

**Draft Greater Geelong Planning Scheme
Amendment C431ggee
Central Geelong Framework Plan**

Advisory Committee Report

Planning and Environment Act 1987

23 December 2021

Acknowledgements of Country

The Amendment land is located on Wadawurrung country. The Wadawurrung word for Geelong is Djilang, meaning a 'Tongue of Land' where water flows from the mountains into the Bay. The offices of Planning Panels Victoria are located on Wurrundjeri Woi wurrung country. The Advisory Committee acknowledges the traditional custodians of the land.

Planning and Environment Act 1987

Advisory Committee Report pursuant to section 151 of the PE Act

Draft Greater Geelong Planning Scheme

Amendment C431ggee

Central Geelong Framework Plan

23 December 2021



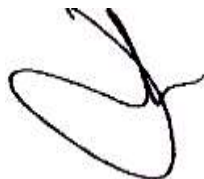
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Glossary and abbreviations

Note: a number after a zone or overlay abbreviation represents a Schedule number

ACZ	Activity Centre Zone
C1Z	Commercial 1 Zone
Council	City of Greater Geelong
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
DELWP Report	<i>Central Geelong Draft Framework Plan Background Report, May 2021, DELWP</i>
DPO	Development Plan Overlay
FAR	floor area ratio
FAU	floor area uplift
Framework Plan	draft <i>Central Geelong Draft Framework Plan, May 2021</i>

G21	G21 Region Alliance
GRZ	General Residential Zone
Mercer	81 – 101 Mercer Street Pty Ltd
MSS	Municipal Strategic Statement
MUZ	Mixed Use Zone
NRZ	Neighbourhood Residential Zone
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Greater Geelong Planning Scheme
PPF	Planning Policy Framework
PPN [number]	Planning Practice Note [number]
PPTN	Principle Public Transport Network
Practitioners Guide	<i>Practitioners Guide to Victorian Planning Schemes, DELWP, April 2020</i>
PUZ	Public Use Zone
RCG Action Plan	Revitalising Central Geelong Action Plan
RCG Partnership	Revitalising Central Geelong Partnership
RGZ	Residential Growth Zone
SDS	Strategic Development Sites
SGS Report	<i>Central Geelong Land Use and Market Assessment Update, SGS Economics and Planning, 8 December 2020</i>
Social Housing Plan	<i>City of Greater Geelong Social Housing Plan 2020–2041 (2020)</i>
Structure Plan	<i>Central Geelong Structure Plan</i>
Transport Strategy	<i>Central Geelong Framework Plan: Transport Strategy, Movement & Place Consulting, April 2021</i>
UDF	<i>Revitalising Central Geelong Urban Design Framework</i>
VCAT	Victorian Civil and Administrative Tribunal
VPP	Victoria Planning Provisions
WTOAC	Wadawurrung Traditional Owners Aboriginal Corporation, the Registered Aboriginal Party for the Amendment land

Overview

Amendment summary

The draft Amendment	Draft Greater Geelong Planning Scheme Amendment C431ggee
Common name	Central Geelong Framework Plan
Brief description	<p>The draft Amendment seeks to implement the Framework Plan by:</p> <ul style="list-style-type: none"> - updating local policy - applying a new Activity Centre Zone Schedule 1 that reflects the Framework Plan's outcomes - rezoning land within the Framework Plan boundary to Activity Centre Zone Schedule 1 - applying a Design and Development Overlay Schedule 46 to the Deakin University sites within Central Geelong that are in the Public Use Zone
Subject land	Refer to Figure 1
Planning Authority	The Department of Environment, Land, Water and Planning under delegation from the Minister for Planning
Informal exhibition/ consultation	25 May – 7 July 2021
Submissions	Number of Submissions: 147

Committee process

The Committee	Sarah Carlisle (Chair), William O'Neil (Deputy Chair), Jonathan Halaliku, Peter Edwards, Rachael O'Neill
Directions Hearing	28 July 2021, by video
Hearing	8 September – 11 October 2021 over 19 days, by video (formally closed on 25 October 2021)
Site inspections	Unaccompanied, 20 and 21 October 2021
Parties to the Hearing	See Appendix C
Citation	Central Geelong Framework Plan AC [2021] PPV
Date of this report	23 December 2021

Executive summary

The draft Framework Plan and draft Amendment

The draft *Central Geelong Draft Framework Plan 2021* (the Framework Plan) was prepared by the Department of Environment, Land, Water and Planning (DELWP). It consists of a Structure Plan and Urban Design Framework that seek to provide high level guidance for land use and development in Central Geelong for the next 30 years.

The Structure Plan sets out the vision for Central Geelong, and outlines the role and broad land use directions for its seven emerging precincts. It includes an Implementation Plan which outlines the proposed method for the statutory implementation of the Framework Plan, through a revised Schedule 1 to the Activity Centre Zone (ACZ1).

The Urban Design Framework sets out the proposed built form controls for Central Geelong, and forms the basis of the centre wide and precinct-based built form controls in the proposed ACZ1.

Draft Greater Geelong Planning Scheme

Amendment C431ggee (the draft Amendment) seeks to implement the Framework Plan into the Greater Geelong Planning Scheme, by (among other things):

- updating the local policy in Clause 21.09 (Central Geelong) to be consistent with the Framework Plan
- extending the current activity centre boundaries by rezoning land on the fringes of the current centre to the ACZ1
- introducing revised land use and built form controls consistent with the Framework Plan by:
 - replacing the current ACZ1 with a new schedule (for sites within the ACZ1)
 - applying a new Design and Development Overlay Schedule 46 (DDO46) (for sites in other zones such as the Public Use Zone)
- making the Framework Plan a background document to the Planning Scheme.

The background reports

The draft Framework Plan and draft Amendment were exhibited as a package, together with three key background reports that informed the preparation of the Framework Plan:

Background Report	Purpose
<i>Central Geelong Land Use and Market Assessment Update</i> , SGS Economics and Planning (the SGS Report)	<ul style="list-style-type: none"> - Modelled growth scenarios for Central Geelong based on population increase and employment growth to 2050 - Provided floorspace projections needed to accommodate the anticipated growth
<i>Central Geelong Framework Plan: Transport Strategy</i> , Movement and Place Consulting (the Transport Strategy)	<ul style="list-style-type: none"> - Provides high level policy guidance for the transport and movement networks within Central Geelong for the next 30 years
<i>Central Geelong Draft Framework Plan Background Report</i> , DELWP (the DELWP Report)	<ul style="list-style-type: none"> - Sets out the background to the preparation of the Framework Plan and draft Amendment - Includes a capacity analysis of the amount of floorspace that will be delivered under the proposed controls

Key issues

The Committee received 147 submissions in response to the exhibited material. While several submissions supported the Framework Plan and draft Amendment, many requested changes.

Strategic issues included:

- growth and capacity issues:
 - the suitability of the Land Use and Market Analysis (the SGS Report)
 - whether the controls inappropriately suppress the development and growth potential of Central Geelong in relation to both housing and commercial office space
- strategic transport issues:
 - lack of recognition of regional transport projects such as Avalon Airport Link, Bellarine Link and the Geelong Fast Rail Project
 - whether the Framework Plan's reliance on the Transport Network Operating Plan is appropriate
- coordination issues:
 - coordination with other regional initiatives such as the Revitalising Central Geelong Action Plan (RCG Action Plan) and the G21 Regional Integrated Transport Strategy
 - coordination with greenfield or growth area planning
- other strategic issues:
 - whether the social and affordable housing outcomes sought by the Framework Plan are appropriate and adequately supported by the proposed controls
 - whether the Framework Plan provides sufficient support for the arts, tourism and creative industries.

Land use issues included:

- consistency between the Table of Uses in the ACZ1 and precinct objectives
- concerns over the level of prescription in the land use controls.

Built form issues included:

- consistency between the built form controls and precinct objectives
- building and street wall heights in various precincts (too high or not high enough, inconsistency with surrounding approved or constructed developments)
- preferred side and rear setbacks (too large or not large enough, application on corner sites).

Heritage issues included:

- perceived lack of recognition of Aboriginal cultural heritage values in the Framework Plan
- post-contact heritage values
 - lack of recognition of municipal wide heritage studies, and the need for updated heritage studies
 - whether it is appropriate to include controls to protect heritage in the ACZ1
- upper level setbacks on heritage sites:
 - whether mandatory controls are justified
 - whether the proposed 6 metre metric is appropriate.

Public realm issues included:

- whether the public open space contemplated by the Framework Plan is appropriate and adequate

- whether the Station Forecourt and three Council at-grade carparks should be identified as future open space
- mandatory overshadowing controls for streets and public open spaces (whether mandatory controls are justified, metrics including dates and hours of protection)
- wind effects
- requirements for laneways and through block pedestrian links.

Residential interface included:

- perceived lack of protection of neighbourhood character and residential amenity in adjacent low rise residential neighbourhoods, including through interface treatments.

Strategic Development Site (SDS) issues included:

- criteria for selecting SDSs
- whether the controls appropriately facilitate or encourage redevelopment on SDSs
- plot ratio controls:
 - whether a plot ratio should apply
 - whether they should be mandatory or discretionary
 - the metrics of the proposed plot ratios
 - the lack of guidance for when plot ratios might be exceeded
- master planning requirements:
 - whether the ACZ1 is the right planning tool to apply master planning requirements
 - whether they should apply to all SDSs
 - the level of detail required.

Transport issues included:

- congestion and safety issues
- concerns with freight movements, in particular the proposal to divert trucks along McKillop Street
- whether the proposed extension of the activity centre boundaries jeopardises the efficiency of the Principal Freight Network
- concerns over the proposed tourism route along Eastern Beach Road and Garden Street
- carparking concerns
- concerns over whether the Framework Plan provides sufficient support for public transport and active transport modes.

Form and content issues relating to the Framework Plan included:

- structure, length and complexity of the Framework Plan
- a lack of clarity around the implementation actions outlined in the Framework Plan, including funding, timing and roles and responsibilities.

Form and content issues relating to the draft Amendment included:

- length and complexity of the controls (particularly the ACZ1)
- lack of clarity regarding the planning permit application process, including responsible authority status
- referral requirements
- lack of transitional provisions.

Overall assessment

Further to clause 24(c) of the Committee's Terms of Reference, on balance the Committee supports the overall strategic direction of the Framework Plan. It is satisfied that the general approach of preparing a Framework Plan which sets out the vision for the activity centre, and establishes preferred land use, built form and character outcomes for each precinct, is strategically sound. The general approach of predicting the future growth likely to be experienced in Central Geelong over the next 30 years, estimating the floorspace needed to accommodate that growth, and checking whether the controls can deliver that floorspace by way of a capacity analysis is the correct approach. The Activity Centre Zone is an appropriate choice of tool to implement the overall vision.

That said, the Committee considers that some significant adjustments are required to both the Framework Plan and the draft Amendment.

DELWP proposed a significant number of changes in its Day 1 versions of the Framework Plan and ACZ1, in response to submissions, expert recommendations and the identification of an error in the SGS growth modelling which resulted in an underestimation of the amount of floorspace needed to accommodate population and jobs growth to 2050. DELWP proposed further changes in its closing submissions and its Parts C and D versions of the ACZ1. There was a significant number of other issues raised by submitters and experts on which DELWP specifically sought the Committee's advice.

The Committee broadly agrees with the majority of DELWP's proposed changes. It also agrees with a significant number of additional changes that were advanced by experts and submitters. The list of changes to both the Framework Plan and the draft Amendment are extensive. Some require further work and further consultation before the draft Amendment is adopted. Others require further work that can take place after the Amendment has been adopted.

The Committee's findings on the key issues are summarised below.

Key growth and capacity issues

In the SGS Report, SGS modelled three growth scenarios – 'base case', 'upside' and 'optimistic'. The Framework Plan is based on the 'upside' scenario, in which:

- Greater Geelong has an annual average population growth of 2.5 per cent per year
- Central Geelong has a:
 - 2 to 2.5 per cent share of the municipality's population growth
 - 2.6 per cent annual average jobs growth rate.

Based on the upside scenario, SGS estimated that by 2050, Central Geelong would need an additional 1.2 million to 1.4 million square metres of floorspace.

Some submitters felt that the upside growth scenario was an overly conservative basis on which to plan for floorspace needs to 2050. They considered that the Framework Plan should be based on a more ambitious 3 per cent annual average growth rate for Greater Geelong, and/or the more ambitious 'optimistic' scenario in which Central Geelong has a higher share (2.5 to 3 per cent) of the municipality's population growth.

The Committee is generally satisfied that the upside scenario provides a robust and appropriate set of projections on which to base the Framework Plan. Nevertheless, consistent with the Frameworks Plan's stated goal of providing sufficient excess capacity to allow for likely development outcomes, the Committee considers it prudent for the Framework Plan and controls

to allow for capacity up to the high side of the 'optimistic' forecast (1.67 million square metres). This will ensure the future growth and development of Central Geelong is not unreasonably constrained at the commencement of the implementation of the Framework Plan's vision for Central Geelong.

Before adopting the Amendment, DELWP will need to undertake further work to adjust the controls to ensure they provide approximately 1.67 million square metres of additional floorspace to 2050, and to determine where in the activity centre the additional capacity should be provided.

The Framework Plan needs to be amended to clearly articulate:

- the growth scenarios used to inform the Framework Plan
- the floorspace demand forecasts on which the Framework Plan is based, based on the adopted growth scenario
- how the floorspace demand forecasts are to be delivered (ie an overview of the capacity modelling of the proposed planning controls)
- the methodology and assumptions of the floorspace demand projections and capacity analysis
- recognition that the floorspace demand projections and capacity analysis are not a cap on future growth and development
- a monitoring and review methodology that will be implemented to ensure the maintenance of at least a 15 year supply of employment and residential floorspace capacity within Central Geelong.

Key strategic coordination issues

Some submitters were concerned that the Framework Plan failed to have appropriate regard to significant strategic initiatives such as the G21 Regional Growth Plan, growth area planning in the municipality, regional transport plans and significant strategic transport projects affecting Geelong and the region.

Generally speaking, the Framework Plan has appropriate regard to the role and position of Central Geelong in the broader Geelong and regional context, including planning and development of Greater Geelong's growth areas. There are a range of strategic transport projects and initiatives at various stages of delivery, and while these might increase the efficiency of movements in and out of and within Central Geelong (and potentially create more capacity), their future is somewhat uncertain and they are outside the scope of the Framework Plan. It would not be appropriate to delay the Framework Plan and draft Amendment until these projects are resolved, which could take some time (even decades).

Key affordable housing issues

The ambitions expressed in the Framework Plan for Central Geelong to provide social and affordable housing are generally appropriate and were not materially contested at the Hearing. However the absence of supporting affordable housing provisions in the draft Amendment is a major missed opportunity that the Committee considers should be rectified before the Amendment is adopted. The draft Amendment should include additional policy in Clause 21.09, and provisions in the ACZ1, that specify expectations and requirements of the development/planning process in regard to social and affordable housing provision. Further work is required to establish the appropriate metrics for the contributions to be sought in Central Geelong, using Council's Social Housing Plan as the starting point.

These changes to the draft Amendment will be substantial, and will have broad application. The changes should be the subject of re-notification, and parties should be provided the opportunity to review, comment and be heard on the proposed inclusions before the draft Amendment is finalised and adopted.

Precinct boundaries

Various precinct boundary changes were suggested by submitters, some of which DELWP supported and others which it did not.

The Committee supports the following precinct boundary changes:

- extending the Station Precinct to include the triangle of land between Mercer, Cavendish and Malone Streets (excluding the finger of land to the north of Malone Street – that land should remain in the Knowledge and Enterprise Precinct)
- extending the Retail Core Precinct to include the west side of Moorabool Street between Corio and Brougham Streets, excluding the National Wool Museum site (which should remain in the Knowledge and Enterprise Precinct).

The justification for the following proposed changes has not been made out:

- extending the Retail Core Precinct to include the land south of Ryrie Street between Gheringhap and Moorabool Streets
- creating a 'Bay Village' sub-precinct around the Convention and Exhibition Centre site
- extending the Cultural Precinct boundary (and the activity centre boundary) to include the Palais Theatre site in Moorabool Street.

Key land use issues

Subject to some minor refinement, the Table of Uses in the ACZ1 broadly reflects the land use ambitions for the activity centre as a whole and each precinct as outlined in the Framework Plan. Some adjustments are required to better align the uses with the role of each precinct as reflected in the relevant land use precinct objective. To maintain the primacy of the Retail Core as the area in which retail uses are encouraged:

- 'shop' uses outside the Retail Core Precinct should be subject to a soft cap, which can be exceeded with a permit
- applications to exceed the soft cap should be accompanied by an Economic Impacts Assessment.

Further, street level frontages of non-retail uses and other uses that do not activate streets should be limited on Retail and Active Streets and Laneways, to ensure the vibrant and active street frontages envisaged by the Framework Plan are achieved.

Key built form issues

The Committee accepts that there is a need to fill the gaps in the pre-interim controls (in particular, the absence of height limits in some areas, and the absence of setbacks and tower separation requirements). It accepts that refining the controls in this way will, in a general sense, assist to:

- protect and enhance street networks and key open spaces
- protect the valued heritage fabric and character of parts of Central Geelong
- preserve views to Corio Bay
- address the lack of identifiable destination points within the city centre
- improve precinct identity.

The Committee does not consider that the Framework Plan provides a sufficiently robust analysis of the built form challenges and opportunities in Central Geelong to provide a clear explanation for the metrics of some of the controls, including the proposed heights and setbacks. Nor does the Framework Plan provide a clear empirical demonstration that the pre-interim controls were allowing, and would continue to allow, undesirable or unacceptable development to proceed. The Framework Plan needs to be amended to more clearly explain:

- the relationship between the built form typologies proposed in each precinct and the preferred employment/land use outcomes sought in those precincts
- the key urban design and built form issues that the Framework Plan is seeking to address
- how the revised built form controls address these issues.

The Committee broadly supports the proposed distribution of building heights across Central Geelong, the height ranges contemplated in the Framework Plan, and the preferred maximum building heights specified for the York, Health, Cultural, Waterfront and West Village Precincts.

However it was not persuaded that the heights in the Station, Knowledge and Enterprise and Retail Core Precincts have been correctly struck. It considers that further height can likely be accommodated in these precincts without compromising on the preferred character outcomes sought under the Framework Plan. Further work, including built form testing, is required before finalising the preferred heights for these precincts. The Committee provides some guidance in Chapter 9.4 on which sites and areas the further built form testing should focus on.

In response to the identification of an error in the calculations of the SGS floorspace projections, DELWP proposed some increases in preferred maximum building heights and street wall heights in parts of the Retail Core and Knowledge and Enterprise Precincts as part of its Day 1 version of the controls. In its closing submissions, it identified further areas in the Knowledge and Enterprise Precinct where heights could be potentially increased. The Committee supports DELWP's proposed changes in principle, as they are consistent with the Committee's recommendation that the controls be further adjusted to find sufficient additional floorspace to accommodate the upper end of the 'optimistic' growth scenario floorspace projections. However further built form testing should be undertaken to demonstrate that these changes would not result in unacceptable outcomes.

Built form testing presented by the parties at the Hearing demonstrated to the Committee's satisfaction that additional height can be accommodated on:

- the Milieu Property and Lineal Developments site
- the Montgomery International site
- the Amber Group site.

The Committee broadly supports the street wall height controls, upper level setback controls for non-heritage properties and corner site controls, subject to some minor adjustments. The Committee considers that further built form testing should be undertaken to demonstrate the overall planning merit of DELWP's proposed Day 1 changes to the street wall heights. The Framework Plan should be amended to more clearly explain the rationale for each of these controls.

Key heritage issues – indigenous cultural heritage

The Committee is satisfied that while some minor improvements could be made, the Framework Plan is an exemplar in terms of the recognition of the historical importance of cultural values of the

traditional owners of the land, and the role of the traditional owners in shaping future development outcomes that respect those cultural values.

There is merit in including a map in the Framework Plan which specifically identifies areas and features of particular significance to the Wadawurrung People, and explains why they are significant, subject to further consultation with the Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC). DELWP's review of the Framework Plan should also include:

- further consideration of WTOAC's request for additional objectives to respect and enable the continued occupancy of the landscape by its non-human residents, and to better respect and embrace the attributes of topography and visual connectivity to important features of cultural significance to the Wadawurrung People
- the minor text edits requested on pages 7 to 9 of WTOAC's original submission (Submission 31).

Key heritage issues – post-contact heritage

Some submitters, including Council and the National Trust, were concerned that the Framework Plan should have been informed by a comprehensive heritage review of Central Geelong. Concerns were also raised about potential inconsistencies between the proposed controls and the existing heritage policies and Heritage Overlays in the Planning Scheme, and that these should be identified and resolved before the draft Amendment is adopted.

Broadly speaking, the Framework Plan appropriately articulates the heritage values that are sought to be protected and integrated into the new future for Central Geelong. That said, some of the heritage reviews which broadly informed the Framework Plan are outdated. The Framework Plan should include priority actions for reviewing the existing Heritage Overlays and local policies and guidelines that apply within Central Geelong. Any inconsistencies identified should be resolved by a future amendment as a matter of priority. The Committee recommends that this further work be completed within 12 months after the Framework Plan is adopted and the draft Amendment implemented.

DELWP has not provided sufficient justification to demonstrate that a mandatory heritage setback control is warranted. A discretionary 6 metre setback is appropriate, subject to decision guidelines being added to the ACZ1 to guide the exercise of discretion. The Committee notes that further guidelines were included in DELWP's Part D version of the ACZ1, which the Committee supports.

Key public realm issues – open space and green spines

Given the uneven distribution of open space in Central Geelong and the lack of open space in many parts, there should be greater emphasis in the Framework Plan on a range of opportunities for future open space, including on privately owned sites and through the provision of pocket parks, road narrowing and the like.

Given the shortage of open space, particularly in the southern parts of the activity centre, the Committee supports the identification of the Council owned car parks and the Station Forecourt as future open space. However, given the uncertainty associated with their future use they should be identified as 'potential' future open space 'requiring further investigation'. The Committee does not consider that adequate strategic justification has been provided for identifying other government or institutional sites as locations of potential future open space. The Framework Plan should be amended accordingly.

In relation to the green spines, the Committee considers that there is adequate strategic justification for identifying the Malop Street and Gheringhap Street green spines in the Framework Plan, but the strategic justification for the other potential green spines has not been made out. The Gheringhap Street green spine should be identified as a 'potential green spine subject to further investigation'. The other green spines should be removed. That said, the Committee has no difficulty with including an action along the lines of 'Investigate opportunities for further green spines, subject to a full investigation of their potential impacts on the traffic network'.

Key public realm issues – overshadowing

The mandatory overshadowing controls proposed to protect streets and open space were a particularly controversial aspect of the proposed built form controls, with many submitters saying they had not been justified (particularly the controls designed to protect streets from overshadowing). Other submitters supported the mandatory overshadowing controls, saying that they would protect Central Geelong's highly valued open spaces.

On balance, the Committee considers that mandatory controls are justified to protect open space (including the future open space) and the three key pedestrian streets of Gheringhap Street, Malop Street and Little Malop Street between Fenwick and Moorabool Streets. All other streets currently identified as Primary Streets should be reclassified as Secondary Streets, with discretionary shadow controls.

The Committee considers that allowable shadow should be permitted on Johnstone Park and the Station Forecourt, based on the maximum permitted street wall height (or a 16 metres street wall height in the case of the Station Forecourt). This represents a better balance between the growth and development aspirations of the Station Precinct in particular and the need to protect the amenity of these key public realm spaces.

Further work is required to assess the impacts of the overshadowing controls on the achievable floorspace around the other existing and future open spaces. If the amount of lost floorspace is significant enough to impact on other policy objectives, then further consideration should be given to permitting allowable shadow on some or all of these spaces as well.

The Committee expresses no opinion on the appropriateness of reducing the heights north of Johnstone Park as proposed by DELWP, as it was not presented with sufficient information to enable it to balance the competing policy implications of such a reduction.

The Committee supports the proposed wind requirements in the ACZ1, and the aspirations for delivering laneways and connecting gaps in the Central Geelong laneway and pedestrian networks, including the preferred locations of the new laneway and pedestrian connections.

Subject to some minor adjustments, the Committee generally supports the treatment of the residential interfaces. It accepts that the transition of built form to adjacent residential areas is commensurate with the reasonable expectations for change in a central city location. However a new built form objective should be included in the Framework Plan and ACZ1 that requires new development to have regard for the neighbourhood character of, and to minimise amenity impacts on, adjacent residential areas.

Strategic development sites, floor area ratios and master planning requirements

The Framework Plan should be amended to better explain the role of SDSs and to recognise the importance of SDSs in the future success of Central Geelong's redevelopment. The selection criteria for the identification of SDSs should be expanded to include sites with key anchor land

uses, gateway sites and other large sites that are capable of accommodating more intensive built form. The Westfield sites should be amalgamated, boundary adjustments should be made to the former Council offices site, and 81-101 Mercer Street and 245 Latrobe Terrace should be included as SDSs.

The Committee does not support the application of floor area ratios (FARs) in Central Geelong. It is not persuaded that they are likely to be effective in achieving the purposes outlined in the Framework Plan. The built form objectives of the FARs will be more effectively achieved through the preferred built form controls in the ACZ1, coupled with tailored design and built form objectives in a built form control such as a Development Plan Overlay (DPO). The community benefit purposes outlined in the Framework Plan are unlikely to be delivered by a discretionary FAR without a floor area uplift scheme. A substantial amount of further work would be needed before introducing a floor area uplift scheme. Further consultation would also be required.

The requirement to prepare a master plan for SDSs should be deleted from the ACZ1. For the larger SDSs (the Westfield and Market Square sites), it is appropriate to apply a DPO, with tailored schedules that set out the master planning requirements for those sites. The DPOs should preferably be applied as part of this amendment process. However further work is required to prepare and finalise the DPOs, and the draft Amendment should not be held up if that work is not able to be completed in a timely manner.

For the remaining SDSs and any other larger sites, it is appropriate to include the requirement for a staging plan, where appropriate, as part of the application requirements in Clause 6.0 of the ACZ1.

Transport issues

McKillop Street forms part of the Principal Freight Network and as such it is appropriate for this road to accommodate freight traffic. Redirecting freight traffic to McKillop Street should, however, be subject to further investigation to confirm that this would be an appropriate outcome. It should also be complemented by education, directional signage and associated road and intersection upgrades.

There is merit in formalising the tourist route. Eastern and Western Beach Roads already effectively operate as such, and it is consistent with the broader strategy of the Framework Plan to encourage visitors to enjoy the Geelong Waterfront and linger around Central Geelong. The Committee supports DELWP's proposal to remove Garden Street from the tourist route, and further investigations are required to resolve how to manage the eastern extension of the route, including whether it should extend along Hearne Parade and Limeburners Road.

The Committee supports the general approach of providing decentralised long term parking on the fringes of Central Geelong, and focusing parking within the central city area on short term customer/visitor parking. This will assist in minimising congestion and improving amenity within Central Geelong, and encouraging a shift toward more sustainable transport modes. However further investigations are required in conjunction with investigating future public transport upgrades, to determine whether the decentralised parking hubs are in fact required and if so what size they need to be. The locations of the future parking hubs also requires further investigation.

Process moving forward

The Committee has broadly grouped its consolidated recommendations (set out below) into the following categories:

- Category 1 – further work required prior to adoption and implementation

- Category 2 – improvements to the Framework Plan
- Category 3 – improvements to the draft Amendment
- Category 4 – further work required after adoption and implementation.

With regard to Category 2, it is beyond the scope of the Committee's Terms of Reference, reporting timelines and resources to re-write the Framework Plan to include the Committee's recommended changes. Further, additional changes are likely to be required once the further work recommended in Category 1 is completed. DELWP should undertake this Category 1 and Category 2 work as a matter of priority.

With regard to Category 3, the Committee has provided its current preferred versions of Clause 21.09 and the ACZ1 in Appendix E. Further adjustments are likely to be required once DELWP completes the Category 1 further work, and finalises the Framework Plan. The DDO46 will need to be comprehensively updated for consistency with the ACZ1 once the ACZ1 has been finalised.

The Committee considers it very important that the draft Amendment is not approved until the Framework Plan is updated and finalised. The Framework Plan provides the strategic rationale for the controls, and is proposed to be a background document in the Planning Scheme. It is important that there is clear consistency between the Framework Plan and the controls.

Therefore, the Committee does not recommend adopting the draft Amendment in the form of the controls presented in Appendix E, even on an interim basis. These versions of the controls are provided as a base for DELWP to build on once it completes the Committee's recommended further work. The current interim controls should remain in place until the Category 1 and 2 work is completed and the Framework Plan and draft Amendment are finalised.

The Committee anticipates that DELWP should be able to complete the Category 1 and Category 2 work, plus any additional adjustments to the controls that may be required as a consequence, within a relatively short timeline (three to six months).

Clause 4 of the Committee's Terms of Reference set out its purpose. Broadly speaking, the Committee's purpose is to:

- receive and consider submissions on the Framework Plan and draft Amendment
- conduct a public hearing
- review the Framework Plan and draft Amendment and advise the Minister for Planning on the strategic basis and merits of the Framework Plan and whether the proposed planning controls are appropriate
- identify improvements to the Framework Plan and draft Amendment
- provide a report to the Minister for Planning containing the Committee's advice on the above.

This Committee has fulfilled its Terms of Reference with the submission of this report.

However, given the extensive nature of the Committee's Category 1 and Category 2 recommendations, the Committee considers that further notice and consultation will be required. The Minister may wish to consider referring any further submissions to the Committee, in which case the Committee's appointment may need to be extended and its Terms of Reference amended.

Recommendations

Category 1 - Further work before finalising the Framework Plan and draft Amendment

- 1. Chapter 4 (Growth and capacity):** Before the draft Amendment is adopted, undertake further work to:
 - a) ensure that the controls provide sufficient employment and residential floorspace capacity to accommodate the high side of the corrected SGS 'optimistic' forecast of approximately 1,670,000 square metres
 - b) determine (including through built form testing) where the additional floorspace capacity should be provided - refer to consolidated Recommendation 3.
- 2. Chapter 5 (Affordable housing):** Before the draft Amendment is adopted, undertake further work to:
 - a) determine an appropriate metric for social and affordable housing contributions in Central Geelong, having regard to (among other things) the *City of Greater Geelong Social Housing Plan 2020–2041*
 - b) draft provisions for inclusion in Clause 21.09 and the Activity Centre Zone Schedule 1, using the Committee's current preferred versions in Appendix E1 and E2 as a starting point
 - c) formally re-notify potentially affected parties of the proposed inclusions and provide them with an opportunity to make submissions and be heard in response.
- 3. Chapter 9.4 (Building heights):** Before the Framework Plan is finalised and the draft Amendment is adopted, undertake further built form testing to:
 - a) finalise the preferred maximum building heights in the Station, Knowledge and Enterprise and Retail Core Precincts. The further built form testing should:
 - confirm the overall planning merit of the height increases proposed in Figure 11 in this report and Figure 12 in this report
 - determine what additional heights could be accommodated on the following sites or in the following areas without compromising on the preferred character outcomes sought under the Framework Plan:
 - all Strategic Development Sites
 - sites at the perimeter of the block bounded by Gheringhap, Moorabool, Ryrie and Malop Streets
 - 164-172 Malop Street and 2 Powel Place (Up Property site)
 - 245 Latrobe Terrace (St George's Presbyterian Church site)
 - 118 Corio Street and 2 Hays Place (I Property site).
- 4. Chapter 9.5 (Street wall heights):** Before the Framework Plan is finalised and the draft Amendment is adopted, undertake further built form testing to:
 - a) confirm the overall planning merit of the revised street wall heights shown in Figure 13 of this report.

5. **Chapter 11.4 (Overshadowing of open space):** Before the Amendment is adopted, undertake further work to:
 - a) Assess the impacts of the overshadowing controls on the achievable floorspace around existing and future open spaces other than Johnstone Park and the Station Forecourt. If the amount of lost floorspace is significant enough to impact on other policy objectives, consider further adjusting the overshadowing controls to permit allowable shadow on some or all of these other open spaces.
 - b) Assess the implications of reducing the heights north of Johnstone Park in order to better align with the revised shadow controls.
6. **Chapter 13.5 (Master planning requirements):** Before the draft Amendment is adopted, undertake further work to:
 - a) Prepare Development Plan Overlay Schedules for Strategic Development Sites 6 and 10 (consolidated) and 7 in conjunction with the landowners, and undertake consultation with potentially affected third parties as a matter of priority. Ideally schedules should be resolved prior to the approval of the draft Amendment, but if this is not possible then separate amendments should be progressed. The Development Plan Overlay should not be applied until Schedules have been prepared and finalised.

Category 2 – Improvements to the Framework Plan

7. **Chapter 4 (Growth and capacity):** Amend the Framework Plan to include:
 - a) an overview of:
 - the growth scenarios considered in the SGS Land Use Market Assessment Report, as well as the 3.0 per cent growth rate scenario used in the sensitivity analysis in Mr Fensham’s evidence statement (Document 20(e))
 - the employment and residential floorspace forecasts in the Land Use Market Assessment Report, based on the different (corrected) growth scenarios
 - b) text to explain that:
 - while the SGS corrected ‘upside’ scenario provides a realistic and likely projection of additional floorspace demand in Central Geelong to 2050, it is appropriate to provide for excess development capacity, up to the upper range of the corrected SGS ‘optimistic’ scenario (an additional 1,670,000 square metres)
 - the employment and residential floorspace projections and the capacity analysis are not to be used as de-facto caps on development
 - c) details of the monitoring and review methodology that will be implemented to ensure at least a 15 year supply of residential and employment floorspace is maintained.
8. **Chapter 5 (Affordable housing):** Amend the Framework Plan to:
 - a) review and update the social and affordable housing actions listed in section 5.2 to:
 - specify how they are to be given effect
 - prioritise the introduction of social and affordable housing planning policy and controls for Central Geelong into the Greater Geelong Planning Scheme.

9. Chapter 6.5 (Precinct boundaries): Amend the Framework Plan (and the Activity Centre Zone Schedule 1) to:

- a) amend the precinct boundaries as shown in the Day 1 version of the Activity Centre Zone Schedule 1 maps (Document 36), with the following changes:
 - retain the finger of land to the north of Malone Street in the Knowledge and Enterprise Precinct
 - retain the National Wool Museum in the Knowledge and Enterprise Precinct.

10. Chapter 9.3 (Consistency between the built form controls and precinct objectives): Amend the Framework Plan to:

- a) amend the emerging precinct statements to clearly articulate:
 - a preferred character for each precinct
 - how the preferred character of each precinct contributes to the vision and overarching built form Objectives of the Framework Plan
 - how the built form outcomes described in the relevant precinct objectives will deliver the preferred character for each precinct described in the emerging precinct statement, and the preferred land use outcomes described in the precinct objectives
- b) better protect key views by:
 - identifying (on the relevant precinct plans) the views to be protected (amend the Activity Centre Zone Schedule 1 accordingly)
 - explaining how the built form outcomes will protect the key views
 - including a precinct objective (where relevant) relating to preserving these views (amend the Activity Centre Zone Schedule 1 accordingly).

11. Chapter 9.4 (Building heights): Amend the Framework Plan to:

- a) clearly define the rationale for the preferred maximum building heights, and the methodology for setting the preferred heights
- b) adjust the heights on the following sites (and amend Map 2 of the Activity Centre Zone Schedule 1 accordingly):
 - 23, 25-29, 31 and 33-35 Bellerine Street – increase to 28 metres
 - 20 Brougham Street – increase to 42 metres
 - 35 Corio Street – increase to 60 metres at the western end of the site, as shown in the modelling presented in Ms Heggen’s Expert Witness Statement (Document 25)
- c) make any further amendments consequent on the built form testing recommended under consolidated Recommendation 3.

12. Chapter 9.5 (Street wall heights): Amend the Framework Plan to:

- a) clearly explain the rationale for the street wall heights on a precinct basis, and the rationale for the metrics of the revised street wall heights shown in Figure 13 of this report.

13. Chapter 9.6 (Setbacks): Amend the Framework Plan to:

- a) more clearly explain the rationale for the upper level setback metrics and intervals.

14. Chapter 10.1 (Aboriginal cultural heritage): Amend the Framework Plan to:

- a) include the following, subject to further consultation with the Wadawurrung Traditional Owners Aboriginal Corporation:
 - a map that identifies and explains areas and features of cultural significance to the Wadawurrung People
 - the minor text edits requested on pages 7 to 9 of the original submission of the Wadawurrung Traditional Owners Aboriginal Corporation (Submission 31).

15. Chapter 10.1 (Aboriginal cultural heritage): When amending the Framework Plan:

- a) give further consideration to the Wadawurrung Traditional Owners Aboriginal Corporation's request for additional objectives to:
 - respect and enable the continued occupancy of the landscape by its non-human residents
 - better respect and embrace the attributes of topography and visual connectivity to important features of cultural significance to the Wadawurrung People.

16. Chapter 10.2 (Recognition of post-contact heritage values): Amend the Framework Plan to:

- a) include the following as 'immediate' Actions:
 - Review and update the Heritage Overlays in Central Geelong to remove the Overlay from any land no longer containing heritage fabric, and to apply it to any land which meets the relevant thresholds for heritage significance but is not yet included.
 - Review local heritage policies and design guidelines that apply to Central Geelong, including the Heritage and Design Guidelines 1997, to identify and resolve any inconsistencies between the heritage policies and guidelines and the proposed built form controls.

17. Chapter 11.2 (Open space and green spines): Amend the Framework Plan to:

- a) increase the emphasis on pursuing opportunities for the provision of future open space on privately owned sites as well as Strategic Development Sites, government sites and institutional sites
- b) include reference to pursuing opportunities for the provision of future open space through parklets, pocket parks, road narrowing and road closures where appropriate

- c) remove the orange asterisks from the map and key in Figure 85 (public realm opportunities)
- d) remove references to green spines other than in Malop Street and Gheringhap Street (amend maps in the Activity Centre Zone Schedule 1 accordingly)
- e) amend references to a future green spine along Gheringhap Street to “potential future green spine subject to further investigation” (amend maps in the Activity Centre Zone Schedule 1 accordingly)
- f) include the following Action:
 - Investigate opportunities for further green spines, subject to a full investigation of their potential impacts on the traffic network.

18. Chapter 11.3 (Council car parks and Station Forecourt): Amend the Framework Plan (and amend maps in the Activity Centre Zone Schedule 1 accordingly) to:

- a) designate the future open space identified at Council owned car park sites as “potential future open space subject to further investigation”
- b) designate the future Station Forecourt as “potential future Station Forecourt subject to further investigation”.

19. Chapter 11.5 (Overshadowing of footpaths): Amend the Framework Plan to:

- a) amend Figure 107 and the related precinct-based maps to identify only the following as Primary Streets, and reclassify all other currently identified streets as Secondary Streets (amend Map 7 of the Activity Centre Zone Schedule 1 accordingly):
 - Gheringhap Street
 - Malop Street
 - Little Malop Street between Fenwick and Moorabool Streets
- b) refer to pedestrian links, rather than routes
- c) more clearly explain:
 - the criteria for and distinction between Primary and Secondary Streets
 - the criteria for and distinction between Primary and Secondary Pedestrian Links
 - the relationship (if any) between the status of the Streets and Pedestrian Links
 - the rationale for the different levels of overshadowing protection for the different status streets and/or pedestrian links
- d) map the Primary and Secondary Pedestrian Links.

20. Chapter 11.6 (Mandatory overshadowing controls): Amend the Framework Plan to:

- a) amend references to mandatory overshadowing controls for Secondary Streets and Narrow Streets and Laneways to discretionary overshadowing controls (including in Table 9 at page 180).

21. Chapter 12 (Residential interfaces): Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) include the following new built form objective:

- To ensure that new development adjacent to existing residential areas has regard for the neighbourhood character of the area and minimise off site amenity impacts.

22. Chapter 13.2 (Criteria for selecting Strategic Development Sites): Amend the Framework Plan to:

- a) relocate the discussion of Strategic Development Sites to a more prominent position in the Framework Plan, closer to the start of the document
- b) include text which articulates the role of Strategic Development Sites in achieving the vision and Objectives of the Framework Plan, including but not limited to specifically recognising their importance in delivering the required floorspace for population and employment growth as well as anticipated public realm improvements
- c) include the following additional site selection criteria:
 - Sites that, due to their large size, have significant redevelopment potential and capacity to achieve greater intensity of development and delivery of other public benefits such as providing pedestrian linkages and additional public open space.
 - Sites that can play a significant anchor role in their precinct.
 - Sites positioned in prominent locations or 'gateways' that are capable of significant redevelopment.
- d) include text relating to the potential future nomination of further Strategic Development Sites.

23. Chapter 13.2 (Criteria for selecting Strategic Development Sites): Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) amalgamate Strategic Development Sites 6 and 10 (the two Westfield sites) into a single Strategic Development Site
- b) amend the boundary of Strategic Development Site 9 (former Council Offices) to include the adjacent at grade car park to the east which is in the same ownership and exclude the land occupied by the former Taco Bill restaurant (including but not limited to the area covered by Heritage Overlay 399)
- c) include the following additional Strategic Development Sites
 - 81-101 Mercer Street
 - 245 Latrobe Terrace.

24. Chapter 13.3 (Encouraging development of Strategic Development Sites): Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) include an additional Objective:
 - To encourage more intense development on Strategic Development Sites identified in the Framework Plan where such development attains design excellence and delivers public benefits commensurate with the scale and intensity of development of each site.

25. Chapter 13.4 (Plot ratio/floor area ratio controls): Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) remove references to density controls, plot ratio controls and floor area ratio controls.

26. Chapter 14.2 (The proposed freight route): Amend the Framework Plan to include the following short term Action:

Investigate the feasibility of increasing truck traffic along McKillop Street (Bellarine Highway) between Latrobe Terrace and Ormond Road, in conjunction with the Department of Transport and Council.

27. Chapter 14.3 (The proposed tourist route): Amend the Framework Plan to:

- a) modify Figure 76 and any other maps to show the scenic route terminating at the Eastern Beach Road/Bellerine Street intersection
- b) note that further investigation is required into the need for and route of any further extension of the tourist route to the east.

28. Chapter 14.8 (Transport related drafting changes): Amend the Framework Plan to:

- a) include the drafting changes recommended in Mr Tivendale's evidence statement (Document 20(c)) and Ms Dunstan's evidence statement (Document 20(b)).

29. Chapter 16 (Recommended changes to the Framework Plan):

- a) restructure and edit the Framework Plan to reflect the Committee's position in response to the recommendations of Mr Woodland as identified in Table 16 of this report
- b) make any further adjustments to the Framework Plan once the Committee's recommendations for Category 1 further work are completed.

Category 3 - Improvements to the draft Amendment

General recommendation

30. Chapter 17 (Changes to the draft Amendment): The Committee recommends that the Department use the Committee's current preferred versions of Clause 21.09 (Appendix E1) and the Activity Centre Zone Schedule 1 (Appendix E2) as the basis for developing the final versions of the controls, once the Committee's Category 1 recommendations for further work have been completed.

Specific recommendations (which are reflected in Appendix E) are:

31. Chapter 8 (Land use issues): Amend the Activity Centre Zone Schedule 1 to:

- a) update the Table of Uses to:
 - insert 500 square metres as the soft cap on as of right retail floorspace outside the Retail Core Precinct
 - apply the following condition to the section 1 use of 'shop':

In the Health Precinct and the West Village Precinct, must be located on a Retail Street or Active Street identified on Map 5.

- **apply the following condition to the section 1 uses of ‘accommodation’ and ‘office’:**

In the Retail Core Precinct, Health Precinct or West Village Precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.

- **apply the following condition to the section 1 uses of ‘medical centre’, ‘education centre’ and ‘place of worship’:**

In the Retail Core Precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.

- **include ‘residential hotel’ as a section 1 use in the Knowledge and Enterprise Precinct**
- b) **include an application requirement to prepare an Economic Impact Assessment to support retail applications that exceed the floorspace limit outside the Retail Core Precinct.**

32. Chapter 9.3 (Consistency between built form controls and precinct objectives): Amend the Activity Centre Zone Schedule 1 to:

- a) **revise the built form objectives to align with the updated emerging precinct statements in the Framework Plan (refer to consolidated Recommendation 10(a)).**

33. Chapter 9.5 (Street wall heights): Amend the Activity Centre Zone Schedule 1 to:

- a) **in Clause 4.4, amend the second requirement under ‘street wall height requirements’ to read:**

Where the proposed street wall has a consistent height for a length greater than 45 metres, street wall heights should vary from adjoining buildings. Variations in street wall height should be a minimum of 1.0 metres above or below the adjoining street wall height. Blank side walls that are visible from the street should be avoided.

- b) **include any further amendments consequent on the built form testing recommended in consolidated Recommendation 4.**

34. Chapter 9.6 (Setbacks): Amend the Activity Centre Zone Schedule 1 to:

- a) **clearly explain which street(s) the street wall and upper level setback controls apply to**
- b) **reduce the preferred minimum front setback for buildings up to 28 metres high, not in the Heritage Overlay, from 6 metres to 5 metres**

35. Chapter 9.7 (Corner sites): Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly) to:

- a) amend the precinct requirements for street corners to specify an overall preferred maximum height for each corner that is exempt from the street wall height controls.

36. Chapter 10.4 (Mandatory heritage setbacks): Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly) to:

- a) amend the street wall upper setback requirements to convert the setbacks for development within a Heritage Overlay from mandatory to discretionary (retain the 6 metre metric).

37. Chapter 11.4 (Overshadowing of open space): Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly) to:

- a) amend Table 7 to adjust the overshadowing controls to permit allowable shadow on Johnstone Park and the future Station Forecourt based on the Day 1 street wall heights shown in Figure 13 in this report and a 16 metre street wall height around the Station Forecourt where none is specified.

38. Chapter 11.5 (Overshadowing of footpaths): Amend the Activity Centre Zone Schedule 1 to:

- a) include definitions of Primary and Secondary Pedestrian Links
- b) clearly specify the requirements and controls that apply to Primary Pedestrian Links and those that apply to Secondary Pedestrian Links
- c) adjust the overshadowing controls as follows (and amend the Framework Plan accordingly):
 - Primary Streets – delete the words “(measured 6 metres from boundary)” in the second column
 - Secondary Streets – replace the words in the second column with “No additional overshadowing above the shadow that would be cast by a street wall built to the applicable maximum preferred street wall height”.

39. Chapter 11.6 (Mandatory overshadowing controls): Amend the Activity Centre Zone Schedule 1 to:

- a) amend Table 8 and insert a new Table 9 to make the overshadowing controls for Secondary Streets and Narrow Streets and Laneways discretionary.

40. Chapter 12 (Residential interfaces): Amend the Activity Centre Zone Schedule 1 to:

- a) amend the precinct requirements for all precincts in which land directly abuts land in a residential zone to include the following:
 - For allotments abutting land within a residential zone, the objectives, standards and decision guidelines of the following provisions should be applied to manage amenity impacts:
 - Clause 55.04-1 ‘Side and rear setback’
 - Clause 55.04-2 ‘Walls on boundaries’

41. Chapter 13.5 (Master planning requirements): Amend the Activity Centre Zone Schedule 1 to:

- a) delete the requirement to prepare a master plan for Strategic Development Sites
- b) include an application requirement to prepare a staging plan where redevelopment of any Strategic Development Site or larger site is proposed to be staged.

42. Chapter 14.6 (Active transport): Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly if required) to:

- a) include the changes to the vehicle access requirements recommended in Ms Dunstan's evidence statement (Document 20(b)).

43. Chapter 14.8 (Transport related drafting changes): Amend the Activity Centre Zone Schedule 1 to:

- a) include the remaining drafting changes recommended in Ms Dunstan's evidence statement (Document 20(b)), except for Recommendation 14(b)(iii).

44. Chapter 15.1 (Permit application process and responsible authority status): Amend the Activity Centre Zone Schedule 1 to:

- a) specify bodies to be consulted on certain types of permit applications.

45. Chapter 15.3 (Transitional provisions): Amend the Activity Centre Zone Schedule 1 to:

- a) include a transitional provision as follows (modified for the Design and Development Overlay Schedule 46 to refer only to the Knowledge and Enterprise Precinct):

Transitional provisions

This schedule does not apply to an application to amend or extend a planning permit for land within the Station, Knowledge and Enterprise and Retail Core Precincts that was issued before the gazettal of Amendment C424ggee. For such applications, this schedule, as it was in force immediately before the gazettal of Amendment C431ggee, continues to apply.

46. Chapter 17.4 (Final form of the Design and Development Overlay Schedule 46): The Department update the Design and Development Overlay Schedule 46 consistent with the finalised Activity Centre Zone Schedule 1, once the Committee's Category 1 recommendations for further work have been completed.

Category 4 - Further work after finalising and adopting the Framework Plan and draft Amendment

47. Chapter 10.2 (Recognition of post-contact heritage values): Undertake the reviews and updates of Heritage Overlays and local heritage policies referred to in consolidated Recommendation 16 within 12 months of the Framework Plan being adopted and the draft Amendment implemented (subject to Council's resources).

48. Chapter 14.2 (The proposed freight route): Undertake the investigation of the feasibility of increasing truck traffic along McKillop Street referred to in consolidated Recommendation 26 within 2 years of the Framework Plan being adopted and the draft Amendment implemented.

49. Chapter 14.4 (Carparking): The Department should, in conjunction with Council and the community, undertake further investigation of the future decentralised parking hubs in conjunction with investigations into improved public transport within 12 months of the Framework Plan being adopted and the draft Amendment implemented. Include consideration of (but not limited to) the following:

- a) whether the parking hubs are required in light of public transport services, public transport upgrades, and the effectiveness of initiatives in the Framework Plan to encourage a shift toward more sustainable transport modes**
- b) what size the parking hubs should be**
- c) appropriate locations for the parking hubs**
- d) impacts of traffic generated by the parking hubs on local streets.**

PART A BACKGROUND AND CONTEXT

1 Introduction

1.1 What is proposed?

(i) The Framework Plan

Department of Environment, Land, Water and Planning (DELWP) prepared the *Central Geelong Draft Framework Plan 2021* (the Framework Plan). It engaged MGS Architects to review the strategic direction for Central Geelong and assist with the preparation of the Framework Plan.

The Framework Plan consists of two parts (plus an introductory section):

- the *Central Geelong Structure Plan* (Structure Plan)
- the *Revitalising Central Geelong Urban Design Framework* (UDF).

The Framework Plan is described in more detail in Chapter 2.

(ii) The Background Reports

The Framework Plan was informed by two background reports:

- *Central Geelong Land Use and Market Assessment Update*, SGS Economics and Planning, 8 December 2020 (the SGS Report)
- *Central Geelong Framework Plan: Transport Strategy*, Movement & Place Consulting, April 2021 (the Transport Strategy).

DELWP prepared the *Central Geelong Draft Framework Plan Background Report May 2021* (the DELWP Report) that sets out the background to the preparation of the Framework Plan and draft Amendment, and which was exhibited with the Framework Plan and draft Amendment. The DELWP Report includes a floorspace and capacity analysis of the amount of floorspace that will be delivered under the proposed controls.

These reports are described in more detail in Chapter 2.

(iii) The draft Amendment

Draft Amendment C431ggee (the draft Amendment) seeks to implement the Framework Plan into the Greater Geelong Planning Scheme (Planning Scheme) by making the following changes to:

- **local policy framework:**
 - update Clause 21.09 (Central Geelong) to be consistent with the Framework Plan, delete redundant provisions and correct drafting anomalies
 - rename Clause 21.10 (Geelong Western Wedge) to Latrobe Terrace and Western Beach Areas, and update the clause to remove references to the Inner Wedge Precinct, delete redundant provisions and correct drafting anomalies
- **zoning:**
 - Activity Centre Zone (ACZ) replace Schedule 1 with a new schedule to introduce revised land use and built form controls consistent with the Framework Plan
 - rezone Residential Growth Zone Schedule 1 (RGZ1), Mixed Use Zone (MUZ) and Commercial 1 Zone (C1Z) land within the Framework Plan boundary to the ACZ1
- **Design and Development Overlay (DDO):**
 - amend Schedule 17 to remove references to the Inner Wedge Precinct, delete redundant provisions and correct drafting anomalies

- insert Schedule 46 to introduce built form controls consistent with the Framework Plan to the Deakin University sites zoned Public Use Zone Schedule 2 (PUZ2)
- **make the Framework Plan a background document to the Planning Scheme.**

1.2 The Amendment land

The draft Amendment applies to all land (including part of Corio Bay) in the Framework Plan boundary as shown in Figure 1.

Figure 1 Amendment land

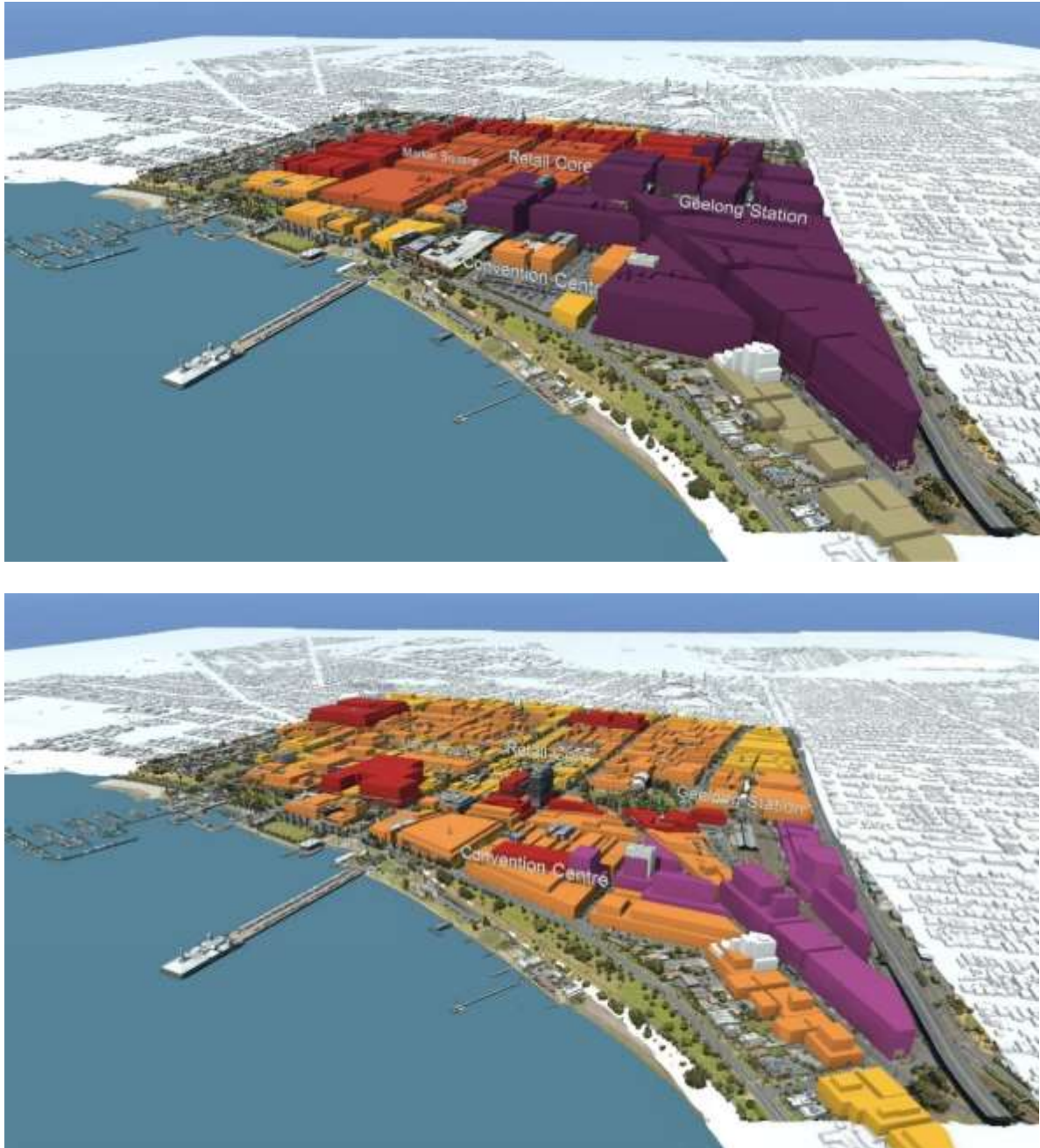


Source: Draft Explanatory Report

1.3 What will change?

The revised ACZ1 fundamentally provides for changes (both increased and decreased) to the height and scale in some areas within the framework boundary compared to the current ACZ1 (as graphically shown in Figure 2).

Figure 2 3D modelling of existing built form controls (top) and proposed built form controls as exhibited (bottom)



Source: DELWP Report at Page 37

The DELWP Report describes the key changes as:

- extending the ACZ1 to west of Fenwick Street, south of Myers Street and east of Bellerine Street
- setting preferred maximum heights on land that previously had no preferred maximum heights
- changing height controls elsewhere in the Framework Plan area, including:

- a decrease in heights in the retail core precinct and surrounds except the Westfield and Market Square sites where heights will increase
- an increase in heights on land to be added to the ACZ generally west of Fenwick Street, south of Myers Street and east of Bellerine Street
- changing street wall heights, including a general reduction in the retail core precinct
- changing front setbacks above street wall heights, including the introduction of a mandatory minimum setbacks in heritage areas
- setting preferred side and rear setbacks on land that previously had no preferred side and rear setbacks
- changing the overshadowing controls and making them mandatory
- strengthening expectations related to design quality, environmental sustainability and blank walls
- introducing requirements to manage the impact of wind effects
- changing requirements related to active frontages
- introducing requirements related to vehicle cross overs
- changing requirements related to strategic sites
- changing requirements related to pedestrian links.

1.4 Background

Geelong is Victoria's second largest city. Central Geelong is expected to be home to more than 12,000 residents by 2050 (from a current base of around 2,800), a growth rate that is among the highest anywhere in the state. The Framework Plan's foreword states:

Geelong is growing. The updated Framework Plan has been prepared to ensure that growth will be well managed, and to promote liveability, create jobs and reflect the unique character and valued cultural history of the city and its people, both past and present.

The Framework Plan seeks to build on Geelong's strengths and see that it becomes:

... a lifestyle city with excellent services and facilities, employment opportunities, green open spaces and an iconic waterfront precinct with thriving streetscapes comprising retail, hospitality and laneways and a good mix of housing.

In July 2016, the Victorian Government released the *Revitalising Central Geelong Action Plan* (the RCG Action Plan) which sets out initiatives designed to turn Central Geelong into "*a magnet for new jobs and growth*". One of the key actions in the plan is to review the existing ACZ1, which was introduced in 2013. The draft Explanatory Report states:

The lack of planning guidance through the outdated ACZ1 has resulted in a number of applications and development approvals that have threatened Central Geelong's amenity and the public realm. This includes development applications that are out of scale, that overshadow key public spaces and corridors, that have had no regard of wind impacts, and that undermine Central Geelong viewlines to the bay.

The DELWP Report provides examples of recently approved and constructed development in section 3.9. The tallest of the recently approved developments is a 22 storey (71.7 metre) building with 112 apartments and ground floor retail at 18-20 Cavendish Street.

Amendment C424ggee was gazetted in January 2021 to apply interim controls while the Framework Plan was being prepared. The interim controls responded to the recent increase in the quantity and scale of development within Central Geelong.

1.5 Evolution of the planning controls for Central Geelong

DELWP's Part A submission (Document 8) sets out a detailed and useful chronology of events leading up to the preparation of the draft Framework Plan and draft Amendment. Council's main submission (Document 79) also provides a detailed chronology. Key events are summarised in Table 1.

Table 1 Key events

Date	Event	Comment
2001-2005	C16, C30, C37 and C68	Precursor strategic amendments rezone various parcels within and on the periphery of the Central Geelong Activities Area and implementation of the <i>Geelong Western Wedge Framework</i>
2007-2013	C129 Part 1 and 2	Implementation of MSS Review and <i>Central Geelong Structure Plan 2007</i> and Geelong Central Parking Precinct Plan
May 2013	C223	Introduction of ACZ to Central Geelong
Nov 2014	C314	Simplified ACZ controls and streamline approval requirements (referred to in this report as the 'pre-interim controls')
Sep 2015	Geelong Authority	Geelong Authority appointed as Ministerial advisory committee to provide advice on strategies to attract investment and on major planning applications
Oct 2015	C355	Minister identified as responsible authority for specified permit applications in Central Geelong
2016	Revitalising Central Geelong	Release of <i>Revitalising Central Geelong Action Plan (2016)</i> calling for review of ACZ and establishment of Geelong Partnership to implement Plan
Jan 2018	Geelong City Deal	Deal secured for \$370 million government investment in region
Jul 2020	C416ggee	Interim built form controls until 1 July 2021
Jan 2021	C424ggee	Further ACZ changes to provide interim protection of public amenity in Central Geelong while the Framework Plan is being completed
May 2021	Advisory Committee appointed	Central Geelong Framework Plan Advisory Committee appointed to consider the Framework Plan and draft Amendment
May-Jul 2021	Exhibition	Framework Plan and draft Amendment exhibited
Jul 2021	Directions Hearing	Advisory Committee conducts Directions Hearing by video conference
Sep-Oct 2021	Hearing	Advisory Committee conducts Hearing by video conference

1.6 Issues raised in submissions

Strategic issues

These included:

- growth and capacity issues:
 - the suitability of the Land Use and Market Analysis (the SGS Report)
 - whether the controls inappropriately suppress the development and growth potential of Central Geelong in relation to both housing and commercial office space
- strategic transport issues:
 - lack of recognition of regional transport projects such as Avalon Airport Link, Bellarine Link and the Geelong Fast Rail Project
 - whether the Framework Plan's reliance on the Transport Network Operating Plan is appropriate
- coordination issues:
 - coordination with other regional initiatives such as the RCG Action Plan and the G21 Regional Integrated Transport Strategy
 - coordination with greenfield or growth area planning
- other strategic issues:
 - whether the social and affordable housing outcomes sought by the Framework Plan are appropriate and adequately supported by the proposed controls
 - whether the Framework Plan provides sufficient support for the arts, tourism and creative industries.

Land use issues

These included:

- consistency between the Table of Uses in the ACZ1 and precinct objectives
- concerns over the level of prescription in the land use controls.

Built form issues

These included:

- consistency between the built form controls and precinct objectives
- building and street wall heights in various precincts (too high or not high enough, inconsistency with surrounding approved or constructed developments)
- preferred side and rear setbacks (too large or not large enough, application on corner sites).

Heritage issues

These included:

- perceived lack of recognition of Aboriginal cultural heritage values in the Framework Plan
- post-contact heritage values
 - lack of recognition of municipal wide heritage studies, and the need for updated heritage studies
 - whether it is appropriate to include controls to protect heritage in the ACZ1
- upper level setbacks on heritage sites:
 - whether mandatory controls are justified
 - whether the proposed 6 metre metric is appropriate.

Public realm issues

These included:

- whether the public open space contemplated by the Framework Plan is appropriate and adequate
- whether the Station Forecourt and three Council owned at grade carparks should be identified for future open space
- mandatory overshadowing controls for streets and public open spaces (whether mandatory controls are justified, metrics including dates and hours of protection)
- wind effects
- requirements for laneways and through block pedestrian links.

Residential interface issues

These included:

- perceived lack of protection of neighbourhood character and residential amenity in adjacent low rise residential neighbourhoods, including through interface treatments.

Strategic Development Site issues

These included:

- criteria for selecting Strategic Development Sites (SDSs)
- whether the controls appropriately facilitate or encourage redevelopment on SDSs
- plot ratio controls:
 - whether a plot ratio should apply
 - whether they should be mandatory or discretionary
 - the metrics of the proposed plot ratios
 - the lack of guidance for when plot ratios might be exceeded
- master planning requirements:
 - whether the ACZ1 is the right planning tool to apply master planning requirements
 - whether they should apply to all SDSs
 - the level of detail required.

Transport issues

These included:

- congestion and safety issues
- concerns with freight movements, in particular the proposal to divert trucks along McKillop Street
- whether the proposed extension of the activity centre boundaries jeopardises the efficiency of the Principal Freight Network
- concerns over the proposed tourism route along Eastern Beach Road and Garden Street
- carparking concerns
- concerns over whether the Framework Plan provides sufficient support for public transport and active transport modes.

Form and content issues – Framework Plan

These included:

- structure, length and complexity of the Framework Plan

- a lack of clarity around the implementation actions outlined in the Framework Plan, including funding, timing and roles and responsibilities.

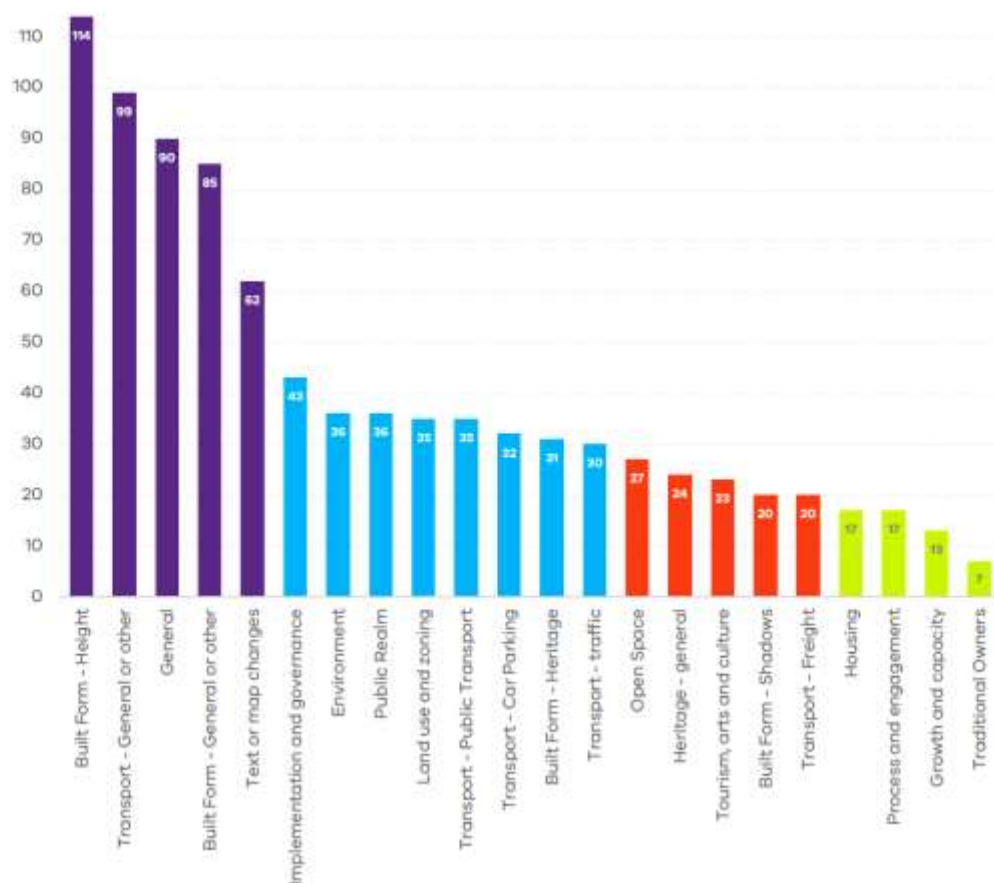
Form and content issues – draft Amendment

These included:

- length and complexity of the controls (particularly the ACZ1)
- lack of clarity regarding the planning permit application process, including responsible authority status
- referral requirements
- lack of transitional provisions.

Prior to the Directions Hearing, DELWP prepared a summary of submissions under broad issue themes (Document 1). Figure 3 shows the number of submissions received under each theme. While this is an indicator of submitters' concern, it is not necessarily an indication of the relative importance or significance of the issue.

Figure 3 Number of submissions per theme



Source: DELWP Submissions Summary (Document 1)

1.7 Procedural issues

(i) Discussions between the parties

At the Directions Hearing, Scentre Property Group indicated that it had been in discussions with DELWP in the leadup to the Committee's appointment which had proven fruitful in narrowing

matters in dispute. Council had also been in discussions with DELWP with a view to narrowing issues in dispute.

Scentre Property Group indicated that DELWP had been reticent to continue discussions after the Committee's appointment, given there was now a separate and formal process in place for considering and resolving submissions.

The Committee encouraged DELWP to continue discussions with the parties in the lead-up to the Hearing. Clause 21(c) of the Committee's Terms of Reference contemplates the parties meeting to discuss and further resolve issues, and the Committee considered that it would be assisted by the issues in dispute being narrowed or better defined by the time the Hearing commences. It considered that this may result in a more efficient Hearing process.

The Committee included a direction to the effect that DELWP provide an update on any discussions with submitters in its Part B submission, to ensure fairness, transparency and to maintain the integrity of the process.

(ii) Error in the SGS Report

During the preparation of DELWP's evidence for the Hearing, an error was identified in the population growth rates assumed in the SGS Report. The error (which is described in more detail in Chapter 2.4(i)) resulted in an underestimation of the amount of residential and employment floorspace that would be required to accommodate the projected population in Central Geelong by 2050.

DELWP brought the error to the Committee's attention on 25 August 2021 (Document 4), the date that DELWP's evidence was due to be circulated. DELWP indicated that while it did not regard the error as affecting the strategic intent or merit of draft Amendment, it had:

... identified some minor adjustments which might be made to the Amendment (and, in particular, the draft Schedule to the Activity Centre Zone) which would have the effect of making additional floorspace available to meet demand without compromising the broader objectives of the Amendment.

DELWP requested an extension to the due date for its evidence, to allow its experts an opportunity to consider any prospective changes to the draft Amendment before their evidence was circulated.

The Committee agreed to the request, and directed that DELWP circulate its evidence by 30 August 2021 (instead of 25 August), along with updates to various of the background documents required as a consequence of the error. The Committee extended the circulation dates for other parties' evidence to allow the relevant witnesses time to consider the implications of the changes.

1.8 Day 1 versions

The Committee directed DELWP to provide 'Day 1' versions of the Framework Plan and draft Amendment just prior to the Hearing commencing (Documents 34 to 38). The Day 1 versions included changes proposed:

- in response to the error in the SGS Report
- in response to submissions
- in response to expert witness recommendations accepted by DELWP
- to precinct boundaries.

1.9 Site inspections

The Committee conducted its unaccompanied site inspection across two days on 20 and 21 October 2021, commencing on Day 1 with a walking tour of the outer areas of Central Geelong. The Committee set off from the corner of Myers Street and Gheringhap Street in the West Village Precinct before making its way south-west through the Cultural and Station Precincts via Fenwick and Little Malop Streets and LaTrobe Terrace. The grounds of St George's Presbyterian Church were inspected at this point as requested (Submitter 125). The Station Precinct was surveyed at various points including from the Gordon Avenue underpass, station forecourt, Brougham Street and a perspective of the railway corridor from Terminus Lane and Roy Street.

The Committee then moved eastward through the Knowledge and Enterprise Precinct, including stops at both the Mercer and Miramar apartment complexes. It proceeded through the Waterfront Precinct via Western and Eastern Beach Roads before taking in the Retail Core via Yarra, Corio and Bellerine Streets, and the Malop Street Green Spine. Other requested sites inspected on this leg included Westfield Shopping Centre (Submitter 139), 118 Corio Street and 2 Hays Place (Submitter 143), 23-31 Bellerine Street (Submitter 99) and the section of Little Malop Street between Bellerine and Swanston Streets (Submitter 138).

The Committee inspected the residential areas at the eastern edge of the activity centre, and concluded Day 1 of its inspection traversing the eastern and southern interfaces of the Health Precinct via Myers, Yarra and McKillop Streets with a stop at the grounds of Saint Mary of the Angels Basilica.

Day 2 of the Committee's site inspection started with a walking tour of the inner parts of Central Geelong, with a particular focus on the Retail Core. The Committee started with Little Malop Street and the various smaller streets and laneways bound by Malop, Moorabool, Ryrie and Mercer Streets. The Committee then turned its attention to in and around the Knowledge and Enterprise Precinct, taking in Gheringhap and Brougham Streets, the historic woolstores area and the Deakin University campus.

The site inspection concluded with a driving tour of the inner suburban areas outside Central Geelong, to give the Committee a sense of the broader context. This included Eastern Park, the adjacent residential areas east of Swanston Street and south of McKillop Street down to South Geelong Train Station, the section of Moorabool Street to the south of McKillop Street including the Palais Theatre (Submitter 105) and finally the length of Pakington Street and surrounds in West Geelong.

The Committee inspected key parts of the transport network across the two days, including McKillop and Ryrie Streets, LaTrobe Terrace, other Principal Freight Routes, the proposed Tourist Route along Eastern Beach Road and Garden Street, Moorabool bus interchange, and the location of the parking hubs. The Committee acknowledges and were cognisant that due to COVID restrictions, traffic and parking conditions were unlikely to be representative of typical operating conditions.

1.10 The Committee's approach

(i) Terms of Reference

Clause 4 of the Committee's Terms of Reference (see Appendix A) set out its purpose:

Purpose

4. The purpose of the Committee is to:
 - a. receive and consider submissions received in relation to the [Framework Plan] and/or draft planning scheme amendment;
 - b. conduct a public hearing in relation to the [Framework Plan] and draft planning scheme amendment;
 - c. review the [Framework Plan] and advise the Minister for Planning on its strategic basis and merits;
 - d. review the draft planning scheme amendment and advise the Minister for Planning on whether the proposed planning controls are appropriate;
 - e. identify improvements to the [Framework Plan] and draft planning scheme amendment; and
 - f. provide a report to the Minister for Planning containing the committee's advice on:
 - i. The matters outlined above.
 - ii. Whether the draft planning scheme amendment is an appropriate mechanism by which to implement the [Framework Plan].
 - iii. Any recommendations it has in relation to the [Framework Plan], the draft planning scheme amendment and the statutory framework to be established to implement the [Framework Plan].

Clause 13 sets out what the Committee must consider:

13. The Committee may inform itself in any way it sees fit, but must consider:
 - a. the appropriate built form controls and provisions to be included in the draft planning scheme amendment having regard to the [Framework Plan];
 - b. comments of any referral authority or other body from whom the Committee seeks input;
 - c. all relevant submissions;
 - d. the Greater Geelong Planning Scheme;
 - e. the Movement and Place - Central Geelong Transport Strategy April 2021;
 - f. the SGS Economics and Planning - Land Use and Market Assessment Update August 2020; and
 - g. the Revitalising Central Geelong Action Plan 2016/17.

Clause 24 sets out additional matters on which the Committee must report.

Table 2 provides a cross reference to the parts of the Report where each matter is addressed.

Table 2 Matters on which the Committee must report

Clause	Matter to be reported on	Reference
4(a), 24(a)	An assessment of submissions	Parts B, C and D
4(c), 24(b)	Framework Plan - strategic basis and merits, and appropriateness having regard to the objectives of planning in Victoria and the Planning Scheme	Part B
4(d), 24(c)	Proposed planning controls - appropriateness having regard to the objectives of planning in Victoria and the Planning Scheme	Part B
4(e)	Improvements to the Framework Plan	Parts B, C and D, Chapter 16
4(e)	Improvements to the proposed planning controls	Parts B, C and D, Chapter 17
24(d)	Any other relevant matters raised in the course of the Hearing	Throughout
24(e)	A list of persons who made submissions considered by the Committee	Appendix B
24(f)	A list of persons from whom the Committee received comments	Appendix C

(ii) General approach

The Committee has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme, and the Victorian planning objectives outlined in section 4 of the *Planning and Environment Act 1987* (PE Act).

The Committee considered all written submissions made in response to the exhibition of the draft Amendment, observations from multiple site visits, submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and 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 Committee in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

1.11 Limitations

Several submissions raised detailed issues about specific sites and specific development proposals. The Committee's role does not extend to considering specific development proposals.

Some submissions raised issues around the consultation and engagement process undertaken by DELWP in relation to the Framework Plan and draft Amendment. Some submitters felt that the engagement process should have been more widely publicised and run for longer. Other submitters wished to be included as stakeholders in the development of future strategic planning documents relating to the Framework Plan. These issues are outside the Committee's Terms of Reference, and have not been further considered.

2 The Framework Plan

2.1 Purpose

DELWP described the purpose of the Framework Plan in its Part A submission:

The draft [Framework Plan] seeks to provide certainty for the community of Geelong through its vision and strategies as well as address the current challenges the developers and decision makers are having with the existing zone, including areas with no height control. The draft [Framework Plan] establishes guidelines required to support the growth of Central Geelong and the opportunities that will exist in a post COVID-19 environment.

2.2 The Structure Plan

The purpose of the Structure Plan is:

... to provide a clear vision for Central Geelong and high-level guidance for land use and development for the next 30 years.

The Structure Plan sets out:

- a vision for Central Geelong
- objectives, strategies and actions to strengthen Central Geelong's existing character and amenity
- support the interconnection of emerging precincts
- drive growth and investment opportunities.

(i) The vision

The vision is set out on pages 18 and 19 of the Framework Plan, and states:

Bordered by the Bay and River, Central Geelong celebrates the Wadawurrung people's long connection and relationship to Djilang. As the largest regional city in Victoria, with strong links to Melbourne, Geelong is a lifestyle city providing a gateway to the Great Ocean Road and the Bellarine Peninsula. Central Geelong is vibrant, clever and creative – it helps drive Victoria's economy and draws people to it as a hub of design, innovation, health and services with a high quality, inclusive and attractive urban environment in which to live, work, learn, play and visit.

It sets out eight aims or goals for Central Geelong, extracted in Figure 4.

Figure 4 Vision

The vision aims for Central Geelong to become:



Source: Framework Plan at page 19

(ii) Key directions

The Framework Plan sets out 30 objectives, each supported with strategies and actions. The objectives are nested under five themes:

- land use and economy
- residential growth and housing choice
- built form and design
- transport and movement
- public realm and open space.

(iii) The precincts

The Framework Plan identifies seven emerging precincts based on anchor land uses:

- Retail Core Precinct – major retail and hospitality
- Health Precinct – health and well-being
- Cultural Precinct – arts and culture
- Knowledge and Enterprise Precinct – knowledge, innovation, and learning
- Station Precinct – services

- West Village Precinct – inner urban living
- Waterfront Precinct – waterfront.

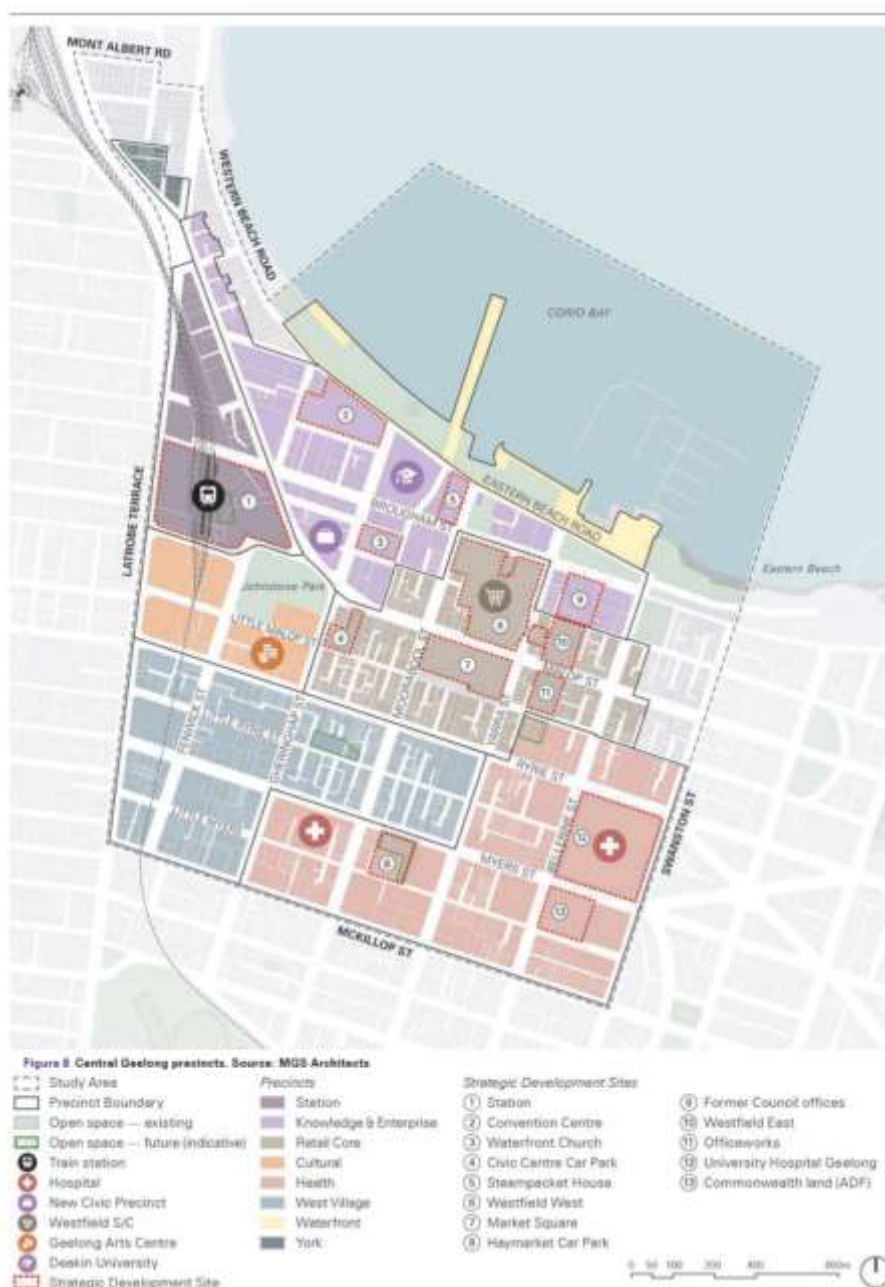
The Retail Core, Health, and Knowledge and Enterprise and Station Precincts include one or more SDSs. The precincts and SDSs are mapped in Figure 5 below.

