



MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 12 December 2017

Held at the
Council Conference & Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 6.35pm

COUNCIL:

Cr B Harwood (*Kardinia Ward*)
Mayor

Cr S Asher (*Bellarine Ward*)
Cr J Mason (*Bellarine Ward*)
Cr T Sullivan (*Bellarine Ward*)

Cr E Kontelj (*Brownbill Ward*)
Cr S Mansfield (*Brownbill Ward*)
Cr P Murrihy (*Brownbill Ward*)

Cr R Nelson (*Kardinia Ward*)
Cr P Murnane (*Kardinia Ward*)

Cr A Aitken (*Windermere Ward*)
Cr K Grzybek (*Windermere Ward*)

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**MINUTES OF THE ORDINARY MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL, LITTLE MALOP STREET, GEELONG
TUESDAY, 12 DECEMBER 2017
COMMENCING AT 6.35PM**

PRESENT: Cr B Harwood (Mayor), Crs A Aitken, S Asher, K Grzybek, , E Kontelj,
S Mansfield, J Mason, P Murnane, P Murrihy, R Nelson, T Sullivan

Also present: K Spiller (Chief Executive Officer), K Walsh (Director Manager Planning
and Development), B Luxford (Director Investment & Attraction),
G Wilson-Browne (Director City Services), Ian Hicks (Acting Director
Community Life), P Anderson (Director Finance & Strategy),
R Leonard (Executive Manager Legal Services & Governance)

OPENING: The Chair declared the meeting open at 6.35pm

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.

APOLOGIES: Nil

CONFIRMATION OF MINUTES:

Cr Kontelj moved, Cr Grzybek seconded -

That the Minutes of the Ordinary Meeting held on 28 November 2017 be noted.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

QUESTION TIME:

Helen Freeman asked will Council review its policy to fund Bellarine Bayside given that the foreshore, not the pier or harbour is the key tourist attraction. Council's lack of financial resources should be reconsidered. Ratepayers deserve this.

The Mayor took the question of notice for a written response.

Peter Anderson responded one of the actions in relation to funding is for Council officers to bring back a report to Council in the New Year outlining what the costs and implications might be.

Jenny Illingworth submitted a question in relation to the grasses on the side of the roads from the Bellarine into the City, which will be responded to in writing.

Gary Saunders asked what is Council doing in regards to the road maintenance in and around Geelong in particular Broderick Road.

The Mayor responded that he was aware of the major issue in relation to the condition of our roads and Council, in partnership with VicRoads, are working together towards a long term solution.

Guy Wilson-Browne added he recently went out to the location so fully understands the problem. Council will be doing all they can to bring forward rehabilitation works at this location.

Jennifer Bantow asked:

- 1) Would Council please consider listing permit applications that go to DELWP in the Council Notices and have the details available at the Council Planning Department?
- 2) Would Council please meet with the National Trust to discuss heritage matters generally?

Cr Harwood asked Ms Bantow to make contact with his Executive Assistant or Planning officers to arrange a suitable meeting time.

PETITIONS: Nil.

**1. PROPOSED GREATER GEELONG PLANNING SCHEME AMENDMENT
C357 - PUBLIC ACQUISITION OVERLAY (PAO) ON LAND AT 1-87 GROVES
ROAD, ARMSTRONG CREEK AND 109-215 SPARROVALE ROAD,
CHARLEMONT**

Source: Planning and Development
Director: Kelvin Walsh
Index Reference: Amendment C357

Purpose

To recommend that Council adopts Planning Scheme Amendment C357 (the Amendment) as exhibited and refers it to the Minister for Planning for approval.

Background

The Amendment proposes a Public Acquisition Overlay (PAO) on approximately 420 hectares of land at 109-215 Sparrovale Road, Charlemont known as "*Sparrovale Farm*" and the entire land parcel at 1-87 Groves Road, Armstrong Creek known as "*Cold Winds*". Both parcels of land are required for end-of-line drainage for the Armstrong Creek Horseshoe Bend Precinct. **Attachment 2** shows the location of the subject land parcels.

The Horseshoe Bend Precinct Structure Plan (HBPSP) and the Horseshoe Bend Development Contributions Plan (HBDGP) were incorporated into the Greater Geelong Planning Scheme in November 2014.

Development within the Horseshoe Bend Precinct is limited until the parcels of land at 109-215 Sparrovale Road, Charlemont and 1-87 Groves Road, Armstrong Creek (referred to above) are acquired for the purposes of an end-of-line drainage solution for the management of storm water for the precinct. Drainage onto the land will protect the Ramsar wetlands system to the east and will allow the land to be ultimately developed as public open space (Sparrovale Wetlands).

Both developer and Council attempts to negotiate the purchase of the two land parcels, which are the subject of the Amendment, have been unsuccessful. As a result Council resolved, on 27 September 2016, to seek Ministerial Authorisation to exhibit the Amendment. The Amendment was exhibited between 12 December 2016 and 15 February 2017. Submissions were referred to an Independent Panel (the Panel) appointed by the Minister for Planning. The Panel Hearing was held on 6 and 7 September 2017 and a copy of the Panel report is provided in **Attachment 3**.

Key Issues

- Ten submissions were received in respect of the Amendment, including 3 objections. Two of the objections, being objections by the land owners which are the subject of the Amendment, were withdrawn prior to the Panel hearing.
- After considering the remaining objection, the Panel recommended that the Amendment be adopted as exhibited.
- The PAO will allow Council to commence compulsory acquisition processes in accordance with the Land Acquisition and Compensation Act 1986 (LACA).
- Delivery of the of the drainage solution is vital for the on-going development of the Horseshoe Bend Precinct and the majority of the Armstrong Creek growth area and will require Council funding in addition to funds from developer contributions.

Cr Nelson moved, Cr Murnane seconded -

That Council resolves to:

- 1) Adopt Planning Scheme Amendment C357 in the form as exhibited between 12 December 2016 and 15 February 2017; and**
- 2) Refer the adopted Amendment C357 to the Minister for Planning for approval.**

Carried.

Attachment 1

Financial Implications

The acquisition cost for the Amendment land parcels are part funded as separate projects within the HBDCP.

As a result of the land being acquired under the provisions of the LACA, developer contributions funding is insufficient to give effect to the acquisition.

Latest estimate of projects associated with the Amendment over a five year period are shown in the following table and can be compared to estimates included in the four year Strategic Resource Plan (SRP) adopted as part of the 2017-18 Budget.

Year	Latest Estimate	2017-18 SRP	Variance (Inc.) / Dec
2017-18	\$4.7m	\$4.7m	\$0
2018-19	\$9.5m	\$1.8m	(\$7.7m)
2019-20 +	\$2.8m	\$2.6m	(\$0.2m)
Subtotal	\$17.0m	\$9.1m	(\$7.9m)

Council can be expected to recover cash from the HBDCP over the next twenty years. However, in the short term the funding requirements are assumed as loan borrowings and form part of Council's borrowing commitments in the four year SRP. Council's loan borrowings will need to be increased for 2018-19 and beyond and this will need to be factored into the 2018-19 SRP calculations.

An audit of the total projected cost of infrastructure, land acquisition, and other developer contributions items within the Armstrong Creek Urban Growth Area is currently being undertaken. This cost, together with projected revenue from other sources, will be included in a report to Council early in 2018 together with a funding strategy to ensure commitments can be met.

The shortfall in funding for the land acquisition will be recovered from an adjustment to forward project commitments for Armstrong Creek. A full analysis of Developer Contribution Plans is underway as well as a review of funding available for Armstrong Creek infrastructure.

Community Engagement

The Amendment was exhibited between 12 December 2016 and 15 February 2017. Ten submissions were made to the Amendment including 3 objections. Two of the objections were from the land owners which are the subject of the amendment. Those objections were withdrawn 3 days prior to the Panel hearing commencing. The remaining objection was considered by the Panel.

Social Equity Considerations

The preparation and exhibition of the Amendment has been undertaken in accordance with Council's Social Equity principles.

Communications were designed to address the particular needs and obstacles faced by priority areas and groups and all consultation was conducted with the aim of fully understanding the needs and wants of the affected land holders.

Policy/Legal/Statutory Implications

The Amendment is in accordance with the vision and intent of both the HBPSP and HBDCP. Both documents are incorporated into the Greater Geelong Planning Scheme and Council is bound, in accordance with the *Planning and Environment Act 1987*, to deliver the nominated infrastructure items.

The land acquisition component of the amendment is subject to the provisions of the LACA.

Alignment to City Plan

The Armstrong Creek Urban Growth Plan is nominated in the City Plan as integral to the delivery of Council's *Sustainable built and natural environment* strategic direction.

The delivery of the Sparrovale Wetlands will result in significant enhancement to an existing ecosystem whilst ensuring that the urban development occurring now, and into the future, will have a significantly reduced negative environmental footprint.

In addition, the wetlands will also provide significant areas of passive open space which contributes to the *Community Wellbeing* strategic direction in the City Plan.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

Development within the Horseshoe Bend Precinct is limited until such time as the land for drainage is secured and made available to receive storm water runoff.

Council has issued planning permits for approximately 3,500 lots since the HBPSP was incorporated into the Greater Geelong Planning Scheme. Dependent on location within the Precinct, and the direction of storm water flow, all the planning permits issued for development with the Horseshoe Bend Precinct have a condition that restricts development to either a total number of hectares or 25% of approved lots. The condition is a direct response to Appendix 9 of the HBPSP which summarises the development limits nominated in the Horseshoe Bend Storm Water Management Strategy.

Strong residential land sales within the Horseshoe Bend Precinct has resulted in development having reached the threshold. As a result, construction on the 3 active residential estates in the precinct may soon be forced to cease until the Sparrovale Wetlands are acquired and commissioned to receive storm water.

The application of a PAO will result in financial risks associated with the compulsory acquisition process and the consequent heads of compensation and other land owner costs that will be paid.

Environmental Implications

There are a number of positive environmental outcomes that will be achieved through the purchase and establishment of the Sparrovale Wetlands.

The primary purpose of the Sparrovale Wetlands is the establishment of a fully functioning storm water management system, in accordance with the Horseshoe Bend Storm Water Management Strategy, utilising principles of Water Sensitive Urban Design (WSUD).

The treatment of storm water using WSUD principles significantly reduces the negative impact that untreated storm water has on our rivers, bays and beaches.

The Sparrovale Wetlands will, when operational, will have a positive impact on the overall health of our waterways by:

- reducing the speed of urban storm water runoff during rain events reducing erosion potential; and
- removing rubbish and reducing the nutrient levels in the water.

The Sparrovale Wetlands will also, when fully constructed, receive seasonal flows from the Armstrong Creek. Diversion of seasonal flows to the Sparrovale Wetland removes the risk of any potential harm to the Ramsar listed Connewarre wetland system from an increase in the volume of freshwater entering the system as a result of urban development.

Drainage implications

Clause 56.07-4 of the Greater Geelong Planning Scheme nominates a number of requirements that need to be met to maintain pre-development flows and meet best practice in storm water treatment and management for urban development. The HBPSP and Horseshoe Bend Storm Water Management Strategy also set expectations that must be met to manage storm water during and post urban development.

The acquisition of the entire land parcel at 1-87 Groves Road and that part of the land parcel at 109-215 Sparrovale Road that is subject to inundation during 1 in 100 year flood events is key to the management of storm water generated by the development of the Horseshoe Bend Precinct but can also accommodate seasonal flows from the neighbouring Armstrong Creek.

Parkland benefits

There will be significant passive recreation benefits to the wider community as a result of acquisition.

The *Barwon River Parklands Strategy* 2011 and the G21 Implementation Plan both nominate significant linear open space areas along the Barwon River which are envisioned to provide a contiguous passive recreation and pathway link between Geelong and Barwon Heads. The river frontage of Sparrovale Farm will contribute a significant area of land for this purpose.

Whilst a vision for the development of the area around the wetlands is yet to be established the significant land area may offer walking trails, bird watching, heritage interpretation opportunities and environmental interpretation, education and protection.

The Panel and Panel Report

The Amendment was considered by the Panel with Amendment C360 (which is not the subject of this Report, but affects neighbouring land).

A total of 10 submissions were received during exhibition of the Amendment. Of these, 3 were objections to the proposed PAO, two of those being land owner objections. The land owner objections were withdrawn prior to the Panel hearing commencing, with the remaining objection being considered by the Panel during its assessment of submissions and is discussed below.

The Panel was convened on September 6 and 7 2017 during which time Panel heard submissions in support of the Amendment from Council, the Dennis Family Corporation on behalf of their Ashbury Estate development, Spiire on behalf of the developer of the Charlemont Rise Estate, the Department of Environment, Land, Water and Planning and ID Land on behalf of their Watermark Estate development.

The remaining objection related to current flooding being generated by development on the west side of Barwon Heads Road. The Panel sought advice from a water modelling expert who indicated that the current flooding of the area surrounding the objectors property would cease once the infrastructure nominated in the Horseshoe Bend Storm Water Management Strategy is constructed. This includes the proposed retarding basin and overland flow path that is the subject of Amendment C360 and the Sparrovale Wetlands.

The Panel were satisfied that the amendment is technically appropriate and that Council should work with developers to mitigate flooding risks to downstream properties prior to the construction of all the drainage infrastructure nominated in the HBPSP and HBDCP.

The Panel recommended that the Amendment be adopted, as exhibited.

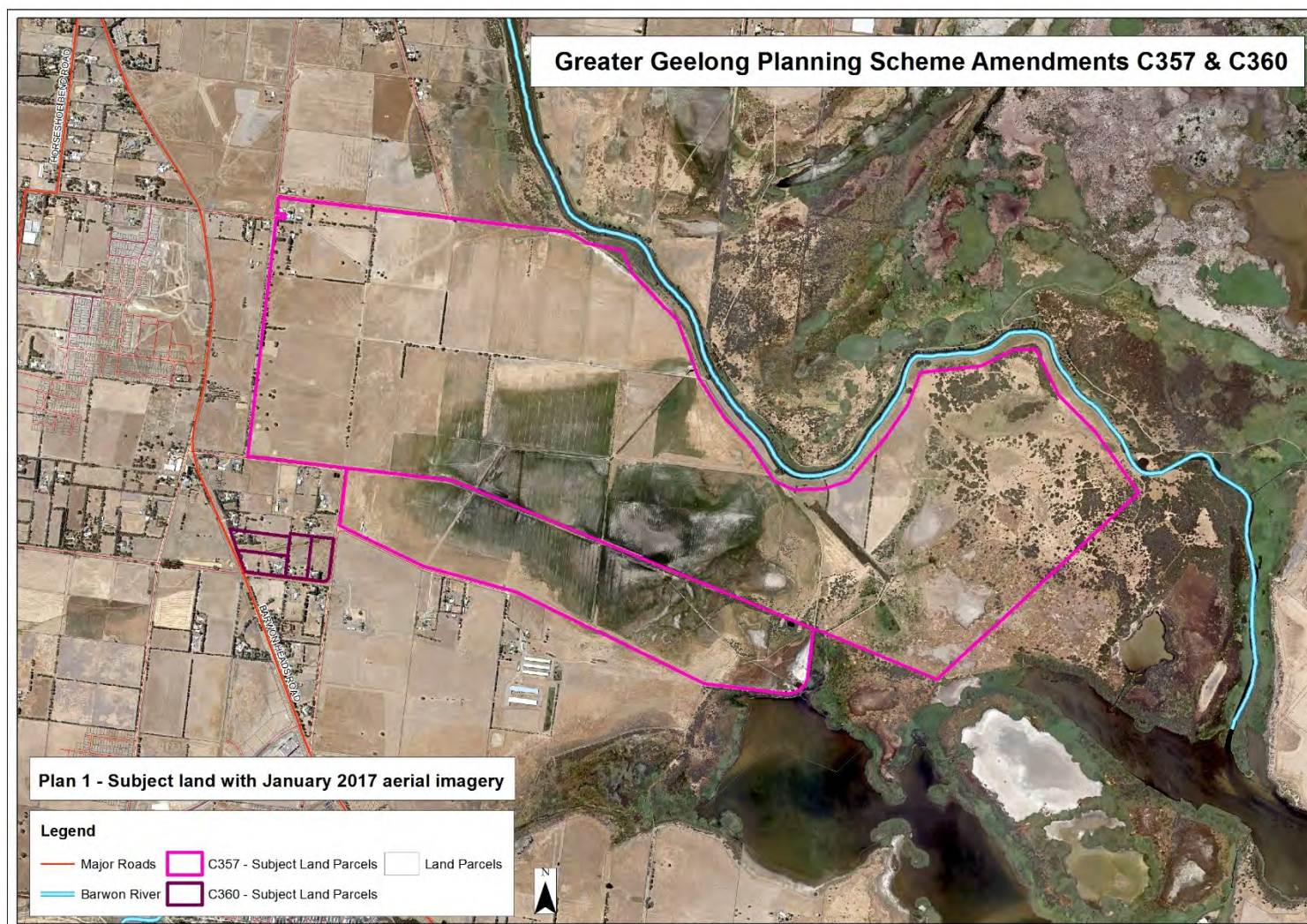
The Panel made the following further recommendation that is specific to the concerns of the objector to the Amendment:

“The Council and the developers of the Horseshoe Bend Precinct should implement appropriate interim measures to minimise flooding risks for the downstream properties while the final storm water infrastructure is being constructed.”

Council officers, particularly Council's engineering staff, have commenced working with developers to implement measures for storm water management that attempt to mitigate flooding risks for downstream properties. For these measures to be effective developers will need to design solutions that deal with the overall volume of water that is, and will continue to be, generated by urban development of the west side of Barwon Heads Road.

Attachment 2

Location of the subject land



Planning and Environment Act 1987

Panel Report

Greater Geelong Planning Scheme Amendments C357 and C360

Armstrong Creek Public Acquisition Overlays

Front page

12 October 2017

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

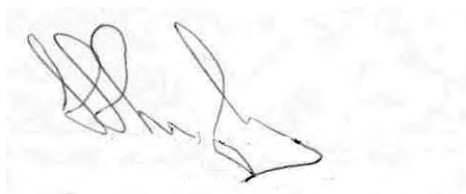
Greater Geelong Planning Scheme Amendments C357 and C360

Armstrong Creek Public Acquisition Overlays

12 October 2017



Brett Davis, Chair



Greg Sharpley, Member

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List of Abbreviations

DCP	Development Contributions Plan
DELWP	Department of Environment, Land, Water and Planning
EVC	Ecological Vegetation Class
HBP	Horseshoe Bend Precinct
LAC Act	Land Acquisition and Compensation Act 1986
LPPF	Local Planning Policy Framework
NVPP	Native Vegetation Protection Plan
PAO	Public Acquisition Overlay
PSP	Precinct Structure Plan
SPPF	State Planning Policy Framework
SWMS	Storm Water Management Strategy
UGP	Armstrong Creek Urban Growth Plan

Overview

Amendment Summary	
The Amendment	Greater Geelong Planning Scheme Amendments C357 and C360
Common name	Armstrong Creek Public Acquisition Overlays
Brief description	The Amendments propose to apply the Public Acquisition Overlay to land within the Horseshoe Bend Precinct of the Armstrong Creek Urban Growth Area to facilitate the construction and commissioning of stormwater management infrastructure.
Subject sites	Amendment C357: - 109 – 215 Sparrovale Road, Charlemont - 1 – 87 Groves Road, Armstrong Creek (Cold Winds) Amendment C360: - 661 – 669 Barwon Heads Road, Charlemont - 619 – 639 Boundary Road, Charlemont - 641 – 655 Boundary Road, Charlemont - 657 – 669 Boundary Road, Charlemont
Planning Authority	Greater Geelong City Council
Authorisation	Authorisations for the Amendments were issued by the Minister for Planning on 17 October 2016. The Authorisations were not subject to any conditions.
Exhibition	12 December 2016 – 15 February 2017
Submissions	Amendment C357: 9 submissions Amendment C360: 8 submissions

Panel Process	
The Panel	Brett Davis (Chair) and Greg Sharpley
Directions Hearing	Greater Geelong offices, 25 July 2017
Panel Hearing	Geelong Conference Centre, 6 – 7 September 2017
Site Inspections	Unaccompanied, 6 September 2017
Appearances	See Table 3
Date of this Report	12 October 2017

Executive Summary

(i) Summary

Greater Geelong Planning Scheme Amendments C357 and C360 (the Amendments) propose to apply the Public Acquisition Overlay (PAO) to land within the Horseshoe Bend Precinct (HBP) of the Armstrong Creek Urban Growth Area, to facilitate the construction and commissioning of stormwater management infrastructure. Key issues raised in submissions included:

- strategic justification for the proposed PAO
- amount of land proposed to be acquired
- alignment of the proposed PAO boundary and alternative options
- flooding
- safety due to future public access in the area to be acquired.

There were several supporting submissions in respect of the Amendments. Supporting submissions were received from landowners in the HBP as well as the Department of Environment, Land, Water and Planning.

Council submitted it is critical that the Amendment sites be acquired in order that development may continue. Council submitted that development within the relevant parcels of the HBP is nearing the development 'ceiling' identified in the Storm Water Management Strategy (SWMS). Without the PAO and commissioning of the wetlands, then future development would be restricted.

It is clear to the Panel that the Sparrovale Wetland is an inextricable part of the drainage scheme for the HBP. It is enshrined in previously approved Amendment processes in a Precinct Structure Plan and Development Contributions Plan.

Council is to be commended on bringing to fruition 10 years of robust strategic planning for the Horseshoe Bend Precinct. The Panel accepts the evidence presented and concludes that the extent of the PAO is justified given the particular topography and hydrology of both the proposed overland flow path and the Sparrovale and Cold Winds properties.

The adopted drainage strategy and application of the PAO will protect the ecological conditions of the Hospital Swamps and Sparrovale Farm wetlands. Evidence presented outlined how this would benefit the adjacent Ramsar wetland.

Submitters raised issues relating to acquisition impacts. The Panel agrees with the submissions of Council that the objectives in acquiring the sites is clearly sound. The Panel concludes whichever property Council chooses, the submission will always be that the owner will not be able to achieve the prospective development potential of their land.

On matters of compensation the Panel notes that the owners will be compensated according to the community standards set out in the relevant legislation. It is beyond the scope of this Panel to comment on obligations and procedures under the *Land Compensation and Acquisition Act 1986*.

Submitters raised alternative options during the Hearing such as realignment of boundaries and more underground piping. Other than Council, no other parties called expert evidence

on this aspect. It is not the Panel's role to interrogate alternatives. The Panel is appointed to determine the strategic merit of the proposed application of the PAO before it, and whether it can deliver the drainage and environmental initiatives proposed by Council.

Several submitters raised concerns with the effects of downstream flooding on their properties due to the interim works that had taken place. Council acknowledged these issues and reiterated the need to implement the full scheme under the PAO would assist in mitigating these issues.

The Panel concludes that Council has provided more than adequate strategic and practical justification for the application of the PAO and the Amendments. To the extent that there may be some question about the precise area of land which is ultimately required, the Panel agrees there are more detailed designs to follow, and the extent of land may be reduced. Council submitted it may be possible to make some adjustments to the ultimate boundary.

The Amendment is sound and should be supported as exhibited.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Geelong Planning Scheme Amendments C357 and C360 be adopted as exhibited.

(iii) Further recommendations

The Panel makes the following further recommendations:

- **The alignment of the waterway through properties affected by C360 should be designed within the affected properties to generally follow the alignment of the existing property boundaries and the extent of any land ultimately required should be minimised.**
- **The Council and the developers of the Horseshoe Bend Precinct should implement appropriate interim measures to minimise flooding risks for the downstream properties while the final stormwater infrastructure is being constructed.**

1 Introduction

1.1 The Amendment

(i) Amendment Description

Greater Geelong Planning Scheme Amendments C357 and C360 (the Amendments) propose to apply the Public Acquisition Overlay (PAO) to land within the Horseshoe Bend Precinct (HBP) of the Armstrong Creek Urban Growth Area, to facilitate the construction and commissioning of stormwater management infrastructure.

Amendment C357

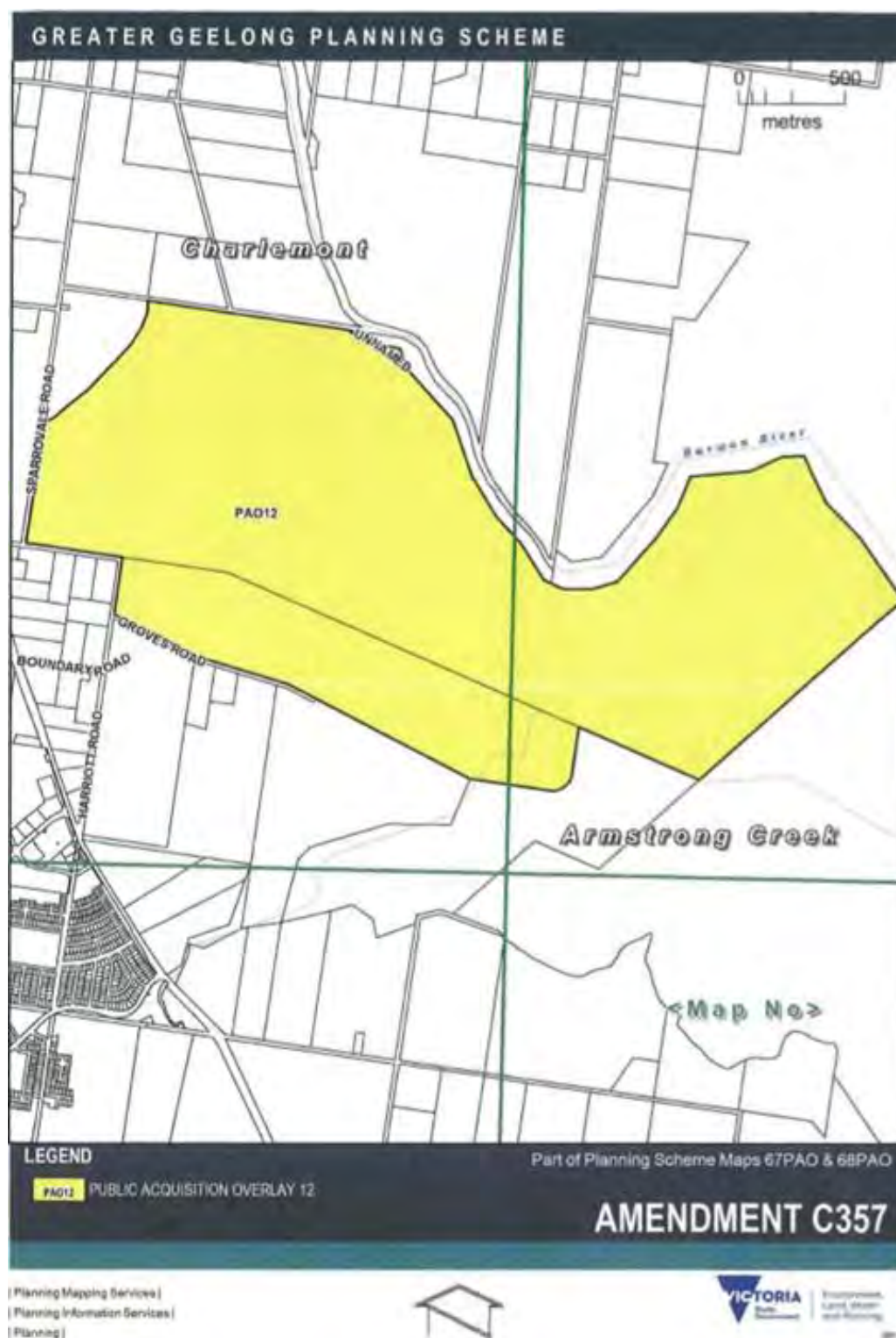
Amendment C357 applies to approximately 510 hectares of land within the following sites:

Table 1: Amendment C357 Summary

Land	Total site area	Area of proposed PAO	Existing zones and overlays	Existing use and development
109 – 215 Sparrovale Road, Charlemont (Sparrovale)	436 hectares	423 hectares (97%)	Farming Zone - majority of site Urban Growth Zone, Schedule 4 (UGZ4) - 12 hectares fronting Sparrovale Road which is also affected by a Development Contributions Plan Overlay, Schedule 5 (DCPO5) Floodway Overlay Environment Significance Overlay, Schedule 2 – High Value Wetlands and Associated Habitat Protection (ESO2) Vegetation Protection Overlay, Schedule 1 – Areas of Flora and Fauna Habitat and of Geological and Natural Interest (VPO1)	Parts of the PAO area are used for cattle grazing. The remainder of the PAO area is vacant and unused due to inundation and / or access issues (particularly the area to the east of the existing levee on the site). The north-west section of the Sparrovale site (not subject to the PAO) is developed with dwellings, sheds and associated outbuildings.
1 – 87 Groves Road, Armstrong Creek (Cold Winds)	87 hectares	87 hectares (100%)	Farming Zone Floodway Overlay ESO2	Cattle grazing

Figure 1 outlines the Amendment C357 area.

Figure 1 The Subject site – Amendment C357



Amendment C360

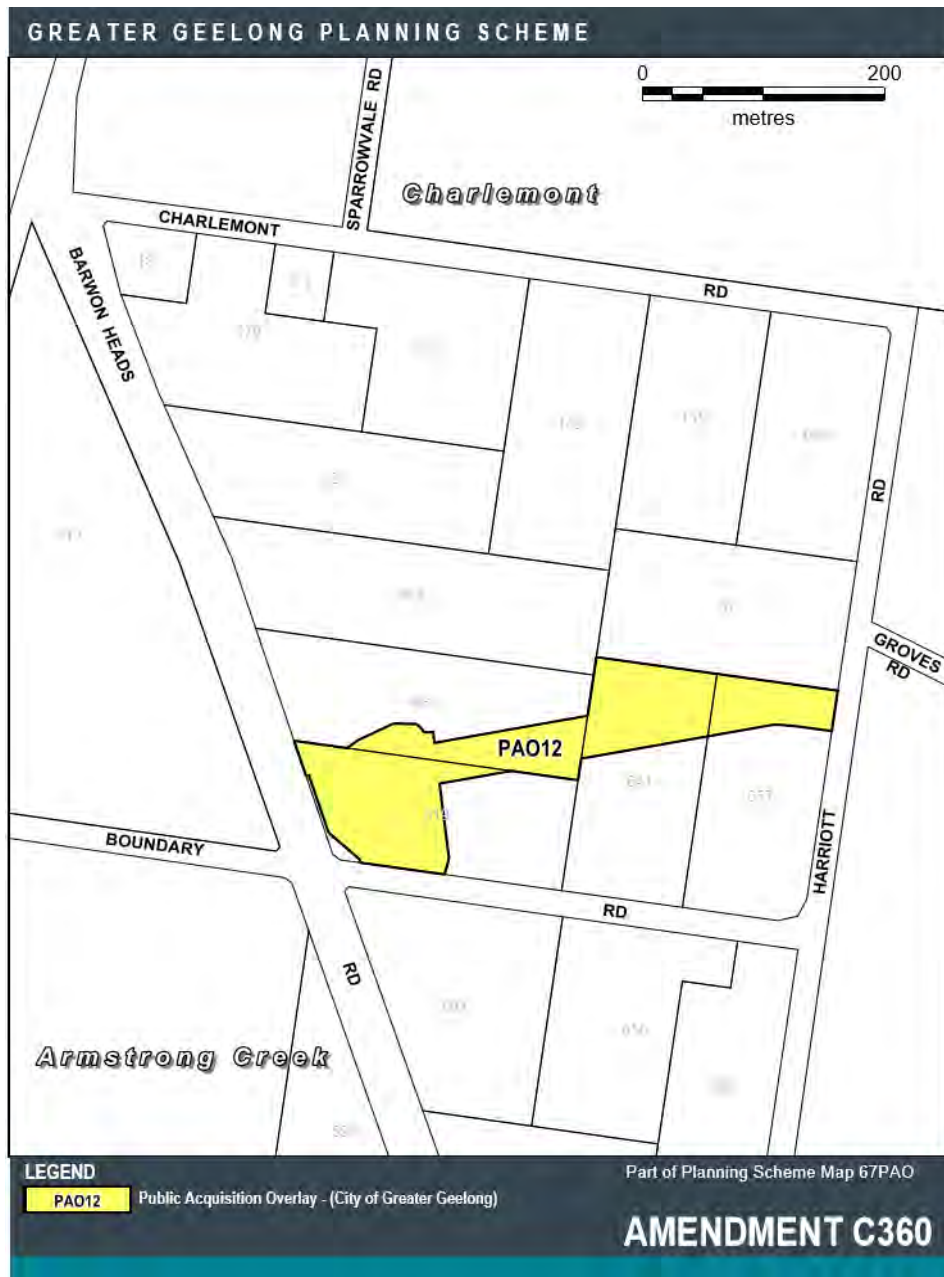
Amendment C360 applies to approximately 2.153 hectares of land within the following sites:

Table 2: Amendment C360 Summary

Land	Total site area	Approximate area of proposed PAO	Existing zones and overlays	Existing use and development
661 – 669 Barwon Heads Road, Charlemont	2.35 hectares	0.56 hectares (24%)	UGZ4 DCPO5 PAO3 – for the widening of Barwon Heads Road	Used and developed for the purposes of a dwelling and associated shedding in the north-west corner of the site with property access via a driveway off Barwon Heads Road.
619 – 639 Boundary Road, Charlemont	2.03 hectares	1 hectare (50%)	UGZ4 DCPO5 PAO3	Used and developed for the purposes of a dwelling in the south-east corner of the site with property access via a driveway off Boundary Road.
641 – 655 Boundary Road, Charlemont	2.02 hectares	0.7 hectares (35%)	UGZ4 DCPO5 Floodway Overlay	Used and developed for the purposes of a dwelling and associated outbuildings in the south-west corner of the site with property access via a driveway off Boundary Road.
657 – 669 Boundary Road, Charlemont	2.01 hectares	0.4 hectares (20%)	UGZ4 DCPO5 Floodway Overlay	Used and developed for the purposes of a dwelling and associated outbuildings in the south-west corner of the site with property access via a driveway off Boundary Road.

