Table of Contents

INTRODUCTION .............................................................................................................................................. 2
SITE AND SURROUNDS.................................................................................................................................... 3
PLANNING HISTORY ....................................................................................................................................... 4
AMENDMENT C73 ........................................................................................................................................ 6
AMENDMENT C198 ........................................................................................................................................ 6
PLANNING POLICY FRAMEWORK .................................................................................................................. 7
   STATE PLANNING POLICY FRAMEWORK ................................................................................................... 7
   LOCAL PLANNING POLICY FRAMEWORK .................................................................................................. 8
   OTHER POLICY CONSIDERATIONS ........................................................................................................... 9
KEY ISSUES .................................................................................................................................................. 12
CONSIDERATION OF KEY ISSUES ................................................................................................................ 12
   AMENDMENT C73 ................................................................................................................................... 12
   AMENDMENT C198 ................................................................................................................................... 15
RECOMMENDATIONS ..................................................................................................................................... 16
   AMENDMENT C73 ................................................................................................................................... 16
   AMENDMENT C198 ................................................................................................................................... 17
CONCLUSION ................................................................................................................................................ 17

APPENDIX ONE | OWNERSHIP MAP
APPENDIX TWO | PROFESSIONAL EXPERTISE & EXPERIENCE
APPENDIX THREE | FACILITIES MAP
APPENDIX FOUR | LOCATION OF HOUSING NEAR SERENDIP SANCTUARY
APPENDIX FIVE | LAYOUT OF SERENDIP SANCTUARY
APPENDIX SIX | UDP MAP 2009
APPENDIX SEVEN | LARA DEVELOPMENT MAP
APPENDIX EIGHT | FUTURE TOWNSHIP & RESIDENTIAL GROWTH BOUNDARIES
APPENDIX NINE | LOCATION OF SAND EXTRACTION SITE
INTRODUCTION

1. I have been requested by L. Bisinella Developments Pty Ltd to provide an opinion of the planning merits of the proposed Amendment C73 and C198 of the Greater Geelong Planning Scheme, with specific regard to land owned by them as shown in the below site map:

   The Bisinella land forms the majority of the land proposed to be rezoned Residential 1 under the exhibited Amendments but then not adopted by Council. It is currently in a low density residential zone. I have been requested to assess the merits of the subject land and surrounding land to the north and east being placed in a Residential 1 zone. A map showing the ownership of the 36 ha land proposed to be in the Residential 1 zone is shown as Appendix 1.

2. My evidence is based on the Amendment C73 and C198 documentation placed on public exhibition, the Lara Structure Plans as adopted by the Greater Geelong Council in June 2007 and 2009 and the Greater Geelong Planning Scheme. I have also perused various Council reports and independent reports relevant to this land. I have inspected the land and the surrounds including Serendip Sanctuary on several occasions.

3. A summary of my professional experience and expertise is attached as Appendix 2 in accordance with the Panel’s Practice Note regarding the presentation of expert evidence.
SITE AND SURROUNDS

4. The land is located north of the centre of Lara Township. The land forms part of the ‘Caddys Road Area’ of the Lara Structure Plan which centres on the east and west sides of Caddys Road. The land has an area of approximately 19.6 hectares with an irregular shaped layout and is held in various titles. It is mainly vacant farming land. The site has frontages to Windermere Road, Caddys Road and Flinders Avenue. The site is relatively flat but slopes to the west and does not contain any significant remnant vegetation – a flora and fauna assessment was carried out by Biosis (August 2004) and a peer review of that report was carried out by Brett Lane (June 2006) and a further report by Ecology Australia further considering impacts on the Sanctuary if the land south of Windermere Road is allowed to proceed to a Residential 1 development (February 2010).

5. The subject land, and surrounding properties to the north and east, are currently zoned for Rural Living purposes, as proposed under the previous Lara Structure Plan prepared by the Geelong Regional Commission and adopted in 1985 and, under the current planning scheme provisions, may be subdivided into lots that have a minimum area of 1 hectare, with an average area of 1.5 hectares.

6. The site adjoins the Serendip Creek to the west and an existing residential area, including the Lara Primary School and its adjacent newly developing Lara Secondary College (currently P-9). The Lara main shopping precinct which includes a supermarket and specialty shops is located approximately 850 metres south of the site via Curletts Road and a similar distance from the Lara Railway Station. The Station is located on the Melbourne to Geelong line and at peak hour has trains every 30 minutes and otherwise every hour. Pockets of undeveloped rural residential land adjoin to the east and north. A map showing these facilities and a straight line calculation of a 400m and 1km radius for the station and schools is shown as Appendix 3.

7. The site also partly interfaces with the Serendip Sanctuary (250ha of Crown land managed by Parks Victoria) and Pirra Homestead (private land) to the north, separated from the subject site by Windermere Road. The Homestead and the surrounding land, including a reservoir that became a bird sanctuary, were originally privately owned and in 1959 the land was purchased by the Government including the Homestead and houses on the site which were used as a Girls home by the Social Welfare Department. The Sanctuary was managed by Fisheries and Wildlife. In 1996 the State Government sold the Pirra land containing the houses totalling 16.5ha privately but retained the Sanctuary. In 1987 the Government decided to re-develop the sanctuary into a wetlands education centre, with the aim of bringing the wetlands and wildlife of the Western Plains to the people, it opened to the public in 1991.

8. Windemere Road is a two lane sealed collector road with an 80km/h speed limit providing access from Bacchus Marsh Road in the west through to Old Melbourne Road and the Princes Highway in the east.
9. I note from the referral comments received that all basic services are capable of being made available to the site including water, sewage, gas, electricity and telecommunications.

