development not requiring a permit under SLO7 (large single dwellings) have incrementally changed the 'neighbourhood character' which has been used to justify large 'boxy' developments.
- Trees getting removed 12 months prior to applications being lodged so they are not considered.
- Proposals seeking approval in stages so ultimately the 30% impervious coverage is exceeded.
- Introduction of the Increased Housing Diversity Area and Residential Growth Zone – this has seen a policy conflict arise between the SLO7 and increasing housing density. While the two are not mutually exclusive the objective to increase density has been given more strategic weight than the SLO7.

It is anticipated the revised controls will provide improved landscape outcomes.

Caravan Park

Under the draft proposal the caravan park was located within the coastal fringe precinct. A submission from the Park requested they maintain their current zoning (GRZ2) and overlay which is more consistent with the directions set out for the site in the current and previous Structure Plans.

Response
Given the current and previous Structure Plans have noted this site is underutilised, is in a central location and has the opportunity to support development that can broaden the accommodation mix, applying the GRZ3 with the revised SLO7 overlay is considered appropriate.

Proposed Removal of SLO7 and Replacement with DDO14

It was recommended the SLO7 be removed and replaced with the DDO14 on the eastern side of the town centre where the landscape character was diminished. A submitter felt that although there might be a lack of vegetation it should not mean we 'give up' on trying to achieve the SLO objectives and the opportunity to re-establish the character sought in the SLO7.

Response
It is recommended the SLO7 only be removed from areas in the RGZ (increased housing diversity area), it should remain in all other areas where it was proposed to be replaced by the DDO14. It is recommended the DDO14 still be applied to the IHDA (where SLO7 will be removed).

Impact on Property Values and Compensation

Submitters from the proposed NRZ precincts noted the negative impact the new or revised controls could have on property values given the reduced capacity to develop and some submitters requested compensation be paid should the controls be introduced.
A submitter also suggested if private trees are being required/protected for public good people should be compensated for maintenance etc.

Response
The impact on property values is not considered to be a planning matter. The impact, negative or positive on property values is difficult to quantify. While some put a value on being able to develop a property others may put a value on the knowledge that an area is unlikely to undergo significant change. While some people value low maintenance gardens others will pay a premium for space and mature established gardens.

Data from the STA (discussed above) shows the dominant development type is 1 and 2 dwellings and this can still occur under the proposed NRZ regime.

Landscaping requirements often form part of development approvals and applicants are not compensated for this. Appropriate tree selection should see ongoing costs for maintenance minimised.

Council has not and will not pay compensation based on perceived property value impacts.

People who have not developed yet or who have planted trees over the years are being punished.

Some submitters felt the proposed controls, particularly the reduced site coverage were too restrictive and were unfair on those who had not developed yet. It was felt those that valued trees by keeping or planting them were now being 'punished'. It was also felt those who had developed (and potentially removed most or all trees) for a financial benefit could then be in favour of stricter controls as they were relying on existing or undeveloped properties that still have trees to provide the 'coastal' and 'bush' feel that attract people to the area.

Response
The intent of the proposed controls is to balance development while preserving and enhancing the vegetated landscape. The key elements of this include encouraging the retention of existing trees and having enough space to provide for existing or new trees. The capacity to develop still exists but the scale and intensity of development may need to be modified.

Much of the vegetation on the Coastal Fringe and Hillside is planted – not natural or remnant vegetation.

Response
This is reflected in both the vegetation surveys and consultant reports and the proposed controls. Both indigenous (which are also native) and native plants are separately recognised as native and indigenous vegetation. It should not be inferred from this that all indigenous trees are remnant. Regardless of whether trees are indigenous or native or remnant or planted they all make a contribution to the vegetated landscape.

Development has seen an increase in vegetation in the area.

It was noted in submissions that if not for people planting trees these areas would be largely devoid of vegetation.

Response
The vegetation survey results shows a large percentage of vegetation is planted. While there are examples of remnant vegetation the vegetated landscape does rely heavily on planted vegetation. This vegetation has over time contributed to the landscape and character of the area and is something many people value.

When much of Ocean Grove originally developed it consisted of single dwellings (holiday shacks) on large allotments with houses taking up around 30% of the block. This allowed for significant planting and the establishment of vegetation. The current trend towards smaller lots and higher site coverage does not provide the same conditions that allowed vegetation to originally establish and thrive. This in part is the reason behind the development of the proposed controls.

Vegetation descriptions are inaccurate and misleading

Response
Council engaged a specialist consultant to carry out vegetation surveys and make recommendations. The methodology is set out in the consultant reports which were available online and to view in person in Ocean Grove and Geelong as part of the public consultation. The use of Ecological Vegetation Class (EVC) is standard for classifying vegetation in Victoria.

It is acknowledged that the status of tea-tree is disputed among vegetation experts with different views on its natural distribution, weed status etc. We have relied on consultant advice and Council's Environment Unit in this regard. Tea-trees is considered to make a contribution to the landscape on Ocean Grove but should not be included in landscape plans outside the coastal fringe/dune area.

There was inadequate public consultation

Response
The consultation activities are outlined at the start of this report. This formed part of the 'informal' consultation phase. Should the project proceed the 'formal' planning scheme amendment process further public notification, opportunities to make submissions and present to an independent panel will be provided.

It is noted mail was sent to the property address and not the nominated postal address where this was different. Where mail was returned to council and an alternate postal address was available the notice was resent.

The 'community' have not been asking for this project. It is a waste of ratepayer money – how much has this cost? How can it be considered without a council?

Response
This project is a result of feedback/submissions provided in the previous and current township Structure Plans. The community provided this feedback via the submissions process. The project is recommended as further work in the current Structure Plan.

The project budget forms part of the Structure Planning budget. Included in the project are vegetation consultant costs and public consultation costs (letters, brochures, print media, postage, room hire). The project budget is $60,000 with around $50,000 spent to date. The results of the vegetation survey have been uploaded to Council's GIS data base and can be used by Environment, Parks, Street Tree and Engineering units ongoing.

This project commenced in mid 2015, with Administrators appointed in May 2016. The Administrators will act as 'the council' until new elections are held. The views of ratepayers/residents are considered by the Administrators as they would be by councillors.

It is not recommended this project is put on hold until new councillors are appointed as this will create a level of uncertainty within the community around what is being proposed and may result in vegetation being unnecessarily removed over that 12 month period.

People should be able to do what they want with their own property

Response
Planning controls are often employed in areas which have been identified as having characteristics worthy of additional protection/controls. Protecting vegetation and landscape character is consistent with Council's obligations as a planning authority under the Planning and Environment Act to implement the planning objectives of Victoria.

The proposal is also consistent with the Practice Note 'Vegetation Protection in Urban Areas' which includes utilising VPOs, ESOs and SLOs to protect vegetation on private land. This proposal will provide a net community benefit through:

- preserving the existing/preferred character of the area including the strong vegetated character
- providing ecological benefits (such as habitat for birds, insects, and arboreal mammals)
- contributing to biodiversity and the broader ecosystem. Large remnant trees often contain hollows that are required for breeding by several species including the endangered swift parrot. A significant number of trees in the area are Bellarine Yellow Gums which are endemic and endangered.
- Health and wellbeing, a number of studies make positive links between enhanced health and living near trees
- reducing the heat island effect, stormwater management, thermal performance of buildings, reducing the impact of climate change.

Zone and overlay changes are proposed (revised or new) to ensure development respects the preferred identified character for the area. It aims to provide a balance between allowing development and preserving or enhancing the coastal/bush character of an area, this balance is further demonstrated in the number of exemptions which if met means no permit is required.

Object to canopy trees being required in the coastal fringe, canopy trees are not traditionally found in this area.

Response
The background work and proposed controls acknowledge the vegetation structure is different on the coastal fringe which was the main the reason a separate precinct was created for the area. The height of canopy trees recommended for this area was based on indigenous vegetation naturally found in the area.

If council want more trees they should provide them on public land not require private landholders to provide them. Council does not look after the trees they have

Response
The project acknowledges there are street tree gaps in the area. Council aims to provide at least one street tree per property subject to nature strip suitability. Council has identified the benefits of street trees in its recent 'Urban Forestry Strategy' and implements a street tree planting program. This program is allocated a budget which requires prioritisation of works. The work as part of this project will help inform street planting in Ocean Grove into the future.

Council has a street tree policy to manage tree replacement and requests for tree removal. Council is generally reluctant to remove otherwise healthy street trees or see new vehicle access where there is potential damage to trees. The presence of an SLO will help inform decisions on street tree management.

Council is committed to tree planting on public land and has a focus on planting local indigenous plants where appropriate. In the study areas it is the presence of both public and private trees that contribute to the overall landscape and therefore both should be managed.

Council has consistently made decisions that have resulted in tree removal where alternate options have been available – council needs to show leadership on public land.

Response
Decision making for development requires the consideration of many issues across multiple disciplines and is often complex. Council have various policies and strategies around environmental management and vegetation protection that must be considered in the decision making process. The presence of landscape controls should see council officers prioritise vegetation protection in the decision making process.

Question expertise of authors and data collection method

Response
Council planners are not vegetation experts. Council engaged an ecologist (BA AppSc, BSc NRM, Hons (App Ecology) with over 11 years consulting on wide range of government and private projects and a level 5 arborist with over 25 years experience to provide data and recommendations on vegetation. Images within the reports are of both indigenous and native species as both types are identified as contributing to the vegetated landscape of the town.

Given the size of the study area and the number of trees in the study area it was not practical to survey every plant (weeds, vegetation on crown land etc). Vegetation surveyed was limited to native trees over 5m and indigenous trees over 3m, this was explained in the summary brochure. The age of street trees were recorded as 'mature' 'semi-mature' and 'young'. Given the limitations in accessing private trees details such as age were not recorded. Access to the survey methodology was made available as part of the public consultation.

Pages in the report are difficult to read due to page/print layouts.

Response
Noted. Layout to be adjusted in report should the project move to the next phase.

Parking on nature strips is impacting on tree health which council are not enforcing.

Response
Residents can report illegally parked vehicles to Council's Local Laws unit and officers can inspect and issue fines if required.

All the decision guidelines in Design and Development Overlay 14 in relation to view sharing should be used in SLO7

Response
The DDO14 contains the additional decision guidelines:
Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.

It is proposed to include the additional DDO14 guideline in the SLO guidelines as it provides additional view sharing considerations which are relevant to the landscape objectives being sought by the new and revised controls.

How many planning permits have issued with 'vegetation removal' in the SLO7 over the past 10 years?

Response
There were 56 permits with 'vegetation removal' in the permit description from 2003 to 2015.

Positive Submissions

Along with submissions raising objections or recommendations, five supportive submissions were received. The supporting submissions included the following themes:

- Recent development is to large and too bulky and does not leave room for vegetation - controls are needed to address this.
- Trees are a major part of appeal is the STA area which are at risk from increased development.
- When blocks are cleared there is little or no replacement vegetation being planting affecting character and habitat.
- Looking at what has been developed in the SLO7 it is clear the control is failing and needs strengthening.
- The proposed controls allow for redevelopment while still keeping coastal environment.
- Absence of any controls will see a continuation of development setting new precedents and absence of landscaping.
- We can't rely on people doing the right thing, planning protection needed and sanctions required for those who don't do the right thing.
- Support greater street tree plantings.

9.2 Summary of Key Changes as a Result of Submissions

As a result of public submissions a number of changes have been made to the draft exhibited proposals. The final planning control recommendations are detailed in section 10 of this Report. Some of the key changes to come out of the submissions process are:

- Coastal fringe precinct now included as part of the Hillside Precinct (generally previous SLO7 extent) - site coverage increased from 40% to 50% and area for landscaping/permeability reduced from 40% to 30%
- 2 metre side setback included as permit trigger in overlay only not in schedule to the zone
- No changes to height controls
- Two canopy trees required in landscaping plans instead of one making a greater contribution to the vegetated existing and preferred character of the area
- Area required for canopy tree and canopy tree size not specified in overlays providing more flexibility
- Increased scope of works not requiring an arborist reducing potential costs for minor works
- Significant trees defined in overlays based on tree type and height
- View sharing decision guidelines included in the DDO14 added to SLO7 to improve built form and view outcomes
- Caravan Park to be included in Hillside precinct
- SLO7 to be retained on east side of town centre where it was recommended for replacement with DDO14 to encourage the preferred landscape to strengthen and re-establish.

10. Proposed Planning Controls

Based on the data, survey results and recommendations, information noted in previous sections of this report and submissions to the informal public consultation the following planning controls have been developed to retain and enhance the identified character of the study areas.

10.1 Significant Tree Study Area

10.1.1 Policy

To increase the importance of vegetation consideration as part planning approvals process it is recommended the following objective (see Appendix 5 for complete policy) is added to the Municipal Strategic Statement:

21.14-2 Strategies Ocean Grove

Encourage development which respects the coastal landscape setting of Ocean Grove, by:

- Providing reasonable sharing of views of the coast and foreshore
- Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality
- Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation. *(new)*

10.1.2 Zone

The current zone for the area is:

General Residential Zone SCHEDULE 2 - URBAN PRESERVATION AREAS

The GRZ zone objectives are:

- 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.

Variations to the standard approval requirements under this schedule are:

A17/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 a 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.

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.

When any of the lots being created are between 300-500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the construction of the dwellings.

There are two options to change the zone which would allow for more consideration of the distinctive character of the area:

1. Create a new General Residential Zone schedule for the "Ocean Grove Significant Tree Area" or
2. Create a Neighbourhood Residential Zone schedule "Ocean Grove Significant Tree Area".

The NRZ objectives are:

- *To recognise areas of predominantly single and double storey residential development.*
- *To limit opportunities for increased residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*

In this zone the number of dwellings on a lot can not exceed two.

Schedule variations are available for both the GRZ and the NRZ, variations are likely to be made for:

- Site coverage – decrease the standard
- Site permeability – increase the standard
- Landscaping – increase the requirements

The preferred option is to rezone the area to NRZ new schedule 4, as it better reflects the unique and significant vegetated character of the area. It also recognises that this area is not an area identified for significant or moderate development.

A draft NRZ4 is provided as Appendix 6.

10.1.3 Overlays

There are three options for vegetation protection under the Victorian Planning Provisions:

- Vegetation Protection Overlay (VPO) – specifically protects vegetation, does not include buildings and works or subdivision requirements.
- Environmental Significant Overlay (ESO) – protects vegetation and wider environmental values, includes buildings and works or subdivision requirements.
- Significant Landscape Overlay (SLO) – Protects vegetation in a broader landscape context, includes buildings and works or subdivision requirements.

The most suitable option is considered to be the SLO given the vegetation is significant as part of a broader landscape context being the unique bush garden character of the area rather than just environmental values. The SLO also allows for buildings and works permit triggers as opposed to just vegetation triggers. This is important in an urban context as buildings and works can have a significant impact on vegetation.

An SLO should be applied to the area, the new SLO schedule 15 should include:

- A character statement that reflects the uniqueness of the area
- Encouraging vegetation retention in the first instance
- Permit triggers that manage significant vegetation removal
- Provision of adequate space for existing and future planting based on vegetation survey results
- Provision for off-set planting when vegetation removal cant be avoided

A draft SLO15 is provided as Appendix 7.

It is proposed to remove the DDO14 overlay from all but a small pocket of the Significant Tree Area. The majority of the STA does not have access to coastal views. There is a small pocket south of Blackwell Street where views are available and so the retention of DDO14 is applicable.

10.2 Hillside Study Area

10.2.1 Zone

The current Zone is:

General Residential Zone SCHEDULE 2 - URBAN PRESERVATION AREAS

The GRZ2 zone objectives are noted above.

It is recommended the zoning regime change to:

- Create a new General Residential Zone new schedule 3 for the “Ocean Grove Hillside Area”.

The GRZ is appropriate for the hillside location given the high level of development that has already occurred and given the vegetation is not as significant as that identified in the Significant Tree Area. The new schedule to the zone aims to preserve the unique character of the area through appropriate variations including :

- Site coverage – decrease the standard
- Site permeability – increase the standard
- Landscaping – increase the requirements

Appendix 8 shows the proposed zone schedule provision for the new GRZ3.

The Residential Growth Zone 3 is applied to the Increased Housing Diversity Area around the town centre. There is currently some overlap between this zone and SLO7 which is causing some conflict. There is proposed to be some alteration to the RGZ3 boundary and the SLO7 boundary based on the vegetation survey work to ensure there

is no overlap of these controls in the future. These changes are seen on maps 11 & 12 in section 12 of this report.

10.2.2 Overlays

The current extent of the SLO7 should be retained with some trimming occurring where there is overlap with the RGZ3 as outlined above. There will need to be some modifications to the SLO7 wording to address some of the issues currently identified with the control such as:

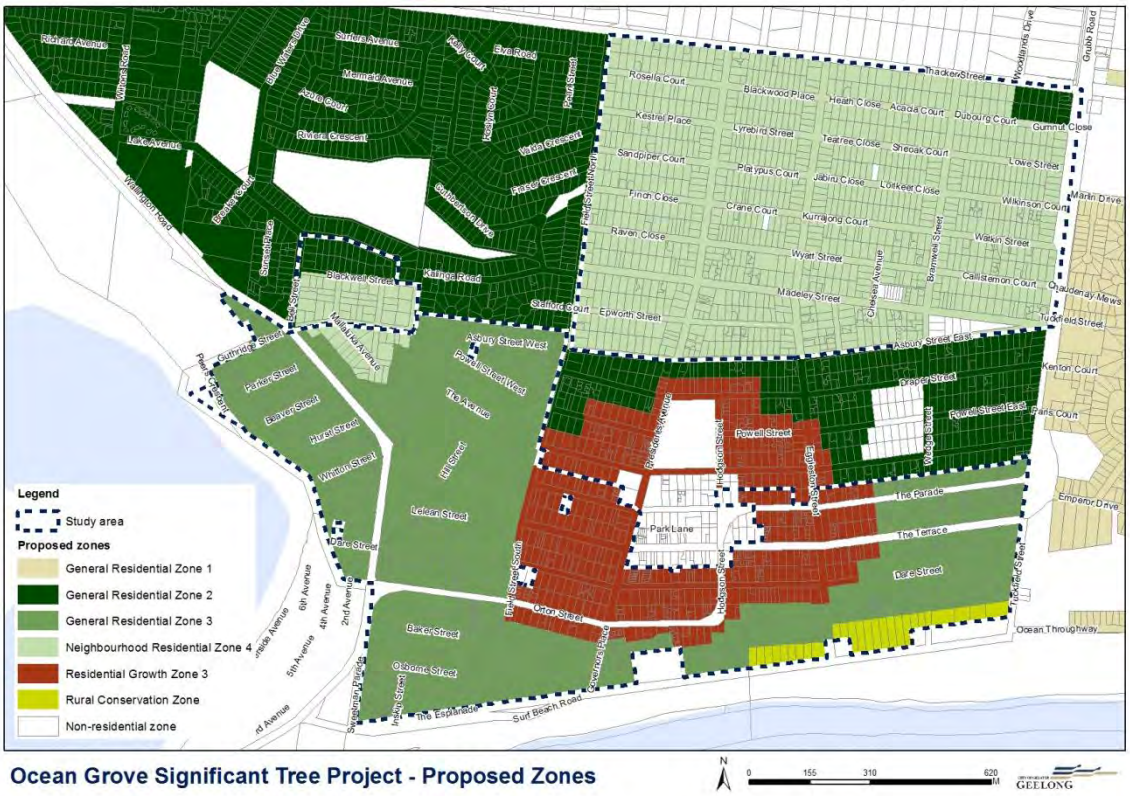
- Greater clarity in the Statement of Significance
- Greater clarity around the objectives to be achieved.
- Greater clarity around the site permeability and coverage requirements/triggers.
- Adjusting vegetation removal triggers and landscaping requirements to better reflect vegetation survey results and preferred character outcomes.

The re-drafted SLO7 is provided in Appendix 9.

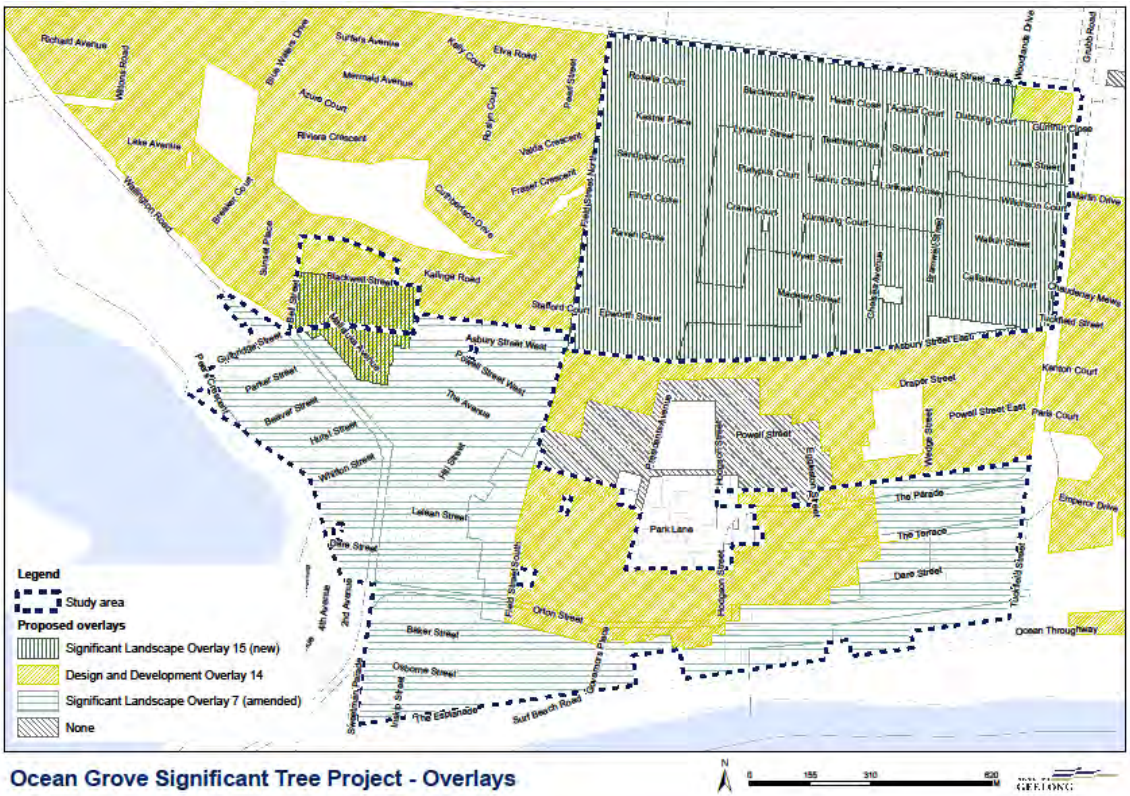
Where SLO7 is recommended for removal within the Increased Housing Diversity Area around the town centre, it is recommended the DDO14 be applied. The DDO14 will ensure that the view sharing elements within the SLO7 are still considered but the other character elements will no longer be applicable.

While the DDO14 has previously been removed from all Increased Housing Diversity Areas across the municipality the topography of Ocean Grove, the access to and significance of the views available and the history of view sharing considerations (SLO7) being in place since 2003 means some form of view sharing control is appropriate.

11. Summary Zoning and Overlay Maps



Map 11 – Proposed zones



Map 12 – Proposed overlays

12. Vegetation Management

The proposed planning zone and overlay controls make reference to a number of items in relation to vegetation management and protection. Some of these items also form recommendations in the Okologie consultant vegetation reports. These are briefly discussed below:

12.1 Tree Planting Guidelines

The Council's of Banyule and Moreland have prepared Tree Planting Guidelines to assist residents and applicants with tree selection and planting for maximum benefits. The Guidelines outline expectations in relation to tree planting associated with landscape plans accompanying development applications.

It is recommended Geelong council prepare similar Guidelines that cover matters such as:

- Matching tree size and available space
- Recommended species
- Plant lists – indigenous list available
- Tree Protections Zones

12.2 Tree Replacement Strategy & Seed Collection

Trees have a finite lifespan and at some point in time trees need to be removed and replaced. As trees age they require more management to maintain them in a safe and attractive condition.

Okologie consulting noted that the future management of the Bellarine Yellow-gum population within Ocean Grove should consider the insufficient level of recruitment of mature trees in an urban landscape. The replacement of senescent mature trees will be required through ongoing planting; however, seed should be of local provenance and collected from the broader area to maintain genetic diversity within the species. They recommend that a tree replacement strategy be prepared which includes a formal procedure for seed collection and revegetation.

Council already contract out seed collection of Bellarine Yellow Gums and other indigenous remnant vegetation for revegetation purposes.

Councils Parks and Garden unit have prepared the Urban Forest Strategy which commits to additional street tree planting and develop tree management manual and guidelines. Where a distinct urban character is identified through the planning scheme or other strategy/policy new or replacement trees should reflect the established and preferred character of areas.

12.3 Tree Protection Zones (TPZ)

An Australian Standard (AS 4970—2009 (Incorporating Amendment No. 1)) has been developed to ensure the best practices for the planning and protection of trees on development sites. The use of this Standard has been recommended by Okologie consulting as part of this project.

It is recommended TPZ standards are incorporated into the relevant planning controls to manage vegetation.

13. Recommendations

13.1 Planning recommendations

The following is a summary of the planning recommendations outlined in this report:

Table 10 - SUMMARY OF PLANNING CONTROL RECOMMENDATIONS

ITEM	Significant Tree Residential Area		Residential Hillside Area	
	PROPOSED	EXISTING	PROPOSED	EXISTING
Policy	Update 21.14-2 to include protection of significant vegetation and coastal design objectives.	No mention of vegetation	Update 21.14-2 to include protection of significant vegetation and coastal design objectives.	No mention of vegetation
Zone	Neighbourhood Residential (NRZ)	General Residential Zone (GRZ)	General Residential Zone (GRZ)	General Residential Zone (GRZ) Residential Growth Zone (RGZ)
Zone schedule	4	2	3	2 3
Site coverage	40%	60%	50%	60%
Site permeability	40%	20%	20%	20%
Height	A building used as a dwelling or a residential building must not exceed a height of 9 metres	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.	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.	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.
No. of Dwellings	The number of dwellings on a lot must not exceed two.	None specified	None specified.	None specified.
Landscaping	At least 40% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.	One canopy tree per dwelling.	At least 30% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.	One canopy tree per dwelling.
Side and rear setbacks	None specified.	None specified.	None specified.	None specified.
Private open space	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	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	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 a minimum area of 40 square metres, a minimum dimension of 5 metres and	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

ITEM	Significant Tree Residential Area		Residential Hillside Area	
	PROPOSED	EXISTING	PROPOSED	EXISTING
	5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.	metres and convenient access from a living room. It cannot include a balcony or roof top terrace.	convenient access from a living room. It cannot include a balcony or roof top terrace.	minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
Front fence	None specified.	None specified.	None specified.	None specified.
Overlay	Significant Landscape	Design and Development Overlay Significant Landscape Overlay	Significant Landscape	Significant Landscape
Overlay schedule	15	14 7	7 (revised)	7
Objectives	-To protect and ensure the long term future of significant canopy vegetation which is the dominant visual and environmental feature of the precinct -To ensure that buildings and works retain an unobtrusive profile and do not dominate the landscape. -To ensure that a reasonable proportion of a lot is free of buildings and hard surfaces to provide for the retention and planting of significant canopy trees and generous open space areas. -To minimise the effect of future development on significant canopy vegetation. -To ensure that new development has proper regard for the established landscape character in terms of building height, scale, site coverage, site permeability, siting and landscaping. -To minimise the impact of vehicle access, road works, fences, service trenches etc have on existing vegetation. -To ensure adequate tree	-To ensure that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features.	-To conserve, enhance and reinstate the preferred character of buildings sitting within vegetated settings including in areas that have been substantially cleared of vegetation. -To preserve the balance between roof tops and vegetation in long distance views of the town. -To encourage vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas. -To promote buildings that fit within the landscape and do not dominate the streetscape and long distance views. -To provide a balance between buildings and vegetation canopy. -To ensure that buildings are sited and designed to avoid and/or minimise removal of Australian native/indigenous vegetation. -To encourage development that sits within a vegetated setting by providing space at the front, side and rear of buildings for the retention and planting of screening vegetation. -To maximise opportunities for view sharing, particularly where views are	-To preserve the balance between roof tops and vegetation in long distance views of the town. -To encourage the development of buildings that fit within the landscape and does not dominate the streetscape and long distance views. -To minimise the impact of buildings projecting above the vegetation canopy. -To provide space at the front, side and rear of buildings for the retention and planting of vegetation, particularly high canopied coastal vegetation and other native coastal species common to the area. -To maximise opportunities for view sharing, particularly where views are available to the ocean and river from private dwellings. -To protect vistas of the ocean and river available from public viewing points in the town.

ITEM	Significant Tree Residential Area		Residential Hillside Area	
	PROPOSED	EXISTING	PROPOSED	EXISTING
	protection zones are provided around existing trees as part of any development. -To encourage strategic replanting on public and private land to provide for the long term maintenance of landscape and environmental values within the precinct. -To prevent the premature removal of vegetation from a site prior to consideration of design options for a proposed development. -To ensure that appropriate replacement planting is provided and located appropriately on site where tree removal occurs. -To promote the use of locally indigenous plants for landscaping.		available to the ocean and river from private dwellings.	
Buildings & Works	Significant Tree Residential Area		Residential Hillside Area	
Height trigger	n/a	7.5m above natural ground level	7.5m above natural ground level	7.5m above natural ground level
Building site coverage	40%	-	No more than 70% of the site is covered by buildings and impervious/hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.	At least 30 per cent of the site is not covered by buildings or impervious surfaces including driveways, paving, swimming pools or tennis courts.
Area available for landscaping	40% including 2 canopy Australian native or indigenous trees	-	30% including 2 canopy Australian native or indigenous trees	-
Dwelling trigger	More than one dwelling	-	More than one dwelling	-
Side setback	At least 2 meters from one side boundary	-	At least 2 meters from one side boundary	-
Vegetation Removal (permit required	-Indigenous vegetation less than 3 meters in height. -Native vegetation less than 5 meters in height.	-	-Indigenous or native vegetation less than 3 meters in height. -Exotic vegetation. -Vegetation is listed within the	-The vegetation is listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008

ITEM	Significant Tree Residential Area		Residential Hillside Area	
	PROPOSED	EXISTING	PROPOSED	EXISTING
unless the following requirements met)	-Exotic vegetation -Vegetation is listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which is indigenous in this location. -Vegetation removed as part of an approved landscape plan. -Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded. -Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped. -Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling. -Vegetation that is dead to the satisfaction of the responsible authority, unless the dead vegetation is a habitat tree containing hollows. -Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority. -Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible		incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which is indigenous in this location. -Vegetation removed as part of an approved landscape plan. -Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded. -Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped. -Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling. -Vegetation that is dead to the satisfaction of the responsible authority, unless the dead vegetation is a habitat tree containing hollows. -Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority. -Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority.	except where tea tree is indigenous to the area. -The vegetation is dead. -The vegetation is less than 4 metres in height and is not shown on an approved landscape plan or site plan specifying its retention or the vegetation has a single trunk circumference of less than 0.5 metres measured 1 metre above the ground and is not shown on an approved landscape plan or site plan specifying its retention.

ITEM	Significant Tree Residential Area		Residential Hillside Area	
	PROPOSED	EXISTING	PROPOSED	EXISTING
	Authority.			
Application Requirements	Significant Tree Residential Area		Residential Hillside Area	
View impact analysis	n/a	Development over 7.5m	Development over 7.5m	Development over 7.5m
Landscaping plan	Development and vegetation removal	-	Development and vegetation removal	Development and vegetation removal
Schedule of materials	n/a	-	Development	Development
Arborist report	Vegetation removal and works within significant tree drip line	-	Vegetation removal and works within significant tree drip line	Vegetation removal

13.2 Planning Implementation

In order to implement the proposed planning scheme changes outlined in this report Council will need to adopt the recommendations and undertake a planning scheme amendment. As part of this process a formal public consultation phase will be undertaken to ensure the community have another opportunity to further input on the proposed changes.

Interim Controls

It is recommended Council apply for interim controls for SLO15 while the amendment is being processed. This will help ensure development that does not meet the proposed landscape objectives is not approved in the period between adoption and the finalisation of the amendment. Without interim controls there could be a loss of vegetation and new development that does not support the landscape objectives which could detrimentally impact upon the existing and preferred neighbourhood character.

Interim controls are routinely applied where heritage overlays are proposed and there have been instances where Councils have applied them to vegetation (VPO) such as Banyule and the implementation of their Strategy for Substantial trees in Banyule's Garden Court and Garden Suburban Neighbourhoods 2013 (the Strategy for Substantial Trees).

Transitional Arrangements

It is recommended transitional arrangements form part of the proposed overlays so applicants who have made applications under the current planning regime are not unfairly affected.

13.3 Other Recommendations

The following additional matters were recommended by the vegetation consultant:

Item	Responsibility	Priority
Prepare tree planting guidelines	Planning Strategy	Medium
Tree Replacement Strategy	Parks & Gardens (Parks)	Medium
Seed Collection	Parks & Gardens (Parks) & Environment & Waste Services (Land Management)	Ongoing

Table 11 – Other Recommendations

Where Council have identified and adopted controls or policies to protect unique areas with Significant Landscape Overlays, Vegetation Protection Overlays, Heritage Overlays etc it is important as asset and land managers that the objectives of these controls are considered in the decision making process.

14. Conclusion

As a result of this project two distinct landscape character areas have emerged:

1. Significant Tree Area
2. Residential Hillside Area

Along with these areas minor changes have been made to the Increased Housing Diversity Area (RGZ) and Significant Landscape Overlay 7 boundaries where they previously overlapped to avoid any potential land use conflicts. Where SLO7 is being removed it is being replaced by Design and Development Overlay 14.

In order to best identify, protect and manage these areas, individual planning regimes have been developed:

Area	Zone	Overlay
Significant Tree Area	Neighbourhood Residential 4 (new)	Significant Landscape 15 (new)
Residential Hillside Area	General Residential 3 (new)	Significant Landscape 7 (revised)
Increased Housing Diversity Area	Residential Growth Zone (existing)	Design & Development 14 (new)

Table 12 – Summary of Planning Controls

Along with the zone and overlay provisions minor policy changes are recommended to elevate the importance of vegetation protection in decision making in the Municipal Strategic Statement 21.14 Bellarine Peninsula – Ocean Grove.

15. References

- Banyule City Council, Substantial trees in Banyule's Garden Court and Garden Suburban Neighbourhoods, 2013
- Banyule City Council, Banyule City Council Tree Planting Guidelines 2011
- City of Greater Geelong, Ocean Grove Structure Plan, 2007 (amended 2008)
- City of Greater Geelong, Ocean Grove Structure Plan, 2016
- City of Greater Geelong, Urban Forestry Strategy, 2015-2025
- Department of Planning & Community Development, VPP Vegetation Protection in Urban Areas, August 1999
- Hall T, Griffiths University as part of a paper 'Goodbye to the Backyard? – The Minimisation of Private Open Space in the Australian Outer-Suburban Estate' in 2010.
- Maroondah Planning Scheme – Ridgeline Protection Area - Significant Landscape Overlay 1
- Moreland City Council, Moreland Tree Planting Manual for Residential Zones, 2014
- Okologie Consulting, Assessment of tree Cover for Significant Landscape Overlay Schedule 7, Ocean Grove, 2015
- Okologie Consulting, Ocean Grove Significant Residential Tree Project, 2015
- Queenscliffe Planning Scheme – Point Lonsdale Contributory Area – Development and Development Overlay 5
- South Gippsland Planning Scheme – Sandy Point – Design and Development Overlay 3
- Surf Coast Shire Planning Scheme - Lorne Residential Areas – Neighbourhood Character Overlay 2
- Surf Coast Shire Planning Scheme – Torquay Jan Juc Coastal Townscape Character Design and Development Overlay 1

8. PROPOSED PLANNING SCHEME AMENDMENT TO APPLY A PUBLIC ACQUISITION OVERLAY ON LAND AT 661-669 BARWON HEADS ROAD AND 619-639, 641-655 AND 657-669 BOUNDARY ROAD, CHARLEMONT

(previously agenda item 7)

Source: **Planning & Development - Urban Growth**
General Manager: **Peter Bettess**
Index Reference: **Armstrong Creek Project - Development Contributions Plan - Armstrong Creek - Horseshoe Bend**

Purpose

This report seeks approval for the preparation and exhibition of a Public Acquisition Overlay (PAO) to facilitate the acquisition of land for the purposes of drainage at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont. The land is required for the construction and commissioning of the end-of-line storm water infrastructure nominated in the Horseshoe Bend Precinct Storm Water Management Strategy.

Summary

- The Horseshoe Bend Precinct Structure Plan (HBPSP) and associated Horseshoe Bend Development Contributions Plan (HBDCP) nominate drainage infrastructure across four land parcels on the eastern edge of the precinct boundary (see Appendix 1).
- The purpose of the drainage, as nominated in the PSP and DCP, is the conveyance of storm water from the Horseshoe Bend PSP area to the east into the Sparrovale Wetlands.
- The subject land parcels are fragmented in both size and ownership and require an overall master plan to be developed by the land holders and approved by Council. The master plan must show a consolidated subdivision proposal for the entire area bounded by a boundary known as 'sub-precinct C' (see Appendix 2).
- As a result of lack of access to services and the tremendous effort in coordination and/or land assembly required to enable development, the timeframe for the development of these properties for residential purposes and the overall Horseshoe Bend precinct requirement for the drainage infrastructure is unlikely for many years.
- There is a need for the drainage infrastructure to be established as part of the commissioning of the Sparrovale Wetlands to receive water from the west side of Barwon Heads Road.
- As a result, Council officers wish to pursue a Public Acquisition Overlay (PAO) on the land required for the drainage infrastructure across the four parcels to ensure that both the Sparrovale Wetlands and the infrastructure for conveyance of flows are secured.

P Dorling moved, L Gardner seconded -

That Council resolve to:

1) **seek authorisation from the Minister for Planning to prepare Amendment C360 to the Greater Geelong Planning Scheme;**
2) **prepare and exhibit the amendment in accordance with the requirements nominated in the *Planning & Environment Act* 1987.**

Carried.

Background

The establishment of the Sparrovale Wetlands is critical to the continued development of the land within the Horseshoe Bend Precinct Structure Plan (HBPSP) area. Equally important is the establishment of drainage infrastructure to convey storm water from the Horseshoe Bend Precinct into the Sparrovale Wetlands (refer Appendix 3). It is the securing of land for this conveyance that forms the basis of the proposed application of a PAO on the land parcels that are the subject of this report.

Discussion

The Horseshoe Bend Precinct Structure Plan was incorporated into the Greater Geelong Planning Scheme in November 2014. Since that time, three (3) Planning Permits have been issued in the PSP area representing approval of 3,102 residential lots and the setting aside of land for future retail, education and community purposes.

Significant civil works are currently being undertaken to support the residential development of the Horseshoe Bend Precinct Structure Plan area, however, in accordance with the approved Storm Water Management Strategy (SWMS) development of the precinct is limited to 25 per cent of the total net developable area without the acquisition and commissioning of the land parcels that make up the future Sparrovale Wetlands.

The Horseshoe Bend Precinct Development Contributions Plan (HBDCP) also nominates a trigger for the purchase and commissioning of the Sparrovale Wetlands: The upgrade of culverts under Barwon Heads Road (being the outlet from Barwon Heads Road south retarding basin) or at the discretion of the Responsible Authority. The requirement for the upgrade of the culverts is very likely to occur prior to the construction of 25 per cent of the developable land, given a planning permit has been granted for the land on which the construction of the Barwon Heads Road retarding basin is required.

Council has proposed, in a separate Planning Scheme Amendment, the application of a Public Acquisition Overlay (PAO) on the two (2) land parcels that will become the Sparrovale Wetlands.

The proposal of a PAO over the areas required for drainage on the east side of Barwon Heads Road is critical to the establishment of the drainage infrastructure required for conveyance of water into the Sparrovale Wetlands.

Environmental Implications

The establishment of an effective storm water management system in accordance with the Horseshoe Bend Storm Water Management Strategy will provide significant positive environmental outcomes including the protection of habitat.

Financial Implications

Funding for the purchase of the land for drainage has been nominated in the incorporated Horseshoe Bend Development Contributions Plan (HBDCP).

Future budget proposal.

It is envisaged that a future proposal for budget will be requested to fund the timely delivery of the drainage infrastructure over the next three years.

As noted above, the costs for land acquisition for these drainage projects are included in the Horseshoe Bend DCP. As a result, there is an opportunity to offset the purchase costs against funds collected as future development occurs.

Policy/Legal/Statutory Implications

The planning scheme amendment to incorporate the Public Acquisition Overlay on properties is in accordance with the intent for the land as nominated in both the Horseshoe Bend Precinct Structure Plan and Horseshoe Bend Development Contributions Plan.

The Horseshoe Bend PSP and DCP are incorporated documents in the Greater Geelong Planning Scheme and have been prepared in accordance with the *Planning & Environment Act* 1987, including direct notification to relevant property owners. Council is required to deliver each of the items nominated in the DCP and PSP to facilitate the orderly development of the Horseshoe Bend PSP area

The amendment is also considered to meet the relevant requirements of both State Government and Council.

Alignment to City Plan

The Armstrong Creek Urban Growth area is one of Council's priority projects in the City Plan.

The application of a Public Acquisition Overlay to both the Sparrovale Wetlands and the land required to convey storm water flows will ensure that the continuing needs of the growing community will be met in a timely manner.

Officer Direct or Indirect Interest

In accordance with Section 80C of the *Local Government Act* no Council officers involved in this report have a direct or indirect interest.

Risk Assessment

In the absence of the Sparrovale wetlands development of the Horseshoe Bend Precinct Structure Plan area is limited to 25 per cent of the nominated net developable area and is triggered when the culverts are upgraded under Barwon Heads Road. Should the wetlands not be in public ownership at the time that the 25 per cent threshold is reached, or the culverts are upgraded, development within the Horseshoe Bend Precinct will be required to cease. This represents a potentially significant cost to developers and a dramatic reduction in the availability of residential house lots available for purchase. Ultimately, the situation will also result in a lag in the development of key infrastructure to serve the existing residents of the Horseshoe Bend precinct.

When the Sparrovale Wetlands are secured there remains a requirement for drainage infrastructure to feed storm water from the Horseshoe Bend Precinct area into the wetland area. As a result, both the acquisition of the two land parcels that will become the Sparrovale Wetlands and the land for conveyance of flows from the west side of Barwon Heads Road are inseparable. Should the Sparrovale Wetlands be acquired and the land for conveyance of flows not be acquired the risks highlighted above will remain.

That being said, the primary risk, of not securing the drainage infrastructure to convey flows in to the Sparrovale Wetlands, is in development occurring in the upper catchment (which is where the permitted development is currently being constructed) and resulting in adverse flooding impact through these properties beyond what is currently being experienced.

Social Considerations

The Horseshoe Bend Precinct Structure Plan is a considered and well planned approach to the development of additional residential communities within the Armstrong Creek Urban Growth Area. The intent of the HBPSP and the HBDCP is to ensure that the infrastructure required to service the community meets their needs and expectations and is provided in a timely manner.

