

**Draft Greater Geelong Planning Scheme
Amendment C450ggee
Creamery Road Precinct Structure Plan and
Development Contributions Plan**

**Northern and Western Geelong Growth Areas Standing Advisory Committee
Referral 1 Report - Volume 1**

Planning and Environment Act 1987

21 May 2025

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 Report - Volume 1 pursuant to section 151 of the *Planning and Environment Act 1987*

Draft Greater Geelong Planning Scheme Amendment C450ggee

Creamery Road Precinct Structure Plan and Development Contributions Plan

21 May 2025



Lisa Kendal, Chair



Sarah Carlisle, Deputy Chair



Kate Partenio, Member

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Glossary and abbreviations

Amendment C395ggee	Greater Geelong Planning Scheme Amendment C395ggee
BIO	Bioretention System
Bisinella	Bisinella Developments Project Pty Ltd
BR	Bridges
C395ggee Panel	Panel that considered Greater Geelong Planning Scheme Amendment C395ggee
CCC	Clever and Creative Corridor
CIL	Community Infrastructure Levy
Committee	Northern and Western Geelong Growth Areas Standing Advisory Committee
Council	City of Greater Geelong
Day 1 Changes	Council initial proposed changes to the place based plan and DCP
Day 1 FUS	Council's updated Future Urban Structure (Document 40)
DCP	Creamery Road Development Contributions Plan
DCP Guidelines	<i>Development Contributions Guidelines</i> (June 2003, amended March 2007)
DCPO11	Development Contributions Plan Overlay Schedule 11
DEECA	Department of Energy, Environment and Climate Action
DIL	Development Infrastructure Levy
draft Amendment	draft Greater Geelong Planning Scheme Amendment C450ggee
Draft EPBC Plan	<i>Northern and Western Geelong Growth Areas Draft Environment Protection and Biodiversity Conservation Plan</i> , City of Greater Geelong, May 2023
DTP Planning	Department of Transport and Planning, State Planning Policy
DTP Transport Services	Department of Transport and Planning, Transport Services
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
ER	Evans Road

Evans Road Link	Evans Road outside the Precinct, connecting the WGGA and NGGA
Framework Plan	Northern and Western Geelong Growth Areas Framework Plan, August 2020
Framework Plan Map	Northern and Western Geelong Growth Areas Framework Plan Map in Clause 11.02-2L (Northern and Western Geelong Growth Area) of the Planning Scheme
FUS	Future Urban Structure
GGATIS	Geelong Growth Areas Transport Infrastructure Strategy
HillPDA Report	<i>NWGGA Social Infrastructure and Open Space Development Contributions Plan Peer Review and Costing</i> , HillPDA, 26 June 2024
ICP	Infrastructure Contributions Plan
IDA	Integrated Development Area
IN	Intersection
km/hr	kilometre per hour
LA	Land
MACS	Melbourne Archdiocese Catholic Schools
Minister	Minister for Planning
Ministerial Direction on DCPs	<i>Ministerial direction on the preparation and content of development contributions plans and Ministerial reporting requirements for development contributions plans</i>
NAC	Neighbourhood Activity Centre
NDA	Net Developable Area
NGGA	Northern Geelong Growth Area
NVPP	Creamery Road Native Vegetation Precinct Plan
NWGGA	Northern and Western Geelong Growth Areas
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Greater Geelong Planning Scheme
PLEM	Public Land Equalisation Method
POS	Pedestrian operated signal
Precinct	Creamery Road Precinct
PSP	Creamery Road Precinct Structure Plan
PSP Guidelines	<i>Precinct Structure Planning Guidelines: New Communities in Victoria</i> (VPA, October 2021)

SBRB	Sediment Basin and Bioretention system
Select Link Analysis	<i>Select Link Analysis (Usage) Assessment</i> (Stantec, 6 March 2023)
Submitters 7 and 11	Rosalia and Simon Nardi and Lovely Banks Development and Growland
UGZ8	Urban Growth Zone Schedule 8
Villawood	Batesford Developments Project Pty Ltd
VPA	Victorian Planning Authority
WGGA	Western Geelong Growth Areas

Overview

Amendment summary

The draft Amendment	Draft Greater Geelong Planning Scheme Amendment C450ggee
Common name	Creamery Road Precinct Structure Plan and Development Contributions Plan
Brief description	Implementation of the Creamery Road Precinct Structure Plan (PSP), Development Contributions Plan (DCP) and Native Vegetation Precinct Plan (NVPP)
Subject land	Creamery Road Precinct, bounded by the Geelong-Ballarat railway line to the north, the Geelong Ring Road to the east, the Midland Highway to the south, and Geelong-Ballan Road to the west
Planning Authority	City of Greater Geelong

Committee process

The Committee	Lisa Kendal (Chair), Sarah Carlisle (Deputy Chair) and Kate Partenio (Member)
Supported by	Gabrielle Trowse, Project Officer
Directions Hearing	14 February 2025, by video conference
Roundtable discussions	7, 8, 9, 10 and 11 April 2025 Wurriki Nyal Civic Centre, Geelong and by video conference
Site inspections	First site inspection: unaccompanied, 6 April 2025 (Members Kendal and Partenio) Second site inspection: unaccompanied (supervised by landowner representatives on private property for safety and access only), 10 April 2025 (all Committee members)
Parties to the roundtable discussions	See Appendix C
Citation	Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 [2025] PPV – Volume 1
Date of this report	21 May 2025

Executive summary

On 4 January 2025, the Minister for Planning (Minister) referred draft Greater Geelong Planning Scheme Amendment C450ggee (draft Amendment) and the Creamery Road Precinct Structure Plan (PSP), Development Contributions Plan (DCP) and Native Vegetation Precinct Plan (NVPP) to the Northern and Western Geelong Growth Areas Standing Advisory Committee (Committee). This is Referral 1 to the Committee.

The Minister requested early advice on whether the draft Amendment will provide a balanced development outcome with specific consideration of the:

- extent of developable land
- development infrastructure levy.

In providing its advice relating to a balanced development outcome the Committee was asked to consider efficiency of land use, opportunities to maximise development outcomes and timely delivery of development.

The Minister asked that the Committee's report outline any further work or changes required before notice of the draft Amendment is given *"to ensure a suitable development outcome"*.

The Committee invited stakeholders to participate in its consultation process through written submissions, evidence and roundtable discussions during April and May 2025. Fifteen parties participated in the Committee's consultation, including the City of Greater Geelong and twenty-three experts in the areas of town planning, urban design, transport planning, drainage infrastructure, community infrastructure and open space and ecology.

The Committee's consultation process was designed to allow parties to identify and resolve issues to the extent possible before the roundtable discussions, to allow the Committee to focus on unresolved issues.

The Committee is appreciative of the efforts and productive approach of parties and experts who participated in its consultation process.

Overall, the Committee finds there are significant opportunities to improve efficiency of land use and maximise development opportunities to achieve a more balanced development outcome. There is potential to increase the extent of developable land and significant potential to reduce the development infrastructure levy, and the Committee has made recommendations for further work to achieve this. In making recommendations for further work the Committee has been mindful of the need for timely delivery of development.

The Committee is not able to be specific about the extent of increase in developable land and decrease in development infrastructure levy as this will need to be determined following the completion of further work. However, based on assessment of alternatives presented to it during the consultation process the greatest opportunities relate to transport, drainage, open space and community infrastructure.

The draft Amendment, including the PSP and DCP, will need to be finalised following completion of the recommended further work.

Volumes 1 and 2 of this Report

This report is the Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 [2025] PPV – Volume 1 report.

Following the roundtable discussions, the Committee agreed to accept further submissions from:

- the Department of Transport and Planning Transport Services relating to State transport infrastructure along the Midland Highway,
- a late submission from the landowner of 110 Creamery Road, Bell Post Hill relating to drainage infrastructure on the property, and
- any reply submissions from parties.

Final further submissions are due by 26 May 2025. Following this, the Committee will issue a supplementary report, Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 [2025] PPV – Volume 2, to address issues relating to these matters.

For the Committee's complete report Volumes 1 and 2 will need to be read together.

Recommended further work

The Committee makes the following recommendations for further work before public notice of draft Greater Geelong Planning Scheme Amendment C450ggee:

1. **Redesign and repurpose the proposed Clever and Creative Corridor as an Urban Connector street, including associated intersections, and revise the Future Urban Structure, land take and costs accordingly.**
2. **Revise the drainage strategy to optimise the number, location and design of drainage assets, and revise the Future Urban Structure, land take and costs accordingly.**
3. **Review the road design parameters and design for Evans Road in the Creamery Road Precinct, and revise the Future Urban Structure, land take and costs accordingly.**
4. **After completing the further work in Recommendations 1, 2 and 3, update the open space needs assessment in section 5.3 of the HillPDA Report to reflect the revised Net Developable Area and revised population projections to be delivered through the revised Future Urban Structure. The updated needs analysis should further consider opportunities to:**
 - a) **maximise Net Developable Area in the Creamery Road Precinct by reconfiguring open space while still delivering acceptable open space outcomes having regard to the targets and other guidance in the *Precinct Structure Planning Guidelines: New Communities in Victoria* (VPA, October 2021)**
 - b) **maximise capacity within Myers Reserve including any further extensions**
 - c) **better utilise the encumbered open space in the Precinct for passive recreation, shared trails and the like**
 - d) **balance the provision of active open space across neighbouring precincts in the Western Geelong Growth Area.**
5. **Prepare information documenting the basis for proposed apportionment of shared infrastructure located in the Precinct or external to the Precinct, including an assessment of need, nexus and equity.**
6. **After completing the further work in Recommendation 5:**

- a) determine whether it is reasonable to include a contribution towards Evans Road Link in the Creamery Road Development Contributions Plan
 - b) further consider whether the Creamery Road Development Contributions Plan should include a contribution towards the Indoor Recreation Centre (IRC_01).
7. After completing further work recommended by the Committee (Recommendations 1, 2 and 3) prepare updated land valuation estimates for each relevant Development Contribution Plan item using the Public Land Equalisation Method methodology.
8. Amend the Creamery Road Precinct Structure Plan, including updating the Future Urban Structure, to:
 - a) incorporate changes resulting from further work in Recommendations 1, 2, 3, 4, 5, 6 and 7
 - b) provide greater flexibility in relation to the provision of housing densities, including the locations where increased densities are encouraged by:
 - rewording the Requirements in Section 3.1.2 (Housing diversity, density and choice) to:
 - allow delivery of densities below the minimums specified in Table 4 if the market for medium and higher density housing is not yet sufficiently mature
 - encourage higher densities in appropriate locations outside the Integrated Development Areas
 - amending Plan 8 (Housing) to indicate increased densities may be appropriate in locations outside the Integrated Development Areas
 - c) ensure the social and affordable housing provisions are discretionary
 - d) remove the non-government school (project PS_02)
 - e) designate an appropriate dwelling density on the land currently shown as the non-government school (project PS_02)
 - f) ensure there is sufficient flexibility to refine the conservation boundary in response to the *Environment Protection and Biodiversity Act 1999* strategic assessment and any updated ecological survey work
 - g) ensure there is sufficient flexibility to refine the conservation boundary in response to the *Environment Protection and Biodiversity Act 1999* strategic assessment and any updated ecological survey work
 - h) include guidance on design to appropriately respond to ecological values for online drainage assets.
9. Amend the Creamery Road Development Contributions Plan to:
 - a) incorporate changes resulting from further work in Recommendations 1, 2, 3, 4, 5, 6 and 7
 - b) include an explanation of how the requirement for infrastructure to be “*essential to the health, safety and well-being of the community*” has been applied in assessing Development Contributions Plan items
 - c) include more detail in relation to the design and costings of the proposed improvements to the active open space
 - d) include more detail in relation to the catchments and the design of the Creamery Road and Batesford North community hubs (projects CF_01 and CF_BN_01)
 - e) remove the non-government school (project PS_02).

- 10. Amend the draft Urban Growth Zone Schedule 8 to ensure the social and affordable housing provisions are discretionary.**

Part A The Committee's approach and summary of findings

1 Introduction

1.1 Terms of Reference and referral

The Northern and Western Geelong Growth Areas Standing Advisory Committee (Committee) was appointed by the former Minister for Planning on 31 January 2023. The Committee's purpose is set out in its Terms of Reference (see Appendix A) dated 28 October 2022 (see 10(iv)) as follows:

... to provide timely advice to the Minister for Planning and the council on specific matters referred to it related to implementation of the Northern and Western Geelong Growth Areas Framework Plan such as precinct structure plans (PSP), development contributions plans, biodiversity conservation strategy and any associated draft planning scheme amendments.

The Terms of Reference advise that the Minister for Planning will provide a letter of referral to the Committee's Lead Chair:

...seeking its advice on particular matters or unresolved submissions and/or any other relevant matter.

The Minister for Planning referred draft Greater Geelong Planning Scheme Amendment C450ggee (draft Amendment) and the Creamery Road Precinct Structure Plan (PSP), Development Contributions Plan (DCP) and Native Vegetation Precinct Plan (NVPP) to the Committee on 4 January 2025. This is Referral 1 to the Committee.

The referral letter (see Appendix B) seeks the Committee's advice on specific matters before the draft Amendment is prepared and exhibited and requests:

...the early advice of the Committee on whether the draft amendment will provide for a balanced development outcome, including consideration of its ability to provide for efficient land use, maximise development opportunities and provide for the timely delivery of development.

The Committee is asked to focus on two specific matters:

- The extent of developable land in the draft Creamery Road PSP, having regard to land required for active and passive open space, conservation reserves, schools and community facilities, transport infrastructure and drainage assets (a net developable area of 57 percent is proposed).
- The development infrastructure levy, including the design, cost and apportionment of infrastructure items (in particular, the 'Clever and Creative Corridor' and drainage assets), as proposed in the draft Creamery Road DCP (a development infrastructure levy of approximately \$1.6 million per net developable hectare is proposed).

The referral letter also requests the Committee to:

...provide a report following the initial assessment which outlines any further work that needs to be undertaken or any changes required to be made to the draft Amendment prior to public exhibition to ensure a suitable development outcome.

Table 1 sets out the report outcomes required under the Committee's Terms of Reference and referral letter, and the relevant chapters of this Report where the matters are addressed.

Table 1 Response to Terms of Reference and Letter of Referral outcomes

Reference	Outcome	Report chapters
Terms of Reference		
s29(a)	Whether the referred element(s) of the draft Amendment or planning permit is appropriate	Executive Summary, Chapters 4-10

Reference	Outcome	Report chapters
Terms of Reference		
s29(b)	A summary and assessment of the issues raised in submissions referred to the Committee	Not applicable as no submissions referred
s29(c)	Any other relevant matters raised in the course of the Committee process	Chapters 4-10
s29(d)	Its findings and recommendations on all key issues	Chapters 4-10
s29(e)	A list of persons who made submissions considered by the Committee	Appendix C
s29(f)	A list of tabled documents	Appendix D
s29(g)	A list of persons consulted or heard, including via video conference	Appendix C
Referral letter		
	Whether the draft Amendment will provide for a balanced development outcome, including consideration of its ability to provide for efficient land use, maximise development opportunities and provide for the timely delivery of development	Executive Summary, Chapter 4.3, Chapters 5-10
	The extent of developable land in the draft Creamery Road PSP	Executive Summary, Chapter 4.1, Chapters 5-10
	The development infrastructure levy	Executive Summary, Chapter 4.2, Chapters 5-10
	Any further work that needs to be undertaken or any changes required to be made to the draft amendment prior to public exhibition to ensure a suitable development outcome	Executive Summary, Chapters 4-10

1.2 The Committee's approach

(i) Response to Terms of Reference and referral letter

The Committee has conducted its assessment in accordance with the procedural requirements of the referral letter and Terms of Reference, in particular Clauses 13 and 14.

Clauses 13 and 14 state:

13. The committee may meet, and depending on the nature of the referral and the issues raised, undertake consultation that is fit for purpose. This may be on the papers; Three round table discussions or forums; Or hearings. There must be a quorum of at least two committee members including a chair or deputy chair.
14. The committee will provide a targeted and timely process to assess the merits of discrete unresolved issues associated with the growth areas.

Clause 24 of the Terms of Reference allows the Committee to inform itself in anyway it sees fit, but it must consider (as relevant):

- a) The relevant components of the referred plan and associated draft planning scheme amendment that relate to the submissions or issues referred to it
- b) ...
- c) The Greater Geelong Planning Scheme
- d) The Northern and Western Geelong Framework Plan
- e) The relevant ministerial directions
- f) Any other material referred to it.

(ii) The consultation process

The Committee's process is outlined in the Overview table above, and procedural issues are documented in Chapter 1.4.

The Committee provided a targeted process to assess the two specific matters it was asked to consider. It consulted with parties through:

- exchange of written submissions and evidence
- roundtable discussions.

The Committee's directions provided for parties and experts to identify and resolve issues, to the extent possible, before the roundtable discussions started so the Committee could focus on unresolved issues during the roundtable.

(iii) The Committee's reports

This report is the Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 [2025] PPV – Volume 1.

Following the roundtable discussions, the Committee agreed to accept further submissions from:

- the Department of Transport and Planning Transport Services relating to State transport infrastructure along the Midland Highway,
- a late submission from the landowner of 110 Creamery Road, Bell Post Hill relating to drainage infrastructure on the property, and
- any reply submissions from parties.

Final submissions are due by 26 May 2025. Following this, the Committee will issue a supplementary report, Northern and Western Geelong Growth Areas Standing Advisory Committee Referral 1 [2025] PPV – Volume 2, to address issues relating to these matters.

For the Committee's complete report Volumes 1 and 2 will need to be read together.

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

1.3 Key issues

The overarching issues were whether:

- there are viable options to increase the extent of developable land (Net Developable Area/NDA)
- there are viable options to reduce the development infrastructure levy (DIL)
- the draft Amendment will provide for a balanced development outcome.

Key unresolved issues related to whether:

- infrastructure items were appropriate and required to service the Precinct
- infrastructure should be ‘basic and essential’, and the type and standard of infrastructure items complied with the *Development Contributions Guidelines* (June 2003, amended March 2007) (DCP Guidelines)
- inclusion of shared infrastructure items was adequately justified
- State infrastructure should be included in the DCP
- the land valuation methodology is appropriate
- the Clever and Creative Corridor (CCC) should be included in the Precinct, and if so how it should be designed and funded
- the Evans Road Link, between the Western Geelong Growth Area (WGGA) and Northern Geelong Growth Area (NGGA), should be included in the DCP
- design parameters for Evans Road within the Precinct are appropriate
- the drainage strategy is appropriate
- the overall provision of open space is appropriate
- the provision of sports reserves, community facilities and non-government schools is appropriate
- the proposed location and density of housing is appropriate
- provisions relating to social and affordable housing are appropriate
- provisions relating to the Cowies Creek conservation area are appropriate.

Details of resolved and unresolved issues are included in the issues specific chapters of this Report.

1.4 Procedural issues

(i) Stakeholder invitation

The Committee wrote to relevant landowners, developers and agencies inviting them to participate in the Committee’s consultation process.¹ The following stakeholders were invited to participate:

- stakeholders suggested by Council and the Department of Transport and Planning, State Planning Policy (DTP Planning) (Committee letter of 22 January 2025)
- additional stakeholders identified by Council in its initial information letter to the Committee dated 11 February 2025, specifically those associated with Batesford North Precinct Structure Plan, Batesford South Precinct Structure Plan and the Northern Geelong Growth Area (NGGA)
- the Victorian Planning Authority (VPA), on the basis it had provided input and guidance to Council during preparation of the draft Amendment.²

(ii) Roundtable discussions

Roundtable discussions were held at the City of Greater Geelong (Council) offices from 7–11 April 2025. The Committee’s directions letter (dated 20 February 2025) explained the purpose of the roundtable discussions was to:

¹ Document 1

² Council meeting minutes (27 August 2024), page 491

To explore unresolved issues related to the matters before the Committee, specifically the NDA and the development infrastructure levy, in the context of the broader question about whether the Amendment will provide for a balanced development outcome, including consideration of whether the Amendment:

- provides for efficient land use
- maximises development outcomes
- provides for the timely delivery of development.

The Committee sought views of parties on the topics for discussion at the roundtable. The following views were provided:

- the McCann family (Submitter 12) suggested that two bridge projects listed in the DCP, BR_01 and BR_04, be discussed during the DCP and transport sessions
- Antonio, Rosalia and Simon Nardi (Submitter 7) suggested that the CCC and drainage matters should be discussed.

No other party suggested topics for discussion.

Day 1 of the roundtable discussions involved opening submissions and presentations from Council, Batesford Developments Project Pty Ltd (Villawood), Bisinella Developments (Bisinella), Department of Transport and Planning, Transport Services (DTP Transport Services), 305 Bat Pty Ltd, Adbri Limited, Ramsey Property Group, Antonio, Rosalia and Simon Nardi and Lovely Banks Development and Growland (Submitters 7 and 11), and Avonlea Homestead.

The roundtable discussions were based around six key themes:

- planning and urban design
- transport projects
- development contributions and land valuation
- community infrastructure and open space
- ecology and the Cowies Creek Conservation Area (conservation area)
- drainage projects.

The final day of the roundtable discussions provided an opportunity for parties to make closing submissions. The Committee also invited and received written closing submissions from most parties (see Appendix D).

(iii) Joint statement/Council Day 1 Changes and party responses

The option of a joint statement between Council and Villawood was discussed at the Directions Hearing. Several parties indicated they may wish to have input into a joint statement.

Council proposed an alternative approach. It advised it was undertaking a review to identify opportunities to rationalise the FUS and DCP and indicated it intended to circulate an updated FUS and DCP (Day 1 Changes) by 7 March 2025. Council proposed that parties respond to its proposed Day 1 Changes by 14 March 2025 instead of preparing a joint statement. Villawood and other parties supported Council's approach.

Council offered to provide a summary of points of agreement and disagreement before the roundtable discussions started, based on its Day 1 Changes and the comments from other parties.

The Committee agreed that Council's alternative process was preferred and issued directions accordingly.

The following documents were circulated:

- Council Day 1 Changes on 7 March 2025 (Document 23)
- Council Day 1 Changes addendum documents on 18 March 2025 (Documents 37 - 40), including updated FUS (Day 1 FUS)
- party responses to Council's Day 1 Changes (see Appendix D for document references)
- Council's further changes in response to party submissions and summary of points of agreement and disagreement between Council and parties (Document 128).

(iv) Evidence and joint expert statements

The Committee directed that expert reports must broadly address (within the expert's area of expertise) what is needed to service the precinct to a basic and essential level.

It also directed expert meetings be held, and joint expert statements be prepared and circulated by 28 March 2025 (subsequently extended to 30 March 2025), in the following areas:

- planning and urban design
- traffic and transport
- drainage and hydrology
- development contributions.

Appendix C includes details of experts, and Appendix D lists expert reports and joint expert statements.

(v) Submissions

The Committee directed that written submissions must be circulated before the roundtable discussions (by Wednesday 2 April 2025) and must broadly address:

- the party's position on the issues before the Committee, namely:
 - (i) the broad question before the Committee (whether the Amendment can deliver an acceptable development outcome)
 - (ii) the two specific matters before the Committee (NDA and the DIL)
- the party's view on what issues should be addressed at this stage of the process, in the context of the issues before the Committee
- the outcomes the party is seeking at this stage of the process
- what the party considers negotiable and non-negotiable elements of the proposal
- if further work is required, what is required and why.

(vi) Department of Transport and Planning, Transport Services

Council's proposed Day 1 Changes proposed removing State transport infrastructure items from the DCP, specifically:

- IN05 (intersection of Geelong-Ballan Road and Midland Highway, both arterial roads)
- LA02 (land for Geelong-Ballan Road upgrades)
- LA03 (land for Midland Highway upgrades).

On 13 March 2025, DTP Transport Services wrote to the Committee³ requesting an extension until 12 May 2025 to respond to Council's proposed Day 1 Changes. DTP Transport Services advised it had not been consulted in relation to the proposed changes.

³ Document 33

On 17 March 2025, the Committee circulated DTP Transport Services' letter to all parties and advised that the request would be discussed as a preliminary matter on Day 1 of the roundtable discussions.

The request was discussed throughout the roundtable. Some parties contended that the Committee should not accept further submissions from DTP Transport Services on the basis that DCPs should not fund State infrastructure and DTP's position was therefore irrelevant to the Committee.

DTP Transport Services submitted that other Geelong DCPs have included State infrastructure. It said this practice was endorsed by the Panel for Amendment C395ggee (C395ggee Panel) relating to the Greater Geelong Settlement Strategy and NWGGA. It submitted that the additional work it proposed would examine the need and nexus between the infrastructure items and the development of the Creamery Road precinct.

Expert witnesses discussed the inclusion of State infrastructure in DCPs in the transport projects roundtable. While their views differed, they agreed that it is not expressly prohibited under the Ministerial Direction on DCPs⁴ or DCP Guidelines. Some experts noted it may be appropriate in certain cases.

The Committee agreed to accept a further submission from DTP Transport Services by 12 May 2025. Other parties were invited to respond by 26 May 2025.

The Committee decided to:

- prepare an interim report covering all matters except IN05, LA02, and LA03 within 30 days of the roundtable's conclusion (including receipt of any further information)
- prepare a supplementary report addressing those three items following receipt of DTP Transport Services' further submissions and party responses.

Chapter 1.2(iii) explains the structure of the Committee's reports (Volumes 1 and 2). Both reports will be provided to the Minister for Planning and Council in accordance with the Committee's Terms of Reference.

(vii) Department of Environment, Energy and Climate Change

The Department of Environment, Energy and Climate Change (DEECA) advised the Committee before the Directions Hearing that it did not intend to actively participate in the Committee's process unless the boundaries of the conservation area might change. At the Directions Hearing, Bisinella indicated it intended to put the conservation area boundaries before the Committee.

The Committee wrote to DEECA on 13 March 2025⁵ advising it considered the conservation area boundaries were relevant to its task, as it related to NDA and development viability. The Committee advised DEECA it proposed to:

...add DEECA to the distribution list, to ensure that it receives submissions and evidence relating to the matter. Following review of this material, DEECA may decide it wishes to participate in the Committee's process.

⁴ Ministerial direction on the preparation and content of development contributions plans and Ministerial reporting requirements for development contributions plans

⁵ Document 28

The Committee asked DEECA to advise if it intended to participate in the Committee's process by 4 April 2025 and to make a written submission by 8 April 2025. The Committee allocated a provisional time in the roundtable agenda for discussions on the conservation area.

Following review of the ecology evidence from Jake Urlus of Tactecol for Bisinella, DEECA advised it did not wish to participate in the roundtable process but reserved the right to make a submission during any future exhibition of the draft Amendment.⁶

(viii) Melbourne Archdiocese Catholic Schools

Melbourne Archdiocese Catholic Schools (MACS) contacted PPV on 8 April 2025 requesting to address the Committee on the need for a Catholic primary school in the PSP area. A representative of MACS presented a brief submission at the roundtable the following day. MACS subsequently filed a written submission, along with a copy of a submission it made to the VPA about the draft PSP in June 2022.⁷

(ix) Late submission

The landowner of 110 Creamery Road, Bell Post Hill was invited to participate in the Committee's process, and indicated at the time they did not wish to do so but requested to be kept informed. Due to an administrative error the landowner did not receive correspondence during the Committee's process.

On 15 April 2025, the landowner requested and was provided with copies of documents relating to drainage that were tabled during the roundtable discussions. On 6 May 2025, the landowner requested to make a late submission to the Committee on the basis that the documents showed a proposed change affecting their property, and Council had previously advised them that there would be no change to their property.

The Committee accepted a late written submission from the landowner in relation to drainage matters potentially affecting 110 Creamery Road by 19 May 2025. Other parties were invited to respond to any new matters raised by 26 May 2025.

Volume 1 (this Report) addresses matters relating to drainage and, if required, any update in response to the late submission and responses will be addressed in the Committee's Volume 2 report.

1.5 Limitations and further consultation

The Committee has confined its considerations to matters in the Terms of Reference and referral letter. The Committee was not tasked with undertaking a full merits assessment of the draft Amendment, or the merits of individual proposed land takes, the projects in the DCP or the DCP costings. The Committee has focused on unresolved issues, as identified in the issue-specific chapters of this Report.

Some parties raised concerns that the draft Amendment may not be made available for further consultation.

⁶ Document 101

⁷ Documents 143 and 144

Based on the letter of referral and advice of DTP Planning presented at the Directions Hearing, the Committee understands the Minister:

- may seek further advice from the Committee in relation to whether any further work recommended by the Committee has been satisfactorily completed prior to public consultation on the draft Amendment commencing
- advised that following notice and review of any submissions received, the Minister will consider the Amendment under section 20(4) of the *Planning and Environment Act 1987* (PE Act).

Council stated its expectation that a further consultation process on the draft Amendment was likely. Parties were generally mindful to not raise broader range of merit-based issues on the expectation they would have an opportunity to make submissions during consultation on the draft Amendment. In some cases parties requested the Committee not address specific issues noting these will likely be considered through a separate process.