10. I am aware that since March 2003 the current owner proposed the rezoning of the subject land (east and west of Caddys Road between Flinders Road and Windermere Road, Lara) from the current Rural Living Zone to Residential 1 Zone. It had been the intention of the owner of the land to seek a separate scheme Amendment to rezone the land to Residential 1 Zone which is now being considered under Amendment C73.

**PLANNING HISTORY**

11. The Caddys Rd site has had a long history in terms of seeking rezoning to Residential 1. The process has been somewhat frustrated by the differing views of Council in presenting to the public (both formally and through exhibition drafts) and then not proceeding to adopt the revisions. This appears mainly due to perceived local opposition in terms of numbers of residents seeking to retain the status quo. It seems clear from reading the Council reports and subsequent Council minutes that the site creates perceived issues that Councillors have seen hard to reconcile when considering the amount of supportive consultant work prepared for the site since early 2002. Many of the concerns raised on behalf of others relate to drainage increases, fire management and impacts on the Sanctuary. These matters have been largely covered in the responses from CFA and DSE and Park Victoria that do not oppose the exhibited rezoning request.

12. In 2003, L. Bisinella Developments lodged a Planning Scheme Amendment with the City of Greater Geelong to rezone the subject land from Rural Living Zone to Residential 1 Zone. Council supported the application and subsequently issued the proposed rezoning as Amendment C73.

13. L. Bisinella Developments were subsequently advised that the Amendment proposal would be considered as part of the development of the Lara Structure Plan. Therefore despite commencing a separate Amendment process, the applicant agreed to postpone the Amendment based on officer advice it would be likely to support the proposal.

14. In 2003, the Lara Structure Plan was drafted and sent to referral agencies which included the following recommendation regarding Caddy’s Road:

   ‘It is recommended that this land be generally zoned Residential 1, maintaining a low density edge along Windermere Road’.

15. However this document was subsequently changed prior to full exhibition and the Draft Lara Structure Plan, which was released for public exhibition in early 2004, was modified to recommend that the Caddy’s Road site remain Rural Living Zone. I have been unable to ascertain why the change but assume it is related to local opposition. The Lara Structure Plan was adopted by Council in June 2005 and was the subject of Amendment C123 to the Greater
Geelong Planning Scheme, which resulted in a hearing to consider submissions by a Panel appointed by the Minister for Planning.

16. As identified by the Panel appointed to consider Planning Scheme Amendment C123, Lara Structure Plan:

‘The Panel have concerns from a process point of view. The exhibited LSP identified this area as remaining in the Rural Living Zone and submitters may have made, or not made, their submissions in the light of this position. If the Panel were to recommend that Caddys Road area appears to be suitable to be earmarked for residential development in the short – medium term, would then this require further notice prior to the Panel making this recommendation to provide an opportunity for affected landowners to comment?’

17. The Panel did seek resolution of this matter in the form of a re-exhibition process to allow the community an opportunity to fully consider this proposal. However a re-exhibition process was not supported by Council officers and was not presented to Council for their consideration as an option to appropriately address this matter.

18. The Panel therefore concluded that the surrounding residents had not had an opportunity to consider the Caddys Road site. However the Panel did conclude that based on the evidence and submission put before the Hearing, there was a strong case for the Caddy’s Road area to be considered for residential development in the short to medium term, subject to detailed investigations and design.

19. The Panel also recommended that

‘In the next review of the Lara Structure Plan, recommended to commence in late 2007 or early 2008, the Caddys Road area to be considered as a high priority for residential development’

20. At the Council meeting on 28 August 2007, Council considered the adoption of Amendment C123 Lara Structure Plan and Lara Town Centre Urban Design Framework. In regards to Caddys Road, the officer’s report informed Council that the main reason for not supporting the designation for rezoning in the current structure plan appeared to be a concern from a process point of view in that the surrounding residents may not have been provided with an adequate opportunity to make a submission about potential residential.

21. The report also advised that the Caddys Road area would be reviewed in March 2009 and the Structure Plan would be amended to include the following

- Insert a Structure Plan Policy, to consider the Caddy’s Road area for development.
- Insert a Structure Plan Policy ‘to prepare and exhibit an Amendment to the Planning Scheme in March 2009 in relation to the development of the Caddy’s Road area’.

22. These polices now form part of the endorsed Lara Structure Plan dated August 2007. Council resolved to adopt the recommendation contained in this report including preparing and
exhibiting a Planning Scheme Amendment for Caddys Road area (Amendment C73) in March 2009.

**AMENDMENT C73**

23. Amendment C73 applies to land (referred to as Caddys Road) centered on the east and west sides of Caddys Road, Lara generally bounded by Flinders Avenue, Windermere Road and existing residential areas, which has an overall area of approximately 36 hectares. The Amendment proposes to rezone the land from Rural Living Zone to Residential 1 Zone and apply the Development Plan Overlay (Schedule 22) to the site.

24. The DPO will ensure that new residential development is planned and constructed in a fully integrated and comprehensive manner, and that detailed issues such as drainage, open space requirements and traffic management are properly addressed prior to the development of the site.

**AMENDMENT C198**

25. Amendment C198 to the Greater Geelong Planning Scheme proposes a new planning policy (Lara Structure Plan 2009) for the township of Lara and its immediate surrounds. The purpose of the Structure Plan is to identify the key strategic planning issues facing the town, including community aspirations and needs, and to articulate the preferred directions including the location of a settlement boundary, opportunities for growth and identification of appropriate planning controls.