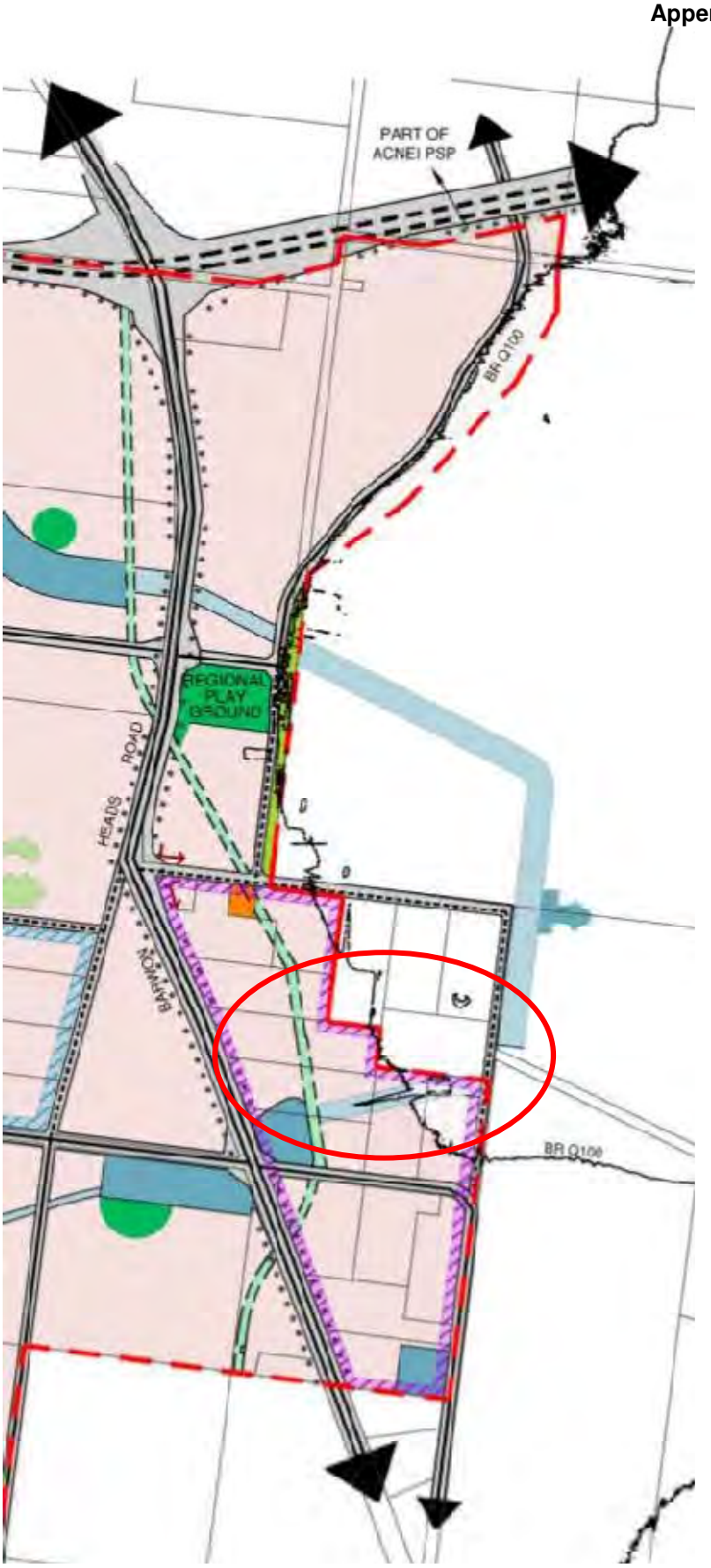
Human Rights Charter

Council officers have taken into consideration the Human Rights Charter relative to the application of the Public Acquisition Overlay. This includes 'ratepayers property rights' and a 'right to a fair hearing'.

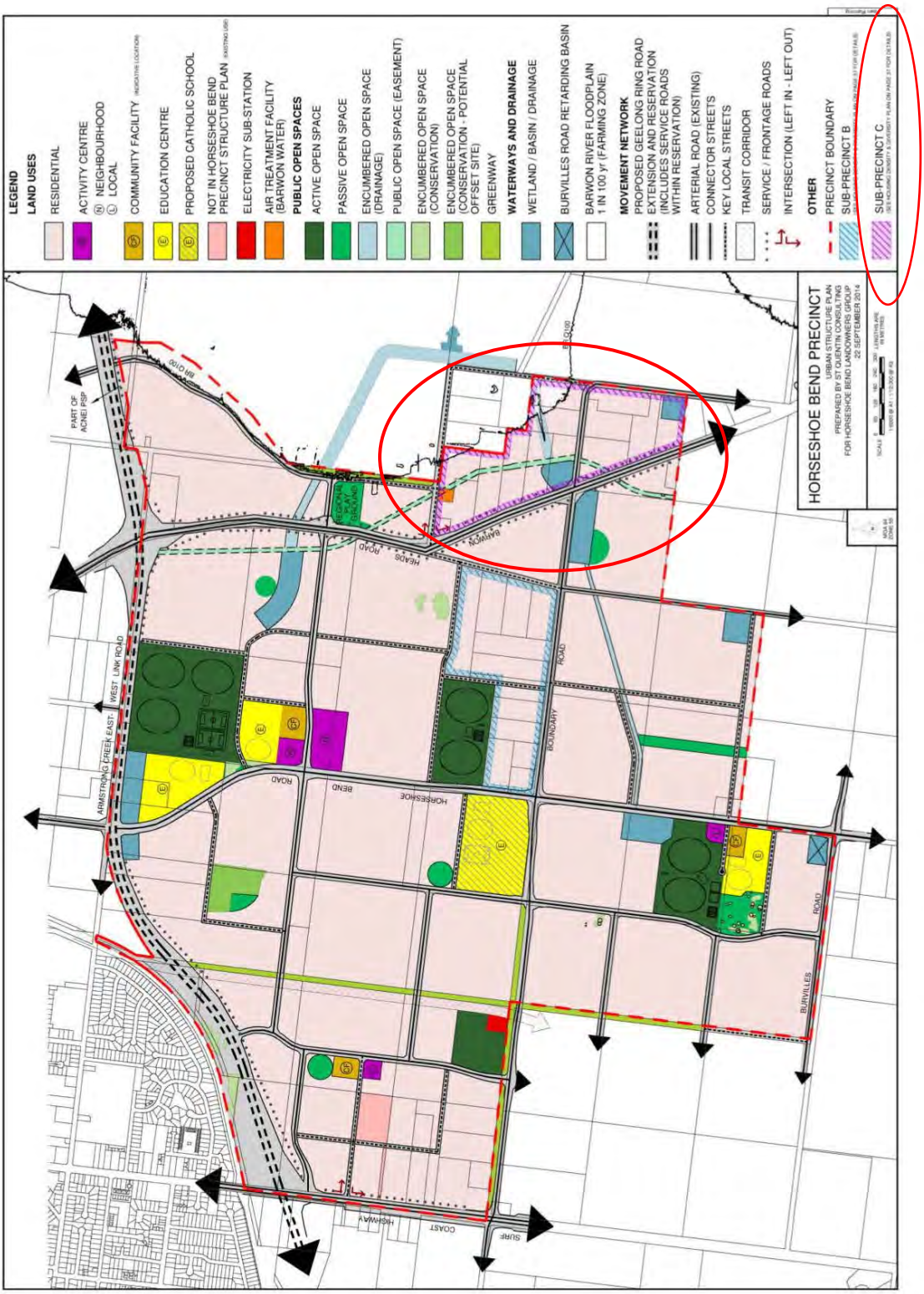
Consultation and Communication

Should Council resolve to seek authorisation to prepare the amendment, consultation and communication with land holders will be in accordance with the requirements nominated in the *Planning & Environment Act* 1987.

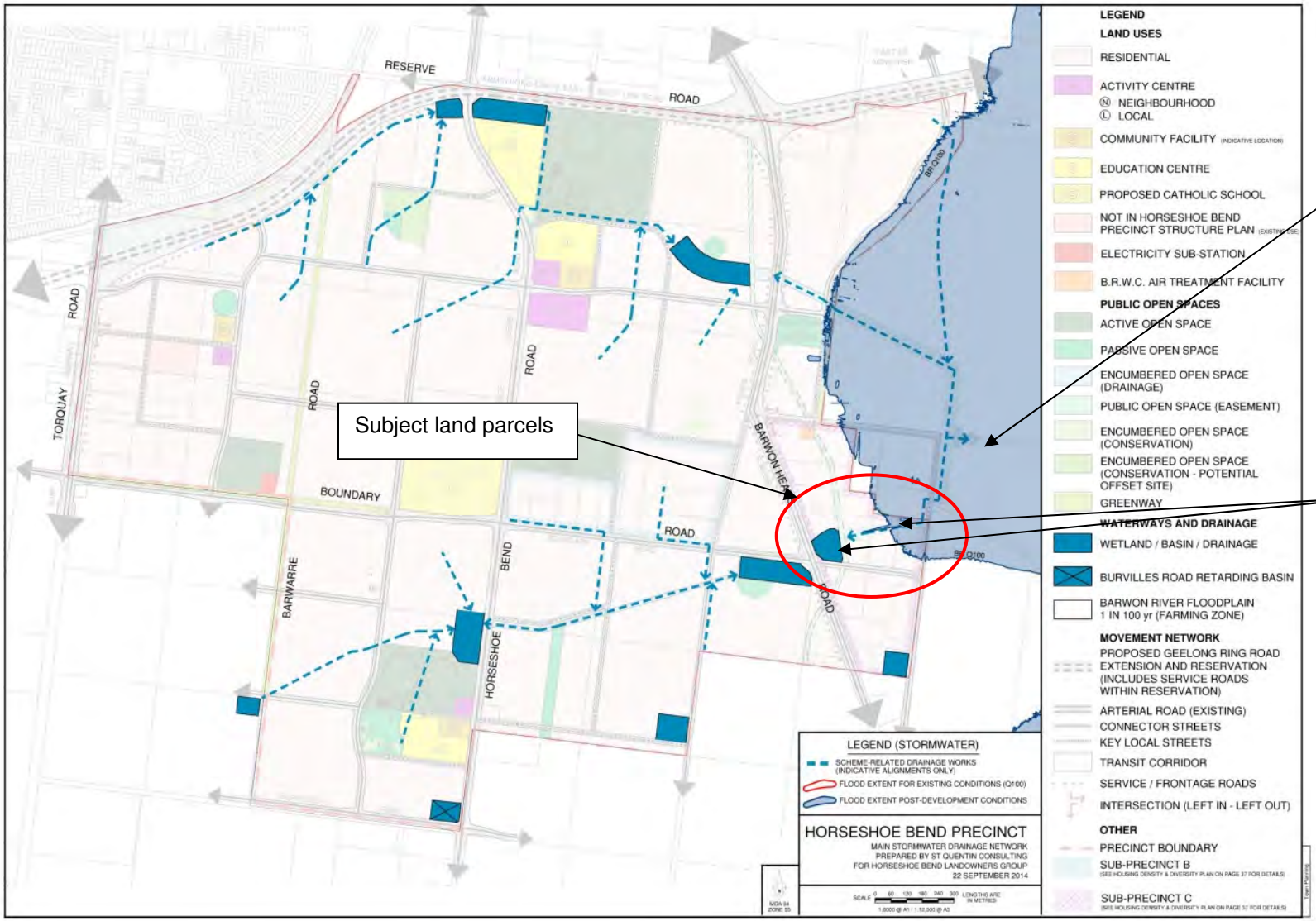
Appendix 1


PART OF
ACNEI PSP
BR Q100
REGIONAL
PLAY
GROUND
HEADS
ROAD
BARWON
BR Q100

Appendix 2


LEGEND
LAND USES
RESIDENTIAL
ACTIVITY CENTRE
(N) NEIGHBOURHOOD
(L) LOCAL
COMMUNITY FACILITY
EDUCATION CENTRE
PROPOSED CATHOLIC SCHOOL
NOT IN HORSESHOE BEND PRECINCT STRUCTURE PLAN
ELECTRICITY SUB-STATION
AIR TREATMENT FACILITY (BARWON WATER)
PUBLIC OPEN SPACES
ACTIVE OPEN SPACE
PASSIVE OPEN SPACE
ENCUMBERED OPEN SPACE (DRAINAGE)
PUBLIC OPEN SPACE (EASEMENT)
ENCUMBERED OPEN SPACE (CONSERVATION)
ENCUMBERED OPEN SPACE (CONSERVATION - POTENTIAL OFFSET SITE)
GREENWAY
WATERWAYS AND DRAINAGE
WETLAND / BASIN / DRAINAGE
BURVILLES ROAD RETARDING BASIN
BARWON RIVER FLOODPLAIN 1 IN 100 yr (FARMING ZONE)
MOVEMENT NETWORK
PROPOSED GEELONG RING ROAD EXTENSION AND RESERVATION (INCLUDES SERVICE ROADS WITHIN RESERVATION)
ARTERIAL ROAD (EXISTING)
CONNECTOR STREETS
KEY LOCAL STREETS
TRANSIT CORRIDOR
SERVICE / FRONTAGE ROADS
INTERSECTION (LEFT IN - LEFT OUT)
OTHER
PRECINCT BOUNDARY
SUB-PRECINCT B
SUB-PRECINCT C
HORSESHOE BEND PRECINCT
URBAN STRUCTURE PLAN
PREPARED BY ST QUENTIN CONSULTING
FOR HORSESHOE BEND LANDOWNERS GROUP
22 SEPTEMBER 2014
PART OF ACHEI PSP
WEST LINK ROAD
ARMSTRONG CREEK EAST
HORSESHOE BEND ROAD
BOUNDARY ROAD
BARWON HEADS ROAD
BURVILLES ROAD
HIGHWAY
COAST
SURF

Appendix 3


Subject land parcels
Sparrovale Wetland project land
Subject drainage infrastructure
RESERVE ROAD
TORQUAY ROAD
ROAD
BOUNDARY ROAD
BARWARRE BEND
HORSESHOE ROAD
BARWON HEADS ROAD
LEGEND
LAND USES
RESIDENTIAL
ACTIVITY CENTRE
NEIGHBOURHOOD
LOCAL
COMMUNITY FACILITY
EDUCATION CENTRE
PROPOSED CATHOLIC SCHOOL
NOT IN HORSESHOE BEND PRECINCT STRUCTURE PLAN
ELECTRICITY SUB-STATION
B.R.W.C. AIR TREATMENT FACILITY
PUBLIC OPEN SPACES
ACTIVE OPEN SPACE
PASSIVE OPEN SPACE
ENCUMBERED OPEN SPACE (DRAINAGE)
PUBLIC OPEN SPACE (EASEMENT)
ENCUMBERED OPEN SPACE (CONSERVATION)
ENCUMBERED OPEN SPACE (CONSERVATION - POTENTIAL OFFSET SITE)
GREENWAY
WATERWAYS AND DRAINAGE
WETLAND / BASIN / DRAINAGE
BURVILLES ROAD RETARDING BASIN
BARWON RIVER FLOODPLAIN 1 IN 100 yr (FARMING ZONE)
MOVEMENT NETWORK
PROPOSED GEELONG RING ROAD EXTENSION AND RESERVATION (INCLUDES SERVICE ROADS WITHIN RESERVATION)
ARTERIAL ROAD (EXISTING)
CONNECTOR STREETS
KEY LOCAL STREETS
TRANSIT CORRIDOR
SERVICE / FRONTAGE ROADS
INTERSECTION (LEFT IN - LEFT OUT)
OTHER
PRECINCT BOUNDARY
SUB-PRECINCT B
SUB-PRECINCT C
LEGEND (STORMWATER)
SCHEME-RELATED DRAINAGE WORKS (INDICATIVE ALIGNMENTS ONLY)
FLOOD EXTENT FOR EXISTING CONDITIONS (Q100)
FLOOD EXTENT POST-DEVELOPMENT CONDITIONS
HORSESHOE BEND PRECINCT
MAIN STORMWATER DRAINAGE NETWORK
PREPARED BY ST QUENTIN CONSULTING
FOR HORSESHOE BEND LANDOWNERS GROUP
22 SEPTEMBER 2014

9. PROPOSED PLANNING SCHEME AMENDMENT TO APPLY A PUBLIC ACQUISITION OVERLAY ON LAND AT 1-87 GROVES ROAD, ARMSTRONG CREEK AND 109-215 SPARROVALE ROAD, CHARLEMONT

(previously agenda item 8)

Source: **Planning & Development - Urban Growth**
General Manager: **Peter Bettess**
Index Reference: **Armstrong Creek Project - Development Contributions Plan - Armstrong Creek - Horseshoe Bend**

Purpose

This report seeks approval for the preparation and exhibition of a Public Acquisition Overlay (PAO) to facilitate the acquisition of land at 1-87 Groves Road, Armstrong Creek and part of the land at 109-215 Sparrovale Road, Charlemont. The land is required for the construction and commissioning of the end-of-line wetlands nominated in the Horseshoe Bend Precinct Storm Water Management Strategy.

Summary

- Storm water management for the Horseshoe Bend Precinct Structure Plan (HBPSP) area is reliant on the acquisition of the entire land parcel at 1-87 Groves Road, known as 'Cold Winds' and approximately 420 hectares of the land parcel at 109-215 Sparrovale Road, known as 'Sparrovale'. The combined total acquisition area of both land parcels is approximately 523 hectares (see Appendix 1) and is commonly known as the 'Sparrovale Wetlands' project.
- Without the two parcels in public ownership, and commissioned as a functioning wetland, only 25 per cent of the developable area nominated within the Horseshoe Bend Precinct can be constructed.
- Funding for the purchase of the Sparrovale and Cold Winds properties is nominated in the Horseshoe Bend Development Contributions Plan (HBDCP).
- Council officers entered into negotiations with the land holders in an attempt to purchase the land via private treaty. Council approved a budget to pursue purchase of the two land parcels in '15-'16, these negotiations have been unsuccessful and remain at an impasse.
- A separate, but inextricably linked, issue is that storm water management for the balance of the Armstrong Creek Urban Growth Area is reliant on the Armstrong Creek entering the Connewarre Wetlands Complex via Hospital Swamp.
- Whilst acquisition of the two land parcels is an essential component of the storm water management plan for the Horseshoe Bend Precinct Structure Plan, they can potentially accommodate additional storm water from the neighbouring Armstrong Creek East Precinct.
- Council officers believe that the application of a Public Acquisition Overlay will provide the mechanism to resolve the purchase of both properties within a timeframe that allows for the establishment of the Sparrovale Wetlands. This will release the entire Horseshoe Bend Precinct Structure Plan area for urban development.

P Dorling moved, L Gardner seconded -

That Council resolve to:

1) **requests that the Minister for Planning act as the Planning Authority for Amendment C357 and approve the amendment;**

2) **in the event that the Minister for Planning does not support the above option, seek Authorisation from the Minister for Planning to prepare and exhibit Amendment C357 to the Greater Geelong Planning Scheme.**

Carried.

Background

The Horseshoe Bend Precinct Structure Plan (HBPSP) was incorporated into the Greater Geelong Planning Scheme in November 2014. Since that time, three (3) Planning Permits have been issued in the PSP area representing approval of 3,102 residential lots and the setting aside of land for future retail, education and community purposes.

Significant civil works are currently being undertaken to support the residential development of the Horseshoe Bend Precinct Structure Plan area, however, in accordance with the approved Storm Water Management Strategy (SWMS) development of the precinct is limited to 25 per cent of the total net developable area without the acquisition and commissioning of the land parcels that make up the future Sparrovale Wetlands.

The Horseshoe Bend Precinct Development Contributions Plan (HBDCP) also nominates a trigger for the purchase and commissioning of the Sparrovale Wetlands, being the upgrade of culverts under Barwon Heads Road (being the outlet from Barwon Heads Road south retarding basin) or at the discretion of the Responsible Authority. The requirement for the upgrade of the culverts is very likely to occur prior to the construction of 25 per cent of the developable land, given a planning permit has been granted for the land on which the construction of the Barwon Heads Road retarding basin is required.

In 2015, negotiations to purchase both properties have been unsuccessful in the securing of the land required for the Sparrovale Wetlands.

As a result, Council officers recommend that a Public Acquisition Overlay (PAO) be applied to the necessary land area (see Appendix 2) to assist in facilitating the timely acquisition of these properties and allow access and construction of the wetland prior to:

- the exhaustion of the 25 per cent developable area within the Horseshoe Bend Precinct; or,
- the culvert upgrade under Barwon Heads Road.

Discussion

Amendment C259 – Horseshoe Bend Precinct

Preparation of the Horseshoe Bend PSP, DCP and Native Vegetation Precinct Plan (NVPP) commenced in 2012 and was approved and gazetted in 2014. As with other precincts a key focus when developing the PSP was the development of a strategy for the management of storm water.

The Storm Water Management Strategy (SWMS) for Horseshoe Bend noted that the bulk of existing pre-development run off from the area that defines the Horseshoe Bend Precinct runs easterly across Barwon Heads Road into the Sparrovale Farm then on to the Barwon River. In addition to storm water from the west, Sparrovale Farm and Cold Winds are also subject to inundation from the Barwon River during major flood events.

The following extract is taken from Page 3 of the Horseshoe Bend SWMS:

It is clear from Figures 2-4 inclusive that Sparrovale Farm is and has historically been subject to extensive inundation from both its local catchment and the Barwon River.

Development of the HBP lands will further increase volumes and frequency of surface runoff discharging to the farm area which is of critical concerns [sic.] for the affected landowners.

Acknowledgement of the poor outcomes for both Cold Winds and Sparrovale from both the Barwon River and the Horseshoe Bend Precinct resulted in their inclusion in the Horseshoe Bend DCP to fund the purchase of both properties with the aim of rehabilitating them into a high quality wetland to receive urban runoff.

During the preparation, exhibition and incorporation of the Horseshoe Bend PSP, DCP and NVPP at least one development company were negotiating with the land owners regarding forward funding the purchase of both Sparrovale and Cold Winds. Council officers were also actively attempting to mediate the purchase of the land for the Sparrovale Wetlands. These attempts were unsuccessful.

Funding for land acquisition

In the 2015-2016 and 2016-2017 budgets, Council approved funds for the purchase of both Sparrovale (in part) and Cold Winds. Council officers have been liaising with the land owners and their legal representatives regarding a negotiated purchase of both properties on agreed terms. To date, no such agreement has been reached resulting in the need to provide certainty via a compulsory acquisition process.

The application of a Public Acquisition Overlay (PAO) will provide the mechanism to acquire the two parcels within a timeframe that allows for the establishment of the Sparrovale Wetlands and facilitate continued development within the precinct.

Minister for Planning as the Planning Authority

As noted above, the Horseshoe Bend PSP, DCP and NVPP were incorporated into the Greater Geelong Planning Scheme in November 2014.

The amendment was formally exhibited between the 5th December 2013 and the 27th January 2014 with a total of 42 submissions received. No submissions were received objecting to the purchase of the two land parcels for the establishment of the Sparrovale Wetlands.

A Panel Hearing was conducted on the 10th, 11th, 12th and 18th June 2014 in an attempt to resolve outstanding issues in the submissions. The Panel Report was issued on 29th July 2014.

The Panel accepted the Horseshoe Bend Precinct Storm Water Management Strategy and the proposal to purchase the two properties for the Sparrovale Wetlands.

The lack of an objection to the purchase of both properties and the rigour applied to the development, exhibition and notice, Panel Hearing and ultimately the Gazettal of the Horseshoe Bend PSP, DCP and NVPP, has led to the request that the Minister for Planning expedite the application of the PAO by consenting to being the Planning Authority for the amendment.

Planning Scheme Provisions

The Explanatory Report, Instruction Sheet and relevant Planning Provisions that Council officers have prepared in support of the amendment are attached at Appendix 3.

Environmental Implications

The establishment of the Sparrovale Wetlands will provide significant positive environmental outcomes including the potential to divert storm water volumes from Hospital Swamps and the subsequent protection of several habitat zones surrounding the Hospital Swamps.

In addition, the amendment will address the potential environmental implications of the continued development of the Armstrong Creek Urban Growth Area through the protection of the Ramsar listed Lake Connewarre Wetland Complex.

Financial Implications

Funding for the purchase of both land parcels has been nominated in the incorporated Horseshoe Bend Development Contributions Plan.

Current approved budget.

The Horseshoe Bend DCP attributes values to the land acquisition required for the Sparrovale Wetlands. In accordance with the administration requirements of the DCP, revaluations are undertaken annually and the costs apportioned across the developable area of the Horseshoe Bend precinct.

As a result of the inclusion of these costs in the Horseshoe Bend DCP, there is an opportunity to offset the purchase of both properties with funds collected as development occurs.

Policy/Legal/Statutory Implications

The planning scheme amendment to incorporate the Public Acquisition Overlay on both properties is in accordance with the intent for the land as nominated in both the Horseshoe Bend Precinct Structure Plan and Horseshoe Bend Development Contributions Plan.

The Horseshoe Bend PSP and DCP are incorporated documents in the Greater Geelong Planning Scheme and have been prepared in accordance with the *Planning & Environment Act* 1987, including direct notification to relevant property owners. Council is required to deliver each of the items nominated in the DCP and PSP to facilitate the orderly development of the Horseshoe Bend PSP area

The amendment is also considered to meet the relevant requirements of both State Government and Council.

Alignment to City Plan

The Armstrong Creek Urban Growth area is one of Council's priority projects in the City Plan.

The application of a Public Acquisition Overlay to the Sparrovale Wetlands will ensure that the continuing needs of the growing community will be met in a timely manner.

Officer Direct or Indirect Interest

In accordance with Section 80C of the *Local Government Act* no Council officers involved in this report have a direct or indirect interest.

Risk Assessment

In the absence of the Sparrovale wetlands development of the Horseshoe Bend Precinct Structure Plan area is limited to 25 per cent of the nominated net developable area or triggered when the culverts are upgraded under Barwon Heads Road. Should the wetlands not be in public ownership at the time that the 25 per cent threshold is reached, or the culverts are upgraded, development within the Horseshoe Bend Precinct will be required to cease. This represents a potentially significant cost to developers and a dramatic reduction in the availability of residential house lots available for purchase. Ultimately, the situation will also result in a lag in the development of key infrastructure to serve the existing residents of the Horseshoe Bend precinct.

Social Considerations

The Horseshoe Bend Precinct Structure Plan is a considered and well planned approach to the development of additional residential communities within the Armstrong Creek Urban Growth Area. The intent of the HBPSP and the HBDCP is to ensure that the infrastructure required to service the community meets their needs and expectations and is provided in a timely manner.

The establishment of the Sparrovale Wetlands will also bring a significant area of passive environmental recreation for residents and will assist in the timely provision of serviced land for residential development.

Human Rights Charter

Council officers have taken into consideration the Human Rights Charter relative to the application of the Public Acquisition Overlay. This includes ‘ratepayers property rights’ and a ‘right to a fair hearing’.

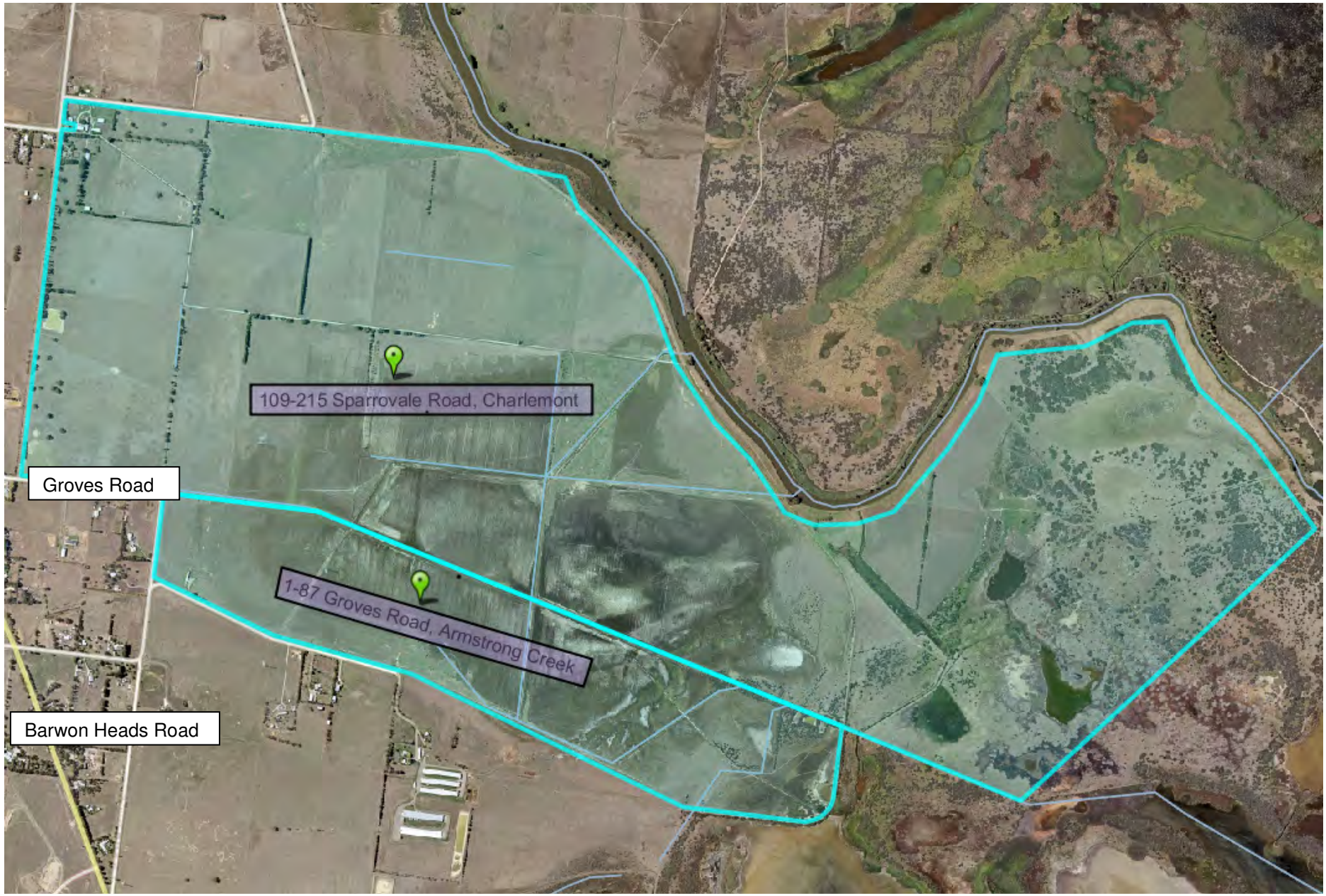
Consultation and Communication

Council officers will write to the land owners seeking support for a fast-track planning scheme amendment process via the Minister for Planning.

Should the Minister for Planning decline to become the Planning Authority for the amendment, Council will seek Authorisation to exhibit the amendment. Consultation and communication with land holders will be in accordance with the requirements nominated in the *Planning & Environment Act* 1987.

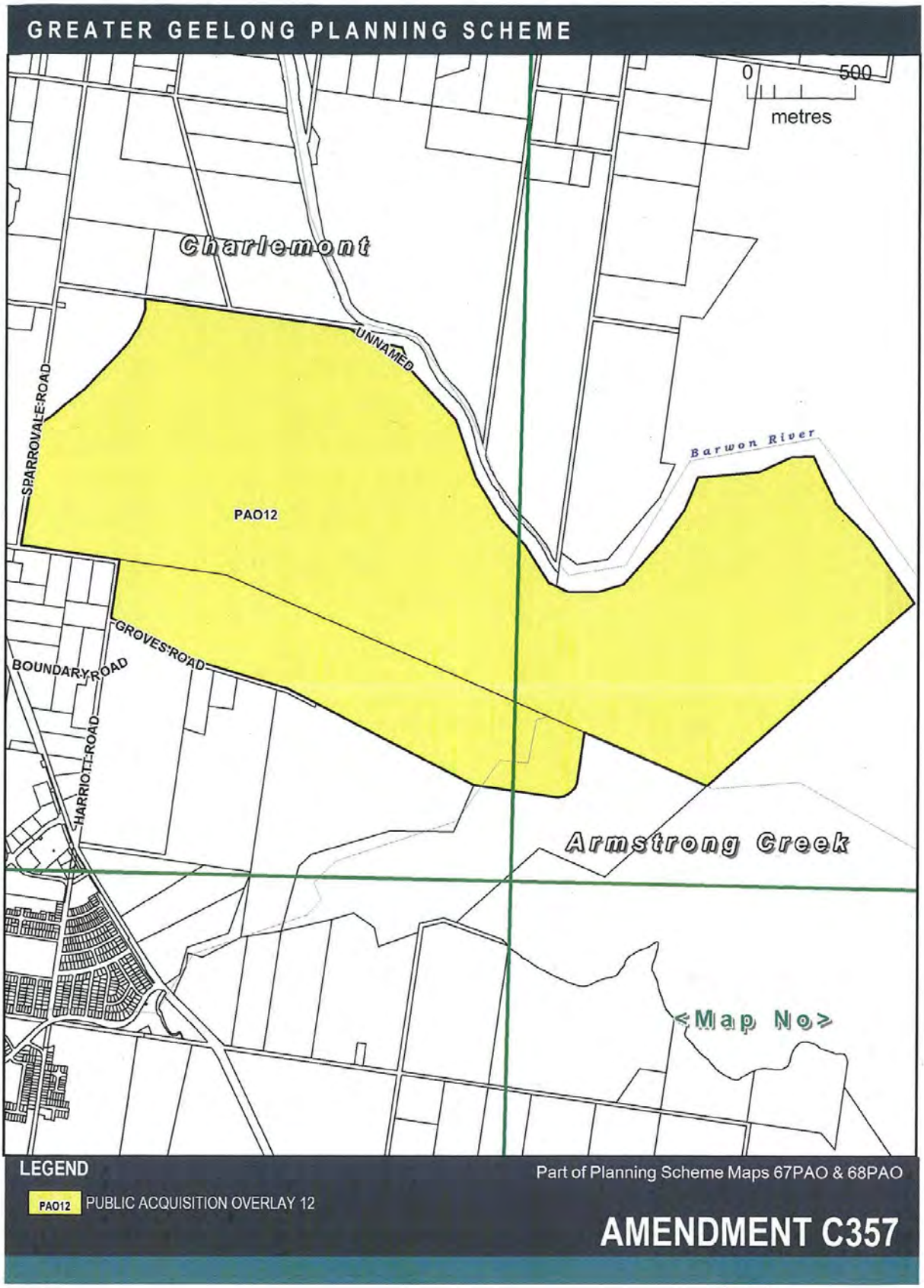
PROPOSED PLANNING SCHEME AMENDMENT TO APPLY A PUBLIC ACQUISITION OVERLAY ON LAND AT 1-87 GROVES ROAD, ARMSTRONG CREEK AND 109-215 SPARROVALE ROAD, CHARLEMONT

Appendix 1



PROPOSED PLANNING SCHEME AMENDMENT TO APPLY A PUBLIC ACQUISITION OVERLAY ON LAND AT 1-87 GROVES ROAD, ARMSTRONG CREEK AND 109-215 SPARROVALE ROAD, CHARLEMONT

Appendix 2



Appendix 3

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C357

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Greater Geelong, which is the planning authority for this amendment.

The Amendment has been made at the request of the City of Greater Geelong.

Land affected by the Amendment

The Amendment applies to land at 109-215 Sparrovale Road, Charlemont and 1-87 Groves Road, Armstrong Creek.

Land at 109-215 Sparrovale Road is an irregularly shaped parcel approximately 432 hectares in area.

The western boundary of the site abuts Sparrovale Road for a length of approximately 1200 metres. The northern boundary abuts Brearley's Lane, which is an unsealed east-west local road, for approximately 800 metres. The northern boundary then continues east-west abutting private land for approximately 600 metres before gradually heading south and following the meandering path of the Barwon River.

The eastern boundary of the property is shared with the Connewarre wetland complex for approximately 1280 metres. The southern boundary is shared with the Connewarre wetland complex for a distance of approximately 600 metres before abutting the property at 1-87 Groves Road for approximately 2300 metres.

The land is predominantly within the Farming Zone (FZ) however approximately 12 hectares of land, fronting Sparrovale Road, is developable and zoned Urban Growth Zone Schedule 4 (UGZ4) with an associated Development Contributions Overlay (DCPO5). A Flood Overlay encumbersthe majority of the site (FO-LSIO) which reflects the Q100 boundary of the Barwon River.

The land is also significantly encumbered by an Environment Significance Overlay – Schedule 2 (ESO2) and a small area, located along the Sparrovale Road alignment, is affected by a Vegetation Protection Overlay – Schedule 1 (VPO1).

The land at 1-87 Groves Road is an irregularly shaped parcel consisting of approximately 87 hectares of degraded farmland which is currently used for cattle grazing (see Appendix 4). There is no dwelling located on the land however several sheds and containers occupy the Groves Road/Harriott Road corner (SW) of the site. A gate and driveway access to the site is located on Groves Road approximately 115 metres from the Groves Road/Harriott Road intersection.

The western boundary of the site abuts Harriott Road, an unsealed local road that runs north-south, for a length of approximately 270 metres. The opposite side of Harriott Road consists of small 'hobby farm' land parcels that are not nominated for future residential development. The northern boundary of the site is shared with Sparrovale Farm (109-215 Sparrovale Road) and is approximately 2300 metres in length.

The eastern boundary, at approximately 260 metres in length, abuts Crown Land that forms part of the Connewarre Wetland Complex.

The southern boundary abuts Groves Road for a distance of approximately 840 metres and then abuts private property for approximately 1000 metres before again abutting the Connewarre Wetland Complex for a distance of approximately 450 metres.

The land is zoned Farming (FZ) and is completed encumbered by a Floodway Overlay (FO-LSIO) that follows the Barwon River Q100 boundary. The land is also significantly encumbered by an Environmental Significance Overlay – Schedule 2 (ESO2).

What the amendment does

The Amendment proposes to apply a Public Acquisition Overlay across approximately 523 hectares of flood prone land to facilitate the construction and commissioning of stormwater management infrastructure enabling the continued urban development of the Armstrong Creek Horseshoe Bend Precinct Structure Plan Area.

The Amendment:

- Applies a Public Acquisition Overlay 12 (PAO12) to land in the Farming Zone at 109-215 Sparrovale Road, Charlemont and 1-87 Groves Road, Armstrong Creek.

Strategic assessment of the Amendment

Why is the Amendment required?

On the 27th of November 2014 the Horseshoe Bend Precinct Structure Plan was incorporated into the Greater Geelong Planning Scheme. The Horseshoe Bend PSP, the associated Horseshoe Bend Development Contributions Plan and Horseshoe Bend Native Vegetation Precinct Plan, are the documents that guide the transformation of rural land into urban development for the 464 hectares that will become home to approximately 21,000 people.

Clause 56.07-4 of the Greater Geelong Planning Scheme clearly prescribes a number of requirements to be fulfilled in order to maintain pre-development flows and meet best practice in storm water management. A significant portion of the Horseshoe Bend PSP is devoted to the refining the Objectives and Standards of Clause 56.07 and the setting of clear expectations regarding servicing and the management of storm water prior, during and post urban development.

A key component of the management of storm water generated by the Horseshoe Bend Precinct Structure Plan area is the acquisition of the entire land parcel at 1-87 Groves Road, Armstrong Creek (known as Cold Winds) and part of the land parcel at 109-215 Sparrovale Road, Charlemont (known as Sparrovale). Collectively, the land to be acquired is referred to as the Sparrovale Wetlands.

Storm water management for the Horseshoe Bend Precinct Structure Plan area is reliant on the acquisition of these two land parcels with a combined total acquisition area of approximately 523 hectares.

Without the two parcels in public ownership development within the Horseshoe Bend PSP is limited to 25% of the net developable area.

Whilst residential development of the Horseshoe Bend Precinct is just beginning, development is well established in both the Armstrong Creek East and Armstrong Creek West Precincts. In what is a matter related to the acquisition of the Sparrovale Wetlands, Storm water management for the balance of the Armstrong Creek Urban Growth Area is reliant on the Armstrong Creek entering the Connewarre wetlands complex via Hospital Swamp.

Whilst acquisition of the two land parcels known as the ‘Sparrovale Wetlands’ are an essential component of the storm water management plan for the Horseshoe Bend Precinct Structure Plan, they can potentially accommodate additional flows from the neighbouring Armstrong Creek catchment.

The diversion of storm water from the Armstrong Creek system into the Sparrovale wetlands will reduce the volumes of storm water being discharged into the Ramsar listed Connewarre wetlands thereby mitigating any potential environmental impact from the Armstrong Creek Urban Growth Area.

Funding for the purchase of the Sparrovale and Cold Winds properties has been nominated in the Horseshoe Bend Development Contributions Plan. The preferred outcome was that a developer, or a development consortium, would purchase the land, transfer it to Council, and then claim the DCP amount as a credit against future development contributions.

To date, the two properties remain in private ownership with no agreement being reached with any development interests within the Horseshoe Bend Precinct Structure Plan area.

The City of Greater Geelong, as the nominated delivery agency for infrastructure nominated in the Horseshoe Bend Development Contributions Plan, are seeking to ensure that the land is delivered and commissioned as a wetland prior to the 25% threshold being reached by development proponents in the Horseshoe Bend precinct. The application of a Public Acquisition Overlay will greatly assist in both securing the asset and progressing negotiations with the relevant landholders.

The application of a Public Acquisition Overlay will provide the mechanism to resolve the acquisition of both properties within a timeframe that allows for the establishment of the Sparrovale Wetlands.

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

The amendment addresses the following objectives of planning in Victoria:

11.02-1 Supply of Urban Land

The amendment will ensure that the Horseshoe Bend Precinct continues to provide residential, commercial, retail, recreational and community land to meet supply requirements for an estimated 25 years.

11.02-4 Sequencing of development

The amendment will assist in the timely provision of key infrastructure for the management of stormwater for the Horseshoe Bend Precinct Structure Plan area. Without the proposed application of a Public Acquisition Overlay the continuing development of the Horseshoe Bend Precinct, beyond the 25% as nominated in the incorporated Horseshoe Bend Storm Water Management Strategy, cannot occur.

12.01-1 Protection of biodiversity

In addition to the role of the subject sites in providing storm water management for the Horseshoe Bend Precinct Structure Plan area, the acquisition and commissioning of the Sparrovale Wetlands will assist in reducing any perceived or real impact of stormwater volumes on the Ramsar listed Connewarre Wetland Complex located to the south east of the sites.

14.02-1 Catchment Planning and management

The impact of urban runoff from the Armstrong Creek Urban Growth Area will be mitigated through the reduction in both quantity and flow of storm water into the Barwon River and, ultimately, the marine environment. In addition, the Sparrovale Wetlands will perform a nutrient and sediment removal function thereby improving the quality of water being released into downstream catchments.

19.03-1 Development Contributions Plans

The purchase and development, for the purposes of a wetland, of the subject land parcels has been costed in to the incorporated Horseshoe Bend Development Contributions Plan (HBDCP) in accordance with this clause. That being said, Council have been unable to meet the objective of the timely provision of planned infrastructure to communities. This, in part, has contributed to the need for a PAO over the subject land.

19.03-3 Stormwater

The Sparrovale Wetlands will ensure that storm water entering wetlands and estuaries does not have a detrimental effect.

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

Development within the Horseshoe Bend Precinct will need to halt once the 25% development threshold has been reached. This will have a detrimental economic effect on the development agencies currently at work in the precinct with the flow on effect of employment in the housing market. A halt to the delivery of serviced house lots will also affect purchasers.

Without the Sparrovale Wetlands there remains an environmental risk associated with the increased volume of water being discharged in to the RAMSAR listed Connewarre Wetland Complex. It is acknowledged that the Sparrovale Wetlands are the key component of the implementation of the Stormwater Management Strategy for the Horseshoe Bend Precinct, however, the benefits to the ecological values of the Hospital Swamps cannot be ignored.

Does the Amendment address relevant bushfire risk?

There is no bushfire risk associated with the subject land parcels.

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

Ministerial Direction No. 11 – Strategic Assessment of Amendments.

This amendment has been prepared in accordance with the requirements nominated in *Ministerial Direction No. 11*.

Ministerial Direction No. 15 – The Planning Scheme Amendment process

This amendment will follow the planning scheme amendment process as nominated in Ministerial Direction 15.

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

The amendment addresses Clause 12.01-1 – *Protection of Biodiversity* specifically through the protection and conservation of biodiversity and in ensuring that strategic planning considers the impact of any change of land-use in areas designated a Wetland of International Importance in the RAMSAR Convention.

The amendment directly responds to the objective and strategies nominated in Clause 42.02-1 – *Catchment planning and management* including the filtering of sedimentation and wastes from stormwater prior to its discharge into waterways. Clause 14.02-1 also nominates the preservation of floodplain for wetland or retarding basins to ensure treatment of storm water before its release.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Clause 21.05 Natural Environment

The amendment directly addresses the objective nominated in Clause 21.05-2 of the Greater Geelong Planning Scheme to reduce the amount of runoff from urban development and improve the quality of stormwater runoff entering waterways, estuarine and marine waters.

The acquisition and commissioning of the Sparrovale Wetlands will also ensure that stormwater will be managed in a manner that ensures protection of the existing Barwon River and Connewarre Wetland systems.

