

GREATER GEELONG PLANNING SCHEME
AMENDMENT C372
PLANNING PERMIT APPLICATIONS PP662/2017 & 663/2017
EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the City of Greater Geelong Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Taylors Development Strategists on behalf of the proponents, Waurm Ponds Trust and Echin Pty Ltd.

Land affected by the Amendment

The Amendment applies to 35 & 69-93 Hams Road, Waurm Ponds and the Barwon Water reserve located north of the railway line between Ghazeepore Road and Anglesea Road, Waurm Ponds

The Amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act.

Planning permit application 662/2017 applies to 35 Hams Road, Waurm Ponds.

Planning permit application 663/2017 applies to 69-73 Hams Road, Waurm Ponds.

What the amendment does

The Amendment proposes to rezone land at 35 and 69-73 Hams Road, Waurm Ponds from the Farming Zone to the General Residential Zone with a Design and Development Overlay and rezones an adjoining Barwon Water reserve to the Public Use Zone.

Specifically, the Amendment:

- rezones land at 35 & 69-93 Hams Rd, Waurm Ponds from Farming Zone (FZ) to General Residential Zone – Schedule 1 (GRZ1);
- rezones the land within the Barwon Water reserve (north of the railway line) from Farming Zone (FZ) to Public Use Zone (PUZ1);
- introduces and applies a new Design and Development Overlay Schedule 45 (DDO45) to 35 & 69-93 Hams Rd, Waurm Ponds;

The planning permit applications seek approval for: multi-lot subdivision, removal of native vegetation and variations to restrictions and easements.

The planning permits are attached as a separate document to this Explanatory Report.

Strategic assessment of the Amendment

Why is the Amendment required?

Rezoning the subject site from the Farming Zone to the General Residential Zone will allow the subdivision and development of the land for residential use.

The land is the last Farming Zone site inside the Ring Road / Anglesea Rd in this part of the municipality. Strategic justification for rezoning is provided by the Armstrong Creek Urban Growth Plan, the G21 Regional Growth Plan and the City's recently adopted Settlement Strategy.

The site is strategically well located for residential development being close to the Waurm Ponds Railway Station and major roads including Bannip Boulevard, the Ring Road and Ghazeepore Road. It

will provide further housing relatively close to the major employment, education and retail hubs of the Epworth Hospital, Waurn Ponds Shopping Centre and Deakin University.

How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives set out in section 4 of the Planning and Environment Act 1987, which are:

To provide for fair, orderly, economic and sustainable use and development of land.

Development of the land for urban purposes will assist in consolidating the urban setting of the area and result in better use of local facilities.

To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

The subject land contains the waterway of Armstrong Creek which provides important east-west habitat corridors and connectivity through the region. This sensitive area will be protected during the development and converted to open space.

To secure a pleasant, efficient and safe working, living, and recreational environment for all Victorians and visitors to Victoria.

The application contains requirements that regulate the subdivision of land so as to create pleasant residential neighbourhoods in close proximity to jobs, services and recreational facilities.

To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.

Drainage infrastructure will be upgraded to cater for urban development and allow for natural flows into retarding basins or wetlands; urban development is appropriately setback from the power substation; and the Geelong/Warnambool Railway Corridor and Baanip Boulevard traversing the south of the subject site, have appropriate acoustic treatments against associated noise sources.

To balance the present and future interests of all Victorians.

Providing for urban development in the area will ensure additional housing supply for this part of the municipality. It provides an opportunity for a diversity of residential lot sizes and housing types to benefit future generations of residents.

How does the Amendment address any environmental, social and economic effects?

Environmental Effects

There are a number of environmental matters that affect the subject land to be rezoned for residential purposes.

Noise - According to the site's Road Traffic and Rail Noise Assessment completed by MDA (May 2018) the proposed residential development will be impacted by the following sources:

- Train noise from the adjacent railway line
- Noise due to the future train stabling facility
- Traffic noise from the Geelong Ring Road and Baanip Boulevard
- Local commercial or industrial sites and associated operations (e.g. Powercor, which will be assessed by others).

The MDA report prescribes treatments and measures to address the noise impact on the development and these are implemented through the DDO and permit conditions..

Gas Pipeline - SP AusNet operates a high pressure gas pipeline that runs parallel to the western boundary of the land to be rezoned for residential purposes. As a result of a safety management workshop with relevant stakeholders in 2013, all matters of 'threat' were ruled 'controlled' with no further analysis or risk assessment required.

Boral limestone quarry - the site is located proximate to the Boral limestone quarry which is situated to the west and south. Boral's 'Works Authority' and the Planning Scheme requires a 250 metre separation for land 'without blasting' to residential land. Parts of the land being rezoned fall within the 250m buffer and the draft permits and DDO require permission from Earth Resources Regulation Branch of the Department of Jobs, Precincts and Regions prior to this land being developed.

Waterway and Flora and Fauna - An updated flora and fauna assessment was submitted with the application and its findings include:

- The site contains patches of remnant native vegetation primarily in the northern portion of the property. This includes a patch of Grassy Woodland that is located within the Hams Road reserve, other patches of depleted Grassy Woodland now represented largely by remnant native grasses; and wetland and creek line vegetation along the waterway and wetland areas in the northern portion of the study site.
- Some patches of weeds were identified that require management under the Catchment and Land Protection Act, 1994 (documented in the 2014 report).
- The waterway and its wetlands contain the most environmentally sensitive areas within the site and requires careful consideration to avoid adverse impacts at any future design stages.

In terms of the designated waterway, the Corangamite Catchment Management Authority has advised that a 30m vegetated buffer will be required on both sides of the waterway and that the natural creek alignment should be retained. The proposed creation of a creek reserve incorporating the waterway, vegetated buffers and linear open space will result in a good planning and environmental outcome. It will contribute to the rehabilitation of the waterway and formalise this part of the site as a recreational and ecological corridor similar to the approach adopted in the Armstrong Creek Urban Growth Area.