Section 3 of the Framework Plan sets out the following for each Precinct:

- an emerging precinct statement
- precinct objectives, which broadly fall into the categories of land use, built form, public realm and SDSs (not all precincts have objectives in all categories)
- a list of the SDSs contained within the precinct (where relevant).

The precinct objectives and SDSs are summarised in Table 3 below.

Figure 5 Precincts and Strategic Development Sites



Source: Framework Plan at page 24

Table 3 Precinct objectives

Precinct	Objectives	Strategic Development Sites
Knowledge and Enterprise	Land use	2 Convention Centre
	- primary location for office, education and convention centre uses, short term accommodation uses and tourist focused uses facing the waterfront	3 Waterfront Church
	- support, link and leverage off Deakin University, insurance headquarters, council offices and the future convention centre	5 Steampacket House
		9 Former Council offices
	Built form	
	- encourage campus form of medium (28 metres) to medium tall (42 metres) building heights with large building masses that are separated by generous public access ways and green spaces, incorporating an evolving character that combines elements of the heritage woolstores with the contemporary architecture of the new council office	
	SDSs	
	- require the Strategic Development Sites to be master planned and developed with landmark architecture, improved public linkages and very high quality contribution to the public realm.	
Station	Land use	1 Station
	- transport interchange and key entry to central Geelong, with accommodation, government services, retail and other complementary uses that contribute to activity and can manage the amenity impacts of the train line and Latrobe Terrace	
	- support, link and leverage off Geelong Train Station, including the public transport interchange and future upgrades to public access/spaces and transport infrastructure and services, while providing an attractive gateway to Central Geelong	
	Built form	
	- support a medium low (21 metres) to tall (60 metres) building height character of well-designed development with slender and well-spaced tower forms providing sunlight access to the public realm and views to the sky between buildings from the street, with an increase in active frontages and a landscape setback to Latrobe Terrace	
	Public realm	
	- enhance the safety, amenity and vibrancy of the public realm to support increased pedestrian activity including along Latrobe Terrace (including a landscape setback), Mercer Street and at the entrances of the Station while	

Precinct	Objectives	Strategic Development Sites
	<p>improving access across the train line to/from Geelong West</p> <p>SDSs</p> <ul style="list-style-type: none"> - require the Strategic Development Sites to be master planned and developed with landmark architecture, improved public linkages and very high quality contribution to the public realm. 	
Retail Core	<p>Land use</p> <ul style="list-style-type: none"> - primary location for shops, food and drink premises and nightclubs, with office and accommodation uses with active ground floor frontages encouraged - attract people through businesses, entertainment, services and high pedestrian amenity streets - support, link and leverage off retail offerings and the cafés/bars found in little streets and lanes <p>Built form</p> <ul style="list-style-type: none"> - maintain the visual prominence of heritage buildings, the prevailing fine grain pattern of subdivision, mid-block links and encourage additional laneway breakthroughs, provide for medium low (21 metres) building heights to protect pedestrian focused streets, and medium (28 metres) to medium tall (42 metres) building heights on large sites <p>SDSs</p> <ul style="list-style-type: none"> - require the Strategic Development Sites to be master planned and developed with exemplary architecture that responds to the predominant streetscape character and very high quality contribution to the public realm including pedestrian links and active frontages to all streets. 	<p>4 Civic Car Park</p> <p>6 Westfield West</p> <p>7 Market Square</p> <p>10 Westfield East</p> <p>11 Officeworks</p>
Health	<p>Land use</p> <ul style="list-style-type: none"> - primary location for health/medical facilities and complementary services, businesses, education, research and development, and accommodation uses together with retail, service and office uses along identified active street frontages - support, link and leverage off University Hospital Geelong and the St. John of God Hospital and ensure adjacent development respects the Saint Mary of the Angels Basilica <p>Built form</p> <ul style="list-style-type: none"> - encourage the retention of heritage buildings and an evolving character that provides a high amenity for patients and residents, with tall buildings highlighting the location of the hospitals. Building heights to transition from medium (28 metres) to medium low (21 metres) along heritage streets and towards the edge of Central Geelong which will also include landscape setbacks 	<p>8 Haymarket Car Park</p> <p>12 University Hospital Geelong</p> <p>13 Commonwealth land (Australian Defence Force)</p>

Precinct	Objectives	Strategic Development Sites
	SDSs <ul style="list-style-type: none"> - require Strategic Development Sites to be master planned and developed for future open space, community infrastructure and housing diversity, with exemplary architecture that responds to its setting and makes a high quality contribution to the public realm, especially facing Myers Street and Saint Mary of the Angels Basilica. 	
West Village	Land use <ul style="list-style-type: none"> - encourage dwellings, office and complementary business activity, flexibility to transition in building use, while encouraging retail, service and office uses along identified active street frontages - support, link and leverage off the mixed uses of the precinct, including employment, housing and Matthew Flinders College Built form <ul style="list-style-type: none"> - provide an attractive gateway to Central Geelong - maintain the prominence of heritage buildings within an evolving character that provides a high amenity for residents, with building heights transitioning from medium (28 metres) to medium low (21 metres) fronting Moorabool Street and towards the edge of Central Geelong that will also include landscape setbacks. 	-
Cultural	Land use <ul style="list-style-type: none"> - primary location for arts and culture facilities and related services and businesses including education, places of assembly and community facilities, while encouraging retail, service and office uses along identified active street frontages - support, link and leverage off the Geelong Library, Geelong Arts Centre and Gordon TAFE and Johnstone Park Built form <ul style="list-style-type: none"> - add to the varied character of prominent buildings with publicly accessible forecourts and a landscape setback to Latrobe Terrace, with building heights transitioning from medium (28 metres) to medium low (21 metres) fronting Gheringhap Street. 	
Waterfront	Land use <ul style="list-style-type: none"> - public space and tourist and leisure destination with supporting complementary commercial uses, facilities and infrastructure encouraged - support, link and leverage off Corio Bay, open space for leisure and events, visitor focused facilities and 	-

Precinct	Objectives	Strategic Development Sites
	<p>infrastructure, Cunningham Pier and the Royal Geelong Yacht Club</p> <p>Built form</p> <ul style="list-style-type: none"> - improve the visual appearance of the waterfront, consider limited publicly accessible development of low (16 metres) building height where it supports the role and complements the existing character of the precinct, while increasing the range of activities and maximising public access along the foreshore and connection to the water <p>Public realm</p> <ul style="list-style-type: none"> - protect and enhance the existing amenity along the foreshore for pedestrians and cyclists while adding to the vibrancy of the public realm, increase shelter for people but minimise overshadowing of existing parks and pathways, ensure active frontages and glazing fronting Eastern/Western Beach and the walking path adjacent to the shoreline. 	
York	<p>Land use</p> <ul style="list-style-type: none"> - complementary location for accommodation and mixed use development that retains residential amenity <p>Built form</p> <ul style="list-style-type: none"> - support low (16 metre) building height, with buildings to address Keera Street and provide an attractive gateway to Central Geelong and elsewhere reflect the predominant character of the precinct. 	-

2.3 The Urban Design Framework

The purpose of the UDF is to provide a built form framework to support the vision, strategic response, objectives and strategies in the Structure Plan. It aims to help decision making and provides:

- guidance for future developments and development certainty
- clear performance-based criteria and guidance on built form outcomes across Central Geelong and on a precinct-specific basis.

The UDF seeks to ensure that future built form outcomes embody:

- connection with country
- design excellence and diversity
- clear alignment of building typologies with precinct objectives
- responsiveness to existing heritage context, scale and grain
- preservation of sunlight access and contribution to public realm and placemaking.

The UDF outlines three principles, each supported by a number of strategies to:

- support a network of high quality streets and places
- ensure Geelong can thrive as a place to live, work and visit
- cement Geelong as a UNESCO City of Design.

2.4 Background reports

(i) SGS Report

Informed by the Settlement Strategy (discussed in Chapter 3.2(iii)), the SGS Report modelled three growth scenarios for Central Geelong, based on population increase and employment growth to 2050:

- **base case**, which assumed:
 - population forecasts for Greater Geelong continue from current (as at 2016) rates
 - by 2050, Central Geelong will have a 19 per cent share of the Greater Geelong jobs
- **conservative upside**, which assumed:
 - a population growth rate of 2.5 per cent per year for Greater Geelong (Scenario D in the Settlement Strategy)
 - by 2050, Central Geelong will have a 2 to 2.5 per cent share of that population growth, and a 20 per cent share of the total Greater Geelong jobs
- **optimistic upside**, which assumed:
 - a population growth rate of 2.5 per cent per year for Greater Geelong (Scenario D in the Settlement Strategy)
 - by 2050, Central Geelong will have a 2.5 to 3 per cent share of that population growth, and a 22 per cent share of the total Greater Geelong jobs.

The SGS Report calculated Central Geelong's likely residential and employment populations in each scenario, and the residential and employment floorspace that would be required to accommodate the anticipated population. It recommended that the Framework Plan be based on the 'conservative upside' scenario.

The error identified in the population growth rates in the SGS Report (see Chapter 1.7(ii)) was for the conservative upside and optimistic upside scenarios. The calculations were based on a population growth rate for Greater Geelong of 2.1 percent per year, instead of 2.5 per cent.

This resulted in the floorspace requirements for the conservative upside and optimistic upside scenarios being underestimated in the SGS Report (and consequently the Framework Plan). The exhibited and corrected figures are identified in Table 4.

Table 4 Exhibited and corrected floorspace demand figures

Scenario	Floorspace demand - exhibited figures (sqm)	Floorspace demand - corrected figures (sqm)
Conservative upside scenario		
Residential floorspace by 2050	339,612 – 508,695	399,058 – 548,197
Employment floorspace by 2050	655,097	862,217
Total floorspace by 2050	+994,709 – 1,163,756	+1,261,275 – 1,410,414
Optimistic upside scenario		
Residential floorspace by 2050	471,398 – 645,457	541,748 – 703,395
Employment floorspace by 2050	738,116	967,029
Total floorspace by 2050	+1,209,514 – 1,383,573	+1,508,777 – 1,670,424

(ii) Floorspace capacity analysis

The floorspace capacity analysis in the DELWP Report was informed by the population and employment forecasts in the SGS Report. The capacity analysis is based on assumptions about:

- the type of sites that might be developed within Central Geelong in the coming 30 years
- the probability of sites being developed
- the yield efficiency that different sites might be able to realise.

These assumptions recognise that some sites are constrained by heritage, size, narrowness, recently constructed development, being in public ownership, flooding and so on, which makes them less likely to be developed to their theoretical capacity under the proposed controls (or even redeveloped at all).

The capacity analysis estimated that the exhibited controls would deliver an additional 1,222,563 square metres of floorspace (net total). The capacity analysis considers all three of the SGS scenarios (Base Case, Upside and Optimistic) and concludes that the Framework Plan can accommodate the growth forecast by SGS in both the Base Case and Upside scenarios (but not the Optimistic scenario).

After the error in the SGS Report was discovered, DELWP provided updated floor space demand calculations, based on the corrected population growth rate (Document 5). The Committee considered that further detail was required, including the implications of this increased floorspace demand for the capacity analysis in the DELWP Report. It directed DELWP to provide the following (Document 7):

- updates to the SGS Report of:
 - all affected tables including changes to raw numbers and percentage adjustments to figures in the tables (population and floorspace)
 - key conclusions
- a document setting out:
 - updates of related content in the draft Framework Plan
 - any prospective changes directly related to floor space capacity to the Amendment that DELWP has instructed its experts to consider
 - the rationale for considering each of the prospective changes.

DELWP's response is provided in Documents 21 and 22. It included changes to the Framework Plan and controls to increase building heights, street wall heights and FARs in some areas to create additional floorspace capacity to accommodate the extra demand. The changes to the Framework Plan and controls are included in DELWP's Day 1 versions (Documents 34, 35, 37 and 38).

DELWP calculated that these adjustments to the controls would deliver an additional 80,722 square metres of floor space, after discounts have been applied consistent with chapter 7.7 of the background report. The revised 2050 total capacity of the Day 1 version of the controls is 1,303,284 square metres of floorspace (net total).

(iii) Transport Strategy

The Transport Strategy provides high level policy guidance for the transport and movement networks within Central Geelong for the next 30 years. It suggests that forecast growth will outstrip existing and new infrastructure capacity and reliance on private car trips would undermine local economic activity.

The Transport Strategy seeks to maximise the use of the whole transport network by shifting travel to more efficient and sustainable modes such as public transport, cycling and walking, recognising that private car travel will continue to have a significant mode share. The overarching objective is to make Central Geelong easy for people to access and get around.

3 Planning context

3.1 Planning policy framework

(i) Victorian planning objectives

The State policy objectives set out in section 4 of the PE Act are:

- a) to provide for the fair, orderly, economic and sustainable use and development of land
- b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity
- c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria
- d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- e) to protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community
- f) to facilitate development in accordance with the objectives set out in paragraphs a), b), c), d) and e)
- g) to balance the present and future interests of all Victorians.

(ii) State and local planning policy

Part 6.2 of DELWP's Part A submission sets out various clauses of the state and local Planning Policy Framework that support, or are supported by, the Amendment. The planning experts largely agreed with DELWP's identification of the key clauses, and identified other relevant clauses. The Committee has reviewed the policies identified by DELWP and the various experts and agrees that they broadly identify the relevant aspects of the policy framework. They are not repeated here, but are discussed in the relevant chapter in this report.

3.2 Key strategies and policies

(i) Revitalising Central Geelong Action Plan

The RCG Action Plan sets out State and local government plans to drive change in Central Geelong and initiatives to stimulate new jobs and growth. It aims to encourage:

- people living and working in the city
- permanent and construction job creation
- demand for retail and services
- creativity and vibrancy across the city day and night
- new development opportunities
- private sector confidence to invest in Central Geelong.

The RCG Action Plan details actions and initiatives to provide or upgrade infrastructure, identify and facilitate 'seed' projects, provide certainty through streamlined planning and foster Central Geelong's emerging identity.

The Framework Plan and draft Amendment have been developed in response to the RCG Action Plan:

Review the Activity Centre Zone that applies in central Geelong to ensure it supports the thriving city centre.

DELWP's Part A submission provides a useful summary of the investment made by multiple levels of government in Central Geelong and the broader region since the RCG Action Plan was developed. There have been seen several significant developments and major infrastructure upgrades in Central Geelong which have influenced and informed the Framework Plan.

(ii) The G21 Regional Growth Plan

The G21 Region Alliance (G21) comprises the municipalities of Greater Geelong, Queenscliffe, Colac Otway, Surf Coast and Golden Plains.

The *G21 Regional Growth Plan 2013* provides overarching guidance for the strategic development of the G21 to 2050. The purpose of the Regional Growth Plan is to identify:

- opportunities for managing the future growth of population, employment and housing
- opportunities for supporting regional level infrastructure, providing an essential contribution to the long-term sustainability of the region
- natural assets which require protection.

The key land use implication for Central Geelong is:

... securing the primacy of Central Geelong as the vibrant, dynamic regional focus for investment, retail, education, culture, leisure, commerce, services and higher density residential dwellings.

Strategy 4.7:

Reinforcing the role of Central Geelong as a regional city and Victoria's second largest city: major infill is proposed to support the revitalisation and strengthening of central Geelong.

Strategy 4.12:

Strengthening Central Geelong: continue to develop Central Geelong as a major regional city and Victoria's second city by supporting growth in the education, health and services sector, increasing the number of people living in the city and delivering key outcomes such as the convention centre, Yarra Street Pier, Cultural Precinct and Vision II initiatives.

(iii) Geelong Settlement Strategy

The Settlement Strategy provides strategic direction on the spatial distribution of residential growth in Greater Geelong. The Strategy is being implemented by Amendment C395ggee.

The Strategy:

- acknowledges the anticipated pressure on the Greater Geelong area from an increasing population
- provides for increasing the role of urban consolidation as part of Geelong's overall housing supply, and identifies Central Geelong as the most significant area for urban consolidation
- sets out a target for Central Geelong to reach 10,000 people by 2026, achieved through high-density infill developments
- directs high density housing growth to Central Geelong
- contemplates a strategic planning program to increase the contribution of the station environs to future housing needs and mixed use development.

The Settlement Strategy looked at five population growth scenarios for the Greater Geelong area:

- Scenario A – 1.3 per cent per annum, based on long term historic averages
- Scenario B – 1.6 per cent per annum, based on then current Victoria in Future projections
- Scenario C – 2 per cent per annum, based on population growth over the last 3 to 4 years (the ‘strong growth’ scenario)
- Scenario D – 2.5 per cent per annum, based on the G21 Regional Growth Plan (the ‘aspirational’ growth scenario)
- Scenario E – 3.0 per cent per annum (the ‘growth surge’ scenario).

The Settlement Strategy adopted Scenario D (the ‘aspirational growth’ scenario) to calculate future housing demand (with the Committee’s emphasis):

The aspirational scenario is being realised at the moment and is generating extra demand for housing and associated infrastructure and services. While we are currently experiencing growth at 2.7 per cent, the current five-year growth rate is still at 2.0 per cent. For this reason, scenario D (2.5 per cent) has been used as the primary basis for calculating housing demand, greenfield land adequacy and the timing of future land releases. This allows room to adjust if growth rates do surge to 3.0 per cent, which can be picked up with annual and five year trend monitoring, without raising expectations and demands around future housing supply requirements.

The Settlement Strategy informed the growth projections associated with the Framework Plan and draft Amendment, including the SGS Report, which are based on Scenario D.

(iv) **Paleert Tjaara Dja**

The Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) is the Registered Aboriginal Party for an area of Victoria extending from Beaufort, Skipton and Lismore in the north and west, to Aireys Inlet in the south west and Werribee in the south east. It includes Geelong (Djilang). WTOAC has developed *Paleert Tjaara Dja – Let’s make Country good together 2020–2030 – Wadawurrung Country Plan*.

DELWP’s Part A submission states:

Acknowledging the Wadawurrung people’s long connection and relationship to Djilang, the Framework Plan seeks to develop and imbed a new philosophy to central city planning by supporting the future preparation of the Wadawurrung Urban Design and Living Heritage Conservation Guidelines.

These future guidelines will seek to guide Geelong’s/Djilang’s built environment to better embrace Wadawurrung Traditional Owners’ values of place-care and placemaking, while recognising the value that the culture, history and people of the Wadawurrung can provide when planning a built environment like Central Geelong.

The guidelines will be developed in partnership between DELWP, WTOAC, Council and the Office of the Victorian Government Architect to reflect principles outlined in *Paleert Tjaara Dja*.

Paleert Tjaara Dja identifies nine values on Wadawurrung Country that are sought to be protected:

- Wadawurrung culture and people
- Wadawurrung cultural sites and places
- Enterprise and employment
- Bush tucker, medicines and resources
- Yulluk (Waterways, Rivers, estuaries and wetlands)
- Inland Country
- Coastal Country

- Warre – Sea Country
- Native animals.

3.3 Other relevant strategies and policies

(i) Plan Melbourne

Outcome 7 in Plan Melbourne is particularly relevant to the Amendment. The Outcome is set out in Table 5, along with its supporting Directions and Policies.

Table 5 Relevant sections of Plan Melbourne

Outcome	Directions	Policies
Outcome 7 Regional Victoria is productive, sustainable and supports jobs and economic growth	Direction 7.1 Invest in regional Victoria to support housing and economic growth	Policy 7.1.1 Stimulate employment and growth in regional cities
	Direction 7.2 Improve connections between cities and regions	Policy 7.2.1 Improve transport and digital connectivity for regional Victoria

(ii) UNESCO City of Design

Designated in 2017, Geelong is Australia's first (and only) UNESCO City of Design. The designation is focused on the use of creativity and innovation to build more sustainable, resilient and inclusive communities.

According to DELWP's Part A submission, the Framework Plan:

... aims to cement Geelong as a UNESCO City of Design. The [Framework Plan's] urban design strategy identifies the strong potential to leverage Central Geelong's strengths by ensuring new development is sustainable, meets design quality standards and builds on, rather than erodes, these identities. Strategies are outlined to manage built form character and heritage, urban structure and views, design quality and materiality and sustainability and urban greening.

Council maintains the Geelong: City of Design website¹, that outlines major projects and current activities associated with the designation.

(iii) Housing Diversity Strategy

The Housing Diversity Strategy 2007 nominates the Central Geelong area (including the Western Wedge) as a Key Development Area for medium and high density housing. The other two Key Development Areas are West Fyans and Waurin Ponds. The Housing Diversity Strategy estimates that the Key Development Areas might accommodate an additional 9,000 dwellings. No time frame was set for achieving this estimated increase in dwelling numbers.

(iv) Social Housing Plan

The *City of Greater Geelong Social Housing Plan 2020–2041* (February 2020) (Social Housing Plan) reflects the Greater Geelong community values of access to affordable housing and support for vulnerable community members. The Plan provides a framework designed to meet the housing needs of the lowest income households in the community.

¹ <https://www.geelongcityofdesign.com.au/>

(v) Distinctive areas and landscapes program

The PE Act sets out four broad, interrelated objectives for distinctive areas and landscapes:

- to recognise the importance of distinctive areas and landscapes to the people of Victoria and to protect and conserve their unique features and special characteristics
- to enhance the conservation of the environment in declared areas including unique habitats, ecosystems and biodiversity
- to enable the integration of policy development, implementation and decision making through Statements of Planning Policy
- to recognise the connection and stewardship of Traditional Owners.

The Minister for Planning has declared both the Surf Coast and the Bellarine Peninsula as distinctive areas and landscapes. DELWP is currently preparing Statements of Planning Policy for these declared areas, in consultation with local councils, Traditional Owners, government agencies, and other responsible public entities.

The draft Statements of Planning Policy propose a number of protected settlement boundaries for townships in the Greater Geelong region to ensure long-term growth is directed into appropriate areas for settlement.

The Statements of Planning Policy for Surf Coast and the Bellarine Peninsula, including any final protected settlement boundaries, are expected to be finalised and approved in 2022.

(vi) Other strategic documents

Section 3.8 of the DELWP Report contains a comprehensive list of relevant strategic documents, with a short summary of their contents. The Committee found this very useful, but in the interests of brevity it has not repeated that summary here.

3.4 Planning scheme provisions

A common zone and overlay purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework.

(i) Zones and Overlays

Land in Central Geelong is currently in a range of zones shown in Figure 6 below:

- ACZ1
- Public Use Zone 2 (Education) and 3 (Health and Community)
- Residential Growth Zone Schedule 1
- Mixed Use Zone.

The Amendment will retain the Public Use Zone, but will rezone the Mixed Use and Residential Growth zoned land in the Activity Centre to ACZ (with the revised Schedule 1). The purposes of the ACZ are:

- To encourage a mix of uses and the intensive development of the activity centre:
 - as a focus for business, shopping, working, housing, leisure, transport and community facilities
 - to support sustainable urban outcomes that maximise the use of infrastructure and public transport.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
- To facilitate use and development of land in accordance with the Development Framework for the activity centre.

Several overlays apply:

- Design and Development Overlay Schedule 17 (Central Geelong Activity Centre - Western Wedge Peripheral Precincts)
- Design and Development Overlay Schedule 36 (Emergency Medical Service Helicopter Flight Path Area – H3 Rooftop Helipad)
- Heritage Overlay
- Land Subject to Inundation Overlay and Special Building Overlay
- Specific Controls Overlay Schedule 2 (Geelong Waterfront Safe Harbour Precinct Project Incorporated Document, July 2019)
- Environmental Audit Overlay.

These will all be retained. The DDO17 will be amended to remove references to the Inner Wedge Precinct.

Large areas within Central Geelong are within (and will remain within) the Heritage Overlay (see Figure 6). The purposes of the Heritage Overlay are:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Figure 6 Current zoning and Heritage Overlay map



Source: Vicplan

3.5 Ministerial Directions and Practice Notes

(i) Ministerial Direction 11 (Strategic Assessment of Amendments)

The Explanatory Report discusses how the draft Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines) (PPN46). That discussion is not repeated here.

A range of other Planning Practice Notes (PPNs) are also relevant.

(ii) Planning Practice Note 56 (Activity Centre Zone)

PPN56 explains the function of and provides guidance on how to apply the ACZ. The ACZ is the preferred tool to guide and facilitate the use and development of land in activity centres.

PPN56 notes that the ACZ is:

... a centre-wide tool developed specifically for application at activity centres and Metropolitan Activity Centres in metropolitan Melbourne... [and that] it has also been developed for application at larger regional cities which demonstrate distinct 'CBD' type functions and have undertaken a structure planning process.

PPN56 encourages a precinct-based approach in activity centres. It states:

To assist in implementing a structure plan and applying the ACZ the activity centre is usually divided into precincts.

All precincts need to be identified on the Framework Plan and should be based on the predominant preferred land use or land use mix for the precinct.

The schedule to the ACZ can then be used to ensure that objectives and requirements for particular precincts are delivered.

PPN56 directs that:

... as much as possible, the ACZ should be used to remove the need for additional overlays to be applied at the centre. Overlays that are generally appropriate to be incorporated into the ACZ include the Design and Development Overlay, Incorporated Plan Overlay and Development Plan Overlay. Where Heritage Overlays apply, these should be retained.

(iii) Planning Practice Note 59 (The role of mandatory provisions in Planning Schemes)

PPN59 provides guidance on the use of mandatory provisions in planning schemes. It notes that the Victoria Planning Provisions are primarily based on the principle that there should be discretion for most developments, and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.

PPN59 states that mandatory provisions are the exception. Nevertheless, *"there will be circumstances where a mandatory provision will provide certainty and ensure a preferable and efficient outcome"*.

PPN59 sets out five criteria to determine whether mandatory controls are warranted:

- Is the mandatory provision strategically supported?
- Is the mandatory provision appropriate to the majority of proposals?
- Does the mandatory provision provide for the preferred outcome?
- Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
- Will the mandatory provision reduce administrative costs?

(iv) Planning Practice Note 60 (Height and setback controls for Activity Centres)

PPN60 provides guidance on the preferred approach to the application of height and setback controls for activity centres.

PPN60 notes that change is anticipated and encouraged in and around activity centres, but needs to be managed carefully through structure planning:

This will ensure that new development maintains an appropriate level of amenity and integrates with existing and proposed land uses and built forms.

PPN60 indicates that height and setback controls can be appropriate so long as they are not aimed at restricting the built form, but at facilitating good design outcomes. Proposed height and setback controls must be soundly based on strategic research and background analysis that demonstrates consistency with policy and includes a comprehensive built form analysis.

PPN60 states that any built form controls introduced to an Activity Centre should provide for development that is *“in line with a structure plan or comprehensive built form analysis for the activity centre. These controls could be discretionary or mandatory, or a combination of both.”*

PART B STRATEGIC ISSUES

4 Growth and capacity

4.1 Context

(i) The SGS Report

As described in Chapter 2.4(i), the SGS Report contains three modelled growth scenarios:

- base case
- conservative upside
- optimistic upside.

Evidence and submissions referred to the 'conservative upside' scenario as the 'upside' scenario, and the 'optimistic upside' scenario as the 'optimistic' scenario. The Committee has adopted the same terminology to avoid confusion.

The SGS Report recommends adopting the 'upside' scenario for structure planning purposes. The upside scenario assumes:

- the Greater Geelong area will have a 2.5 per cent average annual population growth rate (Scenario D in the Settlement Strategy)
- Central Geelong will have a 2 to 2.5 per cent share of the Greater Geelong population growth (compared to a 2.5 to 3 per cent share in the optimistic scenario)
- Greater Geelong will have a 2.8 per cent average annual jobs growth rate
- Central Geelong will have a 2.6 per cent average annual jobs growth rate.

The key outputs from the SGS scenarios are land use demand projections, in the form of estimates of employment and residential floorspace required in Central Geelong at 2050 to accommodate the projected residential and employment populations at that time.

As noted in Chapter 2.4(i), an error was identified in the SGS Report when the expert evidence was being prepared. The calculations in the Report were based on an annual average population growth rate for Greater Geelong of 2.1 instead of 2.5 per cent. This was rectified, and resulted in corrections to the floorspace demand calculations which are set out in Table 4.

(ii) The capacity analysis

As noted in Chapter 2.4(ii), the DELWP Report included a capacity analysis of the floorspace available under the proposed controls. It estimated that the exhibited controls would deliver a total of 1,222,563 square metres of additional floorspace.

DELWP updated the floorspace capacity calculations based on the adjustments to heights, street wall heights and FARs in the Day 1 Framework Plan and ACZ1, which were partly based on finding additional floorspace to account for the corrected SGS floorspace projections. The updated capacity analysis estimated that the adjusted controls would deliver a total of 1,303,284 square metres of additional floorspace.

4.2 The issues

The issues are:

- the suitability of the SGS Report

- whether the controls provide sufficient capacity to accommodate both housing and employment floorspace demand to 2050.

4.3 Evidence and submissions

DELWP called Mr Fensham of SGS Economics to present evidence about the SGS Report and growth scenarios in Central Geelong. His evidence describes in detail the assumptions that have been adopted in each of the scenarios considered in the SGS Report.

Mr Fensham's evidence in relation to the Central Geelong jobs projections to 2050 was:

- the job projections suggested by the upside and optimistic scenarios are plausible and attainable, though still very ambitious
- a 2.6 per cent annual average growth rate is considerably higher than 2.1 per cent that was achieved between 2011 and 2016 in central Geelong
- the alternative future industry mix adopted in the upside and optimistic scenarios assumes a more rapid evolution and maturing of Central Geelong as an employment centre
- the share of jobs in key city centre and service sector activities – such as Accommodation and Food Services, Financial and Insurance Services, Professional, Scientific and Technical Services and Public Administration and Safety – has been adjusted upward in the upside and optimistic scenarios.

In terms of employment floorspace needed to accommodate the jobs, Mr Fensham's evidence was that the upside scenario adds a demand over 860,000 square metres of additional employment floorspace, almost double the existing floorspace. The optimistic scenario adds over 967,000 square metres of new employment floorspace demand.

Mr Fensham advised that the Health sector is predicted to take up a significant share of the new employment floorspace demand in all scenarios (324,000 square metres in the upside scenario, which is 37.5 per cent of all new employment floorspace in Central Geelong). At present the Health sector accounts for around 10 per cent of the total employment floorspace in Central Geelong. Mr Fensham considered that it is "*highly plausible*" that the projected growth in the Health sector may not occur as projected (as more health sector jobs may occur at suburban locations).

Having noted this, Mr Fensham considered the corrected projection of employment floorspace demand is valid, noting that it also provides "*a useful and appropriate buffer in the forecast at this time*".

In relation to population forecasts and residential floorspace demand, Mr Fensham's evidence was that the upside scenario assumption that Central Geelong would have a 2 to 2.5 per cent share of the Greater Geelong average annual population growth (of 2.5 per cent) is reasonable. Based on assumptions that:

- the average household size for a new dwelling in Central Geelong is 1.8 persons per household
- the average dwelling size for new apartments in Central Geelong is between 90 and 94 square metres (gross floor area)

The upside scenario generates a demand for an additional 339,000 to 548,000 square metres of residential floorspace. At the upper end, this is a more than six-fold increase on the current

residential floorspace in Central Geelong. Extrapolated, the upside forecast equates to the construction of around 200 new apartments or dwellings in Central Geelong each and every year for the next 30 years.

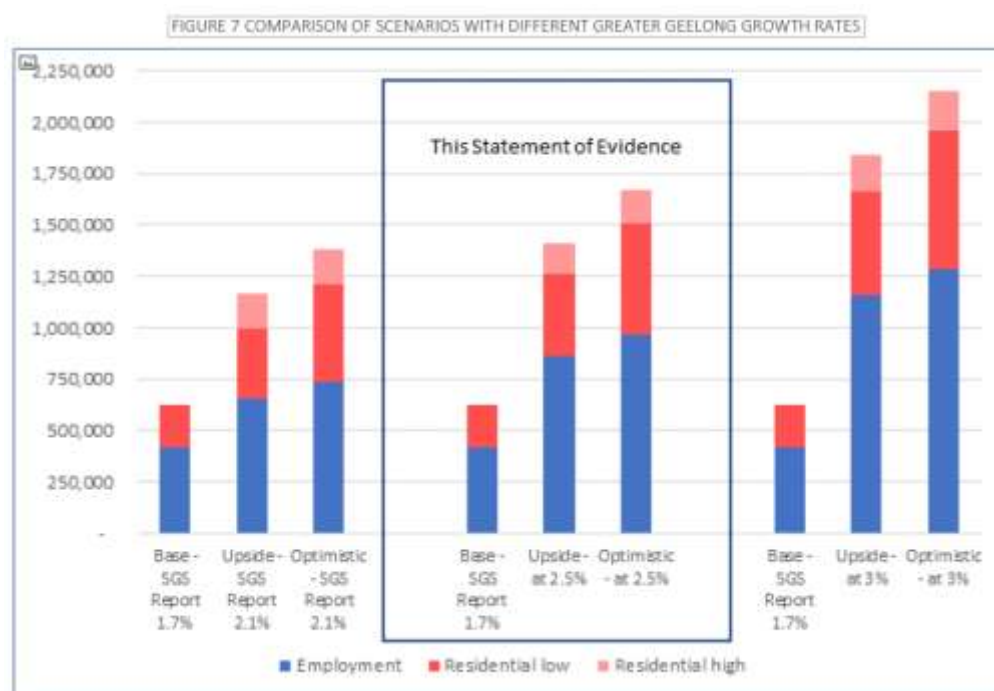
By way of comparison, the optimistic scenario (which assumes Central Geelong will have a 2.5 to 3 per cent share of the Greater Geelong area's average annual population growth) generates a demand for an additional 542,000 to 703,000 square metres of residential floorspace.

The total (corrected) combined floorspace projection for Central Geelong (employment and residential) under the:

- upside scenario is between 1.26 million and 1.41 million square metres
- optimistic scenario is between 1.51 million to 1.67 million square metres.

Mr Fensham provided a sensitivity analysis in his witness statement utilising a 3 per cent annual average growth rate for Greater Geelong to 2050 (the 'growth surge' scenario in the Settlement Strategy). He described this as a *"more aggressive and highly implausible"* scenario. Based on a 3 per cent annual average growth rate, the total additional floorspace required in Central Geelong by 2050 increases to between 1.66 million and 1.84 million square metres as shown in Figure 7 below.

Figure 7 Sensitivity analysis of the floorspace demand assuming a 3 per cent annual average population growth rate for Greater Geelong



Source: Figure 7 from Mr Fensham's Evidence Statement

Mr Fensham did not regard a 3 per cent annual average growth rate for Greater Geelong as plausible:

This rate of growth hasn't been achieved in recent years when Greater Geelong has been growing at a rapid rate, and a sustained 3% rate for over 30 years is highly unlikely – not least because of the increasing base population that makes achieving this rate harder every year, implying an ever growing annual increase in population.

Mr Fensham acknowledged that to fall within the floorspace demand range in the corrected upside scenario (based on a 2.5 per cent annual average growth rate for Greater Geelong), 40,000

to 400,000 square metres of additional floorspace would be needed. However, he did not consider it was necessary to plan for this extra floorspace, given *“the series and sensitivity of assumptions required to generate the employment floorspace scenarios, and the general uncertainty of the future depth of Geelong’s economic base”*.

Mr Fensham reiterated that providing an additional 1.2 million square metres capacity in the exhibited planning controls is adequate to accommodate a significant pipeline of accelerated development in Central Geelong.

Mr Fensham pointed to the risks of providing an excessive or unlimited capacity envelope:

- Poorly targeted infrastructure planning and provision that in the absence of a planned development pathway based on projected demand risks being either insufficient or over-provided with inefficient and costly results.
- Having insufficient guidance as to when to seek impact mitigation contributions for impacts on infrastructure from out of sequence or unplanned developments.
- Speculative land market activity, potentially leading to inflated price expectations which can work against the achievement of early and positive development (Gosford and Wollongong suffered from this following a major lifting of development potential in 2006).
- ‘Lopsided’ development where a few major developments are able to take advantage of generous site specific development controls and are then able to monopolise the available demand.

In respect of DELWP’s revised capacity analysis, Mr Fensham supported the Day 1 changes to the draft Amendment to facilitate a net increase of 80,721 square metres in floorspace capacity, provided that the planning merits of the additional floorspace capacity are justified.

DELWP called Mr Reynolds and Mr Stokes of Spatial Economics to provide a peer review of SGS Report. Their evidence was:

- the methodology adopted by SGS in preparing their population and employment forecasts and associated floorspace demand calculations were reasonable
- the adoption of a 2.5 per cent growth rate for Greater Geelong, as identified in the Geelong Settlement Strategy, was reasonable
- consideration should be given to using a 3 per cent growth scenario for sensitivity analysis of the long-term floorspace requirements.

Mr Woodland gave planning evidence for DELWP. His evidence noted that:

- State housing policy calls for planning to meet the housing needs over at least a 15 year period at the municipal scale
- PPN 60 states that planning authorities should be able to demonstrate that there is sufficient land and capacity available within an activity centre to meet forecast demand and projected population growth over at least a 15-year period, and beyond this to *“a 30 year horizon”*.

Mr Woodland considered that the general approach taken by SGS in its assessment is appropriate for the purposes of informing a long term strategic plan such as the Framework Plan. With respect to residential floorspace, he considered that there is a possibility that demand for apartments in Central Geelong might grow more quickly than SGS’s upside projection anticipates over the coming 30 years. With respect to whether additional capacity should be provided in the planning framework to accommodate growth rates above 2.5 per cent, he stated (original emphasis):

I do not consider that adopting a growth rate higher than Council’s Scenario D growth rates is warranted. This forecast is based on a population growth rate that is *higher than*

Geelong's population growth over the last 3-4 years, when growth stepped up to a level not seen in the last 35 years.

The Geelong Settlement Strategy adopts Scenario D for the purpose of its long term settlement planning, on the basis that whilst a 2.5% growth rate is higher than the recent very strong growth rates, it allows room to adjust if growth rates do surge to 3.0 per cent, which can be picked up with annual and five year trend monitoring, without raising expectations and demands around future housing supply requirements.

Mr Woodland concluded that he was satisfied that the demand forecasts and capacity analysis have reasonably demonstrated that the Framework Plan provides for significant population and housing growth under a reasonable range of growth and land development scenarios over the long term (30 years).

Mr Woodland recommended that sections 5.1 (Land use and economy) and 5.2 (Residential growth and housing choice) of the Framework Plan be amended to identify and describe the population, employment and residential floorspace forecasts that have been adopted for Central Geelong under the Framework Plan.

Mr Quick gave economic evidence for Scentre Group. While he considered that the methodology adopted by SGS was generally appropriate, he was critical that both SGS's upside and optimistic scenarios represent "*mid-range potential outcomes rather than representing the extremes of what demand might be*". He considered that a higher population scenario should also have been included in the analysis, such as the 3 per cent sensitivity analysis in Mr Fensham's evidence – which he categorised as being "*a plausible long term scenario*".

Further, Mr Quick considered that given the uncertainty created by the high number of assumptions utilised in the scenario modelling, it is possible that floorspace demand will be substantially higher than the SGS modelling forecast. He thought this should be allowed for in the Framework Plan:

It is critical that the Framework Plan provides the flexibility to ensure substantial and feasible development, particularly on strategic sites.

Ultimately, there is a fundamental mismatch in the analysis between demand and capacity which is not adequately addressed by the Framework Plan or the Amendment.

Council supported the 2.5 per cent population growth rate for Greater Geelong adopted to inform the floorspace demand projections. Council noted that this is the rate adopted in the Settlement Strategy, albeit that the Settlement Strategy is based on a 15 year time frame, for both its population projections and land supply considerations.

Council submitted that, consistent with Mr Fensham and Mr Stokes expert opinions, there is a need for caution when projecting future population and floor space requirements over a 30 year horizon. Council submitted that both Council and the State Government are well placed to continue to monitor Central Geelong's population growth and floor space supply and demand. Council employs demographers Id Consulting to regularly monitor and report on Greater Geelong's population and other demographic indicators, and use Spatial Economics to monitor land supply and demand. Council submitted:

If the projections play out differently to what is expected a review of the Framework Plan and ACZ1 could be undertaken. Even if growth occurs as projected a 10 year review should be undertaken to adjust the Framework and reflect current best practice.

Council noted that under cross examination, Professor McGauran gave evidence that *“there is plenty of scope for the town centre boundary to be moved and expanded over time if Geelong is going gang busters”*. Council noted in its closing submission:

At South Geelong the draft UDF clearly shows the potential for apartment development on the Barwon Water site north of South Geelong Station and there is scope for a mix of employment and residential along Moorabool Street opposite GMHBA stadium. In Geelong West along Gordon Avenue (directly opposite the Geelong Train Station) the draft UDF proposes medium to high density mixed use residential and employment development on currently underutilised land. This continues further into Pakington Street, all within walking distance of Central Geelong.

The UDIA and the Committee for Geelong submitted that planning for Central Geelong should be designed to accommodate at least a 3 per cent growth scenario for Greater Geelong. They submitted that there are no public dis-benefits that would flow from adopting this position. They noted that Mr Reynolds had undertaken a sensitivity analysis based on a 3 per cent growth scenario, and submitted:

... if the framework is not adjusted to embrace more extensive development, key development sites will be under-developed in the short term. Key sites are a valuable community planning resource to be maximized for wider benefits.

Scentre Group submitted that the Framework Plan’s stated ambition to provide *“an excess capacity [of floorspace within the activity centre] ... to create a capacity buffer and to support choice in the market for which sites are developed”* is appropriate, given the complexities of the property market and the various factors that inform investment decisions. It submitted that the Committee should favour the implementation of planning controls that would cater for the upper end of the 2.5 per cent scenario (being an additional floor space demand of 1.67 million square metres) as being an *“appropriate aspirational target”* on the basis that:

- (i) the so called ‘upside’ scenario is properly characterised as constituting the lower end of the middle growth scenario through to 2050;
- (ii) the so called ‘optimistic’ scenario is properly characterised as constituting a higher end of the middle growth scenario through to 2050.

Scentre Group (and many of the other key parties) was critical of DELWP for not providing a capacity analysis that could be critically reviewed and tested prior to the Hearing, or reviewed and assessed by the Committee. Scentre Group was disappointed that no analysis has been provided as to whether capacity is sufficient within the various precincts to ensure that they can perform their designated function, and whether capacity is sufficient to accommodate the modelled demand by land use category.

81-101 Mercer Street Pty Ltd (Mercer) generally adopted the Scentre Group submissions concerning the demand and capacity analysis.

DELWP submitted:

In the present case, it is necessary to balance the need to facilitate growth and development in Central Geelong commensurate with Geelong’s role as Victoria’s second largest city and the need to protect those aspects of its valued character which make it uniquely Geelong, both now and in the future.

DELWP reiterated that it considered that a 2.5 per cent growth rate is an appropriate and sensible basis for projecting possible population growth and development. It stated that there is no compelling case for adopting a 3 per cent growth rate now, and submitted that the appropriate

response is for the Framework Plan to provide an adequate initial supply coupled with monitoring and review.

In rejecting the evidence and submissions advocating that forecasts be based on a 3 per cent annual average growth rate, DELWP submitted that 3 per cent:

- is in excess of the long-term growth average for Greater Geelong
- in excess of the growth rate supported in the City of Greater Geelong's Settlement Strategy; and
- in excess of the Victorian Treasury's short-term forecasts.

DELWP submitted that any risk of an undersupply of land:

- is remote and not anticipated to eventuate for approximately 20 years (based on the evidence of Mr Quick)
- only arises if both the modelling is correct (which is intrinsically unlikely over a 30 year timeframe) and nothing is done to allow for extra supply if higher rates of growth do occur
- can be managed through monitoring and review.

In relation to accommodating growth within the preferred heights, DELWP's closing submission stated:

With the exception of the 16m height limit, all of the proposed heights provide for significant uplift relative to existing conditions. As discussed earlier, the capacity of these height limits to accommodate a plausible level of growth was evaluated through the capacity modelling and considered to be adequate by the Department. Moreover, as explained, the discretionary nature of these heights limits means that they do not in fact restrict growth to the levels modelled.

4.4 Discussion

In assessing whether the controls provide appropriate capacity to accommodate both housing and employment floorspace demand in Central Geelong to 2050, the key questions are:

- floorspace demand – how much additional floorspace is likely to be required?
- floorspace capacity – will the controls provide sufficient capacity to meet the likely demand?

(i) Floorspace demand

SGS's corrected 'upside' floorspace demand forecast, based on a 2.5 per cent annual average growth rate for Greater Geelong, is an additional 1.26 million to 1.41 million square metres.

The Committee accepts that:

- the assumption of a 2.5 per cent growth rate is consistent with Council's Settlement Strategy, and is an appropriate basis on which to assess the population and job increases and consequent floorspace demand for Central Geelong
- SGS's corrected upside floorspace demand forecasts provide a realistic and likely projection of additional employment and residential floorspace demand in Central Geelong to the year 2050
- as noted by Mr Fensham, providing at least an additional 1.2 million square metres capacity in the planning controls will accommodate a significant pipeline of development over the forecast period.

The Committee accepts Mr Fensham's evidence, and the peer review provided by Mr Reynolds and Mr Stokes, that the methodology adopted by SGS in preparing the floorspace and employment forecasts are reasonable. It notes that Mr Quick did not take issue with the general methodology.

That said, the Committee considers it prudent for the Framework Plan and planning controls to provide excess development capacity. The Plan should aim to provide sufficient capacity to accommodate the high side of the forecast floorspace range for the corrected SGS 'optimistic' scenario (an additional 1.67 million square metres). The Committee considers this optimistic forecast is appropriate to adopt, at this time, so as to ensure future growth and development of Central Geelong, and in particular the capacity of key development sites, is not unreasonably constrained at the commencement of the implementation of the Framework Plan's vision for Central Geelong.

The Committee also notes that this projection falls just inside the estimate of forecast demand for the 'upside' scenario based on Mr Fensham's sensitivity analysis, adopting a 3.0 per cent annual average population growth rate for Central Geelong. The sensitivity analysis resulted in an estimated floorspace demand for the upside scenario of between 1.66 million and 1.84 million square metres.

The Committee considers it prudent to plan now for more floorspace than is projected to be required, rather than to potentially be left short and need to find more capacity in the future. In essence the Committee is concerned to ensure that capacity is not 'undercooked' from the start of the forecast period. While achievement of the employment and residential development outcomes forecast under SGS's 'optimistic' scenario by 2050 clearly represents an ambitious target, it is a possible outcome identified by SGS's modelling one that the Committee considers should be encouraged and accommodated within the planning controls.

Having reached the above conclusions, the Committee highlights that forming a definitive position on which employment and residential floorspace forecast should be adopted by the Framework Plan, and to be accommodated by the planning controls, has been a challenging task. As noted above, in framing its considerations the Committee has been keen to ensure that the controls create a capacity buffer, as is expressly sought by Framework Plan. The Framework Plan articulates this ambition as follows:

While a clear and justifiable methodology is required, due to assumptions, an excess capacity is desired to create a capacity buffer and to support choice in the market for which sites are developed.

The Committee accepts this is an appropriate outcome to be achieved, and considers that the potential negative consequences associated with underestimating the future floorspace demands outweigh the potential negative consequences of an over provision of floorspace capacity.

The Committee does not accept the proposition advanced during the Hearing by Professor McGauran, and accepted by Council, that if floorspace demand exceeds the capacity provided for by the planning controls, additional development capacity can easily be accommodated by expanding the City to the south or west via a subsequent review of the Framework Plan. The Committee acknowledges Council's submissions that the draft UDFs for South Geelong and Gordon Avenue/Pakington Street provide for increased densities, but the Committee understands that these are yet to be finalised. Further, the Committee observed during its site inspections that these areas have established residential built form character, and any increase in densities in these areas will need to be carefully managed.

The Committee considers the submissions that were advanced by Mercer to be particularly on-point in this regard:

The suggested 'safety net' of outward expansion and five yearly review, proffered by DELWP and its witnesses is unpersuasive. Expansion loses the walkability and agglomeration benefits of a dense city. Review is corrective only. Controls should be set well in the first place. When buildings are developed and subdivided, the opportunity to redevelop is essentially lost. We should not plan for a range of underdevelopments to occur, and then try and correct the situation years later.

(ii) Floorspace capacity

DELWP advised that the proposed Day 1 controls will deliver an additional 1,303,284 square metres of floorspace. This estimate incorporates additional floorspace to offset the impacts of the SGS error, and includes the application of discount and efficiency assumptions as outlined in Chapter 2.4(ii). The Committee does not have the capacity to review the veracity of the assessment as the modelling is not available to it. That said, the Committee notes the assumptions that have informed the projection is broadly reflective of the Day 1 planning controls.

During the course of the Hearing the merits of a significant number of additional variations to the planning controls were discussed and tested via both evidence and submissions. Having considered the merits of the proposed variations, DELWP advanced in its closing submissions (Document 178) a number of further possible changes to the assumptions underpinning the capacity analysis and/or the controls that would further increase the total floorspace capacity:

- around 50,000 square metres associated with the nomination of "*potential adjustments to submitter sites*"
- an additional 14,000 square metres on 245 Latrobe Terrace (the St George's Presbyterian Church site)
- an additional 100,000 square metres associated with a potential 25 per cent increase in the number of sites coming to market
- an unspecified amount of additional floorspace from increased capacity of sites in Mercer Street (if car parking was delivered underground)
- an unspecified amount of additional floorspace from development that may be approved that exceeds the preferred controls.

As discussed in Chapters 9.4 and 9.5, the Committee generally supports increasing the building heights and street wall heights on certain sites. Further, the Committee considers DELWP's revised assumptions are reasonable for forecasting purposes – some development will exceed the discretionary controls, and more sites may come to market if the demand for additional floorspace is strong.

The Committee calculates the net additional floorspace capacity to be delivered under the revised controls, including the above variations, would be approximately 1.5 million square metres. In order to accommodate the high end of the 'optimistic' scenario range (1.67 million square metres), an additional 170,000 square metres would need to be accommodated. The Committee considers that this is an achievable outcome.

Prior to the adoption of the Amendment, DELWP should undertake further work to ensure the controls are capable of delivering a total of 1.67 million square metres of additional floorspace, and to determine where the additional floorspace can be delivered. This will require additional built form testing, to ensure that the further adjustments to the controls can be justified in terms of the overall planning merits.

(iii) The absence of a discussion of capacity modelling in the Framework Plan

The Framework Plan provides no detail:

- of the base case, upside and optimistic scenarios prepared by SGS
- of the floorspace ranges needed to accommodate those growth scenarios
- of the capacity modelling to demonstrate that the planning controls proposed can deliver the floorspace forecasts.

The Committee considers this a significant flaw, and agrees with Mr Woodland that the Framework Plan should be amended to identify and describe:

- the forecast growth in population and jobs in Central Geelong to 2050
- the forecasts for employment and residential floorspace needed to accommodate that growth
- how that floorspace is to be delivered (i.e. an overview of the capacity modelling of the proposed planning controls).

The Committee considers this discussion should be presented either in section 1 (Introduction) or section 2 (Vision), or in its own section immediately following sections 1 and 2, in order to clearly frame the development ambition projected and planned for by the Framework Plan and associated controls.

Importantly, the discussion should not only articulate the projections adopted to inform the Framework, it should also clearly explain the results of, and the assumptions behind, the alternate scenarios considered by SGS, including the 3.0 per cent growth rate sensitivity analysis documented in Mr Fensham's evidence. Inclusion of the alternatives that have been considered not only provides valuable context now, but will prove useful in subsequent monitoring and review processes.

The discussion should also emphasise that the growth rate and corresponding floorspace demand forecasts and capacity analysis should not be used as a de facto cap on development.

Having noted this, the Committee disagrees with the Scentre Group's submission that the modelling had been designed to deliver only enough floorspace to satisfy the 2.5 per cent upside scenario, and the approach improperly constrains the development potential of sites in Central Geelong. The Committee agrees with DELWP that nothing in the Framework Plan nor the Amendment prohibits the development of sites assumed in the capacity analysis to be unlikely to be developed. As the controls are in the main discretionary, there is the potential that development outcomes will deliver more than the modelled capacity. Further, there is nothing in the local policy in Clause 21.09 or the decision guidelines in the ACZ1 that requires, or even supports consideration of the development projections in determining whether a particular development should be permitted to exceed a preferred metric (for example height).

4.5 Conclusions and recommendations

The Committee concludes:

- The floorspace projections contained in the SGS Report, together with Mr Fensham's 3 per cent sensitivity analysis, provide robust and appropriate projections upon which the Framework Plan can estimate likely demand to 2050.
- SGS's 'upside' floorspace forecast, based on the corrected 2.5 per cent average annual population growth rate across the municipality (generating a demand for an additional

1.26 million to 1.41 million square metres of floorspace) provides a realistic and likely projection of additional floorspace demand in Central Geelong to 2050.

- Nevertheless, consistent with the Frameworks Plan's stated goal of providing sufficient 'excess capacity' to allow for likely development outcomes, it is prudent for the Framework Plan and controls to allow for capacity up to the high side of the corrected 'optimistic' forecast (1.67 million square metres). This will ensure the future growth and development of Central Geelong is not unreasonably constrained at the commencement of the implementation of the Framework Plan's vision for Central Geelong.
- DELWP will need to undertake further work to further adjust the Day 1 controls to ensure that they provide sufficient employment and residential floorspace capacity to accommodate the Committee's recommended additional floorspace provision to 2050 of approximately 1.67 million square metres, and to determine where the additional capacity should be provided.
- A new chapter should be included in the front end of the Framework Plan to clearly articulate:
 - the growth scenarios used to inform the Framework Plan, together with a summary of the other modelled scenarios that formed part of the analysis (including Mr Fensham's 3.0 per cent growth rate sensitivity analysis)
 - the employment and residential floorspace demand forecasts on which the Framework Plan is based, based on the adopted growth scenario
 - how the floorspace demand forecasts are to be delivered (i.e. an overview of the capacity modelling of the proposed planning controls)
 - the methodology and assumptions of the floorspace demand projections and capacity analysis.
- The employment and residential floorspace projections and the capacity analysis should not to be used as de-facto caps on development. This should be expressed clearly in the Framework Plan.
- The Framework Plan should include a monitoring and review methodology that will be implemented to ensure at least a 15 year supply of employment and residential floorspace capacity within Central Geelong is maintained.

The Committee recommends:

Before the draft Amendment is adopted, undertake further work to:

- a) **ensure that the controls provide sufficient employment and residential floorspace capacity to accommodate the high side of the corrected SGS 'optimistic' forecast of approximately 1,670,000 square metres**
- b) **determine (including through built form testing) where the additional floorspace capacity should be provided.**

Amend the Framework Plan to include:

- a) **an overview of:**
 - **the growth scenarios considered in the SGS Land Use Market Assessment Report, as well as the 3.0 per cent growth rate scenario used in the sensitivity analysis in Mr Fensham's evidence statement (Document 20(e))**
 - **the employment and residential floorspace forecasts in the Land Use Market Assessment Report, based on the different (corrected) growth scenarios**

b) text to explain that:

- while the SGS corrected 'upside' scenario provides a realistic and likely projection of additional floorspace demand in Central Geelong to 2050, it is appropriate to provide for excess development capacity, up to the upper range of the corrected SGS 'optimistic' scenario (an additional 1,670,000 square metres)
- the employment and residential floorspace projections and the capacity analysis are not to be used as de-facto caps on development

c) details of the monitoring and review methodology that will be implemented to ensure at least a 15 year supply of residential and employment floorspace is maintained.

5 Affordable housing

5.1 The issues

The issues are:

- whether the outcomes sought by the Framework Plan are appropriate
- whether the draft Amendment should include affordable housing provisions

5.2 Evidence and submissions

Council's original submission in response to the exhibited material stated that the commentary and objectives included in the Framework Plan relating to affordable housing have not been adequately translated into the draft Amendment. Council noted that:

- there are no specific outcomes intended for social and affordable housing
- there is a lack of definitive direction and clarity on social and affordable housing requirements and outcomes, especially where value uplift is to occur through rezoning and where design standards are exceeded.

The original submission stated that Council would like to see social and affordable housing requirements included in the draft Amendment:

The social housing requirements should consider planning requirements such as those included in Fisherman's Bend and a value sharing component for development that exceeds design requirements. The Council will undertake further work to quantify these requirements in a Geelong context for presentation at the hearing.

A number of resident submitters supported the Framework Plan's encouragement of higher density, smaller and affordable housing options in Central Geelong. One submission recommended that the Framework Plan should be amended *"to increase the space available for new housing, allowing for new homes to be built quickly and at a lower cost per unit – exactly the conditions required to provide more affordable housing close to existing services and infrastructure."*

The G21 submission supported the Framework Plan's acknowledgment of the need to incorporate social, affordable and worker housing within Central Geelong. It submitted that the current affordable housing shortage within Geelong and the wider region needs to be tackled on multiple fronts, including in inner city areas where higher densities can be achieved.

The combined Committee for Geelong and the UDIA presentation noted Council's request to include controls in the Planning Scheme via the draft Amendment to require developer contributions for the provision of social and affordable housing. Both the Committee for Geelong and the UDIA were critical that the mechanisms advanced by Council's economic expert Dr Spiller did not form part of the exhibited Amendment. They submitted that the proposals need to be properly formed and considered through a separate future process.

Council's primary submission at the Hearing reiterated that there was a need for implementing specific social and affordable housing provisions into the Planning Scheme, through both policy and ACZ1 provisions. Dr Spiller recommended including specific provisions in the policy at Clause 21.09 and the ACZ1 to clarify what is expected of proponents regarding social and affordable housing. He recommended that Clause 21.09 be expanded to include:

- a key issue that recognises the need to provide adequate social and affordable housing infrastructure in Central Geelong
- an Objective along the lines of *“To ensure that all development within Central Geelong incorporates an appropriate proportion of social and affordable housing, or makes proportionate contribution to off-site provision of social and affordable housing”*.
- a strategy to encourage and provide direction for agreements under which proponents will provide social and affordable housing as part of their projects.

Dr Spiller suggested the following:

It is policy to assess proposals against the following criterion:

Development should provide at least 1.7 per cent of floorspace as affordable housing, unless it can be demonstrated that meeting the affordable housing objectives of this policy would render the proposed development economically unviable.

Dr Spiller highlighted that the above policy position would need to be supported by specific controls in the ACZ1 to provide clarity to proponents about what is expected of them. He recommended that a simplified version of the provisions in the site specific Incorporated Documents in Fishermans Bend would be appropriate.

Further, Dr Spiller recommended that a social housing uplift provision, similar to that which applies in Fishermans Bend, would be appropriate. He suggested an uplift of 8 square metres of additional floorspace for every 1 square metre of social housing floorspace provided above the 1.7 per cent target, and that this social housing be transferred to a registered provider at zero consideration. He also suggested a cash in lieu payment to an Affordable Housing Trust if on-site provision was not possible.

Mr Woodland recommended that the actions related to affordable housing and how they are to be given effect – either through the current draft Amendment or future changes to the Planning Scheme – should be reviewed. DELWP agreed with this recommendation and stated:

In the absence of a universal provision, DELWP supports including a target of 6 per cent affordable housing for Central Geelong in policy, consistent with the approach outlined in the Fishermans Bend Framework Plan and the recently released Arden/Macaulay Framework Plan.

Similarly, Professor McGauran recommended specifying a 6 per cent affordable housing policy target *“like West Melbourne and Fishermans Bend”*, and a *“value sharing component”* for development that exceeds the 6 per cent policy target. He did not specify the mechanics by which this should be implemented, including whether he thought it should be in the Framework Plan, the local policy in Clause 21.09, and/or in the ACZ1. Professor McGauran further recommended that the ACZ1 Decision Guidelines be amended to include consideration of social and affordable housing above 6 per cent where development proposes to exceed the preferred maximum heights and plot ratios.

Council reiterated in its closing submission that it continues to request that specific requirements be included in the Planning Scheme via the draft Amendment to require social and affordable housing contributions in Central Geelong:

Council believes that the current review of planning for Central Geelong is the time to “hard wire” social housing provisions into the planning scheme (using Dr Spiller’s expression). We are not in favour of waiting to see if the State Government introduces state-wide affordable housing provisions. This may or may not occur as we have seen with other proposed reforms such as the Infrastructure Contribution Plan roll out for regional Victoria which has not eventuated after several years of being imminent. We are also not in favour of having to

negotiate section 173 agreements for social housing contributions for each planning permit in Central Geelong in the absence of strong policy and zone requirements.

Council submitted that Dr Spiller's recommended changes to the ACZ1 should be incorporated, as well as an additional dot point in the list of Decision Guidelines to consider in assessing proposals that seek to exceed the preferred maximum building height, preferred maximum street wall heights, preferred minimum setbacks or the preferred plot ratio:

- Provides community benefit such as social and affordable housing, public realm enhancements and additional public open space.

The majority of submitters expressed concerns that they had not had the opportunity to consider and test Council's proposed changes to the local policy and the proposed ACZ1. The Scentre Group noted that based on the numbers advanced by Dr Spiller, its potential contribution would be in the order of \$27 million. It submitted that procedural fairness and transparency would not be afforded if these changes were introduced into the draft Amendment at this stage.

Montgomery International (Montgomery) noted in its letter accompanying its preferred version of the ACZ1 (Document 188) that it opposed Council's suggested inclusion of a requirement for the delivery of affordable housing through a section 173 agreement:

Montgomery opposes this attempt to 'wedge' a significant affordable housing requirement into the Schedule at the last minute in circumstances where that requirement was not part of the exhibited material and landowners have not had the opportunity to properly consider its implications, including, significantly, persons who are not part of the Advisory Committee process and cannot be aware of the suggested requirement.

Montgomery supported UDIA's position that any proposal in relation to the delivery of social and affordable housing needs to be properly prepared, exhibited and considered through a separate and transparent process:

As a matter of fairness, the Committee should reject Council's proposed drafting in this regard and instead recommend that Council pursue its affordable housing requirements through a separate future process.

DELWP sought the Committee's advice on Dr Spiller's recommendations, noting the need to be consistent with State Planning Policy and the Framework Plan. DELWP's closing submission concluded:

As indicated orally, in the absence of statewide provisions, the Department would be comfortable with the inclusion of policy provisions requiring the provision of affordable housing in line with the provisions proposed in the current Arden amendment.

5.3 Discussion

(i) The Framework Plan

The Committee considers that the Framework Plan clearly and appropriately recognises that Central Geelong has an important role to play in the delivery of social and affordable housing. Objective 10 of the Framework Plan is *"Help deliver affordable housing in Central Geelong"*. The Framework Plan notes that access to diverse, high quality and affordable housing is a priority for the ongoing productivity, liveability and social equality of Geelong. The Committee agrees with this observation and notes that it is consistent with policy at Clause 21.06-4 which seeks to *"increase the level of affordable and social housing in Greater Geelong"*.

In relation to the demand and future need for social and affordable housing, the Framework Plan quotes the findings of the Social Housing Plan which:

- estimates that there are approximately 10,500 households who urgently need affordable housing in Greater Geelong.
- sets targets of increasing the supply of social housing in Greater Geelong to 7 per cent by 2031, and 10 per cent by 2041.

The Framework Plan states that both the Victorian Government and Council have recognised the importance of providing a greater supply of appropriate social and affordable housing in well located areas that have access to transport, employment and services. The Committee agrees with the Framework Plan's acknowledgement that Central Geelong is a suitable location to contribute to affordable housing supply, not only due to its location, but also due to the existence of established community and health services and access to jobs, public transport, education, and retail services. The Committee also endorses Strategy 10.1 – *Work with all levels of government and developers to deliver affordable housing*.

The Framework Plan highlights that the Victorian Government has allocated \$180 million to Geelong Council as part of the Government's \$5.3 billion Big Housing Build commitment in 2020, and that the Victorian Government is currently reviewing affordable housing provisions and considering a universal and uniform requirement throughout all municipalities.

Chapter 6 of the Framework Plan deals with matters of implementation. In relation to delivery of public benefits such as affordable housing, it reiterates support for the delivery of housing diversity, including affordable housing. The Implementation Actions are shown in Table 6.

Table 6 **Actions, timing, responsibilities and stakeholders in the Framework Plan**

Action	Timing	Stakeholders
Action 10.1.1 Implement the initiatives from the City of Greater Geelong Social Housing Plan 2020–2041 (2020) recognising the importance of Central Geelong as a suitable location for affordable and social housing.	Short term	Council
Action 10.1.2 Establish affordable housing guidelines for Central Geelong that provide clarity and certainty regarding the amount of housing required, type of housing provided and the process for how it will be provided.	Ongoing	Council
Action 10.1.3 Monitor any changes to Victorian Government affordable housing provisions.	Ongoing	Council
Action 10.1.4 Work and collaborate with all levels of government to coordinate and identify sites for the development of well-located, surplus government sites that deliver higher proportions of social housing.	Ongoing	Council, DELWP, RCG Partnership, Vic Gov
Action 10.1.5 Encourage affordable housing initiatives and requirements to be communicated in the early stages of negotiations with developers. Early on, government can identify/trigger affordable housing requirements through a:	Short Term	Council, DELWP

-
- Housing needs assessment based on development strategy, proposal and demographics that identifies social housing requirements
 - Housing mix typology table that identifies preferred housing typologies at different sites
 - Location and criteria analysis
-

Source: Extract of Table 1, Central Geelong Framework Plan

The Committee considers these actions are generally sound, but agrees with Mr Woodland that *“the actions should be reviewed with a view to resolving how these are to be given effect noting that there is considerable ambiguity about how and when the actions are to be implemented”*.

The Committee notes that in relation to Action 10.1.1, key strategies identified in Council’s Social Housing Plan include:

Leadership Strategies

- Support the inclusion of mandatory planning controls – Advocate to the State Government for the inclusion of mandatory planning controls in the Victorian Planning for the provision of affordable housing.

Planning Strategies

- Amend the Greater Geelong Planning Scheme to require the inclusion of social and affordable housing in new developments based on identified need.
- Negotiate Section 173 Agreements with applicants.
- Identify principles to guide negotiations with developers on appropriate social and affordable housing outcomes.

Notably, the Framework Plan Actions do not include the introduction of immediate Planning Scheme changes.

(ii) The draft Amendment

Given the increasing demand for social and affordable housing, and the clear acknowledgment in Council’s Social Housing Plan of the need to amend the Planning Scheme to require inclusion of social and affordable housing provisions, the Committee considers it very unfortunate that the introduction of specific social and affordable housing planning policy and associated controls was not explicitly identified as a short term priority action in the Framework Plan and then advanced via the draft Amendment. This is a significant missed opportunity, which the Committee considers should be made good with further work, and further stakeholder engagement and review, prior to adoption of the Amendment.

In this regard the Committee broadly agrees with Council, DELWP and the expert opinions of Dr Spiller and Professor McGauran that it would be appropriate to amend Clause 21.09 to include Dr Spiller’s recommended key issue, Objective and Strategy (albeit with minor modifications to the wording of the Objective and Strategy), to provide direction for agreements under which a proponent agrees to provide social and affordable housing as part of their projects.

Dr Spiller’s Objective and Strategy contemplate all forms of development within Central Geelong providing a social and affordable housing contribution, either in the form of dwellings or as a cash in lieu contribution to off-site affordable housing. Affordable housing policies in other planning schemes that the Committee was taken to (including by Dr Spiller) are all limited to residential development. The Committee was not persuaded on the basis of Dr Spiller’s evidence that including non-residential development has been appropriately justified.

The other change relates to the metric for the contribution sought, which is discussed below.

(iii) The metric

In relation to providing direction for affordable housing agreements, the Committee has not landed on a metric that it believes has been adequately tested and justified.

The first option broadly discussed during the hearing was Dr Spiller's recommended rate of 1.7 per cent for every 1 square metre of market housing and employment floorspace (unless it can be demonstrated that meeting the affordable housing objectives of would render the proposed development economically unviable).

The alternate rate discussed was a 6 per cent contribution. This was favoured by DELWP and Professor McGauran and was consistent with the Fishermans Bend Framework Plan and the recently released Arden Framework Plan.

A key difference in the two approaches is, the rates adopted in Arden and Fishermans Bend only apply to new residential development, compared to Dr Spiller's rate which requires contributions from all new anticipated development in Central Geelong, including commercial, retail, institutional and residential development.

Some of the other key assumptions embedded in Dr Spiller's 1.7 per cent calculation, as outlined in Table 2 of his evidence statement, include:

- the total dwellings expected to be added to Central Geelong by 2050 is 5,572
- 14 per cent of the total dwelling stock of Central Geelong is to be required as social housing infrastructure
- the planning/development approval process should be responsible for delivering one third of all social housing infrastructure in Central Geelong (with the other thirds to be delivered by Commonwealth and State governments)
- the assumed procurement cost of social housing units (the market price) is \$660,000
- the average floor area of both market housing and social housing units is 85 square metres.

The draft local policy for Arden specifically requires developers to provide a minimum of 6 per cent of dwellings at a 50 per cent discount to market (or alternative mix of contribution and discount of an equivalent value).

As noted by Dr Spiller, a requirement to transfer 6 per cent of dwellings at a 35 per cent discount is equivalent to transferring 2.1 per cent of dwellings at zero consideration ($6\% \times 35\% = 2.1\%$). Dr Spiller's lower rate of 1.7 per cent is due to employment floorspace being included in his capture of new development.

Neither Dr Spiller's nor DELWP's proposed metrics are grounded by any reference in the Framework Plan or the draft Amendment. The first time that any interested or potentially impacted party was able to view Dr Spiller's assumptions was in his evidence statement, which was circulated just days prior to the Hearing commencing. If targets or provisions had been included in the exhibited documentation, the Committee considers it likely that detailed competing evidence would have been led.

Due to the complete absence of any anchoring discussion in the exhibited documentation, the Committee considers the development community should be provided the opportunity to review, make submissions and be heard on DELWP's preferred position in relation to these matters. At

present, the Committee considers that there is not sufficient transparency and validation of the preferred metrics.

Accordingly, the Committee considers that DELWP should undertake further work to determine the appropriate metrics for inclusion in both the local policy at Clause 21.09 and the ACZ1. This should include, but not be limited to critically reviewing and comparing the demand projections and underlying assumptions advanced by Dr Spiller with those contained in Council's Social Housing Plan. The use of different inputs and assumptions will result in significant variations in the quantum of financial or on-site contributions provided by the private sector. It is important that the metrics are strategically justified, transparent and economically viable (not of a magnitude that will render development unviable).

While not forming a definitive position on the matter, the Committee is uncomfortable with the somewhat broad nature of Dr Spiller's apportionment of responsibility for social housing provision. Dr Spiller's calculation of affordable housing demand in Central Geelong is founded on his state-wide assessment that the current need for affordable rental housing in Victoria, inclusive of social housing, amounts to 14 per cent of all households based on 2016 ABS data. This 14 per cent state-wide demand calculation is higher than the 11 per cent demand referred to in Council's Social Housing Plan. The Committee considers it appropriate for a high order sensitivity analysis to be undertaken, to shed light on the materiality of the three per cent difference.

The Committee also considers that the one third, one third, one third apportionment for delivery responsibility between the Commonwealth, State and 'Developers and the Planning System' may fail to adequately take account of the fact that increasingly the Commonwealth, State and private sector jointly fund and deliver affordable housing in partnerships.

With the current material that the Committee has before it, it has not been able to form a position on whether Dr Spiller's recommendation to apply the social housing levy, at an equal rate, to all commercial, retail, institutional and residential development in Central Geelong is appropriate.

(iv) Implementation

Dr Spiller's evidence statement provides a useful overview and critique regarding precedents for statutory implementation, citing examples from both the Melbourne and Port Phillip Planning Schemes and the expectations on the development industry concerning the 6 per cent affordable housing contribution.

The Committee accepts Dr Spiller's evidence that implementing the 6 per cent target in Fishermans Bend has proven problematic, and that is imperative for any proposed controls to clearly articulate the expectations of the development industry. The site specific Incorporated Documents considered by the Fishermans Bend Standing Advisory Committee (Amendments C163port, C166port, C172port and C177port) provide some guidance. The key element of those provisions is a requirement to deliver at least 6 per cent of the total number of dwellings as affordable housing, as defined by the Act, by utilising one or more of the following mechanisms:

- i. Transferring dwellings within the development to a registered housing agency or other housing provider or trust entity approved by the Responsible Authority at a minimum 35% discount to market value; or
- ii. Leasing dwellings within the development as affordable housing under the management of a registered housing agency or housing provider or trust approved by the Responsible Authority at a minimum 35% discount from market rent for a period of not less than 30

years for the building approved under this control. The overall value of the leased dwellings must be equivalent or higher to 4.60(a)(i); or

- iii. Any other mechanism providing a contribution of equivalent or higher value to Clause 4.60(a)(i) to the satisfaction of the Responsible Authority.

Importantly, the controls specify further guidance on what is to be delivered:

- b) The Affordable housing delivered under Clause 4.60(a) must:
 - i. be delivered within the development approved by this control;
 - ii. take the form of one or two or three bedroom dwellings representative of the approved dwelling mix;
 - iii. be functionally and physically indistinguishable from conventional dwellings within the development;
 - iv. include access to all common facilities within the building at no extra fee for occupants of affordable housing dwellings; and
 - v. allocate one or more bicycle parking space per dwelling for the life of the Affordable housing, unless otherwise agreed in writing by the Responsible Authority.
- c) ... if the affordable housing is delivered under Clause 4.60(a)(ii), the agreement must contain a mechanism for review of the minimum discount from market rent by reference to updated income and rental figures upon request by the Responsible Authority to ensure the housing continues to meet the definition of Affordable housing in the *Planning and Environment Act 1987* and by reference to relevant Regulations, Ministerial Notices, Orders in Council and the like.

Putting aside the metric to be adopted, and the determination of whether all future development should contribute, the Committee considers that the above drafting provides useful guidance regarding expectations. The Committee has utilised this framework in its recommended version of the controls provided in Appendix F for DELWP's consideration and review in its further work on this matter.

(v) Further consultation

The Committee reinforces its view that it is important that parties have a formal opportunity to review and comment on the proposed social and affordable housing provisions prior to their introduction into the Planning Scheme.

The Committee does not support the position advanced by DELWP that the introduction of affordable housing provisions into the Amendment was adequately flagged by Council raising the issue at the Directions Hearing. The nature of the proposed controls sought by Council were not evident until Dr Spiller's evidence was circulated. While parties to the Hearing have had the opportunity to consider Dr Spiller's evidence and cross examine him, they were not in a position to make substantive submissions and call evidence due the lack of exhibited material available outlining not only the position of Council, but importantly the position of DELWP.

Dr Spiller noted in response to questions from the Committee that his recommended controls represent *"a substantial proposition that have not been subject of exhibition, and that it would be reasonable for them to be exposed to the community for review prior to adoption"*.

5.4 Conclusions and recommendations

The Committee concludes:

- The ambitions expressed in the Framework Plan for Central Geelong to provide social and affordable housing are generally appropriate and were not materially contested at the Hearing.
- The Actions in the Framework Plan should be reviewed with a view to resolving how these are to be given effect and updated to prioritise the introduction of social and affordable housing policy and controls into the Planning Scheme.
- The absence of affordable housing provisions in the exhibited draft Amendment is a major missed opportunity. Given the strong policy support and demonstrated need for social and affordable housing in Geelong, it is not appropriate to defer the introduction of provisions into the Planning Scheme to a future process.
- The draft Amendment should include additional policy in Clause 21.09, and provisions in the ACZ1, that specify expectations and requirements of the development/planning process in regard to social and affordable housing provision.
- The affordable housing changes to the draft Amendment should be the subject of re-notification, and parties should be provided the opportunity to review, comment and be heard on the proposed inclusions.
- The Committee considers that the framework provided in Amendments C163port, C166port, C172port and C177port (in Fishermans Bend) is an appropriate starting point for DELWP to draft the social and affordable housing provisions for Central Geelong.
- Further work is required to establish the appropriate metrics for the contributions to be sought in Central Geelong, using Council's Social Housing Plan as the starting point.
- Further consultation is required before the draft Amendment is adopted.

The Committee recommends:

Before the draft Amendment is adopted, undertake further work to:

- a) determine an appropriate metric for social and affordable housing contributions in Central Geelong, having regard to (among other things) the *City of Greater Geelong Social Housing Plan 2020–2041***
- b) draft provisions for inclusion in Clause 21.09 and the Activity Centre Zone Schedule 1, using the Committee's current preferred versions in Appendix E1 and E2 as a starting point**
- c) formally re-notify potentially affected parties of the proposed inclusions and provide them with an opportunity to make submissions and be heard in response.**

Amend the Framework Plan to:

- a) review and update the social and affordable housing actions listed in section 5.2 to:**
 - **specify how they are to be given effect**
 - **prioritise the introduction of social and affordable housing planning policy and controls for Central Geelong into the Greater Geelong Planning Scheme.**

6 Other strategic issues

6.1 Coordination with regional and growth area planning

(i) The issues

The issues are:

- coordination with other regional initiatives such as the RCG Action Plan and the G21 Regional Integrated Transport Strategy
- coordination with greenfield or growth area planning.

(ii) Evidence and submissions

Some submitters felt that it was not apparent that the Framework Plan had been developed with due consideration of Geelong's broader context and regional initiatives.

The G21 was generally supportive of the Framework Plan, but submitted:

While enthusiastically welcoming the creation of a Central Geelong Framework Plan, G21 cautions that the final plan must not overlook, nor play down, the strong links and relationships between central Geelong and the wider region...

The Committee for Geelong pointed to a number of policies and projects impacting on the Framework Plan, including the Geelong City Deal and the RCG Action Plan refresh. It submitted:

In general terms, the Committee for Geelong recommends that the key initiatives referenced in the [Framework Plan] be aligned and help inform the work of the Revitalising Central Geelong Partnership, including the allocation of funding streams to support delivery and implementation.

The Committee for Geelong and the UDIA Geelong Chapter drew the Committee's attention to the draft Pakington Street and Gordon Avenue Urban Design Framework, which contemplates increased heights and densities in Pakington Street and Gordon Street (which are just to the north and west of Central Geelong). They submitted that Council is reworking the heights in response to strong local opposition and submitted:

Due to changes in heights in the ... UDF, there will be reductions in yield which will impact the City of Greater Geelong's long term strategic planning ambitions to grow and regenerate key precincts close to the Geelong CBD which are richer in transport and community services and where it is possible to walk and cycle to a range of destinations throughout the day.