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

The amendment contributes to the fair, orderly, economic and sustainable use and development of land and will also directly and the maintenance of ecological processes and genetic diversity. provide for the protection of natural and man-made resources

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

The development of the Stormwater Management Strategy for the Horseshoe Bend Precinct Structure Plan, of which the Sparrovale Wetlands is a critical component, was developed with extensive engagement with the Department of the Environment, Land, Water and Planning (DELWP) and the Corangamite Catchment Management Authority (CCMA). Both agencies are supportive of the need to establish the Sparrovale Wetlands as soon as practicable both to meet the stormwater management requirements of the Horseshoe Bend Precinct and to relieve the stormwater volumes on the RAMSAR listed Connewarre Wetlands.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will not result in any substantive impact on the existing, or proposed, transport system which was been planned for within the Armstrong Creek Urban Growth Area.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

Upon adoption of the amendment, Council will be responsible for commencing negotiations with the current landholders regarding the timing of acquisition and compensation. The cost for each parcel is nominated, and consequently funded, by the incorporated Horseshoe Bend Development Contributions Plan. Any additional costs associated with acquisition of the parcels will be borne by the City of Greater Geelong.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Greater Geelong City Council
Customer Service Centre
100 Brougham Street
GEELONG
8.00am – 5.00pm weekdays

Belmont Customer Service Centre (inside the Library)
163 High Street
BELMONT
9.00am – 5.00pm weekdays

Waurn Ponds Customer Service Centre (inside the Library)
230 Pioneer Road
WAURN PONDS
10.00am – 2.00pm weekdays

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.dtpli.vic.gov.au/publicinspection .

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by XXXX

A submission must be sent to:

Robert Anderson
Coordinator - Urban Growth
City of Greater Geelong
PO Box 104
GEELONG VIC 3220

Appendix 3

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C357

INSTRUCTION SHEET

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

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 1 attached map.

Overlay Maps

1. Amend Planning Scheme Map No 67PAO in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme, Amendment C357.

2. Insert new Planning Scheme Map No.68PAO in the manner shown on the 1 attached map marked Greater Geelong Planning Scheme, Amendment C357.

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In General Provisions – Clause 61.03, replace the schedule with a new Schedule in the form of the attached document.

End of document

17/03/2016
C248
Proposed
C357

SCHEDULE TO CLAUSE 61.03

Maps comprising part of this scheme:

- 1, 1VPO, 1SLO, 1WMO
- 2, 2ESO, 2VPO, 2SLO, 2HO, 2WMO
- 3, 3ESO, 3VPO, 3HO, 3LSIO-FO, 3PAO
- 4, 4ESO, 4HO, 4PAO
- 5, 5ESO, 5VPO, 5SLO, 5HO, 5WMO
- 6, 6ESO, 6VPO, 6SLO, 6HO, 6LSIO-FO
- 7, 7ESO, 7VPO, 7SLO, 7HO, 7LSIO-FO, 7PAO, 7WMO
- 8, 8ESO, 8SLO, 8HO, 8LSIO-FO, 8PAO, 8WMO
- 9, 9ESO, 9HO, 9LSIO-FO
- 10, 10ESO, 10HO, 10LSIO-FO
- 11, 11ESO, 11LSIO-FO, 11DCPO
- 12, 12ESO, 12SLO, 12LSIO-FO, 12VPO, 12WMO, 12DCPO, 12DPO
- 13, 13ESO, 13SLO, 13HO, 13VPO, 13WMO, 13PAO
- 14, 14ESO, 14VPO, 14LSIO-FO, 14PAO
- 15, 15ESO, 15PAO, 15VPO, 15HO, 15LSIO-FO
- 16, 16ESO, 16LSIO-FO
- 17, 17ESO, 17HO, 17DDO, 17VPO, 17DCPO
- 18, 18ESO, 18DDO, 18DPO, 18LSIO-FO, 18PAO, 18EAO, 18SBO, 18DCPO
- 19, 19ESO, 19VPO, 19HO, 19LSIO-FO, 19DDO
- 20, 20ESO, 20VPO, 20DPO, 20LSIO-FO, 20DDO, 20PAO
- 21, 21ESO, 21DPO, 21DDO, 21LSIO-FO
- 22, 22ESO, 22PAO, 22LSIO-FO
- 23, 23ESO, 23LSIO-FO
- 24, 24ESO, 24HO, 24LSIO-FO
- 25, 25ESO, 25DPO, 25LSIO-FO, 25PAO, 25EAO, 25HO, 25DDO14, 25DDO, 25SBO
- 26, 26ESO, 26HO, 26SBO, 26PAO, 26EAO, 26DDO, 26RO, 26DPO
- 27, 27ESO, 27VPO, 27HO, 27LSIO-FO, 27EAO
- 28, 28ESO, 28DPO, 28DDO
- 29, 29ESO, 29DPO, 29DDO, 29LSIO-FO
- 30
- 31, 31ESO, 31HO, 31DPO, 31LSIO-FO, 31PAO, 31EAO
- 32, 32ESO, 32HO, 32DDO14, 32SBO
- 33, 33HO, 33DDO14, 33DPO, 33DDO, 33SBO, 33EAO
- 34, 34ESO, 34HO, 34DDO
- 35, 35DDO
- 36, 36ESO, 36HO, 36DPO, 36LSIO-FO, 36EAO, 36DDO14, 36SBO
- 37, 37HO, 37DDO, 37EAO, 37DDO14, 37DPO, 37LSIO-FO, 37SBO

- 38, 38HO, 38EAO, 38DDO, 38SBO
- 39
- 40, 40ESO, 40HO, 40DDO
- 41, 41HO, 41DDO14, 41SLO
- 42, 42ESO, 42HO, 42PAO, 42DDO14, 42DDO, 42SLO
- 43, 43ESO, 43VPO, 43HO, 43DDO14, 43DPO, 43DDO, 43SLO, 43SBO
- 44, 44VPO, 44HO, 44DDO14, 44DDO, 44SBO
- 45, 45HO
- 46, 46LSIO-FO, 46HO
- 47, 47SLO, 47HO, 47DDO, 47LSIO-FO, 47EAO, 47DDO14, 47DPO, 47RXO
- 48, 48HO, 48DDO, 48DPO, 48LSIO-FO, 48EAO, 48DDO14
- 49, 49SLO, 49HO, 49DDO, 49LSIO-FO, 49PAO, 49DDO14, 49EAO, 49RXO, 49SBO
- 50, 50HO, 50DDO,50EAO, 50LSIO-FO, 50SBO
- 51, 51ESO, 51HO, 51DDO, 51SBO
- 52, 52HO, 52LSIO-FO, 52DDO14, 52DDO, 52DPO
- 53, 53ESO, 53HO, 53LSIO-FO, 53PAO, 53DDO14, 53DDO
- 54, 54ESO, 54HO, 54LSIO-FO, 54PAO, 54DDO, 54EAO
- 55, 55HO, 55LSIO-FO, 55DDO, 55SBO
- 56, 56ESO, 56HO, 56DDO, 56LSIO-FO, 56SBO
- 57, 57VPO, 57HO, 57DPO, 57DDO14, 57DDO
- 58, 58VPO, 58HO, 58DDO
- 59, 59VPO, 59HO, 59PAO, 59DDO14, 59DDO, 59DPO, 59DCPO
- 60, 60HO, 60PAO, 60DDO14, 60SLO
- 61, 61VPO, 61SLO
- 62, 62ESO, 62VPO, 62HO, 62DDO14, 62DDO, 62DPO, 62SLO
- 63, 63DDO
- 64, 64VPO, 64SLO, 64PAO
- 65, 65VPO, 65SLO, 65HO, 65DDO, 65DPO, 65PAO, 65DDO14, 65ESO, 65DCPO
- 66, 66VPO, 66HO, 66DPO, 66LSIO-FO, 66PAO, 66DDO14, 66ESO, 66DDO, 66DCPO, 66PO
- 67, 67VPO, 67HO, 67LSIO-FO, 67PAO, 67ESO, 67SBO, 67DDO, 67DCPO
- 68, 68ESO, 68HO, 68LSIO-FO, 68PAO, 68SLO
- 69, 69ESO, 69HO, 69LSIO-FO, 69DDO14, 69DPO, 69SLO
- 70, 70VPO, 70HO, 70LSIO-FO, 70PAO, 70SLO
- 71, 71ESO, 71VPO, 71HO, 71PAO, 71DPO, 71SLO
- 72, 72ESO, 72VPO, 72HO, 72SLO
- 73, 73ESO, 73VPO, 73SLO
- 74, 74ESO, 74DDO14, 74SLO
- 75, 75VPO
- 76, 76VPO, 76PAO

- 77, 77VPO, 77HO, 77LSIO-FO, 77ESO, 77DCPO
- 78, 78ESO, 78VPO, 78LSIO-FO, 78PAO, 78HO, 78DCPO
- 79, 79ESO, 79VPO, 79LSIO-FO, 79PAO, 79HO, 79SLO
- 80, 80ESO, 80LSIO-FO, 80SBO, 80PAO, 80HO, 80SLO
- 81, 81ESO, 81VPO, 81SLO, 81HO, 81DDO, 81LSIO-FO, 81SBO, 81PAO, 81DDO14, 81WMO
- 82, 82ESO, 82VPO, 82SLO, 82HO, 82DDO, 82DPO, 82LSIO-FO, 82PAO 82DDO14, 82WMO
- 83, 83ESO, 83VPO, 83HO, 83DDO, 83LSIO-FO, 83PAO, 83DDO14, 83WMO, 83DPO, 83SLO
- 84, 84ESO, 84VPO, 84SLO
- 85, 85ESO, 85WMO, 85DDO
- 86, 86ESO, 86HO, 86LSIO-FO, 86WMO, 86DDO
- 87, 87ESO, 87HO, 87SLO, 87SBO
- 88, 88ESO, 88HO, 88LSIO-FO, 88DDO, 88SBO
- 89, 89ESO, 89DDO14, 89WMO, 89SLO, 89DPO

10. DEVELOPMENT CONTRIBUTON PLANS - ANNUAL REPORT 2015-16

(previously agenda item 9)

Source	**Planning & Development**
General Manager:	**Peter Bettess**
Index Reference	**Development Contribution Plans - Governance**

Purpose

As part of Council's Development Contribution Governance Framework an annual report is to be presented to Council and the Audit Advisory Committee reporting on the income, expenditure and general performance of Development Contribution Plans over the past 12 months.

Summary

- Council currently has seven (7) active Development Contribution Plans (DCPs) that facilitate the collection of development contributions and fund the delivery of essential projects within Council major growth area
- A robust governance framework has been set up for the management and administration of these Development Contribution Plans with a particular emphasis on consistency, accountability, transparency and strategic focus.
- Council's DCPs require the delivery of approximately $492M in essential projects to service Council's key growth areas, with the current performance of these DCPs reflecting a remaining liability of approximately $450M and remaining income of approximately $425M expected over the next 15 - 20 years. This represents a current funding gap of approximately $25.2M.
- The performance of Council DCPs during the 2015/16 financial year has seen $1.19M in income received (cash) and $3.28M in expenditure ($3.23M in developer works-in-kind projects and $0.05M in Council initiated projects).
- The current delivery status of Council's DCPs (whole of life) shows approximately 9% of projects have been completed for all active DCPs.
- The indexation for DCP projects saw increases of 1.44% for buildings and 0.37% for roads and bridges (based on the adopted ABS produce price index), while average land increases were 10.2%. The combined result of these indexation figures saw Development Contribution levies rise by between 0.18 – 1.55% as at 1 July 2016.
- Development within Council's major growth area, Armstrong Creek, has continued to show very strong development activity with dwelling activity currently at 60% above original forecasts (2014/15 was 57%). This highlights the importance of continued investment in key DCP projects to meet the needs of this, and other, growing communities around the City of Greater Geelong.

L Gardner moved, P Dorling seconded -

That Council notes the 12 month report on Development Contribution Plans and the current funding gap of approximately $25.2M over the next 15-20 years (not including additional costs directly or indirectly linked to urban growth management).

Carried.

Background

Geelong is experiencing significant urban growth across the municipality and with this growth comes the need for delivering key infrastructure to service these new communities.

One of the key funding avenues to deliver this infrastructure is the use of development contributions, or more formally, the use of a Development Contribution Plan (DCP).

A DCP is an incorporated document within the planning scheme that allows Council to levy a charge upon a specific area/precinct of development in order to facilitate the delivery of future projects specifically required to service this area/precinct (e.g. traffic lights, recreation reserves, community centres, etc).

Council's DCPs require the delivery of approximately $492M in essential projects to service urban growth, with the current performance of these DCPs reflecting a remaining liability of approximately $450.3M and remaining income of approximately $425.1M expected over the next 15-20 years. This represents a current funding gap of approximately $25.2M.

Over the past six years the City of Greater Geelong has been implementing a detailed governance framework for the administration of DCPs. The framework is aimed at ensuring all DCPs are managed and administered in a strategic, consistent, accountable and transparent manner (Refer Appendix 1 – CoGG DCP Governance Framework).

A recognised component of the governance framework was the need to provide an annual report to Council detailing the performance of Council's DCPs over the past financial year.

The report is aimed at summarising the following key features:

- Income received
- Works in Kind projects delivered by developers
- Council expenditure on DCP projects
- Land provided to Council (funded by a DCP)
- Current funding gaps for DCPs
- General growth area development activities

These themes are consistent with the recommendations made by the Standard Development Contribution Advisory Committee responsible for recommending reforms within the State Government's new development contributions system. This new system is planned for implementation in late 2016.

The above themes are also consistent with the draft template provided by State Government relating to the proposed annual reporting requirements set out under recent changes to the Planning and Environmental Act (Part 3B, Section 46QD). Noting this reporting obligation and templates are yet to be formalised.

The indexation for DCP projects saw increases of 1.44% for buildings construction and 0.37% for roads and bridge construction (based on the adopted ABS Produce Price Index), while average land increases were 10.2% during 2015/16.

The indexation performance of Council's DCP Levies *Appendix 4 – Development Contribution Plan Levies – Indexation Trends (4 years)* shows the average annual increase of between 0.18% and 1.55% per annum for Council's DCP Levies. A key factor in this variation is based on DCP levies being indexed via three separate indices for land, civil works and building projects.

Discussion

DCP INCOME RECEIVED

Council currently has three DCPs generating income from either the Development Infrastructure Levy (DIL) or the Community Infrastructure Levy (CIL, $900 / dwelling), or both (refer Appendix 2 – DCP Summary Report).

The total cash income received across these three DCPs (Armstrong Creek East and West and Jetty Road) was $1.89M ($1.02M for DIL and $0.87M for CIL). However during the year a developer within the Curlewis Growth Area completed the final stage of their development and due to their work-in-kind credits being in excess of their overall liability they were entitled to a refund of these credits. This refunded was acknowledge at the start of their development due to a significant DCP road project being delivered through the middle of their development. The refund amount was $705,558.

The result was a net income position of $1.18M during 2015/16 ($0.31M for DIL and $0.87M for CIL).

The total income received for all three DCPs since their approval is $4.08M.

DCP WORKS IN KIND PROJECTS (EXCLUDING LAND)

Works in kind projects are those projects delivered by developers in exchange for a credit against their developments DCP liability.

A total of six (6) works in kind projects were delivered either in full or in part during 2015-16; one being within the Jetty Road Growth Area (foreshore improvement works) and five being within the Armstrong Creek West Precinct (intersection, shared paths and drainage works).

The credited value of these DCP projects was $3.12M. For a detailed breakdown refer Appendix 2 – DCP Summary Report.

DCP PROJECTS DELIVERED BY COUNCIL

Council progressed the delivery of one DCP project during 2015/16, being a signalised intersection for the North South Collector Road (Part A) and Geelong Portarlington Road, relating only to minor survey costs completed during the year.

The credited value of these DCP projects was $300. For a detailed breakdown refer Appendix 2 – DCP Summary Report.

DCP FUNDED LAND

During 2015/16 six land projects were undertaken within Council's DCP areas (refer Appendix 2 – DCP Summary Report), four being delivered by Council and two being works-in-kind projects by developers.

Two of these projects were land provided to Council as works-in-kind for drainage projects within the Armstrong Creek West Precinct (credited at $0.14M).

The Council projects involved early legal and administration costs associated with land acquisition projects, including three in the Horseshoe Bend Precinct (drainage land) and one within the Curlewis Growth Area (north-south connector road).

DCP FUNDING GAPS

A critical component of managing Council's DCPs is a clear understanding of the funding gap associated with delivering Council's legal obligations under the DCPs.

Council DCPs require the delivery of approximately $492M in essential projects to service urban growth. The current performance of these DCPs reflects a remaining liability of approximately $450.3M with remaining income of approximately $425.1M expected over the next 15 - 20 years.

Council's total funding gap across all DCPs is $25.2M (as at 30 June 2016).

For a detailed breakdown of Council's current liabilities and gap funding refer Appendix 3 - Development Contribution Plans - Whole of Life Remaining Liability, Income and Funding Gap.

The above funding gaps don't include additional costs associated with:

- Increases in scope for DCP projects (eg: increasing the size, standard, etc for community centres, pavilions or recreation facilities and playing fields),
- Financing costs associated with forward funding DCP projects in advance of DCP income being available;
- The continued long term impact of the non-indexed Community Infrastructure levy (capped at $900/dwelling. Capped since 2003);
- Increased cost of land acquisition program due to legal/administration costs, increased compensation claims and land value escalation;
- The cost of public open space land. Public open space contribution is a separate levy, but has a similar exposure to large land compensation; and
- Unfunded projects not linked to DCPs but are essential to the long term infrastructure/service needs of the community (eg: Armstrong Creek's regional library, aquatic centre, multi-purpose stadium and art and cultural facility). It is estimated that on their own these unfunded projects total close to $80M.

DCP GROWTH AREAS – DEVELOPMENT ACTIVITY

Another important aspect of DCP management is understanding the development activity that supports the generation of income for the DCPs and also triggers the need for DCP projects that service these new communities.

Appendix 5 – Armstrong Creek Annual Dwelling Activity by Suburb (compared to forecast) illustrates the development activity within the City's major growth area, *Armstrong Creek*. The table highlights the need for strong financial planning and early infrastructure investment to ensure Council delivers DCP projects as required under the DCP (e.g. facilities like community and recreation facilities, purchasing land to facilitate other projects and in some case drainage projects required to unlock / service fragmented development fronts).

The table in Appendix 5 shows the Armstrong Creek growth area (ie: the two active suburbs of Armstrong Creek and Mt Duneed) are delivering dwellings at 60**%** above that forecast for the 2011/12 to 2015/16 period (i.e.: projected dwellings of 1,469 versus actual dwellings of 2.349). This is a total of 880 additional dwellings delivered over the five year period.

The Jetty Road growth area has seen strong subdivision activity during 2015/16 with double the previous years' lot production (noting the annual projection for the growth area in approximately 100 lots per annum). The Lara West Growth Area has only recently commence development via the *Manzeene Village* estate.

GENERAL DCP PROGRESS REPORT

Curlewis Growth Area (Jetty Road DCP)

The Curlewis Growth Area (also known as the Jetty Road Growth Area) is significantly advanced with 820 lots delivered, the *Curlewis Parks (north)* estate now complete and another four estates well advanced.

Council is undertaking land acquisition for the north-south connector road which will be a crucial link from Portarlington Road into this new community and continued to progress works for the Griggs Creek Rehabilitation and Revegetation project.

Council has received Community Infrastructure Levies for 218 lots during 2014/15 (with 97 being received in 2014/15).

Armstrong Creek East Precinct

The Armstrong Creek East Precinct's main estate, Warralily is progressing development on two fronts on Barwon Heads Rd and Surf Coast Hwy.

Warralily are continuing to provide the Armstrong Creek Drainage and Waterway Improvement works between Barwon Heads Road and Surf Coast Highway to offset their DCP liabilities (an award winning project recognised by Stormwater Victoria). Horizon Cove and Armstrong Waters, are also progressing development to the west of Barwon Heads Road. The Precinct's neighbourhood activity centre, Warralily Village, has also commenced development facilitating the delivery of key community, education, recreation and retail facilities.

Council has received Community Infrastructure Levies for 450 lots during 2014/15 (with 406 being received in 2013-14)

Armstrong Creek North East Industrial Precinct

The Armstrong Creek North East Industrial Precinct Development Contribution Plan was approved in 2010. Development is yet to commence in this precinct.

Armstrong Creek West Precinct

The Armstrong Creek West Precinct's main development Armstrong Mt Duneed estate has continued development west of Surf Coast Highway. As part of offsetting its DCP liabilities it has constructed the intersection at Surf Coast Highway and Burvilles Road and a shared path along Sovereign Drive. The developer is also continuing to provide the Armstrong Creek waterway improvement and drainage works between Surf Coast Highway and Sovereign Drive.

As part of the Armstrong Creek West DCP, Council has completed construction of the intersection at Baanip Boulevard and Sovereign Drive.

Council has received Community Infrastructure Levies for 296 lots during 2014/15 (with 224 being received in 2013-14).

Lara West Growth Area

Amendment C285 - Lara West Growth Area DCP was approved by the Minister for Planning on 17 July 2014. The first estate, *Manzeene Village*, has commenced development during 2015/16 with the first lots scheduled for delivering in late 2016.

Armstrong Creek Town Centre Precinct

Amendment C267 Armstrong Creek Town Centre Development Contributions Plan was approved by the Minister for Planning on 23 October 2014.

The DCP includes eight intersections, shared paths, drainage works and contribution towards the construction of a Regional Library. Development is expected to commence in 2016-17 financial year.

Horseshoe Bend Precinct

Amendment C259 Armstrong Creek Horseshoe Bend Development Contribution Plan was approved by the Minister for Planning on 27 November 2014. The Horseshoe Bend DCP includes active open space, intersections, drainage works and community centres.

During 2015/16 development commenced for three estates, *Charlemont Rise, Ashbury and Watermark,* with the first lots scheduled for delivering in late 2016.

Environmental Implications

There are no significant environmental impacts as a result of the management and administration of Council DCP system.

Financial Implications

One of the main features of the development contributions system is to ensure that new development funds essential infrastructure required to service these new communities.

The system is also setup to ensure these new development don't create an unfair burden on the existing community. Therefore it is important to recognise the $25.2M funding gap in DCP projects and ensure these funds are included in Council long-term financial plan and various funding strategies are put in place to secure these funds when required with minimal impact to the existing community.

Policy/Legal/Statutory Implications

The report has been prepared to reflect Council's obligations under the Victorian Local Government Act (1989) and Planning and Environment Act (1987).

Alignment to City Plan

The report supports the How We Do Business strategic direction of City Plan, in particular the priority of 'responsible and sustainable financial management.

Officer Direct or Indirect Interest

There is no direct or indirect officer conflict.

Risk Assessment

As part of the DCP Governance Framework a detailed risk assessment has been undertaken to assist in the management of development contribution within Council. Key risks have been elevated to Council's corporate risk register, while lower risks have been included as part of the DCP administration processes / procedures.

Some of these major corporate risks include failure to delivery infrastructure projects; over expenditure on DCP projects; and early claims for land purchase / compensation.

Social Considerations

There are no significant social impacts as a result of the management and administration of Council DCP system.

Human Rights Charter

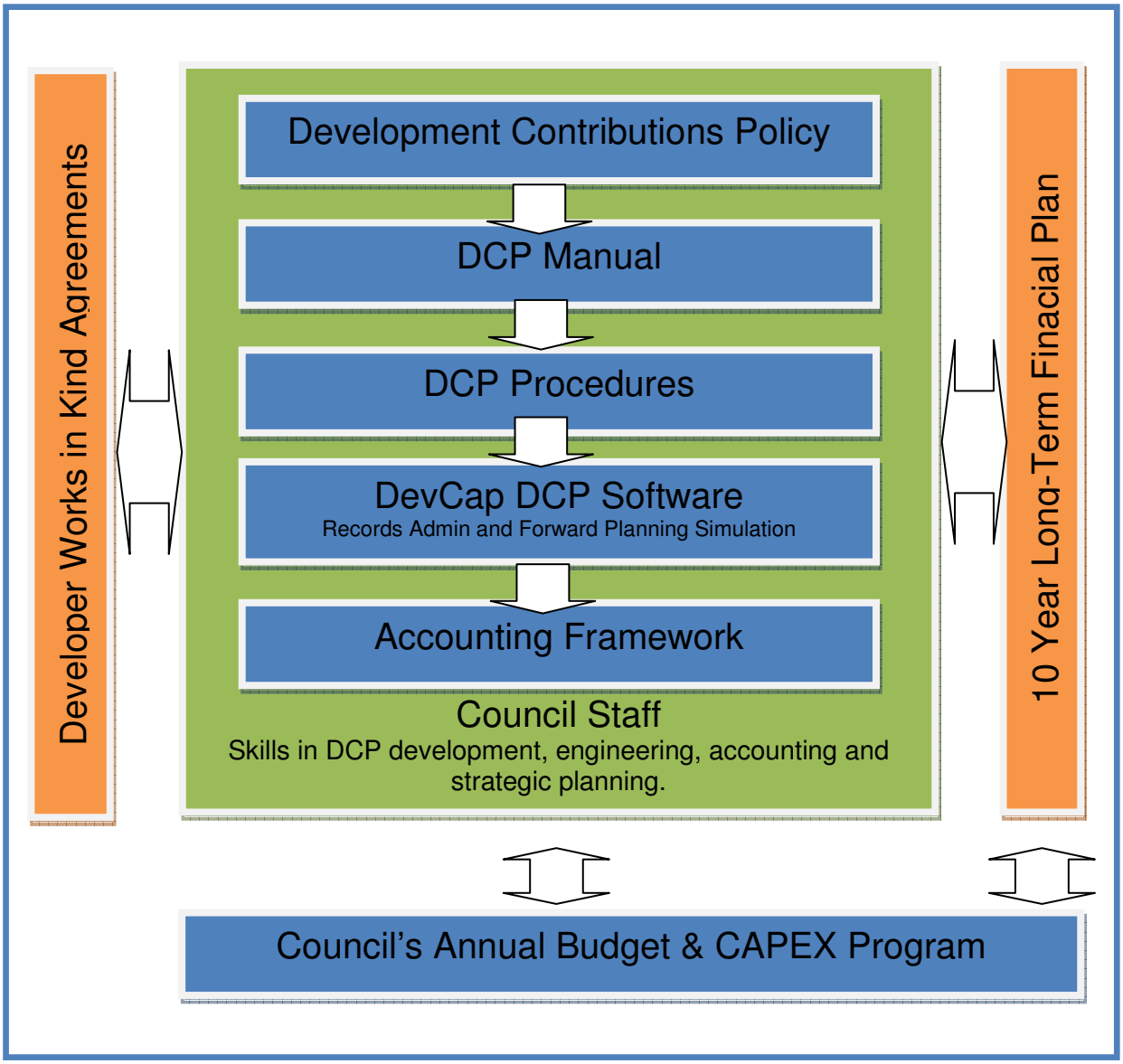
Council officers have taken into consideration the Human Rights Charter relative to the subject matter of this report.

Consultation and Communication

A summary of the report has been included in the draft City of Greater Geelong 2015-16 Annual Report.

APPENDIX 1

CITY OF GREATER GEELONG
DEVELOPMENT CONTRIBUTION GOVERANCE FRAMEWORK



APPENDIX 2

DEVELOPMENT CONTRIBUTIONS PLANS – SUMMARY REPORT

As at 30 June 2016

DEVELOPMENT CONTRIBUTION PLANS	Income 2015-16 $	Total Project Value $	Value Completed 2015-16 $	Percentage of Project Completed 2015-16	Total Percentage of Project Completed
JETTY ROAD GROWTH AREA					
Development Infrastructure Levy collected	- 655,894 *				
Community Infrastructure Levy collected	196,200				
Projects Delivered by Developers					
Items					
OS004 Foreshore Reserve - Improvements		1,987,845	397,569	20.0%	20.0%
Projects Delivered by Council					
Items					
R002 North South Connector Road – Part A - Land		366,055	36,312	9.9%	10.0%
R003 Intersection - North South Connector Road (Part A) / Portarlington Road - Construction		1,740,546	300	0.0%	1.0%
ARMSTRONG CREEK EAST PRECINCT					
Development Infrastructure Levy collected	973,876				
Community Infrastructure Levy collected	405,000				
Projects Delivered by Developers					
Nil					
Projects Delivered by Council		-	-	-	-
Nil					

ARMSTRONG CREEK WEST PRECINCT						
Development Infrastructure Levy collected		3,698				
Community Infrastructure Levy collected		266,400				
Projects Delivered by Developers						
Items						
DI_TR_2	Shared Path Network - Within Road Reserve -973m of 2.5m path		2,028,086	85,585	4.2%	13.4%
DI_LA_7	Drainage Works - Wetland/retarding basins (property 6) - Land		48,750	23,010	47.2%	47.2%
DI_LA_8	Drainage Works - Wetland/retarding basins (property 7) - Land		91,840	91,840	100.0%	100.0%
DI_DR_7	Drainage Works - Wetland retarding Basins (WLRB1) - construction		3,345,553	129,138	3.9%	3.9%
DI_DR_9	Drainage Works - Wetland retarding Basins (WLRB3) - construction		2,240,293	547,343	24.0%	100.0%
DI_DR_15	Drainage Works - Wetland retarding Basins (SB2) - construction		1,616,653	1,584,320	98.0%	98.0%
DI_RO_2	Intersection - GRR- 4C & North South Connector Road (Baanip Blvd & Sovereign Dr)		1,787,171	375,243	20.0%	100.0%
Projects Delivered by Council						
Nil						

ARMSTRONG CREEK HORSESHOE BEND PRECINCT						
Development Infrastructure Levy collected		-				
Community Infrastructure Levy collected		-				
Projects Delivered by Developers						
Nil						
Projects Delivered by Council						
Item:						
DI_LA_22	Sparrovale Wetlands Acquisition		752,500	6,530	0.9%	0.9%
DI_LA_23	Sparrovale Wetlands Acquisition		1,729,000	4,268	0.2%	0.2%
DI_LA_14	Sediment Basin		1,569,000	1,250	0.1%	0.1%
TOTAL		**1,189,280**	**19,303,292**	**3,282,709**		

** This negative income includes $49,663 in cash and a repayment of $705,558 for reimbursement of additional credits due to works-in-kind.*

APPENDIX 3

Development Contribution Plans - Whole of Life Remaining Liability, Income and Funding Gap

As at 30 June 2016

Development Contribution Plans	Current Remaining Liability	Remaining Income	Funding Gap *	% of Liability the Gap Represent
Jetty Road Urban Growth Area	22,610,635	16,322,911	6,287,725	27.8%
Armstrong Creek North East Industrial Precinct	13,684,704	13,684,704	-	0.0%
Armstrong Creek East Precinct	106,979,230	103,032,677	3,946,552	3.7%
Armstrong Creek West Precinct	94,806,606	89,468,228	5,338,377	5.6%
Lara West Urban Growth Area	43,826,696	40,105,767	3,720,928	8.5%
Armstrong Creek Town Centre Precinct	24,018,432	22,309,620	1,708,812	7.1%
Armstrong Creek Horseshoe Bend Precinct	144,328,103	140,150,982	4,177,121	2.9%
TOTAL	**450,254,406**	**425,074,890**	**25,179,516**	**5.6%**

* Gap funding includes Community Infrastructure Levy shortfall (impacted by non-indexed $900/dwelling), CoGG contribution and DET contribution

Development Contribution Plans - Whole of Life Actual Income and Works

As at 30 June 2016

Development Contributions Plan	Current Income $	Current Projects Complete $ (Works in Kinds & CoGG)	% Total DCP Projects Completed
Jetty Road Urban Growth Area	1,302,384	5,786,355	20%
Armstrong Creek North East Industrial Precinct	-	-	0%
Armstrong Creek East Precinct	1,807,758	22,868,362	18%
Armstrong Creek West Precinct	968,929	13,992,173	13%
Lara West Urban Growth Area	-	1,911	0%
Armstrong Creek Town Centre Precinct	-	-	0%
Armstrong Creek Horseshoe Bend Precinct	-	-	0%
TOTAL	**4,079,071**	**42,648,802**	**9%**

APPENDIX 4

Development Contribution Plan Levies – Indexation Trends (3 years)

Development Infrastructure Levy

Development Contributions Plan	2014-15 ($ / ha)	2015-16 ($ / ha)	2016-17 ($ / ha)	Average Annual Increase
Jetty Road Urban Growth Area (residential)	88,038	90,399	92,137	1.55%
Armstrong Creek North East Industrial Precinct (industrial)	97,186	97,406	97,699	0.18%
Armstrong Creek East Precinct (residential)	242,152	246,613	249,683	1.04%
Armstrong Creek West Precinct (residential)	258,493	262,798	265,960	0.96%
Armstrong Creek Town Centre (Precinct 5 – Mixed Use Residential)	261,635	258,895	272,367	1.37%
Armstrong Creek Horseshoe Bend (residential)	281,488	284,902	290,703	1.09%
Lara West Urban Growth Area (residential – Charge Area A)	129,561	132,482	134,015	1.15%

APPENDIX 5

Armstrong Creek Annual Dwelling Activity by Suburb (Compared to Forecast)

As at 30 June 2016

Suburb	Projected or Actual Dwellings #	Dwellings per Year					
		11/12	12/13	13/14	14/15	15/16	TOTALS
Armstrong Creek	Projected	40	180	345	346	350	**1,261**
	Actual	128	325	449	406	450	**1,758**
Mount Duneed	Projected	1	1	0	106	100	**208**
	Actual	0	0	71	224	296	**591**
TOTALS	**Projected**	**41**	**181**	**345**	**452**	**450**	**1,469**
	Actual	**128**	**325**	**520**	**630**	**746**	**2,349**
Difference		87	144	175	178	296	**880**
Cumulative Difference		87	231	406	584	**880**	-
Percentage Increase		212%	80%	51%	39%	65%	**60%**

Based on City of Greater Geelong Population Forecast (forecast.id) and actual figures based on annual collection of community infrastructure levy ($900 / dwelling)

Note – Development has only recently commence in the suburb of Charlemont, and yet to commence in Marshall.

11. SECTION 173 AGREEMENT – ANCO SEED & TURF P/L & CITY OF GREATER GEELONG

(previously agenda item 10)

Source: **Planning & Development - Strategic Implementation**
General Manager: **Peter Bettess**
Index Reference: **Application- Amendment RL121**

Purpose

The purpose of this report is for Council to consider the operation of an existing S173 Agreement and determine whether it should be ended.

Summary

- Amendment RL121 which was approved in 1998 with an accompanying Section 173 Agreement provided for the development by Anco Seed & Turf P/L (ANCO) of 9 residential lots and a boathouse/restaurant on the south west corner of Balcombe & Winsor Road, Newtown adjacent the Barwon River.
- The residential lots have been constructed and the boathouse/restaurant was built in a landscaped setting and been in operation since 2005.
- Whilst most of the conditions of the Agreement have been met, the requirement that 2.5ha of land (including the restaurant complex) be transferred to Council has never been completed.
- Council officers have identified some financial exposures for the Council under the current Agreement arrangements whilst the owners have sought changes to the Agreement to enable them to retain ownership of the restaurant and surrounding area.
- Despite some years of negotiations between the parties, no acceptable outcome has been achieved.
- Having reviewed the current circumstances as set out in this report, Council officers now believe there is little value in pursuing negotiations and becoming responsible for the management of further passive recreational land in this area.
- It is recommended Council advises the owner that it proposes to initiate steps to end this Agreement.

L Gardner moved, P Dorling seconded -

That Council advises ANCO Seed and Turf P/L that it proposes to initiate steps to end the Section 173 Agreement forming part of the approval of Amendment RL121 applying to land at the south-west corner of Balcombe and Windsor Roads, Newtown.

Carried.

Background

Amendment RL121 which was approved in 1998 with an accompanying Section 173 Agreement provided for the development by Anco Seed & Turf P/L (ANCO) of 9 residential lots and a boathouse/restaurant on the south west corner of Balcombe & Winsor Road, Newtown adjacent the Barwon River. This development was completed in 2005.

Detailed conditions applying to these uses and their operation, scale, buildings and works, subdivision, development plans etc were contained in Ordinance provisions forming part of the Amendment.

The accompanying Section 173 Agreement dealt in particular with landscaping of the site, staging of the subdivision, construction of Windsor Road and transfer of open space land to the Council.

The existing zoning of the subject land and surrounds is Appendix 1 and an aerial photo is Appendix 2. The subject land adjoins King Lloyd Reserve to the south.

Details of the land transfer arrangement in the Agreement and attached lease include:

- Anco to transfer approximately one third of the development site including the road to the Council, being lots 11 & 12. See Appendix 3.
- Anco is to develop a restaurant on part of lot 12 with a lease back from Council to Anco for a term of 100 years, with the first 50 years rent free, and the rent for the next 50 years at market rent. The lease is a ground lease and is incorporated into the existing agreement.
- Anco is to develop the balance of lot 12 and lot 11 as a public park and maintain the area through the term of the lease.

Whilst the residential subdivision and the restaurant boathouse (Barwon Edge) have been completed and operational for over 10 years, the land transfer anticipated by the Agreement and associated subdivision of land has not been completed.

Council's Property and Procurement Department considers that some terms of the existing agreement and lease expose Council to possible costs and risks including:

- The lease incorporated into the existing agreement exposes Council to maintenance and repair of the restaurant building in relation to "…..damage by fair wear and tear, fire, storm, tempest, explosion, flood … etc". From year 1 Council is to be responsible for maintenance to the external fabric of the building and the roof, as well as mechanical systems excluding the tenant's fit out. Such provisions are unusual in a ground lease where the landlord normally has no obligations in relation to the tenant's buildings.
- Council is responsible for the repair costs of wilful damage to the restaurant and parkland by members of the public even when it is not receiving any rent in years 1 – 50.
- The tenant is to maintain the parkland throughout the 100 years, but if its rent from the premises is reduced significantly against the cost of maintaining parkland, the Council may receive no rent.

Discussion

In order to avoid some of the above exposures, discussions have been taking place over many years with the owner to see if alternative arrangements which better suit both parties can be agreed.

Council's position has also been influenced by the King Lloyd Reserve Master Plan which indicates that part of the land to be retained by the owner pursuant to the original Agreement(lot 10 in Appendix 3) could be used for sports grounds, in particular a north/south oriented hockey field.

From the owner's viewpoint there would seem to be considerable benefit in being able to maintain freehold title to the restaurant land and the surrounding landscaped setting (which whilst being generally accessible to the public, is physically associated with and

focused on the restaurant and does not naturally attract the wider public i.e. non-restaurant users).

Negotiations with the owner have been more or less centred on the owner retaining most of Lots 11 & 12 as shown in Appendix 3 and in return lot 10 would be transferred to Council.

Over recent times the negotiations have been further complicated by:

- The owner negotiating directly with the Newtown City Hockey Club to transfer ownership of parts of the lots 10 and 11 directly to it to enable it to establish a new hockey facility. Any Council involvement or financial commitment to this arrangement is not recommended.
- The owner indicating an intention to seek planning approval (rezoning) for a small scale convention/function facility on part of Lots 10 & 11. The owner is aware that a range of flooding, amenity and planning issues need to be addressed, making the outcome difficult to predict.

Council officers believe that in these circumstances there is now little value in pursuing negotiations with the owner. The only positive outcome for Council is to have Lot 10 transferred to it which would enable a north/south oriented hockey field to be established. Any other land configuration enabling only an east-west hockey field (privately owned or otherwise) or further passive open space is not supported and is not consistent with the King Lloyd Reserve Masterplan. As this Masterplan notes, this general area is well served with passive recreational facilities and walking tracks along the Barwon River and Balyang Sanctuary just downstream on the east side of Shannon Avenue. There is little value in pursuing negotiations and for Council to become responsible for the management of further passive recreational land in this area (which for the most part has already been provided by the owner and is accessible to the public).

Ending the existing Section 173 Agreement as recommended will result in a need to amend the zoning of that part of the subject land which was zoned Public Park and Recreation zone in anticipation of the Agreement being implemented. At this stage it is proposed that preparation of the necessary Planning Scheme Amendment to make this zone change be held in abeyance pending Council consideration of the owners proposal for a small-scale convention function facility which may impact on future zonings on the land.

Environmental Implications

The land as it is currently developed and used consists of buildings and formal parkland areas which enhance the general environs of the Barwon River and the associated shared pathway. Lot 10 is unimproved land formerly used for turf production and farming.

The Council's King Lloyd Reserve is located to the south of the subject land. Future development of that reserve will seek to protect the values of the park, enhance the landscape quality of the reserve, promote effective management of the tree stock and improve facilities, infrastructure and functioning for broad community use whilst retaining the natural ambiance of the precinct.

Financial Implications

The financial implications arising out of the existing Agreement arrangements have been discussed in the report and constitute a major factor in the recommendation that the current Agreement be ended.

Policy/Legal/Statutory Implications

Section 177 (2) of the Planning & Environment Act enables an Agreement to be ended by Council with the Approval of the Minister or by Agreement between the parties to an Agreement.

If the Agreement is to be ended as recommended, notice will be required under s189 of the Local Government Act as Council would be surrendering its right to have land transferred to it which could be interpreted as selling or exchanging land.

Officer Direct or Indirect Interest

No officers involved have a direct or indirect interest in this matter.

Risk Assessment

Ending the Agreement as recommended reduces the risks of Council exposure to adverse financial implications as described in this report.

Social Considerations

There are no social considerations to this report.

Human Rights Charter

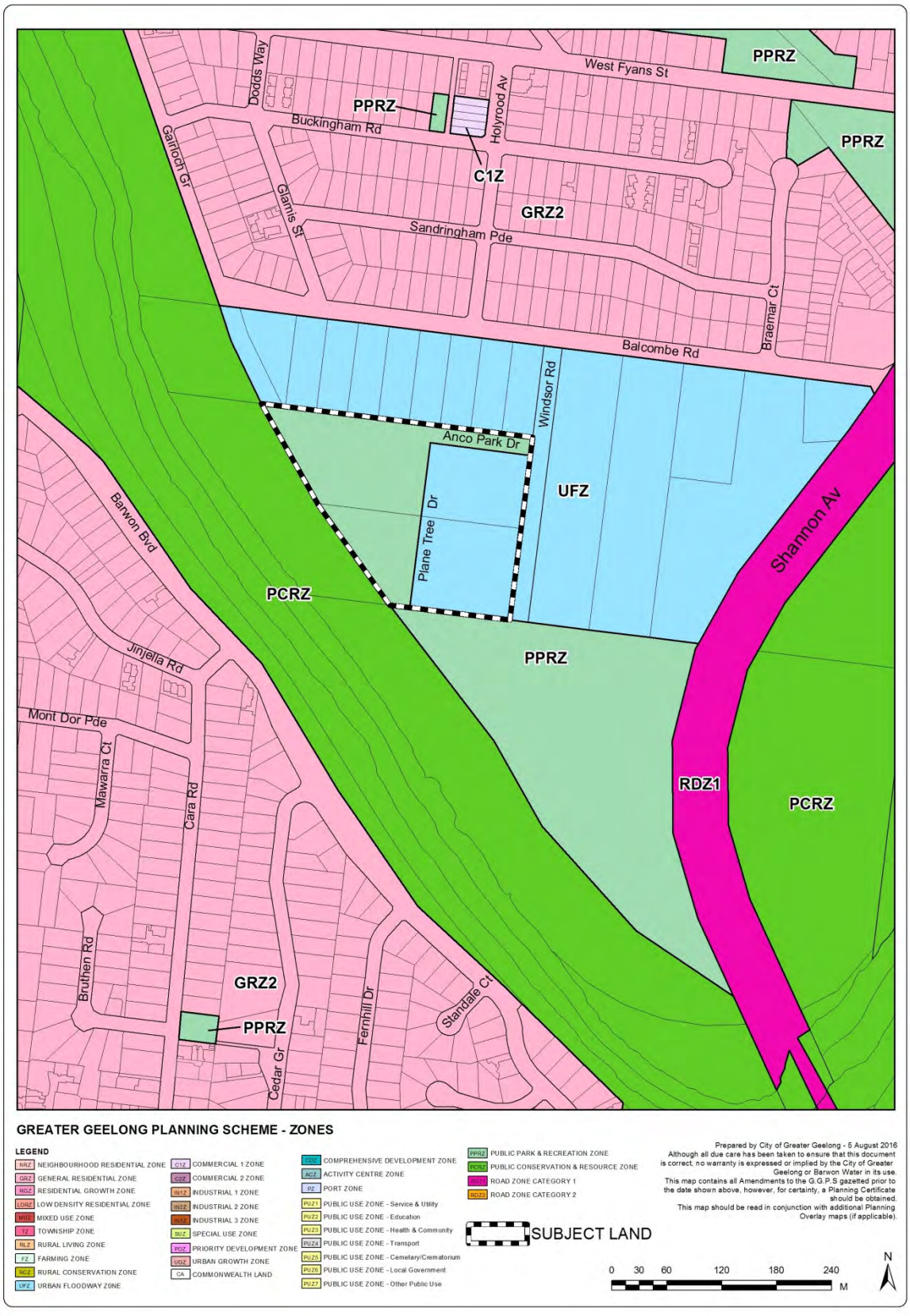
The ending of this Agreement will not impact on basic human rights, freedoms and responsibilities as set out in the Charter.