It is for the Minister to decide the appropriate process for progressing the draft Amendment, and whether further consultation will be undertaken. However, where relevant the Committee has identified any unresolved issues it considers may benefit from assessment through any subsequent consultation process on the draft Amendment.

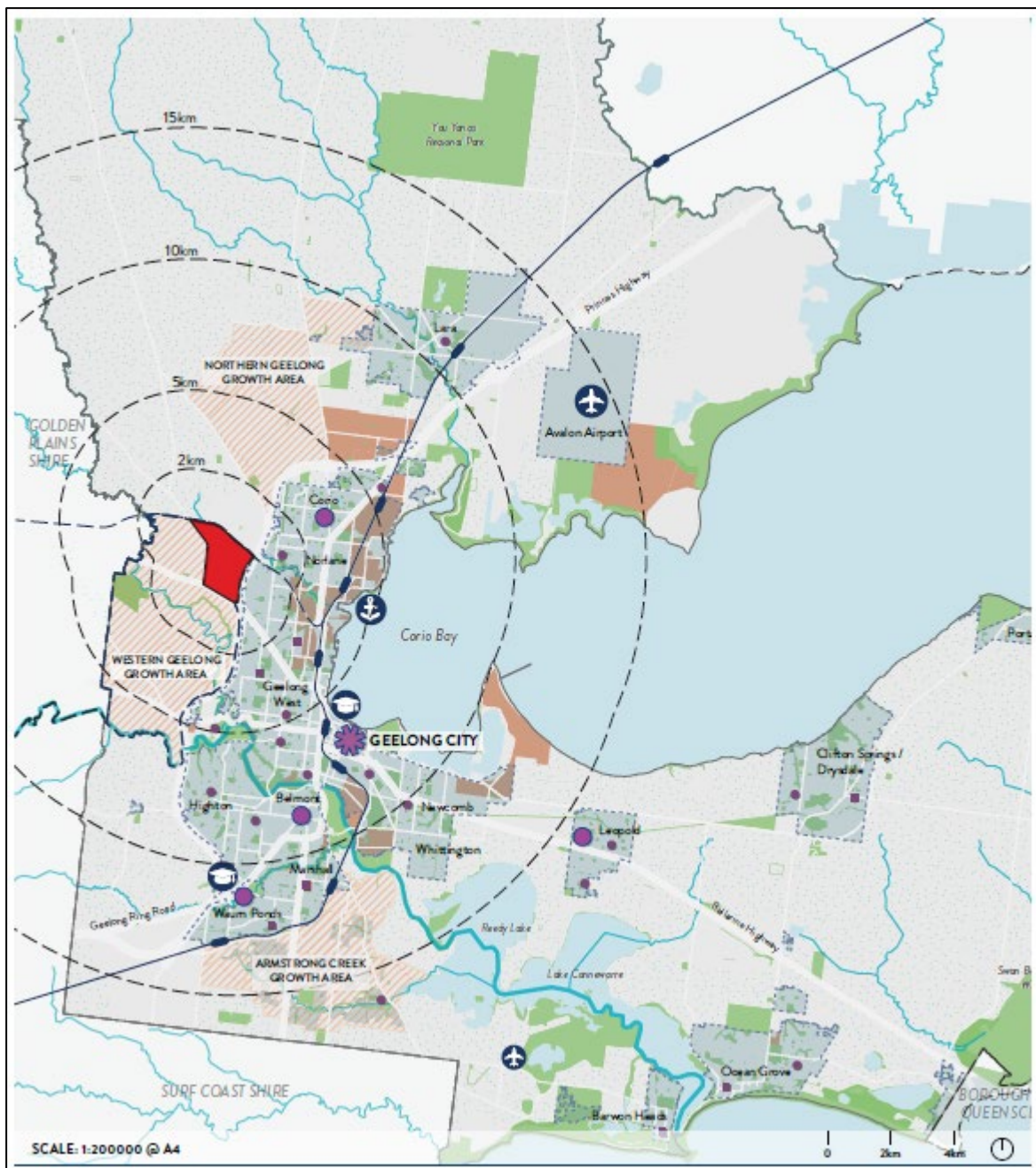
2 The Precinct and draft Amendment

2.1 The Precinct and context

Figure 1 shows the location of the precinct (shown in red) in the context of Geelong. The Precinct, located in the Western Geelong Growth Area (WGGA), is around 345 hectares and is the first precinct to be developed in the Northern and Western Geelong Growth Areas (NWGGA).

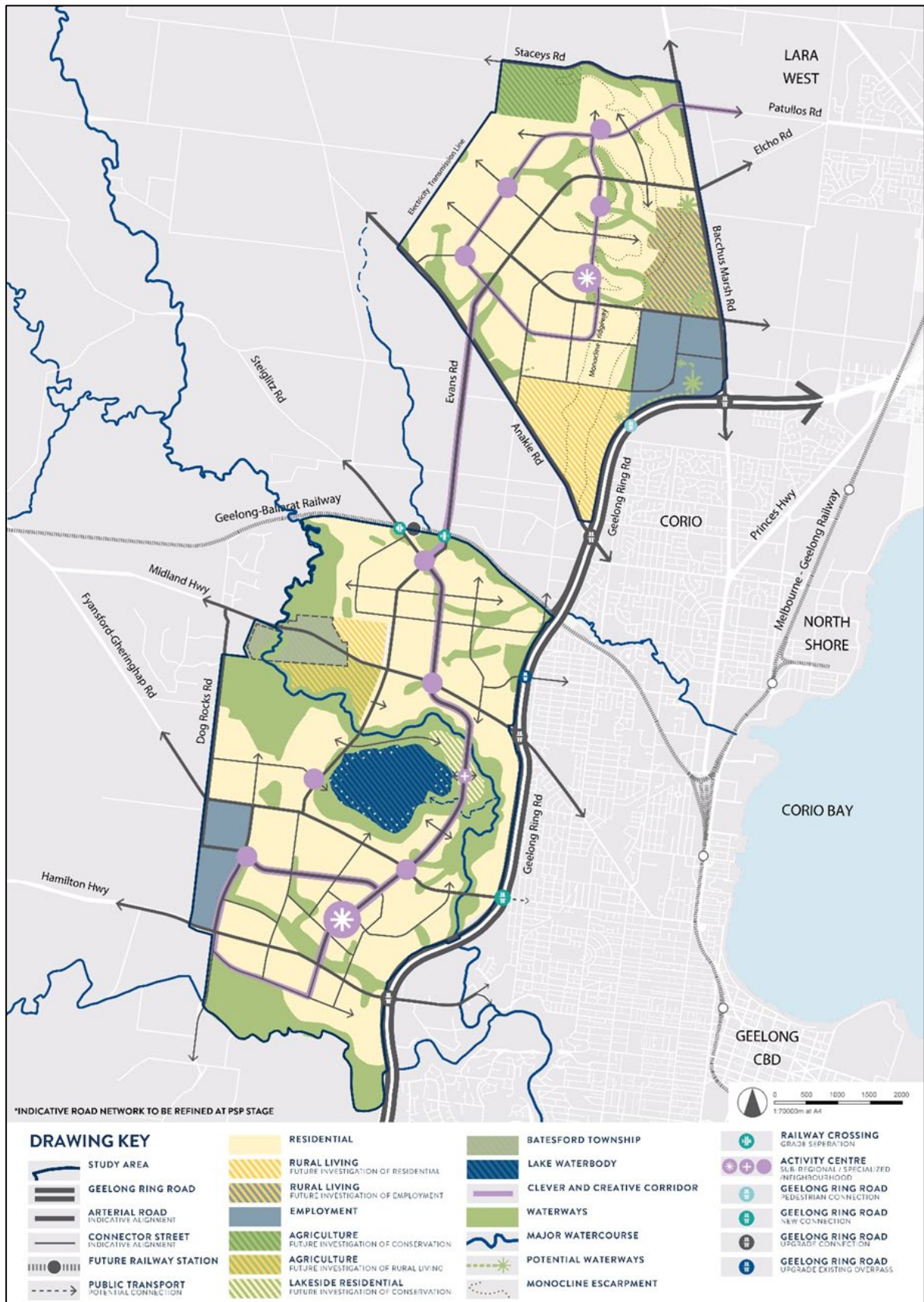
Figure 2 shows the Northern and Western Geelong Growth Areas Framework Plan Map (Framework Plan Map).

Figure 1 Precinct and regional context



Source: Plan 1 - Regional Context, PSP

Figure 2 Framework Plan Map



Source: Planning Scheme, Clause 11.02-2L

2.2 The draft Amendment

(i) The draft Amendment

The draft Amendment proposes to implement the PSP, DCP and NVPP into the Greater Geelong Planning Scheme (Planning Scheme). It proposes to introduce the:

- Urban Growth Zone Schedule 8 (UGZ8), Development Contributions Plan Overlay Schedule 11 (DCPO11) and Parking Overlay Schedule 2 (PO2) to the precinct
- Environmental Audit Overlay (EAO) and Heritage Overlay (HO) to select properties.

The UGZ8 contains applied zone provisions associated with the FUS plan and includes requirements relating to (among others):

- an urban design framework for the Neighbourhood Activity Centre (NAC)
- the conservation area
- social and affordable housing
- zero carbon operations
- landslide susceptibility areas
- ESD
- circular economy
- biodiversity levy.

The DCPO11 applies to land in the Precinct. It sets out the levies shown in Table 2.

Table 2 Draft DCPO11 levies

Charge area	Levies payable by the development (\$) Development infrastructure per net developable hectare (July 2024)	Community infrastructure per dwelling (July 2024)
Whole catchment	\$1,559,840.06	\$1,450
Total	\$1,559,840.06	\$1,450

Source: DCPO11, Clause 2.0

The draft Amendment also proposes changes to the Planning Scheme to ensure urban development in the NWGGA is consistent with the NWGGA Environment Protection and Biodiversity Conservation Plan (EPBC Plan) and supporting documents, which seek to protect matters of national environmental significance (MNES) in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act).

The draft Amendment documents are listed in Appendix D.

(ii) Creamery Road Precinct Structure Plan

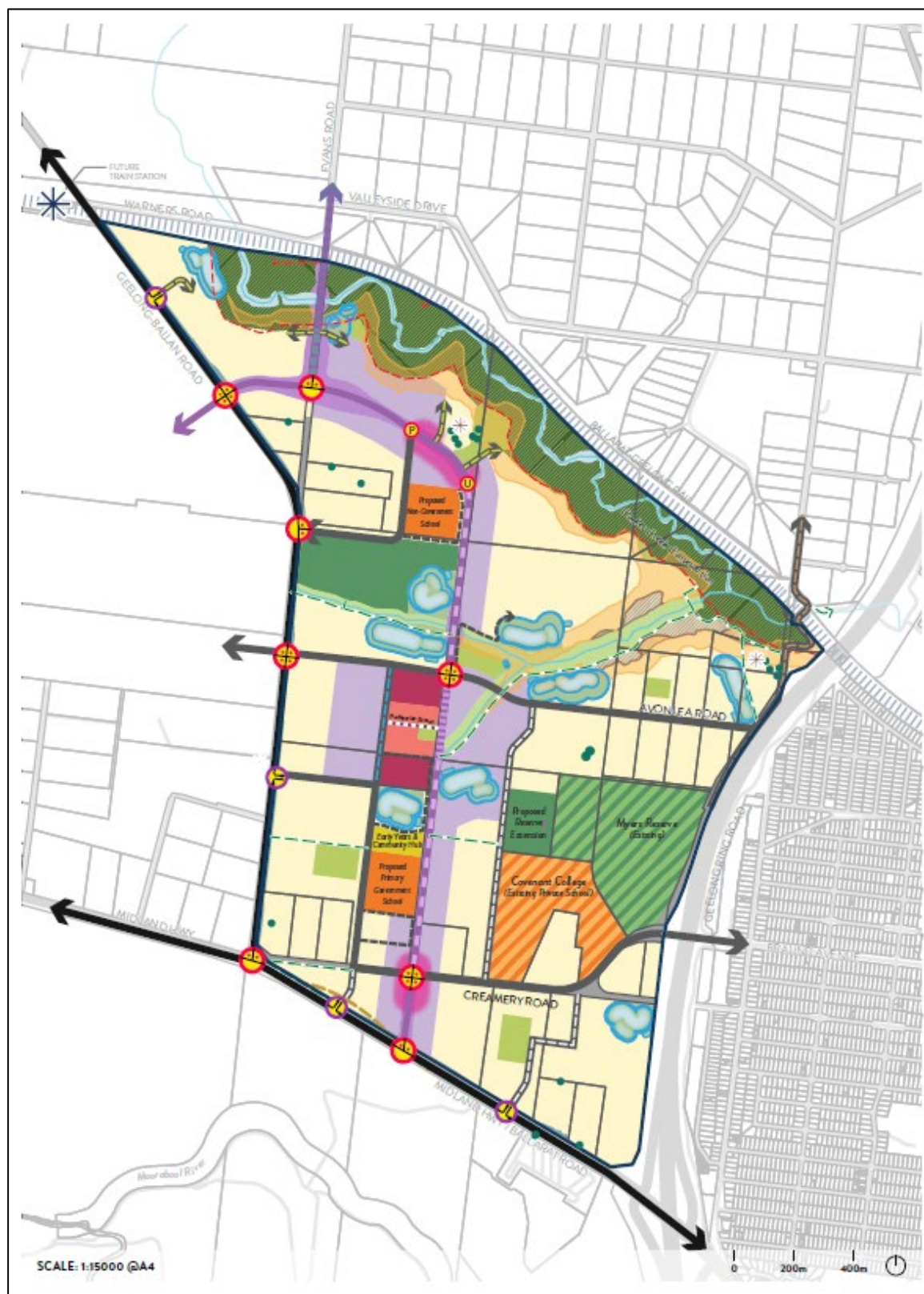
The PSP states it is a:

...long-term strategic plan to guide urban use and development. It describes how land is expected to be developed, what natural assets must be protected, and how and where services are planned to support this development.

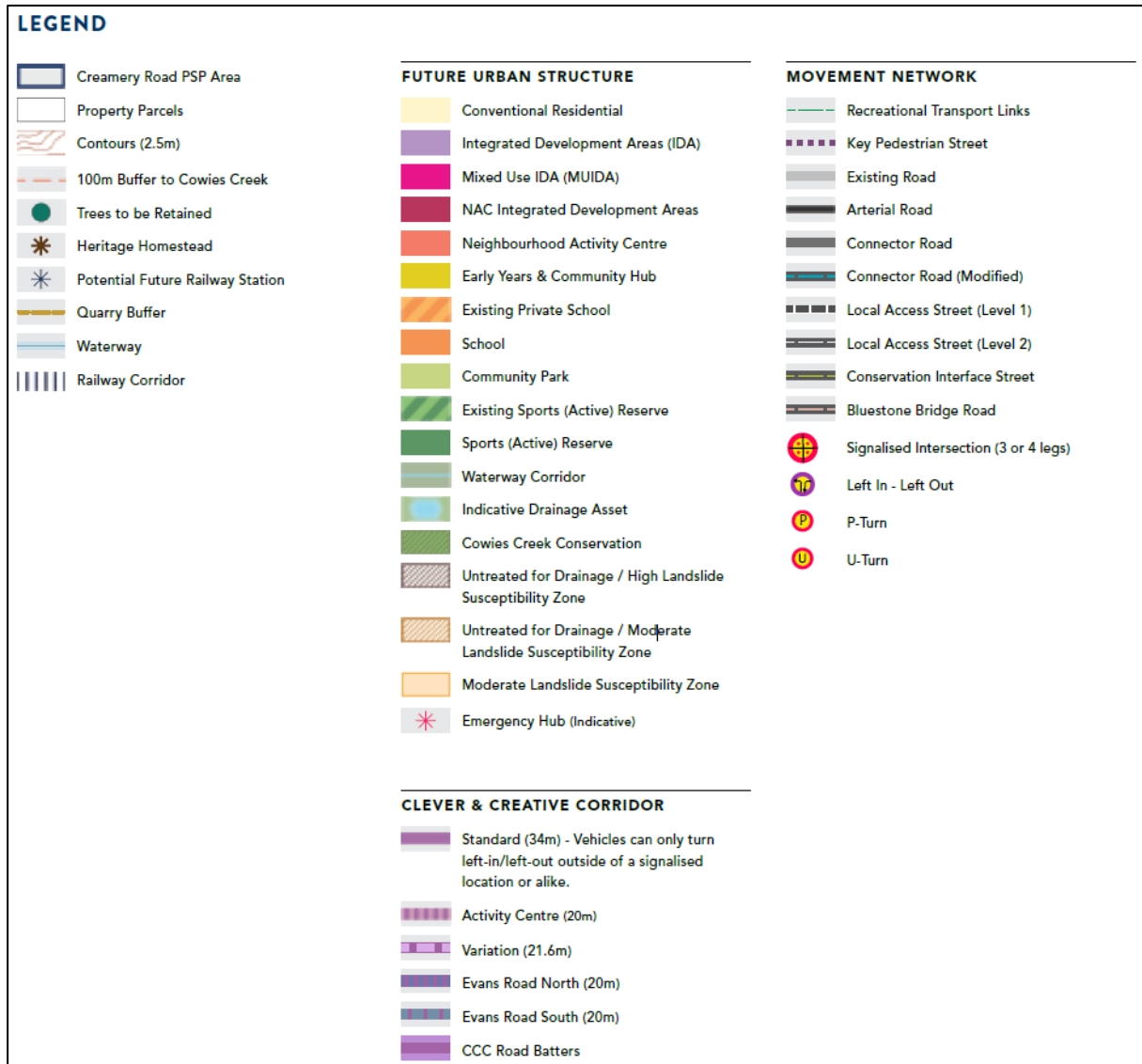
Among other things it:

- outlines a vision for development of the Precinct
- includes plans to guide development, including a FUS (see Figure 3)
- objectives, requirements and guidelines for land use, development and subdivision.

Figure 3 Draft Future Urban Structure Plan



Source: Plan 5 - Future Urban Structure Plan, PSP



The PSP provides 195.717 hectares of NDA (56.80 percent) and anticipates approximately 3,645 dwellings and 10,200 residents.

The PSP is intended to help meet the objectives of the Framework Plan (see Chapter 3.2(ii)) and according to Council includes:

...innovative components not typically found in Victorian PSPs, including in particular the Clever and Creative Corridor (CCC) and smart city technology. In accordance with the Precinct Structure Planning Guidelines: New Communities in Victoria (VPA, October 2021) [PSP Guidelines], the PSP also provides for and addresses social and affordable housing, environmentally sustainable design, net zero carbon requirements, and tree canopy cover targets. These components are critical to achieving vibrant, healthy, and sustainable future communities.

(iii) Creamery Road Development Contribution Plan

The PSP states:

The DCP sets out the requirements for developers to contribute towards the basic and essential infrastructure required to support development of the precinct.

The DCP explains it *“is an implementation-based planning tool which identifies the infrastructure items required by the new community and apportions the cost of this infrastructure in an equitable manner across the plan area”*. The DCP comprises five parts:

1. Strategic basis: Clearly explains the strategic basis for the DCP.
2. Justification: Provides justification for the various infrastructure projects included in the DCP.
3. Calculation of contributions: Sets out how the development contributions are calculated and cost apportioned.
4. Administration: Focuses on administration of the DCP.
5. Implementation: Focuses on implementation of the DCP.

The DCP includes total infrastructure costs of around \$313 million including:

- a DIL of \$1,599,840.06 per hectare
- a community Infrastructure Levy (CIL) of \$2,279.74 per dwelling (noting that under the PE Act the CIL is capped at \$1,450 per dwelling for the 2024-25 financial year).⁸

The DCP uses codes to identify projects (as shown in Figure 4) and on the Infrastructure Plan in the PSP (see Figure 5).

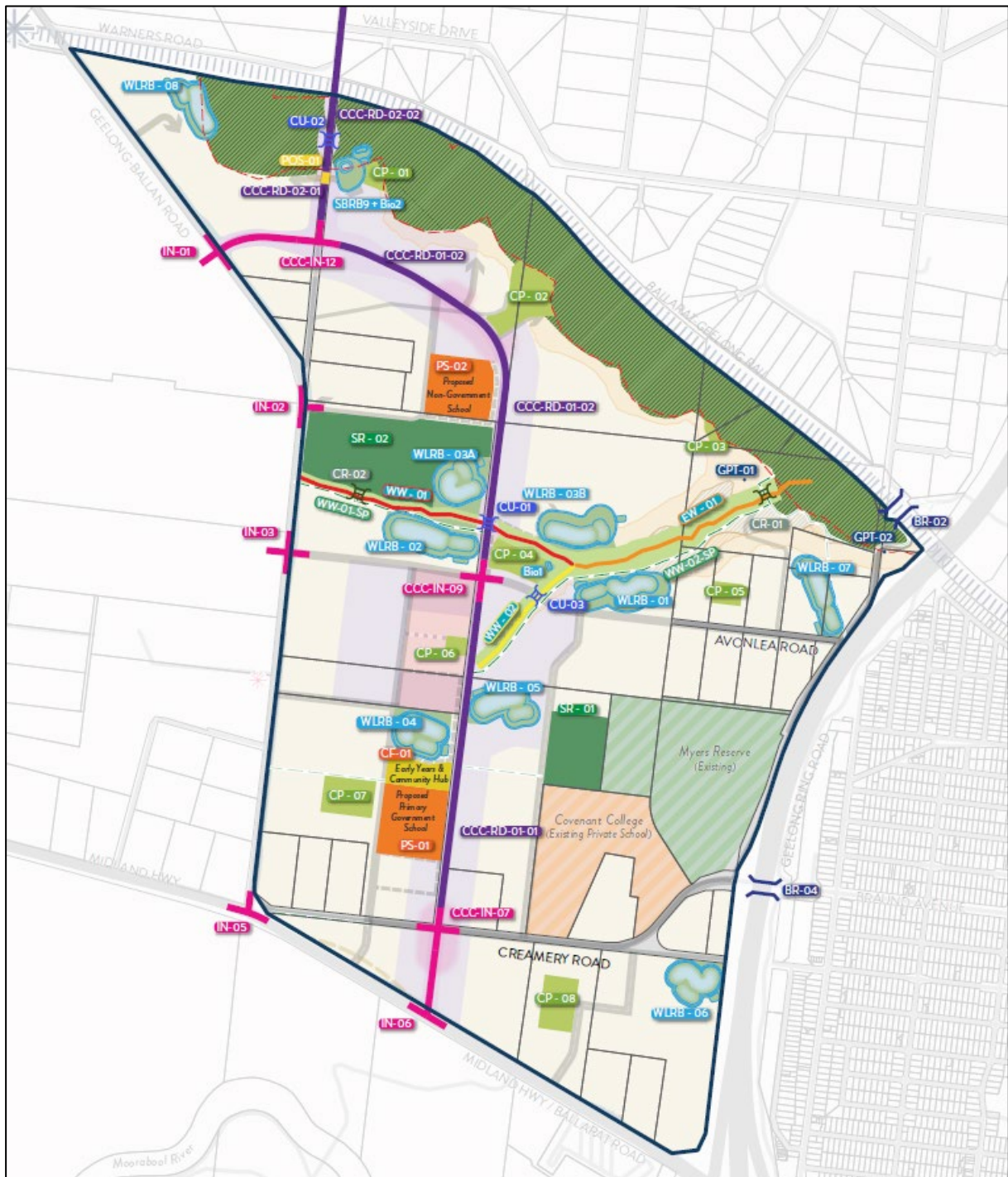
Figure 4 DCP project codes

<ul style="list-style-type: none"> – Transport projects <ul style="list-style-type: none"> • Roads (RD) • Intersections (IN) • Pedestrian Operated Signals (POS) • Shared user paths and trails (SP) • Culverts (CU) • Bridges (BR) – Community facility projects <ul style="list-style-type: none"> • Community facilities (CF) 	<ul style="list-style-type: none"> – Open space projects <ul style="list-style-type: none"> • Active Open Space – Sports Reserve (SR) • Sports Reserve Pavilion (SRP) • Indoor Recreation Centre (IRC) – Drainage projects <ul style="list-style-type: none"> • Constructed Waterway Works (WW) • Ephemeral Waterway Works (EW) • Wetland & Retarding Basin (WLRB) • Bioretention works (BIO) • Gross Pollutant Traps (GPT) • Waterway Crossing works (CR)
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Source: DCP

⁸ Council explained the CIL is “invariably oversubscribed with Council meeting the inevitable and substantial shortfall through rates and other revenue” (Document 124).

Figure 5 **Precinct Infrastructure**



Source: Plan 24 – Precinct Infrastructure Plan, PSP

Throughout this report the Committee has referred to infrastructure items by the project codes and the project number as follows:

- project code_ project reference, for example SR_01 (Myers Reserve Extension).

This is generally consistent with the DCP.

The PSP at times refers to projects using various versions of this code, for example SR01, SR-01. For consistency, the draft Amendment documents should be reviewed to ensure consistent reference to infrastructure items.

(iv) Creamery Road Native Vegetation Precinct Plan

The NVPP provides for strategic planning and management of native vegetation in the Precinct. It has been prepared in accordance with the guidance in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (Native Vegetation Guidelines). The NVPP identifies:

- Native vegetation to be protected;
- Native vegetation that can be removed, destroyed or lopped without a requiring a planning permit;
- Offsets that must be sourced by landowners, as outlined in the NVPP, prior to the removal of native vegetation; and
- Conditions that must be met to protect and retain vegetation.

The NVPP is intended to ensure that:

- areas retained for protection of native vegetation are managed to conserve ecological values in accordance with the NWGGA Strategic Assessment approval made under Part 10 of the EPBC Act, the NWGGA Biodiversity Conservation Strategy (BCS) and PSP
- the removal, destruction or lopping of native vegetation, and the management of the native vegetation specified to be retained, is consistent with conserving ecological values of these areas, and is in accordance with no net loss objective of the Native Vegetation Guidelines.

The NVPP includes a map of vegetation to be removed or retained.

(v) Technical reports

Technical reports informing the draft Amendment relate to (see Appendix D – Referred materials):

- acoustics
- arboriculture
- biodiversity, ecology and conservation
- bushfire
- drainage
- heritage
- landscape
- land capability
- retail and employment
- servicing
- social housing
- transport
- zero carbon precincts.

Details of these technical reports are included, as relevant, in other chapters of this Report.

2.3 Council and Villawood proposed changes

(i) Updated Future Urban Structure Plan

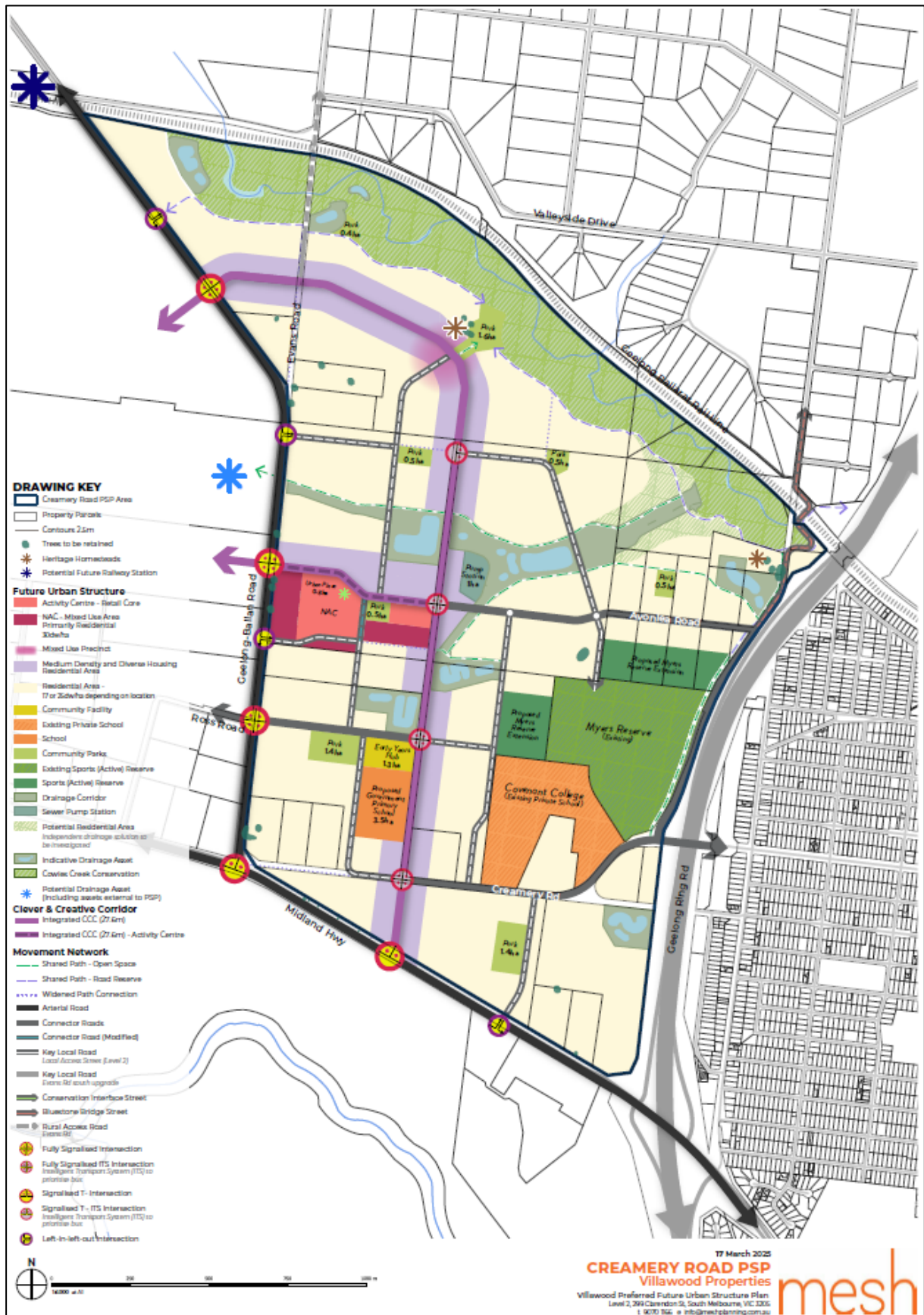
Figure 6 shows Council's updated Day 1 FUS and Figure 7 shows Villawood's preferred FUS (see Chapter 1.4(iii)).