The UDIA submitted that its recently released Geelong Residential Supply and Demand Assessment demonstrates that Geelong's greenfield growth stocks are likely to be exhausted in the next two years. It submitted that these greenfield supply shortages had not been taken into account in preparing the Framework Plan, and that Central Geelong would have to do more of the 'heavy lifting' in meeting the municipality's housing demand.

Council submitted that the Transport Strategy does not provide justification for the proposed growth area transport connections and is not the appropriate strategic process for this work.

(iii) Discussion

The Committee is generally satisfied that the Framework Plan has appropriate regard to the broader Geelong and regional context. Geelong's regional role is recognised and reflected in

section 1.1 (Introduction). Section 1.4 (Planning Policy and Context) explains how the Framework Plan builds on earlier strategic work including the RCG Action Plan, the 2007 Structure Plan and the 2008 Urban Design Guidelines. Objective 1 in section 5.1 (Land Use and Economy) states:

Develop Central Geelong as the pre-eminent urban centre for the Geelong and Barwon South West region with a wide range of uses and activities.

The G21 is broadly supportive of the Framework Plan. While it cautioned against overlooking or playing down the strong links and relationships between Central Geelong and the wider region, it did not identify any specific aspect of the Framework Plan that it considered should be adjusted. Both the RCG Partnership and the Geelong Authority were consulted on the preparation of the Framework Plan, and neither made a submission in response to the exhibition material.

The Committee for Geelong and the UDIA raised important issues relating to the potential for a shortage of housing supply in Greater Geelong. The Committee accepts that greenfield areas, like Armstrong Creek, have sold more quickly than anticipated, and that there is some uncertainty around the capacity of inner suburban areas to deliver significant volumes of new housing. However, no evidence was presented to the Committee that clearly demonstrated a risk of a housing shortage.

The Committee is satisfied that DELWP had regard to broader regional supply issues in preparing the Framework Plan. As discussed in Chapter 4, the Framework Plan is based on a 2.5 per cent growth rate, consistent with Greater Geelong's Settlement Strategy. Whether the Framework Plan strikes the right balance in terms of accommodating growth is discussed in Chapter 4.

Council submitted that the Transport Strategy fails to provide justification for the proposed growth area transport connections and is not the appropriate strategic process for this work.

The Transport Strategy identifies a high level strategy of providing viable public transport options from suburbs and townships in the region to Central Geelong (Strategy 2.1). The Committee considers this to be appropriate. It also identifies a number of specific actions in relation to regional and growth area connections:

- review the bus network and provide express connections from regional townships (Action 2.1.1)
- advocate for the necessary upgrades to enable 'Geelong Metro' rail services between Waurin Ponds and Lara (Action 2.1.2)
- investigate a metro style service in Central Geelong including stations and appropriate connections to new growth areas (Action 2.1.3)
- explore providing additional transport from Torquay along the Armstrong Creek Transit Corridor, including stops/hubs at Torquay North and Armstrong Creek (Action 2.1.4).

The Committee agrees with Council that these types of broader regional services and connections are more appropriately considered through broader regional strategic transport studies such as the Geelong Integrated Transport Plan and the Growth Areas Transport Infrastructure Strategy. However it sees no harm in including reference to these types of high level investigations in the Central Geelong Transport Strategy. If necessary, the Central Geelong Transport Strategy can be amended if these actions are no longer considered appropriate, on completion of the Growth Areas Transport Infrastructure Strategy or the next review of the Geelong Integrated Transport Plan.

Other strategic transport issues are discussed in Chapters 6.2 and 6.3.

(iv) Conclusion

The Committee concludes:

- The Framework Plan generally has appropriate regard to role and position of Central Geelong in the broader Geelong and regional context.

6.2 Strategic transport projects

(i) Context

There are a number of strategic transport projects planned for the Geelong region which directly or indirectly impact on Central Geelong. These projects are at various stages of the planning process. A summary is provided in Table 7.

Table 7 Strategic transport projects

Project	Detail	Status
Avalon Airport Link	Proposed rail link connecting Avalon Airport to the Melbourne-Geelong rail line (however, Infrastructure Victoria considers a new station should be provided on the Melbourne Geelong rail line with a shuttle bus service to Avalon Airport)	Preliminary planning within 5 years as part of Melbourne Metro Two tunnel project
Bellarine Link (Geelong Ring Road extension)	Multiple staged road project to address growth, as shown in Figure 8	Preliminary Planning TBA
Geelong Fast Rail project	New dedicated track between Werribee and Laverton for Melbourne-Geelong trains, with an average travel time saving of up to 15 minutes	Construction expected in 2023

Figure 8 Geelong Ring Road Extension (Bellarine Link)



Source: Major Road Projects Victoria

(ii) Evidence and submissions

Mr Tivendale, in his traffic evidence for DELWP, observed that for Geelong, Victoria's Infrastructure Strategy recommends the following within the next 10 years:

- introduce 'next generation' bus services to Armstrong Creek (1 year)
- complete a business case for Melbourne Metro 2 Tunnel project potentially using the tunnel to re-route Geelong services direct to Southern Cross station (5 years)
- redesign regional public transport to meet local needs (5 years)
- prioritise and progress a continuous network of high quality, safer cycling corridors, including separated cycle way (10 years)
- reform bus network (10 years).

He noted that in a similar way to the Transport Strategy, Victoria's Infrastructure Strategy highlights a range of options that will need to be investigated in the short to medium term. He noted that the two documents "*happily align*" in terms of some projects and expected delivery.

Council submitted that the Framework Plan fails to address long standing issues with bus movements, bus interchanges and bus stop locations within Central Geelong, which continues to adversely impact retail and public amenity on Moorabool Street. Council submitted that greater emphasis should be placed on connectivity to the local bus system, a 'metro' style local train network, improvements for public transport connections to regional Victoria and a potential rail link to Avalon Airport.

Similarly, the G21 submitted that the Transport Strategy does not adequately address Geelong Station's role as a regional rail and bus hub and does not consider the implications for potential fast rail and the Avalon Airport Rail Link for Central Geelong.

The UDIA submitted that critical transport issues should be addressed prior to adoption of the Framework Plan such as finalising the bus network and ultimately developing a draft Transport Plan for further discussion.

Ms Dunstan in her traffic and transport evidence for DELWP observed that some of these major transport infrastructure projects such as Bellarine Link and Avalon Airport Link do not involve works within Central Geelong, and are ultimately DoT projects. She did not see the need for specific actions to be included in the Framework Plan. Mr Tivendale expressed similar sentiments.

(iii) Discussion

A number of major transport infrastructure projects are currently being delivered, planned, or for future consideration in the Geelong region.

The Framework Plan provides a 30 year horizon, across which significant improvements to the public transport network are likely to be delivered. DoT is currently undertaking physical infrastructure works and planning for Geelong Fast Rail and Geelong Railway Line upgrades. Similarly, the Committee anticipates that the Avalon Airport Link will be scoped and considered in more detail in future.

The Committee acknowledges the UDIA's submission that it would be desirable to have all transport issues resolved, such as a review of the bus network. However, the purpose of the Framework Plan (like other documents such as Victoria's Infrastructure Strategy) is to provide a very high level acknowledgements and suggestions about the coordination for the timely and

appropriate delivery of these projects. It cannot guide their delivery, as these projects are within the remit of DoT, and will be considered in the context of various competing demands and priorities across the region and the State.

It is understandable that the community want better public transport services, roads, and active transport options (bicycling) but these projects are often complex and need to be scoped, investigated, ranked and ultimately funded. Due to competing demands across the State, major transport projects can often take some time to be delivered.

Ultimately, these major transport infrastructure projects will no doubt improve safety, amenity and regional accessibility. However it would not be appropriate to pause the Framework Plan until these issues have all been resolved.

Local public transport and Geelong Railway Station are discussed in more detail in Chapter 14.

(iv) Conclusions

The Panel concludes:

- There are a range of strategic transport infrastructure projects, at various stages of delivery, which will ultimately improve the safety, amenity and access of the region.
- These broader strategic transport projects are within the remit of DoT and outside the scope of both the Framework Plan and the Amendment process. It would not be appropriate to delay the Framework Plan and Amendment until these projects are resolved, some of which could take several years.

6.3 Transport Network Operating Plan

(i) Context

Council prepared the Transport Network Operating Plan in 2019, however, it has not been endorsed by Council. The Plan is a long term approach for operating the road network that seeks to make it more efficient and safer. It plays an important role in responding to and informing a significant number of projects. It is not referenced in the Framework Plan, however the Transport Strategy identified that this document was considered.

(ii) The issue

The issue is whether the Framework Plan's reliance on the Transport Network Operating Plan is appropriate.

(iii) Evidence and submissions

Council was concerned with the reliance placed on the Transport Network Operating Plan given it has not been endorsed by Council. Mr Tivendale explained that the Transport Strategy's methodology required a synthesis of previously completed studies that included various types of analyses in and around Central Geelong. He reviewed and analysed a wide range of documents listed in Appendix C to his evidence statement, including the Transport Network Operating Plan provided to him by Council. He expected that there are elements of the Transport Strategy that do not align with the Transport Network Operating Plan, but where the two documents align, it is because the two sets of independent analysis have come to the same conclusion.

(iv) Discussion

The Committee accepts that Mr Tivendale considered the Transport Network Operating Plan, plus many other documents, in preparing the Transport Strategy. The Transport Strategy does not solely rely on Council's Transport Network Operating Plan.

The Committee has reviewed the Transport Network Operating Plan and agrees with Mr Tivendale that there are areas where both documents align, and areas where they differ. However, the Transport Strategy and Framework Plan are the primary documents that the Committee is considering. On balance, the Committee accepts that the broad findings, objectives, strategies and actions of these documents can be suitably qualified and supported without undue reliance on the Transport Network Operating Plan.

(v) Conclusion

The Panel concludes:

- The Transport Strategy did not place significant and undue reliance on Council's draft Transport Network Operating Plan.

6.4 Support for the arts, tourism and creative industries

(i) The issue

The issue is whether the Framework Plan and draft Amendment provide adequate support for the arts, tourism and creative industries.

(ii) Evidence and submissions

Council submitted that since the drafting of the Framework Plan, there has been significant progress with Council's Arts and Culture Strategy. The Strategy outlines key areas of focus including the central role of Wadawurrung cultural expression, live music and public art and initiatives within Central Geelong. Council submitted:

Envisioned to be a key guiding strategy document that has a city-wide influence, it is imperative that the Arts and Culture Strategy is referenced appropriately.

Tourism Greater Geelong and The Bellarine (Submitter 129) submitted that the region's visitor economy will face key challenges in the economic recovery following COVID, and that *"it will be critical that all long term plans that impact and guide the future of the region encompass and aim to address these challenges and provide a path forward for all"*. Challenges identified included a weakened mid-week market and over-demand for weekend, which it said results in *"profitless volume"*, poor internal transport connectivity, a limited hospitality workforce and a slow recovery to the events pipeline.

The G21 supported opportunities to sensitively develop the Waterfront Precinct, suggesting that this might include increased public access to the area surrounding the Royal Geelong Yacht Club, expanding water-based tourism opportunities and exploring synergies with the Spirit of Tasmania's relocation to Corio Quay from 2022. It submitted that Wadawurrung design and culture should feature particularly strongly in this precinct with its high volume of visitation.

The Geelong Arts Centre submitted that the Framework Plan should provide more detail on the critical role of cultural and business tourism and how this can be supported. It made a number of specific suggestions as to how the Framework Plan could be strengthened, outlined in Table 8.

The Property Council of Australia submitted that the stated aim of the Framework Plan to make Central Geelong a commercial and tourism hub “*will be further undermined by the restrictions that prohibit the full utilisation of land*”.

A number of submitters made detailed suggestions about strengthening various aspects of the Framework Plan to provide greater support to the arts, tourism and creative industries. These are summarised in Table 8.

Table 8 Changes sought to the Framework Plan – arts, tourism and creative industries

Submitter	Part of Framework Plan	Change sought
Vision		
Council	A sports, tourism and events city	Consider referencing the Convention and Exhibition Centre and Waterfront Geelong as key drivers for business, leisure and sporting events, as well as the reference to Kardinia Park.
Objectives		
Council	Objective 8 (Provide timely delivery of high quality, accessible and integrated community infrastructure)	Should facilitate the use and re-use of existing infrastructure for arts and cultural development.
Strategies		
Geelong Arts Centre	Strategy 5.5 (Support the adaptive reuse of vacant commercial space for employment uses, including for creative industries) and related Action 5.5.1	Further detail required to understand the future floor space requirements for ‘creatives’.
Submitter 129	Strategy 7.1 (Position Central Geelong as Australia’s leading regional destination for business events and conferencing)	Lacks detail on supporting infrastructure and services for attracting business events. Hotel complex adjoining the Convention and Exhibition Centre may be impacted by proposed height restrictions.
	Strategy 7.2 (Support opportunities to increase the diversity and quality of visitor experiences)	Lacks detail on the opportunity to grow and support major sporting, arts and leisure events. Include support for tourism enabling infrastructure developments including Geelong Mineral Springs and cruise ship port infrastructure.
	Strategy 7.3 (Increase the range and quality of short-term visitor accommodation)	Should focus on monitoring accommodation demand and supply needs. Should provide detail on how high quality accommodation will be established in Central Geelong.

	Strategy 7.4 (Develop the foreshore as a destination for recreation, tourism and major events)	Lacks foresight beyond the review and refresh of the Central Geelong Waterfront Masterplan 2011 (Action 7.4.1).
Council	Strategy 29.2 (Identify opportunities for innovation and new technology to meet the evolving needs of residents, workers and visitors)	Should include an associated action to work with delivery partners to implement Council's Arts and Cultural Strategy, and a reference to Submitter 129.
Actions		
Geelong Arts Centre	Action 6.1.1 (Implement the City of Greater Geelong Arts and Cultural Precinct Master Plan 2017)	Master Plan should be refreshed to address the current environment, particularly considering the impact of COVID-19 on the arts and cultural sector in Geelong.
	Action 7.1.1 (Support the development of the Convention and Exhibition Centre and the upgrade and activation of the adjacent streets and open space)	Expand to include other venues including the Geelong Arts Centre.
Council	Action 7.2.1 (Undertake a Destination Masterplan for the Geelong and Bellarine region and consider tourism product development opportunities for Central Geelong)	Should include Submitter 129 as a stakeholder.
General		
Geelong Arts Centre	Greater public realm improvements in Ryrie Street and Little Malop Street, particularly for pedestrians, should be supported.	
	Greater detail should be provided on increasing transport service delivery in Central Geelong, particularly during extended hours to align with programming of key events.	
	Additional traffic calming measures and a 40 kilometre per hour speed limit should be considered in key streets, particularly Ryrie Street (where the Geelong Arts Centre is located) to improve pedestrian safety.	
	More detail should be provided on parking options in Central Geelong.	
	References to the Geelong Arts Centre need to be consistent and correct throughout the Framework Plan (which includes outdated references to the Geelong Performing Arts Centre).	
Dr Walker, School of the Lost Arts	Incorporating more robust biophilic design principles into the Framework Plan would support Central Geelong's tourism role as it has in cities such as Singapore.	

(iii) Discussion

According to Tourism Greater Geelong and The Bellarine (Submitter 129):

- pre-COVID, the Greater Geelong visitor economy was worth \$1.15 billion, representing close to 25 percent of total spend in the region and supporting 1 in 10 jobs
- Greater Geelong attracted over 6 million visitors who spent 5.7 million nights within the region in 2019
- Central Geelong drew over 25 per cent of the region's direct visitation expenditure (\$302 million) from visitors outside of the region, and a further 28 per cent from residents within the region.

Informed by the above, there can be no doubt that the arts, tourism and creative industries are a critical part of the region's economy, and their success is a vital factor in the overall success of achieving the vision set out in the Framework Plan.

Broadly speaking, the Committee considers that the Framework Plan provides relatively strong support for the arts, tourism and creative industries. The vision refers to Central Geelong as *"vibrant, clever and creative"*, a city for *"innovation, arts and design"* and as a *"sports, tourism and events"* city. Objectives specifically related to the arts, tourism and creative industries include:

- Objective 5 - Support the development of Geelong as a clever and creative city through increased business investment and local employment opportunities
- Objective 6 - Develop Central Geelong as a vibrant hub for retail, hospitality, arts and culture
- Objective 7 - Strengthen Central Geelong as a destination for visitors and major events

These objectives are supported by a number of detailed strategies and actions.

The Framework Plan identifies the Waterfront Precinct as a key tourist destination, anchored by the Royal Geelong Yacht Club which it envisages will be upgraded to provide a wider range of activities for leisure and recreation for the community of Greater Geelong. The Cultural Precinct is identified as a vibrant extended-hours events, community and cultural hub which is the *"heart of community life in Geelong"*. The Framework Plan specifically recognises the supporting role that accommodation and hospitality uses will play in other precincts.

The Framework Plan contemplates specific projects to enhance these key nodes of arts and tourism based uses, including the proposed Tourist Route along Eastern Beach Road and Garden Street, various pedestrian route upgrades and the extension of the Malop Street Green Spine, connecting the Cultural Precinct in to the Retail Core Precinct.

While the Committee acknowledges the detailed suggestions of various submitters to strengthen the Framework Plan's support for the arts, tourism and creative industries, it does not consider that there are obvious gaps in the Framework Plan's support for these industries. Many of the suggestions made by submitters, while worthy, are generally beyond the scope of the Framework Plan. The Framework Plan is a high level document that deals with the overall planning for Central Geelong. The submitters' suggestions are properly the subject of more detailed and specific strategies to boost the arts, cultural and creative industries in Central Geelong, such as the:

- Arts and Culture Strategy
- Arts and Cultural Precinct Master Plan 2017
- Central Geelong Waterfront Masterplan 2011
- Destination Masterplan for the Geelong and Bellarine region.

In response to submissions that the Framework Plan and draft Amendment fail to support tourism by unduly restricting built form outcomes, the Committee does not agree that the promotion of tourism and associated uses like hotels and accommodation should come at the cost of achieving

an appropriate urban character. The appropriateness of the built form controls is addressed in Chapters 8.1, 9.1 and 11.

(iv) Conclusions

The Panel concludes:

- The Framework Plan provides an appropriate level of support for the arts, tourism and creative industries.
- While the Committee generally considers that many of the changes to the Framework Plan sought by submitters and summarised in Table 8 appear worthy, these are matters of detail that are beyond the scope of the Framework Plan. They should be considered as part of the development or refresh of more targeted strategies that seek to support tourism and arts based uses in Central Geelong.

6.5 Precinct boundaries

(i) The issues

The issues are whether the precinct boundaries should be adjusted to:

- include land on the west side of Cavendish Street in the Station Precinct (rather than the Knowledge and Enterprise Precinct)
- include the west side of Moorabool Street between Brougham and Corio Streets in the Retail Core Precinct (rather than the Knowledge and Enterprise Precinct)
- include the land bounded by Ryrie, Gheringhap, Moorabool and Little Ryrie Streets in the Retail Core Precinct (rather than the West Village Precinct)
- create a new 'Bay Village' sub-precinct in the Knowledge and Enterprise Precinct, focussed on tourism, events and housing
- include the Palais Theatre site (and the surrounding land) in the Cultural Precinct
- exclude the residential land along Yarra Street north of Ryrie Street (currently in the RGZ) from the activity centre boundary.

DELWP proposed some changes to precinct boundaries in its Day 1 version of the ACZ1 maps (Document 36), extracted in Figure 9 below. They include some, but not all, the changes outlined above.

Figure 9 Day 1 precinct boundary changes

Source: Document 36 with Committee annotations

(ii) Extending the Station Precinct

81 – 101 Mercer Street is part of a triangular pocket of land bounded by Mercer Street, Cavendish Street and Malone Street. The height limits proposed for this pocket are 60 metres at the southern end and 28 metres at the northern end. The pocket is in the Knowledge and Enterprise Precinct.

Mr Sheppard, in his urban design evidence for Mercer, suggested that it made more sense to include this pocket in the Station Precinct rather than the Knowledge and Enterprise Precinct. The Framework Plan identifies the Station Precinct as the main location for taller buildings (60 metres),

while lower built form is sought in the Knowledge and Enterprise Precinct (campus form development of medium (28 metres) to medium tall (42 metres) buildings).

Professor McGauran agreed with Mr Sheppard's recommendation, and DELWP supported the adjustment to the precinct boundaries, as did Mercer.

The Committee agrees that it is logical to include the triangular pocket of land between Malone, Cavendish and Mercer Streets in the Station Precinct. The higher built form envisaged in this pocket is more aligned with the precinct objectives of the Station Precinct, than the Knowledge and Enterprise Precinct.

The Day 1 ACZ1 maps also included the finger of land to the north of Malone Street (ringed in red on Figure 9) in the Station Precinct. This is presumably because the inclusion of the triangular pocket would mean that the finger of land to the north of Malone Street is no longer contiguous with any other land in the Knowledge and Enterprise Precinct.

The Committee does not support the inclusion of the finger of land in the Station Precinct. This land is identified for medium to medium low built form (28 metres at the southern end, 21 metres at the northern end), which is not aligned with the Station Precinct objectives seeking taller built form. Further, the land has a sensitive interface (it directly abuts the rear boundaries of residential land along Western Beach Road) which makes it inappropriate for the more intensive built form sought in the Station Precinct. It should be retained in the Knowledge and Enterprise Precinct as exhibited, notwithstanding that the precinct boundaries are no longer contiguous.

(iii) Extending the Retail Core Precinct

G Vaccari Investments Pty Ltd owns land at 130 - 140 Ryrie Street which is included in the West Village Precinct. It submitted that the block bounded by Ryrie, Gheringhap, Little Ryrie and Moorabool Streets (which includes its land) should be included in the Retail Core Precinct, because the land is *"part of the existing Retail Core of Greater Geelong"*, and is *"very much related to the activities and built form of the north side of Ryrie Street"*.

In his assessment of submissions to the exhibited documents, Professor McGauran stated:

I have also acknowledged that the western side of Moorabool Street between Brougham Street and Corio Street logically [sic] with the Scentre Group shopping centre opposite and the anchoring Wool Museum at its northern end forms a logical part of the retail core and have amended the mapping accordingly.

This second change was included in DELWP's Day 1 version of the ACZ1 maps (refer to Figure 9). The first, sought by G Vaccari Investments, is not.

The Committee was not persuaded that the land south of Ryrie Street should be included in the Retail Core Precinct rather than the West Village Precinct, as sought by G Vaccari Investments. While there is existing retail activity along the Ryrie and Moorabool Street frontages, the land behind is not predominantly retail. It contains a mix of low rise commercial buildings, workshops and the like. This block also contains the Little Ryrie Street carpark which has been identified as potential future open space.

The Framework Plan generally proposes drawing precinct boundaries along main roads rather than rear boundaries, which the Committee generally supports. The Committee considers that it makes more sense to include this land in the West Village Precinct as proposed, notwithstanding the predominantly retail character of the properties fronting Ryrie and Moorabool Streets.

No analysis was presented to the Committee to explain why Professor McGauran considered the land on the west side of Moorabool Street, north of Corio Street, should be included in the Retail Core rather than the Knowledge and Enterprise Precinct.

This section of the west side of Moorabool Street includes the National Wool Museum and a strip of shops. There appears to be some logic in including the shops in the Retail Core Precinct, as the use aligns with the Retail Core Precinct objectives and the retail uses to its south and east (Westfield). There is also a laneway (Gore Place) to the rear of these shops that presents a logical precinct boundary. However the land use on the National Wool Museum site (which is unlikely to change given the significance of the building to the historical wool industry in Geelong) is more aligned to the Knowledge and Enterprise Precinct objectives. The Committee considers that the National Wool Museum site should remain in the Knowledge and Enterprise Precinct.

(iv) Creating a Bay Village sub-precinct

Professor McGauran's evidence was:

In considering the eastern end of the Enterprise and Knowledge Precinct [sic] and in response to submissions, I acknowledge the submission from the City of Greater Geelong in its promotion of the tourism and events roles of the City and its gateway role to the region. I also acknowledge the synergies with the Esplanade, proposed Geelong Yacht Club renewal and the need within the Knowledge and enterprise precinct to accommodate key tourism and events infrastructure along with key worker and short-term accommodation consistent with core purpose of the precinct to attract knowledge and employment intensive jobs to Geelong. I have suggested that this sub-precinct have this differing role within the precinct acknowledged in its objectives.

He recommended creating a 'Bay Village' sub-precinct at the eastern end of the Knowledge and Enterprise Precinct, incorporating *"ancillary tourism, short term accommodation and key worker housing and employment supportive of the core Knowledge and Enterprise Precinct"*. DELWP was supportive of Professor McGauran's recommendation 'in principle', and sought the Committee's advice.

Professor McGauran's recommendation to create a 'Bay Village' sub-precinct appears to have been in response to Council's suggestion that the vision could reference the Convention and Exhibition Centre and Waterfront Geelong as key drivers for events. No other strategic justification or rationale has been put forward for creating a new sub-precinct, and no tailored precinct objectives or use or development controls were suggested.

While the Committee takes no issue with Council's suggestion for minor adjustments to the vision, it was not persuaded of the utility of Professor McGauran's recommendation to create a new sub-precinct which has no different objectives, land uses or built form controls than the rest of the Knowledge and Enterprise Precinct.

The first precinct objectives for the Knowledge and Enterprise Precinct states:

- To facilitate the precinct as the primary location for office, education and convention centre uses, along with short term accommodation uses and tourist focused uses facing the Geelong waterfront.

The Committee considers that this precinct objective is sufficient to support and encourage the types of uses and developments referred to by Professor McGauran. The Committee was not persuaded that creating a new sub-precinct is justified.

(v) Extending the Cultural Precinct

Submitter 105 submitted that the Palais Theatre, which is at 297 – 301 Moorabool Street, just outside the Framework Plan boundary, should be included within the Activity Centre by extending the border south of McKillop Street to Maud Street. Alternatively, it should be seen as a bridge between Central Geelong and South Geelong and rezoned Mixed Use Zone, given there is no residential development in this block. Submitter 105 suggested:

Although the Palais is not part of the cultural precinct it makes sense for it to be classified as part of it. This building although of historical significance (finished and opened to the public in 1926) for the town of Geelong has been kept in working order and being revitalized as a theatre to compliment venues such as the Geelong Arts Centre and will help facilitate what is planned for the arts and culture precinct although not in the vicinity of it.

The Committee notes that there are likely to be several venues on the fringes of the Activity Centre which provide complimentary uses to those within the Activity Centre. However this is not sufficient justification for extending the activity centre boundary.

(vi) Conclusions and recommendations

The Committee concludes:

- The Committee supports extending the Station Precinct to include the triangle of land between Mercer, Cavendish and Malone Streets, but not the finger of land to the north of Malone Street. That land should remain in the Knowledge and Enterprise Precinct.
- The Committee supports extending the Retail Core Precinct to include the west side of Moorabool Street between Corio and Brougham Streets, excluding the National Wool Museum site.
- There is no justification for extending the Retail Core Precinct to include the land south of Ryrie Street between Gheringhap and Moorabool Streets.
- There is no justification for creating a 'Bay Village' sub-precinct around the Convention and Exhibition Centre site.
- There is no justification for extending the Cultural Precinct boundary (and the Activity Centre boundary) to include the Palais Theatre site in Moorabool Street.

The Committee recommends:

Amend the Framework Plan and the Activity Centre Zone Schedule 1 to:

- a) **amend the precinct boundaries as shown in the Day 1 version of the Activity Centre Zone Schedule 1 maps (Document 36), with the following changes:**
 - **retain the finger of land to the north of Malone Street in the Knowledge and Enterprise Precinct**
 - **retain the National Wool Museum in the Knowledge and Enterprise Precinct.**

7 Overall strategic justification

7.1 The issues

The issue is whether, overall, the Framework Plan and draft Amendment are strategically justified.

7.2 Evidence and submissions

DELWP submitted that it is “*notable*” that there is no real dispute that it is timely and appropriate to “*recalibrate the directions*” for Central Geelong through a framework plan and an implementing amendment. It submitted:

It is appropriate, if nothing else, simply by virtue of the fact that the Study Area is an important area, and an area expected to be a location for significant change in the coming decades, and noting the prior substantive controls for the Study Area were based on work undertaken in 2007/2008.

It submitted that Central Geelong is already experiencing increases in office and commercial floorspace and major civic uses, and these in turn are altering the urban form of the activity centre:

These shifts present challenges and opportunities for strategic planning in facilitating the evolution of the centre, while ensuring that continued growth is sustainable and that the character and liveability of the city is not compromised.

DELWP submitted that the pre-interim controls were allowing, and would continue to allow, development to proceed “*in an unacceptable manner*”. It pointed the Committee to the discussion on page 2 of the DELWP Report that states that the pre-interim controls had resulted in “*undesirable built form outcomes*” with no height limits specified in some areas including around the Station, no minimum side or rear setbacks, no tower separation distances and limited guidance on blank walls.

DELWP submitted that review and analysis of relevant documents and the findings from community consultation highlighted that Central Geelong has “*outgrown*” the 2007 Structure Plan, and that there is a need to address a range of issues including matters of governance, land use and development, housing, built form and design, and transport and movement:

Essentially, a need for improved controls and better guidance was identified – including to unlock investment potential, to protect and enhance street networks and for key spaces, to protect heritage, to preserve views to the Bay, to address the inconsistent hierarchy of height limits particularly surrounding Mercer Street, to address the lack of identifiable ‘destination’ points, to address poor precinct identity, to address inadequate planning controls to manage development – height, setbacks and built form, and to address inconsistent intensity and integration of development.

Mr Woodland’s evidence was that overall, the Framework Plan and draft Amendment are necessary, and satisfy the requirements of Ministerial Direction 11 (Strategic Assessment Guidelines). He considered that the Framework Plan meets the requirements of PPN58 in that:

- the revised activity centre boundary satisfies the relevant criteria set out in PPN58
- the Framework Plan addresses the majority of:
 - the key issues set out in PPN58 (with the exceptions of site consolidation, land contamination and future implications for Councils and state agencies)
 - the scope of issues set out in PPN58 (with the exception of ageing in place, which is not directly addressed, and funding which is only partially addressed)

- the demand forecasts in the SGS Report and the capacity analysis in the DELWP Report (as updated) have reasonably demonstrated that the (revised) Framework Plan provides for significant population and housing growth under a reasonable range of growth and land development scenarios over the long term (30 years)
- the Amendment utilises some but not all of the statutory tools that are available for implementing structure plans (although further work is needed in relation to preparing a development contributions plan and precinct specific carparking requirements)
- the Framework Plan contains an extensive range of non-statutory measures to implement the plan.

Mr Woodland noted that the ACZ is the preferred tool to guide and facilitate land use and development in activity centres, including centres in larger regional cities which demonstrate a distinct 'CBD' type function. He considered that the draft Amendment broadly meets the requirements of PPN56, in that:

- major public land holdings within the centre are retained in public land zones
- the ACZ1 is drafted to include extensive built form requirements, removing the need for additional overlays (apart from the Heritage Overlay, which PPN56 indicates should be retained)
- PPN56 encourages the use of precincts, with precinct-specific objectives and requirements
- the Table of Uses in the ACZ1 tailors certain uses to certain precincts, and the explanation for this is contained within the Framework Plan and DELWP Report
- the ACZ1 contains appropriate application requirements, notice and review provisions and decision guidelines that, broadly speaking, provide appropriate guidance to applicants and decision makers.

Mr Woodland considered that there was a "*prima facie case*" for the mandatory heritage setback, wind protection and overshadowing provisions, although further analysis could be presented to "*more definitively demonstrate why this approach is warranted*". The appropriateness of the mandatory provisions are discussed in Chapters 10.4 (heritage setbacks), 11.6 (overshadowing controls and 11.7 (wind effects).

Mr Woodland noted that PPN60 provides guidance on height and setback controls for activity centres, and notes that:

Proposed height and setback controls must be soundly based on the outcomes of strategic research and background analysis that demonstrates consistency with state and regional policy and includes a comprehensive built form analysis.

He considered that the proposed height and setback controls are justified on the basis that they:

- allow for an appropriate level of change over time
- are discretionary (apart from the heritage setback controls), thereby providing a degree of flexibility to deal with site specific challenges and opportunities
- are based on a reasonable analysis of the built form challenges and opportunities in Central Geelong.

That said, Mr Woodland's evidence was:

... there is scope for the Framework to more clearly articulate the key urban design and built form issues that the plan is seeking to address. Scope also exists to more clearly relate how the revised built form controls proposed in the Amendment are intended to address these

issues. This is particularly important in order to explain the spatial logic for the proposed building heights across Central Geelong.

He considered that the rationale for the built form controls, particularly the heights, was not overly clear from the Framework Plan, stating:

I do think the nexus between those strategic Objectives and the proposed heights could be articulated more clearly in the Framework, and the rationale for the proposed changes to the height under the ACZ1 should also be more clearly articulated. ...

This is particularly important in order to explain the spatial logic for the proposed building heights across Central Geelong. Each of the individual precinct chapters describe the built form objectives that are intended to be achieved for land within them, but there is no single built form framework plan for the entire central city that is annotated to describe the 'sum of the parts' and the logic for why some places can accommodate taller buildings and others cannot.

Mr Woodland recommended substantial changes to the Framework Plan, including a restructure, to *"give it a simpler and more strategic focus"*. These recommendations are discussed in Chapter 17. In his oral evidence, he confirmed that he considered the Framework Plan provided sound strategic justification for the proposed controls, but that strategic rationale needs to be more clearly expressed.

He recognised that the ACZ1 is *"lengthy and complex"*, and comprises a *"sophisticated array of land use and built form provisions"*, but that these are justified to ensure that the vision of Central Geelong as a city of design excellence with a high quality urban environment is achieved. He noted that the complexity of the controls is commensurate with those that apply in Fishermans Bend and the Melbourne CBD. He concluded:

I consider that each element proposed within the ACZ1 will serve an important purpose in achieving the desired land use outcomes, design excellence and a quality urban environment. I would therefore not recommend any wholesale changes to the general scope of the ACZ1.

Mr Woodland considered that some aspects of the controls require some refinement:

- there should be a stronger alignment between the Table of Uses and the Precinct Objectives, built form typologies and active street frontage requirements (these are discussed in detail in Chapter 8)
- more detailed policy guidance is needed around when it may be appropriate for development to exceed the preferred maximum building heights (discussed in detail in Chapter 13.4)
- more clarity is needed in relation to landscape setback requirements and setbacks above the street wall on corner sites (discussed in Chapter 9.7)
- he queried whether the Green Factor Scorecard is a suitable tool for inclusion in a planning scheme at this point, and whether the proposed scorecard target is appropriate (although he indicated these are matters that fall outside his expertise).

Mr Woodland noted the strategic importance of the SDSs in the future development of Central Geelong, and generally supported the requirements in the ACZ1 relating to SDSs, although *"further justification of the relevant FAR (and explanation of what it is intended to achieve) are needed"*. These requirements are discussed in detail in Chapter 11.7.

Professor McGauran's evidence was that the key elements informing the Framework Plan (in particular the built form outcomes) were:

- a desire to enhance the special characteristics of the city and its strengths around health, education, knowledge sector transit-oriented jobs, culture and entertainment and retail
- a desire to ensure quality open space and street amenity (in particular, high pedestrian amenity, to encourage walking as a key mode of transport in and around Central Geelong)
- ensuring equitable development opportunities
- optimising leverage of Government investment in enhancing the city
- alignment with key current State and local policy.

Professor McGauran's evidence was that to achieve the key aims of the Framework Plan, the preferred character of each precinct is to be shaped with:

- core purposes and anchoring land uses
- precinct objectives
- SDSs
- preferred maximum heights and street wall heights
- overshadowing controls.

He considered that a 'campus style' development in the order of the heights proposed in the UDF would:

- attract the types of employment land uses sought for Central Geelong
- attract investment
- deliver an appropriate character outcome
- provide suitable protections for the amenity of the public realm.

He pointed to similarly scaled cities such as Bendigo and Hobart as providing examples of the success of the proposed approach.

While Council generally supported the overall built form controls and considered that they would achieve a suitable outcome, it agreed with Mr Woodland that the rationale for some of the changes to the pre-interim controls (in particular building heights) could be better articulated in the Framework Plan.

Montgomery questioned the fundamental justification for the built form controls, particularly the preferred maximum heights, submitting:

There is nothing untoward about devising a vision and seeking to explain why it is a good outcome. But it is quite another thing to assert that the vision is the only way to deliver the specified beneficial economic outcomes for Geelong. Mr McGauran has primarily sought to substantiate and defend his own thesis. The material upon which he relies does not represent a fair, or independent analysis that seeks to objectively demonstrate why the nominated heights are the optimal outcome for the future residents of Geelong, in strategic planning or urban design terms.

Montgomery submitted that Professor McGauran relied heavily on his "*personal thesis*" that a mid-rise campus of buildings will attract both investment and employment in Central Geelong. It submitted that Professor McGauran failed to present empirical evidence to support this thesis and instead expected the Committee to rely on his experience:

It would be wholly inappropriate to place any weight on such assertions, which are opaque, incapable of objective interrogation and lacking in independence. Personal assurances of that type do not constitute evidence of any matter relevant to the Advisory Committee's decision making in this case.

Montgomery asserted that:

- the nexus between the scale of the example cities referenced in Professor McGauran’s benchmarking exercise (such as Hobart and Bendigo) and the success of those cities as employment attractors has not been demonstrated
- there is no evidence that those scales are the only scales that could have been successful in those cities, or will be successful in Central Geelong
- Professor McGauran provided no data or empirical information to demonstrate that there is an optimal height for attracting investment, or a tipping point above which attracting employment related investment becomes problematic
- Professor McGauran is not qualified to express expert opinions on economic outcomes

Amber Group (Amber) accepted that the fundamental underlying objectives for the Framework Plan and the ACZ1, and what DELWP is seeking to achieve for Geelong, are admirable. Ms Heggen (who gave planning and urban design evidence for Amber) reached the same conclusion. However Amber pointed to a number of concerns with the approach taken in the Framework Plan and the built form controls, submitting that the built form controls “*require reassessment, and recalibration*”. Its key concerns related to the lack of nexus between the strategic objectives and the proposed height and FAR for its site, and issues in relation to the FAR and floor area uplift.

Similarly, Mercer did not raise any fundamental concerns with the overall strategic justification for the Framework Plan and draft Amendment, but submitted that:

- the built form testing of the controls was lacking, and the proofs put forward did not justify the controls
- the demographic work does not justify the controls, as the floorspace provided for “*is on the low side (i.e., at the lower end of the ‘upside’ scenario, which, despite its cheerful label, is truly a ‘middle range’ scenario*”
- in any event, growth estimates and floorspace predictions to 2050 provide a useful check, but “*do not answer the question of how much growth an area should accommodate*”
- growth should be optimised in this location, and the key question should be how much growth can be accommodated without unacceptable consequences?
- the controls should have been led by urban design and built form analysis and not demographics

Mercer took issue with the overshadowing controls and the 60 metre height limit in the Station Precinct. It submitted that the SDS concept is “*theoretically sound*”, but when matched with the proposed FAR framework, it constrains rather than supports these sites.

7.3 Discussion

The RCG Action Plan identifies the following as a medium-long term action (2018-2026):

Review the Activity Centre Zone that applies in central Geelong to ensure it supports the thriving city centre.

While the RCG Action Plan identifies the RCG Partnership as the accountable agency rather than DELWP, the review of the controls (including the timing) is broadly consistent with the RCG Action Plan.

The Committee is not persuaded that a review of the controls is necessary to “*unlock investment potential*” as DELWP and Professor McGauran suggested. Central Geelong has seen some substantial investments in recent years. The Geelong Library, the Geelong Arts Centre redevelopment, the TAC and NDIS headquarters and the new Geelong Civic Centre (currently

under construction) are all examples of substantial government investments, while the GMHBA headquarters and the Miramar and Mercer apartment complexes are examples of substantial private sector investment. Many further examples of recently approved or proposed developments were brought to the Committee's attention, including those on the Montgomery and Amber sites, those undertaken by the Batman Group and related entities, and Scentre Group's plans to redevelop the Westfield sites.

That said, no party took issue with the Framework Plan's suggestion that the 2007 Structure Plan is now outdated and no longer fit for purpose. The Committee accepts that there is a need to fill the gaps in the pre-interim controls (in particular, the absence of height limits in some areas, setbacks and tower separation requirements). It accepts that refining the controls in this way will, in a general sense, assist to:

- protect and enhance street networks and key open spaces
- protect the valued heritage fabric and character of parts of Central Geelong
- preserve views to Corio Bay
- address the lack of identifiable destination points within the city centre
- improve precinct identity.

The Committee agrees with Mr Woodland that, broadly speaking, the Framework Plan generally meets most of the requirements of PPN58, and that the ACZ is the correct tool to apply in planning for land use and development within an activity centre, consistent with the requirements of PPN56. It agrees that, broadly speaking, the largely discretionary height and setback controls allow for an appropriate level of change over time, and provide a degree of flexibility to deal with site specific challenges and opportunities.

The Committee does not consider that the Framework Plan as currently drafted provides a sufficiently robust analysis of the built form challenges and opportunities in Central Geelong to provide a clear explanation for the metrics of the controls. Nor does the Framework Plan currently provide a clear empirical demonstration that the pre-interim controls were allowing, and would continue to allow, undesirable or unacceptable development to proceed.

The Committee considers it unfortunate these matters, which were well ventilated in submissions to the exhibited material, were not addressed by DELWP through its submissions or its expert evidence presented at the Hearing. Professor McGauran's evidence did not provide examples that clearly demonstrated or explained to the Committee's satisfaction how the pre-interim controls were delivering unacceptable outcomes. When the Committee asked Professor McGauran to explain examples of previous unacceptable developments and why they were unacceptable, he was not able to provide concrete examples, other than pointing to a poor choice of materials in the Miramar Apartments. While the NDIS building was often referred to as 'unacceptable', it is not clear to the Committee why development of this scale should be regarded as over development, or whether (or why) it results in unacceptable outcomes.

While these are significant flaws, the Committee considers they can be addressed by DELWP in finalising the Framework Plan. In this regard, the Committee agrees with Mr Woodland that there is considerable scope for the Framework Plan to:

- more clearly articulate the key urban design and built form issues that it is seeking to address
- more clearly explain how the revised built form controls address these issues.

Further, it is not clear to the Committee why mid rise ‘campus style’ development will necessarily be more effective at attracting the types of employment uses and investment sought for Central Geelong. To that end, the Framework Plan should be amended to provide a clear explanation of the relationship between the built form typologies proposed in each precinct and the preferred employment/land use outcomes sought in those precincts.

That said, activity centre planning is more than simply setting built form controls for the activity centre. It is also about setting a vision for the activity centre for the next 30 years, establishing precincts, and establishing the preferred land use outcomes and preferred character outcomes for those precincts and for the centre as a whole, as well as preferred built form outcomes.

On balance, the Committee is satisfied that the general approach of preparing a Framework Plan which sets out the vision for the activity centre, and establishes preferred land use, built form and character outcomes for each precinct, is strategically sound and consistent with the relevant Ministerial Directions and Practice Notes. The general approach of predicting the future growth likely to be experienced in Central Geelong over the next 30 years, estimating the floorspace needed to accommodate that growth, and checking whether the controls can deliver that floorspace by way of a capacity analysis is the correct approach. Implementing the overall vision through the Activity Centre Zone is an appropriate choice of tools, and consistent with the relevant practice notes.

Therefore, notwithstanding the significant flaws in the justification for the built form controls, the Committee supports the overall strategic direction of the Framework Plan and the tools proposed in the draft Amendment. That said, the Committee considers that some significant adjustments are required to the Framework Plan and the draft Amendment, including to provide more floorspace capacity (as discussed in Chapter 4), and to strengthen the social and affordable housing provisions (as discussed in Chapter 5). The Committee addresses the merits of the metrics of the proposed built form controls in Chapter 9.

7.4 Conclusions

The Committee supports, and considers to be strategically sound:

- the general approach of preparing a Framework Plan which sets out the vision for the activity centre, and establishes preferred land use, built form and character outcomes for each precinct
- the general approach of informing the Framework Plan by predicting the future growth likely to be experienced in Central Geelong over the next 30 years, estimating the floorspace needed to accommodate that growth, and checking whether the controls can deliver that floorspace by way of a capacity analysis
- the overall strategic direction of the Framework Plan and the tools proposed in the draft Amendment.

PART C THEMATIC ISSUES

8 Land use issues

8.1 Context

Each precinct has a precinct objective set out in the Framework Plan and translated into the ACZ1 that sets out what types of uses are encouraged in that precinct. The precinct objectives are set out in Table 3 in Chapter 2.2(ii).

8.2 The issues

The issues are:

- consistency between the Table of Uses in the ACZ1 and precinct objectives
- concerns over the level of prescription in the land use controls.

8.3 Relevant guidance

PPN56: Activity Centre Zone is discussed in Chapter 3.5(ii).

8.4 Evidence and submissions

DELWP submitted that there was a degree of interdependency between the proposed built form controls and the land use outcomes. It noted that Professor McGauran's evidence was that the proposed controls were set to attract and encourage the types of employment and residential uses that are desired in the respective precincts.

Responding to submissions that sought greater flexibility in uses, Professor McGauran observed the importance of *"curating the city rather than leaving futures to random chance"*. His view was that the success of Geelong is *"in significant part predicated on the ability of the city to attract high quality employment and services"* and that it follows that securing key strategic locations for these uses (where proximity and synergies are key) is important.

Mr Woodland observed that the controls are intended to facilitate a wide mix of uses across Central Geelong, which is supported by the Framework Plan's vision and objectives. He was supportive of that approach but in his view, *"further consideration is needed in regard to the status of particular uses in certain precincts, having regard to the land use objectives set for each precinct."* He recommended several changes to the Table of Uses to create a *"stronger alignment"* with the precinct objectives, summarised in Table 9.

Table 9 Mr Woodland's recommended changes to the Table of Uses

Precinct	Recommended change
All precincts	- Impose a 'soft cap' (requiring a permit to exceed) on as-of-right retail uses outside the Retail Core Precinct (he did not specify a metric)
Knowledge and Enterprise Precinct	- Make 'dwelling' a section 2 use
Retail Core Precinct	- Impose a condition on section 1 uses 'office', 'accommodation', 'medical centre', 'education centre' and 'place of worship' limiting frontage at ground floor to 2

	metres on Retail Streets, Active Streets or Active Laneways identified in Map 5
Health Precinct	<ul style="list-style-type: none"> - Make 'shop/retail' a section 1 use along Retail Streets and Active Streets and a section 2 use elsewhere - Impose a condition on section 1 uses 'office' and 'accommodation' limiting frontage at ground floor to 2 metres on Retail Streets and Active Streets
West Village Precinct	<ul style="list-style-type: none"> - Make 'shop/retail' a section 1 use along Retail Streets and a section 2 use elsewhere - Impose a condition on section 1 uses 'office' and 'accommodation' limiting frontage at ground floor to 2 metres on Retail Streets, Active Streets and Active Laneways
Cultural Precinct	- Make 'accommodation' a section 2 use

DELWP generally accepted Mr Woodland's recommended adjustments, other than a soft cap on the floor space for 'shop' outside the Retail Core.

Montgomery submitted that if Central Geelong is to realise the vision to become "*an international waterfront city with world class facilities that is a highly desirable place to live*" then it requires a worker and residential population that is capable of supporting new business ventures. It submitted that should investment become too 'skewed' towards residential development, then 'accommodation' could become a section 2 use in future, as part of the monitoring and review process. It also submitted that 'hotel' and 'bar' should be section 1 uses in the Knowledge and Enterprise Precinct, to facilitate new investment and "*minimise red tape*".

The Property Council of Australia (Submitter 147) submitted that the controls must allow greater diversity of housing options, including the development of high quality residential apartments, which will address underutilisation of areas outside of business hours. It submitted that the focus and goal should be on how the private sector can be allowed to maximise value and amenity without compromising other social outcomes. It observed that:

Previous experience of the development sector has been that when governments dictate the precise mix of commercial activities that should occur in a precinct, for example, by nominating that a precinct must favour one industry rather than another, it can stifle development, lower the total economic output, create perverse incentives and limit the precinct's chances of success.

Like Mr Woodland, Scentre Group submitted that as-of-right 'shop' outside the Retail Core should be subject to a soft cap to ensure the primacy of the Retail Core Precinct is maintained. It suggested a floor space of 500 square metres or more. This was supported by Mr McNamara's planning evidence for Scentre Group that "*for the retail core to retain its primacy, planning authorities will need to recognise and work with applicant/investors to achieve both civic and commercial outcomes.*" He also advised "*commercial and retail floor area across a city is not of equal value or of equal benefit.*"

In relation to the capacity analysis, Mr Quick (for Scentre Group) noted that the methodology did not consider where within Central Geelong demand for each sector and use type is likely to emerge. He noted that certain uses have specific locational requirements that cannot be accommodated in all precincts. For example, "*retail space is most appropriate in the retail core, or most health development requires proximity to the hospitals and health precinct.*"

St George's Presbyterian Church submitted that 'accommodation' should be included in the land use related precinct objective of the Cultural Precinct. It observed that under the exhibited ACZ1, 'accommodation' is a section 1 use in all precincts other than the Waterfront Precinct, and submitted that actively supporting residential use within the Cultural Precinct's precinct objective would have numerous benefits, including:

- provision of housing close to education providers
- proximity to the central area of the city and public transport
- additional housing to support the commercial uses within the precinct and the economic success of Ryrie Street
- activation of key pedestrian links throughout the day and evening.

DoT submitted that rail and railway should be section 1 uses in all precincts.

8.5 Discussion

(i) General issues

On the whole there was little opposition to the general land use directions in the Framework Plan.

The ACZ objectives encourage a mix of uses in an activity centre, and encourage activity centres to act as a focus for business, shopping, working, housing, leisure, transport and community facilities. PPN56 states that consideration must be given to facilitating a wide mix of uses appropriate to an activity centre including retail, office, residential, community, recreation and transport uses, using a precinct based approach "*based on the predominant preferred land use or land use mix for the precinct*".

The Committee agrees with Mr Woodland that there is a need to better align land uses with precinct objectives. This approach is consistent with the requirements of PPN56, which states that in drafting a Table of Uses for an ACZ schedule, the appropriateness of uses should be carefully considered to ensure that future plans for the centre are not compromised. This approach is also encouraged under Clause 11.03-1S (Activity Centres) where policy seeks to "*encourage economic activity and business synergies*."

The Committee disagrees with the Property Council of Australia that the Framework Plan is trying to 'dictate' a precise mix of uses in each precinct. Rather, the Framework Plan seeks to encourage and promote particular uses in particular areas. In the Committee's view, this is the correct strategic planning approach. There is sufficient flexibility in the controls to support a variety of uses, while (subject to further refinement) enabling detailed consideration (through permit applications) as to the appropriateness of particular uses in particular locations.

The Committee does not accept Montgomery's submissions that, should residential use skew development outcomes in particular precincts, this can be rectified in a future review. The more appropriate approach is to set the controls at the outset to facilitate the preferred land use outcomes in each precinct. Mr Woodland's recommended modifications to the Table of Uses will appropriately ensure that residential development is not the primary use in the Knowledge and Enterprise and Cultural Precincts, and does not 'crowd out' the preferred uses in these precincts. DELWP's Part D version of the ACZ1 applied the same condition to the Retail Core, which the Committee supports. The Part D version appropriately allows dwellings in all precincts, but in some precincts a permit is required, triggering a consideration of the appropriateness of this form of development and allowing it to be balanced with other objectives.

The Committee acknowledges DELWP's submission that 'railway' is no longer defined and accepts the drafting of the control relevant to these uses in the Part D control.

(ii) Retail Core Precinct

The Retail Core Precinct land use precinct objective is:

To facilitate the precinct as the primary location for shops, food and drink premises and nightclubs and encourage office and accommodation uses where ground floor active frontages are maintained and expanded.

As the name of the precinct and its objective suggests, the Framework Plan seeks to ensure the Retail Core preserves its use and function as the 'primary location for shops'. Other uses are encouraged, but these will primarily occur above street level to maintain active street frontages.

The Committee agrees with Mr McNamara that not all commercial and retail floor area across the city is of equal value or benefit. The redevelopment of Westfield Geelong is critical for the realisation of the vision for the Retail Core and Central Geelong more broadly, and it follows that greater reinforcement of the primacy of the Retail Core is required. The Committee agrees with Mr Woodland's recommendation (and the submission of the Scentre Group) to include a soft cap on floor area for 'shop' outside the Retail Core. Larger retail uses will still be permitted, but they will require a permit, allowing the appropriateness of this form of development to be considered and balanced with other objectives, including maintaining the primacy of the Retail Core.

Soft caps on retail uses outside primary retail areas is accepted planning and economic practice. It has been adopted in various Commercial 1 Zones and in strip shopping centres where policy seeks to reinforce the retail core to retain its primacy, and to facilitate other uses (such as office and medical centres) at the periphery of the centre, or at upper levels. The approach is already included in the Greater Geelong Planning Scheme, where Schedule 1 to the Commercial 1 Zone lists various centres with caps on retail and office floor space, and Clause 22.03 (Assessment Criteria for Retail Planning Applications) guides the assessment of applications that exceed the floor space cap in the Schedule. The policy requires that an Economic Impact Assessment accompany applications.

A cap of 500 square metres (suggested by the Scentre Group) is a metric used elsewhere, including in Geelong, and the Committee considers it is an appropriate cap on as-of-right retail use outside the Retail Core Precinct. It allows for a range of smaller retail uses but will require those seeking a larger format to secure a planning permit and in turn justify their appropriateness in terms of achieving precinct objectives and the objectives of the activity centre as a whole.

Consistent with the local policy in Clause 22.03, the Committee considers it appropriate to include a requirement to prepare an Economic Impact Assessment to accompany an application to exceed the floor area limit in the ACZ1 beyond the Retail Core. The Committee notes that the Part D version of the ACZ1 includes a decision guideline about economic impacts, but no application requirement. The Committee has included an application requirement in its current preferred version of the ACZ1 in Appendix E2.

The Committee also supports Mr Woodland's recommended condition on limiting ground floor frontages of non-retail uses (office, accommodation, medical centre etc) in the Retail Core. This will help to maintain the Retail Core as the primary location for retail activity, and to achieve the street level activation required for a sense of vibrancy and character that will enhance the retail focus of the precinct.

(iii) Health and West Village Precincts

The Health Precinct land use precinct objectives is:

To facilitate the precinct as the primary location for health/medical facilities and complementary services, businesses, education, research and development and accommodation uses together with retail, service and office uses along identified active street frontages.

The corresponding text in the Framework Plan notes that the core uses will have *“adjoining hospitality and retail areas bolstering economic activity and convenience.”*

The West Village Precinct land use precinct objective is:

To encourage dwellings, office and complementary business activity including home-based businesses and flexibility to transition in building use, while encouraging retail, service and office uses along identified active street frontages.

Consistent with objectives to consolidate a retail core, the Committee agrees with Mr Woodland that it is appropriate to facilitate ‘shop’ in Retail Streets and Active Streets in the Health and West Village Precincts, but subject to a soft cap on floor space. The floor space cap will still enable convenience retailing to establish in these (and other) precincts as-of-right, to service the needs of surrounding residents and visitors.

Consistent with the Committee’s recommended approach in the Retail Core Precinct, there should be a limit on non-retail uses establishing at ground floor level without a permit on identified Retail and Active Streets, to maintain active vibrant streets. The Committee notes that there are relatively fewer Retail Streets and Active Streets in these precincts compared with the Retail Core and Knowledge and Enterprise Precincts.

(iv) Cultural Precinct

The Cultural Precinct land use precinct objective is:

To facilitate the precinct as the primary location for arts and culture facilities and related services and businesses including education, places of assembly and community facilities, while encouraging retail, service and office uses along active street frontages.

This objective is consistent with the outcomes sought in the Framework Plan that this precinct continue to be the *“heart of the community life in Geelong”*, and a host for the creative arts, library and learning, public gardens and events, and cultural and Town Hall facilities.

In terms of stronger encouragement of ‘accommodation’ in the Cultural Precinct, the Committee favours Mr Woodland’s position over that of St George’s Presbyterian Church. Each precinct has its own function that will contribute to the overall vitality of Central Geelong. The primary function of this precinct is focused around community uses, with complementary retail, service and office uses. The Committee does not agree with the Church that the objective should be expanded to include ‘accommodation’. That is not to say that accommodation may not be appropriate on some sites, but it is not a use that is actively promoted in this precinct.

The Committee notes that DELWP’s Part D version of the ACZ1 took a slightly different approach of making ‘dwelling’ (rather than ‘accommodation’) a section 2 use in the Cultural Precinct. The Committee supports this approach.

(v) Knowledge and Enterprise Precinct

The Knowledge and Enterprise Precinct land use precinct objective is:

To facilitate the precinct as the primary location for office, education and convention centre uses, along with short-term accommodation uses and tourist focused uses along the Geelong waterfront.

The Framework Plan notes that this precinct will be anchored by national, state and local headquarters for healthcare, rehabilitation, insurance, disability support, tertiary education and research, conference and local government services. It also states that it seeks to encourage complementary uses including hospitality and hotels and affordable housing for key workers and students.

As noted above, the Committee accepts Mr Woodland's recommendation regarding 'accommodation' (including 'dwelling') becoming a section 2 use in this precinct. In cross-examination Mr Woodland supported the inclusion of 'residential hotel' as a section 1 use (no permit required) in this precinct and the Committee agrees that the use is consistent with the land use objective for the precinct.

The Committee does not agree with Montgomery International that 'hotel' and 'bar' should be section 1 uses in this precinct. These types of uses are also encouraged elsewhere by the Framework Plan, including in the Retail Core. The Committee considers it appropriate that these uses remain subject to planning approval in the Knowledge and Enterprise Precinct, as they do in the Capital City Zone in the Melbourne Planning Scheme. An approval would trigger the application of Clause 52.27 (Licensed Premises), but other issues will be relevant in considering permit applications including potential amenity impacts.

8.6 Conclusions and recommendations

The Committee concludes:

- It is appropriate to make changes to the Table of Uses in the ACZ1 to include conditions on certain uses in certain locations, to better align the uses with each precinct land use objective. This includes a soft cap on as-of-right retail uses outside the Retail Core, and a requirement to prepare an Economic Impact Assessment for applications that exceed the soft cap.
- The ACZ1 should be amended to include railway and rail line as section 1 uses in all relevant precincts. DELWP's Part D drafting of the ACZ1 in relation to railway is appropriate.

Some of these changes are already included in DELWP's Part D version of the ACZ1. The Committee recommends the following further changes:

Amend the Activity Centre Zone Schedule 1 to:

b) update the Table of Uses to:

- **insert 500 square metres as the soft cap on as of right retail floorspace outside the Retail Core Precinct**
- **apply the following condition to the section 1 use of 'shop':**

In the Health Precinct and the West Village Precinct, must be located on a Retail Street or Active Street identified on Map 5.
- **apply the following condition to the section 1 uses of 'accommodation' and 'office':**

In the Retail Core Precinct, Health Precinct or West Village Precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.

- **apply the following condition to the section 1 uses of ‘medical centre’, ‘education centre’ and ‘place of worship’:**

In the Retail Core Precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.

- **include ‘residential hotel’ as a section 1 use in the Knowledge and Enterprise Precinct**
- c) include an application requirement to prepare an Economic Impact Assessment to support retail applications that exceed the floorspace limit outside the Retail Core Precinct.**

9 Built form

This Chapter refers to the relevant controls in the ACZ1. Most of the built form controls are repeated in the DDO46 for those sites that are not located (or proposed to be rezoned to) the ACZ1. The Committee's discussion, conclusions and recommendations in relation to the ACZ1 apply equally to the DDO46.

9.1 Context

The Framework Plan's Objectives, Strategies and Actions aim to strengthen Central Geelong by protecting existing character and amenity, supporting the interconnection of precincts, and driving growth. Relevant objectives include:

Objective 11 – To ensure the building scale and form supports the preferred land uses and character of Central Geelong and its emerging precincts

Objective 12 – To ensure building scale and form shares key views and complements the waterfront and the city skyline

Objective 16 – Provide building setbacks that reinforce the street wall height and grid, achieve the preferred character and amenity in each precinct, and provide clear views to the sky and access to bay views from buildings

Objective 17 – Relate building heights to the site size, and to the preferred character and amenity in the precinct

Objective 19 – Ensure buildings respect and celebrate the designation as a UNESCO City of Design by demonstrating a sense of their natural setting, sensitivity to heritage buildings, and high levels of sustainability and architectural merit

Objective 20 – Provide flexibility for innovative development solutions on strategic development sites

Each precinct has an objective setting out the preferred built form sought in that precinct. These are set out in Table 3 in Chapter 2.2 of this report.

The UDF provides guidance for future development and seeks to expand on the built form objectives by collectively managing built form, amenity, movement and public realm outcomes. The UDF informs the controls applied in the ACZ1, and provides guidance on:

- scale
- massing and bulk
- heights for street walls and buildings
- side and rear setbacks
- overshadowing and wind controls.

9.2 Relevant policies, strategies, and studies

(i) Planning Policy Framework

In addition to the policy outlined in Chapter 3 of this report, the urban design objectives in Clause 15.01-1S are particularly relevant when considering the appropriateness of the built form controls:

...encourages outcomes that contribute positively to local character, community, and cultural life, enhance the public realm, and minimise detrimental impacts on neighbouring properties.

Similarly, the building design objectives of Clause 15.01-2S are relevant in encouraging building design that contributes to the local context including through height, scale, and massing.

(ii) Local Planning Policy

The existing Clause 21.09 (Central Geelong) sets out relevant built form and urban design objectives including:

To encourage innovative and sustainable design outcomes whilst maintaining overall intensity of development and discouraging the under development of sites.

To ensure new development appropriately responds to identified heritage values.

To retain shared key views to Corio Bay from within Central Geelong and external vantage points.

To encourage the refurbishment of retail/commercial building frontages on key streets

Consistent with these objectives, the Framework Plan includes strategies that seek to ensure built form steps down toward Corio Bay.

The built form strategies in the Framework Plan have been informed by the existing built form strategies in Clause 21.10 (which currently applies to most of Central Geelong, but will be replaced with the new Clause 21.09). These include:

- building heights should minimise overshadowing of the pedestrian streets, parks and other public places and facilitate the sharing of views to Corio Bay
- higher density development should be located in areas separate from sensitive heritage precincts, the residential precinct of Western Beach and the residential area of Geelong West to the west of the Latrobe Terrace Precinct
- new buildings have active frontages at ground level to provide passive surveillance
- buildings should be built to the front property boundary except where setbacks are specifically required in the DDO17 and the ACZ1
- setback and design of upper building levels should provide interest and an attractive streetscape.

9.3 Consistency between built form controls and precinct objectives

(i) The issue

The issue is whether the built form controls are consistent with the precinct objectives – in particular, whether the preferred character sought to be achieved requires buildings of the scale and typology proposed in the Framework Plan.

(ii) Evidence and submissions

DELWP submitted that the preferred maximum building heights have been established to *“promote building typologies that support the land use vision for each precinct while responding to the valued heritage attributes and streetscapes of Central Geelong”*. It submitted:

The vision for each precinct seeks to support and strengthen its anchoring uses, such as core retail and hospitality, health, knowledge and enterprise as well as medium and high-density mixed-use inner-urban living. Optimal heights of building typologies that support these land uses alongside lot characteristics (size, access and strategic development opportunities) have informed the preferred maximum building heights within each precinct, with greater heights allowed on large sites where off-site impacts can be managed. This will

create a cohesive future urban character for each precinct and Central Geelong overall (see page 159 of the Framework Plan).

As noted in Chapter 7.2, Mr Woodland considered that the Framework Plan needed to articulate the rationale for the built form controls more clearly, and more clearly tie the built form outcomes sought to the precinct objectives. He also noted that a number of the precinct plans identify viewpoints, but the preservation of these views is not specifically referred to in the relevant precinct objectives. He suggested an objective relating to preserving these views be included within each relevant precinct plan.

Council submitted that the built form controls are generally well aligned with the precinct objectives and derived from the vision in the Framework Plan. However, similar to Mr Woodland, it suggested that the precinct objectives could be further strengthened to provide adequate rationale for heights.

Amber submitted that the nexus between the built form controls and the strategic objectives of the Framework Plan for each precinct is unclear.

Mr Sheppard's evidence on behalf of Mercer also critiqued the disparity between built form outcomes (particularly height) and the precinct objectives in the Framework Plan:

There is no nexus between the preferred maximum 60m height for the Site and the character and use envisaged for the Knowledge & Enterprise Precinct in which it lies. Precinct objectives are "to encourage campus form of medium (28 metres) to medium tall (42 metres) building heights". This does not correspond with the preferred built form outcomes for the Site.

(iii) Discussion

In the Committee's view, the appropriate starting point for setting built form controls is to clearly explain the preferred character sought for each precinct. This is the role of the Framework Plan. Once the preferred character is clearly established, the UDF can then be crafted to achieve the preferred character outcomes through preferred heights, setbacks, and the like. These can then be translated into the ACZ1. If this is done successfully, in the fullness of time a preferred character for a precinct will emerge.

The Framework Plan does not, in the Committee's view, clearly set out the preferred character outcomes that are sought in each precinct. The emerging precinct statements in Section 3 of the Framework Plan allude to a preferred character for each precinct, but they do not clearly explain what it is. The built form precinct objectives describe a pre-determined preference in typology or form, but it is not clear how these typologies or built forms deliver the preferred character described in the emerging precinct statements, or how they are linked to the overarching objectives in the Framework Plan outlined in Chapter 9.1.

In discussions around preferred character at the Hearing, the Committee was regularly taken to a combination of the emerging precinct statements, parts of the UDF and other text layered across a series of chapters. This did not assist the Committee in understanding what the preferred character for each precinct is, or why, or how the built form precinct objectives and controls proposed in the ACZ1 will deliver those preferred character outcomes.

Further, as noted in Chapter 7.3, it is not clear to the Committee why mid rise 'campus style' development will necessarily be more effective at attracting the types of employment uses referred to in the precinct objectives. Professor McGauran (who was the primary author of the UDF) expressed a clear preference for a 'campus style' development in Central Geelong, and it

appears that this may have become a driver of the built form change encouraged by the Framework Plan, rather than the outcome of a fulsome exploration of a range of built form typologies that could meet the preferred character outcomes.

The Committee considers that the Framework Plan should be amended to clearly state:

- what the preferred character is for each precinct (and why)
- how the preferred character of each precinct contributes to the vision and overarching built form Objectives of the Framework Plan
- how the built form outcomes deliver the preferred character for each precinct, and the preferred land use outcomes described in the precinct objectives.

The Committee agrees with Mr Woodland that the Framework Plan needs to more clearly articulate which views are sought to be protected and how the built form outcomes will ensure that those key views are protected. This should be reflected in a precinct objective relating to the protection of key views.

(iv) Conclusions and recommendations

The Committee concludes:

- The Framework Plan needs to be amended to more clearly articulate the relationship between the preferred character, built form typologies and outcomes, and preferred land use outcomes for each precinct.
- The Framework Plan needs to be amended to:
 - more clearly articulate which views are sought to be protected (by showing them on the relevant precinct plan)
 - explain how the built form outcomes will ensure that those key views are protected
 - include a precinct objective in relation to key views in each precinct (where relevant).

The Committee recommends:

Amend the Framework Plan to:

- a) **amend the emerging precinct statements to clearly articulate:**
 - a preferred character for each precinct
 - how the preferred character of each precinct contributes to the vision and overarching built form Objectives of the Framework Plan
 - how the built form outcomes described in the relevant precinct objectives will deliver the preferred character for each precinct described in the emerging precinct statement, and the preferred land use outcomes described in the precinct objectives
- b) **better protect key views by:**
 - identifying (on the relevant precinct plans) the views to be protected (amend the Activity Centre Zone Schedule 1 accordingly)
 - explaining how the built form outcomes will protect the key views
 - including a precinct objective (where relevant) relating to preserving these views (amend the Activity Centre Zone Schedule 1 accordingly).

Amend the Activity Centre Zone Schedule 1 to:

- a) **revise the built form objectives to align with the updated emerging precinct statements in the Framework Plan.**

9.4 Building heights

(i) The issue

The issue is whether the building heights are appropriate.

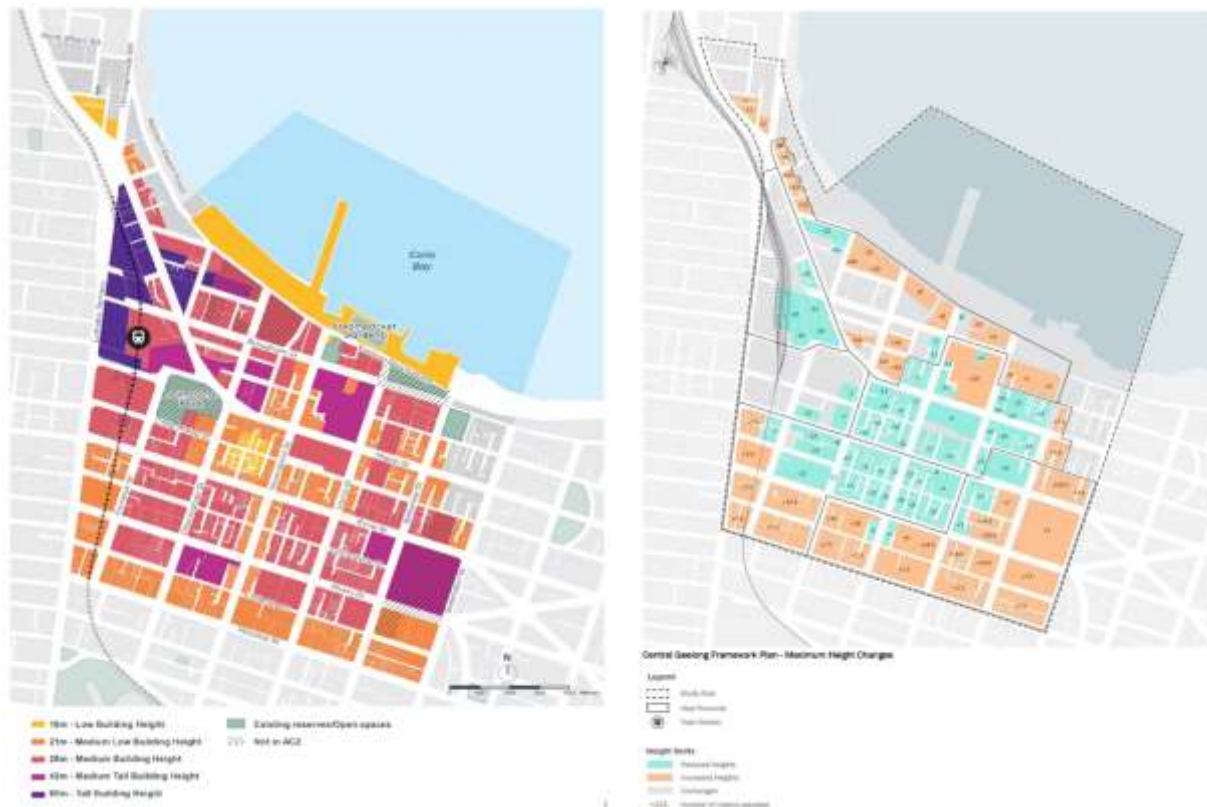
(ii) Context

The pre-interim planning controls introduced via Amendment C223ggee in 2013 gave effect to the 2007 Central Geelong Structure Plan and the 2008 Central Geelong Urban Design Guidelines. The pre-interim controls did not identify preferred maximum building heights in several precincts, including in and around the Station Precinct and the Mercer Street area.

A comparison between the heights under the pre-interim controls and the heights proposed in the Framework Plan and ACZ1 are summarised in Table 10, prepared by the Committee. In most (but not all) cases, preferred maximum heights are being reduced or applied for the first time. The height changes are shown in Figure 10.

Table 10 Pre-interim controls (C223ggee) and the proposed building heights

Precinct (pre-interim controls) Precinct (in Framework Plan)	Building height range (pre-interim)	Building height range (proposed)
Precinct 1 (Core retail) Retail Core	24m – 40m	16m – 42m
Precinct 2 (Commercial living and medical) Health	24m – None Specified	21m – 42m
Precinct 3 (Waterfront) Waterfront	24m – None Specified	16m
Precinct 4 (Civic and cultural) Cultural	None Specified	21m – 28m
Precinct 5 (Inner western) Knowledge and Enterprise	28m to None Specified	28m – 42m
Part Precinct 6 (Station) Station	None Specified	42m – 60m
Precinct 7 (Mercer) York	15m – None Specified	16m
No precinct comparison West Village	N/A	16m – 42m

Figure 10 Proposed heights (exhibited) and height changes compared to the pre-interim controls

Source: Exhibited Framework Plan (left hand image) and Document 37 (right hand image)

DELWP proposed increases in the heights in some areas in its Day 1 version of the Framework Plan and ACZ1, as shown in Figure 11 below. In its closing submissions, it suggested an area where heights might potentially be further increased if the Committee considered that necessary, shown in Figure 12 below. It also suggested decreasing heights north of Johnstone Park, to better align with the overshadowing controls (discussed in more detail in Chapter 11.4).

Figure 11 DELWP Day 1 adjustments to preferred maximum building heights



Source: Day 1 version of the ACZ height map (Document 37)

Figure 12 DELWP suggestion for further potential height increases (closing submissions)



Source: Document 178

(iii) Evidence and submissions

DELWP submitted that the preferred maximum building heights had been strategically assessed and were aligned with the outcomes sought in Framework Plan and UDF. It submitted that even where there was disagreement about precise height limits, the experts unanimously recognised the desirability of establishing preferred height limits. It submitted that the proposed heights across the activity centre represent “*a sophisticated, respectful and considered approach*” that is in part based on the experience of Professor McGauran in relation to what heights attract and appropriately provide for optimal built form for the preferred land uses in each precinct. It noted that the ‘campus style’ aim for these areas is “*quite significant*”.

DELWP submitted that the building heights are based on:

- the desire to create a cohesive but interesting, undulating skyline and an appropriately scaled city
- the need to preserve and share views and tapering down toward the waterfront
- the tapering down of height to the residential perimeter and the fine grain city centre
- the need to protect the high quality public realm experience
- the need to appropriately cater for future development that supports the objectives of the Framework Plan
- the need to protect heritage fabric and the presence of finer grained lots in the Retail Core
- the relative lack of existing sensitivity in the north-west quadrant including the Station Precinct
- the character of prominent buildings with publicly accessible forecourts, transitioning down to the east to Gheringhap Street (to the Cultural Precinct).

It submitted that heights on the SDSs had been set having regard to their particular existing physical and precinct contexts.

Professor McGauran’s evidence was that the built form controls have been informed by the “*special and distinctive attributes*” of the various precincts and Central Geelong’s “*proud history of shared amenity, built form, architecture, and urban design*”. He explained that the heights were informed by the need to ensure that the built form outcomes align with preferred precinct character and land use objectives in each precinct, and that:

- heights and preferred scales had been calibrated with overshadowing controls to deliver outcomes that preserve amenity in abutting and nearby streets and “*spaces of shared value*”
- heights were aligned with the scale of existing heritage buildings and streetscapes to “*ensure that these are not eroded by future development, while providing scope for renewal that celebrates these valued attributes*”.

Mr Woodland’s evidence broadly supported the proposed building heights, although he considered that the Framework Plan should be amended to explain more clearly the rationale for supporting taller buildings in some locations and not others, the outcomes sought to be achieved and those sought to be avoided (see Chapter 7.2 for more detail).

Council considered the overall building heights suitable, with the exception of site specific examples that require greater consideration of commentary from Council’s heritage advisor. Council agreed with Mr Woodland’s evidence that the rationale for some of the changes to the building heights could be better articulated in the Framework Plan.

Amber Group submitted that the Committee had not been provided with any clear explanation of the strategic justification for the proposed heights beyond a broad, subjective view expressed by Professor McGauran. It submitted:

... what remains as a justification for the proposed built form controls, is the inherently subjective issue of Mr McGauran's preferred character for the Activity Centre expressed through the UDF. Given Mr McGauran's role in this process, his view is not independent, and accordingly, a question arises about the weight that the Committee can give to his evidence.

Batman Group and associated entities did not support the reduction in heights across their extensive land holdings in the fine grained parts of the Retail Core Precinct generally bounded by Gheringhap, Moorabool, Ryrie and Malop Streets. They questioned the basis for which this block had been singled out for a reduction in heights from 32 metres (under the pre-interim controls) to 16 metres. They questioned the commercial viability of projects on sites that had been acquired to develop under the pre-interim controls.

Mr Sheppard's evidence for Mercer supported the broad distribution of building heights, however he did not consider a clear rationale had been advanced for the heights on the Mercer site:

...I do not consider that a clear rationale has been established for the preferred maximum height of 60m that applies to the Site. PPN60 (Height and setback controls for activity centres) states that proposed height controls must be aimed at facilitating good design outcomes rather than restricting built form and based on comprehensive built form analysis including identifiable objectives or outcomes. There does not appear to be a direct nexus between the Site's 60m maximum height designation and any identified objectives or outcomes

The submissions on behalf of the St George's Presbyterian Church at 245 Latrobe Terrace (Submitter 125) and I Property at 118 Corio Street / 2 Hays Place (Submitter 143) requested consideration of amendments to the Framework Plan and the associated controls to reflect increased heights and development capacity on their sites.

Submitter 148 considered that the Framework Plan appears to have specified preferred building heights based on the size of the land parcels, rather than broader strategic principles. They suggested that at minimum the Framework Plan should be reworded to recognise that greater height can be achieved where smaller lots are consolidated.

Submitter 29 expressed their support for the proposed height limits, submitting that they will protect and safeguard Geelong's unique character with consideration given to protecting sunlight access and to ensuring new development provides a human scale. Submitters 17 and 30 supported the general lowering and limiting of building heights and suggested additional attention be given to stepping down of development north of the Miramar Apartments to manage overlooking of residential properties in the Western Wedge.

In response to submissions, DELWP acknowledged that the error in the SGS Report resulted in the exhibited controls providing insufficient capacity to accommodate all of the future demand to 2050. It proposed various height increases in its Day 1 versions of the Framework Plan and ACZ1 to partially accommodate the additional demand (see Figure 11).

In its closing submissions DELWP identified a further area in which height increases could be contemplated (see Figure 12), providing the following rationale:

The Department considers this area could be further examined to accommodate further intensification as:

- There are already examples of relatively more intense development adjacent to the area;
- There is a lack of existing fine grain character and heritage and an ability to achieve site consolidation;
- A modest increase in heights from 28m to 42m on these sites (and, if the Committee recommends it, an increase to 60m on western end of the Amber site), would:
 - not be a dramatic departure from the preferred character for the precinct and its emphasis on commercial uses over residential uses;
 - not result in significant conflict with the overshadowing controls; and
- Would still ensure that development tapers to the Bay north of the area.

(iv) Discussion

The Committee agrees that setting preferred maximum building heights will aid future decision making concerning built form and scale of development within Central Geelong.

In a broad sense, the Committee is generally supportive of the provision of taller built form tapering across the amphitheatre of Geelong and down toward the waterfront. This is appropriate and responsive to the topography and the existing and anticipated urban fabric of the central city. Further, the Committee supports the high level principles outlined in the Framework Plan such as the sharing of views, responding to heritage sensitivity and the physical context, and protecting the public realm from overshadowing, all of which are intrinsically linked with building heights.

The Committee accepts that the concentration of height within the Station Precinct, on large land holdings in the Retail Core and throughout the western portion of the Knowledge and Enterprise Precinct is strategically sound and reflective of the greater potential in these areas for more intensive renewal. In broad terms, the Committee supports the location of the lowest tier of heights (16 metres or 4 storeys) across the York, Waterfront, and finer heritage grain areas. It supports heights tapering down to the low rise residential edges of Central Geelong, and considers that the heights nominated in these residential interface areas are broadly appropriate (discussed in more detail in Chapter 12). It also supports the range of the upper height limits (42-60 metres or 12-15 storeys).

The Committee is broadly satisfied that the heights specified for the York, Health, Cultural, Waterfront and West Village Precincts are appropriate. The Committee is not persuaded that the heights in the Station, Knowledge and Enterprise and Retail Core Precincts are appropriate.