Consultation and Communication

This report discusses issues affecting signatories to a Section 173 Agreement which should not impact on adjoining owners or the general public.

This report has not been subject to any external communication other than the existing owner.

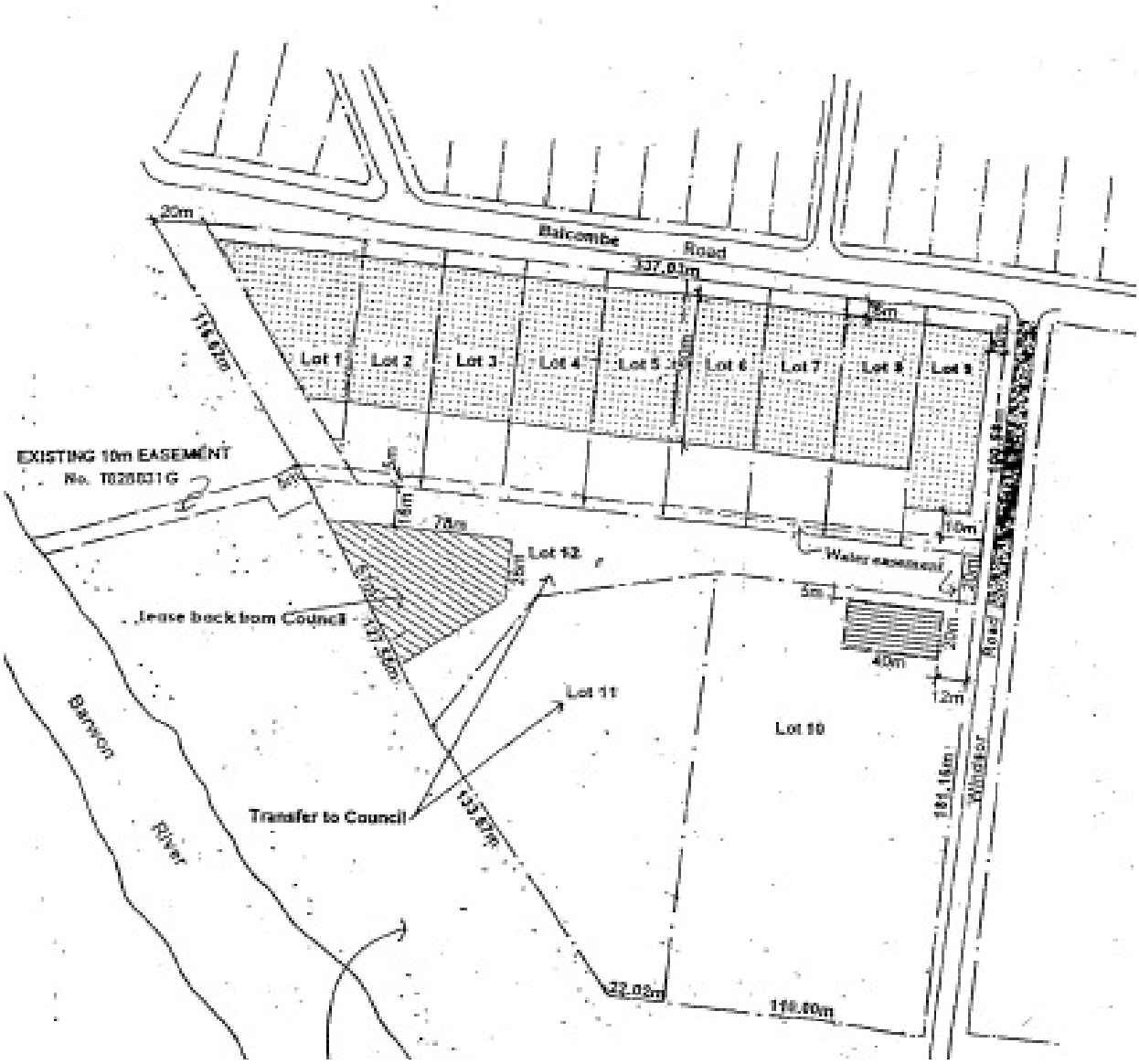
Appendix 1 – Existing Zoning



Appendix 2 – Aerial Image



Appendix 3 – Subject Land



12. DRAFT GREENHOUSE STRATEGY

Source: **City Services - Environment and Waste Services**
A/General Manager: **Vicki Shelton**
Index Reference: **Sustainability**

Purpose

The purpose of this report is to seek endorsement for the Draft Greenhouse Strategy to be placed on public exhibition for feedback. The feedback from the community will be used to inform the drafting of a final Greenhouse Strategy to be presented to Council for adoption.

Summary

- The Greenhouse Strategy provides a framework for Council to reduce Council energy costs, increase investment in renewable energy and, in partnership with the Geelong community, achieve a reduction in Geelong's greenhouse emissions.
- The City of Greater Geelong was recently announced as the third Australian local government to be certified as a One Planet Living Council. The City of Greater Geelong is committed to working towards the ten One Planet Living principles including working towards Zero Carbon emissions for Council's buildings and infrastructure.
- The Draft Greenhouse Strategy is the primary guiding document for Council to work towards zero carbon and delivering on key actions of Council's Environment Management Strategy.
- The Draft Greenhouse Strategy represents an update of Council's Greenhouse Response 2008-2011 and builds on Council's work to date on emissions reduction.
- Input for the Draft Greenhouse Strategy has been sought from the community and council via formation of Project Steering and Advisory Groups, workshops, presentations, interviews and surveys.
- The Draft Greenhouse Strategy includes seven Council emissions reduction target options for 2020.
- The Draft Greenhouse Strategy will be updated with any changes that may arise to Council building stock pending the outcome of an assessment for consolidating council staff into fewer buildings.
- Once endorsed by Council, the Draft Greenhouse Strategy will be placed on public exhibition for a four week period.

P Dorling moved, L Gardner seconded -

That Council:

1) **endorse a greenhouse emissions reduction target of 50% based on 14/15 emissions (Option 5), and recognize Council's aspirations to reach zero carbon emissions;**

2) **note that the endorsed target will be incorporated into the Draft Greenhouse Strategy and placed on public exhibition for four weeks;**

3) **approve the public exhibition of the Draft Greenhouse Strategy for public comment.**

Carried.

Background

The City of Greater Geelong was recently announced as the third Australian local government to be certified as a One Planet Living Council. The City of Greater Geelong is committed to working towards the ten One Planet Living principles and the Greenhouse Strategy is the primary document guiding work to achieve zero carbon emissions.
The development of an updated Greenhouse Strategy is a key action of the City's Environment Management Strategy under the strategic direction of "Leadership, Greenhouse and Energy".

The Draft Greenhouse Strategy represents an update of Council's Greenhouse Response 2008-2011 and builds on Council's work on emissions reduction. The Greenhouse Strategy also incorporates work from the Low Carbon Growth Plan for Greater Geelong and provides an opportunity to bring together Council corporate and community emission reduction programs under the One Planet Living sustainability framework and principle of "Zero Carbon".

Council's emissions profile in 2015 was 23,135 tonnes of CO2-e. Council's emissions come from energy (electricity and gas) used in buildings, Council owned lighting and fuels used in Council's fleet.

Geelong's community emissions profile in 2015 was 4,574,000 tonnes of CO2-e. Community emissions come from different sources; non-residential buildings, residential buildings, transport, industrial and agricultural activities, landfill waste and leased street lighting.

Discussion

The development of the Draft Greenhouse Strategy incorporates outcomes from consultation activities and background documents that have been produced:

Consultation:

- Three workshops were conducted with the Project Steering Group and Project Advisory Group.
- Interviews with key stakeholders including; Geelong Sustainability, Geelong Chamber of Commerce and key internal Council stakeholders.
- Community survey: 325 completed surveys received. The purpose of the survey was to gain the community's views on what action the City should take to minimise greenhouse gas emissions in the municipality.
- Council staff survey: 60 completed surveys received. The survey was undertaken to canvass staff views on how their work is connected to environmental issues, and what information and support is needed by staff to contribute to Council's overall emissions reduction efforts.

Background documents:

- Background and Literature Review analysed current climate change policies from a federal, state and local government perspective.
- Energy audit and solar analysis of Councils top ten energy consuming buildings provides a costed, energy efficiency priority action list and solar analysis for each site.
- Emissions Abatement Business Case presents a range of abatement scenarios and cost impacts for Council to consider when making a decision as to which option to adopt in the draft strategy.

Draft Strategy review

- Background document information has been incorporated into the Draft Greenhouse Strategy. Project Steering Group and Project Advisory Group members provided comments on the Draft Strategy.

Greenhouse Strategy Reduction Target Options:

Using the 2015 baseline of 23,135 tonnes of CO2-e, there are seven emission reduction target options to 2020 that Council could pursue to reduce its corporate emissions.

Council is requested to endorse one of the target options shown in table 1. The endorsed target will be incorporated into the Draft Greenhouse Strategy and placed on public exhibition for four weeks.

Key action areas that support the target options include; energy efficiency (electricity and gas) in buildings, renewable energy (small and large scale) and carbon offset purchasing.

Table 1: Greenhouse Strategy Reduction Target Options

Option	Reduction target by 2020 based on 2014-15 emissions	TCO2-e saved annually	Financial Investment	NPV (2035)
1.	**8%**	2,024	$1,315,000	$ 2,932,408
2.	**10%**	2,313	$1,315,000 + $2,170 p.a.	$ 2,889,008
3.	**20%**	4,626	$1,315,000 + $19,515 p.a.	$ 2,542,108
4.	**30%**	6,934	$1,315,000 + $36,825 p.a.	$2,195,909
5.	**50%**	11,567	$1,315,000 + $71,573 p.a.	$1,500,949
6.	**100%**	23,135	$1,315,000 + $158,333 p.a.	-$234,251
7.	**100%**	23,135	$9,315,000 + $121,507 p.a.	$3,002,311

* Net Present Value (NPV) represents the cumulative total value of the initiatives for the twenty year period (2015-2035) by considering initial capital and expected cash inflows and outflows.

Table 1. demonstrates the range of emission reduction targets available to Council and various financial investments required to achieve each option including the return on investments in 2035.

The 8% reduction target is supported by capital funding within the 2016/17 and 2017/18 budget derived from collected landfill carbon charges.

The 8% reduction target is supported by an energy efficiency and solar program on Council's top ten buildings. This program of works has a payback of 4.7 years and will provide a financial saving to Council of $265,781 per annum on completion of works (2 years).

Council is currently investigating reinvestment options of these savings into energy efficiency and renewable energy programs to further reduce operational costs and provide some ongoing financial stability for programs to meet Council's emission reduction target.

It is important that Council transitions over time from purchasing offsets on an annual basis, to investments in energy efficiency works and solar systems to establish a net positive return on investment program.

Maintaining flexibility within the works program to take advantage of supporting funding including government grants as they become available will be important. This may allow for high capital investments projects such as large scale solar to be considered earlier if support funding becomes available.

Council is currently investigating Council staff accommodation options. This investigation may result in changes to building stock and baseline energy profile. The Greenhouse Strategy will be updated with any change to Council building stock pending the outcome of the assessment.
Council can play a key role in enabling positive change in the community. Through the Draft Greenhouse Strategy, Council aims to support community groups to deliver actions that reduce community emissions, including:

- Assisting the Geelong community to implement carbon reduction initiatives via a One Planet Living Grants Program.
- Providing information and facilitating discussions between individuals, community groups and organisations around greenhouse action and One Planet Living principles.
- Continuing the implementation of the Low Carbon Growth Plan with a focus on assisting small-medium businesses and the residential sector.
- Advocating on behalf of the community for supporting regulation, incentives and increased action by other levels of government.

Environmental Implications

Greenhouse emissions are a major factor in driving global climate change. The Draft Greenhouse Strategy will assist in reducing Council and community generated greenhouse emissions.

Financial Implications

The Greenhouse Strategy will be supported through the recent carbon tax refund. This funding provides an opportunity to implement key energy efficiency and renewable energy actions. This funding will enable council, as a minimum, to meet the 8% target option listed in Table 1.

Financial savings from these actions could be reinvested to fund future energy efficiency works and a model to do this will be investigated. This is particularly important with the introduction of Council Rate Capping.

Policy/Legal/Statutory Implications

There are no policy or legal implications.

Alignment to City Plan

The Draft Greenhouse Strategy aligns closely with City Plan strategic direction; Sustainable Built and Natural Environment. An objective within this is to partner with our community to encourage sustainable design and reduce resource consumption. The Greenhouse Reduction Strategy is listed as a key strategy for delivering Sustainable Built and Natural Environment priorities.

Officer Direct or Indirect Interest

No Officer has a direct or indirect interest in the matter to which the report relates.

Risk Assessment

There have been no identified risks to Council in the development of the Draft Greenhouse Strategy.

Social Considerations

The development of the Draft Greenhouse Strategy provides an opportunity for the community to have a say on what action the City should take to minimise greenhouse gas emissions in the municipality

Human Rights Charter

There are no known positive or negative impacts.

Consultation and Communication

Key stakeholder consultation has been an important component of the development of the Draft Greenhouse Strategy. Public exhibition of the Draft strategy will provide further opportunity for the public to comment.

Consultation undertaken is included in the ‘background’ of this report.

CITY OF GREATER GEELONG

Greenhouse Strategy

DRAFT 2016



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ENVIRONMENT

CITY OF GREATER GEELONG

Message from the Chair Administrator

The City of Greater Geelong is committed to achieving zero carbon emissions for council operations. This will ensure our environment remains clean and is sustainable for future generations. The Greenhouse Strategy will guide us in this endeavor.

This Greenhouse Strategy will also help us to reduce Council energy costs, increase investment in renewable energy and, in partnership with the Geelong community, achieve a reduction in the whole city's greenhouse emissions.

As well as achieving One Planet Living certification and working towards zero carbon for our own operations, we look forward to continuing great partnerships with our community. We encourage others to join the City by adopting the principles for homes, business, organisations or community groups.

Dr Kathy Alexander



Table of Contents

Message from the Chair Administrator **1**
Executive Summary **3**
1. Introduction **5**
2. Background and Context **5**
3. Measuring Emissions **13**
3.1 Council emissions profile 13
3.2 Community emissions profile 14
4. Progress within the City **15**
4.1 Council Actions: 15
4.2 Community Actions: 16
5. Vision, Principles and Objectives **17**
6. Council Targets **18**
7. Council and Community Actions **21**
7.1 Action mix 21
8. Implementation **23**
9. Funding **23**
10. Monitoring and Reporting **24**
11. Communications **24**
12. Appendices **25**
Appendix 1: Greenhouse Emissions Reduction Target Options 1 - 7 25
Appendix 2: Council Energy Efficiency – Lighting Upgrades Action Plan 28
Appendix 3: Council Energy Efficiency – HVAC, Pump and Fan Action Plan 28
Appendix 4: Council Renewable Energy – Solar PV Action Plan 31

Executive Summary

The City of Greater Geelong has demonstrated leadership in responding to climate change in the local government sector by implementing a two-fold approach to climate change. This has involved reducing greenhouse emissions and addressing climate risks.

The City of Greater Geelong was one of the first local governments in Australia to adopt a Climate Change Adaptation Strategy and continues to implement cutting edge programs in this field.

The Draft Greenhouse Strategy (2016) builds on the climate change work completed by Council since the Greenhouse Response 2008-2011 and the Low Carbon Growth Plan 2011 (updated 2015). The establishment of new emissions reduction targets for Council will drive renewable energy and emissions reduction programs. The Strategy will also be a framework for zero emission programs and partnerships with the Geelong community.

The Greenhouse Strategy (2016) will be reviewed and updated to reflect changes in the region on a bi-annual basis as Council tracks towards the adopted emissions reduction target.

Vision

We will reduce Council's greenhouse emissions and encourage others to adopt and implement a One Planet Living zero emissions goal.

Principles

- Demonstrate leadership in Council greenhouse emissions reductions
- Prioritise actions that have a strong economic and emissions reduction benefit
- Build on local and regional community emissions reduction partnerships to address business and residential sectors emissions
- Support economic and jobs growth in the Greater Geelong region

Objectives

- To reduce Council's corporate greenhouse emissions
- Support community sector greenhouse emissions reductions

A target provides a goal for Council and a means of tracking the success of the Strategy during its implementation. The Strategy provides the following target for council:

Target:

Achieve **30% reduction** from Council's buildings and vehicle fleet from 2014-15 levels by **2020**.



Geelong Library & Heritage Centre achieved a 5-Star Green Star building design rating

1. Introduction

The City of Greater Geelong (the Council) recognises the need to show leadership in reducing carbon emissions in the region. This leadership will build on partnerships between Council, community groups and businesses to reduce greenhouse emissions. The Greenhouse Strategy will provide a pathway and foster greater support to reduce greenhouse emissions by the Greater Geelong community and Council.

The Greenhouse Strategy has been developed through significant consultation. This included the formation of a Project Reference Group with key Council and community stakeholders. The consultation included workshops, surveys and information sessions. Other work undertaken during this phase included a Background and Literature Review and financial modelling to underpin emissions reduction targets and the Action Plan.

The actions proposed in this Strategy build on the work completed through the Council Greenhouse Response 2008-2011 and the Low Carbon Growth Plan for Greater Geelong. The actions combine strong economic and emissions reduction outcomes.

The Greenhouse Strategy supports Council's Environment Management Strategy 2014-2017 and the Greenhouse Strategy Action Plan acts as a tool for prioritising emissions reduction actions between now and 2018. After this time, the Greenhouse Strategy will be reviewed and updated.

2. Background and Context

Council has identified climate change, population growth, liveability and the local economic model as key drivers affecting the City's future. Particularly relevant to this Greenhouse Strategy is action on climate change and the rapid change to industry affecting the local economy.

City of Greater Geelong Demographics (15/16)

- Estimated residential population: 235,000, this is forecast to grow to 320,800 by 2036
- Area: 1,247km^2
- Annual population growth: 1.6% or 3,860 persons per annum
- Average household size: 2.4 persons
- Council building asset portfolio: 760 buildings
- Council annual energy costs – $5.5M
- Energy generated by Council from renewables:178,000kWh or 1.3% of total electricity used in buildings

Climate Change

The City of Greater Geelong accepts the science that human induced climate change is real and the associated impacts will have an affect in the region, impacts include:

- a higher risk of bushfires during summer
- more hot days and heat waves
- fewer frost
- lower average rainfall coupled with an increased intensity of storms

- higher sea levels, leading to a greater likelihood of coastal inundation and erosion across the region.

These impacts present challenges for community wellbeing, health and safety, and could produce a significant economic burden of infrastructure repair, insurance and environmental rehabilitation costs.

Federal policy context

Significant changes in state and federal climate change policy have occurred since the Greenhouse Response 2008-2011 was developed.

The current federal government has repealed the carbon pricing legislation and replaced it with a Direct Action Policy. The Direct Action Policy provides funding for those who can reduce emissions for the lowest cost, and is intended as the key tool to be used to meet Australia's greenhouse emissions reduction targets.

The Renewable Energy Target (RET) sets a requirement for 20% of Australia's energy consumption (33,000 gigawatt hours) to be sourced from renewable energy generation by 2020.

At the time of writing, Australia's national greenhouse gas emissions reduction targets beyond 2020 are to reduce greenhouse gas emissions to 26-28 per cent below 2005 levels by 2030.

State policy context

The Victorian Climate Change Act 2010 came into effect in 2011. During 2015/2016, the Victorian state government commenced the development of a Climate Change Action Package, including:

- a review of the Victorian Climate Change Act
- the development of a Victorian Climate Change Action Plan
- the development of a Victorian Renewable Energy Roadmap, and
- Victoria's Energy Efficiency and Productivity Statement June 2015.

In June 2016, the Victorian state government announced its commitment to reducing greenhouse gas emissions by:

- legislating a long-term target for Victoria of net zero greenhouse gas emissions by 2050, and
- setting a renewable energy target for Victoria for 25 per cent of electricity generated in the state to come from renewable energy by 2020 and 40 per cent by 2025.

The Victorian Energy Efficiency Target scheme encourages energy efficiency improvements by businesses and industry. The Victorian state government reviewed the scheme in 2016 to set updated targets and long-term aspirations for the scheme from 2016 onwards.

Local context

The City of Greater Geelong is a member of regional bodies seeking a sustainable future for the region, including Geelong Region Alliance (G21) and the Western Alliance for Greenhouse Action (WAGA). G21 is a formal alliance of government, business and community organisations working together to improve the lives of people within the Geelong region across five municipalities – Colac Otway, Golden Plains, City of Greater Geelong, Queenscliffe and Surf Coast. G21 has eight pillar groups representing the region's key priorities, which include Environment, Planning & Services and Transport. A project currently being delivered through the Environment pillar is the Climate Resilient Communities of the Barwon South West. This is a joint collaboration between ten municipalities to begin to understand and respond to risks and opportunities presented by future climatic changes and extreme weather events.

The Western Alliance for Greenhouse Action (WAGA) is a local government partnership that brings together interested councils committed to collaboratively responding to climate change in Melbourne's western region. WAGA's current membership includes: Greater Geelong, Brimbank City Council, Hobsons Bay City Council, Maribyrnong City Council, Melton City Council, Moonee Valley City Council, Wyndham City Council and Moorabool Shire Council.

Low Carbon West is a strategy endorsed by WAGA Councils and is a blueprint for transitioning to a low carbon economy. Low Carbon West provides an opportunity for industry in Geelong to become more efficient and generate significant economic savings. A low carbon economy also has the potential to attract new investment and new industries, and create new skills and jobs.



Western Alliance for Greenhouse Action (WAGA) Councils



The decline in traditional sectors such as automotive manufacturing is changing the availability of economic opportunities for businesses and individuals. Diversification of the economy and skills development will support the continued growth of local job opportunities. Council is committed to showing leadership in supporting the community to make this transition, with support to cleantech industries.

Development of the Greenhouse Strategy
During 2014/15, Council gathered feedback on emissions reduction opportunities through:

- surveys of the community and council staff
- workshops and one-on-one interviews with community and business stakeholders.

The aim of the consultation was to inform the objectives, principles and targets for the Greenhouse Strategy. The consultation also provided an opportunity to identify potential emissions reduction actions that align with the needs of the Greater Geelong region.

The community survey received 325 responses, with key outcomes including:

- Over 80% of community respondents agree that minimising climate change impacts in the Geelong region is very important.
- A majority of survey respondents agree that renewable energy is the highest priority action CoGG could implement to reduce emissions. This was closely followed by energy efficiency actions and leadership being demonstrated by Council.

The staff survey received 59 responses, with key outcomes including:

- Staff prioritised renewable energy and energy efficiency actions as the most important areas Council should focus on to reduce greenhouse gas emissions within its own operations.
- Staff prioritised renewable energy and waste reduction actions as the most important areas Council should focus on to reduce community greenhouse gas emissions.

Strategic Framework

The Greenhouse Strategy is underpinned by strategic directions set out in Council's City Plan and Environment Management Strategy 2014-2017. The Environment Management Strategy 2014-2017 supports the Greenhouse Strategy through the strategic priority: Council Leadership – Greenhouse and Energy and the One Planet Living Principle: Zero Carbon.

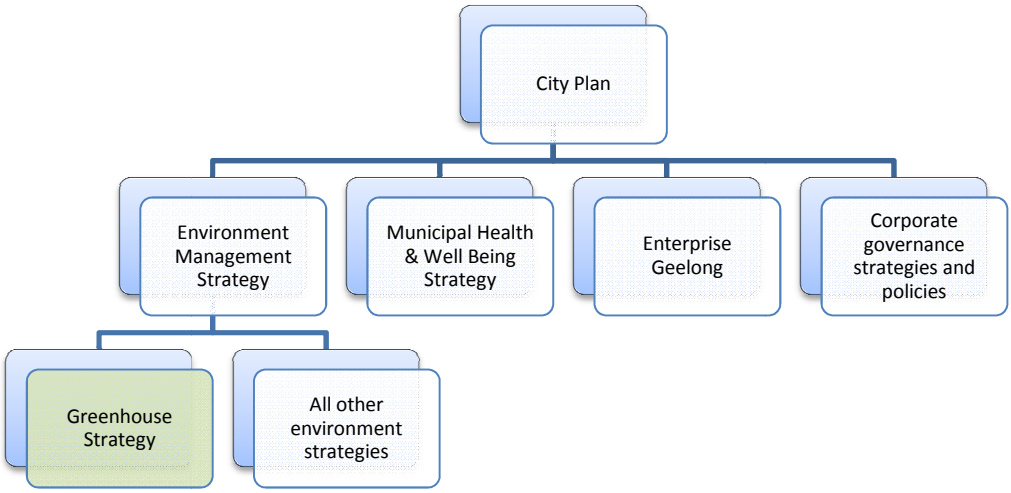


Figure 1: City of Greater Geelong – Strategic Framework

City Plan 2013-2017

The City Plan 2013-2017 is the key document that guides Council activities. It has four strategic directions:

1. Community wellbeing
2. Growing our economy
3. Sustainable built and natural environment
4. How we do business



Figure 2: City Plan – Strategic Directions

Environment Management Strategy 2014-2017

The Environment Management Strategy 2014-2017 (EMS) is guided by the ten principles of the One Planet Living framework. It also identifies five strategic priorities:

1. Council Leadership
2. Enhance Natural Areas and Ecosystem Health
3. Sustainable Urban and Rural Development
4. Greener Economy
5. Sustainable Living

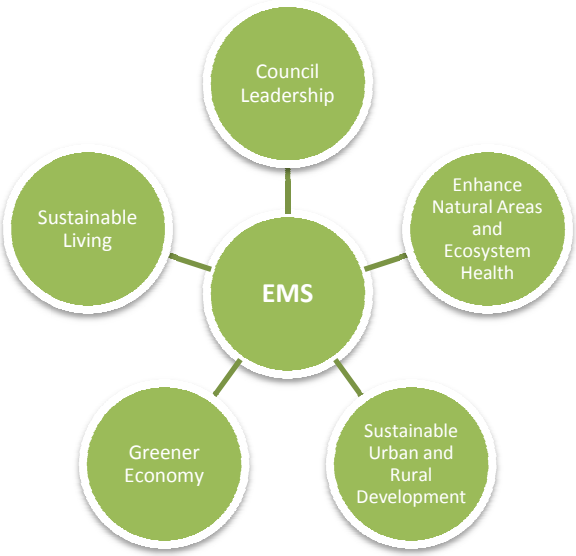


Figure 3: Environment Management Strategy – Strategic Priorities

The development and implementation of the Greenhouse Strategy is a key action of the EMS.

One Planet Living

The City of Greater Geelong is a certified One Planet Living Council. One Planet Living is an internationally recognised framework to guide Council's corporate and community environment and sustainability objectives.

The aim of One Planet Living is to help people, projects and organisations work within the limits of our planet's natural resources.

One Planet Living uses ten principles as its framework:



Health and happiness Encouraging active, sociable, meaningful lives to promote good health and well being	**Local and sustainable food** Supporting sustainable and humane farming, promoting access to healthy, low impact, local, seasonal and organic diets and reducing food waste
Equity and local economy Creating bioregional economies that support equity and diverse local employment and international fair trade	**Sustainable materials** Using sustainable and healthy products, such as those with low embodied energy, sourced locally, made from renewable or waste resources
Culture and community Respecting and reviving local identity, wisdom and culture; encouraging the involvement of people in shaping their community and creating a new culture of sustainability	**Sustainable transport** Reducing the need to travel, and encouraging low and zero carbon modes of transport to reduce emissions
Land use and wildlife Protecting and restoring biodiversity and creating new natural habitats through good land use and integration into the built environment	**Zero waste** Reducing waste, reusing where possible, and ultimately sending zero waste to landfill
Sustainable water Using water efficiently in buildings, farming and manufacturing. Designing to avoid local issues such as flooding , drought and water course pollution	**Zero carbon** Making buildings energy efficient and delivering all energy with renewable technologies

Table 1: One Planet Living Ten Principles

3. Measuring Emissions

3.1 Council emissions profile

Council's emissions profile for the 2015 financial year is shown in Figure 4. Total emissions reported for the year were 23,135 tonnes of carbon dioxide equivalents (tCO2-e). Under a business as usual scenario, this is projected to increase to 24,509 tCO2-e by 2035, representing an increase of approximately 6%.

Council's emissions profile is based on reporting requirements of the National Greenhouse and Energy Reporting (NGER) framework. Under this framework, Council's main sources of emissions are:

- electricity and gas consumed in Council-owned and operated buildings: 19,090 tCO2-e
- fuel consumption by vehicles within Council's fleet: 4,045 tCO2-e.

Note: waste and leased street lighting greenhouse emissions are considered community emissions and are captured in the community emissions profile.

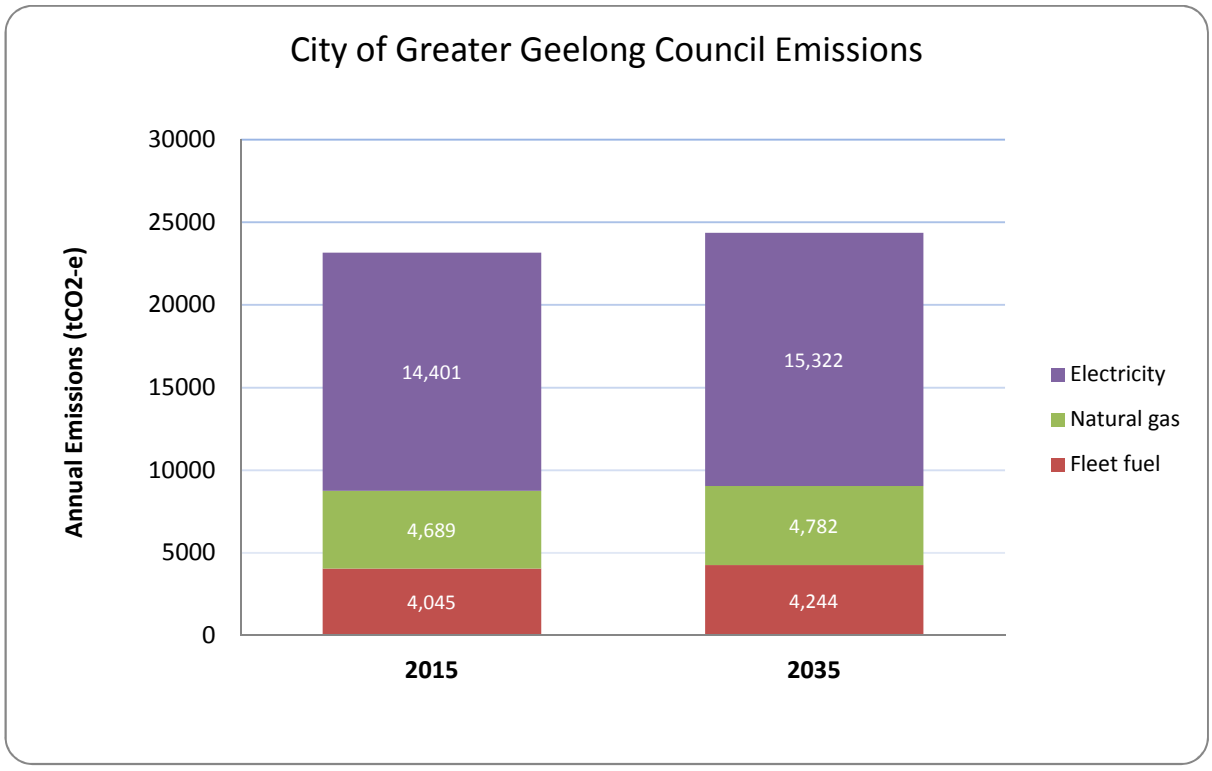


Figure 4: City of Greater Geelong Council emissions profile in 2015 and projected to 2035

3.2 Community emissions profile

Community emissions come from different sources that include non-residential buildings, residential buildings, transport, industrial and agricultural activities, and landfill waste.

The emissions profile was developed using data from various sources including the Australian Bureau of Statistics Census data, the Victorian Integrated Transport Model, electricity and gas data from utilities providers, the Australian National Greenhouse Accounts and Sustainability Victoria.

The emissions projections for 2035 were based on forecasted changes in population and employment, which are both projected to increase over the next 20 years.

Under a business as usual scenario, emissions are projected to increase by 31% between 2015 and 2035 to 5,800 kilo-tonnes of carbon dioxide equivalents (ktCO2e). Emissions are projected to increase within each category except for industrial processes and agriculture.

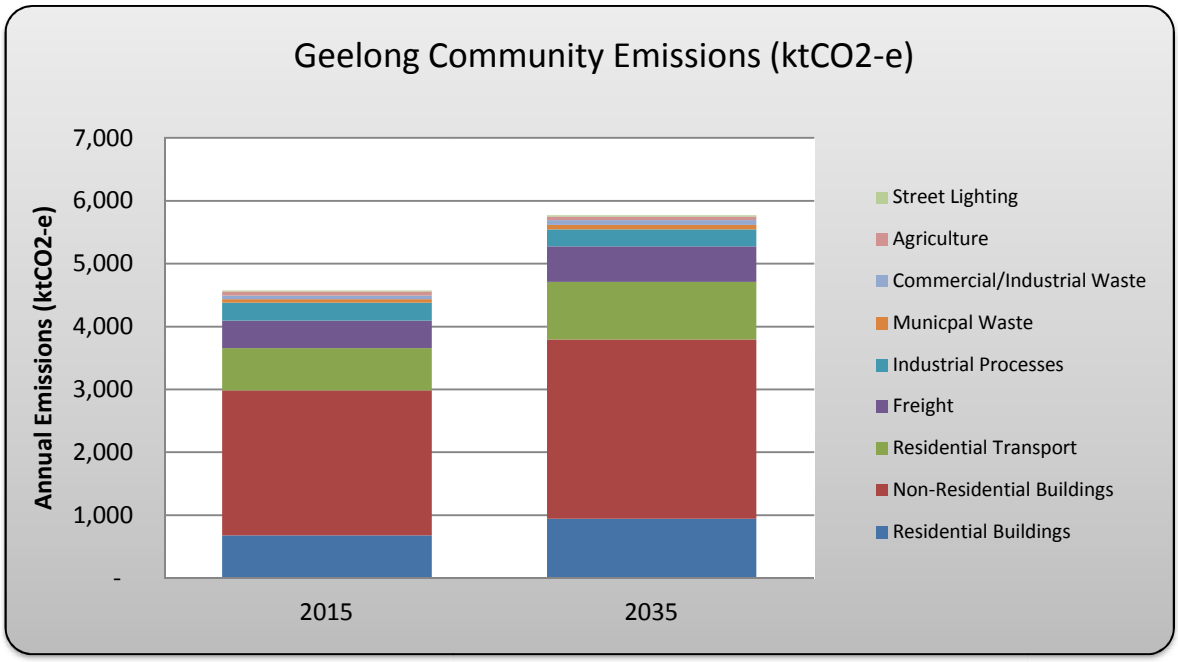


Figure 5:Greater Geelong community emissions profile in 2015 and projected to 2035

Emissions source	2015 emissions (ktCO2e)	2035 emissions (ktCO2e)
Non-Residential Buildings	2,306	2,851
Residential Buildings	678	944
Residential Transport	674	918
Freight	439	561
Industrial Processes	285	272
Commercial/Industrial Waste	59	76
Municipal Waste	52	73
Agriculture	67	56
Street Lighting	14	19
less Offsets (community purchased GreenPower)	-15	-15
	4,559	**5,755**

Table 2: Summary of community emissions (2015 and 2035)

4. Progress within the City

Council's actions in reducing greenhouse gas emissions have been guided by the Greenhouse Response 2008-2011.

A summary of actions implemented from the Greenhouse Response include:

4.1 Council Actions:

Buildings

- Energy efficiency upgrades at key sites – upgrades to lighting systems and heating and cooling systems have been a major focus.
- Renewable energy systems totalling 160kW have been installed on Council buildings. The new Boorai Centre in Ocean Grove includes an 80kW solar system.
- Council adopted a Sustainable Buildings Policy in 2012 – the design and construction of the new 5 star Green Star rated Geelong Library & Heritage Centre was guided by the policy.

Street Lighting

- Energy efficient T5 street lighting trial in Clifton Springs.
- LED lighting upgrades have been undertaken in car parks, reserves, pathways and shopping villages across the City.

Fleet

- Introduction of a staff bike fleet.
- Reduction in six cylinder cars – replaced with four cylinder models.
- Introduction of hybrid vehicles to the fleet.



Boorai Centre Ocean Grove: 80kW solar system



4.2 Community Actions:

- Certification of One Planet Living Geelong – a sustainability framework for Council and community sustainability initiatives including greenhouse emissions.
- EcoCHALLENGE@home is a City of Greater Geelong program to assist residents reduce their energy and water bills through a series of annual community information sessions. 111,085kW of solar PV has been installed as part of the program.
- Sustainable House Day – Council supports Geelong Sustainability group who coordinate the event.
- The Low Carbon Growth Plan for Greater Geelong (updated in 2015). The Plan focuses on the Greater Geelong community including residential sector, commercial and industrial businesses. The Plan presents a range of carbon emissions reduction opportunities, many achievable with a positive return on investment. The buildings sector including residential solar represented the greatest potential to reduce annual emissions.
- CleanTech Innovations Geelong aims to establish Geelong as a Centre of Excellence for cleantech by attracting investment, creating jobs and building skills in the Geelong region.
- Future Proofing Geelong – a partnership program that has assisted industry and business to access project funding. Projects and initiatives delivered as part of the program include: Smarter Homes Smarter Living Program; Armstrong Creek Sustainable House; CitySwitch program; Geelong Sustainable Living Festival; and, Geelong Better Blocks.
- The Heatwaves and Sustainability Project – a partnership between the City of Greater Geelong, the Surf Coast Shire and Kildonan Uniting Care. The program has an aim to assist vulnerable community members to reduce living costs and the impacts of heatwaves. The program has delivered staff training to Community Care Workers, community education sessions and free in-home visits.

5. Vision, Principles and Objectives

Vision

We will reduce Council's greenhouse emissions and encourage others to adopt and implement a One Planet Living zero emissions goal

Principles

- Demonstrate leadership in Council greenhouse emissions reductions
- Prioritise actions that have a strong economic and emissions reduction benefit
- Build on local and regional community emissions reduction partnerships to address business and residential sectors emissions
- Support economic and jobs growth in the Greater Geelong region

Objectives

- To reduce Council's corporate greenhouse emissions
- Support community sector greenhouse emissions reductions

Responsibility

Where Council has a full role or direct responsibility for an aspect of greenhouse emissions reduction, Council will choose to either:

- Provide leadership in its own greenhouse reduction activities; and/or
- Provide services to support the community and businesses to reduce their emissions

While Council is not directly responsible for community emissions, it recognises that it can play a key role in enabling positive change in the community. This can come about through engagement and education programs, incentive programs and local planning controls.

6. Council Targets

Under the One Planet Living framework, the City of Greater Geelong is working within the One Planet Living principle: **Zero Carbon.** The aim of this principle is to make buildings energy efficient, supply energy through renewable energy generation and improve efficiency of Council's vehicle fleet.

Support for a council emissions reduction target has been strengthened with the Victorian state government announcing it will:

- legislate a long-term target for Victoria of net zero greenhouse gas emissions by 2050
- set a renewable energy target for Victoria of 25 per cent of electricity generated in the state to come from renewable energy by 2020 and 40 per cent by 2025.

Baseline

The baseline to be used to set the greenhouse emissions reduction target against is the 2014/2015 baseline: **23,135 TCO2-e**

Sector	TCO2-e	%
Buildings – electricity	14,401	62%
Buildings – gas	4,689	20%
Fleet	4,045	18%
	23,135	**100%**

Table 4: Council emissions reduction target baseline

Action Mix

The mix of actions listed below support the Zero Carbon principle and will help the City meet its greenhouse emissions reduction target:

- **Energy efficiency upgrades:** heating and cooling (HVAC) systems and lighting systems
- **Renewable energy installations:** roof-top solar and large scale solar
- **Carbon offsets:** independently certified and locally sourced where possible

Net Present Value

Net Present Value (NPV) represents the cumulative total value of the initiatives for the 20-year period (2015 to 2035) by considering initial capital and expected cash inflows and outflows. It is expressed in real terms based on the dollar value of a chosen base year, in this case 2015.

A positive NPV shows that the investment results in a long-term saving, while a negative NPV represents a long-term loss (for example, offset).

However, it should be noted that NPV does not factor in indirect benefits of renewables such as reduction in peak demand, extended life of equipment and future proofing and as such should be used as an indicative financial measure only.

Emissions Reduction Target – Council Operations

Below are seven greenhouse emissions reduction target options for Council to consider for reducing its own emissions prior to adopting one to be included in this Strategy. Six of the options will require carbon offsets to be purchased annually to reach targets.

Council is requested to choose and commit to one of the options below. The adopted target will be included in a Draft Strategy for public comment.

Option	Emissions reduction target by 2020 based on 2014/15 emissions	TCO2-e saved annually	Financial Investment	NPV (2035)
1.	**8%**	2,024	$1,315,000	$ 2,932,408
2.	**10%**	2,313	$1,315,000 + $2,170 p.a.	$ 2,889,008
3.	**20%**	4,626	$1,315,000 + $19,515 p.a.	$ 2,542,108
4.	**30%**	6,934	$1,315,000 + $36,825 p.a.	$2,195,909
5.	**50%**	11,567	$1,315,000 + $71,573 p.a.	$1,500,949
6.	**100%**	23,135	$1,315,000 + $158,333 p.a.	-$234,251
7.	**100%**	23,135	$9,315,000 + $121,507 p.a.	$3,002,311

Table5: Council Greenhouse Emissions Reduction Target Options

Table 5 demonstrates the range of emissions reduction targets available to Council and various financial investments required to achieve each option including the return on investments in 2035.

The 8% emissions reduction target represents existing capital funding within the 2016/17 and 2017/18 budget derived from previously collected landfill carbon charges.

The 8% emissions reduction target is supported by an energy efficiency and solar program implemented on Council's top ten buildings. This program of works has a payback of 4.7 years and will provide a financial saving to Council of $265,781 per annum on completion of works. Council is currently investigating reinvestment of these savings into energy efficiency and renewable energy programs to further reduce operational costs and provide

some financial stability for programs to meet Council's emissions reduction target.

It is important that Council transitions over time from purchasing offsets on an annual basis to investments in energy efficiency works and renewables to establish a net positive return on investment program.

Maintaining flexibility within the works program to take advantage of supporting funding including government grants as they become available will be important. This may allow for high capital investments projects such as large scale solar to be considered earlier if support funding becomes available.

Refer to Appendix 1 for further details of each emissions reduction option.

7. Council and Community Actions

This Greenhouse Strategy seeks to consolidate Council's greenhouse actions to date and prioritise ongoing efforts to the most cost-effective reduction opportunities. A particular focus will be placed on energy efficiency and renewable energy. This is in line with the emissions reduction hierarchy:

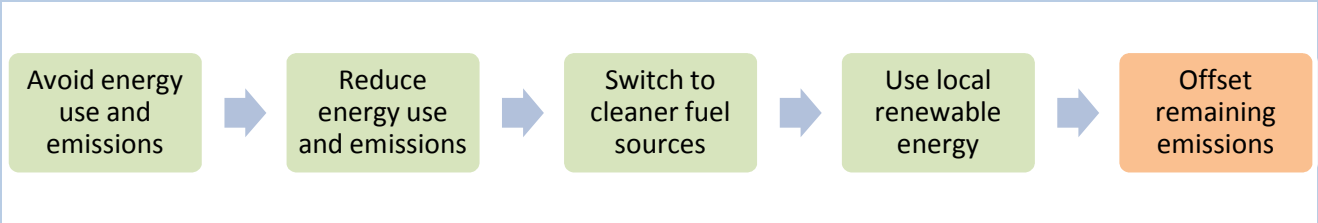


Figure 6: Emissions Reduction Hierarchy

7.1 Action mix

The mix of actions listed below support One Planet Principles: Zero Carbon, Sustainable Transport, Zero Waste and Equity and Local Economy. The actions below are supported by funding within the 2016/17 and 2017/18 budget derived from previously collected landfill collected carbon charges.

