

Planning Submission

Tract

Amendment C477ggee

235 Avalon Road, Avalon

Prepared for [REDACTED]

Acknowledgement of Country

We pay our respects to the Traditional Custodians of Country throughout Australia, their Elders and ancestors, recognising their rich heritage and enduring connection to Country and acknowledging the ongoing sovereignty of all Aboriginal and Torres Strait Islander Nations.

We recognise the profound connection to land, waters, sky and community of the First Nations peoples, with continuing cultures that are among the oldest in human history. We recognise that they are skilled land shapers and place makers, with a deep and rich knowledge of this land which they have cared for, protected and balanced for millennia.

Our Country, 2022
88 x 119 cm Acrylic on canvas
Original artwork by
Alfred Carter
Gunaikurnai

Quality Assurance

Planning Submission

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1 Executive Summary

This report has been prepared by Tract Consultants Pty Ltd on the instructions of [REDACTED]. The purpose of this submission is to provide a summary of relevant planning considerations relating to the land located at 235 Avalon Road, Avalon.

This submission responds to the proposed Amendment C477ggee to the Greater Geelong Planning Scheme (**Amendment**). As far as it is relevant to the Site, the Amendment proposes to introduce Clause 1103-6L-6 to give effect to the Greater Avalon Employment Precinct (**GAEP**) Framework Plan and to apply the following:

- Industrial 1 Zone (**IN1Z**);
- Development Plan Overlay 50 (**DPO50**); and
- Design & Development Overlay 53 (**DDO53**).

The Amendment also includes provisions not applicable to the subject land, including the following: The introduction of Schedule 16 to the Rural Conservation Zone (**RCZ16**).

- Removal of Schedule 4 to the Environmental Significance Overlay (**ESO4**).

While our client broadly supports the proposed Amendment, this submission seeks consideration of targeted drafting changes to Clause 1103-6L-6, DPO50 and DDO53 to ensure the policy framework is clear, proportionate and capable of supporting orderly and staged development. The key objectives of these changes are to:

- Ensure the local policy does not unnecessarily focus on land uses that exclusively "complement Avalon Airport" and is drafted to appropriately reflect the extent of the work undertaken to date, including the Native Vegetation Precinct Plan (**NVPP**).
- Ensure the DDO53 is drafted in manner that allows the Responsible Authority sufficient discretion in applying requirements, having regard to the land included within future planning permit applications, and the differing characteristics and constraints of individual landholdings.
- Ensure the DPO50 is drafted in a manner that allows the Responsible Authority sufficient discretion to:
 - consider Development Plans in stages; and
 - exclude or tailor requirements having regard to the land included within a Development Plan area, and the differing characteristics and constraints of individual landholdings.

We would welcome the opportunity to meet with the Victorian Planning Authority (**VPA**) to discuss our proposed drafting changes.

2 Site & Surrounding Context

2.1 The Site

The subject site comprises approximately 4.05 hectares (10 acres) of rural land with dual frontage to Avalon Road and Dandos Road. The property includes an existing dwelling and is currently used for horse agistment, with the land divided into 10 fenced paddocks.

The site is currently zoned Special Use Zone – Schedule 1 (SUZ1) under the Greater Geelong Planning Scheme. It is not subject to any overlays, in contrast to much of the wider Amendment area, which is affected by environmental and flooding overlays. The site intersects with the edge of an area identified as having Aboriginal cultural significance.



Figure 1 - Site Plan

The site is not affected by any overlays under existing conditions, and is subject to limited constraints, as confirmed by the technical studies commissioned by the VPA, including:

- Biodiversity – the land does not contain any native vegetation or any established trees of significance;
- Bushfire – the land is in a low-risk bushfire landscape and can easily accommodate defendable space;
- Flooding – the land is not subject to flooding and is located some distance from the primary flow corridor;
- Contamination – the land is not identified as having any potential for contamination; and
- Pipelines – the site is located a considerable distance from the gas and oil pipelines that traverse the northern edge of the GAEP West Precinct.