The Committee appreciates that setting building heights is ultimately a matter of professional judgement. Setting heights is not just about protecting the surrounding streets and open spaces from overshadowing. There is a legitimate need to create a preferred character, and a human scale of development that is appropriate to the strategic objectives and preferred land use outcomes for each precinct and for the activity centre as a whole.

However, the Committee was not persuaded that a clear rationale for the heights, or a methodology for setting the heights, can be found within the Framework Plan or the UDF.

The Committee is mindful of the guidance provided by PPN60 which states that, among other things, the *“proposed height controls must be selected as a result of undertaking a comprehensive built form analysis”*.

The Committee appreciates that this is a precinct-based exercise, and it is not practical to test the controls as they apply to each and every site. It acknowledges that some built form analysis has

been undertaken, and acknowledges DELWP's offer at the Directions Hearing to model specific outcomes on specific sites, at the written request of the parties or the Committee.

That said, the Committee would have expected more rigour in demonstrating the justification for the proposed heights and other built form controls. It would have been assisted by more detailed modelling that tested a range of alternative heights on a representative selection of sites in each precinct (including the SDSs), to enable it to understand why the controls have been struck as they have.

Throughout the Hearing the extent of access to modelling was confined to a selection of static screen shots, which DELWP produced in response to questions put to it by the Committee and in response to submissions and evidence from other parties. Neither the Committee nor the parties or their experts had the benefit of navigating the model, testing the model's assumptions or asking questions of the model's author.

Various parties presented site specific modelling which showed alternative heights on their sites, and demonstrated the impact those heights would have on overshadowing of streets and open space. The Committee found the scenario testing presented by the various parties helpful, particularly in understanding site specific issues, constraints and opportunities. That testing also demonstrated that on some sites, increased heights could be accommodated without materially impacting on the desired built form outcomes reflected in the Framework Plan.

The potential for increased heights on various specific sites was discussed at the Hearing:

- the Milieu Property and Lineal Developments site at 23,25-29, 31 and 33-35 Bellerine Street – increased to 28 metres (supported by modelling prepared by Mr Sheppard)
- the Montgomery site at 20 Brougham Street – increased to 42 metres (supported by modelling prepared by Mr Sheppard)
- the Amber site at 35 Corio Street – increased to 60 metres at the western end of the site (supported by modelling prepared by Ms Heggen)
- the Up Property site at 164-172 Malop Street and 2 Powel Place (to the immediate east of the Officeworks SDS) – could potentially achieve an unspecified height greater than 28 metres (additional modelling prepared by DELWP at the request of Up Property)
- Westfield sites – could potentially achieve unspecified heights in excess of 42 metres (supported by modelling prepared by Rothe Lowman and urban design evidence from Mr Nelson).

The Committee is satisfied on the basis of the built form testing presented at the Hearing that additional height can be accommodated on the Milieu Property and Lineal Developments site, the Montgomery site and the Amber site. It considers that the Framework Plan and ACZ1 should be amended to reflect the revised heights on these sites specified above.

As set out in Chapter 4, the Committee considers that there is merit in providing additional floorspace capacity in the activity centre to accommodate the Committee's recommended 2050 demand projection (1.67 million square metres). In addition to the proposed Day 1 height increases (Figure 11), DELWP considered that the area indicated in Figure 12 could be capable of accommodating an additional 50,000 square metres of floor area. However neither of these proposals have been the subject of built form testing.

The Committee recommends in Chapter 4 that DELWP undertake further built form testing to validate the overall planning merit of the height increases identified in the Day 1 versions and closing submissions (Figures 11 and 12), and to identify where the additional capacity required to

accommodate the Committee's recommended floorspace projection can be accommodated. The following discussion provides additional guidance to inform the further built form testing.

The Committee is satisfied that additional height could be accommodated on the Westfield sites, up to and possibly beyond the heights proposed in the Day 1 versions. Additional height can also likely be accommodated on the Up Property site, 245 Latrobe Terrace (St George's Presbyterian Church), and the I Property site (118 Corio Street and 2 Hays Place). More detailed built form testing is required to confirm this (and to confirm the appropriate preferred height limit).

The Committee considers that SDSs have the capacity, and should be encouraged to accommodate more intense development, where such development achieves design excellence and delivers public benefits (refer to Chapter 13.3). In addition to the Westfield sites, submissions from various parties (including the Property Council of Australia, the Committee for Geelong and the UDIA) identified potential additional capacity on the Convention Centre site (SDS No. 2) and the former Council offices site (SDS No. 9). Further built form testing should be undertaken for these and the other SDSs to determine their optimum development capacity and potential height increases.

Based on its observations on its site visits, the Committee considers that there is potential for additional height in the Retail Core Precinct around the perimeter of the fine grained heritage core bounded by Gheringhap, Moorabool, Ryrie and Malop Streets, subject to further built form testing. There is existing development in that perimeter area that is well set back from the heritage core, that appears higher than the 21 metres contemplated in the Framework Plan and does not, in the Committee's view, adversely impact on the character of the heritage core.

The Committee acknowledges Mercer's submissions (and Mr Sheppard's evidence) that additional height could be accommodated on the Mercer site. However it was not persuaded that this necessarily requires an adjustment to the preferred maximum height limit for the site. As noted above, the Committee broadly supports the range of 42-60 metres or 12-15 storeys in the upper height limits specified in the Framework Plan. The discretionary height limit may be exceeded by a proposal that otherwise demonstrates overall planning merit.

Testing of additional heights should not be limited by the need to accommodate the additional floorspace recommended by the Committee. If the built form testing demonstrates that heights can be increased beyond the need to accommodate the additional floorspace, without compromising on the preferred character outcomes sought under the Framework Plan, then it should be considered. Similarly, the Committee's recommended adjustments on the Milieu Property and Lineal Developments, Montgomery and Amber sites should not limit the assessment of whether those sites can accommodate greater heights.

(v) Conclusions and recommendations

The Committee concludes:

- It broadly supports the proposed distribution of building heights across Central Geelong, the height ranges contemplated in the Framework Plan, and the preferred maximum building heights specified for the York, Health, Cultural, Waterfront and West Village Precincts.
- The Committee considers that further additional height can likely be accommodated in the Station, Knowledge and Enterprise and Retail Core Precincts without compromising

on the preferred character outcomes sought under the Framework Plan. Further work is required before finalising the preferred heights for these precincts.

- Built form testing presented by the parties at the Hearing demonstrated that additional height can be accommodated on the Milieu Property and Lineal Developments site, the Montgomery site and the Amber site.
- The further built form testing required to finalise the heights in the Station, Knowledge and Enterprise and Retail Core Precincts should focus on:
 - all SDSs, including the Westfield sites and the former Council offices site
 - the areas identified in DELWP's Day 1 controls (Figure 11) and closing submissions (Figure 12)
 - sites at the perimeter of the block bounded by Gheringhap, Moorabool, Ryrie and Malop Streets
 - 164-172 Malop Street and 2 Powel Place (Up Property site)
 - 245 Latrobe Terrace (St George's Presbyterian Church)
 - 118 Corio Street and 2 Hays Place (I Property site)
- Additional heights should not necessarily be discounted once the floorspace capacity needs are satisfied, if the built form testing demonstrates the overall planning merit of further height increases.
- Similarly, the Committee's recommended adjustments on the Milieu Property and Lineal Developments, Montgomery International and Amber Group sites should not necessarily limit additional height on those sites if the built form testing demonstrates the overall planning merit of further height increases.

The Committee recommends:

Before the Framework Plan is finalised and the draft Amendment is adopted, undertake further built form testing to:

- a) **finalise the preferred maximum building heights in the Station, Knowledge and Enterprise and Retail Core Precincts. The further built form testing should:**
 - **confirm the overall planning merit of the height increases proposed in Figure 11 in this report and Figure 12 in this report**
 - **determine what additional heights could be accommodated on the following sites or in the following areas without compromising on the preferred character outcomes sought under the Framework Plan:**
 - **all Strategic Development Sites**
 - **sites at the perimeter of the block bounded by Gheringhap, Moorabool, Ryrie and Malop Streets**
 - **164-172 Malop Street and 2 Powel Place (Up Property site)**
 - **245 Latrobe Terrace (St George's Presbyterian Church site)**
 - **118 Corio Street and 2 Hays Place (I Property site).**

Amend the Framework Plan to:

- a) **clearly define the rationale for the preferred maximum building heights, and the methodology for setting the preferred heights**
- b) **adjust the heights on the following sites (and amend Map 2 of the Activity Centre Zone Schedule 1 accordingly):**

- 23, 25-29, 31 and 33-35 Bellerine Street – increase to 28 metres
 - 20 Brougham Street – increase to 42 metres
 - 35 Corio Street – increase to 60 metres at the western end of the site, as shown in the modelling presented in Ms Heggen’s Expert Witness Statement (Document 25)
- c) make any further adjustments consequent on the built form testing recommended under consolidated Recommendation 3.

9.5 Street wall heights

(i) The issue

The issue is whether the street wall heights are appropriate.

(ii) Context

The Framework Plan and UDF set out a range of preferred maximum street wall heights that, according to the UDF, have regard for physical context and align with role and land use of the precinct. These are mapped in Figure 93 in the Framework Plan and Map 3 in the ACZ1. They are set out in Table 11, which also shows the street wall heights that applied under the pre-interim controls. As with building heights, the draft Amendment proposes to reduce or apply for the first time street wall heights in most areas.

Table 11 Pre-interim controls and the proposed (exhibited) street wall heights

Precinct	Street wall height range
Precinct 1 (Core retail)	Pre-interim: 20m
Retail Core	Proposed: 8m – 16m
Precinct 2 (Commercial living and medical)	Pre-interim: 20 metres – None Specified
Health	Proposed: 16m – 28m
Precinct 3 (Waterfront)	Pre-interim: 20 – None Specified
Waterfront	Proposed: N/A
Precinct 4 (Civic and cultural)	Pre-interim: None Specified
Cultural	Proposed: 16m – 21m
Precinct 5 (Inner western)	Pre-interim: 15 metres to None Specified
Knowledge and Enterprise	Proposed: 12m – 28m
Part Precinct 6 (Station)	Pre-interim: 15m – None Specified
Station	Proposed: 16m – 28m
Precinct 7 (Mercer)	Pre-interim: 15m
York	Proposed: 8m – 16m
No precinct comparison	Pre-interim: N/A
West Village	Proposed: 16m

DELWP’s Day 1 versions of the Framework Plan and controls proposed a raft of changes to the preferred maximum street wall heights, partly in response to the need to identify additional floorspace after the discovery of the error in the SGS Report. The changes were put to Professor

McGauran to consider in preparing his evidence. He supported all the proposed changes. The changes were subsequently reflected in a revised Map 3 which was included in DELWP's Part D version of the ACZ1 (Document 207). This version of the map is shown in Figure 13 below, and the changes are described in Table 12.

Figure 13 Revised street wall heights (Part D version of the ACZ1)



Source: Document 207

Table 12 DELWP Part D proposed variations to street wall heights

Location	Proposed variation
Bayley Street and Transit Place	Increase from 12 metres to 21 metres

Bellerine Street, between Little Malop Street and Corio Street	Increase from 12 metres to 16 metres
Malop Street, between the alignment of O'Connells Place/Burrows Place, and Bellerine Street	Increase from 12 metres to 16 metres
Corio Street (south side) between Bellerine Street and O'Connell Place	Increase from 12 metres to 16 metres
Clare Street between Malop Street and Brougham Street	Apply 16 metres
Corio Street, west of Clare Street	Increase from 12 metres to 16 metres
Railway Terrace/Gordon Avenue (east of the train line) and Mercer Street, between Railway Terrace and Trainshed Way	Increase from 21 metres to 12 metres
Mercer Street, between the west side of 151 Mercer Street and Gheringhap Street	Decrease from 21 metres to 12 metres
Trainshed Way (north side only)	Apply 16 metres
Little Ryrie Street (south side only) between Gheringhap Street and Baylie Place	Increase from 12 metres to 16 metres
The Esplanade, Ginn Street and Malone Street	Decrease from 16 metres to 12 metres

(iii) Evidence and submissions

DELWP explained that a range of discretionary street wall heights between 8 metres and 28 metres had been adopted, and submitted that the rationale behind the setting of street wall heights was based on the context of the area and an overriding objective to maintain a human scale for pedestrians. DELWP submitted that the street wall heights generally align with the overshadowing controls protecting streets and laneways.

Professor McGauran's evidence was that street wall heights were informed by:

- existing street wall heights and the overall scale of buildings and streetscapes with heritage attributes
- preserving sunlight access to primary walks, laneways, and open and urban spaces
- encouraging greater street wall height in areas where heritage is not a primary consideration and overshadowing controls are addressed.

Council was generally satisfied with the proposed street wall heights, although sought further clarification on the design guidance for varying or exceeding the preferred street wall heights. It questioned the requirement that states:

Where the proposed street wall has a consistent height for a length greater than 45 metres, street wall heights should vary from adjoining buildings. Variations in street wall height should be a minimum of 1.0 metres above or below the adjoining street wall height

Council considered that the requirement to vary street wall heights from the neighbouring properties will potentially result in blank side walls. Council preferred that street walls be required to match adjoining properties and the variations should be within sites, to better manage side elevation presentations.

Mr Sheppard's evidence was that preferred street wall heights are generally intended to achieve one or more of the following objectives:

- to respect heritage fabric or valued character
- to avoid shadowing the opposite footpath
- to avoid an overwhelming sense of enclosure and to maintain sky views
- to provide a 'human scale' streetscape.

Mr Sheppard did not support the proposed 12 metre street wall height limit on the Milieu Properties and Lineal Developments site, stating that it is *"unnecessarily low"* and not justified by any of the above reasons given the relative lack of valued character and the generous width of Bellerine Street. He recommended a 16 metre maximum street wall height for properties fronting Bellerine Street between Malop Street and Little Malop Street, stating this outcome would *"capitalise on the opportunity presented by the wide street while avoiding a dominating sense of enclosure"*. Mr Sheppard also recommended that the preferred maximum street wall height for the land along the Little Malop Street frontage of the site be increased to 16 metres. DELWP's Part D version of Map 3 reflects these recommendations of Mr Sheppard.

Mr Nelson's urban design evidence for Scentre Group supported the proposed street wall heights for the Westfield sites, as they *"support the importance of the ground plane human experience"*.

Submitter 117 cautioned against the requirement that street wall heights be set lower than adjoining contributory heritage buildings. It submitted that while this could be appropriate in some situations, a cautious approach needs to be taken to not implement street wall and height controls that could impact development opportunity.

Mr Sheppard's evidence for Montgomery also addressed the proposed requirement for a 6 metre by 6 metre rebate in street walls longer than 45 metres. He considered this to be a *"very blunt instrument"* that would potentially deliver outcomes that are not characteristic of Central Geelong. He considered the requirement was a rather *"crude"* way of achieving a fine grain character and recommended that it be replaced with a requirement for strong vertical articulation on long facades.

Amber supported DELWP's proposal to increase the street wall heights for Transit Place to 21 metres, and for Corio Street to 16 metres. Ms Heggen's evidence did not raise a concern with the proposed metrics, but her modelling tested a street wall of 4 storeys to Gheringhap Street and 3 storeys to the remaining street frontages.

(iv) Discussion

The majority of evidence and submissions before the Committee supported the application of preferred maximum street wall heights controls as they will aid decision making and allow discretion, and will assist in achieving positive quality urban design and public realm outcomes. The Committee agrees. The Committee considers that the proposed discretionary street wall heights will appropriately inform built form design, and will allow for variations where context warrants.

As with building heights, the setting of street wall heights is to some extent a matter of professional judgement, exercised and applied on a precinct wide basis rather than a site specific basis. The Committee is generally comfortable that the proposed street wall heights are crafted in an appropriate manner to deal with the varying contexts across the different precincts, and agrees with DELWP's Part B submission that they *"are generally not matters of particular dispute"*.

That said, consistent with the Committee's findings regarding preferred building heights, the Committee was not persuaded that a clear rationale for the preferred street wall heights, or a methodology for setting the preferred street wall heights, can be found within the Framework Plan or the UDF. Further, there was no explanation regarding the justification the Day 1 revisions put to Professor McGauran. If these relatively significant changes were considered appropriate, it begs the question whether the exhibited street wall heights were justified.

Having noted the above, the Committee considers it is logical for fine grain streets to have heights that reflect the existing and preferred character while protecting the public realm and providing an appropriate human scale and streetscape experience. Likewise, it is a rational urban design outcome for more robust streetscapes to be punctuated with taller street wall heights. The Committee is generally satisfied that the street wall height requirements in the UDF and ACZ1 support Objective 16 of the Framework Plan, as it relates to reinforcing the street wall height and grid, achieving a preferred character and protecting amenity in each precinct.

No party contested the Day 1 revisions to the street wall heights, including the various urban design experts called by the parties. That said, the Committee considers that prior to finalising the Framework Plan and draft Amendment, DELWP should undertake built form testing to confirm the overall planning merits of the proposed changes to the street wall heights, and to amend the Framework Plan to clearly explain the rationale for the revised street wall heights.

The Committee acknowledges Council's concerns that the requirement to vary heights of long street walls from those on the neighbouring properties could potentially result in blank side elevations. This can be addressed by amending the relevant requirement to include a need to avoid blank side walls.

The Committee supports Mr Sheppard's recommendation that the proposed requirement for 6 metre by 6 metre rebates in walls longer than 45 metres be replaced with a requirement for strong vertical articulation. The Committee notes that DELWP accepted Mr Sheppard's recommendation in its Part D version of the ACZ1. The Committee has recommended some further minor drafting changes to the Part D version.

(v) Conclusions and recommendations

The Committee concludes:

- In principle, preferred maximum street wall heights will assist in the protection of the public realm and the definition of Central Geelong's street network.
- The Committee supports in principle the revised street wall heights recommended by DELWP in the Day 1 and Part D versions of the ACZ1. They appear to be a proportionate response to the need to provide human scaled streetscapes without unreasonably constraining development opportunity.
- That said, prior to finalising the Framework Plan DELWP should undertake built form testing to confirm the overall planning merits of the revised street wall heights.
- The Framework Plan should be amended to clearly explain the rationale for the street wall heights on a precinct basis, and the rationale for metrics of the revised street wall heights.
- Council's concerns about the requirement to vary long street walls from the height of street walls on neighbouring properties can be addressed by amending the relevant requirement to recognise the need to avoid blank side elevations.

- The requirement to break up long sections of street wall is appropriate, but this can be better achieved through a requirement for strong vertical articulation rather than a requirement for 6 metre by 6 metre rebates spaced along the wall.

The Committee recommends:

Before the Framework Plan is finalised and the draft Amendment is adopted, undertake built form testing to:

- a) confirm the overall planning merit of the revised street wall heights shown in Figure 13 of this report.

Amend the Framework Plan to:

- a) clearly explain the rationale for the street wall heights on a precinct basis, and the rationale for the metrics of the revised street wall heights shown in Figure 13 of this report.

Chapter 9.5 (Street wall heights): Amend the Activity Centre Zone Schedule 1 to:

- a) in Clause 4.4, amend the second requirement under 'street wall height requirements' to read:

Where the proposed street wall has a consistent height for a length greater than 45 metres, street wall heights should vary from adjoining buildings. Variations in street wall height should be a minimum of 1.0 metres above or below the adjoining street wall height. Blank side walls that are visible from the street should be avoided.

- b) include any further amendments consequent on the built form testing recommended in consolidated Recommendation 4.

The Committee recommends the following further work:

9.6 Setbacks

(i) The issue

The issue is whether the preferred street wall setbacks above the podium and the side and rear setbacks and building separation requirements are appropriate. Mandatory upper level setbacks on heritage sites are discussed in Chapter 10.4.

(ii) Context

The proposed setbacks are set out in Table 1 (front setbacks) and Table 2 (side and rear setbacks) of the ACZ1. They are summarised in Table 13 of this report, together with the setbacks that apply under the pre-interim controls. The proposed setbacks apply above the maximum street wall height. In addition, Table 3 in the ACZ1 provides for setbacks of:

- 4.5 metres where a habitable window or balcony is proposed
- 3 metres where a commercial or non-habitable window is proposed.

Table 13 Proposed setbacks

Precinct	Street wall upper level setbacks	Side and rear upper level setbacks
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Precinct 1 (Core retail) Retail Core	Pre-interim: 5m – None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Precinct 2 (Commercial living and medical) Health	Pre-interim: 5m – None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Precinct 3 (Waterfront) Waterfront	Pre-interim: None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Precinct 4 (Civic and cultural) Cultural	Pre-interim: None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Precinct 5 (Inner western) Knowledge and Enterprise	Pre-interim: 4m – None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Part Precinct 6 (Station) Station	Pre-interim: 4m – None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
Precinct 7 (Mercer) York	Pre-interim: 4m – None Specified Proposed: 6m – 10m	Pre-interim: None Specified Proposed: 4.5m – 10m
No precinct comparison West Village	Pre-interim: N/A Proposed: 6m – 10m	Pre-interim: N/A Proposed: 4.5m – 10m

(iii) Evidence and submissions

DELWP submitted that the preferred upper setback requirements provide discretionary performance-based controls that allow for flexibility and appropriate design. It submitted that the metrics have been derived using a nuanced approach that takes account of the relationship with street wall and overall heights, and that represents contemporary good planning practice. DELWP relied on the evidence of Professor McGauran who stated that setback assumptions included:

...that the development of upper-level form above street wall podiums would be underpinned by principles used in other recently approved and relevant structure plans in relation to podium setbacks for heritage and non-heritage contexts and from sensitive and non-sensitive neighbours.

It was Professor McGauran's evidence that the setbacks:

- reinforce the street grid pattern
- create a cohesive neighbourhood
- will contribute to the built form character
- will cement the distinctiveness and quality ambitions of Geelong.

Council supported the setbacks on the basis that they are consistent with approaches seen in other recent amendments across Victoria. Council supported the discretionary nature of the setbacks, particularly on smaller blocks, given they provide flexibility and could encourage site consolidation for achieving greater height.

Mr Sheppard supported the side and rear upper level setbacks and building separation requirements, stating that they would:

... ensure equitable development potential on adjacent properties, good internal amenity and good public realm amenity. I support the scale of the proposed side and rear setbacks.

However, Mr Sheppard did not support the 6 metre front upper level setbacks requirements on lower buildings, stating that it is *“an inappropriately simplistic control, which fails to optimise the development potential of lower buildings”*. Using the Milieu Property and Lineal Developments site as an example, he considered a 6 metre upper setback to be unnecessarily large for building up to 28 metres in height, which are likely to only have upper forms of 3 to 4 storeys. He suggested that a setback of that size is not necessary to maintain the primacy of heritage or character of streetscapes, or to maintain a sense of openness in a wide street.

Mr Nelson also supported the side and rear setbacks but cautioned the need for discretion to allow for site responsiveness:

I support side and rear setbacks, building separations noting there needs to be some site-specific interpretation if a novel design solves the matter in a differing way to that imagined by the very prescriptive requirements

The UDIA questioned the setback metrics and challenged the setback guidance. It cautioned against the potential to stifle architectural freedom and design innovation, suggesting that the setbacks could result in a *“homogenous and repetitive built form outcome (‘layer caking’)”*.

Up Property’s original submission stated that the proposed controls do not adequately address whether a six metre setback above street wall height would be applied to each of the site’s street frontages given that ‘primary frontage’ is not defined. Similarly, Mr Woodland noted in his evidence that the term ‘primary frontage’ is not defined. He recommended that the ACZ1 contain a definition of this term. Mr Sheppard recommended that the definition of ‘Street Wall’ should be clarified to explain which street(s) it applies to.

(iv) Discussion

The Committee supports the principles and aspirations underpinning the side and rear setback provisions. Central Geelong has unique topographic attributes that stem from its location within a north facing amphitheatre and frontage to Corio Bay. These attributes should be protected by quality architectural and urban design outcomes that draw guidance from setback provisions that regulate interfaces between buildings, and between buildings and the street.

The Committee supports the incorporation of preferred side and rear setbacks for all precincts and considers this to be a responsible planning and urban design approach. It is important that existing and future landowners have clear guidance on setback requirements that promote the protection of equitable development, view sharing, amenity and public realm, and the achievement of preferred character outcomes.

It appears that the setback metrics and intervals are largely based on the typologies set out in the DELWP Report. The typologies represent appropriate (but not exhaustive) design options for built form, particularly in relation to the podium tower typology. The rationale for the metrics should be further explained in the Framework Plan.

The Committee generally supports the front setbacks above the street wall heights and endorses the exhibited Table 1 in the ACZ1. Table 1 provides for discretionary minimum setbacks for building height under and over 42 metres, which provides an appropriate balance between

flexibility and minimum protections for the public realm. The street wall upper setback requirement to 'avoid a tiered built form and incorporating a single setback' is supported.

The Committee supports the principle underpinning the building separation controls, in that greater separation is required as buildings increase in height and bulk. This principle is clearly explained in the built form setbacks and building separation objectives within the UDF and captured within the design guidance and Table 2 in the ACZ1.

The Committee supports the recommendation of Mr Sheppard to reduce the preferred minimum front setback for buildings up to 28 metres high, not in the Heritage Overlay, to 5 metres. The Committee agrees that a 6 metre setback on sites that will have upper forms of 3-4 storeys is not necessary to maintain a sense of openness in wide streets. A 5 metre setback, in areas not in the Heritage Overlay, is considered responsive to the intent of the control and will assist in optimising the development potential of lower buildings and smaller sites.

At the Hearing there was some discussion about the point from which the side or rear setback should be measured where a site abuts a laneway. Mr Sheppard recommended that a side or rear setback should be measured from the centreline of the laneway. Professor McGauran agreed with this recommendation and the Committee endorses this approach given that laneways, by function, contribute to building separation. The Committee supports this change, and notes that this was included in DELWP's Part D version of the ACZ1.

The Committee agrees with Mr Sheppard and Mr Woodland that the definitions within the ACZ1 should be amended to explain more clearly which street(s) the street wall and upper level setback controls apply to. The Committee's current preferred version of the ACZ1 has some changes to make this clearer.

(v) Conclusions and recommendations

The Committee concludes:

- Applying preferred setbacks above street wall heights is appropriate, will deliver appropriate building typologies and are a reasonable balance between amenity considerations, equitable development and access to sunlight, and views to the sky without unduly constraining development opportunities.
- That said, the rationale for the setbacks needs to be made clearer in the Framework Plan.
- The setback controls require some minor adjustments:
 - it needs to be clearer which street(s) the street wall and upper level setback controls apply to
 - front setbacks for buildings up to 28 metres should be reduced from 6 metres to 5 metres.

The Committee recommends:

Amend the Framework Plan to:

- a) **more clearly explain the rationale for the upper level setback metrics and intervals.**

Amend the Activity Centre Zone Schedule 1 to:

- a) **clearly explain which street(s) the street wall and upper level setback controls apply to**
- b) **reduce the preferred minimum front setback for buildings up to 28 metres high, not in the Heritage Overlay, from 6 metres to 5 metres.**

9.7 Corner sites

(i) The issue

The issue is the treatment of corner sites (street wall heights, side and rear setbacks).

(ii) Context

The UDF states that buildings on street corners in the Station, Knowledge and Enterprise and Retail Core Precincts should be designed to provide emphasis on street corners. It provides that in these precincts:

... no maximum street wall height applies to sites on a corner up to a length of 30 metres on both sides. The street wall height specified on the plan applies beyond this distance. This does not apply on corners to laneways.

This is translated into the precinct requirements in the ACZ1 for the Station, Knowledge and Enterprise and Retail Core Precincts.

(iii) Evidence and submissions

Submitters largely relied on site specific analysis to support or oppose the proposed treatment of corner sites. Submitter 90 submitted that their site should be acknowledged as a location where an innovative and well-designed building could define the corner. They proposed that the street corner requirement should apply in all precincts, not just the Station, Knowledge and Enterprise and Retail Core Precincts. They also queried the absence of specific recognition of corner sites in the Framework Plan and the ACZ1, and queried how two different street wall heights on two different frontages are to be managed. Using the example of the preferred street wall heights for Yarra Street and Little Ryrie Street they noted:

It is noted that Figure 93 (Street Wall Height) contains the note: "Podium-tower building typologies should adopt the lower street wall height". It is considered that this note would result in gross underutilisation of land, particularly on corner sites and should be deleted. Our property should be acknowledged as a location where higher street wall heights are appropriate.

Mr Sheppard in his evidence on behalf Montgomery queried how the corner site requirements are intended to relate to the building adaptability requirements:

Adaptability requirements apply up to the maximum street wall height. However, the maximum street wall height requirements do not apply within 30m of street corners in some locations. This will result in the Adaptability requirements applying to the full height of the building, which is not, I assume, the desired intent.

Submitter 133 raised similar concerns.

Mr Woodland supported the intent of the street corner controls, but considered that there is potentially a need to cap the permissible building height on the corners to avoid corner buildings overpowering the street. DELWP sought the Committee's advice on this.

In the Part D version of the ACZ1, DELWP nominated specific corners in the Station, Knowledge and Enterprise and Retail Core Precincts where the street wall exemption applies. It sought the Committee's advice on where the exemptions should apply.

(iv) Discussion

The UDF does not provide a detailed explanation for the treatment of street walls on corners. Nor did DELWP present detailed evidence in relation to this matter. It is not clear to the Committee how the corner site requirements were derived, or their nexus to the precinct objectives or the preferred character outcomes sought by the Framework Plan.

That said, emphasising and shaping building form to reinforce the importance of street corners is an objective within the Urban Design Guidelines for Victoria.

While the Committee acknowledges that not all corners with the activity centre are equally important, it does support the application of a corner street wall requirement within the Knowledge and Enterprise, Station, and Retail Core Precincts. These are the precincts where the most intensive built form is encouraged. Sites in these precincts tend to be larger, streets tend to be wider and they have generally less sensitive settings than other precincts. The land uses encouraged in these precincts also require larger floorplates. The Committee considers it suitable that corners within these precincts are punctuated by more robust built form that is exempt from the street wall and upper level setback requirements.

The Committee does not agree that the street wall exemption should be extended to all precincts, given the less intensive built form expectations for these other precincts, and the fine grain character of much of Central Geelong which is sought to be protected.

Given the exemption is likely to result in more robust built form, the Committee supports:

- capping the overall building height permitted
- identifying specific corners to which the exemption applies.

DELWP sought direction from the Committee in relation to a quantum for a potential cap on overall height of built form on street corners where the exemption applies. While the Committee supports the notion of a preferred height maximum on corner sites, the metric would need to be derived through built form testing. It would not be appropriate for the Committee to recommend a metric in the absence of built form testing.

The corners nominated in DELWP's Part D version for where the street wall exemption should apply appear reasonable.

(v) Conclusions and recommendations

The Committee concludes:

- The physical contexts of the Station, Knowledge and Enterprise and Retail Core precincts are such that they can facilitate more robust built form at corner locations. The proposed street wall exemptions on the corner sites nominated in the Part D version within these precincts are supported.
- Extending the street wall exemptions to other precincts is not supported, given the less intensive built form outcomes sought in these precincts.
- Applying a cap on overall building height on the nominated corners is appropriate, but there is insufficient information was presented to determine what that cap(s) should be. The appropriateness of caps should be investigated as part of the further built form testing recommended by the Committee.

The Committee recommends:

Amend the Activity Centre Zone Schedule 1 to:

- a) amend the precinct requirements for street corners to specify an overall preferred maximum height for each corner that is exempt from the street wall height controls.**

10 Heritage

10.1 Aboriginal cultural heritage

(i) The issue

The issue is whether there is appropriate recognition in the Framework Plan of Aboriginal cultural heritage values.

Chapter 15.2 addresses whether Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) should be a recommending referral authority for permit applications within Central Geelong.

(ii) Evidence and submissions

WTOAC was directly consulted in the preparation of the Framework Plan and draft Amendment prior to its exhibition, including on the use of culturally sensitive text in the documentation. It was broadly supportive of both, submitting:

We note and applaud the uniqueness of weaving of Wadawurrung living cultural heritage considerations and textual references within the proposed Central Geelong Framework Plan and the associated Greater Geelong Planning Scheme amendment C431ggee, a level of which has never been entertained in draft Framework Plans and associated Planning Scheme Amendment provision text across Victoria to date.

WTOAC was particularly supportive of Objectives 2 and 14 of the Framework Plan and their associated Strategies and Actions:

Objective 2 - Develop a philosophy and framework to guide Geelong's/Djilang's built environment that embraces Wadawurrung Traditional Owners' values of place-care and placemaking towards crafting culturally relevant and enriching design outcomes and places

Objective 14 - Respect and respond to local cultural and indigenous living heritage issues

WTOAC noted the focus in the Framework Plan and draft Amendment on *"hosting human renourishment and the built forms to enable this to occur"*, but was concerned that the Plan did not address the *"other residents of this city fabric"*, the animals, birds and their supporting ecological infrastructure including water bodies and plant food sources. It submitted:

Thus, to the Wadawurrung, biodiversity (animals, birds, plants, etc.) and Yulluk/water are important ingredients that make for the life and spirit of this city, they require spatial recognition and mention equivalent to the celebration placed upon the Green Spine as a green lung-thread in the city, and we ask that they be better elevated in the Framework as they are essential to this urban ecological system.

Topography, visual connectivity and Country are important spatial built form characteristics to the Wadawurrung People, as is the extent to which the built environment engages directly with its landscape form. The city's *"sloping undulations and emotional outlooks to Wurdi Youang/You Yangs, Corayo/Corio Bay and the Barrabulls/Barrabools from many vantage points"* are particularly important. WTOAC submitted that this is not adequately reflected in the Framework Plan's Objectives Strategy and Actions.

WTOAC requested new specific Objectives that:

- engage with respecting, protecting, nourishing and enabling the continued occupancy of the landscape by its non-human residents

- better respect and embrace the attributes of topography and visual connectivity lines.

WTOAC also suggested:

- the Framework Plan cross-reference to the Areas of Cultural Heritage Sensitivity overlay under the Aboriginal Heritage Act
- a number of minor text changes to the Framework Plan outlined on pages 7 to 9 of its original submission (Submission 31).

Council explained that the Council's Arts and Culture Strategy outlines key areas of focus including the central role of Wadawurrung cultural expression in Central Geelong, and it is critical that the Arts and Culture Strategy be appropriately referenced in the Framework Plan.

Other submitters, including the G21, Geelong Arts Centre, Deakin University and Ms Conrick and Mr Vinegrad, noted and welcomed the Framework Plan's recognition of the Wadawurrung People as the traditional custodians of the land, its reflection of their rich cultural history and its emphasis on the important role of the Wadawurrung People in shaping the future built form of the city. Geelong Arts Centre submitted that the Framework Plan should include a 'cultural overlay' or map of the key culturally sensitive sites within Central Geelong. The G21 urged that consultation with the Wadawurrung People be maintained throughout the development and implementation of the Framework Plan.

(iii) Discussion

WTOAC has a statutory function under the *Aboriginal Heritage Act 2006* to advise the Minister for Planning on proposed planning scheme amendments which may affect the protection, management or conservation of places or objects of Aboriginal cultural heritage significance.

WTOAC provided a comprehensive submission in response to the exhibited material, as well as detailed presentations to the Committee at the Hearing. These greatly aided the Committee in understanding the connection of the Wadawurrung People to Djilang, and the significance of Djilang's connections to the landscape and topographical features in Wadawurrung Country more broadly, including the hills behind Geelong including Mount Duneed, Corio Bay and the You Yangs.

The Committee was impressed by the number of parties involved in the Hearing who specifically acknowledged the Wadawurrung as the traditional custodians of the land, and recognised the value of the Wadawurrung People's contributions, past, present and future, to the Framework Plan and to Geelong more broadly.

The Committee notes WTOAC's submission that the extent to which Wadawurrung cultural heritage is reflected in and woven into the Framework Plan is unique and unprecedented. It appears that DELWP's consultation with WTOAC has been thoughtful, meaningful and effective. DELWP and WTOAC are congratulated on their collaborative approach.

The Framework Plan gives significant prominence to the important role of the Wadawurrung People in shaping Geelong's history. It also gives significant prominence to the role of the Wadawurrung in shaping future development outcomes in Central Geelong. The following actions and strategies are particularly relevant:

Action 2.1.1

In partnership between DELWP, the Wadawurrung Traditional Owners Aboriginal Corporation, the City of Greater Geelong and the Office of the Government Architect, establish a project working group to develop Wadawurrung urban design and living heritage conservation guidelines.

Strategy 14.1

Find opportunities to retain and protect significant Indigenous living heritage elements including spaces, views, vegetation, natural and designed landforms, and built fabric.

Action 14.1.1

Integrate interpretative elements into designs to reflect local cultural and Indigenous living heritage where appropriate and in important public spaces such as Johnstone Park.

Subject to some minor improvements, the Committee is satisfied that the Framework Plan provides appropriate recognition of the cultural importance of the area to the Wadawurrung People, and appropriately outlines a significant role for the Wadawurrung People in shaping Geelong's future.

In response to submissions from WTOAC and Geelong Arts Centre, the Committee considers that there is merit in including a map which specifically identifies areas and features of particular significance to the Wadawurrung People, and explains why they are significant. While the mapping of Areas of Cultural Sensitivity registered under the Aboriginal Heritage Act provides a start, the maps and diagrams in WTOAC's presentation to the Committee (Document 58) identified other sites and features which should perhaps be included, subject to further consultation with WTOAC.

Regarding the additional objectives in the Framework Plan sought by WTOAC, the Committee is unsure as to what is sought in addition to Objectives 2 and 14 (set out above), and:

- Objectives 12 and 16, which seeks to ensure building scale and form shares key views, provides access to bay views and complements the waterfront
- Objective 19, which seeks to (among other things) ensure buildings demonstrate a sense of their natural setting and high levels of sustainability
- Strategies 21.2 and 21.3 which relate to Green Spines
- Objective 30, which is to deliver environmental improvements and respond to climate change.

That said, the Committee considers that a significant rewrite of the Framework Plan is required, which should include rationalising and reviewing the Objectives and Strategies to provide a clearer and more direct focus on what is sought to be achieved (see Chapter 16 for more detail). As part of the Framework Plan review, DELWP should consider whether any further adjustments to the Objectives and Strategies are required to address WTOAC's concerns.

The Committee supports the minor text changes to the Framework Plan recommended in WTOAC's original submission (Submission 31).

(iv) Conclusions and recommendations

The Committee concludes:

- The Committee is satisfied that while some minor improvements could be made, the Framework Plan is an exemplar in terms of the recognition of the historical importance of cultural values of the traditional owners of the land, and the role of the traditional owners in shaping future development outcomes that respect those cultural values.
- There is merit in including in the Framework Plan a map which specifically identifies areas and features of particular significance to the Wadawurrung People, and explains why they are significant, subject to further consultation with WTOAC.
- DELWP's review of the Framework Plan should include:

- further consideration of WTOAC's request for additional objectives to respect and enable the continued occupancy of the landscape by its non-human residents, and to better respect and embrace the attributes of topography and visual connectivity to important features of cultural significance to the Wadawurrung People
- the minor text edits requested on pages 7 to 9 of WTOAC's original submission (Submission 31).

The Committee recommends:

Amend the Framework Plan to:

- a) **include the following, subject to further consultation with the Wadawurrung Traditional Owners Aboriginal Corporation:**
 - a map that identifies and explains areas and features of cultural significance to the Wadawurrung People
 - the minor text edits requested on pages 7 to 9 of the original submission of the Wadawurrung Traditional Owners Aboriginal Corporation (Submission 31).

When amending the Framework Plan:

- a) **give further consideration to the Wadawurrung Traditional Owners Aboriginal Corporation's request for additional objectives to:**
 - respect and enable the continued occupancy of the landscape by its non-human residents
 - better respect and embrace the attributes of topography and visual connectivity to important features of cultural significance to the Wadawurrung People.

10.2 Recognition of post-contact heritage values

(i) The issue

The issue is whether the Framework Plan gives appropriate recognition to post-contact heritage values, and whether it should have been informed by a broader heritage study.

(ii) Evidence and submissions

Council pointed to a lack of recognition of Central Geelong's history and heritage values in the Framework Plan or the DELWP Report. It submitted that the DELWP Report provided a "*very basic and inaccurate overview of the history of Central Geelong, but no meaningful overview of how Central Geelong has been occupied (both by Wadawurrung and from the 1830s by Europeans)*". It submitted that to safeguard Geelong's heritage and manage it into the future, it is essential that the Framework Plan clearly articulates the heritage values of Central Geelong, and reflects the need for a future review of European heritage.

Council submitted that the City of Greater Geelong Heritage Strategy 2017-2021 identifies a number of actions relevant to Central Geelong, including:

- update the Heritage Overlays, which are based on outdated heritage studies and reviews
- review local heritage policies to ensure they meet current best practice
- update the now outdated Heritage and Design Guidelines 1997.

None of these are reflected in the Framework Plan, which Council described as a “*major oversight*”. Further, the UDF contains no analysis of the existing heritage context of Central Geelong and it is unclear how the UDF has been developed to respond to that context.

Council submitted that the following should be added to the Key Issues discussed in section 4.4 of the Framework Plan, supported by Objectives and Actions in section 5.1 (Land Use and Economy) and section 6 (Implementation):

Carry out a heritage review of Central Geelong and update the Heritage and Design Guidelines to give better guidance on development in heritage overlays.

Similarly, the Geelong Branch of the National Trust submitted that the somewhat cursory description of the city’s history in the DELWP Report was “*insufficient*”, and that an urgent review is needed of the Heritage Overlay within Central Geelong to identify heritage places that have been missed in former studies and reviews. It submitted that all properties on the Victorian Heritage Register or within the Heritage Overlay should be listed and mapped in the Framework Plan, and that the Framework Plan should not be adopted until *About Corayo: A Thematic History of Greater Geelong* was complete. It submitted that *About Corayo* will be an essential reference that should be used to inform the Framework Plan about the heritage places and character of the old city centre.

(iii) Discussion

The Committee notes the submissions from Council and the National Trust that the DELWP Report’s discussion of the history of Geelong is somewhat limited and may contain inaccuracies. However no specific examples were brought to the Committee’s attention. In any event, the DELWP Report will serve a limited role going forward. The Framework Plan may not contain a comprehensive history of Geelong, but that is not its role.

The Committee agrees that the Framework Plan should be informed by an understanding of the heritage values of Central Geelong, and should clearly articulate the heritage values that are sought to be protected and integrated into the new future for Central Geelong. It does this to an extent:

- There are references to protecting and celebrating the city’s history in the Foreword.
- The vision includes reference to the city’s “*rich post-colonial history and urban fabric*”, and to a city of design excellence that is “*respectful of the setting, heritage, and preferred precinct objectives*”.
- The precinct objectives specifically encourage:
 - an evolving character that combines elements of the heritage woolstores with contemporary architecture of newer development (the Knowledge and Enterprise Precinct)
 - maintaining the prominence of heritage buildings (the Retail Core and West Village Precincts)
 - encouraging the retention of heritage buildings (the Health Precinct).
- The analysis of built form in section 5.3 references the “*rich tapestry of heritage buildings*” and heritage streetscapes.
- The analysis of existing built form, character and challenges in section 7.3 includes a discussion of city’s urban structure and heritage.

- Several objectives and strategies require new development and public realm upgrades to respect and respond to the city's cultural and built form history (for example, Objectives 19 and 28, Strategies 19.3, 19.4 and 27.1).
- The UDF has been developed to ensure that new development is responsive to the existing heritage context.

The Framework Plan does not, however, identify any further work or actions required in respect to heritage. The Committee agrees that there is a clear need for further heritage reviews, including the actions identified in the City of Greater Geelong Heritage Strategy 2017-2021 to which Council referred:

- update the Heritage Overlays
- review local heritage policies to ensure they meet current best practice
- update the Heritage and Design Guidelines 1997.

Examples were drawn to the Committee's attention of anomalies in the Heritage Overlay that applies over heritage places in Central Geelong. For example, a Heritage Overlay applies to part of the former Council offices site owned by Dimmick Nominees that contains a carpark with no identified heritage value. Another example is the Montgomery site which contains an historically significant woolstore that was, until recently, not included in the Heritage Overlay. Given the application of the Heritage Overlay triggers additional setback requirements designed to protect heritage fabric (discussed in Chapter 10.4), it is important that the Heritage Overlay applies to the right properties.

Both Council and DELWP pointed to the fact that the local heritage policies in the Planning Scheme will need to be reviewed, as there are likely inconsistencies between the Framework Plan and the local policies. As Mr Woodland pointed out:

These local policies include very specific design standards to developments within the relevant HO precincts, some of which are not consistent with the design provisions proposed within the ACZ1/DDO. It is therefore necessary to review both these local heritage policies and the draft ACZ1/DDO provisions to identify any such inconsistencies, and resolve what the preferred consistent approach should be.

On that basis, the Committee supports Council's submission that the Framework Plan should include the following specific actions:

- Review and update the Heritage Overlays in Central Geelong to remove the Overlay from any land no longer containing heritage fabric, and to apply it to any land which meets the relevant thresholds for heritage significance but is not yet included.
- Review local heritage policies and design guidelines that apply to Central Geelong, including the Heritage and Design Guidelines 1997, to identify and resolve any inconsistencies between the heritage policies and guidelines and the built form controls proposed in the UDF.

The Committee considers that both these actions should be identified as 'immediate' in the Framework Plan's Implementation Plan (in section 6). Until these anomalies and inconsistencies are resolved, difficulties are likely to arise in the application of the controls.

The Committee does not consider that these actions need to be completed before the Framework Plan is adopted and the ACZ1 is implemented. However consideration should be given to whether either the Framework Plan or the controls require updating once the reviews and the *About Corayo* study are complete.

For completeness, the Committee does not consider that the Framework Plan needs to specifically identify, list or map properties within the Heritage Overlay or listed on the Victorian Heritage Register. There are other statutory tools which perform these functions.

(iv) Conclusions and recommendations

The Committee concludes:

- The Framework Plan sufficiently articulates the heritage values that are sought to be protected and integrated into the new future for Central Geelong.
- Some of the heritage reviews which informed the Framework Plan are outdated.
- The Framework Plan should include priority actions for reviewing the Heritage Overlays and local policies and guidelines that apply within Central Geelong. Any inconsistencies identified should be resolved as a matter of priority.
- Consideration should be given to whether either the Framework Plan or the controls require updating once the heritage reviews and the *About Corayo* study are complete.

The Committee recommends:

Amend the Framework Plan to:

a) include the following as 'immediate' Actions:

- **Review and update the Heritage Overlays in Central Geelong to remove the Overlay from any land no longer containing heritage fabric, and to apply it to any land which meets the relevant thresholds for heritage significance but is not yet included.**
- **Review local heritage policies and design guidelines that apply to Central Geelong, including the Heritage and Design Guidelines 1997, to identify and resolve any inconsistencies between the heritage policies and guidelines and the proposed built form controls.**

The Committee recommends the following further work:

Undertake the reviews and updates of Heritage Overlays and local heritage policies referred to in the above Recommendation within 12 months of the Framework Plan being adopted and the draft Amendment implemented (subject to Council's resources).

10.3 Heritage controls in the ACZ

(i) The issues

The issue is whether controls to protect heritage should be included in the ACZ1, or left to the Heritage Overlay.

(ii) Evidence and submissions

Scentre Group raised doubts about whether the head clause of the ACZ provides a necessary head of power to include heritage provisions in an ACZ schedule.

In its Opening Statement DELWP acknowledged that the Heritage Overlay, which remains unaltered by the Amendment, will remain the primary tool for protecting Central Geelong's heritage fabric, and that it is within this context that the ACZ1 seeks to ensure that development does not adversely affect heritage places. In closing DELWP retained its position that it was

appropriate to include heritage controls within the ACZ1 and likened it to references to heritage in Design and Development Overlays in other planning schemes.

In response to questions from the Committee, Mr Woodland considered it appropriate that the ACZ1 include heritage provisions, but that there should be a review of heritage policies and guidelines applicable in Central Geelong to identify and resolve any direct conflicts or inconsistencies.

(iii) Discussion

Having reviewed PPN56 and the head clause of the ACZ, it is not entirely clear to the Committee that the purposes of the ACZ support including controls that protect heritage or guide built form outcomes that relate to heritage. The somewhat tenuous link appears to be derived from the purpose to implement planning policy and the reference to achieving good urban design.

PPN56 notes that as much as possible, the ACZ should be used to remove the need for additional overlays in an activity centre, including Design and Development Overlays, Development Plan Overlays and Incorporated Plan Overlays. However, it notes that where Heritage Overlays apply, these should be retained.

Clause 37.08-6 of the ACZ is broad in application and states that a schedule may include requirements relating to a range of design and development related matters. The last dot point in that sub-Clause is “*any other requirements or guidelines relating to the design or built form of new development.*” Further, Clause 37.08-1 of the head clause states that a schedule must contain (among other things) a statement of the activity centre land use and development objectives to be achieved.

On balance, the Committee is satisfied that there is sufficient scope to include heritage considerations in the ACZ1. It notes that PPN56 does not state that heritage considerations cannot be included. Further, the *Practitioners’ Guide to Victorian Planning Schemes* provides that if a combination of controls, including local policies, is not able to achieve the desired planning outcomes, a special purpose zone (such as the ACZ) may be used. The Committee is aware that the ACZ1 in the Stonnington Planning Scheme for instance, includes heritage considerations and guidelines. The Committee is satisfied that such an approach can be adopted here.

Having reviewed the existing heritage policies contained at Clause 22 of the Planning Scheme, the Committee observes that these provide more limited guidance than heritage policies in other planning schemes. Perhaps if the policy framework was more robust in setting out objectives and guiding built form in the various precincts in Central Geelong, then the appropriate statutory path would see the application of heritage controls via the Heritage Overlay and heritage policies. However, in the absence of a comprehensive framework, it is appropriate that the ACZ1 deal with matters of heritage.

(iv) Conclusion

The Committee concludes:

- It is appropriate to include provisions in the ACZ1 that are designed to ensure new development responds appropriately to existing heritage.

10.4 Mandatory heritage setbacks

(i) Context

The ACZ1 proposes a mandatory 6 metre minimum setback above a street wall of a building in a Heritage Overlay.

(ii) The issues

The issues are:

- whether mandatory heritage setbacks controls are justified
- whether the 6 metre metric is appropriate.

(iii) Relevant guidance

PPN59 and PPN60 are discussed in Chapter 3.5.

(iv) Evidence and submissions

DELWP submitted that the proposed mandatory control has been drafted to “*prioritise the protection of heritage streetscapes*” and “*to provide certainty and ensure a preferable and efficient outcome*”. It submitted that a mandatory control is “*supported within the existing framework and in the context of State and local significance of Geelong’s built heritage and character*”. It pointed to examples of panels that had supported mandatory heritage setback controls in strip shopping centres in Yarra, including:

- Swan Street Richmond (a mandatory 6 metre minimum setback for heritage properties and a discretionary 6 metre setback for non-heritage properties)
- Johnstone Street Fitzroy (a mandatory 6 metre setback)
- Queens Parade Clifton Hill (varied across precincts with some mandatory minimum 6 metres).

Mr Woodland’s evidence was that while there is a “*prima facie*” case for mandatory controls in the ACZ1, further analysis could be presented to the Committee “*to more definitively demonstrate why this approach is warranted*”. More particularly in relation to heritage, he concluded:

I consider that the upper level setback of buildings in the Heritage Overlay is also a design matter that should be left open to discretionary judgement under the planning scheme.

In his written evidence he noted that he had not been presented with detailed analysis of “*specific developments having resulted in unacceptable heritage outcomes*” and nor had he undertaken his own analysis.

Council expressed support for the proposed mandatory heritage setback, submitting:

... setbacks in this circumstance play a significant role in ensuring that facadism is avoided and protects facade articulation through the incorporation of spatial separation from the upper levels.

It submitted that this was an important outcome to ensure that “*additional development remains subservient to the key characteristics of the area.*”

In closing, Council continued to support a mandatory heritage setback control, particularly in the Geelong Commercial Heritage Area (HO1637) and the Woolstores Heritage Area (HO1638). It also cited setbacks in other shopfront precincts in Melbourne which it said had some similarities with Central Geelong, including in:

- the Yarra Planning Scheme (Johnstone Street, Smith Street, Chapel Street and Victoria Street)
- the Stonnington Planning Scheme (Glenferrie Road and High Street)
- the Moreland Planning Scheme (Lygon Street).

Montgomery made extensive submissions in relation to the proposed mandatory control, including an analysis of it against the criteria contained in PPN59. It highlighted:

- the lack of sound strategic basis for the control
- the lack of evidence or background material or assessments to support 6 metres as the right metric
- the lack of material before the Committee to inform the significance of precincts or streetscapes.

Montgomery submitted that DELWP's reliance on controls in the Yarra Planning Scheme to justify the control is "*misguided*". It noted that the panel reports for Yarra Amendments C191 (Swan Street), C220 (Johnston Street), and C231 (Queens Parade) highlighted the degree of rigour and debate between experts on both the metric and whether the control should be mandatory – debate that occurred despite the existence of cohesive heritage streetscapes. It submitted that these factors weigh strongly against the uniform application of the mandatory heritage setback control in Central Geelong, particularly without any supporting analysis.

Montgomery concluded:

[N]one of the Amendments cited by the Planning Authority are comparable, informative or helpful to the resolution of this issue, at least not in favour of the application of a mandatory control...

and that:

... the suggestion that heritage significance must be protected right now, through this ACZ provision, or it will be lost forever, is an overreach.

In his evidence for Montgomery, Mr Shephard cautioned that he was not a heritage expert, but queried whether the mandatory setback "*strikes the right balance between respect for heritage values and providing for growth in this circumstance*" and noted that "*there are examples of successful upper additions to heritage buildings of a similar scale with lesser setbacks*", including the current approval for the redevelopment of the Montgomery site.

Under cross-examination, Professor McGauran acknowledged that there had been no heritage advice received in the formulation of the proposed controls. He indicated that 6 metres was a widely used setback in heritage strip shopping centres in Melbourne. However he acknowledged that it may be appropriate to adopt different approaches when dealing with fine-grain areas such as Swan Street Richmond, compared with the more robust Woolstore area in Central Geelong.

Scentre Group adopted the Montgomery submissions and submitted:

... it is inappropriate to simply adopt mandatory controls specified in a different heritage context and apply them without expert input to Central Geelong.

Dimmick Nominees submitted that a mandatory control did not allow for a contextual analysis and design response. It highlighted that its land (the former Council offices SDS) is included in HO1638 (Woolstores Industrial Heritage Area), but there was no heritage fabric on the land. Despite this, a mandatory setback would be applicable.

The National Trust made submissions as to the significance of heritage buildings in Central Geelong, with a particular focus on the importance of the Woolstore precinct for both its built form but also its historical role and association with the wool industry. It noted that a heritage review is “*long overdue*” and that the WorkSafe building is “*facadism in the extreme*.” It submitted that high rise developments would detract from the significance of the Woolstore precinct.

In its closing submission DELWP suggested the following approaches that the Committee may take were it of the view that a mandatory heritage setback was not justified:

- recommend the adoption of the proposed mandatory control on an interim basis to enable sufficient time for Council to complete its heritage review, and update the heritage controls in the ACZ1 in a future amendment if required
- recommend adoption of the mandatory control for intact heritage streetscapes, and make the control discretionary for other heritage sites
- recommend a ‘strong discretionary’ control whereby no permit can be granted unless certain criteria are met (for example, the addition is recessive in nature and clearly distinguishable from the heritage fabric).

(v) Discussion

The Committee acknowledges the heritage integrity of buildings throughout Central Geelong and the association with the evolving role and function of the city over time since European settlement. The Committee accepts that there is a need to balance intensification of the city with heritage preservation and restoration. It notes the extent of the Heritage Overlay applied throughout the city centre, and the number of heritage policies found at Clause 22 of the Planning Scheme.

The Framework Plan indicates that the key purpose of the mandatory heritage setback is to avoid facadism. The Plan references the NDIS and WorkSafe buildings as examples of overdevelopment, where the contemporary extension is not respectful of the heritage fabric.

As discussed in Chapter 10.2, the Committee acknowledges the criticism from Council and the National Trust that the Framework Plan was not informed by a comprehensive heritage analysis or review. In the absence of a heritage analysis or expert heritage evidence demonstrating why a 6 metre setback is necessary to protect heritage fabric, the Committee was not persuaded that the mandatory control is justified.

The Committee agrees with Montgomery International and the Scentre Group that reference to a 6 metre mandatory setback in Swan Street Richmond and other metropolitan Melbourne strip shopping centres is no justification for the application of the same control in Central Geelong. The context is different. All of those examples are fine grained heritage streetscapes and shopfronts, whereas in Geelong the mandatory 6 metre setback is proposed to apply whether the buildings are fine grained or a larger format such as in the Woolstore heritage precinct.

As noted in Chapter 10.2, the Dimmick Nominees submission clearly highlights the anomalous outcomes that can arise from the blanket application of a mandatory control without a thorough heritage review and audit. The former Council offices SDS has no heritage significance, and the building and at-grade car park on the site bear no association with the Woolstore heritage precinct within which it is included. This is one example that was brought to the Committee’s attention, but there could be others. This observation is only reinforced by statements in Council’s closing

where it identified that a heritage review is more likely about *“tidying up/or deleting some Heritage Overlays rather than finding new ones.”*

The Committee is also cognisant of the cautionary approach called for in PPN59 before applying mandatory controls:

Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principles that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.

PPN59 sets out that mandatory provisions will only be considered in circumstances where it can be clearly demonstrated that discretionary provisions are insufficient to achieve desired outcomes.

PPN60 (which relates specifically to activity centres) states:

Proposed height and setback controls must be soundly based on the outcomes of strategic research and background analysis that demonstrates consistency with state and regional policy and includes a comprehensive built form analysis.

PPN60 sets out the circumstances when mandatory setback controls should be applied. The Committee observes in relation to these:

- DELWP has not advanced the proposition, through evidence or background reports, that exceptional circumstances exist to warrant the mandatory control.
- there has been no *“comprehensive strategic work”*, let alone any work, done that demonstrates that the mandatory control is appropriate in the context
- DELWP has not demonstrated that it is *“absolutely necessary to achieve the preferred built form outcomes”* or that exceeding the mandatory control *“would result in unacceptable built form outcomes”*.

DELWP did not advance the proposition that other controls are inadequate to protect unique heritage values. Rather, it noted that the Heritage Overlay and policies would continue to exist alongside the ACZ1. Other than the WorkSafe and NDIS buildings, neither DELWP nor Professor McGauran were able to point to examples which demonstrated that discretionary controls could result in an unacceptable heritage outcomes.

The Committee is of the view that the criteria set out in both PPN59 and PPN60 have not been met, and that the imposition of a mandatory heritage setback in Central Geelong has not been adequately justified.

During the Hearing, the Committee was taken to images of the Geelong Arts Centre where the new fabric cantilevers forward of the original fabric. The Committee inspected the Arts Centre building on its site inspections. In the Committee’s view, the Arts Centre is an exemplar of good design that successfully protects and preserves the heritage fabric without providing upper level setbacks. While the Committee makes no findings on the heritage or design merit of the Montgomery proposal, the images provided of Montgomery’s approved development is illustrative of another example of where contemporary form may sit directly above heritage fabric without necessarily destroying its significance.

The Committee is surprised by DELWP’s approach to this aspect of the Amendment, which is evidently a key part of the controls and one that flows from the objectives in the Framework Plan that seek to protect heritage. DELWP did not engage a heritage expert to inform background work or call expert evidence to advance its position. If it had chosen to call heritage evidence, it would have at least allowed the setback control to be tested through the Hearing process.

This raises the question whether the heritage setback is justified on a discretionary basis, given the lack of heritage or built form analysis supporting the setback. On balance, the Committee supports a discretionary 6 metre setback, consistent with the front upper level setbacks proposed for non-heritage buildings which the Committee supports (see a more detailed discussion in Chapter 9.6).

The Committee notes that the Part D version of the ACZ1 includes detailed Architectural expression requirements under the sub-heading of “Heritage Places” that will guide the exercise of discretion in assessing proposed setbacks on heritage buildings. The Committee supports these inclusions.

If the Committee’s recommendation that the heritage setback be discretionary is accepted, there is no longer any need to distinguish between the upper level setbacks on heritage and non-heritage buildings. The Framework Plan and ACZ1 should be amended accordingly.

(vi) Conclusions and recommendations

The Committee concludes:

- DELWP has not provided sufficient justification to demonstrate that a mandatory heritage setback control is warranted.
- A discretionary setback is appropriate to inform design and decision makers and assist to implement objectives in the Framework Plan regarding preferred character outcomes and recessive built form above the street wall.
- The architectural expression requirements relating to heritage added to the Part D version of the ACZ1 will assist in guiding the exercise of discretion.
- In the absence of evidence or analysis suggesting an alternative metric, 6 metres is an appropriate metric, and is consistent with the discretionary setbacks on non-heritage buildings.

The Committee recommends:

Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly) to:

- a) amend the street wall upper setback requirements to convert the setbacks for development within a Heritage Overlay from mandatory to discretionary (retain the 6 metre metric).**

11 Public realm

11.1 Context

Open space and the public realm is discussed in section 5.5 of the Framework Plan. Section 7.3 (Existing built form, character and challenges) states:

Public realm and movement

Public open spaces such as the waterfront and Johnston Park are major destinations and form part of Geelong's identity as a lifestyle city...

However, these public open spaces and pedestrian paths are at risk of losing their amenity, as the current built form controls do not limit overshadowing or the effects of wind resulting from new development.

The southern part of Central Geelong does not have adequate green open space, as established in the Open Space Strategy. On-ground car parks, often owned by the Council, could be consolidated to allow the creation of more open space. ...

Key objectives and strategies in relation to open space and the public realm are:

Objective 15 – Protect the amenity of key existing and proposed public spaces, streets and laneways from overshadowing and wind impacts

Strategy 15.1 – Protect public open spaces, such as the station forecourt, public parks and plazas, from overshadowing throughout the year

Strategy 15.2 – Protect the pedestrian network from overshadowing for most of the year

Strategy 15.3 – Protect the safety and comfort of the public realm and open spaces from the wind impacts of taller buildings

Objective 29 – Provide the social infrastructure, utilities and open space to meet the growing needs in Central Geelong

Figure 85 of the Framework Plan identifies:

- existing open space
- future open space at the Station Forecourt and several Council owned carpark sites
- the Malop Street Green Spine (identified as 'to be completed')
- a green spine along Gheringhap Street (identified as 'create')
- green spines along Mercer, Moorabool and Bellerine Streets (identified as 'investigate') – DELWP subsequently indicated that Mercer Street is intended to be identified as a boulevard treatment, not a green spine
- street master plans to be prepared for Mercer, Gheringhap, Moorabool and Bellerine Streets and sections of Little Malop, Little Ryrie and Corio Streets
- several government or institutional sites for which opportunities are to be investigated for additional public space or plazas.

Figure 107 maps Primary and Secondary Streets, and Narrow Streets/Laneways A and B.

The Framework Plan does not map a pedestrian network, but includes a number of Strategies and Actions relevant to pedestrian links:

- Action 27.6.1 – prepare master plans for key primary pedestrian links to realise the public realm objectives in the Structure Plan
- Action 27.7.2 – encourage wide footpaths and kerb extensions along primary pedestrian links.

Mandatory overshadowing controls are proposed to protect mapped public reserves and open spaces from any additional shadow (beyond that cast by existing buildings or works) on the winter solstice between 10am and 3pm (see Table 7 in the ACZ1). The mapped open space includes existing parks and reserves, and the proposed future open space at the Station Forecourt and the Council carpark sites.

Mandatory overshadowing controls are also proposed to protect streets and laneways shown on Maps 7 and 8. Most of the streets in Central Geelong are mapped and classified. Depending on the classification, different parts of the footpaths are protected from shadow (see Table 8 in the ACZ1).

The Framework Plan was prepared having regard to:

- Revitalising Central Geelong Open Space Network Strategy 2018
- City of Greater Geelong Open Space Social Infrastructure Plan 2020
- City of Greater Geelong Urban Forest Strategy 2015–2025
- Central Geelong Public Realm Framework 2017
- Central Geelong Waterfront Masterplan 2011.

11.2 Open space and green spines

(i) The issue

The issue is whether the proposed open space and green spines are adequate and appropriate.

(ii) Evidence and submissions

Several submissions called for more open space to be provided in Central Geelong, with some (for example Council and Submitter 13) submitting that open space should be provided within 200 metres of every residence. Council submitted that the Framework Plan should include an Action to this effect under Objective 29.

Submitter 57 submitted:

The Draft Framework Plan has not considered how it will provide the future residents of the city centre the access to Communal Public Open Spaces they would undoubtedly require through connections to Open Space including Eastern Beach, Eastern Gardens and the Barwon River as is proposed within the Vision.

Council pointed to the lack of proposed open spaces in the York, Station and West Village Precincts, and submitted that open space contributions should be explored through the Framework Plan. It submitted that open space should be encouraged on larger privately owned sites rather than just government or institutional sites. It also submitted that further guidance should be provided on the design requirements for public open space (for example, adequate levels of sunlight, visually prominent location to maximise use, and contribution to biodiversity).

Several submitters supported more green spines in Central Geelong. WTOAC described them as a *“green lung-thread in the city”*. Dr Walker submitted that green spines are a key feature of biophilic design, and will bring many benefits to Central Geelong including reducing the urban heat island effect, attracting visitors and tourists, and providing enhanced opportunities for recreation and social interaction. Other submitters thought the Malop Street Green Spine was an *“eyesore”* and a *“disaster”*, causing traffic congestion and chaos. They did not support the completion of the Malop Street Green Spine or providing other green spines.

The Live+Smart Research Laboratory submitted that street reserves should be considered for parklets, pocket parks and to extend the available open space through road narrowing and road closures. It strongly supported providing additional canopy tree coverage along main streets, and submitted that pedestrian links should also be 'greened' with canopy trees. Live+Smart Research Laboratory supported preserving opportunities to widen footpaths, and submitted that footpaths should be designed with deep soil planting opportunities.

(iii) Discussion

Open space

No evidence addressing the adequacy or distribution of open space in Central Geelong was presented to the Committee.

It was clear from submissions, and confirmed by the Committee's observations on its site visits, that open space is unevenly distributed in Central Geelong. The northern part of Central Geelong, close to the waterfront, is well serviced with generous amounts of high quality open space. However as discussed in the following Chapter, there is a lack of open space in the southern parts. The Committee's site visits also confirmed Council's submission that the York, Station and West Village Precincts are not well provided with open space.

The Committee agrees with Council that the Framework Plan should have a greater emphasis on opportunities to provide open space on privately owned sites. This is not expressly contemplated other than in:

- Action 27.1.2, which is to encourage the provision of plazas and public accessible space, including on strategic development sites and government/institutional sites
- the UDF, which indicates that the FARs (which only apply to SDSs) have been calculated to allow for new open space on larger sites.

A number of government or institutional sites are marked with an orange asterisk on Figure 85 in the Framework Plan, which indicates *"investigate opportunities for additional public space/plazas on institutional/government land"*.

The Committee considers that Figure 85, in attempting to identify the location of future open space opportunities, overly emphasises government and institutional sites and ignores the possibility that there may be privately owned sites better located and suited for open space opportunities. The Framework Plan does not explain the rationale for identifying these particular sites as open space opportunities. There is a significant concentration of these sites in the Station Precinct, and the Committee questions whether these are justified given the Station Forecourt is likely to be provided as part of the Station upgrades.

Council is in the process of preparing an Open Space Strategy. The Committee considers that that document, rather than the Framework Plan, is the appropriate document to identify potential locations for future open space.

For these reasons, the Committee considers that the orange asterisks should be removed from Figure 85.

The Committee agrees in principle with Council that the Framework Plan could provide more guidance on the design requirements for public open space. However it may be that these are more appropriately addressed in the Open Space Strategy, rather than the Framework Plan. The Committee encourages DELWP to discuss this with Council.

The Committee supports the submissions of Live+Smart Research Laboratory that opportunities exist to expand the open space provision with parklets, pocket parks, road narrowing and road closures. It supports adding additional text to the Framework Plan to encourage investigation of these types of innovative solutions to the lack of open space.

Green spines

The existing green spine in Malop Street has generated mixed reactions from the community and businesses along Malop Street. The main concerns related to traffic and parking impacts.

The Committee is aware that Council resolved in March 2021 to make changes to the Malop Street Green Spine, including the removal of the separated bike lane on the north side, reinstatement of right-turn lanes, installation of more on-street car parks and improvements to pedestrians and disability accessibility (relating to the raised kerb separating the bike lanes).

No evidence was presented to the Committee which demonstrated adverse impacts arising from the proposed green spines. Neither of the traffic experts expressed any concerns in relation to the traffic or parking impacts of the green spines. Council did not raise any concerns with the green spines in its submissions to the Committee, and the Committee notes that Council resolved in March 2021 to also proceed with the next stage of the Malop Street Green Spine project.

The Malop Street Green Spine is an award winning project that, in the Committee's view, contributes significantly to the amenity of Malop Street. It increases the activation of the street, increases canopy cover, and provides enhanced pedestrian and visual amenity. It provides place making and way finding benefits, and no doubt provides associated benefits such as those outlined by Live+Smart Research Laboratory and Dr Walker, including for the 'non-human' residents of the city. In its completed form, it will provide an important link from the Station to Eastern Park and the botanical gardens.

The Committee is satisfied that there is adequate strategic justification for identifying the Malop Street Green Spine in the Framework Plan. The RCG Action Plan identifies the construction of Stage 1 (which had funding commitment at the time the Action Plan was prepared) as a key project. It also includes a longer term action to resolve the design and funding strategy for the balance of the Malop Street Green Spine. This is reflected in the Transport Strategy, which includes delivery of the Malop Street Green Spine as a key strategy (Strategy 3.2).

The Committee considers that a green spine in Gheringhap Street has the potential to provide an important high amenity link between the waterfront and Kardinia Park to the south, increasing the permeability of the city and linking it better to the areas to its south. Gheringhap Street seemed to the Committee to be an obvious candidate for upgrades to improve its amenity for pedestrians and cyclists. A green spine along Gheringhap Street would increase the amount of green space in parts of Central Geelong that are currently lacking in open space (namely West Village), and could provide similar benefits to the Malop Street Green Spine, including encouraging sustainable transport modes.

The Transport Strategy refers to a potential green spine along Gheringhap Street, which is on the whole identified as an 'opportunity'. There is nothing in the Transport Strategy to suggest that the possible impacts of a green spine in Gheringhap Street on the traffic network have been fully investigated. The Committee therefore considers that it would be premature at this stage for the Framework Plan to refer to 'creating' a green spine along Gheringhap Street. Rather, it should be identified as a 'potential future green spine subject to further investigation'.

The Committee is not satisfied that there is adequate strategic basis for including any of the other green spines shown in the Framework Plan at this stage. They are not identified in the RCG Action Plan, the Transport Strategy or any other strategic document that the Committee was taken to. They should be removed from the Framework Plan maps, although the Committee has no difficulty with a strategy or action being included in the Framework Plan along the lines of:

Investigate opportunities for further green spines, subject to a full investigation of their potential impacts on the traffic network.

For completeness, references to a green spine along Mercer Street should be replaced with references to investigating a boulevard treatment, consistent with the Transport Strategy and the recommendations of Mr Tivendale and Ms Dunstan (and agreed to by DELWP).

(iv) Conclusions and recommendations

The Committee concludes:

- Given the uneven distribution of open space in Central Geelong and the lack of open space in many parts, there should be greater emphasis in the Framework Plan on a range of opportunities for future open space, including on privately owned sites and through the provision of pocket parks, road narrowing and the like.
- Apart from the Council carparks and Station Forecourt (which are addressed in the following Chapter), there is inadequate strategic justification for identifying government or institutional sites on Figure 85 as locations of potential future open space. The orange asterisks should be removed from the map and the key.
- There is adequate strategic justification for identifying the Malop Street and Gheringhap Street green spines in the Framework Plan, but not the other potential green spines.
- The Gheringhap Street green spine should be identified as a ‘potential green spine subject to further investigation’.
- The other green spines should be removed, although the with inclusion of an action to investigate opportunities for further green spines is reasonable subject to considering the traffic network implications.

The Committee recommends:

Amend the Framework Plan to:

- a) **increase the emphasis on pursuing opportunities for the provision of future open space on privately owned sites as well as Strategic Development Sites, government sites and institutional sites**
- b) **include reference to pursuing opportunities for the provision of future open space through parklets, pocket parks, road narrowing and road closures where appropriate**
- c) **remove the orange asterisks from the map and key in Figure 85 (public realm opportunities)**
- d) **remove references to green spines other than in Malop Street and Gheringhap Street (amend maps in the Activity Centre Zone Schedule 1 accordingly)**
- e) **amend references to a future green spine along Gheringhap Street to “potential future green spine subject to further investigation” (amend maps in the Activity Centre Zone Schedule 1 accordingly)**
- f) **include the following Action:**

Investigate opportunities for further green spines, subject to a full investigation of their potential impacts on the traffic network.

11.3 Council car parks and Station Forecourt

(i) Context

Council owns a number of sites within the Framework Plan area, including:

- the Haymarket car park site
- the Civic Centre car park site
- off-street carparks in Little Ryrie Street and Little Malop Street.

The Framework Plan identifies the Little Malop Street car park as *future open space* and the Little Ryrie Street car park as *future open space – indicative*.

The Haymarket car park site is in the Health Precinct behind St Mary of the Angels Basilica, and is identified as SDS No. 8. Figure 28 in the Framework Plan indicates that the site could potentially deliver open space and affordable housing. Part of the site is identified as future open space in Figure 31. The Framework Plan contemplates a new connection through the site from Market Street to Little Myers Street, which is shown on Map 4 (pedestrian links) in the ACZ1.

The Civic Centre car park site is on the corner of Gheringhap and Little Malop Streets, in the Retail Core Precinct. It is identified as SDS No. 4. The Framework Plan does not identify any potential future uses of this site.

The Framework Plan includes the following Strategies and Actions:

Action 26.2.2 – Review the use of parking and public open space in specific high value areas such as around Johnstone Park and along the Waterfront. Consider how existing at-grade car parking in these areas can be relocated in order to free up public space for higher amenity uses.

Strategy 29.3 – Fill existing known gaps in open space provision in the southern half of Central Geelong

Action 29.1.6 – Preserve existing Council off-street car parks identified for future open space and co-locate community infrastructure where appropriate, such as the following locations:

- Little Ryrie Street car park (between Gheringhap Street and Moorabool Street)
- Little Malop Street car park (between Yarra Street and Bellerine Street)
- Haymarket car park (Myers Street, between Moorabool Street and Yarra Street).

(ii) Evidence and submissions

Council carparks

Professor McGauran explained the reasoning behind Council car parks being identified as future open space:

The Draft Framework Plan has identified some locations on Council owned land for two reasons:

- The sites are in key locations where additional linkages are sought in the CGFP and where their orientation and characteristics would support broader ambitions of the plan.
- ... [in activity centres of other municipalities where development intensity is occurring] they have typically accepted that they should explore the highest and best use for

their land holdings in activity centres and typically where open space has not been provided have sought to incorporate a significant component of their land for that purpose. Like my position that we would anticipate a public plaza on DoT station forecourt land in a regenerated station precinct, it would be my expectation that council could not be silent in committing to key locations within Central Geelong as core deliverables and potentially providing for more flexibility around procurement methodologies as they suggest in others.

- c) The Strategic sites and the health precinct offer examples of where the potential exists to secure additional synergistic public open space that enhance the experience of the precinct for users and workforces additional to the other initiatives.

Council did not support Council owned land being identified as future open space. Council submitted it has not endorsed proposals to locate future open space on Council owned car parks, and the designation could limit the potential of these sites. It suggested an alternative approach of specifying adequate open space requirements for each precinct, with proposals for *“broader and more innovative mechanisms”* to achieve the requirements.

DELWP responded that it is appropriate to identify the Council owned sites as potential future open space:

The provision of additional public open space will be an important component of delivering a high amenity environment for visitors, residents, and workers in Central Geelong. While parts of Central Geelong – generally those near the Waterfront and Johnstone Park – are well served by existing public space, other areas have no access to open space within a walking distance of 350m.

It submitted that these Council owned sites have been identified as future open space in the *Central Geelong Public Open Space Network Report*, which was prepared by the RCG Partnership in response to an action item in the RCG Action Plan.

DELWP submitted that the Open Space Network Report discusses securing future open space on both the public and private land, and indicates that a 4,000 square metre public park could be provided on the Haymarket Car Park site alongside a multi-storey car park. It submitted:

In this context, the Department regards it as reasonable to identify the car parks in general as potential future open space. However, it would accept the recommendation of Ms Dunstan that the language should be changed to reflect an intention to investigate future open space.

G Vaccari Investments owns land adjacent to the Little Ryrie Street car park. It noted that the Framework Plan references to open space on the Little Ryrie Street car park are inconsistent (some reference ‘indicative’ while others do not), and that no detail is provided of what form the future open space may take. It noted that several actions in the Framework Plan support public realm improvements adjacent to developments, with possible opportunities for co-operation between public and private agencies. It submitted:

What would be useful to the private sector is some guidelines/statements on the vision of Council for those parcels of land.

Station Forecourt

DoT submitted that the maps showing potential future open space, including the Station Forecourt, pre-empt the location of future open space and it should be clearer that these future open space areas are indicative only. It submitted that the Framework Plan pre-empts the outcomes of planning being undertaken by State Government as part of various funded projects such as Geelong Fast Rail and the Geelong Line Upgrade project.

The Committee asked DoT how it proposed that shadow protections would be applied to the Station Forecourt if it was not mapped. DoT's response included an updated plan (Document 118) that extended the area of the Station Forecourt (albeit on an indicative basis) further to the north.

(iii) Discussion

Clause 19.02-6S (Open space) seeks to establish, manage and improve a diverse and integrated network of public open space that meets community needs. A number of strategies support the approach of seeking to identify opportunities to improve the open space network, including:

- creating opportunities to enhance open space networks within and between settlements
- ensuring that land is set aside and developed in residential areas for local recreational use
- improving the quality and distribution of open space and ensuring its long-term protection
- ensuring open space provision is fair and equitable and provides access that meets the needs of all members of the community.

Several community submissions pointed to a lack of open space in Central Geelong, particularly in the southern parts which are some distance from the waterfront and Eastern Park. This is supported by the Open Space Network Report, which includes a map (extracted in Figure 14 below) which shows that much of the southern part of Central Geelong does not currently have convenient access to open space.

The Open Space Network Report recommends acquiring additional public open space south of Myers Street as a high priority, stating:

New open spaces in the south of the study area are critical for the emerging working and residential population.