Capacity building will play an important role in both Council and community action areas and will be addressed through strengthened engagement, advocacy and communications initiatives.

Action Area	Council / Community	One Planet Living Principle(s)	Description
Energy Efficiency	Council	Zero Carbon	Upgrade lighting systems and heating and cooling (HVAC) systems at key Council sites as recommended in a 2015 study undertaken on the top ten energy consuming facilities owned and operated by Council.
Renewable Energy	Council	Zero Carbon	Install 530kW of roof-top solar pv systems as recommended in a 2015 study undertaken on the top ten energy consuming facilities owned and operated by Council. In 2013 Council developed a Pre-Feasibility Study on large scale solar located at the disused Corio Landfill. The study demonstrated that a 3MW solar installation is possible at the site at an approximate cost of $8M. The City will continue to investigate funding opportunities for large scale solar.
Energy Efficiency & Renewable Energy	Council	Zero Carbon	• Investigate reinvesting financial savings into energy efficiency and renewable energy programs to further reduce operational costs and provide some financial stability for programs to

			meet Council's emissions reduction target
Fleet	Council	Sustainable Transport 	Continue to introduce more fuel efficient vehicles to its vehicle fleet. A reviewed fleet policy will be developed in 2016/17 to support this.
Waste	Council and Community	Zero Waste 	Develop an updated Waste Strategy that will aim to divert and reduce waste going to landfill, and landfill emissions.
Street Lighting	Council and Community	Zero Carbon 	Council owned and managed public lighting will be upgraded with energy efficient LED alternatives. Council will partner with Powercor and neighbouring municipalities to improve economies of scale to upgrade leased residential street lighting to LED alternatives.
Carbon offsets	Council and Community	Zero Carbon 	A carbon offset is generated from an activity that prevents, reduces or removes greenhouse gas emissions from being released into the atmosphere to compensate for emissions occurring elsewhere. Priority will be placed on purchasing value for money offsets generated from Geelong regional projects if available. The purchase of carbon offsets will be pursued after emissions have been reduced and energy sources switched to renewable sources where possible.
Community	Community	Zero Carbon  Zero Waste  Sustainable Transport  Equity and Local Economy 	Work with the community to facilitate broad community emissions reductions. Council will support the community by: • Developing capacity building initiatives that strengthen community engagement, advocacy and communications • Encouraging and assisting community groups and other local organisations to adopt the One Planet Living framework to develop a common sustainability language • Assisting the Geelong community to implement carbon reduction initiatives via a One Planet Living Grants Program • Engaging with the community on the benefits of living and operating in a low carbon environment • Facilitating the provision of information and

			discussions between individuals, community groups and organisations around greenhouse action and One Planet Living principles to maximise efforts • Enabling sustainable infrastructure development through planning controls, policy creation and incentives • Advocating on behalf of the community for supporting regulation, incentives and increased action by other levels of government • Continuing the implementation of the Low Carbon Growth Plan for Greater Geelong with a focus on assisting small-medium businesses and the residential sector. Key actions to be delivered will include the investigation of Environmental Upgrade Agreements (EUA's) for commercial property owners and establishing electric vehicle charging stations in Geelong.

Table 6: Greenhouse Emissions Reduction – Action Mix

7.2 Action Plan

A Council Action Plan has been developed that will enable the minimum emissions reduction target to be met: 8**%** emissions reduction target by 2020 based on 2014/15 emissions. Refer to **Appendix 2** for the detailed action plan.

A Community Action Plan will be developed in consultation with key stakeholders. This Action Plan will utilise the One Planet Living framework and section 7.1 Action Mix Table on page 21 of this document as a basis for partnership projects.

8. Implementation

Implementation of actions will be subject to further scoping, detailed assessments and the development of business cases which will be subject to Council budget processes before full implementation can commence. Actions have also been selected that align with other strategies such as the Environment Management Strategy 2014-2017 to avoid duplication of resources and effort.

9. Funding

The 2016/17 budget and funds collected from the carbon tax and landfill gate charge will support the activities listed in the Action Plan. Additional sources of funding that will be explored include:

- Grants from the federal and/or state government

- Federal government mechanisms such as renewable energy certificates
- State government mechanisms such as the Energy Saver Incentive scheme
- Clean Energy Finance Corporation – low interest finance solutions that support clean energy projects
- Investigate reinvesting financial savings into energy efficiency and renewable energy programs to further reduce operational costs and provide some financial stability for programs to meet Council's emissions reduction target
- Energy Performance Contracts – Energy Performance Contracting (EPC) is a guaranteed and low risk method of implementing energy and water efficiency projects across a single large property or portfolio of properties.

10. Monitoring and Reporting

Since 2006, Council has utilised a third-party carbon reporting system to measure and report on carbon abatement actions undertaken by the organisation. The reporting system collects utility information and data on actions (such as capital costs and emissions reductions) on behalf of Council, then summarises the data in a format that can be used to inform future investment decisions.

In addition to data collated by the reporting system, Council will monitor the progress of actions to ensure that the organisation meets its commitments. This monitoring process will take place half yearly and feed into Council's One Planet Living reporting process. The Action Plan will be reviewed and updated on a bi-annual basis.

11. Communications

A Communications Plan will be developed to identify specific timelines, publications and associated events relevant to the Greenhouse Strategy adopted targets and Action Plan.

12. Appendices

Appendix 1: Greenhouse Emissions Reduction Target Options 1 - 7

The greenhouse emissions reduction target options detailed in the following tables provide further detail to Table 5 in the Strategy: Council Greenhouse Emissions Reduction Target Options.

Option 1: 8% emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530kW)	686	$681,000	$740,449
Total	**2,024**	**$1,315,000**	**$2,932,408**

Option 2: 10% emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530kW)	686	$681,000	$740,449
2% of remaining emissions through annual purchasing of accredited offsets	289	$2,170	-$43,400
Total	**2,313**	**$1,315,000 + $2,167 p.a.**	**$2,889,009**

Option 3: 20% emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530 kW)	686	$681,000	$740,449
12% of remaining emissions through annual purchasing of accredited offsets	2,602	$19,515	-$390,300
Total	**4,626**	**$1,315,000 + $19,515 p.a.**	**$2,542,109**

Option 4: 30% emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530 kW)	686	$681,000	$740,449
22% of remaining emissions through annual purchasing of accredited offsets	4,910	$36,825	-$736,500
Total	**6,934**	**$1,315,000 + $36,825 p.a.**	**$2,195,909**

Option 5: **50%** emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530 kW)	686	$681,000	$740,449
42% of remaining emissions through annual purchasing of accredited offsets	9,543	$71,573	-$1,431,460
Total	**11,567**	**$1,315,000 + $71,573 p.a.**	**$1,500,949**

Option 6: **100%** emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530 kW)	686	$681,000	$740,449
92% of remaining emissions through purchased accredited offsets	21,111	$158,333	-$3,166,660
Total	**23,135**	**$1,315,000 + $158,333 p.a.**	**-$234,251**

Option 7: **100%** emissions reduction target by 2020 based on 2012/13 emissions

Description of Actions	TCO2-e saved annually	Financial Investment	NPV (2035)
5% emissions reduction through energy efficiency and conservation	1,338	$634,000	$2,191,960
3% emissions reduction through roof-top renewable energy installations (530 kW)	686	$681,000	$740,449
21% of emissions reduction through large scale renewable energy installation (3,000 kW)	4,910	$8,000,000	$2,500,042
71% of remaining emissions through purchased accredited offsets	16,201	$121,507	-$2,430,140
Total	**23,135**	**$9,315,000 + $121,507 p.a.**	**$3,002,311**

Appendix 2: Council Energy Efficiency – Lighting Upgrades Action Plan

Completion Year for Actions: 2018

Location	Description	Budget	Emissions reduction TCO2-e
City Hall	Replace 50 x twin CFL (41W) fittings with LED alternative (25W)	$25,800	28
	Replace 50 x MR16 (35W) halogen downlights with LED alternative (7W)		
	Replace 50 x twin T8 linear fluorescent (81W) with LED panel (40W)		
National Wool Museum	Replace 54 x twin CFL (41W) fittings with LED downlight alternative (25W)	$16,650	16
	Replace 8 x MR16 (35W) halogen downlights with LED alternative (7W)		
	Replace 35 x twin T8 linear fluorescent (81W) with LED panel (40W)		
Busport	Replace 54 x T5 fluorescent (35W) with LED panel (20W) – car park	$71,950	63
	Replace 30 x twin CFL (41W) fittings with LED alternative (25W) – car park		
	Replace 252 x quad T8 fluorescent (81W) with LED panel (40W) – offices		
Arena	Replace 65 x incandescent globes (60W) with LED downlights (12W)	$7,100	18
Leisurelink	Replace 34 x metal halide high bays (250W) with LED floodlight (120W)	$41,200	66
	Replace 26 x metal halide high bays (400W) with LED floodlight (200W)		
Waterworld	Replace 2 x metal halide high bays (250W) with LED floodlight (120W)	$4,400	5
	Replace 4 x metal halide high bays (400W) with LED floodlight (200W)		
BSAC	Replace 11 x metal halide high bays (250W) with LED floodlight (120W)	$69,300	114
	Replace 22 x metal halide high bays (400W) with LED floodlight (200W)		
	Replace 48 x twin T8 fluorescent (81W) with LED panel (40W) – basketball court		
	Replace 44 x metal halide high bays (400W) with LED floodlight (200W) – basketball court		
Splashdown	Replace 30 x CFL twin (41W) with LED alternative (25W)	$7,100	8
	Replace 16 x win T8 fluorescent (81W) with LED panel (40W)		
		$243,500	**318**

Appendix 3: Council Energy Efficiency – HVAC, Pump and Fan Action Plan

Completion Year for Actions: 2018

Location	Description	Budget	Emissions reduction TCO2-e

National Wool Museum	VFD retrofits to 2 x AHU units	$45,200	106
	Upgrade 2 x chilled water pumps		
	Optimise chiller configuration		
City Hall	Upgrade chilled water pump	$34,500	54
	Upgrade cooling condenser water pumps		
Arena	Variable Frequency Drive retrofits to AHU units	$23,300	62
Leisurelink	VFD upgrades to soiled water pumps	$35,700	145
Kardinia	VFD upgrades to recirculating pumps	$25,150	49
Waterworld	VFD upgrades to filtered water – solar HW pump	$59,550	271
	VFD upgrades to filtration pump		
	VFD upgrade to spa jet pump		
	VFD upgrade to HHW pump		
	VFD upgrade to slide pump		
BSAC	VFD upgrades to filter pump 1 & 2	$71,350	210
	VFD upgrades to leisure pool pump 1 & 2		
	VFD upgrades to splash pool pump		
	VFD upgrades to heat pump 2		
Splashdown	VFD upgrades to heating hot water pump	$44,800	78
	VFD upgrades to filtration pump		
	VFD upgrades to chlorine pump		
	VFD upgrades to slide water pump		
		$339,550	**975**





Appendix 4: Council Renewable Energy – Solar PV Action Plan

Completion Year for Actions: 2018

Location	Description	Budget	Emissions reduction TCO2-e
NWM	Install 80kW solar PV system	$72,450	75
City Hall	Install 30kW solar PV system	$40,250	41
Anakie Rd	Install 50kW solar PV system	$68,080	77
Kardinia Pool	Install 50kW solar PV system	$68,540	77
Leisurelink	Install 100kW solar PV system	$139,870	136
BSAC	Install 100kW solar PV system	$139,866	136
Splashdown	Install 20kW solar PV system	$28,935	35
Waterworld	Install 100kW solar PV system	$122,800	109
		$680,791	**686**

13. COMMUNITY GRANTS PROGRAM 2015/2016 – SUMMARY OF ALLOCATIONS – 1 JANUARY TO 30 JUNE 2016

Source: **Community Life/Community Development**
General Manager: **Linda Quinn**
Index Reference: **Grants Outgoing (Community Grants Program)**

Purpose

The purpose of this report is to present details of allocations of the Community Grants program for the period 1 January to 30 June 2016.

This forms part of the ongoing accountability framework for managing the Community Grants Program in accordance with the City of Greater Geelong Grants, Donations and Sponsorship Policy.

Summary

- The City of Greater Geelong Community Grants Program assists not for profit community organisations to apply for funding to deliver local projects and activities for the benefit the wider Geelong community.
- The Program has an annual budget allocation of $240,000 that is available to expend on groups who apply and are eligible under this grant program.
- As part of the accountability framework for managing the Community Grants, details of allocations are reported to Council twice per financial year.
- Details of grant recipients awarded funds for the period 1 July to 31 December 2015 were detailed in the Council report of 15 March 2016.
- This report provides a statement of the allocations made during the period of 1 January to 30 June 2016. (Appendix 1-1).
- The total amount funded under this program for this period was $109,136.50 distributed among 58 community organisations.
- This brings the total amount allocated for the 2015/2016 financial year to $240,000 distributed among 126 community organisations.

P Dorling moved, L Gardner seconded -

That Council:

1) **notes the statement of allocations under the 2015/2016 Community Grants Program provided to community groups and organisations as detailed in Appendix 1-1 for the period 1 January to 30 June 2016;**

2) **commends and congratulates the community groups and organisations who have received funding under the Community Grants Program for their efforts and contribution to the Geelong community.**

Carried.

Background

The Community Grants Program is available to not-for-profit community groups and organisations who can apply for funds to support activities that will benefit the Geelong community.

In order to receive funds, applicants must comply with the established guidelines which govern the grant program.

A summary of allocations for the period 1 July to 31 December 2015 was provided in a report to Council on 15 March 2016.

Discussion

The allocation of grants assists with meeting the objectives of City Plan's Community Wellbeing priority areas. This funding provides an opportunity to enhance the wellbeing of the community by building social capital and enabling community engagement through the provision of funds to assist with local activities.

Several grant rounds are advertised throughout the year and eligible applicants can apply through an online portal accessible through the Geelong Australia website.

The accountability framework for managing the Community Grants Program is in accordance with the City of Greater Geelong Grants, Donations and Sponsorship Policy and a management procedure provides guidance on administering the program.

Grants must support a specific activity, project or event that can demonstrate community benefit and address the set criteria detailed in the grant guidelines.

Submitted applications are then assessed based on the set criteria.

The outcome of the assessments is referred to a grants assessment panel that includes staff from the Community Life Division and from the City's Chief Executive (Governance) area. The panel review the recommendations and provide the outcomes to the General Manager, Community Life for final approval.

All applicants are then advised of the outcome of their submissions.

A total $109,136.50 was allocated among 58 community organisations through the Community Grants Program between 1 January and 30 June 2016.

This brings the total amount awarded for the 2015/2016 financial year to $240,000 awarded among 126 community organisations. Details of allocations made between July and December 2015 were reported to Council on 15 March 2016.

Appendix 1-1 provides a list of groups, the type of projects and the amounts allocated during the period 1 January to 30 June 2016.

Environmental Implications

Some of the projects supported via this grant program undertake environmental activities.

Financial Implications

There are no financial implications.. All funds have been expended in accordance with the Community Grants Guidelines and within the $240,000 budget allocation.

Policy/Legal/Statutory Implications

The provision of grants to the community supports local, community organisations and endorses the aims of City Plan and the G21 Regional Plan.

This report is presented in accordance with the City of Greater Geelong Grants, Contributions, Donations and Sponsorship Policy.

Alignment to City Plan

The Community Grants Program aims to fund projects that assist in achieving goals and outcomes consistent with City Plan's Community Wellbeing objectives.

The grant guidelines provide details about the three priority areas of the Community Wellbeing objectives. This is to ensure applicants are made aware of the aims of the program and to assist them in developing their proposals.

The provision of grants is offered to assist community organisations to provide opportunities that benefit the wider Geelong community.

Applications are encouraged for projects that demonstrate or promote social inclusiveness, healthy lifestyles, healthy environments that provide broad benefits to the City of Greater Geelong community.

Officer Direct or Indirect Interest

The provision of grants is carried out in accordance with the Local Government Act 1989 Officer Direct or Indirect Interest.

The Community Grants Program has provision in the assessment process to record any conflict of interest relating to each grant application that is assessed.

Risk Assessment

The Community Grants Program is governed in accordance with Council's monitoring, reporting and accountability framework.

Successful applicants are provided with an acquittal/evaluation form for their completion and return to Council as a record of the outcome of the grant funding they received. Annual audits are also conducted on a sample group of grant recipients.

Social Considerations

The provision of Community Grants provides an opportunity to support and strengthen communities to provide a broad range of activities for the benefit of the Geelong community.

Human Rights Charter

The Grants, Contributions, Donations, and Sponsorship Policy references the Chart of Human Rights and Responsibilities Act 2006.

The Charter states that human rights are essential in a democratic and inclusive society that respects the rule of law, human dignity, equality and freedom.

The provision of grants provides opportunities to assist in promoting social inclusiveness and projects that deliver broad community benefit.

Consultation and Communication

All groups are notified of the outcome of their grant application.

The list of allocations will be reported on the Geelong Australia Website.

The Community Development Department is responsible for communication of all matters relating to this report.

Appendix 1-1

Statement of Community Grant Allocations

1 January to 30 June 2016

Organisation	Project Title	Amount Allocated
2nd Lara Scout Group	Canvas Tents for Scout Camps	$2,500.00
AFL Barwon	Steven Motlop Squad (Geelong Diverse Academy) Indigenous and Multicultural Football Program	$2,500.00
Ardoch Youth Foundation	Community Garden - Northern Bay College, Hendy St Campus	$2,500.00
Australian Muslim Women's Centre for Human Rights	Pre-Ramadan Awareness Week	$2,700.00
Australian Skateboard Federation	VertFest! Skateboard Workshops	$1,800.00
Austrian Club Geelong Inc	Upgrade to Hall - Purchase & Installation of Vinyl Flooring for Community space	$2,000.00
Barwon Health Carer Respite Service	Young Carers Cook Program	$2,700.00
Bellarine Bears Baseball Club	Netting Batting Tunnel	$800.00
Belmont Bowls Club Inc.	Scoreboard Project	$1,000.00
Belmont Senior Citizens	Photocopier for Establishment of Admin	$2,000.00
Blind Sports and Recreation Victoria (BSRV)	Walking with Willpower in Greater Geelong	$2,900.00
Ceres Community Association	Ceres Temperance Hall - Chairs Upgrade Program	$1,500.00
Clifton Springs Tennis Club	Kitchen Under bench Oven Project	$1,000.00
Cobradah Senior Citizens Centre	Indoor bowls Project/Equipment Purchase	$1,000.00
Community Food Marketplace Ltd (trading as Geelong Farmers Markets)	Geelong Farmers Market - Feasibility Study/Business Plan	$3,900.00
Eastern Park Croquet Club	Air Conditioner and Shelving Project	$2,000.00

Organisation	Project Title	Amount Allocated
Friends of Edwards Point Reserve Inc	Walking Edwards Point	$1,000.00
Friends of Geelong Botanic Gardens	Conference of Australian Association of Friends of Botanic Gardens	$1,000.00
Friends of Kevin Kirby Inc	Kevin Kirby Reserve New Street Furniture	$2,000.00
Geelong & District Vietnam Veterans Assoc	50th Anniversary of Vietnam Veterans Day	$2,000.00
Geelong Buccaneers	Helmet Purchase	$1,686.50
Geelong Cement Bowls Club	Score Boards	$1,000.00
Geelong Concert Band	Replace 32" Timpani	$3,000.00
Geelong Disc Golf Club Inc	Pop-up Disc Golf Events	$2,000.00
Geelong Eastern Park Bowling Club inc.	Disabled Toilet	$2,500.00
Geelong Inclusive Limited	By The Bay Emergency Accommodation Project	$2,400.00
Geelong Radio Control Car Club	GRCCC Storage Container Project	$1,500.00
Geelong Rangers Soccer and Sports Club	Connected community PLUS Healthy lifestyle - Purchase of Kitchen Equipment	$1,300.00
Geelong RSL Bowls	Geelong RSL Bowls Scoreboard Replacement	$1,000.00
Greater Geelong Galaxy Football Inc.	Increasing girls participation in Geelong Soccer	$3,500.00
Grovedale Senior Citizens Club Inc	Office Equipment Set Up	$1,000.00
Holy Trinity Anglican Church Lara	Installation of Crossovers	$1,000.00
Indented Head Yacht Club Inc.	Sailing for Kids	$1,800.00
Lara Amateur Swimming Club Inc	Long term Sustainable Club Investment - Purchase of Kitchen Equipment	$2,000.00

Organisation	Project Title	Amount Allocated
Lara Community Garden and Art Precinct (LCGAP) Incorporated	LCGAP Multi Purpose Shelter	$1,500.00
Lara Heritage & Historical Inc	Electronic Surveillance System	$2,600.00
Lara Jean Association Inc	Movie Mayhem Project	$1,000.00
Leopold Tennis Club Inc.	Installation of LED lights on Courts 1 and 2	$1,750.00
Mount Duneed Progress Association Inc.	Overhead Projector and Screen Project	$1,600.00
Mt Rothwell Landcare	Purchase of Defibrillator	$2,000.00
Netball Victoria	Women in Sport and Leadership	$2,500.00
Ocean Grove Senior Citizens Club Inc	Office Upgrade	$1,500.00
PARKRUN INC t/a Parkrun Australia (You Yangs Parkrun)	You Yangs Parkrun	$3,000.00
Rotary Club of Queenscliffe Inc	RYDA Geelong (Young Driver Awareness Program - Geelong Region)	$2,000.00
Sacred Heart College	2016 Mind, Body and Soul Expo	$2,500.00
Scout Association of Australia, Victorian Branch, 1st Eastern Scout Group	Compliant Gas Cylinder Storage Equipment Project	$650.00
Serbian Orthodox Church Saint Nicholas Geelong	Outdoor Play Area Upgrade	$1,000.00
Short Statured People of Australia Inc.	Accessible Supermarket Trolley Project	$1,500.00
South Western District Ladies Golf Association Inc	Elite Junior Girls Coaching Program	$1,000.00
St John Ambulance - Barwon Division	Life Saving First Aid Equipment	$2,700.00
St Mary's Sporting Club - Netball	St Mary's Netball Scoreboard	$2,000.00
Stroke Association of Victoria	Geelong Stroke Support Centre	$2,000.00

Organisation	Project Title	Amount Allocated
Ten02 Incorporated	Faith Restoration (Panel Beating/Spray Painting Program)	$1,750.00
The Geelong Amateur Radio Club Inc	Club House Roof Project	$1,500.00
Treehouse Autism Family Support Group	Treehouse IT equipment for Admin Set up	$2,500.00
U3A Geelong Inc	Purchase of Defibrillator	$2,000.00
Victorian Heron Sailing Association	58th Heron National Championships	$2,500.00
Volunteering Geelong	St Marys Community Hub Set Up	$1,600.00
	Total Allocated	**$109,136.50**

Note: Amendment from Summary of Allocations June to December 2015

The following community grant allocation was reported to Council on 15 March 2016. Funding was not required by the applicant. The $2,000 initially allocated was then returned to the community grants funding pool and was subsequently allocated during the period between January and June 2016.

Organisation	Project Title	Amount Allocated
Jirrahlinga Wildlife Sanctuary	'It's OK to be different' – anti bullying Seminars	Allocated $2,000

14. RENEWAL OF WICKET MAINTENANCE & DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GREATER GEELONG AND THE GEELONG CRICKET ASSOCIATION

Source: **Community Life**
General Manager: **Linda Quinn**
Index Reference: **SUB-16-3370 CRICKET**
Report To:

Purpose

This report proposes to continue the Turf Wicket Maintenance Agreement between Council and the Geelong Cricket Association (GCA).

Summary

- In 2006, the City of Greater Geelong entered into an agreement with the GCA that passed all turf wicket maintenance and development responsibilities previously carried out by Council, to the Association.
- As part of the agreement, Council provides the GCA with an annual grant for the maintenance of Council owned or controlled turf wickets. This allocation also provides for junior development programs, training of curatorial staff, the replacement of synthetic wicket tables and an allowance for the purchase of turf maintenance equipment.
- The agreements will be struck for a two (2) year term. The existing agreement has expired and is now due for renewal.

P Dorling moved, L Gardner seconded -

That Council approve the renewal of the Wicket Maintenance and Development Agreement between the City of Greater Geelong and the Geelong Cricket Association for a two year term via the allocation of $248,595 per annum plus Consumer Price Index (CPI) adjustments.

Carried.

Background

Cricket within the City of Greater Geelong is managed and governed by three entities being the Geelong Cricket Association (GCA), Bellarine Cricket Association (BPCA) and the Geelong Cricket Club (GCC). This agreement deals specifically with the GCA who operate a turf based competition with the primary focus of the agreement being the maintenance support of the turf wickets. The City of Greater Geelong directly maintain the GCC's wicket being the only premier cricket club in the region and the City directly maintain the synthetic wickets played upon by the BPCA.

The GCA has 38 clubs playing across 15 grades of cricket including 4 premier grades in turf based competition. The GCA represents 27 clubs within the Geelong region and draws its associated clubs from the Surfcoast and Golden Plains Shires.

The original Wicket Maintenance Agreement commenced in 2006. With an annual allocation from Council to the GCA of $168,800 for turf wicket maintenance and development. The Murgheboluc Cricket Club and St Albans Cricket Club were added to the agreement by Council in 2011. This addition and an annual increase in CPI now accounts for an annual disbursement of $248,595.

The previous Agreement recognises the GCA as the peak cricket body to administer the Council grant funds for turf wicket maintenance. CoGG provides the GCA with the authority to distribute these funds to associated clubs for the maintenance of turf wickets on Council owned or controlled land.

The existing agreement has been acknowledged by Cricket Victoria as making a significant contribution to cricket in Geelong.

Discussion

The GCA has 38 clubs playing across 15 grades of cricket, 27 from within the Geelong region, with in excess of 2500 senior and 1800 junior participants, accounting for cricketers playing on both turf and hard/synthetic wickets.

The turf competition acts as a pathway for Geelong cricketers as they progress from the GCA to premier league and then State competition. The approach of allocating the funds to the association was initiated to reduce the resource liability to Council. Key features of this agreement include;

- Clubs are responsible for maintenance of turf wickets at Council-owned facilities;
- Clubs are responsible for the procurement and maintenance of any new and existing equipment used to curate turf wickets;
- The GCA are responsible for communicating to Clubs their maintenance responsibilities over turf wickets;
- Clubs must ensure that sufficient funds will be available to replace any maintenance equipment at the end of its useful life; and
- Council will not fund turf maintenance equipment purchases under any circumstance.

This Agreement will commence on 1 October 2016 for a two (2) year term. The Agreement will be due for renewal at the completion of the 2017/2018 season (31 March 2018).

Council is currently working in collaboration with the G21 LGAs and Cricket Victoria on the G21 and Cricket Victoria Barwon Region Cricket Strategy to guide the development of cricket within the G21 region. The plan will address infrastructure, sports development and governance aspects and will involve all relevant stakeholders within the region.

Pending the outcome of the G21 and Cricket Victoria Barwon Region Cricket Strategy, it is recommended that the agreement be renewed for a further two (2) year term, until the end of the 2017/2018 season and the funds be expended by the GCA in the following manner:

$198,784	80%	To be used on the maintenance and preparation of 23 turf wickets.
$29,882	12%	To enable the GCA to replace and/or repair covers for synthetic wickets.
$19,929	8%	To assist the GCA with training and development requirements. This allocation is to be used for funding; • Junior development initiatives and programs. • The training of staff and volunteers in turf management. • The purchase of turf wicket maintenance equipment. And the installation of new or additional turf wickets by Clubs seeking admission to the GCA turf competitions.

The main amendments to this agreement from previous include;

- Increased reporting requirements of the GCA to CoGG (detailed in Attachment 1);
- Increased responsibility for the GCA to report responsibilities to their clubs; and
- Increased accountability of the GCA for the disbursement and receipting of funds.

The turf wicket Agreement is unique to City of Geelong and is acknowledged as providing support to the development of cricket.

In regards to the turf wicket component which forms the foundation of this agreement, there are 4 grades of turf competition that make up approximately 528 players in 2015/16. Based on the 2015/2016 contribution this equates to an approximate subsidy of $471 per player for the turf wicket component of the Agreement. This cost does not include the normal maintenance routines such as mowing, irrigation and weed control, undertaken by Council.

It is important to note that sports grounds with turf wickets have significantly limited use and only generally allow one-two days play per week. Cricket for the lower grades and junior participation therefore requires the provision of alternative hard wicket cricket facilities. Currently the City of Greater Geelong has no additional oval capacity available for Saturday cricket. Attachment 2 outlines the clubs involved, the divisions and type of wicket at each location.

At the conclusion of this Agreement CoGG reserves the right to cease funding the maintenance of turf wickets for any turf club that is still playing in a hard wicket competition. CoGG will not guarantee funding for the maintenance of turf wickets for clubs playing in a hard wicket competition after two (2) years.

Environmental Implications

There are no foreseeable environmental implications associated with this report.

Financial Implications

The increase in funding under the agreement is based on annual CPI increase. This is proposed to continue for a further two (2) year period and will start at $248,595.

It is recommended the allocation be adjusted annually in accordance with the CPI, as has been the case with the previous agreement.

Policy/Legal/Statutory Implications

There are no legislative or legal ramifications associated with the adoption of this report.

Alignment to City Plan

The recommended project will align to the City Plan's priority of Community Wellbeing, encouraging healthy lifestyles and connected communities through active recreation and participation in sport.

Officer Direct or Indirect Interest

There are no officer conflicts of interest relating to the project being proposed for submission or this report.

Risk Assessment

There are no immediate risks associated with this report.

Social Considerations

The expected population growth necessitates increased and improved provision of community sport and recreation facilities that provide a social outlet for the local community.

Participation in sport and recreational activities has long been recognised as an important contributor to community health and well being. Benefits of physical activity are well documented and include improved health, development of social skills, increased community connectedness and enhanced self-esteem.

As the premier grades of cricket are played on turf, the progression for junior players requires junior pathways with similar standards and facilities. It is essential that Council provide accessible options to juniors for the development of the sport.

Human Rights Charter

This report has no impact on human rights.

Consultation and Communication

The agreement provides for an annual report to be lodged with Council outlining the allocations made to GCA clubs for the maintenance of turf wickets, a schedule of the synthetic wickets replaced and details of expenditure on training junior development and the timing of payments to clubs. Additional reporting and analysis that the GCA can include such as the number of players benefiting from Council's financial support has also been introduced as a requirement.

The GCA must provide a break down of juniors, males / females, culturally & linguistically diverse (CALD) participants and participants with a disability.

Attachment 1

Amount	%	Particulars	Reporting Required
$198,784	80%	To be used on the maintenance and preparation of 23 turf wickets.	• Annual feedback from the clubs regarding the effectiveness of the agreement must be collated and provided to CoGG. • GCA shall provide an annual report by the end of May of each year of the agreement outlining all financial transactions, including; - Breakdown of funding allocations to the GCA clubs for the maintenance of turf wickets. - Detailed information relevant to funds paid to Clubs for the replacement/purchase of turf maintenance equipment. - Proof of payment including date on which the payments were made to the Clubs.
$29,882	12%	To enable the GCA to replace and/or repair covers for synthetic wickets.	• The GCA must provide to CoGG, by the end of each season (31 March), a prioritised plan (in an agreed format – see attached template) for the following season outlining the synthetic wickets to be replaced and a works schedule detailing when these works will take place. • A report must also be submitted to CoGG at the completion of each season detailing the number of wickets repaired and/or replaced and the funds allocated.
$19,929	8%	To assist the GCA with training and development requirements. This allocation is to be used for funding; • Junior development initiatives and programs. • The training of staff and volunteers in turf management. • The purchase of turf wicket maintenance equipment. • And the installation of new or additional turf wickets by clubs seeking admission to the GCA turf competitions.	• The GCA are required to provide a prioritised plan to CoGG, by August of each year (1 August), detailing their intended junior training, staff / volunteer training schedule for the following season and other relevant components relating to turf, staff training and equipment. • The GCA must detail the expenditure of the training and junior development component each year. • The monies will be released in September of each year in line with other disbursements.
$248,595			

Attachment 2

GCA Competition	**Div 1** 1&2	**Div 2** 1&2	**Div 1** 3&4	**Div 2** 3&4	**Div 3** 1,2&3	**GCA** 5	**GCA** 6	**GCA** 7	**GCA** 8	**Total**
Wicket Type	TURF	TURF	HARD	HARD	HARD	HARD	HARD	HARD	HARD	
Team (no. of teams)										
Alexander Thomson		2		2						**4**
Anakie					1		1			**2**
Bell Park*		2		2						**4**
Bell Post Hill	2		2			1				**5**
Corio Bay					3					**3**
Corio*					3			1		**4**
East Belmont	2		2			1			**1**	**6**
Geelong City	2		2					1		**5**
Geelong West	2		2							**4**
Grovedale	2		2					1		**5**
Guild					3					**3**
Highton		2		2					**1**	**5**
Lara	2		2				1		**1**	**6**
Leopold	2		2					1		**5**
Little River					3					**4**
Manifold Heights	2		2					1		**5**
Marshall		2		2				1	**1**	**6**
Murgheboluc		2		2		1	1			**6**
Newcomb and District		2		2					**1**	**5**
Newtown and Chilwell	2		2				1		**1**	**6**
North Geelong	2		2				1			**5**
North Shore (Club currently in temporary recession)										
South Barwon	2		2			1		1	**1**	**7**
St Albans		2		2						**4**
St Peters		2		2					**1**	**5**
Thomson		2		2				1		**5**
No. of teams	22	18	22	18	13	4	5	8	**8**	**118**
No. of players	242	220	242	220	143	44	55	88	**88**	**1298**

*Guild and Corio both have turf wickets but are not playing in turf competitions

GREATER GEELONG
CITY COUNCIL

Funding & Wicket Maintenance Agreement

Greater Geelong City Council ABN 18 374 210 672

and

Geelong Cricket Association Inc A0006822A

Parties

Greater Geelong City Council ABN 18 374 210 672 of 30 Gheringhap Street, Geelong 3220 (**Council**)

and

Geelong Cricket Association A0006822A of 13 Phosphate Road, North Shore 3214 (**GCA**)

Background:

A. Council is the owner of Turf and Synthetic Wickets on Cricket Grounds located on land which is owned by Council or for which Council is the Committee of Management in the Municipality.

B. GCA has applied for funding from Council for distribution to its Member Clubs so that the Required Tasks can be carried out during each Cricket Season during the Term;

C. Council has agreed to pay the Funding Payments to GCA for distribution to its Member Clubs to enable the Member Clubs to do the Required Tasks during the Cricket Seasons during the Term.

D. The Parties wish to record their agreement.

Agreement:

1. Definitions& Interpretation

(a) Definitions

The following means apply to this Agreement:

Agreement means this agreement together with any schedules or annexure;

Business Day means a day on which banks are open for general banking business in Geelong, excluding Saturdays, Sundays and public holidays;

CPI means the consumer price index published by the Australian Government Statistician under the heading All Groups, Melbourne, or if that index is discontinued, the index that replaces it;

Cricket Ground means the area on which cricket is played and on which either a Turf Wicket or Synthetic Wicket is located;

Cricket Season or **Cricket Seasons** means the following periods (jointly and separately):

- 1 October 2016 to 31 March 2017;
- 1 October 2017 to 31 March 2018;

Committee of Management means a committee of management appointed under s14 of the *Crown Land (Reserves) Act 1978* (Vic);

Date of this Agreement means the date this Agreement is signed by all Parties;

Dispute Settlement Centre of Victoria means the dispute resolution service provided by the Victorian Government through the Department of Justice, or any other service that replaces that service;

End of Season Report means a report prepared by or on behalf of GCA which contains the following:

(a) Details of the Funding Distributions which have been paid by GCA to Member Clubs, including club name, date of payment and amount of payment;

(b) A schedule of Synthetic Wickets by Member Clubs as well as the cost of the replacement of such Synthetic Wickets;

(c) Details of expenditure of the training and junior development component of the Funding Amounts.

(d) Details of the Funding Distributions which have been paid by GCA to Member Clubs, including club name, date of amount and amount for the purchase and/or replacement of the Maintenance Equipment

(e) a break down of juniors, males and female, culturally and linguistically diverse participants and participants with a disability in the Official Competitions.

Financial Audit means an inspection by Council (or by a party on behalf of Council at Council's request) of the financial records, reports, accounts, statements and transactions relating to the Funding Payments paid to GCA by Council under this Agreement;

Financial Records means details of payments made or received by GCA to any person relating to the Funding Payments;

Funding Distributions has the meaning given to that term in Clause 3(c);

Funding Payments means the amount of $248,595.00 (or as may be varied under this Agreement) to be paid in each Cricket Season by Council to GCA, adjusted annually in accordance to CPI;

Interest means the penalty interest rate set in accordance with the *Penalty Interest Rate Act 1983* (Vic);

Member Clubs means cricket clubs that have affiliated memberships with GCA and which are located within the Municipality;

Maintenance Equipment means all equipment required, used or to be used for Turf Wicket maintenance under this Agreement, including, but not limited to, hoses, sprinklers, roller and mowers;

Municipality means the municipality of the City of Greater Geelong as established under the *City of Greater Geelong Act 1993* (Vic);

Official Competitions means any competition or activity authorised, organised or sanctioned by GCA or Council where such authorisation, organisation or sanction is required.

Party or **Parties** means a party or a party to this Agreement;

Reporting Date means every May 31 during the Term;

Required Tasks means the things listed in Schedule 1 of this Agreement, which are to be carried out using the Funding Payments paid to GCA under this Agreement;

Specialist Maintenance Works means specialist maintenance works for the Turf Wickets which are over and above the ordinary day-to-day maintenance works to be carried out under this Agreement, and which are carried out by Council, or on Council's behalf, as the request of GCA;

Standard means the "*Crickets Australia "Community Cricket Facility Guidelines 2015";*

Summer Season means the period referred to in *"Division of Seasons and Occupation of Crown Lands used as grounds for Cricket Competition 2013*" as the Summer Season;

Synthetic Wickets means the approximate centre area of a cricket ground which is not constructed of grass or other natural substance;

Term means the period from 1 October 2016 to 31 March 2018;

Termination Notice means the notice referred to in Clause 15(a) whereby Council terminates this Agreement;

Turf Wickets means the approximate centre area of a cricket ground which is constructed of grass or other natural substance;

Winter Season means the period referred to in *"Division of Seasons and Occupation of Crown Lands used as grounds for Cricket Competition 2013*" as the Winter Season;

(b) Interpretation

In this Agreement, unless the contrary intention appears:

(i) References to any document or agreement (including this Agreement) include references to such document or agreement as amended, novated, supplemented or replaced from time to time.

(ii) A reference to a statute, ordinance code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

(iii) The singular includes the plural and vice versa.

(iv) Person includes company, corporation, firm, body corporate, statutory corporation or other legal person.

(v) A reference to anything is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually.

(vi) References to clauses and sections shall unless otherwise specified be references to clauses and sections of this Agreement and references to clauses include sub-clauses of this Agreement.

(vii) Day is a calendar day (and includes, without limitations, weekends and public holidays) unless stated otherwise.

(viii) Mentioning something after "includes", "included" or "including" does not limit the generality of what appeared before, and examples do not limit what else may be included.

2. Purpose of this Agreement

The purpose of this Agreement is to outline the terms and conditions under which Council will pay the Funding Payments to GCA so that GCA can make the Funding Distributions to its Member Clubs to enable the Member Clubs to carry out the Required Tasks in the Cricket Seasons during the Term.

3. Funding Payments

(a) Subject to the terms and conditions of this Agreement, Council must pay the Funding Payments to GCA.

(b) The Funding Payments will be paid by Council to GCA by instalments in August and December of each year of a Cricket Season during the Term.

(c) GCA must distribute the Funding Payments received by its from Council in the following proportions:

(i) 50% by 20th September; and

(ii) 50% by 20th January

in each Cricket Season during the Term (**Funding Distributions**).

(d) GCA must provide documentary evidence to Council confirming the payment of the Funding Distributions to the Member Clubs by 30 October and 28 February of each Cricket Season during the Term.

5. Use of Funding Payments

(a) GCA must only use the Funding Payments to make the Funding Distributions to its Member Clubs. GCA must not use the Funding Payments for any other purpose.

(b) GCA must ensure that the Member Clubs only use the Funding Distributions for the purposes of carrying out the Required Tasks and for no other purpose.

6. Financial Records

(a) GCA must maintain the Financial Records.

(b) GCA must provide complete copies of the Financial Records to Council by the Reporting Date.

(c) If GCA does not provide the Financial Records to Council by the Reporting Date, Council may suspend any further payments of the Funding Payments (in that current Cricket Season or any further Cricket Seasons during the Term) until such time as the Financial Records are provided to Council.

(d) Council may, at any time during a Cricket Season carry out a Financial Audit in relation to the Funding Payments. If Council carries out a Financial Audit, GCA must allow access to all information required by Council to complete the Financial Audit, including answering any enquiries put to it by any person duly authorised by Council, assist any person duly authorised by Council in the conduct of the Financial Audit

(e) Council may carry out more than one Financial Audit during the Term of this Agreement.

7. Maintenance Equipment

(a) GCA must ensure that the Member Clubs store all Maintenance Equipment away neatly and safely in a designated area on the Cricket Grounds at all times when the Maintenance Equipment is not in use.

(b) GCA must ensure that the Member Clubs, at their own expense, keep all Maintenance Equipment insured against loss or damage.

(c) Council is not liable for loss or damage to any Maintenance Equipment, irrespective of how such loss or damage it caused or suffered and will not be responsible for the replacement or repair any Maintenance Equipment other than as set out in this Agreement.

(d) GCA must ensure that Member Clubs;

(i) are able to fund any repairs and/or replacement costs in relation to the Maintenance Equipment; and

(ii) have a comprehensive asset management plan covering the replacement of and the cost of replacing the Maintenance Equipment.

.

8. Obligations of GCA in relation to Synthetic and Turf Wickets

(a) At the commencement and again on the conclusion of each Cricket Season during the Term, Council will inspect the Crickets Grounds to ensure the Turf Wickets and the Synthetic Wickets are being maintained in accordance with the Standard.

(b) GCA must ensure that all Turf Wickets and Synthetic Wickets are maintained in accordance with the Standard to enable the use and enjoyment of playing cricket in a manner which is safe to all people using the ground, including players and officials, depending on age, strength, experience and ability of those players and officials.

(c) GCA must ensure that Turf Wickets and Synthetic Wickets are available, and prepared in accordance with the Standard for use during the Cricket Seasons for all Official Competitions, including but not limited to sanctioned major events.

(d) To enable GCA to carry out its obligations under this Clause 8, Council will provide, when requested in writing by GCA, the Specialist Maintenance Works, at the cost of GCA.

(e) Any non-permanent ground markings which are required on the Cricket Grounds are the responsibility of GCA, at its own cost. Permanent ground markings must only be carried out by Council, the cost of which is to be borne by GCA. No permanent ground markings are to be used on any Turf Wickets.

(f) GCA is responsible for repair and/or replacement (as the case may be, including the cost of such repair and/or replacement) synthetic playing surface (including those required as a result of fair wear and tear, but excluding those required as a result of vandalism). This includes a contribution of 50% for replacement of practice wicket covers. The remaining 50% is the responsibility of the Member Club. Council has the power to nominate which synthetic playing surface require replacement and/or repair.

(g) GCA must ensure that Member Clubs do not undertake any works on Turf Wickets during the Summer Season which would render the Turf Wickets unavailable or unfit for use, unless approved in writing by Council.

(h) GCA must ensure that all Turf Wicket maintenance (required, for example, to ensure a safe playing surface, including but not limited to any rolling required due to un-evenness or irrigation due to hardness) is carried out during the Winter Season. GCA must communicate with Member Clubs twice each Cricket Season to ensure the works required under this Clause 8(h) are carried out. If the works referred to in this Clause 8(h) are not carried out as and when required, Council may elect to do the maintenance works at the cost of GCA.

(i) Should a Member Club cease to exist, GCA must continue to maintain the Turf Wicket at the relevant Cricket Ground occupied by that Member Club to the Standard. GCA must use the Funding Distribution that would have been distributed to that Member Club had that Member not ceased to exist to carry out such works. If GCA fails to comply with its obligations under this Clause 8(i), GCA must reimburse Council that part of the Funding Distribution that would have been distributed to the Member Club for the repairs and maintenance that would have been carried by the Member Club has the Member Club not ceased to exist. After a period of three (3) years from the date of cessation of the Member Club referred in this Clause 8(i), the parties will meet to discuss the continuation of the payment of that part of the Funding Payment that would have been paid as a Funding Distribution to that Member Club had that Member Club not ceased to exist. If it is agreed that the Funding Distribution is no longer required for the purposes as set out in this Clause, Council may elect to vary the amount of the Funding Payment to take into account the discontinuance of the payment of the Funding Distribution.