Figure 2 outlines the Amendment C360 area.

Figure 2 The Subject site – Amendment C360



Council submitted that the dwellings and associated outbuildings on the Amendment C360 sites would sit outside the extent of the proposed PAO, however, some sheds on the 619 – 639 Boundary Road site would be within the PAO. The existing access arrangements for these properties would not be disturbed.

1.2 Panel process

Council and the Panel discussed the grouping of the Amendments and agreement was reached that the Panel hear and consider both Amendments as part of one Hearing process.

Further, that one report be prepared in relation to both matters. References to State and Local Policy refer to both Amendments.

Those in attendance at the Panel Hearing are listed in Table 1.

Table 3 Parties to the Panel Hearing

Submitter	Represented by
Greater Geelong City Council	Briana Eastaugh of Maddocks, with Dinah O'Brien (Senior Strategic Planner) who called the following expert witnesses: - Andrew MacMahon of Ecology Australia, in flora and fauna - Andrew McCowan of Water Technology, in drainage and flooding
DELWP	Mr Geoff Brooks
S O'Hara	In person
L Lim	In person
Charlemont Rise	Sarah Wright, Spiire
L and C Devlin ¹	In person
Dennis Family Corporation	Alex Gelber, HWL Ebsworth
ID Land	Mark Bartley, HWL Ebsworth

1.3 Procedural issues

On 21 August 2017 Council referred late submissions to the Panel on behalf of ID Land, for both Amendments.

On 1 September 2017 parties Robertson and Perkins (submissions 6 and 7) withdrew their submissions, and requests to be heard. This affected the timetable and version 3 was issued accordingly. On 5 September 2017 Robertson and Perkins confirmed they did not wish the Panel to consider their written submissions.

Council submitted in its Part B statement (Document 2) *"While these submissions have been withdrawn, Council's response is set out below for the avoidance of any doubt, and for the benefit of those parties who may be unfamiliar with the compulsory acquisition process."*

While the Council referred extensively to responding to these submissions in its Part B submission on the matters of compensation, as they were withdrawn the Panel does not refer to or respond to these submissions. Broader issues relating to compensation matters, raised by other submitters, are discussed in Chapter 3.

1.4 Background to the Amendments

In its Part A Statement, Council provided a historical planning context and detailed chronology providing background to the Amendments. This is shown in Table 2 below.

¹ L and C Devlin were scheduled to appear and informed the Panel on the day of the Hearing they were unable to attend. They supplied a further written submission via email. (Document 9a)

Table 4 Chronology

Date	Event / Document
1988	Directions – The Geelong Region Development Strategy 1988 – 1998 prepared by the Geelong Regional Commission
February 2006	Armstrong Creek Urban Growth Area Flooding and Drainage Technical Report prepared by Water Technology and Fauna Technical Report prepared by Ecology Australia
28 November 2006	Council adopted the <i>Armstrong Creek Urban Growth Plan (UGP)</i> and resolved to prepare and exhibit Amendment C138 to the Scheme.
May 2008	The UGP is finalised (subsequently amended in May 2010 and September 2012) through future planning scheme amendment processes
4 December 2008	Amendment C138 (UGP) was gazetted
10 March 2009	Council adopted the Armstrong Creek Integrated Infrastructure Delivery Plan (IIDP)
3 June 2010	Amendment C206 (Armstrong Creek East Precinct PSP and NVPP) was gazetted
31 October 2011-12 February 2012	First and second Discussion Papers completed by Neil Craigie in respect of the HBP Stormwater Management Strategy
12 July 2012	Amendment C214 (Armstrong Creek East Precinct DCP) was gazetted
7 March 2013	Amendment C240 (Armstrong Creek West Precinct PSP, DCP and NVPP) was gazetted
October 2013	Storm Water Management Strategy (SWMS) completed by Neil Craigie
August 2014	Barwon River Interface with the Armstrong Creek Growth Area Background Issues and Opportunities Discussion Paper completed by Thompson Berrill Landscape Design
September 2014	Horseshoe Bend PSP and DCP and NVPP completed
23 October 2014	Amendment C267 (Town Centre Precinct PSP, DCP and NVPP) was gazetted
27 November 2014	Amendment C259 (Horseshoe Bend Precinct PSP, DCP and NVPP) was gazetted
27 September 2016	Council resolved to prepare and exhibit the Amendments
9 March 2017	Amendment C301 (South Precinct PSP) was gazetted
2 June 2017	Council Delegate considered the submissions to the Amendments and resolved to refer them to a Panel

Council submitted by way of background:

Since the preparation of these earlier strategic documents, a raft of detailed strategic planning and technical analysis has confirmed the Growth Area as the principal area designated for broad hectare urban development within the City of Greater Geelong.

The Growth Area is anticipated to provide housing for some 54,000 people, together with a major (sub-regional) town centre, a number of neighbourhood and local activity centres and two substantial employment areas.

An overview of how planning for the Growth Area has been progressed and implemented into the Scheme is outlined below, with a particular focus on the key issues as they relate to the matters before this Panel.

1.5 Issues dealt with in this report

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from site visits.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- Are the PAOs strategically justified?
- Drainage, flooding and environmental issues.

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the SPPF:

Clause 11.02-1 (Supply of Urban Land) is relevant in that the Amendments will ensure that the HBP continues to provide residential, commercial, retail, recreational and community land to meet supply requirements for an estimated 25 years.

Clause 11.02-4 (Sequencing of development), is relevant in that the Amendments will assist in the timely provision of key infrastructure for the management of stormwater for the HBP area.

Clause 11.09-4 (Environmental assets), which relates specifically to the Geelong G21 region, includes strategies to:

- protect, restore and enhance the quality of land and marine areas, waterways, biodiversity and soils; and
- maintain and protect the region's natural assets, including the region's parks and reserves.

Clause 12 (Environmental and Landscape Values) provides that 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.

Clause 12.01-1 (Protection of biodiversity) provides that planning strategies should be adopted to protect the biodiversity and minimise impacts, including cumulative impacts of land use and development on Victoria's biodiversity.

Clause 13.02-1 (Floodplain management) which seeks to assist with the protection of:

- life, property and community infrastructure from flood hazard;
- the natural flood carrying capacity of rivers, streams and floodways;
- the flood storage function of floodplains and waterways;
- floodplain areas of environmental significance or of importance to river health.

Clause 13.02-1 outlines several strategies, to achieve the above listed objectives. These include avoiding the intensifying impacts of flooding through inappropriately located uses and developments. Council considered that the Amendments respond to this strategy through implementation of the SWMS, which will inform the provision of the main drainage infrastructure for the HBP.

Clause 14.02-1 (Catchment planning and management), seeks to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater and the marine environment is also relevant.

Clause 19 (Infrastructure) is relevant in that the Amendments are costed into the HBP Development Contributions Plan and will ensure that stormwater entering wetlands and estuaries does not have a detrimental effect on the environment (Clause 19.03-3).

(ii) Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

- Clause 21.05 – Natural Environment
- Clause 21.05-3 – Biodiversity
- Clause 21.08-2 – Open Space
- Clause 21.11 – Armstrong Creek Urban Growth Area

(iii) Other planning strategies or policies used in formulating the Amendment

- Armstrong Creek Urban Growth Plan (2008)
- Barwon River Parklands Strategy (2011)
- G21 Regional Growth Implementation Plan (2013)
- Horseshoe Bend Precinct Structure Plan, Development Contribution Plan (2014)
- Horseshoe Bend Native Vegetation Protection Plan (2014)

2.2 Planning scheme provisions

(i) Zones

The land affected by the PAO falls within a combination of the Urban Growth Zone (C360 land) and Farming Zone (C357).

(ii) Overlays

The Sparrovale and Cold Winds sites are subject to the Environmental Significance Overlay Schedule 2. The ESO2 relates to 'High Value Wetlands and Associated Habitat Protection'.

Bellarine Ramsar Site

Council submitted that Amendment C357 is consistent with the statement of environmental significance set out in ESO2 and in particular noting that the sites are directly adjacent to the Bellarine Ramsar Site. ESO2 notes that the Ramsar Site:

...provide important habitat for migratory birds, waterfowl and endangered species and sustain significant proportions of the Australian populations of these species. They are also remnants of wetland types that were once much more extensive in the Geelong region and elsewhere in Victoria, contain a high diversity of plant and animal species and conserve the genetic diversity of particular species.²

² Council Part A Statement: pg. 42

(iii) Particular provisions

Clause 56.07-4 – urban runoff management objectives) to limit downstream impacts to pre-development flows is particularly relevant in justifying the application of the PAO.

2.3 Ministerial Directions and Practice Notes

(i) Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

Ministerial Direction No 15 – The Planning Scheme Amendment process

The Amendment is consistent with this Ministerial Direction.

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

2.4 Discussion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. Strategic justification of the Amendments is discussed in Chapter 3.

3 Are the Public Acquisition Overlays strategically justified?

3.1 The issue

The issue relates to whether or not the application of the PAO is strategically justified.

3.2 Evidence and submissions

Ten submissions were received in respect of Amendment C357, including 3 objections; and 9 submissions were received for Amendment C360, including 3 objections. As noted in 1.3 of this report, two of the objections for Amendment C357 have been withdrawn prior to the hearing. The remaining submission for Amendment C357 related to flooding and this is dealt with in Chapter 4.

Key issues for Amendment C360 predominately related to the amount of land to be acquired, the alignment and location of the PAO and safety concerns. At the Hearing, submitters also raised concerns with regards to compensation and acquisition issues.

Council outlined how the Amendment is strategically justified against the State and Local Planning Policy Framework in Chapter 2. In its Part B submission, Council submitted that the Amendments would realise the objectives of the *Horseshoe Bend Precinct Structure Plan (PSP) and Development Contributions Plan (DCP)* and facilitate:

- *the establishment of the Sparrovale Wetlands (C357) and the construction of associated drainage infrastructure (C357 and C360), which is critical to the continued development of the HBP; and*
- *the creation of an associated environmental biodiversity conservation area as part of the broader Barwon River Parklands (C357).*

(i) Extent of the PAO (amount of land)

Several submitters (Lim, O'Hara and Devlin) objecting to Amendment C360 questioned the extent of land required within the PAO. Council submitted that the PAO boundary across these properties *"has been dictated primarily by the retarding basin and stormwater infrastructure requirements identified by the SWMS. The detailed design of this infrastructure was explored in the Cardno concept designs prepared for the C259 Panel."*

Council submitted that Mr McCowan had looked at this issue in more detail and concluded that the land shown as subject to the Amendment C360 PAO is necessary to convey stormwater from the southern part of the HBP to the Sparrovale Wetland. He noted that the PAO alignment generally aligns with modelled overland flow paths (Water Technology, 2006).

(ii) Alignment and location of the PAO (alternative options)

Council submitted that alternative options were canvassed in detail and tested prior to the Amendment C259 panel process. It explained that the Panel was provided with a significant volume of detail that goes to this. It included evidence demonstrating that the SWMS had:

*Evolved over the course of three years of analysis and refinement, was examined and tested through the Amendment C259 process. It was placed on exhibition and all interested landowners and agencies were provided with the opportunity to comment. Further, save for concerns regarding the costs of the 10 year management plan, the Sparrovale Wetland concept was **not** challenged by any party before the C259 panel.*

Council submitted that its initial preference had then been to try and negotiate the purchase of the nominated properties, and only consider the application of the PAO if that failed.

Several submitters, (Lim, O'Hara and Devlin) requested that alternative locations be considered. Council argued that it was not the role of the Panel to make such considerations, as the location had been interrogated in Amendment C259, and others over a 10 year period. It noted within this context the comments of the Panel in Wyndham Amendment C127³ when considering 'alternative options'. Wyndham C127 considered the application of a PAO in favour of Melbourne Water to facilitate drainage works. The Panel concluded:

The Panel is unable to determine whether or not one scheme is better than another. The Panel needs to be satisfied that the proposed scheme is an appropriate one and that it has been adequately and conscientiously prepared by Melbourne Water.

Nothing put to the Panel suggested that this was not the case.

Similarly, the Panel in Maroondah Amendment C69⁴ noted the following when considering its role in considering 'alternatives':

In general terms, it will usually only be appropriate for the Panel to consider an amendment which has been exhibited, and the issues associated with that amendment. The Panel's role is not to consider alternative options. However if the amendment is found to be inappropriate, or if it raises fundamental planning concerns that alternatives appear not to, the Panel may recommend that other options be looked at. This is not a task that would be undertaken as part of the Panel hearing.

Council acknowledged that it may be possible to adjust the ultimate boundary of the acquired area at the detailed design stage of the process, resulting in less land being acquired than that which is subject to the PAO.

In these circumstances Council submitted that it is more appropriate to acquire the area proposed in Amendment C360 and compensate the landowners appropriately. Council submitted that in any event, there are provisions in the *Planning and Environment Act 1987* (s107) to protect owners from the implications of this.

Mr McCowan noted that the Amendment C360 PAO alignment provided opportunities to integrate remnant riparian vegetation into the design of the waterway environment.

³ Wyndham C127 (PSA) [2011] PPV 123.

⁴ Maroondah C69 (PSA) [2011] PPV 1.

(iii) Land Acquisition and Compensation Act 1986 (LAC Act)

During the course of the Hearing, several submitters raised general compensation issues. Council submitted that the role of the Panel, consistent with decisions of previous panels who have considered the application of the PAO, is to determine the strategic merit of the proposed application of the PAO and whether it can deliver the drainage and environmental initiatives being pursued by the Council.

Those panels⁵ have consistently focused their attention on the key matters relevant to their expertise and jurisdiction. That is, the strategic justification for the Amendment. They have properly noted that it is not for panels to comment on obligations and procedures under the LAC Act.

(iv) VicRoads

The Panel had directed that prior to the Hearing, Council was to make contact with VicRoads to seek their input in respect of Amendment C360. Council advised:

*A response was received on 5 September 2017. VicRoads notes the abuttal of the existing (PAO3) and proposed (PAO12) overlays but does not raise any concerns. Council is satisfied that the interface between the overlays can be resolved at the detailed design stage.*⁶

3.3 Discussion

With regard to the extent of the PAO, the Panel notes that in some places, the PAO boundary has been straightened to follow property boundaries. It agrees with the methodology of Council that this has been done in cases where following the precise alignment of the anticipated drainage infrastructure would have resulted in small, irregularly shaped residual parcels of land in private ownership that would have been severed and inaccessible from the balance of the land.

Clearly negotiations have not been able to finalise the acquisition of the properties for their intended purpose. The Panel agrees with the Council position that no alternatives to the SWMS drainage strategy have been put to this Panel, or indeed were put to the C259 panel for consideration.

The Panel commends Council in attempting to resolve this without the need for a PAO. Ultimately, the matter has now come before the Panel and it should be supported. The amount of strategic rigour and background work for the implementation of the PAO, is in the Panel's view, very good.

3.4 Conclusions

The Panel concludes:

⁵ See for example, Greater Dandenong C87 Panel Report (July 2008); Greater Shepparton C148 Panel Report (December 2011); Wangaratta C36 Panel Report (February 2012); Melton C109 Panel Report (March 2012); Casey C136, Frankston C76 and Dandenong C115 Panel Report (May 2012).

⁶ Document 4

- To the extent that there may be some question about the precise area of land which is ultimately required for a project, there are subsequent stages and milestones available whereby the area of land to be acquired can be reduced.
- There are provisions in the legislation to protect owners from the implications of this. *The Planning and Environment Act 1987* s107 enables a landowner to claim compensation for the removal of a reservation over land.
- The Panel notes that the owners will be compensated according to the community standards set out in the relevant legislation.
- It is beyond the scope of this Panel to comment on obligations and procedures under the *Land Compensation and Acquisition Act 1987*.
- Council has been careful to determine the area of land which it anticipates will be required for the public purpose.
- The application of the PAO is required, warranted and strategically justified.

4 Drainage, Flooding and Environmental Issues

4.1 The issue

Drainage, flooding and environmental issues raised by submitters primarily related to the acquisition of land rather than piped easements through their properties and the alignment of the proposed drainage channel on their properties. Objectors and submitters were concerned in relation to both current and potential future flooding issues related to the timing of upstream flood detention works and the interrelationship with the sensitive wetlands further to the east.

4.2 Evidence and submissions

Amendment C357 relates to a PAO for two large parcels of land (514 hectares) situated some distance to the east of the HBP. These two parcels are currently used as degraded grazing land. The purchase of these properties was included in the DCP, with the aim of rehabilitating them into a high-quality wetland to receive urban run-off. They are proposed to be used as a freshwater wetland and stormwater detention system (Sparrovale Wetlands) to appropriately treat the increased volume and rate of flow of stormwater from the northern portion of the HBP prior to discharge into the Barwon River.

They were identified in early hydraulic modelling (Water Technology - 2006 and Stormwater Management Strategy. Neil Craigie - 2013) undertaken as part of the overall development of the Precinct Structure Plan and are in fact an integral part of the development, which limits the amount of residential development that can be undertaken in the HBP to 25 per cent of the final development, until such time as the Sparrovale Wetlands are developed.

The Sparrovale Wetlands will provide a number of environmental benefits beyond those associated with the treatment and control of storm water from the future residential areas. These include protection of the adjacent Hospital Swamp and saline Ramsar wetlands from effects of increased freshwater inputs, extension of the Barwon River Parklands, maintenance of the significant biodiversity values of the Sparrovale and Ramsar sites, etc.

Amendment C360 properties are situated between the HBP and the proposed Sparrovale Wetlands. Currently drainage from the southern portion of the HBP drains through these properties in a small drainage channel to the proposed Sparrovale Wetlands.

Due to the development of the HBP, the volume and rate of flow of stormwater through these properties will be considerably increased. As a result, without significant works being undertaken on these properties the majority, if not all of the properties will be subject to frequent inundation during storm flows.

(i) Drainage

The only objection raised in relation to C357 relates to current flooding issues associated with storm water discharges from the early stage developments of the ID Land, Watermark Estate to the north-west of the Devlin property (submitter 1) and the potential for increased flooding when full development of the HBP is undertaken.

In written submission to the Panel (document 9a), the submitter noted:

We have had a large increase into the amount of water coming from the Reserve road horseshoe bend Precinct , which is currently being pumped and dumped under the Barwon Heads Road onto farming land , down the hill again to us.

Likewise, the Boundary Road Horseshoe bend development, has insufficient holding ponds that are being pumped under horseshoe bend road on to farm land and down the hill to us as well,, currently all the drains end up within less than 100m of our property.

Figure 3 Flooding at Harriott Road⁷



In relation to the long-term flooding impacts on the Devlin's property, Council sought advice from Mr McCowan, the hydraulic modelling expert appointed to undertake a peer review of the modelling work associated with both C357 and C360. He provided the following response:

The property and wider area is at risk of flooding from both the Barwon River and stormwater runoff (refer to attached map and 2006 study). The stormwater flooding is a pre-development condition and is caused by overland flow from Barwon Heads Road and upstream catchment.

I agree that unmitigated development would increase flood risk on the property however, the implementation of the proposed SWMS will alleviate risk to their property. The proposed waterway corridor for C360 will convey the overland flow (including increased runoff from upstream development) to

⁷ Document 9A

the Sparrovale Wetland and provide a greater level of protection to their property. This should result in a significant reduction of flooding at the site.

Submitters Pohl, O'Hara and Lim (3, 5 and 7) to Amendment C360 raised concerns on the loss of land associated with the PAO and land value due to the reduction in area of their property. They submitted that in order to minimise the loss of land, all flows should be piped through their properties, and the alignment moved to follow, property boundaries, thus minimising the amount of land required.

Submitter Lim also raised concerns in relation to the presence of a storage basin being situated on their land and advised that it should be situated on the other side of the Barwon Heads Road.

Mr McCowan advised the Panel that the proposed alignment or the drainage waterway coincided with the existing drainage path through these properties. He did, however, consider that there is potential for some realignment of the proposed waterway to more closely follow the property boundaries to be undertaken as part of the detailed design phase. Ms O'Brien, on behalf of Council advised the panel that any reduced requirement for land under the PAO could be reversed by subsequent amendment.

In relation to the use of piped system through these properties Mr McCowan advised that the use of a naturalised waterway is consistent with both the management of major storm water flows elsewhere in the HBP and with current good practice which seeks to provide a more natural approach to stormwater systems. He also stated that the proposed basin on the Lim land was required to enable flows to pass over the top of a Barwon Water outfall sewer, which crosses the site.

Subsequent to his appearance at the Hearing, Mr McCowan provided the following advice through the Council:

As described in our report, the intent is to establish a "naturalised" waterway environment, wherever possible. In this respect, I note that the current alignment generally aligns with modelled overland flow paths (Water Technology, 2006). This would provide opportunities to integrate remnant riparian vegetation into the design.

The reliance on above ground drainage corridor also ensures the natural flood carrying capacity of the waterways is maintained and protected, as per Clause 13.02-01 (Floodplain management) of the State Planning Policy Framework. An underground drainage arrangement may limit the conveyance capacity of the drainage infrastructure and will reduce the flood storage function of the floodplain.

(ii) Environmental impacts / benefits

Mr McMahon, on behalf of Council, dealt with the environmental impacts related to C357. These are summarised in his statement of expert evidence as:

- *improved water quality entering the Ramsar site.*
- *Security provided to the existing on site values; enhancement of existing values through informed management;*

- *provision of a biodiversity-focused buffer to the adjoining Ramsar site; and*
- *effective increase in patch size and connectivity for the Ramsar site.*

It was his evidence that:

- *The Sparrovale scheme also has the potential to provide habitat that is currently poorly represented in the Ramsar site and vastly depleted in the broader context, namely shallow freshwater wetlands. The estimated extent of the wetland (220 ha) will represent a material contribution to this habitat type regionally.*
- *Further, as climate change threatens coastal wetlands, with many predicted to transition to marine environments (Department of Environment, Land, Water and Planning 2016), those less vulnerable and capable of maintaining freshwater to brackish conditions are likely to become increasingly important. My understanding is that this could potentially apply to the Sparrovale wetlands.*
- *In addition, these biodiversity games could have broader implications for amenity and landscape. The Barwon River Parklands Strategy (2011) provides for an open space network of parks, trails and conservation areas along the Barwon River, from Buckley Falls in Geelong to the river mouth at Barwon Heads. The Strategy currently refers to Sparrovale farm as an opportunity to expand public open space adjoining Lake Connewarra.*

Mr Geoff Brooks from DELWP appeared at the Hearing. He was also supportive of the amendments noting:

Together, the stormwater management arrangements that are proposed for the land which is the subject of this amendment and C357 will provide a positive and effective response to past DELWP advocacy in respect of stormwater drainage impacts from Armstrong Creek Growth Area precincts on the Ramsar listed Lake Connewarre complex.

The Panel notes that the full development of the Sparrovale Wetlands will also enable better protection and operational control of water flows into the adjacent Hospital Swamp to the south east of the Sparrovale site. There is also potential to use the Sparrovale site to treat storm water from areas further south from the HBP.

(iii) Timing

In relation to the current increased flooding of the land adjacent to Submitter 1 (C357) property. Mr Bartley on behalf of ID Land (submitter 10 for both Amendments) advised that they are currently in negotiation with the Council to enable temporary works to be undertaken to reduce the run-off to the Sparrovale Wetlands until such time as adjacent residentially zoned land has been developed. He advised that currently Council is unwilling to authorise temporary works; requiring the final works to be undertaken only.

As noted above, the HBP Development Plan requires the Sparrovale wetlands to be in place prior to development with in the HBP exceeding 25%. The Panel was advised by both Council and the various developers who appeared at the Hearing that this limit is either

close to or has been reached. As a result, it is considered imperative that the PAO proceed as expeditiously as possible.

4.3 Discussion

Based on the extensive strategic planning and modelling undertaken over many years, together with independent peer review of the results, the Panel is satisfied that the proposed works are both required and desirable to enable the further development of the HBP and to protect the properties affected by Amendment C360.

Amendment C357 is considered essential for the further development of the HBP and indeed the Panel acknowledges that the development of the Sparrovale wetlands will not only meet the water quality requirements of the HBP, but will also provide regional environmental improvement through the protection of the Ramsar wetlands and potential augmentation of freshwater wetlands in the Barwon area.

Based on the submissions, there appears to be a recently existing issue in relation to increase in stormwater flows to the east of the HBP due to the development of the early stages of the precinct. Once Sparrovale wetlands are developed, and prior to final development of all infrastructure associated with the various stages of development of the land, there will be an increased potential for flooding of the land between the wetlands and the HBP. This could have significant impact on the affected properties.

While noting that the land is generally covered by an existing Floodway Overlay, the Panel is of the opinion that the Council needs to work with the developers to proactively stage mitigation works to minimise the temporary risk of increased flooding.

The Panel appreciate the concerns of submitters who will lose some land due to having the drainage waterway crossing the rear of their properties. The Panel are satisfied that the location of the waterway is appropriate as it is based on the existing drainage path and has been subject to extensive modelling to verify the size and nature of the works proposed.

Based on the advice of both Mr McCowan and the Council, the Panel considers it appropriate that the route of the natural waterway be modified as part of the detailed design phase to minimise the land required to be acquired by “*meandering*” the waterway to follow the existing property boundaries where considered appropriate.

The owners of the land affected by C360 will be compensated in accordance with the LAC Act . As discussed in Chapter 3, matters of compensation are not issues for consideration by this Panel.

In relation to the use of pipes in an easement in lieu of a naturalised waterway through acquired land the Panel notes that the owners will be appropriately compensated for the land, which will be used to provide a lower risk in relation to flow capacity while potentially serving as an environmentally enhanced linear access route for the public.

Ms O’Hara (submitter 5) raised concerns in relation to potential public access along the waterway resulting in security issues along the rear of their property. The Panel considers that, as part of any land acquisition, the provision of appropriate fencing between what will become a public asset and private land is an issue for detailed design and consideration between the parties.

4.4 Conclusion

The Panel concludes that C357 and C360 are technically appropriate and urgently required to enable the further development of the Horseshoe Bend Precinct, and should be implemented as expeditiously as possible.

4.5 Recommendations

The Panel recommends that the Amendment be adopted, as exhibited.

(i) Further recommendations

- **The alignment of the waterway through properties affected by C360 should be designed within the affected properties to generally follow the alignment of the existing property boundaries and the extent of any land ultimately required should be minimised.**
- **The Council and the developers of the Horseshoe Bend Precinct should implement appropriate interim measures to minimise flooding risks for the downstream properties while the final stormwater infrastructure is being constructed.**

Appendix A Submitters to Amendment C357

No.	Submitter
1	Mr and Mrs Devlin
2	Barwon Water
3	DEDJTR
4	EPA Victoria
5	Dennis Family Corporation
6	Rennick and Gaynor on behalf of Robertson
7	Rennick and Gaynor on behalf of Perkins
8	Spiire on behalf of Gary Smith
9	DELWP (Geoff Brooks)
10	Albert Weddell, ID Land

Appendix B Submitters to Amendment C360

No.	Submitter
1	Barwon Water
2	DEDJTR
3	G and L Pohl
4	EPA Victoria
5	S O'Hara
6	Dennis Family Corporation
7	S and L Lim
8	DELWP (Geoff Brooks)
9	VicRoads
10	Albert Weddell, ID Land

Appendix C Document list

No.	Date	Description	Presented by
1	28/8/17	Part A submission. City of Greater Geelong. 2 No. folders	Briana Eastaugh
2	6/9/17	Part B Submission. City of Greater Geelong. 6/9/2017	“ ”
3	“	11 No. A3 photo maps of subject area	“ ”
4	“	VicRoads letter to the Senior Strategic Planner Council. 5/9/2017	“ ”
5	“	Letter from State Minister for the Environment to the CEO Council. 22/1/15	“ ”
6	“	Letter from Federal Dept. of Environment to the Development Manager Warralily. 7/12/15	“ ”
7	“	2010 Newspaper article and press release – 3 pages	“ ”
8	“	DELWP submission. 6/9/2017	Geoff Brooks
9	“	S O’Hara (C360) submission	Sandra O’Hara
9a	“	Further written submission L and C Devlin	L and C Devlin
10	7/9/17	Charlemont Rise submission	Sarah Wright
11	“	Dennis Family Corporation [Ashbury] submission. 7/9/2017	Alex Gelber
12	“	Horseshoe Bend Precinct, A3 Urban Structure Plan 22/9/2014	“ ”
13	“	Section 36 of subdivision act 1988	“ ”
14	“	ID Land Submission. 5/9/2017	Mark Bartley
15	“	Watermark Estate. 3 No. A3 plans of layout and sedimentation ponds	“ ”
16	“	Email from Senior Development Engineer, Council to Development Manager, ID Land. 21/8/2017	“ ”

2. GREATER GEELONG PLANNING SCHEME AMENDMENT C360 - APPLICATION OF A PUBLIC ACQUISITION OVERLAY ON LAND REQUIRED FOR DRAINAGE WITHIN THE HORSESHOE BEND PRECINCT

Source: Planning and Development
Director: Kelvin Walsh
Index Reference: Amendment C360

Purpose

To recommend that Council abandons Planning Scheme Amendment C360 (**the Amendment**) and proceeds with an underground bypass drainage pipeline along the Council managed Boundary and Harriott Roads as an alternative solution to the drainage need for the Horseshoe Bend Precinct.

Background

The Horseshoe Bend Precinct Structure Plan (HBPSP) and associated Horseshoe Bend Development Contributions Plan (HBDGP) nominate land acquisition and construction of drainage infrastructure across the four land parcels at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont.

The infrastructure is required to convey storm water from the west side of Barwon Heads Road into Sparrovale Wetlands. **Attachment 2** shows the location of the subject land.

The Amendment proposes a Public Acquisition Overlay (PAO) on portions of land at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont to enable land to be acquired by compulsory acquisition to accommodate a retarding basin and overland flow path for the retardation, treatment and conveyance of storm water into the Sparrovale Wetlands. This land is already a natural drainage path.

The Amendment was exhibited between 12 December 2016 and 15 February 2017. Ten submissions were received, three of which were objections. The submissions were referred to an Independent Panel (the Panel) appointed by the Minister for Planning. The Panel Hearing was held on 6 and 7 September 2017 and a copy of the Panel report is provided in **Attachment 3**.

Key Issues

- The 3 objections were from land owners directly affected by the proposed PAO raising concern about the loss of their land, alignment of the proposed PAO boundary and requesting the consideration of other storm water conveyance options by Council that do not involve compulsory acquisition.
- Council officers have investigated an alternative solution to the compulsory acquisition of land which proposes a bypass drainage pipeline along the Council managed Boundary and Harriott Roads with the capacity to convey excess peak flows attributable to urban development into the Sparrovale Wetlands (the Alternative Solution).
- The Alternative Solution will carry the urban run-off, allowing the natural flow and major storm events to continue onto the land owners land.
- Under the Alternative Solution, if the land owners wish to develop their land in the future, a master plan will be required for the 15 properties in their sub-precinct and the existing drainage path will have to be transferred to Council as a reserve to manage drainage in the sub-precinct. This may not occur for some years however.