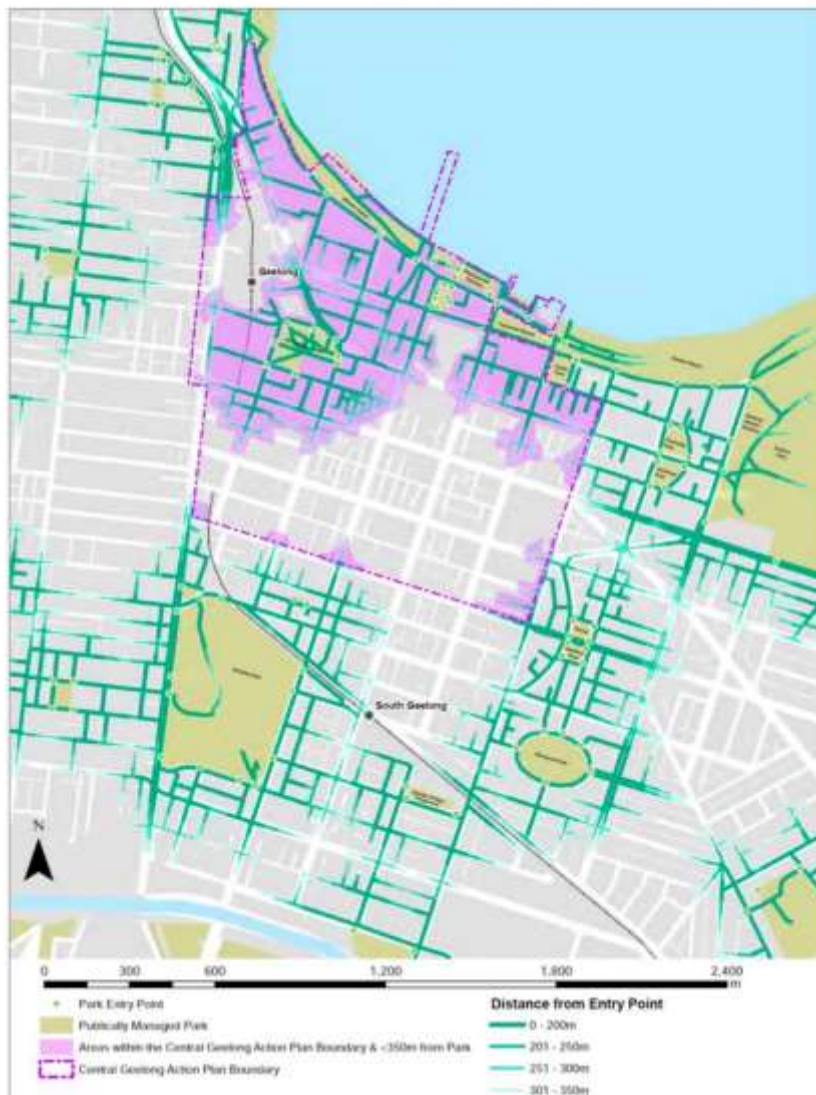
Identifying possible new open spaces includes both private and public opportunities. This may come from Council owned assets, surplus government or agency land, private development or acquisition from on-market offerings

It recommends investigating:

- public and private open space opportunities in the area bounded by Latrobe Terrace and McKillop, Yarra, Swanston, Malop and Ryrie Streets
- full or partial conversion of at grade car parks to open space in any strategic review of Council owned assets in that area.

Figure 14 Access to open space in Central Geelong

Figure E: Walkability analysis of existing open space areas within and outside the central Geelong study area



Source: DELWP's Part B submission

The Committee considers that, given the shortage of open space in the southern parts of Central Geelong, the general approach of seeking to identify future open space opportunities in this area has broad policy support. The question is, is it appropriate to identify these specific Council owned sites as future open space?

Council acknowledged that the Haymarket, Little Ryrie Street and Little Malop Street car parks are all identified as future open space in the Open Space Network Report, and in a draft open space strategy currently being developed by Council. The latter is in its early stages, and neither document has been endorsed by Council.

The Open Space Network Report has not been afforded significant weight by the Committee as providing specific support for identifying particular sites as future open space. The Report was prepared by the RCG partnership. It is not referenced in the Planning Scheme, has not been endorsed by Council, and is not, as far as the Committee is aware, formally adopted State Government policy.

That said, these Council owned sites are:

- already in public ownership
- well located in terms of filling the open space gaps in the southern parts of Central Geelong (with the exception of the Civic Centre car park site)
- identified as future open space in Council's (albeit draft) open space strategy.

The Committee therefore supports identifying these sites as potential future open space in the Framework Plan. However, given Council has reached no formal position on the future use of these sites as open space, they should all be designed as *potential* future open space *requiring further investigation*.

In response to the submission from G Vaccari Investments, the Committee accepts that in principle, it could be helpful to the private sector (particularly adjacent landowners) if more detailed guidance is provided in the Framework Plan on the future plans for Council owned sites within Central Geelong. However it was clear from Council's submissions that as yet, there are no detailed plans in place for the future use of those sites.

The Committee supports showing the future Station Forecourt on the maps in the Framework Plan and the ACZ1. A station forecourt in the general location of that shown has been contemplated since at least as early as the Geelong Transit City Station Precinct Urban Design Framework 2008 (although the Committee notes DoT's submission that this document is now out of date). There is currently a publicly accessible open area in this location (albeit largely occupied by a carpark and bus terminal). The RCG Action Plan includes the revitalisation of the Station Precinct as a catalyst project, and providing a high quality public plaza at the entrance to the Station is likely to be a key element in any such revitalisation project. Further, the concept of having some form of public plaza at the entrance of a major railway station is a well recognised urban design principle.

However, given the precise dimensions and location of the Station Forecourt are yet to be finalised, the forecourt should only be shown on an indicative basis and subject to further investigation.

The Committee was not persuaded that the Station Forecourt should be extended further to the north (albeit on an indicative basis) as shown in Document 118. DoT did not provide a detailed explanation of why the area is sought to be extended, and the Committee does not consider that the extension has been adequately justified.

(iv) Conclusion and recommendation

The Panel concludes:

- The identification of the Council owned car parks and the Station Forecourt as future open space is supported, but given the uncertainty associated with their future use they should be identified as *potential* future open space *requiring further investigation*.

The Panel recommends:

Amend the Framework Plan (and amend maps in the Activity Centre Zone Schedule 1 accordingly) to:

- designate the future open space identified at Council owned car park sites as "potential future open space subject to further investigation"**
- designate the future Station Forecourt as "potential future Station Forecourt subject to further investigation".**

11.4 Overshadowing of open space

(i) The issues

The issues are whether:

- the metrics of the proposed overshadowing controls are appropriate (winter protections, hours of protection, allowable shadow)
- it is appropriate to protect future open space in the same way as existing open space.

(ii) Evidence and submissions

DELWP submitted that protecting the amenity of the public realm is of great importance in attracting people to Central Geelong, and forms the foundation of one of the key principles and objectives of the Framework Plan:

Protect the amenity of key existing and proposed public spaces, streets and laneways from overshadowing and wind impacts.

DELWP emphasised that the proposed overshadowing controls are tailored to Central Geelong, Victoria's rapidly growing and regionally significant second city. It submitted that robust shadow controls are necessary to achieve the aim for Central Geelong to be a city of design, and a city of high quality amenity and liveability.

Professor McGauran's evidence was that the overshadowing (and wind) protections will ensure a high amenity and quality public realm for Central Geelong pedestrians, which he considered was *"paramount to its continued success as a city centre with a growing resident, worker and visitor population"*.

DELWP submitted that winter solstice based controls from 10am to 3pm were appropriate for Central Geelong, and were consistent with an evolving approach to overshadowing controls demonstrated in recent panel and advisory committee reports, including Fishermans Bend (Amendment GC81) and Sunlight to Parks (Melbourne C278melb). It submitted:

All of these reports either expressly or implicitly recognise that sunlight is something of great communal public benefit, particularly in winter where parks are concerned.

Further, once lost to development, sunlight is highly unlikely to be restored to public space. It is an existing public benefit which, if lost, is very difficult to correct.

If there is an opportunity to protect solar access, early in planning, and this outcome is considered appropriate, there is a benefit to acting early and decisively.

DELWP submitted that the preferred heights were informed by shadow impacts on open space. However DELWP's Part B submission explained that the exhibited heights on several sites to the north of Johnstone Park could not be achieved without offending the shadow controls, and it proposed reducing the heights north of Johnstone Park from 42 to 28 metres to more closely align with the shadow controls.

Professor McGauran's evidence was that the preferred scale of built form is intended to preserve amenity in nearby streets and spaces of shared value, and that:

The approach has been tested against the demand requirements for the city and the preferred future character sought for each of the precincts and demonstrates a close alignment between preferred capacity, character and amenity outcomes that does not require exceedance to achieve desired targets.

He supported DELWP's proposal to reduce the preferred heights north of Johnstone Park from 42 to 28 metres.

DELWP submitted that the future open space should be protected in the same way as existing open space. It submitted that the Council carpark sites will be important going forward, as they are located in areas which do not currently have ready access to significant nearby open space, and that protecting winter sunlight access in these future open spaces is "*vital*" to a successful city. It submitted that:

- providing no protection for future open spaces would "*inevitably compromise the spaces before they were created*"
- it is likely to be difficult to find appropriately sunlit alternative open spaces in Central Geelong in the future
- there is sufficient certainty that the identified spaces will be delivered as open space
- protecting the spaces from overshadowing is likely to further encourage their future delivery as open space.

DoT supported shadow controls protecting the Station Forecourt, although it initially opposed showing the Forecourt on maps (see previous Chapter). It submitted:

... it is appropriate that solar access to the indicative station forecourt be protected and the Department [of Transport] agrees that solar protection provisions are an important element of providing high quality public spaces within central Geelong.

DoT proposed that the overshadowing controls should apply to development outside the Station SDS "*to ensure the opportunity to provide a high amenity space is not lost*", but the controls should not apply to development within the SDS itself.

Mercer argued for a more nuanced approach, and submitted that the shadow controls that apply in the Melbourne CBD (under DDO10) provide helpful guidance:

Whilst Melbourne Amendment C278's proposed controls (DDO8) apply a mandatory 10am-3pm, winter shadow control [to parks outside the CBD], such a flat, wide (time span wise) and uniformly mandatory control does not apply within the Central City.

Mercer noted that shorter hours of protection apply to parks in the Melbourne CBD and some parks outside the CBD, in recognition of the fact that more intensive built form is encouraged in these areas. Mercer submitted that shorter hours of protection should apply to the Station Forecourt, given the Station Precinct is where the tallest built form in Central Geelong is to be accommodated.

Mr Sheppard and Mr Kelderman provided urban design and planning evidence for Mercer. Both analysed the solar access potential around the Station Forecourt, and the impacts of Mercer's proposal for a 90 metre development on its site at 81-101 Mercer Street. Their analyses demonstrated that such a development would cast shadow on the Forecourt only until around 10:50am on the winter solstice, an outcome they considered reasonable in the context of the growth expectations for the Station Precinct.

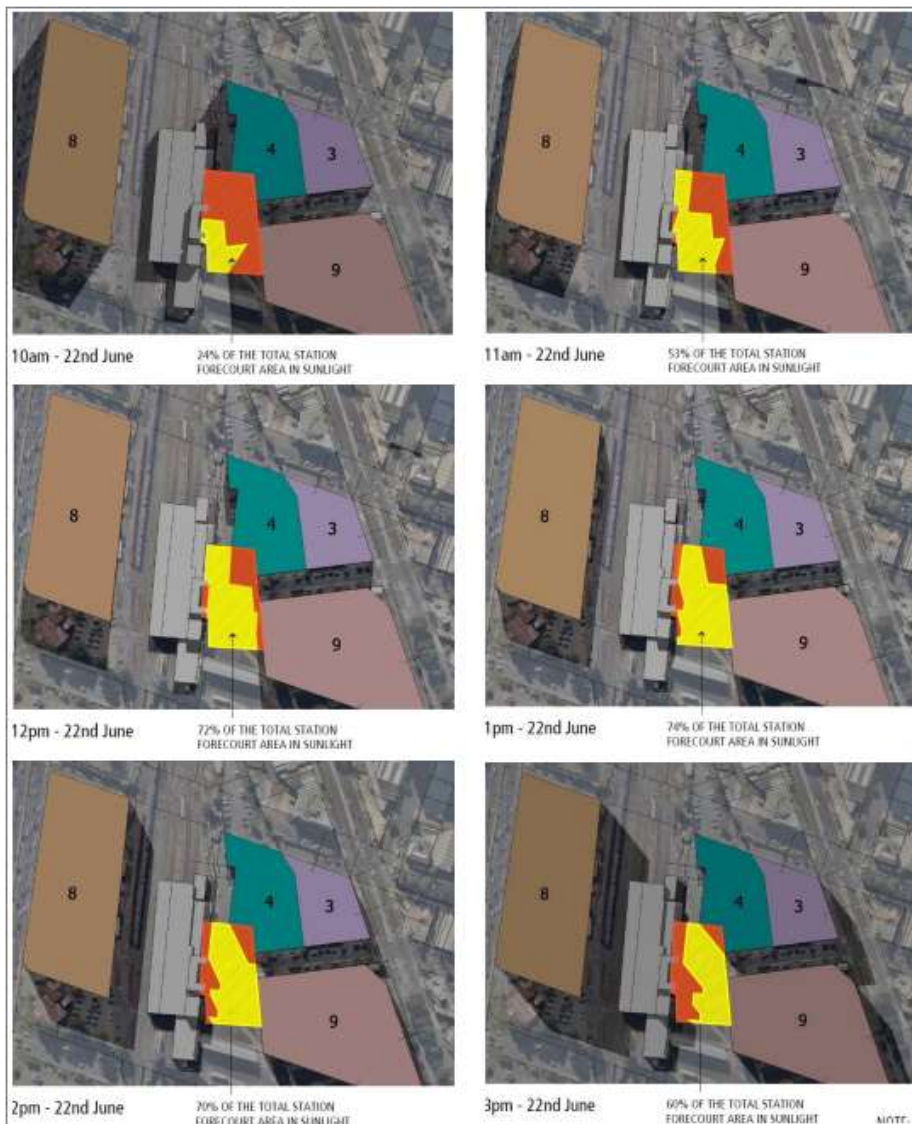
Mr Sheppard considered that the Station Forecourt should be framed by buildings, notwithstanding that they would cast shadow on the Forecourt. He considered that this would provide a better urban design outcome for the Forecourt, as it would provide a sense of enclosure and activated edges to the open space.

Mr Sheppard's evidence was that the controls should provide for 'allowable shadow' on the Station Forecourt, consistent with the approach in Melbourne C278melb. 'Allowable shadow' is

the shadow cast by a hypothetical building adjacent to the park built to the maximum preferred street wall height. Under Melbourne C278melb, allowable shadow is permitted on 'Type 2' parks, those in areas where substantial growth is anticipated.

Mr Sheppard considered that from an urban design perspective, 16 metres would be an appropriate street wall height for development around the Station Forecourt. He produced modelling which demonstrated the shadow impacts of a 16 metre street wall, extracted in Figure 15. He considered that this provided for reasonable solar access to the future Forecourt, and would strike an appropriate balance between protecting solar access, producing better urban design outcomes for the Forecourt, and facilitating development in the Station Precinct.

Figure 15 Mr Sheppard's modelling of allowable shadow on the Station Forecourt



Source: Mr Sheppard's evidence for Mercer (Document 26a)

Mr Sheppard also recommended reduced hours of protection for the Station Forecourt (11am to 2pm rather than 10am to 3pm).

In its original submission, Amber strongly opposed mandatory overshadowing controls for the Station Forecourt and future open spaces, although it acknowledged that a higher level of protection may be warranted for existing highly valued open space such as Johnstone Park and

Eastern Beach. Amber submitted the Framework Plan and draft Amendment lacked rigour in that there was:

- no strategic assessment to determine how these future open spaces will be used
- no assessment of the implications of the controls on surrounding landholdings
- no qualitative analysis or justification in the material supporting the Draft Amendment to afford such a high level of sunlight protection.

Amber submitted that a winter solstice control prohibiting additional shadow from 10am to 3pm on the Station Forecourt is “*highly onerous and will frustrate the reasonable development potential of the Subject Site*”. It submitted that the Station Forecourt does not warrant this level of protection given its size and nature as a transport interchange area where people are expected to move through the space rather than linger there.

Amber softened its position at the Hearing, and did not specifically oppose the shadow controls on the basis that modelling prepared by Ms Heggen demonstrated that reasonable development outcomes could in fact be achieved on its site without offending the controls. However, it submitted that it was a “*live question*” whether sufficient evidence and justification in support of mandatory controls has been provided. Mandatory controls are addressed in Chapter 11.6.

(iii) Discussion

The overshadowing controls represent a significant shift from the pre-interim controls, which were limited to an objective of protecting Johnstone Park.

Overshadowing diagrams provided by DELWP at the Committee’s request (Document 179) demonstrated that on the whole, existing and future open space currently has relatively good solar access between 10am and 3pm on the winter solstice, with some exceptions. The Committee supports preserving these relatively good levels of sunlight access, provided it does not unduly impact the achievement of other policy objectives, including the future growth objectives for each of the Central Geelong Precincts.

Alignment between heights and shadow controls

There was some debate at the Hearing about whether the shadow controls were aligned with the preferred maximum building heights. DELWP provided ‘iceberg’ modelling (primarily in Documents 73 and 77) that shows the relationship between the permitted built form envelope (in colour), and a pale grey ‘iceberg’ depicting the three dimensional volume into which built form cannot intrude without offending the shadow controls. The modelling demonstrates that in some locations, the exhibited preferred heights are not achievable without offending the shadow controls. DELWP proposed reducing the preferred heights to the north of Johnstone Park from 42 to 28 metres in response to this misalignment.

The modelling also demonstrates that in other locations, the preferred heights could be exceeded by some considerable margin without offending the shadow controls. That is not to say that the preferred heights in these areas are necessarily too low – many other factors influence the selection of the preferred heights, including preferred land use and character outcomes – but it is worth observing that in many, if not most cases, it appears that the shadow controls were not the ‘limiting factor’ in selecting the preferred heights.

Winter solstice controls

The Committee broadly supports a winter solstice based control to protect public open space. There has been a noticeable shift in policy in recent times toward protecting winter sunlight access to key public parks. Recent panels (including C278melb) have supported winter-based controls on the basis that winter sun access plays an important role in providing high amenity in parks year round, and in ensuring park health. The move to winter sunlight protection is supported by high level policy, and notably, none of the experts in this case opposed winter based controls.

Hours of protection

The Committee broadly supports the proposed hours of protection for parks of 10am to 3pm. Most of these spaces currently have good sunlight access throughout this period, and the proposed hours allow flexibility in terms of when and how people use parks through the day. The proposed hours of protection are commensurate with those supported by the C278melb Panel for parks outside the Melbourne CBD, including areas such as City North where substantial intensification in built form is anticipated to occur.

Future open space

The Committee broadly supports protecting future open space. The Committee agrees with DELWP that there is a high degree of certainty that a forecourt of some form will be delivered at the Station (see Chapter 11.3). While the delivery of open space on the Council carpark sites is less certain, the southern parts of Central Geelong are lacking in open space, and the Committee has found that it is important to identify future open space opportunities in these areas (see Chapter 11.3).

If the Framework Plan is to identify potential future open space, it makes sense to protect sunlight access to those spaces to preserve the opportunity for that potential future open space to be high quality and to deliver high amenity. The Committee supports DELWP's submissions in this regard.

That said, the impact of the proposed controls on the ability to develop surrounding land must also be considered, including whether any constraints on development might impact the achievement of other policy objectives.

Johnstone Park and the Station Forecourt

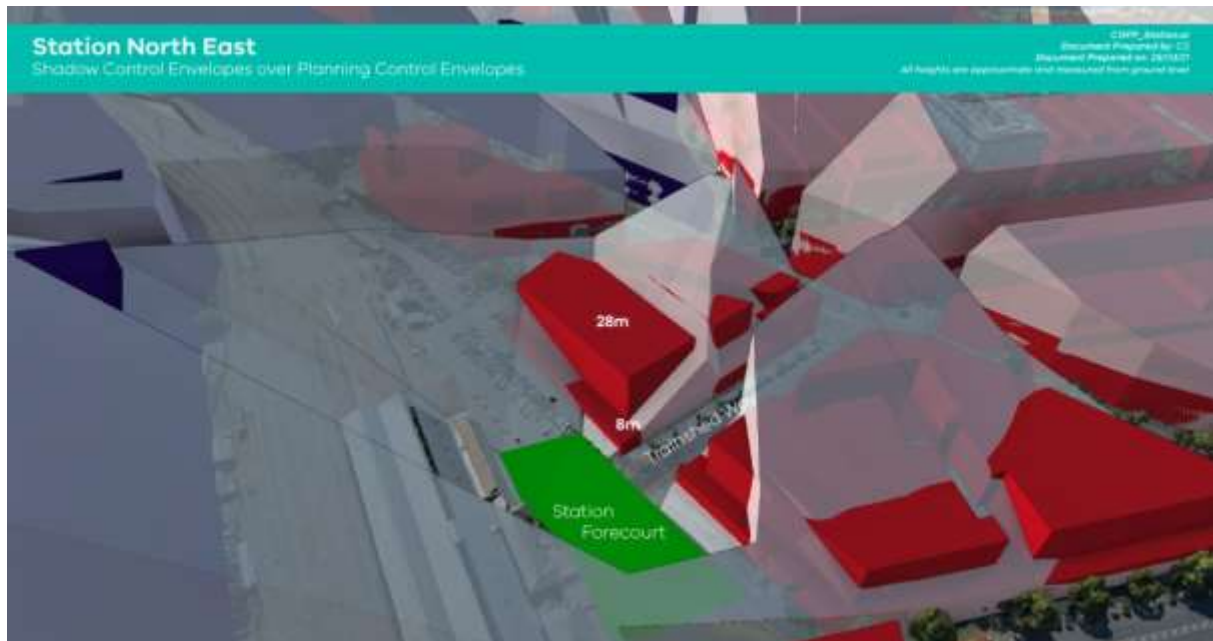
Johnstone Park and the Station Forecourt are case in point examples. Clearly, the exhibited 42 metre preferred heights in the Station Precinct to the north of Johnstone Park cannot be achieved by virtue of the shadow controls. In fact, Document 77 demonstrates that not even the revised 28 metre heights can be achieved on significant portions of those sites (refer to Figure 16 below). Further, if the shadow controls were applied as exhibited, new development around the north and east sides of the Station Forecourt would have to be significantly set back from the Forecourt edges, and/or substantially limited in height, in order to meet the controls (see Figure 17 below).

Figure 16 Modelling of intersection of preferred heights north of Johnstone Park with shadow controls (based on DELWP's revised preferred heights)



Source: Document 77

Figure 17 Modelling of intersection of preferred heights surrounding the Station Forecourt with shadow controls



Source: Document 130

DELWP provided modelling of a possible built form to the north of the Station Forecourt that would comply with the shadow controls, which is shown in Figure 18 below. The Committee does not consider that this is likely to represent a viable development envelope, or a good urban design outcome for the Station Forecourt. The Committee agrees with Mr Sheppard that from an urban design perspective, the Station Forecourt should be framed by more uniform built form close to its edges.

Figure 18 Possible compliant built form north of the Station Forecourt

Source: Document 128

In the Committee's view, limiting development in the Station Precinct in the way suggested by DELWP's modelling to meet the shadow controls for Johnstone Park and the Station Forecourt fails to strike the appropriate balance between protecting sunlight access to these spaces, and the Framework Plan objectives that seek substantial intensification and transformation in the Station Precinct.

Nor is it consistent with broader objectives that seek to ensure sufficient floorspace capacity is provided in Central Geelong to accommodate the growth anticipated over the next 30 years. As discussed in Chapter 4, the capacity analysis already indicates that the floorspace capacity in Central Geelong is likely to become constrained before 2050 unless the controls are adjusted. As far as the Committee is aware, that capacity analysis did not take into account the additional constraints placed on development in the Station Precinct by the shadow controls, demonstrated in the above Figures.

There are a number of possible ways in which the shadow controls for Johnstone Park and the Station Forecourt could be adjusted to better align with the Framework Plan objectives for intensification in the Station Precinct:

- the controls could be based on equinox protection rather than winter solstice
- the hours of protection could be adjusted, as suggested by Mercer
- the controls could be adjusted to permit allowable shadow, as suggested by Mr Sheppard.

The Committee supports winter based controls to protect open space, for the reasons set out above. Adjusting the hours of protection would be unlikely to facilitate much more intensive development on sites to the north of these spaces, which are among the most impacted. The Committee therefore prefers the allowable shadow method.

Allowable shadow relies on a street wall height being specified for surrounding development. For Johnstone Park, street wall heights are specified for development along Mercer Street and Railway Terrace, but no street wall heights are specified for development to the north of the Station

Forecourt. In the absence of any other detailed modelling which demonstrates either the built form or shadow impacts of alternative street wall heights around the Station Forecourt, the Committee supports Mr Sheppard's recommendation for a 16 metre street wall height.

The Committee is cognisant that the sites to the north of Johnstone Park are largely government owned. They include Council's new Civic Centre which is under construction, and the police and courts complex. While these sites may not be as likely to redevelop within the 30 year lifespan of the Framework Plan, the Committee considers that it is nevertheless appropriate to preserve the redevelopment potential of these sites. Further, as Mercer's modelling demonstrates, permitting allowable shadow on these spaces will facilitate taller development on more distant sites that would be prohibited under the exhibited controls.

The Committee is cognisant that the sites to the east and west of Johnstone Park are outside the Station Precinct. Nevertheless, it considers the redevelopment potential of these sites should be preserved. The Gordon City Campus (which sits to the west of Johnstone Park) is a large site located close to the Station on which 28 metre tall development is envisaged. Policy supports maximising development opportunities on well located sites such as this.

The Framework Plan identifies the Station Precinct as the precinct that will do much of the 'heavy lifting' in terms of accommodating future growth in Central Geelong. The growth and built form expectations are somewhat more tempered in the other precincts in which open space is located, and there is not such a strong policy imperative to maximise built form in these precincts.

That said, the iceberg modelling in Document 73 suggests that development immediately surrounding several of the other existing and future open space could be impacted to varying degrees by the overshadowing controls. The Committee does not have any information before it that quantifies how much potential floorspace would be lost, or what impacts this might have on floorspace capacity in or the achievement of the objectives for those precincts, or for Central Geelong as a whole.

Further work is required to assess the impacts of the overshadowing controls on the achievable floorspace around the other existing and future open spaces. If the amount of lost floorspace is significant enough to impact on other policy objectives, then further consideration should be given to permitting allowable shadow on some or all of these spaces as well.

Finally, the Committee does not support DoT's submission that the shadow controls should not apply to land within the Station SDS. As Mr Sheppard's modelling demonstrates, it is the development immediately surrounding the Forecourt that will have the most shadow impact on it. The Committee considers that permitting allowable shadow based on a 16 metre street wall height represents an appropriate balance between preserving reasonable development opportunities within the SDS, and protecting sunlight access to the future Forecourt.

The Committee expresses no opinion on whether the heights to the north of Johnstone Park should be reduced from 42 metres to 28 metres as suggested by DELWP in its Part B submission. On the one hand, it seems unwise to nominate heights in this area that could never be achieved because of the overshadowing controls (even in the modified form recommended by the Committee). On the other, no information was presented to the Committee which enable it to assess the implications of this reduction in heights on broader policy aspirations for growth and intensification in the Station Precinct.

(iv) Conclusions and recommendations

The Committee concludes:

- The proposed protection for sunlight access to open space between 10am and 3pm at the winter solstice are appropriate.
- Protecting both existing and future open space is an important design objective.
- The controls should be adjusted to permit allowable shadow on Johnstone Park and the future Station Forecourt, based on the Day 1 street wall heights. Where no street wall height is specified for development around the future Station Forecourt, a 16 metre street wall should be allowed.
- Further work is required to assess the impacts of the overshadowing controls on the achievable floorspace around the other existing and future open spaces. If the amount of lost floorspace is significant enough to impact on other policy objectives, then further consideration should be given to permitting allowable shadow on some or all of these spaces as well.
- It is unable to express an opinion on the appropriateness of reducing the heights north of Johnstone Park as proposed by DELWP, as it was not presented with sufficient information to enable it to balance the competing policy implications of such a reduction.

The Committee recommends:

Before the Amendment is adopted, undertake further work to:

- a) **Assess the impacts of the overshadowing controls on the achievable floorspace around existing and future open spaces other than Johnstone Park and the Station Forecourt. If the amount of lost floorspace is significant enough to impact on other policy objectives, consider further adjusting the overshadowing controls to permit allowable shadow on some or all of these other open spaces.**
- b) **Assess the implications of reducing the heights north of Johnstone Park in order to better align with the revised shadow controls.**

Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly) to:

- a) **amend Table 7 to adjust the overshadowing controls to permit allowable shadow on Johnstone Park and the future Station Forecourt based on the Day 1 street wall heights shown in Figure 13 in this report and a 16 metre street wall height around the Station Forecourt where none is specified.**

11.5 Overshadowing of footpaths

(i) Context

The streets and laneways protected from shadow on footpaths are classified and mapped in the ACZ1 on Map 7 (Primary Streets) and Map 8 (Narrow Streets/Laneways), shown in Figure 19 below. Maps 7 and 8 appear to be based on Figure 107 in the Framework Plan.

Footpaths of Primary and Secondary streets are protected for a distance of 6 metres, measured from the property boundary. On:

- Primary North-South Streets, both footpaths are protected
- Primary East-West Streets, only the southern footpath is protected
- Secondary North-South Streets, only the western footpath is protected.

On narrow streets and laneways, allowable shadow is permitted based on:

- Narrow Street/Laneway A – an 8 metre street wall height
- Narrow Street/Laneway B – a 12 metre street wall height.

Many (if not most) of the streets identified on Maps 7 and 8 are also identified as Primary or Secondary Pedestrian Links on Map 4, shown in Figure 20 below.

Figure 19 Streets and laneways protected from overshadowing with primary and secondary streets on

Map 7: Primary and Secondary Streets

Map 8: Narrow Streets and Laneways Type A and B



Source: Exhibited ACZ1

Figure 20 Pedestrian links**Map 4: Pedestrian Links**

Source: Exhibited ACZ1

(ii) The issues

The issues are:

- whether protection of all proposed footpaths is justified
- whether the 6 metre metric is appropriate.

(iii) Evidence and submissions

As noted in the previous Chapter, DELWP submitted that protecting sunlight access to streets and laneways (as well as open space) is a key principle and objective of the Framework Plan. It submitted that the selected streets are those that will be important to the enjoyment of people who work, live, recreate and choose to invest in Central Geelong.

DELWP submitted that protecting 6 metres of footpath is justified, given the need to preserve future opportunities identified in the Framework Plan for public realm enhancements along these streets. These include widening and improving existing footpaths, including through green spine and boulevard treatments, and providing outdoor dining opportunities.

DELWP submitted that the iceberg modelling revealed that the street shadow controls do not, generally speaking, result in any significant loss of developable floor space:

It is not of significant consequence to developable yield, and once again, the Department submits that in the 'cost – benefit' analysis, it is preferable to err on the side of sunlight protection for public places.

DELWP pointed to examples of footpath protections in other planning schemes including Yarra Amendment C220, which introduced mandatory protection to the southern footpath of Johnston Street Fitzroy from 10am to 2pm on the September equinox. DELWP submitted:

The C220 Panel agreed that sunlight to the footpath was a desirable outcome in an Activity Centre, especially around a station where there was likely to be a higher level of pedestrian activity.

DELWP concluded:

Given that solar access is generally irrecoverable once lost, it is appropriate to adopt a precautionary approach which preserves the opportunity to deliver an attractive public realm across the whole of any future public realm improvements relating to the footpath, rather than removing that opportunity before widening can occur. This is especially so when the corresponding loss of 'yield' is negligible, in the scheme of the Amendment.

Footpath protections, including the number of streets and laneways identified for protection, were strongly opposed by several submitters.

Mercer submitted that the two primary examples of footpath protections referred to by DELWP (Johnston Street Fitzroy and Swan Street Richmond) are not comparable to Central Geelong (in particular the Station Precinct), as:

- they are both suburban activity centres with heritage streetscapes, with much lower growth expectations
- both have mainly mandatory height and setback controls
- the height controls in both those centres are considerably lower than those contemplated in the Station Precinct.

Mercer submitted that the shadow controls for Mercer Street and Brougham Street should be discretionary, and measured to the actual footpath width. It submitted that the west footpath on Mercer Street is currently around 3.8 metres wide, there is no commitment to widen it to 6 metres, and it is "*highly unlikely*" that this would occur – particularly given Mercer Street will be not be a green spine (see Chapter 11.2). It submitted that a 6 metre protection zone was simply not justified in these circumstances.

Mercer presented some calculations of the amount of floorspace that would be lost on its site by virtue of the shadow control for Mercer Street (a Secondary North-South Street), prepared by its architects Watson Young. Based on shadow modelling, Watson Young considered that four levels would need to be removed from each of the two 60 metre towers approved under the existing permit, resulting in a loss of just over 6,700 square metres of floorspace.

Montgomery submitted that preserving solar access for nearly all main street footpaths should not be a paramount consideration in a central city context. It submitted across Central Geelong there will be sections of footpath that warrant protection and others that do not. Like Mercer, Montgomery pointed to the fact that DELWP's comparisons of "*lower order strip activity centres of Yarra*" were not appropriate to Central Geelong, which operates under a different policy context.

Montgomery submitted that inevitably there will be circumstances where some erosion of solar access is entirely acceptable having regard to the quality of the space and the nature of adjacent use and development at the ground plane.

Mr Sheppard's evidence for both Mercer and Montgomery considered the application of the footpath shadow controls to Gheringhap Street (for Montgomery) and Mercer and Brougham Streets (for Mercer) in some detail. While he supported protecting solar access to footpaths along these major streets, he did not support the 6 metre metric, and did not support mandatory controls.

Mr Sheppard's evidence was that there is no certainty about whether the footpaths on these streets will ever be widened to 6 metres. He considered that a shadow cast on the outer edge of a footpath would be acceptable, as it:

... has limited impact on a pedestrian or outdoor diner given that people tend not to walk at the edge of the footpath (partly because it is usually occupied by infrastructure), they do not need sun on their ankles, and outdoor dining tends to be protected by a barrier. Given the uncertainty about the design of any future streetscape upgrade, and lack of justification for solar protection to the outer edge of a footpath, I do not consider that the mandatory nature of the proposed controls is warranted.

He noted that:

- footpaths are not subject to shadow protections in Fishermans Bend
- in the Melbourne CBD, all street-based shadow controls are discretionary, apart from Bourke Street mall which *"is really an open space rather than a street"*
- the existing permits for the Montgomery and Mercer sites both approve built form that will overshadow the footpath, which was considered acceptable at the time those permit applications were assessed
- it is unclear why that level of shadow is now considered unacceptable and needs to be prevented by way of mandatory controls.

Mr Kelderman also acknowledged the need for controls that protect sunlight access to key streets and footpaths, but regarded the controls as *"excessively and unnecessarily restrictive"*. He noted that the 6 metre protection zone would include parallel parking along the western side of Mercer Street. He considered that the controls could be rewritten to protect kerb outstands and seating areas, but that there was no need to protect on-street parking spaces from overshadowing, and it was unrealistic to expect all the on-street parking to be replaced with kerb outstands and seating.

(iv) Discussion

The footpath shadow protections represent a significant shift from the pre-interim controls. The pre-interim controls included a discretionary overshadowing control for key pedestrian routes between 11am and 3pm on the September equinox, but did not identify any key pedestrian routes. The controls therefore effectively had no application.

The key justification for the footpath shadow protections is to protect the amenity and quality of the public realm for pedestrians (see section 9.3 of the Framework Plan). Yet, the level of shadow protection provided by the controls is based on the classification of the street, rather than the classification of the pedestrian link located on that street.

Rationale for the controls

The rationale for the distinctions between the different types of streets and laneways and pedestrian links, and the different levels of shadow protection provided to the different types of streets, is unclear to the Committee. The Framework Plan:

- does not explain the relationship between Primary and Secondary Streets and Primary and Secondary Pedestrian Links (if any)
- does not map Primary and Secondary Pedestrian Links
- does not set out a rationale for which streets or pedestrian links should be considered as Primary, and which as Secondary (the Committee notes that Mr Tivendale provided some clarification in this regard in relation to pedestrian links – see Chapter 14.6)
- does not explain the relationship (if any) between the shadow protections and the classification of the Pedestrian Links – even though the discussion of overshadowing protections in the Framework Plan is largely centred around pedestrians and pedestrian amenity rather than streets
- does not explain the rationale for the different levels of shadow protection afforded to differently classified streets and laneways.

The use of inconsistent terminology between the Transport Strategy, the Framework Plan and the ACZ1 further confuses matters. The Transport Strategy refers to pedestrian links, Priority Pedestrian Streets and pedestrian connections. The Framework Plan refers to Pedestrian Routes. The ACZ1 refers to Pedestrian Links. Terminology should be consistent, at least between the Framework Plan (which will be referenced in the Scheme) and the ACZ1.

Ms Dunstan's traffic evidence identified several drafting and technical improvements to the controls to add clarity, including providing a clear definition of Primary and Secondary Pedestrian Links. The Committee supports this recommendation. The Committee further notes that the ACZ1 controls do not distinguish between Primary and Secondary Pedestrian Links. The same requirements apply to both. The purpose of the distinction in the statutory controls needs to be clarified.

Extent of streets protected

Figure 107 in the Framework Plan and Maps 7 and 8 in the ACZ1 classify almost every main street for the purposes of applying the shadow controls. Seeking to protect such an extensive network of streets from overshadowing is a new approach. While recent structure planning for activity centres in Melbourne has seen a trend towards footpath protections, these generally only relate to the key 'spine' of an activity centre, not the side streets. Further, all of the examples brought to the Committee's attention are east-west streets, and only the southern footpath is protected. No examples of protections for north-south streets in other planning schemes were put to the Committee.

The Committee would have expected to have been presented with a clearer and more detailed rationale as to why protection of such an extensive network of streets and laneways is warranted, and what makes every main street in Central Geelong so special that they deserve a higher level of protection than the streets almost anywhere else in Victoria, including the Melbourne CBD and metropolitan activity centres. The Committee also would have expected more detailed modelling and analysis demonstrating the impact of the proposed approach on development potential.

Modelling

DELWP submitted its iceberg modelling demonstrates that the overshadowing controls have minimal impact on development yields. However the Committee was not satisfied that the modelling provided a sufficiently detailed analysis. They include several screen shots of large areas of the central city, and it is difficult to see what the impact is on individual sites or along individual streets.

The icebergs represent the shadow envelopes protecting both streets and open spaces, and in many cases, it is difficult to distinguish which of the two controls would effectively prohibit the parts of the built form envelopes that protrude through the icebergs. Further, while the Committee accepts that some of the protrusions shown on the sides of building envelopes is 'ghosting' where the iceberg layer in the model is competing with the built form envelope layer, this does not aid in understanding the impact of the footpath solar access controls on development yields.

Protecting key streets, laneways and pedestrian links

The Committee supports the principle that *key streets, laneways and pedestrian links* should be protected from overshadowing. This will make them more attractive and encourage people to use them for walking, kerbside dining and the like. However the Committee is not persuaded that almost *every* street and laneway deserves such protection.

In the Committee's view, identifying and protecting *key streets and laneways* represents a better balance between the growth aspirations for Central Geelong, and the protection of the public realm. Further, a better outcome will likely be achieved by focussing on key streets, laneways and pedestrian links, which can be prioritised for upgrades including masterplans, footpath widening and kerb extensions. These types of improvements require considerable time, resources and investment, and they are more likely to happen if they are focussed and prioritised.

Protecting key streets and laneways is also consistent with the first Strategy on page 154 of the UDF, which supports the Principle *"To support a network of high quality streets and places"* (emphasis added):

Solar access will be protected to key laneways, and footpaths of key streets from 11am to 2pm on the equinox.

Based on the Committee's observations on its site visits, three streets and laneways appeared to be obvious candidates for higher levels of protection from overshadowing – Malop Street, Gheringhap Street and part of Little Malop Street.

- Malop Street has the Green Spine.
- Gheringhap Street links Kardinia Park to the waterfront through Central Geelong (and may have a future green spine).
- Little Malop Street between Fenwick and Gheringhap Streets is a key link through the Cultural Precinct, linking Johnstone Park, the Library, Geelong Arts Centre and the town hall to the cafe precinct between Gheringhap and Moorabool Streets. The section between Gheringhap and Moorabool Streets is already well established with cafes, bars and restaurants with outdoor seating areas.

These key streets lend themselves to routes where pedestrian movements should be encouraged and prioritised, and the Committee supports providing stronger shadow protection to these key pedestrian routes to protect and improve their amenity. The Committee finds the rationale for

applying the same level of protections to the other streets mapped on Figure 107 in the Framework Plan has not been made out.

The protections afforded to Narrow Streets and Laneways (where allowable shadow is permitted) are more balanced, and the Committee supports this level of protection. It considers that the same level of protection should be applied to streets other than the three key streets nominated above.

The 6 metre protection zone

The UDF contains the following rationale for a 6 metre protection zone, at page 179:

On wider streets the overshadowing controls will apply to 6 metres from the property boundary to ensure that sunlight is provided to existing and future widened footpaths, thereby supporting an increased amenity for people to dwell, dine and activate the public realm.

The Committee was not persuaded that 6 metres is the right metric. Many of Central Geelong's footpaths are considerably less than 6 metres wide. While the Committee appreciates the rationale for seeking to preserve future opportunities to widen existing footpaths, it is not clear which (if any) footpaths are suitable candidates for widening, or why 6 metres requires protection. There is no technical analysis supporting the 6 metres. The Committee agrees with the observations of Mr Sheppard and Mr Kelderman that:

- it is unrealistic to expect all on-street parking to be removed along all the protected footpaths of Primary Street to allow the full length of the footpaths to be widened
- while sunlight on people's faces and upper bodies is important, their ankles do not need to be in direct sunshine
- barriers that protect outdoor dining spaces will likely to be located at the outer edges of footpaths, and will themselves cast some shadow on the footpath.

In the absence for a cogent justification for the 6 metres, the Committee considers that the protection zone should extend to the existing footpath, not beyond.

For completeness, there was some debate at the Hearing about the potential for the Mercer Street western footpath to be widened. The Committee acknowledges that under cross examination, both Mr Tivendale and Ms Dunstan maintained that the footpath could be widened without compromising the traffic function of Mercer Street (though there would potentially be a loss of on-street parking). However, for the reasons set out above, the Committee was not persuaded that Mercer Street constitutes a key street warranting the highest level of protection from overshadowing, and was not persuaded that protecting 6 metres to allow for future widening is justified.

(v) Conclusions and recommendations

The Committee concludes:

- The Framework Plan should refer to Pedestrian Links rather than Pedestrian Routes, for consistency with the ACZ1 and (to a lesser extent) the Transport Strategy.
- The Framework Plan should more clearly explain:
 - the criteria for and distinction between Primary and Secondary Streets and Primary and Secondary Pedestrian Links
 - the relationship (if any) between the status of the streets and pedestrian links

- the rationale for the different levels of overshadowing protection for the different status streets and/or pedestrian links.
- Figure 107 in the Framework Plan, the related precinct-based maps in the Framework Plan, and ACZ1 Map 7 should all be amended to identify only the following streets as Primary Streets, with all other currently identified streets reclassified to Secondary Streets:
 - Gheringhap Street
 - Malop Street
 - Little Malop Street between Fenwick and Moorabool Streets.
- The shadow controls in the Framework Plan and the ACZ1 should be amended to provide for no additional overshadowing on:
 - Primary Streets based on the exhibited controls, but with the reference to 6 metres from the property boundary removed
 - Secondary Streets above the shadow that would be cast by a building built to the maximum preferred street wall height
 - Narrow Streets and Laneways based on the exhibited controls.
- The ACZ1 controls should be further clarified to:
 - provide a definition of Primary Pedestrian Link and Secondary Pedestrian Link
 - clarify the requirements and controls that apply to each type of link.

The Panel recommends:

Amend the Framework Plan to:

- a) **amend Figure 107 and the related precinct-based maps to identify only the following as Primary Streets, and reclassify all other currently identified streets as Secondary Streets (amend Map 7 of the Activity Centre Zone Schedule 1 accordingly):**
 - Gheringhap Street
 - Malop Street
 - Little Malop Street between Fenwick and Moorabool Streets
- b) **refer to pedestrian links, rather than routes**
- c) **more clearly explain:**
 - the criteria for and distinction between Primary and Secondary Streets
 - the criteria for and distinction between Primary and Secondary Pedestrian Links
 - the relationship (if any) between the status of the Streets and Pedestrian Links
 - the rationale for the different levels of overshadowing protection for the different status streets and/or pedestrian links
- d) **map the Primary and Secondary Pedestrian Links.**

Amend the Activity Centre Zone Schedule 1 to:

- a) **include definitions of Primary and Secondary Pedestrian Links**
- b) **clearly specify the requirements and controls that apply to Primary Pedestrian Links and those that apply to Secondary Pedestrian Links**
- c) **adjust the overshadowing controls as follows (amend the Framework Plan accordingly):**

- **Primary Streets** – delete the words “(measured 6 metres from boundary)” in the second column
- **Secondary Streets** – replace the words in the second column with “No additional overshadowing above the shadow that would be cast by a street wall built to the applicable maximum preferred street wall height”.

11.6 Mandatory overshadowing controls

(i) The issues

The issues are whether mandatory controls are justified for:

- existing and future open space
- streets and laneways.

(ii) Evidence and submissions

DELWP recognised that mandatory controls:

- are the exception rather than the rule
- need to be supported by robust and comprehensive strategic work
- need to be carefully considered in terms of both necessity and impact.

DELWP submitted that:

... the protection of sunlight to public open space and streets within Central Geelong is a matter of priority, requiring mandatory controls, even if this has the potential to constrain development on particular sites.

DELWP submitted that discretionary controls present a risk that sunlight access can be gradually and incrementally eroded by decisions which might be acceptable in isolation, but cumulatively can have a significant detrimental impact upon the amenity of the public realm – the problem described by previous panels as ‘death by a thousand cuts’.

Further, DELWP submitted discretionary controls involving consideration of cumulative impacts raise equity issues for developers. They inevitably lead to a ‘first in best dressed’ situation where those who develop later run the risk of refusal even though, in overshadowing terms, their development may cast less shadow than previous developments. DELWP submitted that mandatory controls avoid such fairness issues.

DELWP pointed to the fact that while the proposed controls are mandatory, they are tailored to provide greater protection where greater protection is warranted:

- the open space controls are based on the winter solstice, whereas the footpath controls are based on the equinox
- the open space controls provide longer hours of protection (10am to 3pm) compared to the footpath controls (11am to 2pm)
- not all footpaths are protected.

Many of the public open spaces to be protected are located in the northern parts of the Central Geelong and along the foreshore, where significant overshadowing would not be expected in any event. For other open spaces, development on surrounding land will be impacted. However DELWP submitted:

Johnstone Park is a park of great significance to Geelong. Whilst its protection would restrict development opportunities on sites to its north, this is considered warranted because of its importance.

The Station forecourt is also a place that is expected to grow in importance as an arrival and departure focal point and key civic asset for both central Geelong, as well as broader suburban Geelong and the region, as it continues to grow as a transport hub and important transport link to Melbourne and regional Victoria. There are high expectations for the quality of future development within the Station SDS, and at the centrepiece of these is the expectation that an appropriate area of sunlight protected open space be provided in this important strategic site.

Professor McGauran considered that the amenity of the public realm (both open spaces and key streets) is a shared resource that underpins the benefits to the entire Central Geelong area, and:

... does not warrant exceedance for the benefit of a small stakeholder group occupying the areas of exceedance and having a disproportionate impact on the shared enjoyment of the whole.

Professor McGauran's evidence was that it is "*crucial*" that the decision-makers as well as applicants are provided with clear performance standards which ensure that offsite development impacts do not unreasonably impact on the shared amenity of the majority for the benefit of a few. He considered that it "*makes little sense to allow discretion*". He considered that the modelling demonstrated that substantial transformation can occur without sacrificing the amenity of public spaces.

Mr Woodland considered that protecting sunlight access to the public realm is "*very important if the vision for the place as a lifestyle city with a high quality urban environment is to be maintained for the long term*". He considered that it was not a matter that should be left to discretionary judgement.

Mr Woodland undertook a detailed analysis of the mandatory controls against the criteria in PPN59, and concluded that they are mostly met. He considered that the UDF provides "*prima facie*" strategic justification for mandatory shadow controls, but that further analysis could be presented "*to more definitively demonstrate why this approach is warranted*". He also considered that further analysis was required to demonstrate that proposals that did not meet the controls would result in unacceptable impacts.

Many of the community submissions supported mandatory overshadowing controls. They highlighted the value of sunlit open space and how sunlight access enhances their experience of existing highly valued parks, particularly Johnstone Park. Several submissions spoke to the adverse impacts of existing taller development (the Miramar and Mercer apartment developments were referred to by many) in terms of casting shadow on both the public and private realms.

Council submitted:

The Council appreciates the combination of discretionary and mandatory provisions that will ensure that Central Geelong will continue to enjoy sunlight access whilst experiencing minimised wind impacts, active street frontages and sustainable growth and development that keeps with the physical, historical, and aesthetical context of the municipality.

Other submitters, including many of the key landowners within Central Geelong, strongly opposed mandatory controls, particularly for footpaths. Concerns included:

- the preferred heights are not aligned with the shadow controls:
 - on some sites the permitted heights in the Framework Plan will not be able to be achieved because of the shadow controls

- on other sites, DELWP's 'iceberg' modelling demonstrates that much taller built form could be accommodated without offending the shadow controls
- DELWP has not demonstrated that proposals that offend the shadow controls are clearly unacceptable, or that mandatory controls are absolutely necessary
- the mandatory footpath controls are unbalanced, and there will clearly be locations where some shadow is acceptable and others where it will not
- pedestrian amenity is not only determined by shadow but other "*more important*" matters such as wind comfort and the availability of daylight at other times of the day
- there will be circumstances where some shadow is entirely acceptable having regard to the quality of the space and the nature of proposed use and development
- development proposals should be assessed on their merits, rather than being prohibited because it would cast even a minor shadow
- removing discretion forecloses the opportunity for the whole of a proposal to be considered on its overall merits, which could include significant community benefit.

The UDIA submitted that it was concerned about the "*binary nature*" of the shadow controls and considered that they should be more nuanced, or discretionary.

Montgomery opposed mandatory footpath protections on many of the bases outlined above, and submitted that:

- the need to preserve solar access for nearly all main street footpaths should not be a paramount or determinative consideration in a central city context
- strategic planning for Victoria's second largest city should not foreclose the opportunity for decision makers to determine the optimal outcome in each case having regard to all relevant considerations including the broader policy context
- no technical analysis has been presented to demonstrate that all nominated streets require mandatory protection.

Mercer opposed mandatory shadow controls protecting the future Station Forecourt. It submitted that the location, size and dimensions of the Forecourt are unknown, and that:

In these circumstances, it would be extraordinary to apply a mandatory, winter shadowing control. Even a discretionary control is stretching logic and principles of fairness. The protected polygon may eventuate in an entirely different shape or location, be surrounded by buildings which shadow it at the solstice, or not be delivered at all.

Mercer submitted that the Melbourne Planning Scheme's DDO10 applies a range of controls to protect different public spaces within the Melbourne CBD. Only the most iconic and culturally significant places (like the Yarra River corridor and Federation Square) attract mandatory controls. Other public spaces – including highly valued and regionally significant spaces such as Treasury Gardens – are protected by discretionary controls. Mercer submitted:

- shadows cast by buildings (as opposed to built form envelopes) have breaks between buildings, and move over the ground with the movement of the sun across the sky
- DELWP has not established that any footpath shadow on Mercer Street is clearly unacceptable
- the iceberg modelling "*forcefully demonstrate that discretionary controls are likely to be entirely sufficient*"
- while there will be incursions, they will be the exception rather than the rule and will be "*entirely acceptable in a wide ranging network of sunlit streets*".

Mr Sheppard's evidence was that it was "*far from clear*" that mandatory controls are appropriate to the majority of proposals. He stated:

... proposals that fail to meet the mandatory overshadowing provision could still be acceptable because their impact on the amenity of pedestrians or outdoor diners may be minimal.

He preferred discretionary controls, stating that:

... carefully crafted discretionary provisions could also achieve the preferred outcome while optimising the potential for development to deliver the level of intensification sought by policy and the ACZ.

In response to questions from the Committee as to what such 'carefully crafted' discretionary controls might look like, Mr Sheppard suggested adopting the limited discretion provided for under DDO10 in the Melbourne Planning Scheme, where additional shadow is not allowed "*unless the overshadowing will not unreasonably prejudice the amenity of the space*".

Mr Kelderman also supported discretionary controls.

(iii) Discussion

Mandatory shadow controls were supported by some experts, and not by others. Ms Heggen and Mr Nelson supported them, although neither presented a detailed analysis. Mr Sheppard and Mr Kelderman were not supportive of the control.

The strategic rationale for the overshadowing controls is set out in section 9.2 of the Framework Plan, which states:

Protecting sunlight access to parks, footpaths and lanes is crucial to the amenity and walkability of Geelong. This is particularly important for Central Geelong in a post-COVID context, as there is a need to protect sunlight access to streets and spaces to support an increasing and diversifying range of activities including, but not limited to, events, outdoor dining and cafés...

It goes on to state in section 9.3:

The amenity and quality of public realm for pedestrians in Central Geelong is paramount to its continued success as a city centre with a growing resident, worker and visitor population. A key contributory factor to this outcome is the amount of sunlight that primary streets, laneways and spaces receive throughout the middle of the day during cooler periods of the year when the sun is lower in the sky.

The Committee is broadly satisfied that there is strategic justification and support for maintaining solar access to the public realm, particularly open space. However PPN59 sets a high bar for the use of mandatory controls. It states:

Mandatory provisions will only be considered in circumstances where it can be clearly demonstrated that discretionary provisions are insufficient to achieve desired outcomes.

Mandatory overshadowing provisions provide certainty and consistency, and would ensure the delivery of the strategic outcome of protecting sunlight access to the public realm. Mandatory provisions avoid situations where the exercise of discretion has the potential to erode that strategic outcome, through inconsistent decision making, or the problems of 'death by a thousand cuts' and 'first in best dressed' identified by DELWP and previous panels.

Mandatory controls could also reduce administrative costs by removing the scope for dispute over what constitutes unreasonable overshadowing, although this benefit would only be marginal given the range of other discretionary elements in the controls.

The Committee notes Mr Sheppard's suggestion for a 'strong discretionary control' under which additional shadow would not be permitted unless it does not unreasonably prejudice the amenity of the space. This is a difficult test to apply, and largely relies on a subjective judgement as to what amount of shadow would be considered to be unreasonable – a matter on which even reasonable minds may differ.

Further, Mr Sheppard's suggestion does not address the problem of cumulative shadows and 'death by a thousand cuts'. It might be difficult to argue that a small amount of additional shadow caused by any one development is unreasonable. However the cumulative effect of multiple shadows cast by multiple developments will become unreasonable at some point. This in turn raises questions such as, at what point is the cumulative impact unreasonable? Which development should be approved, and which should be refused on the basis that the small amount of extra shadow cast by the later development tips the scales to 'unreasonable'?

Overshadowing is particularly susceptible to the problem of cumulative impacts – more so than the impacts of new development on heritage values as discussed in Chapter 10.4. While it might not be possible to say that the majority of *individual* proposals that do not meet the mandatory shadow controls would be clearly unacceptable, it is possible to say that at some point, the cumulative impacts of multiple proposals *will* be unacceptable.

Central Geelong's existing open spaces are highly valued by the community, and make a significant contribution to its character and amenity. In the previous Chapters, the Committee has found that Central Geelong is short of open space, particularly in the southern parts. Open space will have to work increasingly harder to meet the needs of users as the population of residents, workers and visitors to Central Geelong increases.

On balance, the Committee supports mandatory overshadowing controls for open space. The amenity of these spaces is particularly vulnerable to cumulative shadow impacts. The Committee considers that a mandatory control is more transparent, effective, fairer and certain in protecting open space from shadow impacts than a discretionary control that relies on subjective judgements.

Similarly, the Committee supports mandatory controls that protect the three key streets where the Committee considers that the rationale has been made out for stronger shadow protections. It does not consider that the case for mandatory controls has been made out for secondary streets and pedestrian links, when considering the criteria in PPN59.

(iv) Conclusions and recommendations

The Committee concludes:

- Mandatory overshadowing controls (based on the Committee's adjusted controls, which permit allowable shadow on Johnstone Park and the Station Forecourt) are justified for:
 - open space
 - the three key streets identified by the Committee (Gheringhap Street, Malop Street and Little Malop Street between Fenwick and Moorabool Streets).
- The controls for the remaining streets and laneways should be discretionary.

The Panel recommends:

Amend the Framework Plan to:

- a) **amend references to mandatory overshadowing controls for Secondary Streets and Narrow Streets and Laneways to discretionary overshadowing controls (including in Table 9 at page 180).**

Amend the Activity Centre Zone Schedule 1 to:

- a) **amend Table 8 and insert a new Table 9 to make the overshadowing controls for Secondary Streets and Narrow Streets and Laneways discretionary.**

11.7 Wind effects

(i) Context

The ACZ1 proposes controls that ensure new buildings meet the wind effect requirements in Table 9 of the ACZ1. New development:

- must not cause unsafe wind conditions (a mandatory requirement)
- should result in comfortable wind conditions (a discretionary requirement).

The controls require a wind report to be submitted for any building over 16 metres in height that demonstrates that the building will not create unsafe or uncomfortable wind conditions.

(ii) The issue

The issue is whether the wind effects controls are reasonable.

(iii) Evidence and submissions

DELWP submitted that Central Geelong's location on Corio Bay and its topographic characteristics make it prone to the impacts of high winds at ground level from a variety of directions. The controls are consistent with best practice, and are needed to ensure excessive wind conditions are not exacerbated by poor design. DELWP submitted that ensuring the public realm is protected from unsafe and uncomfortable wind conditions is key to maintaining a high quality and high amenity public realm, which is a key element of the vision.

DELWP submitted that the proposed requirements have been developed to support the Victorian Government's Better Apartments Design Standards program aimed at strengthening the external amenity of apartment developments. It explained that the provisions are modelled on those that were introduced into the Melbourne Planning Scheme by Amendment C270.

Similar to his evidence in relation to the mandatory heritage setback and shadow controls, Mr Woodland's evidence was that there is a "*prima facie*" case for mandatory wind protection standards to protect key open space and streets, but further analysis could be presented to definitively demonstrate why a mandatory approach is warranted.

Professor McGauran's evidence was:

Geelong sitting within a natural amphitheatre and its location on the coast make the city vulnerable to negative outcomes from wind effects where there is significant exceedance above existing heights in new development where design of the buildings is not evolved with consideration of offsite and on-site impacts.

Council generally supported the wind controls, submitting that they would (together with the overshadowing controls) ensure that Central Geelong will have a high amenity public realm.

Similarly, Submitter 139 agreed that the public realm outcomes for Central Geelong should be enhanced and improved, and that management of wind is an important aspect of this.

Several submitters were concerned with the potential for taller development to create wind tunnel effects (for example, Submitters 55, 63 and 94). They supported the proposed wind controls, including the mandatory requirement to avoid unsafe wind conditions.

(iv) Discussion

While no evidence was led that substantiates the existing baseline for wind conditions, the Committee accepts that Central Geelong's location on the bay and in a natural amphitheatre creates the potential for windy conditions. It is widely accepted that taller development can exacerbate windy conditions, particularly where towers are closely spaced. On that basis, the Committee is satisfied that it is appropriate that wind requirements should accompany development controls that promote and facilitate taller more intensive development in Central Geelong.

The Committee considers that on balance, the proposed blend of mandatory and discretionary wind controls is appropriate. The mandatory requirement only applies to unsafe wind conditions – the requirements relating to comfortable wind conditions are discretionary. Creating conditions that are safe for the public is, in the Committee's view, adequate justification for a mandatory requirement.

Unsafe wind conditions are described in Table 9 as:

Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions

No evidence was led that established that these conditions in fact pose a risk to safety. However the Committee accepts that the metrics are consistent with the mandatory requirements to avoid unsafe wind conditions introduced into the Melbourne Planning Scheme by Amendment C270.

(v) Conclusion

The Committee concludes:

- The proposed wind requirements are appropriate.

11.8 Active streets and laneways and through block pedestrian links

(i) Context

Map 4 in the ACZ1 identifies an extensive network of existing and proposed ('future/preferred') pedestrian links, including a series of new through block links (see Figure 20 in Chapter 11.5). The ACZ1 includes the following requirements:

- locate services away from pedestrian links
- provide weather protection along pedestrian links
- use low reflective materials and finishes on facades pedestrian links.

Centre wide objectives refer to supporting improved pedestrian connections within and between precincts and to adjacent neighbourhoods. Precinct objectives for SDSs refer to providing high quality contributions to the public realm including pedestrian links and active frontages to all streets.

Map 5 in the ACZ1 (extracted in Figure 21) identifies a series of Retail Streets, Active Streets and Active Laneways. The ACZ1 includes the following requirements for applications for development adjacent to Retail Streets, Active Streets and Active Laneways:

- details of the proposed interface treatment to the public domain, including facade treatment, entrances, advertising, and any proposed streetscape improvements
- for applications that creates new pedestrian connections, a written statement showing how the proposal meets Crime Prevention through Environmental Design principles.

Table 6 in the ACZ1 contains glazing requirements for Retail Streets, Active Streets and Active Laneways, with the more stringent requirements applying to Retail Streets and the least stringent to Active Laneways.

Figure 21 Active streets and laneways

Map 5: Preferred Active Street Frontages / Glazing Requirements



Source: Exhibited ACZ1

(ii) The issues

The issues are the appropriateness of the requirements relating to:

- pedestrian links including new through block links
- active streets and laneways.

(iii) Evidence and submissions

DELWP submitted that the Framework Plan has been prepared to deliver a high quality interface between buildings and the street at ground level, including active street frontages, reduced vehicle crossings and reduced visual impact of building services on the public realm. It said the Framework Plan aspires to deliver new through blocks links where significant consolidation has occurred over time, to create a more permeable and pedestrian friendly city. DELWP submitted that the role of laneways is changing from a traditional servicing role, to places of activity. This creates a need to increase access to laneways by completing the 'missing links', as well as provide overshadowing protections (discussed in Chapter 11.5).

Professor McGauran highlighted the importance of the strategies in the Framework Plan that underpin the achievement of a network of high quality streets and public realm. He endorsed the provision of new through block pedestrian links on key sites (SDSs), and considered that these would contribute to Central Geelong's network of laneways. His evidence was that street level activation will promote the quality of the pedestrian experience, that will be further enhanced by reducing crossovers, sleeving any above ground car parking with active uses, and minimising the impact of services.

Several submitters opposed the new through block pedestrian links proposed through their sites. Dimmick Nominees opposed the proposed link through the former Council offices (SDS No. 9):

... a mid-block pedestrian link connecting Brougham Street to Corio Street is not necessary to promote pedestrian movement and will unreasonably impact the design and development potential for the subject site.

Scentre Group opposed the proposed link through the Westfield West site (SDS No. 6):

The Advisory Committee should be very careful to safeguard against a planning control that would result in the effective acquisition of privately-held land without due compensation. If the planning authority wants to promote improved pedestrian linkages through the site, it should work collaboratively with the landowner to achieve these outcomes.

Submitters 22 and 27 opposed the proposed mid block pedestrian link from Dennys Place to Malop Street. They were concerned about the amenity impacts on the nearby residential apartments of increased pedestrian activity and potential noise impacts that could result from public access to new laneways.

Ms Heggen suggested a more tailored approach to the pedestrian connection and activation controls:

The proposed ACZ1 Schedule uses multiple systems for the classification of streets in the activity centre, including a ranking based on pedestrian and cycling priority in Map 4, an active frontages classification in Map 5, and a preferred vehicle access classification in Map 9. While these different systems allow a more detailed and tailored approach to controls managing movement and the public realm, the clarity of their drafting is critical to ensure that different classification systems do not lead to confusion or contradictions.

(iv) Discussion

The Framework Plan outlines aspirations to improve existing laneways, create new laneways, and improve linkages between the city and the waterfront. These are consistent with the aims of the RCG Action Plan to create a thriving economy, vibrant city centre and a dynamic environment to live in and to visit.

The Committee endorses the underlying principles of the laneway and pedestrian network. The concepts of pedestrian permeability, the creation of activity through the promotion of pedestrian amenity and walkability, general street activation through active frontages, and capitalising and improving on the fine grain nature of Central Geelong's subdivision pattern are strategically supported aims that are consistent with high level policy and the Urban Design Guidelines for Victoria.

The Committee acknowledges that there are existing deficiencies and missing links within the laneway network. It supports the Framework Plan's aspirations address these deficiencies by creating new laneways and pedestrian links. The connection of Dennys Place to Malop Street, and the pedestrian links through Market Square to Little Myers Street, and the Westfield site through to Brougham Street, if delivered, would improve pedestrian permeability, provide improved linkages and generally improve options for moving around the city.

On larger sites such as Westfield, Market Square and the former Council offices site, it is reasonable to expect mid block through connections that promote connectivity to the waterfront. These aspirations align with the urban structure principles of the Urban Design Guidelines for Victoria, that seek to provide a permeable and functional urban structure (objective 1.1.1) and ensure accessible and functional activity centres (objective 1.2.1).

There was some discussion at the Hearing about the practicalities of delivering a new 24 hour publicly accessible pedestrian link through the Westfield site, and whether that link should be open to the sky. These are matters of detail that are beyond the scope of the Framework Plan. They can be resolved through the development plan process for the redevelopment of the Westfield sites.

Overall, the Committee is satisfied that the provision of the new laneways and through block links in the locations identified on Maps 4 and 5 in the ACZ1 are well supported from an orderly planning and urban design perspective. The acquisition strategies required to deliver these future links is not a matter for the Committee. The Committee does, however, agree with submitters that this will require consultation with and cooperation from the relevant landowners.

Submissions were made about the potential impacts on residential amenity along laneways and pedestrian links that are identified for connection and increased usage. While the Committee is cognisant of the potential for amenity conflicts, Central Geelong is a city location. The controls, like those for other central city locations, must balance the reasonable amenity expectations of the existing and future residents, users, and visitors. Pedestrian activity is one feature of inner city living that residential land uses must reasonably anticipate.

The Committee supports the street activation requirements, and considers that they will assist in bringing life and activity to streets and laneways. The requirements are consistent with the general approach that has been successfully employed in the 'cafe precinct' section of Little Malop Street, which has resulted in revitalisation and a sense of vibrancy along this section of the street. The Committee supports DELWP's proposal in the Part D version of the ACZ1 to reduce the clear glazing requirement along Retail Street frontages from 80 per cent to 60 per cent. This represents a reasonable balance between the practicalities of delivering new buildings and creating the active street frontages and sense of vibrancy sought by the Framework Plan.

(v) Conclusions

The Committee concludes:

- The aspirations for delivering laneways and connecting gaps in the Central Geelong laneway and pedestrian networks, including the preferred locations of the new laneway and pedestrian connections are appropriate, although the Committee makes no comment on the acquisition strategies for acquiring the land needed for these new connections.
- The requirements applicable to active street and laneway frontages are appropriate and will contribute to a sense of vibrancy, consistent with the aims of the RCG Action Plan and the Framework Plan.

12 Residential interfaces

12.1 The issue

The issue is a perceived lack of protection for neighbourhood character and residential amenity in neighbouring low rise residential areas, including through interface treatments.

12.2 Evidence and submissions

Several submitters were concerned that the Framework Plan and ACZ1 controls did not provide sufficient recognition of and protection to neighbouring low rise residential precincts, many of which have an established character and/or heritage significance. Areas of concern focused on the interfaces with the York Precinct, the southern side of the West Village Precinct and the eastern side of Retail Core Precinct.

Concerns were also raised by residents along Western Beach Road, with a number of submissions pointing to the poor amenity outcomes of the Mercer Apartment building, which is located in the Knowledge and Enterprise Precinct to the north of Malone Street. Submitter 49 considered the increase in the preferred maximum building height requirements within the Knowledge and Enterprise Precinct presents greater potential for significant loss of amenity of the adjoining residential land. They noted that while the preferred housing typology for the York Precinct encourages four storey apartments and townhouses transitioning to houses adjacent to neighbouring residential areas, the Knowledge and Enterprise Precinct housing typology:

... fails to recognise the neighbouring residential area and define its building type to appropriately respond to that context.

Submitter 116 queried the absence of clear direction for managing the built form transition to existing residential areas. They said that the Framework Plan provides no direction on managing built form transitions to the area immediately south of McKillop Street, which has limited development potential due to the presence of Heritage Overlays. They submitted:

The proposed increased ACZ area removes all transitional areas which were either directly identified in the 2007 Central Geelong Structure Plan, or operated as transitional buffers in a de facto manner through the existing non-ACZ zoning. The 2007 Central Geelong Structure Plan identified a transition precinct to ensure that an appropriate development response on the periphery of Central Geelong.

Submitter 72 welcomed the recognition of the residential nature of the West Village Precinct and supported its residential use to maximise the availability of housing in Central Geelong, while protecting the precinct's existing historic and architectural character.

DELWP submitted that the preferred heights at the interfaces with residential zones are at the lower end of the scale, and will provide a degree of transition to sensitive existing residential neighbourhoods. In addition, roads exist at most of the interfaces between the ACZ1 and residential zones, providing further protection to abutting areas.

DELWP did acknowledge that where there is a direct interface (no intervening road) between the ACZ1 and a residential zone (as in some areas between Western beach Road and Mercer Street), there may be a case for additional amenity protection. In the case of the direct interfaces between the ACZ1 and the Residential Growth Zone, however, DELWP did not consider that additional

protections were warranted, given the Residential Growth Zone already anticipates more intensive development of up to four storeys.

DELWP recognised that there will be a change in the character of some areas of Central Geelong, but suggested that there is also an opportunity to compliment and build on Geelong's character through new developments of high quality design. DELWP expected that less intensively developed non-heritage areas in Central Geelong will be redeveloped over time under the ACZ1 controls to *"more fully reflect their potential"*.

12.3 Discussion

The Committee acknowledges that the protection of character and amenity in the existing residential areas abutting the activity centre is an important consideration, particularly for areas where lower scale residential development is envisaged (in the General Residential Zone), and areas containing heritage fabric.

That said, Central Geelong is a city setting where the character in and around the CBD will evolve over time. The amenity expectations for current and future residents must be tempered by an understanding of the growth and development expectations for Central Geelong which have long been recognised and reflected in the State and local planning policy framework.

The Framework Plan realigns and extends the existing precinct boundaries, in some cases bringing the potential for more intensive built form closer to sensitive interfaces including existing residential areas and heritage areas. For example, the expanded Retail Core Precinct will be closer to the area known as the City East Heritage Area (HO1639) in and around Swanston Street. DELWP suggested further changes during the course of the Hearing that would exacerbate this. The Day 1 versions of the Framework Plan and ACZ1 proposed increasing the heights along the west side of Bellerine Street from 21 metres to 28 metres (see Figures 11 and 12 in Chapter 9.4).

The Committee observed on its site inspections a marked difference between the built form east of Bellerine Street, and the built form east of Swanston Street. Built form east of Swanston Street is much finer grained and lower scaled. This is consistent with much of this land being within the HO1639 heritage area. The same cannot be said for the land immediately east of Bellerine Street, which has a more eclectic character and is more suitable for renewal.

In the Committee's view, the tapering of heights down to medium low (21 metres) at the north eastern edge of the Retail Core Precinct (as exhibited) will allow an appropriate response to the residential interface without unreasonable interruption to the character or amenity of the residential areas to the east, including along Swanston Street. The Day 1 increases in heights along Bellerine Street (from medium low (21 metres) to medium (28 metres)) may also be acceptable, subject to validation by additional built form testing as recommended in Chapter 9.4.

The built form precinct objectives for the Health and West Village Precincts (see Table 3 in Chapter 2.2(iii)) have regard to the need to transition building heights down along heritage streets and toward the edges of Central Geelong. McKillop Street forms the southern boundary of both precincts, to the south of which is the established residential area of South Geelong. The Committee supports the tapering heights toward South Geelong. The 21 metre height limit identified for the southern periphery of these precincts is a preferred maximum, and may not be achievable on all sites if the specific performance standards cannot be met.

DELWP's Part D version of the ACZ1 proposes introducing some ResCode (Clause 55) provisions in the Yorke and Station precincts to better manage direct residential abutments. The Committee supports these changes, and considers that they should extend to all precincts with direct residential abutments. This will include the Knowledge and Enterprise Precinct (based on the Committee's recommended boundaries in Chapter 6.5(ii)). It appears there may also be some direct residential abutments at the eastern end of the Retail Core Precinct.

Overall, subject to some minor adjustments, the Committee generally supports the proposed treatment of the lower scale interfaces and is comfortable that they appropriately protect the reasonable amenity and neighbourhood character expectations of current and future residents while facilitating the preferred outcomes for growth and intensification within Central Geelong.

There will be site specific interfaces (for example, between the Mercer Street 'triangle' and St Peter and Pauls Church) that require a more detailed examination and contextual design response to sensitive interfaces. The Committee is broadly satisfied that this can be managed through the permit application process. That said, the treatment of these interfaces is not comprehensively detailed in the UDF or the ACZ1. The Committee considers that consistent and clear objectives for these interfaces could be better articulated in the UDF and through the ACZ1.

12.4 Conclusions and recommendations

The Committee concludes:

- Subject to some minor adjustments, the treatment of the residential interfaces is generally appropriate. The transition of built form to adjacent residential areas is commensurate with the reasonable expectations for change in a central city location.
- A new built form objective should be included in the Framework Plan and ACZ1 that requires new development to have regard for the neighbourhood character of, and to minimise amenity impacts on, adjacent residential areas.
- DELWP's proposed additions to the Part D version of the ACZ1 that introduce ResCode requirements for land in the Yorke and Station Precincts that directly abuts residential zones is supported and should be extended to all precincts where land directly abuts a residential zone.

The Committee recommends:

Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) **include the following new built form objective:**
 - **To ensure that new development adjacent to existing residential areas has regard for the neighbourhood character of the area and minimise off site amenity impacts.**

Amend the Activity Centre Zone Schedule 1 to:

- a) **amend the precinct requirements for all precincts in which land directly abuts land in a residential zone to include the following:**
 - **For allotments abutting land within a residential zone, the objectives, standards and decision guidelines of the following provisions should be applied to manage amenity impacts:**
 - **Clause 55.04-1 'Side and rear setback'**
 - **Clause 55.04-2 'Walls on boundaries'**

13 Strategic Development Sites

13.1 Context

The exhibited Framework Plan identifies 13 SDSs, distributed throughout the Knowledge and Enterprise, Station, Retail Core and Health Precincts. Each precinct has a precinct objective stating that each site is to be master planned, developed with exemplary architecture, and is to provide high quality public realm.

The Framework Plan observes that given the strategic and unique nature of each SDS, specific planning controls such as a DPO will help guide development to ensure they contribute to the liveability of Central Geelong.

Section 5 of the Framework Plan includes a number of strategies and actions relating to SDSs that seek to:

- facilitate investment and renewal of sites
- support master planning with landowners
- ensure that the ACZ controls provide flexibility and encourage innovation by introducing mandatory FARs in combination with preferred maximum heights and building typologies.

The objectives and actions in the Framework Plan are translated into the ACZ1 by including:

- the SDS precinct objective for each relevant precinct, referred to above
- a built form objective that seeks to provide flexibility for innovative development and design solutions on SDSs
- preferred plot ratios (FARs) for the majority but not all of the SDSs
- specific site requirements such as pedestrian linkages, open space considerations and the like
- a requirement to prepare a master plan prior to granting of a permit, with detailed requirements for master plans set out
- a requirement that an application on a SDS be accompanied by a report which demonstrates alignment with the approved master plan for the site
- an accompanying decision guideline that considers the extent to which the proposed development aligns with the approved master plan.

It became clear early in the Hearing that while the Framework Plan and ACZ1 refer to plot ratios, they are intended to refer to a FAR. Plot ratios include all floorspace, whereas a FAR only includes the above ground floorspace (in other words, FARs exclude basement carparking).

The Framework Plan refers to mandatory FARs (see Strategy 20.1), whereas the ACZ1 has discretionary FARs.

13.2 Criteria for selecting Strategic Development Sites

(i) The issue

The issue is whether the criteria for selecting SDSs are appropriate and have been appropriately applied.

(ii) Evidence and submissions

The Framework Plan states (at page 177) that SDSs were selected using the following criteria:

- Council owned land suitable for strategic development (eg Council offices, Civic Centre Car Park and Haymarket Car Park); and
- Large privately owned land > 4000m² in size (eg Officeworks, Westfield, Waterfront Church, Marketsquare and Steampacket House).

This appears to be the sole reference in the Framework Plan and other background documentation relating to SDS selection criteria.

DELWP's Part B submission observed that in addition to the selection criteria specified above, other SDSs were identified due to their size and redevelopment potential and because they provide a significant anchor role in their precinct. It sought the Committee's advice on whether it should identify further SDSs, in particular on sites below 10,000 square metres.

Mr Woodland recommended that the rationale for selecting SDSs should be further explained in the Framework Plan. DELWP agreed with this recommendation.

Mercer submitted that its site at 81-101 Mercer Street should be identified as a SDS. DELWP acknowledged that the site was identified in the pre-interim ACZ1 as a 'strategic site', and advised it was only excluded as a SDS due the recent grant of a planning permit which, if acted on, would result in little likelihood of further development in the life of the Framework Plan.

Council welcomed the identification of SDSs in the Framework Plan, but queried the selection criteria, stating that adequate justification had not been provided. Council further submitted that guidance for identification of future SDSs in the event of site consolidation had not been provided. Council called for more detailed guidance, particularly for development sites above 4,000 square metres.

DELWP's closing submission noted the following adjustments could be made:

- amalgamate the Westfield sites into a single SDS, noting that development could then be regulated by a single DPO schedule and Development Plan
- expansion of the former Council Offices SDS (the Dimmick Nominees site) to include the at-grade car park to the east which is in the same ownership, and exclude the Taco Bill building which is in separate ownership
- consider 245 Latrobe Terrace (the St George's Presbyterian Church site) for inclusion as a SDS.

(iii) Discussion

By the close of the Hearing, there was broad agreement between DELWP, Council and the various parties representing large sites that the selection criteria for SDSs require further elaboration.

The Committee considers it important that the Framework Plan clearly and transparently explains the selection criteria for SDSs. It agrees with Mr Woodland that the selection rationale should be further explained, and agrees with Council that further guidance should be provided in relation to triggers for future SDS nominations.

The Committee further considers that the selection criteria, and the role of SDSs, should be elevated in prominence in the Framework Plan. The two dot points listed at page 177 do not do justice to the important role that SDSs have in realising the future vision and outcomes for the development of Central Geelong. The discussion needs to be more 'front and centre'.

The Committee considers that the additional site selection criteria suggested by DELWP are appropriate, and should be included in the Framework Plan as follows:

- sites that, due to their large size, have significant redevelopment potential and capacity to achieve greater intensity of development and delivery of other public benefits such as provision of pedestrian linkages and additional public open space
- sites that can play a significant anchor role in their precinct.

Having reviewed the size and location characteristics of the nominated SDSs, and based on the information before it, the Committee considers a further relevant criteria worthy of inclusion is:

- sites positioned in prominent locations or 'gateways' that are capable of significant redevelopment.

The Committee agrees with DELWP's suggested consolidation of the two Westfield sites into one SDS and the proposed alteration to the extent of the former Council Office SDS. Both of these changes are logical and better reflect existing conditions and development potential.

The Committee considers it appropriate for the Framework Plan and the ACZ1 to identify 81-101 Mercer Street as a SDS. While a permit has been granted for the site, it has not yet been acted on. The site's characteristics are consistent with existing and proposed selection criteria.

Further, having inspected 245 Latrobe Terrace, the Committee is satisfied that it meets the Committee's expanded site criteria for a SDS. It is a large, prominent and strategically located site close to the Station with significant development potential. Accordingly, subject to DELWP's further review as part of its finalisation of the SDS selection criteria, the Committee considers it appropriate to include the site as a SDS.

(iv) Conclusions and recommendations

The Committee concludes:

- The Framework Plan should be amended to better explain the role of SDSs and expand the selection criteria for the identification of SDSs.
- While the SDSs currently reflected in the Framework Plan and ACZ1 are appropriate, minor changes are recommended to the Westfield and former Council Offices sites to better reflect existing conditions and development potential.
- It is appropriate to include 81-101 Mercer Street and 245 Latrobe Terrace as SDSs.

The Committee recommends:

Amend the Framework Plan to:

- relocate the discussion of Strategic Development Sites to a more prominent position in the Framework Plan, closer to the start of the document**
- include text which articulates the role of Strategic Development Sites in achieving the vision and Objectives of the Framework Plan, including but not limited to specifically recognising their importance in delivering the required floorspace for population and employment growth as well as anticipated public realm improvements**
- include the following additional site selection criteria:**
 - **Sites that, due to their large size, have significant redevelopment potential and capacity to achieve greater intensity of development and**

delivery of other public benefits such as providing pedestrian linkages and additional public open space.