9. End of Cricket Season Review

(a) At the end of each Cricket Season, the Parties will meet to discuss the effectiveness of this Agreement (**End of Season Meeting**).

(b) Either Party may convene the End of Season Meeting on the provision of fourteen (14) days written notice to the other Party.

(c) As soon as is reasonably practicable after the End of Season Meeting, GCA must provide to Council and Member Clubs with the End of Season Report.

10. New Agreement

(a) At least twelve (12) months prior to the expiry of the Term, the Parties will meet to discuss whether the Parties should enter into a new Agreement in relation to the payment of future Funding Payments which will operate beyond the expiry of the Term.

(b) The Parties agree to use the their best endeavours and to act in good faith in relation to each of these discussions and in relation to any and all negotiations regarding the terms and condition for a new Agreement relating to future Funding Payments.

(c) When agreement on terms and conditions has been reached the Parties will arrange for a new Agreement to be prepared and executed prior to the expiry of the Term.

(d) Notwithstanding this Clause 10, Council makes no warranty or representation to GCA that a new Agreement or future Funding Payments will be paid to GCA at the expiration of the Term.

11. Recognition

GCA must recognize Council as a major sponsor in all public relations/marketing material, including, but not limited to letterheads, signage and media notifications. Copies of all proposed marketing material to be used by GCA during the Term must be provided to Council for written approval not less than one (1) month prior to the commencement of each Cricket Season during the Term.

12. Indemnity

GCA indemnifies and keeps Council indemnified in respect of all actions, claims, proceedings, losses, costs, expenses and damages which Council suffers, incurs or becomes liable for which arise from Council having entered into this Agreement with GCA and/or GCA's or a Member Club's (as the case may be) breach of this Agreement.

13. Insurance

(a) GCA must take out and keep current during the Term a policy of public liability insurance for a sum insured of not less than $20 million for any single event against any liability resulting from death or personal injury or the destruction of or damage to property occurring or arising out of or in relation to this Agreement.

(b) GCA must provide evidence of the insurance required under this Clause to Council within twenty one (21) days of the commencement of each Cricket Season during the Term.

14. Dispute Resolution

(a) If a dispute arises in relation to any part of this Agreement, then either Party may commence a mediation through the Dispute Settlement Centre of Victoria.

(b) The parties agree that the Mediation Process is confidential and any statements made during the Mediation Process cannot be used in any legal proceedings.

15. Default

(a) If:

(i) GCA fails to fulfil, or is in breach of any of its obligations under this Agreement, and does not rectify the omission or breach within 10 Business Days of receiving a notice in writing from Council to do so;

(ii) GCA is unable to pay all of its debts as and when they become due and payable or fails to comply with a statutory demand within the meaning of sections 459E and 459F of the Corporations Act;

(iii) proceedings are initiated with a view to obtaining an order for GCA winding up or an shareholder, member or director convenes a meeting for the purposes of considering or passing of any resolution for the GCA winding up;

(iv) GCA has applied to come under, received a notice requiring it to show cause why it should not come under, or has otherwise come under one of the forms of external administration referred to in Chapter 5 of the Corporations Act or an order has been made for the purposes of placing the GCA under external administration;

(v) GCA ceases to carry on business;

(vi) notice is served on GCA or proceedings are taken out to cancel the GCA incorporation or registration or to dissolve GCA as a legal entity; and

(vii) Council is satisfied that any statement made in the Club's application for the Funding Payments is incorrect, incomplete, false or misleading in a way which would have affected the original decision to approve the payment of the Funding Payments or any of the terms and conditions relating to the payment of the Funding Payments,

then in the case of any one or more of these events, Council may immediately terminate this Agreement by giving the Termination Notice to GCA.

(b) Where Council terminates this Agreement under Clause 15(a) Council will be entitled to recover from GCA any part of the Funding Payments which has not, in Council's opinion, been expended by GCA in accordance with the terms and conditions of this Agreement.

(c) If GCA does not repay to Council any amount referred to in Clause 15(b) within 10 Business Days of receipt of the Termination Notice (or if a different period is stated in the Termination Notice, that period) GCA must also pay to Council Interest on the outstanding amount which GCA acknowledges represents a reasonable pre-estimate of the loss incurred by Council as a result of the loss of investment opportunity for, or the reasonable cost of borrowing other money in place of, the amount which should have been repaid. The amount set out in the Termination Notice, and Interest owed under this Clause will, without prejudice to any other rights available to Council under this Agreement or at law or in equity, be recoverable by Council as a debt due to Council by GCA.

(d) Nothing in this Clause 15 limits or excludes any of Council's other rights, including the right to recover any other amounts from the Club on the termination of this Agreement.

16. GST

(a) Words that are used in this Clause which have a special meaning in the GST Legislation have the same meaning in this Agreement.

(b) In this Agreement:

GST means the tax payable on taxable supplies under GST Legislation; and

GST Legislation means the *A New Tax System (Goods and Services Tax Act) 1999* (Cth) and any related legislation imposing such tax or legislation that is enacted to validate, recapture or recoup such tax;

(c) All amount expressed in this Agreement are expressed as being exclusive of GST.

(d) Where a Party to this Agreement (**Supplier**) makes a Taxable Supply under or in connection with this Agreement or in connection with any matter or thing occurring under this Agreement to another Party to this Agreement (**Recipient**) and the consideration payable for the Taxable Supply does not include GST, the Supplier will be entitled, in addition to any other consideration recoverable in respect of the Taxable Supply, to recover from the Recipient the amount of any GST on the Taxable Supply.

(e) If the amount paid by the Recipient to the Supplier in respect of GST differs from the GST on the Taxable Supply (taking into account and Adjustment Events that occur in relation to the Taxable Supply), an adjustment will be made. If the amount paid by the Recipient exceeds the GST on the Taxable Supply, the Suppler will refund the excess to the Recipient. If the amount paid by the Recipient is less than the GST on the Taxable Supply, the Recipient will pay the deficiency to the Supplier.

(f) Where a Party to this Agreement is entitled, under or in connection with this Agreement or in connection with any matter or thing occurring under this Agreement, to recover all or a proportion of its costs or is entitled to be compensated for all or a proportion of its costs, the amount of the recovery or compensation shall be reduced by the amount of (or the same proportion of the amount of) any Input Tax Credits available in respect of those costs.

(g) A Party will not be obligated to pay any amount in respect of GST to the another Party unless and until a valid Tax Invoice being an invoice that complies with the GST Legislation) has been issued in respect of that GST.

15. Entire Agreement, Variation & Severance

(a) This Agreement records the entire agreement between the Parties in relation to its subject matter.

(b) Except for any action Council is expressly authorised to take elsewhere in this Agreement, no variation of this Agreement is binding unless it is agreed in writing and signed by the Parties.

(c) If a court or tribunal says any provision of this Agreement has no effect or interprets a provision of this Agreement to reduce an obligation or right, then such action will not invalidate any other provision of this Agreement.

16. Waiver

(a) If either Party does not exercise (or delays in exercising) any of its rights, that failure or delay does not operate as a waiver to those rights.

(b) A single or partial exercise by a Party of any of its rights does not prevent the further exercise of any right.

(c) Waiver of any provision of, or right under, this Agreement:

(i) Must be in writing signed by the Party entitled to the benefit of that provision or right; and

(ii) Is effective only to the extent set out in the written waiver.

(d) In this Clause 16 'right' means rights or remedies provided by this Agreement or at law.

17. Assignment and Novation

(a) GCA must not assign its rights under this Agreement without the prior written approval of Council, such approval which can be withheld by Council in its absolute discretion.

(b) GCA agrees not to enter into negotiations with any other person for the purposes of entering into an arrangement that will require novation of this Agreement without first obtaining the prior written approval of Council, such approval which can be withheld by Council in its absolute discretion.

18. Applicable Law and Jurisdiction

(a) The laws of Victoria apply to this Agreement.

(b) Both Parties agree to submit to the non-exclusive jurisdiction of the courts of Victoria in respect of any dispute under this Agreement.

19. Notices

(a) A Party giving a notice or notifying under this Agreement must do so in writing or by electronic mail (**Electronically**):

(i) directed to the recipient's address, as varied by any notice; and

(ii) hand delivered or sent by pre-paid post or transmitted by electronic mail to that address.

The Parties address details as at the Date of this Agreement are specified on the first substantive page of this Agreement;

(b) A notice given in accordance with Clause 19(a) is taken to be received:

(i) If hand delivered, on delivery;

(ii) If sent by pre-paid post, 5 Business Days after the date of posting unless it has been received earlier; or

(iii) If transmitted Electronically, in accordance with the *Electronic Transaction (Victoria) Act 2000* (Vic).

20. Severance of invalid provisions

All provisions of this Agreement shall so far as possible and as far as the context allows be construed so as not to be invalid, illegal or unenforceable in any respect. If any provision on its true interpretation is illegal, invalid or unenforceable, that provision shall so far as possible be construed to such extent as may be necessary to ensure that it is not illegal, invalid or unenforceable and as may be reasonable in all the circumstances so as to give it a valid operation of a partial character. If any such provision or part of it cannot be so construed, such provision or part shall be deemed to be void and severable and the remaining provisions of this Agreement shall not in any way be affected or impaired.

DATED this _____ day of _____ 2016.

EXECUTED AS A DEED

Signed, sealed and delivered on behalf of the **GREATER GEELONG CITY COUNCIL** by **KELVIN SPILLER**, Chief Executive Officer, pursuant to an instrument of delegation authorised by a Council resolution of 12 February 2013 in the presence of:)
)
)
)
)
)
)

)……

Kelvin Spiller

……..……..

Signature of Witness

……..……..

Full Name of Witness

The Common Seal of **GEELONG CRICKET ASSOCIATION** was hereunto affixed in accordance with its rules in the presence of:)
)
)

……..

President

……..

Committee Member

Schedule 1 – Required Tasks

Amount of Funding Distribution to be distributed to Member Clubs	Description of Works to be carried out by Member Club	Reporting Required
$198,784.00	To be distributed for use on the maintenance and preparation of 23 Turf Wickets.	
$29,882.00	To be distributed for the replacement or repair of covers for Synthetic Wickets.	GCA must provide to Council, by the end of each Cricket Season, a prioritised plan (the format of which is to be agreed for the following Cricket Season) outlining the Synthetic Wickets to be replaced and a works schedule detailing when these works will take place. A report must also be submitted to Council at the completion of each Cricket Season detailing the number of wickets repaired and/or replaced and the funds allocated.
$19,929.00	To assist GCA with training and development requirements. This allocation is to be used for funding; • Junior development initiatives and programs. • The training of staff and volunteers in turf management. • The purchase of turf wicket Maintenance Equipment. • And the installation of new or additional turf wickets by clubs seeking admission to GCA turf competitions.	GCA must provide a prioritised plan to Council, by 1 August in each year of the Term, detailing their intended junior training, staff / volunteer training schedule for the following Cricket Season and other relevant components relating to turf staff training and for repairs to and replacement of Maintenance Equipment. GCA must detail the expenditure of the training and junior development component each year.
$248,595		

15. DELEGATIONS AND AUTHORISATION FROM COUNCIL TO CEO AND STAFF

Source: **Strategy & Performance – Customer Service & Council Business**
A/General Manager: **William Tieppo**
Index Reference: **Delegations**

Purpose

To update the delegations from Council to the CEO and Council to members of Council staff. To appoint Lana Krauses, Town Planner, as an authorised officer under the *Planning and Environment Act 1987*.

Summary

- Council as a legal entity can only act in one of two ways, by resolution or through others acting on its behalf. To enable effective and efficient functioning of local government, decision making powers are allocated by formal delegation.
- The *Local Government Act* 1989 enables Council to delegate to the Chief Executive Officer (CEO), with specified exemptions, "any power duty or function of a council under this Act or any other Act".
- Maddocks lawyers advise that delegations from Council to the CEO be reviewed periodically to ensure new legislation is captured under the broad delegation. Refer Appendix 1.
- Section 98 of the *Local Government Act 1989,* section 188 of the *Planning and Environment Act 1987*, section 58A of the *Food Act 1984* and other legislation empowers Council to delegate its powers duties and functions to appropriate Council officers
- Whilst most delegations to staff are in the form of sub-delegation from the Chief Executive Officer, there are a small number that require specific delegation from Council. Refer Appendix 2.
- Updated delegations reflect recent legislative amendments that are advised by Maddocks lawyers bi-annually.
- Appoint Lana Krausas, Town Planner, as an authorised officer under the *Planning and Environment Act 1987* (as per Appendix 3).

P Dorling moved, L Gardner seconded -

1) In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation (Appendix 1), Greater Geelong City Council (Council) resolves that –

a) There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.

b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.

c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.

d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

e) It is noted that the instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.

2) In the exercise of the powers conferred by section 98(1) of the Act) and the other legislation referred to in the attached instrument of delegation (Appendix 2), Council resolves that –

a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff* (Appendix 1), the powers, duties and function set out in that instrument, subject to the conditions and limitations specified in that instrument.

b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.

c) On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.

d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of council that it may from time to time adopt.

3) In the exercise of the powers conferred by section 224 of the Local Government Act 1989 and under section 147(4) of the Planning and Environment Act 1987 Council resolves that:

a) The member of Council staff referred to in the Instrument of Appointment and Authorisation (Appendix 3) is appointed and authorised as set out in the instrument.

b) This instrument comes into force immediately the common seal of Council is affixed to the instrument.

Carried.

Background

These delegations are based on a model developed and maintained by Maddocks Lawyers who are engaged to provide an update service and include legislative changes up to June 2016.

The delegation model is based on:

1. Delegations from Council to the CEO
2. Delegations from Council to members of Council staff
3. Sub-delegation from the CEO to Council staff.

This report addresses delegations from Council to the Chief Executive Officer and Council to members of staff and for the appointment of and Authorised Officer under the *Planning and Environment Act* 1987.

Discussion

Whilst no changes are proposed in the delegations from Council to the CEO, it is recommended that Council re-makes its instrument of delegation to the Chief Executive Officer on a regular basis to capture any new legislative powers, duties or functions enacted since the instrument of delegation was last made, refer Appendix -1

The proposed delegations of Council to members of staff detail sections of Acts and Regulations and nominate officers by position title to undertake specific powers, duties and functions on behalf of Council.

Delegations were last approved by Council in January 2016.

The changes in the June update were minor amendments, including:

- Updating s181 *Planning & Environment Act 1987*, to provide for a delegation to enable Co-ordinator Leasing and Property Legal Advisor to sign the coversheet which goes to Land Victoria to accompany the s173 Agreement.
- The *Road Management (General) Regulations 2016* have replaced the *Road Management (General) Regulations 2005, with* minor amendments to council duties where it is the coordinating road authority.

Attachment 1 to the Instrument of Delegation sets out the complete schedule of the relevant powers, duties and functions being delegated.

Attachment 2 lists the changes from the previously endorsed Council to Staff delegations.

The *Planning and Environment Act* 1987 regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority (Council).

Lana Krausas has recently been employed by the Council and is required to be authorised under the *Planning and Environment Act* 1987.

Appendix 2 sets out the Instrument of Appointment and Authorisation under the *Planning and Environment Act* 1987.

Environmental Implications

There are no environmental implications relative to this report.

Financial Implications

There are no financial implications relative to this report.

Policy/Legal/Statutory Implications

The delegation and authorisation schedules have been prepared in accordance with the Maddocks lawyer's model.

Alignment to City Plan

How we do business.

Officer Direct or Indirect Interest

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

Risk Assessment

A properly prepared system of delegations and authorisations minimises the likelihood of officers acting outside their powers and exposing Council to unacceptable risk. Regular review of the delegations ensures accountability and responsibility for decisions when the decision makers are identified. Delegations and authorisations can be subject to legal scrutiny in courts and tribunals.

Social Considerations

There are no social considerations relative to this report.

Human Rights Charter

No Human Rights are affected by the contents of this report.

Consultation and Communication

All delegations and authorisations are published on Council's internal website, Cityweb. Managers are consulted on the updates to the changes in legislation that effect their areas of responsibility.

Appendix 1

Greater Geelong City Council
Instrument of Delegation
to The Chief Executive Officer

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989 (**"the Act")**, the Greater Geelong City Council ("Council") delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on <date>

2. the delegation

   2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

   2.2 is subject to any conditions and limitations set out in the Schedule; and

   2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts, and

   2.4 remains in force until Council resolves to vary or revoke it.

3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by section 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL of GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

_____
Chief Administrator

_____
Chief Executive Officer

Date: / /

SCHEDULE

The power to:

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves

    1.1 awarding a contract exceeding the value of $2,000,000 (excluding GST), or exceeding $1,000,000 (excluding GST) where it is proposed not to accept the lowest tender;

    1.2 making a local law under Part 5 of the Act;

    1.3 approval of the Council Plan under s.125 of the Act,

    1.4 adoption of the Strategic Resource Plan under s.126 of the Act;

    1.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;

    1.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;

    1.7 determining pursuant to s.37 of the Act that an extraordinary vacancy on Council not be filled;

    1.8 exempting a member of a special committee who is not a Councillor from submitting a return under s.81 of the Act;

    1.9 appointment of councillor or community delegates or representatives to external organisations; or

    1.10 the return of the general valuation and any supplementary valuations;

2. if the issue, action, act or thing is an issue, action or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

    4.1 policy; or
    4.2 strategy

    adopted by Council; or

5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Appendix 2

Greater Geelong City Council
Instrument of Delegation
to Members of Council Staff

In exercise of the power conferred by section 98(1) of the *Local Government Act* 1989, and the other legislation referred to in the Schedule (Attachment 1), Greater Geelong City Council ("Council") by this instrument:

1. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 4 of the Schedule;

2. delegates each duty and/or function and/or power described in columns 1 and 2 of the Schedule (and summarised in column 3 of the Schedule) to any member of Council staff to whom a member of Council staff listed in column 4 of the Schedule reports;

3. declares that a delegate is not authorised by this Instrument of Delegation to:

    3.1 determine any planning permit application which any Councillor requests be referred to the Development Hearings Panel, Planning Committee or Council and such request is made before the delegate has made a decision on the permit application; or

    3.2 exercise the power conferred by the *Planning and Environment Act* 1987 to determine upon any application in cases where six or more objections to the grant of the permit have been made.

    3.3 refuse a permit under Section 52(1A) of the *Planning and Environment Act* 1987.

4. declares that–

    4.1 this Instrument of Delegation is authorised by a resolution of Council passed on <date> and

    4.2 the delegation authorised by a resolution of Council passed on 27 January 2016 is revoked; and

    4.3 the delegation:

        4.3.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;

        4.3.2 remains in force until Council resolves to vary or revoke it;

        4.3.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts.

        4.3.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

4.4 the delegate must not determine the issue, take the action or do the act or thing:

4.4.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

4.4.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(i) policy; or

(ii) strategy

adopted by Council; or

4.4.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

4.4.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

THE COMMON SEAL of GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

_____
Chief Administrator

_____
Chief Executive Officer

Date: / /

Appendix 3

Greater Geelong City Council
Instrument of Appointment and Authorisation
(*Planning and Environment Act* 1987)

By this instrument of appointment and authorisation Greater Geelong City Council -

1. under section 147(4) of the *Planning and Environment Act* 1987 - appoints the officer listed below to be an authorised officer for the purposes of the *Planning and Environment Act* 1987 and the regulations made under that Act; and

2. under section 232 of the *Local Government Act* 1989 authorises the officer listed below generally to institute proceedings for offences against the Acts and regulations described in this instrument.

Lana Krausas – Town Planner

It is declared that this instrument -

(a) comes into force immediately upon its execution;
(b) remains in force until revoked.

This instrument is authorised by a resolution of the Greater Geelong City Council on <date>.

THE COMMON SEAL of GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

Chief Administrator

Chief Executive Officer

Date: / /

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	DOMESTIC ANIMALS ACT 1994	s.41A(1)	power to declare a dog to be a menacing dog	Manager Health & Local Laws. Co-ordinator Parking & Animal Compliance. Co-ordinator Amenity Protection.	Council may delegate this power to an authorised officer
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(3)	power to require further information	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer.	Not applicable
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer.	Not applicable
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by Council or it is of no effect
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(6)	power to refuse to issue septic tank permit	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by Council or it is of no effect
Act	ENVIRONMENT PROTECTION ACT 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Environmental Health Officer.	refusal must be ratified by council or it is of no effect
Act	FOOD ACT 1984	---	power to register, renew or transfer registration	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
Act	FOOD ACT 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(2)(b)	power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(4)(a)	power to direct that an order made under section 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	Manager Health & Local Laws. Co-ordinator Health Services.	If section 19(1) applies

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	FOOD ACT 1984	s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	If section 19(1) applies
Act	FOOD ACT 1984	s.19E(1)(d)	power to request a copy of the food safety program	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19NA(1)	power to request food safety audit reports	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Manager Health & Local Laws. Co-ordinator Health Services.	
Act	FOOD ACT 1984	s.19UA	power to charge fees for conducting a food safety assessment or inspection	Manager Health & Local Laws. Co-ordinator Health Services.	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	FOOD ACT 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19W(3)(b)	power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38AA(5)	power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38A(4)	power to request a copy of a completed food safety program template	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	FOOD ACT 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Not Delegated.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Manager Health & Local Laws. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38D(3)	power to request copies of any audit reports	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38E(2)	power to register the food premises on a conditional basis	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority not exceeding the prescribed time limit defined under subsection (5).
Act	FOOD ACT 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health.	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	FOOD ACT 1984	s.40(2)	power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health.	
Act	FOOD ACT 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health. Environmental Health Officer. Food Safety Officer. Food Safety Assessment Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.46(5)	power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health.	where council is the registration authority
Act	FOOD ACT 1984	s.19CB(4)(b)	power to request copy of records	Manager Health & Local Laws. Co-ordinator Health Services.	where council is the registration authority
Act	FOOD ACT 1984	s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Manager Health & Local Laws. Co-ordinator Health Services. Environmental Health Officer. Environmental Health Officer. Team Leader Environmental Health. Team Leader Environmental Health.	where council is the registration authority
Act	FOOD ACT 1984	s.43F(6)	duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health.	where council is the registration authority

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	FOOD ACT 1984	s.43F(7)	power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Team Leader Environmental Health.	where council is the registration authority
Act	FOOD ACT 1984	s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	FOOD ACT 1984	s.19AA(4)(c)	power to direct, in an order made under s.19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Environmental Health Technical Officer. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
Act	FOOD ACT 1984	s.19AA(7)	duty to revoke order issued under s.19AA and give written notice of revocation, if satisfied that that order has been complied with	Manager Health & Local Laws. Co-ordinator Health Services. Team Leader Environmental Health. Environmental Health Officer. Team Leader Environmental Health. Food Safety Assessment Officer. Food Safety Officer. Environmental Health Officer.	where council is the registration authority
Act	HERITAGE ACT 1995	s.84(2)	power to sub-delegate Executive Director's functions	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Town Planner. Team Leader Senior Statutory Planner. Senior Statutory Planner. Customer Services Town Planner.	must obtain Executive Director's written consent first.
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	if authorised by the Minister

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4I	duty to keep Victoria Planning Provisions and other documents available	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8A (3)	power to apply to Minister to prepare an amendment to the planning scheme	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s 12A (1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the Planning and Environment (Planning Schemes) Act 1996)	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(1)	duty to review planning scheme	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(2)	Duty to review planning scheme at direction of Minister	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.12(3)	power to carry out studies and do things to ensure proper use of land in which Council is the planning authority and consult with other persons to ensure co-ordination of planning scheme with these persons	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Manager Planning Strategy & Urban Growth.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.17(2)	duty of giving copy s.173 agreement	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.18	duty to make amendment etc. available	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.19	power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under section 19 to a planning scheme	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.20(1)	power to apply to Minister for exemption from the requirements of section 19	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.21 (2)	duty to make submissions available	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.22	duty to consider all submissions	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.26(2)	duty to keep report of panel available for inspection	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.27 (2)	power to apply for exemption if panel's report not received	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(a)	duty to say if amendment has lapsed	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(b)	duty to provide information in writing upon request	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.32(2)	duty to give more notice if required	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.33(1)	duty to give more notice of changes to an amendment	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.36(2)	duty to give notice of approval of amendment	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.38(5)	duty to give notice of revocation of an amendment	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.40(1)	function of lodging copy of approved amendment	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.41	duty to make approved amendment available	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.42	duty to make copy of planning scheme available	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(1)	duty to keep proper accounts of levies paid	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(1A)	duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(2)	duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc.	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	only applies when levy is paid to Council as a 'development agency'

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(c)	duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the council or for the provision by the council of works, services or facilities in an area under s.46Q(4)(a)	General Manager Planning & Development. Manager City Development. Manager Financial Services. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	must be done in accordance with Part 3
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(e)	duty to expend that amount on other works etc.	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	with the consent of, and in the manner approved by, the Minister
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46QC	power to recover any amount of levy payable under Part 3B	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46V(3)	duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46Y	duty to carry out works in conformity with the approved strategy plan	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.49(2)	duty to make register available for inspection	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(4)	duty to amend application	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(5)	power to refuse to amend application	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50(6)	duty to make note of amendment to application in register	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(1)	power to make amendment to application	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.50A(4)	duty to note amendment to application in register	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.51	duty to make copy of application available for inspection	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(a)	duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(ca)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(cb)	duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.52(3)	power to give any further notice of an application where appropriate	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1)	power to require the applicant to provide more information	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1A)	duty to give notice in writing of information required under section 54(1)	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54(1B)	duty to specify the lapse date for an application	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under section 54A(3)	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57(5)	duty to make available for inspection copy of all objections	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(5)	power to refuse to amend application	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57A(6)	duty to note amendments to application in register	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.57C(1)	duty to give copy of amended application to referral authority	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.58	duty to consider every application for a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.60	duty to consider certain matters	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.60(1A)	power to consider certain matters before deciding on application	Manager City Development. Co-ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(1)	power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	Note that this does not delegate the power to refuse a permit application to accord with Council's intention that refusals only be issued in accordance with Terms of Reference for the Development Hearings Panel and Planning Committee or by Council resolution. The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage At 2006
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant dtermining referral authority objects to grant of permit	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Ministerâ€™s consent	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not Delegated.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(2)	power to include other conditions	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(b)	power to include a permit condition that specified works be provided on or to the land or paid for in accordance with section 173 agreement	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(6)(a)	duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with section 62(5) or section 46N	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.62(6)(b)	duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in section 62(1)(a)	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Manager City Development. Co-ordinator Statutory Planning. Team Leader Senior Statutory Planner.	Subject to advising all Councillors prior to any delegated decision being made in respect of applications with 5 or less objections with the right for any Councillor to refer an application to a Development Hearings Panel , such referral to be in writing to the Manager City Development or Coordinator Statutory Planning. Note that formal consultation meetings will be held for all applications with 5 or less objections to enable objectors and the applicant an opportunity to resolve issues associated with the application. If the applicant does not attend the consultation meeting, the application will automatically default back to the Development Hearings Panel for a decision.
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(3)	duty not to issue a permit until after the specified period	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	This provision applies also to a decision to grant an amendment to a permit - see section 75

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	This provision applies also to a decision to grant an amendment to a permit - see section 75
Act	PLANNING AND ENVIRONMENT ACT 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.69(1)	function of receiving application for extension of time of permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.69(2)	power to extend time	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.70	duty to make copy permit available for inspection	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.71(1)	power to correct certain mistakes	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.71(2)	duty to note corrections in register	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.73	power to decide to grant amendment subject to conditions	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.74	duty to issue amended permit to applicant if no objectors	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76D	duty to comply with direction of Minister to issue amended permit	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.83	function of being respondent to an appeal	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.83B	duty to give or publish notice of application for review	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(2)	duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(3)	duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.91(2)	duty to comply with the directions of the VCAT	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.93(2)	duty to give notice of VCAT order to stop development	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.95(3)	function of referring certain applications to the Minister	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.95(4)	duty to comply with an order or direction	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Manager City Development. Co-ordinator Statutory Planning. Town Planner. General Manager Strategy & Performance. General Manager Investment & Attraction. General Manager City Services. General Manager Community Life. General Manager Planning & Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Executive Manager People & Organisation Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager City Development. Co-ordinator Statutory Planning. Town Planner. General Manager Strategy & Performance. General Manager Investment & Attraction. General Manager City Services. General Manager Community Life. General Manager Planning & Development. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Executive Manager People & Organisation Development.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96F	duty to consider the panel's report under section 96E	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96J	power to issue permit as directed by the Minister	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97C	power to request Minister to decide the application	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97G(3)	function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97L	duty to include Ministerial decisions in a register kept under section 49	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97Q(4)	duty to comply with directions of VCAT	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.101	function of receiving claim for expenses in conjunction with claim	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.103	power to reject a claim for compensation in certain circumstances	General Manager Planning & Development. Manager City Development.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.107(1)	function of receiving claim for compensation	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Manager City Development. Manager Financial Services. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	except Crown Land
Act	PLANNING AND ENVIRONMENT ACT 1987	s.129	function of recovering penalties	Manager City Development. Manager Financial Services. Co-ordinator Statutory Planning.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.130(5)	power to allow person served with an infringement notice further time	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.149A(1)	power to refer a matter to the VCAT for determination	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under subsection (2B)power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	Manager City Development. Manager Planning Strategy & Urban Growth. Co-ordinator Strategic Implementation. Co-ordinator Planning Strategy. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	Where council is the relevant planning authority
Act	PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(f)	power to carry out studies and commission reports	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(g)	power to grant and reserve easements	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.173	power to enter into agreement covering matters set out in section 174	General Manager Planning & Development.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987		power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Planning Investigations Officer. Senior Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Planning Investigations Officer. Senior Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.177(2)	power to end a section 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	Manager City Development. Co-ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178	power to amend a s.173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.179(2)	duty to make available for inspection copy agreement	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.181	dutypower to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Manager Property & Procurement. Co-ordinator Leasing and Property Legal Advisor.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.182	power to enforce an agreement	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Planning Investigations Officer. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Senior Planning Investigations Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Planning Investigations Officer. Senior Planning Investigations Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Planning Investigations Officer. Senior Planning Investigations Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987		power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Infrastructure Management. Senior Development Engineer. Development Engineer. Infrastructure Engineer. Senior Planning Engineer. Subdivision Engineer. Recreation & Open Space Planner. Rec & Open Space Planning & Subdivisions Officer. Parks Planning Officer. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987		power to give written authorisation in accordance with a provision of a planning scheme	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.198(1)	function to receive application for planning certificate	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.199(1)	duty to give planning certificate to applicant	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201(3)	duty to make declaration	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	-----	power to determine whether or not a document or series of documents constitute a Development Plan for the purposes of the Greater Geelong Planning Scheme is to the satisfaction of the Responsible Authority	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Co-ordinator Urban Growth Area Planning. Co-ordinator Planning Strategy. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Co-ordinator Urban Growth Area Planning. Co-ordinator Planning Strategy. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Manager Planning Strategy & Urban Growth. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.21A(4)	duty to publish notice in accordance with section	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.26(1)	power to make report available for inspection	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.28	duty to notify the Minister if abandoning an amendment	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer.	Note: the power to make a decision to abandon an amendment cannot be delegated
Act	PLANNING AND ENVIRONMENT ACT 1987	s.107(3)	power to agree to extend time for making claim	Manager City Development. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Manager City Development. Co-ordinator Strategic Implementation. Strategic Planner. Senior Strategic Planner (cas). Senior Strategic Planner (pt). Senior Strategic Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8A(5)	function of receiving notice of the Minister's decision	Manager City Development. Co-ordinator Strategic Implementation. Strategic Planner. Senior Strategic Planner (cas). Senior Strategic Planner (pt). Senior Strategic Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8A(7)	power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	Manager City Development. Co-ordinator Strategic Implementation. Strategic Planner. Senior Strategic Planner (cas). Senior Strategic Planner (pt). Senior Strategic Planner. General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Manager City Development. Co-ordinator Strategic Implementation. Strategic Planner. Senior Strategic Planner (cas). Senior Strategic Planner (pt). Senior Strategic Planner. General Manager Planning & Development.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Manager City Development. Co-ordinator Strategic Implementation. Strategic Planner. Senior Strategic Planner (cas). Senior Strategic Planner (pt). Senior Strategic Planner.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.58A	power to request advice from the Planning Application Committee	Manager City Development. General Manager Planning & Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Not Delegated.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.64A	duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	this provision applies also to a decision to grant an amendment to a permit - see section 75A
Act	PLANNING AND ENVIRONMENT ACT 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
Act	PLANNING AND ENVIRONMENT ACT 1987	s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
Act	PLANNING AND ENVIRONMENT ACT 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.69(1A)	function of receiving application for extension of time to complete development	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
Act	PLANNING AND ENVIRONMENT ACT 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Manager City Development. Co-ordinator Statutory Planning. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	if the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MH	duty to provide information or assistance to the Planning Application Committee	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Manager City Development. Co-ordinator Statutory Planning. General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178A(1)	function of receiving application to amend or end an agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178A(5)	power to propose to amend or end an agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(1)	duty not to make decision until after 14 days after notice has been given	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	General Manager Planning & Development.	If no objections are made under s.178D Must consider matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager Planning & Development.	If no objections are made under s.178D Must consider matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	General Manager Planning & Development.	If no objections are made under s.178D Must consider matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	General Manager Planning & Development.	After considering objections, submissions and matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	General Manager Planning & Development.	After considering objections, submissions and matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	General Manager Planning & Development.	After considering objections, submissions and matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	General Manager Planning & Development.	After considering objections, submissions and matters in s.178B
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184F(1)	power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	General Manager Planning & Development.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184F(2)	duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. General Manager Planning & Development. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184F(5)	function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184G(2)	duty to comply with a direction of the Tribunal	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.184G(3)	duty to give notice as directed by the Tribunal	Manager City Development. Co-ordinator Statutory Planning. Senior Statutory Planner. Team Leader Senior Statutory Planner. Town Planner. Town Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.19	function of receiving notice of preparation of an amendment to a planning scheme	Manager City Development. Co-ordinator Strategic Implementation. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning.	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Manager City Development. Co-ordinator Strategic Implementation. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46AS(ac)	power to request the Growth Areas Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	Manager City Development. Co-ordinator Strategic Implementation. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s. 96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987		exercise all the powers, duties and functions of a referral authority under the Planning and Environment Act	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GF	duty to comply with directions issued by the Minister	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GG	duty to include a condition in a permit relating to matters set out in s.46GG(c) and (d)	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GH(1)	power to require the payment of an amount of infrastructure levy to be secured to Council's satisfaction	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	where council is a collecting agency
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GH(2)	power to accept the provision of land, works, services or facilities in part or full satisfaction of the amount of infrastructure levy payable	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	where council is a collecting agency
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GH(3)	duty to obtain the agreement of the relevant development agency or agencies specified in the approved infrastructure contributions plan before accepting the provision of land, works, services or facilities by the applicant	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	where council is a collecting agency
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GI(1)	duty to keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or a development agency under part 2 of the Planning and Environment Act 1987	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	must be done in accordance with Local Government Act 1989.

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GI(2)	duty to forward to a development agency any part of an infrastructure levy paid to council which is imposed for plan preparation costs incurred by development agency or for carrying out of works, services or facilities on behalf of the development agency	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GI(3)	duty to apply levy amount only in accordance with s.46GI(3) (a) and (b)	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s46GI(4)	power to refund any amount of infrastructure levy paid to it as a development agency under Part 2 of the Planning and Environment Act 1987 if satisfied that the development is not to proceed	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GI(5)	duty to take action described in s.46GI(5)(c) â€“ (e) where s.46GI(5)(a) and (b) applies.	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GL	power to recover any amount of infrastructure levy as a debt due to Council	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Manager Planning Strategy & Urban Growth.	where council is a collecting agency

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46GM	duty to prepare report and give a report to the Minister	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	where council is a collecting agency or development agency
Act	PLANNING AND ENVIRONMENT ACT 1987	s.46QD	duty to prepare report and give a report to the Minister	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Statutory Planning. Town Planner. Manager Planning Strategy & Urban Growth. Co-ordinator Planning Strategy. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Co-ordinator Urban Growth Area Planning. Subdivision Officer. Senior Strategic Planner. Project Engineer - Development Contributions.	where council is a collecting agency or development agency
Act	PLANNING AND ENVIRONMENT ACT 1987	s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s33	duty to comply with a direction of the Safety Director under this section	Manager Engineering Services.	where council is a utility under section 3
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	Manager Engineering Services.	duty of council as a road authority under the Road Management Act 2004
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s33(1)	Manager Engineering Services.	where council is a utility under section 3
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34D(2)	function of receiving written notice of opinion	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34D(4)	function of entering into safety interface agreement with infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road autority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34E(1)(a)	duty to identify and assess risks to safety	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34I	function of entering into safety interface agreements	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34J(2)	function of receiving notice from Safety Director	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RAIL SAFETY (LOCAL OPERATIONS) ACT 2006	s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	Manager Engineering Services. Co-ordinator Asset & Traffic Management.	where council is the relevant road authority
Act	RESIDENTIAL TENANCIES ACT 1997	r.522(1)	power to give a compliance notice to a person	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	RESIDENTIAL TENANCIES ACT 1997	s.525(4)	duty to issue identity card to authorised officers	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.526(5)	duty to keep record of entry by authorised officer under section 526	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	Not applicable
Act	RESIDENTIAL TENANCIES ACT 1997	s.527	authorise a person to institute proceedings (either generally or in a particular case)	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor). Manager Financial Services. Manager Parks & Gardens. Manager Aged & Disability Services. Manager Arts & Culture. Manager Capital Projects. Manager Central Geelong Action Plan. Manager Community Development. Manager Property & Procurement. Manager Customer Service & Council Business. Manager Engineering Services. Manager Environment & Waste Services. Manager Events, Waterfront & Central Geelong. Acting Manager Family Services. Manager Health & Local Laws. Manager Digital, Information & Technology. Manager Infrastructure Operations. Manager Leisure Services. Executive Manager People & Organisation Development. Manager Planning Strategy & Urban Growth. Manager Sport & Recreation. Manager Strategic Project/Urban Design. Manager Tourism Greater Geelong & The Bellarine. Manager Communication & Marketing. Corporate Internal Auditor. Manager Strategy & Program Delivery. Internal Ombudsman & Governance Advisor.	
Act	RESIDENTIAL TENANCIES ACT 1997	s.142D	function of receiving notice regarding an unregistered rooming house	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	Not applicable

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	RESIDENTIAL TENANCIES ACT 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not Delegated.	where council is the landlord
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Not Delegated.	where council is the landlord
Act	RESIDENTIAL TENANCIES ACT 1997	s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	Not Delegated.	
Act	RESIDENTIAL TENANCIES ACT 1997	s.526A(3)	function of receiving report of inspection	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	RESIDENTIAL TENANCIES ACT 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	RESIDENTIAL TENANCIES ACT 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	RESIDENTIAL TENANCIES ACT 1997	s. 142G(2)	power to enter certain information in the Rooming House Register	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	RESIDENTIAL TENANCIES ACT 1997	s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Manager City Development. Co-ordinator Building Services (Municipal Building Surveyor).	
Act	ROAD MANAGEMENT ACT 2004	s11(1)	power to declare a road by publishing a notice in the Government Gazette	Manager Financial Services. Co-ordinator Revenue Property & Valuations. Manager Engineering Services.	obtain consent in circumstances specified in section 11(2)
Act	ROAD MANAGEMENT ACT 2004	s11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Property & Valuations Supervisor. Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s11(9)(b)	duty to advise Registrar	Property & Valuations Supervisor. Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Co-ordinator Revenue Property & Valuations. Manager Engineering Services.	clause subject to section 11(10A)
Act	ROAD MANAGEMENT ACT 2004	s11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Manager Engineering Services.	where council is the coordinating road authority

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s12(2)	power to discontinue road or part of a road	Not Delegated.	were council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s12(4)	power to publish, and provide copy, notice of proposed discontinuance	Manager Property & Procurement. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(5)	duty to consider written submissions received within 28 days of notice	Manager Property & Procurement. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(6)	function of hearing a person in support of their written submission	Manager Property & Procurement. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Manager Property & Procurement. Manager Engineering Services.	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
Act	ROAD MANAGEMENT ACT 2004	s12(10)	duty to notify of decision made	Manager Property & Procurement. Manager Engineering Services.	duty of coordinating road authority where it is the discontinuing body does not apply where an exemption is specified by the regulations or given by the Minister
Act	ROAD MANAGEMENT ACT 2004	s13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Co-ordinator Infrastructure Management.	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
Act	ROAD MANAGEMENT ACT 2004	s14(7)	power to appeal against decision of VicRoads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Co-ordinator Infrastructure Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s15(2)	duty to include details of arrangement in public roads register	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s16(7)	power to enter into an arrangement under section 15	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s16(8)	duty to enter details of determination in public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	Not applicable

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s17(2)	duty to register public road in public roads register	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(3)	power to decide that a road is reasonably required for general public use	Not Delegated.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(3)	duty to register a road reasonably required for general public use in public roads register	Not Delegated.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(4)	power to decide that a road is no longer reasonably required for general public use	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s18(1)	power to designate ancillary area	Co-ordinator Infrastructure Management.	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
Act	ROAD MANAGEMENT ACT 2004	s18(3)	duty to record designation in public roads register	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s19(4)	duty to specify details of discontinuance in public roads register	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s19(5)	duty to ensure public roads register is available for public inspection	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.21	function of replying to request for information or advice	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design.	obtain consent in circumstances specified in section 11(2)
Act	ROAD MANAGEMENT ACT 2004	s.22(2)	function of commenting on proposed direction	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report.	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.22(5)	duty to give effect to a direction under this section.	Manager Engineering Services.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s.40(1)	duty to inspect, maintain and repair a public road.	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s42(1)	power to declare a public road as a controlled access road	Co-ordinator Infrastructure Management.	power of coordinating road authority and Schedule 2 also applies
Act	ROAD MANAGEMENT ACT 2004	s42(2)	power to amend or revoke declaration by notice published in Government Gazette	Co-ordinator Infrastructure Management.	power of coordinating road authority and Schedule 2 also applies
Act	ROAD MANAGEMENT ACT 2004	s42A(3)	duty to consult with VicRoads before road is specified	Manager Engineering Services.	where council is the coordinating road authority if road is a municipal road or part thereof
Act	ROAD MANAGEMENT ACT 2004	s42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Engineering Services.	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
Act	ROAD MANAGEMENT ACT 2004	s48EA	duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	Manager Engineering Services.	where council is the responsible road authority, infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(2)	duty to give notice of proposal to make a road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.63(1)	power to consent to conduct of works on road	Manager Infrastructure Operations.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager Infrastructure Operations.	where council is the infrastructure manager

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s.64(1)	duty to comply with clause 13 of Schedule 7	Manager Infrastructure Operations.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	s.66(1)	power to consent to structure etc	Co-ordinator Infrastructure Management. Manager Health & Local Laws. Co-ordinator Amenity Protection. Co-ordinator Parking & Animal Compliance. Team Leader Health & Amenity Standard. Health & Amenity Officer. Health & Amenity Officer. Team Leader Parking & Information Services. Parking Information Services Officer. Team Leader Animal & Information Services. Senior Parking Compliance & Information Services. Animal & Information Services Officer. Animal & Information Services Officer. Animal Registration & Patrol Officer. Animal Patrol and Saftey Officer (pt). Animal Management Officer.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.67(3)	power to request information	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design. Manager Health & Local Laws. Co-ordinator Amenity Protection. Co-ordinator Parking & Animal Compliance. Team Leader Health & Amenity Standard. Team Leader Parking & Information Services. Health & Amenity Officer. Health & Amenity Officer. Parking Information Services Officer. Senior Parking Compliance & Information Services. Animal & Information Services Officer. Animal & Information Services Officer. Animal Registration & Patrol Officer. Team Leader Animal & Information Services. Animal Patrol and Saftey Officer (pt). Animal Management Officer.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.68(2)	power to request information	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s71(3)	power to appoint an authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s86	duty to keep register re section 85 matters	Co-ordinator Infrastructure Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s87(2)	duty to investigate complaint and provide report	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s116	power to cause or carry out inspection	Co-ordinator Asset & Traffic Management.	Not applicable

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s121(1)	power to enter into an agreement in respect of works	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Co-ordinator Infrastructure Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 5	duty to publish notice of declaration	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 7(1)	duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 8(1)	duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	Manager Engineering Services.	where council is the infrastructure manager or works manager

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 9(1)	duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	Manager Engineering Services.	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 9(2)	duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Engineering Services.	where council is the infrastructure manager or works manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(5)	power to recover costs	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Manager Engineering Services.	where council is the works manager

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 13(2)	power to vary notice period	Manager Engineering Services.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Manager Engineering Services.	where council is the infrastructure manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation. Co-ordinator Engineering Design.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Engineering Services.	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Engineering Services.	where council is the responsible road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (e)	duty to pay installation and operation costs of street lighting â€“ where road is a service road on an arterial road and adjacent areas	Manager Engineering Services.	where council is the responsible road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3 (1) (f)	duty to pay installation and percentage of operation costs of street lighting â€“ for arterial roads in accordance with clauses 3(2) and 4	Manager Engineering Services.	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)
Act	ROAD MANAGEMENT ACT 2004	s.14(4)	function of receiving notice from VicRoads	Manager Engineering Services.	Not applicable

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	Co-ordinator Infrastructure Management. Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation. Co-ordinator Engineering Design.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.49	power to develop and publish a road management plan	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.51	power to determine standards by incorporating the standards in a road management plan	Manager Engineering Services.	
Act	ROAD MANAGEMENT ACT 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(6)	power to amend road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.54(7)	duty to incorporate the amendments into the road management plan	Co-ordinator Asset & Traffic Management.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	s.72	duty to issue an identity card to each authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.85	function of receiving report from authorised officer	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.87(1)	function of receiving complaints	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.112(2)	power to recover damages in court	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.119(2)	function of consulting with VicRoads	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.122(1)	power to charge and recover fees	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	s.123(1)	power to charge for any service	Manager Engineering Services.	Not applicable
Act	ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	Co-ordinator Infrastructure Management.	Not applicable

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(4)	duty to consult	Co-ordinator Infrastructure Management.	where council is the coordinating road authority, responsible authority or infrastructure manager
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Act	ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Reg	PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2015	r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation.	Note: these Regulations expire on 14 October 2016
Reg	PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2015	r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation.	Note: these Regulations expire on 14 October 2016
Reg	PLANNING AND ENVIRONMENT (FEES) FURTHER INTERIM REGULATIONS 2015	r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	General Manager Planning & Development. Manager City Development. Co-ordinator Strategic Implementation.	Note: these Regulations expire on 14 October 2016
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2015	r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2015	r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	General Manager Planning & Development. Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	where Council is not the responsible authority but the relevant land is within Council's municipal district
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2015	r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning. Manager Planning Strategy & Urban Growth.	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2015	r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for ann amendment to a planning scheme and notice of a permit application	Manager City Development. Co-ordinator Strategic Implementation. Co-ordinator Planning Strategy. Co-ordinator Urban Growth Area Planning. Manager Planning Strategy & Urban Growth.	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
Reg	PLANNING AND ENVIRONMENT REGULATIONS 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer.	where Council is the responsible authority
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.7	function of entering into a written agreement with a caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r. 11	function of receiving applications for registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(4) & (5)	duty to issue certificate of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(1)	function of receiving notice of transfer of ownership	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(1)	duty to transfer registration to new caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(2)	duty to issue a certificate of transfer of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	

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Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.18	duty to keep register of caravan parks	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.22A(1)	duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.22A(2)	duty to consult with relevant emergency services agencies	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.25(3)	duty to consult with relevant floodplain management authority	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.26	duty to have regard to any report of the relevant fire authority	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(3)	power to determine where notice of transfer is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(6)	power to determine where certain information is displayed	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.40(4)	function of receiving installation certificate	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor). Building Surveyor. Assistant Building Surveyor. Assistant Building Surveyor. Technical Officer. Team Leader Senior Building Surveyor/Permits. Team Leader Senior Building Surveyor. Building Surveyor. Building Surveyor.	
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.8(1)	duty to conduct reviews of road management plan	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.9(2)	duty to produce written report of review of road management plan and make report available	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(1)	Duty to publish notice of amendments to road management plan	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Co-ordinator Asset & Traffic Management.	
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.16(3)	power to issue permit	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.18(1)	power to give written consent re damage to road	Co-ordinator Infrastructure Management.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(2)	power to make submission to Tribunal	Manager Engineering Services.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with r.25(3)	Manager Engineering Services.	where council is the coordinating road authority
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Engineering Services.	