Figure 6 Council's 'Day 1' updated FUS (14 March 2025)



Source: Document 40

Figure 7 Villawood's preferred FUS (17 March 2025)



Source: Document 46

(ii) Proposed changes to NDA and DIL rates

Table 3 shows the proposed changes to NDA and DIL proposed by Council and Villawood through the Committee's process.

Table 3 Proposed NDA and DIL rates

Party	NDA (Total precinct area 344.568 ha)	DIL (\$ per hectare)
Draft Amendment	195.717 ha (56.8%)	\$1,599,840.06
Council Day 1 Changes (D23)	198.405 (57.6%)	\$1,237,010.11
Council addendum to Day 1 Changes (D37)	201.003 (58.3%)	\$1,143,287.79
Villawood (D43)	215.2 (62.5%)	\$518,000.00
Council closing submissions (D170)	207.857 (60.32%)	not provided

3 Planning context

3.1 Plan for Victoria and Housing Targets

Plan for Victoria (released in February 2025) identifies Geelong as one of the three major regional cities that will accommodate the most housing growth in regional Victoria. The plan sets a housing target for Greater Geelong of 128,600 net new dwellings by 2051, with 51,000 of these being in greenfield areas including the NWGGA and 77,500 in non-greenfield areas.

3.2 Planning Policy Framework

The draft Explanatory Report provides details of how the draft Amendment implements the objectives of planning, supports or implements the Planning Policy Framework and Municipal Planning Strategy.

Key policies include:

- Clause 11.02-2S (Structure Planning)
- Clause 19.03 (Development Infrastructure).

The details of these policies are addressed as relevant to issues discussed in other chapters of this Report.

(i) Structure Planning

The objective of Clause 11.02-2S (Structure Planning) is *“To facilitate the fair, orderly, economic and sustainable use and development of urban areas”*. It requires Planning Authorities to consider the PSP Guidelines.

Clause 11.02-2L (Northern and Western Geelong Growth Area) applies to the NWGGA as shown on the Framework Plan Map (see Figure 2). It includes the following relevant objectives:

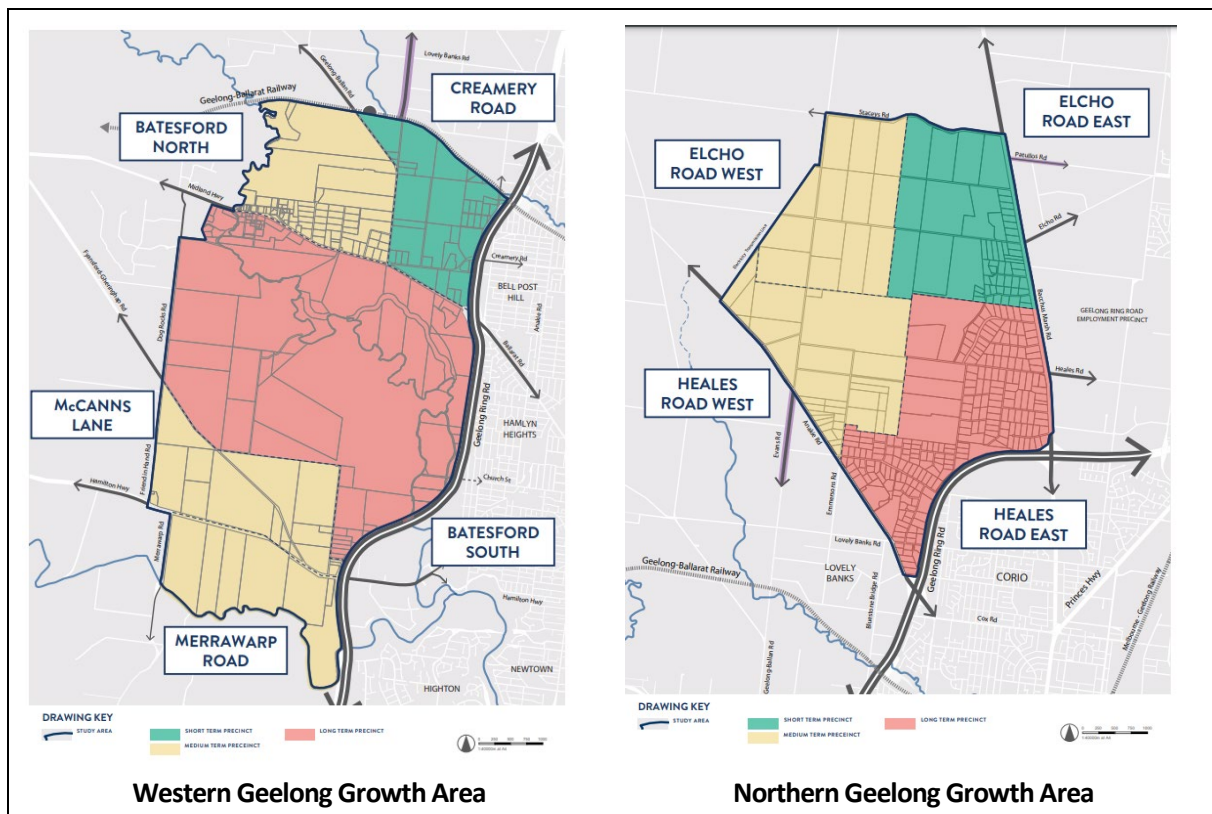
- To create sustainable neighbourhoods where residents can live locally and meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip of their home.
- To provide a network of activity centres that support employment, retail, commercial, entertainment and community uses for local residents.
- ...
- To promote mode shift from private vehicles to active and public transport throughout and between the growth areas and extending into the balance of urban Geelong.
- To develop the Clever and Creative Corridor as a consistent and unifying design element of the growth areas to ensure development is sustainable, self-sufficient, distinctive and connected by active and public transport options.
- To protect valuable environmental features and biodiversity assets.

Strategies include:

- ensuring that PSPs are generally in accordance with the Framework Plan Map
- supporting development that is sequenced generally in accordance with the development sequencing map, which showing the Precinct as a short-term precinct in the WGGGA (see Figure 8).

Clause 11.02-2L includes the Framework Plan as a policy document.

Figure 8 NWGGA development sequencing maps



Source: Planning Scheme, Clause 11.02-2L

(ii) Development infrastructure

The following key objectives and strategies apply:

- 19.03-1S (Development and infrastructure contributions plans)
 - Objective:
 - To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans (ICPs).
 - Strategies:
 - Prepare DCPs and ICPs, under the PE Act, to manage contributions towards infrastructure.
 - Collect development contributions on the basis of approved DCPs and ICPs.
- 13.03-2L (Infrastructure planning, design and construction)
 - Objective:
 - Encourage a consistent approach to the design and construction of infrastructure across the municipality.
 - Policy Guidelines:
 - Encouraging subdivision and development to be consistent with the objectives and requirements of the Infrastructure Design Manual (Local Government Infrastructure Design Association, 2021) or an approved Precinct Structure Plan.

3.3 Northern and Western Geelong Growth Areas Framework Plan

The Framework Plan, adopted by Council August 2020, was introduced into the Planning Scheme as a background document through Greater Geelong Planning Scheme Amendment C395ggee (Amendment C395ggee).

Council's Part A submission explains:

23. The Framework Plan is a high-level strategic document that outlines considerations related to the future urban structure, development, transport, utilities and infrastructure and provides a vision and set of urban development objectives and actions to inform the preparation of precinct structure plans within NWGGA. The themes in the Framework Plan include Growth Areas, Clever and Creative Corridor, Environment, Neighbourhood, Economy, Movement and Delivery.
24. The Framework Plan sets out the following vision for the NWGGA:
The Northern and Western Geelong Growth Areas will exemplify Geelong's transformation as a clever and creative city by building diverse, localised and sustainable neighbourhoods that prioritise self-sufficiency whilst maximising connections to the Geelong community, economy and identity.
25. The Framework Plan seeks innovation in the design and development of the NWGGA PSPs and includes the following objectives:
 - Develop comfortable climate resilient communities;
 - Develop zero carbon and zero waste communities;
 - Build integrated water management systems around major catchments;
 - Support a Clever and Creative Corridor (CCC) and prioritise active transport and transit to develop 20 minute neighbourhoods;
 - Enable and support the delivery of smart city infrastructure; and
 - Enable environmentally sustainable development (ESD), in line with the Framework Sustainability Action Plan.

3.4 Key planning guidance and Ministerial Direction

(i) PSP Guidelines

The purpose of the PSP Guidelines is to:

...provide the framework for preparing PSPs that guarantees quality outcomes while also being flexible, responsive and supportive of innovation by setting aspirational goals for our future communities. The approach provides a transitional model enabling 20-minute neighbourhoods to evolve over time and achieve the objectives as the area matures.

The PSP Guidelines outline the process for co-designing a PSP with stakeholders and provides guidance on the general principles and performance targets for a PSP. Part 3 of the PSP Guidelines includes guidance on regional adaptations to key targets.

(ii) Development Contributions Guidelines

The DCP Guidelines state *"the appropriate and practical application of the development contributions system"*. The contain principles and methodology for preparing a development contribution plan under Part 3B of the PE Act. The guidelines explain that *"Development contributions are payments or works-in-kind towards the provision of infrastructure made by the proponent of a new development"*.

Development contribution plans are identified as one mechanism for collection of contributions through the planning system. It states that a development contribution plan identifies infrastructure to be provided and:

The infrastructure:

- must serve a neighbourhood or larger area
- must be used by a broad section of the community, and
- will in most cases serve a wider catchment than an individual development.

Principles of a development contributions plan relate to:

- strategic justification
- need
- nexus
- reasonable time horizons
- apportionment
- commitment to provision
- accountability
- transparency
- inclusion in a planning scheme.

(iii) Ministerial Direction on DCPs

An updated Ministerial Direction on DCPs was gazetted on 11 April 2025, coinciding with the final day of the roundtable discussions.⁹

The purpose of the Ministerial Direction on DCPs is to direct planning authorities in relation to the preparation and content of development contributions plans. It includes:

- definitions
- limits on where a development contributions plan may apply
- exemptions
- what may be funded.

Clause 5 specifies that the following may be funded from a development infrastructure levy:

- a) Acquisition of land for:
 - roads
 - public transport corridors
 - drainage
 - public open space, and
 - community facilities, including, but not limited to, those listed under clause 5(f).
- b) Construction of roads, including the construction of bicycle and foot paths, and traffic management and control devices.
- c) Construction of public transport infrastructure, including fixed rail infrastructure, railway stations, bus stops and tram stops.
- d) Basic improvements to public open space, including earthworks, landscaping, fencing, seating and playground equipment.
- e) Drainage works.
- f) Buildings and works for or associated with the construction of:

⁹ The updated Ministerial Direction on DCPs differs from the previous version (gazetted October 2016) in that it allows a DCP to be applied to land to which an Infrastructure Contributions Plan (ICP) already applies. The DCP must not fund infrastructure that is already funded by the ICP but can augment the ICP funding to respond to an additional need.

- a maternal and child health care centre
- a child care centre
- a kindergarten, or
- any centre which provides these facilities in combination.

4 Summary of findings

4.1 Net Developable Area

(i) The issue

The issue is whether there are viable options to increase the extent of developable land.

(ii) Discussion

Planning experts agreed:

- the developable land available within the Precinct is generally constrained by “*various physical features including the Cowies Creek and its environs, drainage lines, topographic features, biodiversity values, heritage values and existing land uses (Myers Reserve and Covenant College)*”
- a practical approach is required to achieve land use efficiencies
- the draft Amendment can be significantly improved to increase land supply and feasibility for development (Mr Woodland did not agree the FUS was unreasonably inefficient but acknowledged specific elements could improve efficiency).¹⁰

Parties:

- generally agreed there are significant opportunities to increase NDA
- suggested changes to increase the NDA (with Council’s proposed changes increasing the NDA by around 3.5 percent and Villawood’s by around 5.7 percent) (see Table 3).

As discussed in the following chapters, the Committee finds there are significant opportunities to increase NDA through refinements of the FUS relating to:

- transport infrastructure (Chapter 6)
- drainage infrastructure (Chapter 7)
- open space and community infrastructure (Chapter 8).

For each of these infrastructure categories the Committee has recommended further work be completed before the NDA is finalised.

There may be further opportunity to increase NDA in relation to the conservation area. This will need to be determined following completion of the EPBC Strategic Assessment (see Chapter 10).

(iii) Overarching findings

The Committee finds:

- There are significant opportunities to increase the extent of developable land (NDA).
- Further work should be undertaken before the draft Amendment is finalised and progressed to public notice to identify opportunities to increase the NDA, as detailed in other chapters of this Report.

¹⁰ Document 99

4.2 Development infrastructure contribution levy

(i) The issue

The issue is whether there are viable options to reduce the DIL.

(ii) Discussion

DCP experts generally agreed:

- the proposed DIL would be the highest DCP levy in Victoria, both overall and for each infrastructure category of transport, community and recreation, and drainage (Mr Woodland and Mr Panozzo expressed no view on this)
- the scale of the DIL has the potential to impact feasibility and timing of development, particularly alongside other development costs and contributions required by the PSP (Mr Panozzo expressed no view on this)
- it is relevant to consider the precedent that approval of this DCP would create for subsequent precincts and the risks for housing supply (particularly if subsequent precincts had even higher levies)
- in the absence of *“bespoke cost estimates for this DCP, and where overall costs and unit rates materially differ from costing benchmarks or comparable projects in other DCPs, there should be some consideration of VPA benchmark costs”* (Mr Negri and Mr Woodland expressed no view on this)
- other sources of funding may be available to fund infrastructure, particularly community and recreation items.

Council submitted:

- DCP rates vary across the State, and this *“would constitute the highest rate in the City of Greater Geelong, following the recent endorsement by Panel of the Marshall PSP and DCP at a rate of approximately \$989,000 per Ha”*
- the DIL cannot be directly compared with other DCP rates in metropolitan Melbourne where drainage is managed by Melbourne Water or ICP rates which are prepared under a different legislative regime and do not include land
- the rate must be strategically justified and based on merit, not based on comparisons in a different context.¹¹

Council advised that as part of the Committee’s process it had reviewed the draft Amendment to identify opportunities to reduce the DIL. Council proposed changes to the draft Amendment to reduce the DIL, as detailed in other chapters of this Report (and see summary Table 3).

Parties:

- generally agreed there are significant opportunities to reduce the DIL
- suggested changes to reduce the DIL (with Villawood calculations reducing the DIL by over \$1 million per hectare)¹² (see Table 3).

As noted by Council, the DIL must be strategically justified and based on merit. Given the different circumstances of each PSP direct comparison with other DCP levies is not, in itself, helpful in determining an acceptable DIL.

¹¹ Document 124

¹² Document 50

The Committee agrees with experts that the scale of the proposed DIL has the potential to impact feasibility and timing of development, and consequently housing supply. In this context, and as NWGGA is one of Geelong's key urban growth areas, it is critical to review the DCP and identify opportunities to reduce the DIL.

As explained in the following chapters, the Committee has found there are significant opportunities to reduce the DIL by, for example:

- removing the CCC from the Precinct and redesigning and repurposing it as an Urban Connector street (see Chapter 6.2)
- redesigning the drainage system (see Chapter 7)
- reviewing open space, recreation and community facilities (see Chapter 8).

There was insufficient information before the Committee to endorse specific suggestions, and further work is recommended for each infrastructure category to identify and determine appropriate changes to reduce the DIL.

Depending on the infrastructure item and issues identified, the proposed further work includes:

- reconsidering need for the infrastructure
- reconsidering design and associated costs
- reassessment of nexus and justification for apportionment.

While it is not the role of the Committee to endorse specific infrastructure item costs, it agrees with experts that to efficiently refine costs where "*bespoke cost estimates*" are not available, the VPA benchmark costs may be useful.

(iii) Overarching findings

The Committee finds:

- There are significant opportunities to reduce the DIL.
- Further work should be undertaken before the draft Amendment is finalised and progressed to public notice to identify opportunities to reduce the DIL, as detailed in other chapters of this Report.

4.3 Balanced development outcome

(i) The issue

The issue is whether the draft Amendment will provide for a balanced development outcome.

(ii) Discussion

In assessing whether the draft Amendment provides for a balanced development outcome, the Committee has been asked to consider providing for efficient land use, maximising development opportunities and providing for the timely delivery of development (see Chapter 1.1).

As described in Chapters 4.1 and 4.2, the Committee has found:

- There are significant opportunities to increase the extent of developable land.
- There are significant opportunities to reduce the DIL.
- Further work is required to increase NDA and reduce DIL, as detailed in other chapters of this Report. The Committee recommends this further work is completed before the draft Amendment is finalised and progressed to public notice.

In light of these findings, the Committee is of the view the draft Amendment, as currently drafted, is unlikely to result in a balanced development outcome.

The Committee agrees with Villawood's submission that:

Balanced development for the Creamery Road PSP means:

- a) Development that is feasible;
- b) Development that is timely;
- c) Development that achieves delivery of infrastructure which meets the threshold of being:
 - basic to the health, safety or well-being of the community, or
 - consistent with current community expectations of what is required to meet its health, safety or well-being.
- d) Development that does not seek innovation at the cost of affordability but facilitates "smart" innovation driven by the development industry on behalf of future residents, innovation which is cost effective, market responsive and proven to deliver high quality new suburbs for Geelong's growing population.¹³

Villawood presented in-depth submissions explaining its approach to assessing development feasibility. It said the proposal in its current form is "*unbankable*"¹⁴ and cannot be delivered, with key viability issues relating to the NDA being too low and the DIL being too high. Other developer parties generally agreed with Villawood's submission.

The Committee agrees with parties that the development feasibility of the PSP is uncertain. This uncertainty is likely to affect the timely delivery of development. If development is not feasible and timeframes are uncertain developers may not, for example, purchase land, progress with planning or develop land. The resulting delays are likely to:

- affect delivery of much needed housing
- further compound issues affecting development viability resulting from increased costs, such as holding costs.

Council submitted that a key factor in developability is yield.¹⁵ The Committee has discussed housing densities and yield in Chapter 9.2, and concludes that while unlikely to significantly improve development viability of the Precinct, the draft Amendment should provide greater flexibility to allow delivery of higher density housing.

Justifying the type and standard of infrastructure, consistent with the guidance and principles in the DCP Guidelines, is critical to achieving a balanced development outcome. The Committee has explored the concept of basic and essential infrastructure in Chapter 5.1, and has taken this into consideration when assessing throughout this Report.

A key challenge for the Precinct and draft Amendment is balancing innovation with delivery of economically feasible and achievable outcomes. As described in Chapter 3.3, the vision for the NWGGA is ambitious and includes several new and innovative elements that are not typical of growth areas in Victoria. Innovation is needed to ensure planning facilitates growth area design and development that is contemporary and contributes to the overarching vision for Greater Geelong (as expressed in Planning Scheme Clause 02.02).

¹³ Document 163

¹⁴ The term "unbankable" means a financial institution will not finance the development because not only will there be no positive financial return, but there will in fact be a negative return – that is, no positive return on investment can be achieved. (Document 116)

¹⁵ Document 124

However, the Committee agrees with planning and urban design experts that *“a practical planning approach is required to achieve land use and development efficiencies across the precinct to facilitate the development outcomes envisaged in Local Policy (Cls 11.02-2L) in a timely and efficient manner”*.¹⁶

In addition to increasing the NDA and reducing the DIL, the Committee agrees with planning experts that all novel or non-standard provisions should be reviewed and assessed to understand the aggregate cost, and to inform decisions about necessity and benefit versus impact on development viability.¹⁷

In terms of timely delivery of development, while the Committee is recommending further work before finalising the draft Amendment, the further work:

- is necessary to inform a draft Amendment that is likely to deliver a balanced development outcome
- should not result in unreasonable delays in progressing the draft Amendment
- will provide certainty and clarity to assist with full merits assessment of the draft Amendment, including opportunities to further increase the NDA and decrease the DIL
- may assist with providing consistency with planning for other precincts in the NWGGA.

(iii) Overarching findings

The Committee finds:

- In its current form, the draft Amendment is unlikely to provide for a balanced development outcome.
- Further work should be undertaken before the draft Amendment is finalised to identify opportunities to increase the NDA, decrease the DIL and improve development viability, as detailed in other chapters of this Report.

¹⁶ Document 99

¹⁷ Documents 99 and 137

Part B – Issues

5 General principles

5.1 Basic and essential infrastructure

(i) Discussion

The Committee directed that experts broadly address what is needed to service the Precinct to a basic and essential level.

DCP experts agreed:

- when considering suitability of the DCP items, tests in the DCP Guidelines should be considered
- a review of the DCP should consider the accepted principles of development contributions in Victoria: need, nexus, equity and accountability, and principles in the DCP Guidelines (see Chapter 3.4(ii))
- projects should be designed to maximise efficiency and cost effectiveness
- while the ICP system is not directly relevant to this DCP, the genesis, principles and potential future application of the system to other parts of the NWGGA are all contextually relevant to an assessment of the DCP (Mr Negri expressed no view on this).

Council submitted (in its Part A submission) the DCP items meet the requirements of the DCP Guidelines and Ministerial Guidelines, and the basis for including infrastructure items in the DCP is set out in the NWGGA DCP Item Principles document (Document 22a). It referred to the DCP which includes an explanation of the approach to justifying infrastructure projects, and which states:

The items that have been included in the DCP all have the following characteristics, namely that they:

- Are essential to the health, safety and wellbeing of the community;
- Will be used by a broad cross-section of the community;
- Reflect the vision and strategic aspirations expressed in the PSP;
- Are not recurrent items; and
- Are the basis for the future development of an integrated network.

Council clarified:

Notwithstanding the above commentary that items that have been included are '*essential to the health, safety and wellbeing of the community*', Council acknowledges this unnecessarily imports the test relevant to Infrastructure Contributions Plans to the DCP. This is not the intent and may perhaps lead to a misapprehension that DCP infrastructure need be 'basic and essential' to the development of future neighbourhoods.

...

Strategic planning and consultation conducted over a period of years creates community expectations of what will be delivered within the area to meet the requirement of projects that are [DCP Guidelines, page 16]:

- basic to the health, safety or well-being of the community, or
- consistent with current community expectations of what is required to meet its health, safety or well-being.

Unsurprisingly those expectations and the level of provision of infrastructure has evolved over time. The strategic justification for projects has been established with the Ministerial approval of the relevant amendments to the Planning Scheme, such as Amendment

C395ggee. Ultimately it is the Planning Scheme, including the PSP and other relevant PSPs that articulates what is and what is not strategically justified.

A short comment on the conflation of the terms 'basic' and 'essential'. The term 'basic and essential' is a hallmark of the ICP Guidelines and the ICP Ministerial Direction arising as that scheme did from the Advisory Committee review of development contributions. The DCP uses the term 'essential' in this context [DCP, page 9]:

The items that have been included in the DCP all have the following characteristics:

- *They are essential to the health, safety and well-being of the community;*

The DCP Guidelines, as set out above, use the term 'basic' in a specific context defined by the words that follow and in conjunction not with 'essential' but with community expectations. Council does not accept the use of the term 'basic and essential' from the ICP system without the proper characterisation that is found in the PSP and the Guidelines to contextualise what that means. The framework of strategic documents defines what is essential and what is expected in the area and this should not be assessed on the basis of what a future community 'can do without'.

The Committee agrees with Council that the *"framework of strategic documents defines what is essential and what is expected in the area"*. That framework of strategic documents will include the PSP and DCP when they are included in the Planning Scheme.

While the requirement for delivery of *"basic and essential infrastructure"* is not found in the DCP Guidelines, and the ICP tests are not relevant to the draft Amendment, the PSP Guidelines (published in 2021) do establish a framework for planning for provision of *"basic and essential infrastructure"*. The PSP Guidelines state that PSPs and associated tools such as ICPs or DCPs *"assist with the coordination and funding of basic and essential infrastructure..."*. The PSP Guidelines include the following targets and principles:

- Target T20: To identify all *"basic and essential infrastructure"* with spatial requirements on the Future Place-based Plan, for example open space, schools, community centres, integrated water management.
- Principle F17.1 (Staging and location of development): which requires the structure and design of a PSP to accommodate the coordinated delivery of key infrastructure (basic and essential infrastructure and other infrastructure).

The DCP Guidelines do not include extensive guidance on the tests for justifying the type and standard of infrastructure. It states that *"to justify the infrastructure projects to be included in a DCP, the type and standard of infrastructure must meet the criteria for level one or two"*, as shown in Figure 9, which includes a limited number of examples.

Figure 9 DCP Guidelines type and standard of infrastructure provision

Type and standard of infrastructure provision	Criteria	Examples
Level one	Is basic to the health, safety or well being of the community	<ul style="list-style-type: none"> • Maternal and child health centre • Local open space, such as a neighbourhood park • Roads • Drainage retarding basins • Land for fixed rail public transport
Level two	Is consistent with current community expectations of what is required to meet its health, safety or well being	<ul style="list-style-type: none"> • Road constructed to high standard including bike lane, transit lane and wide median for boulevard planting • Aquatic centre • Streetscape works

Source: DCP Guidelines, page 57

The DCP Guidelines also state:

- additional justification is required for level two projects, including community consultation in association with a strategic study that is given effect through the Planning Scheme
- community expectations of what is required for the health, safety and wellbeing of the community are likely to change over time.

The Committee understands the DCP Guidelines require DCP projects to be **either**:

- basic (a minimum requirement) to the health, safety or well-being of the community, **or**
- if higher than basic provision is required, this must be “*consistent with current community expectations of what is required to meet its health, safety or well-being*” which must be justified and with need and nexus demonstrated.

In this context the Committee supports Council’s submission that DCP items should be “*essential to the health, safety and well-being of the community*” (as described in the DCP), and understands this to mean that “*what is required*”, (specifically the scope, scale and quality of the items) is justified and need and nexus has been demonstrated. The Committee has approached its assessment of issues on this basis.

That said, it would be useful if Council explained how it has applied the test of “*essential to the health, safety and well-being of the community*” in the context of the PSP Guidelines and DCP Guidelines. This will allow the approach to be considered during the next stage of consultation on the draft Amendment.

The Committee does not agree with Council that the DCP Guidelines use the term ‘basic’ in conjunction with ‘community expectations’. The guidelines explicitly note that community expectations are likely to change over time. If above ‘basic’ standard infrastructure is proposed, adequate justification is critical.

This is relevant as the PSP is seeking to innovate to achieve the vision for the NWGGA (see Chapter 3.3), and necessarily some infrastructure projects will be above ‘basic’ standards. Council should ensure the draft Amendment and supporting documentation includes adequate justification of non-basic items. The issue of innovation is discussed further in Chapter 4.3.

(ii) Findings and recommended further work

The Committee finds:

- The DCP should include an explanation of how Council has applied its test of “*essential to the health, safety and well-being of the community*” in assessing DCP items.
- The draft Amendment package of documents should include clear justification of non-basic DCP items.
- Following further notice and consultation on the draft Amendment, and subsequent approval, the NWGGA DCP Item Principles document should be reviewed and if necessary updated to reflect any changes to ensure consistent guidance for future NWGGA planning.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Development Contributions Plan to include an explanation of how the requirement for infrastructure to be “*essential to the health, safety and*”

well-being of the community” has been applied in assessing Development Contributions Plan items.

5.2 Funding of shared infrastructure

(i) Introduction

Shared infrastructure items are needed to service the growth area. Usage generated by each precinct will vary depending on the type, standard and location of the infrastructure.