- **Sites that can play a significant anchor role in their precinct.**
 - **Sites positioned in prominent locations or ‘gateways’ that are capable of significant redevelopment.**
- d) include text relating to the potential future nomination of further Strategic Development Sites.**

Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- a) amalgamate Strategic Development Sites 6 and 10 (the two Westfield sites) into a single Strategic Development Site**
- b) amend the boundary of Strategic Development Site 9 (former Council Offices) to include the adjacent at grade car park to the east which is in the same ownership and exclude the land occupied by the former Taco Bill restaurant (including but not limited to the area covered by Heritage Overlay 399)**
- c) include the following additional Strategic Development Sites**
 - **81-101 Mercer Street**
 - **245 Latrobe Terrace.**

13.3 Encouraging development of Strategic Development Sites

(i) The issue

The issue is whether the controls appropriately facilitate or encourage redevelopment on SDSs.

(ii) Evidence and submissions

Dimmick Nominees submitted that the nomination of land as a SDS provides no material benefit in terms of facilitating redevelopment of the site, and in fact creates uncertainty for landowners due to the lack of transparency regarding expectations and the approval pathway. It submitted that the Framework Plan has not explained any benefit associated with the classification of SDSs beyond what can be achieved in a standard planning permit application process.

Dimmick Nominees requested the removal of the SDS classification from its site (the former Council Offices), submitting that the extra layering of development approval conditions and controls, compared to other large non SDSs, was a disadvantage. It submitted that rather than create hurdles and complexities (including through the master plan requirements), a flexible and efficient planning pathway should apply to SDSs.

Mercer and others generally mirrored the submissions of Dimmick Nominees. No submissions expressed the view that the suite of controls proposed to be applied to SDSs appropriately seek to facilitate their redevelopment.

DELWP’s closing submission stated that it had carefully considered the evidence and questioning of witnesses in relation to the controls applicable to SDSs, in particular whether the controls strike the right balance between benefit and constraint, having regard to the role played by each SDS in the delivery of the projected floor space. It concluded that the *“balance could be better optimised”*. DELWP submitted that the Committee could reasonably make a number of recommendations including:

- introducing additional objectives and design guidelines which specifically recognise the importance of SDSs in delivering the required floor space and public realm improvements
- reviewing or removing the FAR controls, particularly on smaller SDS (discussed in detail in the following Chapter)
- removing the master plan requirements from smaller SDSs (below 10,000 square metres), and converting the master plan requirements on larger SDSs (above 10,000 square metres) to a DPO, while retaining the built form controls within the ACZ1 (discussed in detail in Chapter 13.5).

(iii) Discussion

The Committee finds DELWP's closing submission on this issue both candid and on point. It fully endorses the recommendation that objectives and design guidelines be introduced in the Framework Plan and translated into the ACZ1 that facilitate redevelopment of SDSs. This is consistent with the Committee's findings in the previous Chapter about elevating the prominence of the important role that SDSs are to play in achieving the refreshed vision for Central Geelong in the Framework Plan.

The Committee accepts DELWP's suggested objective for inclusion in both the Framework Plan and the ACZ1:

- To encourage more intense development on Strategic Development Sites identified in this Schedule where such development attains design excellence and delivers public benefits commensurate with the scale and intensity of development of each site.

In drafting the additional objectives and decision guidelines, the Committee encourages DELWP to turn its mind to whether there are opportunities to include commentary and recommendations in the Framework Plan concerning facilitation processes and/or engagement strategies with landowners of SDSs.

(iv) Conclusion and recommendations

The Committee concludes:

- The Framework Plan and ACZ1 should be amended to recognise the importance of SDSs and that more intense forms of development are encouraged on them.

The Committee recommends:

Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

a) include an additional Objective:

- **To encourage more intense development on Strategic Development Sites identified in the Framework Plan where such development attains design excellence and delivers public benefits commensurate with the scale and intensity of development of each site.**

Amend the Activity Centre Zone Schedule 1 to:

a) include additional design guidelines for considering applications on Strategic Development Sites, including whether the proposal delivers:

- **floorspace needed to accommodate population and employment growth**
- **public realm improvements, including but not limited to those shown on the various maps in the Schedule**

13.4 Plot ratio/floor area ratio controls

(i) The issues

The issues are:

- whether a plot ratio or FAR control for SDSs is justified
- the proposed FARs metrics
- whether they should be mandatory or discretionary
- the lack of policy guidance for when FARs might be exceeded (and issues around floor area uplift (FAU) more generally).

(ii) Evidence and submissions

Justification for FAR controls

DELWP explained that the intent of the FARs, generally speaking, is to complement the other built form parameters to:

- ensure that SDSs will be developed with a ‘village of buildings’ of different heights rather than the entire building envelope being built out
- guide the development of a pedestrian network
- encourage opportunities for greater community benefits such as affordable housing.

Professor McGauran’s evidence was that FARs provide a range of benefits, including:

- guiding development that better responds to the varying characteristics of specific sites
- supporting the delivery of a range of different building typologies, rather than just developing each site to its maximum preferred height
- providing greater certainty about the level of population growth to determine the need for supporting infrastructure and traffic management
- supporting community benefits such as new laneways, retention of heritage buildings and additional open space, by allowing flexibility on how floorspace is distributed across a site
- encouraging a desired mix of land uses
- managing overall densities to ensure they do not lead to adverse amenity outcomes including overcrowding and excessive pressure on existing infrastructure
- providing clear guidance on potential development yield which avoids speculation and escalating land prices.

He considered that these benefits – all of which he said were consistent with the aims of the Framework Plan – can only be provided with certainty if the FARs are mandatory. He noted that a mandatory FAR is often coupled with a discretionary FAU, which allows the FAR to be exceeded in return for delivery of defined community benefits such as affordable housing.

In response to a Committee question about how the FARs achieve these various benefits in Central Geelong, Professor McGauran indicated that a key purpose of the FARs was to ensure that there was an equitable distribution of development potential across the activity centre as a whole, and that one site did not ‘cannibalise’ the floorspace that should be spread across a precinct or the activity centre as a whole.

Mr Woodland supported the use of FARs on SDSs, and considered that they could assist in the delivery of a range of enhanced pedestrian and public realm outcomes.

Amber submitted that given the master planning requirements, and the long list of decision guidelines for SDSs in the ACZ1, *“it is difficult to understand the justification for also including a discretionary FAR”*. It submitted that the FAR will unnecessarily constrain, and likely discourage, appropriate development of SDSs. It submitted that no clear explanation had been provided of the strategic justification for the FARs, or the nexus between the FARs and the preferred heights. Nor had any sensitivity testing been presented which considered the built form or other impacts of alternative FARs.

Scentre Group submitted that the Framework Plan’s assertion that the FARs seek to enable flexibility in how particular built form outcomes are achieved on a site is *“patently not their intended purpose”*. Instead, they limit development potential on strategic parcels of land. Scentre Group submitted that if there are certain design objectives sought to be achieved on SDSs, these should be specified. The application of a FAR to promote good urban design outcomes, or separation between building forms, is *“unnecessary and heavy-handed”*.

Like Amber, Scentre Group pointed to the fact that there was no evidence or analysis presented which demonstrated an appropriate ‘fit’ between the FARs and the permitted built form envelopes.

Scentre Group rejected the delivery of public pedestrian links through its site as a legitimate basis for applying a FAR, submitting that the Committee should be *“very careful to safeguard against a planning control that would result in the effective acquisition of privately-held land without due compensation”*.

Mr McNamara gave planning evidence for Scentre Group. While he agreed with Professor McGauran that there are benefits in applying plot ratio controls, he did not consider that they are as wide as suggested. He noted that FARs are more commonly applied across precincts or areas rather than being tagged to specific sites. He stated:

When dealing with a specific site (and owner), the preferred way is through the preparation of site-specific controls which might deal with access, sun shadows, building height and aspect, podiums, interfaces, linkages, public areas, loading and other. For all the benefits of FARs, there are more in adopting a site specific approach, such as a DPO.

Submitter 143 (Aus-Global Projects Pty Ltd) suggested that plot ratios should be used instead of preferred height limits, which every site will seek to maximise. It submitted that a more varied skyline will be achieved when development is controlled by a plot ratio, which *“gives each site the option to be short and wide or tall and thin”*. Submitter 143 proposed a plot ratio of 8:1 (based on gross floor area) for every site instead of height controls, with a bonus plot ratio for development that delivered social or affordable housing (effectively a FAU).

In closing, DELWP maintained the view that FARs:

... can be a valuable tool in ensuring that the intensity of both the mass and scale of built form on a site can be appropriately broken up on a site to lessen its visual and environmental impact and make for a more functional and inviting building.

It submitted that this was acknowledged by several of the experts in cross-examination, and by Mr Sheppard in his evidence for Mercer, where he stated that a FAR would allow built form to be moved around a site and away from more sensitive interfaces.

However, DELWP submitted:

Having said that, having regard to the size of the proposed SDS sites in Central Geelong, the Department considers a plausible case has been put forward that, consistent with the

evidence of Mr McNamara and Ms Heggen, the imposition of FAR controls may be unnecessary in order to assure the achievement of acceptable outcomes.

It conceded that objectives and controls such as the building separation requirements and pedestrian link requirements *“may be able to adequately constrain the range of possible built form outcomes on an SDS”* and enable acceptable outcomes through the permit application process.

DELWP submitted that a FAR is likely to be more useful on large sites (such as Westfield and Market Square) where the risk of excessive and visually intensive built form bulk or massing is higher. However, if the Committee were to support the application of a DPO to large SDSs, the DPO could address design parameters to ensure inappropriate bulk and massing do not occur. Further, the DPO could apply a site specific FAR after a site specific analysis was completed.

Metrics

Several submitters submitted that the FARs on their sites should be increased. Others were content with the FARs proposed.

After discovering the error in the SGS growth and population forecasting and the resulting predicted shortfall in floorspace capacity (see Chapter 1.7(ii)), DELWP proposed increasing the FARs on a number of sites, submitting that the revised plot ratios are *“clearly in the correct ‘range’ and that submissions which suggest something significantly higher, or that suggest no limit is appropriate, are significantly off the mark”*.

Amber submitted that the proposed FAR of 5:1 on the Amber site was *“miles off”*. Amber initially sought a FAR of 13:1 on its site (in its submission to the exhibited material). At the Hearing it revised this position relying on Ms Heggen’s evidence, which included modelling of a FAR of 8:1 on the site. It submitted:

By contrast to the lacuna of information provided by DELWP, Ms Heggen’s evidence demonstrates that taller built form, and greater FAR, can easily be accommodated on the subject site without material impact on the relevant strategic objectives.

Scentre Group submitted:

The ratios specified for Westfield Geelong constitute a marked reduction on the ratio that would be accommodated by the permitted envelope. No satisfactory explanation was provided as to why a ratio of 5:1 was acceptable on Westfield West as opposed to a higher ratio. Indeed, Professor McGauran acknowledged that he would support a higher ratio, subject to the delivery of certain (loosely defined) public benefits.

Mr McNamara stated that the basis for the selection of the metrics of the FARs had not been provided, other than the reference to 3D testing of the capacity of each site in the Framework Plan. He considered this to be a *“highly inadequate basis upon which to guide the development of Central Geelong”*. He considered that the proposed metrics on the Westfield sites could well discourage investment in and redevelopment of these key strategic sites.

Table 14 sets out DELWP’s exhibited and revised FARs, and those proposed by the submitters.

Table 14 FARs proposed on Strategic Development Sites

Site	DELWP proposal	Submitter proposal
SDS 2 (Convention and Exhibition Centre)	3.3:1	No change
SDS 3 (Amber Property Group)	5:1, revised to 6:1	13:1, revised to 8:1
SDS 4 (Civic Centre Carpark)	3:1, revised to 4:1	No change
SDS 5 (Steampacket House)	3:1, revised to 4:1	No change
SDS 6 (Westfield West)	4:1, revised to 5:1	8.4:1
SDS 10 (Westfield East)	4:1, revised to 6:1	8.4:1

Professor McGauran supported DELWP's revised FARs except on the Amber site where he considered a FAR of 5:1 should be maintained. He did not support any of the further increases sought by the submitters. Mr Woodland provided no comment on the FARs' metrics.

Mandatory versus discretionary FARs

Mr Woodland considered that, given the strategic importance of SDSs to Central Geelong, there is justification for making the FARs mandatory. In his oral evidence, Mr Woodland appeared to step back from this recommendation. He noted that there would need to be a very clear alignment between the FAR and the other built form requirements if he were to support mandatory FARs.

As noted above, Professor McGauran considered that the benefits of the FARs could only really be achieved if the FARs were mandatory.

Guidance on exceeding the FARs and FAU

Submitter 143 submitted that a bonus plot ratio (or FAU) could be used to encourage specific land use outcomes like office space, entertainment and so on in the desired locations, as well as social or affordable housing.

Mr Woodland supported the planning scheme incentivising the delivery of community benefits such as affordable housing, but did not go so far as to endorse a formal FAU scheme.

Council submitted that more guidance should be provided as to when it was appropriate to exceed the FARs and other discretionary parameters, including heights. It submitted that exceedances (which it referred to as FAU) should be capped at 10 to 20 per cent, and only available where the application:

- achieves architectural and urban design excellence (determined by a process of design review)
- exceeds the minimum ESD requirements
- provides community benefit such as social and affordable housing, public realm enhancements, and additional open space *"at least equal to the value of the FAU"*.

Professor McGauran generally supported Council's position, stating:

I would agree with Council, that the application of an FAU toolkit is not unfettered here, with a need to continue to ensure that the outcomes also ensure the extent of additional development does not undermine the vitality of the broader downtown area and focus activity in only one or more locations and that the application of FAU's should be discretionary based on the merits of the proposal.

Professor McGauran suggested additional criteria for FAU:

- successful retention of special character buildings

- green travel measures providing either additional services or enhanced links to public transport
- affordable housing at or above the minimum contribution (he noted that other recent amendments had set a benchmark of 6 per cent)
- for the Westfield sites, removal of the skybridge.

Amber submitted that discretionary FARs without concrete, quantifiable FAU metrics, is “*not a well-considered approach, and should be abandoned*”. If the FARs are to be retained, a base FAR should be set, with FAU available for additional community benefits “*beyond the typical*”. It pointed out that many of the FAU criteria put forward by Council and Professor McGauran are not appropriate for all sites. For example, enhanced heritage outcomes and through block connections would not be possible or appropriate on the Amber site, which is one of the smaller SDSs. Further, design excellence and ESD features should be a ‘given’ in any application, rather than a basis for exceeding the FAR.

In response, DELWP submitted that the specific concept of FAU was not included in the draft Amendment. It submitted that the ACZ1 already contains sufficient guidance for exceeding the discretionary heights and FARs, which include things like whether the proposal exceeds ESD requirements, whether it produces improved outcomes for on-site or adjoining heritage places, and whether it provides a publicly accessible pedestrian link. It submitted that:

... it is important to ensure that the objectives articulated in the ACZ1 are required to be achieved, as a matter of course. Quality design is expected in all applications, and does not, of itself, warrant a ‘bonus’.

(iii) Discussion

The purposes of applying FAR controls in Central Geelong

The rationale for the applying FARs in Central Geelong is set out in the UDF, at page 177 of the Framework Plan. It refers to three purposes sought to be achieved by the FARs:

- a ‘village of buildings’ on SDSs
- new through-block links and public open space on larger sites
- community benefit such as affordable housing and community infrastructure.

The Framework Plan states at page 177:

FARs with preferred maximum heights and preferred typologies

As each of these sites [the SDSs] is large and requires flexibility to respond to its specific land use and context, FARs have been identified to guide development on each site... The FAR’s will be used together with complementary built form controls such as preferred maximum heights and mandatory overshadowing controls. This allows for new buildings of different heights to be introduced, creating a ‘village of buildings’ rather than completely building out the building envelope.

It goes on to state:

Interblock permeability and public realm

The FAR controls have been calculated to allow for new through-block links and public open spaces on larger sites. This will increase interblock permeability, and the amenity of each site and its surrounding area.

Community benefit

Community benefits such as affordable housing or community infrastructure should be included with the future planning controls for each strategic development site.

There is also some discussion of the purposes of a FAR in Section 6.1 of the Framework Plan (Implementation plan), under the heading 'Density controls'. The text refers to "*enabling flexibility in how specific outcomes are to be achieved*". This section of the Framework Plan then goes on to discuss implementation of public realm outcomes and improvements and delivery of public benefits such as affordable housing, but these are not linked to a FAR or density control and it is by no means clear that these are purposes for which the FARs are being applied in Central Geelong.

Set out below is the Committee's analysis of each of the purposes for which FARs are proposed in Central Geelong, and whether it considers those purposes are likely to be achieved.

Using a FAR to achieve built form outcomes

The Committee accepts that FARs can encourage built form to be distributed across a site in more creative ways that results in better urban design outcomes. For example, the 'village of buildings' concept referred to by Professor McGauran can deliver more interesting built form profiles, a more varied skyline, and less bulk and mass than in 'squat' forms of development or development that seeks to fill the permitted envelope. FARs can encourage taller more slender towers, provide better tower separation and encourage open views to the sky. FARs also allow built form to be massed away from sensitive interfaces or heritage fabric, as suggested by Mr Sheppard.

However these outcomes can only be achieved if the FARs are appropriately 'calibrated' to the other built form controls such as heights, street wall heights and setbacks, such that the 'fit' between the FAR and the permitted built form envelope is neither too tight nor too loose. No material was presented to the Committee demonstrating the calibration between the FARs and built form envelopes in Central Geelong.

The precinct objectives describe the preferred built form typologies and character sought to be achieved in each precinct. The Framework Plan does not, however, explain the link between the preferred built form and character outcomes sought in each precinct, and the FARs.

In the absence of this supporting analysis, the Committee is not persuaded as to whether or how the FARs will achieve the built form and preferred character outcomes sought in the Framework Plan. It agrees with Scentre Group and Mr McNamara that the preferred built form and character outcomes can be better achieved through clear, well crafted objectives and built form requirements.

Using a FAR to support community benefits such as through-block links, additional open space and affordable housing

The Committee accepts that FARs can be used to support the delivery of community benefits such as affordable housing or public realm improvements such as new laneways and providing additional open space. However FARs are far more effective in securing these types of benefits when they are mandatory and coupled with a discretionary FAU, where the mandatory FAR can be exceeded with FAU where clearly defined benefits are provided.

In the absence of mandatory FARs coupled with a well crafted FAU scheme, the Committee is not satisfied that the FARs will be effective in delivering social and affordable housing, through-block links, additional open space or other community benefits in Central Geelong.

Other purposes of a FAR

Professor McGauran outlined a range of other purposes or benefits that a FAR could deliver in his evidence. These are not discussed in the Framework Plan as a rationale for applying FARs in Central Geelong.

While FARs can provide greater certainty about the level of population growth, to enable more effective planning for supporting infrastructure, this would only work if FARs are applied on a precinct-wide basis as suggested by Mr McNamara. Applying a FAR on a few strategic sites will not achieve this benefit.

While FARs can encourage a desired mix of land uses, for example by specifying a minimum amount of a certain type of floorspace within a FAR allowance, the FARs proposed in Central Geelong will not achieve this, and do not appear to be designed to achieve this. No minimum floor spaces for preferred land uses are specified in either the Framework Plan or the ACZ1.

Professor McGauran suggested in his oral evidence that a further justification for the FARs was to prevent the SDSs ‘cannibalising’ the floorspace that ought be equitably spread across a precinct or across Central Geelong as a whole. This is not referred to in the Framework Plan as a purpose of applying the FARs, nor was it endorsed by DELWP.

The Committee does not accept this as a justification for the FARs. No analysis or evidence was presented to the Committee that suggested there is a risk of the SDSs ‘cannibalising’ the floorspace capacity of a precinct or Central Geelong as a whole. If the intent was to ensure an equitable distribution of floorspace across a precinct, FARs would need to be provided on a precinct-wide basis, supported by a detailed analysis of the floorspace needs of the precinct and the built form capacity of various sites within the precinct to deliver that floorspace.

For these reasons, the Committee finds that the justification for applying FARs to SDSs has not been made out.

Metrics of the proposed FAR controls

The Framework Plan states at page 177 that the FARs were derived from 3D testing of the capacity of each site, taking into consideration:

- the overshadowing controls, preferred maximum building height, street wall height, side and rear setbacks and building separation requirements
- dimensions for residential and commercial floor plates, and floor to floor heights
- the need to deliver laneways and new pedestrian links and open space on or through some SDSs.

As noted above, no analysis or other material was presented to the Committee to demonstrate how this occurred, or that there is an appropriate ‘fit’ between the FARs and the built form envelopes. Nor is it clear how the different FARs will deliver the different typologies and characters sought either in these precincts or on these sites.

Further, there was no sensitivity analysis which demonstrated that higher (or lower) FARs would deliver unacceptable built form outcomes that would compromise the preferred character sought for each precinct. On the contrary, Ms Heggen’s evidence demonstrated that a substantially higher FAR on the Amber site would still deliver acceptable built form outcomes that are consistent with the precinct character objectives for the Knowledge and Enterprise Precinct.

The Committee also agrees with the point made by several submitters that, if the FARs could be increased in response to the error identified in the SGS analysis to provide more floorspace without compromising the built form and character outcomes sought to be achieved, how confident should the Committee be as to the appropriateness of the FARs in the first place?

For these reasons, the Committee finds that the metrics of the FARs have not been adequately justified.

Mandatory versus discretionary FARs

While it may be possible to secure the delivery of community benefits such as through-block connections, additional open space and affordable housing through a mandatory FAR, the Committee does not support converting the FARs to a mandatory control in Central Geelong. It agrees with Mr Woodland's oral evidence that if the FARs were to be made mandatory, there would need to be a very clear alignment between the FAR and the other built form requirements. This alignment has not been demonstrated in either the Framework Plan or the evidence.

For these reasons, the Committee does not support mandatory FARs.

Guidance on exceeding the FARs and FAU

Given the Committee does not support the FARs, the question of whether there is adequate guidance for exceeding the FARs is somewhat moot. Nevertheless, the Committee agrees with DELWP and Amber that the criteria for exceeding a FAR would have to be carefully considered. They should not include matters that would otherwise be a 'given' in any application (such as design excellence).

If FAU was to be introduced, further consideration would be needed as to what benefits are being sought, and what 'baseline' level of provision is expected in every application (for example, should uplift be available for any affordable housing contribution, or only contributions above the expected level?). Criteria for FAU would need to be either:

- tailored for each SDS, in terms of what the Framework Plan seeks to achieve on that site (such as a through-block link or an improved outcome for onsite or adjacent heritage buildings), or
- tailored to the precinct (for example, delivery of affordable housing might be an appropriate basis for uplift in the West Village or Yorke Precinct, where residential uses are encouraged, but may not be in the Knowledge and Enterprise Precinct where more commercial land uses are encouraged).

Further built form analysis would be required to determine what, if any, limits should apply to any FAU scheme, which demonstrated the point at which the built form and character outcomes sought by the Framework Plan would start to be compromised if FAU was permitted to go any higher. Further consultation would likely be required in relation to the details of any FAU scheme.

(iv) Conclusions and recommendations

The Committee concludes:

- The application of FARs in Central Geelong has not been justified. The Committee is not persuaded that they are likely to be effective in achieving the purposes outlined in the Framework Plan.
- The built form objectives of the FARs (including flexibility in how the floorspace is distributed across a site and a 'village of buildings') will be more effectively achieved

through the preferred built form controls in the ACZ1, coupled with tailored design and built form objectives in a built form control such as a DPO.

- The other purposes of the FARs outlined in the Framework Plan – community benefits including new through-block links, public open space and affordable housing – are unlikely to be delivered by a discretionary FAR without a FAU scheme.
- A substantial amount of further work would be needed before introducing a FAU scheme including further consultation.

The Committee recommends:

Amend the Framework Plan (and amend the Activity Centre Zone Schedule 1 accordingly) to:

- remove references to density controls, plot ratio controls and floor area ratio controls.**

13.5 Master planning requirements

(i) The issues

The issues are:

- whether the ACZ1 is the right planning tool to apply master planning requirements
- whether they should apply to all SDSs
- the level of detail required.

(ii) Evidence and submissions

DELWP submitted in opening that the SDSs are so large that master plans should be required to provide guidance in relation to the future development of a site, as the discretionary controls were not sufficient to deliver the preferred built form and character outcomes without more detailed planning.

Professor McGauran's evidence was that SDSs are:

... very large major sites that require master planning for their successful renewal as these sites will consist of multiple buildings supported by delivery of new links, open space and public benefits commensurate with the scale of the site.

Mr Woodland supported the requirement for a master plan for SDSs on the basis of their size and because they *“play an important role in realising the overarching vision for Central Geelong and it is important that such sites are not developed in a piecemeal manner.”* In response to questions in cross examination, Mr Woodland advised that he was not aware of other examples of ACZs that contained requirements for master plans. He acknowledged that master plans are not referenced in PPN56.

Scentre Group noted the lack of reference to master plans in PPN56, and queried whether the ACZ head clause makes provision for an ACZ schedule to include master planning requirements. It submitted that a DPO was a more appropriate tool to facilitate the redevelopment of the Westfield sites, and was consistent with Action 6.4.1 of the Framework Plan:

Apply a Development Plan Overlay to major retail centres to facilitate future investment and growth and work closely with landowners to support master planning.

It submitted that the combination of an ACZ and a DPO were commonly applied to other Westfield centres, and took the Committee to the controls in the Manningham Planning Scheme for Westfield Doncaster.

Scentre Group noted the following benefits of the DPO approach:

- the control could be tailored to include site specific controls to facilitate the future development of what is a unique and complex site
- the DPO schedule could regulate the range of planning permissions that would be required for redevelopment of the centre, and would not be limited in scope to the development permission required by the zone
- once a development plan was approved, development could proceed in accordance with the approved plan with third party notice and review exemptions.

Toward the end of the Hearing, Scentre Group tabled a draft DPO schedule (Document 181) that could form the basis of a schedule for the two Westfield sites.

In his planning evidence for Scentre Group, Mr McNamara highlighted two “*significant restrictions*” with the proposed master plan requirements in the ACZ1:

- the requirement that the development shown on the master plan align with the preferred FAR
- the requirement to have a master plan approved before any permit could be granted, except for minor buildings and works.

Setting aside the FAR (which is dealt with in the previous chapter), Mr McNamara identified that the drafting of the provision failed to articulate what was intended by ‘minor buildings and works’ and did not address issues such as signs, section 2 uses, car parking or subdivision.

Mr McNamara identified what he called three unintended consequences of the master planning requirements:

- delays and “*second rate outcomes*”
- “*authority involvement concerns*” which is linked to commercially sensitive information such as prospective tenants
- an excess of approval processes, including disputes around the approval of a master plan.

Mr McNamara observed that of the 13 SDSs, master plan requirements only applied to six privately owned sites. Of the six, two are Westfield. The others are Market Square and three smaller sites (the Amber site, Steampacket House and Officeworks), all of which are less than 6,500 square metres. He considered that the requirement for a master plan constituted an unnecessary compounding of controls and only added further complexity to the redevelopment of smaller sites. He concluded “*there is no barrier to authorities being able to understand and assess the implications of an application against the zone provisions without requiring a master plan.*”

Amber did not take issue with the requirement for a master plan, but submitted that it remained a live question as to whether the ACZ head clause permits the inclusion of a master planning requirement in an ACZ schedule.

Dimmick Nominees submitted that preparing a master plan constituted an extra step in the planning process for a SDS and “*creates an inefficient and uncertain planning pathway process.*” It observed that large scale development sites in Central Melbourne and inner-city municipalities can proceed through a standard planning permit process without the need for a preparing a master

plan, and queried why a master plan was necessary in Central Geelong. Mercer similarly submitted that the requirement “*adds a further layer of red tape and an unnecessary ‘extra step’.*”

In closing, DELWP acknowledged these submissions, and conceded that the master plan requirement could “*reasonably be removed from smaller SDS sites*” below 10,000 square metres. In respect of larger sites, it submitted that the master planning requirement could be implemented through a DPO.

(iii) Discussion

DELWP’s inclusion of the master plan requirement in the ACZ1 was largely based around PPN56 where it states that “*as much as possible, the ACZ should be used to remove the need for additional overlays to be applied to the centre*”, and that generally, requirements that might otherwise be applied in an overlay such as the DPO may be incorporated into the ACZ. Mr Woodland supported this approach.

The Committee broadly accepts Mr McNamara’s evidence. It agrees that a requirement to prepare a master plan is onerous, and adds a further and in some cases unnecessary layering of control. It results in further uncertainty and delay in the planning process. It also agrees that the ACZ1 requirements provide insufficient guidance around what can precede the preparation and approval of the master plan (minor works, signage, subdivision and the like).

The Committee understands that DELWP was seeking to ensure that an entire site is carefully planned, and that development including built form is integrated across a site. However redevelopment of the smaller SDSs does not necessarily involve the same level of complexity as the larger sites like Westfield and Market Square. The ACZ1 could require a staging plan to ensure appropriate integration of development on smaller sites where it is proposed to be staged.

For the larger SDSs (Westfield and Market Square), the Committee accepts that a master plan should be required. These sites are likely to be developed in stages, and there will be a need to ensure integrated development as well as manage existing tenants, building and access issues and the like. However the Committee agrees with Mr McNamara and Scentre Group that the DPO is a more appropriate tool.

In terms of timing, the Committee agrees with Scentre Group that it is preferable that a DPO, together with a tailored schedule, be applied to these larger sites as part of this draft Amendment, rather than being deferred to a future process. The Committee notes that various discussions have occurred between DELWP and Westfield through the course of the Hearing and in the preparation of Document 181. However Document 181 requires some further refinement before it is applied as part of the Planning Scheme. Further consultation may also be required with potentially impacted third parties (such as owners of neighbouring properties) before the DPO schedule is finalised. The owner of the Market Square site was not a submitter, and additional work (and consultation) will be required to develop a DPO schedule that is suitable for the Market Square site. This further work should be undertaken as a priority.

Bearing in mind the scope of work that may be required, particularly in relation to the Market Square site, the resolution of the Schedules to the DPO should not delay this Amendment. The DPO should not be applied until the DPO Schedules have been prepared and finalised.

Given the Committee’s findings that master plans for the larger SDSs should be implemented via a DPO rather than the ACZ1, and are not required for the smaller SDSs, the Committee has not

formed a view on whether the ACZ head clause allows for the inclusion of master planning requirements in a schedule.

(iv) Conclusions and recommendations

The Committee concludes:

- The requirement to prepare a master plan for SDSs should be deleted from the ACZ1.
- For the larger SDSs (the Westfield and Market Square sites), it is appropriate to apply a DPO, with tailored DPO schedules that, amongst other built form outcomes, set out the master planning requirements for those sites.
- The DPOs should preferably be applied as part of the draft Amendment rather than through a separate process. However further work is required to prepare and finalise the DPOs, and if that work is not able to be completed in a timely manner the DPO Schedules will need to be applied through a separate process.
- For the remaining SDSs and any other larger sites, it is appropriate to include the requirement for a staging plan, where appropriate, as part of the application requirements in Clause 6.0 of the ACZ1.

The Committee recommends:

Before the draft Amendment is adopted, undertake further work to:

- a) **Prepare Development Plan Overlay Schedules for Strategic Development Sites 6 and 10 (consolidated) and 7 in conjunction with the landowners, and undertake consultation with potentially affected third parties as a matter of priority. Ideally schedules should be resolved prior to the approval of the draft Amendment, but if this is not possible then separate amendments should be progressed. The Development Plan Overlay should not be applied until Schedules have been prepared and finalised.**

Amend the Activity Centre Zone Schedule 1 to:

- a) **delete the requirement to prepare a master plan for Strategic Development Sites**
- b) **include an application requirement to prepare a staging plan where redevelopment of any Strategic Development Site or larger site is proposed to be staged.**

14 Transport

14.1 Context

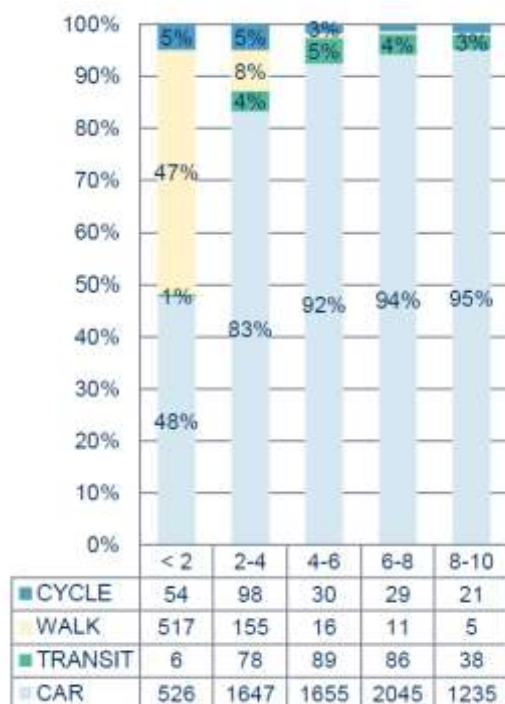
(i) Overview

Geelong and surrounding areas are experiencing significant growth with a corresponding increase in traffic. Many submissions flagged issues around congestion, public transport, freight movements and greater need for the uptake of active transport (such as bicycling and walking).

Council's Transport Network Operating Plan (discussed in Chapter 6.3) provides a snapshot of existing travel to work patterns for Central Geelong (see Figure 22). It demonstrates that:

- people who live within 2 kilometres generally walk or drive to work (47 per cent and 48 per cent respectively)
- people who live more than 2 kilometres mostly drive to work (83 to 95 per cent).

Figure 22 Travel to Work - Central Geelong (based on ABS data)



Source: Geelong Draft Transport Network Operating Plan

The overarching objective of the Transport Strategy is to make Central Geelong easy for people to access and get around, with an emphasis on:

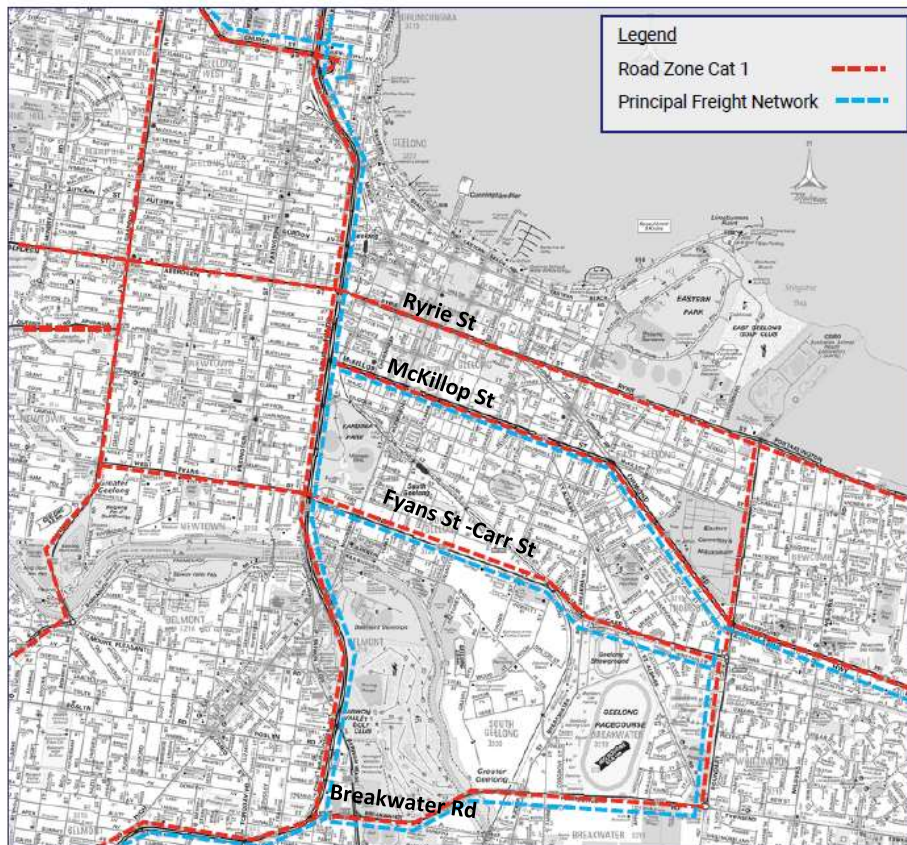
- increasing transport choices and options (including public transport)
- developing a clear street hierarchy and reducing through traffic
- prioritising pedestrian amenity
- managing car access and parking.

(ii) Freight routes

Freight movement through Central Geelong was a key issue. The Principal Freight Network is a strategic network which seeks to enable the efficient, safe and economic movement of freight

throughout Victoria. In Central Geelong, Latrobe Terrace and McKillop Street, both primary arterial roads, form part of the Principal Freight Network as does Fyans Street-Carr Street further to the south (refer to Figure 23). Ryrie Street, a secondary arterial road, is not nominated as a freight route and is not part of the Principal Freight Network but can be (and is) used by freight traffic.

Figure 23 Principal Freight Network



Source: Ms Dunstan Evidence p36.

One of the key aims of the Transport Strategy and the Framework Plan is to reduce freight traffic on Ryrie Street. The Framework Plan identifies that truck traffic along Ryrie Street has a significant impact on pedestrian comfort and amenity, and contributes to traffic congestion. The Framework Plan includes the following Actions:

Action 23.4.1

Investigate changing the Department of Transport (DoT) classification and network maps to remove Ryrie Street as a designated route for larger/heavy vehicles.

Action 23.4.2

Provide information and signage to direct larger/ heavy vehicles to alternative routes.

Action 23.4.3

Investigate improvements and additional routes for larger/heavy vehicles to the south and east of Central Geelong including Fyans Street, Breakwater Road and the ultimate Geelong Ring Road extension to Portarlington Road.

(iii) Tourist route

The Transport Strategy suggests that a tourist route should be formalised along Eastern and Western Beach Roads in a manner that can improve way finding, better direct traffic, and encourage visitors to stop and enjoy the waterfront and Central Geelong's amenity and opportunities. The proposed tourist route, which extends into Garden Street, is shown (coloured mauve) in Figure 24 below.

Figure 24 Proposed Tourist Route (shown mauve)



Source: Framework Plan Figure 76

(iv) Parking

The Transport Strategy suggests considering parking hubs (several hundred parking spaces) around the city edge to minimise congestion and reduce traffic entering Central Geelong. The aim is to make it easier and less frustrating for employees and visitors to find a parking space, and to minimise the negative impacts of traffic congestion such as reduced amenity and economic activity. The Framework Plan's major themes are:

- ensuring car parking is available across Central Geelong is key to making access easy, particularly for visitors

- excessive parking is a waste of otherwise economically productive space
- the location of car parking facilities has a significant impact on traffic congestion and amenity, and large parking areas should be located towards the outer fringe of Central Geelong.

The Framework Plan also contemplates a review of car parking rates, with the purpose of replacing minimum car parking rates with maximum rates, to align with strategies of affordability, reduced congestion and supporting sustainable transport.

(v) Public transport

The Framework Plan includes the following Objectives and Strategies, which are supported by a number of Actions, not all of which have been extracted:

Objective 22

Increase transport choices and options to travel to Central Geelong.

Strategy 22.1

Provide viable public transport options from suburbs and townships in the region to Central Geelong

Strategy 22.3

Improve public transport connections to regional cities and Melbourne

Strategy 22.4

Improve walking connections to Central Geelong

Action 24.3.2

Coordinate with DoT and Rail Projects Victoria to design a redevelopment of the Geelong Station Precinct... commensurate with its future role

Objective 25

Increase the provision and use of Public Transport to access key destinations in Central Geelong addresses these issues.

Strategy 25.1

Support convenient, attractive and efficient public transport within Central Geelong

Action 25.1.4

Retain Geelong Station as the bus and interchange for regional services

Action 25.1.8

Review the Central Geelong bus network.

(vi) Active transport

The Framework Plan identifies and includes a range of strategies and actions to enhance active transport:

Objective 21

Ensure movement and transport supports the city's prosperity, activity, and amenity

Objective 22

Increase transport choices and options to travel to Central Geelong

Objective 23

Create a clear street hierarchy within Central Geelong...

Objective 24

Improve the public realm and preference pedestrian amenity

Action 21.2.1 is to upgrade streets to encourage people to walk.

Strategy 22.5 identifies improving bicycle riding infrastructure, extending routes and connecting into existing networks, to help people ride to Central Geelong leveraging off the Strategic Cycling Corridors (where separated bicycle lanes are provided) and the Principal Bicycle Network routes. It includes a series of actions including:

- upgrading existing bicycle routes
- providing connections to regional walking routes and trails
- construction of a shared path along Carr Street
- delivering the Principal Bicycle Network and Strategic Cycling Corridors
- promoting walking and bicycle riding
- enhancing active transport modes with primary and secondary pedestrian links, and shared zones.

14.2 The proposed freight route

(i) The issue

The issue is whether the freight movements contemplated in the Framework Plan are appropriate, in particular the proposal to divert trucks from Ryrie Street to McKillop Street.

(ii) Evidence and submissions

DELWP was the only party to present traffic evidence to the Committee. It called Mr Tivendale who authored the Transport Strategy and Ms Dunstan, who provided a high-level peer review of the Transport Strategy and controls.

Mr Tivendale provided traffic survey data for Ryrie Street and other key roads on the Principal Freight Network, extracted in Table 15. The data shows that Ryrie Street experiences relatively high volumes of truck traffic.

Table 15 Traffic survey data – key corridors

Road	Principal Freight Network	Daily Traffic (Vehicles per day)	Trucks per cent and number
Ryrie Street	No	23,000	11% (2,400)
McKillop Street	Yes	17,000	15% (2,600)
Fyans Street	Yes	17,000	8% (1,200)
Breakwater Road	Yes	32,000	11% (3,600)

The Transport Strategy identifies Ryrie Street, with its connection into Portarlington Road, performing a role in facilitating traffic flows between Central Geelong and the eastern suburbs and the northern coast of the Bellarine Peninsula. Ryrie Street is classified as a secondary arterial road, providing secondary support for McKillop Street (a primary arterial road and part of the Principal Freight Network), and provides an option for trucks travelling directly to Central Geelong. Its role

needs to be balanced against the negative impacts of heavy vehicles on pedestrian amenity and retail outcomes in Central Geelong.

Several submissions were concerned that restricting trucks on Ryrie Street and relocating them to the nearest available route in McKillop Street would unfairly burden McKillop Street. Key concerns included:

- extra noise and pollutants
- increased truck traffic on McKillop Street would be incompatible with existing and future residential development and other sensitive land uses
- existing congestion and safety issues on McKillop Street, particularly at the level crossing and Latrobe Terrace intersection
- social inequity.

DELWP identified a key objective is to improve amenity by reducing unnecessary traffic in Central Geelong with through traffic, including freight, to utilise the primary arterial roads of LaTrobe Terrace and McKillop Street. DELWP noted that the State Government has committed to removing the Fyans Street level crossing (expected to completed by 2024). These works would improve this existing principal freight route, which should incentive the use of this route for some through and freight traffic in preference to Ryrie Street and McKillop Street.

Mr Tivendale identified that redirecting through traffic, particularly trucks, would minimise negative impacts on amenity and safety in Central Geelong. He identified that the Transport Strategy recognised McKillop Street's long-established role as part of the Principal Freight Network, and explained that the intention is to encourage Bellarine Highway freight traffic to continue on Bellarine Highway (McKillop Street) rather than divert onto Ryrie Street. He considered that a relatively simple measure such as modifying the McKillop Street/Ormand Road intersection with associated traffic lane reconfiguration to strengthen the operation and continuation of the Bellarine Highway should be investigated before considering a range of potentially expensive large scale freight diversion routes.

Ms Dunstan also noted that McKillop Street (Bellarine Highway) is classified as a highway and forms part of the Principal Freight Network. Diverting non-local truck movements from Ryrie Street to McKillop Street would be consistent with the existing functions of these roads. Ms Dunstan agreed that it was not desirable for large trucks with non-local destinations to be travelling through the heart of Central Geelong, however the consequential impacts of traffic redistribution (particularly to McKillop Street) would need careful consideration. Ms Dunstan noted that even with the Bellarine Link being implemented there would still be a need for McKillop Street to continue its role in the Principal Freight Network as both roads service different directions.

DoT submitted that it is important to maintain and protect key freight and transport corridors but supported the strategy to limit non-local freight travelling through Central Geelong via Ryrie Street, with several east west arterial roads (all part of the Principal Freight Network) providing alternative routes:

- McKillop Street (Bellarine Highway), which DoT noted is an over dimensional route
- Fyans Street-Carr Street
- Breakwater Road.

DoT noted that the truck ban associated with the Malop Street Green spine has resulted in an increase in truck traffic along Ryrie Street. It noted that potential measures to encourage a

redistribution of trucks out of Central Geelong would include education, advisory signage and improving capacity on these other freight routes. DoT considered further consultation would be required with key stakeholders including Council, truck operators and the local community.

DoT was concerned that the expansion of the ACZ to McKillop Street may be counter-productive to encouraging a compact city core of sufficient density to achieve a greater mode share for sustainable transport options. Further, Latrobe Terrace and McKillop Street are both on the Principal Freight Network, and DoT submitted that these routes should be protected by appropriate controls for sensitive land uses. Further, driveway access onto these roads should be prohibited.

In response to DoT's concerns, Ms Dunstan noted it is not unusual for key arterial roads to form boundaries to activity centres. She noted that the ACZ already applies to land on the southern fringe of Central Geelong along McKillop Street. Ms Dunstan recommended changes to the vehicle access restrictions in the ACZ controls, and considered that these would protect the function of higher order roads like Latrobe Terrace and McKillop Street (where driveway access must be provided from a lower order road, or laneway where available).

Council supported the removal of unnecessary freight movement through Central Geelong to more southerly routes, but did not support McKillop Street as a freight route as it:

- fails to address the level crossing issues on McKillop Street
- does not reference the Bellarine Link as the preferred long-term solution
- does not recognise the potential for utilising and upgrading other more southern routes such as Fyans Street-Carr Street, and Breakwater Road.

The G21 supported moving trucks out of Central Geelong *“so that it becomes a friendlier and safer environment for pedestrians and cyclists”*. The G21 noted that this would be assisted by the Geelong Ring Road Extension (Bellarine Link), which is subject to future planning.

(iii) Discussion

Consistent with the expert evidence and the position of various agencies, the Committee supports removing non-local freight traffic out of Central Geelong to improve amenity, reduce congestion and improve safety.

The fundamental issue is what is the optimal mechanism to achieve this result. In the short term, utilising McKillop Street would be appropriate. McKillop Street is a higher order road (primary arterial and highway) and forms part of the Principal Freight Network. This can be complemented with education, directional signage, and traffic capacity and intersection upgrades.

The Committee appreciates in particular the concerns expressed by the McKillop Street community that their road will be burdened with additional freight traffic leading to potential congestion and safety and amenity issues. However as Ms Dunstan noted, McKillop Street is already part of the Principal Freight Network, classified as a highway, and is expected (and designed) to accommodate freight traffic, including larger trucks such as B-Doubles.

That said, as Ms Dunstan stressed, the potential impacts of relocating traffic across the network needs to be carefully considered and assessed to ensure potential adverse impacts can be properly managed. Further work is required to ascertain if these ideas for relocating trucks from Ryrie Street to McKillop Street are feasible and practicable. Additional consultation, appropriate traffic modelling and careful consideration would be required to confirm that this is an appropriate outcome. Consideration needs to be given to:

- how much spare capacity there is in McKillop Street to absorb additional traffic, in particular around the operation of the existing level crossing
- whether the McKillop Street/Latrobe Terrace intersection has spare capacity to accommodate additional traffic.

The Committee believes a further action should be included in the Framework Plan:

Investigate the feasibility of increasing truck traffic along McKillop Street between Latrobe Terrace and Ormond Road (Bellarine Highway).

In the longer term, the Committee supports Council's position that the construction of the Bellarine Link and improvements to other truck routes would further reduce the demand for non-local freight to utilise the Central Geelong road network. This is essentially captured in Action 23.4.3 which looks at improvements and additional routes for larger/heavy vehicles.

The Committee concurs with Ms Dunstan's evidence that arterial roads often form the boundary of activity centres and her suggestion to control future driveway access onto McKillop Street (and Latrobe Terrace) should ensure the functionality and efficiency of the Principal Freight Routes would not be unduly compromised. The Committee further notes that a permit would be required under Clause 52.29 of the Planning Scheme to alter access to these roads (which are zoned Road Zone Category 1), and DoT's consent would be required.

(iv) Conclusions and recommendations

The Committee concludes:

- Removing truck traffic, where feasible, from within Central Geelong is appropriate to reduce congestion and improve safety and amenity.
- McKillop Street forms part of the Principal Freight Network and as such it is appropriate for this road to accommodate freight traffic.
- Redirecting freight traffic to McKillop Street should, however, be subject to further investigation to confirm that this would be an appropriate outcome. It should also be complemented by education, directional signage and associated road and intersection upgrades.

The Committee recommends:

Amend the Framework Plan to include the following short term Action:

Investigate the feasibility of increasing truck traffic along McKillop Street (Bellarine Highway) between Latrobe Terrace and Ormond Road, in conjunction with the Department of Transport and Council.

The Committee recommends the following further work:

Undertake the investigation of the feasibility of increasing truck traffic along McKillop Street referred to in the above Recommendation within 2 years of the Framework Plan being adopted and the draft Amendment implemented.

14.3 The proposed tourist route

(i) The issue

The issue is whether the proposed tourist route is appropriate.

(ii) Evidence and submissions

Several residents and resident groups objected to the tourist route classification and submitted that it should be removed, principally because of loss of amenity, increased traffic, congestion and safety concerns. Some submitters noted preliminary investigations and discussions with Council have occurred, in particular around pedestrian crossings and safety on Eastern Beach Road.

The Eastern Beach Community Group submitted the tourist route conflicts with the overall strategic aim to reduce traffic flow in Central Geelong, and makes no reference to necessary infrastructure and traffic calming measures. Further, increased traffic flow and congestion would significantly impact on the heritage areas to the east, the community's sense of place, well-being and ease of movement and safety around local streets. The Community Group requested:

- traffic calming treatments and pedestrian crossing facilities be installed
- 'rat running' issues to be addressed
- the Rylie Street/Garden Street signalised intersection be modified to remove the double right turn lanes (east approach) which funnel traffic into Garden Street.

Submitter 43 provided a detail submission suggesting the tourist route should utilise Hearne Parade and Limeburners Road rather than Garden Street, as it is a more scenic route with views across Corio Bay and existing lime kiln ruins, creating additional tourist attractions.

In response to submissions, DELWP advised that it would support the removal of the Tourist Route designation from Garden Street, and would explore alternative options east of Eastern Beach Road and Garden Street.

Mr Tivendale's evidence was that waterfront tourist route had been informally used since it was first built. He considered that the public gardens, bay views and road design clearly indicated the tourism nature of the road connection. He considered that Garden Street was the optimal route at the eastern end, as it provides direct connections back to Bellarine Highway and Portarlington Road which are easier for tourists to understand compared with Hearne Parade or using Eastern Park Circuit.

Ms Dunstan was satisfied that Western Beach Road, Eastern Beach Road and Garden Street could be identified as a Tourist Route (which she anticipated would involve them being sign posted with brown tourist signage), but noted there was no traffic engineering need to designate a tourist route. In her opinion, the challenge was to ensure that this route does not become attractive for daily through traffic, particularly Garden Street which is a local road. She thought this could be addressed through appropriate traffic management.

Council submitted that it needed to undertake further investigations to better understand this issue but suggested that references to the tourist route in the Framework Plan should be changed to 'scenic route'.

(iii) Discussion

The Committee agrees that a waterfront tourist or scenic route (principally, Western Beach Road and Eastern Beach Road (west of Bellerine Street) has been operating for some time. Road signs on Princes Highway (Melbourne Road) and Midland Highway (Church Street) provide direction for motorists to the City Centre via the 'scenic route' (refer to Figure 25). Further, the Committee observed a somewhat forlorn 'tourist route marker' sign in Bellerine Street which suggests that some time in the past Bellerine Street may have been part of a tourist route (refer to Figure 26).

Figure 25 'Scenic Route' on existing directional signs on arterial roads into Geelong

Source: Google Maps

Figure 26 'Tourist route' marker on Bellerine Street, next to Austin Park

Source: Committee site inspections

The Committee agrees with Ms Dunstan that there is no need for a tourist route from a traffic engineering perspective, and that it would not have a traffic engineering purpose. However its primary function fits in with the broader strategy of encouraging visitors to enjoy the Geelong Waterfront and linger around Central Geelong. Pragmatically the Committee considers the tourist route could terminate at the corner of Eastern Beach Road and Garden Street, at least until DELWP resolves the alternative route to Garden Street.

The Committee sees merit in Hearne Parade and Limeburners Road as a possible extension of the eastern end of the tourist route, particularly for tourists heading to the northern end of the Bellarine Peninsula as noted by Submitter 43. However, a thorough assessment of its safety and practicality would be required. The Committee acknowledges that this route would be more circuitous for those heading further south, but tourists do not necessarily require the most direct route.

Figure 76 in the Framework Plan (Proposed Road Hierarchy) should be amended to have the tourist route terminate at the Eastern Beach Road/Bellerine Street intersection, given further work is required to determine the need and location(s) for the remainder of tourist route. This work could be readily undertaken after the Amendment process.

The Committee acknowledges the concerns of the Eastern Beach Community Group and others regarding the traffic and safety impacts of encouraging further tourist traffic along the tourist route, however these are existing and ongoing issues and the Committee does not believe they would be exacerbated by formally designating a tourist route along this stretch of road (Western Beach Road and Eastern Beach Road, west of Bellerine Street) that is already effectively operating as such. Council should continue to work with the local community about traffic calming measures and pedestrian safety issues in Eastern Beach Road, which is an existing issue that is outside the scope of the Framework Plan. The Committee does not consider that the Framework Plan needs to address this issue.

Garden Street is located on the eastern edge of Central Geelong, outside the activity centre, but is intimately connected to Central Geelong through a fine grade grid layout of local streets. This potentially results in a portion of non-local traffic 'rat running' through this local area. Council should continue to work with the local community (as it already is with pedestrian safety issues on Eastern Beach Road) to assess whether further work such as additional traffic calming measures may be needed. Ms Dunstan identified Garden Street as potentially requiring traffic calming measures, but given the grid layout of the road network, an area wide solution may be required to avoid the situation of relocating traffic from Garden Street to other nearby local streets. Again, this is an existing issue that is outside the scope of the Framework Plan, and does not need to be addressed in the Framework Plan.

Finally, responding to Council's submission, referring to tourist route as a scenic route would remain consistent with existing directional road signage. There are DoT/VicRoads nomenclature and guidelines around tourist signing which DELWP should consider (namely the VicRoads Traffic Engineering Manual Volume 2 Chapter 11: Tourist and Service Signs Edition 4 Sept 2014 including the Tourist Signing Guidelines).

(iv) Conclusions and recommendations

The Committee concludes:

- There is merit in formalising the tourist route. Eastern and Western Beach Roads already effectively operate as such, and it is consistent with the broader strategy of the Framework Plan to encourage visitors to enjoy the Geelong Waterfront and linger around Central Geelong.
- DELWP's proposal to remove Garden Street from the tourist route is supported. The maps in the Framework Plan should be amended accordingly, to terminate the tourist route at the Eastern Beach Road/Bellerine Street intersection.
- Further investigations are required to resolve how to manage the eastern extension of the route, including whether it should extend along Hearne Parade and Limeburners Road.
- Consideration should be given to updating references to 'tourist route' in the Framework Plan to 'scenic route', after further consideration of the VicRoads Traffic Engineering Manual Volume 2 Chapter 11: Tourist and Service Signs Edition 4 Sept 2014 including the Tourist Signing Guidelines.

The Committee recommends:

Amend the Framework Plan to:

- a) **modify Figure 76 and any other maps to show the scenic route terminating at the Eastern Beach Road/Bellerine Street intersection**
- b) **note that further investigation is required into the need for and route of any further extension of the tourist route to the east.**

14.4 Carparking

(i) The issues

The issues are:

- concern with the decentralised parking approach and proposed parking hubs, particularly the Hearne Parade hub
- lack of clarity concerning Column B car parking rates around 'high-frequency corridors'
- loss of carparking through conversion to green space.

(ii) Evidence and submissions

Overview

The Transport Strategy identifies that:

- ensuring car parking is available across Central Geelong is key to making access easy
- Central Geelong currently has some 20,000 car parking spaces, enough to satisfy current and future demand with currently many thousand spare spaces.

As such, the key car parking actions from the Transport Strategy are:

- Allow nearby developments to waive their statutory parking requirements and rely on nearby by public parking facilities.
- Consider replacing the minimum parking requirement with a maximum requirement and guidance on waivers or cash in lieu payments.
- Review Planning Scheme car parking requirements.

These actions are translated into the Framework Plan along with several others, including investigating applying the lower rates in Column B of Clause 52.06 of the Planning Scheme for sites located within 400 metres of a high frequency corridor (Action 22.2.2).

Parking was a contentious issue in several submissions. Issues ranged from whether there would be sufficient parking to how to best manage car parking moving forward. Major themes included:

- large consolidated carparks should be provided within Central Geelong
- removing existing parking in Central Geelong was not supported
- general support for parking hubs, but not at Eastern Gardens or Hearne Parade given the parkland setting and not being located on an arterial road
- concern about the loss of Kardinia Park parkland to parking
- new developments should provide adequate off-street parking
- general support for a future Parking Overlay and mechanisms for applying car parking reductions.

Mr Tivendale's evidence was that driving to and parking in Central Geelong is the main way people currently travel to the city, which results in congestion, lower amenity and safety issues. He

analysed the submissions on parking, and noted the varying views expressed. Some submitters were concerned that there would be insufficient parking, whereas others supported the general approach in the Transport Strategy and Framework Plan of decentralised parking (although several suggested alternative locations for the parking hubs). Mr Tivendale advised that Central Geelong already has an oversupply of parking, with new developments providing additional parking.

Ms Dunstan supported the overall direction of the various parking strategies in the Transport Strategy and Framework Plan, emphasising that higher value, short term visitor/customer parking should be prioritised in the central city area, with long-term (all day) parking relocated to the city fringe.

The UDIA and Committee for Geelong were generally supportive of the approach to parking and submitted that greater emphasis should be placed on basing car park demand assessments for new development on aspirational objectives rather historical data. It supported a review of Central Geelong land use car parking requirements (referred to in several actions in the Framework Plan, including Actions 10.1.6 and 26.1.3), and submitted that the removal of minimum car parking rates (Action 26.1.2) would provide greater development flexibility. It submitted that a car parking precinct plan for Central Geelong should be developed.

Parking Overlay and parking rates

Building on the Transport Strategy, Section 6.1 (Implementation plan) of the Framework Plan states that a parking strategy, followed by a review of car parking rates, should be undertaken as a “*priority action*”. Mr Tivendale advised that Council is currently preparing a Parking Strategy, and has retained Movement and Place Consulting (authors of the Transport Strategy) to assist.

The draft Amendment does not include a Parking Overlay. Council queried this. Mr Tivendale’s evidence was that Movement and Place Consulting had suggested to DELWP that a Parking Overlay should be considered as part of the work to develop the Framework Plan, but that DELWP ultimately decided that the existing provisions offered enough flexibility and that a Parking Overlay was not necessary at this stage.

Ms Dunstan supported a Central Geelong Parking Overlay in future, but considered that it would be premature at this time. She noted that this work should be a high priority. In relation to investigating applying Column B parking rates within 400 metres of high frequency corridor, Ms Dunstan believed a tailored approach such as a Parking Overlay was more appropriate. She noted that the Transport Strategy did not seek to define these corridors, which was appropriate as this was largely a matter for planning outside Central Geelong, and beyond the scope of the Framework Plan and the proposed controls.

DELWP considered a Parking Overlay to be an appropriate planning tool to be implemented, and could be considered further following completion of Council’s Parking Strategy (which is anticipated to be completed in the near future). It noted that this work was being progressed outside of the draft Amendment process.

Several submitters, including Council, sought clarification on how the Column B parking rates would be applied within 400 metres of a high frequency transport corridor, noting that these are not identified or defined in the Transport Strategy or the Framework Plan. DELWP responded that Action 22.2.2 should be deleted from the Framework Plan, based on advice from the traffic engineering experts. It conceded that, for example, should a ‘high frequency corridor’ be proposed along Ryrie Street, the majority of Central Geelong would be subject to Column B rates and as such, a more nuanced approach to setting parking rates is justified.

Parking hubs

Eastern Beach Community Group objected to parking hubs on the outskirts of Central Geelong as, if not managed, they would potentially create 'hang outs' for 'hoons' impacting on safety, comfort and amenity for the community. The group noted that anti-social behaviour was already occurring with the existing car park facilities around Eastern Beach.

Council generally had no issue with the broad concept of decentralised parking, however submitted that further investigation for parking hubs would be required including how they operate and would be funded. In terms of locations, Council submitted that a parking hub in Hearne Parade potentially conflicts with the place, amenity, tourism and environmental significance of the surrounding area. Similarly, the need for a parking hub at Rippleside Park to the north of Central Geelong was unclear as it is not currently utilised as a key parking location.

Mr Tivendale considered that further investigations into the locations of the parking hubs would be required, including Rippleside Park, as there would be increased parking demand in the north as Central Geelong develops. He considered that these facilities should be financed by Council and funded through user pay fees.

Ms Dunstan recommended that a comprehensive review of the benefits of the parking hubs should be undertaken, in particular to ascertain if public transport upgrades may negate the need for these facilities. She stated:

In particular, the key question here is whether it is desirable to have commuters drive most of the way to Central Geelong, only to get on a bus for the last kilometre of the journey, rather than just use a bus for most of this route.

DELWP continued to support investigating the role parking hubs can play in encouraging active transport, reducing congestion and freeing up spaces within the central city area for higher value, short term parking (for instance by tourists and shoppers). It agreed with Ms Dunstan that the parking hubs and their future locations should be reviewed in tandem with bus services.

Converting Council car parks to open space

As discussed in Chapter 11.3, due to the lack of open space at the southern end of Central Geelong, the Framework Plan identifies three Council owned at-grade car parks as 'future open space':

- Little Ryrie Street car park (157 spaces 4 hour ticket parking)
- Little Malop Street car park (141 spaces 4 hours ticket parking)
- Haymarket car park (274 spaces all day ticket parking and permit zone).

Ms Dunstan acknowledged the difficulties and challenges associated with removing public car parking but noted the plans did not call for large-scale reduction of existing parking. In relation to council car parking becoming open space, Ms Dunstan suggested the carpark sites be identified in the Framework Plan and controls as *'investigate future open space at these car parks'* as opposed to *'open space - future'*.

As discussed in Chapter 11.3, while the carpark sites are identified as future open space in Council's draft open space strategy, Council has not yet endorsed the strategy or the future conversion of its off-street car parks to open space, and submitted that more innovative proposals to increase open space should be pursued.

The G21 submitted that car parking in Central Geelong should not be reduced until sustainable transport modes and services improve. It submitted that reducing car parking to allow for the creation of open space should be managed carefully in association with Council.

(iii) Discussion

The Committee is comfortable with the Framework Plan's overall approach to car parking to ensure its optimal and efficient use. A key strategy to decentralise car parking by develop parking hubs on the periphery of town so as reduce commuter traffic entering Central Geelong appears reasonable. Similarly, reviewing parking rates and applying maximum rather than minimum parking rates should support a shift towards more sustainable transport modes.

The Committee supports developing a Parking Strategy and Parking Overlay for Central Geelong and Council is to be commended on moving quickly to finalise this important piece of work. The Committee notes that this work is occurring outside of the Amendment process, and agrees with DELWP and Ms Dunstan that it would be premature to introduce a Parking Overlay until the Parking Strategy is complete.

In the interim, the use of Clause 52.06 for car parking is appropriate. This already provides scope and flexibility to reduce or waive car parking by utilising nearby 'excess or spare car parking'. The Committee agrees with DELWP that it is appropriate to remove Action 22.2.2 (investigating the application of Column B parking rates along high frequency corridors) from the Framework Plan. Identification of the high frequency corridors is outside the scope of the Framework Plan, and is within the remit of DoT. In the absence of identified high frequency corridors, Action 22.2.2 creates uncertainty. The Committee also agrees with Ms Dunstan (conceded by DELWP) that a more nuanced approach to car parking is required, which should be investigated through Council's Parking Strategy and implement through a future Parking Overlay.

As noted above, the Committee is comfortable with the broad concept of decentralised parking to minimise congestion within Central Geelong. While the Committee understands the community concern with the loss of parking in Central Geelong including through moving to a decentralised approach, as Mr Tivendale observed, there is already an oversupply of parking in Central Geelong, with new developments providing additional parking. The Transport Strategy indicates that Central Geelong has some 20,000 car parking spaces, enough to satisfy current and future demand with currently many thousand spare spaces. The Committee also notes that the Framework does not propose removing customer car parking within Retail Core Precinct, which is where the demand for parking is higher.

That said, further investigations are required into the proposed parking hubs. These facilities may not be required, or may be able to be substantially smaller if public transport is improved. Further, locating parking hubs in parklands will create its own set of issues around amenity and environmental significance of the surrounding area. There are also issues around people using local roads to access the hubs. Council and many submitters have valid concerns around these issues which will need to be carefully considered and managed.

Converting the three council car parks into open space was a controversial issue.

Figure 27 provides a snapshot of the current car parks in Central Geelong, sourced from Council's website. The Committee has marked the three car parks identified as future open space with red circles.

Figure 27 Current car park locations in Central Geelong

Source: City of Greater Geelong with the Committee's annotations

Ms Dunstan noted that the loss of the three identified car parks would not result in a large-scale reduction of car parking in Central Geelong, and Mr Tivendale observed that there is already an oversupply of parking in Central Geelong.

However, the Committee has some concerns with the loss of the Little Ryrie and Little Malop Street car parks as these currently provide short term customer/visitor parking. As Ms Dunstan pointed out, this should be the focus of parking provided within the central city area, and it would appear incongruous with the principle of improving short term customer parking within Central Geelong. The Committee is less concerned with the Haymarket car park as this currently provides all day parking. Removing this carpark would be more aligned with moving to a decentralised approach, with long term parking provided in parking hubs.

Further, the current parking supply is not uniformly distributed across Central Geelong and it appears that there are fewer parking choices and spaces available at the southern end of the activity centre, where removal of car parking is being considered (refer to Figure 27 above).

The Committee agrees with Ms Dunstan that removing existing parking supply in Central Geelong would be difficult and challenging. The Committee considers that car parking assessment would need to be undertaken to determine whether the loss of these car parking spaces could be readily absorbed on the surrounding road network, and/or whether the Transport Strategy's initiatives designed to achieve a modal shift away from car travel are effective.

On the other hand, as discussed in Chapter 11.3, there is strong policy support for the creation of open space towards the southern end of the activity centre, and a net community benefit analysis may determine that the loss of car parking to provide open space is an optimal outcome.

This will be a challenging exercise that will need to be resolved by DELWP and Council in consultation with the community. It should form part of the considerations as Council develops its Parking Strategy for Central Geelong. In the meantime, the Committee is satisfied that identifying these car parks as '*potential future open space subject to further investigation*' as suggested by Ms Dunstan and recommended by the Committee in Chapter 11.3 provides sufficient flexibility to allow this further work to occur.

(iv) Conclusions and recommendation

The Committee concludes:

- The general approach of providing decentralised long term parking on the fringes of Central Geelong, and focusing parking within the central city area on short term customer/visitor parking is appropriate and supported. This will assist in minimising congestion and improving amenity within Central Geelong, and encouraging a shift toward more sustainable transport modes.
- Further investigations are required in conjunction with investigating future public transport upgrades, to determine whether the decentralised parking hubs are in fact required and if so what size they need to be. The locations of the future parking hubs also requires further investigation.
- The preparation of a Parking Strategy and Parking Overlay for Central Geelong as a priority action is appropriate. In the meantime, the use of Clause 52.06 for car parking rates is appropriate.
- The future conversion of three Council at-grade car parks to open space requires further investigation. This work could occur after the Amendment process. In the meantime the Committee is satisfied that designating these spaces as *'potential future open space subject to further investigation'* maintains an appropriate level of flexibility.

The Committee recommends the following further work, which can be undertaken after the Amendment process:

The Department should, in conjunction with Council and the community, undertake further investigation of the future decentralised parking hubs in conjunction with investigations into improved public transport within 12 months of the Framework Plan being adopted and the draft Amendment implemented. Include consideration of (but not limited to) the following:

- a) whether the parking hubs are required in light of public transport services, public transport upgrades, and the effectiveness of initiatives in the Framework Plan to encourage a shift toward more sustainable transport modes
- b) what size the parking hubs should be
- c) appropriate locations for the parking hubs
- d) impacts of traffic generated by the parking hubs on local streets.

14.5 Public transport

(i) The issues

The issues are:

- whether the Framework Plan provides sufficient support for public transport, particularly bus movements
- whether the Framework Plan adequately considers Geelong Station
- issues with the current siting of the Moorabool Street bus interchange.

Issues around improvement to the Geelong to Melbourne rail line and connections to Avalon Airport are considered Strategic Transport issues and are discussed in Chapter 5.

(ii) Evidence and submissions

DELWP identified that the Transport Strategy and Framework Plan contain numerous strategies and actions to support and enhance public transport (generally described in Chapter 14.1). Submissions generally supported the proposed improvements to public transport services, routes and frequencies with many submissions noting amenity and safety issues with the Moorabool Street bus interchange. Some submitters believed there should be greater emphasis and prioritisation of public transport initiatives in the Framework Plan, including greater use of shuttle buses. McHarry's Bus lines were generally supportive of the Framework Plan's public transport initiatives.

In relation to the Geelong Railway Station environs, DELWP noted that Clause 21.09 maintains the Geelong Railway Station as the region's primary travel interchange and encourages its enhancement in accordance with the Geelong Station Precinct Plan.

Mr Tivendale identified an overarching opportunity to increase public transport uptake with a range of strategies and actions outlined in the Transport Strategy, however he noted that the PE Act does not directly regulate or mandate public transport service provision. While Council had raised long standing issues with bus movement, interchanges and stop locations, he believed that the Transport Strategy provided several actions to address these issues, and noted that DoT is ultimately responsible for public transport.

Ms Dunstan agreed that a review of the bus network and associated improvements in Central Geelong was required and an essential piece of work. But this would be a complex task and it would be premature for the Framework Plan maps or diagrams to reflect a future bus route. She noted that some of the broader transport issues for Central Geelong are outside the scope of the Framework Plan and draft Amendment, such as upgrades to public transport facilities which are matters for the State Government and DoT. In her opinion the Framework Plan places appropriate weight on Geelong Station as a key transport node with various actions to upgrade the station precinct.

She recommended that the Framework Plan be amended to include the following key Action, that should be pursued *"in the near future"*:

A comprehensive review of bus services to Central Geelong be completed and implemented. This should be conducted with a review into benefits of centralised long-term parking hubs on the fringes of Central Geelong.

DoT submitted that in relation to the Geelong Station, the Framework Plan and draft Amendment rely on outdated documents which do not reflect contemporary planning. It submitted that future land use and development of the station and surrounds would need to incorporate existing planning for Geelong Fast Rail and the Geelong Railway Line upgrade, as well as future planning for Geelong's bus network.

Council submitted that the Framework Plan failed to address:

- long standing issues with bus movements, bus interchanges and bus stop locations within Central Geelong which continues to adversely impact retail and public amenity on Moorabool Street
- alternative transport options across the region
- Geelong railway station, interchange, and associated connections within Greater Geelong.

Council recommended a further review of the transport network hierarchy to include public transport routes and greater clarity around the proposed public transport changes, in particular the potential to relocate buses from the Moorabool Street bus interchange due to the negative impacts of the interchange on retail and public realm amenity. Council also recommended further review of timetabling and future bus routes including rail and bus connections to the Station, and greater emphasis on improvements for public transport connections to regional Victoria.

The G21 believed that the Transport Strategy did not adequately address Geelong Station's role as a regional rail and bus hub.

McHarry's Bus Lines submitted that it was generally aligned with the proposed Framework Plan, and provided detailed suggestions around improvements and ideas to further enhance the public transport system. It noted the Moorabool Street interchange commenced operation in 2010, and after subsequent reviews (including GTA study in 2017) is still considered the most favoured position.

Responding to submissions about the Moorabool Street bus interchange, DoT identified that the majority of bus patrons (approximately 80 per cent) utilise the Moorabool Street bus interchange, essentially bringing customers where they want to go. It submitted that spreading bus stops would make the network less legible for users making bus travel less attractive.

(iii) Discussion

The Framework Plan contains numerous strategies and actions to support and enhance public transport and the Committee accepts DELWP's submissions regarding the importance that the station plays.

This needs to be tempered with DoT's valid concerns that references to the station redevelopment should be updated to incorporate existing planning for Geelong Fast Rail and the Geelong Railway Line upgrade, and future planning for Geelong's bus network. Action 24.3.2 in the Framework Plan (Coordinate with DoT and Rail Projects Victoria to design a redevelopment of the Geelong Station Precinct) contemplates further consultation with DoT, and ultimately the station redevelopment will require DoT's approval.

On balance, the Committee considers that the Framework Plan adequately addresses the station upgrade and redevelopment appropriately, and no further amendments are required. While it agrees that the station redevelopment will need to take into consideration broader strategic transport projects such as Geelong Fast Rail and the Geelong Railway Line upgrade, this can be done as the detailed planning develops.

The Committee appreciates Council's frustration with public amenity and safety issues around the Moorabool bus interchange, which appear to have been thoroughly investigated several times in the past.

Action 25.1.8 in the Framework Plan is to review the Central Geelong bus network. The Committee agrees that a detailed review of bus services and operations, including the Moorabool bus interchange, would be a valuable piece of work. McHarry's Bus Lines' submission (Submission 42) included several ideas that could be explored as part of this process.

However a review of bus services and operations is beyond the scope of the Framework Plan and the Amendment. Bus services and associated infrastructure are the remit of DoT. The Committee

agrees that it is appropriate not to provide any further detail around this issue until the necessary work has been undertaken.

(iv) Conclusion

The Committee concludes:

- The Transport Strategy and Framework Plan contain numerous Objectives, Strategies and Actions to support and enhance public transport. These are, however, generally beyond the scope of the Framework Plan, and the Committee does not support any further detail being provided in relation to these Objectives, Strategies and Actions until the necessary reviews and planning work has been undertaken.

14.6 Active transport

(i) The issue

The issue is whether the Framework Plan provides sufficient support for active transport including cycling and pedestrian connections.

(ii) Evidence and submissions

Several submissions were supportive of the Framework Plan's objective of improving walking and bicycle riding in Central Geelong with some submissions linking these actions to the need to mitigate and adapt to climate change.

Other submissions requested greater consideration of active transport and pedestrian amenity in the Framework Plan. For example, Mr Nunez-Iglesias highlighted that active transport had to be as attractive or more attractive as driving to encourage change. In his presentation to the Committee (Document 177) he provided several active transport examples from Japan.

Council supported actions which advance pedestrian amenity but sought further information to clarify and understand pedestrian links and pedestrian priority streets. The Committee agrees that the relationship between these is unclear (see the discussion in Chapter 11.5).

Council's original submission (Submission 50) stated:

In general, in an urban context such as Central Geelong, all streets must be treated as primary pedestrian streets in order to encourage walking as an alternative mode of travel that is sustainable.

DoT was generally supportive of the key initiatives to enhance active transport but did not support a 'green spine' treatment (which prioritises active transport modes) for Mercer Street as it performs a key city access route and should be reconsidered as a 'potential boulevard' (still primary traffic function). This issue is dealt with in Chapter 11.2.

Mr Tivendale's evidence was that the Transport Strategy and Framework Plan would encourage active transport by addressing the key deficiencies in the current network, such as:

- streets connecting key destinations lack amenity and sense of safety
- wayfinding is not intuitive
- wide streets lack pedestrian amenity and safety
- bicycle networks lack coverage and bicycle facilities are not safe enough.

Mr Tivendale explained that pedestrian links had been designated in the Transport Strategy based on their current and expected future performance in the network:

- **Primary Pedestrian Links** – these typically have more intense levels of activity and public spaces that encourage lingering. They have the highest pedestrian amenity and may include laneways. Investment will be prioritised to improving safety, amenity and pedestrian and bicycle priority on these links.
- **Secondary Pedestrian Links** – these are intuitive connections that support primary pedestrian links. They focus on basic pedestrian amenity and cyclist safety, and provide for vehicle movement but do not prioritise vehicles over other modes – driveway access across these footpaths is discouraged.

Mr Tivendale further explained that a key difference between a primary and secondary pedestrian link is the anticipated level of interaction with vehicles crossing the footpath. His evidence was:

The Primary Pedestrian links should be protected from any vehicle crossing movements, because they are going to become much busier with foot traffic, and manoeuvring a car across the footpath in future will become difficult to complete in a legal manner. For example, locations where this occurs in Bourke Street, Melbourne often require drivers to ‘force their way’ through the crowded footpath rather than give way to every pedestrian. He explained that the green spines are designated as Primary Pedestrian Links (which prioritise active transport modes).

Mr Tivendale disagreed with Council that all streets should be primary pedestrian streets, to encourage walking. He responded:

This is untrue, especially in areas that are intensifying and expected to accommodate increased pedestrian volumes. The pedestrian realm in any activity centre is much more nuanced, and some streets can function as Shared Zones, others can have pedestrians and driveways and some have such high pedestrian volumes that driveways become unworkable.

Ms Dunstan identified several drafting and technical changes that would improve clarity around active transport, in particular providing a clear definition of what a ‘Primary’ and ‘Secondary’ pedestrian link is. She regarded this as critically important to include in the controls as it gives guidance on where future pedestrian connections should be provided. In relation to bicycling, Ms Dunstan agreed that providing high quality and separate bicycle facilities is important to achieving the objective of providing a safe bicycle facility that is lower stress and a more attractive option.

(iii) Discussion

It is self-evident that a greater uptake of active transport modes has many benefits including improved health and well-being and reducing vehicular traffic. Enhancing the pedestrian realm to improve amenity and safety is a critical element of encouraging more pedestrian traffic. Several Strategies and Actions in the Framework Plan are aimed at tackling these issues. The Committee broadly supports these Actions and Strategies, and considers that they are well founded.

The Committee accepts Mr Tivendale’s explanation of the basis of the classification of primary and secondary pedestrian links (albeit subject to clearer definition). It agrees that some footpaths, where higher levels of pedestrian traffic is likely to occur, should serve a higher order pedestrian focussed purpose. That said, the Committee agrees with Council that every footpath is important for facilitating pedestrian movement, especially considering the fine graded grid layout road network of Central Geelong.

In Chapter 11.5, the Committee recommends that the ACZ1 controls be clarified by including definitions of Primary and Secondary Pedestrian Links (as recommended by Ms Dunstan), and also

to clearly specify the requirements and controls that apply to Primary Pedestrian Links, and those that apply to Secondary Pedestrian Links, so that the purpose of the distinction is clear.

Based on the evidence of Mr Tivendale, a key distinction relates to vehicle crossings. However Table 10 in the ACZ1 (which contains the preferred vehicle access requirements) is not based on Primary and Secondary Pedestrian Link classifications on Map 4, but on the vehicle access classifications in Map 9. The relationship (if any) between Map 4 and Map 9 is unclear. Ms Dunstan recommended changes to the vehicle access requirements to provide greater clarity, which the Committee supports.

Bicycling is considered an effective and efficient mode of transport and developing and enhancing the Strategic Cycling Corridors, connecting to the regional trails and other cycling routes surrounding Geelong is considered sound practice and appropriate.

(iv) Conclusions and recommendation

The Committee concludes:

- Overall, the Objectives, Strategies and Actions set out in the Framework Plan to support active transport modes are well justified and strategically sound.
- Consistent with the Committee's conclusions in Chapter 11.5, greater clarity is required in both the Framework Plan and the ACZ1 controls in relation to the definitions, roles and distinctions between Primary Pedestrian Links and Secondary Pedestrian Links.
- Ms Dunstan's recommendations to include definitions of Primary and Secondary Pedestrian Links in the ACZ1 are supported (see recommendations in Chapter 11.5(v)). The Committee also supports her recommendations for drafting improvements to the vehicle access requirements.