Cr Nelson moved, Cr Murnane seconded -

That Council:

- 1) Abandon planning scheme Amendment C360 and the consequent compulsory acquisition of 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont.**
- 2) Proceed with the design and construction of an underground bypass drainage pipeline along the Council managed Boundary and Harriott Roads to convey the excess peak flows generated by urban development within the Horseshoe Bend Precinct.**

Carried.

Attachment 1

Drainage Authority

Council has the management and control of:

- public sewers and drains within its municipal district; and
- sewers and drains in and under roads in its municipal district; and
- and works and materials relating to those sewers and drains

except those that are vested in a Minister, the Crown or other public body under section 198 of the *Local Government Act 1989*.

Clause 56.07-4 of the Greater Geelong Planning Scheme nominates a number of requirements that need to be met to maintain pre-development flows and meet best practice in storm water treatment and management for urban development. The HBPSP and Horseshoe Bend Storm Water Management Strategy also set expectations that must be met to manage storm water during and post urban development.

The acquisition of the land referred to in this Report for a retarding basin and overland flow path will allow passage of storm water from the west side of Barwon Heads Road to be retarded, treated and released into the Sparrovale Wetlands along an enhanced environmental waterway. Internal engineering investigations have determined that, whilst the Alternative Solution will also achieve these objectives, the existing floodway (land at 661-669 Barwon Heads Road and 619-639, 641-655 and 657-669 Boundary Road, Charlemont) will still be subject to flooding as pre-development storm water runoff will continue. However, this runoff will not be attributable to development within the Horseshoe Bend Precinct, but rather is a pre-existing condition. The increased storm water volumes and flow rates produced from development in Horseshoe Bend Precinct can be resolved by the conveyance of flow through the Alternative Solution.

Financial Implications

The HBDP nominates and costs of infrastructure required for the Horseshoe Bend Precinct and apportions the total cost of land and construction across the Precinct. The costs are broken down into a per hectare dollar value which is payable as cash, or constructed by developers as 'works-in-kind', as urban development occurs.

The HBDP nominates funding for land acquisition and construction costs for intersection works, community facilities, drainage infrastructure and active sporting facilities. Each capital project cost is revalued annually, using relevant building indexes, and each land area to be acquired is revalued. The annual revaluation of works and land results in an updated per hectare rate.

The acquisition costs for the four land parcels that are the subject of the Amendment are part funded as separate projects within the HBDP.

Requires amendment to budget.

The total cost to Council to deliver the drainage solution identified in the HBPSP, including both construction costs and compulsory land acquisition, is \$4.7m. Council can expect to recover up to \$4.2m from the HBDP over the next 20 years for this purpose. The 2017-18 budget includes \$1.7m for this project.

If Council resolves to adopt the Amendment, future year Budget proposals will be presented to Council to fund the balance of acquisition of all land parcels.

Under the Alternative Solution, the total cost to Council of using existing road reserves as the location for the proposed bypass drain is expected to be \$1.4m. Existing Budget funds for acquisition will be reallocated to fund the construction. No costs will be recoverable under the HBDCP as the Alternative Solution has not been identified as a HBDCP item.

The Alternative Solution is able to be designed and constructed within the next 12 months.

Environmental Implications

Environmental outcomes are achieved through the purchase and establishment of the retarding basin and overland flow path that will ultimately deliver storm water into the Sparrovale Wetlands include the establishment of a fully functioning storm water management system, delivered in accordance with the Horseshoe Bend Storm Water Management Strategy and utilising principles of Water Sensitive Urban Design (WSUD).

The treatment of storm water using WSUD principles significantly reduces the negative impact that untreated storm water has on our rivers, bays and beaches.

The retarding basin and overland flow path, when operational, will have a positive impact on the overall health of our waterways by:

- reducing the speed of urban storm water runoff flows during rain events reducing erosion potential; and
- removing rubbish and reducing the nutrient levels in the water.

The Alternative Solution also maintains the objectives of environmental protection of waterways including the management development-derived runoff.

Community Engagement

The Amendment 0 was exhibited between 12 December 2016 and 15 February 2017 with a total of 10 submissions received/ .

Social Equity Considerations

The preparation and exhibition of the Amendment was undertaken in accordance with Council's Social Equity considerations.

Communications were designed to address the particular needs and obstacles faced by priority areas and groups and all consultation was conducted with the aim of fully understanding the needs and wants of the affected land holders.

Policy/Legal/Statutory Implications

The Amendment is in accordance with the vision and intent of both the HBSP and HBDCP. Both documents are incorporated into the Greater Geelong Planning Scheme and Council is required to deliver infrastructure to address development impacts on surrounding properties such as the management of excess runoff.

The land acquisition component of Amendment C360 is subject to the provisions of the *Land Acquisition and Compensation Act 1986 (LACA)*.

Alignment to City Plan

The Armstrong Creek Urban Growth Plan is nominated in City Plan as integral to the delivery of Council's *Sustainable built and natural environment* strategic direction.

The purchase of land and construction of the retention basin and overland flow path provides an area for a fully landscaped, environmentally sensitive conveyance of storm water into the Sparrovale Wetlands. The delivery of the Sparrovale Wetlands, the end of line drainage asset for the precinct, will result in enhancement to an existing ecosystem whilst ensuring that the urban development occurring now, and into the future, will have a significantly reduced negative environmental footprint. In addition, the overland flow path will also provide a landscaped area of passive open space and off road pathway which contributes to the *Community Wellbeing* strategic direction nominated in City Plan. The off road path is designed and located to encourage pedestrians to access the Sparrovale Wetlands.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk assessment

Development within the Horseshoe Bend Precinct is limited until such time as the land for drainage is secured and made available to receive storm water runoff.

The Amendment will enable the conveyance of flows from the west side of Barwon Heads Road into the Sparrovale Wetlands end of line drainage solution, consistent with the HBSP and the Horseshoe Bend Storm Water Strategy. The Alternative Solution will deliver the same practical outcome, but is a drainage solution that is not consistent with the HBSP or the Horseshoe Bend Storm Water Strategy.

The Panel and Panel Report

A total of 10 submissions were received during the exhibition of the Amendment. Of these, 3 submissions were objections to the proposal.

The Amendment was considered by the Panel in conjunction with Amendment C357 (which is not the subject of this Report, but affects neighbouring land, being the ultimate end of line Sparrovale Wetlands)

Objections to the proposed PAO related to the amount of land proposed to be acquired, alignment of the proposed PAO boundary and alternative options, flooding and safety due to future public access in the area to be acquired.

In summary Panel responded to these concerns as follows:

- to the extent that there may be some question about the precise area of land which is ultimately required for a project, there are subsequent stages and milestones available whereby the area of land to be acquired can be reduced. Section 107 of the *Planning and Environment Act 1987* enables a land owner to claim;
- that the land owners will be compensated according to the relevant legislation;
- it is beyond the scope of the Panel to comment on obligations and procedures under the LACA ;
- the application of the PAO is required, warranted and strategically justified.

The Panel were satisfied that the Amendment is technically appropriate and that Council should work with developers to mitigate flooding risks to downstream properties prior to the construction of all the drainage infrastructure nominated in the HBSP and HBDCP.

The Panel recommended that Amendment 360 be adopted, as exhibited and made the following further recommendation specific to Amendment C360:

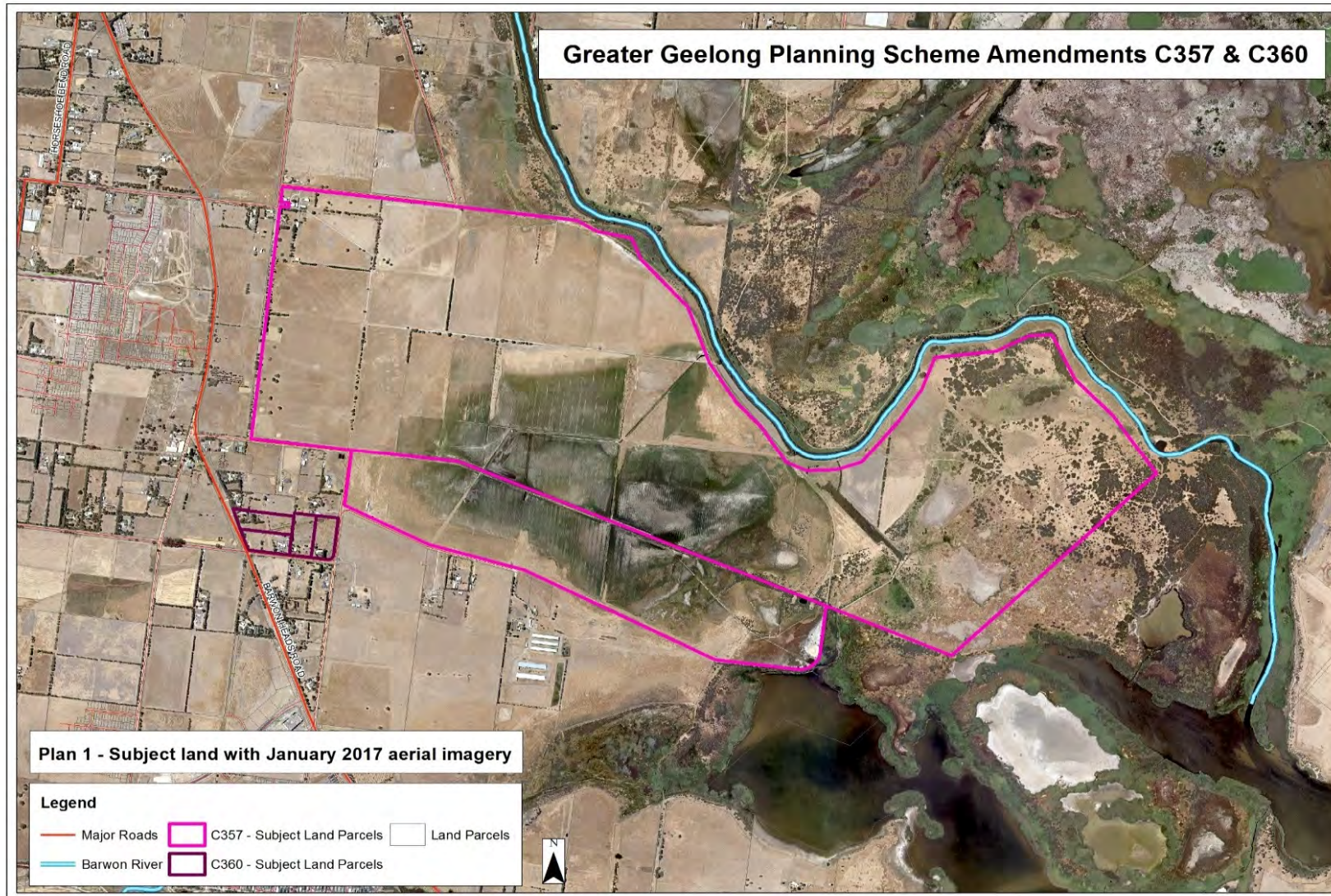
The alignment of the waterway through properties affected by C360 should be designed within the affected properties to generally follow the alignment of the existing property boundaries and the extent of any land ultimately required should be minimised.

Summary

Council officers have balanced the relevant cost and benefits of both the Amendment and the Alternative Solution. The acceptance of the Alternative Solution would avoid the need for compulsory acquisition processes across the subject land. However, the Alternative Solution does not address the pre-development floodway status of the land.

Both the Amendment and the Alternative Solution deliver similar outcomes with respect to the management of development-derived runoff and as the Drainage Authority, Council recognises the benefits flowing from the adoption of the Amendment in order to provide control over land and to undertake works in accordance with the adopted Horseshoe Bend Storm Water Management Strategy. However, this view must be balanced against the cost implications of adopting and proceeding with Amendment C360 and the impact of a compulsory acquisition process and the infrastructure construction processes on the affected landowners.

As noted, a workable and cost-effective engineering option is available that will maintain storm water runoff to pre-development levels, such that a PAO as detailed in the Amendment is not required.



Planning and Environment Act 1987

Panel Report

Greater Geelong Planning Scheme Amendments C357 and C360

Armstrong Creek Public Acquisition Overlays

Front page

12 October 2017

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

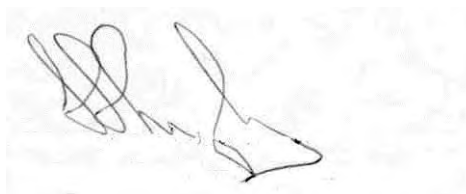
Greater Geelong Planning Scheme Amendments C357 and C360

Armstrong Creek Public Acquisition Overlays

12 October 2017



Brett Davis, Chair



Greg Sharpley, Member

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Appendix A Submitters to Amendment C357

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List of Abbreviations

DCP	Development Contributions Plan
DELWP	Department of Environment, Land, Water and Planning
EVC	Ecological Vegetation Class
HBP	Horseshoe Bend Precinct
LAC Act	Land Acquisition and Compensation Act 1986
LPPF	Local Planning Policy Framework
NVPP	Native Vegetation Protection Plan
PAO	Public Acquisition Overlay
PSP	Precinct Structure Plan
SPPF	State Planning Policy Framework
SWMS	Storm Water Management Strategy
UGP	Armstrong Creek Urban Growth Plan

Overview

Amendment Summary	
The Amendment	Greater Geelong Planning Scheme Amendments C357 and C360
Common name	Armstrong Creek Public Acquisition Overlays
Brief description	The Amendments propose to apply the Public Acquisition Overlay to land within the Horseshoe Bend Precinct of the Armstrong Creek Urban Growth Area to facilitate the construction and commissioning of stormwater management infrastructure.
Subject sites	Amendment C357: - 109 – 215 Sparrovale Road, Charlemont - 1 – 87 Groves Road, Armstrong Creek (Cold Winds) Amendment C360: - 661 – 669 Barwon Heads Road, Charlemont - 619 – 639 Boundary Road, Charlemont - 641 – 655 Boundary Road, Charlemont - 657 – 669 Boundary Road, Charlemont
Planning Authority	Greater Geelong City Council
Authorisation	Authorisations for the Amendments were issued by the Minister for Planning on 17 October 2016. The Authorisations were not subject to any conditions.
Exhibition	12 December 2016 – 15 February 2017
Submissions	Amendment C357: 9 submissions Amendment C360: 8 submissions

Panel Process	
The Panel	Brett Davis (Chair) and Greg Sharpley
Directions Hearing	Greater Geelong offices, 25 July 2017
Panel Hearing	Geelong Conference Centre, 6 – 7 September 2017
Site Inspections	Unaccompanied, 6 September 2017
Appearances	See Table 3
Date of this Report	12 October 2017

Executive Summary

(i) Summary

Greater Geelong Planning Scheme Amendments C357 and C360 (the Amendments) propose to apply the Public Acquisition Overlay (PAO) to land within the Horseshoe Bend Precinct (HBP) of the Armstrong Creek Urban Growth Area, to facilitate the construction and commissioning of stormwater management infrastructure. Key issues raised in submissions included:

- strategic justification for the proposed PAO
- amount of land proposed to be acquired
- alignment of the proposed PAO boundary and alternative options
- flooding
- safety due to future public access in the area to be acquired.

There were several supporting submissions in respect of the Amendments. Supporting submissions were received from landowners in the HBP as well as the Department of Environment, Land, Water and Planning.

Council submitted it is critical that the Amendment sites be acquired in order that development may continue. Council submitted that development within the relevant parcels of the HBP is nearing the development 'ceiling' identified in the Storm Water Management Strategy (SWMS). Without the PAO and commissioning of the wetlands, then future development would be restricted.

It is clear to the Panel that the Sparrovale Wetland is an inextricable part of the drainage scheme for the HBP. It is enshrined in previously approved Amendment processes in a Precinct Structure Plan and Development Contributions Plan.

Council is to be commended on bringing to fruition 10 years of robust strategic planning for the Horseshoe Bend Precinct. The Panel accepts the evidence presented and concludes that the extent of the PAO is justified given the particular topography and hydrology of both the proposed overland flow path and the Sparrovale and Cold Winds properties.

The adopted drainage strategy and application of the PAO will protect the ecological conditions of the Hospital Swamps and Sparrovale Farm wetlands. Evidence presented outlined how this would benefit the adjacent Ramsar wetland.

Submitters raised issues relating to acquisition impacts. The Panel agrees with the submissions of Council that the objectives in acquiring the sites is clearly sound. The Panel concludes whichever property Council chooses, the submission will always be that the owner will not be able to achieve the prospective development potential of their land.

On matters of compensation the Panel notes that the owners will be compensated according to the community standards set out in the relevant legislation. It is beyond the scope of this Panel to comment on obligations and procedures under the *Land Compensation and Acquisition Act 1986*.

Submitters raised alternative options during the Hearing such as realignment of boundaries and more underground piping. Other than Council, no other parties called expert evidence

on this aspect. It is not the Panel's role to interrogate alternatives. The Panel is appointed to determine the strategic merit of the proposed application of the PAO before it, and whether it can deliver the drainage and environmental initiatives proposed by Council.

Several submitters raised concerns with the effects of downstream flooding on their properties due to the interim works that had taken place. Council acknowledged these issues and reiterated the need to implement the full scheme under the PAO would assist in mitigating these issues.

The Panel concludes that Council has provided more than adequate strategic and practical justification for the application of the PAO and the Amendments. To the extent that there may be some question about the precise area of land which is ultimately required, the Panel agrees there are more detailed designs to follow, and the extent of land may be reduced. Council submitted it may be possible to make some adjustments to the ultimate boundary.

The Amendment is sound and should be supported as exhibited.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Geelong Planning Scheme Amendments C357 and C360 be adopted as exhibited.

(iii) Further recommendations

The Panel makes the following further recommendations:

- **The alignment of the waterway through properties affected by C360 should be designed within the affected properties to generally follow the alignment of the existing property boundaries and the extent of any land ultimately required should be minimised.**
- **The Council and the developers of the Horseshoe Bend Precinct should implement appropriate interim measures to minimise flooding risks for the downstream properties while the final stormwater infrastructure is being constructed.**

1 Introduction

1.1 The Amendment

(i) Amendment Description

Greater Geelong Planning Scheme Amendments C357 and C360 (the Amendments) propose to apply the Public Acquisition Overlay (PAO) to land within the Horseshoe Bend Precinct (HBP) of the Armstrong Creek Urban Growth Area, to facilitate the construction and commissioning of stormwater management infrastructure.

Amendment C357

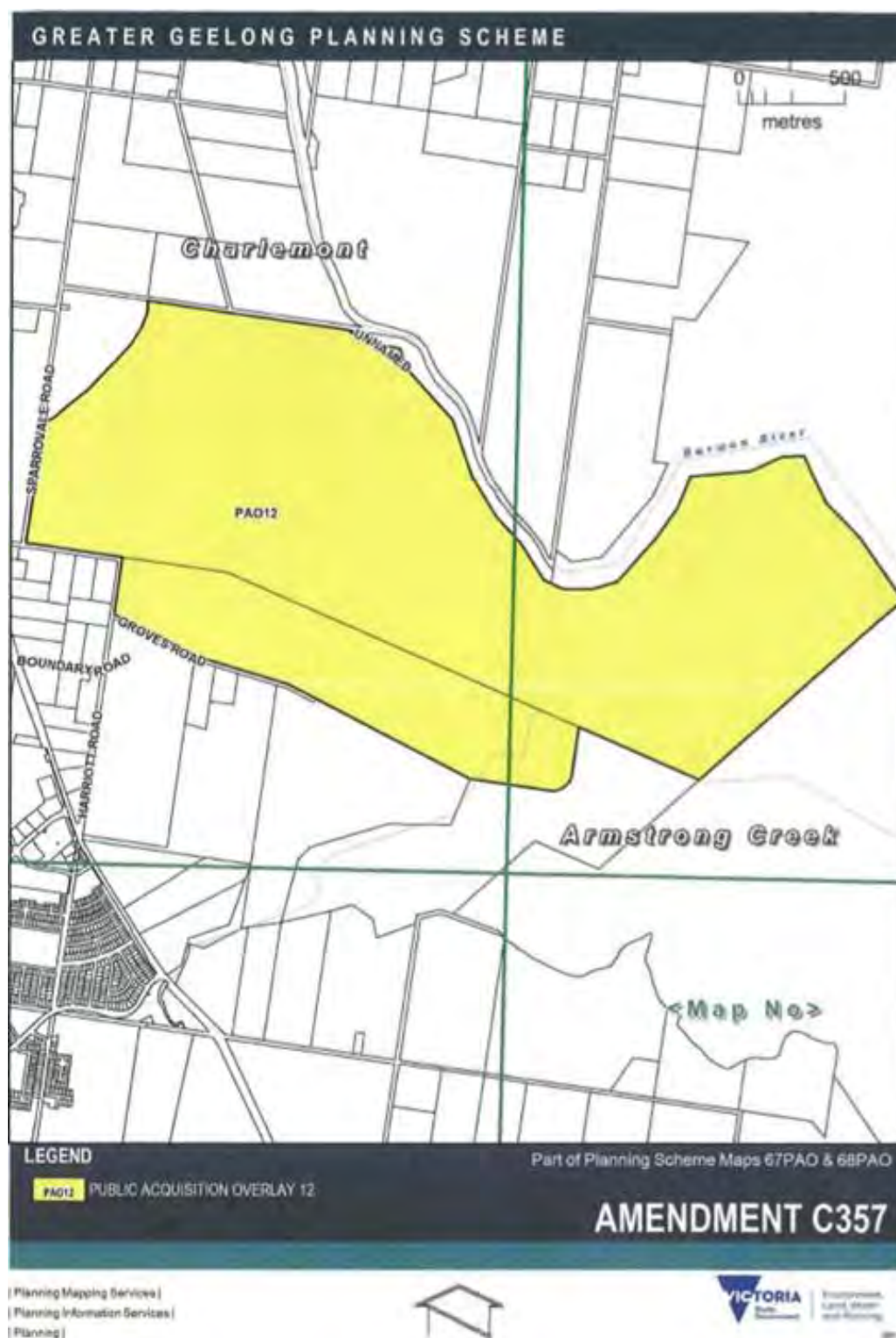
Amendment C357 applies to approximately 510 hectares of land within the following sites:

Table 1: Amendment C357 Summary

Land	Total site area	Area of proposed PAO	Existing zones and overlays	Existing use and development
109 – 215 Sparrovale Road, Charlemont (Sparrovale)	436 hectares	423 hectares (97%)	Farming Zone - majority of site Urban Growth Zone, Schedule 4 (UGZ4) - 12 hectares fronting Sparrovale Road which is also affected by a Development Contributions Plan Overlay, Schedule 5 (DCPO5) Floodway Overlay Environment Significance Overlay, Schedule 2 – High Value Wetlands and Associated Habitat Protection (ESO2) Vegetation Protection Overlay, Schedule 1 – Areas of Flora and Fauna Habitat and of Geological and Natural Interest (VPO1)	Parts of the PAO area are used for cattle grazing. The remainder of the PAO area is vacant and unused due to inundation and / or access issues (particularly the area to the east of the existing levee on the site). The north-west section of the Sparrovale site (not subject to the PAO) is developed with dwellings, sheds and associated outbuildings.
1 – 87 Groves Road, Armstrong Creek (Cold Winds)	87 hectares	87 hectares (100%)	Farming Zone Floodway Overlay ESO2	Cattle grazing

Figure 1 outlines the Amendment C357 area.

Figure 1 The Subject site – Amendment C357



Amendment C360

Amendment C360 applies to approximately 2.153 hectares of land within the following sites:

Table 2: Amendment C360 Summary

Land	Total site area	Approximate area of proposed PAO	Existing zones and overlays	Existing use and development
661 – 669 Barwon Heads Road, Charlemont	2.35 hectares	0.56 hectares (24%)	UGZ4 DCPO5 PAO3 – for the widening of Barwon Heads Road	Used and developed for the purposes of a dwelling and associated shedding in the north-west corner of the site with property access via a driveway off Barwon Heads Road.
619 – 639 Boundary Road, Charlemont	2.03 hectares	1 hectare (50%)	UGZ4 DCPO5 PAO3	Used and developed for the purposes of a dwelling in the south-east corner of the site with property access via a driveway off Boundary Road.
641 – 655 Boundary Road, Charlemont	2.02 hectares	0.7 hectares (35%)	UGZ4 DCPO5 Floodway Overlay	Used and developed for the purposes of a dwelling and associated outbuildings in the south-west corner of the site with property access via a driveway off Boundary Road.
657 – 669 Boundary Road, Charlemont	2.01 hectares	0.4 hectares (20%)	UGZ4 DCPO5 Floodway Overlay	Used and developed for the purposes of a dwelling and associated outbuildings in the south-west corner of the site with property access via a driveway off Boundary Road.

Figure 2 outlines the Amendment C360 area.

Figure 2 The Subject site – Amendment C360



Council submitted that the dwellings and associated outbuildings on the Amendment C360 sites would sit outside the extent of the proposed PAO, however, some sheds on the 619 – 639 Boundary Road site would be within the PAO. The existing access arrangements for these properties would not be disturbed.

1.2 Panel process

Council and the Panel discussed the grouping of the Amendments and agreement was reached that the Panel hear and consider both Amendments as part of one Hearing process.

Further, that one report be prepared in relation to both matters. References to State and Local Policy refer to both Amendments.

Those in attendance at the Panel Hearing are listed in Table 1.

Table 3 Parties to the Panel Hearing

Submitter	Represented by
Greater Geelong City Council	Briana Eastaugh of Maddocks, with Dinah O'Brien (Senior Strategic Planner) who called the following expert witnesses: - Andrew MacMahon of Ecology Australia, in flora and fauna - Andrew McCowan of Water Technology, in drainage and flooding
DELWP	Mr Geoff Brooks
S O'Hara	In person
L Lim	In person
Charlemont Rise	Sarah Wright, Spiire
L and C Devlin ¹	In person
Dennis Family Corporation	Alex Gelber, HWL Ebsworth
ID Land	Mark Bartley, HWL Ebsworth

1.3 Procedural issues

On 21 August 2017 Council referred late submissions to the Panel on behalf of ID Land, for both Amendments.

On 1 September 2017 parties Robertson and Perkins (submissions 6 and 7) withdrew their submissions, and requests to be heard. This affected the timetable and version 3 was issued accordingly. On 5 September 2017 Robertson and Perkins confirmed they did not wish the Panel to consider their written submissions.

Council submitted in its Part B statement (Document 2) *"While these submissions have been withdrawn, Council's response is set out below for the avoidance of any doubt, and for the benefit of those parties who may be unfamiliar with the compulsory acquisition process."*

While the Council referred extensively to responding to these submissions in its Part B submission on the matters of compensation, as they were withdrawn the Panel does not refer to or respond to these submissions. Broader issues relating to compensation matters, raised by other submitters, are discussed in Chapter 3.

1.4 Background to the Amendments

In its Part A Statement, Council provided a historical planning context and detailed chronology providing background to the Amendments. This is shown in Table 2 below.

¹ L and C Devlin were scheduled to appear and informed the Panel on the day of the Hearing they were unable to attend. They supplied a further written submission via email. (Document 9a)

Table 4 Chronology

Date	Event / Document
1988	Directions – The Geelong Region Development Strategy 1988 – 1998 prepared by the Geelong Regional Commission
February 2006	Armstrong Creek Urban Growth Area Flooding and Drainage Technical Report prepared by Water Technology and Fauna Technical Report prepared by Ecology Australia
28 November 2006	Council adopted the <i>Armstrong Creek Urban Growth Plan (UGP)</i> and resolved to prepare and exhibit Amendment C138 to the Scheme.
May 2008	The UGP is finalised (subsequently amended in May 2010 and September 2012) through future planning scheme amendment processes
4 December 2008	Amendment C138 (UGP) was gazetted
10 March 2009	Council adopted the Armstrong Creek Integrated Infrastructure Delivery Plan (IIDP)
3 June 2010	Amendment C206 (Armstrong Creek East Precinct PSP and NVPP) was gazetted
31 October 2011-12 February 2012	First and second Discussion Papers completed by Neil Craigie in respect of the HBP Stormwater Management Strategy
12 July 2012	Amendment C214 (Armstrong Creek East Precinct DCP) was gazetted
7 March 2013	Amendment C240 (Armstrong Creek West Precinct PSP, DCP and NVPP) was gazetted
October 2013	Storm Water Management Strategy (SWMS) completed by Neil Craigie
August 2014	Barwon River Interface with the Armstrong Creek Growth Area Background Issues and Opportunities Discussion Paper completed by Thompson Berrill Landscape Design
September 2014	Horseshoe Bend PSP and DCP and NVPP completed
23 October 2014	Amendment C267 (Town Centre Precinct PSP, DCP and NVPP) was gazetted
27 November 2014	Amendment C259 (Horseshoe Bend Precinct PSP, DCP and NVPP) was gazetted
27 September 2016	Council resolved to prepare and exhibit the Amendments
9 March 2017	Amendment C301 (South Precinct PSP) was gazetted
2 June 2017	Council Delegate considered the submissions to the Amendments and resolved to refer them to a Panel

Council submitted by way of background:

Since the preparation of these earlier strategic documents, a raft of detailed strategic planning and technical analysis has confirmed the Growth Area as the principal area designated for broad hectare urban development within the City of Greater Geelong.

The Growth Area is anticipated to provide housing for some 54,000 people, together with a major (sub-regional) town centre, a number of neighbourhood and local activity centres and two substantial employment areas.

An overview of how planning for the Growth Area has been progressed and implemented into the Scheme is outlined below, with a particular focus on the key issues as they relate to the matters before this Panel.

1.5 Issues dealt with in this report

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from site visits.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- Are the PAOs strategically justified?
- Drainage, flooding and environmental issues.

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the SPPF:

Clause 11.02-1 (Supply of Urban Land) is relevant in that the Amendments will ensure that the HBP continues to provide residential, commercial, retail, recreational and community land to meet supply requirements for an estimated 25 years.

Clause 11.02-4 (Sequencing of development), is relevant in that the Amendments will assist in the timely provision of key infrastructure for the management of stormwater for the HBP area.

Clause 11.09-4 (Environmental assets), which relates specifically to the Geelong G21 region, includes strategies to:

- protect, restore and enhance the quality of land and marine areas, waterways, biodiversity and soils; and
- maintain and protect the region's natural assets, including the region's parks and reserves.

Clause 12 (Environmental and Landscape Values) provides that 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.

Clause 12.01-1 (Protection of biodiversity) provides that planning strategies should be adopted to protect the biodiversity and minimise impacts, including cumulative impacts of land use and development on Victoria's biodiversity.

Clause 13.02-1 (Floodplain management) which seeks to assist with the protection of:

- life, property and community infrastructure from flood hazard;
- the natural flood carrying capacity of rivers, streams and floodways;
- the flood storage function of floodplains and waterways;
- floodplain areas of environmental significance or of importance to river health.

Clause 13.02-1 outlines several strategies, to achieve the above listed objectives. These include avoiding the intensifying impacts of flooding through inappropriately located uses and developments. Council considered that the Amendments respond to this strategy through implementation of the SWMS, which will inform the provision of the main drainage infrastructure for the HBP.

Clause 14.02-1 (Catchment planning and management), seeks to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater and the marine environment is also relevant.

Clause 19 (Infrastructure) is relevant in that the Amendments are costed into the HBP Development Contributions Plan and will ensure that stormwater entering wetlands and estuaries does not have a detrimental effect on the environment (Clause 19.03-3).

(ii) Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

- Clause 21.05 – Natural Environment
- Clause 21.05-3 – Biodiversity
- Clause 21.08-2 – Open Space
- Clause 21.11 – Armstrong Creek Urban Growth Area

(iii) Other planning strategies or policies used in formulating the Amendment

- Armstrong Creek Urban Growth Plan (2008)
- Barwon River Parklands Strategy (2011)
- G21 Regional Growth Implementation Plan (2013)
- Horseshoe Bend Precinct Structure Plan, Development Contribution Plan (2014)
- Horseshoe Bend Native Vegetation Protection Plan (2014)

2.2 Planning scheme provisions

(i) Zones

The land affected by the PAO falls within a combination of the Urban Growth Zone (C360 land) and Farming Zone (C357).