26. The Amendment proposes to replace the existing Municipal Strategic Statement policy provision for Lara at Clause 21.31 of the Greater Geelong Planning Scheme with a new Clause 21.31 that will include the land use directions and policies identified in the adopted Lara Structure Plan June 2009. The Structure Plan recommendations include the nomination of a clear settlement boundary, areas for new residential development, consolidation of the town centre, maintenance of rural land for agriculture, landscape values and the protection of buffers to Avalon Airport, Heales Road Industrial Estate and the potential intermodal transport facility.

27. In addition the City of Greater Geelong has updated its Municipal Strategic Statement as part of Amendment C129. As this is now approved, the Strategic Statement for Lara is located at clause 21.13 with the same wording as clause 21.31.

*Lara Structure Plan – adopted June 2009*

28. The Lara Structure Plan recommends that the subject land, be rezoned from Rural Living to Residential 1 with a Development Plan Overlay (schedule 22) which addresses drainage and stormwater management, buffers to Serendip Sanctuary, open space, the movement network and community design. This was adopted by Council in 2009; however in later considering
Amendment C198 (March 2010) the Council minutes reflect a change of attitude to the Lara Structure Plan, advising that the Caddy’s Rd area remain in a Rural Living zone and the submissions be forwarded to the Independent Panel.

**PLANNING POLICY FRAMEWORK**

29. In assessing the merits of Amendment C73 and C198, I have considered the following relevant provisions of the Greater Geelong Planning Scheme:

**STATE PLANNING POLICY FRAMEWORK**

30. The State Planning Policy Framework (SPPF) provides a broad strategic basis for future land use and development. Clause 11 of the SPPF identifies seven general principles of land use and development planning, which can be summarised as:

- Ensuring that appropriately zoned and serviced land is available for the needs of current/future generations.
- Ensuring that areas of significance (environmental, historic architectural cultural etc) are protected and enhanced.
- Conserving resources through integrated land management.
- Ensuring urban and community infrastructure is provided in an efficient, equitable, accessible and timely manner.
- Enhancing economic growth through effective and timely decision making.
- Supporting social and community needs through the provision of adequate and well located services.
- Encouraging a coordinated approach to regional land use issues.

31. **Clause 14 - Settlement**, of the SPPF states that:

- “In planning for urban growth, planning authorities should encourage consolidation of existing urban areas while respecting neighbourhood character. “
- “Planning Authorities should facilitate the orderly development of developing urban areas through the preparation of structure plans.”
- “The plans should take into account the physical context of the location, provide for the development of sustainable and liveable urban areas in an integrated manner, facilitate walkable neighbourhoods and facilitate the logical and efficient provision of infrastructure.”

32. **Clause 16.01 – Residential Development for Single Dwellings** encourages subdivisions in locations with access to physical and community infrastructure and providing a range of lot sizes, a convenient and safe road network, appropriate pedestrian and cycle paths, sufficient useable public open space, residential development that is cost effective in infrastructure provision and use, energy efficient, incorporates water sensitive design principles, encourages
public transport use and opportunities for increased residential densities to help consolidate urban areas.

**Local Planning Policy Framework**

33. Council’s Municipal Strategic Statement covers a wide and diverse range of issues that have particular relevance to Lara and the alteration of zoning provisions. Clause 21 – MSS and Clause 22 – Local Planning Policies were reviewed and approved by the Minister for Planning in January 2010, through Amendment C129. The following Clauses are of most relevance to Lara.

34. **Clause 21.02 – City of Greater Geelong Sustainable Growth Framework** sets out key principles for ensuring that all actions and development undertaken in the City of Greater Geelong meets the needs of the present community, without compromising the ability of future generations to meet their own needs. One of the four key elements is managing urban growth. Council will:

- Set clear settlement boundaries and consolidate development within those boundaries in a managed way.
- Encourage diversity in all communities.
- Design healthy, walkable neighbourhoods.
- Strive for engagement and inclusion in all communities.
- Protect, restore and enhance Geelong’s biodiversity and natural systems.

35. **Clause 21.06 Settlement and Housing** indicates that between 2006 and 2031, it is estimated that the municipality will need to accommodate an additional 63,000 persons. This level of population growth will generate demand for approximately 41,000 new dwellings. Whilst it is acknowledged that the population is ageing, it is vitally important that the City continues to provide an environment that attracts and supports children, young people and families. The majority of new housing development in the municipality will continue to be in the form of detached dwellings on conventionally sized blocks; however the demand for smaller dwelling types is expected to escalate. It states... “Whilst rural living areas provide for greater consumer choice in the housing market, they can be inefficient to service and generally contrary to the objective of maintaining a farmed rural landscape in the City’s rural areas.”

36. **Clause 21.06 Urban Growth** seeks to:

- To limit urban sprawl by directing urban growth to designated urban growth areas,
- To improve housing affordability through the maintenance of appropriate urban land supplies, the promotion of competition in the housing market and the development of a diverse range of well located housing stock.
37. One of the strategies is to direct the majority of new Greenfield residential development to the designated primary urban growth areas in the municipality at Armstrong Creek, Ocean Grove, Drysdale/Clifton Springs, Lara and Leopold. It goes on to advise limiting rural living development to existing zoned land in the existing nodes including Lara and to ensure land use and development does not compromise the capacity or potential future development of designated urban growth.

38. **Clause 21.13 – Lara**, provides the specific strategic basis and direction for future land use and development of the township. The policy inter alia, states that:

- “Whilst it (Lara) has experienced rapid growth over the past decade, Lara retains a distinctive rural charm”.

- A barrier to future urban growth of Lara includes “Sensitive areas (notably Serendip Sanctuary) which affects much of the northern boundary”

- “Lara has a central role in Council’s urban growth strategies. With the considerable growth demand to be balanced against the physical constraints around the township…”

- Strategies to ensure that future residential development is directed to the most suitable land includes “Review the existing rural residential areas closest to the existing urban edges to provide opportunities for additional conventional residential development” and to “Investigate the opportunities at Lara for future urban growth”.