The NWGGA DCP Item Principles document explains the basis for including and apportioning infrastructure projects in the DCP, including:

- 2) Precinct or growth area-based infrastructure:
 - a. This infrastructure serves a wider population/catchment but is limited to the precinct or growth area.
 - b. Multiple developers can be identified as triggering the need for this infrastructure and therefore there is an identified shared responsibility for delivery.
 - c. This infrastructure is normally funded and delivered through a DCP. Apportionment between precinct DCPs may apply.
- 3) Regional-higher order infrastructure:
 - a. This infrastructure serves a wider population/catchment and is not limited to a specific growth area (e.g., regional facilities or arterial roads) or provided by State Government (e.g., government schools).
 - b. This infrastructure is funded by the relevant authority however, an apportionment (monetary contribution) may be delivered through the DCP if the need and nexus for the apportionment can be clearly identified.

The draft Amendment includes several shared infrastructure items apportioned across the growth area including:

- the Evans Road Link (outside the Precinct, connecting WGGA and NGGA - road upgrade, intersections and land acquisition), each apportioned 14 percent to the Precinct
- intersections on Geelong-Ballan Road (IN_01, IN_02, IN_03, and IN_05), each apportioned 50 percent to the Precinct
- intersection of Midland Highway and CCC (IN_06), apportioned 50 percent to the Precinct
- Batesford South PSP Bridge (BR_01), apportioned 11 percent to the Precinct
- Bluestone Bridge underpass upgrade (BR_02), apportioned 30 percent to the Precinct
- community infrastructure projects including the future Indoor Recreation Centre (IRC_01), apportioned 10.7 percent to the Precinct, components of the Batesford North Community Facility (CF_BN_01a), apportioned 50 percent to the Precinct and a component of the Creamery Road Early Years and Community Hub (CF_01a), apportioned 50 percent to the Precinct.

The DCP explains the justification for apportionment as follows:

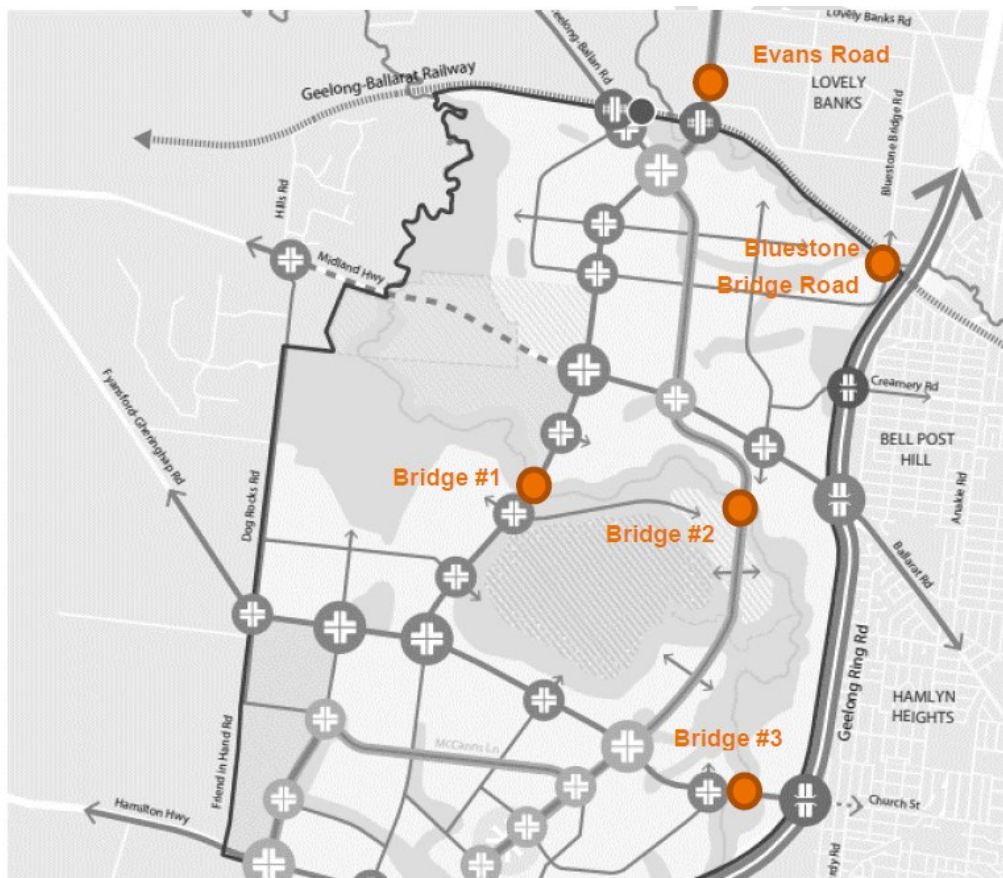
- the Evans Road Link *“has been considered as part of the Strategic Transport work as part of the PSP”* and these are apportioned based on the *Select Link Analysis (Usage) Assessment* prepared by Stantec (6 March 2023) (Select Link Analysis)¹⁸

¹⁸ Document 16

- community projects are based on the NWGGA Social Infrastructure and Open Space Development Contributions Plan Peer Review and Costing (HillPDA, June 2024) (HillPDA Report)
- IRC_01 will service the whole WGGA and will be located in a future PSP, currently indicated to be Batesford South Precinct.

The Committee notes the Select Link Analysis also establishes a basis for apportionment of three bridges in the Batesford South Precinct, Bluestone Bridge Road as well as Evans Road Link (see Figure 10).

Figure 10 Select Link Analysis location



Source: Document 16

(ii) Council proposed changes

Council proposed the following changes to shared infrastructure in its Day 1 Changes:

- rationalised apportionment of some items “by rounding to the nearest multiple of 5”, including BR_01 to be apportioned 10 percent to the DCP
- removing Geelong-Ballan Road intersection IN_05 on the expectation this will be delivered by the State government
- removal of three Evans Road Link unsignalized intersections (ER_IN_14, 15 and 17) on the basis “there may be insufficient need and nexus in the short term to support inclusion” and these intersections may be delivered in the future
- initially to change apportionment, then subsequently to remove the contribution to Indoor Recreation Centre (IRC_01) (see Chapter 8.4).

(iii) Discussion

Justification for inclusion of shared infrastructure

Some submitters sought removal of shared infrastructure items external to the Precinct from the DCP. For example, Ramsay Property Group said *“The apportionment of the infrastructure delivered outside the PSP is excessively overburdening for the Creamery Road PSP”*.¹⁹ It suggested the quantum of community facilities be revisited and realistic, and it did not support inclusion of bridge BR_01 in the DCP.

Experts raised questions about the adequacy of background material underpinning apportionment of shared infrastructure items including Evans Road Link (see Chapter 6.3) and BR_01 (see Chapter 6.4). Regarding community facilities, experts agreed (Mr Woodland and Mr Negri expressed no view on this):

It is difficult to determine the catchment served by each proposed community facility in the DCP by reference to the background material. This is a necessary pre-requisite for consideration of fair cost apportionment.

The McCann Family is a major landholder in the WGGA with significant landholdings in the Batesford South Precinct. The McCann Family made detailed submissions in relation to shared infrastructure and application of the DCP principles; need, nexus, equity and accountability. It said:

As the first DCP to be prepared for the NWGGA, it is vitally important that the proper principles are adhered to. The approach to the preparation of the Creamery Road DCP will set a precedent for the future DCPs. This is particularly the case given that the DCPs are inter-related for certain infrastructure projects.²⁰

The McCann Family noted that while the DCP includes a total percentage of external apportionment, it is not clear how much is allocated to other precincts. It was concerned that if infrastructure provision across the growth area is not considered holistically, with fair apportionment for shared infrastructure items, there is serious risk of funding shortfalls which may impact development viability. The funding gaps may progressively accumulate if appropriate apportionment is not provided for, and it was concerned that the Batesford South Precinct, as the last precinct in WGGA proposed to be developed, may be left ‘holding the baby’.

The Committee notes the McCann Family made similar submissions during the C395ggee Panel process, during which it advocated for:

...a single ICP or DCP be prepared for the WGGA or, alternatively, an Infrastructure Funding Plan be prepared prior to exhibition of the first PSP which:

- identifies the infrastructure and the source of funding
- costs the items to be shared by multiple precincts
- apportions the costs of shared items between the precincts.

Adbri Limited, another major landholder in the WGGA outside of the Precinct, submitted it had substantial concerns about shared infrastructure items being removed from the DCP and deferred to future precincts. It was mostly concerned about *“global transport DCP items”* and the intersection of the CCC with Midland Highway (IN_06).

¹⁹ Document 109

²⁰ Document 122

C395 Panel and GGATIS

The Panel that considered Amendment C395ggee (the C395ggee Panel) proceeded on the understanding the Geelong Growth Areas Transport Infrastructure Strategy (GGATIS) was due for completion in 2020, and once complete:

...the infrastructure likely to benefit communities outside the PSP precinct in which they are located could be identified and costings apportioned between PSPs or if warranted, a global ICP/DCP established. The Panel considers that would be an appropriate time to decide on the appropriate infrastructure funding mechanism.

Further, the C395ggee Panel said a global ICP or DCP should not be categorically ruled out, but:

Rather a final decision should be taken when the further work foreshadowed by Council is completed. It is important therefore in the Panel's view that this work is completed as soon as possible and is comprehensive. As suggested by the McCann Family, this work should identify the key infrastructure to be shared by multiple precincts, cost them and apportion the costs of shared items between the precincts.

In considering apportionment of shared infrastructure, the C395ggee Panel stated:

A major issue that will be critical for the success of the growth areas is infrastructure funding and apportionment of large-scale infrastructure projects across many PSP areas within the two growth areas. It would seem to the Panel that there is merit in a layered scheme to fund large scale (expensive) projects across a whole growth area, possibly including state funding, and then having a more traditional precinct scale DCP or ICP to fund the precinct specific infrastructure.

The Committee notes Council submitted to the C395ggee Panel that a global DCP/ICP approach including *“detailed planning and costing of infrastructure in Batesford South precinct would require technical studies and requiring that information for the Creamery Road PSP would delay significantly urban development in the Western Growth Area”*.

Ultimately the C395ggee Panel was satisfied there was adequate flexibility in the proposed local policy to allow for a ‘global’ DCP or ICP *“should further work in progress demonstrate that such an approach is the best way to fund and deliver key infrastructure”*.

The McCann Family submitted:

The [C395ggee] Panel ultimately recommended that the cost of global items be shared and apportioned across the various PSPs in the WGGA. So, while there is to be a fragmentation of the documents across the PSP areas rather than a single DCP document for the WGGA, the intended outcome is the same. This is the model that we have for this WGGA – that is, every PSP and DCP will have to ensure that global projects are captured appropriately within each of them.²¹

Council advised:

62. Council simply records that:
 - 62.1. The excerpts of the C395ggee Panel report spoken to by DTP on the final day supported the preparation of the GGATIS.
 - 62.2. DTP was on the steering committee for GGATIS and was integral to the process.
 - 62.3. The completed work has been forwarded to DTP who have not endorsed the GGATIS.
63. The Committee should not draw any adverse inference in respect of Council and its efforts to follow through the global DCP items and GGATIS recommendations of the C395ggee Panel.²²

²¹ Document 168

²² Document 170

While it is not the role of the Committee to assess the need for a strategic transport strategy, it observes:

- the absence of an endorsed GGATIS creates an information void which adds complexity to assessing appropriate funding of shared infrastructure
- in the absence of a GGATIS or equivalent, the draft Amendment must be supported by adequate information to justify any apportioned funding of shared infrastructure
- Council will need to consider the mechanisms available to it to give effect to strategic planning and provision of NWGGA shared infrastructure.

The Committee's findings on shared infrastructure items

With the information available to it, the Committee has considered the shared infrastructure items that were subject of unresolved submissions. The Committee has found:

- the justification for apportionment is not clear for Evans Road Link (see Chapter 6.3)
- the justification for apportionment of bridges is not clear (see Chapter 6.4)
- there should be an appropriate apportionment of the Batesford North active open space reserve in the Creamery Road DCP if the provision of active open space in the Batesford North Precinct is critical to meet the needs of the community in the Creamery Road Precinct (see Chapter 8.2)
- more detail is required in relation to the proposed apportionment for community facilities (see Chapter 8.4).

The Committee has not yet made findings in relation to IN_05 and this will be considered in the Committee's Volume 2 report (see Chapter 1.2).

Essentially, it is not clear whether shared infrastructure items have been appropriately captured in the DCP. The draft Amendment and supporting documents lack information about the basis for proposed apportionment of shared infrastructure items. This information should be available to enable assessment of merit during the next stage of consultation on the draft Amendment.

A coordinated approach to planning and funding shared infrastructure is necessary to achieve a balanced development outcome across the NWGGA. The approach should consider how, if necessary, shared infrastructure costs will be balanced across precincts to ensure important infrastructure can be funded equitably and delivered in a timely fashion.

The Committee is concerned if this is not addressed before the draft Amendment proceeds, the issue of apportionment of shared infrastructure will be debated for this and each subsequent PSP. Or worse, the infrastructure may be significantly underfunded at some time in the future which may impact development viability.

Consideration of external usage

The DCP Guidelines state:

External usage represents the proportion of the infrastructure project costs that will not be charged through the DCP.

...

This proportion of the cost must be funded by another source such as general rates, taxes or grants.

It is not clear why the Select Link Analysis excludes external usage in determining apportionment across the NWGGA, other than stating:

The results include a proportion of external traffic that is not assigned to a specific PSP, ranging between 24% and 43% of usage. Whilst the DCP Guidelines do provide guidance

on external usage and how it should be included in a DCP, this approach has recently been a cause for concern for the DTP on recent PSPs in regional Victoria.

In principle, the Committee does not support exclusion of external usage in determining appropriate apportionment of shared infrastructure. If this is proposed it must be clearly justified.

It is not clear why Council has decided to round up or down apportionment figures in its amended position on the DCP. The Committee agrees with Ramsay that the apportionment should reflect the assessment of usage.

State infrastructure

The Committee will consider State transport infrastructure in its Volume 2 report.

(iv) Findings and recommended further work

The Committee finds:

- The basis of need, nexus and equity of apportionment for shared infrastructure items is not clear in the draft Amendment.
- External usage should be taken into consideration in determining appropriate apportionment.
- The draft Amendment and supporting documents should include sufficient information to clearly understand the basis for proposed apportionment of shared infrastructure items across the Precinct and wider NWGGA.
- Following further notice and consultation on the draft Amendment, and subsequent approval, the NWGGA DCP Item Principles document should be reviewed and if necessary updated to reflect any changes to ensure consistent guidance for future NWGGA planning.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Prepare information documenting the basis for proposed apportionment of shared infrastructure located in the Precinct or external to the Precinct, including an assessment of need, nexus and equity.

Amend the Creamery Road Precinct Structure Plan and Development Contributions Plan to clarify the basis for proposed apportionment of shared infrastructure.

5.3 Land valuation methodology

(i) Discussion

The DCP explains that estimates of land value were prepared using the Public Land Equalisation Method (PLEM). It states:

A value for each infrastructure project comprising land is then included in the DCP. The estimates of value were prepared using the Public Land Equalisation Method (PLEM). The Public Land Equalisation Method calculates the average public land contribution required for the PSP (expressed as a percentage of NDA). The land required for each property is also calculated and compared against the average.

Public land contributions on a property that are less than or equal to the precinct average have an estimate of value using a per property broad hectare method. Any component of public land contributions that exceed the precinct average have an estimate of value using a site-specific method. For more information, refer to the Infrastructure Contributions Plan

Guidelines October 2016 as published by the Department of Environment, Land, Water and Planning.

With a view to reducing the DIL, Council proposed to update its land valuation methodology, informed by a DCP land assessment prepared by Urbis dated 14 March 2025.²³ The revised approach was based on a broad hectare basis rather than PLEM.

Council also proposed to remove compensation for encumbered land from the DCP, noting:

The DCP originally compensated presently encumbered land with the effect that parcel owners with encumbered land were being compensated for drainage projects on land that could not be developed. This is inconsistent with usual practice and encumbered land costs have accordingly been removed.²⁴

DCP experts Mr Shipp, Mr Bursill and Mr Black did not support Council's revised land valuation approach. They agreed:

Council's valuation report dated 1 July 2024 adopts a combination of valuation approaches (broadhectare and site specific) and also applies the Public Land Equalisation Method [PLEM] to compensate over-providers of public land. Although these approaches are broadly suitable in principle, it is not clear how the results are then translated into the DCP. Further, as noted by Council, it is not suitable to apply a value to land that is needed for drainage purposes but already encumbered by an existing waterway.

Council's subsequent valuation dated 14 March 2025 appears to respond to instructions to revert from the original land valuation methodology to a broadhectare land valuation method only (p.1). This is not supported on the basis that current DCP and ICP practice is to use a combination of broadhectare and site-specific valuation methods to most appropriately and equitably compensate landowners providing public land. This approach also better protects Councils from the risk of generating an unfunded DCP liability when it acquires land.²⁵

During the roundtable discussions DCP experts generally agreed that land valuation methodology should be based on the PLEM approach and the land valuations need to be reassessed using this approach when land take requirements are finalised. The Committee agrees with experts it is the preferred methodology and will better protect Council from funding shortfalls.

(ii) Findings and recommended further work

The Committee finds:

- PLEM is a contemporary land valuation methodology that is appropriate for use in the DCP.
- Encumbered land should not be valued and included in the DCP.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Following the completion of further work recommended by the Committee, prepare updated land valuation estimates for each Development Contribution Plan item using the Public Land Equalisation Method methodology.

Amend the Creamery Road Development Contributions Plan to incorporate the updated land valuation estimates.

²³ Document 41

²⁴ Document 23

²⁵ Document 100

6 Transport infrastructure

6.1 Introduction

(i) The draft Amendment

The draft DCP includes a large number of transport projects including:

- the CCC
- Evans Road upgrade (ER)
- pedestrian operated signals on Evans Road (POS)
- three bridges (BR), including a contribution to BR_01 in the Batesford South precinct
- intersections along the CCC (CCC_IN)
- intersections along Evans Road (ER_IN)
- intersection of Midland Highway and Geelong- Ballan Road (IN_05)
- land for the future duplication of both Midland Highway and Geelong- Ballan Road, the CCC, and Evans Road within the PSP (LA).

The DCP costs transport projects and associated land acquisition at \$261,939,787.99. After apportionment, the cost of transport projects is \$147,904,937.99, all funded from the DIL (\$755,708.18 per hectare).

Council's NWGGA DCP Item Principles document specifies how CCC infrastructure costs have been considered in the DCP (see Figure 11).

Figure 11 DCP Item Principles - CCC

Clever and creative corridor		
The Clever and Creative Corridor (CCC) is a key aspect for the vision of the Growth Areas. Early delivery is essential to ensure the community can use this from the early days. Different strategies are in place to enable early delivery one of this is the full inclusion into the DCP.		
WHAT	DCP-ITEM?	CONSIDERATION
Land	Yes	The full road reserve is included as a land item or when the extension of the existing road reserve applies
Public transport lanes	Yes	Public transport lanes to be delivered as separated bus lanes and other public transport facilities. This is an interim solution in its ultimate location.
Construction of remaining road reserve	Yes	The road must be delivered as per the ultimate vision.
CCC Evans Road	Yes	To be apportioned across the growth area

Source: Document 22a

Relative to the Framework Plan Map (see Figure 2), the PSP shows the alignment of the CCC shifted off Geelong-Ballan Road, approximately 500 metres further east, to run north-south through the Creamery Road Precinct (see Figure 3). The PSP proposes that the CCC runs from Midland Highway to Evans Road and across into Batesford North precinct as well as continuing up Evans Road.

The *Technical Transport and Access Report* (PMP Urbanists, April 2023) (Technical Transport and Access Report) advises:

The location of the Clever and Creative Corridor within the FUS presents one major departure from the Framework Plan. While the Framework Plan included the CCC on Geelong-Ballan Road, its relocation to an internal alignment was necessitated by a electricity easement limiting the type and intensity of land use possible adjoining Geelong-Ballan Road, noting the requirement for a 15m easement.

By relocating the Clever and Creative Corridor to within the Creamery Road precinct, we are able to maintain the vision of the corridor as detailed in the Framework plan, ensure the Clever and Creative Corridor connects most directly to and through the Neighbourhood Activity Centre, and maximise the walkable catchment to the corridor within the precinct.²⁶

(ii) Supporting documents

These include:

- *Concept Design and Opinion of Probable Costs Report* (Stantec, May 2024) (Stantec Transport Costs Report) and five appendices
- *Movement and Place Classification Final Report* (PMP Urbanists, February 2023)
- Technical Transport and Access Report.

(iii) Transport planning context

Local policy

Clause 11.02-2L (Northern and Western Geelong Growth Area) (see Chapter 3.2(i)) includes the following strategies:

Develop the Clever and Creative Corridor as a tree-lined, boulevard style transit corridor that prioritises public transport, walking and cycling between activity centres and education, community and recreation facilities, and provides a focal point for the design of sustainable neighbourhoods that are interconnected and support housing diversity.

Locate high and medium density housing within proximity of sub-regional activity centres, neighbourhood activity centres, the Clever and Creative Corridor and a potential new railway station on the Geelong-Ballarat railway adjacent to Geelong-Ballan Road.

The Framework Plan Map (see Figure 2) shows the following transport infrastructure:

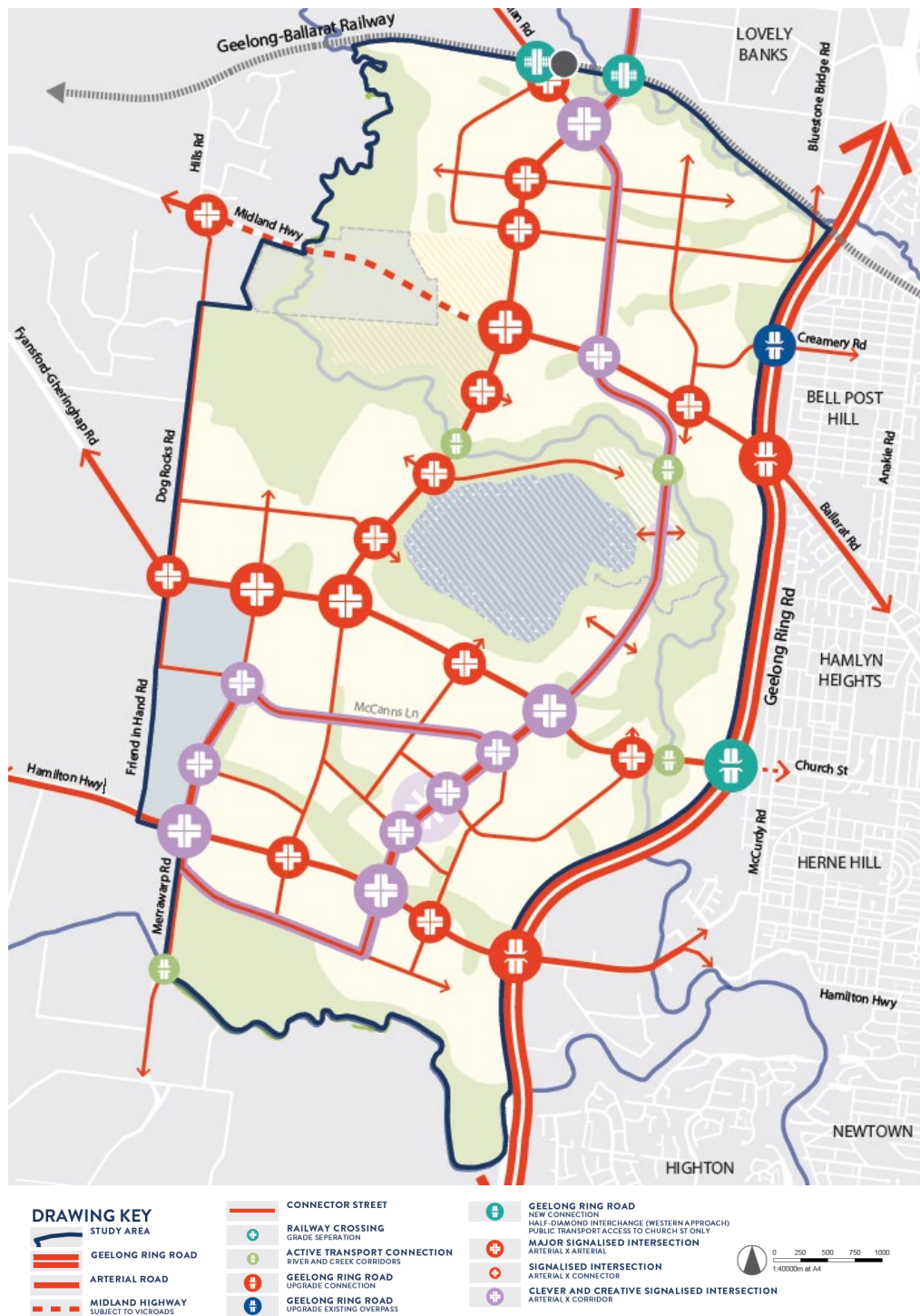
- the existing surrounding road network
- an indicative (arterial and connector) road network
- potential public transport connections
- CCC alignment
- future railway station.

Framework Plan

The Framework Plan includes an Integrated Transport Plan for the Western Geelong Growth Area (see Figure 12).

²⁶ Document 3.49

Figure 12 Integrated Transport Plan, Western Geelong Growth Area



Source: Framework Plan, page 208

Integrated transport infrastructure identified for the PSP includes:

- State infrastructure:
 - Upgrade and duplication of the Midland Highway with external upgrades towards North Geelong Railway Station*
 - Public Transport Services*
- Local infrastructure:

- the CCC, including upgrade of Geelong-Ballan Road and upgrade and realignment of Evans Road*
- external upgrade of Evans Road towards the Northern Geelong Growth Area to connect the CCC*
- one arterial road intersection on the Midland Highway.

Items shown with an * are identified as infrastructure required to support multiple precincts, with requirements to be refined as part of precinct structure planning processes.

The Framework Plan provides for the CCC to be developed in two stages; interim and ultimate, with a median reserve specified as follows:

Median reserve* for dedicated active transport, planting and place making furniture (14 metres) (or side running reserve), which in the interim is to be styled as a landscaped median with a shared path.

The ultimate configuration includes bus dedicated lanes in the median reserve. The PSP includes the CCC in its ultimate configuration.

(iv) C395ggee Panel Report

The C395ggee Panel generally supported the CCC, noting it is an “*ambitious concept*” that may be difficult to realise fully along the length of the corridor. It recommended:

- the CCC travel along the east side of the Batesford Quarry through the Batesford South precinct
- the 14 metre CCC median reservation be retained but measurement details be removed
- making it clear in the Framework Plan that the CCC interim and ultimate configurations are conceptual only and there may be some variability in the abutting land uses and development as determined during the preparation of PSPs.

Further, the C395ggee Panel found that Evans Road will be an important link between the northern and western growth areas and will function as an arterial road. It recommended showing Evans Road as an arterial road.

(v) Proposed changes to the draft Amendment

Council

The Committee has summarised Council’s Day 1 Changes to the transport projects included in the PSP and DCP in Table 4. The changes are shown graphically in Council’s Day 1 FUS (see Figure 6).

Table 4 Council’s Day 1 transport project changes

Transport project	Proposed change
CCC	Transfer part of the CCC costs to developer costs (consistent with the delivery of a standard connector street), and retain the costs related to the dedicated bus carriageway in the DCP
ER	Reduce the width of the shared path and associated need for land acquisition, and remove three intersections
IN_05	Remove the interim upgrade of the intersection
LA_02 and LA_03	Remove the land for future duplication of the arterial roads

Source: Committee summarised from Document 23

The changes are estimated to reduce transport infrastructure costs to \$48,166,147.10.²⁷

Figure 13 summarises the cost savings of Council's proposed Day 1 Changes to the CCC.

Figure 13 Council proposed Day 1 Changes to the CCC DCP items

DCP PROJECT NO.	PROJECT NAME	COST TO MCA Aug '24	COST TO MCA Mar '25
CONSTRUCTION			
CCC_RD_01_02	CCC Section 2	\$15,590,000.00	\$9,478,874.88
CCC_RD_02_01	CCC Section 3	\$2,442,000.00	\$2,319,900.00
CCC_RD_02_02	CCC Section 4	\$2,936,000.00	\$2,789,200.00
CCC_IN_07	CCC Intersection - Works	\$8,510,000.00	\$4,255,000.00
CCC_IN_09	CCC Intersection - Works	\$7,639,000.00	\$3,819,500.00
CCC_IN_12	CCC Intersection - Works including Culvert C1 (Evans Rd)	\$20,984,000.00	\$10,492,000.00
LAND			
LA_01	Land Required by CCC	\$14,622,235.69	\$13,550,083.32

Source: Document 23, Table 5. Note MCA refers to Main Catchment Area.

Figure 14 summarises the cost savings of Council's proposed Day 1 Changes to the Evans Road Link project.