(ii) Overlays

The Sparrovale and Cold Winds sites are subject to the Environmental Significance Overlay Schedule 2. The ESO2 relates to 'High Value Wetlands and Associated Habitat Protection'.

Bellarine Ramsar Site

Council submitted that Amendment C357 is consistent with the statement of environmental significance set out in ESO2 and in particular noting that the sites are directly adjacent to the Bellarine Ramsar Site. ESO2 notes that the Ramsar Site:

...provide important habitat for migratory birds, waterfowl and endangered species and sustain significant proportions of the Australian populations of these species. They are also remnants of wetland types that were once much more extensive in the Geelong region and elsewhere in Victoria, contain a high diversity of plant and animal species and conserve the genetic diversity of particular species.²

² Council Part A Statement: pg. 42

(iii) Particular provisions

Clause 56.07-4 – urban runoff management objectives) to limit downstream impacts to pre-development flows is particularly relevant in justifying the application of the PAO.

2.3 Ministerial Directions and Practice Notes

(i) Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

Ministerial Direction No 15 – The Planning Scheme Amendment process

The Amendment is consistent with this Ministerial Direction.

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

2.4 Discussion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. Strategic justification of the Amendments is discussed in Chapter 3.

3 Are the Public Acquisition Overlays strategically justified?

3.1 The issue

The issue relates to whether or not the application of the PAO is strategically justified.

3.2 Evidence and submissions

Ten submissions were received in respect of Amendment C357, including 3 objections; and 9 submissions were received for Amendment C360, including 3 objections. As noted in 1.3 of this report, two of the objections for Amendment C357 have been withdrawn prior to the hearing. The remaining submission for Amendment C357 related to flooding and this is dealt with in Chapter 4.

Key issues for Amendment C360 predominately related to the amount of land to be acquired, the alignment and location of the PAO and safety concerns. At the Hearing, submitters also raised concerns with regards to compensation and acquisition issues.

Council outlined how the Amendment is strategically justified against the State and Local Planning Policy Framework in Chapter 2. In its Part B submission, Council submitted that the Amendments would realise the objectives of the *Horseshoe Bend Precinct Structure Plan (PSP) and Development Contributions Plan (DCP)* and facilitate:

- *the establishment of the Sparrovale Wetlands (C357) and the construction of associated drainage infrastructure (C357 and C360), which is critical to the continued development of the HBP; and*
- *the creation of an associated environmental biodiversity conservation area as part of the broader Barwon River Parklands (C357).*

(i) Extent of the PAO (amount of land)

Several submitters (Lim, O'Hara and Devlin) objecting to Amendment C360 questioned the extent of land required within the PAO. Council submitted that the PAO boundary across these properties *"has been dictated primarily by the retarding basin and stormwater infrastructure requirements identified by the SWMS. The detailed design of this infrastructure was explored in the Cardno concept designs prepared for the C259 Panel."*

Council submitted that Mr McCowan had looked at this issue in more detail and concluded that the land shown as subject to the Amendment C360 PAO is necessary to convey stormwater from the southern part of the HBP to the Sparrovale Wetland. He noted that the PAO alignment generally aligns with modelled overland flow paths (Water Technology, 2006).

(ii) Alignment and location of the PAO (alternative options)

Council submitted that alternative options were canvassed in detail and tested prior to the Amendment C259 panel process. It explained that the Panel was provided with a significant volume of detail that goes to this. It included evidence demonstrating that the SWMS had:

*Evolved over the course of three years of analysis and refinement, was examined and tested through the Amendment C259 process. It was placed on exhibition and all interested landowners and agencies were provided with the opportunity to comment. Further, save for concerns regarding the costs of the 10 year management plan, the Sparrovale Wetland concept was **not** challenged by any party before the C259 panel.*

Council submitted that its initial preference had then been to try and negotiate the purchase of the nominated properties, and only consider the application of the PAO if that failed.

Several submitters, (Lim, O'Hara and Devlin) requested that alternative locations be considered. Council argued that it was not the role of the Panel to make such considerations, as the location had been interrogated in Amendment C259, and others over a 10 year period. It noted within this context the comments of the Panel in Wyndham Amendment C127³ when considering 'alternative options'. Wyndham C127 considered the application of a PAO in favour of Melbourne Water to facilitate drainage works. The Panel concluded:

The Panel is unable to determine whether or not one scheme is better than another. The Panel needs to be satisfied that the proposed scheme is an appropriate one and that it has been adequately and conscientiously prepared by Melbourne Water.

Nothing put to the Panel suggested that this was not the case.

Similarly, the Panel in Maroondah Amendment C69⁴ noted the following when considering its role in considering 'alternatives':

In general terms, it will usually only be appropriate for the Panel to consider an amendment which has been exhibited, and the issues associated with that amendment. The Panel's role is not to consider alternative options. However if the amendment is found to be inappropriate, or if it raises fundamental planning concerns that alternatives appear not to, the Panel may recommend that other options be looked at. This is not a task that would be undertaken as part of the Panel hearing.

Council acknowledged that it may be possible to adjust the ultimate boundary of the acquired area at the detailed design stage of the process, resulting in less land being acquired than that which is subject to the PAO.

In these circumstances Council submitted that it is more appropriate to acquire the area proposed in Amendment C360 and compensate the landowners appropriately. Council submitted that in any event, there are provisions in the *Planning and Environment Act 1987* (s107) to protect owners from the implications of this.

Mr McCowan noted that the Amendment C360 PAO alignment provided opportunities to integrate remnant riparian vegetation into the design of the waterway environment.

³ Wyndham C127 (PSA) [2011] PPV 123.

⁴ Maroondah C69 (PSA) [2011] PPV 1.

(iii) Land Acquisition and Compensation Act 1986 (LAC Act)

During the course of the Hearing, several submitters raised general compensation issues. Council submitted that the role of the Panel, consistent with decisions of previous panels who have considered the application of the PAO, is to determine the strategic merit of the proposed application of the PAO and whether it can deliver the drainage and environmental initiatives being pursued by the Council.

Those panels⁵ have consistently focused their attention on the key matters relevant to their expertise and jurisdiction. That is, the strategic justification for the Amendment. They have properly noted that it is not for panels to comment on obligations and procedures under the LAC Act.

(iv) VicRoads

The Panel had directed that prior to the Hearing, Council was to make contact with VicRoads to seek their input in respect of Amendment C360. Council advised:

*A response was received on 5 September 2017. VicRoads notes the abuttal of the existing (PAO3) and proposed (PAO12) overlays but does not raise any concerns. Council is satisfied that the interface between the overlays can be resolved at the detailed design stage.*⁶

3.3 Discussion

With regard to the extent of the PAO, the Panel notes that in some places, the PAO boundary has been straightened to follow property boundaries. It agrees with the methodology of Council that this has been done in cases where following the precise alignment of the anticipated drainage infrastructure would have resulted in small, irregularly shaped residual parcels of land in private ownership that would have been severed and inaccessible from the balance of the land.

Clearly negotiations have not been able to finalise the acquisition of the properties for their intended purpose. The Panel agrees with the Council position that no alternatives to the SWMS drainage strategy have been put to this Panel, or indeed were put to the C259 panel for consideration.

The Panel commends Council in attempting to resolve this without the need for a PAO. Ultimately, the matter has now come before the Panel and it should be supported. The amount of strategic rigour and background work for the implementation of the PAO, is in the Panel's view, very good.

3.4 Conclusions

The Panel concludes:

⁵ See for example, Greater Dandenong C87 Panel Report (July 2008); Greater Shepparton C148 Panel Report (December 2011); Wangaratta C36 Panel Report (February 2012); Melton C109 Panel Report (March 2012); Casey C136, Frankston C76 and Dandenong C115 Panel Report (May 2012).

⁶ Document 4

- To the extent that there may be some question about the precise area of land which is ultimately required for a project, there are subsequent stages and milestones available whereby the area of land to be acquired can be reduced.
- There are provisions in the legislation to protect owners from the implications of this. *The Planning and Environment Act 1987* s107 enables a landowner to claim compensation for the removal of a reservation over land.
- The Panel notes that the owners will be compensated according to the community standards set out in the relevant legislation.
- It is beyond the scope of this Panel to comment on obligations and procedures under the *Land Compensation and Acquisition Act 1987*.
- Council has been careful to determine the area of land which it anticipates will be required for the public purpose.
- The application of the PAO is required, warranted and strategically justified.

4 Drainage, Flooding and Environmental Issues

4.1 The issue

Drainage, flooding and environmental issues raised by submitters primarily related to the acquisition of land rather than piped easements through their properties and the alignment of the proposed drainage channel on their properties. Objectors and submitters were concerned in relation to both current and potential future flooding issues related to the timing of upstream flood detention works and the interrelationship with the sensitive wetlands further to the east.

4.2 Evidence and submissions

Amendment C357 relates to a PAO for two large parcels of land (514 hectares) situated some distance to the east of the HBP. These two parcels are currently used as degraded grazing land. The purchase of these properties was included in the DCP, with the aim of rehabilitating them into a high-quality wetland to receive urban run-off. They are proposed to be used as a freshwater wetland and stormwater detention system (Sparrovale Wetlands) to appropriately treat the increased volume and rate of flow of stormwater from the northern portion of the HBP prior to discharge into the Barwon River.

They were identified in early hydraulic modelling (Water Technology - 2006 and Stormwater Management Strategy. Neil Craigie - 2013) undertaken as part of the overall development of the Precinct Structure Plan and are in fact an integral part of the development, which limits the amount of residential development that can be undertaken in the HBP to 25 per cent of the final development, until such time as the Sparrovale Wetlands are developed.

The Sparrovale Wetlands will provide a number of environmental benefits beyond those associated with the treatment and control of storm water from the future residential areas. These include protection of the adjacent Hospital Swamp and saline Ramsar wetlands from effects of increased freshwater inputs, extension of the Barwon River Parklands, maintenance of the significant biodiversity values of the Sparrovale and Ramsar sites, etc.

Amendment C360 properties are situated between the HBP and the proposed Sparrovale Wetlands. Currently drainage from the southern portion of the HBP drains through these properties in a small drainage channel to the proposed Sparrovale Wetlands.

Due to the development of the HBP, the volume and rate of flow of stormwater through these properties will be considerably increased. As a result, without significant works being undertaken on these properties the majority, if not all of the properties will be subject to frequent inundation during storm flows.

(i) Drainage

The only objection raised in relation to C357 relates to current flooding issues associated with storm water discharges from the early stage developments of the ID Land, Watermark Estate to the north-west of the Devlin property (submitter 1) and the potential for increased flooding when full development of the HBP is undertaken.

In written submission to the Panel (document 9a), the submitter noted:

We have had a large increase into the amount of water coming from the Reserve road horseshoe bend Precinct , which is currently being pumped and dumped under the Barwon Heads Road onto farming land , down the hill again to us.

Likewise, the Boundary Road Horseshoe bend development, has insufficient holding ponds that are being pumped under horseshoe bend road on to farm land and down the hill to us as well,, currently all the drains end up within less than 100m of our property.

Figure 3 Flooding at Harriott Road⁷



In relation to the long-term flooding impacts on the Devlin's property, Council sought advice from Mr McCowan, the hydraulic modelling expert appointed to undertake a peer review of the modelling work associated with both C357 and C360. He provided the following response:

The property and wider area is at risk of flooding from both the Barwon River and stormwater runoff (refer to attached map and 2006 study). The stormwater flooding is a pre-development condition and is caused by overland flow from Barwon Heads Road and upstream catchment.

I agree that unmitigated development would increase flood risk on the property however, the implementation of the proposed SWMS will alleviate risk to their property. The proposed waterway corridor for C360 will convey the overland flow (including increased runoff from upstream development) to

⁷ Document 9A

the Sparrovale Wetland and provide a greater level of protection to their property. This should result in a significant reduction of flooding at the site.

Submitters Pohl, O'Hara and Lim (3, 5 and 7) to Amendment C360 raised concerns on the loss of land associated with the PAO and land value due to the reduction in area of their property. They submitted that in order to minimise the loss of land, all flows should be piped through their properties, and the alignment moved to follow, property boundaries, thus minimising the amount of land required.

Submitter Lim also raised concerns in relation to the presence of a storage basin being situated on their land and advised that it should be situated on the other side of the Barwon Heads Road.

Mr McCowan advised the Panel that the proposed alignment or the drainage waterway coincided with the existing drainage path through these properties. He did, however, consider that there is potential for some realignment of the proposed waterway to more closely follow the property boundaries to be undertaken as part of the detailed design phase. Ms O'Brien, on behalf of Council advised the panel that any reduced requirement for land under the PAO could be reversed by subsequent amendment.

In relation to the use of piped system through these properties Mr McCowan advised that the use of a naturalised waterway is consistent with both the management of major storm water flows elsewhere in the HBP and with current good practice which seeks to provide a more natural approach to stormwater systems. He also stated that the proposed basin on the Lim land was required to enable flows to pass over the top of a Barwon Water outfall sewer, which crosses the site.

Subsequent to his appearance at the Hearing, Mr McCowan provided the following advice through the Council:

As described in our report, the intent is to establish a "naturalised" waterway environment, wherever possible. In this respect, I note that the current alignment generally aligns with modelled overland flow paths (Water Technology, 2006). This would provide opportunities to integrate remnant riparian vegetation into the design.

The reliance on above ground drainage corridor also ensures the natural flood carrying capacity of the waterways is maintained and protected, as per Clause 13.02-01 (Floodplain management) of the State Planning Policy Framework. An underground drainage arrangement may limit the conveyance capacity of the drainage infrastructure and will reduce the flood storage function of the floodplain.

(ii) Environmental impacts / benefits

Mr McMahon, on behalf of Council, dealt with the environmental impacts related to C357. These are summarised in his statement of expert evidence as:

- *improved water quality entering the Ramsar site.*
- *Security provided to the existing on site values; enhancement of existing values through informed management;*

- *provision of a biodiversity-focused buffer to the adjoining Ramsar site; and*
- *effective increase in patch size and connectivity for the Ramsar site.*

It was his evidence that:

- *The Sparrovale scheme also has the potential to provide habitat that is currently poorly represented in the Ramsar site and vastly depleted in the broader context, namely shallow freshwater wetlands. The estimated extent of the wetland (220 ha) will represent a material contribution to this habitat type regionally.*
- *Further, as climate change threatens coastal wetlands, with many predicted to transition to marine environments (Department of Environment, Land, Water and Planning 2016), those less vulnerable and capable of maintaining freshwater to brackish conditions are likely to become increasingly important. My understanding is that this could potentially apply to the Sparrovale wetlands.*
- *In addition, these biodiversity games could have broader implications for amenity and landscape. The Barwon River Parklands Strategy (2011) provides for an open space network of parks, trails and conservation areas along the Barwon River, from Buckley Falls in Geelong to the river mouth at Barwon Heads. The Strategy currently refers to Sparrovale farm as an opportunity to expand public open space adjoining Lake Connewarra.*

Mr Geoff Brooks from DELWP appeared at the Hearing. He was also supportive of the amendments noting:

Together, the stormwater management arrangements that are proposed for the land which is the subject of this amendment and C357 will provide a positive and effective response to past DELWP advocacy in respect of stormwater drainage impacts from Armstrong Creek Growth Area precincts on the Ramsar listed Lake Connewarre complex.

The Panel notes that the full development of the Sparrovale Wetlands will also enable better protection and operational control of water flows into the adjacent Hospital Swamp to the south east of the Sparrovale site. There is also potential to use the Sparrovale site to treat storm water from areas further south from the HBP.

(iii) Timing

In relation to the current increased flooding of the land adjacent to Submitter 1 (C357) property. Mr Bartley on behalf of ID Land (submitter 10 for both Amendments) advised that they are currently in negotiation with the Council to enable temporary works to be undertaken to reduce the run-off to the Sparrovale Wetlands until such time as adjacent residentially zoned land has been developed. He advised that currently Council is unwilling to authorise temporary works; requiring the final works to be undertaken only.

As noted above, the HBP Development Plan requires the Sparrovale wetlands to be in place prior to development with in the HBP exceeding 25%. The Panel was advised by both Council and the various developers who appeared at the Hearing that this limit is either

close to or has been reached. As a result, it is considered imperative that the PAO proceed as expeditiously as possible.

4.3 Discussion

Based on the extensive strategic planning and modelling undertaken over many years, together with independent peer review of the results, the Panel is satisfied that the proposed works are both required and desirable to enable the further development of the HBP and to protect the properties affected by Amendment C360.

Amendment C357 is considered essential for the further development of the HBP and indeed the Panel acknowledges that the development of the Sparrovale wetlands will not only meet the water quality requirements of the HBP, but will also provide regional environmental improvement through the protection of the Ramsar wetlands and potential augmentation of freshwater wetlands in the Barwon area.

Based on the submissions, there appears to be a recently existing issue in relation to increase in stormwater flows to the east of the HBP due to the development of the early stages of the precinct. Once Sparrovale wetlands are developed, and prior to final development of all infrastructure associated with the various stages of development of the land, there will be an increased potential for flooding of the land between the wetlands and the HBP. This could have significant impact on the affected properties.

While noting that the land is generally covered by an existing Floodway Overlay, the Panel is of the opinion that the Council needs to work with the developers to proactively stage mitigation works to minimise the temporary risk of increased flooding.

The Panel appreciate the concerns of submitters who will lose some land due to having the drainage waterway crossing the rear of their properties. The Panel are satisfied that the location of the waterway is appropriate as it is based on the existing drainage path and has been subject to extensive modelling to verify the size and nature of the works proposed.

Based on the advice of both Mr McCowan and the Council, the Panel considers it appropriate that the route of the natural waterway be modified as part of the detailed design phase to minimise the land required to be acquired by “*meandering*” the waterway to follow the existing property boundaries where considered appropriate.

The owners of the land affected by C360 will be compensated in accordance with the LAC Act . As discussed in Chapter 3, matters of compensation are not issues for consideration by this Panel.

In relation to the use of pipes in an easement in lieu of a naturalised waterway through acquired land the Panel notes that the owners will be appropriately compensated for the land, which will be used to provide a lower risk in relation to flow capacity while potentially serving as an environmentally enhanced linear access route for the public.

Ms O’Hara (submitter 5) raised concerns in relation to potential public access along the waterway resulting in security issues along the rear of their property. The Panel considers that, as part of any land acquisition, the provision of appropriate fencing between what will become a public asset and private land is an issue for detailed design and consideration between the parties.

4.4 Conclusion

The Panel concludes that C357 and C360 are technically appropriate and urgently required to enable the further development of the Horseshoe Bend Precinct, and should be implemented as expeditiously as possible.

4.5 Recommendations

The Panel recommends that the Amendment be adopted, as exhibited.

(i) Further recommendations

- **The alignment of the waterway through properties affected by C360 should be designed within the affected properties to generally follow the alignment of the existing property boundaries and the extent of any land ultimately required should be minimised.**
- **The Council and the developers of the Horseshoe Bend Precinct should implement appropriate interim measures to minimise flooding risks for the downstream properties while the final stormwater infrastructure is being constructed.**

Appendix A Submitters to Amendment C357

No.	Submitter
1	Mr and Mrs Devlin
2	Barwon Water
3	DEDJTR
4	EPA Victoria
5	Dennis Family Corporation
6	Rennick and Gaynor on behalf of Robertson
7	Rennick and Gaynor on behalf of Perkins
8	Spiire on behalf of Gary Smith
9	DELWP (Geoff Brooks)
10	Albert Weddell, ID Land

Appendix B Submitters to Amendment C360

No.	Submitter
1	Barwon Water
2	DEDJTR
3	G and L Pohl
4	EPA Victoria
5	S O'Hara
6	Dennis Family Corporation
7	S and L Lim
8	DELWP (Geoff Brooks)
9	VicRoads
10	Albert Weddell, ID Land

Appendix C Document list

No.	Date	Description	Presented by
1	28/8/17	Part A submission. City of Greater Geelong. 2 No. folders	Briana Eastaugh
2	6/9/17	Part B Submission. City of Greater Geelong. 6/9/2017	" "
3	"	11 No. A3 photo maps of subject area	" "
4	"	VicRoads letter to the Senior Strategic Planner Council. 5/9/2017	" "
5	"	Letter from State Minister for the Environment to the CEO Council. 22/1/15	" "
6	"	Letter from Federal Dept. of Environment to the Development Manager Warralily. 7/12/15	" "
7	"	2010 Newspaper article and press release – 3 pages	" "
8	"	DELWP submission. 6/9/2017	Geoff Brooks
9	"	S O'Hara (C360) submission	Sandra O'Hara
9a	"	Further written submission L and C Devlin	L and C Devlin
10	7/9/17	Charlemont Rise submission	Sarah Wright
11	"	Dennis Family Corporation [Ashbury] submission. 7/9/2017	Alex Gelber
12	"	Horseshoe Bend Precinct, A3 Urban Structure Plan 22/9/2014	" "
13	"	Section 36 of subdivision act 1988	" "
14	"	ID Land Submission. 5/9/2017	Mark Bartley
15	"	Watermark Estate. 3 No. A3 plans of layout and sedimentation ponds	" "
16	"	Email from Senior Development Engineer, Council to Development Manager, ID Land. 21/8/2017	" "

3. AMENDMENT C365 – NEWTOWN WEST HERITAGE AREA REVIEW - CONSIDERATION OF PANEL REPORT AND ADOPTION OF AMENDMENT C365

Source: Planning and Development
Director: Kelvin Walsh
Index Reference: Application: C365

Purpose

To consider the Independent Panel report and adopt Planning Scheme Amendment C365.

Background

Amendment C365 (the Amendment) applies the Heritage Overlay to three precincts and 5 individual places within the Newtown West area, deletes existing individual heritage overlays from 3 properties, includes 3 new planning policies in the Local Planning Policy Framework for each of the new precincts and incorporates 'The Great Western Hotel Incorporated Plan 2016'.

The Amendment is the result of the Newtown West Heritage Review 2016 (Review).

Exhibition of the Amendment from 23 February 2017 to 27 March 2017 resulted in 16 submissions which were referred to an Independent Panel (**the Panel**), appointed by the Minister for Planning. A Panel Hearing was held on 14 August 2017 and the Panel has supported the Amendment.

Key Issues

- Following exhibition of the Amendment, Council received submissions that:
 - objected to the inclusion of the Great Western Hotel in a heritage overlay;
 - proposed that the Upper Skene Street Precinct does not have the integrity of intactness to warrant the Heritage Overlay; and
 - objected to additional costs and impediments associated with applying the Heritage overlay.
- The Panel considers the Amendment to have strong strategic planning support.
- The Panel supports the inclusion of the Great Western Hotel in the heritage overlay and the configuration of the proposed Upper Skene Street precinct.
- The Panel recommends the Amendment be adopted subject to some minor changes. Consequently, the changes have been incorporated into the Amendment.

Cr Murrehy moved, Cr Kontelj seconded -

That Council:

- 1) Adopts Amendment C365 in the form as outlined in Attachment 2 of this report; and**
- 2) Submits the adopted Amendment C365 together with the prescribed information to the Minister for Planning requesting approval.**

Carried.

Attachment 1

Discussion

During implementation of new residential zones via Amendment C300, the Newtown West Action Group became involved in the future of this area and submitted to the C300 Panel that the area's heritage values had not been addressed in earlier heritage studies in Newtown. Louise Honman of Context Consultants was engaged by the Action Group to appraise the heritage of the area and provide expert evidence. The C300 Panel noted: *"Ms Honman's evidence that this area warrants 'a full heritage assessment' and encourages Council to give consideration to commissioning this work to investigate whether the HO should be applied."* (C300 Panel Report at page 32).

Council subsequently resolved to undertake a heritage review (the Review) for the Newtown West area in 2014. The review was completed in 2016 and recommended a Heritage Overlay be applied to the following:

- Newtown West heritage area (58 places in draft – 56 post public notification)
- Upper Skene Street heritage area (34 places)
- West Melbourne Road heritage area (13 places)
- 177 Aberdeen Street - hotel
- 15 Nantes Street – dwelling
- 31 Nantes Street – dwelling
- 321-323 Shannon Avenue – semi-detached dwellings
- 325 Shannon Avenue - dwelling

The Newtown Housing Commission Estate (60 places) was identified as significant but was not recommended for inclusion in a heritage overlay.

The Review underwent an informal notification process with supporting and objecting comments received. Some changes were made to the Review, and at its meeting of 22 November 2016, Council resolved to proceed with a planning scheme amendment. This resolution also sought to request the Minister for Planning to apply an interim heritage overlay whilst the formal planning scheme amendment was prepared and considered.

In December 2016 officers lodged a request with the Minister for Planning seeking the application of interim heritage controls whilst the permanent amendment was going through the amendment process. This request was declined in March 2017 noting insufficient growth pressure in Newtown West to warrant interim provisions. Council was advised that there is an opportunity to apply for an individual site interim control if a request for demolition is lodged on a significant site identified in the Review. No individual request for an interim control has been made in the intervening period.

Public exhibition commenced on 23 February 2017 and closed on 27 March 2017. Sixteen submissions were received, including five objecting submissions.

Council (under delegation) then considered a report on the submissions and resolved on 24 May 2017 to request the Minister for Planning appoint an Independent Panel to consider the submissions.

Panel Hearing and Panel Report Recommendations

A Panel Hearing (**the Hearing**) was held on 14 August 2017. Submissions at the Hearing were made by:

- Council officers calling expert evidence in heritage;
- One local resident;
- A representative of the local branch of the National Trust; and
- A planning consultant acting for a submitter.

The main issues presented to the Panel were:

- The appropriateness of including the Great Western Hotel in the heritage overlay
- Concerns about the costs associated with the heritage overlay
- Concerns about the integrity of the Upper Skene Street Precinct
- Support for including areas in heritage precincts

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and its observations from 2 site visits.

In its 18 September 2017 report, the Panel noted that:

“...the Newtown West Heritage Review 2016 is a high quality and robust assessment of the Newtown West area and its recommendations are justified subject to some minor changes to the Schedule to the Heritage Overlay.” (C365 Panel Report at the executive summary page)

The key Panel findings were:

- The Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes.
- The Amendment is well founded and strategically justified, and the Amendment should proceed subject to some minor changes
- The Newtown West Heritage Precinct is of historical and aesthetic significance at a local level, is intact and has the integrity to warrant Heritage Overlay. The Heritage Overlay should be applied as exhibited subject to removing reference to tree controls in the Schedule to the Heritage Overlay for 11-19 Stephen Street.
- The Upper Skene Street Heritage Precinct is of historical and aesthetic significance at a local level, is intact and has the integrity to warrant Heritage Overlay. The Heritage Overlay should be applied as exhibited.
- The Great Western Hotel at 177-179 Aberdeen Street, Newtown is of historical and aesthetic significance and warrants inclusion within the Heritage Overlay. The prohibited uses column in the Schedule to the Heritage Overlay should be activated to provide for opportunities of uses for the building given its non-residential use in a residential zone.
- The address of the property in the Schedule to the Heritage Overlay should be specified as 177-179 Aberdeen Street, Newtown.
- The exhibited Incorporated Plan is appropriate.

- 15 Nantes Street, Newtown has been demolished and no fabric remains. It should be removed from the Amendment.
- The description for HO2007 in the Schedule to the Heritage Overlay should be renamed "West Melbourne Road Heritage Area".

The Panel recommended that the Amendment be adopted subject to changes recommend by the Panel. The Amendment is shown in **Attachment 2**.

A copy of the Panel Report Executive Summary is in **Attachment 3**.

Council officer response

The Panel Report findings and recommendations are all supported and are based upon the changes recommended by Council officers to the Panel and at the Hearing.

Financial Implications

There are no financial implications to the budget from this recommendation.

Community Engagement

Council officers have advised submitters of the release of the Panel Report. Submitters will be notified of the final decision of Council and the Minister for Planning.

Policy/Legal/Statutory Implications

Inclusion of significant sites and precincts within the heritage overlay is consistent with the *Planning and Environment Act 1987* and with a range of State and local planning policies.

Alignment to City Plan

The Amendment is consistent with the strategic direction of community wellbeing and the priority of connected, creative and strong communities.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

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

Environmental Implications

The amendment will not have any adverse effects on the environment.

Attachment 2- Adopted Amendment

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

AMENDMENT C365

INSTRUCTION SHEET

The planning authority for this amendment is the Minister for Planning.

The Greater Geelong Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos.HO48 and HO49 in the manner shown on the 2 attached maps marked "Greater Geelong Planning Scheme, Amendment C365".

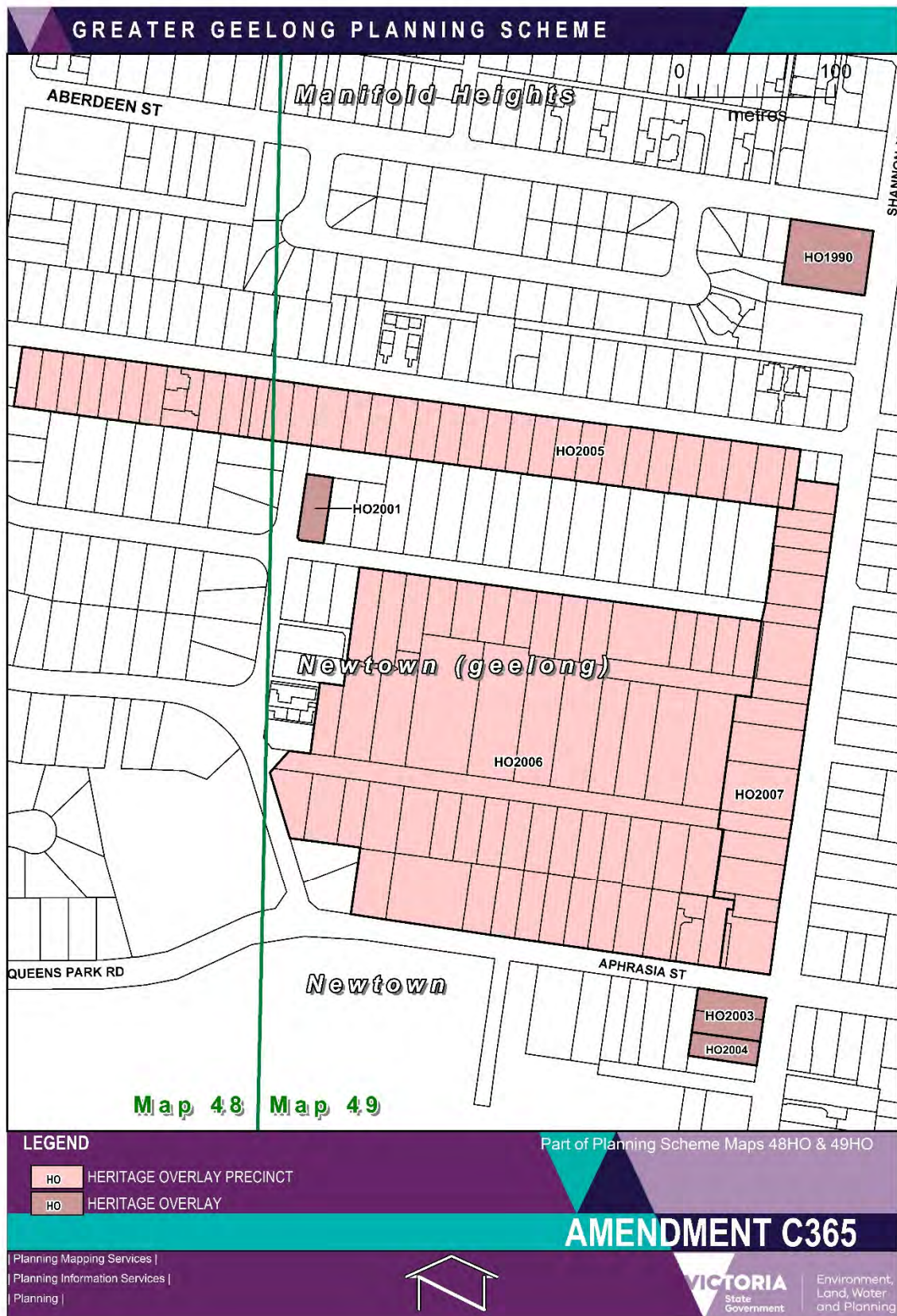
Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

2. In Local Planning Policy Framework – replace Clause 22.09 with a new Clause 22.09 in the form of the attached document.
3. In Local Planning Policy Framework – insert Clause 22.65 in the form of the attached document.
4. In Local Planning Policy Framework – insert Clause 22.66 in the form of the attached document.
5. In Local Planning Policy Framework – insert Clause 22.67 in the form of the attached document.
6. In Overlays – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.
7. In Incorporated Documents – Clause 81.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document





GREATER GEELONG PLANNING SCHEME

22.09

10/08/2017
C364
Proposed
C365

CULTURAL HERITAGE

This policy applies to all properties affected by a Heritage Overlay.