Social and Economic Effects

The positive social effects of the amendment include the provision of further housing choices to the Geelong community. There are a range of lot sizes proposed which would suit different homebuyers and demographics ranging from medium density sites and small conventional house lots to larger allotments of 850 square metre plus along Hams Rd. The future and existing residents in the area will also benefit from improved public open space, shared pathways and road intersection improvements.

An accompanying Section 173 Agreement will require a financial contribution towards community facilities in the Waurin Ponds, Armstrong Creek/.Grovedale area.

The existing residential community to the north and north east of the site have previously expressed concerns about the site's development due to negative impacts of additional population in particular increased traffic movements and smaller residential lots.

Does the Amendment address relevant bushfire risk?

Bushfire and grassfire risk is expected to be minimal for this development given the existing urbanisation of the area and physical infrastructure such as road and rail network.

The 'Bushfire Prone Area' mapping maintained by the State Government identifies the subject land to be included in a Bushfire Prone Area.

The Country Fire Authority (CFA) was consulted and advised it has no objection to the rezoning of the land for residential use. The CFA also provided comments on the planning permit application advising it has no objection but providing several conditions to be included on the permits. As a result, the amendment and draft permits are considered adequately address Bushfire risk as required by Clause 13.02 of the planning scheme.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

The amendment is affected by the Minister's Direction - Strategic Assessment of Amendments under section 12 of the Planning and Environment Act 1987 and complies with this direction.

Ministerial Direction No.1 Potentially Contaminated Land has been considered. The land has been used for agriculture and does not strictly meet the definition of potentially contaminated land as outlined in the Direction. However, the historic farming use, proximity to the electricity sub-station and the reported presence of a livestock dip or spray race (raised previously by a community member) has warranted further investigation. A Preliminary Site Investigation was undertaken by Tonkin and Taylor Jan 2018 to "identify potential sources of historical contamination at the site, the types of contaminants that may be present, and the constraints they may pose for the intended future use (low density and medium density residential)." Based on a review of the site history and the site inspection Tonkin and Taylor did not identify historical activities at the site associated with significant potential contamination.

However, conditions have been placed on the draft planning permits to require further testing and investigation of soil contamination.

The amendment is affected by Ministerial Direction No. 15- The Planning Scheme Amendment Process and complies with this Direction.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment supports the following state policies from the Planning Policy Framework:

- Clause 11.01-1S Settlement - The amendment supports this policy as it will facilitate residential growth in an orderly manner located close to educational and community services in a broader established residential context.
- Clause 11.01-1R Settlement Geelong (G21) - The amendment supports this policy as the area is identified to support planned growth and optimises the use of existing infrastructure and services.
- Clause 15.01-1S Urban Design – The proposed rezoning, subdivision layout and open space are considered to meet the objective: “To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.”

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment supports and implements the following policies from the Local Planning Policy Framework:

- Clause 21.02 City of Greater Geelong Sustainable Growth Framework – by providing a logical consolidation of development within an established and growing urban area.
- Clause 21.04 Municipal Framework Plan – through delivering new residential land within an area identified as urban and adjacent to areas identified as urban growth areas.
- Clause 21.06 Settlement and Housing discusses the importance of urban consolidation. The proposal supports this policy by locating development in an area that is well serviced and has the capacity to accommodate sustainable development.
- Clause 21.08 Development and Community Infrastructure – via delivery of new residential land near existing and planned infrastructure and transportation.
- Clause 21.11 Armstrong Creek Urban Growth Area – the rezoning the land adds to the residential opportunities provided in the Armstrong Creek growth area and will help support facilities proposed near the Waurin Ponds railway station. The proposed development also continues the creek reserve / biodiversity corridor outlined within the framework plan along Armstrong Creek.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victorian Planning provisions in so far as:

- Applying the General Residential Zone (Schedule 1) to the land to be used for residential purposes.
- Introducing and applying a new schedule to the Design and Development Overlay to ensure future subdivision permits consider the interface with the residential area to the north, reinstatement of the east-west waterway and a safe and connected transport network including walking and cycling paths.
- Applying the Public Use Zone 1 to land owned by Barwon Water as the appropriate zone rather than Farming Zone.

How does the Amendment address the views of any relevant agency?

The proponent and Council have worked closely with a number of agencies during the pre-application stage. Agencies have provided comments on the amendment application and also conditions which have been incorporated into the two planning permits being exhibited alongside the amendment.

As part of the formal exhibition of the amendment, relevant agencies will be further notified and requested to provide comments on the exhibited documents.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

There are no significant impacts on the transport system as defined by the Transport Integration Act 2010. The amendment is supported by a traffic report, which outlines the road infrastructure required as a result of the residential development of the subject land.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The proposed amendment may trigger planning permit applications as a result of the new planning controls. However, the amendment will not pose unreasonable resource and administrative costs on Council in its normal capacity as the Responsible Authority.

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, Ground Floor, 100 Brougham Street. GEELONG – 8.00am to 5.00pm weekdays
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'Amendments' section of the City's website www.geelongaustralia.com.au/amendments/

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority.

Submissions about Amendment C372 and Planning Permits PP662/2017 & 663/2017 should be received by **Friday 26 April 2019** and addressed to:

The Coordinator
Strategic Implementation
City of Greater Geelong

- either by mail to: PO Box 104, GEELONG VIC 3220
- or by email to: strategicplanning@geelongcity.vic.gov.au
- or lodged online at: www.geelongaustralia.com.au/amendments

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week of Monday 22 July 2019
- panel hearing: Week of Monday 19 August 2019