**Other Policy Considerations**

39. **Ministerial Direction 6 – Rural Residential Development**, applies to proposals to rezone land for rural residential subdivision or rural living purposes. As the land is already zoned for Rural Living, these provisions are already deemed to have been considered and are therefore no longer relevant, even though interesting. The October 2006 Rural Residential Development Guidelines are similar to, but supersede the 1997 guidelines, which would have applied to the subject land at the time of its rezoning.

40. Consistent with the 1997 Guidelines, the 2006 Guidelines note that “rural residential development is inappropriate on land which is suitable and required for present or future residential use at normal urban density”. Further, both sets of guidelines talk of the proposed rural residential land use must be compatible with existing land uses of the locality. It provides for land use or development of land to be close to the town, not be within 500m of a State Park unless with consent and not be within close proximity to public land that is fire prone or have environmental significance. The specific requirement of a 200m buffer being provided from Crown land has been removed in the 2006 Guidelines and replaced with a ‘suitable buffer’ requirement and the possible addition of a land management plan in consultation with the public land Manager, in this case Parks Victoria.

41. Although the ‘Melbourne 2030’ strategic framework does not directly specifically apply to the township of Lara, it does provide a number of strategic directions that reflect the policy directions of the State Government, including providing a 15 year growth plan (extended to 25 years in
metro Melbourne) and 10 years of zoned land to meet supply. ‘Melbourne 2030’ proposes that urban development on the fringe of metropolitan areas should be developed at urban densities to improve capacity of the area to support public transport, make efficient use of infrastructure and provide a range of retail and community facilities. ‘Melbourne 2030’ proposes that new residential areas on the outskirts of the metropolitan area should be developed in accordance with ‘SMART’ growth principles and aim to achieve residential densities in the order of 15 dwellings per hectare. Clearly if there are environmental or physical constraints this may lower the yield. These principles should be used to guide development in Lara, whilst also taking into account the natural character of the existing urban development. I have been involved in various rezonings in Melbourne fringes where vacant Rural Living on the edge of an urban area should only be applied or retained when there are particular characteristics or circumstances that make urban residential densities inappropriate. These circumstances might include steeply sloping land, significant vegetation or landscape values, or environmental constraints.

42. It is noted in the Council’s Urban Growth Strategy (PLM) 1996 report, that the target density of 15 dwellings per hectare is sought in all future residential developments including peripheral towns. It notes that as density increases more open space is developed with local facilities. It is noted that recent proposed rezonings in Lara at Grand Lakes have proposed a density of 10 lots per ha due to large areas being provided of public open space along the creek areas.

43. In summary I consider the key implications of the SPPF and ‘Melbourne 2030’ in respect of Amendment C73 and C198 and the subject site are the efficient use of land and the role of orderly and proper planning in providing for future growth and development that is of a compact form, thereby promoting sustainability and maximising existing and expensive infrastructure. In my view there has been no identified environmental constraint.

Consideration of Submissions to Amendments C73 and C198
44. Looking at the relevant objections received to both C73 and C198 they generally fall into the following categories:
   - General issues,
   - Flooding,
   - Infrastructure,
   - Traffic and
   - Environment

I will comment on these separately

45. Under general issue the future growth areas of Lara are raised in that growth should not be supported and Lara should remain a rural town, loss of views, and desire to retain status quo. Concern was raised about higher fire risk.
My comment- Lara is a growth area which is constrained to the east by the airport flight path limitations and has flooding issue particularly to the east and south east that limit the available land available to residential. There are minimal constraints to the west however one of the major constraints are the large number of low density style developments to the north, south east and west that have been permitted over the years that severely limit Lara's ability to use residential land and facilities effectively. Land close to the facilities that provides for good accessibility and is not hampered by environmental values is the most appropriate location to improve the capacity of Lara. Caddy's Rd area is clearly on the most central of the vacant land parcels that have few constraints. These constraints have been shown to be capable of being diminished through the advice provided in the supporting consultant reports. The CFA referral comments of 10 November 2009, advised the rezoning development would reduce fire risk due to smaller lots, resident presence and advised the additional 50m buffer along Windemere Rd would provide an additional margin of safety to slow a fire.

46. **Flooding** concerns raised emphasise the potential for flooding and changes to natural flows of Serendip creek.

   **My comment-** The Drainage study by BMT WBM concluded the upgrading of the infrastructure would improve the drainage of the area and its surrounds and this was not a limitation on development.

47. **Infrastructure** concerns raised are related to the need to improve roads and services to cater for the area. Local schools are suggested to be at capacity.

   **My comment-** The matters of residential subdivision are the responsibility of the developer to ensure an acceptable level of service. My understanding is that the provision of community services and public transport are affected by the dispersed nature of the development in the past and the costs associated with the large proportion of low density housing in the area. The principles of the Government are clear that increased densities near services are more efficient and are encouraged through increasing density in the area close to the town centre. This site has not been identified as having environmental or servicing constraints that would encourage low density development so close to the town services. In fact this is the largest area in Lara that is close to facilities that could support higher residential densities.

48. **Traffic matters** raised respond the proposed increase in traffic and lack of pedestrian connections to services.