This policy includes an overall Heritage Policy and 543 individual local planning policies that apply to particular heritage areas within the municipality.

Policy Basis

The Municipal Strategic Statement identifies the need for a local policy to ensure the cultural heritage attributes and assets of the City of Greater Geelong are recognised and preserved.

The City of Greater Geelong's heritage, comprising individual buildings, precincts, structures, monuments, significant gardens and trees, natural environments and aboriginal sites, is a significant part of the City's attraction as a place in which to live, visit, do business and invest. It is through this heritage diversity that the City's community expresses its rich culture. The cultural heritage of the region brings economic and cultural benefits and improves the community's quality of life. The diversity of heritage places allows for interpretation of the region's development and the tastes and lifestyles from the past. It assists in understanding the City's foundation and growth from wool sales and exports, to gold discovery, through to expansion in industry and manufacturing. It also enables appreciation of individual house design and neighbourhoods that contribute to the character, image and sense of place of each of the City's heritage areas.

The largest concentration of these heritage assets is found in the inner area of Geelong and broadly defines the character of the inner City area. Beyond, there are significant concentrations of heritage places, namely within the suburban areas of Belmont, Hamlyn Heights and North Geelong together with concentrations in the rural/coastal townships of Lara, Barwon Heads, Drysdale and Fyansford. These have largely shaped the character of the City of Greater Geelong as it is known today.

The identification, assessment and protection of heritage places has occurred over a number of years as part of an on-going heritage study process. Recognition and protection of heritage places is seen as a crucial component of planning in the City of Greater Geelong. The development of good conservation practices will ensure the retention and viable re-use of the City's significant and contributory heritage places.

Objectives

- To encourage the retention of culturally significant and contributory heritage places within Heritage Overlay areas.
- To encourage development to be undertaken in accordance with the accepted conservation standards of the ICOMOS Burra Charter.
- To conserve and enhance the natural or cultural features of an area or site and to ensure that any alterations or development complement their form and appearance.
- To ensure that new development and external alterations of existing buildings make a positive contribution to the built form and amenity of the area.
- To encourage the retention or re-instatement of streetworks including street trees and bluestone kerbs, street construction form, asphalt footpaths, channels and crossovers.

Policy

Exercising discretion

Where a permit is required for demolition, it is policy to:

- Require an application for demolition to be supported with documentation which demonstrates:

GREATER GEELONG PLANNING SCHEME

- That the demolition will contribute to the long-term conservation of the fabric of the part of the building being retained.
- That the demolition involves the removal of later inappropriate modifications.
- That the cultural heritage significance of the place will be enhanced.
- That significant fabric removed will be re-instated when circumstances permit.
- Discourage demolition of sites that are not of cultural heritage significance within a heritage area until a planning permit for the replacement development is approved and a bona-fide contract for the new work has been confirmed.

Where a permit is required for subdivision, use or development, it is policy to:

- Require that all buildings and works should be in accordance with the City of Greater Geelong Heritage and Design Guidelines, 1997.
- In the case of major development and subdivision of a large or complex site, the preparation of a Conservation Management plan for the whole place should precede the application. The plan should be prepared in accordance with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter).
- In the case of any development that causes ground disturbance that may impact on a known post contact archaeological site, an archaeological survey to assess the impact of the proposed development on the archaeological significance of the area should precede the application.
- Encourage replanting of a similar type of tree where the removal of a significant street tree is unavoidable.
- Encourage all new and replacement street furniture to be established in accordance with the City of Greater Geelong Urban Furniture Manual.
- Support the retention and maintenance of existing bluestone kerb and channel within the Heritage Areas (except in the Rocky Point, Girtton Crescent, The Dell, Drydale and McLeods Waterholes Heritage Areas). Where this is not possible, Council will support the following:
 - Where a street is predominantly bluestone (70%), re-instatement of original street detailing should occur.
 - Where a street is fragmented between bluestone and concrete, this should form the basis of the kerb and channel in the street.
 - Where a street is predominantly concrete, this should form the basis of the kerb and channel in the street.
 - In laneways with bluestone detail, the bluestone detail should be retained and pavements should be reconstructed with either a chip seal and gravel or asphalt surface.
 - Where a concrete tray is used with bluestone kerb, the concrete should be treated with a colour mix to give a faded grey colour.
- Require an application to subdivide land to provide documentation which demonstrates:
 - That the pattern of the proposed subdivision will not adversely affect the significance of the original subdivision.
 - How the subdivision will enhance/conservate the significance of the surrounding heritage buildings and/or precinct.
 - That the effects of the subdivision on the cultural heritage significance of the place are minimised.

GREATER GEELONG PLANNING SCHEME

References

- Geelong Region Historic Buildings and Objects Study Volumes 1-3, prepared by Allan Willingham for the Geelong Regional Commission, (1986).
- Geelong City Urban Conservation Study, Volume 1, prepared by Graeme Butler for the City of Geelong, (1993).
- Geelong City Urban Conservation Study, Volumes 2-5, prepared by Graeme Butler for the City of Geelong, (1991).
- Geelong City Urban Conservation Study, Volume 4(a), prepared by Helen Lardner for the City of Greater Geelong, (1995).
- City of Geelong West Urban Conservation Study, Volumes 1-2, prepared by Huddle, Aitken and Honman for the City of Geelong West, (1986).
- City of Newtown Urban Conservation Study, Volumes 1-4, prepared by Context Pty Ltd for the City of Newtown, (1991).
- City of Newtown Urban Conservation Study, Volumes 5(a) and 5(b), prepared by Richard Peterson for the City of Greater Geelong, (1997).
- Bellarine Heritage Study, Volumes 1-3, prepared by Huddle, Howe, Lewis and Francis for the City of Greater Geelong, (1996).
- City of Greater Geelong Heritage and Design Guidelines, (1997).
- The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter), Australia ICOMOS (1988).
- Greater Geelong Outer Areas Heritage Study, Volume 1 (excluding Belmont precincts) and Volume 2, prepared by Authentic Heritage Services Pty Ltd (2000).
- Belmont Heritage Areas Report, Volume 1*, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd (2007).
- Belmont Heritage Areas: Inventory of Places, Volume 2*, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd (2007) & peer reviewed by Wendy Jacobs, Architect & Heritage Consultant.
- Belmont Heritage Report: Individual Citations, Volume 3*, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd (2007).
- Statement of Significance for the former stables to Armytage House and classrooms 19-21 Hermitage Road, Newtown, prepared by Dr David Rowe and Kevin Krastins (2003).
- Geelong Sale Yards Conservation Management Plan*, prepared by Dr David Rowe and Wendy Jacobs (September 2007).
- Newtown Heritage Study*, Volumes 1-3, Adopted July 2009, prepared by the City of Greater Geelong (2008).
- Ashby Heritage Review, Stage 2, 2009*, Adopted January 2010, prepared by Dr David Rowe and Wendy Jacobs.
- Batman Park & Boat Sheds, The Esplanade, Indented Head, Heritage Review* prepared by Dr David Rowe: Authentic Heritage Services & Wendy Jacobs, Architect & Heritage Consultant (August 2013)
- Lara Heritage Review Phase 2, Volumes 1, 2 & 3* (August 2013, Revised May 2016) prepared by Dr David Rowe and Wendy Jacobs.
- Heritage citation sheet for the Vietnam Veterans Memorial and Avenue of Honour, City of Greater Geelong (December 2016)
- Heritage citation sheet for the Osborne Park bluestone pillar and cast/wrought iron gates, City of Greater Geelong (December 2016)
- Heritage Report 9 Bridge Road, Barwon Heads (Post-Panel Version)* prepared by Context Pty Ltd (May 2017).
- Newtown West Heritage Review, Volumes 1, 2, 3, 4, & 5* prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd & Wendy Jacobs, Architect and Heritage Consultant (October 2016)

GREATER GEELONG PLANNING SCHEME

22.65 UPPER SKENE STREET HERITAGE AREA

---120---
Proposed C366

This policy applies to land included in the Upper Skene Street Heritage Area shown as HO2005 on the planning scheme map.

Policy Basis

The Upper Skene Street Heritage Precinct, 1-63 Upper Skene Street, Newtown, has significance as a predominantly intact grouping of interwar era Bungalows, and to a lesser degree, Late Victorian and Edwardian styled dwellings. These houses reflect the evolution of the street from the late 1890s until the 1940s. Until the interwar period, the street largely remained a rural residential area, with only 11 dwellings on the south side of the street until c.1915. These houses were built from the 1850s following the broad subdivision of the area and the creation of Upper Skene Street. No fabric of the mid 19th century survives. The area is primarily identified by detached, single storey, modestly-scaled dwellings on separate allotments. The majority have hipped/and or gabled roof forms, front verandahs, corrugated sheet metal roof cladding, timber weatherboard wall cladding, timber framed windows and doors, chimneys and detailing applicable to their era and style. There are a smaller number of houses with tiled roofs and brick wall construction (either face brick or with a rendered finish). The dwellings have elevated locations from the street boundaries, a consequence of the steeply-sloping topography of the area. Contributing to the significance of the place is the regular, rectangular allotment pattern, regular front setbacks with garden settings, narrower side setbacks with side driveways, and mainly recessive garaging. In 2016, the character and appearance of the streetscape is enhanced by the avenue of alternating *Lophostemon confertus* (Queensland Brush Box) and *Corymbia ficifolia* (West Australian Flowering Gum street trees. While planted in the c.1960s (being outside the significant era of development for the area), they reflect the evolution of change in tree plantings, with Upper Skene Street having been characterised by an avenue of trees since the interwar period.

Objectives

- To retain and enhance the mix of significant Late Victorian, Federation and interwar era dwellings as identified in the Newtown West Heritage Review, Volume 3 (2016) (the demolition of these dwellings is therefore discouraged);
- To retain an avenue of street trees;
- To retain the existing front garden settings defined by contextually generous front setbacks at 3-5, 9 and 19-31 Upper Skene Street, and slightly shallower existing front setbacks to the remainder of the properties;
- To retain the rectangular allotment configurations;
- To retain the regular narrow side setbacks to the dwellings;
- To retain the predominantly single storey building height;
- To encourage additions to existing significant dwellings to be located at the rear;
- To encourage the innovative interpretation of traditional residential design within the street for additions and new dwellings;
- To encourage the use of traditional construction materials;
- To encourage the construction of fence types, designs, locations and heights that are applicable to the era, construction and scale of the dwelling;
- To encourage the appropriate development, form, scale and rear locations for garages and/or carports;

Policy

Where a permit is required for a proposal, it is policy to:

GREATER GEELONG PLANNING SCHEME

- Encourage culturally significant Late Victorian, Federation and interwar era dwellings to be retained (demolition of dwellings identified as having local or contributory significance in the Newtown West Heritage Review 2016 is discouraged);
- Encourage the accurate reconstruction of missing architectural details to existing significant dwellings where historic photographic and/or physical evidence survives;
- Encourage the retention of the landscaped settings in the front setbacks;
- Encourage the retention of existing rectangular allotment configurations;
- Promote new dwellings & additions to existing dwellings that are contemporary in appearance and incorporate the following design characteristics:
 - Architectural characteristics that have drawn on the traditional designs of the area in an innovative way;
 - Detached, single or double fronted compositions;
 - Hipped and/or gabled roofs with a pitch between 25 to 35 degrees as the principal design elements;
 - Narrow or wide eaves;
 - Front, side or return verandahs;
 - Rectangular timber framed windows (that are vertically oriented singularly, or as a horizontal bank if grouped);
 - Traditional wall construction, including horizontal timber weatherboard cladding, pressed face brick wall construction, and smooth-rendered wall finishes. Consideration may be given to more contemporary materials that are non-reflective and where they will have no visual prominence when viewed from the public realm;
 - Galvanised corrugated steel or tiled roof cladding, the choice of roof cladding being dependent on the significant roofs that predominate in that part of the street;
- Encourage additions to existing dwellings to be located at the rear. The visual prominence and integrity of existing roof forms should be maintained in the design of additions, by being highly recessive and of subservient proportions;
- For new dwellings, encourage:
 - Front setbacks that are equivalent to the setback of neighbouring buildings, or if these are different, the setback may be between the setbacks of neighbouring buildings;
 - Side setbacks that are equivalent to neighbouring buildings;
 - Side vehicular access and driveways that follow the traditional pattern in that part of the street
- Encourage building heights to be one and two storey, with consideration given to the following for new dwellings & additions to existing dwellings visible to public view:
 - The highest point of the roof should not be greater than the highest adjacent significant building, whereby the height of the roof should not be greater than the main (overall), adjacent ridge line;
 - The proportion of building roof should not be greater than the proportion of roof to walls of the buildings visually connected to it;
 - For new dwellings, the wall heights as viewed from the public realm should be equivalent to the wall heights of the neighbouring significant dwellings that predominate in that part of the street;
 - The springing height of the roof should be equivalent to neighbouring buildings, or if these are different, the springing height may be between those of neighbouring buildings;
 - The principal roof form and massing of the new work be drawn from the significant neighbouring buildings visually connected to it in a contemporary and/or innovative manner, especially where visible to public view;
- Encourage new front fences to be visually permeable and reflective of the era, construction and scale of the dwelling and the streetscape. Fences no higher than immediately neighbouring front fences and no higher than 1500 mm high are encouraged. At the eastern end of Upper Skene Street (between Shannon Avenue and Ruthven Street),

GREATER GEELONG PLANNING SCHEME

front fences may also include low retaining walls. Fence designs reflective of the era and construction of the dwelling are encouraged. The reconstruction of early fence designs where historic evidence survives is also encouraged;

- Encourage the appropriate development, form, scale and location of garages and/or carports. Rear locations are especially encouraged. Highly recessive side locations for single vehicle garages and/or carports may be considered;
- Buildings and works should comply with the City of Greater Geelong Heritage and Design Guidelines 1997, which is an incorporated document.

References

Newtown West Heritage Review, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant for the City of Greater Geelong (2016).

City of Greater Geelong Heritage and Design Guidelines, prepared by Helen Lardner for the City of Greater Geelong (1997).

GREATER GEELONG PLANNING SCHEME

22.66 NEWTOWN WEST HERITAGE AREA

---/20---
Proposed C266

This policy applies to land included in the Newtown West Heritage Area shown as HO2006 on the planning scheme map.

Policy Basis

The Newtown West Heritage Precinct, Newtown, has significance as a Victorian, Federation and interwar era residential heritage area of moderate-high integrity. Most dwellings are single storey (some being more elevated due to the topography of the sites), with hipped and/or gabled roof forms, front, side or return verandahs, broad eaves, corrugated sheet metal or tiled roof cladding, brick or timber wall construction, timber framed windows and verandah detailing commensurate with the era of the dwelling. The architectural and historical core of the precinct is 'Newtown Brae', 15 Stephen Street, the earliest surviving dwelling first built in c.1851 (extended in 1885). Subdivisions surrounding and nearby this property have occurred from the mid 19th century but building development occurred mostly during the Federation period and especially during the interwar era. In Aphrasia Street is an homogenous row of interwar Bungalows (aside from 'Brooklyn', a two storey Late Victorian brick dwelling on a large site at 132-134 Aphrasia Street). The scale and design of the dwellings in Nantes and Stephen Streets are more diverse. The streets within the precinct: Aphrasia, Stephen, Nantes and Formosa Streets, date from the mid 19th century, with residential development conforming to the rectangular layout of these streets as well as the steeply-sloping topography of the northern slope of Newtown Hill west. Formosa Street continues to serve its original purpose as a vehicular access lane for some properties in Nantes and Stephen Streets. Most allotments are regular in size and rectangular in layout, with largely regular front and side setbacks. The allotments on the north side of Stephen Street are contextually larger, the dwellings exploiting the northern views to Corio Bay and the You Yangs, with principal facades facing onto large landscaped rear yards (and not Stephen Street, where garaging is located on or near the street boundaries). The majority of the dwellings have garaging located at the rear of the dwellings. A smaller number of original or early front fences survive, being those at 112, 114 and 126 Aphrasia Street. **Remnant landscaping possibly dating from the once larger 'Newtown Brae' estate, include the mature exotic trees in the rear yards of the properties at 11-19 Stephen Street.** The mature Cypresses at the front of 'Brooklyn' at 132-134 Aphrasia Street are a legacy of its early setting.

Objectives

- To retain and enhance the mix of significant Victorian, Federation and interwar era dwellings as identified in the Newtown West Heritage Review, Volume 2 (2016) (the demolition of these dwellings is therefore discouraged);
- To retain the mature exotic 19th century trees in the rear yards (near the northern boundaries) of the properties at 11-19 Stephen Street, and the mature Cypresses at the front of the property at 132-134 Aphrasia Street;
- To retain the substantial rear (northern) garden settings to the properties on the north side of Stephen Street;
- To retain the rectangular allotment configurations;
- To retain early front fences;
- To retain the regular front and side setbacks to the dwellings in Aphrasia, Nantes and the south side of Stephen Streets;
- To retain the one and two storey building heights, including the predominantly single storey building heights in Aphrasia Street and the mix of one and two storey building heights in Nantes and Stephen Streets;
- To encourage additions to existing significant dwellings to be located at the rear;
- To encourage the innovative interpretation of traditional residential design within the Heritage Overlay Area for additions and new dwellings;

GREATER GEELONG PLANNING SCHEME

- To encourage the use of traditional construction materials;
- To encourage the construction of fence types, designs, locations and heights that are applicable to the era, construction and scale of the dwelling;
- To encourage the appropriate development, form, scale and rear locations for garages and/or carports;

Policy

Where a permit is required for a proposal, it is policy to:

- Encourage culturally significant Victorian, Edwardian/Federation and interwar era dwellings to be retained (demolition of dwellings identified as having regional, local or contributory significance in the Newtown West Heritage Review 2016 is discouraged);
- Encourage the accurate reconstruction of missing architectural details to existing significant dwellings where historic photographic and/or physical evidence survives;
- Encourage the retention of the substantial landscaped settings to the rear (northern) yards of the properties on the north side of Stephen Street;
- Encourage the retention of the mature exotic 19th century trees in the rear yards (near the northern boundaries) of the properties at 11-19 Stephen Street, and the mature Cypresses at the front of the property at 132-134 Aphrasia Street;
- Encourage the retention of the early front fences at 112, 114 and 126 Aphrasia Street;
- Encourage the retention of existing allotment configurations;
- Promote new dwellings & additions to existing dwellings that are contemporary in appearance and incorporate the following design characteristics:
 - Architectural characteristics that have drawn on the traditional designs of the area in an innovative way;
 - Detached, single or double fronted compositions;
 - Hipped and/or gabled roofs with a pitch between 25 to 35 degrees as the principal design elements;
 - Narrow or wide eaves;
 - Front, side or return verandahs;
 - Rectangular timber framed windows (that are vertically oriented singularly, or as a horizontal bank if grouped);
 - Traditional wall construction, including horizontal timber weatherboard cladding, pressed face brick wall construction, and smooth-rendered wall finishes. Consideration may be given to more contemporary materials that are non-reflective and where they will have no visual prominence when viewed from the public realm;
 - Galvanised corrugated steel or tiled roof cladding, the choice of roof cladding being dependent on the significant roofs that predominate in that part of the area;
- Encourage additions to existing dwellings to be located at the rear. The visual prominence and integrity of existing roof forms should be maintained in the design of additions, by being highly recessive and of subservient proportions. For dwellings on the north side of Stephen Street (where the principal facades may be at the front or rear or both), particular consideration needs to be given to the integrity of the building fabric. Design solutions that minimise negative impacts on the integrity of principal facades are encouraged;
- Encourage front setbacks that are equivalent to the setback of neighbouring buildings, or if these are different, the setback may be between the setbacks of neighbouring buildings;
- Encourage side setbacks that are equivalent to neighbouring buildings;
- Encourage side vehicular access and driveways that follow the traditional pattern in that part of the street;
- Encourage building heights to be one and two storey, with consideration given to the following for new dwellings & additions to existing dwellings visible to public view:

GREATER GEELONG PLANNING SCHEME

- The highest point of the roof should not be greater than the highest adjacent significant building, whereby the height of the roof should not be greater than the main (overall), adjacent ridge line;
- The proportion of building roof should not be greater than the proportion of roof to walls of the buildings visually connected to it;
- For new dwellings, the wall heights as viewed from the public realm should be equivalent to the wall heights of the neighbouring significant dwellings that predominate in that part of the street;
- The springing height of the roof should be equivalent to neighbouring buildings, or if these are different, the springing height may be between those of neighbouring buildings;
- The principal roof form and massing of the new work be drawn from the significant neighbouring buildings visually connected to it in a contemporary and/or innovative manner, especially where visible to public view;
- Encourage the retention (and where applicable restoration) of existing asphalt footpaths in Nantes and Stephen Streets;
- Encourage the retention of bluestone channels
- Encourage new front fences to be visually permeable and reflective of the era, construction and scale of the dwelling and the streetscape. In Aphrasia Street, front fences no higher than 1300 mm are encouraged. On the south side of Stephen Street, and in Nantes Street, front fences should be between 1300 and 1500 mm, and no higher than immediately adjacent front fencing. In Nantes Street, front fences may also include low retaining walls. Fences fronting the north side of Stephen Street may be up 1800 mm high. Fence designs reflective of the era and construction of the dwelling are encouraged. The reconstruction of early fence designs where historic evidence survives is also encouraged;
- Encourage the appropriate development, form, scale and location of garages and/or carports. For Aphrasia, Nantes and the south side of Stephen Streets, rear locations are encouraged. Highly recessive side locations for single vehicle garages and/or carports may be considered. For the north side of Stephen Street where garaging has traditionally been located near the Stephen Street boundary, single storey garaging in these locations may be considered;
- Buildings and works should comply with the City of Greater Geelong Heritage and Design Guidelines 1997, which is an incorporated document.

References

Newtown West Heritage Review, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant for the City of Greater Geelong (2016).

City of Greater Geelong Heritage and Design Guidelines, prepared by Helen Lardner for the City of Greater Geelong (1997).

GREATER GEELONG PLANNING SCHEME

22.67 WEST MELBOURNE ROAD HERITAGE AREA

—1-120—
Proposed C2365

This policy applies to land included in the West Melbourne Road Heritage Area shown as HO2007 on the planning scheme map.

Policy Basis

The West Melbourne Road Heritage Precinct, 293-319 Shannon Avenue, Newtown, has significance as a predominantly intact streetscape of nine interwar dwellings and three distinctive Federation houses of varying scales and elaboration built between 1910 and 1938. The diversity in the houses reflects the varying socio-economic status of the original owners that included the working and professional classes, and retired graziers. The interwar era dwellings are typically conventional in design, being single storey and detached, with hipped and/or gabled roofs, front or return verandahs, broad eaves, brick chimneys, corrugated sheet metal or tiled roof cladding, face brick, roughcast brick or timber weatherboard wall cladding, timber framed windows (some dwellings featuring bay windows), and detailing applicable to the interwar era.

The dwellings at 303 and 311 Shannon Avenue are particularly substantial and noteworthy examples of the Federation era. At 'Comara', 303 Shannon Avenue this is expressed in the elongated layout with complex hipped and gabled roofs, shallow-pitched return verandah with shallow-gabled portico near the corner, faceted front bay window, bowed bay corner window under the verandah, face brick wall construction, timber framed casement windows, and the brick verandah piers with slender Doric columns. At 'Retford House', 311 Shannon Avenue, the distinctive original features include the complex hipped and gabled roofs, and the projecting angled corner attic that terminates with a faceted balcony bay with a hipped roof above. Other original features include the slate roof cladding, face brick wall construction, rectangular bay windows, timber framed casement windows with highlights, broad eaves with exposed timber rafters, terra cotta roof ridge decoration and finials, ventilators in the gable ends, and the brick verandah pedestals and slender, tapered Doric verandah columns arranged in pairs and in three at the corner. The third Federation era dwelling, 'Derrewet', 305 Shannon Avenue, is more conventional in its Federation era design. The timber dwelling has main hipped roof form with projecting gabled wings at the front and side connected by a return verandah formed as an extension of the main hipped roof. The fabric is predominantly intact, including the corrugated sheet metal roof cladding, rendered chimneys, timber framed casement windows with highlights, broadly-projecting window hoods, gable infill and timber brackets, the unusual square timber verandah posts with elongated timber brackets, and the timber verandah balustrade.

While there is some variation in the front setbacks due to the different periods of development and diversity in the sizes of the rectangular allotments, they mainly feature landscaped settings. The location and layout of the pedestrian paths in the front gardens at 299, 303, 307, 311, and 315 are early. Also contributing to the significance of the precinct are three original front fences. They are the timber post and ripple iron fence (with timber fretwork capping) at 303 Shannon Avenue; low brick fence with expressed piers and hollow steel rails (and metal gate) at 315 Shannon Avenue; and the low brick fence with brick piers and plinth and open metal bays at 319 Shannon Avenue.

Objectives

- To retain and enhance the significant three Federation era dwellings and the nine interwar era dwellings as identified in the Newtown West Heritage Review, Volume 4 (2016) (the demolition of these dwellings is therefore discouraged);
- To retain the modest landscaped front garden settings;
- To retain the rectangular allotment configurations;
- To retain early front fences;

GREATER GEELONG PLANNING SCHEME

- To retain the similar front and side setbacks;
- To retain the single storey building heights;
- To encourage additions to existing significant dwellings to be located at the rear;
- To encourage the innovative interpretation of traditional residential design within the Heritage Overlay Area for additions and new dwellings;
- To encourage the use of traditional construction materials;
- To encourage the construction of fence types, designs, locations and heights that are applicable to the era, construction and scale of the dwelling;
- To encourage the appropriate development, form, scale and rear locations for garages and/or carports;

Policy

Where a permit is required for a proposal, it is policy to:

- Encourage the culturally significant three Federation era dwellings and the nine interwar era dwellings to be retained (demolition of dwellings identified as having regional, local or contributory significance in the Newtown West Heritage Review 2016 is discouraged);
- Encourage the accurate reconstruction of missing architectural details to existing significant dwellings where historic photographic and/or physical evidence survives;
- Encourage the retention of the front garden settings;
- Encourage the retention of the early front fences at 303, 315 and 319 Shannon Avenue;
- Encourage the retention of existing allotment configurations;
- Promote new dwellings & additions to existing dwellings that are contemporary in appearance and incorporate the following design characteristics:
 - Architectural characteristics that have drawn on the traditional designs of the area in an innovative way;
 - Detached, single or double fronted compositions;
 - Hipped and/or gabled roofs with a pitch between 25 to 35 degrees as the principal design elements;
 - Narrow or wide eaves;
 - Front, side or return verandahs;
 - Rectangular timber framed windows (that are vertically oriented singularly, or as a horizontal bank if grouped);
 - Traditional wall construction, including horizontal timber weatherboard cladding, pressed face brick wall construction, and smooth-rendered wall finishes. Consideration may be given to more contemporary materials that are non-reflective and where they will have no visual prominence when viewed from the public realm;
 - Galvanised corrugated steel or tiled roof cladding, the choice of roof cladding being dependent on the significant roofs that predominate in that part of the area;
- Encourage additions to existing dwellings to be located at the rear. The visual prominence and integrity of existing roof forms should be maintained in the design of additions, by being highly recessive and of subservient proportions;
- Encourage front setbacks that are equivalent to the setback of neighbouring buildings, or if these are different, the setback may be between the setbacks of neighbouring buildings;
- Encourage side setbacks that are equivalent to neighbouring buildings;
- Encourage side vehicular access and driveways that follow the traditional pattern in that part of the street;
- Encourage building heights to be single storey, with consideration given to the following for new dwellings & additions to existing dwellings visible to public view:

GREATER GEELONG PLANNING SCHEME

- The highest point of the roof should not be greater than the highest adjacent significant building, whereby the height of the roof should not be greater than the main (overall), adjacent ridge line;
- The proportion of building roof should not be greater than the proportion of roof to walls of the buildings visually connected to it;
- For new dwellings, the wall heights as viewed from the public realm should be equivalent to the wall heights of the neighbouring significant dwellings that predominate in that part of the street;
- The springing height of the roof should be equivalent to neighbouring buildings, or if these are different, the springing height may be between those of neighbouring buildings;
- The principal roof form and massing of the new work be drawn from the significant neighbouring buildings visually connected to it in a contemporary and/or innovative manner, especially where visible to public view;
- Encourage new front fences to be reflective of the era, construction and scale of the dwelling and the streetscape. Fences no higher than immediately neighbouring front fences and no higher than 1500 mm high are encouraged. For interwar era dwellings, low solid brick fences or may be considered. Fence designs reflective of the era and construction of the dwelling are encouraged. The reconstruction of early fence designs where historic evidence survives is also encouraged;
- Encourage the appropriate development, form, scale and location of garages and/or carports. Highly recessive side locations for single vehicle garages and/or carports may be considered;
- Buildings and works should comply with the City of Greater Geelong Heritage and Design Guidelines 1997, which is an incorporated document.

References

Newtown West Heritage Review, prepared by Dr David Rowe, Authentic Heritage Services Pty Ltd and Wendy Jacobs, Architect and Heritage Consultant for the City of Greater Geelong (2016).

City of Greater Geelong Heritage and Design Guidelines, prepared by Helen Lardner for the City of Greater Geelong (1997).

Note that only the affected pages of the Schedule to Clause 43.01 (the Heritage Overlay) are included on the following pages. The changes post – Panel are in yellow highlight.