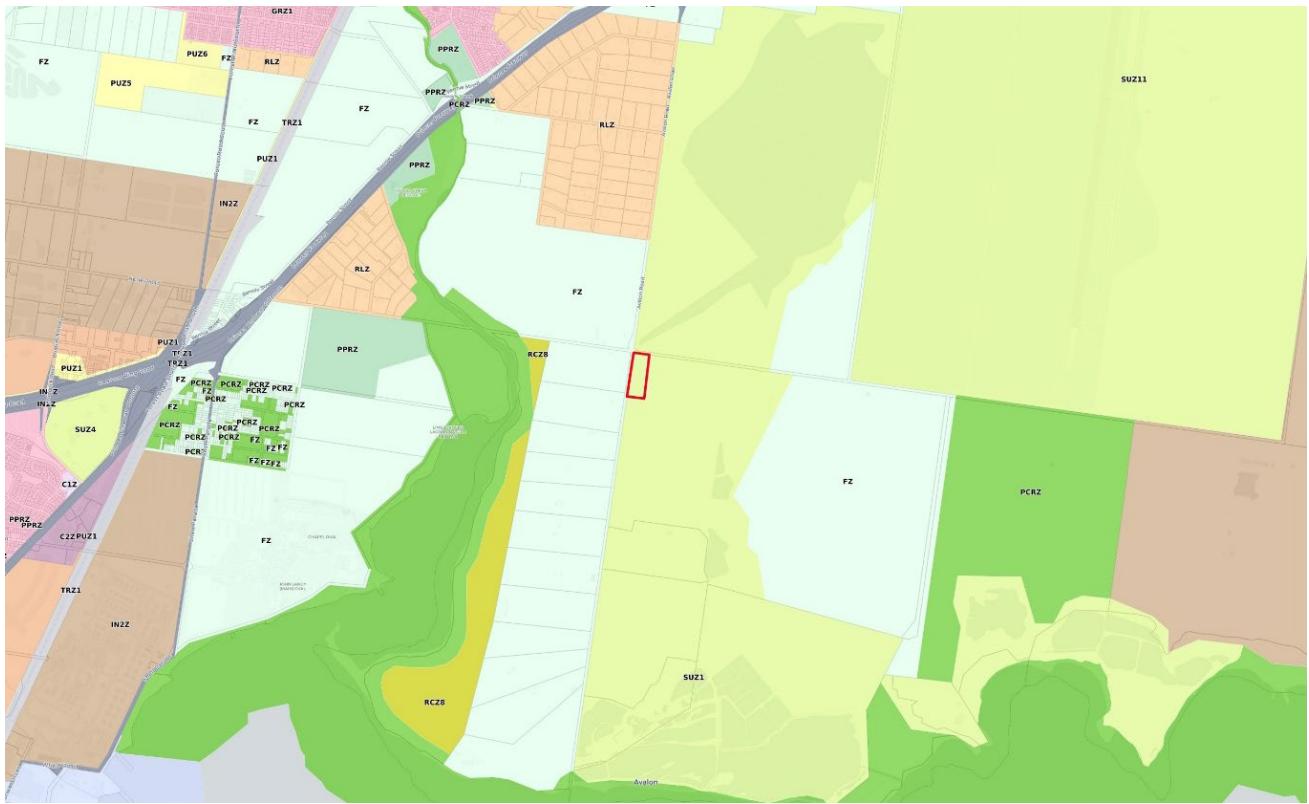


Figure 2 - Zone Plan

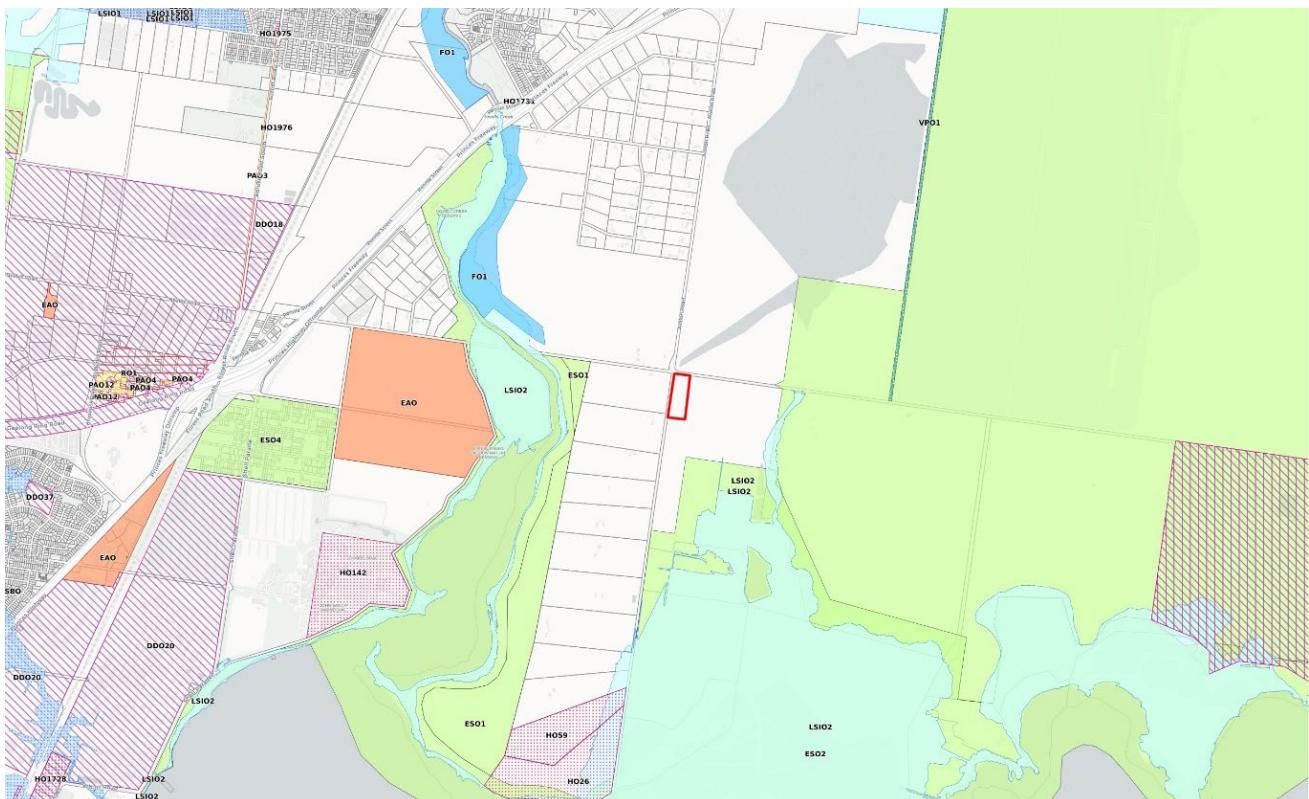


Figure 3 - Overlay Plan

2.2 Strategic Context

The site is located approximately 20 km north-east of Geelong and 55 km south-west of Melbourne CBD, positioning it strategically within Victoria's freight and logistics corridor.

As noted in the exhibited Explanatory Report, the GAEP is identified as a key strategic employment area in Plan for Victoria on the "Geelong in the Future" map. This designation reflects the precinct's importance to the long-term growth of the Geelong region. The precinct is also highlighted as a key regional site in Victoria's Economic Growth Statement.

The Amendment facilitates redevelopment of land surrounding Avalon Airport in accordance with the Avalon Corridor Strategy which identifies opportunities for commercial and industrial development that are compatible with the ongoing use and development of the airport.

It is this strategic context that underpinned our client's acquisition of the land, with a clear intention to develop the site for industrial purposes, particularly high-value freight and logistics industries.

Of particular note, the Amendment provides the framework for further master planning and delivery of the GAEP West precinct, enabling approximately 471 ha of industrial land, around 8,000 jobs and the protection of approximately 257 ha of conservation land.

This is noteworthy given the extensive planning and technical processes required to enable development of the precinct, which are likely to be progressed over a considerable period of time.



Figure 4 - Context Plan

3 Background

Our client has engaged with both the VPA and MAB (as the major landowner within the GAEP) during the preparation of the Amendment documentation. As part of this process, the VPA shared previous versions of the GAEP Framework Plan and a Shared Infrastructure Funding Plan (SIFP). The SIFP previously identified the client's land and immediately surrounding land to south and east as "Possible Area A - Water Quality".