		Column 1	Column 2	Column 3	Column 4
Type	**Statute or Source**	**Provision**	**Matter delegated**	**Delegate by Position**	**Conditions and Limitations**
Reg	ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	Manager Engineering Services.	where council is the coordinating road authority and where consent given under section 63(1) of the Act
Reg	ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	r.22(2)	power to waive whole or part of fee in certain circumstances	Manager Engineering Services.	where council is the coordinating road authority

Attachment 2 - Council to Staff changes

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations	Status
Act	PLANNING AND ENVIRONMENT ACT 1987	s.181	dutypower to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Manager City Development. Co-ordinator Statutory Planning. Co-ordinator Strategic Implementation. Town Planner. Town Planner. Senior Statutory Planner. Team Leader Senior Statutory Planner. Customer Services Town Planner. Subdivision Officer. Manager Property & Procurement. Co-ordinator Leasing and Property Legal Advisor.		UPDATED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.301(1)	duty to conduct reviews of road management plan	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.302(2)	duty to give notice of review of road management plan	Co-ordinator Asset & Traffic Management.	Not applicable	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.302(5)	duty to produce written report of review of road management plan and make report available	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.	Not applicable	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	Not applicable	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.306(2)	duty to record on road management plan the substance and date of effect of amendment	Co-ordinator Asset & Traffic Management.	Not applicable	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.501(1)	power to issue permit	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.501(4)	power to charge fee for issuing permit under regulation 501(1)	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.508(3)	power to make submission to Tribunal	Manager Engineering Services.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3)	Manager Engineering Services.	where council is the coordinating road authority	DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2005	r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Engineering Services.		DELETED
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.8(1)	duty to conduct reviews of road management plan	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.		NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	Co-ordinator Asset & Traffic Management.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.9(2)	duty to produce written report of review of road management plan and make report available	Co-ordinator Asset & Traffic Management. Co-ordinator Project Implementation.		NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.		NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(1)	Duty to publish notice of amendments to road management plan	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Co-ordinator Asset & Traffic Management.		NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.16(3)	power to issue permit	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.18(1)	power to give written consent re damage to road	Co-ordinator Infrastructure Management.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(2)	power to make submission to Tribunal	Manager Engineering Services.	where council is the coordinating road authority	NEW

Attachment 2 - Council to Staff changes

Type	Statute or Source	Provision	Matter Delegated	Delegate by Position	Conditions and Limitations	Status
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Co-ordinator Infrastructure Management. Co-ordinator Project Implementation.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with r.25(3)	Manager Engineering Services.	where council is the coordinating road authority	NEW
Reg	ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Engineering Services.		NEW

16. SALE AND PURCHASE OF LAND - USE OF CEO DELEGATION

Source: **Strategy & Performance - Property & Procurement**
A/ General Manager: **William Tieppo**
Index Reference: **Council Property Management**

Purpose

For Council to endorse the use of the CEO's delegation to approve the sale and purchase of land where the consideration is less than $500,000. The current limit is $150,000.

Summary

- On 10 February 2016 Council endorsed a policy which provided a framework for the conduct of land transactions. That policy is publically available under the heading Sale of Land – Advice to Purchasers.
- Part of the policy provides that the CEO will exercise delegation to approve transactions up to a value of $150,000. That delegation has been implemented for over 10 years and has been effective, reducing the time and effort required to finalise a transaction.
- It is recommended that the limit on transactions be raised to $500,000 on the conditions set out in the recommendation below.
- All land sales are required to be advertised under s189 of the Local Government Act (LG Act) whether approved under delegation or by Council. If submissions are received they are considered by Council which makes a final decision on the sale, unless a special committee is established for this purpose.

L Gardner moved, P Dorling seconded -

That Council endorse the use of the CEO delegation to approve property sales and purchases (including easements, access and discontinued roads) as follows:

1) **where the consideration is less than $500,000 excluding GST;**
2) **a budget exists for purchases;**
3) **the land being sold is not open space;**
4) **any sales of land are notified under s189 of the Local Government Act and, if submissions are received the decision to sell the land is approved by Council.**

Carried.

Background

At its meeting on 10 February 2015 Council endorsed a policy relating to land transactions which established policy in relating to:

- Incorporation of the provisions of the LG Act and Guideline (2009) into the Policy. The Guideline, which is published by Government to guide Councils in the sales process, was adopted in full.
- The separation of land sales from other Council roles and responsibilities.

- Provision of a budget context for land transactions.
- When roads, reserves or easements are created for the benefit of another land owner, even though Council remains the owner of the underlying land, compensation is due to Council resulting from the restriction placed on the use of Council's land, its subsequent reduction in value and to account for the value gained by the purchaser.
- Sales of Council land are contractual and based on commercial principles. The price of land is determined having regard to the valuation and if appropriate, negotiations can be assisted through a conference of valuers. Council has no obligation to provide its valuation to purchasers.
- Council aims to recover all reasonable costs incurred in selling land.
- Advice and guidance on the processes involved.

The policy is publically available on the Geelong Australia web site under the heading Sale of Land – Advice to Purchasers.

Note: Transactions include both the sale and purchase of land, including sale of rights to use or access Council land (easements and other rights) and discontinued roads.

Discussion

One section of the policy adopted on 2015 related to the use of the CEO's delegation and advised as follows:

> ***"Who decides if land can be sold?***
>
> *Minor land sales with consideration of less than $150,000 excl GST are approved by the Chief Executive Officer under delegation providing the land is not open space and there are no submissions received following the notice of intention to sell land. The Ward Councillor is informed of and comments on sales proposed to be approved by the CEO.*
>
> *Otherwise all other transactions are approved by resolution of the full Council."*

The use of the CEO's delegation for minor land transactions has been in place for at least 10 years and has worked effectively reducing the time and effort required to finalise a transaction.

In all instances the Ward Councillor has been asked to comment on the proposed transaction, and of all approvals given under delegation, no submissions have been received. In most circumstances the transaction is of no interest to persons other than the purchaser, and where road discontinuances are involved any person directly affected is usually required to consent writing to the potential loss of access rights or road frontage.

There are transactions with values greater than $150,000 that are of little interest to others and some have involved properties which have ceased to be used for Council purposes, and have been included in the budget as sales. With purchases the item is usually included in the adopted budget and the land is required to support a funded building or engineering project. In the circumstances it is considered reasonable raise the limit on the use of the CEO's delegation for such sales and purchases to $500,000.

Environmental Implications

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

Financial Implications

The proceeds from the sale of the land are non recurrent income for which provision is made in the annual budget. As property assets are disposed of the written down value is adjusted on the asset register.

Policy/Legal/Statutory Implications

When selling land, under delegation or otherwise, there is a requirement to give notice of intention to sell under s189 of the Act. S223 of the Act enables submitters to have their submissions heard, and Council has established the Submissions Review Panel consisting of Councillors/Administrators for this purpose. No general delegation has been given to allow a special committee to consider submissions which must be considered by Council. Hence the use of delegation to approve the sale of land will be reviewed by the Council where submissions are received, whether they are heard or not heard.

Alignment to City Plan

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

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.

Social Considerations

There are no social considerations relevant to this report.

Human Rights Charter

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

Consultation and Communication

Relevant internal departments have been consulted in the preparation of this report The extension of the use of the CEO delegation to sell properties was raised with the Administrators at the Strategic Workshop on 19 July 2016.

17. TENDER AND AWARD OF: HENDY STREET CHILDREN AND FAMILY CENTRE

Source **Strategy & Performance – Capital Projects**
A/General Manager: **William Tieppo**
Index Reference **C15851 Hendy Street Children and Family Centre**

Purpose

The purpose of this report is to seek Council consent to delegate to the Chief Executive Officer the power to accept or reject tenders for each of the Hendy Street Children and Family Centre project; provided tenders fall within the adopted budget.

Summary

- The design process for the Hendy Street Children and Family Centre is nearing completion and Council will soon be inviting tenders for the construction of this facility.
- The Capital Projects and Procurement Services departments are exploring prudent and expeditious mechanisms to complete the tender processes for this project.
- Due to the tight timelines to ensure opening of the facility for 2018, it is necessity to award construction tenders prior to the Christmas and New Year. Due to the reduced Council meeting cycle during that period this poses a potential risk to the project schedule.

P Dorling moved, L Gardner seconded -

That Council delegate to the Chief Executive Officer its powers and functions to accept or reject a tender and sign the contract documents for the construction and associated works for Hendy Street Children and Family Centre project provided it is within budget.

Carried.

Background

Since receiving funding for the Hendy Street Children and Family Centre development project Council has moved through the project development phases and is now finalising the design of the facility.

As the design of the facility is being finalised Council will enter the procurement phase for the project.

The project is being tendered through the State Government Construction Suppliers Register (CSR). The CSR allows local government to enter into contracts for the purchase of building and construction services.

The rules for utilising the panel state that we must seek tenders from a minimum of five (5) pre-qualified contractors registered with on CSR panel. Two of which are to be locally based companies and one of which hasn't been invited to tender in the last six (6) months.

This process provides council with the shortest possible tendering timeframe, and if it can be awarded under delegation it will allow Council the best opportunity to deliver the project on time.

Discussion

The Capital Projects and Contracts and Purchasing departments are exploring prudent and expeditious mechanisms to achieve opening deadlines for the facility, noting that the award of the construction contract will be beyond officer delegations.

The current project timelines will see the full documentation and contract specifications for this project finalised in August 2016 and ready for awarding in November 2016.

The timing for the appointment of a contractor means that it would be beneficial if the Chief Executive Officer entered into the contract under delegation. This would expedite the Council reporting and approval process which takes between 4 and 6 weeks to complete.

If awarding of the contract is delayed it could have a significant impact on project delivery and the subsequent opening date for the facility.

Environmental Implications

The building is being designed and built to Council's 5 Star Green Star requirements.

Financial Implications

The project is funded through Council's budgetary allocations in both the current and future financial years.

Policy/Legal/Statutory Implications

Against the above timeframes and expected milestones there may be inadequate time for Council to formally determine the outcome of the tenders in its normal capacity. This report provides the policy and legal mechanisms necessary for the Chief Executive Officer to award or reject tenders.

Alignment to City Plan

The project is contained within Council's budget which support the strategic directions in our Community Wellbeing, Growing Our Economy, and Sustainable Built & Natural Environment areas.

Officer Direct or Indirect Interest

No council officers involved in this project or report have declared a direct or indirect interest in this matter.

Risk Assessment

There will be a risk to Councils reputation and grant funding commitments if this project cannot be completed in time for the 2018 pre-school year.

Social Considerations

Council's commitment to the construction of the Hendy Street Children's and Family centre is in response to the recommendations of the Northern Infrastructure Plan.

If Council is unable to complete this projects in a timely manner there is likely to be disruption to early childhood services.

Human Rights Charter

It is not evident or likely that this report would negatively impact any of the rights contained in the Charter of Human Rights.

Consultation and Communication

There are no communication issues or requirements with acceptance of the proposed recommendation.

18. TENDER AND AWARD OF: BARWON HEADS MAIN DRAINAGE OUTFALL, OZONE ROAD, BARWON HEADS

Source: **City Services - Engineering Services**
A/General Manager: **Vicki Shelton**
Index Reference: **Barwon Heads - Ozone Road - drainage**

Purpose

The purpose of this report is to seek Council consent to delegate the power to accept or reject tenders to the Chief Executive Officer for the construction of a main drainage outfall into the Barwon River off Ozone Road, Barwon Heads.

Summary

- Planning and design of this main drainage outfall has been ongoing since 2011.
- The project involves the construction of a 1600mm diameter main drainage outfall pipe into the Barwon River in the vicinity of Ozone Road, Barwon Heads. The pipe will replace a smaller diameter pipe that currently discharges storm water across the beach under an existing jetty. The new pipe will be buried under the beach and will be largely invisible except for the mandatory marine markers that will provide warning to marine traffic and beach users. (See plan Appendix 1).
- The pipe outlet will include a 'tide flex' valve to allow a one way passage of storm water and disallows anything from entering the pipe from the river.
- The pipe construction is a staged upgrade of the drainage for Barwon Heads with an estimated cost of $2.4Mil.
- The Engineering Services department is enacting the tender process for this project and would like to put in place a mechanism to expedite the commencement date for construction.
- It is imperative that this project be completed in the current financial year. The ability to award tenders early by bypassing a Council meeting cycle reduces the risk to project timelines.

K Alexander moved, P Dorling seconded -

That Council delegate to the Chief Executive Officer its powers and functions to accept or reject a tender within the allocated budget and sign the contract documents for the construction and associated works for the following project:

1) C02317 Main Drainage outfall – Ozone Road, Barwon Heads

Carried.

Background

Barwon Heads is problematic in terms of drainage. It is low lying and relatively flat which gives rise to flooding issues within the town. A main drainage study of the town was completed by WBM Oceanics Australia in November 2005 and mitigation options were recommended. Stage 1 of the mitigation solution was the construction of an 825mm diameter storm water main from Bridge Road to Clifford Parade that was completed in 2006. Stage 2 involved the construction of a new 600mm diameter main from Clifford Parade to Flinders Parade in 2011. Stage 3 involved the upgrade of Clifford Parade storm water pumping station to a capacity of 800L/s in 2013/14.

Stage four is the current project to upgrade the main drainage outfall into the Barwon River off the intersection of Flinders Parade and Ozone Road.

This outfall has been in the planning and design phase for a number of years. Approving authorities include Council, Barwon Coast Committee of Management (BCCM), Parks Victoria and the Department of Environment, Land, Water and Planning (DELWP).

Design of the outfall has been carried out by Civil Engineering Consultant GHD and overseen by Council's Design Unit. The outfall of the pipe will extend approximately 20 metres into the Barwon River in the deepest part of the channel. The construction method will include a temporary 'cofferdam' construction including dewatering.

All approvals are now in place and the project is nearing the tender stage.

Discussion

The Engineering Services department is seeking to expedite the construction for the outfall project, noting that the construction contract for the project is beyond officer delegation. The contract is also in excess of the $2.0Mil delegation authority of the Chief Executive Officer which triggers a report to Council.

The current project timelines will see the tender evaluation process completed by October 2016. The timing for the appointment of a contractor means that it would be beneficial if the Chief Executive Officer can enter into the contracts under delegation. This is because the Council reporting process generally takes between 4 and 6 weeks to complete.

If awarding of this contract is delayed, it could have an adverse impact on project delivery as it could delay the commencement date once the tender evaluation process is complete.

Environmental Implications

The drainage outfall proposed will provide proper drainage for Barwon Heads. Due to the inclusion of a sump and pumping station litter trap in previous stages of construction, storm water runoff is less contaminated with silt and refuse prior to final discharge into the river.

It is anticipated that minimal vegetation removal will be required to complete the project.

During the course of construction and the manufacture and procurement of materials, there is expenditure of energy sources and greenhouse gas emissions. This does cease, however, when construction is complete.

The project does not create waste with the exception of some excess spoil. The proposal does not affect any natural habitats.

Financial Implications

Funding of $2.4 Mil has been allocated in the 2016/17 Financial Year from the C02317 Task 60 cost code. This project is within budget and is a significant storm water outfall construction project that will be a once off Capital Cost with minimal ongoing short to medium term maintenance costs. Long term maintenance (30 plus years) will need some consideration as the pipe outfall is permanently submerged and may require a further 'cofferdam' style of construction to replace the outfall valve of the pipe.

Policy/Legal/Statutory Implications

Against the above timeframes and expected milestones there is minimal time for Council to formally determine the outcome of the tenders in its normal capacity.

This report provides the policy and legal mechanisms necessary for the CEO to award or reject tenders.

Alignment to City Plan

This report aligns with the City Plan as follows:

Community Wellbeing:

- Healthy Environments
    - Safe, hazard and nuisance free environments

Officer Direct or Indirect Interest

No council officers involved in this project or report have declared a direct or indirect interest in this matter.

Risk Assessment

Council has made a commitment to deliver this project by June 2017. There will be a risk to Council's reputation if this project cannot be completed in time. It is also important to deliver the project within the current financial year to eliminate the problems associated with funding rollovers.

There is some risk to Council from a constructability perspective to allow delegation authority to the Chief Executive Officer. This is due to the specialised construction methods employed by contractors during the outfall construction phase of the project that will require supervision and approval by Council works inspectors.

Social Considerations

The provision of a compliant drainage system is aligned to Council's City Plan as described above. Nuisance and problematic flooding events in Barwon Heads will be reduced.

Human Rights Charter

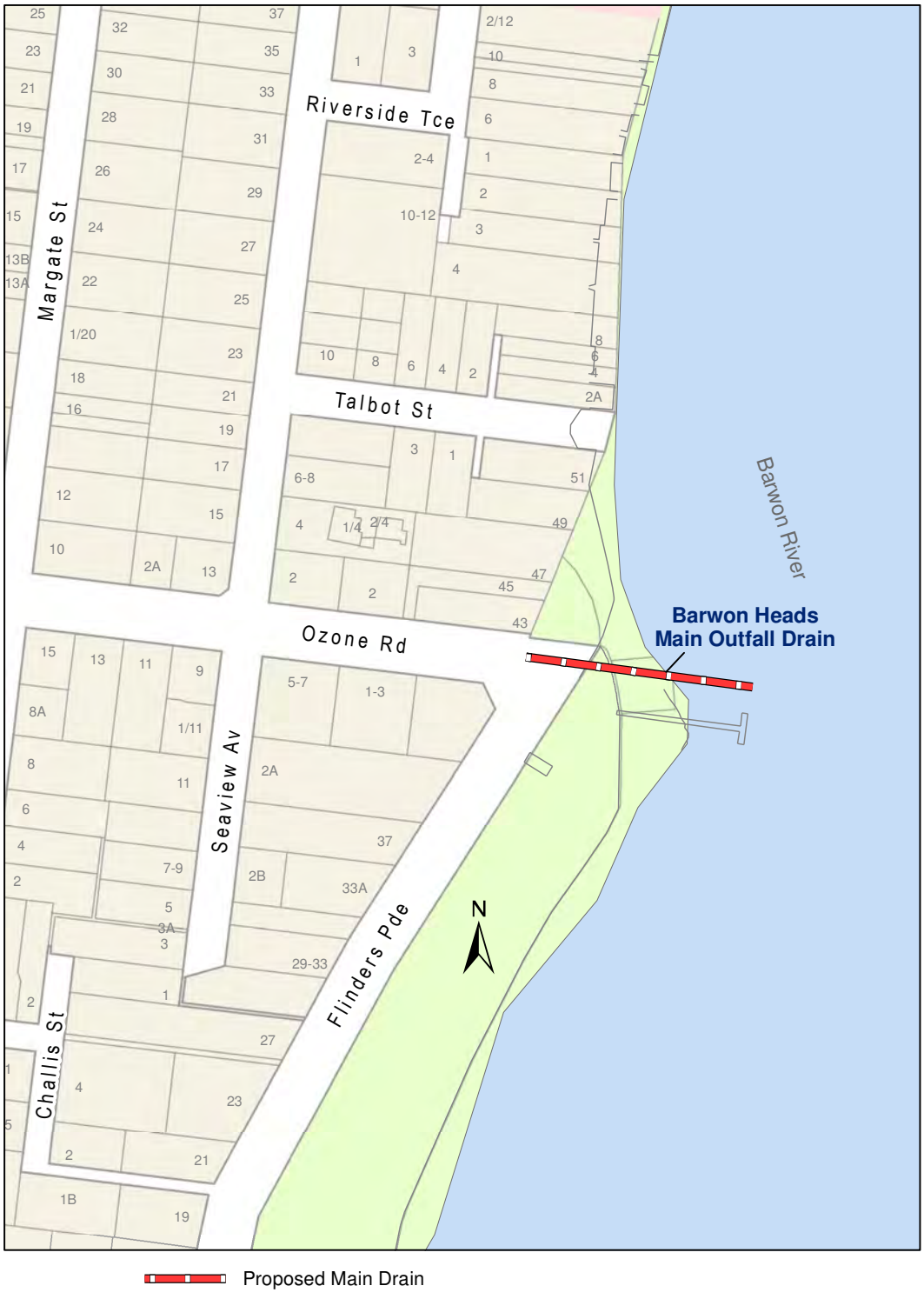
In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any adverse human rights issues.

Consultation and Communication

There are no communication issues or requirements with acceptance of the proposed recommendation. Prior to construction commencing, further consultation will be carried out with the approval authorities and the affected residents of Barwon Heads.

Appendix 1

PLAN



19. TENDER AND AWARD OF: ELCHO CHANNEL MAIN DRAINAGE INFRASTRUCTURE, LARA

Source: **City Services - Engineering Services**
A/General Manager: **Vicki Shelton**
Index Reference: **McManus Road, Heales Road, Lara - Special Rates and Charges**

Purpose

The purpose of this report is to seek Council consent to delegate the power to accept or reject tenders to the Chief Executive Officer for the construction of main drainage infrastructure at the Geelong Ring Road Employment Precinct (GREP), Lara.

Summary

- Council resolved to declare the charges for this Special Charge Scheme at its meeting of 10 May 2016.
- The project involves the construction of large diameter main underground drainage pipes along Heales Road and McManus Road and a large high standard culvert crossing for McManus Road (see plan Appendix 1).
- The project is estimated to cost $4.2M and represents stage one of a two stage construction project that is required to allow full and unimpeded development of the industrial subdivision.
- The Engineering Services department is enacting the tender process for this project and would like to put in place a mechanism to expedite the commencement date for construction.
- It is imperative that this project be completed in the current financial year. The ability to award tenders early reduces the risk to project timelines.

K Alexander moved, P Dorling seconded -

That Council delegate to the Chief Executive Officer its powers and functions to accept or reject a tender within the allocated budget and sign the contract documents for the construction and associated works for the following project:

1) C17301 Stage 1 Elcho Channel Special Charge Scheme (SRC 322) Main Drainage Construction.

Carried.

Background

The Elcho Channel main drainage Special Charge Scheme has been under development since 2013 in its current form. The scope of work was confirmed by Council when it resolved to declare the Special Charge Scheme at its meeting of 10 May 2016.

The scheme is designed to allow for full and unencumbered development of 250Ha of industrial land at the GREP. The new drainage infrastructure will allow the industrial land to drain without risk of flooding up to the 1% Annual Exceedance Probability (AEP) storm event. Once completed, the drainage system will be capable of treating and retarding the storm water runoff from the industrial estate to best practice standards.

Stage 1 of the scheme is in the final design stage and is ready for tender. Stage 2 is planned for the 2017/18 FY and included the remaining components of the scheme.

Discussion

The Engineering Services department is seeking to expedite the construction for the drainage construction project, noting that the construction contract for the project is beyond officer delegation. The contract is also in excess of the $2.0Mil delegation authority of the Chief Executive Officer which triggers a report to Council.

The current project timelines will see the tender evaluation process completed by October 2016. The timing for the appointment of a contractor means that it would be beneficial if the Chief Executive Officer can enter into the contracts under delegation. This is because the Council reporting process generally takes between 4 and 6 weeks to complete.

If awarding of this contract is delayed, it could have an adverse impact on project delivery as it could delay the commencement date once the tender evaluation process is complete.

Environmental Implications

The drainage infrastructure proposed is part of a overarching drainage strategy that will convey and retard storm water run off from the industrial estate and treat it to best practice standards prior to discharge back into the Elcho Channel.

It is anticipated that no vegetation of significance will be required to be removed to complete the project.

During the course of construction and the manufacture and procurement of materials, there is expenditure of energy sources and greenhouse gas emissions. This does cease, however, when construction is complete.

The project does not create waste with the exception of some excess spoil. The proposal does not affect any natural habitats.

Financial Implications

Funding of $4.2 Mil has been allocated in the 2016/17 Financial Year from the C17301 program. This project is within budget and is a standard drainage construction project that will be a once off Capital Cost with minimal ongoing maintenance costs.

As a Special Charge Scheme, $1.45M will be recovered as income from a benefiting property owner. This funding will be fully recovered at the completion of works.

Policy/Legal/Statutory Implications

Against the above timeframes and expected milestones there is minimal time for Council to formally determine the outcome of the tenders in its normal capacity. This report provides the policy and legal mechanisms necessary for the CEO to award or reject tenders.

Alignment to City Plan

This report aligns with the City Plan as follows:

Community Wellbeing:

- Healthy Environments
    - Safe, hazard and nuisance free environments. The new drainage system will convey, retard and treat storm water to best practice standards.
- Growing our Economy
    - Facilitate major infrastructure and investment to enable economic growth. The drainage infrastructure allows industrial land to develop to its full potential.

Officer Direct or Indirect Interest

No council officers involved in this project or report have declared a direct or indirect interest in this matter.

Risk Assessment

Council has made a commitment to deliver this project by March 2017. There will be a risk to Council's reputation if this project cannot be completed in time. It is also important to deliver the project within the current financial year to eliminate the problems associated with funding rollovers.

There is minimal risk to Council from a constructability perspective to allow delegation authority to the Chief Executive Officer. This is due to the well rehearsed standard construction methods employed by contractors during the drainage construction phase of the project that will require direct supervision and approval by Council works inspectors.

Social Considerations

The provision of a compliant drainage system is aligned to Council's City Plan as described above. Opportunities for employment in the region will be enhanced as land is able to be developed and businesses come on line.

Human Rights Charter

In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any adverse human rights issues.

Consultation and Communication

There are no communication issues or requirements with acceptance of the proposed recommendation.

Appendix 1

PLAN



Drainage as part of this tender shown red on plan

20. TENDER AND AWARD OF: PORTARLINGTON NORTH EAST GROUP OF ROADS, PORTARLINGTON

Source: **City Services - Engineering Services**
A/General Manager: **Vicki Shelton**
Index Reference: **Portarlington - Special Rates and Charges**

Purpose

The purpose of this report is to seek Council consent to delegate the power to accept or reject tenders to the Chief Executive Officer for the construction of roads in the north east area of Portarlington bounded by Hood Road, Mercer Street, The Esplanade and Fisher Street.

Summary

- Council resolved to declare the charges for this Special Charge scheme at its meeting of 27 January 2016.
- The project involves the construction of roads in the north east sector of Portarlington. These roads include Clarke Street, Drysdale Street, Fenwick Street, Stevens Street, Willis Street, Payne Street, Gellibrand Street, Batman Street, Fairfax Street, Simson Street and Mercer Street.
- A total of 8.5 km of roads are to be constructed at an estimated cost of $4.4M. The scope of work includes sealing only without additional kerb and channel. Intersection alignments and drainage will be improved. Additional street lighting will be installed at some intersections as a Council funded safety improvement.
- The Engineering Services department is enacting the tender process for this project and would like to put in place a mechanism to expedite the commencement date for construction.
- It is imperative that this project be completed in the current financial year. The ability to award tenders reduces the risk to project timelines.

K Alexander moved, P Dorling seconded -

That Council delegate to the Chief Executive Officer its powers and functions to accept or reject a tender within the allocated budget and sign the contract documents for the construction and associated works for the following project:

1) C17302 Portarlington North East Group (SRC 340) Road Construction

Carried.

Background

The Portarlington Roads North East Group Special Charge Scheme has been a community lead project since 2010. The scope of work was confirmed by Council when it resolved to declare the Special Charge Scheme at its meeting of 27 January 2016.

During the subsequent VCAT referral period, no applications were made and the scheme is now ready for tender.

Discussion

The Engineering Services department is seeking to expedite the construction for the road construction project, noting that the construction contract for the project is beyond officer delegation. The contract is also in excess of the $2.0Mil delegation authority of the Chief Executive Officer which triggers a report to Council.

The current project timelines will see the tender evaluation process completed by September 2016. The timing for the appointment of a contractor means that it would be beneficial if the Chief Executive Officer can enter into the contracts under delegation. This is because the Council reporting process generally takes between 4 and 6 weeks to complete.

If awarding of this contract is delayed, it could have an adverse impact on project delivery as it could delay the commencement date once the tender evaluation process is complete.

Environmental Implications

The road infrastructure proposed, provides proper sealed access and improved drainage. Dust is eliminated and storm water runoff is less contaminated with silt prior to final discharge into the bay.

It is anticipated that no vegetation removal will be required to complete the project.

During the course of construction and the manufacture and procurement of materials, there is expenditure of energy sources and greenhouse gas emissions. This does cease, however, when construction is complete.

The project does not create waste with the exception of some excess spoil. The proposal does not affect any natural habitats.

Financial Implications

Funding of $3.4 Mil has been allocated in the 2016/17 Financial Year from the C17302 program whilst the remainder of funds will come from the core C02301 Street construction program. This project is within budget and is a standard road construction project that will be a once off Capital Cost with minimal ongoing maintenance costs.

As a Special Charge Scheme, it is anticipated that $3.4Mil will be recovered as income from property owners. This funding will be recovered over a 5 year period when the scheme is billed and invoicing commences.

Policy/Legal/Statutory Implications

Against the above timeframes and expected milestones there is minimal time for Council to formally determine the outcome of the tenders in its normal capacity. This report provides the policy and legal mechanisms necessary for the CEO to award or reject tenders.

Alignment to City Plan

This report aligns with the City Plan as follows:

Community Wellbeing:

- Healthy Environments
    - Safe, hazard and nuisance free environments. The new roads will eliminate dust and mud.

Officer Direct or Indirect Interest

No council officers involved in this project or report have declared a direct or indirect interest in this matter.

Risk Assessment

Council has made a commitment to deliver this project by March 2017. There will be a risk to Council's reputation if this project cannot be completed in time. It is also important to deliver the project within the current financial year to eliminate the problems associated with funding rollovers.

There is minimal risk to Council from a constructability perspective to allow delegation authority to the Chief Executive Officer. This is due to the well rehearsed standard construction methods employed by contractors during the road construction phase of the project that will require direct supervision and approval by Council works inspectors.

Social Considerations

The provision of a properly constructed road network is aligned to Council's City Plan as described above. Dust and mud is eliminated and a safe means of vehicle access is provided to all.

Human Rights Charter

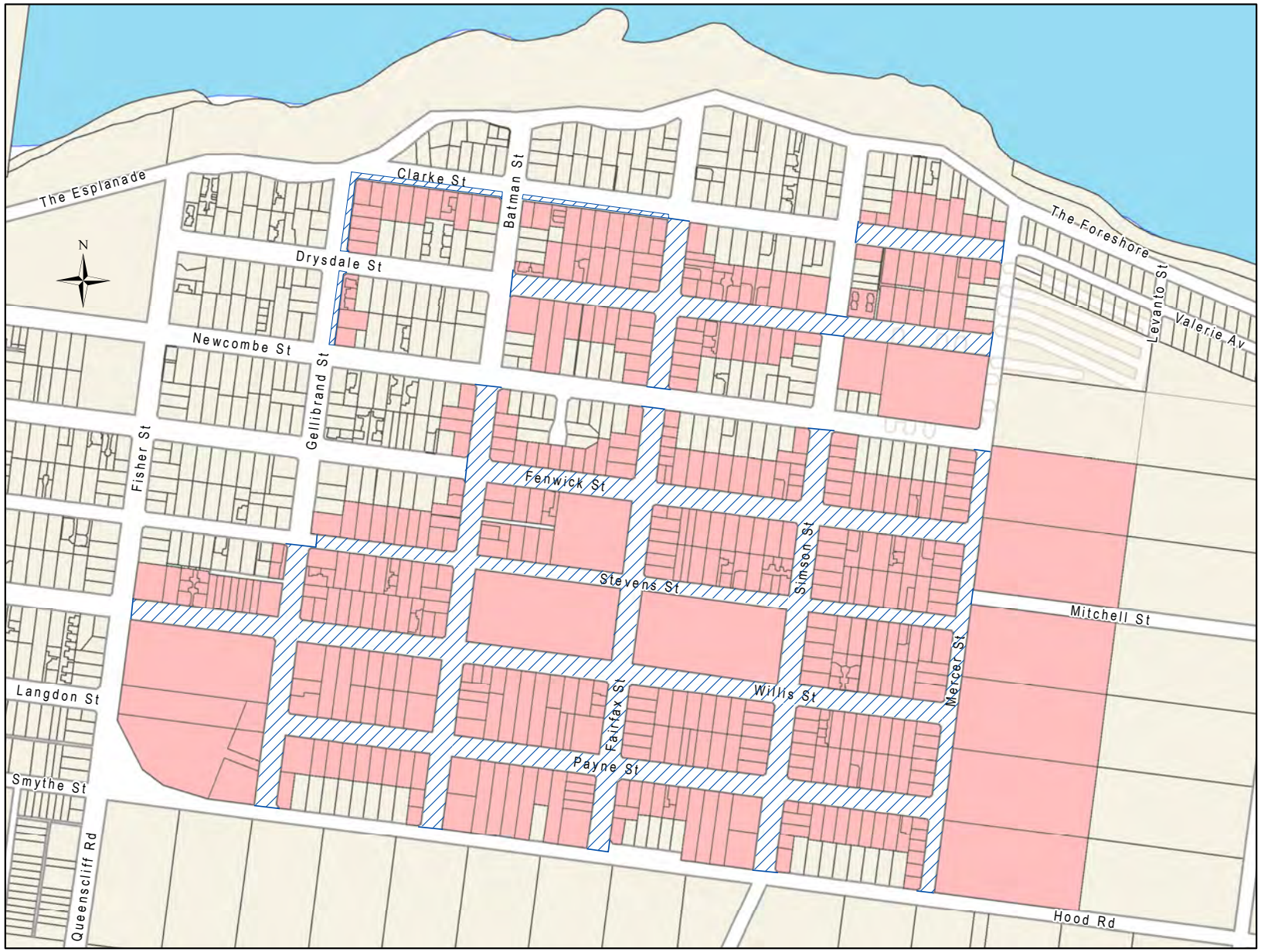
In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any adverse human rights issues.

It is further considered that the construction of the roads upholds the right to freedom of movement (Section 12 of the Human rights Charter) by enhancing a person's ability to move freely within the area they choose to live.

Consultation and Communication

There are no communication issues or requirements with acceptance of the proposed recommendation.

PLAN



Properties included in the scheme

Proposed Road to be Constructed

21. ROAD RENAMING - NORTH/SOUTH SECTION BENITA PLACE, LEOPOLD

Source: **Strategy & Performance - Financial Services**
A/ General Manager: **William Tieppo**
Index Reference: **Financial Management Reporting**

Purpose

To seek approval to rename the north/south section of Benita Place, Leopold to "Saxbee Way, Leopold".

Summary

- Benita Place, Leopold runs off Melaluka Road in an easterly direction and includes a section of road that runs south of Benita Place to Stringers Lane. This section of road is disjointed and a no-through roadway (see Appendix A).
- An incident occurred where an ambulance was unable to access a property quickly due to confusion over the street name.
- It is proposed to rename the section of road running south from Benita Place and connecting to Stringers Lane, in three stages as development occurs.
- The name chosen is in honour of a WWII nurse from Geelong, Sergeant Lilian Saxbee. Council was unable to locate any surviving family members of Sergeant Lilian Saxbee.
- The renaming affects six property owners who will have a change to the street name.
- The proposed renaming was advertised in the Independent newspaper on 8 July 2016 and the Geelong Advertiser newspaper on 9 July 2016.

P Dorling moved, L Gardner seconded -

That Council approve the renaming of the North – South section of Benita Place, Leopold to "Saxbee Way, Leopold".

Carried.

Background

Council is the responsible authority for naming and renaming roadways under the Local Government Act 1989. To administer this, Council is required to utilise the Guidelines for Geographic Names 2010 (the Guidelines).

The section of Benita Place running south of Benita Place and connecting to Stringers Lane is currently disjointed and a no-through roadway.

An incident occurred whereby a resident phoned an ambulance to attend their property in the section of Benita Place accessed off Stringers Lane. However, the ambulance attempted to access the property off the Melaluka Road entrance to Benita Place. Council was informed of the confusion, which has led to this renaming proposal.

As per principle 4(b) of the Guidelines for Geographic Names 2010 Version 2 a road name must not be applied in a way that is ambiguous or could cause confusion for road users. The road should be unobstructed leading from point "a" to point "b" in a clear and logical manner. The name should not be applied in a disjointed manner.

Letters have been sent to all adjoining and affected property owners and residents advising them of Council's intention to rename this section of roadway.

Discussion

It is proposed to rename the north/south section of Benita Place to "Saxbee Way, Leopold" and register the name with the Office of Geographic Place Names.

Due to a subdivision and development occurring, it is Council's intention to rename the roadway in three stages (as per Appendix A).

The **first stage**, upon registration of the name "Saxbee Way", will alter the addressing of properties accessed from Stringers Lane, Leopold. The **second stage** will be the title release of the subdivision which will remove the disjointed section of roadway. Once the roadway becomes a through road the **third stage** will be to readdress the properties at 35 & 50 Benita Place to Saxbee Way, Leopold.

The area being subdivided has no set completion date and therefore the disjointed section may cause further confusion for emergency services. Completing the renaming of this section of Benita Place will ensure that all properties are located in a timely manner should any further emergency arise.

The new name was chosen from Council's ANZAC register, in honour of Sergeant Lilian Saxbee who served with the Australia Army during WWII in the Medical Women's services area. Lilian was born in Geelong in 1942 and passed away in Melbourne in 1996.

The name "Saxbee" meets the Guidelines for Geographic Names 2010 naming criteria. Therefore, it is not necessary to consider any other naming options.

The proposed renaming was advertised in the Independent newspaper on 8 July 2016 and the Geelong Advertiser newspaper on 9 July 2016. No submissions were received on this proposal.

Council has been unable to locate any surviving members of Sergeant Lilian Saxbee's family.

Council has communicated via letter and survey, with all five adjoining properties and six affected property owners (11 in total). The survey was issued in accordance with the Guidelines for Geographic Names 2010 and requested residents to advise if they agreed or disagreed to the renaming. Two surveys were returned with one in favour and one against due to the costs associated with change of address notification.

Environmental Implications

There are no environmental issues arising from this report.

Financial Implications

The approximate cost to Council is $620.00. This includes advertising, notification to adjoining property owners and residents, notification to authorities and street signage.

Policy/Legal/Statutory Implications

The Local Government Act 1989, the Geographic Place Names Act 1998 and the Guidelines for Geographic Names 2010 have been followed.

Alignment to City Plan

The proposal aligns to City Plan with the encouragement of Community Wellbeing.

Officer Direct or Indirect Interest

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

Risk Assessment

If an emergency situation occurred, Council's proposal to rename this section of roadway could minimise the risk or failure to be able to access a situation in a timely manner.

Social Considerations

The renaming of this roadway will allow for easier identification for the general public and emergency services.

Human Rights Charter

It is the right of every resident and property owner for their property to have a unique address in order to receive services and reduce confusion or delay of emergency services.

Consultation and Communication

Correspondence has been sent to the adjoining and affected property owners advising them of the proposed renaming and inviting submissions.