   **My comment-** These matters will be dealt with in other evidence.

49. **Environment** concerns refer to the impact of a nearby broiler farm and the impact on the Sanctuary. The DSE referral letter of 16 December 2009 advises that the indicative Master Plan for Caddys Rd meets their needs. They note that wildlife conflicts with the high speed Windemere Rd would be a matter for engagement with Parks Victoria.
My comment - The proponents have provided information to Council that the broiler building meets the minimum 250 m separation distance required. In terms of the Sanctuary I was actively involved prior to the last Panel Hearing on this site in resolving the position with DSE and Parks Victoria on the two options for considering a buffer along Windemere Rd: the proposals being for a 50m buffer or larger lots with greater setbacks along Windemere Rd. The concept plan suggests the 50m buffer as the principal solution and this is endorsed by DSE.

KEY ISSUES

50. I believe the key issues for determination by the Panel in relation to Amendment C73:
   - The concerns with respect to potential impacts on the Serendip Sanctuary from a more intensive subdivision pattern than Rural Living in the Caddies Rd area.
   - The impacts on the growth of Lara given land supply and population demand.
   - The concerns with respect to drainage of the site.
   - The concerns of submitters to a proposed Residential 1 Zone – as identified above.

51. The key issues for determination by the Panel in relation to Amendment C198 in respect of the subject site are:
   - The role of Lara, its function in the urban hierarchy and the extent for future urban growth.
   - The logical and reasonable boundaries for urban development in Lara.
   - The most suitable location of future urban development in Lara.

CONSIDERATION OF KEY ISSUES

AMENDMENT C73

52. It is evident that Council has previously supported the rezoning of Caddys Road from Rural to Residential 1 Zone, following Council’s adoption of the Lara Structure Plan (LSP) 2009 which identifies and recommends this site for Residential 1 zoning.

53. I do not consider Council’s current stance is justified based on planning merits, particularly having regard to the assessment of the subject site against the proposed objectives and strategies of Clauses 21.06 Settlement and Housing and 21.31 (proposed 21.13 under Amendment C198.) In particular, the rezoning of the land from Rural Living to Residential 1 does not compromise the intent of providing Rural Living on the periphery of the township. This is still achieved in the north-east, south-east, south-west and north-west corners of the township. This is discussed further below in the consideration of Amendment C198.

54. The vast bulk of submissions to Amendment C73 object to the rezoning on the grounds that it will have a detrimental impact upon Serendip Sanctuary. They believe that residential
development adjacent to the Sanctuary will threaten its operations and the wildlife through the increase in traffic, invasion of pest plants and animals, the loss of free-grazing land for wildlife, stormwater run-off and the loss of the ‘rural experience’ for school students.

55. I note however that the State agencies responsible for the protection of Serendip, DSE (incorporating the views of Parks Victoria) has itself not objected to the Amendment and ultimate residential development subject to a buffer to deal with the interface between the Serendip and the subject land. As part of the presentations to Amendment C123, DSE proposed that an interface treatment between Serendip and the Caddys Road area to the south could compromise two alternative treatments of the part of this land immediately south of Windermere Road

- Provisions of lots at 1 ha size, and not less than 100 metres depth from Windermere Road; or
- Provision of a revegetation strip 50 metres width along Windermere Road.

56. DSE considered that either of these options would provide a suitable interface treatment and acknowledged that different sections of this interface treatment could be treated with either of these options. The adopted LSP 2009 is supportive of Amendment C73 subject to a Development Plan Overlay which addresses the matters set out in the Structure Plan including appropriate buffer treatments to Serendip Sanctuary. I concur with this view as discussed in further detail below.

57. As shown in Appendix 4, Pirra and the surrounding land uses already provide a large amount of activity around the Sanctuary - 85 houses already exist within 400m of the Sanctuary on its 4 interfaces with, housing within the area to be rezoned currently contributing 10 homes. By looking at the layout of the Sanctuary (see Appendix 5), there is no current building within approx 300m of the Windermere Rd frontage in the Park. In itself this provides a buffer on its own land and encourages animals and visitors to facilities in the order of 550m from Windermere Rd being the areas of highest intensity as it forms the nucleus of the visitor center.

58. The relatively isolated areas for wildlife extend to the northern areas of the Sanctuary and close to the Lake. There is also significant activity in Pirra and community activity in the adjoining oval on the same site. These directly adjoin the Sanctuary. The large amount of activity and private ownership around the perimeter of the site needs to be considered in the wider implications of constraints on the Caddys Rd site. As mentioned earlier, Windermere Road separates much of the Sanctuary from land to the south and it’s relatively high speed creates a threat to wildlife. The suggestion of a secure fence along this road frontage at the Sanctuary is one that would benefit both wildlife and safety on the road and should be supported. In discussions with Parks Victoria, the direction of wildlife protection is primarily the fauna routes along the north and western edges of the Sanctuary where road access is less of an issue.
59. It is my opinion that these options will provide an adequate buffer between the Sanctuary itself and a conventional residential pattern. It would also maintain a rural residential landscape along Windermere Road and reduce the number of access points onto the road, minimizing heavy vehicle traffic using this route.

60. In my opinion, the 50 metre buffer option maximizes the lot yield on the land proposed to be zoned Residential 1 within the settlement boundary. It will add to the broader open space network of Serendip/Hovells Creek and come into public ownership rather than a buffer on privately owned lots.

61. A pathway through the 50 m buffer would provide residents with a walkway to enjoy the setting which could potentially connect to the Serendip/Hovells Creek shared paths to Pirra and the Sanctuary. Further details can be discussed at the development plan and subdivision stages.

62. I also note that the DSE and DPCD are increasingly opposed to retaining or developing Rural Residential development when residential development at normal densities is possible. This is as this is regarded as a highly inefficient use of land, creating unsustainable loads on unsealed roads, often contributing to the spread of weeds and feral animals. In my experience working in localities in Melbourne’s hinterland, there are significant environmental problems arising from this form of development.