The layout of potential water quality treatment areas in the SIFP bears some similarity to the Draft Master Plan prepared by MAB and included at Figure 1 of the Position Paper prepared by HARC (Nov 2025). We acknowledge the exhibited Amendment documentation no longer identifies the client's land being required for water quality purposes and we understand this change is based on the following finding from the HARC Position Paper:

"However, we are of the opinion that the proposed lake/open water body south of Dandos Road, adjacent to Avalon Road is unnecessary from a stormwater quantity management perspective and has the potential to attract wildlife, whereby creating a potential risk for aircraft safety at Avalon Airport. "

It is acknowledged that the GAEP Framework Plan depicts the site as being located within the area labelled as Industry, adjacent to but clear of the area nominated as Conservation Area.



Figure 5 - Extract from GAEP Framework Plan

In preparing this submission, the client sought a peer review of the HARC Position Paper by Loetis to inform our position. This peer review concluded that the designation of the land at 235 Avalon Road for drainage or water quality treatment purposes is unnecessary to achieve a considered stormwater management outcome for the GAEP. The findings of the Loetis review confirmed the following:

- The inclusion of 235 Avalon Road, Avalon within the Industry area within the GAEP Framework Plan, as exhibited by the VPA, is appropriate and is supported by the assessment undertaken by the VPA's expert HARC.
- Notwithstanding the future further investigations and assessments for stormwater purposes that will be required as the GAEP moves through the next part of the planning process, drainage for the GAEP can be provided in an orderly fashion without relying on the land at 235 Avalon Road, Avalon.

4 Submission

While our client broadly supports the proposed Amendment, this submission seeks consideration of targeted changes to the drafting of Clause 1103-6L-6, DPO50 and DDO53. These changes are sought to ensure the planning framework provides appropriate flexibility, proportionality and discretion in each application. The key objectives of these changes are to:

- Ensure the local policy does not unnecessarily focus on land uses that exclusively "complement Avalon Airport" and is drafted to reflect the extent of work undertaken to date, including the preparation of the NVPP.
- Ensure the DDO53 is drafted in a manner that allows the Responsible Authority sufficient discretion in applying requirements, having regard to the land included within future planning permit applications, including the differing characteristics and constraints of individual landholdings.
- Ensure the DPO50 is drafted in a manner that allows the Responsible Authority sufficient discretion to:
 - consider Development Plans in stages; and
 - exclude or tailor requirements having regard to the land included within a Development Plan area, including the differing characteristics and constraints of individual landholdings.

4.1 Local Policy

We recognise the importance of updating local policy to give effect to the GAEP Framework Plan. It is equally important that the policy is drafted in a manner that does not unduly narrow the range of land uses that may be supported. In this context, we note that:

- The second strategy under proposed Clause 1103-6L-6 places a strong emphasis on land uses that "complement Avalon Airport".

However, the exhibited Explanatory Report states that "*The precinct will be designed to facilitate a wide range of industries adaptive to future trends in employment uses including manufacturing, high value freight and logistics industries, and circular economy uses.*" This indicates a broader intended range of supported land uses.

Accordingly, it is submitted that the second strategy be reframed to support industries adapting to future employment trends, including manufacturing, high-value freight and logistics industries, and circular economy uses.

- The third strategy refers to the need to identify "conservation areas to protect and enhance identified flora and fauna species and prevent off-site impacts to the Ramsar wetlands and Avalon Coastal Reserve".

Given the extent of work undertaken to date, including the preparation of a NVPP, and noting that the exhibited Explanatory Report states that "*The introduction of a NVPP in conjunction with the rezoning of part of the precinct to RCZ16 will facilitate the protection native vegetation and area of biodiversity conservation significance as part of the amendment,*" it is submitted that this aspect of the strategy is unnecessary.

Accordingly, the words "Identify conservation areas to" should be removed, leaving the strategy to read "Protect and enhance identified flora and fauna species and prevent off-site impacts to the Ramsar wetlands and Avalon Coastal Reserve".