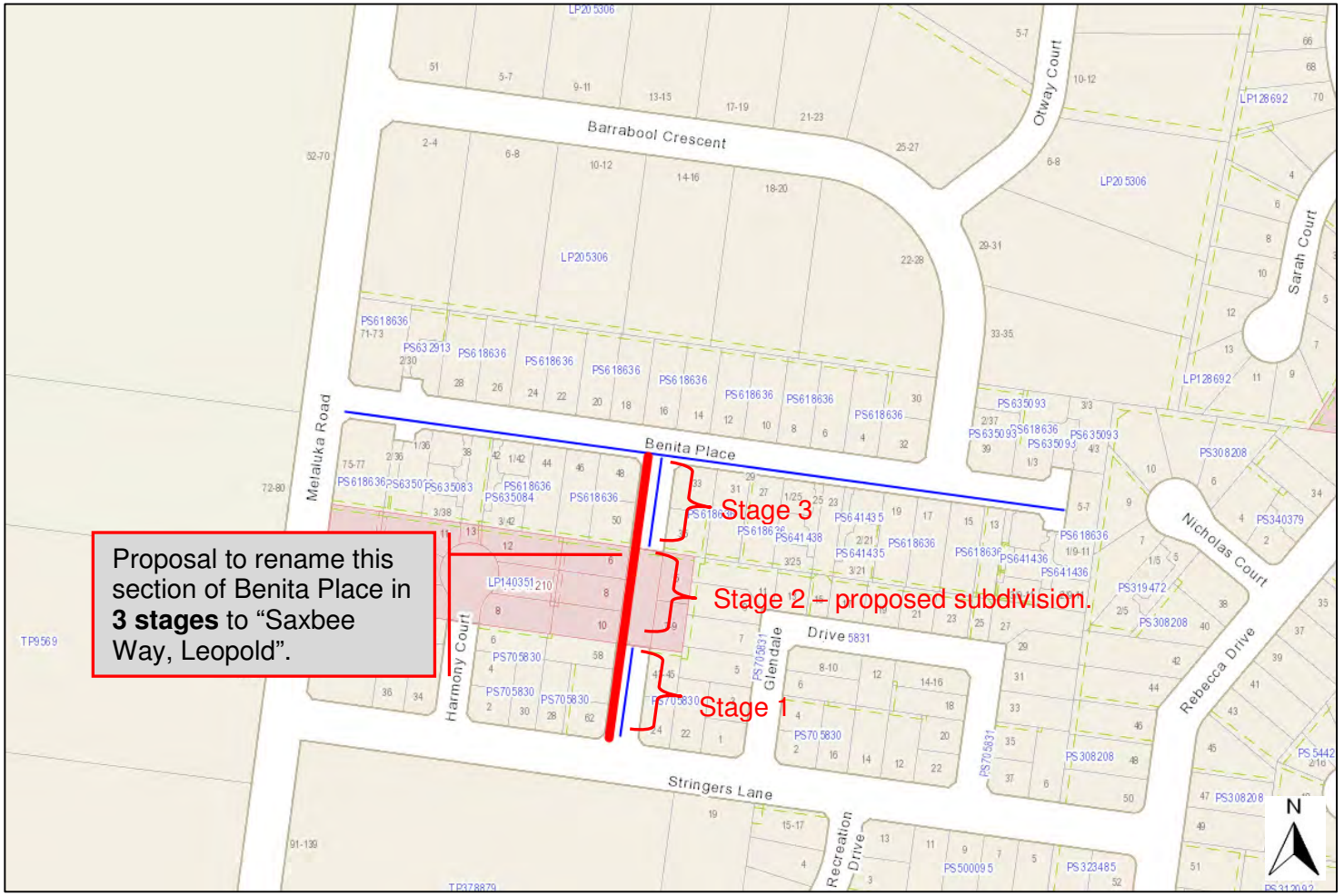
The proposal was advertised in the Independent newspaper on 8 July 2016 and the Geelong Advertiser newspaper on 9 July 2016. There were no submission received from the advertisement on the proposal.

The proposal was published on Council's Geelong Australia website for 30 days as per the Guidelines for Geographic Names 2010.

Subject to Council and the Registrar of Geographic Names approval, the relevant authorities and abutting owners and resident will be notified of the official registration of this road renaming.

Benita Place, Leopold

Attachment A



22. THOMPSON ROAD, NORTH GEELONG - PROPOSED FOOTPATH CONSTRUCTION - SRC 350 - INTENTION TO DECLARE

Source: **City Services - Engineering Services**
A/General Manager: **Vicki Shelton**
Index Reference: **Special Rates and Charge; Thompson Road North Geelong**

Purpose

This report seeks a resolution by Council to consider an intention to declare a Special Charge Scheme to partially fund the construction of a footpath along Thompson Road between Morgan Street and Cowies Creek, North Geelong (See plan – Appendix 4)

Summary

- It is proposed to construct 478 lineal meters of 1.5 metre wide footpath to provide for pedestrian access along Thompson Road, North Geelong.
- There are thirty five (35) properties abutting the proposed footpath that will receive special benefit. There is one (1) Council owned property in the scheme.
- The total estimated scheme cost is $198,394. Additional works to the value of $89,400 will be funded by Council to improve existing infrastructure.
- A Benefit Ratio of 0.32 has been calculated in accordance with Section 163 of the Local Government Act, which equates to a Council contribution to the scheme of $134,100 and property owner contribution of $64,295.
- Property owners are considered to receive benefit from the works by way of improved pedestrian access and general amenity including pedestrian safety improvements.
- The scheme has been prepared in accordance with the Special Rate and Charges provisions of the Local Government Act 1989 along with the 2004 Ministerial Guidelines and Council's Special Rates and Charges Policy.

L Gardner moved, P Dorling seconded -

That Council:

Gives notice of its intention to declare a Special Charge Scheme in accordance with Section 163 (1A) of the Local Government Act 1989 (The Act), as follows:

a) The Special Charge is declared for a period of five (5) years commencing upon completion of the works and scheme finalisation.

b) The Special Charge be declared for the purpose of defraying any expenses incurred by Council in relation to the construction of the footpath on Thompson Road, North Geelong between Morgan Street and Cowies Creek. Council considers the project:

b1) Will provide proper pedestrian access, improved pedestrian safety and enhancement to the general amenity for each of the properties included in the scheme;

b2) Will provide a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this Resolution); and

b3) Arises out of Council's function of planning for and providing infrastructure for property owners.

c) The total cost of project, be recorded as $287,799(Schedule A).

d) It be recorded that, for the purposes of Section 163 (2A) of the Act, the special charge proceeds will not exceed the amount calculated in accordance with the prescribed formula (R x C = S), the:

d1) 'benefit ratio' (R) being calculated at 0.32 represents the special benefits to all persons liable to pay the special charge (Schedule B);

d2) 'total cost' (C) of performing the function described in part 1 (b) of this resolution based on estimated cost be recorded as $198,395; and

d3) 'Maximum levy' (S) be recorded as $64,295.

e) the following be specified as the area for which the special rate is so declared:

e1) The area within municipal district of Council highlighted in the plan attached to this Resolution (Appendix 4).

f) the following be specified as the land in relation to which the special charge so declared:

f1) Land within the area shown on the plan.

g) the following be specified as the criteria which form the basis of the special charge so declared:

g1) Ownership of any land described in Part 1(e) of this Resolution.

h) the following be specified as the manner in which the special charge so declared will be assessed and levied:

h1) Each lot receives a primary access and amenity benefit;

h2) The maximum levy is divided on a access and frontage share basis;

h3) The special charge will be levied by sending a notice to the person who is liable to pay, pursuant to section 163(4) of the Act.

i) having regard to the preceding parts of this Resolution but subject to Section 166 (1) of the Act, it be recorded that;

i1) the owners of the land described in column 2 and 3 of Schedule C to the resolution are estimated liable for the respective amounts set out in column 7 of Schedule C; and

i2) such owners may, subject to any further resolution of Council pay the special charge in the following manner;

i2a) the charge will become due and payable within one month of the issue of the notice requesting payment pursuant to Section 167 (3) of the Act;

i2b) interest will not be charged for six months after the issue of the notice provided the person liable makes timely payment in

accordance with any repayment arrangements that may be agreed on by Council; and

i2c) in accordance with Section 172 of the Act, the interest rate payable on the special charge which has not been paid by the specific date is set at Council's overdraft rate, reviewed every three months (provided that it shall not exceed the rate fixed by the Governor in Council by Order for the purposes of Section 172 (2A) in which case the rate of interest shall be the maximum rate fixed by the Governor in Council by Order for the purposes of this section).

2) Consider any submissions made under Section 223 of the Act and the proposed declaration via Council's Submissions Review Panel, and then by Council at a subsequent meeting, at which time Council will consider to make declaration in the form proposed.

3) Authorise the Chief Executive Officer to give public notice of the proposed declaration in accordance with sections 163 (1A) and (1B) of the Act and send a copy of the public notice to each person who is liable to pay the special charge in accordance with Section 163 (1C) of the Act.

Carried.

Background

Council's footpath network strategy identifies the footpath construction priorities of which the Thompson Road, North Geelong is listed as a high priority for construction. It is considered that the proposed new footpath will provide the missing pedestrian link between Morgan Street and Cowies Creek Reserve and become a valuable community asset.

The footpath will provide a pedestrian link to the Recreation reserves. It will also satisfy the requirement of the Planning Scheme for footpath provision on both sides of the road for roads with traffic volumes in excess of 1000 vehicle per day.

Council Officers have developed a detailed Special Charge Scheme proposal including a cost estimate, Benefit Ratio calculation and cost apportionment spreadsheet. The estimated charges, along with more detailed information on the scheme, were shown to all potentially affected property owners who were asked to respond to the proposal via survey.

The survey results had fifteen (15) property owners respond representing a 43% response rate with four (4) in favour, ten (10) opposed and one (1) non committal to the scheme proposal. Of those opposing the scheme, concerns raised included:

- Method of apportionment is unclear and/or unfair;
- The area is industrial and has a low volume of pedestrians;
- Footpath will provide no benefit to businesses as the area is predominantly accessed by vehicles;
- Reason of financial hardship.

Discussion

This project involves the proposed construction of 478 metres total length of 1.5 metre wide footpath. It is expected to be a safety improvement for pedestrian movements along a moderately trafficked road (approx 6000 vehicles per day) and fulfil part of the footpath priority obligations for Council.

The section of Thompson Road, North Geelong between Morgan Street and Cowies Creek is relatively flat and the footpath construction should not pose any difficulty for the selected contractor.

Cost apportionment for the scheme has been divided into access and amenity benefits. 50% of the total benefit has been apportioned to access. It is considered that all abutting properties with direct frontages to the proposed new footpath, regardless of size and shape, receive the same access benefit. An exception to this rule is the corner property (407-411 Thompson Road) with more than double the frontage of neighbouring properties where an increase of the access benefit has been applied.

The access benefit includes the provision of an all weather sealed surface that reduces the risk of accidents caused by uneven and slippery surfaces. In simple terms, a new footpath improves accessibility for all abutting properties.

The remaining 50% of benefit is attributed to amenity and this can best be described as the benefit the pathway provides to an abutting property by way of improved aesthetics, safety, enjoyment, comfort and property value. The amenity benefit is based on the actual footpath frontage to a property when existing driveways and footpath extents are taken into consideration.

Environmental Implications

The provision of a sealed pathway surface provides a permanent and safe means of access. During the course of construction and the manufacture and procurement of materials, energy is expended resulting in some greenhouse gas emissions. This ceases when construction is complete.

The project does not create waste with the exception of some excavated material.

The proposal does not affect any natural habitats.

The proposal will require some nature strip trees and shrubs to be trimmed but removal of vegetation is not expected.

Financial Implications

The project is a one off capital cost and there will be minimal ongoing maintenance costs. If approved, the scheme could proceed this financial year under the core footpath program C02303.

Financial details are as follows:

Maximum scheme levy to Property Owners (income)	$64,295
Scheme levy to Council	$134,100
Direct Funding by Council to reinstate existing footpath and driveways, new kerb and channel for a kerb return modification at Rodney Road, asphalt pavement reinstatement and reinforced concrete retaining wall and footing	$89,404
Total Project Cost	$287,799

From the table above, the net cost to Council for this project is estimated to be $223,504.

Policy/Legal/Statutory Implications

The scheme has been prepared in accordance with the Special Rate and Charge provisions of the Local Government Act 1989 along with the 2004 ministerial guidelines and Council's Special Rates and Charges Policy.

Alignment to City Plan

This report aligns with the City Plan as follows:

Sustainably Built and Natural Environment

- Support our Community to live sustainably – Encourage increased use of alternatives to car transport and seek efficient traffic movement throughout the municipality.
- Advocate for and promote sustainable design and development – Promoting sustainable design and retrofitting.
- Acknowledge the community's desire to have their say and be involved in planning for the future of Greater Geelong.

Officer Direct or Indirect Interest

No Council Officer involved with this process has any direct or indirect interest in the properties.

Risk Assessment

Provision of a sealed pathway will provide safer walking conditions for pedestrians by minimising the risk of personal injuries through conflict with vehicles and the elimination of uneven and slippery surfaces.

There are no identified risks for Council in making its intention to declare the scheme.

Social Considerations

The provision of properly sealed and drained pathways is aligned to Council's City Plan as described above and provides improved connectivity and safety for pedestrians. It is further considered that the footpaths will enhance the general amenity of the area.

Human Rights Charter

In developing this report to Council, the subject matter has been considered to determine if it raises any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in this report. It is considered that the subject matter does not raise any adverse human rights issues.

It is further considered that the construction of the footpaths upholds the right to freedom of movement (Section 12 of the Human rights Charter) by enhancing a person's ability to move freely within the area they choose to live.

Consultation and Communication

Informal consultation was carried out in March 2015 with an information pack to affected property owners that included an initiation letter, a plan showing the location of works, a Special Rates and Charge Scheme brochure, a detailed cost apportionment spreadsheet and informal survey form.

Further correspondence to the affected property owners will be sent should Council make its intention to declare a Special Charge Scheme.

Appendix 1
Page 1

SCHEDULE 'A'

The works for the construction of footpaths in Thompson Road, North Geelong which consist of excavation, footpath, reinstatement of nature strip and driveways, miscellaneous construction works, legal advice and professional services associated with survey, engineering design, drafting, supervision and administration of the project all as included in the cost estimate shown below.

COST ESTIMATE FOR CONSTRUCTION OF FOOTPATH – THOMPSON ROAD, NORTH GEELONG

ESTIMATED TOTAL COST OF FOOTPATH CONSTRUCTION					
ITEM	**DESCRIPTION**	**QUANTITY**	**UNIT**	**RATE $**	**AMOUNT $**
1.00	**GENERAL**				
1.01	Initial site establishment and set up, decamping and site cleanup and other fixed costs up to time of completion of works.	1	ITEM	$17,711.00	$17,711.00
1.02	Traffic management costs.	1	ITEM	$6,000.00	$6,000.00
1.03	Setting out of works.	1	ITEM	$700.00	$700.00
1.04	Service/Cable locations	1	ITEM	$800.00	$800.00
1.05	Internal supervision fee (COGG construction)	1	ITEM	$8,359.00	$8,359.00
2.00	**EARTHWORKS & DEMOLITION**				
2.01	Excavation and disposal of all materials to limits of work as indicated on plan, including trimming for new road pavement, excavation of soft spots and removal of concrete.	268	m^3	$60.00	$16,080.00
2.02	Saw-cutting of Asphalt paving.	64	m	$10.00	$640.00
2.03	Saw-cut of concrete kerb and channel	6	m	$10.00	$60.00
3.00	**PAVEMENT WORKS**				
3.01	75mm compacted depth Class 3 40mm crushed rock, supplied, spread and compacted.	34	m^3	$100.00	$3,400.00
3.02	150mm compacted depth Class 2 20mm crushed rock, supplied, spread and compacted.	27	m^3	$120.00	$3,240.00
4.00	**DRAINAGE**				
	PITS				
4.01	Modify existing Junction pit to match finished surface level and supply and fit Gatic type cover.	3	No.	$770.00	$2,310.00
5.00	**CONCRETE WORKS KERBINB:**			`	
5.01	Concrete pram crossing 1.5m wide, including fine crushed rock bedding.	2	No.	$250.00	$500.00
	CONCRETE WORK PAVING:				
5.02	125mm (25 Mpa) concrete paving with SL72 mesh including crushed rock bedding and reinstate nature strip.	457	m^2	$135.00	$61,695.00
5.03	175mm (32 Mpa) concrete paving with SL82 mesh including crushed rock bedding and reinstate nature strip.	182	m^2	$140.00	$25,480.00
6.00	**LANDSCAPING**				

6.01	Top soiling and seeding nature strips.	638	m^2	$8.00	$5,104.00
7.00	**SIGNING, LINE-MARKING AND FENCING**				
7.01	Relocation of permanent signs and posts as per plan.	1	No	$250.00	$250.00
8.00	**PROVISIONAL ITEMS**				
8.01	Adjust level of existing telstra pit, electricity pit, sewer services lid and water services cover and replaced as needed.	1	ITEM	$13,000.00	$13,000.00
SUB-TOTAL					**$165,329**
10% Contingency					**$16,533**
Design					**$9,920**
Project administration					**$6,613**
CONSTRUCTION COST ESTIMATE					**$198,395**

COUNCIL FUNDED WORKS					
ITEM	**DESCRIPTION**	**QUANTITY**	**UNIT**	**RATE $**	**AMOUNT $**
1.00	**GENERAL**				
1.01	Initial site establishment and set up, decamping and site cleanup and other fixed costs up to time of completion of works.	1	ITEM	$7,985.00	$7,985.00
1.02	Traffic management costs.	1	ITEM	$2,000.00	$2,000.00
2.00	**EARTHWORKS & DEMOLITION**				
2.01	Excavation and disposal of all materials to limits of work as indicated on plan, including trimming for new road pavement, excavation of soft spots and removal of concrete.	118	m^3	$60.00	$7,080.00
2.02	Saw-cutting of Asphalt paving.	124	m	$10.00	$1,240.00
2.03	Saw-cut of concrete paving	37	m	$10.00	$370.00
2.04	Saw-cut of concrete kerb and channel	27	m	$10.00	$270.00
3.00	**PAVEMENT WORKS**				
3.01	150mm compacted depth Class 2 20mm crushed rock, supplied, spread and compacted.	33	m^3	$120.00	$3,960.00
3.02	150mm compacted depth Class 3 40mm crushed rock, supplied, spread and compacted.	16	m^3	$100.00	$1,600.00
3.03	30mm compacted depth 10mm nominal size type N Asphalt spread and compacted including emulsion prime & grit using a paver.	140	m^2	$35.00	$4,900.00
4.00	**DRAINAGE PITS**				
4.01	Modify existing Side Entry pit to Bike safe Grated Junction pit to match new finished surface level, supply and fit Grated cover.	1	No.	$800.00	$800.00
4.02	1set - of 2 pcs New Standard Weepa (weep holes) with 90mm Extension Dimension of weep holes 75W x 20H x 195D spaced @ 1.0m on center	83	No.	$6.00	$498.00
4.03	20mm aggregate backfill for drainage	7.3	m^3	$110.00	$803.00

	zone 250mm x 450mm (or 250mm) enveloped with geo-textile as per plan.				
5.00	**CONCRETE WORKS KERBING:**			`	
5.01	Remove existing concrete kerb and construct modified SM2 Semi-mountable kerb and channel 600mm wide as per plan and reinstate nature strip.	25	m	$156.00	$3,900.00
5.02	Concrete pram crossing 1.5m wide, including fine crushed rock bedding.	2	No.	$250.00	$500.00
	CONCRETE WORKS PAVING:				
5.03	175mm (32 Mpa) concrete paving with SL82 mesh including crushed rock bedding and reinstate nature strip.	129	m^2	$140.00	$18,060.00
5.04	Reinforced Concrete Retaining Wall and Footing with SL72 mesh including 75mm compacted depth Class 3 FCR bedding and reinstate nature strip as per plan.	85	m	$165.00	$14,025.00
6.00	**SIGNING, LINE-MARKING AND FENCING**				
6.01	Relocation of permanent signs and posts as per plan.	1	No	$250.00	$250.00
7.00	**PROVISIONAL ITEMS**				
7.01	Adjust level of existing telstra pit, electricity pit, sewer services lid and water services cover and replaced as needed.	1	ITEM	$2,000.00	$2,000.00
SUB-TOTAL					**$74,503**
10% Contingency					**$7,450**
Design					**$4,470**
Project administration					**$2,980**
CONSTRUCTION COST ESTIMATE					**$89,404**

Appendix 2

Benefit Ratio – Schedule 'B'

A Purpose

To construct a footpath in Thompson Road, North Geelong to provide all weather pedestrian access for property owners and the wider community. The project also includes kerb return modification works to improve vehicular and pedestrian safety

B Coherence

The works will provide a physical pathway connection between Morgan Street and Recreation Reserve and will provide a special benefit to adjoining and remote properties.

C

Total Estimated cost of works	**$287,799**
Direct funding by Council to reinstate existing footpath and driveways, new kerb and channel for kerb return modification at Rodney Road, asphalt pavement reinstatement and reinforced concrete retaining wall and footing.	**$89,404**
Total Cost of Footpath Construction	**$198,395**

D Identify Special Beneficiaries

35 properties with frontages to the proposed footpath are considered to receive access and amenity benefits.

E Properties to include

The 35 abutting properties receive both access and amenity benefits. Therefore:
Total Special Benefits (in) is apportioned to 35 properties
There is one (1) Council owned property in the scheme. Therefore:
Total Special Benefits out of the scheme is apportioned to one property.

F Estimate of Total Special Benefits

For this scheme, benefit will be apportioned on the basis of access and amenity by way of a Benefit Unit (BU). We shall assume that the makeup of the BU for each property comprises 1/2 BU of amenity and 1/2 BU for access benefits. The Council owned property shares the same access and amenity benefit as the private properties. A summary of the special benefits is shown in table form below:

	35 Private Properties TSB (in)	1 Council Property TSB (out)
Access	17.5 BU	0.5 BU
Amenity	17.5 BU	0.5 BU
Total Special Benefits	35 BU	1.0 BU

TSB (in) 35 BU

TSB (out) 1 BU

G Estimate of Total Community Benefit -TCB

It is considered that people in the community will receive a benefit from the works as the pathway is used to access other areas. Estimated pedestrian use of the footpath is 20% for the abutting property owners and 80% for the wider community. There are no amenity benefits considered for the wider community. If 20% of access benefit represents a total of 18 BU, 80% will represent 72BU.

TCB 72 BU

H Calculate "Benefit Ratio" - R

$$\text{Benefits Ratio} = \frac{\text{TSB (in)}}{\text{TSB (in)} + \text{TSB (out)} + \text{TCB}} = \frac{35}{35 + 1 + 72} = \mathbf{0.32}$$

I Maximum Total Levy (S)

Maximum Total Levy S = R X C	**$64,295**
Council Contribution to Special Charge Scheme	$134,100

Appendix 3

SCHEDULE 'C'

SPECIAL CHARGE SCHEME FOR FOOTPATH CONSTRUCTION

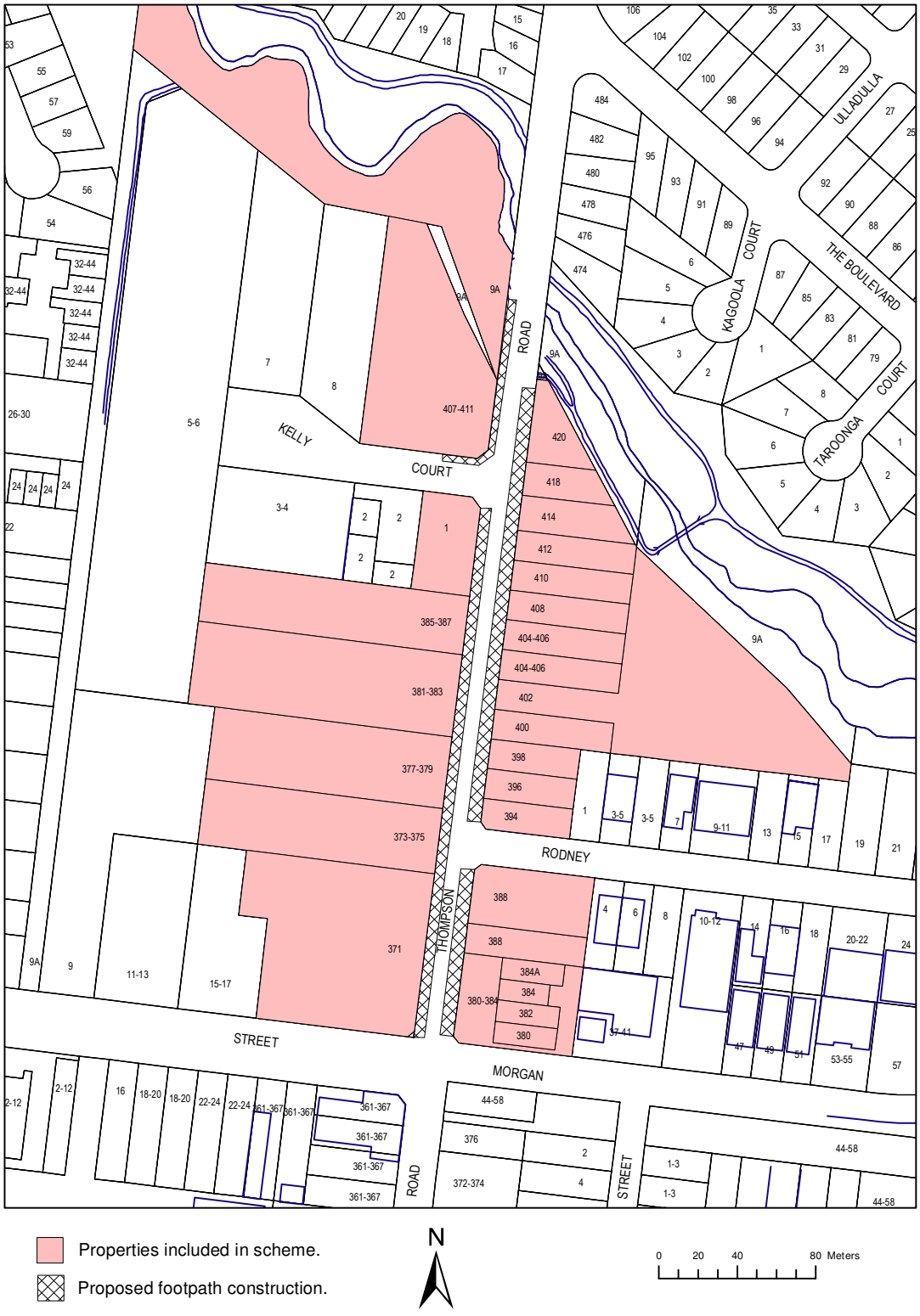
THOMPSON ROAD, NORTH GEELONG

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
Prop Key	**Address**	**Legal Details**	**Apportionable frontage (m)**	**Access Benefit**	**Amenity Benefit**	**Footpath Cost**
280171	380 Thompson Road, NORTH GEELONG	Lot 4 RP 15195	9.21	$518.50	$728.82	**$1,247.33**
280172	382 Thompson Road, NORTH GEELONG	Lot 3 RP 15195	9.21	$518.50	$728.82	**$1,247.33**
280173	384 Thompson Road, NORTH GEELONG	Lot 2 RP 15195	7.39	$518.50	$584.72	**$1,103.23**
280174	384A Thompson Road, NORTH GEELONG	Lot 1 RP 15195	9.21	$518.50	$728.82	**$1,247.33**
348297	386 Thompson Road, NORTH GEELONG	Lot 14 LP 93927	15.24	$1,037.01	$1,205.97	**$2,242.98**
298770	388 Thompson Road, NORTH GEELONG	1/2 Share of CP 155275	0.00	$1,037.01	$0.00	**$1,037.01**
280177	390 Thompson Road, NORTH GEELONG	1/2 Share of CP 155275	0.00	$518.50	$0.00	**$518.50**
280178	394 Thompson Road, NORTH GEELONG	Lot 1 LP 117090	1.73	$518.50	$136.90	**$655.40**
280179	396 Thompson Road, NORTH GEELONG	Lot 2 LP 117090	8.28	$1,037.01	$655.21	**$1,692.22**
280180	398 Thompson Road, NORTH GEELONG	Lot 3 LP 117090	1.20	$1,037.01	$94.96	**$1,131.97**
280181	400 Thompson Road, NORTH GEELONG	Lot 8 LP 93927	15.24	$1,037.01	$1,205.97	**$2,242.98**
280182	402A Thompson Road, NORTH GEELONG	1/3 Share of Lot 18 LP 114984	3.02	$1,037.01	$238.98	**$1,275.99**
319642	402B Thompson Road, NORTH GEELONG	Lot 26 LP 114984, 1/3 Share of Lot 18 LP 114984	3.02	$1,037.01	$238.98	**$1,275.99**
319643	402C Thompson Road, NORTH GEELONG	1/3 Share of Lot 18 LP 114984	3.02	$1,037.01	$238.98	**$1,275.99**
280183	404-406 Thompson Road, NORTH GEELONG	Lot 6 LP 93927, Lot 5 LP 93927	1.05	$1,037.01	$83.09	**$1,120.10**
280184	408-410 Thompson Road, NORTH GEELONG	Lot 4 LP 93927, Lot 3 LP 93927	16.60	$1,037.01	$1,313.59	**$2,350.60**
280185	412 Thompson Road, NORTH GEELONG	Lot 2 LP 93927	0.64	$1,037.01	$50.64	**$1,087.65**
280186	414 Thompson Road, NORTH GEELONG	Lot 3 PS 503554	6.42	$1,037.01	$508.03	**$1,545.04**
280187	416 Thompson Road, NORTH GEELONG	1/2 Share of Lot 4 PS 503554	4.58	$1,037.01	$362.03	**$1,399.04**

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
Prop Key	**Address**	**Legal Details**	**Apportionable frontage (m)**	**Access Benefit**	**Amenity Benefit**	**Footpath Cost**
280188	418 Thompson Road, NORTH GEELONG	1/2 Share of Lot 4 PS 503554	4.58	$1,037.01	$362.03	**$1,399.04**
280189	420 Thompson Road, NORTH GEELONG	Lot 2 PS 503554	16.27	$1,037.01	$1,287.47	**$2,324.48**
280236	PARENT - 371 Thompson Road, BELL PARK	Lot 1 TP 164072 Ppsd Lots 1& 2 PS 641441	0.00	$0.00	$0.00	**$0.00**
344759	371 Thompson Road, BELL PARK	Pt Lot 1 TP 164072 Ppsd Lot 2 PS 641441	58.54	$518.50	$4,632.38	**$5,150.88**
280237	373-375 Thompson Road, BELL PARK	Lot 1 LP 145062	15.03	$1,037.01	$1,189.35	**$2,226.36**
301812	377 Thompson Road, BELL PARK	1/3 Share of Lot 2 LP 210814	12.70	$1,037.01	$1,004.97	**$2,041.98**
301813	1/379 Thompson Road, BELL PARK	1/3 Share of Lot 2 LP 210814	6.35	$1,037.01	$502.49	**$1,539.50**
311847	2/379 Thompson Road, BELL PARK	1/2 Share of Lot 2 LP 210814	6.35	$1,037.01	$502.49	**$1,539.50**
280239	1/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280240	2/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280241	3/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280242	4/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280243	5/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280244	6/381-383 Thompson Road, BELL PARK	1/6 Share of Lot 2 PS 641531	5.00	$1,037.01	$395.66	**$1,432.67**
280245	385-387 Thompson Road, BELL PARK	Lot 5 LP 208936	24.03	$1,037.01	$1,901.54	**$2,938.55**
278564	1 Kelly Court, BELL PARK	Lot 6 LP 210814	45.77	$518.50	$3,621.86	**$4,140.37**
280247	407-411 Thompson Road, BELL PARK	Lot 4 LP 208205	71.58	$1,037.01	$5,664.26	**$6,701.27**

Appendix 4

Plan



Attachment 1

PROCESS CHART

SPECIAL CHARGE PROJECTS – (Section 163 – Local Government Act 1989)

THOMPSON ROAD, NORTH GEELONG

Stage	***Status***	***Description***
Approval to prepare scheme	✓	Decision made to prepare scheme following consideration of surveys of residents and feed back from the community via informal survey. Council may then place the project in the budget system or proceed immediately to prepare a scheme. Scheme preparation involves survey, design and preparation of an apportionment of costs.
Intention to Declare Scheme	✓	Report to Council providing information on scheme including advice of impending advertising of scheme and declaration of charge. Seeks Council approval by resolution to proceed with process.
Advertisement		The scheme is advertised in the local newspaper and all allotted property owners are notified by mail. This advertisement indicates Council's intention and notification to 'declare' a scheme in a month's time.
Submissions		From the time of advertising property owners have 28 days (as set down by the Local Government Act) to lodge submissions, either in support or opposition to the scheme.
Submissions Review Panel Hearing		A Submissions Review Panel is convened (quorum of three Councillors) and meets to consider submissions. Some submissions are written only, and other submitters may wish to be heard before the Panel. The Panel makes a recommendation to Council regarding the scheme.
Declaration Report		Any time 28 days after advertising the scheme and after the Submissions Review Panel has met and considered submissions, Council considers a report and may proceed to "declare" the charges in accordance with its advertised intent. Subsequent to this the Finance Manager issues the levy notices and there is a formal charge placed on the property. This is the final step in the process for Council to make a decision on the scheme.
Appeal		Property owners may lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT) within one month of issue of the levy notice. An appeal is listed, heard and determined by the Tribunal and this process generally takes three to four months. Decisions made by VCAT are binding on all parties.
Construction		Council may then proceed to construct the works. Invoices are issued seeking payment of the estimated cost within one month of commencement.
Final Cost Report		At the completion of the works the scheme is "finalised" taking into account actual costs incurred and payments are adjusted accordingly.

ASSEMBLY OF COUNCIL RECORD

Source: **Strategy & Performance**
A/General Manager: **William Tieppo**

Summary

- Section 80A (2) of the Local Government Act 1989 requires the record of an Assembly of Council be reported to the next practicable Ordinary Meeting of Council.
- A record of Assembly of Council meeting(s) is attached as an Appendix to this report.

P Dorling moved, L Gardner seconded -

That the information be received.

Carried.

RECORD OF ASSEMBLIES OF COUNCIL
(Council Meeting 27 September 2016)

Assembly Details	Administrators	Officer Attendees	Agenda Items	Conflict of Interest Disclosures
Council Briefing **9 August 2016**	Dr Kathy Alexander Peter Dorling	K Spiller (CEO) W Tieppo (GM) B Luxford (GM) D Frost (GM) P Bettess (GM) L Quinn (GM) A Keen (MGR) K Pritchard (MGR) D Lever (AUDITOR) R Bourke (CO ORD)	• Future of the NDIS – Full Scheme Roll Out *(Confidential)* • Appointment of Two External Members to the Audit Advisory Committee *(Confidential)* • CEO Quarterly Headline Report – April to June 2016 • Road Renaming – Dog Leg Lane to Timms Lane – Geelong West • Adoption of Amendment C337 – Correction of planning Scheme Anomalies • Armstrong Creek – Early Acquisition of Land at 150 Reserve Road, Charlemont *(Confidential)* • Central Geelong 40Km/Hr Speed Zone • T1600012 – Supply of Concrete and Concrete Works	• Nil.
Community Engagement *(Lara)* **10 August 2016**	Dr Kathy Alexander Peter Dorling	K Spiller (CEO) W Tieppo (GM) B Luxford (GM) D Frost (GM) K Van Slageren (A/GM) M Kuhn (A/GM) A Keen (MGR) G Russell (MGR) T McDonald (MGR) S Rayner (CO ORD) R Bourke (CO ORD)	• Opportunity for residents to raise local issues and to raise issues/questions relevant to the Council Meeting Agenda of 16 August 2016	• Nil.

Assembly Details	Administrators	Officer Attendees	Agenda Items	Conflict of Interest Disclosures
Strategic Workshop (Budget Briefing) **16 August 2016**	Dr Kathy Alexander Peter Dorling	K Spiller (CEO) W Tieppo (GM) B Luxford (GM) D Frost (GM) P Bettess (GM) L Quinn (GM) G Russell (MGR) A Keen (MGR) M Kelly (MGR) K Fulton (CO ORD)	• Carry Over Funding for Capital & Non Capital • Borrowing Strategy 2016-2017 • Funding Options for Central Activities Area Development – Central Geelong Action Plan • Verbal Update Prior to Special Meeting re Annual Accounts	• Nil
Strategic Workshop **6 September 2016**	Dr Kathy Alexander Laurinda Gardner Peter Dorling	K Spiller (CEO) B Luxford (GM) V Shelton (A/GM) P Bettess (GM) S Boer (A/GM) T Hellsten (A/GM) A Keen (MGR) R Anderson (CO ORD) S Storen (CO ORD) A Ross (MGR) H Rutledge (MGR)	• Presentation - Royal Geelong Yacht Club • Presentation – Alcoa • Presentation – G21 • Financial Review • Civic Accommodation Review • Review of Local Government Act • Central Geelong Laneways Project	• Nil.
Council Briefing **13 September 2016**	Dr Kathy Alexander Laurinda Gardner Peter Dorling	K Spiller (CEO) V Shelton (A/GM) B Luxford (GM) L Quinn ((GM) P Bettess (GM) S Boer (A/GM) A Keen (MGR) T Mordaunt (OFF) B Renouf (CO ORD) J Thomas (OFF) R Bourke (CO ORD)	• Amendment C321 & Permit 1234/2014 Geelong Rd, Portarlington – Consider Panel Report • Amendment C328 (Part 1) Barwon Water Surplus Property – Adoption of Amendment • Amendment C345 – 530 Bacchus Marsh Road, Lara – Adoption of Amendment • Amendment C346 - Ocean Grove Structure Plan and Urban Design Framework – Consideration of Panel Report and Adoption • Amendment C348 – 1-5 Ballarat Road, North Geelong – Adoption of Amendment • Ocean Grove Significant Tree Project • Proposed Planning Scheme Amendment to Apply a Public Acquisition Overlay on Land at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont	• Nil.

			• Proposed Planning Scheme Amendment to Apply a Public Acquisition Overly on Land at 1-87 Groves Road, Armstrong Creek and 109-215 Sparrovale Road, Charlemont • Development Contribution Plans – Annual Report • Section 173 Agreement – Anco Seed and Turf Pty Ltd and City of Greater Geelong • Road Renaming of the North-South Section Benita Place, Leopold • Tender and Award: Hendy Street Children & Family Centre • Sale and Purchase of Lane – Use of CEO Delegation • Delegations and Authorisation – Council to Staff • Saleyards • Draft Greenhouse Strategy • Thompson Road, North Geelong – Proposed Footpath Construction – SRC350 – Intention to Declare • Tender and Award of Portarlington North East Group of Roads, Portarlington • Tender and Award of Elcho Channel Main Drainage Outfall, Ozone Road, Barwon Heads • Acquisition of Residential Property (Confidential) • Community Grants Program 2015/2016 – Summary of Allocations – 1 January to 30 June 2016 • Renewal of Wicket Maintenance and Development Agreement between the City of Greater Geelong and the Geelong Cricket Association • Administrator's Quarterly Report to the Minister for Local Government	

PLANNING DELEGATIONS - AUGUST 2016

Source: **Planning & Development - 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 Administrators 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.

L Gardner moved, P Dorling seconded -

That the information be received.

Carried.

MONTHLY DELEGATIONS REPORT - AUGUST 2016

App Number	Location	Application Type	Decision Date	Description	Authority Description
PP-1-2016	259-263 Bellerine Street, SOUTH GEELONG VIC 3220	Construct Twenty Eight (28) Dwellings and Subdivide the Land into Twenty Eight (28) Lots.	2/8/2016	No Appeal Lodged Permit Issued	Development Hearings Panel
PP-163-2015	300-400 Broderick Road, LARA VIC 3212	Partial Use and Development of Land for Materials Recycling, Reduction in the Car Parking Requirement and Display of Business Identification and Direction Signage	9/8/2016	Permit Issued - VCAT	VCAT
PP-1664-2015	PARENT - 134 Bailey Street, GROVEDALE VIC 3216	Development of Land for Warehouses, Multi-Lot Industrial Subdivision, Display of Business Identification Signage and Reduction in the Requirement to Provide Car Parking	22/8/2016	NOD - Planning Permit	Development Hearings Panel
PP-33-2007	13 York Street, GEELONG VIC 3220	For the construction of four (4) storey apartment building comprising of six (6) dwellings and a partial waiver of the car parking requirement	24/8/2016	Extended Planning Permit	Delegated Authority
PP-433-2016	13/73 The Terrace, OCEAN GROVE VIC 3226	Change of Use to Indoor Recreation Facility (Group Training)	5/8/2016	NOD - Planning Permit	Development Hearings Panel
	13/73 The Terrace, OCEAN GROVE VIC 3226	Change of Use to Indoor Recreation Facility (Group Training)	30/8/2016	No Appeal Lodged Permit Issued	Development Hearings Panel
PP-521-2016	179 Station Street, CORIO VIC 3214	Change of Use to a Restricted Recreation Facility (Mixed Martial Arts Academy)	22/8/2016	Refusal to Grant a Planning Permit	Development Hearings Panel
PP-625-2016	2 Verner Street, SOUTH GEELONG VIC 3220	Display of Internally Illuminated Promotion Signage	5/8/2016	NOD - Planning Permit	Development Hearings Panel
	2 Verner Street, SOUTH GEELONG VIC 3220	Display of Internally Illuminated Promotion Signage	30/8/2016	No Appeal Lodged Permit Issued	Development Hearings Panel
PP-665-2016	5 Coogee Court, BARWON HEADS VIC 3227	Buildings and Works for the Construction of Two (2) Dwellings and Two (2) Lot Subdivision	22/8/2016	NOD - Planning Permit	Development Hearings Panel
PP-122-2016	37 Bell Parade, DRUMCONDRA VIC 3215	Construction of Two (2) Dwellings and a Two (2) Lot Subdivision	25-Aug-2016	NOD - Delegate	Objectors - 1

PP-1494-2015	67-79 Ibbotson Street, INDENTED HEAD VIC 3223	Multi-Lot Staged Subdivision and Removal of Native Vegetation	5-Aug-2016	NOD - Delegate	Objectors - 4
PP-1528-2015	15 Queens Road, NEWTOWN VIC 3220	Use and Development of a Car Park and Extension of Existing Car Park Associated with Existing Education Centre (St Josephs College)	10-Aug-2016	NOD - Delegate	Objectors - 5
PP-1673-2015	18-22 Mueller Street, PORTARLINGTON VIC 3223	Buildings and Works to the Existing Dwelling and Construction of a Second Dwelling	25-Aug-2016	NOD - Delegate	Objectors - 3
PP-234-2016	396 Latrobe Terrace, NEWTOWN VIC 3220	Use and Development of Two (2) Offices, Construction of Four (4) Dwellings, Six (6) Lot Sub Division, Display of Business Identification Signage, Partial Reduction of Car Parking and Create Access to a Road Zone Category 1	9-Aug-2016	NOD - Delegate	Objectors - 2
PP-409-2016	73 Roslyn Road, BELMONT VIC 3216	Construction of Four (4) Dwellings and Four (4) Lot Subdivision Including Creation of an Easement	18-Aug-2016	NOD - Delegate	Objectors - 4
PP-456-2016	29 Welfare Street, PORTARLINGTON VIC 3223	Construction of Two Dwellings and Two Lot Subdivision	10-Aug-2016	NOD - Delegate	Objectors - 3
PP-494-2016	112 Vines Road, HAMLYN HEIGHTS VIC 3215	Construction of Three (3) Dwellings, Three (3) Lot Subdivision and Creation of Access and Alterations to Access to a Road Zone Category 1	11-Aug-2016	NOD - Delegate	Objectors - 1
PP-5-2016	36 Victoria Terrace, BELMONT VIC 3216	Two (2) Lot Subdivision	2-Aug-2016	NOD - Delegate	Objectors - 3
PP-580-2016	129 Fyans Street, SOUTH GEELONG VIC 3220	Buildings and Works for Construction of Two (2) Warehouses and Reduction of Car Parking Requirement	25-Aug-2016	NOD - Delegate	Objectors - 1
PP-590-2016	21 Huntingdon Street, NEWTOWN VIC 3220	Partial Demolition, Alterations and Additions to a Dwelling, Construction of a Swimming Pool, Deck, Fence and Vehicle Crossing in a Heritage Overlay and Special Building Overlay	16-Aug-2016	NOD - Delegate	Objectors - 1
PP-652-2016	302 Pakington Street, NEWTOWN VIC 3220	Use of Land for a Real Estate Agency and Display of Business Identification Signage including an Internally Illuminated Business Identification Pole Sign	23-Aug-2016	NOD - Delegate	Objectors - 1

PP-737-2016	56 Bunganowee Drive, CLIFTON SPRINGS VIC 3222	Buildings and Works for the Construction of Two (2) Dwellings	3-Aug-2016	NOD - Delegate	Objectors - 2
PP-750-2016	1 Richmond Crescent, GEELONG VIC 3220	Change of Use to Education Centre and Reduction in Car Parking	26-Aug-2016	NOD - Delegate	Objectors - 1
PP-769-2016	Suite No. 2/Level No. 1, 2 Bloomsbury Street, NEWTOWN VIC 3220	Buildings and Works Associated with an Existing Commercial Development	24-Aug-2016	NOD - Delegate	Objectors - 1

CLOSE OF MEETING

As there was no further business the meeting closed at 6.51pm Tuesday, 27 September 2016.

Signed: _____

Dr Kathy Alexander - Chair

Date of Confirmation: _____