63. I consider that the subject land is ideally located within close proximity to the township and a number of services. These services include:
   - Proximity of Lara Primary School and Lara Secondary College.
   - The Lara Railway Station is located approximately 1 kilometre from the subject site.
   - The Lara Shopping Precinct is located approximately 850m from the subject site.

64. Land so close to the town centre and established schools should be utilised for residential development in the absence of environmental, traffic and drainage constraints. I understand that these matters have not been identified by my colleagues as limiting the subject land’s potential for normal density development.

65. In terms of the growth of Lara I have revisited my work that I presented at the hearings in 2005 and advise that the areas marked as possible for other infill sites have still not been developed with the exception of a small area adjoining the railway line and the development of Grand Lakes that has now released in the order of 360 lots. I have appended the plan provided in 2005 and the latest 2009 Urban Development Plan that shows the supply available and the likely supply in the future if potential residential areas are approved into the Scheme through C198 be including the Lara Structure Plan 2009 into the MSS. See Appendix 6 and 7.

66. The Urban Development Program 2009 released recently by Minister Madden discusses the Geelong Region and Geelong Township which includes Lara. Within the Geelong Region, 48,250 potential residential lots were identified on broadhectare land as at July 2009. Of
these, only 11,032 lots (or 23%) are currently on land available for residential development. The UDP identifies that the Geelong Region has in excess of 20 years’ supply of broad hectare residential land, of which 5 years is available for residential development. Stock levels of available residential land in the Geelong Region therefore remain relatively low.

67. The future character of any new subdivision will be guided by the proposed DPO (Schedule 22) which sets clear strategies including design principles. In my opinion, any new subdivision should retain a low building scale, open garden character. If Council desired a rural residential treatment along Windermere Road, surely this can be facilitated through appropriate design guidelines. There should be no impediment to a residential rezoning on character grounds.

68. In my opinion the wording of the DPO 22 could benefit from editing. It is wordy and repetitive and can be simplified to achieve the same level of amenity and site responsiveness to traffic, environmental, drainage and landscape analysis. I have had extensive experience of reviewing DPO schedules throughout various municipalities on many residential sites with lot yields of up to 2000 lots. I shall provide some suggested improvements.

69. I believe that urban development of the site integrates well with the existing development and reinforces the committed and natural boundaries of the urban township. I note that the urban and township boundaries I prepared in 2005 for the Panel Hearings are generally what Council has supported in their latest Structure Plan. A copy of my previous plan is shown as Appendix 8.

AMENDMENT C198

70. I examined the planning policy framework relating to the subject site in respect to Amendment C198. I recognise that Lara is a Township that has been designated for urban growth however is constrained by physical factors. The township is, and will continue to be, a commuter settlement for Geelong and Melbourne. The Council’s Lara Structure Plan 2009 adopted by Council clearly provides the basis for Lara’s development and the base for further work under this latest Strategy. It shows protection is needed for Serendip Sanctuary.

71. Given these factors, I recognise that future development of the Township should be limited in nature and sensitive to the existing development pattern. I consider that this should preferably take the form of infill development rather than intrusive development upon rural land that unnecessarily extends the existing Township beyond its defined limits. This view is supported by the adopted LSP 2009. The proposed Clause 21.02 – City of Greater Geelong Sustainable Growth Framework, of the Greater Geelong Planning Scheme reinforces these principles and recognizes the need for clear settlement boundaries and the consolidated development within those boundaries in a managed way.

72. ‘Melbourne 2030’ and Clauses 11 & 14 of the State Planning Policy Framework similarly espouse strategies to encourage sustainable development that makes the most efficient use of land and resources.
73. Lara has been identified as a growth area since 1996 (Geelong’s Urban Growth Strategy (1996)) and more recently the latest MSS Review (Amendment C129). The Lara Structure Plan 2009 states that the current lot supply in Lara is approximately 12.5 years (land already zoned for development). Taking into account areas identified for growth (residential 1 Zoning) as part of the 2009 Structure Plan, this supply will increase to approximately 20 years through adoption of nominated sites. As discussed above, the Caddys Road site was a nominated site for residential 1 zoning for short term development within the LSP 2009 prior to Council’s March 2010 meeting that forwarded C198 to independent panel consideration.

74. I note that one of the strategies in the revised Clause 21.31 as proposed under Amendment C198 is to “contain urban growth to within the defined settlement boundary generally in accordance with the Lara Structure Plan Map”. The subject site lies within this designated growth area of Lara and does not intrude beyond the desired limits to the Township. The revised Clause 21.31 provides further information in this respect stating that a strategy of the policy is “…is to support the development of areas identified for rezoning to Residential 1 in accordance with the Structure Plan Map”.

75. On another site but of interest to L. Bisinella Developments I have been asked to make comment on 405 Sandy Creek Road, Lara which has a permit for sand extraction. In November 2009, DPI made a submission to Amendment C198 which stated that the Lara Structure Plan should identify these features in the same manner that it identifies the airport, industrial areas and other uses which lie on the periphery of the structure plan. Council officer’s response in their planning committee report dated 23rd March 2010, recommended the interest area to be included on the ‘opportunities and constraints’ Map 2 Page 25.

76. TGM on behalf of L. Bisinella Developments made a submission to Amendment C198, dated 18 February 2010 in relation to the same site that the sand extraction use should be protected from encroachment from sensitive uses as it is an important employment/economic opportunity. I note that Council officer's response in their planning committee report dated 23rd March 2010, stated that the site is around 6km north of the study area for the Structure Plan and is located outside the settlement boundary, thus will be protected from encroachment of sensitive land uses. I support this position and suggest a change to the map. Whilst I recognize it is located outside of the settlement boundary, the site is still located within the context of the opportunities and constraints map and should therefore be identified as an area of interest with reference to protecting the site from sensitive uses. See Appendix 9 for updated change suggested.