GREATER GEELONG PLANNING SCHEME

19/10/2017 C974
Proposed C975

SCHEDULE TO CLAUSE 43.01 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 not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses 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

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO206	Newtown State School 157-161 Aberdeen Street, Newtown	Yes	No	No	No	No	Yes		No
HO607	Residence 170 Aberdeen Street, Geelong West	Yes	No	No	Yes- fence	No	No		No
HO608	Shop and Residence 174 Aberdeen Street, Geelong West	Yes	No	No	No	No	No		No
HO1990	Great Western Hotel 177 - 179 Aberdeen Street Newtown	No	No	No	No	No	YesNo	Great Western Hotel Incorporated Plan, October 2016	No
HO609	Shearers Arms Hotel (former) 202 Aberdeen Street, Geelong West	-	-	-	-	Yes Ref.No.H661	Yes		No
HO255	"Wimmera" Residence, 356 Aberdeen Street, Geelong West	Yes	Yes	Yes	No	No	Yes		No

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO185	"Kent Cottage" Residence, 131 Aphrasia Street, Newtown	Yes	No	No	No	No	Yes		No
~~HO1242~~	~~"Brooklyn" Special Accommodation House, 132 Aphrasia Street, Newtown~~	~~Yes~~	~~No~~	~~No~~	~~No~~	~~No~~	~~No~~		~~No~~
HO227	St Joseph's College 135 Aphrasia Street, Newtown	Yes	No	No	No	No	No		No
HO157	"The Heights" House, 140 Aphrasia Street, Newtown	-	-	-	-	Yes Ref.No.H429	Yes		No
HO1243	Residence 2 Ardlui Drive, Newtown	Yes	No	No	No	No	No		No
HO93	"Aringa" Residence, 5 Aringa Avenue, Highton	No	No	Yes	No	No	Yes		No

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
<u>HO2002</u>	<u>Dwelling</u> <u>15 Nantes Street,</u> <u>Newtown</u>	<u>Yes</u> <u>(dwelling</u> <u>only)</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>		<u>No</u>
<u>HO2001</u>	<u>Dwelling</u> <u>31 Nantes Street,</u> <u>Newtown</u>	<u>Yes</u> <u>(dwelling</u> <u>only)</u>	<u>No</u>	<u>No</u>	<u>Yes – garage</u> <u>fronting</u> <u>Ruthven Street</u>	<u>No</u>	<u>No</u>		<u>No</u>
HO1575	Band Rotunda and Weighbridge Newcombe Street, Portarlinton To the extent of all the land within the road reservation where the rotunda and weighbridge is located.	Yes	No	No	No	No	No		No
HO1576	Residence (former Family Hotel) 40 Newcombe Street, Portarlinton	Yes	No	No	No	No	No		No
HO1577	Shop (former Old Bakery) 48 Newcombe Street, Portarlinton	Yes	No	No	No	No	Yes		No
HO1578	Shop 62 Newcombe Street, Portarlinton	Yes	No	No	No	No	Yes		No

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO1702	"Moondara", former School House 57 Seaview Avenue, Barwon Heads	No	No	No	No	No	No		No
HO1887	Residence 9 Seaview Parade, Belmont	No	No	No	No	No	No		No
HO1889	Claremont 28 Seaview Parade, Belmont	No	No	Yes- front garden and trees	Yes- front fence	No	No		No
HO1891	Radstock 89 Shackleton Street, Belmont	No	No	No	No	No	No		No
HO763	Manifold Emporium 139-141 Shannon Ave, Geelong West	Yes	No	No	No	No	No		No
~~HO181~~	~~Cutt's Residence~~ ~~311 Shannon Avenue,~~ ~~Newtown~~	~~Yes~~	~~No~~	~~No~~	~~Yes fence~~	~~No~~	~~Yes~~		~~No~~

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO2003	Attached Dwellings 321- 323 Shannon Avenue (321 Shannon Avenue now known as 117-119 Aphrasia Street, Newtown)	Yes (main front portions of dwellings visible from the public realm only)	No	No	Yes – (front fence and gate to 321 Shannon Avenue)	No	No		No
HO2004	Dwelling 325 Shannon Avenue Newtown	Yes – (dwelling only)	No	No	Yes (front fence)	No	No		No
HO1447	“Redpath’s Antiques” Shop, 327 Shannon Ave, Newtown	Yes	No	No	Yes- fence	No	Yes		No
HO1448	Residence 343 Shannon Avenue, Newtown	Yes	No	Yes	Yes- fence	No	No		No
HO1449	“Chesterfield” Nursing Home 345 Shannon Avenue, Newtown	Yes	No	No	No	No	No		No
HO1450	Residence & Consulting Room 346 Shannon Avenue, Newtown	Yes	No	Yes	Yes- fence and outbuilding	No	No		No

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO24	"Staughton Vale" Homestead, 750 Staughton Vale Road, Staughton Vale	Yes	No	No	No	No	Yes		No
~~HO205~~	~~"Newtown Brae" House, 13-15 Stephen Street, Newtown~~	~~Yes~~	~~No~~	~~No~~	~~No~~	~~No~~	~~Yes~~		~~No~~
HO1955	Residence 11 Stinton Avenue, Newtown	Yes	No	No	No	No	No		No
HO1956	"Barrabool" Residence 16 Stinton Avenue, Newtown	No	No	No	No	No	No		No
HO1957	Residence 35 Stinton Avenue, Newtown	No	No	No	No	No	No		No
HO1532	Mannerim Primary School (former) 900 Swan Bay Road, Mannerim	No	No	Yes	No	No	Yes		No
HO1152	Residence 35 Swanston Street, Geelong	No	No	No	No	No	No		No

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO1962	Waterloo Heritage Area Generally bounded by: the northern boundary of properties on the north side of Waterloo Street to the north; the eastern boundaries of Madden Avenue and the Ripley Street road reserve, to the east; the southern boundaries of properties abutting the south side of Hope Street, to the south; and to the west, by the rear boundary of properties on the east side of Pakington Street, Geelong West.	No	No	No	No	No	No		No
<u>HO2005</u>	<u>Upper Skene Street Heritage Area</u> <u>Generally bounded by: Properites fronting the south side of Upper Skene Street between Shannon Avenue and Minerva Road, Newtown</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>		<u>No</u>

GREATER GEELONG PLANNING SCHEME

PS Map Ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuilding s or fences not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO2006	Newtown West Heritage Area Generally bounded by: the northern boundary of properties on the south side of Nantes Street; the southern boundary of properties on the north side of Aphrasia Street between Shannon Avenue and Ruthven Street, Newtown.	Yes – 'Brooklyn' 132 Aphrasia Street and 'Newtown Brae' 15 Stephens Street	No	No Yes – mature exotic 10 th century trees near rear yards (northern boundaries) of the properties at 11-19 Stephen Street.	Yes – 112, 114, 126 Aphrasia Street	No	No		No
HO2007	West Melbourne Road Heritage Area Generally bounded by: properties fronting the west side of Shannon Avenue between Aphrasia Street and Upper Skene Street	Yes – 303 & 311 Shannon Avenue	No	No	Yes – Front fences at 303, 315 & 319 Shannon Avenue	No	No		No

GREATER GEELONG PLANNING SCHEME

25/052017
VC133
Proposed
C365

SCHEDULE TO CLAUSE 81.01 TABLE OF DOCUMENTS INCORPORATED IN THIS SCHEME

1.0

25/052017
VC133

Incorporated documents

Name of document	Introduced by:
14 Shepherd Court, North Geelong, Cotton On Office Redevelopment, July 2011	C257
Adventure Park Comprehensive Development Plan, May 2014	C288
Advertising Sign Guidelines, City of Greater Geelong, November 1997, Amended October 2014	C296
Anakie, Lara & Lovely Banks Heritage Places Incorporated Plan, May 2016	C316
Armstrong Creek East Native Vegetation Precinct Plan, May 2010	C206
Armstrong Creek East Precinct Structure Plan, May 2010 Amended November 2011	C214
Armstrong Creek East Precinct Development Contributions Plan, Version 4.1 Alternate Version November 2011	C214
Armstrong Creek Horseshoe Bend Precinct Structure Plan September 2014	C259
Armstrong Creek North East Industrial Precinct Development Contributions Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct Growling Grass Frog Conservation Management Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct Native Vegetation Precinct Plan, May 2010	C207
Armstrong Creek North East Industrial Precinct, Precinct Structure Plan, May 2010	C207
Armstrong Creek South Precinct Structure Plan, February 2016	C301
Armstrong Creek Town Centre Precinct Structure Plan, March 2014	C267
Armstrong Creek Town Centre Development Contributions Plan, March 2014	C267
Armstrong Creek Town Centre Native Vegetation Precinct Plan, March 2014	C267
Armstrong Creek Urban Growth Plan Framework Plan, November 2008, updated September 2012 and June 2015	C301
Armstrong Creek West Precinct Development Contributions Plan, February 2013	C240
Armstrong Creek West Precinct Native Vegetation Precinct Plan, November 2012	C240
Armstrong Creek West Precinct Structure Plan, September 2012	C240
Australian Standard AS 2021-1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. Standards Association of Australia 1994	NPS1
Batman Park, Indented Head Incorporated Plan, June 2015	C274
BUPA Aged Care Facility, Bellarine Lakes, May 2016	C336
Environmental Weeds, City of Greater Geelong, September 2008	C129(Part 1)

GREATER GEELONG PLANNING SCHEME

Name of document	Introduced by:
Fibre Optic Project, Integrated Approval Requirements, December 2002	VC17
Geelong City Urban Conservation Study Vol. 1 Restoration and Infill Guidelines, Commercial and Civic Buildings, Graeme Butler for the City of Geelong, 1993	C258
Geelong Library and Heritage Centre Redevelopment, March 2013	C287
Geelong Ring Road – Section 4C Incorporated Document, June 2010	C232
Geelong TAC Office Development, October 2006	C142
<u>Great Western Hotel Incorporated Plan, 2016</u>	<u>C365</u>
Heritage and Design Guidelines, City of Greater Geelong, 1997	NPS1
Horseshoe Bend Precinct Development Contributions Plan, September 2014	C259
Jetty Road Urban Growth Area Development Contributions Plan, September 2011	C230
Lara West Development Contributions Plan, Final Version – C246/C285, March 2014	C285
Lara West Growth Area, Lara, Native Vegetation Precinct Plan, September 2013	C246
Lara West Precinct Structure Plan, Revision J, 25 September 2013	C246
Melbourne Geelong Interconnection Project, June 2010	C229
Manzeene Village, Lara, Native Vegetation Precinct Plan, June 2014	C285
Native Vegetation Precinct Plan, Geelong Ring Road Employment Precinct, March 2013	C243
Native Vegetation Precinct Plan, Horseshoe Bend Precinct, Armstrong Creek Urban Growth Area August 2014	C259
Newtown Heritage Study Review Report, Volume 3, City of Greater Geelong, 2008	C191
New Station Estate Restructure Plan, July 2010	C187
Rail Gauge Standardisation Project, Integrated Approval Requirements, December 2002.	VC17
Regional Fast Rail Project, Integrated Approval Requirements, December 2002	VC17
Rail Upgrades at Geelong Port Project, May 2010	C211
Rippleside Comprehensive Development Plan, February 2000	C2
Rippleside Urban Design Guidelines, June 2000	C2
Small Lot Housing Code, December 2012	C267
Thirteenth Beach Golf Resort Barwon Heads, Barwon Heads Comprehensive Development Plan, Land Design Partnership, Anthony Cashmore & Associates and the Planning Group, May 2001 amended September 2006	C54
Waterfront Geelong Design and Development Code, Keys Young, July 1996	NPS1
West Fyans-Fyans Street Precinct Structure Plan, June 2009	C205

**Great Western Hotel Heritage Place
177 Aberdeen Street,
Newtown**

INCORPORATED PLAN

(Draft)

October 2016

1.0 Application

This plan is incorporated into the Greater Geelong Planning Scheme under the Schedule to Clause 81.01. It applies to the Great Western Hotel, 177 Aberdeen Street, Newtown, identified in the Schedule to the Heritage Overlay of the Greater Geelong Planning Scheme as HO1990.

No permit required

Pursuant to Clause 43.01-2, for land in HO1990, a permit is not required to:

- 2.1 Remove, alter or construct driveways, pathways, car parks, and kerbs and channels with the site.
- 2.2 Demolish or alter single storey building fabric not identified in the statement of significance for the Great Western Hotel in the Newtown West Heritage Review (2016) so long as:
 - There is no physical change to the significant two storey hotel building fabric.
 - The alterations are constructed of non-highly reflective materials.
- 2.3 Construct a building (including additions to the significant two storey hotel) provided that:
 - There is no physical impact, intrusion or change to the significant two storey hotel building fabric.
 - The proposed wall and roof heights are no higher than the significant two storey hotel walls and roofs.
 - Any two storey addition is set back from the Aberdeen Street and Shannon Avenue significant two storey facades a distance equivalent to the significant two storey return parapets in the north-west corner (fronting Aberdeen Street) and south-east corner (fronting Shannon Avenue).
 - The additions are constructed of non-highly reflective materials.
- 2.4 Install and display a sign on non-significant fabric only (not connected to, situated on or projecting over the significant two storey hotel building).
- 2.5 Install plant or equipment associated with hot water services or central heating units provided that the equipment is not attached to the principal, significant north and east hotel facades and significant north, south and east two storey hipped roof faces.
- 2.6 Construct roof-mounted solar panels provided that the equipment is not situated on those parts of the significant two storey hotel roofs that face directly towards Aberdeen Street and Shannon Avenue.
- 2.7 Construct boundary fencing and internal fencing so long as the fencing is non-reflective.

Attachment 3 – Panel Report Executive Summary

Greater Geelong Planning Scheme Amendment C365 | Panel Report | 18 September 2017

Executive Summary

(i) Summary

Greater Geelong Planning Scheme Amendment C365 (the Amendment) seeks to implement the findings of the Newtown West Heritage Review 2016 by applying the Heritage Overlay to three precincts and five individual properties, include three new precinct-based policies and include the Heritage Review as a Reference document.

The study area is generally bounded by:

- Aberdeen Street to the north
- Aphrasia Street and Queens Park Road to the south
- Shannon Avenue to the east
- Layton Crescent and Melville Avenue to the west.

The key issues raised in the submissions include opposition to the listing of the Great Western Hotel as it is unjustified and will be restrictive, the Upper Skene Street precinct does not have the integrity or intactness to warrant Heritage Overlay and objection based on additional costs and impediments associated with Heritage Overlay. Submissions in support considered the Heritage Review is a thorough and accurate assessment of the Newtown West area and the Heritage Overlay will protect the heritage and character of the neighbourhood.

The Panel considered all of the submissions and the heritage values of the properties put forward by the Amendment. The Panel finds that the Newtown West Heritage Review 2016 is a high quality and robust assessment of the Newtown West area and its recommendations are justified subject to some minor changes to the Schedule to the Heritage Overlay.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Greater Geelong Planning Scheme Amendment C365 be adopted as exhibited subject to the following:

1. Amend the Schedule to the Heritage Overlay to:
 - a) remove the proposed tree controls for 11-19 Stephen Street, Newtown in the Newtown West Heritage Precinct
 - b) for the Great Western Hotel:
 - replace the address with 177-179 Aberdeen Street, Newtown
 - apply "yes" to the Prohibited Uses column
 - c) remove 15 Nantes Street, Newtown
 - d) rename Melbourne Road Heritage Area to "West Melbourne Road Heritage Area".
2. Amend Clause 22.66 to remove reference to the mature exotic trees at 11-19 Stephen Street, Newtown from the 'Newtown West Heritage Area'.

4. PROPOSED EXHIBITION OF AMENDMENT C373 AND PLANNING PERMIT 879/2017 – LONSDALE GOLF COURSE FELLOWS ROAD POINT LONSDALE

Source: Planning and Development
Director: Kelvin Walsh
Index Reference: Application: C373

Purpose

To seek Council support to prepare and exhibit a combined Planning Scheme Amendment C373 and planning permit application 879/2017 for the Lonsdale Golf Course and surrounding land, located off Fellows Road, Point Lonsdale, subject to authorisation being obtained from the Minister for Planning.

Background

Amendment C373 (the Amendment) seeks to rezone vacant farmland along the southern edge of the Lonsdale Golf Course (the Golf Course), off Gill Road, Point Lonsdale, from Farming Zone and Rural Conservation Zone to Special Use Zone 3 to provide for a modest expansion of the existing Golf Course. It also substantially modifies the previously approved proposal to extend the Golf Course around the edges of Lake Victoria which are now proposed to be rezoned from Special Use Zone 3 to Rural Conservation Zone.

The existing Development Plan Overlay Schedule 26 needs to be amended to apply to the changed areas of the Golf Course and relate to the Lonsdale Golf Club's **(the Club's)** modified plans which will produce significantly decreased environmental impacts.

The permit is for a 2 lot subdivision to enable the Club to purchase the newly rezoned Special Use Zone 3 land from the adjoining rural property owner.

The residential component of the previously approved project along the Fellows and Gill Road frontages is not being changed by this amendment.

Key Issues

- The previously approved Scheme Amendment C67, gazetted in 2013, was subject to a protracted 10 year planning approval process including an Environment Effects Statement (EES) which generated substantial interest from environmental groups, community groups, nearby landowners, Club members and the general public.
- The new proposal, which will have substantially reduced environmental impacts, requires approval of a fresh planning scheme amendment to enable the modified proposals, as described in this report, to be implemented.
- In light of the above circumstances and greatly reduced impact, the Club sought approval of a Ministerial amendment without public notification. Despite support from environmental groups and Council officers, the Department of Environment, Land, Water and Planning (DELWP) determined that the Amendment should be processed by Council.
- Council officers recommend Amendment C373 and the accompanying Planning Permit 879/2017 be now exhibited in the normal manner, subject to receipt of Ministerial authorisation.

Cr Mason moved, Cr Asher seconded -

That Council:

- 1) supports the preparation and exhibition of Amendment C373 to the Greater Geelong Planning Scheme in the form described in the attachments to this report;**
- 2) considers the application for Planning Permit 879/2017 for a 2 lot subdivision concurrently with the preparation of the Amendment, in accordance with the provisions of Section 96A of the *Planning and Environment Act 1987*; and**
- 3) requests the Minister for Planning to authorise the preparation and exhibition of Amendment C373 and Planning Permit 879/2017.**

Carried.

Attachment 1

Discussion

Spiire Australia has submitted a combined planning scheme amendment and planning permit application on behalf of the Club to enable an expansion of the 18 hole Golf Course as part of a major redevelopment project.

The rezoning component of the application seeks substantial changes to the previously approved Amendment C67 which was gazetted on 19 September 2013. Amendment C67 was subject to a protracted 10 year planning approval process, including an EES, because of the Club's then proposal to extend the Golf Course into highly environmentally sensitive areas around the edges of Lake Victoria. This generated substantial interest from nearby residents, Club members, community groups and environmental groups. Council referred all submissions to the Amendment C67 to an Independent Panel (the Panel) appointed pursuant to both the *Environment Effects Act 1978* (EEA) and the *Planning and Environment Act 1987*.

The Panel conducted a 7 day hearing and recommended approval of Amendment C67 subject to a range of additional environmental measures to be incorporated into a Development Plan Overlay Schedule. The Minister for Planning's assessment, pursuant to the EEA, supported Amendment C67 being adopted in accordance with the Panel's recommendations.

Since approval of Amendment C67, the Club has undertaken a number of stages of the residential component of the project along the Gill and Fellows Road frontages of the site. The new application is not seeking to make changes to the residential component of Amendment C67.

Attachment 2 is an aerial photo of the subject land and surrounding area with the extent of the new proposal outlined in red and the extent of the previous proposal outlined in blue.

Attachment 3 shows the existing zoning of the Club's land and surrounding area. The Farming Zone and Rural Conservation Zone land on the south side of Gill Road is now proposed to be rezoned to Special Use Zone to provide for additional Golf Course holes and is outlined in green. The extent of previously approved Special Use Zone land over which it was previously intended to expand the golf course and which are now proposed to be rezoned to Rural Conservation are outlined in red.

The areas to which the accompanying Development Plan Overlay Schedule 26 (DPO 26) will apply are being amended to accord with the areas to which the Special Use Zone will apply.

The wording of DPO 26 is proposed to be substantially modified with respect to the Golf Course component of the project. The existing DPO 26 Schedule makes numerous references to the EES documentation which are largely not relevant to the modified Golf Course layout. Reference to these documents will be removed from the Schedule and replaced with specific environmental requirements relating to the current proposal. Any environmental issues requiring further consideration will therefore be addressed as part of Council's development plan and permit approval processes. The proposed new DPO 26 Schedule will also contain a Masterplan of the proposed new golf course layout.

The proposed Planning Permit 879/2017 accompanying the Amendment is for a 2 lot subdivision which will enable the Club to purchase land from the adjoining farming property. It will replace a previous permit for a 2 lot subdivision which excises a smaller area of farmland.

It should be noted the previously approved proposal included a permanent conservation reserve on the neighbouring rural property on the edge of Lake Victoria which was an important factor in Amendment C67 being supported. This reserve was to be set aside as a permanent orange bellied parrot habitat to replace such areas potentially lost by the earlier proposal and is outlined in blue in Attachment 2. The Amendment does not include a conservation reserve because the significantly lessened impact on the existing bird habitat negates its need.

In light of the significantly reduced environmental impacts and overall reduction in areas affected by the Golf Course expansion, the Club originally sought the approval of a Ministerial amendment without public notification. At Council's suggestion, the Club conducted a well-publicised public information session at its clubhouse outlining its new proposals. This session was attended by a wide range of community groups and the general public and received very positive feedback. Despite the demonstrated support from stakeholders and Council officers, DELWP determined that the Amendment should be processed by Council.

The Club's consultant has requested Council to consider seeking Ministerial exemption from a normal amendment notification. However, as Council officers believe that some form of public notification is warranted (particularly newspaper notices), there is nothing to be gained in terms of saving time in seeking dispensation from direct notification of nearby property owners.

The Club's application has been referred internally to Council's Environment & Engineering Services Units and externally to DELWP and the Corangamite Catchment Management Authority (CCMA). No additional engineering requirements to those proposed to be included in DPO 26 Schedule were raised by either Council or CCMA engineers.

Council's Environment Unit supports the proposed changes to the previously approved project because the new Golf Course holes will be utilising cleared farmland rather than necessitating removal of native vegetation. In addition the new project no longer proposes construction of Golf Course holes next to Lake Victoria significantly reducing the likelihood of bird habitat disturbance. Council's Environment Unit has sought further information about off-set requirements for vegetation to be removed and details of non-indigenous vegetation to be cleared, both of which will be provided as part of the exhibited Amendment documentation. Suggested modifications to the DPO 26 wording have also been made.

To date, no formal response had been received to Council's referral request from DELWP. Consideration will be given to including any DELWP requirements as DPO 26 provisions. DELWP will also have an opportunity to make a formal submission should the Amendment be exhibited as recommended.

Concluding Remarks

The changes to the previously approved scheme Amendment C67 mean that the reconfiguration of the Golf Course and its extension will be undertaken without the need to extend into the environmentally sensitive areas around the shores of Lake Victoria. The new, more modest plans will result in a greatly improved environmental outcome and provide a positive closure to this long-running project. All remaining identified environmental issues which need to be addressed in further detail have been included in the amended DPO 26 Schedule which will require Council's further consideration as part of the development plan approval.

In the processing of the previous EES and Amendment C67 it was recognised that the Club's redevelopment project would produce a range of community benefits by providing enhanced community and recreation facilities for local residents, strengthening the club as a community focal point and providing additional housing opportunities within the township. Amendment C373, will enable the Club's redevelopment project to be completed and will have a positive social impact and result in a net community benefit.

Amendment C373 and Planning Permit 879/2017 should be exhibited in the normal manner.

Financial Implications

The Club is a private entity and will be responsible for the full funding of this project. There are no financial implications for Council.

Community Engagement

Amendment C373 will be exhibited in the normal manner to community groups, landowners and the general public to provide them with an opportunity to make a submission and appear before an Independent Panel appointed by the Minister for Planning if they so wish. Relevant Government agencies were consulted in the preparation of this Amendment.

The Club conducted a well-attended public information session before submitting the application to Council.

Policy/Legal/Statutory Implications

The previous project was considered to be consistent with State and Council planning and environmental policies. The new proposal will have significantly reduced impacts and as a result will also comply with these policies.

Alignment to City Plan

The Amendment supports the overall thrust of the Sustainable Built and Natural Environment Strategic Directions in that it supports development which respects and enhances the natural environment.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

No risks have been identified in respect of this matter.

Environmental Implications

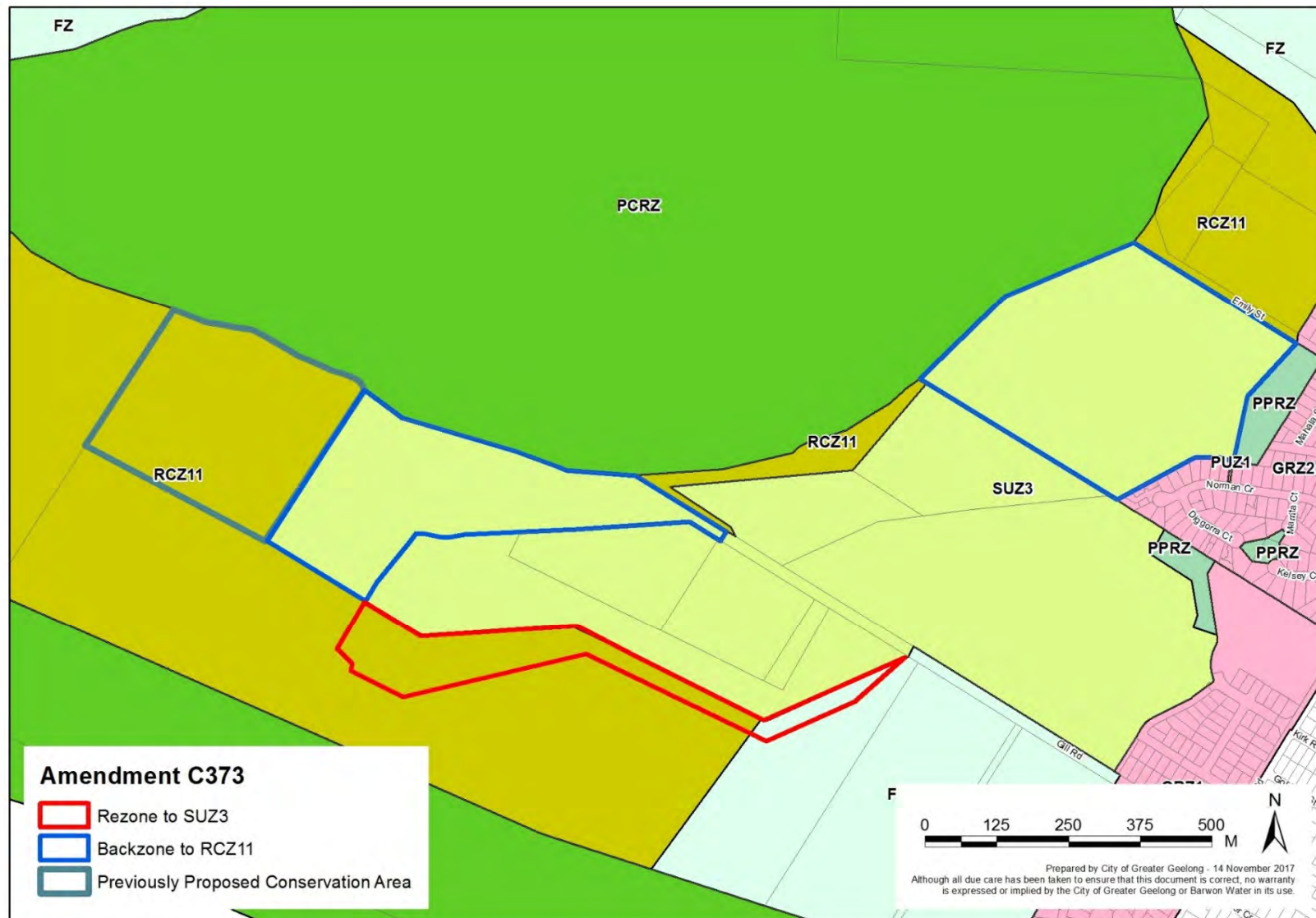
The approved prior Amendment C67 was subject to a thorough environmental assessment process including an EES to ensure an acceptable environmental outcome was achieved. Amendment C373 will result in significantly reduced environmental impacts in comparison to Amendment C67.

Amendment C373 no longer affects the most environmentally sensitive areas around the edges of Lake Victoria. Council's Environment Unit, DELWP and environment groups agree with the Club's consultants that this new proposal provides a positive environmental outcome.

Attachment 2 – Location plan / aerial photo



Attachment 3 – Existing Zoning showing areas to be rezoned



5. REVITALISING CENTRAL GEELONG - PROPOSED WEST END ACTION PLAN

Source: Investment & Attraction
Director: Brett Luxford
Index Reference: PRJ-16-1281: Revitalising Central Geelong

Purpose

Council received a request from the Geelong Authority to adopt the West End Action Plan 2017) prepared by the Revitalising Central Geelong Partnership (**Attachment 3**).

Background

The West End Action Plan, formerly the James St Precinct, has been developed to guide projects and streetscapes within the area bounded by Gheringhap, Malop, Moorabool and Ryrie Streets in Central Geelong (the Precinct).

Key Issues

The West End Action Plan has been developed through stakeholder engagement and responds to key issues and opportunities for the precinct including:

- Civic Car Park - opportunities for 24-hour access, pay-on-exit technology, modified entry/exit and possible long-term redevelopment;
- Creating plaza space and limiting vehicle access to allow for more alfresco activity (timed or essential vehicles only);
- Improved connections to the waterfront;
- Investigation of opportunities for resolving issues associated with the bus interchange in Moorabool Street;
- Reconstruction of laneways within the precinct;
- Encouraging infill and shop-top residential development;
- Protecting and celebrating heritage buildings and providing incentives for heritage building restoration;
- Encouraging and supporting 'greening' of the precinct in the public and private domain;
- Encouraging more public art which could support a way-finding project throughout the CBD; and
- Undertaking a full waste management audit and implementing an integrated waste management system for the precinct.

Cr Kontelj moved, Cr Mansfield seconded -

That Council adopt the West End Action Plan 2017 shown at Attachment 2 of this report as a guiding document for revitalisation projects within the precinct.

Carried.

Attachment 1

Financial Implications

Projects identified in the West End Action Plan will be funded through the Revitalisation Partnership annual budget.

Community Engagement

The West End Action Plan was prepared based on engagement with precinct stakeholders through two workshops. Additional feedback was sought from property owners, traders and residents of the study area. The Geelong Authority has reviewed and endorsed the West End Action Plan.

Public comments on the Draft West End Action Plan 2017 were invited over a two week period from 11 August 2017 to 25 August 2017.

During this period, two written submissions were received. One submission strongly supported the draft plan, particularly the initiatives to increase the vitality of the precinct. The other submission also supported initiatives to increase activity within the precinct such as street festivals suitable for young people and families. In order to support increased activity, this submission suggested that lighting be improved in the precinct and the opening hours of the Civic Car Park be increased.

The street lighting in Little Malop Street is being upgraded as part of the Laneways Project – currently being undertaken. Artistic and pedestrian lighting will be delivered increasing amenity and public safety.

The City of Greater Geelong (CoGG) owns and manages the Civic Car Park. The car park is open from 7am - 11pm (Monday - Wednesday) and from 7am - 1:30am (Thursday - Sunday). There are no plans to increase operating hours as data indicates a lack of demand.

Social Equity Considerations

In line with the recently adopted Public Realm Framework, incorporating the Central Geelong Accessibility Audit, all streetscapes and entertainment programs within the CBD will be designed to be fully accessible.

Policy/Legal/Statutory Implications

The West End Action Plan is consistent with the Central Geelong Action Plan, the State Action Plan and State and Council planning policies.

New hard and soft landscaping resulting from the plan will reference Council's urban design guidelines, support sustainable development and respond to community needs.

Future physical works within the precinct will reference plans for the adjacent precincts including Johnstone Park, the Green Spine and the Arts & Cultural Precinct.

Alignment to City Plan

This project is directly aligned to the City Plan 'Growing the Economy' strategic priority which articulates a continuing focus on improvement of the CBD via the implementation of the Central Geelong Action Plan.

Risk Assessment

No risks have been identified in adopting the West End Action Plan.

Environmental Implications

Part of the West End Action Plan proposes the preparation of a resource recovery plan for the precinct to enable a holistic approach to waste and environmental and cost benefit for stakeholders.

A number of streets within the study area form part of the overland flow path for storm water and a number of sites are encumbered by a Special Building Overlay. New streetscape designs will account for storm water management and drainage, and will consider opportunities to incorporate Water Sensitive Urban Design (WSUD) to manage water collection and re-use in and around the precinct.

West End Action Plan

November 2017



Revitalising
Central
Geelong

CITY OF GREATER
GEELONG

VICTORIA
State
Government

West End Action Plan

November 2017

This report has been prepared by the Revitalising Central Geelong Partnership in association with Design Urban and Town Matters Pty Ltd.



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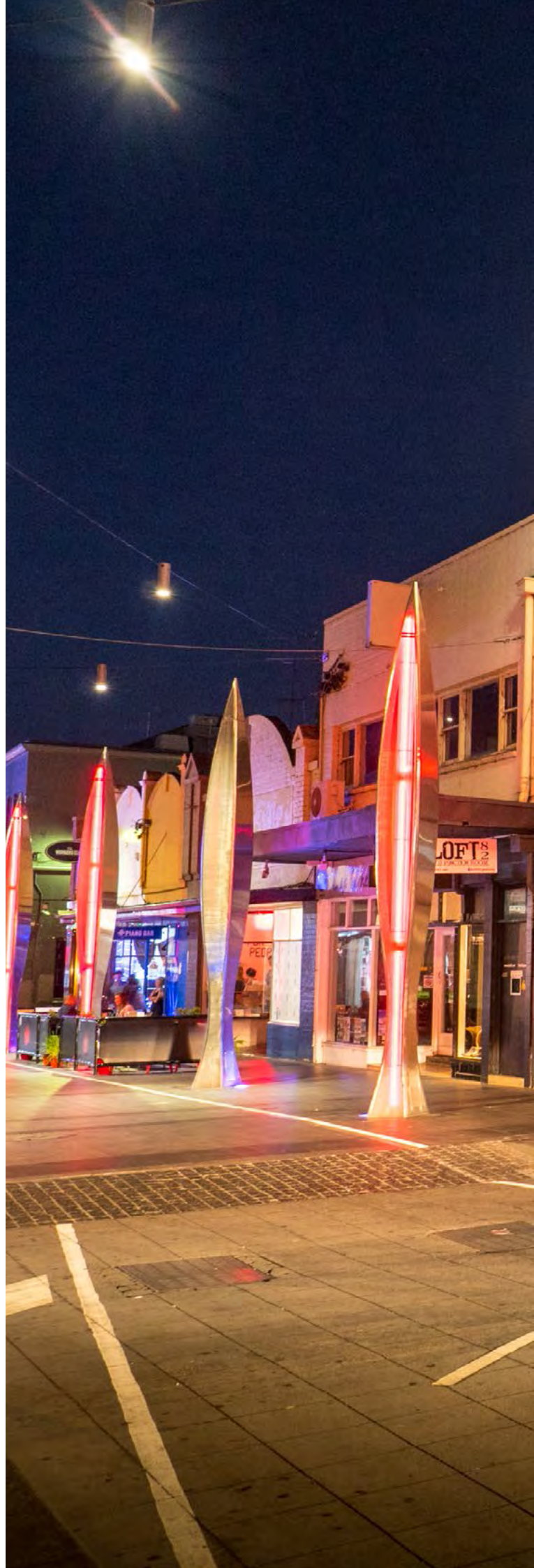
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Wisewould
Mahony
Lawyers



Wisewould
Mahony
Lawyers



DENNY'S R.