Figure 14 Council proposed Day 1 Changes to Evans Road Link project DCP items

DCP PROJECT NO.	PROJECT NAME	COST TO MCA Aug '24	COST TO MCA Mar '25
CONSTRUCTION			
ER_RD_02_03	Works for Evans Road Upgrade*	\$1,029,700.00	\$3,590,238.63
ER_IN_14	Evans Road/Valleyside Drive Intersection - 3 leg intersection (unsignalised 'T' intersection)	\$1,085,420.00	\$ -
ER_IN_15	Evans Road/Asher Road Intersection - 3 leg intersection (unsignalised 'T' intersection)	\$886,760.00	\$ -
ER_IN_16	Evans Road/ Lovely Banks Road Intersection - Works - Land and works for signalised through intersection - 4 leg intersection	\$1,946,700.00	\$2,085,750.00
ER_IN_17	Evans Road/Edgerton Road Intersection - 3 leg intersection (unsignalised T intersection)	\$1,066,660.00	\$ -
LAND			
LA_99	Evans Rd Land Acquisition	\$149,541.00	\$60,549.20

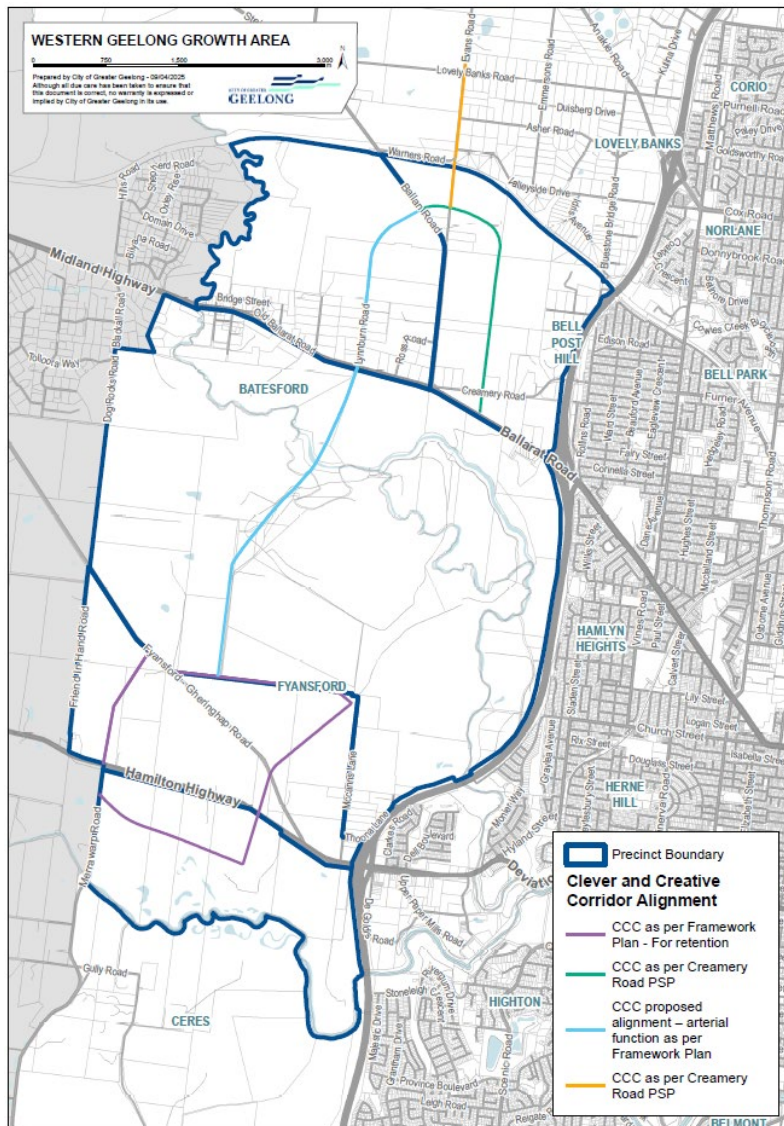
*All works for Evans Road Upgrade road items are consolidated into ER_RD_02_03. This single road item now covers the extent of Evans Road between: i) precinct boundary and ER_IN_16; and ii) ER_IN_16 and future Anakie Road intersection. The "COST TO MCA Mar '25" figure reflects this change.

Source: Document 23, Table 6

Council proposed an updated alignment of the CCC through the WGGA as shown in Figure 15.

²⁷ Document 23, Table 4

Figure 15 Council updated CCC alignment



Source: Document 40

Villawood

Villawood's preferred FUS (see Figure 7) includes:

- reframing the CCC to a consistent 27.6 metre cross-section and delivering it as developer works
- removing the CCC status from Evans Road and redesigning it to reduce reservation requirements to increase NDA
- downgrading IN_02 and removing it from the DCP
- east-west movement network changes.

Other parties

Yih-Sheng Investments and Janet and Richard Michael (Yih-Sheng/Michael) suggested further changes including:

- reconsidering and reducing the:
 - cross-section width of the CCC
 - extent of the intersection of Geelong-Road Road and the CCC (IN_01)

- removing the Evans Road upgrade
- removing the T-signalled intersection CCC_IN_12.

6.2 Clever and Creative Corridor

(i) Resolved and unresolved issues

Parties generally agreed:

- there is potential to reduce the scope of the CCC to increase NDA and reduce the DIL
- the CCC does not need dedicated bus lanes in the Creamery Road precinct
- if the CCC is built generally consistent with a connector street it could be developer funded and removed from the DCP, apart from any signalised intersections.

The key unresolved issues are whether the CCC should be included in the Precinct and if so, how it should be designed and funded.

(ii) Discussion

Committee's approach

Planning and urban design experts agreed:

- the PSP must be generally in accordance with the Framework Plan Map
- the Framework Plan is a background document that provides flexibility in its interpretation during more detailed planning
- local policy does not include any specific or detailed design requirements for the CCC.²⁸

The Framework Plan Map shows the CCC running north-south generally along the Geelong-Ballan Road between Batesford North Precinct and the Creamery Road Precinct. Strategies relate to the role of the CCC in prioritising public and active transport, connecting activity centres and nodes and a focal design element for interconnected and sustainable neighbourhoods.

The CCC is a fundamental design element for the NWGGA, not specifically to the Precinct.

The Committee has considered:

- what transport infrastructure is required to service the Precinct
- design and cost considerations for any north-south road through the Precinct
- issues relating to integrated transport planning across the growth areas
- if further work is required to confirm a preferred approach in the Precinct.

What transport infrastructure is required to service the Precinct?

Transport experts agreed:

- Council's Day 1 FUS showing the alignment of the CCC through both Batesford North and Creamery Road PSP *"differs from the Framework Plan in that there are two north south routes for the CCC. The plan shows that the connection of the CCC through the Creamery Road PSP appears to terminate at Midland Highway and no longer continues through to Batesford South"*.
- Based on the Day 1 alignment there is no need for the CCC through the Precinct, apart from the section connecting to Batesford North Precinct (between CC_IN_12 and IN_01) and Evans Road.

²⁸ Document 99

- If the CCC is delivered in the Precinct it could be as a standard connector street reservation with shared bus lanes.²⁹

Council's updated alignment shows the 'main' CCC (shown in blue in Figure 15) running through Batesford North Precinct and a second 'spur line' (shown in green in Figure 15) running through the Precinct. Council explained it no longer proposed to deliver the eastern bridge over the Moorabool River (BR_02) due to high costs, and consequently the CCC is now proposed to be realigned to the west of the quarry through the Batesford South Precinct, where it will cross the Moorabool River at BR_01.

Planning and urban design experts had mixed views about whether the relocated alignment of the CCC was generally in accordance with the Framework Plan (Mr Black, Mr Bursill and Mr Slater said it was not). Most experts (apart from Mr Woodland) considered the dual CCC route in the Day 1 plan was not consistent with the Framework Plan. Some said the amended CCC was just a collector road.

During the roundtable discussions the Committee explored whether, in this context, the CCC through the Precinct is necessary (or whether it was necessary to call it a CCC). Council explained that:

- There are planned upgrades to the Midland Highway which will include bus service infrastructure (whether that is ultimately jump lanes or dedicated lanes).
- It is essential that there is mode shift, and the CCC as proposed with its jump lanes and priority smart lights will assist this process.
- Accordingly the CCC will assist in mobility within and outside of the precinct.³⁰

The Technical Transport and Access Report identified the location of the CCC within the FUS as a *"major departure from the Framework Plan"*. This has been further compounded by the more recent decision to terminate the route at Midland Highway and create a second parallel route to the west.

While the Committee acknowledges the views of most experts and notes the position of the Technical Transport and Access Report, the Committee's view is that there is no policy requirement to include all or any part of the CCC in the Precinct. The Framework Plan Map shows one north-south CCC connection along the Geelong-Ballan Road. If there are sound reasons to relocate the CCC to the east or the west, the Committee sees no reason why this should be regarded as inconsistent with the Framework Plan or local policy.

For the purposes of its assessment, the Committee accepts Council's submission that it is not viable for the CCC to travel to the east of the quarry in the Batesford South Precinct and that Figure 15 shows the currently entertained CCC alignment through WGGA. In acknowledging this the Committee does not endorse the proposed alignment, but accepts the proposition that alignment of the CCC in a location other than on Geelong-Ballan Road may be generally in accordance with the Framework Plan Map.

It is not the Committee's role to endorse or comment on alternative alignments for the CCC outside the Precinct. The alignment and design details will need to be considered through future planning processes.

²⁹ Document 93

³⁰ Document 170

The Committee has several concerns with Council's current proposal for the (green) 'spur' line of the CCC through the Precinct:

- It is a duplicate of the main CCC now proposed through Batesford North Precinct.
- The requirement for two CCCs in this part of the growth area (or a main CCC with a 'spur' line through the Precinct) has not been established.
- Such a large road within a relatively small precinct with costs fully borne by the Precinct has significant cost implications and a significant impact on NDA.

The transport experts agreed there is no need for dedicated bus lanes through the Precinct, noting they would only serve up to 12 buses per hour assuming it becomes a high frequency route.

Without dedicated bus lanes, there is no need for the road reservation to be as wide as provided for in the PSP and DCP.

A 'scaled down' version of the CCC through the Precinct, without dedicated bus lanes (as now agreed by Council) would be equivalent to a connector street, and the Committee considers it should be described as such in the PSP. This does not mean the Precinct can't have a bus capable tree lined boulevard that achieves the transport and place making objectives of the local policy.

Design and cost considerations

Regardless of whether the north-south connector street is described as a connector street in the PSP and DCP, or whether it is still considered part of the CCC, there are some design elements that require consideration in the context of efforts to increase NDA and decrease DIL. The Committee has turned its mind to design and cost considerations discussed during its process including:

- corridor width and lot access
- how to prioritise public transport.

Corridor width and lot access

Reducing the corridor width of the CCC/north-south connector street will deliver more NDA, and redesigning the CCC as a north-south connector street has the potential to reduce construction costs and therefore reduce the DIL.

The PSP includes a 34 metre reservation for the CCC with central bus lanes and two-way cycle lane and no lot access.

The PSP also defines two primary Connector Street types, Suburban and Urban, which both have a 25 metre reservation, except where no on-street parking is provided (Modified Urban). Both have one way cycle lanes on each side. Urban Connector Streets are provided in activity centre environments where place making objectives are highest, and have no lot access and wider footpaths for outdoor dining and seating opportunities. Suburban Connectors allow lot access.

The parties recommended various cross-section widths for the CCC without bus lanes (in the summary of agreed changes Document 171), ranging from 25 metres to the south of Creamery Road (305 Bat Pty Ltd) to up to 27.8 metres (as per Mr Maina's evidence Yih Sheng). Villawood's 'Reframed CCC' includes a consistent 27.6 metre cross section with a two-way cycle path on one side only.³¹ Council agreed to 27.6 metres.

³¹ Document 43

In relation to lot access along the CCC/north-south connector street, Council seeks to limit private residential crossovers and to prioritise other modes consistent with CCC objectives. Other parties agreed that:

- west side crossings, south of the pump station, should be limited to minimise crossings of the cycle path
- east side crossings should be allowed to avoid the need for additional road space at the rear of lots which could increase costs and reduce NDA.

Experts had varying views about limiting crossovers.

While Mr Woodland was concerned that limiting crossovers was important for prioritising public transport over private vehicles and to achieve a mode shift, the urban design experts generally did not support restricting access to private lots from the CCC. Mr Czarny supported high permeability and Mr Sheppard recommended the PSP not be prescriptive about restricting traffic movements.

While all transport experts agreed that no private residential crossovers should be allowed across the shared path, there were mixed views about other parts of the CCC. Mr Humphreys and Mr Walley did not support private crossovers along the CCC as they have the potential to slow buses (with the impact depending on the level of activity). Mr Tivendale agreed that crossovers may have a slight impact on the CCC mode share vision. Ms Marshall advised that direct access is typical along Connector and Boulevard Connectors (which are typically bus capable) but it would be desirable to restrict crossovers in the vicinity of high activity zones such as the school and NAC.

In the Committee's view, Villawood's 'Reframed CCC' cross-section has merit. The provision of a single two-way cycle path and widened footpath on one side provides a strong focus on active transport and will support the place making objectives for the NAC and community facilities located on the west side of the CCC/north-south connector street.

Whilst the Committee supports describing the CCC south of Evans Road as a connector street rather than the CCC, it still envisages this route as a key corridor that would benefit from a *"consistent and unifying design element of the growth areas to ensure development is sustainable, self-sufficient, distinctive and connected by active and public transport options"*. It is confident this can be achieved within Villawood's 27.6 metre cross-section.

The Committee considers it preferable to limit disruption to the key active transport (cycle and primary footpath). However, it can see no reason to prohibit lot access on the other side of the street. The PSP allows lot access on connector streets, which are all bus capable roads. The use of cars by residents along the road will be influenced by the proximity and frequency of bus services more than restricting access to these lots from the CCC/north-south connector street. Further, rear parking can increase infrastructure costs and reduce NDA by requiring roads on both front and rear boundaries.

The Committee notes the Villawood preferred FUS includes the same 'Reframed CCC' cross-section for the east west section along the north side of the NAC, which they have extended to Geelong-Ballan Road (see Figure 7). While this would be generally consistent with the Urban Connector street typology, it would be appropriate to update the Urban Connector typologies to reflect the Villawood 'Reframed CCC' cross-section, with consideration of a new name reflecting the role of both the north-south and east-west connector streets as primary connector streets linking key activity destinations.

Prioritising public transport

An objective of Clause 11.02-2L is *“To promote mode shift from private vehicles to active and public transport throughout and between the growth areas and extending into the balance of urban Geelong”*. While the Framework Plan anticipates a dedicated bus lane along the CCC, local policy supports prioritising public transport with no specific reference to dedicated bus lanes.

The Committee has approached the issue of design and cost of prioritising public transport in the context that:

- parties agreed there is no need for a dedicated bus lane along the CCC in the Precinct
- the Committee endorses a north-south connector street through the Precinct that is not designated part of the CCC
- roundabouts are generally less costly to construct than signalised intersections and may be a way to reduce the DIL.

In considering how to prioritise public transport in the absence of dedicated bus lanes along the CCC route, the Committee notes:

- Mr Humphreys recommended that crossroads along the CCC route be signalised to allow the incorporation of bus priority measures.
- The other transport experts agreed that CC_IN_12 (intersection of the CCC and Evans Road) and CC_IN_07 (intersection of the CCC and Creamery Road) should remain signalised but suggested interim intersections could take the form of roundabouts with pedestrian and bicycle priority.

Mr Tivendale supported the use of roundabouts. He noted that the ultimate plan for the CCC in the Framework Plan envisaged the dedicated bus carriageway being interrupted by intersections and pedestrian crossings, and advised the use of roundabouts with pedestrian and cyclist crossings provide similar disruptions. He said that unlike signals that stop traffic completely roundabouts allow more free flowing movements and reduce delays.

Historically roundabouts have provided no priority for pedestrians, but where volumes are low or well-balanced across the intersection approaches, they are used to support an efficient network. Recent design innovations for safe roads include new larger roundabouts with cycle lanes and pedestrian crossings to address the safety issues and promote active travel paths.

The choice to use signalised intersections or roundabouts should be made with consideration of the costs and benefits associated with each. Each design can be assessed for cost and land take implications and considered (balanced) against estimated delays to bus travel times based on intersection analysis. This work is necessary to ensure the intersection is justified, meets the basic and essential infrastructure tests and is not overdesigned for its purpose (see Chapter 5.1). This should include IN_06 (the intersection of the north-south connector street with Midland Highway), noting Council’s updated CCC alignment no longer extends to the south of Midland Highway (see Figure 15).

The Committee notes that roundabouts are typically considered developer works, but where they need to be upgraded with pedestrian priority and cycle lanes to support the primary connector routes the higher costs and land take may warrant inclusion in the DCP as they represent level 2 infrastructure provision. This will need further consideration as the concepts are developed.

Similarly, it may be justified that the land take and associated cost for the wider Urban Connectors rather than a standard connector street may also warrant DCP contribution to equitably share the extra costs over a standard connector street.

The NWGGA DCP Item Principles document does not support any local road infrastructure being funded through the DCP. As discussed in Chapter 5.1, this document should be reviewed and if necessary updated to reflect any changes resulting from further work and consultation on the draft Amendment.

Integrated transport planning

Planning and urban design experts agreed:

- if the location and alignment of the CCC is predicated on an alternative CCC network across the wider NWGGA then this alternative network itself requires its own assessment in parallel or before the PSP is finalised
- it is important for Council to prepare a growth area public transport delivery strategy to assist in implementing the CCC into future PSPs.³²

As discussed above, the Committee has found the CCC in the Precinct is not necessary (in the context of policy) or appropriate (in the context of land take and costs). The Committee does not make comment on provision of the CCC in other parts of the NWGGA or on alternative CCC alignments, other than commenting on any matters relating to the interface between precincts.

The Committee agrees with Council that it *“and proponents need to evaluate a range of matters, including the volumes, community needs and benefits in other locations and then determine what response is justified”*.³³ No party disputed this, with Villawood noting that the *“CCC within the Creamery Road precinct does not prejudice the planning for the broader precinct”*.³⁴

The Committee agrees with experts that planning for the NWGGA would benefit from a finalised integrated transport plan that includes a public transport plan. This would provide clarity and guidance in relation to:

- the key public transport routes and interchange points
- the frequency of services
- the types of bus priority treatments that should be employed in each area for a coordinated approach.

In the absence of this the draft Amendment should be accompanied by adequate information to justify and inform:

- the likely alignment of the CCC, including interfaces with the Precinct
- primary connector routes within the Precinct.

The Committee recommends further work in relation to the CCC including a better understanding of its value proposition and updating its alignment in the Framework Plan. That work is required to support precinct planning in other precincts within the WGGGA (including Batesford North) but should not prevent the Creamery Road PSP from proceeding.

³² Document 99

³³ Document 170

³⁴ Document 163

(iii) Findings and recommended further work

The Committee finds:

- Redesigning and repurposing the section of the realigned CCC through the Precinct as an Urban Connector street presents a significant opportunity to increase NDA and decrease the DIL.
- Further work should be undertaken to redesign and cost the new connector street and its intersections, including a cost benefit analysis of intersection designs, and redesign of its intersection with Midland Highway to a T-intersection.
- The Urban Connector street typologies in the PSP should be updated to reflect Villawood's 'Reframed CCC' cross section, with lot access limited along the side with the cycle path.
- There is benefit in completing the GGATIS project to inform transport infrastructure requirements for the NWGGA, but its completion is not critical before this Precinct proceeds, on the basis that adequate supporting information is included with the draft Amendment to justify specific infrastructure items (see Chapter 5.2).

The Committee recommends the following further work before public notice of the draft Amendment is given:

Redesign and repurpose the proposed Clever and Creative Corridor through the Precinct as an Urban Connector street, including associated intersections, and revise the Future Urban Structure, land take and costs accordingly.

Amend the Creamery Road Precinct Structure Plan and Development Contributions Plan to incorporate changes resulting from redesigning and repurposing the proposed Clever and Creative Corridor as an Urban Connector street.

6.3 Evans Road

(i) Resolved and unresolved issues

Parties generally agreed that:

- Evans Road Link (outside the Precinct) should be upgraded within the current road reservation
- three intersections (ER_IN_14, ER_IN_15 and ER_IN_17) should be removed
- the pedestrian operated signals (POS_01) along Evans Road within the PSP area should be removed, as per Council's Day 1 FUS (see Figure 6).

The unresolved issues are:

- design parameters for Evans Road within the Precinct
- whether the DCP should include a contribution to the upgrade of Evans Road Link outside the Precinct and the culvert on Evans Road within the Precinct.

(ii) Design parameters

The Committee has considered design parameters for Evans Road within the Precinct, in the context that design parameter refinements have the potential to reduce land take (and increase NDA) and reduce costs.

Apart from DTP Transport Services, all parties and traffic experts agreed that a 9 percent grade was acceptable for the Evans Road carriageway, subject to ensuring the grade was suitable for pedestrians. The Committee was directed by the traffic experts to the Austroads Guide to Road Design Part 3 and Public Transport Victoria's *Public Transport Guidelines for Land Use and Development* (Public Transport Guidelines) both of which allow the use of a 9 percent grade. DTP Transport Services advised that the grade should be no more than 6 percent on a bus route.

Road design guidelines contemplate grades in the order of 9 percent on bus routes. The Public Transport Guidelines indicate that where bus operations are anticipated in new developments, 9 percent is acceptable as a "*maximum grade (in limited circumstances where alternatives are not possible)*".³⁵

While not ideal, and with some challenges with respect to pedestrian paths, the Committee sees no reason why a 9 percent grade could not be used over a short section of the road. This will reduce the need for wide road reserve batters and provide opportunities to increase NDA and decrease construction costs.

There was some disagreement about whether the design speed and corresponding posted speed limit of the road should be 50 or 60 kilometres per hour (km/hr), noting the concept designs were based on a 70 km/hr design speed with a 60 km/hr operating speed.³⁶

Mr Humphreys advised that while a 50 km/hr speed limit may be appropriate, the design speed should be 60 km/hr. Ms Marshall agreed, stating:

A Design Speed of 60km/hr is appropriate on this standard of road, noting that the primary difference is the length of deceleration lanes and that Evans Road will have a steep and undulating alignment that would most likely benefit from slightly longer turning lanes.

A design speed of 60km/hr is appropriate for an arterial road as it is currently proposed.³⁷

There is a clear direction towards reduced speed limits in Victoria and lower speeds would be more consistent with the desire to promote active transport. Accordingly, the Committee expects the speed limits within the Precinct would typically be 50 km/hr or lower. Austroads advises the design speed is typically 10 km/hr higher than the operating speed.³⁸ This supports a 60 km/hr design speed.

A reduced design speed will reduce construction costs, while a reduced posted speed limit will improve safety for all road users.

All parties agreed to the removal of the pedestrian operated signals on Evans Road (POS_01). The Committee supports this, noting the need for pedestrian signals has not been determined and there are other less costly ways to provide a safe crossing point for the shared path along the creek.

The detailed design parameters for Evans Road should be informed through the engineering and road safety processes, not the planning process. For the purposes of the PSP, following determination of these design parameters, further work is required to inform concept designs and associated land take for Evans Road upgrade within the Precinct.

³⁵ *Public Transport Guidelines for Land Use and Development* (Public Transport Victoria, 2008), page 17

³⁶ Document 3.27 Table 5.2

³⁷ Document 145

³⁸ *Guide to Road Design Part 3: Geometric Design* (Austroads, 2021), page 14

(iii) Inclusions in the DCP

Experts had different opinions about whether the upgrade works on Evans Road Link should be included in the DCP. The DCP assigns 14 percent of the cost of the Evans Road Link upgrade to the precinct (based on the Select Link Analysis). Council rounded this up to 15 percent in its Day 1 Changes.

All transport experts agreed the road upgrade is necessary to link the two growth areas, creating a nexus for the project. They said it should be included in the DCP and apportioned accordingly. Transport experts supported Council's Day 1 Changes.

All planning and urban design experts considered Evans Road a low priority compared to other network priorities in the WGGGA and Precinct. Further (apart from Mr Czarny and Mr Slater who had no view on this):

The land and transport projects that make up the proposed Evans Road link (both within and outside the PSP) should be thoroughly reviewed with a view to reducing the cost of delivering vehicle, PT, walking and cycling links along this alignment.

The DCP experts, except for Mr Woodland, agreed:

Evans Road projects where external to the precinct (land and construction) should be removed from the DCP on the basis that the works are not basic in standard and the need or nexus with the precinct is not sufficiently evident. If this section of the road is determined to be needed and meets all relevant principles, then apportionment across all of NWGGA is required, and the scope of works, including the absolute need for a widened road reserve, should be closely considered given the projects are high cost and the objective of a connection could potentially be achieved through alternative and more rationalised design measures.

Mr Shipp said if the road was needed the cost should be apportioned across all the growth precincts, noting the Creamery Road precinct is likely to account for only 6 percent of the growth in the area.

Parties had different views on whether it was appropriate to include Evans Road Link in the DCP. Initially Villawood proposed it be removed, however in closing it did not object to the project's inclusion. Bisinella said it should be excluded on the basis there was no need or nexus for it, and it could be delivered later by government if sufficient demand arose.

DTP Transport Services advised that Evans Road was not expected to become a state arterial and therefore would not attract state funding. However, DTP Transport Services expressed concern that if Evans Road was not upgraded this would place additional pressure on Midland Highway.

Submitters 7 and 11 said the Evans Road upgrade should be removed as it was unlikely to be delivered within the lifespan of the DCP. They stated:

- the southernmost precinct in the NGGA that would have a direct connection with Evans Road was expected to be completed in about 30 years
- this was well beyond the funding period referred to in the DCP Guidelines
- Council would have ample opportunity to plan and fund the project
- if it is retained as a DCP project there is significant opportunity to reduce its costs.

In closing Council submitted there is a clear nexus with development of the Precinct, even if it may be longer term. It stated:

67. It remains Council's view that in accordance with the traffic conclave, the road should be included in the DCP in the modified form advanced by the Council. It is a modest project once apportioned and recalibrated into its present form.

68. Council would be surprised if there are not multiple development fronts being agitated earlier than the 30 years advanced by [Submitters 7 and 11] in the north.³⁹

The Framework Plan clearly indicates that the upgrade of Evans Road is triggered by the development of the NWGGA and should attract development funds. The Committee agrees there is a nexus with development of the Precinct.

Timing of infrastructure provision must be further considered. The DCP Guidelines state that DCPs must have a reasonable time horizon, which should not exceed 20 to 25 years and:

If the time horizon is not reasonable, new development in the early years will be paying for infrastructure that will not be delivered until many years later. This is inequitable and unreasonable.⁴⁰

The Committee was not provided with sufficient information to understand whether the development timeframe for Evans Road Link is reasonable. Accordingly, it is not able to conclude whether the project should be excluded from the DCP at this time. If, following further work, it is determined the development timeframe is not reasonable and therefore apportionment to the Precinct is not equitable, the DCP should be revised accordingly. The need for this further work is discussed in Chapter 5.2.

If, following further work, it is determined there is a need for upgrade of Evans Road Link and this should be apportioned to the Precinct, the Committee endorses the agreed position that the upgrade should be kept to the current road reservation and three intersections (ER_IN_14, ER_IN_15 and ER_IN_17) should be removed as proposed in Council's Day 1 Changes. The Committee notes Council proposed to retain the Evans Road/Lovely Banks Road intersection (ER_IN_16) as regional infrastructure. The Committee does not have sufficient information to endorse that proposal, and considers that this can be tested through the next stage of the consultation on the draft Amendment.

Bisinella submitted all culverts should be developer funded and removed from the DCP. Council and Villawood submitted the Evans Road culvert should be a DCP item.

Culverts are often DCP items. The NWGGA DCP Item Principles document includes bridges and culverts as DCP items "*when providing key connections for the cycling/pedestrian network and when located on the arterial road network*". There is insufficient evidence before the Committee to recommend the Evans Road culvert be excluded from the DCP at this stage of the process.

(iv) Findings and recommended further work

The Committee finds:

- Updating the design parameters for Evans Road within the Precinct presents an opportunity to increase NDA and potentially decrease developer costs.
- The need to upgrade Evans Road Link is triggered by development of the NWGGA, however there is insufficient information available about whether the timeframe is reasonable and equitable apportionment to the Precinct.
- There is insufficient evidence to justify excluding the upgrades to Evans Road and the culverts from the DCP at this time.

³⁹ Document 170

Note: Mr Cicero represented Submitters 7 and 11.

⁴⁰ DCP Guidelines, page 13

The Committee recommends the following further work before public notice of the draft Amendment is given:

Review the road design parameters and design for Evans Road in the Creamery Road Precinct, and revise the Future Urban Structure, land take and costs accordingly.

Amend the Creamery Road Precinct Structure Plan and Development Contributions Plan to incorporated changes resulting from the review of Evans Road in the Creamery Road Precinct.

If, following preparation of information documenting the basis for proposed apportionment of shared infrastructure (as recommended by the Committee in Chapter 5.2), it is determined the development timeframe for Evans Road Link is not reasonable and apportionment to the Creamery Road Precinct is not equitable, the Creamery Road Development Contributions Plan should be revised accordingly.

6.4 Bridges and culverts

(i) Bridges

Bridge infrastructure projects include (see Figure 10):

- Batesford South PSP bridge (BR_01), which is located in the Batesford South Precinct, to interim standard (89 percent external apportionment)
- Bluestone Bridge underpass upgrade (BR_02), which is located to the north east of the Precinct (70 percent external apportionment)⁴¹
- Creamery Road Pedestrian Bridge (BR_04), which is located on the east of the Precinct (no external apportionment).