**RECOMMENDATIONS**

**Amendment C73**

77. Support the rezoning of the 36ha Caddys Rd site from Rural Living Zone to Residential 1 with a Development Plan overlay.
78. Reword to simplify the proposed DPO Schedule 22

**AMENDMENT C198**

79. The Lara Structure Plan 2009 should recognize the sand extraction site, 405 Sandy Creek Road. The opportunities and constraints map with the LSP 2009 should reflect this by identifying the site as an area of interest with reference to protecting the site from sensitive uses. As shown on Appendix 9.

80. In relation to the Caddys Road, support the rezoning of the 36 ha Caddys Rd site from Rural Living Zone to Residential 1 with a Development Plan overlay.

**CONCLUSION**

81. I support the rezoning of the 36 ha Caddys Rd land including the L Bisinella Land to Residential 1 with the appropriate Development Plan Overlay. There are strong planning arguments form the State and Local policy perspective that support this conclusion. There are few identified constraints that would restrict the land to remain in Rural Living and given the sites location as the closest infill site of any size close to facilities in Lara it is clear the land would be underutilised and be inefficient in meeting the demand for housing in Lara that is not being adequately met. I see no reasonable planning argument or impediment to suggest that the land to the north of the township, and which the subject land is part, should not be rezoned to Residential 1.

82. The designation of the land as a potential Residential 1 zone would be consistent with the character of the Township whilst providing compact development that is well integrated to the existing settlement and services. As a planner, I am satisfied that inclusion of this area in a residential zone is an incremental addition to the township within the long established and committed boundaries. It also ensures that expensive urban infrastructure will be used efficiently, and that urban residential uses do not intrude upon the rural landscape. It is therefore consistent with the strategic planning framework.

83. In conclusion, I consider that Amendment C73 and C198 should be approved with the modifications suggested.

Julie Katz
C.E.O
The Planning Group Australia
GREATER GEELONG PLANNING SCHEME
LOCAL PROVISION

LEGEND

R1Z RESIDENTIAL 1 ZONE

AMENDMENT C73

PREPARED BY: INFORMATION SERVICES
Statutory Planning Systems Reform
Planning, Heritage and Urban Design

Part of Planning Scheme Map 19
Name and Address of Expert Witness
Julie Rona Katz
The Planning Group Australia
Level 7, 420 St Kilda Road
MELBOURNE VIC 3004

Expert's Qualifications
- Bachelor of Town and Regional Planning (University of Melbourne)
- Member Planning Institute Australia
- Vice-President -Urban Development Institute of Australia (National)
- Board Member Urban Development Institute of Australia (Victoria)
- Fellow Victorian Planning & Environmental Law Association

Expert's Experience
- CEO, The Planning Group Australia
- Qualified Consultant Town Planner since 1976 on projects in the Australian Capital Territory, New South Wales, Tasmania and regional and metropolitan Victoria.
- Projects have ranged widely in size, complexity, issues and policies involved, land use type and duration.

Expert's Area of Expertise
Statutory and Strategic planning, project management, development planning and consultation.

Expert's Expertise to Make Report
- Significant experience in urban growth boundaries and suitability of land for development.
- Significant involvement in the planning of developments in metropolitan Melbourne and Geelong.
- Significant involvement in land subdivision projects throughout metropolitan Melbourne and Geelong.
- Significant involvement in the planning and development of land involving environmental constraints.
- Significant involvement in the planning and development of projects in established residential areas.

Instructions that Defined the Scope of the Report
I have received instructions from Minter Ellison to provide expert town planning advice generally in relation to these amendments.
Facts, Matters and Assumptions upon which the Report Proceeds
1. Inspection of the site
2. Information supplied by the applicant.
3. Information supplied by Council.

Documents, Materials and Literature used in Making Report
I was given no instructions about the documents or matters of literature to be used in making this report. It was entirely at my discretion to research and utilise any such material and I have concealed none of it from the Panel.

The materials used are referred to in the report.

Identity and Qualifications of Person Responsible for Tests or Experiments used by Expert in Making the Report
None

Summary of Opinions of Expert
Refer to relevant sections of the report.

Provisional Opinions not Fully Researched
None unless clearly specified in the report.

Questions Outside Expert's Expertise
None unless clearly specified in report.

Report Incompleteness or Inaccuracies
None known.
APPENDIX FOUR | LOCATION OF HOUSING NEAR SERENDIP SANCTUARY
APPENDIX FIVE | LAYOUT OF SERENDIP SANCTUARY
Serendip Sanctuary

Visitor Guide

Take an exciting journey through the Western Plains of Victoria. This 250 hectare sanctuary is the perfect place to experience and learn about birdlife and the unique characteristics of the wetlands.

Close to nature

The world class bird hides at Serendip are specially designed to enable you to view native wildlife at close range. Birds can often be seen preening, feeding, incubating eggs and rearing young.

Start your Serendip experience at the Information Centre with a peek down the giant microscope or step into the Underwater World, activities room or Frogs World exhibit to begin your wildlife journey.

Four different nature trails traverse the Sanctuary. Each trail interconnects and is no longer than 2km return.

Stroll past the Brolga, Bustard and Pademelon displays or take a walk through the wetland and dryland aviaries and onto the North Arm and the Wader Birdhide. There is an environmental wonder around every corner.

Large flocks of waterfowl and mobs of free range Kangaroos are dispersed throughout the Sanctuary. Captive Emu, Wallabies, Pademelons, Lizards and Yabbies are also on display.

Brolga

Serendip obtained its name from the word “Serendipity” which means “the unexpected discovery of something wonderful”.