JAMES R.

80 little mallow st geelong

Revitalising Central Geelong Action Plan

The City of Greater Geelong and the Department of Environment, Land, Water and Planning are working together as the Revitalising Central Geelong Partnership Team, with strategic and technical advice from the Geelong Authority, to plan and deliver projects identified in the Revitalising Central Geelong Action Plan.

The Revitalising Central Geelong Action Plan is a ten-year plan designed to deliver new jobs, homes and services to revitalise Geelong.

The Action Plan's Smart City initiative proposes a stronger integration and greater diversity of health, education and cultural land uses. To deliver on this outcome, the Action Plan recognises the need for a masterplan to achieve an integrated design outcome for facilities within the cultural precinct.

West End Action Plan

Research into the best communities in the world show they are:

- Connected
- Prosperous
- Creative
- Sustainable
- Designed for people

The West End Action Plan has been developed to guide projects and works within the Malop/ Gheringhap/Ryrie/Moorabool streets block in central Geelong. It will complement other projects that relate to priority renewal areas in central Geelong, including the Green Spine, the Geelong Station, the Arts and Cultural Precinct and Johnstone Park.

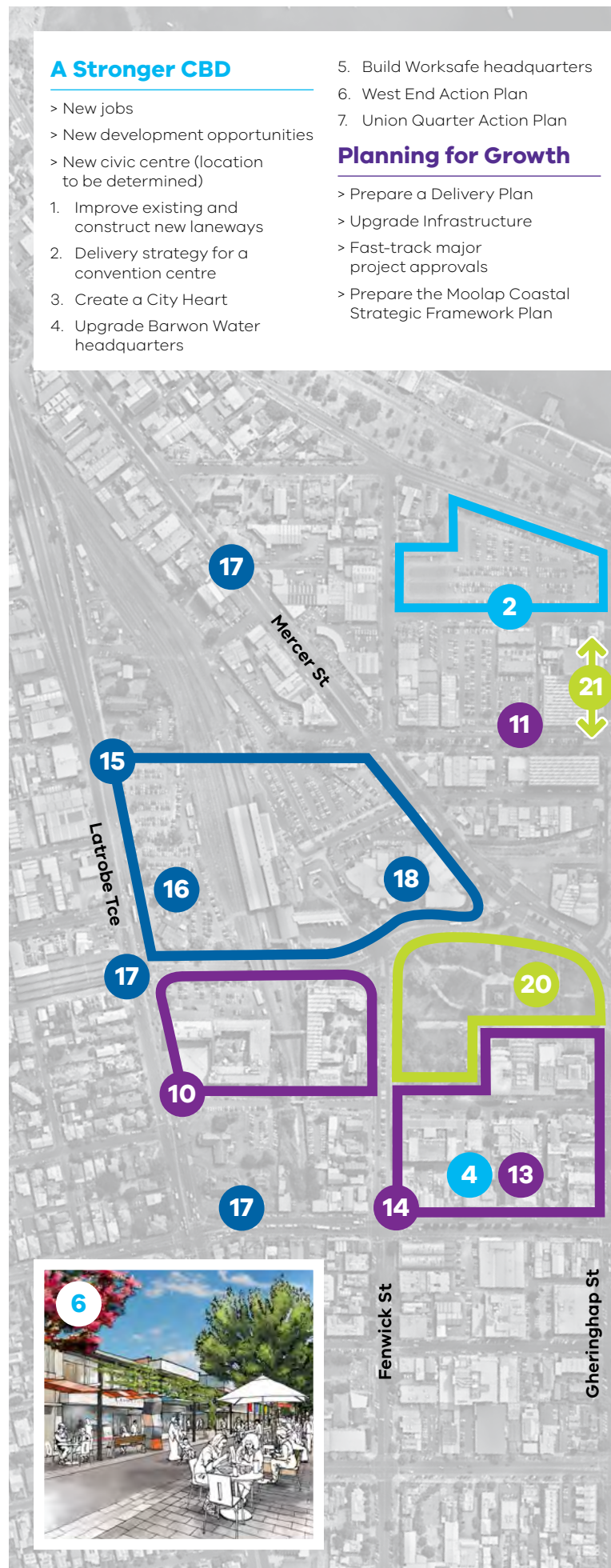
A Stronger CBD

- > New jobs
- > New development opportunities
- > New civic centre (location to be determined)
 1. Improve existing and construct new laneways
 2. Delivery strategy for a convention centre
 3. Create a City Heart
 4. Upgrade Barwon Water headquarters

5. Build Worksafe headquarters
6. West End Action Plan
7. Union Quarter Action Plan

Planning for Growth

- > Prepare a Delivery Plan
- > Upgrade Infrastructure
 - > Fast-track major project approvals
 - > Prepare the Moolap Coastal Strategic Framework Plan



- > Support delivery of city housing
- > Plan for community infrastructure
- > Host events

8. Construct the Royal Geelong Yacht Club safe harbour
9. Construct upgrade of Kardinia Park stadium

10. Construct the Geelong Tech School
11. Support delivery of student housing
12. Plan for expansion of health and education facilities
13. Construct upgrade of Geelong Performing Arts Centre
14. Plan for cultural precinct

- > Finalise an operating plan for the Transport Network
- > Prepare a city parking strategy
- 15. Revitalise the Geelong Station Precinct
- 16. Develop a commuter parking strategy
- 17. Highlight city arrival points
- 18. Identify long term needs of Department of Justice and Victoria Police

19. Construct Green Spine Stage 1 (Moorabool to Yarra)
20. Construct an integrated public space and water management project in Johnstone Park
21. Plan for improved linkages between the city and waterfront



Issues and Opportunities

The West End Action Plan responds to key issues and opportunities for the precinct identified through consultation with stakeholders.

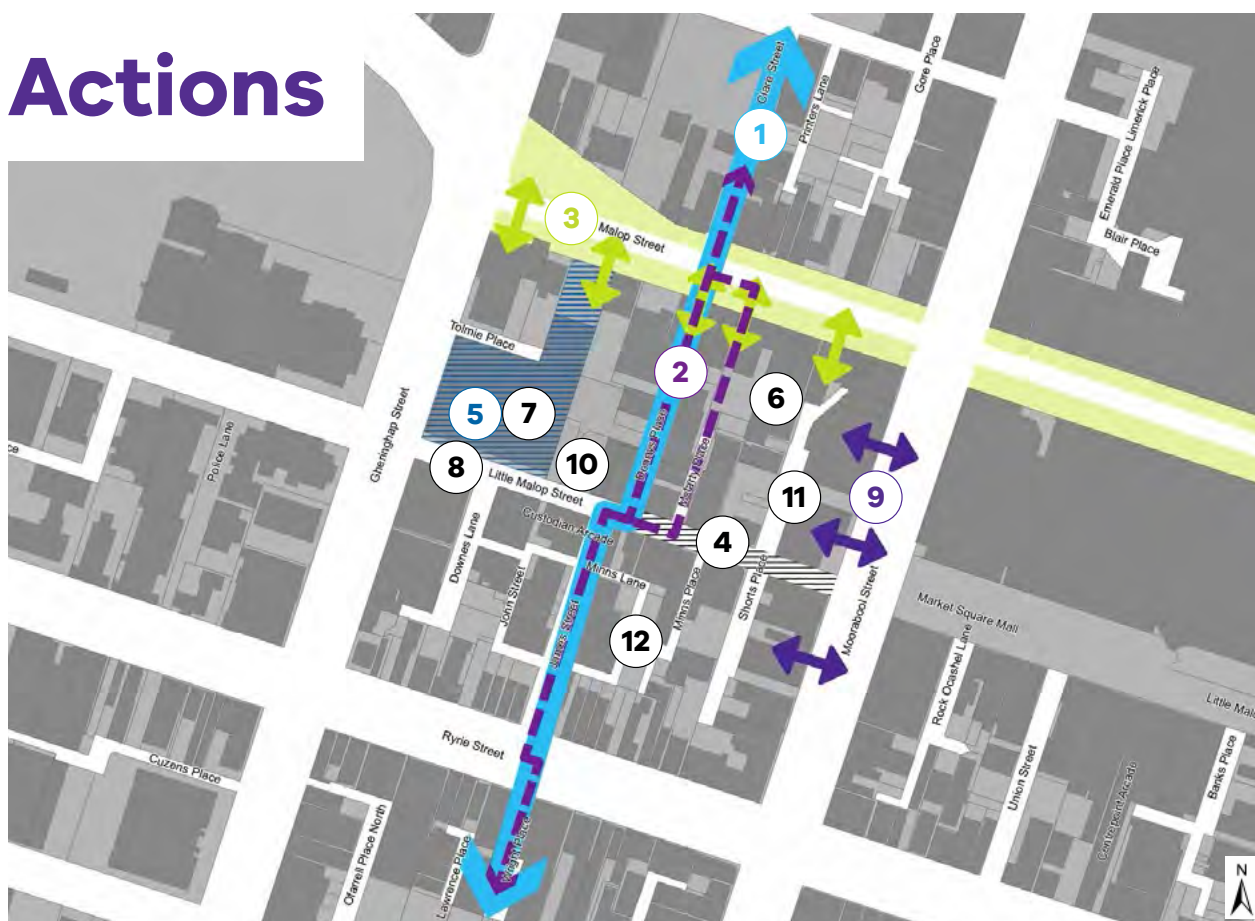
- Investigate opportunities for modified entry/exit at the Civic Centre Car Park, including 24/7 access and pay-as-you-leave capability
- Investigate opportunities to redevelop the Civic Centre Car Park with mixed uses after car parking structures have been built elsewhere
- Investigate creating plaza space closed to traffic
- Investigate opportunities for improved connectivity to the north and waterfront
- Investigate opportunities for resolving issues associated with bus interchange
- Investigate opportunities for limiting traffic access to Little Malop Street to essential vehicles only.

Additional opportunities include:

- Improve the look and feel of laneways
- Encourage more housing
- Protect and celebrate significant heritage buildings and investigate a restoration program
- Encourage green roofs and walls in new developments and incorporate green urban landscape where possible
- Develop an urban art theme that can potentially be integrated with a wayfinding system across the CBD
- Investigate innovative waste management systems.



Actions



1. Link to the waterfront

Provide an efficient connection from the precinct to the waterfront.

2. Make new connections

Link Lt Malop Street to Malop Street by connecting along Dennys Place and/or McLarty Place.

3. Connect to the Green Spine

Provide connections to the Green Spine and support with pedestrian crossings.

4. Create a new plaza

Create a shared zone between Shorts Place and Moorabool Street.

5. Provide parking options

In the short term, investigate the feasibility of 24-hour parking within the Civic Carpark. In the long term, as more parking options become available within the city, consider redeveloping the Civic Carpark site for a mix of public parking, retail and residential uses.

6. Review planning controls

Ensure the planning scheme is aligned with the West End Action Plan. Review the planning controls to protect the fine grain character and street amenity.

7. Increase housing

Support opportunities for new housing to support local business and improve vitality, activity and safety.

8. Support public art

Incorporate art within key public spaces.

9. Improve pedestrian experiences and activity

Activate spaces along Moorabool Street to improve pedestrian experiences and activity and explore options to prioritise pedestrian traffic at pedestrian crossings.

10. 'Greening' the West End

Build on the Laneways project by creating more green space, including green walls, roof gardens and other sustainable design elements.

11. Manage vehicle access

Manage vehicle access associated with new development in a way that prioritises pedestrian movements and street-based activity.

12. Manage waste and recycling

Explore opportunities to consolidate waste storage and disposal associated with existing and new businesses.

The Laneways project

Creating a unique laneway culture for Geelong

A key action of the Revitalising Central Geelong Action Plan, the Laneways Project is focused on the popular eating and shopping areas of Little Malop Street and adjoining laneways, in the heart of the West End Precinct. Building on private sector investments, the project will deliver enhanced streetscapes with:

- Additional trees and plantings
- Public art
- New paving surfaces
- Street furniture
- Improved lighting

This project will encourage additional business investment and attract more people to dine, shop and explore the unique laneways of the precinct.



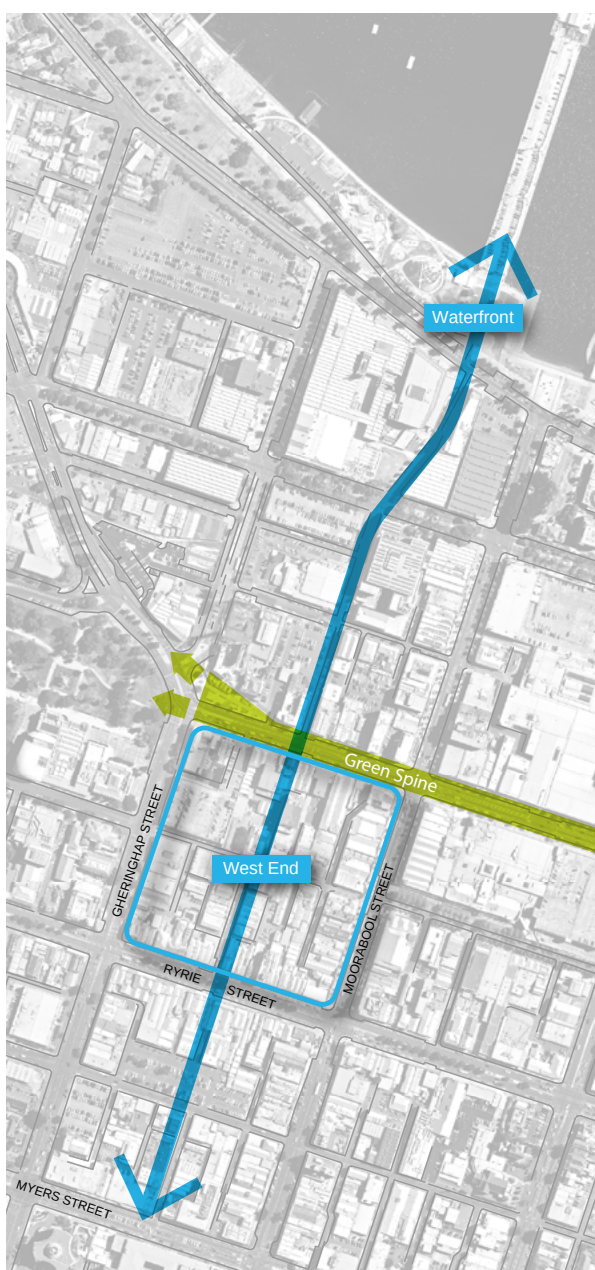


Action 1: Link to the waterfront

A new connection between Little Malop and Malop Streets will greatly improve links between central Geelong and the western end of the Geelong waterfront. This improves commercial feasibility of businesses established along the link.

Next steps

- Develop a wayfinding strategy to connect the West End to the waterfront.
- Create visual cues linking the West End to the waterfront through art, landscaping and lighting.



Action 2: Make new connections

Central Geelong has a clear rectangular grid layout with wide major streets bisected by smaller mid-block streets and service lanes. These smaller streets provide vital connections to properties facing major streets.

While the major street network provides good overall connectivity, the little street system lacks north-south links to operate effectively. .

The benefits of providing a direct link between Little Malop and Malop Streets via either Dennys Place and/or McLarty Place are:

- Providing ease of access from Malop Street to food, beverage and retail outlets focused on Little Malop Street and surrounding laneways.
- Creating further reaching pedestrian focused connections between West End and the waterfront to the north and medical precinct to the south.
- Improving options for moving around the city.
- Adding to experiences and vitality of the Green Spine by providing direct connections to it.

For Dennys Place, a connection would be optimised through activation of existing blank walls that face the street.

Next steps

- The 2017/18 Victorian Budget allocates \$2.7 million to deliver priority laneway connections to the Green Spine.

Action 3: Connect to the Green Spine

The Green Spine project will transform Malop Street into a vibrant street and linear park, connecting from Johnstone Park to Eastern Park.

The project will deliver more trees and green spaces to the heart of the city, transforming it into an attractive and inviting place.

Direct connections between the West End and the Green Spine will provide 'hot spots' of potential pedestrian traffic and activity at intersections. This creates opportunities for more street-based activities, including alfresco dining, which improve the overall attractiveness and commercial viability of businesses operating along these connections.

Next steps

- Ensure Green Spine design reflects 'hot spot' locations.
- Ensure visibility from laneways allows for sight lines to Green Spine.

Action 4: Create a new plaza

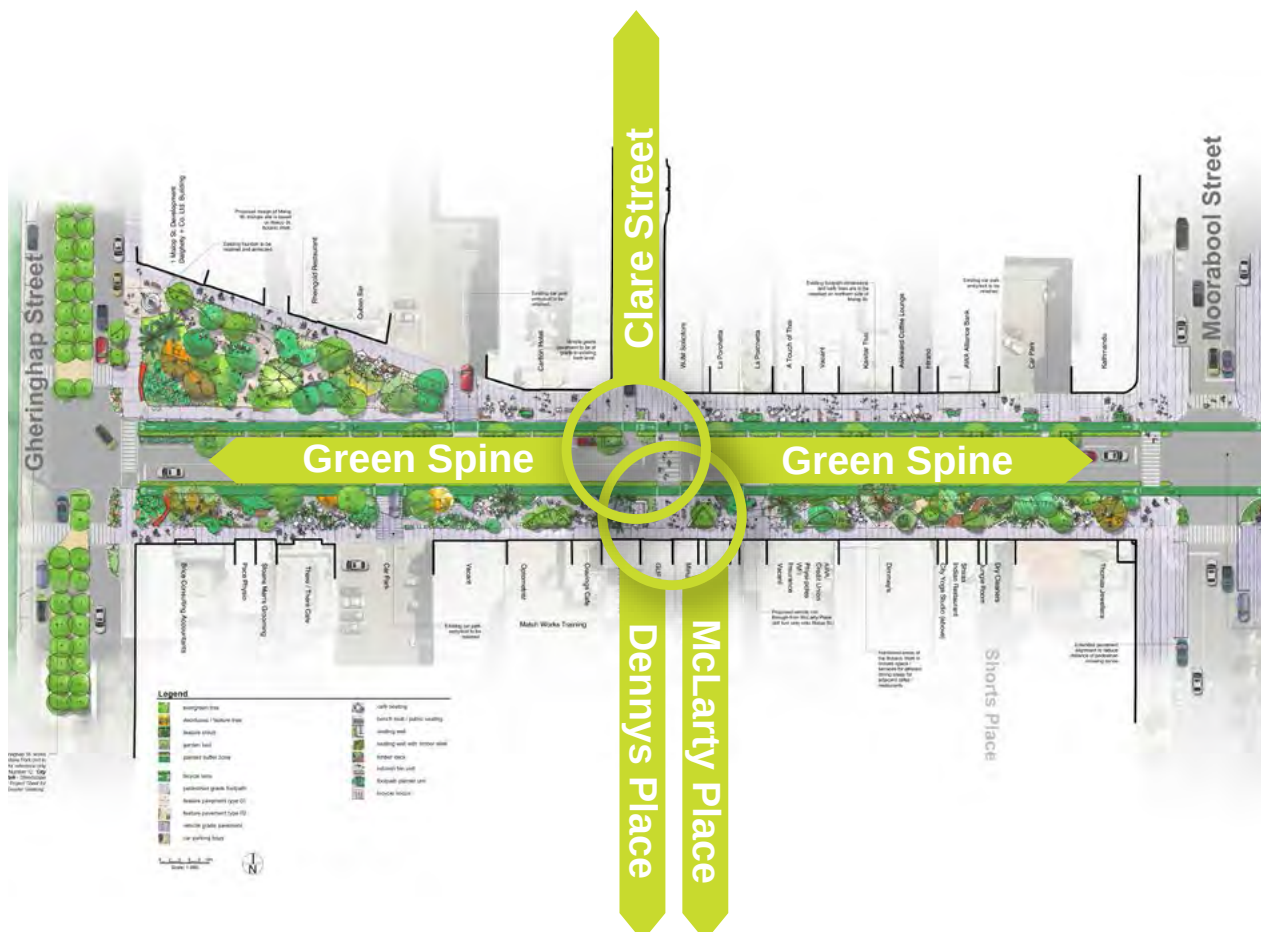
A central space in Little Malop Street between Dennys Place and Moorabool Street will provide a new and distinctive setting for cultural events and alfresco dining.

This plaza will operate as a shared space to enable continued vehicle access to properties along Dennys Place, McLarty Place, Minns Place, and Shorts Place.

Creating additional outlets from the precinct onto Moorabool and Malop Streets would sever pedestrian priority routes at key entrances into the precinct, and is not recommended.

Next steps

- Update the Laneways project to deliver a plaza with high quality surfacing that can be utilised as a shared space.





Action 5: Provide parking options

There is a limited availability of short-term on-street parking in the West End. In addition, longer term parking is available in the Civic Centre Car Park on a “pay and display” basis.

Hours of operation of the Civic Centre Car Park are restricted and local traders have confirmed a preference for hours to be extended to a 24-hour, pay-as-you-leave system. New infrastructure is required to achieve this outcome.

In the longer term, resolution of a city-wide parking strategy, with increased parking options spread across central Geelong, will create an opportunity to develop the Civic Centre Car Park. One option is to transform the site into a high quality, mixed use building, including car parking, that is designed to better integrate with a high amenity precinct.

With improved city parking options, on-street parking within the West End may be reduced to further prioritise spaces for pedestrians.

Next steps

- Explore the business case to extend the operating hours and implement a pay-as-you-leave system at the Civic Centre Car Park.
- Complete the Central Geelong Car Parking Strategy.

Action 6: Review planning controls

Central Geelong has a particular character derived from its historically low rise buildings, wide ‘big’ streets and narrow ‘little’ streets. Recent development is delivering a new urban form, including taller commercial and residential towers. Going forward, it is important that the Greater Geelong Planning Scheme is equipped to manage new use and development in a way that protects the valued character and street amenity of central Geelong.

All land in the West End is included in the Activity Centre Zone (ACZ) Schedule 1, sub-precinct 1A (core retail). The ACZ includes objectives for land use, built form, views, public realm, accessibility and movement, land configuration and urban design.

For the core retail precinct, the ACZ sets a preferred maximum street wall height of 20 metres and a preferred maximum building height of 32 metres. However implementation of these controls may lead to unintended negative impacts on street quality and amenity through lost solar access and out of context built form.

Applying a building height to street width ratio of 1:1 in pedestrian priority ‘little’ streets would assist in maintaining their human-scaled character and opportunities for access to direct sunlight. This would translate to a reduction in preferred street wall height from 20 metres to 10 metres, however would be more in keeping with the proportion achieved by many of the existing heritage and other buildings in the precinct.

In broader, ‘big’ streets (30 metres wide), a building height to street width ratio of 1:2 would allow a more generous street wall height of approximately 15 metres.

These potential changes to the ACZ need to be further explored to confirm their suitability across other precincts in central Geelong.

Next steps

- A comprehensive review of the ACZ will be initiated in 2017.

Action 7: Increase housing

The Revitalising Central Geelong Action Plan supports new development that will deliver more housing in central Geelong. More people living in central Geelong will add to the vibrancy of the city, create a safer place and improve economic activity and prosperity.

Action 5 identified that a future redevelopment of the Civic Centre Car Park will provide a significant opportunity for a new mixed use building, comprising ground floor retail spaces with active street fronts, public car parking and new housing.

The precinct contains many other opportunities for new housing that will add to the activation and vibrancy of the precinct.

Next steps

- Explore opportunities for shop top housing above finer grain development and consolidation of larger development sites for apartments.
- Explore opportunities for housing diversity including social housing to encourage continued diversity within the area.

Action 8: Support public art

Murals, sculptures and other forms of public art are an important part of the fabric of central Geelong.

Art can play a key role in creating quality public places, telling local stories and expressing civic pride. The role of art in urban design, place making and spatial activation is also widely recognised for community benefits including increased public safety, an improved sense of community connection, and ownership and care for the civic environment.

Streetscape projects and new developments provide opportunities to add to this catalogue of art works.

The Laneways Project being delivered in 2017 will introduce benches, bike racks, shelter structures, catenary lighting and paving of Little Malop Street. These are opportunities for local artists to be involved to bring a distinctive 'Geelong' character to these elements.

Next steps

- Develop an implementation strategy for roll out of public art within laneways.



Action 9: Improve pedestrian experiences and activity

The location and design of public transport infrastructure in Moorabool Street has a number of negative effects on local traders. The high rate of bus movement has resulted in shops that once opened to Moorabool Street “turning their backs” to the street to manage exhaust fumes and noise.

A Transport and Network Operating Plan is currently being prepared for all modes of transport to make central Geelong a safer, more accessible, and pleasant place. This will include plans for public transport, including bus routes.

More broadly, opportunities to improve public safety in the West End will be examined and implemented alongside city-wide safety initiatives. This includes ensuring public spaces are not only well designed, but are programmed and activated to attract a mix of people.

Next steps

- Complete the Transport Network Operating Plan.
- Investigate reducing the number of buses and time spent idling in the area.
- Investigate on-street activities and functions to improve safety and encourage a mix of people to stay longer in the area and be social.

Action 10: ‘Greening’ the West End

Greening central Geelong has been identified as a priority by stakeholders. This relates to enhanced and increased planting in streets, on walls and on rooftops of buildings, as well as increasing the use of solar power, water capture and re-use opportunities and other environmental solutions.

Future design guidelines for central Geelong should incorporate sustainability standards for all new developments. These can work in conjunction with green initiatives in public realm projects, including tree planting and water capture and management initiatives.

Opportunities for furthering the green roofs/walls initiative, including funding options, are being investigated as part of the Central Geelong Public Open Space Strategy.

Next steps

- As part of the review of the Activity Centre Zone, introduce ‘sustainability standards’ to apply to new development.
- Review opportunities for creating green roof spaces and green walls as part of the Central Geelong Public Open Space Strategy.



Action 11: Manage vehicle access

Building on existing investments, demand for accommodation and business activity is expected to continue to increase in the West End.

To protect the pedestrian focus of little streets and lanes, vehicle access associated with new development needs to be managed in a way that prioritises pedestrian movements and safety.

To maximise opportunities for active street frontages, consideration should be given to meeting car parking demands through off-street developments. Where this is not possible, parking should be consolidated and have minimal footpath crossovers to minimise the impact on pedestrian amenity.

Sustainable modes of transport such as walking and cycling is to be encouraged through inclusion of high quality start and end of trip facilities in new development (e.g. bicycle parking and showers).

Next steps

- As part of the Central Geelong Car Parking Strategy, encourage:
 - car parking areas that are safe and close to housing
 - garages to be located within a basement/undercroft and the width of the access driveway to be kept to a minimum
 - vehicles to be able to safely exit sites in a forward direction and not compromise pedestrian safety
 - the height of an underground car park ceiling to not exceed one metre above the finished ground floor level
 - garages and car parking structures to be located so that they do not visually dominate the street frontage.

Action 12: Manage waste and recycling

Many laneways in the West End have a large number of commercial bins stored within them. There are currently at least eleven waste and recycling contractors servicing the area from Monday to Friday. This leads to multiple truck movements, street congestion as well as odour problems, dumped rubbish and overflowing bins in the public space.

As part of the upgrading and activation of laneways within the West End, opportunities to consolidate waste storage and disposal are being explored. This will inform an overall resource recovery plan to benefit traders and residents in the precinct and also support the look and feel of the enhanced streetscapes.

Next steps

- Undertake a precinct resource recovery audit and trial to determine specific types and volumes of resources to be recovered from commercial and residential land uses. This will inform the design and implementation of a full waste recovery project to be considered for Central Geelong.



Revitalising Central Geelong

The Revitalising Central Geelong Action Plan sets out the Victorian Government's 10 year plan to drive change in Central Geelong. Led by the Minister for Planning, the City of Greater Geelong and the Victorian Government are working together to deliver the plan. Implementation of the Action Plan is overseen by the Revitalising Central Geelong Partnership Team.

The West End Action Plan is one of several projects that are underway. For more information, please visit www.revitalisingcentralgeelong.vic.gov.au

Contact Details

Revitalising Central Geelong Partnership Team
The Workshop, 108 Moorabool St, Geelong 3220
www.revitalisingcentralgeelong.vic.gov.au



Geelong Authority
C/- Department Environment, Land,
Water and Planning
Level 4, State Government Offices
30-38 Little Malop Street
Geelong VIC 3220

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PRJ-16-396-2

Dr Kathy Alexander
Chair of Administrators
City of Greater Geelong
PO Box 104
Geelong VIC 3220

Wednesday, 28 June 2017

Dear Dr Alexander,

West End Action Plan

On behalf of the Geelong Authority (GA), I am writing to request the City of Greater Geelong (CoGG) adopt the *West End Action Plan*.

The *West End Action Plan* has been developed to guide projects and works within the Malop, Gheringhap, Ryrie and Moorabool Streets block in central Geelong. It will complement other projects that relate to priority renewal areas in central Geelong, including the Green Spine, the Geelong Station, the Arts and Cultural Precinct and Johnstone Park.

The *West End Action Plan* responds to key issues and opportunities for the precinct identified through significant consultation with stakeholders. This year the Revitalising Central Geelong Partnership Team conducted two workshops with targeted stakeholders from the Union Street Precinct with a view to creating an *Action Plan* for the area. These stakeholders included:

- building owners;
- traders;
- residents;
- officers from various branches within the City of Greater Geelong; and
- an urban designer.

A draft *West End Action Plan* was prepared based on the advice and feedback obtained from the stakeholders at the two workshops. Additional feedback of the draft *Action Plan* was then sought from the building owners, traders and residents of the study area. In addition to the previously-mentioned targeted stakeholders, the Geelong Authority members have reviewed and now endorse the *West End Action Plan*.

RECEIVED

28 JUN 2017

COGG

The enclosed draft *Action Plan* outlines in further detail the following key actions, that together, we are committed to achieve:

1. *Links to the waterfront*
2. *Make new connections*
3. *Connect to the Green Spine*
4. *Create a new plaza*
5. *Provide parking options*
6. *Provide planning guidance*
7. *Increase housing*
8. *Support public art*
9. *Improve pedestrian experiences and activity*
10. *'Green' the West End*
11. *Manage vehicle access*
12. *Manage waste and recycling*

Please find enclosed a copy of the draft *West End Action Plan (June 2017)* for your endorsement.

Should you wish to discuss this matter further Mr Chris Padovani, Project Director, Revitalising Central Geelong, can make arrangements on the GA's behalf. Chris can be contacted by mobil ~~XXXXXXXXXX~~ or by email at chris.padovani@delwp.vic.gov.au. Alternatively, if you would like to discuss this matter with me please do not hesitate to contact me on ~~XXXXXXXXXX~~

Yours sincerely



Prof. Roz Hansen
Chair, Geelong Authority

Encl. *Draft West End Action Plan (June 2017)*

6. COUNCIL ORDINARY MEETING SCHEDULE - 2018

Source: Governance and Legal Services
Executive Manager: Rebecca Leonard
Index Reference: Council Governance - Council Meetings

Purpose

This report is presented to Council for consideration of Council Meeting dates for 2018.

Background

Section 89 (4) of the *Local Government Act 1989* (the Act) requires that reasonable notice be given to the public of meetings of the Council. This is achieved by publishing the date, time and location of the meeting in the Geelong Advertiser and on Council's website.

Council also establishes the schedule of Ordinary Council meeting dates and venues each year to allow for advance planning of Council business.