BR_01

Several submitters advocated for removal of bridge BR_01, or for further work to review if there is sufficient nexus and potentially reduce the apportionment to the DCP.

Council proposed to retain bridge BR_01 in the DCP, with external apportionment rounded up to 90 percent. It submitted:

- inclusion of BR_01 in the DCP is fair as it *“reflects the only southern route to the subregional centre and employment land proposed in the WGGA”*
- the Select Link Analysis is appropriate to inform apportionment
- it adopts the *“submissions on behalf of the McCanns on this issue about the importance of this project”*.⁴²

The McCann Family considered there is a need for BR_01 and that all precincts in the WGGA must contribute to the cost of the project. The McCann Family made extensive submissions on the importance and need for appropriate apportionment of shared infrastructure across the WGGA, such as BR_01 (see Chapter 5.2).

⁴¹ BR_04 is listed in Table 8 – Calculation of Costs, with a cost of around \$2 million, but is not listed in DCP Table 2 – Transport Projects

⁴² Document 170

Adbri confirmed its support for inclusion of BR_01 in the DCP, and said Council should undertake the *“further work recommended by the planning, development contributions and traffic experts to confirm all global transport projects and the refinement of costings”*.⁴³

DCP experts Mr Black and Mr Shipp agreed:

BR-01 should be removed from the DCP. This is based on the limited nexus with the Creamery Road precinct, as well as concerns that the bridge has not yet been designed in any detail. The inclusion of this item as a long term, high cost and relatively uncertain infrastructure proposition in the DCP would not align with the principles set out in this statement.⁴⁴

Mr Bursill disagreed saying:

More detailed cost and benefit work is required regarding bridges that cross the Moorabool River. Before each bridge is included in the DCP, a more detailed, site specific costing is required to ensure the costing is robust. Robust review of apportionment and confirmation that the development agency is committed to the delivery of the item is also essential.

The Committee agrees with Mr Bursill that further work is required to confirm appropriate apportionment for BR_01.

BR_02 and BR_04

Some submitters suggested the scope of works for BR_02 and BR_04 should be reviewed to ensure works are basic and justified.

Mr Humphreys' evidence was:

- BR_02 is not essential and recommended it be removed from the DCP and be delivered by Council
- BR_04 should be apportioned 50 percent to the Precinct and 50 percent to Batesford North and Batesford South precincts.

BR_04 would be used to access Myers Reserve from Bell Post Hill, however no external apportionment has been applied in the DCP. As a key active transport connection towards Geelong, the basis for the DCP apportionment (or Mr Humphreys' suggested apportionment) is not clear.

There is insufficient information before the Committee to know whether the proposed inclusion and apportionment of BR_02 and BR_04 is appropriate. As discussed in Chapter 5.2, the Committee recommends further work to determine appropriate apportionment of shared infrastructure, including bridges.

(ii) Culverts

Bisinella submitted culvert projects should be a developer cost rather than DCP item to reduce the DIL. This was not agreed by other parties. As with the Evans Road culvert, there is insufficient evidence before the Committee to recommend culverts be excluded at this stage of the process.

⁴³ Document 158

⁴⁴ Document 106

7 Drainage and water infrastructure

(i) The draft Amendment

The draft DCP includes (see Figure 5):

- one Ephemeral Waterway
- eight Wetland and Retarding Basins (WLRBs)
- one Sediment Basin and Bioretention system (SBRB)
- one Bioretention System (BIO)
- two Constructed Waterways
- two Gross Pollutant Traps.

Drainage assets and associated land acquisition is costed at \$91,210,623.64 (making up \$466,033.22 per hectare of the DIL).

(ii) Supporting documents

These include:

- *Creamery Road Precinct Structure Plan – Development Services Scheme Functional Design Report* (Alluvium, December 2022) (Alluvium Drainage Report)
- *Creamery Road Precinct Structure Plan – Development Services Scheme Addendum to Functional Design Report: Revised Concept Plans* (Alluvium, June 2024) (Alluvium Drainage Addendum).

(iii) Proposed changes to the draft Amendment

Council

Council proposed Day 1 Changes rationalise drainage infrastructure costs by consolidating three pairs of WLRBs:

- WRLRB_02 and WRLB_03a
- WRLRB_04 and WRLB_05
- WRLRB_06 and WRLB_07.⁴⁵

It also proposed the removal of most land items relating to the waterway on the basis that drainage land is encumbered land and should be vested directly in Council (as the drainage authority) at no cost (and therefore with no contributions under the DCP).

Council estimated the changes would reduce drainage infrastructure costs by \$14,211,78.08.

These changes were supported by a high level feasibility assessment, land and cost savings, by Alluvium. Alluvium noted that further design and modelling is required to confirm the assessment.⁴⁶

Villawood

In its response to Council's Day 1 plans, Villawood proposed to incorporate the use of online wetlands to reduce the land take and number of basins, relocate the Barwon Water sewer pump

⁴⁵ Document 23

⁴⁶ Document 38

station and include an allowance for water tanks in Myers Reserve.⁴⁷ It estimated the drainage infrastructure costs could be reduced by around two thirds, with an estimated total cost for drainage projects of \$29,769,745.87.⁴⁸

(iv) Resolved and unresolved issues

Drainage experts identified 22 agreed items including:⁴⁹

- Drainage assets in the PSP are not in the optimal locations and further refinement is needed.
- The use of online wetlands should be considered to reduce costs and land take.
- Consolidation of some WLRBs was feasible, but WLRB_06 and WLRB_07 should be kept separate due to terrain constraints.
- The drainage system should be redesigned which should be able to be done within a number of weeks if appropriately resourced.

Drainage experts did not agree that the Alluvium assessments for the drainage and water assets costs and land take were appropriate, principally due to the level of conservatism included and lack of detailed design work to inform them.

(v) Discussion

The drainage experts advised:

- WLRB_07 could be redesigned to reduce land take and could potentially be changed to a sediment pond.
- The general location of WLRB_06 is appropriate but it needs more investigation. WLRB_06 is currently designed to outfall to the Ring Road. This is subject to DTP Transport Services approval and that process has not been started. There were other potential alternatives including an out fall to Moorabool River to the south of Midland Highway.
- WLRB_08 could be improved and moved online to reduce land and leverage the encumbered land.
- SBRB9 / BIO2 design could be improved to reduce the land take. It could be suitable for use as a Growling Grass Frog pond.

All parties endorsed the advice of the drainage experts.

Villawood suggested unencumbered land used for drainage infrastructure should be retained in the DCP.

Bisinella sought for localised solutions to be accommodated, and for consideration to be given to locating drainage assets in the land conservation to further reduce land take.

Parties noted that some bespoke solutions were needed particularly in relation to WLRB_06 (noting outfalling WLRB_06 to the south of Midland Highway was not supported) and a preference to combine WLRB_04 and 05 to the east of the CCC.

Council's Day 1 change consolidating some WLRBs to reduce costs and land take is a good start.. The use of online drainage infrastructure as proposed by Villawood can provide further reductions.

⁴⁷ Document 43

⁴⁸ Document 50

⁴⁹ Document 90

While online systems have some risks, the experts agreed these can be managed and the maintenance costs are not considered to be a significant factor.

The drainage experts advised there is potential to locate drainage infrastructure in the conservation area without compromising ecological outcomes if appropriately designed. Locating drainage assets within land conservation areas may assist to increase NDA and this opportunity should be further explored.

To maximise NDA and reduce costs the PSP should allow for flexibility for localised solutions to be developed during the future design stages.

The design of the WLRB_06 needs more investigation particularly in respect to its outfall.

In respect to further work, Council sought a recommendation from the Committee that:

Council should brief its drainage consultant Alluvium (or another consultant) with the expert reports prepared for the SAC process and the Drainage Conclave Statement dated 27 March 2025 to commission an updated functional drainage strategy in accordance with the aforementioned materials and costings that includes online assets as appropriate and which seeks to optimise the number and location of drainage assets.

The revised drainage strategy should inform revisions to the DCP NDA and costings.⁵⁰

The Committee supports this approach, noting the experts agreed the modelling and parameters used by Alluvium in the original design are sound and this work can be used in a redesign to optimise the drainage system.

As explained in Chapter 1.2(iii), the Committee will address any further issues relating to drainage infrastructure at 110 Creamery Road, Bell Post Hill in its Volume 2 report.

(vi) Findings and recommended further work

The Committee finds:

- Redesign of the drainage system to include the use of online wetlands, consolidation of some WLRBs and relocation of some drainage assets within the conservation area present a significant opportunity to increase NDA and decrease the DIL.
- Further work should be undertaken to optimise the number, location and design of drainage assets.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Revise the drainage strategy to optimise the number, location and design of drainage assets, and revise the Future Urban Structure, land take and costs accordingly.

Amend the Creamery Road Precinct Structure Plan and Development Contributions Plan to incorporate changes resulting from the revised drainage strategy.

⁵⁰ Document 124

8 Open space and community infrastructure

8.1 Introduction

(i) The draft Amendment

The open space objectives in Section 2.2 of the PSP include:

- Create a network of high amenity open spaces which integrate with the street network and provide recreational transport links to support the development of healthy communities.
- Deliver community parks which reflect local character and recognise and acknowledge Aboriginal and heritage values.
- Provide sports (active) reserves that assist in meeting the sporting needs of the community.

The FUS includes:

- 10 percent of the NDA set aside for credited open space, including:
 - two sports reserves:
 - a 3.25 hectare western extension to the existing Myers Reserve (SR_01)
 - a new northern sports reserve in the north west of the Precinct of around 9 hectares (SR_02)
 - eight passive open space reserves totalling around 7.4 hectares
- a government primary school (PS_01)
- a non-government school (PS_02)
- a 1.3 hectare consolidated Multipurpose Community Centre and Early Learning Centre (CF_01).

The DCP includes (all funded from the DIL):

- land and construction costs for SR_01, SR_02 and CF_01
- construction costs for a sports pavilion at SR_02 (SRP_01)
- a contribution (50 percent) to the construction costs for a Multipurpose Community Centre and Early Learning Centre (above Neighbourhood Centre level) in the Batesford North Precinct (CF_BN_01a)
- a contribution (around 10 percent) to the land and construction costs for the Indoor Recreation Centre (IRC_01).

Land for credited passive open space is not included in the DCP. Instead, it is proposed to be addressed through Clause 53.01 (at 10 percent) and equalised within the PSP.

(ii) Supporting documents

These include:

- HillIPDA Report
- *Myers Reserve Masterplan* (City of Greater Geelong, adopted 27 June 2023).

(iii) Proposed changes to the draft Amendment

Council

Council proposed:

- refinements to the areas of some of the open space reserves, resulting in a reduction of the overall percentage of credited open space from 10 to 8.6 percent (consisting of 6.1 percent active open space and 2.6 percent passive open space)
- apportioning 30 percent (instead of 100 percent) of the Myers Reserve western extension (SR_01) to Council, on the basis that some of the capacity of the additional AFL oval will be used by the broader community (not just the future Creamery Road Precinct residents)
- removing IRC_01 from the DCP.⁵¹

Villawood

Villawood proposed:

- removing the northern sports reserve (SR_02) and adding a 4.8 hectare northern extension to Myers Reserve (see Figure 16)
- apportioning the Myers Reserve western and northern extensions 70 percent to the DCP, 30 percent to Council
- removing the non-government primary school (PS_02)
- deleting IRC_01 from the DCP on the basis that it is not basic and essential infrastructure.

These changes would result in:

- an increase in NDA of around 4.1 hectares
- a decrease in the total DIL of around \$30.6 million.

Villawood said this would result in efficient land use recognising the likely provision of active open space in the Batesford North Precinct.

Several parties supported Villawood's proposals.⁵²

⁵¹ Documents 23, 124, 128, 155 and 170

⁵² Documents 30, 32, 35, 53 and 119

Figure 16 Villawood proposal for a northern extension to Myers Reserve



Source: Document 136

305 Bat Pty Ltd

Mr Panozzo providing evidence for 305 Bat Pty Ltd proposed two options for SR_02:

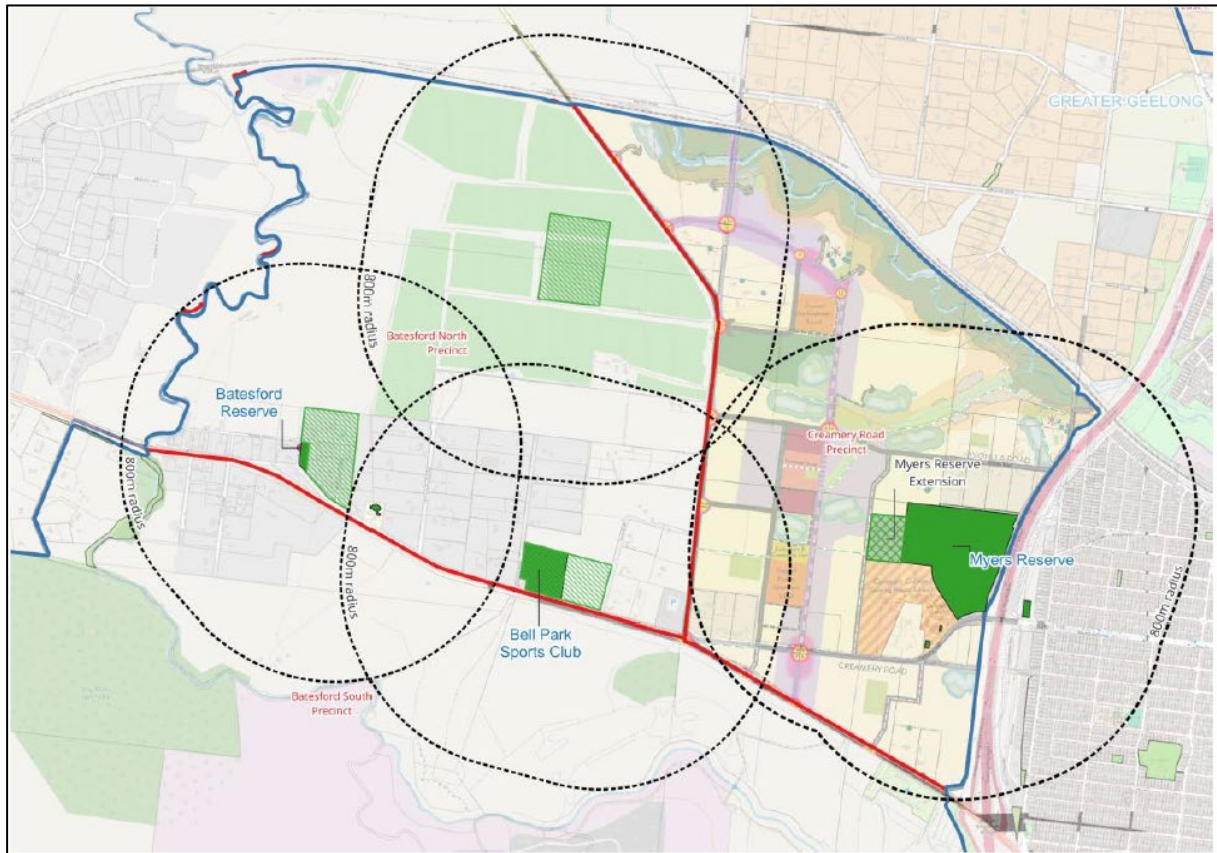
- Option A (his preferred) – delete SR_02 and redirect the construction costs for SR_02 in the DCP to the Myers Reserve Masterplan improvements (include the western extension)
- Option B – reduce the size of SR_02 to 5 to 6 hectares in line with VPA benchmark designs.

He considered:

- if Option A were pursued:
 - SR_01 should be further extended from 3.25 hectares to 4.25 hectares to allow for a new sports pavilion as well as additional parking
 - the costs of SR_01 should be fully apportioned to the DCP (not 70 percent)
 - a 1 hectare local park may be required in the general location of SR_02
- Option B would allow a perfectly viable multi-playing field outcome and would have the benefit of providing active open space in the western part of the Precinct, but would not deliver the same increase in NDA (or reduction in the DIL) as Option A.

Mr Panozzo said removing SR_02 would have minimal impacts on distribution and access to active open space on the basis that the Batesford North Precinct will contain a large northern active open space reserve (see Figure 17).

Figure 17 Potential active open space provision distribution without SR_02



Source: Document 58, page 54

Bisinella

Bisinella proposed:

- reducing the size of CF_01 from 1.3 hectares to 0.8 hectares, which it said was the standard size for community facilities, and recalculating the construction costs accordingly
- removing any sports pavilions and the contribution to IRC_01 from the DIL and funding them from the CIL.⁵³

Further, Bisinella submitted the draft Amendment should include an amended Schedule to Clause 53.01 to reflect an overall open space contribution that may be less than 10 percent.⁵⁴

(iv) Resolved and unresolved issues

All parties agreed the following should be removed:

- the non-government school (PS_02)
- the contribution to land and works for the Indoor Recreation Centre (IRC_01).⁵⁵

The remaining issues remained unresolved.

⁵³ Documents 32 and 119a

⁵⁴ Document 162

⁵⁵ Document 171

(v) PSP guidelines

The PSP Guidelines (T11 and T12) contain an overall unencumbered (credited) open space target of 10 percent of NDA, comprising:

- 5 to 7 percent for active open space
- 3 to 5 percent for passive open space.

The PSP Guidelines state that in regional settings it may be appropriate to adjust these targets, and that adjustments should offer high quality public realm and open space. Further, the *“quantum and distribution of open space should consider the structure and capacity of existing open space, and opportunities for further investment and connections to existing spaces”*.

8.2 Overall provision of open space

(i) The issue

The issue is whether, in the context of the need to improve development viability, the provision of a reduced open space contribution is appropriate.

(ii) Discussion

The planning experts agreed that in coming to a view about the amount of open space that should be provided in the Precinct, it was reasonable to consider:

- any underutilised capacity in the existing Myers Reserve
- the amount and proximity of encumbered open space that may be able to be used for passive recreation
- future provision of open space in neighbouring precincts (although this is highly uncertain).

The Committee accepts that reducing the amount of open space in the Precinct could improve development viability by delivering more NDA. Further, consolidating active open space in the Creamery Road Precinct with the existing Myers Reserve (as proposed by Villawood) presents opportunities to reduce the DIL by allowing for a more efficient use of the active open space land and embellishments.

However open space outcomes still need to be acceptable having regard to the needs of the existing and new communities, consistent with the guidance in the PSP Guidelines.

The Committee has no in principle concerns with an overall provision of credited open space in the Creamery Road Precinct below the targets in the PSP Guidelines, given:

- the Precinct is relatively small and with a relatively low proportion of NDA
- the relatively high proportion of encumbered open space in the Precinct including the Cowies Creek Conservation Reserve
- access to Myers Reserve.

However, any alternative open space options for the Precinct should be informed by a needs analysis that demonstrates sufficient open space will be provided to meet community needs and meet the key objectives of the PSP Guidelines. The needs analysis is also required to inform appropriate apportionment for open space projects.

The HillPDA Report provides a high-level analysis of open space needs across the WGGA, and states in Section 4.1 *“the planning process will require ongoing refinement as planning, development yield and population information is detailed and confirmed over time”*.

The open space needs assessment for the Creamery Road Precinct in the Hill PDA Report was based on an assumption that the Precinct will have an NDA of around 196 hectares, and the population forecast in the Framework Plan. The revised FUS is likely to result in greater NDA, greater population and a greater demand for open space.

The open space needs analysis for Creamery Road should be updated based on the revised NDA and updated population projections to be delivered through the revised FUS (including any reconfiguration of the open space provision). The updated needs analysis should further consider opportunities to:

- maximise capacity within Myers Reserve including any further extensions
- better utilise the encumbered open space in the Precinct for passive recreation, shared trails and the like
- balance the provision of active open space across neighbouring precincts in the WGGA in line with the targets and other guidance in the PSP Guidelines.

To be clear, this is not a major new piece of work. It is merely an update of Section 5.3 of the HillPDA Report based on:

- the objective of maximising NDA while still delivering acceptable open space outcomes
- Council’s acceptance that an open space contribution below 10 percent is appropriate for Creamery Road
- updated assumptions in relation to NDA and population (based on the revised FUS)
- likely open space provision in Batesford North.

For completeness, the Schedule to Clause 53.10 will need to reflect the revised open space contribution.

(iii) Findings and recommended further work

The Committee finds:

- Alternative open space options, including those presented by Villawood and Mr Panozzo, present an opportunity to increase NDA and/or decrease the DIL.
- A preferred alternative open space option should be supported by an updated needs analysis based on the revised NDA and updated population projections to be delivered through the revised FUS (including any reconfiguration of the open space provision).
- If the revised PSP includes open space contribution of less than 10 percent this should be reflected in a Schedule to Clause 53.10 in the draft Amendment.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Update section 5.3 of the HillPDA Report to reflect the revised Net Developable Area and revised population projections to be delivered through the revised Future Urban Structure. The updated needs analysis should further consider opportunities to:

- a) maximise Net Developable Area in the Creamery Road Precinct while still delivering acceptable open space outcomes having regard to the targets and other guidance in the *Precinct Structure Planning Guidelines: New Communities in Victoria* (VPA, October 2021)**

- b) **maximise capacity within Myers Reserve including any further extensions**
- c) **better utilise the encumbered open space in the Precinct for passive recreation, shared trails and the like**
- d) **balance the provision of active open space across neighbouring precincts in the Western Geelong Growth Area.**

8.3 Sports reserves and open space embellishments

(i) The issues

The issues are whether:

- the draft Amendment documents should be updated prior to public notice to reflect the Villawood proposal or the Panozzo options
- there is sufficient information to assess whether the costs of the open space embellishments are appropriate
- the sports pavilions should be funded from the CIL rather than the DIL.

(ii) Discussion

As the planning experts pointed out, in considering any alternative options for active open space, it is necessary to consider the capacity of the existing facilities at Myers Reserve. Council assessed the capacity of Myers Reserve. It determined that based on current usage (not including the future Creamery Road residents):⁵⁶

- soccer and netball are at or over capacity
- AFL and cricket have moderate to high use.

With the additional demand generated by the future Creamery Road residents, even with the improvements proposed under the Myers Reserve Masterplan (including the western extension):⁵⁷

- soccer and netball will remain over capacity
- one AFL and cricket oval will have capacity for the new Creamery Road residents.

On this basis, Council opposed the removal of SR_02.

During the roundtable discussions Mr Woodland and Mr Panozzo (both having reviewed the Myers Reserve Masterplan) emphasised the need to fully understand the residual capacity of Myers Reserve and to consider whether any additional measures can be taken to increase capacity. The reconfiguration of open space may present further opportunities to increase the capacity of Myers Reserve, which should be considered in the updated needs analysis recommended in Chapter 8.2.

The Villawood proposal

With the exception of Mr Woodland (primarily for reasons relating to land fragmentation), the planning experts supported Villawood's proposal to remove SR_02 and substitute it with a northern extension to Myers Reserve. In the roundtable discussions they highlighted various benefits of the Villawood proposal including:

- more efficient land use and reduced land acquisition and development costs

⁵⁶ Document 124

⁵⁷ Document 124

- better functionality of Myers Reserve
- community building (leveraging the existing users of Myers Reserve to help integrate the new Creamery Road residents into the community).

Villawood pointed out additional benefits in its closing submission:

- it meets the existing needs identified in Council's capacity analysis for soccer and netball facilities
- it provides for the co-location of sporting clubs and creates efficiencies in terms of shared use including parking and pavilions
- the urban design experts had no concerns with the consolidation of active open space at Myers Reserve.⁵⁸

Villawood further concluded that the experts all agreed the Villawood proposal was the sensible option, and while there may be matters of detail that need to be ironed out, this could be done through the next stage of the process.

Council did not support the Villawood proposal, submitting it is important to ensure the Committee's process does not become "*a race to under provide open space on paper today in a manner that will materially impact future residents*".⁵⁹ Council's key concerns were:

- it results in an under provision of active open space for the new community
- the active open space would not be evenly distributed through the Precinct (with a bias to the east)
- the proposal was not supported by a capacity analysis that justified the 30 percent apportionment of the northern extension of Myers Reserve to Council
- the proposed northern extension is on fragmented land owned by smaller landowners, making it harder to deliver (a concern shared by Mr Woodland)
- the layout of the proposed northern extension "*simply does not work*":
 - there is no parking
 - netball and soccer are not typically co-located sports
 - space is required between the soccer pitches to facilitate the use of the area for cricket in summer
 - there are no buffers
 - with a further four soccer pitches, the facility would become a regional facility (with expectations of further improvements).

The PSP Guidelines encourage active open space to be distributed so that all residents have access to active open space within 800 metres. Based on Mr Panozzo's assessment, the Committee is satisfied the Villawood proposal can generally achieve this objective. That said, this is dependent on an active open space reserve being provided in Batesford North, generally in the location shown in Figure 17. There is no certainty that this will occur.

Land fragmentation can make the delivery of community infrastructure more challenging. However, the Committee does not consider this challenge to be an insurmountable obstacle to the Villawood proposal.

While the Villawood proposal has some significant potential advantages in maximising NDA and reducing the amount of the DIL, the Committee does not have sufficient information to conclude

⁵⁸ Document 163

⁵⁹ Document 170

that it represents an appropriate provision of active open space for the existing and new communities. If the Villawood proposal is to be progressed, it will need to be supported by:

- a capacity analysis demonstrating the amount of active open space being provided is acceptable based on the updated needs analysis described in Chapter 8.2
- resolution of the issues raised by Council in relation to the function and layout of the northern extension and identification of any implications for the Myers Reserve Masterplan.

Open space in Batesford North

The Committee notes that both Villawood and Mr Panozzo advocated for removing SR_02 on the basis of an active open space reserve likely being provided in the Batesford North precinct. If the updated needs assessment recommended in Chapter 8.2 indicates the provision of active open space in Batesford North is critical to meet the needs of the community in the Creamery Road Precinct, there should be an appropriate apportionment of the Batesford North active open space reserve in the Creamery Road DCP.

The Panozzo options

The Committee has considered Mr Panozzo's options. Based on Council's capacity analysis:

- Myers Reserve (with the western extension) will be at capacity for soccer and netball, and near capacity for AFL and cricket, without the addition of the new Creamery Road community
- this capacity constraint would be unlikely to be resolved by expanding the western extension by an additional 1 hectare
- it would be contrary to need and nexus principles to apportion 100 percent of the Myers Reserve improvements to the Creamery Road DCP as they will primarily address existing capacity issues, rather than creating the additional capacity needed to service the future Creamery Road community.

The Committee therefore does support Mr Panozzo's Option A.

Mr Panozzo's Option B (which was not his preferred option) was not accompanied by much detail and was not discussed during the roundtable discussions. The Committee does not consider that it requires further consideration prior to public notice of the draft Amendment package (although it may warrant further consideration in the next phase of consultation, particularly if the issues with the Villawood proposal are not resolved).

Costs of open space embellishments

The DCP experts generally agreed:

- the scope of the proposed improvements for SR_01 and SR_02 is unclear, and should be itemised and costed based on indicative concept plans
- elements of the proposed improvements that do not constitute basic improvements (including skate parks) should be funded by the CIL, not the DIL
- the cost estimates for the sports reserves are materially higher than VPA benchmarks, warranting review and potential adjustment.⁶⁰

More detail should be provided in the draft Amendment documents to allow these matters to be explored through the next stage of the consultation process.

⁶⁰ Documents 100 and 106

Funding sports pavilions through the DIL

The Committee accepts that the Ministerial Direction on DCPs allows sports pavilions to be funded from the DIL in certain circumstances, but the typical practice is to fund them from the CIL. This can be further considered and tested through the next stage of the consultation process.

(iii) Findings and recommended further work

The Committee finds:

- There may be some opportunity to increase NDA and reduce the DIL through the Villawood proposal and Mr Panozzo's Option A, but there is insufficient information before the Committee to endorse either proposal at this stage.
- The costs of proposed improvements to active open space should be further detailed in the draft Amendment.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Development Contributions Plan to include more detail in relation to the design and costings of the proposed improvements to the active open space.

8.4 Community facilities

(i) The issues

The issues are whether:

- the proposed community hub (CF_01) should be reduced in size and cost
- there is sufficient information to assess the appropriateness of the costs of the community hub
- the proposed 50 percent contribution to the construction costs for the community hub in Batesford North (CF_BN_01a) is appropriate.

(ii) Discussion

Council explained that the 1.3 hectare size of CF_01 was based on the consolidation of two community facilities (which would have required 2.2 hectares in total) into one hub that needs (based on the HillPDA Report) to accommodate 6 kindergarten rooms, a maternal and child health consulting facility and multipurpose community spaces.