The Committee recommends:

Amend the Activity Centre Zone Schedule 1 (and amend the Framework Plan accordingly if required) to:

- a) include the changes to the vehicle access requirements recommended in Ms Dunstan's evidence statement (Document 20(b)).**

14.7 Congestion and safety issues

(i) The issues

The issues are:

- worsening traffic congestion as a result of the increased population and activity in Central Geelong
- whether traffic flows from outside the study area had been appropriately considered
- traffic and pedestrian safety.

(ii) Evidence and submissions

Traffic congestion and safety was a key theme in submissions, with many residents already concerned with existing traffic conditions at key locations throughout Central Geelong, including the waterfront environs and key arterial roads. They felt that adding additional traffic from new development would further worsen road conditions and compromise safety.

The Transport Strategy included actions to improve traffic flow and safety for all road users, by directing and limiting through traffic at a number of intersections throughout Central Geelong. This is translated into the Framework Plan in Action 23.1.7 and Figure 77 (extracted as Figure 28).

Figure 28 Potential intersection improvements



Source: Central Geelong Framework Plan Figure 77

Mr Tivendale acknowledged that if people continue to travel to and from Central Geelong via car the increase in traffic flow would eventually overwhelm the transport network. As such, the Transport Strategy aims for a shift to more sustainable transport modes, such as public transport, bicycling and walking. However, Mr Tivendale acknowledged that car travel would continue to be an important transport mode.

On questioning from the Committee, Mr Tivendale advised that no traffic modelling had been undertaken to ascertain existing or future congestion levels on the road network. Instead, he based his assessment, in part, on his professional experience and experience with other major city's road networks.

DELWP submitted that the location of car parking facilities has a significant impact on traffic congestion and the proposed decentralised parking approach of locating large parking areas towards the outer fringe of Central Geelong would reduce traffic congestion in Central Geelong. Similarly, providing additional parking supply within Central Geelong would potentially increase traffic congestion, and would be inconsistent with the Transport Strategy's support for better uses of under-utilised parking and reviewing car parking rates.

Ms Dunstan advised that she was not concerned with traffic congestion and associated impacts as the proposed Strategies and Actions in the Framework Plan appropriately address this issue.

DoT provided a high level overview regarding the operation and protection of traffic capacity on key arterial roads. DoT noted that it had a traffic model for Central Geelong which potentially could have been used to review future growth associated with the draft Amendment and its impact on the road network – however this work was not requested or undertaken.

Council did not specifically raise issues around road congestion but sought greater clarity on measures to improve and enhance road and pedestrian safety.

(iii) Discussion

It is natural that the community will be concerned with increasing traffic congestion and associated safety issue as significant growth is planned for Central Geelong, as well as existing growth occurring in the region.

The Framework Plan identifies that:

- driving to and parking in Central Geelong is the main way people travel to the city, which results in congestion and lower amenity
- maintaining car dominance will have negative effects as the city grows
- without improved transport choices, traffic congestion will increase severely.

The fundamental approach to reducing traffic congestion in Central Geelong centres around the Framework Plan's Objectives 22 to 26, which aim to shift people from private vehicles to more sustainable transport modes (discussed in detail in Chapters 14.5 and 14.6), and provide a road hierarchy that limits and directs through traffic around the Retail Core. These objectives will need to be implemented in conjunction with the objectives to locate all day parking on the fringes, to reduce the amount of commuter traffic entering Central Geelong (discussed in detail in Chapter 14.4). Ms Dunstan supported this overall approach.

The Committee accepts that the Framework Plan and Transport Strategy are high level documents, providing a broad vision on moving forward. It acknowledges Mr Tivendale's position that there was no need for traffic modelling to support the Transport Strategy and Framework Plan. That said, additional modelling of the transport network may be required in future to ascertain the impacts of the potential changes to intersections identified on Figure 77 in the Framework Plan, and future changes to road corridors. The DoT transport model may be useful in this regard.

In terms of pedestrian and road safety, many of these issues will be considered and resolved during the planning and development stages, which the Committee regards as appropriate. The Committee notes that road safety is already an ongoing management and review issue for both DoT and Council.

(iv) Conclusions

The Committee concludes:

- The Framework Plan is a high level document that provides a broad vision on the future development of Central Geelong. The Objectives, Strategies and Actions outlined in the Framework Plan are broadly appropriate for managing congestion impacts.

- More specific traffic congestion and road safety issues are appropriately managed through the permit application process, as well as the ongoing work Council is undertaking with the community in relation to road and pedestrian safety issues.

14.8 Transport related drafting changes

Ms Dunstan and Mr Tivendale recommended minor changes to the draft Amendment documentation, predominately around improving clarity and ease of use and understanding.

In relation to the ACZ1, in addition to the matters already mentioned, Ms Dunstan identified some potential inconsistency around different classification of a street being considered an 'active street' on one side and considered an 'active laneway' on the other and suggested using the word 'frontage' instead to avoid confusion.

The traffic experts' changes also considered issues raised by others (for example, DoT's concerns around protecting the freight route function of Latrobe Terrace and McKillop Street by limiting new vehicle crossings on those routes, and the UDIA's concerns around vehicle access requirements including the need to consider servicing and emergency access. Ms Dunstan's recommendations for clarifications to the vehicle access requirements largely address these issues.

The Committee supports the changes proposed by Ms Dunstan and Mr Tivendale, noting that most of these are reflected in DELWP's Part D version of the ACZ1, and that the changes do not fundamentally alter the intent of the draft Amendment. The exception is Ms Dunstan's recommendation 14(b)(iii) to review including the Strategic Cycling Corridor routes on Map 4 in the ACZ1. While this would be useful information (and could be considered for inclusion in the Framework Plan), there are no requirements in the ACZ1 relating to the Strategic Cycling Corridors.

The Committee recommends:

Amend the Framework Plan and the Activity Centre Zone Schedule 1 to:

- a) include the remaining drafting changes recommended in Ms Dunstan's evidence statement (Document 20(b)), except for Recommendation 14(b)(iii).

PART D FORM AND CONTENT ISSUES

15 Permit applications

15.1 Permit application process and responsible authority status

(i) The issue

The issue is a lack of clarity regarding the planning permit application process, including Responsible Authority status.

(ii) Evidence and submissions

The UDIA and the Committee for Geelong identified concern in their original submissions that the draft Framework Plan does not clearly explain the planning application process and that members had previously reported that the application process had differed from site to site. They observed that applications were formally and informally referred to a range of bodies, which added to the complexity of the application process.

DELWP advised that the Minister became the responsible authority for specified planning applications in Central Geelong in October 2015 (following approval of Amendment C355). Pursuant to Clause 72.01-1 of the Planning Scheme, the Minister is the responsible authority for the following applications:

- a new building or buildings containing a total gross floor area exceeding 5,000 square metres
- new buildings or works that create an additional gross floor area exceeding 5,000 square metres
- building or works of five or more storeys, excluding a basement
- building or works for 50 or more dwellings
- any application for a planning permission made together with an application for one of the above.

Council submitted that the Planning Scheme adequately outlines the roles of the responsible authority and it advised that it was unsure as to what issues had been raised regarding the planning application process.

(iii) Discussion

Having reviewed the Schedule to Clause 72.01, the Committee is satisfied that it clearly sets out who is the responsible authority for particular types of applications in Central Geelong.

The Committee is not persuaded by the UDIA and Committee for Geelong submissions that the Framework Plan should or needs to articulate the planning application process. This would be duplicating provisions of the Act and other non-statutory guidance on the application process. It may be that members have reported differences in previous applications because of the particular scale of a development and whether the Minister or Council is the responsible authority. The Committee cannot take this issue any further.

The Committee understands that applications are referred to various bodies for review and comment and perhaps this part of the process is not entirely clear to users of the system. The Committee considers that it would be of assistance to list the relevant bodies under the decision

guidelines in the ACZ1 - and state that the views of those bodies, as appropriate, are to be taken into account in consideration and determination of an application.

(iv) Conclusions and recommendation

The Panel concludes:

- It would provide additional clarity and consistency to list the bodies which are routinely consulted on certain types of permit applications in the ACZ1's decision guidelines.
- No further adjustments are required to the Framework Plan or the Planning Scheme to better articulate the application process or responsible authority status in Central Geelong.

The Panel recommends:

Amend the Activity Centre Zone Schedule 1 to:

- a) specify bodies to be consulted on certain types of permit applications.**

15.2 Referral requirements

(i) The issue

The issue is whether WTOAC and the Committee for Geelong should be made recommending referral authorities for permit applications within Central Geelong, or given formal notice of permit applications.

(ii) Relevant guidance

Planning Practice Note 54 – Referral and Notice Provisions provides guidance on when the Planning Scheme should specify statutory agencies and others as bodies as formal referral authorities or bodies to whom notice of permit applications should be given.

(iii) Evidence and submissions

The Committee for Geelong requested that the Geelong Authority's Terms of Reference be reviewed and that regular engagement occur with the Committee for Geelong, as a relevant stakeholder. It sought this involvement so that it could support and inform members to navigate the planning process.

WTOAC submitted that it should be made a recommending referral authority for permit applications within Central Geelong. It noted that it was already referred many planning scheme amendments affecting land within its Registered Aboriginal Party boundary. It submitted that recommending referral authority status for permit applications would be consistent with its statutory functions under the *Aboriginal Heritage Act 2006* to protect, manage and conserve Aboriginal culture, and would better ensure that Objectives 2 and 14 of the Framework Plan are met as development progresses.

WTOAC tabled a letter dated 15 September 2021 to the Committee (Document 59) which sought to clarify its position in relation to its request for referral authority status. The correspondence and Dr Jones' oral submissions clarified that it was requesting to be a 'recommending' referral authority and not a 'determining' referral authority, and noted:

- the various references to the Wadawurrung people and country in the Framework Plan

- no Wadawurrung people are currently engaged as council officers within the planning, design and heritage teams who could offer “*relevant specialist and technical advice*” about Wadawurrung values
- it has sufficient resources and is equipped to fulfil the role.

DELWP submitted that this should be carefully considered given the statutory responsibilities assumed by a referral authority. It submitted that there is no clear need or role for formal statutory referral to WTOAC, or that it is sufficiently resourced and equipped to act as a statutory referral authority:

Being added as a statutory referral authority brings quite significant legislative processes into play. There needs to be a clear need, role and ability for a referral authority to provide specific advice about matters within the interests of that body, within the confines of the PE Act, including whether or not a permit should be granted, and if so, on what conditions.

DELWP did not support or see the need for formal referral authority status or a statutory need to notify the Committee for Geelong of applications.

Council noted and agreed with DELWP’s submission in relation to WTOAC becoming a recommending referral authority. It also advised that the State government had created the Geelong Authority after 2016 to advise the Minister on strategies to attract investment to central Geelong and on major planning applications.

(iv) Discussion

The Committee does not support making either the Committee for Geelong or WTOAC a formal statutory referral authority or body who should be notified of permit applications within Central Geelong.

PPN54 sets out when a referral authority should be specified, and the types of matters that should be considered in deciding whether it is necessary to designate a party as a statutory referral authority. It states that a new recommending referral authority should only be introduced where the referral authority’s specialist or technical advice is necessary to properly assess and decide the application. It states:

A referral authority should not be specified in the planning scheme simply because they may be useful in assessing certain types of applications

Factors to consider include:

- What are the reasons for the referral? How do they relate to the purpose of the planning scheme provision that triggers the application?
- Does the referral authority have resources and processes in place to ensure timely and effective advice, and to comply with the duties and requirements of the Act and Regulations?
- Will a referral provide a simple and effective means of implementing the referral authority’s objectives? Would other mechanisms, for example a notice requirement, be more effective?
- Can the description in the planning scheme of the kind of application that must be referred be drafted to avoid unnecessary referrals?

The Committee recognises that WTOAC has specialist knowledge of Wadawurrung values of place-care and placemaking, and local cultural and indigenous living heritage issues. However the Committee was not persuaded that referral of every application to WTOAC is necessary to ensure

future development respects cultural values. Nor was it persuaded that WTOAC is adequately resourced to deal with referral of every permit application in Central Geelong.

The Committee is satisfied that the responsible authority, whether it is the Minister or Council, has the requisite expertise, including through the support of the Office of the Victorian Government Architect, to assess an application for planning permit. Where land is within an Area of Cultural Heritage Sensitivity and/or requires the preparation of a Cultural Heritage Management Plan, WTOAC's involvement will be triggered by other legislation. For other applications, the cultural values sought to be protected are articulated in the Framework Plan, which will provide guidance to the responsible authority in assessing new proposals. Beyond this, where specific WTOAC input is required, it could be sought through informal referral or notice of applications.

(v) Conclusion

The Panel concludes:

- It is not necessary to make either WTOAC or the Committee for Geelong a formal statutory referral authority, or a body to whom statutory notice should be given, for permit applications within Central Geelong.

15.3 Transitional provisions

(i) The issue

The issue is whether transitional provisions should be included for existing permits and/or permit applications.

(ii) Evidence and submissions

Various parties including the UDIA, Deakin University, Montgomery and Mercer submitted that transitional provisions should be included to protect the rights conferred by existing planning permits.

Montgomery submitted that transitional provisions are “*necessary to provide fair, orderly, economic and sustainable use of land.*” It submitted that transitional provisions should apply to live applications and applications to amend existing permits. It submitted that landowners have invested in Geelong on the basis of existing controls that support intensive redevelopment within the central city, and that applications are costly to prepare. It submitted that landowners have a “*reasonable entitlement*” to expect that applications will be considered according to the law that applied at that time.

Montgomery identified that there are only a small number of existing applications and permits in Central Geelong, unlike Fishermans Bend where transitional provisions would have “*seriously undermined the realisation of the vision for that urban renewal precinct.*”

Mercer supported the Montgomery submission, but submitted that the wording should allow the ‘winding back’ of the controls to the pre-interim controls (before Amendment C242).

DELWP opposed the inclusion of transitional provisions in the ACZ1, submitting in its closing submission that it did not see a compelling reason for their inclusion and that submitters provided no justification for their inclusion. It submitted that DELWP's usual practice is to include transitional provisions only where there has been no consultation or hearing in respect of proposed controls (which is not the case with Central Geelong). It submitted that section 68 of the

PE Act provides that, even in the absence of an expiry date on a permit, a permit will expire after a certain amount of time and in doing so:

... defines the balance to be struck between giving a permit holder an adequate opportunity to act on the rights conferred by that permit and protecting the community from the impacts of development that may have become, subsequent to the grant of the permit, inappropriate for whatever reason.

DELWP observed:

- The parties seeking transitional provisions are permit holders not permit applicants, which is a significant point of difference because permit holders may act on their permit that they hold.
- There is no reason why the amendment should supplement the protection conferred by the PE Act.
- There is a difficulty in drawing a “*sensible cut off point*” for the application of transitional provisions.

Mr Woodland supported DELWP’s position and observed that:

... assessing whether transitional provisions should be included in a planning scheme amendment requires the issue of fairness to permit applicants to be balanced against the need for good planning outcomes sought by the Framework.

He undertook a review of the number of existing permit applications and whether (if approved) they would contravene the proposed controls. Of the seven applications he observed that one would be likely refused under the current controls, and two could potentially be determined prior to the gazettal of the draft Amendment. He concluded:

I do not consider that gazettal of the new controls without transitional provisions could be said to have a widespread or unjust impact on existing permit applications.

In response to questions in cross-examination and by the Committee Mr Woodland expressed a similar view in relation to existing approvals. However he confirmed that he had not undertaken a detailed review of approvals and therefore could not form a view as to whether (or the extent to which) the construction of the approved developments would undermine the vision of the Framework Plan.

(iii) Discussion

DELWP provided a list of live permit applications that detailed the proposal, proposed preferred height limit and status of the application (Document 170). Of the listed applications:

- three had either lapsed or been withdrawn
- two were for buildings lower in height than preferred height limits (one of which was subsequently granted)
- one had been reduced in height from 36 storeys to 19 storeys in an area with a preferred height limit of 15 to 18 storeys
- one (36 Mercer Street, in the Station Precinct) is for a 121 metre building which is substantially higher building than the proposed preferred 60 metre height control, and is likely to be refused under the current controls
- one (81-101 Mercer Street) was subsequently granted a permit, albeit condition 1 (which requires a reduction in the height of the towers (proposed to be around 90 metres) to the 60 metre proposed preferred height limit) is the subject of an appeal before the Victorian Civil and Administrative Tribunal.

Assuming the permit application for 36 Mercer Street is refused, there is only one live application that exceeds the preferred height limit, and it is within the range of the preferred height limit. The Committee therefore does not consider it necessary to include transitional arrangements to protect existing applications.

The Committee has recommended further work be undertaken before finalising the preferred maximum buildings heights in the Station, Knowledge and Enterprise and Retail Core Precincts (see Chapter 9.4). The Committee believes that the global uncertainty that has resulted from the COVID-19 pandemic has impacted permit holders' ability to act on approvals. This, together with the continuing iterative process for finalising the preferred maximum building heights for three precincts, combine to further reinforce an environment of uncertainty. The Committee was not persuaded that transitional provisions in favour of current permits in these precincts will have a material impact on the realisation of the vision for Central Geelong.

For these reasons, from an equitable perspective, existing approvals in these precincts should have the benefit of transitional provisions.

(iv) Conclusions and recommendations

The Committee concludes:

- The inclusion of transitional provisions for existing planning permit applications is not appropriate.
- The inclusion of transitional provisions for existing permits in the Station, Knowledge and Enterprise and Retail Core Precincts is appropriate where further work is recommended be undertaken to finalise preferred maximum building heights.

The Committee recommends:

Amend the Activity Centre Zone Schedule 1 to:

- a) include a transitional provision as follows (modified for the Design and Development Overlay Schedule 46 to refer only to the Knowledge and Enterprise Precinct):**

This schedule does not apply to an application to amend or extend a planning permit for land within the Station, Knowledge and Enterprise and Retail Core Precincts that was issued before the gazettal of Amendment C424ggee. For such applications, this schedule, as it was in force immediately before the gazettal of Amendment C431ggee continues to apply.

PART E RECOMMENDED IMPROVEMENTS

16 Changes to the Framework Plan

16.1 Introduction

The preceding chapters focus on the background to the Framework Plan and draft Amendment, and provide the Committee's assessment of key issues. This Chapter brings together the Committee's recommended changes to the Framework Plan. This responds to clause 4(e) of the Terms of Reference, and will enable DELWP to finalise the Framework Plan, subject to completing the Committee's Category 1 recommendations for further work. The Committee has used DELWP's Day 1 version of the Framework (Document 34) and its response to Expert Witness Recommendations (Document 113) as its base.

16.2 The issues

The issues are:

- structure, length and complexity of the Framework Plan
- a lack of clarity around the implementation actions outlined in the Framework Plan, including funding, timing and roles and responsibilities.

16.3 Evidence and submissions

Section 12 of Mr Woodland's evidence statement (Document 20(f)) provides his recommended changes to the Framework Plan. His overarching opinion was that the Framework Plan is difficult to navigate and to understand how its components fit together and are intended to be used. He recommended that the document be substantially restructured:

I suggest that the main document be called a 'Framework Plan' (ie remove reference to the 'structure plan' as a separate element of this primary document), and that the UDF chapters should be re-cast as separate Urban Design Guidelines, with the relevant contextual, analysis and policy elements moved across into the main Framework Plan document. There is also scope to edit the length of the document, and to remove repetition where it exists.

Figure 8 of Mr Woodland's statement (at pages 54 to 59) contained his suggested alternative structure for the Framework Plan along with various detailed recommendations. The Committee lists and responds to Mr Woodland's recommendations in Chapter 16.4 below.

DELWP generally accepted that the Framework Plan should be restructured and reworked as recommended by Mr Woodland. It either agreed, agreed in principle or sought the Committee's advice on Mr Woodland's recommendations. There were no recommendations that were not supported by DELWP.

Council submitted that the Framework Plan should include an overall plan that brings the various elements of the Framework Plan together, and possibly also a single urban design framework plan, that could be inserted into local policy. Council supported Mr Woodland's recommendation for *"a single built form framework plan for all of Central Geelong annotated to describe the 'sum of the parts' and the logic for why some places can accommodate taller buildings and other cannot"*.

Council also submitted that the Implementation section of the Framework Plan needs to be rationalised. In particular Council recommended that the implementation actions need to be consolidated, timing and responsibilities reviewed and the burden on Council reduced.

The submission by the G21 noted that there are significant long-term resourcing and financial implications for the successful implementation of the proposed Framework Plan, especially for Council. The submission recommended that:

... the matter of an ongoing partnership between the City of Greater Geelong and the Victorian Government through the Geelong Authority be clarified, addressed and agreed in the final Framework Plan. Implicit in this is a clear agreement on resourcing and financing.

16.4 Discussion

The Committee agrees with Mr Woodland, and the submissions of DELWP, Council and numerous parties that there is a need to restructure and improve the clarity of the Framework Plan. The overarching position of the Committee is that while the Framework Plan's overarching vision and ambition for the growth and development of Central Geelong is generally supported, as presently drafted, the Framework Plan reads as a content heavy and sometimes unclear document which lacks precision and cohesion in parts.

Mr Woodland's expert witness statement included comprehensive and detailed recommendations for improvements to the Framework Plan. Other experts also recommended changes and improvements.

The preceding Chapters of this report provide the Committee's discussion and recommendations on thematic issues as presented in the Framework Plan. The Committee's position in respect of the specific recommendations of Mr Woodland and other witnesses is presented in Table 16 below. The Committee has had regard to DELWP's response to expert witness recommendations (Document 113) in preparing Table 16.

References in Table 16 to:

- sections are to sections of the Framework Plan
- page numbers are to pages in the relevant expert witness statement
- chapters are to chapters of this report.

Table 16 Committee's response to expert recommended changes to the Framework Plan

Section of Framework Plan	Expert recommendation	Committee comments
Recommendations of Mr Woodland		
All	Amend structure as set out in Figure 8 (Existing and suggested alternative Framework Plan structure) on page 55.	<p>AGREED</p> <p>The Committee agrees with DELWP's submission that the amended structure recommended by Mr Woodland is logical and will likely improve reader understanding of the Framework Plan and ultimately the rationale for the draft Amendment.</p> <p>The document requires restructuring and editing to ensure that the final version is clear and provides a robust strategic basis for the draft Amendment, and which will aid in the future exercise of discretion.</p>
Section 4 – Strategic Context	Relocate to before Section 2.	AGREED

Section of Framework Plan	Expert recommendation	Committee comments
	<p>Expand content to more comprehensively describe the key issues and opportunities to be addressed.</p> <p>Include the following content:</p> <ul style="list-style-type: none"> - strategic and policy context - the Role of Central Geelong in the G21 region - key strategies which inform the Framework Plan - key issues and opportunities: <ul style="list-style-type: none"> - Land use and economy (including employment/retail growth) - Residential growth and housing choice (including housing growth) - Built form and design - Transport and movement - Public realm and open space <p>Include a description of the key built form and design challenges and opportunities for Central Geelong and address each of the 12 design parameters dealt with in Section 12. Use plans, diagrams and images to assist in communicating issues and opportunities.</p> <p>Page 56, paras 232-233.</p>	<p>The Committee agrees that further detail is required in the early Chapters of the document to clearly explain the strategic context. In addition to matters raised by Mr Woodland, the Committee recommends:</p> <ul style="list-style-type: none"> - Relocate the vision to front of the document - Relocate the discussion of SDSs and their importance to a more prominent position closer to the front - Include an overview of the SGS growth scenarios and corresponding employment and residential floorspace forecasts, and the capacity analysis, and an explanation of how these have informed the preferred character and built form controls <p>See:</p> <ul style="list-style-type: none"> - Chapter 4 – Growth and capacity - Chapter 13.2– Criteria for selecting Strategic Development Sites
Section 3 – Emerging Precincts	<p>Relocate to after section 5.</p> <p>Include the FARs proposed for each SDS and an explanation of the urban design rationale for each.</p> <p>Page 57, paras 234 and 235.</p>	<p>AGREED in part</p> <p>Recommendation to relocate the Emerging Precincts Chapter is agreed.</p> <p>The Committee recommends that the Framework Plan (and draft Amendment) should remove references to density controls, plot ratios and floor area ratio controls.</p> <p>See:</p>

Section of Framework Plan	Expert recommendation	Committee comments
		<ul style="list-style-type: none"> - Chapter 13.4 – Plot ratio/floor area ratio controls.
Section 5 – Directions for Central Geelong	<p>Review for repetition and to ensure actions are clearly actionable.</p> <p>Page 57, para 236-238.</p>	<p>AGREED</p> <p>The Committee agrees that actions contained in section 5 (and throughout the entire document) should be thoroughly reviewed.</p> <p>In addition to matters raised by Mr Woodland, the Committee recommends that the actions should be prioritised and the overall number reduced to provide focus, clarity and direction for human and financial resource allocations.</p> <p>The Committee has recommended a number of priority actions after the draft Amendment is adopted that should be referenced in section 5.</p> <p>See:</p> <ul style="list-style-type: none"> - Executive Summary regarding Category 4 Recommendations – Further work required after adoption and implementation - Chapter 14.2 – The proposed freight route - Chapter 14.4 – Car parking
Section 5.1 Land Use and Economy	<p>Identify and describe the employment floorspace forecasts that have been adopted for Central Geelong under this plan.</p> <p>Page 57, para 240</p>	<p>AGREED</p> <p>Refer Committee comments in relation to Section 4 – Strategic Context</p>
Section 5.2 Residential Growth and Housing Choice	<p>Identify and describe the population and residential floorspace forecasts that have been adopted for Central Geelong under this plan.</p> <p>Page 57, para 241</p>	<p>AGREED</p> <p>Refer Committee comments in relation to Section 4 – Strategic Context</p>
Section 5.2 Residential Growth and Housing Choice	<p>Review the actions related to affordable housing and how these are to be given effect via either the current Amendment or future changes to the Planning Scheme.</p> <p>Page 57, para 242.</p>	<p>AGREED</p> <p>The Committee agrees that the social and affordable housing actions should be reviewed to specify how they are to be given effect. Further, the Committee recommends that the Framework Plan should identify the introduction of social and affordable housing planning policy and controls for Central Geelong in the Planning Scheme as a priority action to be given effect via the current draft Amendment.</p>

Section of Framework Plan	Expert recommendation	Committee comments
		See: <ul style="list-style-type: none"> - Chapter 5 – Affordable Housing
Section 5.3 Built Form and Design	<p>Amend to more clearly articulate the spatial and built form qualities of Central Geelong that the Framework Plan is seeking to preserve and build upon.</p> <p>Describe the overarching built framework sought, outlining (in words, plans and diagrams) what the key urban design features in Central Geelong are that are to be preserved and or created through implementation of the Framework Plan.</p> <p>Page 57, para 244</p>	<p>AGREED</p> <p>The Committee has concluded that there is a lack of detail and clarity regarding the preferred character within the precinct statements of the Framework Plan, and how the built form outcomes will deliver that preferred character.</p> <p>See:</p> <ul style="list-style-type: none"> - Chapter 9.3 – Consistency between built form controls and precinct objectives - Chapter 9.4 – Building heights - Chapter 9.5 – Street wall heights - Chapter 9.6 – Setbacks
Section 5.3 Built Form and Design	<p>Conceptually (and diagrammatically) explain how the Framework Plan will facilitate the delivery of the residential and employment land forecasts, and how the Framework Plan can accommodate that growth whilst still preserving the heritage and built form qualities that are identified as being of importance.</p> <p>Page 57, para 245</p>	<p>AGREED</p> <p>Refer Committee comments above</p>
Section 5.3 Built Form and Design	<p>Update to identify the heritage values of the many places of heritage significance within Central Geelong and describe how these are to be preserved and celebrated.</p> <p>Page 57, para 246.</p>	<p>AGREED in part</p> <p>The Committee concludes in Chapter 10.2 that broadly speaking, the Framework Plan sufficiently articulates the heritage values that are sought to be protected and integrated into the new future for Central Geelong. That said, the Committee agrees that the Framework Plan could provide more clarity on how they are to be preserved and celebrated.</p> <p>See:</p> <ul style="list-style-type: none"> - Chapter 10.2 – Recognition of post-contact heritage values
Section 5.3 Built Form and Design	<p>Explain the rationale for selecting SDSs and how the use</p>	<p>AGREED in part</p>

Section of Framework Plan	Expert recommendation	Committee comments
	<p>of a FAR can provide greater design flexibility.</p> <p>Page 57, para 246</p>	<p>The Committee agrees that the role, importance, and site selection criteria of SDSs needs to be highlighted and elaborated on in the Framework Plan. The Committee recommends FARs be deleted.</p> <p>See:</p> <ul style="list-style-type: none"> - Chapter 13.2 – Criteria for selecting Strategic Development Sites - Chapter 13.4 – Plot ratio/floor area ratio controls
Section 5.3 Built Form and Design	<p>Include a more fulsome rationale for each of the built form and design objectives and strategies and clearer links to the design guidelines contained in section 7.</p> <p>Page 57, para 248</p>	<p>AGREED</p> <p>Refer Committee comments above</p>
Section 5.4 Transport and Movement	<p>Review for clarity and repetition.</p> <p>Page 58, para 251</p>	<p>AGREED</p> <p>The Committee agrees the Transport and Movement Section of the Framework Plan is unnecessarily long and repetitive and should be reviewed. As noted by DELWP, Council and DoT have requested adjustment to this section of the Framework Plan, and Ms Dunstan and Mr Tivendale also recommends various changes.</p> <p>See discussion and recommendations in:</p> <ul style="list-style-type: none"> - Chapter 14.8 – Drafting changes (transport)
Section 5.5 Public Realm and Open Space	<p>Relocate elements relating to building design (strategy 27.4, 27.5), access (strategy 27.7) and community infrastructure (strategy 29.7).</p> <p>Page 59, para 253</p>	<p>AGREED in principle</p> <p>The Committee notes the recommendation. The Committee has made a series of recommendations to address a raft of open space issues canvassed in the Framework Plan.</p> <p>See:</p> <ul style="list-style-type: none"> - Chapter 11.2 – Open space and green spines - Chapter 11.3 – Council carparks and Station Forecourt - Chapter 11.4 – Overshadowing of open space - Chapter 11.5 – Overshadowing of footpaths

Section of Framework Plan	Expert recommendation	Committee comments
		- Chapter 11.6 – Mandatory overshadowing controls
Section 6 Implementation	<p>Review the merit and priority of the Actions, considering whether it is practical or realistic for such an extensive number to be implemented.</p> <p>The implementation plan does not address how the Actions are to be funded beyond a general reference to future consideration being given to collecting development contributions.</p> <p>Page 59, para 255</p>	<p>AGREED</p> <p>As noted in response to Section 4 – Strategic Context, the Committee agrees that Actions should be thoroughly reviewed to reduce the total number and to prioritise in order to provide focus, clarity and direction. The Committee notes there is a degree of repetition in the Actions which should be removed.</p> <p>The Committee notes that DELWP agreed that a review of Actions needs to be undertaken to identify priorities and to confirm whether the actions listed are appropriately characterised as an Action.</p>
Sections 7 to 11 UDF	<p>Re-cast as Urban Design Guidelines.</p> <p>More strongly align section 8 to the Objectives in the draft Framework Plan to make clear which guidelines are giving effect to which design or development objective.</p> <p>Page 59, para 257</p>	<p>AGREED</p> <p>The Committee agrees and notes that DELWP supports the need to enhance the legibility of the Framework Plan and Urban Design Framework for readers.</p>
Framework Plan or DELWP Report	<p>Consider including a single built form framework plan for all of Central Geelong annotated to describe the ‘sum of the parts’ and the logic for why some places can accommodate taller buildings and others cannot.</p> <p>Page 64, para 290</p>	<p>AGREED</p> <p>This is similar to Council’s request for an overall structure plan / urban design framework plan that could be inserted into local policy at Clause 21.09. The Committee recommends that a strategic framework plan be prepared and included in the Framework Plan (as well as Clause 21.09-6). It may be that the strategic framework plan also performs the function recommended by Mr Woodland of constituting a single built form framework plan that describes the ‘sum of the parts’ and the logic for the built form distribution across Central Geelong.</p> <p>See:</p> <p>- Chapter 17.2 – Final form of Clause 21.09</p>
Framework Plan or DELWP Report	<p>Consider better articulating the nexus between the strategic Objectives and proposed heights in the draft Framework Plan.</p> <p>Page 64, para 290</p>	<p>AGREED</p> <p>Refer Committee comments in relation to section 5.3 Built Form Design</p>

Section of Framework Plan	Expert recommendation	Committee comments
Framework Plan or DELWP Report	<p>Include a more detailed analysis of the built form impact of the previous planning framework and the development that has been approved or constructed under that framework.</p> <p>Notes this would make the case for amending certain elements of the previous framework (building heights, shadow controls etc.) and including additional design provisions clearer.</p> <p>Page 52, para 15 and page 64, para 293</p>	<p>AGREED</p> <p>Refer Committee comments in relation to section 5.3 Built Form Design</p>
UDF	<p>Provide guidance in the UDF or a separate user guide explaining more about what the Floor Area Uplift is intended to achieve and how it is intended to work alongside other provisions such as sunlight and height provisions.</p> <p>Page 68, para 327</p>	<p>AGREED in principle</p> <p>The Committee does not endorse a formal Floor Area Uplift scheme, but agrees that further guidance is required in the Framework Plan on when it might be appropriate to exceed discretionary performance standards.</p> <p>In addition, a policy position should be developed in relation to social and affordable housing, to support the provisions which the Committee recommends should be included in Clause 21.09 and the ACZ1. This should include consideration of whether uplift is justified for the provision of social and affordable housing.</p>

Recommendations of other experts

Professor McGauran Page 68	Update plans to correct any drafting errors relating to mapping of primary street frontages and more generally.	AGREED
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Further drafting improvements recommended by the Committee

In addition to the changes outlined above, the Committee recommends the following:

- Remove unnecessary detail from the UDF (to be renamed urban design guidelines) to include only the proposed controls and the rationale for the proposed controls (tied to preferred character).
- Update various maps and figures based on recommended changes in thematic chapters, including any changes to the ACZ1 that should be reflected in the Framework Plan to ensure consistency between the two documents.
- Include navigation aids such as a list of key maps and figures in the Table of Contents.

16.5 Recommended improvements to the Framework Plan

Throughout the thematic Chapters of this report, the Committee has recommended a number of changes to the Framework Plan that should be made before the Framework Plan is adopted and implemented. These include:

- Category 1 recommendations, which require further work before the Framework Plan is finalised
- Category 2 recommendations, which are changes that can be made immediately

Category 3 recommendations relate to changes to the ACZ1 control and are discussed in Chapter 17.2(iii). Category 4 recommendations relate to further work required after the Framework Plan and draft Amendment are finalised and adopted.

The Executive Summary contains the consolidated Category 1 and Category 2 recommendations for improvements to the Framework Plan.

In addition to the Category 1 and Category 2 recommendations, the Committee recommends:

- a) Restructure and edit the Framework Plan to reflect the Committee's comments and recommendations in Table 16 of this report.**
- b) Make any further adjustments to the Framework Plan once the Committee's recommendations for Category 1 further work are completed.**

17 Changes to the draft Amendment

17.1 Introduction

The preceding chapters focus on the background to the Framework Plan and draft Amendment, and provide the Committee's assessment of key issues. This Chapter brings together the Committee's recommended changes to the draft Amendment. This responds to clause 4(e) of the Terms of Reference, and will enable DELWP to finalise the draft Amendment, once it has completed the further work recommended by the Committee. The Committee's consolidated Recommendations are provided in the Executive Summary. They are not repeated within this Chapter.

17.2 Final form of Clause 21.09

(i) Base document

The Committee has used the exhibited version as the basis for its preferred version.

(ii) Discussion

The Committee found in Chapter 5 that the draft Amendment should include additional policy in Clause 21.09 to support provisions in the ACZ1 that specify expectations and requirements of the development/planning process in regard to social and affordable housing provision. Further work is required in this regard, but the Committee has provided a starting point for possible inclusions in Clause 21.09 in its current preferred version in Appendix E1.

Council suggested that an overall strategic framework plan could be included in Clause 21.09, which provides a 'sum of the parts', and the logic for why some places can accommodate taller buildings and others cannot. Mr Woodland endorsed this suggestion, and the Committee supports it (see Table 16 in the previous Chapter).

The Committee has made some further drafting improvements to Clause 21.09, including:

- inserting an Objective and corresponding Strategy that refers to strengthening the expansion of each precinct in accordance with its identified role in the Framework Plan (similar to the existing Objective and Strategy that refer to areas identified in the Central Geelong Areas Map at Clause 21.09-5)
- updating the date of the Framework Plan to 2022.

(iii) Recommendation

The Panel recommends:

The Department use the Committee's current preferred version of Clause 21.09 as contained in Appendix E1 as the basis for developing the final version of the control, once the Committee's Category 1 recommendations for further work have been completed.

17.3 Final form of Activity Centre Zone Schedule 1

(i) Base document

The Committee has used DELWP's Part D version of the ACZ1 (Document 207) as its base, and has accepted changes recommended by DELWP that are agreed by the Committee. The Committee's further recommended changes to the ACZ1 are tracked and in most instances a cross reference is provided to the relevant consolidated recommendation contained in the Executive Summary of this report.

(ii) Evidence and submissions

In its Part B submission DELWP acknowledged that the ACZ1 is a lengthy and complex control, but submitted that the length and complexity was "*justified in this instance*", and was supported by Mr Woodland's evidence. However, it observed that if there are opportunities for streamlining the control then it welcomed the Committee's suggestions to that effect. It also welcomed any recommendations as to how maps could be improved.

Noting that the ACZ1 is a lengthy and complex provision, Mr Woodland considered that it contains land use and built form provisions similar in scope to those applied in comparable locations including Central Melbourne, Fishermans Bend and Metropolitan Activity Centres in Melbourne. He observed that given:

... the Framework's aspirations for Central Geelong to be a city of design excellence with a high quality urban environment, I consider that it is necessary for the planning provisions to be sufficiently sophisticated to enable these outcomes to be achieved in a comprehensive manner.

He noted that each element of the control will serve an important purpose and concluded that he would not recommend any "*wholesale changes*" to the general scope of the control.

Council submitted that the ACZ1 is a lengthy and complex control that would benefit from refinement. However, it acknowledged that:

... it is appreciated that a long control is a necessary outcome when it combines zone and overlay style provisions across a large geographic area with multiple precincts.

Council suggested that an overall structure plan and urban design framework plan could be included in Clause 21.09. Further, consideration could be given to creation of a separate schedule for each precinct. In its closing submission Council noted that individual schedules would make it easier for users to find the specific controls that apply to a particular site or precinct. It did acknowledge that if that approach was adopted then the centre wide provisions would either need to be duplicated in each schedule or included elsewhere in the Planning Scheme, such as a policy or centre wide Design and Development Overlay.

(iii) Discussion

In reviewing DELWP's Part D version of the ACZ1 and preparing its preferred version in Appendix F2, the Committee has had regard to:

- the exhibited version
- DELWP's Day 1 version including suggested map changes (Documents 35 and 36)
- Recommendations of Expert witnesses and DELWP's response (Documents 113 and 114)
- DELWP's Part C version (Document 185)

- Submitter responses to DELWP's Part C version (Documents 186 to 196)
- DELWP's responses to submitter preferred versions (Documents 198 to 206)
- the Committee's consolidated recommendations presented in the Executive Summary.

The Committee acknowledges and thanks Council and the various parties that supplied marked up versions of the ACZ1 and provided input into the without prejudice discussion regarding proposed changes to the control. The Committee also acknowledges the work undertaken by DELWP, including their representatives, in considering and responding to the submissions, and questions from the Committee, regarding potential changes to the ACZ1 control. The position advanced by DELWP in the Part D version of the control was well considered and largely responsive to matters raised during the hearing. As an overarching observation, the Committee notes that it accepted far more of DELWP's proposed changes than were rejected.

The Committee accepts that its recommended version of the control as presented in Appendix E2 remains lengthy and complex. Given the scope of the controls, this was unavoidable. While some consideration was given to preparing separate Schedules for individual precincts, this was dismissed as the common elements applicable to each precinct outnumbered the differences.

The Committee is satisfied that with redrafting as recommended by the Committee, and with improved graphics (including a strategic framework plan that shows the 'sum of parts') the revised control will be clear and relatively easy to navigate.

The Committee is also of the view that subject to the various changes recommended by the Committee in relation to the Framework Plan (addressed in Chapter 16), the control – including the vision and objectives for each precinct – will be more readily understood and easily applied by users and decision makers.

(iv) Recommendation

The Committee recommends:

The Department use the Committee's current preferred version of the Activity Centre Zone Schedule 1 as contained in Appendix E2 as the basis for developing the final version of the control, once the Committee's Category 1 recommendations for further work have been completed.

17.4 Final form of Design and Development Overlay Schedule 46

(i) Evidence and submissions

Deakin University and the Live Smart Research Laboratory provided track change versions of the exhibited Design and Development Overlay Schedule 46 (Documents 157 and 175). Deakin University's submissions largely related to the master plan requirements and the preference to include transitional provisions to protect its existing permit. Live Smart Research Laboratory recommended a series of changes relating to biophilic design.

(ii) Discussion

The Committee has had regard to:

- Deakin University's preferred version
- the Live+Smart Research Laboratory's preferred version

- relevant versions of the ACZ1 referred to in the previous chapter (to ensure consistency where required).

The Committee has recommended the inclusion of a limited transitional provision in the ACZ1 protecting existing permits. A similar provision will need to be inserted into the DDO46, which will address Deakin Uni's submission. This is dealt with in Consolidated Recommendation 45. The Live+Smart Laboratory's track changes relating to biophilic design are addressed through the Committee's recommendations in Chapter 11.2 for amendments to the Framework Plan.

Various controls in the ACZ1 overlap with the DDO46, such as those relating to SDSs, setbacks, overshadowing and wind effects. The DDO46 will need to be comprehensively updated by DELWP to be consistent with the finalised version of the ACZ1, once the Committee's recommended further work has been completed.

(iii) Recommendation

The Committee recommends:

The Department update the Design and Development Overlay Schedule 46 consistent with the finalised Activity Centre Zone Schedule 1, once the Committee's Category 1 recommendations for further work have been completed.

Appendix A Terms of Reference



Central Geelong Framework Plan Advisory Committee

Version: 1 (April 2021)

An advisory committee has been appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* to consider and provide advice on the draft Central Geelong Framework Plan (CGFP), comprising a structure plan and an urban design framework, and its implementation through a draft planning scheme amendment for the Central Geelong area ('draft planning scheme amendment').

Name

The advisory committee is to be known as the 'Central Geelong Framework Plan Advisory Committee' (the committee).

1. The committee is to have members with the following skills:
 - a. statutory and strategic land use planning;
 - b. built form/urban design;
 - c. planning law;
 - d. transport;
 - e. economic development.
2. The committee will include an appointed Chair and Deputy Chair.
3. The CGFP team at the Department of Environment, Land, Water and Planning (DELWP) will liaise with Planning Panels Victoria (PPV) to support the committee.

Purpose

4. The purpose of the committee is to:
 - a. receive and consider submissions received in relation to the CGFP and/or draft planning scheme amendment;
 - b. conduct a public hearing in relation to the CGFP and draft planning scheme amendment;
 - c. review the CGFP and advise the Minister for Planning on its strategic basis and merits;
 - d. review the draft planning scheme amendment and advise the Minister for Planning on whether the proposed planning controls are appropriate;
 - e. identify improvements to the CGFP and draft planning scheme amendment; and
 - f. provide a report to the Minister for Planning containing the committee's advice on:
 - i. The matters outlined above.
 - ii. Whether the draft planning scheme amendment is an appropriate mechanism by which to implement the CGFP.
 - iii. Any recommendations it has in relation to the CGFP, the draft planning scheme amendment and the statutory framework to be established to implement the CGFP.

Background

5. The draft CGFP and draft planning scheme amendment affect land identified as the "Study Area" in the draft CGFP. This land comprises the areas along the shoreline of Corio Bay to McKillop Street in the south, from Market Street in the east to Latrobe Terrace in the west (see Attachment 1).

Terms of Reference | Central Geelong Framework Plan Advisory Committee

6. Currently, this land is contained within the Activity Centre Zone – Schedule 1 (ACZ1), which was introduced in 2013 and covers most of Central Geelong. The ACZ1 divides the Geelong CBD into seven precincts (and further sub-precincts) with varied preferred built form outcomes articulated for each. It is considered the ACZ1 is now outdated and a lack of contemporary planning guidance has resulted in a number of development approvals which are not consistent with the future vision for Central Geelong.
7. DELWP has prepared the CGFP to guide and facilitate land use and development in Central Geelong over the next 30 years by setting out clear objectives, strategies and actions to achieve a long-term vision for Central Geelong.
8. The CGFP comprises a draft structure plan and a draft Urban Design Framework (UDF). Collectively, these documents:
 - a. affirm a long-term vision for Central Geelong to 2050;
 - b. identify how the city can grow and attract investment, while preserving its distinctive features;
 - c. respond to community expectations; and
 - d. make recommendations for updated planning controls and built form guidelines to inform future development approvals.
9. The draft structure plan:
 - a. reviews existing land uses and recommends larger/ more consolidated precincts to support the growth of Central Geelong; and
 - b. reviews transport and public realm improvement matters.
10. The draft UDF provides guidance for the form of future development, streets and open spaces. It sets out provisions to achieve performance-based built form outcomes for each precinct in Central Geelong.
11. The directions and the recommendations contained within the draft CGFP have informed:
 - a. Amendment C424ggee to the Greater Geelong Planning Scheme which is an interim planning control which currently applies to the Study Area within Central Geelong; and
 - b. the draft planning scheme amendment, which proposes to implement permanent controls for Central Geelong.
12. The draft CGFP seeks to refresh the planning strategies applicable to the Geelong CBD and ensure that the planning controls to be implemented via the draft planning scheme amendment guide and realise the vision for Central Geelong over the next 30 years.

Method

General

13. The committee may inform itself in any way it sees fit, but must consider:
 - a. the appropriate built form controls and provisions to be included in the draft planning scheme amendment having regard to the CGFP;
 - b. comments of any referral authority or other body from whom the committee seeks input;
 - c. all relevant submissions;
 - d. the Greater Geelong Planning Scheme.
 - e. the Movement and Place – Central Geelong Transport Strategy April 2021;
 - f. the SGS Economics and Planning – Land Use and Market Assessment Update August 2020; and
 - g. the Revitalising Central Geelong Action Plan 2016/17.
14. The committee may apply to the Minister for Planning to vary these Terms of Reference in any way it sees fit prior to submission of its report to the Minister for Planning.
15. The committee may seek legal, technical or expert advice on any matter or referral that it sees fit.

Notice / submissions

16. DELWP must liaise with the committee to agree on the following as relevant:
 - a. The public exhibition dates
 - b. Directions hearing dates
 - c. Public hearing dates.
17. DELWP will prepare and give notice of the CFGP and draft planning scheme amendment and invite submissions to be made to the committee about the CFGP and draft planning scheme amendment.
18. The committee is not expected to carry out additional public notification or referral of matters but may seek the views of any relevant referral authority, responsible authority, or government agency.
19. All submissions are to be collected by Planning Panels Victoria (PPV) in accordance with the 'Guide to Privacy at PPV'. Prior to the committee's assessment, electronic copies of submissions will be provided to DELWP to be recorded and summarised consistent with Clause 19.
20. Petitions and pro-forma letters will be treated as a single submission and only the first name to appear on the first page of the submission will receive correspondence on committee matters.

Hearing

21. The committee may, at its discretion:
 - a. carry out a directions hearing and public hearing to provide an opportunity for submitters to be heard;
 - b. conduct hearings, forums, or workshops using video conferencing or similar technology as necessary;
 - c. direct that parties meet, to discuss and further resolve issues;
 - d. regulate its own proceedings. It may limit the time of parties appearing before it and may prohibit or regulate cross-examination;
 - e. meet and invite others to meet with them when there is a quorum of at least two of the committee members, including the chair or a deputy chair.

Submissions are public documents

22. The committee must retain a library of any written submissions or other supporting documentation provided to it directly until a decision has been made to amend the Greater Geelong Planning Scheme in relation to the content of its report or five years has passed from the time of its appointment.
23. All submissions, evidence and other material received will be treated as public documents and will be placed online as part of the exhibition and public notification process unless the committee specifically directs that the material is to remain 'in camera'.

Outcomes

24. The committee must produce a written report for the Minister for Planning providing the following:
 - a. An assessment of the submissions made in relation to the CGFP and draft planning scheme amendment.
 - b. A review of the CGFP and the proposed planning controls contained in the draft planning scheme amendment.
 - c. Advice on whether the CGFP and draft planning scheme amendment are appropriate having regard to the objectives of planning in Victoria as required under the Act and the provisions of the Greater Geelong Planning Scheme.
 - d. Any other relevant matters raised in the course of the committee hearing.

- e. A list of persons who made submissions considered by the committee.
- f. A list of persons from whom the committee received comments.

Timing

25. The committee is required to submit its report in writing as soon as practicable but no later than 40 business days from the completion of hearings.

Fee

26. The fee for the committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
27. The costs of the committee will be met by DELWP.



Richard Wynne MP
Minister for Planning

Date: 13/5/21

The following information does not form part the Terms of Reference.

Project Management

- 1 Project management support to the Committee will be provided by Laura Ferguson, Project Officer, Places and Precincts, Department of Environment, Land, Water and Planning, who can be contacted on 03 8508 1545 and laura.ferguson@delwp.vic.gov.au.
- 2 Day to day liaison for the committee will be through Chris Brennan, Project Officer, Planning Panels Victoria, who can be contacted on 03 8392 5137 and planning.panels@delwp.vic.gov.au.

Legend

- Study Area
- Precinct Boundary
- Open space — existing
- Train station

Places

01 Police & Magistrates	06 Wertheild Geelong	16 St Mary's Housing	Current development sites and Masterplan areas
02 Busport	07 Council offices	17 Neutland Army Barracks	Convention centre
03 Worksafe	08 The Gordon	18 Old Geelong Goal	Civic Precinct
04 NDIS	09 Library & Arts Gallery	19 University Hospital	Station Precinct
05 TAC	10 State Govt. offices	20 St. John of God Hospital	Arts & Cultural Precinct
	11 GPSC	21 Deakin University	West End Action Plan
	12 Barwon Health	Waterfront Campus	Union Quarter Action Plan
	13 Market Square		
	14 Deakin School of Medicine		
	15 Matthew Flinders SC		

0 50 100 200 400 600m

Appendix B Submitters

No.	Submitter
1	Jade Liston
2	Pam McGarigle
3	Peter Mondy
4	Helen Tinning
5	Mathew Kirkovski
6	Jeremy Venosta
7	Kelli Lavelle
8	Ian Chapman
9	Miranda Hurley
10	Shannon Brown
11	Susan Hoare
12	Peter Byrnes
13	Herbert Gallina
14	National Basketball League
15	Felicity Crombach
16	Glenn Osboldstone
17	Evan Center
18	Reno Formosa
19	Lisa O'Brien
20	Paul Williamson
21	Margaret Wood
22	Jacinta Morahan
23	Felix Blatt
24	Aoife O'Connell-Whelan
25	Michelle Sherman
26	Nicole Mason
27	Chris Barley
28	Astrid Hanson
29	Jan Hegarty
30	David Anthony Casey
31	Wadawurrung Traditional Owners Aboriginal Corporation
32	Batman Management Group Pty Ltd (duplicate)
33	Penne Jira
34	Montedo Pty Ltd
35	Rolam Pty Ltd
36	Dolores Barrow
37	Kurul Property Group

No.	Submitter
38	Kings Funerals
39	Brian Kuster
40	David Jefferson
41	Nick Jahnecke
42	McHarry's Buslines
43	Andrew James Henry Green
44	Stella Granata
45	Kook Breeze Investments Pty Ltd
46	Lucy Thomas
47	Ballanclea Holdings Pty Ltd
48	St Michael's Parish
49	Ed Coppe
50	City of Greater Geelong
51	Margaret Hehir
52	Peter Buckley
53	Eunice. cassuben
54	Warren Lorne Freeman
55	Suzanne Harman
56	Hugo Fuller
57	Douglas Gow
58	Michael Crocker & Leighanne Crocker
59	Andrew Mauderer
60	Mary-Jane Walker
61	Caroline Moore
62	Allan Wilkins
63	Adrian Muller
64	Estate of Stanley Abe Freedman
65	Barbara Fewings
66	Owners Corporation Committee, Miramar Apartment Building
67	Dimmick Nominees (Vic) Pty Ltd
68	Robert Abbey
69	Julie Elkin
70	Western Waterfront Pty Ltd
71	Craig and Nicole Porte

No.	Submitter
72	G21 - Geelong Region Alliance
73	Lyn and Carl Norton
74	Janine Morrison
75	Jonathan Morrison
76	Steve Mirkovic
77	Shirley Ogle
78	Maria Babaniaris
79	Andy Nguyen
80	Connor Parker
81	Kevin Battye
82	Rail Projects Victoria
83	Geelong and Region Branch National Trust of Australia (Victoria)
84	Adele Bartram
85	Ballanclea Holdings Pty Ltd
86	Margaret Ann Cartledge
87	Housing Industry Association
88	Ballanclea Holdings Pty Ltd
89	Ballanclea Holdings Pty Ltd
90	Javni Developments Pty Ltd
91	Richard Facer
92	Committee for Geelong
93	Renae Pleasance
94	Diane James AM
95	Patricia Lynne Richards
96	Claire Matthews
97	G Vaccari Investments Pty Ltd
98	Monica Little
99	Milieu Property Pty Ltd
100	Stacey Leake
101	Dominion Property Group Pty Ltd
102	Eastern Beach Community Group
103	Department of Transport
104	Panorama Investment Group
105	The Palais Geelong

No.	Submitter
106	Batman Management Group Pty Ltd
107	BASP Properties Pty Ltd
108	UDIA Victoria
109	Regional Development Victoria
110	Amber Property Group
111	Live+Smart Research Laboratory
112	The Geelong Phantom Pty Ltd
113	NISA Holdings Pty Ltd
114	Bellarine Storage
115	New Telecom Pty Ltd
116	Liam Prescott
117	Newcomb Homemaker Centre
118	Paragon Property Investments Pty Ltd
119	Julia White
120	Hamilton Group
121	Mayfair Geelong
122	Chronos Property Investments Pty Ltd
123	Seven Five Six Five Unit Trust
124	Xronos Investments Pty Ltd
125	St George's Presbyterian Church
126	The Regent Geelong
127	Steve Gras
128	Badenada Pty Ltd
129	Tourism Greater Geelong and The Bellarine
130	Montgomery International Pty Ltd
131	Context Planning Pty Ltd
132	Reginald Philip Eagles
133	81-101 Mercer Street Pty Ltd
134	Juan Nunez-Iglesias
135	Ellen McGann
136	Geelong Arts Centre
137	Alesios Fishing Company Pty Ltd

No.	Submitter
138	Anne and David Conrick
139	Scentre Group Trust 1, Scentre Group Trust 2 and Perron Investments Pty Ltd
140	Raffles Chatter Gheringhap P/L
141	Environment Protection Authority Victoria
142	Barwon Health

No.	Submitter
143	Iproperty Developments Pty Ltd
144	Deakin University
145	Tarita Giselle Nominees Pty Ltd
146	Villegas
147	Property Council of Australia
148	Up Property Pty Ltd

Appendix C Parties to the Hearing

Submitter	Represented by
Department of Environment, Land, Water and Planning	Rupert Watters and Emma Pepler of Counsel, instructed by Harwood Andrews, calling expert evidence from: <ul style="list-style-type: none"> - Patrick Fensham of SGS Economics on economics - Jeremy Reynolds of Spatial Economics on population projection and demographics - Knowles Tivendale of Movement and Place Consulting on traffic and transport - Charmaine Dunstan of Traffix Group on traffic and transport - Professor Rob McGauran of MGS Architects on urban design - Mark Woodland of Echelon Planning on planning
Wadawurrung Traditional Owners Aboriginal Corporation	Dr David Jones with Traditional Owners Corrina Eccles and Stephanie Skinner
City of Greater Geelong	Peter Smith, calling expert evidence from: <ul style="list-style-type: none"> - Marcus Spiller of SGS Economics in social and affordable housing
81-101 Mercer Street Pty Ltd	Paul Connor and Sean McArdle of Counsel, instructed by Rigby Cooke Lawyers, calling expert evidence from <ul style="list-style-type: none"> - Mark Sheppard of Kinetica in urban design - Robert Kelderman of Contour Consultants in planning
Amber Property Group	Chris Wren QC and Jordan Wright of Counsel, instructed by Mills Oakley, calling expert evidence from: <ul style="list-style-type: none"> - Catherine Heggen of Ratio in planning/urban design
Anne Conrick	
Batman Management Group Pty Ltd and the following related parties: <ul style="list-style-type: none"> - Paragon Investments - Chronos Property Investments Pty Ltd - BASP Properties Pty Ltd - Ballariine Storage - Xronos Investments Pty Ltd - The Geelong Phantom - NISA Holdings Pty Ltd - New Telecom Pty Ltd 	Bill and Paul Votsaris
Committee for Geelong	Jennifer Cromarty and Greg Bursill
Connor Parker	
Craig and Nicole Porte	

Deakin University	Yvonne Yip of Deakin University and Kirsten Kilpatrick of Novo Consulting
Department of Transport	Jozef Vass
Dimmick Nominees (Vic) Pty Ltd	Nat Anson of Urbis
Douglas Gow	
Eastern Beach Community Group	Veroncia Terracall
Ed Coppe	
G Vaccari Investments Pty Ltd	Gerard Holwell of Gerard Holwell Pty Ltd
Geelong and Regional Branch National Trust of Australia (Victoria)	Jennifer Bantow
Geelong Arts Centre	Joel McGuinness
Housing Industry Association	Roger Cooper
I Property Developments Pty Ltd	Iain Dickson
Juan Nunez-Iglesias	
Live+Smart Research Laboratory	Dr Phillip Roos
Mary-Jane Walker	
Milieu Property Pty Ltd and Lineal Developments Pty Ltd	Nick Sutton of Norton Rose Fulbright, calling expert evidence from: <ul style="list-style-type: none"> - Mark Sheppard of Kinetica in urban design
Montgomery International Pty Ltd	Jeremy Gobbo and Nicola Collingwood of Counsel, instructed by Planning and Property Partners, calling expert evidence from: <ul style="list-style-type: none"> - Mark Sheppard of Kinetica in urban design
Regional Development Victoria	Rod McLellan
Richard Facer	
Scentre Group Trust 1, Scentre Group Trust 2 and Perron Investments Pty Ltd	Barnaby Chessell of Counsel, instructed by Hall and Wilcox, calling expert evidence from: <ul style="list-style-type: none"> - Roger Nelson of NH Architecture in urban design - Bernard McNamara of BDMA Development Advisory in planning - Rhys Quick of Urbis in economics
St George's Presbyterian Church	Will Pearce of Human Habitats
UDIA Victoria	Greg Bursill
Up Property Pty Ltd	Nick Clements of Tract Consultants

Appendix D Document list

No.	Date	Description	Presented by
1	27/07/2021	Submissions Summary a) Appendix A	Department of Environment, Land, Water and Planning (DELWP)
2	30/07/2021	Committee Directions	Planning Panels Victoria (PPV)
3	06/08/2021	Map of submitter properties	Harwood Andrews
4	25/08/2021	Letter on behalf of DELWP regarding error in SGS report	Harwood Andrews
5	"	Corrected version of Table 10 from CGFP Background Report	Harwood Andrews
6	"	Statement of Key Issues – Amber Property Group Pty Ltd	Mills Oakley
7	"	Committee letter enclosing further directions in response to Harwood Andrews advice regarding error in SGS Report	PPV
8	"	Cover letter on behalf of DELWP enclosing: a) Part A Submission b) Annexure 1 – Objectives, Strategies and Actions for Central Geelong c) Annexure 2 – RCG Action Plan Project Status Update d) Annexure 3 – Central Geelong Planning Permit Application Summary dated August 2021	Harwood Andrews
9	"	Statement of Key Issues – Scentre Group	Hall & Wilcox
10	"	Statement of Key Issues – Doug Gow	Doug Gow
11	"	Statement of Key Issues – 81 – 101 Mercer Street Pty Ltd	Rigby Cooke Lawyers
12	"	Statement of Key Issues – Live+Smart Research Laboratory	Dr. Phillip Roos
13	"	Statement of Key Issues – UDIA	Greg Bursill
14	"	Statement of Key Issues – Montgomery International Pty Ltd	Planning & Property Partners
15	26/08/2021	Statement of Key Issues – Milieu Property Pty Ltd and Lineal Developments Pty Ltd	Norton Rose Fulbright
16	"	Statement of Key Issues – Iproperty Developments Pty Ltd	Powerhouse Aus-Global Projects Pty Ltd
17	"	Version 2 of Corrected Table 10 from CGFP Background Report	Harwood Andrews

No.	Date	Description	Presented by
18	"	Further Committee Directions (email)	PPV
19	27/08/2021	Statement of Key Issues – Department of Transport	Department of Transport (DoT)
20	30/08/2021	Cover letter on behalf of DELWP enclosing: <ul style="list-style-type: none"> a) Expert Witness Statement - Demographics from Dale Stokes and Jeremy Reynolds b) Expert Witness Statement – Traffic and transport from Charmaine Dunstan c) Expert Witness Statement – Traffic and transport from Knowles Tivendale d) Expert Witness Statement – Urban design from Rob McGauran e) Expert Witness Statement – Demographics from Patrick Fensham f) Expert Witness Statement – Planning from Mark Woodland 	Harwood Andrews
21	"	Letter on behalf of DELWP providing additional information requested by Committee relating to error in SGS Report and enclosing: <ul style="list-style-type: none"> a) Appendix A – SGS Central Geelong Land Use Final Report with notes b) Appendix B – Section 4.3 with tracked changes c) Appendix C – Prospective changes to floor space capacity 	Harwood Andrews
22	31/08/2021	Cover letter on behalf of DELWP enclosing: <ul style="list-style-type: none"> a) Updates in tracked changes to Chapters 6 and 7 of the CGFP Background Report May 2021 b) Updates in tracked changes to Chapter 7 of the CGFP Background Report May 2021 with extra floorspace assumptions 	Harwood Andrews
23	"	Letter on behalf of Scentre Group flagging possible delay in provision of evidence	Hall & Wilcox
24	03/09/2021	Expert Witness Statement on behalf of City of Greater Geelong on affordable housing from Dr Marcus Spiller	City of Greater Geelong
25	"	Expert Witness Statement on behalf of Amber Property Group on urban design and planning from Catherine Heggen	Mills Oakley
26	"	Expert Witness Statements on behalf of 81-101 Mercer Street Pty Ltd in: <ul style="list-style-type: none"> a) Urban design from Mark Sheppard b) Planning from Robert Kelderman 	Rigby Cooke Lawyers
27	"	Expert Witness Statement on behalf of Montgomery International Pty Ltd in urban design from Mark Sheppard	Planning & Property Partners

No.	Date	Description	Presented by
28	"	Expert Witness Statement on behalf of Milieu Property Pty Ltd and Lineal Developments Pty Ltd in urban design from Mark Sheppard	Norton Rose Fulbright
29	"	Expert Witness Statements on behalf of Scentre Group in: a) Urban design from Roger Nelson b) Planning from Bernard McNamara c) Economics from Rhys Quick	Hall & Wilcox
30	07/09/2021	Opening Submission on behalf of City of Greater Geelong	City of Greater Geelong
31	"	Further response to key issues on behalf of Montgomery International Pty Ltd	Planning & Property Partners
-----Hearing Commencement (08/09/2021)-----			
32	08/09/2021	Updated Distribution List and Version 3 Timetable	PPV
33	"	Document List Version 1	PPV
34	"	Day 1 Version of Draft Framework Plan (Provided via link in letter dated 07/09/2021)	Harwood Andrews
35	"	Day 1 Version of Activity Zone Schedule 1 (Provided via link in letter dated 07/09/2021)	Harwood Andrews
36	"	Day 1 Version of Proposed Revised ACZ Map 1: Central Geelong Framework Map showing Precinct Boundaries (Provided via link in letter dated 07/09/2021)	Harwood Andrews
37	"	Day 1 Version of Proposed Revised ACZ Map 2: Preferred Maximum Building Height Requirements (Provided via link in letter dated 07/09/2021)	Harwood Andrews
38	"	Day 1 Version of ACZ Map 3: Preferred Maximum Street Wall Height Requirements (Provided via link in letter dated 07/09/2021)	Harwood Andrews
39	"	DELWP Part B Submissions and Appendix 1 (Provided via link in letter dated 07/09/2021)	Harwood Andrews
40	"	DELWP Opening Statement (Provided via link in letter dated 07/09/2021)	Harwood Andrews
41	"	Revised Submitter Map	Harwood Andrews
42	"	Presentation Slides of Mr Fensham	Harwood Andrews
43	"	Addendum to Mr Fensham's Evidence including response to other experts	Harwood Andrews
44	"	Presentation Slides of Mr Reynolds	Harwood Andrews

No.	Date	Description	Presented by
45	"	Presentation Slides from Statement of Key Issues on behalf of 81 – 101 Mercer Street	Rigby Cooke Lawyers
46	"	City of Greater Geelong Settlement Strategy, Aug 2020 (Updated 24 Feb 2021)	Harwood Andrews
47	"	PPN60 – Height setback controls for activity centres	Harwood Andrews
48	"	Melbourne Planning Scheme Amendment C278melb Panel Report, 1 June 2021	Harwood Andrews
49	09/09/2021	Presentation Slides of Mr Tivendale	Harwood Andrews
50	10/09/2021	Professor McGauran response to other Expert Witness Recommendations	Harwood Andrews
51	"	Mark Woodland response to other Expert Witness Recommendations	Harwood Andrews
52	"	Mark Sheppard response to Professor McGauran Evidence for Montgomery International Pty Ltd	Planning & Property Partners
53	"	Mark Sheppard response to Professor McGauran Evidence for Milieu Property Ltd and Lineal Developments Pty Ltd	Norton Rose Fulbright
54	"	Mark Sheppard response to Professor McGauran Evidence for 81-101 Mercer Street	Rigby Cooke Lawyers
55	"	Link provided in email dated 10/9/2021 to Car Parking Plan and Car Park Table on Council's web site	City of Greater Geelong
56	11/09/2021	Presentation Slides of Professor McGauran	Harwood Andrews
57	15/09/2021	Higher resolution copies of Figures 9-12 which appear at page 63 of Mr Woodland's Expert Witness Report	Harwood Andrews
58	"	Presentation Slides on behalf of Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC)	WTOAC
59	"	Response to DELWP Part B Submission	WTOAC
60	"	Country Plan Summary 2020	WTOAC
61	"	Revitalising Central Geelong Public Open Space Report	Harwood Andrews
62	16/09/2021	Extract - Minutes of Council Meeting of Greater Geelong City Council on 22 June 2021	Harwood Andrews
63	"	Central Geelong Planning Permit Application Summary September 2021	Harwood Andrews
64	"	Central Geelong - Development Proposal Details (MASTER)	Harwood Andrews

No.	Date	Description	Presented by
65	“	Live Permits - Floorspace difference between live permit data and capacity analysis (for AC)	Harwood Andrews
66	“	Central Geelong Planning Permit Application Summary (MAP) September 2021	Harwood Andrews
67	“	City of Melbourne Heritage Design Guide	Harwood Andrews
68	“	Melbourne C309 Panel Report	Harwood Andrews
69	“	Activity-Centre-Key-Findings-Report_2018	Harwood Andrews
70	“	Geelong Western Wedge Framework Summary Version - April 2005	Harwood Andrews
71	“	Yarra Planning Scheme Amendment C220 Panel Report	Harwood Andrews
72	“	Melbourne Planning Scheme Amendment C278melb - 1 June 2021	Harwood Andrews
73	“	Heights Solar Envelopes (dated 10/09/2021)	Harwood Andrews
74	“	Presentation Slides	Geelong Arts Centre
75	“	Presentation Slides	Regional Development Victoria
76	“	Presentation Slides	Department of Transport
77	“	Heights Solar Envelopes (dated 16/09/2021)	Harwood Andrews
78	20/9/2021	Letter to AC re: Modelling on behalf of Montgomery International Pty Ltd	Planning & Property Partners
79	“	CoGG Main Submission	City of Greater Geelong
80	“	Presentation Slides	City of Greater Geelong
81	“	Draft Arden Urban Renewal Policy	Harwood Andrews
82	“	Draft Schedule 7 to Clause 37.01 Special Use Zone – Melbourne Planning Scheme	Harwood Andrews
83	“	Closing Submission - Montgomery International Pty Ltd - 20.9.21	Planning & Property Partners

No.	Date	Description	Presented by
84	"	Submission Document Index	Planning & Property Partners
85	"	Extract of Heritage Overlay Mapping	Planning & Property Partners
86	"	Global Liveability Overview 2019	Planning & Property Partners
87	"	PA15 00062 - Decision Plans	Planning & Property Partners
88	"	PA15 00062 - 1st EOT	Planning & Property Partners
89	"	PA15 00062 - Further EOT	Planning & Property Partners
90	"	Hassel - 1.30pmshad	Planning & Property Partners
91	21/09/2021	Email letter to PPP re Montgomery International - 20.09.21	Harwood Andrews
92	"	<i>Document Redacted</i>	
93	"	Open Space and Central Geelong	City of Greater Geelong
94	"	2013 Vision 2 Central Geelong Vision 2 Design Studio Report	City of Greater Geelong
95	"	CoGG Oblique Aerial Photo Central Geelong 2018 high res	City of Greater Geelong
96	"	CoGG Social Housing Plan 2020-2041	City of Greater Geelong
97	"	Victoria Street and Bridge Street Activity Centres Built Form Framework	Harwood Andrews
98	"	Presentation slides of Mr McNamara	Hall and Wilcox
99	"	Presentation slides of Mr Nelson	Hall and Wilcox
100	"	Presentation slides of Mr Quick	Hall and Wilcox
101	22/09/2021	Screen shot of Mr Sheppard Sketch	Planning & Property Partners
102	"	Stonnington Planning Scheme Amendment C272ston Panel Report	Planning & Property Partners
103	"	Submission for Dimmick Nominees	Urbis
104	"	Outline of Submissions for Scentre Group	Hall and Wilcox
105		Presentation Slides for Deakin University	Novo Planning
106	23/09/2021	Westfield Geelong Section Diagrams	Hall and Wilcox

No.	Date	Description	Presented by
107	"	Westfield Geelong 3D Building Massing Diagrams	Hall and Wilcox
108	"	Meeting Notes – DELWP and Scentre Group 21.09.21	Harwood Andrews
109	"	Activity Centre Zone Schedule 1, Manningham Planning Scheme	Harwood Andrews
110	"	Development Plan Overlay Schedule 4, Manningham Planning Scheme.	Harwood Andrews
111	"	Submissions on behalf of Amber Group Pty Ltd	Mills Oakley
112	"	Presentation Slides of Catherine Heggen	Mills Oakley
113	27/09/2021	DELWP Response - Expert witness recommendations - 26.09.21	Harwood Andrews
114	"	DELWP Response - Expert witness recommendations on behalf of other submitters - 26.09.21	Harwood Andrews
115	"	DELWP 3D model screenshots - Milieu land 23.09.21	Harwood Andrews
116	"	Deakin University Submission	Novo Planning
117	28/09/2021	Email response to questions from the Advisory Committee	Department of Transport
118	"	Attachment 1 – Plan showing proposed indicative Station Forecourt Area	Department of Transport
119	"	Attachment 2 – Marked up ACZ1 Schedule with DoT requested changes	Department of Transport
120	"	Submission on behalf of Lineal Developments Pty Ltd and Milieu Property Pty Ltd	Norton Rose Fulbright
121	"	Email letter to PPP re Montgomery - 28.09.21	Harwood Andrews
122	"	PPP Request - 20-28 Brougham Street Planning Control Model Illustrations	Harwood Andrews
123	"	DELWP Technical Note 1 - Overview of the Planning Control Model for Central Geelong	Harwood Andrews
124	29/09/21	Presentation Slides for Up Property Pty Ltd	Tract
125	"	Submissions	Housing Industry Association
126	"	Email letter to Rigby Cooke re 81-101 Mercer - 29 September 2021	Harwood Andrews
127	"	Image set 1. 81 Mercer Street 90m building shadow images	Harwood Andrews
128	"	Image set 2. Potential Buildings to the North East of Station Forecourt	Harwood Andrews

No.	Date	Description	Presented by
129	“	Image set 3. Planning Control Envelopes to North East of Station Forecourt	Harwood Andrews
130	“	Image set 4. Shadow Control Envelopes over Planning Control Envelopes to North East of Station Forecourt	Harwood Andrews
131	“	Image set 5. Shadow Control Envelopes with Existing Shadows to North East of Station Forecourt	Harwood Andrews
132	“	Submission - Additional Information	Batman Management Group
133	30/09/21	Presentation Slides	Live+Smart Research Lab
134	“	Submission	Committee for Geelong and UDIA
135	“	Updated Submission	Batman Management Group
136	“	Media Release - Wadawurrung Traditional Owners Join Geelong Revitalisation	WTOAC
137	“	Geelong Advertiser article – First Nations Input in City Deal	WTOAC
138	1/10/21	DELWP Response to Advisory Committee Questions	Harwood Andrews
139	“	Submission	Geelong and Region Branch of National Trust (Victoria)
140	“	Presentation Slides	Geelong and Region Branch National Trust (Victoria)
141	4/10/21	Submissions on behalf of 81-101 Mercer Street Pty Ltd - 1 Oct 2021	Rigby Cooke Lawyers
142	“	Index of Documents	Rigby Cooke Lawyers
143	“	81-101 Mercer Architectural Plans (Revision B Decision Plans)	Rigby Cooke Lawyers
144	“	DELWP Officer Report (PA1900699-81-101 Mercer St, Geelong)	Rigby Cooke Lawyers
145	“	Planning Permit PA1900699 - 81-101 Mercer Street, Geelong	Rigby Cooke Lawyers
146	“	Schedule of floor space (Revision B, Condition 1(a), compliance with proposed controls)	Rigby Cooke Lawyers

No.	Date	Description	Presented by
147	“	81-101 Mercer Street - Shadow plan - showing compliance with condition 1 of permit	Rigby Cooke Lawyers
148	“	81-101 Mercer Street - Shadow plan -maximum residential floor space to comply with ACZ controls	Rigby Cooke Lawyers
149	“	81-101 Mercer Street - Shadow plan - maximum office floor space to comply with ACZ controls	Rigby Cooke Lawyers
150	“	Yarra C191 Panel Report	Rigby Cooke Lawyers
151	“	Folder of VCAT Decisions	Rigby Cooke Lawyers
152	“	Presentation Slides	Dr Mary-Jane Walker
153	“	Revised Potential Buildings to the North East of Station Forecourt	Harwood Andrews
154	“	81-101 Mercer Street Planning Control Envelope Marked Up	Harwood Andrews
155	“	Presentation Slides	Ed Coppe
156	“	Response to AC Questions for Deakin University	Novo Planning
157	“	Mark up of Draft Schedule 46 to DDO for Deakin University	Novo Planning
158	“	Submissions for 118 Corio St	Iproperty Developments
159	“	DELWP generated 3D Views for 118 Corio St	Iproperty Developments
160	“	Presentation slides	Anne Conrick
161	“	Presentation slides	Doug Gow
162	5/10/21	Presentation slides	Eastern Beach Community Group
163	“	Presentation slides	Connor Parker
164	“	Further submission regarding critical transport issues requiring resolution	Committee for Geelong and UDIA
165	“	Presentation slides	Craig and Nicole Porte
166	“	Response to 81 – 101 Mercer Street Floorspace Modelling	Harwood Andrews
167	“	Speaking Notes	Anne Conrick
168	“	DELWP Response to DOT CGFPAC Submission -5.10.21	Harwood Andrews

No.	Date	Description	Presented by
169	"	List of live permit applications at the time interim Amendment C424ggee was gazetted	Harwood Andrews
170	"	List of live permit applications at the time interim Amendment C424ggee was gazetted - with update notes - 4.10.21	Harwood Andrews
171	"	Closing submission Central Geelong FP AC Hearing	City of Greater Geelong
172	"	Appendix 1 to Closing Submission	City of Greater Geelong
173	"	Letter – additional information	Live+Smart Research Lab
174	"	Marked up ACZ1	Live+Smart Research Lab
175	"	Marked up DDO46	Live+Smart Research Lab
176	"	Speaking notes	Ed Coppe
177	"	Presentation slides	Juan Nunez-Iglesias
178	"	DELWP Part C Submission	Harwood Andrews
179	6/10/21	Overshadowing diagrams: a) Station b) Johnstone c) Austin d) Steampacket e) Eastern Beach f) Haymarket g) Customs h) Lt Ryrie i) Lt Malop j) Transvaal	Harwood Andrews
180	"	Comments on Precinct Objectives & Discretionary Heights	City of Greater Geelong
181	7/10/21	Draft schedule to DPO on behalf of Scentre Group	Hall and Wilcox
182	"	Revised version of ACZ1 on behalf of Scentre Group	Hall and Wilcox
183	"	Correspondence on behalf of Scentre Group explaining interplay between the draft DPO and ACZ schedules	Hall and Wilcox
184	"	Revised version of ACZ1 on behalf of Amber Property Group	Tract
185	"	DELWP Part C version of ACZ1	Harwood Andrews

No.	Date	Description	Presented by
186	11/10/21	Letter to Advisory Committee on behalf of Milieu and Lineal Developments Pty Ltd	Norton Rose Fulbright
187	"	Marked up ACZ1 for Milieu and Lineal Developments Pty Ltd	Norton Rose Fulbright
188	"	Letter to Advisory Committee on behalf of Montgomery International	Planning & Property Partners
189	"	Marked up ACZ1 for Montgomery International	Planning and Property Partners
190	"	Letter on behalf of 81-101 Mercer Street Pty Ltd	Rigby Cooke Lawyers
191	"	Marked up ACZ1	Anne Conrick and David Vinegrad
192	14/10/21	Letter on behalf of Montgomery International	Planning and Property Partners
193	"	Further marked up ACZ1 for Montgomery International	Planning and Property Partners
194	"	Design and Development Overlay Schedule 2 of the Melbourne Planning Scheme	Planning and Property Partners
195	"	Further marked up ACZ1 for Scentre Group	Hall & Wilcox
196	"	DELWP Part C version of ACZ1 with Scentre Group comments	Hall & Wilcox
197	21/10/21	Letter on behalf of DELWP	Harwood Andrews
198	"	DELWP response to draft ACZ1 from City of Greater Geelong	Harwood Andrews
199	"	DELWP response to draft ACZ1 from Milieu Property	Harwood Andrews
200	"	DELWP response to draft ACZ1 from Montgomery International	Harwood Andrews
201	"	DELWP response to draft ACZ1 from Montgomery International (Version 2)	Harwood Andrews
202	"	DELWP response to draft ACZ1 from Submitter 60	Harwood Andrews
203	"	DELWP response to draft ACZ1 from Scentre Group	Harwood Andrews
204	"	DELWP response to draft ACZ1 from Amber Property Group	Harwood Andrews
205	"	DELWP response to draft ACZ1 from Anne Conrick and David Vinegrad	Harwood Andrews

No.	Date	Description	Presented by
206		DELWP response to draft DPO Schedule from Scentre Group	Harwood Andrews
207		DELWP Part D version of ACZ1	Harwood Andrews

Appendix E Recommended version of the controls

Tracked Added

~~Tracked Deleted~~

E1 Clause 21.09

Tracked against exhibited version

GREATER GEELONG PLANNING SCHEME

21.09

XX/XX/2021
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21.09-1

XX/XX/2021
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CENTRAL GEELONG

Key issues and influences

Central Geelong is the focus of commerce, arts and culture, hospitality, entertainment, education, health and institutional activity in the City of Greater Geelong. Central Geelong, as defined by Clause 21.09, comprises five key areas of Eastern Park, the Waterfront, the City's Activity Centre, Residential and Transition areas. The Activity Centre provides the heart of Central Geelong and comprises eight precincts as defined within the Activity Centre Zone Schedule 1.