Key Issues

- Ordinary Council meetings for 2018 are generally planned for the fourth Tuesday of each month. Exceptions to this rule are included in the 2018 Council Meeting Schedule for the January meeting which is planned for 30 January 2018 and the December meeting which is scheduled for 11 December 2018.
- Ordinary Council meetings for 2018 are scheduled to commence at 7:00pm.
- Ordinary Council meetings for 2018 are planned to be held at the Council Chambers, City Hall, 30 Gheringhap Street, Geelong
- Any change to a date, time or venue of an Ordinary Council Meeting will be advertised in accordance with Council Meeting Procedure Local Law and the Act.

Cr Nelson moved, Cr Asher seconded –

That Council endorses the following schedule of Ordinary Council meeting dates for 2018:

Tuesday 30 January 2018

Tuesday 27 February 2018

Tuesday 27 March 2018

Tuesday 24 April 2018

Tuesday 22 May 2018

Tuesday 26 June 2018

Tuesday 24 July 2018

Tuesday 28 August 2018

Tuesday 25 September 2018

Tuesday 23 October 2018

Tuesday 27 November 2018

Tuesday 11 December 2018

Carried.

7. PROPOSED COMMUNITY FOCUS COMMITTEE MEETING SCHEDULE - 2018

Source: Governance and Legal Services
Director: Rebecca Leonard
Index Reference: Council Governance - Council Meetings

Purpose

This report is presented to Council for consideration of a Community Focus Committee meeting schedule for 2018.

Background

The Community Focus Committee is a special committee of Council comprised solely of Councillors. The purpose of the Committee is to enable Council to consider Council business and to hear from the community in relation to matters which come before it for decision.

The meetings of the Committee must be open to members of the public unless the Committee resolves that a meeting be closed to members of the public under section 89(2) of the *Local Government Act 1989* (the Act).

Section 89 (4) of the Act requires that reasonable notice be given to the public of meetings of a special committee comprised solely of Councillors. This is achieved by publishing the date, time and location of the meeting in the Geelong Advertiser and on Council's website.

The schedule of Community Focus Committee Meeting dates and venues for the upcoming year needs to be established to allow for advance planning of Council business.

Key Issues

- Community Focus Committee meetings for 2018 are generally planned for the second Tuesday of each month. Exceptions to this rule may be included in the 2018 Council Meeting Schedule with no meeting scheduled for January 2018 and December 2018. This would be a variation to the Committee's terms of reference to allow for a clash with the December 2018 Ordinary Meeting of Council.
- Community Focus Committee meetings for 2018 could be scheduled to commence at 7:00pm. This would be a variation to the Committee's terms of reference, which provides for a 6:30pm start, to provide sufficient time for all councillors to attend.
- Community Focus Committee meetings for 2018 could be planned to be held at various locations within the municipality. This would be a variation to the Committee's terms of reference, which specifies the City Hall location, to make meetings more accessible for community members.
- Confirmation of dates, times and venues of Community Focus Committee meetings will be advertised in accordance with Council Meeting Procedure Local Law and the Act.

Cr Aitken moved, Cr Mason seconded –

That Council endorses the following schedule of Community Focus Committee meeting dates for 2018:

Tuesday 13 February 2018

Tuesday 13 March 2018

Tuesday 10 April 2018

Tuesday 8 May 2018

Tuesday 12 June 2018

Tuesday 10 July 2018

Tuesday 14 August 2018

Tuesday 11 September 2018

Tuesday 9 October 2018

Tuesday 13 November 2018

Carried.

Attachment 1

Financial Implications

Hall hire and meeting preparation costs could be incurred in implementing distributed meetings. These costs would be met from Council's 2017/18 budget.

Community Engagement

At the Community Focus Committee meeting, Council will consider matters within the Community Focus Committee Terms of Reference. The community can attend and submit information or raise questions about issues on the agenda, or raise general issues or questions related to the Council.

The meeting process is intended to provide the public with an opportunity to ask questions and submit information to Council before a decision is made.

Social Equity Considerations

This proposal will provide for improved access for community participation in the decision making processes of Council.

Policy/Legal/Statutory Implications

This proposal complies with the provisions of the following policies and local law:

- Public question and submission time council policy;
- Greater Geelong City Council - Council Meeting Procedures Local Law 2017; and
- Community Focus Committee Terms Of Reference as varied by the final arrangements (**Attachment 2**).

Alignment to City Plan

Community Focus Committee meetings will improve how Council does business by providing a process that enhances engagement with the community to better understand their needs and concerns and to provide them with feedback about their input and decisions made.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

There are no notable risks associated with this proposal.

Environmental Implications

There are no environmental issues associated with this proposal.



COMMITTEE TERMS OF REFERENCE

Community Focus Committee	Document No:	CTR40.1
	Approval Date:	20 September 2017
	Approved By:	Council
	Review Date:	20 September 2020
Responsible Officer: Rebecca Leonard Executive Manager, Governance and Legal Services		
	Version No:	00
Authorising Officer:		Chief Executive Officer

1. SUMMARY

This Committee is formed pursuant to section 86(3) of the *Local Government Act (Vic) 1989*.

2. OBJECTIVES

The purpose of the Committee is to enable Council to consider Council business and to hear from the community in relation to matters which come before it for decision.

3. DEFINITIONS

Act means the Local Government Act (Vic) 1989.

Committee means the Community Focus Committee.

Council means the Greater Geelong City Council.

Council Business Day means a day on which the Council is open for business, excluding public holidays and weekends.

Councillor means a person who holds the office of member of Council.

Mayor means any person elected as Mayor or acting in the capacity of Mayor.

4. TERMS OF REFERENCE

4.1. Term of the Committee

The Committee will continue unless otherwise resolved by Council.

4.2. Membership of the Committee

The Committee shall be constituted by the incumbent Mayor and all Councillors of the Greater Geelong City Council.

4.3. Quorum

The quorum of the Committee shall be a majority of its members.

4.4. Authority of the Committee

- 4.4.1** Subject to clause 4.5 herein, the Committee may make a decision on Council business on the agenda for consideration, but in the event that Council requires further information, or if it hears submissions from the community which it wishes to consider in more detail, it may defer the decision on an item of Council business on the agenda to the next ordinary meeting of Council.

4.4.2 Subject to clause 4.5 herein, the Committee is authorised to make decisions on business before it, excluding decisions regarding:

- Councillor Code of Conduct;
- Councillor facilities and expenses;
- Electoral matters;
- Governance matters;
- Appointment of the Chief Executive Officer;
- Declarations of a rate or charge;
- Borrowing of money;
- Adopting or amending the Budget;
- Entering into of contracts for an amount exceeding an amount previously determined by Council;
- Planning Scheme Amendments;
- Exercise the power of delegation; and/or
- Exercise any prescribed power.

4.5 When a decision must be referred to next ordinary Council

A decision made by the Committee in the exercise of a delegated power, duty or function does not take effect and must be referred to the next ordinary meeting of Council where that decision:

- a. is made on the casting of a second vote by the Chair; or
- b. is made on an affirmative vote of less than six members of the Committee.

4.6 Council Policies to be complied with

The powers of the Committee are to be exercised in accordance with the guidelines or policies which Council from time to time adopts, including the Meeting Procedures Local Law.

4.7 Meeting Procedure

The Committee will meet on the second Tuesday of every month, excluding January.

4.8 Reporting Requirements

Minutes will be published in accordance with the Meeting Procedures Local Law 2013 or otherwise adopted by the Council from time to time.

4.9 Facilities & Resources

The Committee shall meet at City Hall, 30 Gheringhap Street, Geelong unless otherwise agreed. If the Committee meeting is to be held at an alternate venue, at least seven (7) days notice must be given by publishing the alternate meeting venue on the www.geelongaustralia.com.au website.

5 QUALITY RECORDS

Quality Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Minutes from meetings	DMS	Permanent	EDRMS
Committee & Working Party minutes	DMS	Permanent	EDRMS

6 ATTACHMENTS

- Nil

Greater Geelong City Council
Instrument of Delegation
Community Focus Committee

Pursuant to section 86(3) of the *Local Government Act 1989* (the Act), Greater Geelong City Council (the Council) delegates to the special committee established by resolution of Council and known as the COMMUNITY FOCUS Committee (the Committee), the functions, duties and powers of the Council pursuant to the Act and any other Act and declares that:

1. This Instrument of Delegation is authorised by a resolution of Council passed on 20 September 2017.
2. This delegation:
 - 2.1. comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2. remains in force until Council resolves to revoke it; and
 - 2.3. is to be exercised in accordance with the guidelines or policies which Council from time to time adopts.
- 2.4. The authority of the Committee is set out in the Terms of Reference.

THE COMMON SEAL of GREATER)
GEELONG CITY COUNCIL was affixed)
hereto in the presence of:)

Chief Administrator

Chief Executive Officer

Proposed Committee Meeting Schedule 2018

Date	Time
13 February 2018	6:30pm
13 March 2018	6:30pm
10 April 2018	6:30pm
7 May 2018	6:30pm
12 June 2018	6:30pm
10 July 2018	6:30pm
14 August 2018	6:30pm
11 September 2018	6:30pm
9 October 2018	6:30pm
13 November 2018	6:30pm

8. REVOCATION OF FLOOD PRONE AREA DESIGNATION OF NEW LOTS AT ARMSTRONG WATERS, STAGE 3

Source: City Services - Engineering Services
Director: Guy Wilson-Browne
Index Reference: SUB-16-3161

Purpose

The purpose of this report is for Council to consider revoking the flooding designation within Stage 3 of the development of Armstrong Waters.

Background

Council has a statutory obligation under the Victorian Building Regulations 2006 to designate land as liable to flooding where it reasonably knows it to be prone to flooding. Conversely, there is an obligation to remove the encumbrance of designation from land that is no longer considered to be flood-prone.

The current designated flood mapping (refer to Attachment 2) was designated by Council at its meeting of 12 December 2006, under the provisions of the Building Regulations 2006.

The subject of this report is the residential land at Armstrong Waters fronting 291 – 411 Charlemont Road, Armstrong Creek. Prior to subdivision the parent lot was used primarily as farmland.

Key Issues

- The flood mapping is subject to a revision due to the subdivision and development at 291 – 411 Charlemont Road, Armstrong Creek. Prior to subdivision the parent lot was considered to be liable to flooding. This development site, which is also known as Armstrong Waters, Stage 3, achieves flood mitigation for newly created lots for flood events up to and including the 100 year Average Recurrence Interval (ARI) event due to approved internal earthworks.
- The earthworks undertaken have resulted in the floodwaters from the 100 year ARI event being contained within the boundaries of the road network (refer Attachment 3).
- It should be noted that designation is separate to the creation of flood overlays within the Planning Scheme, which generally follows designation. In the case of this development, the planning scheme amendment to create post-development flood zones or overlays is proposed after the design of the proposed precincts.

Cr Murnane moved, Cr Nelson seconded -

That Council revoke the Council designation of 12 December 2006 of flood affected land Armstrong Waters, Stage 3 as liable to flooding pursuant to Regulation 802(2) of the Building Regulations 2006.

Carried.

Attachment 1

Discussion

Designation of land as liable to flooding under Regulation 802 of the Victorian Building Regulations 2006 enables the control of floor levels for acceptable building permit applications, or refusal of consent to building applications where there is likely to be a danger to life, health or safety due to flooding. Designation also enables disclosure of flood status within statutory information certificates such as the Land Information Certificate and Building Information Request Form.

Overland flows that may occur within the subdivision during the 100 year ARI flood event are now contained within road and drainage reserves in accordance with accepted best practice for development within flood-prone areas. Best practice requires that any overland flows within residential areas satisfy public safety criteria with respect to velocity and depth of flow.

Financial Implications

No impact to budget.

Community Engagement

A revocation of designation does not warrant public consultation as it constitutes the removal of an encumbrance on land.

Relevant Council databases and flood maps will be revised and updates sent to the Corangamite Catchment Management Authority and Building Control Commission.

Social Equity Considerations

Council have a responsibility to the community to provide the best possible information on areas that are flood prone.

Policy/Legal/Statutory Implications

The City has various statutory responsibilities for drainage management and flood management (prevention, response and recovery) as set out in the Local Government Act 1989, Local Government Regulations 1990, Planning and Environment Act 1987, Victorian Building Regulations 2006, Water Act 1989, Subdivision Act 1988 and Emergency Management Act 1986.

Alignment to City Plan

The recommendations of this report are consistent with City Plan, in relation to Growing our Economy and promoting a sustainable built environment, sustainable land use and development.

Conflict of Interest

There are no officer direct or indirect interests with respect to this report.

Risk Assessment

Council also has some risk exposure with any failure to disclose the flood-prone status of a property in a Land Information Certificate.

The revocation of the designation is the final step in minimising Council's risk.

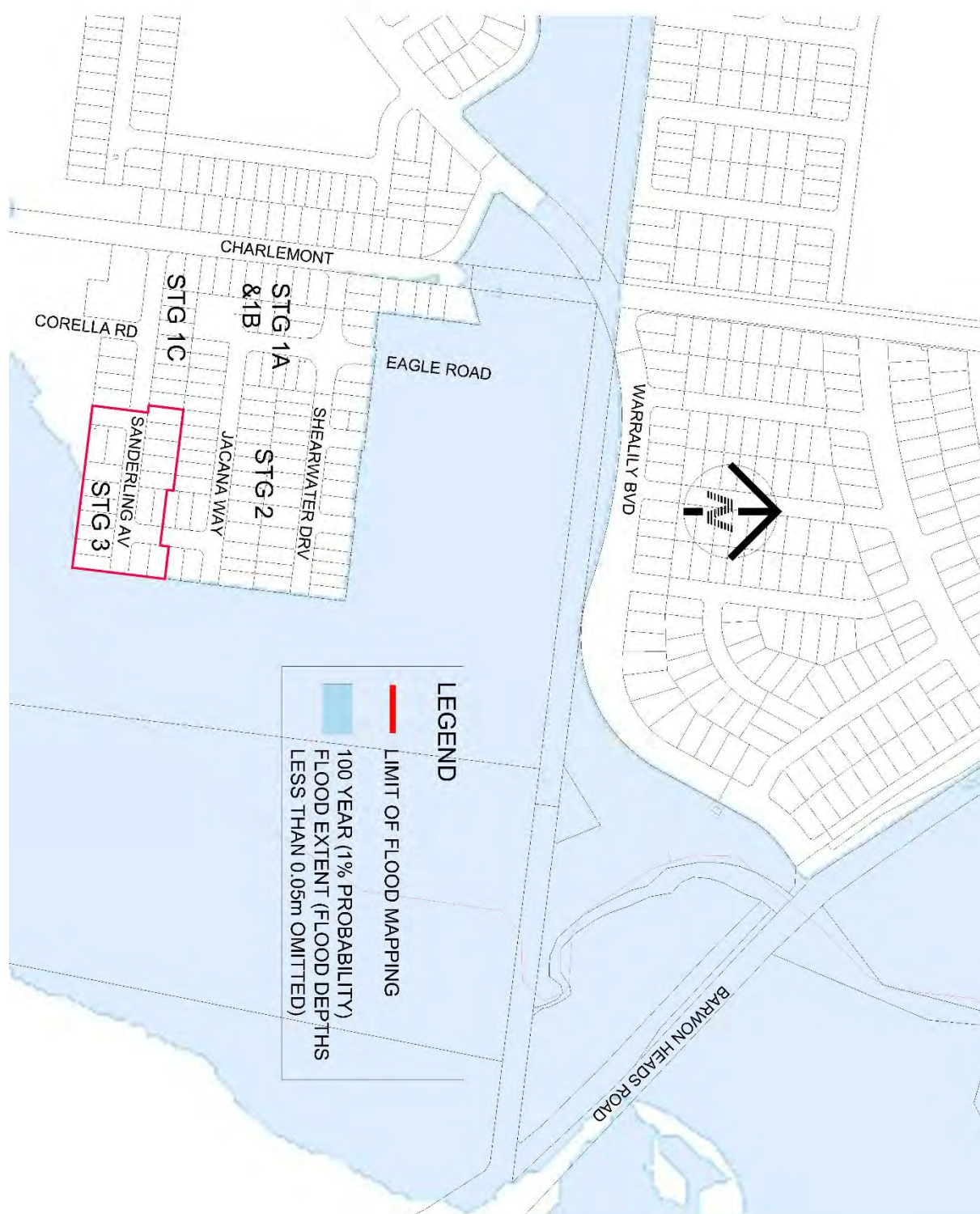
Environmental Implications

The revocation of flood-prone areas designation and designation of revised flood data through the design of this stage it is considered unlikely to result in any known adverse environmental impacts.

**Attachment 2
CURRENT FLOOD MAP**



**Attachment 3
REVISED FLOOD MAP**



9. REVOCATION OF FLOOD-PRONE AREA DESIGNATION OF NEW LOTS AT WATERMARK, STAGES 4 AND 5

Source: City Services - Engineering Services
Director: Guy Wilson-Browne
Index Reference: SUB-16-3161

Purpose

For Council to consider revoking the flooding designation within Stages 4 and 5 of the development at 228 - 262 Reserve Road, Charlemont part of the development also known as Watermark.

Background

Council has a statutory obligation under the Victorian Building Regulations 2006 to designate land as liable to flooding where it reasonably knows it to be prone to flooding. Conversely, there is an obligation to remove the encumbrance of designation from land that is no longer considered to be flood-prone.

The current designated flood mapping (**Attachment 2**) was designated by Council at its meeting of 12 December 2006, under the provisions of the Building Regulations 2006.

The subject of this report is the residential land fronting 228 - 262 Reserve Road, Charlemont. Prior to subdivision the parent lot was used primarily as farmland.

Key Issues

- The flood mapping is subject to a revision due to the subdivision and development at 228 - 262 Reserve Road, Charlemont. Prior to subdivision the parent lot was considered to be liable to flooding. This development site, which is also known as Watermark, Stages 4 and 5, achieves flood mitigation for newly created lots for flood events up to and including the 100 year Average Recurrence Interval (ARI) event due to approved internal earthworks.
- The earthworks undertaken have resulted in the floodwaters from the 100 year ARI event being contained within the boundaries of the road network (**Attachment 3**).
- It should be noted that designation is separate to the creation of flood overlays within the Planning Scheme, which generally follows designation. In the case of this development, the planning scheme amendment to create post-development flood zones or overlays is proposed after the design of the proposed precincts.

Cr Murnane moved, Cr Nelson seconded -

That Council revoke the Council designation of 12 December 2006 of flood affected land Watermark, Stages 4 and 5, at 228 - 262 Reserve Road, Charlemont, as liable to flooding pursuant to Regulation 802(2) of the *Building Interim Regulations 2017*.

Carried.

Attachment 1

Discussion

Designation of land as liable to flooding under Regulation 802 of the *Building Interim Regulations 2017* enables the control of floor levels for acceptable building permit applications, or refusal of consent to building applications where there is likely to be a danger to life, health or safety due to flooding. Designation also enables disclosure of flood status within statutory information certificates such as the Land Information Certificate and Building Information Request Form.

Overland flows that may occur within the subdivision during the 100 year ARI flood event are now contained within road and drainage reserves in accordance with accepted best practice for development within flood-prone areas. Best practice requires that any overland flows within residential areas satisfy public safety criteria with respect to velocity and depth of flow.

Financial Implications

No impact to budget.

Community Engagement

A revocation of designation does not warrant public consultation as it constitutes the removal of an encumbrance on land.

Relevant Council databases and flood maps will be revised and updates sent to the Corangamite Catchment Management Authority and Building Control Commission.

Social Equity Considerations

Council have a responsibility to the community to provide the best possible information on areas that are flood prone.

Policy/Legal/Statutory Implications

Greater Geelong City Council has various statutory responsibilities for drainage management and flood management (prevention, response and recovery) as set out in the *Local Government Act 1989*, *Local Government (General) Regulations 2015*, *Planning and Environment Act 1987*, *Building Interim Regulations 2017*, *Water Act 1989*, *Subdivision Act 1988* and *Emergency Management Act 1986*.

Alignment to City Plan

The recommendations of this report are consistent with City Plan, in relation to Growing our Economy and promoting a sustainable built environment, sustainable land use and development.

Conflict of Interest

No Council officers or contractors involved in the preparation of this report have a conflict of interest regarding the matter under consideration.

Risk Assessment

Council has some risk exposure with any failure to disclose the flood-prone status of a property in a Land Information Certificate.

The designation of the flood data produced by the flood study is a key step toward minimising Council's exposure to these risks.

Environmental Implications

The revocation of flood-prone areas designation and designation of revised flood data through the design of these stages it is considered unlikely to result in any known adverse environmental impacts.

Attachment 2 CURRENT FLOOD MAP



**Attachment 3
REVISED FLOOD MAP**



10. TENDER T1770870 – PROVISION OF CLEANING SERVICES AT THE CITY OF GREATER GEELONG FAMILY SERVICE CENTRES

Source:	Community Life – Family Services
Director:	Linda Quinn
Index Reference:	Tender T1770870/Community Services and Development – Standards & Guidelines – Community Facilities

Cr Nelson moved, Cr Murnane seconded -

That in accordance with Section 89 (2) (h) of the Local Government Act 1989, this matter which the Council considers would prejudice the Council or any person be considered at the conclusion of all other business at which time the meeting be closed to members of the public.

Carried.

11. TENDER T1770859 – CONSTRUCTION OF HIGHTON ENHANCED CHILDREN'S CENTRE

Source: City Services – Capital Projects
Director: Guy Wilson-Browne
Index Reference: Tender T1770859

Cr Mason moved, Cr Asher seconded -

That in accordance with Section 89 (2) (d) of the Local Government Act 1989, this contractual matter be considered at the conclusion of all other business at which time the meeting be closed to members of the public.

Carried.

ASSEMBLY OF COUNCIL RECORD

Chief Executive Officer: Kelvin Spiller
Source: Governance and Legal Services

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.

Cr Grzybek moved, Cr Nelson seconded -

That the information be received.

Carried.

RECORD OF ASSEMBLIES OF COUNCIL
(Council Meeting 12 December 2017)

Assembly Details	Councillors	Officer Attendees	Agenda Items	Conflict of Interest Disclosures
Council Briefing 5 December 2017	Cr Harwood (Mayor), Crs Aitken, Asher, Grzybek, Kontelj, Mansfield, Mason, Murnane, Nelson, Sullivan	K Spiller (CEO) L Quinn (DIR) G Wilson-Browne (DIR) K Walsh (DIR) G Lawler (FORMER A/DIR) P Anderson (A/DIR) R Leonard (EXEC MGR) G Russell (MGR) T Ellis (MGR) F Gray (MGR) V Shelton (MGR) P Smith (CO ORD) T Raven (CO ORD) J Thomas (SNR ADV TO MAYOR & CEO) K Ivens (SNR ADV TO MAYOR & CEO) J Munro (MUNICIPAL MONITOR)	• Amendment C360 Greater Geelong Planning Scheme Amendment C360 – Application for Public Acquisition Overlay (PAO) on Land Required for Drainage within the Horseshoe Bend Precinct • Amendment C357 – Greater Geelong Planning Scheme Amendment C357 – Public Acquisition Overlay (PAO) on Land Required for Drainage within the Horseshoe Bend Precinct • Amendment C365 Newtown West Heritage Overlay Adoption • Amendment C373 and Planning Permit 879/2017 – Lonsdale Golf Course, Fellows Road, Point Lonsdale – Resolution to Exhibit • Central Geelong West End Action Plan • Revocation of Flood Prone Area Designation of New Lots at Armstrong Creek Waters, Stage 3 • Revocation of Flood Prone Area Designation of New Lots at Watermark, Stage 4 and 5 • Proposed Community Focus Committee Meeting Schedule 2018 • Council Meeting Schedule 2018 • Tender T1770859 – Construction of Highton Enhanced Children's Centre (<i>Confidential</i>) • Tender T1770870 – Provision of Cleaning Services at the City of Greater Geelong Family Services Centre (<i>Confidential</i>)	• Nil

PLANNING DELEGATIONS – OCTOBER 2017

Source: Planning & Development - City Development
Director: Kelvin Walsh
Index Reference: Delegation

Summary

- Section 98 of the Local Government Act 1989 and section 188 of the Planning and Environment Act 1987 empower Council to delegate its powers, duties and functions under relevant legislation to members of Council staff.
- Council may also delegate to committees comprising Councillors and staff or a combination of both, pursuant to sections 86 and 87 of the Local Government Act and section 188 of the Planning and Environment Act.
- At its meeting on 13 March 2007 Council established a Planning Committee and a Development Hearings Panel with delegated powers to determine upon any development applications which have been the subject of an objection or in circumstances where officers have recommended refusal of the application.
- At its meeting on 23 September 2008 Council adopted a recommendation to allow Officers (restricted to Manager, Coordinator and Team Leader level) the ability to consider and approve applications with five or less objections.
- The appendix to this report contains a schedule of all applications determined under these delegations.

Cr Kontelj moved, Cr Asher seconded -

That the information be received.

Carried.

Monthly Report - DHP & PC

App Number	Location	Application Type	Decision Date	Description	Authority Description
PP-240-2017	4 Huntingdon Street, NEWTOWN VIC 3220	Construction of Four (4) Dwellings and a Four (4) Lot Subdivision	3/11/2017	NOD - DHP - Planning Permit	Development Hearings Panel
	4 Huntingdon Street, NEWTOWN VIC 3220	Construction of Four (4) Dwellings and a Four (4) Lot Subdivision	29/11/2017	PI - No Appeal Lodged Permit Issued	Development Hearings Panel
PP-527-2017	343-355 Thompson Road, BELL PARK VIC 3215	Use of Land to Sell Liquor Associated with an Existing Service Station	17/11/2017	Refusal to Grant a Planning Permit	Development Hearings Panel
PP-654-2017	10 Silverwood Court, ST ALBANS PARK VIC 3219	Six (6) Lot Subdivision	3/11/2017	NOD - DHP - Planning Permit	Development Hearings Panel
PP-875-2017	122-138 Tait's Road, BARWON HEADS VIC 3227	Two (2) Lot Subdivision	17/11/2017	Refusal to Grant a Planning Permit	Development Hearings Panel
PP-1397-2016	1 Triumph Court, HIGHTON VIC 3216	Construction of Three (3) Dwellings and Three (3) Lot Subdivision	2-Nov-2017	NOD - Delegate	Objectors - 5
PP-1506-2016	350 Latrobe Terrace, NEWTOWN VIC 3220	Display of an Electronic Major Promotion Sign	27-Nov-2017	NOD - Delegate	Objectors - 2
PP-1514-2016	280 Torquay Road, GROVEDALE VIC 3216	Staged Development of Land for Twenty Five (25) Dwellings and Creation/Alteration of Access to a Road in a Road Zone, Category 1	17-Nov-2017	NOD - Delegate	Objectors - 2
PP-308-2017	127 Barrabool Road, HIGHTON VIC 3216	Multi-Lot Subdivision of Land, Construction of Single Dwellings on Lots Less than 300sqm, Alteration of Access to a Road Zone Category 1 and Variation of an Easement	14-Nov-17	NOD - Delegate	Objectors - 1
PP-556-2017	42 Forest Road South, LARA VIC 3212	Construction of a Second Dwelling, Two (2) Lot Subdivision and Create Access to Road Zone Category 1	30-Nov-2017	NOD - Delegate	Objectors - 1

PP-594-2017	3 Lupton Street, GEELONG WEST VIC 3218	Demolition of Carport and Outbuilding, Partial Demolition of Dwelling, Buildings and Works Associated with the Construction of a Carport, Extension to the Existing Dwelling, Swimming Pool and Decking	28-Nov-2017	NOD - Delegate	Objectors - 3
PP-595-2017	46-70 Central Boulevard, ARMSTRONG CREEK VIC 3217	Use and Development of the Land for an Integrated Community Facility Including a Kindergarten, Child Care Centre, Medical Centre and Place of Assembly and Reduction of Car Parking	14-Nov-17	NOD - Delegate	Objectors - 2
PP-621-2017	Roadside (Planning) ., GEELONG VIC 3220	Removal of Vegetation (Native and Non-Native) associated with Road Construction Works	08-Nov-17	NOD - Delegate	Objectors - 2
PP-636-2017	292-300 Curlewis Road, WALLINGTON VIC 3222	Use of the Land for Panel Beating and Buildings and Works for the Construction of a Shed	07-Nov-17	NOD - Delegate	Objectors - 4
PP-671-2017	1152-1160 Bellarine Highway, WALLINGTON VIC 3222	Buildings and Works (Placement of a Shipping Container) associated with the Existing Dwelling	14-Nov-17	NOD - Delegate	Objectors - 2
PP-707-2017	74 Belle Vue Avenue, HIGHTON VIC 3216	Use and Development for a Kindergarten, Medical Centre (Maternal and Child Health Facility) and Place of Assembly (Community Space), and Reduction in the Car Parking Requirement	29-Nov-17	NOD - Delegate	Objectors - 3
PP-735-2017	3 McCurdy Road, HERNE HILL VIC 3218	Construction of Three (3) Dwellings, Three (3) Lot Subdivision and Creation of an Access to a Road Zone, Category 1	15-Nov-17	NOD - Delegate	Objectors - 1
PP-765-2017	399 Aberdeen Street, NEWTOWN VIC 3220	Building and Works Associated with an Existing Primary School, Removal of Native Vegetation and the Alteration of Access to a Road Zone Category 1	21-Nov-17	NOD - Delegate	Objectors - 3
PP-782-2017	148-158 Swan Bay Road, WALLINGTON VIC 3222	Partial Use of Land for an Art & Craft Centre	16-Nov-17	NOD - Delegate	Objectors - 2
PP-799-2017	80 Field Street North, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings a Two (2) Lot Subdivision and Removal of Vegetation	30-Nov-17	NOD - Delegate	Objectors - 1
PP-822-2017	31 Welfare Street, PORTARLINGTON VIC 3223	Construction of Two (2) Dwellings including a Dwelling in Excess of 7.5 metres in Height, and Two (2) Lot Subdivision	30-Nov-17	NOD - Delegate	Objectors - 4
PP-859-2015	20 Walkers Road, LARA VIC 3212	Construction of Five (5) Dwellings and Subdivision of the Land into Five (5) Lots and Reduction of One (1) Visitor Car Space	13-Nov-17	NOD - Delegate	Objectors - 1

PP-861-2017	70 Fitzroy Street, GEELONG VIC 3220	Buildings and Works for the Partial Demolition and Construction of Alterations and Additions to an Existing Dwelling Including Swimming Pool and Garage	06-Nov-17	NOD - Delegate	Objectors - 2
PP-923-2017	7 The Terrace, OCEAN GROVE VIC 3226	Construction of Two (2) Dwellings and a Two (2) Lot Subdivision	07-Nov-17	NOD - Delegate	Objectors - 1

Cr Nelson moved, Cr Mason seconded -

That the meeting be closed to the public.

Carried.

The Meeting was closed to the public at 7.25pm

A record of the proceedings of this section of the meeting is contained in a Confidential Minute Book.

The Meeting was opened to the public at 8.01pm

Cr Murrehy moved, Cr Nelson seconded -

That the decision made “In Committee” in relation to Tender T1770870 – Provision of Cleaning Services at the City of Greater Geelong Family Service Centres be made public.

Carried.

10. TENDER T1770870 – PROVISION OF CLEANING SERVICES AT THE CITY OF GREATER GEELONG FAMILY SERVICE CENTRES

Resolution

That Council:

- 1) Award Contract C1770870A for the provision of cleaning services at the City of Greater Geelong, Early Childhood Education and Care Centres and Ariston House listed in Attachment 2 of this report to Tuddys Cleaning Service Pty Ltd for the tendered Lump Sum Price of \$2,099,821 (ex-GST) for an initial period of 3 years with possible extensions to a maximum contract term of 5 years;**
- 2) Award Contract C1770870B for the provision of cleaning services at the City of Greater Geelong Maternal and Child Health Centres listed in Attachment 2 of this report to G.J. & K. Cleaning Service Pty Ltd for the tendered Lump Sum Price of \$418,765 (ex-GST) for an initial period of 3 years with possible extensions to a maximum contract term of 5 years;**
- 3) Delegates to the Chief Executive Officer the authority to execute the Contract No's. C1770870A and C1770870B for the provision of the cleaning services described in paragraphs 1 and 2 above and any other documents required by or to give effect to the terms of those Contracts on behalf of Council.**

CLOSE OF MEETING

As there was no further business the meeting closed at 8.01pm. Tuesday, 12 December 2017.

Signed: _____
Cr Bruce Harwood (Mayor)

Date of Confirmation: _____