The DCP experts generally agreed:

- based on the background material, it is difficult to determine the catchment served by the proposed community facilities
- the cost of community facilities appears high compared with other DCPs and VPA benchmarks
- in the absence of concept plans and itemised building schedules there is insufficient information to justify, define and sensibly review the suitability of the proposed community facilities

- the land area proposed for CF_01 (1.3 hectares) appears high and should be carefully reviewed, and limited to that required to accommodate basic facilities demonstrably needed by the Creamery Road community.⁶¹

Mr Panozzo considered some aspects of the community facilities provided for in the DCP confusing. He advised the DIL should only be used for land acquisition and construction of CF_01. Further, the proposed 50 percent contribution to the construction costs of the Batesford North community hub (CF_BN_01a) is an over-provision, based on his experience of a typical provision measure of one centre per 3,000 dwellings.

Mr Panozzo noted his estimates of need were “*in stark contrast*” to the community centre numbers recommended in the HillPDA Report. He considered Council’s proposed provision of community hubs (based on the HillPDA Report) may be based on a misinterpretation of the community facility hierarchy.

Mr Panozzo also said:

- the Creamery Road hub could be accommodated on a 1 hectare site
- the VPA’s benchmark costs for constructing a Level 2 community hub were around \$9.8 million less than the DCP construction costs for CF_01.

Council submitted the elements of the proposed community hub to be funded under the DIL are in accordance with the Ministerial Direction on DCPs, and:

- the breakdown of the costs of the community hub are set out at a high level in the HillPDA report
- it is contemporary practice to include ancillary multi-purpose community spaces in DIL rates as part of larger community facilities
- the facilities proposed to be included in the hub are “*intended to create spaces that deliver against community expectations*”.⁶²

While the Committee acknowledges that the components of the community hub are described at a high level in the HillPDA Report, more detail is needed to determine whether the land size proposed is justified, and whether the various elements proposed to be included are consistent with the DCP Guidelines. This further detail should be provided in the draft Amendment package.

There was very little discussion at the roundtable discussions about the proposed 50 percent contribution to the construction costs of the Batesford North community hub (CF_BN_01a). Mr Panozzo raised concerns about whether this is justified on the basis of need. This can be further explored through the next stage of the PSP process. More detail is required in relation to the anticipated catchment of both CF_01 and CF_BN_01, to allow assessment of whether the proposed apportionments to the DCP (100 percent for CF_01 and 50 percent for CF_BN_01) are appropriate.

All parties agreed that the Precinct’s contribution to the land and construction costs for the Indoor Recreation Centre (IRC_01) should be removed from the DCP. There was insufficient information before the Committee to form a view on whether this is appropriate. This should be considered as part of the further work on shared infrastructure and apportionment (see Chapter 5.2).

⁶¹ Documents 100 and 106

⁶² Document 124

(iii) Findings and recommended further work

The Committee finds:

- There may be some opportunity to increase NDA and/or reduce the DIL through the following changes:
 - reducing the land take for CF_01
 - reducing the design scope of CF_01
 - removing the DCP contribution to the Indoor Recreation Centre (IRC_01).
- Further information is needed to allow these options to be properly explored through the next phase of consultation on the draft Amendment.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Development Contributions Plan to include more detail in relation to the catchments and the design of the Creamery Road and Batesford North community hubs (projects CF_01 and CF_BN_01).

Following completion of the further work recommended by the Committee in Chapter 5.2, further consider whether the Creamery Road Development Contributions Plan should include a contribution towards the Indoor Recreation Centre (IRC_01).

8.5 Non-government school

(i) The issue

The issue is whether the proposed non-government school should be removed from the draft Amendment.

(ii) Discussion

Mr Panozzo's evidence provided a detailed analysis of other existing and proposed school facilities in the broader area, and concluded that a better outcome would be achieved if the non-government school were relocated to another precinct in the WGGGA.⁶³

The Melbourne Archdiocese Catholic Schools submission supported removal of the non-government school from the Precinct, but indicated that land for a school may need to be set aside in another precinct in the WGGGA.⁶⁴

Given all parties supported removing the non-government school, the Committee agrees it should be removed. Council will need to consider what dwelling densities should be supported on the land. Dwelling densities are discussed in more detail in Chapter 9.2.

(iii) Findings and recommended further work

The Committee finds:

- Removing the non-government school will increase the NDA.
- Council should consider:
 - what dwelling densities may be designated for the land

⁶³ Document 58

⁶⁴ Documents 143 and 144

- whether an alternative school site needs to be set aside in a future PSP for the WGGA.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Precinct Structure Plan and Development Contributions Plan to remove the non-government school (project PS_02).

Amend the Creamery Road Precinct Structure Plan to designate an appropriate dwelling density on the land currently shown as the non-government school (project PS_02).

9 Housing

9.1 Introduction

The housing objectives in Section 2.2 of the PSP include:

- Achieve affordable housing and social housing in all residential areas.
- Facilitate housing diversity to cater to the needs of a diverse population.
- Support greater densities of housing within walking distance of key destinations, amenities, and infrastructure.
- Deliver a range of lot sizes and housing typologies that integrate with, and respond to, surrounding land uses and context.

Relevant parts of the PSP relating to housing diversity, densities and affordability include:

- Plan 8 (Housing), which identifies the different areas in which minimum housing densities apply
- Table 3 (Housing Delivery Guide) which specifies the housing vision and preferred housing typology in each area
- Table 4 (Dwelling Density Minimums) which specifies the minimum dwelling densities for each area
- Requirements R8 to R13
- Guidelines G10 to G14.

Placemaking opportunities identified in Table 2 of the PSP include:

Developments in the NAC Precinct and IDA (including the Mixed Use IDA) abutting the CCC should allow activity to flow into the CCC and encourage people to engage and dwell in the corridor.

9.2 Location and densities

(i) Introduction

The draft Amendment

The PSP provides for varying minimum housing densities across the precinct. Greater densities (25 to 30 dwellings per hectare) are encouraged in the NAC (commercial zone and IDA) and IDAs located around the NAC, along the CCC, and near community facilities, schools, and sports reserves. These include two Mixed Use IDAs along the CCC, one to the north of the non-government school site and one around the intersection of the CCC with Creamery Road. The rest of residential areas are designated for conventional housing densities.

Proposed changes to the draft Amendment

In its summary of initial changes to the FUS and DCP, Council indicated “*further refinement to [Plan 8] should make clear that higher dwelling densities should be encouraged around high amenity areas (e.g. near open space), consistent with VPA guidance*”.⁶⁵ Council confirmed in its opening submission that it is not intended to discourage higher densities outside the IDAs.

⁶⁵ Document 24

In Document 43 Villawood proposed allowing 'strategic development' in conventional residential areas to exceed the mandatory maximum three storeys (for example around the heritage homestead).

Resolved and unresolved issues

The planning and urban design experts generally agreed:

- the PSP needs to provide flexibility in relation to the provision of medium and higher density housing
- encouraging greater densities in the NAC and along the CCC route is supportable
- the PSP should also support (and provide guidance on) medium density housing around open space areas and the potential future train station
- the PSP should encourage (rather than require) medium density housing along the sections of the CCC route that are not close to the NAC or other activity nodes.⁶⁶

There were some nuances to these positions:

- Mr Black and Mr Slater did not support the CCC or the CCC as the preferred location for greater densities
- Mr Bursill considered medium density housing should be mandated along (his realigned) CCC rather than encouraged
- Mr Black considered medium density housing is questionable around the future train station given the uncertainty around the delivery of the station
- Mr Bursill considered the State needs to confirm the preferred location for the future station.

(ii) The issues

The issues are whether the PSP:

- should allow increased densities in more locations (other than the currently designated IDAs) to increase potential yields
- provides sufficient flexibility in relation to dwelling densities.

(iii) Discussion

The developers participating in the roundtable discussions indicated that while increased densities increase yield, increasing densities across the Precinct would not have a significant impact on overall development viability. They explained that the market in Geelong growth areas is yet to mature to the point where medium density product is as or more attractive to purchasers than conventional density housing. Medium density product makes up a relatively small (albeit increasing) proportion of the total housing in the Geelong growth areas, and tends to be developed later in the life cycle of a precinct, after the amenity provided by activity centres, community facilities and the like have been established.

Some of the experts expressed concern about designating too much of the Precinct as suitable for increased densities, as this may not lead to a balanced development outcome. Several of the planning experts considered that increased densities should be focussed around activity or amenity 'nodes' (like the NAC or open space areas), rather than in a linear strip along the length of the CCC route as proposed.

⁶⁶ Document 99

The location of the IDAs is, to an extent, designed to secure the early delivery of the NAC and the CCC. Key policy objectives in Clause 11.02-2L relevant to housing densities include:

- developing the CCC as a consistent and unifying design element connected by active and public transport options between activity centres and education, community and recreation facilities and interconnected sustainable neighbourhoods that support housing diversity
- promoting mode shift to public and active transport.

Key strategies in Clause 11.02-2L to achieve these objectives are:

- locating high and medium density housing close to NACs, the CCC and the potential new train station
- encouraging development that supports the early and effective development of public transport infrastructure and town centres.

Further, Council explained that increased densities along the CCC will aid in defining the CCC and delivering place making opportunities along the CCC and in the NAC.

These policy drivers, along with broader policy around 20 minute neighbourhoods, favour the approach taken in the PSP of clustering increased densities around the public transport services along the CCC (or the bus capable north-south connector street recommended by the Committee in Chapter 6.2) and the services available in the NAC.

However, this would only be effective in securing the early delivery of the CCC (or bus capable north-south connector street) and the NAC if medium and higher density product was easy to sell. If it is not as easy to sell as conventional density housing, it is unlikely to be developed early in the PSP's life cycle.

All experts agreed the PSP needs to provide flexibility in relation to the provision of medium and higher density housing, including its location (for example around open space areas and the future train station).

The density requirements in the PSP provide limited flexibility. For example:

- R8 states that a subdivision or development application must deliver a range of lot sizes capable of accommodating a variety of dwelling types in accordance with Plan 8 and Table 3
- R9 states that subdivisions must provide the minimum densities specified in Table 4.

If developers are not confident there is a ready market for medium and higher density product, this type of product is unlikely to be delivered in the early phases of the PSP's development. Without greater flexibility in the PSP requirements, there is a risk that housing may not be delivered in the IDAs for some time. Some development in the IDAs (even at lower densities) in the early stages of the PSP may be preferable to none.

Further, the PSP does not explicitly encourage increased densities outside the IDAs. While the Committee acknowledges that the housing densities in the PSP are minimums (and there is nothing preventing higher densities being delivered outside the IDAs), the PSP should provide more flexibility and encourage increased densities in suitable locations outside the IDAs. This will allow developers to deliver this type of product where and when they consider there is a market demand.

Finally, the planning experts all agreed that the CCC needs further consideration and supporting strategic work (as noted in Chapter 6.2), and that once that work was complete there would need

to be further consideration of the land use mix and densities in the PSP. The Committee supports this approach, and considers it applies equally to the Committee's recommended bus capable north-south connector street.

(iv) Findings and recommended further work

The Committee finds:

- Given the market for medium and higher density housing in growth areas is relatively immature in the Geelong region:
 - increasing the amount of medium and higher density housing in the Precinct is unlikely to significantly improve development viability of the Precinct
 - limited flexibility in the PSP density requirements may risk slowing or stifling development in the IDAs.
- Greater flexibility should be provided in the PSP to:
 - allow delivery of housing in the IDAs at lower densities than those specified in Table 4 in the PSP if the market for medium and higher density housing is not yet sufficiently mature
 - encourage medium and higher density housing in suitable locations other than the IDAs.
- Further consideration will need to be given to dwelling densities and the land use mix along the bus capable north-south connector street.

The Committee finds:

- Increasing housing densities may contribute to development viability by increasing yield, but only if there is a market for medium and higher density housing.
- The draft Amendment should provide flexibility to increase housing densities in appropriate locations if there is market demand.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Precinct Structure Plan to provide greater flexibility in relation to the provision of housing densities, including the locations where increased densities are encouraged. Consider:

- a) **rewording the Requirements in Section 3.1.2 (Housing diversity, density and choice) to:**
 - **allow delivery of densities below the minimums specified in Table 4 if the market for medium and higher density housing is not yet sufficiently mature**
 - **encourage higher densities in appropriate locations outside the Integrated Development Areas**
- b) **amending Plan 8 (Housing) to indicate increased densities may be appropriate in locations outside the Integrated Development Areas.**

9.3 Affordable and social housing

(i) Introduction

The draft Amendment

In addition to the affordable housing objective (see above), the PSP includes:

- a requirement (R12) for a Social and Affordable Housing Delivery Strategy
- guidelines relating to contributions to social and affordable housing.

The UGZ8 includes a subdivision application requirement for:

A Social and Affordable Housing Delivery Strategy that demonstrates how the proposal achieves the social housing and affordable housing requirements and guidelines in Section 3.1.2 (Housing Diversity, Density and Choice) of the Creamery Road PSP to the satisfaction of the Responsible Authority.

Several parties advised the requirements may result in additional development costs equivalent to \$357,356 per net developable hectare or the equivalent of an additional \$19,200 per dwelling.⁶⁷

Supporting documents

The key supporting document is *Providing social housing as essential infrastructure in the Creamery Road precinct* (SGS Economics & Planning, May 2022) (Social Housing Plan).

(ii) The issue

The issue is whether the affordable housing provisions in the PSP and UGZ8 are adequately discretionary to not unduly affect development viability.

(iii) Discussion

Contemporary PSPs should include affordable and social housing provisions. This is consistent with State planning policy which seeks to improve housing affordability and increase the supply of well-located affordable housing and local policy which seeks to increase social and affordable housing in Greater Geelong.

Further, the PSP Guidelines include target 3 to “*set a minimum target for provision of affordable housing in accordance with affordable housing policy, evidence, and guidance*”.

Council clearly expressed its intent for the provisions to be discretionary. It agreed with Bisinella that:

the social and affordable housing provisions in the PSP and related documentation should be redrafted to reflect clearly that it is a voluntary position. It accepts that the language in the draft PSP could be construed to not be voluntary.⁶⁸

The Committee has not assessed the appropriateness of the social and affordable provisions in the draft Amendment, but agrees in principle they should be redrafted to reflect Council’s intent they be discretionary. The Committee agrees with Council the wording of these provisions can be assessed during the next stage of the process.

In considering drafting, the Committee observes the housing tables (T3 and T4) in the PSP do not quantify the proportion of housing needed to meet the affordability definition, as recommended in the PSP Guidelines.

Bisinella and other submitters raised concerns about the adequacy of the strategic work informing the provisions. The Committee considers this can be tested through the next stage of the process.

⁶⁷ Including Documents 53, 113, 115 and 163

⁶⁸ Document 170

(iv) Finding and recommended further work

The Committee finds the social and affordable housing provisions may affect overall development costs and viability and should be redrafted to be clearly discretionary.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Precinct Structure Plan to ensure the social and affordable housing provisions are discretionary.

Amend the draft Urban Growth Zone Schedule 8 to ensure the social and affordable housing provisions are discretionary.

10 Conservation area and biodiversity

(i) Introduction

The draft Amendment

The biodiversity, threatened species and native vegetation objectives in Section 2.2 of the PSP include:

- Prioritise the retention and enhancement of the Cowies Creek Conservation Area in accordance with relevant legislation, regulation and management plans.
- Protect and enhance biodiversity values within the Cowies Creek Conservation Area and increase community understanding and involvement in biodiversity conservation.

Section 3.4 of the PSP states:

The PSP will protect and enhance habitat values of the Cowies Creek Conservation Area including the Growling Grass Frog (*Litoria raniformis*), listed as Vulnerable under the EPBC Act, Adamson's Blown-grass (*Lachnagrostis adamsonii*), listed as endangered under the EPBC Act, and the Ecological Vegetation Classes Creekline Grassy Woodland and Plains Grassland present in the conservation area. The PSP also includes areas of Plains Grassland EVC.

The conservation area will be managed for the primary purpose of improving biodiversity values but also serve as a place of learning and cultural awareness.

All native vegetation within the precinct, including the native vegetation within the Cowies Creek Conservation Area will be retained or permitted for removal through the Creamery Road NVPP.

The PSP also includes:

- Plan 17 Biodiversity and Threatened Species
- requirements and guidelines
- a description of the conservation area attributes
- Plan 18 Cowies Creek Landscape Plan.

The DCP identifies the conservation area as uncredited (encumbered) open space of 41.295 hectares (11.98 percent of the Precinct and 21.10 percent of the NDA).

The UGZ8 includes a 'certificate of acknowledgement of consent' application requirement demonstrating compliance with the City's approval under Part 10 of the EPBC Act and a condition for a 'Commonwealth Biodiversity Developer Implementation Plan'.

Supporting documents

These include:

- *Draft Creamery Road Native Vegetation Precinct Plan* (Biosis, June 2024) (NVPP)
- *Draft NWGGA Strategic Assessment Report* (Biosis and Open Lines Environmental Consulting, May 2023) (Strategic Assessment)
- *NWGGA Draft Biodiversity Conservation Strategy* (City of Greater Geelong, May 2023)
- *NWGGA Draft Commitments and Measures* (City of Greater Geelong, May 2023)
- *NWGGA Draft EPBC Plan* (City of Greater Geelong, May 2023) (EPBC Plan)
- *NWGGA Draft Strategic Assessment Funding Program* (City of Greater Geelong, May 2023) (Draft Strategic Assessment Funding Program)
- *WGGA Cowies Creek Conservation Area Growling Grass Frog Conservation Management Plan* (Biosis, July 2024).

(ii) The issues

The issues are whether:

- the conservation area boundaries are appropriate
- costs associated with implementing the Strategic Assessment under the EPBC Act should be capped at \$50,000/hectare of NDA
- development of the conservation area should include more Growling Grass Frog wetlands.

(iii) Discussion

Conservation area boundary

The planning and urban design experts agreed (apart from Mr Czarny who had no view on this) that the conservation area should be determined by the EPBC referral process, and should seek to minimise the buffer area while ensuring conservation and other relevant outcomes are achieved.⁶⁹

Bisinella submitted that the area of native vegetation outside the 100 metre conservation area buffer should be surveyed to establish whether the patch of Spear-grass still occurs and qualifies as Plains Grassland Ecological Vegetation Class, and to determine if the conservation boundary in this area can be justified. It identified other divergences from the 100 metre buffer and invited the Committee to recommend that:

...any future area reserved for the Cowies Creek Conservation Area be:

- a) informed by an updated survey of native vegetation to ensure the buffer is appropriately informed, and
- b) examined for any discrepancies that may extend beyond the 100m buffer line from Cowies Creek.⁷⁰

It suggested the Committee could recommend the survey work be done as a priority, or for the PSP to be annotated to state the *“patch of possible native vegetation is subject to confirmation by further survey work and any EPBC process”*.

In order to progress approvals and enable prompt development of the land, Yih-Sheng/Michael explained that it was pursuing a separate assessment of its land under Part 7 of the EPBC Act (the decision is pending). The proposed Conservation Management Plan for its land includes a 50 metre conservation area buffer. Reducing the conservation area buffer as proposed could result in NDA gain of around 3.5 hectares for this site.⁷¹

Yih-Sheng/Michael submitted:

- while the Committee cannot recommend reducing the buffer at this stage, it should recommend the PSP *“include flexibility for the 100 meter to be potentially reduced pending the outcomes of the Part 7 and/or Part 10 referrals under the EPBC Act”*
- if the EPBC Act approvals come through before notice of the draft Amendment is given the Amendment documents can be amended to show the approved buffers.

Council said any issues of compatibility between the Strategic Assessment, the Cowies Creek Masterplan and the PSP can be addressed by ensuring the drafting of the PSP is sufficiently flexible. The Committee agrees.

⁶⁹ Document 99

⁷⁰ Document 119

⁷¹ Document 169

Decisions are only as robust as the information they rely on. If updated survey work is needed to establish the presence and status of native vegetation, this work should be undertaken as soon as practicable and submitted for consideration in the EPBC Act approvals process.

The PSP will ultimately be informed by the EPBC Act assessment and any updated survey work. The PSP should be drafted to allow a reduction in conservation area buffer where this has been determined appropriate under the relevant approvals. This can be appropriately tested through the next stage of the process.

Biodiversity levy

Council explained the estimated cost of \$50,000 per hectare of NDA for implementing the Cowries Creek conservation commitments is derived from the Draft Strategic Assessment Funding Program. Council said suggestion from Villawood to cap the Strategic Assessment costs was *“illogical and should be readily dismissed by the Committee”*. Further a process under the PE Act *“cannot constrain a process under the EPBC Act”*.⁷²

The Strategic Assessment Funding Program (including the biodiversity levy) is intended to give effect to the EPBC Plan and associated EPBC Act obligations. The determination of these costs and specific requirements will be finalised through the Strategic Assessment process, which is separate to the draft Amendment process. The Committee supports Council’s submissions in this regard.

Growling Grass Frog wetlands

Mr Urlus suggested it would be a better ecological outcome if more wetlands could be incorporated into the conservation area. He recommended creation of at least 10 Growling Grass Frog wetlands, consistent with the Growling Grass Frog Habitat Design Standards (DELWP 2017a). Council and other parties were concerned this would unreasonably impact costs and not result in a balanced development outcome.

In response to questions from the Committee, Mr Urlus advised the:

- draft Amendment documentation, including the Western Geelong Growth Area Cowies Creek Conservation Area Growling Grass Frog Conservation Management Plan (Biosis, June 2024), should be updated in light of his evidence
- Growling Grass Frog Habitat Design Standards should be referred to in R58 of the PSP.

It is not the role of this Committee to make recommendations about the number of Growling Grass Frog wetlands, and the substantive matters before the Committee do not relate to ecological matters of merit. Council may choose to update aspects of the draft Amendment in response to Mr Urlus’ evidence, however the Committee does not make a formal recommendation in relation to this. The merits of the PSP and ecological outcomes can be tested through the next phase of consultation on the draft Amendment.

In Chapter 7, the Committee supports redesign of the drainage system including online wetlands. This has the potential to contribute to better ecological outcomes if appropriately designed with consideration of ecological values. Review of the drainage system should include consideration of ecological values and, if necessary, include guidance in the PSP to achieve acceptable outcomes.

⁷² Document 170

(iv) Findings and recommended further work

The Committee finds:

- Subject to further survey work and EPBC Strategic Assessment findings, there may be some opportunity to increase NDA through a reduced conservation area that responds appropriately to identified conservation values and management obligations.
- The PSP should be drafted to be sufficiently flexible to allow refinements to the conservation area buffer where permitted under the EPBC approvals.
- The biodiversity levy will be determined through the EPBC Act process, separate to the planning process.
- Redesign of the drainage system, as recommended by the Committee, should include consideration of ecological values and, if necessary, additional guidance should be included in the PSP to achieve acceptable outcomes.

The Committee recommends the following further work before public notice of the draft Amendment is given:

Amend the Creamery Road Precinct Structure Plan to ensure there is sufficient flexibility to refine the conservation boundary in response to the *Environment Protection and Biodiversity Act 1999* strategic assessment and any updated ecological survey work.

Amend the Creamery Road Precinct Structure Plan to include guidance on design to appropriately respond to ecological values for online drainage assets.

Part C - Appendices

Appendix A Terms of Reference

Terms of Reference

Northern and Western Geelong Growth Areas Standing Advisory Committee

Standing Advisory Committee appointed under Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Greater Geelong City Council on referred planning matters and associated draft Greater Geelong Planning Scheme provisions to implement the growth areas.

Name

1. The Standing Advisory Committee is to be known as the 'Northern and Western Geelong Growth Areas Standing Advisory Committee' (the Committee).
2. The Committee is to have members with the following skills:
 - a) Strategic and statutory planning
 - b) Biodiversity
 - c) Urban design
 - d) Development contributions and land economics
 - e) Infrastructure planning and civil engineering
 - f) Traffic and transport planning
 - g) Planning law.
3. The Committee will include a Lead Chair, Chair/ Deputy Chairs and multiple other appropriately qualified members.
4. The Committee may engage specialist advice as required.

Purpose

5. The purpose of the Committee is to provide timely advice to the Minister for Planning and the council on specific matters referred to it related to implementation of the Northern and Western Geelong Growth Areas Framework Plan such as precinct structure plans (PSP), development contributions plans, biodiversity conservation strategy and any associated draft planning scheme amendments.

Background

6. The Northern and Western Geelong Growth Area is the largest growth area in regional Victoria and will be home to at least 110,000 residents. Clause 11.02-2L of the Greater Geelong Planning Scheme includes the Northern and Western Geelong Framework Plan (the Framework Plan) and identifies as further work the need for PSP's and a biodiversity assessment to implement the plans.
7. The release of two new major development fronts for Geelong implements the Greater Geelong Settlement Strategy to direct further greenfield development to urban Geelong. The release of these new growth fronts requires a carefully managed and coordinated planning and approval process to deliver on the objectives of the Framework Plan.
8. The Framework Plan is a high-level strategic document that outlines considerations related to future urban structure, development, transport, utilities and infrastructure and provides a vision and set of urban development objectives and actions to inform the subsequent detailed preparation of PSPs by the City of Greater Geelong Council.

Terms of Reference | Northern and Western Geelong Growth Areas Standing Advisory Committee

9. The Framework Plan proposed the sequential preparation of nine PSPs, with each PSP providing the basis for localised urban development and investment and elaborating on the Framework Plan by adding in local roads, schools, community facilities and open space.
10. The Concept PSPs contained in the Framework Plan provide guidance to the preparation of the detailed local PSPs and will be subject to changes that take advantage of new technical information and development and urban design innovations that may provide increased benefits to the future communities.
11. Greater Geelong is experiencing sustained ongoing demand for greenfield housing and efficient amendment and approval processes are necessary to fast track additional greenfield land supply.
12. This Committee process allows submissions to be made to the council on a plan or strategy and associated draft planning scheme amendment, with any unresolved issues to be considered by the Committee before the final planning scheme amendment is submitted to the Minister for Planning for approval under section 20(4) the Act.

Method

13. The Committee may meet, and depending on the nature of the referral and the issues raised, undertake consultation that is fit for purpose. This may be on the papers; through round table discussions or forums; or hearings. There must be a quorum of at least two Committee members, including a Chair or Deputy Chair.
14. The Committee will provide a targeted and timely process to assess the merits of discrete unresolved issues associated with the growth areas.
15. The Committee may apply to vary these Terms of Reference in any way it sees fit.

Notice

16. The council may seek the written consent of the Minister for Planning or the Minister's delegate to prepare and give notice of a draft planning scheme amendment.
17. As directed by the Minister for Planning, the council will prepare and give notice of a 'draft planning scheme amendment' and receive submissions. The council will consider all submissions and where possible seek to resolve issues with submitters prior to requesting the Minister for Planning refer matters to the Committee.
18. When preparing documentation for public notice, the council must liaise with the Committee to agree to:
 - a) A directions hearing date
 - b) The public hearing dates

The agreed dates are to be included on all notices for public exhibition.

19. 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.

Referral

20. The Minister for Planning will provide a letter of referral to the Committee Lead Chair, seeking its advice on particular matters or unresolved submissions and/or any other relevant matter. The letter of referral will be a public document. The letter of referral may seek advice on one or more matters.
21. The Chief Executive Officer (or delegate) of council will provide a copy of all submissions received in response to notice, a detailed response to those submissions and the particular matters or unresolved submissions the council considers should be referred to the Lead Chair of the Committee.

Terms of Reference | Northern and Western Geelong Growth Areas Standing Advisory Committee

22. The letter of referral must be accompanied by:
- a) The relevant plan and associated draft planning scheme amendment
 - b) The referred submissions
 - c) Any supporting background material.
23. The Lead Chair will allocate relevant members as the Committee to consider each specific referral.

Committee Assessment

24. The Committee may inform itself in anyway it sees fit, but must consider:
- a) The relevant components of the referred plan and associated draft planning scheme amendment that relate to the submissions or issues referred to it
 - b) The referred submissions
 - c) The Greater Geelong Planning Scheme
 - d) The Northern and Western Geelong Framework Plan
 - e) The relevant ministerial directions
 - f) Any other material referred to it.
25. Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if appropriate.
26. The Committee will be provided with the written submissions and other supporting material by parties, and may:
- a) Direct that parties meet, to discuss and further resolve issues, or
 - b) Act as a mediator to seek to resolve issues in dispute.
27. The Committee may direct the council and relevant parties to provide additional information on specified matters.
28. The Committee will ensure the position of agencies such as the Department of Transport, relevant water authorities, the Wadawurrung Traditional Owners Aboriginal Corporation and others as required are considered and may invite these groups to participate in any process as required, even if they have not made a submission.

Outcomes

29. For each matter referred to it, the Committee must produce a written report for joint submission to the council and the Minister for Planning, providing the following:
- a) Whether the referred element(s) of the draft amendment or planning permit is appropriate
 - b) A summary and assessment of the issues raised in submissions referred to the Committee.
 - c) Any other relevant matters raised in the course of the Committee process.
 - d) Its findings and recommendations on all key issues
 - e) A list of persons who made submissions considered by the Committee.
 - f) A list of tabled documents.

- g) A list of persons consulted or heard, including via video conference.
30. The Committee may address more than one draft amendment and/or relevant strategic planning matters and combine its assessment of the draft amendments in a single report.