The topography of Central Geelong allows exceptional views and vistas, both within the City and towards the City from external vantage points.

There is a need to attract new investment and urban renewal while maintaining conservation and heritage values.

It is anticipated that Central Geelong will need to accommodate a substantial increase in the number of temporary and permanent residents by 2050.

Central Geelong will accommodate future housing demand within identified Activity Centre precincts.

There is a need to provide adequate social and affordable housing infrastructure in Central Geelong.

There is a need to effectively manage traffic and pedestrian movement through the City, including provision of public transport.

There is a need to provide a centre-based approach to car parking provision in Central Geelong.

21.09-2

XX/XX/2021
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Objectives

- To support development of Central Geelong as an international waterfront city with world class facilities that is a highly desirable place to live.
- ~~To ensure each identified area is strengthened in accordance with their identified roles in the Central Geelong Areas Map at Clause 21.09-5.~~
- ~~To ensure the identified areas are strengthened and support their expansion in accordance with their identified roles in the Central Geelong Areas Map at Clause 21.09-5.~~ To ensure each area identified in the Central Geelong Areas Map at Clause 21.09-5 is strengthened and to support their expansion in accordance with their identified roles.
- To ensure each precinct within Central Geelong identified in the Central Geelong Framework Map in Clause 21.09-6 is strengthened and expanded in accordance with its identified role in the Central Geelong Framework Plan 2022.
- To encourage appropriate high density housing development within identified precincts within the Activity Centre of Central Geelong.
- To encourage innovative and sustainable design outcomes whilst maintaining overall intensity of development and discouraging the under development of sites.
- To ensure new development appropriately responds to identified heritage values.
- To retain shared key views to Corio Bay from within Central Geelong and external vantage points.
- To encourage activation of streets and building frontages on key pedestrian routes and linkage opportunities as detailed in the Central Geelong Framework Plan ~~2021~~2022.
- To encourage development within Central Geelong to make an appropriate contribution to social and affordable housing as defined in the Planning and Environment Act 1987.
- To maintain and enhance public access to the waterfront.
- To support the development of a safe and efficient pedestrian environment, public transport system and cycling network.

Commented [A1]: Dot points 2 and 3 combined to avoid unnecessary repetition

Commented [A2]: Refer to discussion in Chapter 17.2

Commented [A3]: Refer to Executive Summary consolidated Recommendation 2(b)

GREATER GEELONG PLANNING SCHEME

- To provide an efficient supply of car parking in Central Geelong that is conveniently located and well designed.
- To encourage the refurbishment of retail/commercial building frontages on key streets.

GREATER GEELONG PLANNING SCHEME

21.09-3

XX/XX/2021
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Strategies

- Within each area of the Central Geelong Areas Map at Clause 21.09-5, strengthen key activities and appropriate ancillary activities, such that the land use areas support and complement each other and reinforce and strengthen the primacy of the Activity Centre as the business and cultural centre for the Geelong region.
- Within each precinct within Central Geelong identified in the Central Geelong Framework Map in Clause 21.09-6, strengthen key activities and land uses in accordance with the role outlined in the Central Geelong Framework Plan 2022.
- Encourage the reinstatement of verandahs in Central Geelong in accordance with the Geelong Verandah Study 2006.
- Maintain the Geelong Railway Station as the region's primary travel interchange and encourage its enhancement in accordance with the Geelong Transit City Station Precinct Urban Design Framework 2008 and the Central Geelong Framework Plan 2021.
- Extend existing laneways and identified linkages through buildings where appropriate to enhance the permeability of Central Geelong.
- Ensure car parking access is designed and located so as to not impact on the functionality of key pedestrian routes.
- Support the provision of appropriate car parking for new use and development.
- Support the enhancement of public access and recreation and leisure activities on the Waterfront, including through the redevelopment of the Yarra Street Pier.
- Encourage medium and higher density housing within identified precincts within the Activity Centre of Central Geelong.
- In relation to the provision of affordable housing, proposals will be assessed against the following criterion:
 - Development should provide at least (x) per cent of dwellings floorspace as Affordable housing unless it can be demonstrated that meeting the Affordable housing objective of this policy would render the proposed development unviable.

Commented [A4]: Refer to discussion in Chapter 17.2

Commented [A5]: Do you need these 3 words (note dot point above doesn't)

21.09-4

XX/XX/2021
Proposed
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Policy Documents

Geelong Verandah Study, Authentic Heritage Services P/L and Wendy Jacobs 2006.

Geelong Western Wedge Framework as updated September 2005.

Central Geelong Waterfront Masterplan 2011

Geelong Transit City Station Precinct Urban Design Framework, Hassell Parsons Brinckerhoff and Charter Keck Cramer, 2008.

Central Geelong Framework Plan, ~~2021~~2022.

21.09-5
XXXX/2021
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Central Geelong Areas Map



GREATER GEELONG PLANNING SCHEME

21.09-5 Central Geelong Strategic Framework Plan
XXXX/2021
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Insert a single Strategic Framework Plan (refer to the discussion and recommendation in Chapter 17.2)

E2 Activity Centre Zone Schedule 1

[Tracked against DELWP Part D version \(Document 207\)](#)

XX/XX/2021
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SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ1.

CENTRAL GEELONG ACTIVITY CENTRE

1.0

XX/XX/2021
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Central Geelong Framework Plan

Map 1: Central Geelong Framework Map



Commented [A1]: The Committee has made various changes for clarity, that are not the subject of specific recommendations. Where the change is made pursuant to a specific recommendation, a cross reference is provided

Commented [A2]: Amend the Day 1 precinct boundaries with the following changes:

- retain the finger of land to the north of Malone Street in the Knowledge and Enterprise precinct
- retain the National Wool Museum in the Knowledge and Enterprise precinct

(See Executive Summary Consolidated Recommendation 9)

Commented [A3]: Include a more informative 'sum of parts' map that explains the logic for the built form distribution across Central Geelong (or cross refer to the strategic framework map in Clause 21.09)

(See Executive Summary Consolidated Recommendation 29)

2.0

XX/XX/2021
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Land use and development objectives to be achieved

Land Use

- To develop Central Geelong Activity Centre as the pre-eminent urban centre for the Barwon South West region and provide for a wide range of uses and activities including retail, entertainment, health, education and arts and culture.
- To support significant development within the Central Geelong Activity Centre through facilitating business investment and local employment opportunities within Victoria's largest regional city.
- To encourage and support the preferred land uses for each precinct.
- To accommodate housing growth and diversity in Central Geelong.
- To provide flexibility for lower levels of buildings to be utilised for a mix of uses.
- To manage potential and existing conflicts between residential amenity and hospitality and entertainment uses.

Subdivision

- To encourage the consolidation of land to facilitate the creation of viable development sites.

Built Form

- To ensure buildings respond to Geelong's designation as a UNESCO City of Design by demonstrating a sense of their natural setting, sensitivity to heritage places and the urban context, and high levels of sustainability and architectural merit.
- To provide opportunities to retain and protect indigenous living heritage elements including spaces, views, vegetation, natural and designed landforms and built fabric.
- To ensure the building scale, form and setbacks relate to the site size and supports the preferred land use, amenity and character.
- To ensure development contributes to an undulating city skyline that tapers down to the Geelong waterfront and the periphery of the Activity Centre.
- To ensure that development contributes to the increase in urban tree canopy and vegetation cover.
- To ensure that development provides adequate measures to assist in the mitigation and reduction of the urban heat island effect.
- To ensure that new development adjacent to existing residential areas has regard for the neighbourhood character of the area and minimise off site amenity impacts.
- To facilitate improvements to the public realm at the street level, including active frontages, passive surveillance of streets and support for publicly accessible spaces.
- To support improved pedestrian connections within and between precincts and to adjacent neighbourhoods.
- To encourage more intense development on Strategic Development Sites identified in the Central Geelong Framework Plan where such development attains design excellence and delivers public benefits commensurate with the scale and intensity of development of each site. encourage greater development on Strategic Development Sites identified in this Schedule where such development attains design excellence and delivers public benefits commensurate with the role and importance of each site.
- To encourage the use of innovative design solutions to avoid offsite impacts, including the delivery of multiple buildings on larger sites as a means of reducing visual bulk.
- To ensure new development responds sympathetically and innovatively to heritage places within the Activity Centre including scale, height, bulk, form massing and architectural expression.

Commented [A4]: Revise the built form objectives to align with the updated emerging precinct statements in the Framework Plan (See Executive Summary Consolidated Recommendation 31).

Consider a more logical ordering of objectives, with higher order higher priority objectives listed first

Commented [A5]: See Executive Summary Consolidated Recommendation 21.

Commented [A6]: See Consolidated Recommendation 24.

- ~~To encourage the retention and preservation of the character defined by the 3 to 4 storey masonry forms of early woolstores and industrial buildings along and fronting the Waterfront precinct, avoiding excessive building heights on the street frontage.~~
- To encourage new development that respects and celebrates the retention, preservation and protection of the heritage built form fabric and character, and to preserve the visual prominence of existing heritage buildings located on street corners within residential, commercial and industrial heritage streetscapes.
- To maintain shared access to bay views.
- To incorporate an active public realm through building facades, the design of footpaths and infrastructure and public art.
- To encourage the use of sustainable forms of transport.
- To provide appropriate car parking for the transport context of central Geelong.

Commented [A7]: Deleted to avoid unnecessary repetition

Commented [A8]: Refer to discussion in Chapter 10.3. Retention, preservation and protection of heritage is the role of the Heritage Overlay. The role of the ACZ1 is to regulate new development to respect existing heritage.

3.0

XX/XX/2021
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Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution, Dwelling and Rooming house)	Must not be located in the Waterfront precinct <u>In the Retail Core precinct, Health precinct or West Village precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.</u>
Art and craft centre Art Gallery	
Bus terminal	Must be located in the Station precinct.
Cinema Cinema based entertainment facility	Must not be located in the Health precinct or the York precinct.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dwelling	Must not be located in the Waterfront precinct, Knowledge and Education Enterprise Precinct, Retail Core precinct <u>or</u> Cultural precinct.
Rooming house	Must not be located in the Waterfront precinct Must meet the requirements of Clause 52.23-2.
Department store	Must be located in the Retail Core precinct
Education centre	<u>In the Retail Core precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.</u>
Exhibition centre	Must not be located in the West Village precinct, York precinct or Health precinct.
Food and drink premises (other than Hotel and Bar) Home based business	
Hotel and Bar	Must not be located in the York, West Village, Station and Health precincts.
Informal outdoor recreation	
Library	Must be located in the Cultural precinct
Market	

Commented [A9]: See Consolidated Recommendation 31(a)

Commented [A10]: Shifted so in alphabetical order

Commented [A11]: See Consolidated Recommendation 31(a)

Medical Centre	Must be located in the Health precinct In the Retail Core precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.
Museum	Must be located in the Cultural precinct
Office	Must not be located in the Waterfront precinct In the Retail Core precinct, Health precinct or West Village precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.
Place of worship	The combined gross floor area must not exceed 250 square metres. In the Retail Core precinct, must have a ground floor frontage of no more than 2 metres on Retail Streets, Active Streets or Active Laneways identified in Map 5.
Postal agency	
Railway station	Must be located in the Station precinct
Research and development centre	Must be located in the Knowledge and Enterprise precinct or Health precinct
Restricted retail premises	Must be located in the Retail Core precinct
Residential Hotel	Must be located in the Knowledge and Enterprise precinct
Rooming house	Must not be located in the Waterfront precinct Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop, Department store and Supermarket)	Must not have a leasable floor area of 500 (number) square metres if located outside the Retail Core precinct. In the Health precinct and the West Village precinct, must be located on a Retail Street or Active Street identified in Map 5.
Supermarket	Must be located in the Retail Core precinct.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Commented [A12]: See Consolidated Recommendation 31(a)

Commented [A13]: See Consolidated Recommendation 31(a)

Commented [A14]: See Consolidated Recommendation 31(a)

Commented [A15]: See Consolidated Recommendation 31(a)

Commented [A16]: See Consolidated Recommendation 31(a)

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres away (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Amusement Parlour	Must be located in the Retail Core precinct or Station precinct.
Brothel	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land use for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.

Use	Condition
Corrective institution	Must be located in the Station precinct.
Industry	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation facility (other than Informal outdoor recreation)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture
Airport
Camping and caravan Park
Cemetery
Crematorium
Earth and energy resources industry
Road freight terminal
Saleyard
Timber Production
Warehouse

4.0 Centre-wide provisions**4.1 Use of land**XX/XX/2021
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A permit is not required to use land within the ‘Station’, ‘Cultural’ and ‘West Village’ precincts associated with a railway provided the use is carried out by, or on behalf of, the public land manager.

4.2 SubdivisionXX/XX/2021
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None specified.

4.3 Buildings and worksXX/XX/2021
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No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- An alteration to an existing retail or commercial building facade provided:
 - The alteration does not include the installation of an external roller shutter.
 - The glazing requirements for ‘Retail Street’ and ‘Active Street’ in Table 6 are met or otherwise to the satisfaction of the Responsible Authority.
- An awning that projects over a public road if it is authorised by the relevant public land manager.
- Plant rooms, services and equipment and solar collectors, provided these are not visible from any public street or public open space.

4.4

XX/XX/2021
Proposed
C431ggee**Design and development**

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Buildings and works should meet the land use and development objectives and should comply with the design and development requirements of this Schedule.

Definitions

For the purpose of this Schedule the following definitions apply:

- **Heritage place** means a site or area subject to a heritage overlay, that include places recognised as being of state, regional, local and contributory heritage significance.
- **Landscape setback** means ~~the distance of any part of the~~ a street wall ~~that is set back a distance of [x] from the site boundary fronting the street, which is a requirement along certain streets identified in Map 3.~~ ~~specified in Map 3 as measured from the property boundary.~~
- **Primary Pedestrian Link** means [x]
- **Primary Street** means [x]
- **Primary street frontage** means the frontage ~~to which of~~ a heritage ~~building place to the street faces~~. If the heritage ~~building place~~ faces two or more ~~frontages~~ streets, it is the frontage that contains the principal entrance.
- **Secondary Pedestrian Link** means [x]
- **Secondary Street** means [x]
- **Street wall** means any part of the building constructed on or within 0.3 metres of a site boundary fronting a Primary or Secondary street ~~identified in outlined on~~ Map 7. ~~Preferred maximum street wall heights apply to street walls on the streets identified in Map 3.~~
- **Street wall height** means the vertical distance between the footpath or natural surface level at the centre of the site frontage and the highest point of the street wall, with the exception of non-habitable architectural features not more than 3.0 metres in height and building services setback at least 3.0 metres behind the street wall.
- **Tower** means ~~the part of~~ a building that ~~that it built above~~ ~~exceeds~~ the street wall, excluding a building less than 42 metres in height.

Commented [A17]: Committee has redrafted the definition for clarity. DELWP to insert the distance required, consistent with the recommendations of Ms Dunstan (see Consolidated Recommendation 43)

Commented [A18]: See Consolidated Recommendation 38(a)

Commented [A19]: See Consolidated Recommendation 43

Commented [A20]: See Consolidated Recommendation 38(a)

Commented [A21]: See Consolidated Recommendation 43

Commented [A22]: See Consolidated Recommendation 34(a)

Building Height**Building height requirements**

All buildings should provide for sensitive built form transitions to nearby heritage places.

New buildings should be designed to an appropriate scale and form and provide upper level setbacks and articulation to avoid visual bulk.

Building scale requirements

The width of a tower, as measured along its narrowest sides, should not be greater than half of the total height of the tower ~~building for buildings greater than 42 metres in height.~~

Maximum building height requirements

The building height of a building and the height of works should not exceed the Preferred Maximum Building Height Requirements in Map 2.

The mandatory overshadowing requirements in Table 7 and Table 8 take precedence over the Preferred Maximum Building Height Requirements.

Map 2: Preferred Maximum Building Height Requirements



Commented [A23]:

Update map to reflect the Committee's recommended heights for particular sites (see Consolidated Recommendations 11(b)), and further amendments consequent on outcomes of the further built form testing recommended by the Committee (see Consolidated Recommendations 3 and 11(c))

Building adaptability and internal amenity requirements

To ensure that new development allows for future adaptation for a different use over time and high internal amenity, buildings should provide a minimum floor to floor height of:

- 4 metres at the ground floor level (excluding a basement).
- 3.5 metres above the ground floor level and up to the preferred maximum street wall height requirements.
- 3.6 metres for storeys above the preferred maximum street wall height requirements for non-residential uses.
- 3.1 metres for storeys above the preferred maximum street wall height requirements for residential uses.
- 3.5 metres for car parking structures above ground.

For buildings in precincts where a street wall above the preferred maximum street wall height is encouraged on corners, the above requirements should be applied on the basis of the maximum street wall height requirement that would have applied if the building were not on a corner.

Street Wall

Street wall height requirements

~~Buildings and works~~ Street walls should not exceed the Preferred Maximum Street Wall Height Requirements in Map 3.

Where the proposed street wall has a consistent height for a length greater than 45 metres, street wall heights should vary from adjoining buildings. Variations in street wall height should be a minimum of 1.0 metre above or below the adjoining street wall height. Blank side walls that are visible from the street should be avoided.

~~Buildings and works should locate the s~~ Street walls should be located on or within 0.3 metres of the ~~front~~ boundary with a street, except for where a landscape setback is the preferred requirement as identified in Map 3.

Podium-tower building typologies should adopt a lower street wall where a range in height is specified in Map 3.

Street wall heights in or adjoining a Heritage Overlay:

- Development in a Heritage Overlay should retain the street wall height of heritage buildings including where the street wall height of heritage buildings is greater than the preferred maximum street wall height requirement.
- Development adjoining a Heritage Overlay should provide a street wall height in keeping with the street wall height of an adjoining heritage building where the street wall height of the adjoining heritage building is lower than the preferred maximum street wall height.

Commented [A24]: See Consolidated Recommendation 33(a)

Map 3: Preferred Maximum Street Wall Height Requirements



Commented [A25]: Revise map if required after completion of the built form testing of the appropriateness of the Day 1 changes to street wall heights (See Consolidated Recommendation 33(b)).

Street wall upper setback requirements

Buildings and works ~~should meet the preferred minimum setback~~ built above the ~~maximum~~ street wall ~~heights~~ ~~should meet the preferred minimum front setback~~ as identified in Table 1.

~~For development within a Heritage Overlay, buildings and works must meet the mandatory minimum setback above the maximum street wall heights in Table 1. A permit must not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.~~

~~Front s~~Setbacks above the street wall should incorporate a single setback above the street wall to avoid a tiered built form.

~~A terrace, deck or balcony should not protrude into the building setback requirements.~~

Commented [A26]: See Consolidated Recommendation 36

Table 1. ~~Mandatory and preferred~~ minimum front setbacks above the maximum street wall height

Overall building height	Preferred Mandatory minimum front setback above the preferred maximum street wall height in a heritage overlay	Preferred minimum front setback above the preferred maximum street wall height in other locations
<u>Up to 28 metres</u>	<u>6 metres minimum on the primary street frontage</u>	<u>5 metres</u>
Equal to or less than <u>Between 28 metres and</u> 42 metres	6 metres minimum on the primary street frontage	6 metres
Greater than 42 metres	6 metres minimum on the primary street frontage	10 metres

Commented [A27]: See Consolidated Recommendations 34(b) and 36

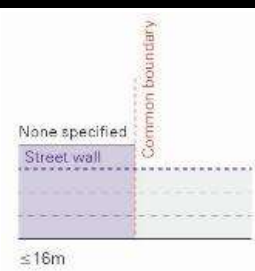
Note: the front setbacks apply to the street frontage of a building, and only apply to that part of the building above the preferred maximum street wall height.

Side and rear setbacks and building separation

Building setback and separation requirements

- Setbacks to the side and rear boundaries should be provided in accordance with the requirements in Tables 2 and 3.
- Buildings and works should meet the preferred minimum building separation in accordance with the requirements in Table 4.
- No setback to the side and rear boundaries is required to match the height and length of an existing party wall that is blank.
- A terrace, deck or balcony should not protrude into the building setback requirements.
- If a building is on or within 300mm of a side or rear boundary, no side or rear setback is required below the preferred maximum street wall height.
- For side and rear setbacks adjacent to a laneway the setback can be measured from the centreline of the laneway rather than the property boundary.

Table 2. ~~Preferred~~ **S**ide and rear setback requirements above the preferred maximum street wall height

Overall building height	Preferred minimum side and rear setback above the preferred maximum street wall height	Indicative Diagram
16 metres or less	None specified	

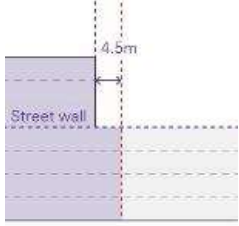
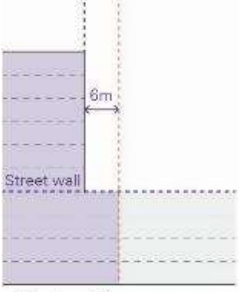
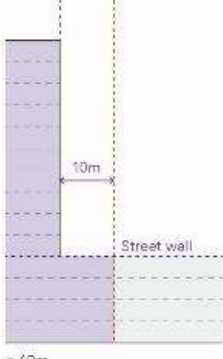
Overall building height	Preferred minimum side and rear setback above the preferred maximum street wall height	Indicative Diagram
Greater than 16 metres to 28 metres	4.5 metres	 <p>4.5m</p> <p>Street wall</p> <p>> 16m to ≤ 28m</p>
Greater than 28 metres to 42 metres	6 metres	 <p>6m</p> <p>Street wall</p> <p>> 28m to ≤ 42m</p>
Greater than 42 metres	10 metres	 <p>10m</p> <p>Street wall</p> <p>> 42m</p>

Table 3. Preferred side and rear setback requirements below the preferred maximum street wall height

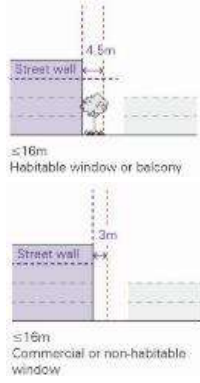
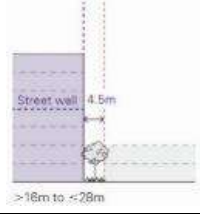
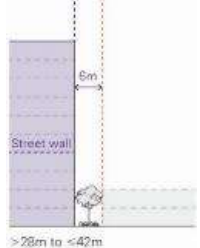
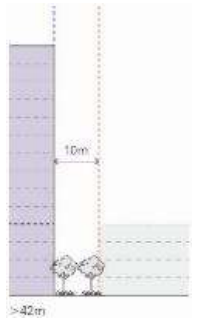
Overall building height	Preferred minimum side and rear setback below the preferred maximum street wall height – where building is not within 300mm of a side or rear boundary	Indicative Diagram
16 metres or less	4.5 metres where a habitable window or balcony is proposed. 3 metres where a commercial or non-habitable window is proposed.	 <p>≤16m Habitable window or balcony</p> <p>≤16m Commercial or non-habitable window</p>
Greater than 16 metres to 28 metres	4.5 metres	 <p>>16m to ≤28m</p>
Greater than 28 metres to 42 metres	6 metres	 <p>>28m to ≤42m</p>
Greater than 42 metres	10 metres	 <p>>42m</p>

Table 4. Preferred minimum building separation requirements for separate buildings within a site

Overall building height	Preferred minimum separation between buildings below the preferred maximum street wall height	Preferred minimum separation between buildings above the preferred maximum street wall height	Indicative Diagram
42 metres or less	6 metres	12 metres	
Greater than 42 metres	10 metres	20 metres	

Street activation and interface

Street activation and interface requirements

Buildings should be designed in accordance with the requirements in Table 5.

Heritage requirements take precedence over street activation and interface requirements to protect the integrity of heritage significance.

Table 5. Preferred Street activation and land use requirements

Use type	Preferred requirements
All Uses	<ul style="list-style-type: none"> Locate services away from Primary or Secondary Pedestrian links identified in Map 4, or below ground level. Distribute services along street frontages to avoid the creation of large blank walls Provide substations below or above ground level where possible to reduce the footprint of building services at ground level.

Commented [A28]: Clearly specify the distinct requirements that apply to Primary Pedestrian Links and Secondary Pedestrian Links. See Consolidated Recommendation 38(b)

Use type	Preferred requirements
Retail premises and food and drink premises	<ul style="list-style-type: none"> Provide continuous canopies for weather protection with sufficient space. These should be designed to allow for street canopy trees. Avoid broad tenancies along the street frontage and sleeve large floorplate tenancies with fine grain tenancies. Avoid external steps or pronounced level changes at ground level that visually and physically separate the frontage from the street.
Office	<ul style="list-style-type: none"> Provide continuous canopies for weather protection in the Retail Core precinct. These should be designed to allow for street canopy trees. Avoid broad tenancies along the street frontage and sleeve large floorplate tenancies with fine grain tenancies in the Retail Core precinct. Avoid external steps or pronounced level changes at ground level that visually and physically separate the frontage from the street.
Accommodation	<ul style="list-style-type: none"> Provide individual entries to dwellings or home offices at ground level where practicable. Provide balconies and operable windows within the street wall and orient habitable rooms towards the street and laneway to increase passive surveillance opportunities. Where relevant, provide habitable rooms orientated towards abutting open space. Provide setbacks to entries to dwellings from open space.
Hospital, Education centre, Conference centre, Function centre, Major sports and recreation facility, Museum, Research and development centre, Research centre.	<ul style="list-style-type: none"> Create activated façades, where practicable, to increase the degree of visual and physical interaction between people inside and outside.

Map 4: Pedestrian Links



Glazing requirements

- Glazing should be provided in accordance with the requirements in Table 6.
- Heritage requirements take precedence over glazing requirements to protect the integrity of heritage significance.

Table 6. Preferred Glazing Requirements

Active Street Frontage Typology (identified in Map 5)	Preferred Requirements
Retail Street	<ul style="list-style-type: none"> ▪ Provide at least 60 percent clear glazing along the façade to the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base. ▪ Encourage operable windows and detailing that provide for street activation. ▪ Avoid the use of security grilles or mesh, and ensure they are transparent when used.
Active Street	<ul style="list-style-type: none"> ▪ Provide at least 30 per cent clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base.
Active Laneway/ Active Laneway (proposed)	<ul style="list-style-type: none"> ▪ Maximise the amount of clear glazing along the ground level frontage to a height of 2.5 metres, excluding any solid plinth or base, where practicable. ▪ Encourage operable windows and detailing that provide for laneway activation.

Map 5: Preferred Active ~~Street~~ Frontages / Glazing Requirements



Design Quality and Architecture

Architectural expression requirements

Building façades should:

- Ensure that for development with frontages greater than 45 metres, building mass is broken up by a suitable architectural treatment which responds to the predominant street grain patterns ~~in its articulation and detail~~ and achieves strong vertical articulation.
- Reflect the built form of the original lot pattern where development consolidates multiple existing lots.
- Reflect the built form of the historic fine grain lot pattern where development is within the fine grained parts of the Retail Core precinct.
- Provide weather protection in the form of awnings and/or tree canopies along Primary and Secondary Pedestrian Links identified in Map 5, and within public open spaces.
- Use low reflective materials and finishes ~~with a perpendicular reflectivity less than 20 per cent, measured at 90 degrees to the façade surface~~ for frontages to Primary and Secondary Pedestrian Links identified in Map ~~5.4~~.

Upper floors (above the street wall) should:

- Provide variation in architectural expression between the upper floors and the street wall.
- Provide architectural expression and/or textured finishes to all elevations to avoid blank walls, including those built to a site boundary.

Roof installations should:

- Provide concealed roof plant and services (excluding solar panels) that are not visible from any public street or public open space.
- Integrate active rooftop uses which are visible such as gardens, pools and terraces, into the design of the building.

Heritage Places

Development on a site of a heritage place should:

- Retain and respect the integrity of the heritage place through appropriate siting, bulk, form, scale, character, texture and material, with imitation being avoided.
- Ensure that upper levels are designed to be visually distinct from the existing heritage façade and fabric in materiality.
- Preserve the three-dimensional heritage built form, including by retaining ~~at~~ the first 6 metres ~~as part of~~ the heritage building measured from to its primary street frontage and retention of at least the façade on secondary street frontage/s.
- Preserve the visual prominence of a heritage building when located on a corner or where it forms part of a consistent commercial, residential or industrial heritage streetscape.

Environmentally Sustainable Design (ESD)

ESD requirements

Developments should:

- Be constructed with building materials that are compliant with the relevant Australian standards for corrosion resistance due to exposure to coastal marine conditions and selected to reduce the urban heat island effect.
- Encourage the use of active and sustainable forms of transport and provide building amenities to support ~~other~~ these forms of transport.
- Incorporate ESD measures in the areas of energy efficiency including orientation to maximise access to daylight and sunlight, water resources, indoor environment quality, stormwater management and reuse, waste management, innovation and urban ecology.

- Maximise urban greening by providing canopy trees, ground cover, vertical and roof top vegetation.
- Prioritise building re-use, adaptation, and extension where practical over demolition and rebuilding.

Overshadowing

Overshadowing requirements

In this clause:

- Additional overshadowing means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

Buildings and works must meet the ~~following~~ mandatory overshadowing requirements in ~~accordance with the requirements in~~ Table 7.

A permit cannot be granted for buildings and works which would cast any additional shadow* across a space listed within Table 7 to this Schedule during the hours and dates specified.

Table 7. ~~Mandatory o~~ Overshadowing ~~mandatory~~ requirements for reserves/ open spaces

<u>Open Space (as per identified in Map 6)</u>	<u>Mandatory Requirement</u>	<u>Hours between</u>	<u>Date(s)</u>
Johnstone Park Austin Park Customs Park Eastern Beach Transvaal Square Future open spaces Future Geelong Station Plaza/Forecourt Steampacket Gardens	No additional overshadowing	10am-3pm	June 22
<u>Johnstone Park</u> <u>Future Geelong Station Plaza/Forecourt</u>	<u>No additional overshadowing beyond the shadow that would be cast by a street wall built to the applicable maximum preferred street wall height identified in Map 3, or where no street wall height is specified, a street wall of 16m</u>	<u>10am-3pm</u>	<u>June 22</u>

Commented [A29]: See Consolidated Recommendation 37

Commented [A30]: Allowable shadow for these open spaces to be further considered on completion of Committee's recommended further work – see Consolidated Recommendation 5

Buildings and works must meet the mandatory overshadowing requirements in Table 8, and should meet the discretionary overshadowing requirements in Table 9.

A permit cannot be granted for buildings and works that could cast any additional shadow* across a ~~space~~ street identified in Map 7 and listed within Table 8 ~~to this Schedule~~ during the hours and dates specified in Table 8.

Table 8. ~~Mandatory overshadowing mandatory~~ requirements for ~~Primary Streets and Laneways~~

Primary Streets and Laneways (identified in Map 7 and 8)	Mandatory Requirement	Hours between	Date(s)
Primary North-South Street**	No additional overshadowing to both East and West <u>the opposite</u> footpaths (measured 6 metres from boundary)	11am-2pm	September 22
Primary East-West Street	No additional overshadowing to <u>the</u> South footpath (measured 6 metres from boundary)	11am-2pm	September 22
Secondary North-South Street	No additional overshadowing to West footpath (measured 6 metres from boundary)	11am-2pm	September 22
Narrow Street/ Laneway A	No additional overshadowing above the shadow that would be cast by a street wall of 8 metres	11am-2pm	September 22
Narrow Street/ Laneway B	No additional overshadowing above the shadow that would be cast by a street wall of 12 metres	11am-2pm	September 22

Commented [A31]: See Consolidated Recommendations 38 and 39

Table 9. Discretionary overshadowing requirements for Secondary Streets and Laneways

Secondary Streets and Laneways (identified in Maps 7 and 8)	Discretionary Requirement	Hours between	Date(s)
Secondary North-South Street	No additional overshadowing beyond the shadow that would be cast by a street wall built to the applicable maximum preferred street wall height identified in Map 3	11am-2pm	September 22
Narrow Street/ Laneway A	No additional overshadowing beyond the shadow that would be cast by a street wall of 8 metres	11am-2pm	September 22
Narrow Street/ Laneway B	No additional overshadowing beyond the shadow that would be cast by a street wall of 12 metres	11am-2pm	September 22

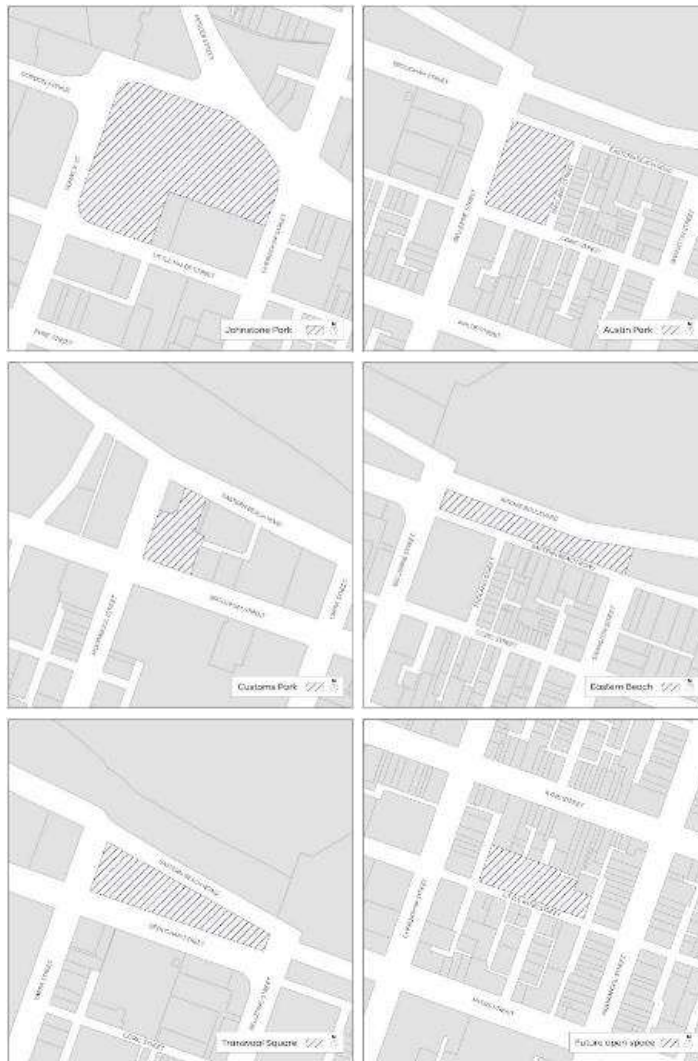
Commented [A32]: See Consolidated Recommendations 38 and 39

Commented [A33]: See comment on Map 7 – clarify whether protections for Mercer Street are intended to apply to both footpaths, or only the western footpath

*Additional shadow means any shadow cast outside any existing shadow from buildings or works, but not a shadow cast by incidental elements such as canopies, kiosks, artworks, screens or trees.

**Shadow requirements for primary north-south streets apply to the footpath on the opposite side of the street to the building.

Map 6: Existing and future open space location requirements



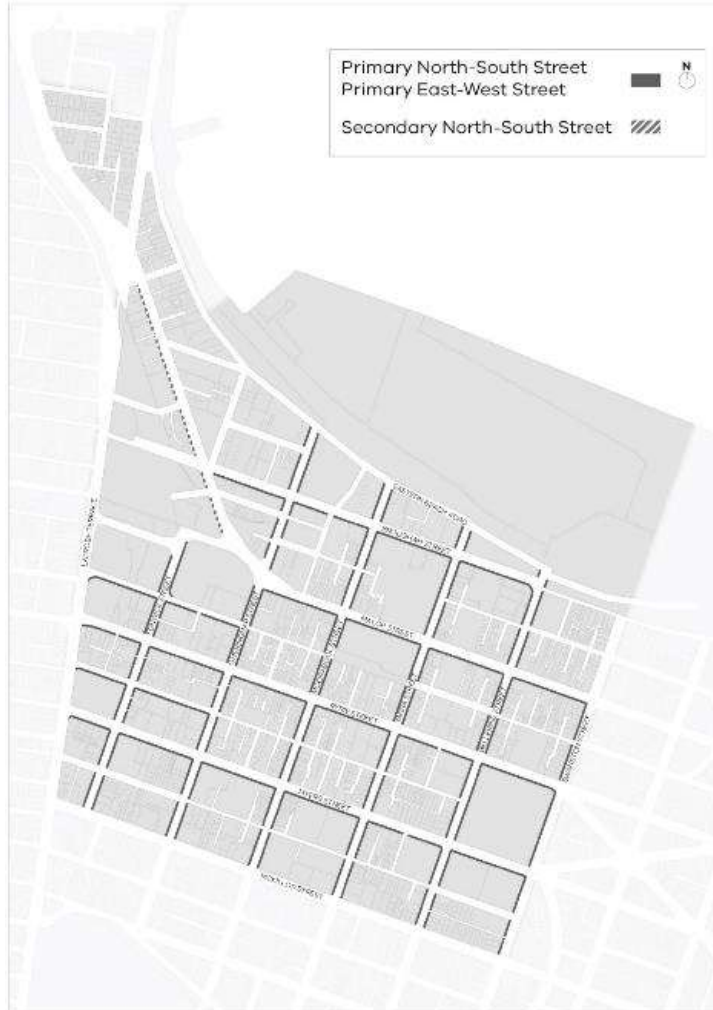
Commented [A34]: Consolidate into one map and relocate the map to immediately below Table 7

Designate the future open space at Council owned car park sites as "potential future open space subject to further investigation."
Designate the Station Forecourt as "potential future Station Forecourt subject to further investigation".
(See Consolidated Recommendation 18(a)).

GREATER GEELONG PLANNING SCHEME



Map 7: Primary and Secondary Streets



Commented [A35]: Amend the map to identify only the following as Primary Streets:

- Gheringhap Street
- Malop Street
- Little Malop Street between Fenwick Street and Moorabool Streets

Reclassify all other currently identified streets as Secondary Streets

See Consolidated Recommendation 19(a)

Clarify whether protections for Mercer Street are intended to apply to both footpaths, or only the western footpath

The map illustrates the proposed location of the new Vancouver Convention Centre. The site is situated in the downtown core, bounded by several streets. The legend indicates that solid black lines represent 'Narrow Street / Laneway A' and hatched lines represent 'Narrow Street / Laneway B'. The map also shows the existing convention centre and the waterfront area. Key streets labeled include LAMARCA STREET, PETER STREET, GORDON STREET, HASTINGS STREET, and others. A north arrow is located in the top right corner.

Wind Effects

Wind effects requirements

Within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater (as shown in Figure 1), the following requirements apply:

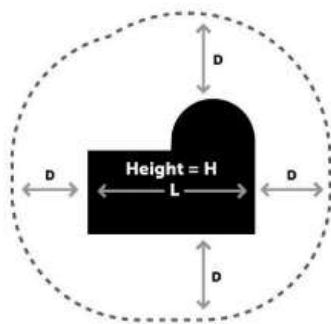
- In public land, publicly accessible areas on private land, private open space and communal open space, development in excess of 16 metres must not cause unsafe wind conditions specified in Table 9.10.
- In public land and publicly accessible areas on private land, development should achieve comfortable wind conditions specified in Table 9.10.

A permit must not be granted to construct a building or construct or carry out works which is not in accordance with the safety requirements outlined in Table 9.10.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Figure 1



Assessment distance *D* equals greater of:

- $L/2$ (Half longest width of building) OR
- $H/2$ (Half overall height of building)

Table 9.10. Wind effects requirements

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: <ul style="list-style-type: none"> ▪ 3 metres per second for sitting, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

Vehicle Access and Car Parking

Car parking and access requirements

- Development should provide on-site car parking in a basement format.
- Where unavoidable, car parking structures should be:
 - Sleeved/wrapped by active uses to the street frontage(s).
 - Detailed to provide visual interest to the laneway if access is provided via a secondary laneway.
 - Designed to protect sensitive adjacent uses from vehicle noise, vibrations, and emissions.
- Vehicle access should be provided in accordance with ~~Table 10~~ the following hierarchy identified in Map 9 (from most preferred to least preferred)::
 - Category 1 laneway or side street.
 - Category 2 active laneway.
 - Category 3 all other streets not identified as Category 4.
 - Category 4 arterial roads, Retail Streets and Active Streets.
- Crossovers are strongly discouraged on Category 4 roads and streets.
- Crossovers should not be wider than 6.5 metres.
- Existing crossovers should be removed and relocated to the preferred access points, in accordance with the Preferred Vehicle Access Requirements.
- ~~Where there is an active laneway (identified in Map 9), access should be provided via a secondary laneway or side street (identified in Map 9):~~
- Development should prioritise walking, cycling and public transport use, and provide appropriate car parking for its context.

~~Table 10. Preferred Vehicle Access Requirements~~

Classification (identified in Map 9)	Preferred Requirements
Category 1 — Laneway or Side Street (preferred Access points)	Development should provide vehicle access via secondary laneway.
Category 2 — Active laneway	Development should not create new crossovers in active laneways unless no other access point is possible.
Category 3 — Street other than Category 4	Development should not create new crossovers unless no other access point is possible. Development should remove and relocate any existing crossovers where possible.
Category 4 — Arterial Roads, Retail Streets, and Active Streets	Development should not create new crossovers. Development should remove and relocate any existing crossovers where possible.

Commented [A36]: See Consolidated Recommendation 42

Commented [A37]: See Consolidated Recommendation 42

Commented [A38]: See Consolidated Recommendation 42

Commented [A39]: See Consolidated Recommendation 42

Map 9: Vehicle Access Categories



Commented [A40]:

Vehicular access categories to be amended in the key in accordance with the following hierarchy:

- Category 1 Laneway or Side Street
- Category 2 Active Laneway
- Category 3 All other streets not identified as Category 4
- Category 4 Arterial Roads, Retail Streets and Active Streets.

Map to be updated to show Latrobe Terrace (Corio-Waurn Ponds Road) and McKillop Street as Category 4 (Arterial Roads).

DELWP notes that a final map will present differently given the reorganisation and recategorization of the Vehicle Access Hierarchy.

See Consolidated Recommendation 42

Other requirements

End of trip bicycle facilities

Development should locate end-of-trip facilities at ground level or nearby to bicycle parking facilities.

Laneway widening

Within Strategic Development Sites identified in Map 10 – Map 17, a minimum building setback of 1.5 metres should be provided from existing laneways (as identified in Map 9) with a width of less than 6 metres to facilitate vehicle access via a two-way lane (of 9 metre width).

Street Views

Development should protect views along the key north-south street corridors identified as 'View Points' in Maps 10 – 17, ~~including by setting back upper floors to maintain the streetscape character and views to Corio Bay.~~

~~Strategic development sites~~

~~Strategic Development Sites identified in Maps 10 – 17, should be developed in accordance with the preferred plot ratio outlined in the precinct requirements.~~

~~For the purposes of this control, the calculation of a preferred plot ratio does not include built form elements below ground level.~~

Affordable Housing

If the Affordable housing target in Clause 21.09 applies, any development approval must include a condition to enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 for the delivery of affordable housing (as defined in the Planning and Environment Act 1987).

The agreement must provide for:

- the transfer of the affordable housing dwellings to a registered community housing provider ... [further work needed to determine the details of the requirements including the appropriate metric to apply, whether the requirement is to apply to just future residential development or all floorspace including commercial, the form of the affordable housing contribution (dwelling size, tenure blind etc), whether the requirements should allow for leasing (as opposed to transfer) to a community housing provider, whether the requirements should allow the private sale of dwellings at a market discount (and if so how much), whether there is a need to secure the housing as affordable into the future (and if so how), whether cash in lieu contributions would be acceptable etc etc]

Commented [A41]: Consider whether further detail required in light of Consolidated Recommendation 10(b)

Commented [A42]: See Consolidated Recommendation 25.

Commented [A43]: See Consolidated Recommendation 2(b)

5.0 Precinct provisions

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5.1 Precinct 1 – Station Precinct

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5.1-1 Precinct map

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Map 10: Station Precinct Map



Commented [A44]: Amend the map to :

- identify the views to be protected (See Consolidated Recommendation 10(b))
- change designation of Mercer Street from 'Investigate additional green spines' to 'Investigate future boulevard treatment'. (See Consolidated Recommendation 17(d))
- designate the Station Forecourt as a "potential future Station Forecourt subject to further investigation." (See Consolidated Recommendation 18(b))
- remove 'Future masterplan area' identified in yellow

5.1-2

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Precinct objectives

- To facilitate the precinct as a transport interchange and a key entry to central Geelong, along with accommodation, government services, retail and other complementary uses that contribute to activity and can manage the amenity impacts of the train line and Latrobe Terrace.
- To support, link and leverage off Geelong Train Station, including the public transport interchange and future upgrades to public access/spaces and transport infrastructure and services, while providing an attractive gateway to Central Geelong.

Commented [A45]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

- To support a medium-low (21 metres) to tall (60 metres) building height character of well-designed development with slender and well-spaced tower forms providing sunlight access to the public realm and views to the sky between buildings from the street, with an increase in active frontages and a landscape setback to Latrobe Terrace.
- To enhance the safety, amenity and vibrancy of the public realm to support increased pedestrian activity including along Latrobe Terrace (including a landscape setback), Mercer Street and at the entrances of the Station while improving access across the train line to/from Geelong West.
- To facilitate Strategic Development Site 1 (identified in Map 10) to be ~~master-planned and~~ developed with landmark architecture, improved public linkages and very high-quality contribution to the public realm.
- To ensure new development is sympathetic in both scale and intensity adjacent to land within a residential zone along Western Beach Road.

Commented [A46]: See Consolidated Recommendation 41

5.1-3

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Precinct requirements

- Proposed accommodation use and development adjacent to the Geelong Railway Station should be designed and constructed to achieve the following noise levels:
 - Not greater than 35dB for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - Not greater than 40dB for living areas, assessed LAeq,16h from 6am to 10pm.
- On the following street corners no maximum street wall height applies up to a length of 30 metres on both sides. The street wall height specified in Map 3 applies beyond this distance:
 - Corner of Mercer Street, Cavendish Street and Brougham Street
 - Corner of Mercer Street and Brougham Street

Buildings and works built on corner sites nominated above should not exceed a height of X metres
- For areas abutting land within a residential zone, the objectives, standards and decision guidelines of the following provisions should be applied to manage amenity impacts:
 - Clause 55.04-1 'Side and rear setback' ~~[CONTENT TO BE CONFIRMED]~~
 - Clause 55.04-2 Walls on boundaries ~~[CONTENT TO BE CONFIRMED]~~
 - ~~Clause 55.04-8 'Noise impacts' [CONTENT TO BE CONFIRMED]~~

Commented [A47]: DELWP to specify maximum heights on corners after completing further built form testing. See Consolidated Recommendation 34.

Commented [A48]: Include this clause in any other precinct where direct residential abutments may occur. See Consolidated Recommendation 40.

5.2 Precinct 2 – Cultural Precinct

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5.2-1 Precinct map

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Map 11: Cultural Precinct Map



Commented [A49]: Amend the map to:
- identify the views to be protected (See Consolidated Recommendation 10(b))
- include 245 LaTrobe Terrace as a Strategic Development Site (See Consolidated Recommendation 23(c))
- remove 'future master plan areas' identified in yellow

5.2-2 Precinct objectives

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- To facilitate the precinct as the primary location for arts and culture facilities and related services and businesses including education, places of assembly and community facilities, while encouraging retail, service and office uses along identified active street frontages.
- To support, link and leverage off the Geelong Library, Geelong Arts Centre and Gordon TAFE and Johnstone Park.
- To add to the varied character of prominent buildings with publicly accessible forecourts and a landscape setback to Latrobe Terrace, with building heights

Commented [A50]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

transitioning from medium (28 metres) to medium low (21 metres) fronting Gheringhap Street.

- Development should integrate interpretative elements into designs to reflect local cultural and Indigenous living heritage at Johnstone Park.

5.2-3

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Precinct requirements

None Specified

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Precinct 3 – West Village Precinct

Precinct map

Map 12: West Village Precinct Map



Commented [A51]: Amend the map to:

- identify the views to be protected (See Consolidated Recommendation 10(b))
- remove reference to "Investigate additional Green Spines" (See Consolidated Recommendation 17(d))
- change the designation of Gheringhap Street to "potential future green spine subject to further investigation (See Consolidated Recommendation 17(e))
- designate the future open space identified at Council owned car park sites as "potential future open space subject to further investigation" (See Consolidated Recommendation 18(a))
- remove 'future master plan areas' identified in yellow
- remove purple circles 3 and 6 (retain the purple arrows)

5.3-2
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Proposed
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Precinct objectives

- To encourage dwellings, office and complementary business activity including home based businesses and flexibility to transition in building use, while encouraging retail, service and office uses along identified active street frontages.
- To support, link and leverage off the mixed uses of the precinct, including employment and housing together with Matthew Flinders College.
- To encourage land use and built form to contribute to an attractive gateway to Central Geelong.
- To maintain the prominence of heritage buildings within an evolving character that provides a high amenity for residents, with building heights transitioning from

Commented [A52]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

GREATER GEELONG PLANNING SCHEME

medium (28 metres) to medium low (21 metres) fronting Moorabool Street and towards the edge of Central Geelong that will also include landscape setbacks.

5.3-3
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Precinct requirements

None specified.

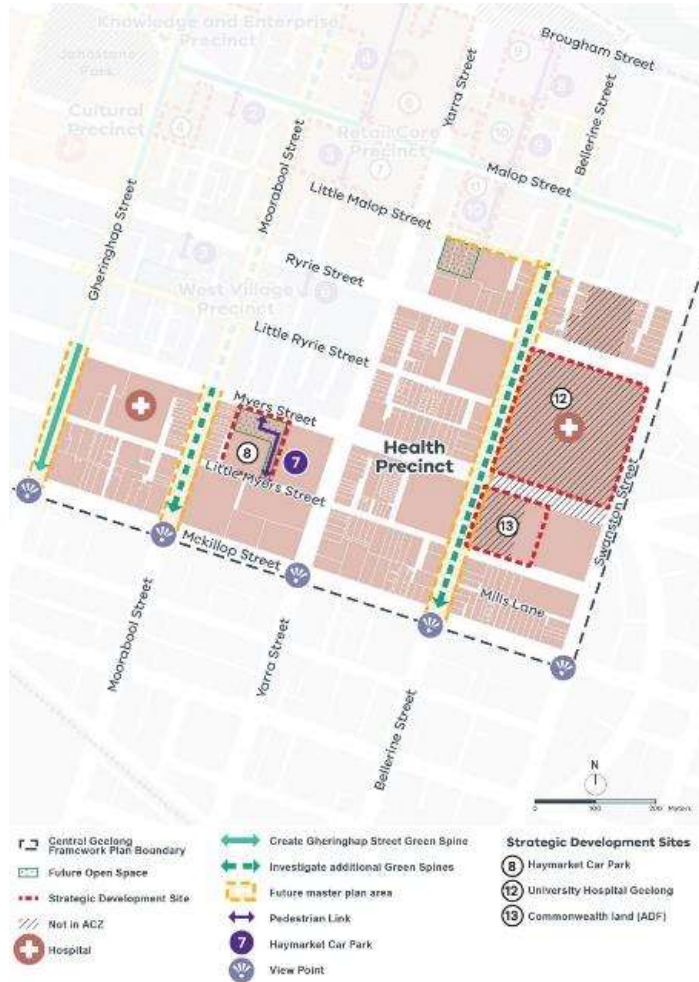
5.4 Precinct 4 – Health Precinct

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5.4-1 Precinct map

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Map 13: Health Precinct Map



Commented [A53]: Amend the map to:

- identify the views to be protected (See Consolidated Recommendation 10(b))
- remove reference to 'Investigate additional Green Spines' (See Consolidated Recommendation 17(d))
- designate the future open space identified at Council owned car park sites as 'potential future open space subject to further investigation' (See Consolidated Recommendation 18(a))
- identify McKillop Street as 'Investigate future boulevard treatment' (See Consolidated Recommendation 43)
- remove 'future master plan areas' identified in yellow
- remove purple circle 7 (retain the purple arrow)

5.4-2 Precinct objectives

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- To facilitate the precinct as the primary location for health/medical facilities and complementary services, businesses, education, research and development, and accommodation uses together with retail, service and office uses along identified active street frontages.
- To support, link and leverage off University Hospital Geelong and the St. John of God Hospital and ensure adjacent development respects the Saint Mary of the Angels Basilica.
- To encourage the retention of heritage buildings and an evolving character that provides a high amenity for patients and residents, with tall buildings highlighting the

Commented [A54]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

location of the hospitals. Building heights to transition from medium (28 metres) to medium low (21 metres) along heritage streets and towards the edge of Central Geelong which will also include landscape setbacks.

- To require Strategic Development Site 8 (identified in Map 13) to be ~~master planned~~ and developed for future open space, community infrastructure and housing diversity, with exemplary architecture that responds to its setting and makes a high-quality contribution to the public realm, especially facing Myers Street and Saint Mary of the Angels Basilica.

Commented [A55]: See Consolidated Recommendation 41

5.4-3

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Precinct requirements

- On the Strategic Development Site 8 – Haymarket Car Park (identified ~~on~~in Map 13):
 - Preserve the existing Haymarket Car Park for future open space, community infrastructure and housing diversity.
 - Provide a new pedestrian connection from Market Street to Little Myers Street.

~~The preferred plot ratio is 1.5:1~~

Commented [A56]: See Consolidated Recommendation 25.

5.4-4

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Precinct guidelines

- To encourage multiple access points to different floors on sites with a significant slope.
- To reinforce Bellerine Street, south of Ryrie Street, as the main public (non-emergency) entry to University Hospital Geelong, and as a connection along with Myers Street to other medical related facilities and businesses.

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Precinct 5 – Retail Core Precinct

Precinct map

Map 14: Retail Core Precinct Map



Commented [A57]: Amend the map to:

- identify the views to be protected (See Consolidated Recommendation 10(b))
- amalgamate Strategic Development Sites 6 and 10 (Westfield) (See Consolidated Recommendation 23(a))
- amend designation of Gheringhap Street to 'potential future green spine subject to further investigation' (See Consolidated Recommendation 17(e))
- remove reference to 'Investigate additional Green Spines' (See Consolidated Recommendation 17(d))
- identify Ryrie Street as 'Investigate future boulevard treatment' (See Consolidated Recommendation 43)
- remove 'future master plan areas' identified in yellow
- remove the purple numbered circles (retain the purple arrows)

5.5-2
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Precinct objectives

- To facilitate the precinct as the primary location for shops, food and drink premises bars, live music venues and nightclubs, and encourage office and accommodation and other complementary land uses where ground floor active frontages are maintained and expanded consistent with identified active street frontages identified in Map 5.
- To prioritise attracting people through businesses, entertainment, services and high pedestrian amenity streets that include wide and sunlit footpaths, landscaping, traffic calming, and accessible public transport.
- To support, link and leverage off the small and large format retail offerings and the cafés/bars found in little streets and lanes.

Commented [A58]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

- To maintain the visual prominence of heritage buildings within the streetscape, the prevailing fine grain pattern of subdivision, mid-block links and encourage additional laneway breakthroughs, provide for medium low (21 metres) building heights to protect pedestrian focused streets, and medium (28 metres) to medium tall (42 metres) building heights on large sites.
- To promote the progressive transformation and integration of large internalised single use retail malls into vibrant intensified and diversified mixed-use anchors for the retail core.
- To promote the development of Westfield Geelong as an urban marker within the activity centre.
- To require the Strategic Development Sites 4, 6, 7, 10 and 11 (identified in Map 14) to be ~~master planned and~~ developed with exemplary architecture that responds to the predominant streetscape character and very high-quality contribution to the public realm including pedestrian links and active frontages to all streets.

Commented [A59]: See Consolidated Recommendation 41

5.5-3 Precinct requirements

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- On the following street corners, no maximum street wall height applies up to a length of 30 metres on both sides. The street wall height specified in Map 3) applies beyond this distance:
 - Gheringhap Street and Malop Street
 - Gheringhap Street and Ryrie Street
 - Moorabool Street and Ryrie Street
 - Yarra Street and Ryrie Street
 - Yarra Street and Malop Street
 - Bellerine Street and Malop Street
 - Moorabool Street and Malop Street
 - Yarra Street and Brougham Street
 - Moorabool Street and Brougham Street

Buildings and works built on corner sites nominated above should not exceed a height of X metres

Commented [A60]: DELWP to specify maximum heights on corners after completing further built form testing. See Consolidated Recommendation 34.

- Buildings should be built to the side boundary to support active frontages and maintain a contiguous built form.
- ~~On the Strategic Development Site 4 – Civic Centre Car Park (identified in Map 14):~~
 - ~~— The preferred plot ratio is 34.0:1.~~
- ~~On the Strategic Development Site 6 – Westfield West (identified in Map 14):~~
 - ~~— Restore an east-west connection between Moorabool Street and Yarra Street and provide a north-south connection from Brougham Street to Malop Street.~~
 - ~~— The preferred plot ratio is 45.0:1.~~
- ~~On the Strategic Development Site 7 – Market Square (identified in Map 14):~~
 - ~~— Create a publicly accessible link to Little Malop Street and to Union Street.~~
 - ~~— The preferred plot ratio is 4.0:1.~~
- ~~On the Strategic Development Site 10 – Westfield East (identified in Map 14):~~
 - ~~— Contribute to a new north-south through block connection through the Old Council Offices, Westfield East and Officeworks Strategic Development Sites from Brougham Street to future open space at Little Malop Street.~~
 - ~~— The preferred plot ratio is 45.0:1.~~
- ~~On the Strategic Development Site 11 – Officeworks (identified in Map 14):~~
 - ~~— Contribute to a new north-south through block connection through Westfield East and Officeworks Strategic Development Sites from Brougham Street to future open space at Little Malop Street.~~

Commented [A61]: See Consolidated Recommendation 25.

GREATER GEELONG PLANNING SCHEME

~~— The preferred plot ratio is 3.0:1.~~

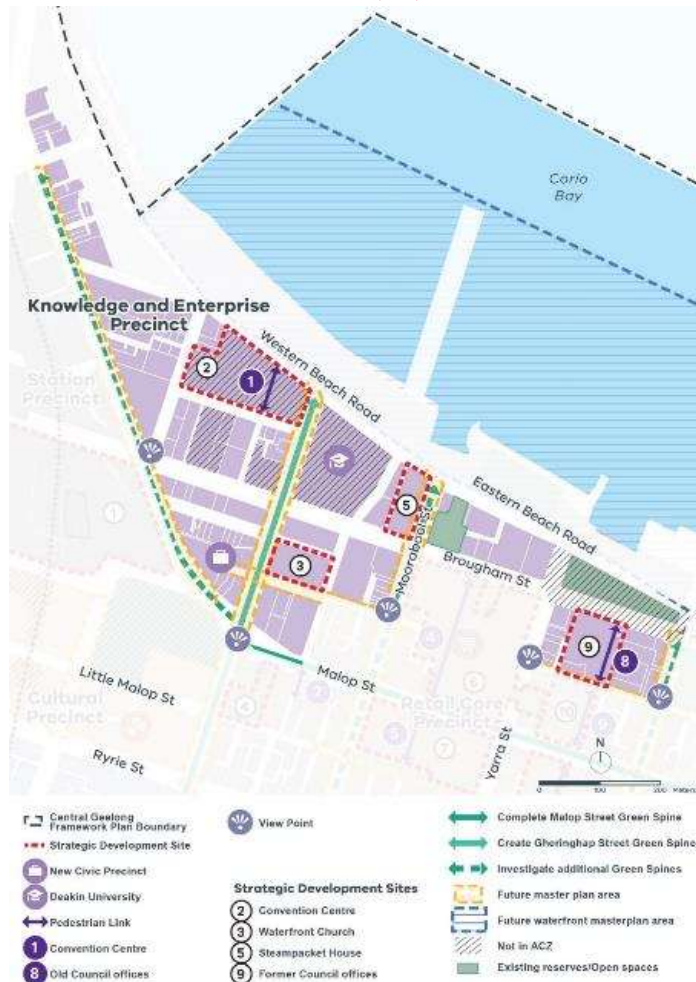
5.6 Precinct 6 – Knowledge & Enterprise Precinct

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5.6-1 Precinct map

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Proposed
C431ggee

Map 15: Knowledge and Enterprise Precinct Map



Commented [A62]: Amend the map to:

- identify the views to be protected (See Consolidated Recommendation 10(b))
- amend designation of Gheringhap Street to 'potential future green spine subject to further investigation' (See Consolidated Recommendation 17(e))
- remove reference to 'Investigate additional Green Spines' (See Consolidated Recommendation 17(d))
- amend the boundary of Strategic Development Site 9 (former Council offices) (See Consolidated Recommendation 23(b))
- Include 81-101 Mercer Street as an additional Strategic Development Site (See Consolidated Recommendation 23(c))
- identify Brougham Street and Western Beach Road as 'Investigate future boulevard treatment' (See Consolidated Recommendation 43)
- remove 'future master plan areas' identified in yellow
- remove the purple circle (retain the purple arrow)

5.6-2 Precinct objectives

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- To facilitate the precinct as the primary location for office, education and convention centre uses, along with short term accommodation uses and tourist focused uses facing the Geelong waterfront.
- To discourage residential apartment development as the sole use of a particular site reducing the precincts capacity to provide commercial land.
- To support, link and leverage off Deakin University, insurance headquarters, council offices and the future convention centre.

Commented [A63]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

- To encourage campus form of medium (28 metres) to medium tall (42 metres) building heights with large building masses that are separated by generous public access ways and green spaces, incorporating an evolving character that combines elements of the existing heritage places.
- To enhance the safety, amenity and vibrancy of the public realm to support increased pedestrian activity including improved amenity along Mercer Street and at the entrances to Geelong Station.
- To require Strategic Development Sites 3, 5 and 9 (identified in Map 15) to be ~~master planned and~~ developed with exemplary architecture that provides a high-quality contribution to the public realm.

Commented [A64]: See Consolidated Recommendation 41

5.6-3

XX/XX/2021
Proposed
C431ggee

Precinct requirements

- On the following street corners no maximum street wall height applies to up to a length of 30 metres on both sides. The street wall height specified in ~~in~~ Map 3 applies beyond this distance:
 - Cavendish Street and Brougham Street
 - Mercer Street and Brougham Street
 - Gheringhap Street and Brougham Street
 - Gheringhap Street and Mercer Street
 - Gheringhap Street and Malop Street
 - Moorabool Street and Brougham Street
 - Bellerine Street and Brougham Street
 - Yarra Street and Brougham Street
- ~~On the Strategic Development Site 3—Waterfront Church (identified in Map 15):~~
~~— The preferred plot ratio is 5.0:1.~~
- ~~On the Strategic Development Site 5—Steampacket House (identified in Map 15):~~
~~— The preferred plot ratio is 34.0:1.~~
- ~~On the Strategic Development Site 9—Old Council Offices (identified in Map 15):~~
~~— Contribute to a new north-south through block connection through the Old Council Offices, Westfield East and Officeworks Strategic Development Sites from Brougham Street to future open space at Little Malop Street.~~
~~— The preferred plot ratio is 4.0:1.~~

Commented [A65]: See Consolidated Recommendation 25

5.6-4

XX/XX/2021
Proposed
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Precinct guidelines

- Encourage development within the Knowledge and Enterprise Precinct to take the form of slender podium-tower buildings where the podiums have the scale and rhythm of the historic streetscape and the towers allow buildings in other precincts to share bay views.

5.7 Precinct 7 – Waterfront Precinct

XX/XX/2021
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5.7-1 Precinct map

XX/XX/2021
Proposed
C431ggee

Map 16: Waterfront Precinct Map



5.7-2 Precinct objectives

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- To strengthen the precinct as public space and a tourist and leisure destination by supporting complementary commercial uses, facilities and infrastructure.
- To support, link and leverage off Corio Bay, open space for leisure and events, visitor focused facilities and infrastructure, Cunningham Pier and the Royal Geelong Yacht Club.
- To improve the visual appearance of the waterfront as Central Geelong's most iconic feature and consider limited publicly accessible development of low (16 metres) building height where it supports the role and complements the existing character of

the precinct, while increasing the range of activities and maximising public access along the foreshore and connection to the water.

- To protect and enhance the existing amenity along the waterfront foreshore for pedestrians and cyclists while adding to the vibrancy of the public realm. This would include increasing shelter for people but minimising overshadowing of existing parks and pathways, while also ensuring buildings provide active frontages and glazing when fronting Eastern/Western Beach and fronting the walking path adjacent to the shoreline.

5.7-3

XX/XX/2021
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Precinct requirements

- None specified.

5.8 Precinct 8 – York Precinct

XX/XX/2021
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5.8-1 Precinct map

XX/XX/2021
Proposed
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Map 17: York Precinct Map



Commented [A66]: Amend the map to identify the views to be protected (See Consolidated Recommendation 10(b))

5.8-2 Precinct objectives

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- To encourage the precinct as a complementary location for accommodation and mixed use development that retains residential amenity.
- To support low (16 metre) building height, with buildings to address Keera Street and provide an attractive gateway to Central Geelong and elsewhere reflect the predominant character of the precinct.

Commented [A67]: Update precinct objectives to include any new precinct objectives regarding protection of key views identified on the precinct map above (See Consolidated Recommendation 10(b))

Update precinct objectives once further work/amendments have been done to the Framework Plan (See Consolidated Recommendation 32).

5.8-3

XX/XX/2021
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Precinct requirements

- For allotments abutting land within a residential zone, the objectives, standards and decision guidelines of the following provisions should be applied to manage amenity impacts:
 - ~~Clause 55.04-1 'Side and rear setback' [CONTENT TO BE CONFIRMED]~~
 - ~~Clause 55.04-2 'Walls on boundaries' [CONTENT TO BE CONFIRMED]~~
 - ~~Clause 55.04-8 'Noise impacts' [CONTENT TO BE CONFIRMED]~~

Commented [A68]: See Consolidated Recommendation 40.

5.8-4

XX/XX/2021
Proposed
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Precinct guidelines

- Encourage development to provide a transition with reduced heights and greater setbacks where adjacent to residential zoned land.

6.0

Application requirements

XX/XX/2021
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The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Use of land

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

- A Waste Management Plan

An application for use of land for the purpose of industry and warehouse must be accompanied by the following information:

- Amenity Impact Assessment the considers the following amenity impacts on surrounding developments, existing or proposed:
 - Noise impacts.
 - Airborne emissions from the proposed use.
 - Potential emissions of land or water.
 - Traffic, including hours of delivery and dispatch.
 - Light spill or glare.

An application for Accommodation in the Geelong Station precinct must be accompanied by the following information:

- An Acoustic Impact Assessment prepared by an acoustic engineer, demonstrating the likely effects of railway noise and vibration on the proposed development and the amenity of its occupants and measures to attenuate any adverse effects.

An application for 'shop' with a floor area of in excess of 500 square metres outside the Retail Core must be accompanied by the following information, as appropriate:

- An Economic Impact Assessment assessing the impact of the proposal on the primacy of the Retail Core Precinct.

Commented [A69]: See Consolidated Recommendation 31(b).

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information:

- A site analysis and urban context report addressing:
 - How the proposed use and development is consistent with the Planning Policy Framework and the Local Planning Policy Framework, zone and overlay objectives
 - Built form and character of adjacent and nearby buildings and heritage places.
 - Ground floor street frontages, including visual impacts and pedestrian safety.
 - How the proposed development has been designed to meet the Design and Architecture requirements outlined in Clause 4.4 and the precinct requirements of Clause 5.0.
- An architectural design statement to the satisfaction of the Responsible Authority.
- For buildings and works that exceed the preferred maximum building height, diagrams which show:
 - Views where applicable from identified key north-south view points as identified in Maps 10 – 17 and from Cunningham Pier including an assessment of any impact on Geelong's skyline and view corridors to church spires and Corio Bay.
 - An assessment of view sharing.
 - Details of roof forms and any tower elements/landmark features.

- Sunlight, daylight, and shadow analysis of the proposed development.
- An application for a building over 16 metres in height must be accompanied by the following information:
 - A wind report demonstrating that the proposed building will not create unsafe and uncomfortable wind conditions within the distance for assessment (refer to Table 5).
 - The assessment must assess criteria for comfortable wind conditions for sitting, standing, and walking within adjacent:
 - Primary and Secondary Pedestrian Links as identified in the Pedestrian Links Requirements, public spaces, and shared common spaces.
 - Entries to buildings and external seating areas.
 - Use of rear lanes for access where available.
- For all applications where the Minister for Planning is the responsible authority, a 3D digital model of the proposed buildings and works in a format to the satisfaction of the Minister for Planning.
- For developments adjacent to streets within the Retail Core precinct and adjacent to Retail Streets, Active Streets and Active Laneways identified in Map 4:
 - Details of the proposed interface treatment to the public domain, including façade treatment, entrances, advertising, and any proposed streetscape improvements.
 - For an application that creates new pedestrian connections, a written statement showing how the proposal meets Crime Prevention through Environmental Design (CPTED) principles.
- For applications in the Station precinct, demonstrate that the comments of the Director of Public Transport, any Minister or public land manager having responsibility for the care or management of the land or adjacent land, and the municipal Council (where not the responsible authority) have been considered.
- For applications to develop land subject to a Heritage Overlay or adjacent to land subject to a Heritage Overlay, a report from a suitably qualified heritage consultant that assesses the impact of the proposed building and works on a heritage place.
- For new residential and mixed use development, an acoustic report prepared by a suitably qualified person to demonstrate that the proposed building incorporates appropriate noise attenuation measures to reasonably protect the amenity of future residents from non-residential uses.
- A Landscape Plan.
- A Traffic and Car Parking Analysis Report prepared by a suitably qualified traffic consultant, which demonstrates the vehicle access, laneway widening, car parking and end of trip facility requirements outlined in Clause 4.4 are met.
- A description as to how a proposed building will be constructed to be resilient to the harsher environmental conditions of Geelong's coastal marine environment, to withstand increased corrosion, humidity and moisture and to ensure building performance and aesthetic quality is not compromised.
- [A Staging Plan for Strategic Development Sites or large sites where the development is proposed in stages.](#)

Commented [A70]: See Consolidated Recommendation 41(b).

Environmentally Sustainable Design

An application to construct a building or construct or carry out works must be accompanied by the following information:

- A Sustainable Design Assessment that identifies proposed environmentally sustainable development measures that respond to the relevant guidelines in this Schedule and any applicable ESD policy in the Scheme and has regard to the site opportunities and constraints.

7.0 Notice and review

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An application for use of land for a nightclub, bar, hotel or adult sex shop is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

8.0 Decision guidelines

XX/XX/2021
Proposed
C431ggee

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme to use land, construct a building or construct or carry out works and/or subdivision which must be considered, as appropriate, by the responsible authority:

Land Use

- [For applications on a Strategic Development Site, the extent to which the proposal contributes to delivering the floorspace required to accommodate the future population and employment growth anticipated for Central Geelong as outlined in the Central Geelong Framework Plan 2022.](#)
- Whether the proposed development supports the land use objectives contained in Clause 2.0, and the preferred land uses identified in precinct provisions in Clause 5.0.
- Whether the proposed use is consistent with the centre-wide requirements of this Schedule.
- Whether the proposed use is consistent with any applicable objective, requirement and guideline outlined for the precinct it is located in.
- [Where relevant, the findings and conclusions of the Economic Impact Assessment submitted with the application in relation to whether the proposal](#) ~~Whether the use of land for a proposed Shop, Department Store or Supermarket outside the retail core precinct~~ will have adverse economic impacts to the retail core retail precinct.
- The extent to which the use minimises the potential for amenity impacts from, and to, existing uses, including from noise, fumes, odour, or vibrations.
- The extent to which discretionary land uses are compatible with any existing uses and likely future uses, with particular regard to as-of-right dwelling use.
- The extent to which uses contribute to a vibrant local economy and promote Central Geelong as a tourist destination.

Subdivision

- Whether the subdivision supports the provisions of this Schedule.

Built Form

- Whether the proposed development supports the built form objectives contained in Clause 2.0 and Clause 5.0.
- Whether the proposed development is consistent with the centre-wide requirements of this Schedule.
- [For applications on a Strategic Development Site, whether the proposed development delivers public realm improvements, including but not limited to those shown on the various maps in this Schedule.](#)
- Whether the proposed development is consistent with any applicable objective, requirement and /or guideline outlined for the precinct it is located in.
- The adaptability of proposed floorspace to be used for future commercial purposes within any lower podium area of a proposed building.

Building Height, Setbacks, Scale and Street Wall Height

- If an application proposes to exceed or vary a preferred outcome under a discretionary control:
 - Whether the site to which the application relates is identified in this Schedule as a Strategic Development Site.
 - Whether the shape and size of the land to which the application relates enables the site to accommodate the variation without material adverse offsite impact.
 - Whether the proposal provides for a majority commercial floor space.
 - Whether the variation results in an improved outcome for an on-site or adjoining heritage place.
 - Whether the variation results in, or substantially facilitates, an improved architectural outcome, including by avoiding reliance on an exemption that might otherwise be available.
 - Whether the variation enables a substantial reduction in off-site impacts relative to a compliant scenario.
 - Whether the variation results in, or substantially facilitates, the delivery of land use outcomes consistent with the preferred character of the relevant precinct.
 - Whether the departure results in, or substantially facilitates the delivery of appropriately secured public benefits including:
 - Affordable (including social) housing in excess of any minimum requirement in this Scheme;
 - Other specialised housing (e.g., housing for disabled persons) in excess of any minimum requirement in this Scheme;
 - Public open space in excess of any minimum requirement in this Scheme;
 - Provision of pedestrian links beyond those identified in this Schedule.
 - Whether the variation results in, or substantially contributes to, an unreasonable loss of amenity to the public realm through overshadowing and visual bulk.
 - Whether the variation results in, or substantially contributes to, an unreasonable loss of amenity to residential properties through overshadowing, overlooking and visual bulk.
 - Whether the variation results in, or substantially contributes to, building/s that contribute to an undulating city skyline that tapers down to the Geelong waterfront and the periphery of the Central Geelong.
 - Whether the variation facilitates that provision of a publicly accessible pedestrian link between streets/lanes in addition to those identified in Maps 12, 13, 14 and 15.
- Whether the development is of an appropriate scale to accommodate the mix and intensity of uses envisaged for that precinct.
- Whether the development represents an underdevelopment of a site.
- Whether the development provides reasonable on-site amenity of future occupants and surrounding building occupants.
- Whether the development provides appropriate separation between buildings for:
 - Solar access and daylight to habitable room windows and into office floorplates within existing buildings and to future development on adjoining sites.
 - Privacy into habitable room windows whilst minimising the need for screening.
 - The reasonable sharing of views to the Corio Bay, vistas and landmarks.
 - Articulation between buildings.
 - Pedestrian connections and public realm between buildings.
- Whether a proposal to exceed the maximum street wall height achieves a variation in street wall height to reinforce the existing subdivision and built form pattern of the streetscape.

- Whether multiple upper level setbacks are acceptable for a well-resolved design proposal that responds to context.
- Whether a proposal to setback the street wall away from the front boundary:
 - supports the priority of active frontages in the Retail Core precinct
 - provides a public benefit, including open space accessible to the public, entries, short term bicycle and scooter areas and/or deep soil planting zones.
 - does not compromise Crime Prevention through Environmental Design (CPTED) principles.
 - responds appropriately to an onsite or adjoining heritage place
- Whether a proposal to locate the street wall closer than required for identified landscape setbacks does not compromise the existing street scape character.
- Whether buildings positively contribute to an undulating skyline and enhances key views of the city from the Corio Bay, the Esplanade and from neighbouring suburbs to the east, south and west.

Building Adaptability

- Whether buildings have incorporated flexible and adaptable internal layouts that have the potential for a mix of uses, for variations in apartment size and type, and for different uses over time.

Street Activation and Interface

- Whether the development increases visible activity along the street and activates the façade through:
 - Encouraging retail and other active uses at ground level.
 - Providing clear glazing and legible entries to buildings including dwellings and accommodation.
 - Providing balconies and openable windows within the street wall and orienting habitable rooms towards the street and laneway.
 - Providing basement car parking or sleeved above ground car parking.
 - Avoiding unsafe entrapment spaces at ground level.
 - Providing for integrated services and access to bicycle parking garages so they do not visually dominate street level.
- The extent to which development provides for the passive surveillance of public spaces and creates a safe environment.

Design Quality and Architecture

- Whether the development demonstrates exceptional quality of design.
- Whether the development responds appropriately to onsite or adjoining heritage places.
- Whether the development has, through building facades, the design of footpaths and infrastructure and public art, contributed to activating the public realm.
- Whether building facades at ground level with a frontage of more than 45 metres in length, presents reduced visual impact by breaking up building mass into two or more distinct building components, or other alternative design approach responsive to streetscape grain, patterns and context.
- Whether any recess in a building façade at ground level not designed as an entry point, can be used for short term bicycle and scooter parking and/or provides an ability for deep soil canopy or other vegetation planting.
- Whether built form above the street wall provides for a variation in architectural expression, avoids blank walls and integrates active rooftop uses.
- Whether buildings comply with the principles contained in the *Siting and design guidelines for structures on Victorian Coast* (2020) and the *Marine and Coastal Policy* 2020.

Heritage Places

- Whether the upper levels of development have been designed to be visually distinct from the existing heritage façade and fabric in materiality.
- Whether the upper levels of development are recessive in mass and scale.
- Whether the visual prominence of heritage buildings located on a corner, contribute to a consistent commercial, residential or industrial heritage streetscape is preserved.
- Whether the heritage place is retained and at least the three-dimensional heritage built form is preserved to avoid facadism.
- Whether the integrity of the heritage place is retained and respected, in relation to siting, bulk, form, scale, character, texture and material, with imitation being avoided.

Environmentally Sustainable Design

- Whether the development incorporates ESD measures in the areas of energy efficiency, water resources, orientation to maximise access to daylight and sunlight, indoor environment quality, stormwater management, transport, waste management, innovation and urban ecology.
- Whether the building is to be constructed with materials that are resilient to the harsher environmental conditions of Geelong's coastal marine environment, to withstand increased corrosion, humidity, and moisture, and to ensure building performance and aesthetic quality is not compromised including where appropriate compliance with Australian standards for corrosion resistance, including:
 - AS4997 - Guidelines for the design of maritime structures
 - AS4100 - Steel
 - AS3600 - Concrete
 - AS1720 - Timber structures
 - AS1664 - Aluminium.

Laneway Widening

- Whether widening the laneway will have an impact on any adjoining buildings including those subject to a heritage overlay.

Wind Effects

Whether buildings have been designed to ensure comfortable wind conditions for the streets and spaces of Central Geelong.

Vehicle Access and Car parking

- The extent to which provision and location of car parking avoids dominating the street frontage(s).
- The extent to which the development prioritises walking, cycling and public transport use, and provides car parking that responds to anticipated demand.
- Whether above ground car parking can be obscured from views from neighbouring buildings.

Consultation

-

Commented [A71]: Specify the bodies that will be consulted, as appropriate, with particular types of applications. See the discussion in Chapter 15.3 and Consolidated Recommendation 44.

9.0
XX/XX/2021
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Signs

Sign requirements are at Clause 52.05. All land located within the Waterfront Precinct is in Category 3. All other land is in Category 1.

10.0
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Other provisions of the scheme

None specified.

11.0 Transitional Provisions

XX/XX/2021
Proposed
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This schedule does not apply to an application to amend or extend a planning permit for land within the Station, Knowledge and Enterprise or Retail Core precincts that was issued before the gazettal of Amendment C424ggee. For such applications, this schedule, as it was in force immediately before the gazettal of Amendment C431ggee continues to apply.

Commented [A72]: See Consolidated Recommendation 45

12.0 Reference documents

Central Geelong Framework Plan (2021)
Revitalising Central Geelong Open Space Network Strategy (2018)
Connecting people, place & environment: A Public Art Strategy for the City of Greater Geelong 2020
Siting and design guidelines for structures on Victorian Coast (2020)
Marine and Coastal Policy (2020).