Picnic facilities

A fantastic picnic area with free undercover electric barbecues is the perfect venue for a day out with family and friends. A group barbecue area with a wood fire is also available for groups (bookings are required and a small fee applies).

Things for the Children to do

Find the five hidden Bush Art Animals.
Go Ponding and catch your own water bugs and view them through the microscopes.
Get a bird’s eye view of Serendip and beyond with the video camera on top of the tower.
View the Birds of Serendip CD Rom to see the animals going about their daily activities.
Match each bird’s beak to their feet and then work out what food each bird eats.

Environmental Education

Serendip conducts Ranger led VELS based environmental education programs to suit all year levels. Quality facilities include the Ponding site with nets and microscopes, an Activities Room and the Alcoa sponsored Frogs World.

Guided Tours are available by appointment. Moderate fees apply.

Opening Hours

Serendip Sanctuary is open from 10.00am – 4.00pm every day except for Christmas Day and Good Friday.

How to get there

Serendip Sanctuary is located at the base of the You Yangs, 60km from Melbourne and 22km north of Geelong. It is signposted from the Prince’s Highway.

For more information call the Parks Victoria Information Centre on 13 1963 or visit our website at www.parkweb.vic.gov.au
1. Public BBQ area
2. Group BBQ area
3. Toilets (disabled access)
4. Bustard breeding enclosure
5. Information Centre (office, theatre, activities room, toilets, feed room, incubation room)
21. Depot

**Wildlife walk – 1100 metres**

- Display pond
- Watertable Watch – groundwater observation bore
- Native grassland
- Kangaroo and Emu walk-through enclosure
- Brolga
- Marshland bird observation hide
- Dam wall
- Lake Serendip
- Billabong hide
- Freckled Duck Enclosure
- Heron Picnic Area and Pademelon walk-through
- Walk-through Wetland and Dryland Aviaries
- Walk-through wallaby enclosure
- Brolga breeding enclosures
- Bustard breeding enclosure

**Wetland walk – 900 metres**

- Ponding site
- Farm Dam for Wildlife Walk – 1300 metres

**Wader Walk – 1400 metres**

- Magpie Geese breeding enclosure
- Wader bird observation

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**Serendip Sanctuary**

- **Sealed road**
- **Ring road**
- **Sanctuary area**
- **Water body**
- **Recreational Facilities**
  - Barbecue - Electric
  - Barbecue - Wood
  - Bird hide
  - Disabled access
  - Lookout
  - Park information
  - Picnic shelter
  - Picnic table
  - Toilets

**Cartography by Spatial Vision 2009**

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Victoria - The Place To Be
The wetlands

There are many different types of wetland at Serendip, each with its own features.

**Shallow Freshwater Wetlands**

These wetlands often only hold water for a few months each year, mostly after winter and spring rain. They are called ephemeral wetlands, meaning temporary.

Brolga, rare in Victoria, use shallow, freshwater wetland areas exclusively for nesting.

Spring rains produce explosions in invertebrate life, proving valuable food resources for birds at nesting time.

Brolga, ibis and egrets, with their specialised beaks, probe in the soft mud for insects or graze on the vegetation around the water edge.

**The Marshland**

The Marshland was created by building a levee bank to catch runoff from adjacent buildings and roads. Varying depths in the Marshland cater for a range of waterbird activities such as wading, feeding, swimming and diving. The islands and vegetation provide safe roosting and food sources.

Look for Mountain Ducks, Black Swans, Magpie Geese and Wood Ducks grazing around the edges. Coots, Hardhead Ducks, Cormorants and Grebes can be seen ducking and diving in the open water.

**Lake Serendip**

When full, Lake Serendip extends over 30ha. Historically the lake dries out about every four years. The trees around the lake attract birds which you might see in the garden or the bush.

River Red Gums, with their nesting hollows, attract parrots, cockatoos, galahs and rosellas.

Wattles and melaleucas attract wattlebirds, honey-eaters and thornbills to feed on both the flowers and insects that the nectar attracts.

Black and white Mudlarks, Willy Wagtails and Magpies peck and dart around in search of insects on the ground. Swallows and Martins fly low to pick up insects which skim across the water. Black Shouldered and Whistling kites soar high looking for small prey on the ground.

**The Billabong**

This wetland is filled artificially with bore water to provide habitat for various bird and other animal species. The 5900 parts per million salt content of the water affects emergent and surrounding vegetation, requiring salt-tolerant species such as Knobby Club Rush (Isolepsis nodosa), Fragrant Saltbush (Rhapodia parabolica) and Tanged Lignum (Muelenbeckia florulenta) to be grown here. The Billabong provides shelter and deeper water.

Moorhens and Swamphens nest in the rushes, while Sacred and Straw-necked Ibis use them to build their nests in the nearby trees. Magpie Geese and Ducks swim and dive in the open water and roost on logs and the islands.

**North Arm - a permanent wetland**

The North Arm is an example of a permanent open water wetland. The Western Plains are one of the few areas in Victoria where permanent wetlands are common.

Permanent wetlands provide more reliable fish populations and attract fishing birds such as cormorants and pelicans.

Eastern Grey Kangaroos

A rich human history

In 1856 the property of Lara, which included the area now occupied by Serendip, was sold by the Crown to Robert De Little from Launceston. Since then the property has been resold a number of times and used for everything from farming, sheep studs and even a health resort for alcoholics (1907 to 1930).

In 1959 the State repurchased the property with a view to further developing the site as a Wildlife Research Station. Throughout the 1960s and 1970s gradual changes were made to the property to accommodate the needs of wildlife and its research.

Serendip Sanctuary opened to the public in 1991 and is now managed by Parks Victoria.