Submissions are public documents

31. The Committee must retain a library of any written submissions or other supporting documentation provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
32. Any written submissions or other supporting documentation provided to the Committee must be available for public inspection until the submission of its report, unless the Committee specifically directs that the material is to remain 'in camera'. A document may be made available for public inspection electronically.

Timing

33. The Committee is required to commence its process by issuing a written notice of the referral of a matter from the Minister to all referred submitters no later than 10 business days from the date of any specific letter of referral received.
34. The Committee will provide its report to the Minister of Planning and the council no later than 30 days from the last day of proceedings, tabling of submissions or consultation process.
35. With the agreement of the Minister of Planning, the council will release the Committee report within 10 days of receiving it.

Fee

36. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the Act.
37. The costs of the Committee and any associated public consultation notification will be met by the council unless an alternative is specified in the letter of referral from the Minister for Planning to the Committee.



HON LIZZIE BLANDTHORN MP
Minister for Planning

Date: 28.10.22

The following information does not form part the Terms of Reference.

Project Management

- 1 Administrative and operational support to the Advisory Committee will be provided by Leanne Stockley, Regional Planner, the Department of Environment, Land, Water and Planning, 0407 648 219 and leanne.stockley@delwp.vic.gov.au.
- 2 Day to day liaison for the Advisory Committee will be through Hayley Becker, Manage Major Projects, of Planning Panels Victoria, on (03) 8508 2775 or planning.panels@delwp.vic.gov.au.

Appendix B Referral letter



The Hon Sonya Kilkenny MP

Attorney-General
Minister for Planning

GPO Box 4356
Melbourne, Victoria 3001 Australia

Ref: BMIN-1-24-4284

Ms Sarah Raso
Lead Chair
Northern and Western Geelong Growth Areas Standing Advisory Committee
Planning Panels Victoria
planning.panels@transport.vic.gov.au

Dear Ms Raso

DRAFT AMENDMENT C450GGEE – CREAMERY ROAD PRECINCT STRUCTURE PLAN AND DEVELOPMENT CONTRIBUTIONS PLAN – INITIAL REFERRAL TO THE NORTHERN AND WESTERN GEELONG GROWTH AREAS STANDING ADVISORY COMMITTEE

I refer to a request I have received from the Greater Geelong City Council seeking my consent to prepare and give notice of draft Greater Geelong Planning Scheme Amendment C450ggee in accordance with clause 16 of the Northern and Western Geelong Growth Areas (NWGGA) Standing Advisory Committee Terms of Reference.

The draft amendment proposes to implement the Creamery Road Precinct Structure Plan (PSP), Development Contributions Plan (DCP) and Native Vegetation Precinct Plan (NVPP) by:

- Incorporating these documents into the Greater Geelong Planning Scheme.
- Applying the Urban Growth Zone Schedule 8 (UGZ8), Development Contributions Plan Overlay Schedule 11 (DCPO11) and Parking Overlay Schedule 2 (PO2) to the precinct.
- Applying the Environmental Audit Overlay and Heritage Overlay to selected properties.
- Including draft local policy and provisions to support the future implementation of the NWGGA Strategic Assessment undertaken under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In accordance with clause 20 of the advisory committee's terms of reference, I seek the early advice of the committee on whether the draft amendment will provide for a balanced development outcome, including consideration of its ability to provide for efficient land use, maximise development opportunities and provide for the timely delivery of development.

I ask the committee to focus on the following specific matters:

- The extent of developable land in the draft Creamery Road PSP, having regard to land required for active and passive open space, conservation reserves, schools and community facilities, transport infrastructure and drainage assets (a net developable area of 57 per cent is proposed).
- The development infrastructure levy, including the design, cost and apportionment of infrastructure items (in particular, the 'Clever and Creative Corridor' and drainage assets), as proposed in the draft Creamery Road DCP (a development infrastructure levy of approximately \$1.6 million per net developable hectare is proposed).

As part of this initial assessment, the advisory committee may consult with relevant parties, as outlined at clauses 13 and 14 of the terms of reference. I request the committee provide a report following the initial assessment which outlines any further work that needs to be undertaken or any changes required to be made to the draft amendment prior to public exhibition to ensure a suitable development outcome. I may request the further advice of the committee to confirm whether these matters have been met to the committee's satisfaction prior to public consultation commencing. The cost of the committee process will be met by the council.

The draft amendment documentation, including all supporting documents, will be provided to the committee by the Department of Transport and Planning (DTP).

If you would like further information, please email Stuart Menzies, Acting Executive Director, State Planning Policy, DTP, at stuart.menzies@transport.vic.gov.au.

Yours sincerely



The Hon Sonya Kilkenny MP
Minister for Planning

Date: 4/1/2025

Appendix C Parties

Submitter	Sub. no.	Represented by
City of Greater Geelong (Council)	1	<p>Greg Tobin and Xander Nguyen-Meachem of Harwood Andrews, calling the following expert evidence:</p> <ul style="list-style-type: none"> - Mark Sheppard of Urbis in urban design - Mark Woodland of EthosUrban in town planning - Reece Humphreys of Stantec in traffic - Andrew Kinnaird of Urbis in land valuation - Warwick Bishop of Water Technology in drainage
Batesford Developments Project Pty Ltd (Villawood)	2	<p>Susan Brennan and Jennifer Trewhella of Counsel instructed by Tamara Brezzi of Norton Rose Fulbright, calling the following expert evidence:</p> <ul style="list-style-type: none"> - Neil Craigie of Neil M Craigie Pty Ltd in drainage - Marco Negri of Contour in planning - Jason Walsh of Traffix Group in traffic - Paul Shipp of Urban Enterprise in development contributions - Craig Czarny of Hansen Partnership in urban design
DTP Transport Regions	3	Jozef Vass, Associate Director Regional Operations, Planning Grampians & Barwon South West
Barwon Water	4	Rhys Bennett, Network Planning Coordinator
305 Bat Pty Ltd	5	<p>Paul Connor instructed by James Lofting of Russell Kennedy, calling the following expert evidence:</p> <ul style="list-style-type: none"> - Greg Bursill of Bursill Consulting in development contributions - Robert Panozzo of ASR Research in community infrastructure - Leigh Holmes of Spiire in drainage - Justin Slater of Tract in planning - Hilary Marshall of Ratio in traffic
Adbri Limited	6	Nick Clements of Tract
Antonio, Rosalia and Simon Nardi	7	<p>John Cicero and Edward Mahony of Best Hooper, calling the following expert evidence:</p> <ul style="list-style-type: none"> - Knowles Tivendale of Movement and Place in strategic transport - Nina Barich of Incitus in hydrology
Bisinella Developments	8	<p>Peter O'Farrell and Kate Lyle instructed by Briana Eastaugh and Zina Teoh of Maddocks Lawyers, calling the following expert evidence:</p> <ul style="list-style-type: none"> - Jason Black of Insight Planning in development contributions - Jake Urlus of Tactecol in ecology - Aaron Walley of Ratio in transport

Submitter	Sub. no.	Represented by
David Secen	9	
Denis Canjuga (Avonlea Homestead)	10	
Lovely Banks Development and Growland	11	John Cicero and Edward Mahony of Best Hooper, calling the following expert evidence: <ul style="list-style-type: none"> - Knowles Tivendale of Movement and Place in strategic transport - Nina Barich of Incitus in hydrology
McCann family	12	Ellen Tarasenko of Polis Legal
Ramsey Property Group	13	Jarryd Gray of Minter Ellison
Yih-Sheng Investments Pty Ltd and Janet Michael & Richard Michael	14	David Passarella of Colin Biggers & Paisley Lawyers, calling the following expert evidence: <ul style="list-style-type: none"> - John-Paul Maina of Impact in traffic engineering
Domenico Lombardo	15	

Appendix D Document list

No	Date	Description	Presented by
2022			
1	28 Oct	Terms of Reference	Minister for Planning
2025			
2	7 Jan	Letter of Referral	Minister for Planning
3	8 Jan	Referred materials (see Document List appendix)	Department of Transport and Planning
4	22 Jan	Initial letter to stakeholders	Planning Panels Victoria (PPV)
5	30 Jan	Response to initial letter	Environment Protection Authority Victoria
6	5 Feb	Response to initial letter	Department of Energy, Environment and Climate Action (DEECA)
7	10 Feb	Response to initial letter	Homes Victoria
8	11 Feb	Initial information letter	Council
9	11 Feb	Initial information letter	Villawood
10	11 Feb	Combined preliminary views (updated 24 February 2025)	Other parties
11	13 Feb	Correction to affected property address	Yih-Sheng Investments Pty Ltd and Janet Michael & Richard Michael (Yih-Sheng/Michael)
12	13 Feb	Letter regarding timing and procedural matters	Villawood
13	13 Feb	List of parties and preliminary issues	PPV
14	14 Feb	Email with proposed dates	Council
15	14 Feb	Email advising of documents published on Council webpage	Council
16	14 Feb	Creamery Road PSP Select Link Analysis (Usage) Assessment (Stantec, 6 March 2023)	Council
17	14 Feb	CRPSP Movement and Access Report (Stantec, January 2023)	Council
18	14 Feb	CRPSP Bluestone Bridge Road Preferred Option Report (GHD, July 2023)	Council
19	14 Feb	NWGGA Bridge Review (Stantec, July 2024)	Council
20	20 Feb	Directions and Agenda	PPV
21	25 Feb	Map showing Council understanding of land ownership (provided to Committee only)	Council

No	Date	Description	Presented by
22	28 Feb	Part A Submission, enclosing attachment a) Part A Submission Annexure 1 - NWGGA DCP Item Principles	Council
23	7 Mar	Day 1 proposed changes to place based plan and DCP	Council
24	7 Mar	Summary of review process	Council
25	7 Mar	Creamery Road DCP Land Assessment (Urbis, 1 July 2024)	Council
26	7 Mar	Northern and Western Geelong Growth Areas Integrated Water Management Plan (E2 DesignLab, 2021)	Council
27	7 Mar	Cowies Creek Conservation Reserve CAD files	Council
28	13 Mar	Letter inviting DEECA to participate	PPV
29	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	DTP Transport Services
30	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	Ramsey Property Group
31	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	McCann family
32	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	Bisinella Developments
33	17 Mar	Request for extension of time to respond to changes	DTP Transport Services
34	17 Mar	Committee correspondence, version 3 parties list, and version 4 distribution list	PPV
35	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	Yih-Sheng/Michael
36	17 Mar	Proposed changes to place based plan and DCP Day 1 changes	Antonio, Rosalia and Simon Nardi & Lovely Banks Development and Growland (Submitters 7 and 11)
37	18 Mar	Addendum to Creamery Road DCP Initial Changes (18 March 2025)	Council
38	18 Mar	Alluvium Memo - Drainage Feasibility Advice (13 March 2025)	Council
39	18 Mar	CCC Alignment Plan	Council
40	18 Mar	Updated Future Urban Structure plan (Council Initial Changes Version – 14 March 2025)	Council
41	18 Mar	Urbis Land Valuation Report (14 March 2025)	Council
42	18 Mar	Letter enclosing proposed changes	Villawood
43	18 Mar	Proposed changes to place based plan and DCP Day 1 changes	Villawood

No	Date	Description	Presented by
44	18 Mar	Civil Engineering Plans - Evans Road and CCC (17 March 2025)	Villawood
45	18 Mar	Creamery Road PSP – Moorabool Estate, Preferred Urban Structure Plan (17 March 2025)	Villawood
46	18 Mar	Creamery Road PSP – Villawood Preferred Future Urban Structure Plan (17 March 2025)	Villawood
47	18 Mar	DCP Construction Projects (17 March 2025)	Villawood
48	18 Mar	DCP Land Projects (17 March 2025)	Villawood
49	18 Mar	Intersection Cost Sheets (17 March 2025)	Villawood
50	18 Mar	Preferred DCP (17 March 2025).xlsx	Villawood
51	18 Mar	Preferred FUSP – Land Budget (17 March 2025)	Villawood
52	18 Mar	Redesigned Intersections (14 March 2025)	Villawood
53	18 Mar	Proposed changes to place based plan and DCP Day 1 changes	305 Bat Pty Ltd
54	19 Mar	Letter to Council regarding Bisinella information requests	PPV
55	20 Mar	Request for clarification from Council	Adbri Limited
56	21 Mar	Expert witness statement of Greg Bursill (DCP costs)	305 Bat Pty Ltd
57	21 Mar	Links to documents referenced in Attachment 1 to Greg Bursill expert witness statement	305 Bat Pty Ltd
58	21 Mar	Expert witness statement of Robert Panozzo (community infrastructure)	305 Bat Pty Ltd
59	21 Mar	Expert witness statement of Justin Slater (planning)	305 Bat Pty Ltd
60	21 Mar	Expert witness statement of Leigh Holmes (drainage)	305 Bat Pty Ltd
61	21 Mar	Response to Adbri Limited request for clarification	Council
62	21 Mar	Response to Submitters 7 and 11 request for drainage information, enclosing attachments: <ul style="list-style-type: none"> a) MUSIC modelling (concept design June 2024) - Asset catchments updated 2312 b) MUSIC modelling (concept design June 2024) - Creamery Road_GeelongNorth_1971-1980_6min_infilled Concept redesign May 2024 c) MUSIC modelling (March 2025 consolidated assets) - CREAME~1 d) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage e) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage f) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage 	Council

No	Date	Description	Presented by
		g) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage	
		h) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage	
		i) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage	
		j) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage	
		k) Proposed PSP land use in GIS format - 20250314_CRPSP_FUS_v29_GeneralisedDrainage	
		l) RORB - ARR Datahub - ARR_DataHub_Cowies_-38 085_144 319	
		m) RORB - ARR Datahub - depths_- 38.085_144.319_all_design	
		n) RORB - ARR Datahub - depths_- 38.085_144.319_all_design_c_change_v2	
		o) RORB - ARR Datahub – Southern Slopes (mainland)_Increments	
		p) RORB - Catg file - Creamery Road Catchment_Var 6_Current_All	
		q) RORB - Catg file - Creamery Road Catchment_Var 6_Developed_All	
		r) RORB - Catg file - RORB Background_v1	
		s) RORB - Output - Creamery Road Catchment_Var 6_Developed_All_batch	
		t) RORB - Output - Creamery Road Catchment_Var 6_Current_All_batch	
		u) RORB - Output - Creamery Road Catchment_Var 6_Developed_All_batch	
		v) RORB - Parameter file - Creamery Road_Var6_Current_All	
		w) RORB - Parameter file - Creamery Road_Var6_Developed_All	
		x) RORB - Parameter file - Creamery Road_Var6_Developed_CC	
		y) RORB - Parameter file - fort.2	
		z) Creamery Rd DSS existing topography contours	
		aa) Creamery Road PSP Development Services Scheme Functional Design Report Appendix A Creamery Rd DSS Review (Alluvium, December 2022)	
63	21 Mar	Response to Submitters 7 and 11 request for traffic information, enclosing attachments: a) 231122_301400615_combined	Council

No	Date	Description	Presented by
		b) CRPSP Movement and Access Report 16 Jan 2023 (Stantec)	
		c) Memo - CRPSP Modelling update 24 Nov 2023 (Stantec)	
64	21 Mar	Response to McCann Family request for information, enclosing attachments:	Council
		a) NWGGA Bridges Appendix A Bridge Designs - FINAL - Stantec - Creamery Road PSP	
		b) NWGGA Bridges Appendix B High Level Cost Estimate - FINAL - Stantec and WSP - Creamery Road PSP	
		c) NWGGA Bridges Concept Design and Opinion of Probable Costs Report - FINAL - Stantec - Creamery Road PSP	
		d) STANTEC - CRPSP Review of Transport DCP Items - FINAL August-2023 (003)	
		e) STANTEC - Transport Concept Designs CRPSP - FINAL - Dec 2022	
65	24 Mar	Expert witness statement of Reece Humphreys (traffic and transport planning)	Council
66	24 Mar	Expert witness statement of Andrew Kinnaird (land valuation)	Council
67	24 Mar	Expert witness statement of Mark Sheppard (urban design)	Council
68	24 Mar	Site inspection location requests	Council
69	24 Mar	Expert witness statement of Craig Czarny (urban design)	Villawood
70	24 Mar	Expert witness statement of Jason Walsh (traffic)	Villawood
71	24 Mar	Expert witness statement of Marco Negri (planning)	Villawood
72	24 Mar	Expert witness statement of Neil Craigie (drainage), enclosing attachment:	Villawood
		a) Appendix (Development Services Scheme Review Creamery Road PSP V6)	
73	24 Mar	Expert witness statement of Paul Shipp (development contributions)	Villawood
74	24 Mar	Site inspection location requests	Villawood
75	24 Mar	Site inspection location requests	305 Bat Pty Ltd
76	24 Mar	Expert witness statement of Warwick Bishop (drainage)	Council
77	24 Mar	Expert witness report of Mark Woodland (town planning)	Council
78	24 Mar	Expert witness statement of Knowles Tivendale (strategic transport)	Submitters 7 and 11
79	24 Mar	Expert witness statement of John-Paul Maina (traffic)	Yih-Sheng/Michael

No	Date	Description	Presented by
80	24 Mar	Site inspection location requests	Yih-Sheng/Michael
81	24 Mar	Expert witness statement of Jason Black (development contributions)	Bisinella Developments
82	25 Mar	Expert witness statement of Nina Barich (hydrology)	Submitters 7 and 11
83	25 Mar	Email including site inspection location request	Submitters 7 and 11
84	25 Mar	Expert witness statement of Hilary Marshall (traffic)	305 Bat Pty Ltd
85	25 Mar	Site inspection location requests	Bisinella Developments
86	26 Mar	Expert witness statement of Aaron Walley (transport)	Bisinella Developments
87	26 Mar	Addendum to expert witness statement of Hilary Marshall (traffic)	305 Bat Pty Ltd
88	26 Mar	Expert witness statement of Jake Urlus (ecology)	Bisinella Developments
89	27 Mar	Directions regarding role of Mr McNeill and expert witness joint statements	PPV
90	28 Mar	Drainage joint expert witness statement	Council
91	28 Mar	Email regarding role of Mr McNeill	Villawood
92	28 Mar	Site inspection plan	Council
93	1 Apr	Traffic joint expert witness statement	Council
94	1 Apr	Request for extension to file all submissions	Villawood
95	2 Apr	Submission	Adbri Limited
96	2 Apr	Proposed draft version 2 timetable	Villawood
97	2 Apr	Updated Directions and roundtable dates	PPV
98	2 Apr	Submission	DTP Transport Services
99	2 Apr	Planning and urban design joint expert witness statement	Council
100	2 Apr	Development contributions joint expert witness statement	Council
101	3 Apr	Response to invitation to participate	DEECA
102	3 Apr	Myers Road Extension and Northern Sporting Reserve Cost Plan (Zinc Cost Management, January 2023	Council
103	3 Apr	NWGGA Recreation Infrastructure Provision Ratios and Benchmarks Reviews (ASR Research, June 2017).docx	Council
104	3 Apr	Joint letter regarding roundtable dates and expert witness availability	Villawood
105	3 Apr	Further update to roundtable dates and agenda	PPV
106	4 Apr	Addendum to expert evidence of Robert Panozzo	305 Bat Pty Ltd
107	4 Apr	Submission	Barwon Water
108	4 Apr	Submission	Submitters 7 and 11

No	Date	Description	Presented by
109	4 Apr	Submission	Ramsey Property Group
110	4 Apr	Submission	305 Bat Pty Ltd
111	4 Apr	Updated submission	Adbri Limited
112	4 Apr	Submission	Yih-Sheng/Michael
113	4 Apr	Opening statement, enclosing attachment: a) UDIA Presentation	Bisinella Developments
114	4 Apr	Covering letter	Villawood
115	4 Apr	Submission	Villawood
116	4 Apr	Opening statement presentation by Andrew Duggan	Villawood
117	4 Apr	Opening statement presentation by Chris McNeill	Villawood
118	4 Apr	Opening statement presentation by Chris McNeill (slides)	Villawood
119	4 Apr	Submission, enclosing attachment: a) Proposed changes to DCP	Bisinella Developments
120	4 Apr	Supplementary expert witness statement of M Trengove (Greater Geelong C395ggee)	Bisinella Developments
121	4 Apr	Stephen Hundt memo to Bisinella	Bisinella Developments
122	4 Apr	Submission	McCann Family
123	4 Apr	Opening statement	Adbri Limited
124	4 Apr	Opening statement	Council
125	4 Apr	Roundtable information, Version 4 Parties List and Version 5 Distribution List	PPV
126	7 Apr	Opening statement	Avonlea Homestead
127	8 Apr	Evidence of Jason Black for Amendment C395ggee	Adbri Limited
128	8 Apr	Hearing further changes and issues in dispute	Council
129	8 Apr	Geelong Growth Areas Transport Infrastructure Strategy Report 6 – Infrastructure and Servicing Prioritisation Plan	Council
130	8 Apr	Geelong Growth Areas Transport Infrastructure Strategy Infrastructure Priorities map	Council
131	8 Apr	Table of Projects	Council
132	8 Apr	Geelong Projects spreadsheet	Council
133	8 Apr	Memorandum on CCC alignment (April 2023)	Council
134	8 Apr	Questions to Mr Humphreys	Adbri Limited
135	8 Apr	Questions to Mr Humphreys	McCann family
136	8 Apr	Proposed Myers Reserve	Villawood

No	Date	Description	Presented by
137	9 Apr	Further work identified by planning and urban design witnesses	Multiple parties
138	9 Apr	Revised Drainage Calculation	Villawood
139	9 Apr	Follow up questions to traffic engineering witnesses	Villawood
140	9 Apr	CCC alignment v2	Council
141	9 Apr	Questions for traffic conclave	Council
142	9 Apr	Armstrong Creek site inspection route and photos	Villawood
143	9 Apr	Roundtable submission	Melbourne Archdiocese Catholic Schools
144	9 Apr	Submission report to VPA - Creamery Road PSP review (June 2022)	Melbourne Archdiocese Catholic Schools
145	10 Apr	Hilary Marshall response to further traffic questions	305 Bat Pty Ltd
146	10 Apr	Aaron Walley response to further traffic questions	Bisinella Developments
147	10 Apr	Reece Humphreys response to McCann family traffic questions	Council
148	10 Apr	Closing submissions schedule and further directions	PPV
149	10 Apr	Summary of additional changes requested	Bisinella Developments
150	10 Apr	Reece Humphreys response to Adbri Limited traffic questions	Council
151	10 Apr	Reece Humphreys response to Batesford Developments traffic questions	Council
152	10 Apr	Reece Humphreys response to Council traffic questions	Council
153	10 Apr	Knowles Tivendale response to Council traffic questions	Submitters 7 and 11
154	10 Apr	Summary of additional changes requested	McCann family
155	10 Apr	Summary of additional changes requested	Council
156	10 Apr	Jason Walsh response to further traffic questions	Villawood
157	10 Apr	Summary of additional changes requested	Villawood, Bisinella Developments & 305 Bat Pty Ltd
158	10 Apr	Summary of additional changes requested	Adbri Limited
159	10 Apr	Closing statement	Ramsey Property Group
160	10 Apr	Summary of additional changes requested	Ramsey Property Group
161	10 Apr	John-Paul Maina response to further traffic questions	Yih-Sheng/Michael
162	11 Apr	Closing submission	Bisinella Developments
163	11 Apr	Closing submission	Villawood
164	11 Apr	VPA Day 1 draft Croskell PSP	Bisinella Developments

No	Date	Description	Presented by
165	11 Apr	VPA Day 1 draft Croskell UGZ Schedule 16 (37_07s16case)	Bisinella Developments
166	11 Apr	Joint version 2 summary of changes table	Villawood, Bisinella, 305 Bat, Ramsey and Yih-Sheng Investments
167	11 Apr	Closing submission	Adbri Limited
168	14 Apr	Closing submission	McCann Family
169	14 Apr	Closing submission	Yih-Sheng/Michael
170	14 Apr	Closing submission	Council
171	14 Apr	Joint version 3 summary of changes table	Villawood, Bisinella, 305 Bat, Ramsey, Yih Sheng Investments and Council
172	14 Apr	Closing submission, enclosing attachment: a) Pre-NWGGA Midland Highway intersection design	DTP Transport Services
173	14 Apr	Closing submission	Submitters 7 and 11
174	14 Apr	DTP Transport Services further submission and next steps; Version 6 Distribution List	PPV
175	14 Apr	Closing submission	Avonlea Homestead
176	15 Apr	Email inviting Council response to Avonlea Homestead closing submission	PPV
177	17 Apr	Response to Avonlea Homestead closing submission	Council
178	9 May	Letter regarding late submission from owner of 110 Creamery Road	PPV
179	12 May	Supplementary submission, enclosing attachments: a) Land requirement comparison b) Land requirement comparison (detail) c) Concept intersection design, Midland Highway and Geelong-Ballan Road	DTP Transport Services

Referred materials

No	Description
Draft Amendment documents	
3.01	Creamery Road Precinct Structure Plan August 2024
3.02	Creamery Road Development Contributions Plan July 2024
3.03	Creamery Road Native Vegetation Precinct Plan June 2024
3.04	Explanatory Report
3.05	Instruction Sheet
3.06	Clause 11.02 Managing Growth (compare)
3.07	Schedule 8 to Clause 37.07 Urban Growth Zone
3.08	Schedule to Clause 43.01 Heritage Overlay (compare)
3.09	Schedule 11 to Clause 45.06 Development Contributions Plan Overlay
3.10	Schedule 2 to Clause 45.09 Parking Overlay
3.11	Schedule to Clause 52.16 Native Vegetation Precinct Plan (compare)
3.12	Schedule to Clause 66.04 Referral of Permit Applications Under Local Provisions (compare)
3.13	Schedule to Clause 72.03 What Does This Planning Scheme Consist Of (compare)
3.14	Schedule to Clause 72.04 Incorporated Documents (compare)
3.15	Schedule to Clause 72.08 Background Documents (compare)
3.16	001zn Zoning - Maps 24, 25, 31, 32
3.17	002dcpo Development Contributions Plan Overlay Schedule 11 - Maps 24, 25, 31, 32
3.18	003po Parking Overlay Schedule 2 - Maps 24, 25, 31, 32
3.19	004ho Heritage Overlay - Map 25
3.20	005eao Environmental Audit Overlay - Maps 24, 25
3.21	Avonlea Homestead Statement of Significance
3.22	Coolangatta Homestead Statement of Significance
Background documents	
3.23	Acoustic Assessment (Marshall Day Acoustics, November 2022)
3.24	Approach to bushfire assessment & planning Creamery Road Precinct Infrastructure Plan Interim Report (Bushfire Environs, May 2022)
3.25	Arboriculture Assessment (ENSPEC Environment and Risk, May 2022)
3.26	Bushfire Resilience - Creamery Road PSP Hazard and BAL Assessment (Bushfire Environs, July 2024)
3.27	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024)
3.28	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024) Appendix A. Transport Modelling Report

No	Description
3.29	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024) Appendix B. Final Concept Design Drawings
3.30	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024) Appendix C. Concept Design Comments Register
3.31	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024) Appendix D. Opinion of Probable Costs
3.32	Concept Design and Opinion of Probable Costs Report (Stantec, May 2024) Appendix E. Before You Dig Australia Responses (March 2024)
3.33	Cowies Creek Worneenanyook Landscape Master Plan (GbLA, June 2024)
3.34	Development Services Scheme Functional Design Report (Alluvium, December 2022)
3.35	Development Services Scheme - Addendum to Functional Design Report - Revised Concept Designs (Alluvium, June 2024)
3.36	Land Capability Assessment (Meinhardt, June 2023)
3.37	Land Capability Assessment - Planning Practice Note 30 Update Addendum (Meinhardt, June 2023)
3.38	Movement and Place Classification Final Report (PMP Urbanists, July 2024)
3.39	NWGGA Draft Biodiversity Conservation Strategy (May 2023)
3.40	NWGGA Draft Commitments and Measures (May 2023)
3.41	NWGGA Draft EPBC Plan (May 2023)
3.42	NWGGA Draft Strategic Assessment Funding Program (May 2023)
3.43	NWGGA Draft Strategic Assessment Report (May 2023)
3.44	NWGGA Social Infrastructure and Open Space DCP and Costings Peer Review (HillPDA, June 2024)
3.45	Parking Strategy (Stantec, December 2022)
3.46	Providing social housing as essential infrastructure in the Creamery Road precinct (SGS Economics & Planning, May 2022)
3.47	Retail and Employment Analysis (SGS Economics & Planning, April 2022)
3.48	Servicing Plan Report (SMEC, July 2024)
3.49	Technical Transport and Access Report (PMP Urbanists, April 2023)
3.50	WGGA Cowies Creek Conservation Area Growling Grass Frog Conservation Management Plan Draft Report (Biosis, July 2024)
3.51	Zero Carbon Precincts Strategic Assessment (Hansen Partnership, March 2023)
3.52	Avonlea Homestead Heritage Assessment (City of Greater Geelong, August 2024)
3.53	Coolangatta Homestead Heritage Assessment (City of Greater Geelong, August 2024)