4.2 Design & Development Overlay 53

We note the requirements listed at Section 2.0 and seek advice from the VPA regarding the maximum height of the most recent approved Obstacle Limitation Surface (OLS) or Procedures for Air Navigational Services - Aircraft Operations (PANS-OPS) surface prepared for an airport in accordance with the Commonwealth Airports (Protection of Airspace) Regulations 1996, or as shown in the Avalon Airport Masterplan. Based on our review of the exhibited material, this

information does not appear to be identified and would assist in informing future decisions regarding permissible building heights within the GAEP.

We note that Section 5.0 includes an application requirement for a Written Aviation Impact Assessment. Whilst the opening paragraph refers to the requirements being applied "*as appropriate, to the satisfaction of the responsible authority*", it is submitted that the use of "must" be replaced with "should" to ensure the Responsible Authority has sufficient discretion to require or waive this requirement on a case-by-case basis.

Section 6 includes a decision guideline stating "*[t]he need to prevent buildings or structures and landscaping from being built which could interfere with and cause a safety hazard on aircraft operations such as height, lighting, built form layout, wind tunnels and bird strike impacts.*" It is submitted that the use of the term "prevent" is overly prescriptive and that the guideline would be more appropriately framed to require consideration of whether buildings, structures, or landscaping may interfere with aircraft operations or result in safety hazards.

4.3 Development Plan Overlay 50

While a DPO has been adopted in place of a Precinct Structure Plan (PSP), which is more traditionally used by the VPA, the client supports the use of the DPO as the implementation mechanism for the GAEP. However, it is submitted that the DPO should be drafted in a manner that allows the Responsible Authority sufficient discretion to:

- consider Development Plans in stages; and
- exclude or tailor certain requirements having regard to the land included within a Development Plan area and the differing characteristics and constraints of individual landholdings.

Due to the complexity of developing land north of Dandos Road, Schedule 53 to the DPO, as drafted, spans eight pages and includes extensive requirements for assessments, reports and plans (at Section 4.0) that must be prepared prior to the approval of a Development Plan. Additionally, Section 3.0 prescribes a substantial number of conditions that must be applied to permits without discretion afforded to the Responsible Authority to determine their relevance to future planning permit applications.

It is submitted that the level of complexity associated with activating development in certain areas of the precinct warrants a greater degree of discretion incorporated into DPO 53. To achieve this, the following drafting changes are requested:

- Section 3.0 be redrafted to replace "must" with "should", allowing the Responsible Authority discretion as to when conditions are applied. This could be achieved through wording along the following lines:
 - "*A permit should contain the following conditions or requirements which give effect to the provisions and requirements of an approved Development Plan, to the satisfaction of the Responsible Authority.*"
- Section 4.0 be redrafted as follows:
 - "*The Development Plan must be generally in accordance with Plan 1 and be prepared to the satisfaction of the Responsible Authority and in consultation with the City of Greater Geelong.*
A Development Plan must include the following documents and plans as appropriate, having regard to the area of the Development Plan, to the satisfaction of the Responsible Authority.
A separate Development Plan may be prepared and approved for the land at 235 Avalon Road, Avalon provided it can demonstrate how the subdivision and/or development of the area will integrate with any adjoining Development Plan area(s) and the Greater Avalon Employment Precinct West Concept Plan."

4.4 General Provisions

We note that the proposed drafting of Clause 66.04 triggers a referral to CCMA for any application within the area subject to the DDO50. It is submitted that this requirement is excessive and it would be more appropriate for referral requirements to be addressed through future approved Development Plan(s).

Such an approach would ensure that only land and future subdivision/development proposals with a clear nexus to drainage or flood related matters are referred to the CCMA. This would reduce unnecessary administrative burden on

both the Council and the CCMA, and provide a more efficient and proportionate assessment pathway for future proposals.

5 Conclusion

For the reasons set out above, we respectfully request that the VPA incorporate the proposed drafting changes to the local policy, DDO53, DPO50 and Clause 66.04 as outlined in this submission. These changes are necessary to ensure the Amendment provides a clear, proportionate and flexible framework for the orderly and staged development of the GAEP.

We reiterate, in the strongest terms, our client's position that the designation of their land for drainage or water-quality purposes is unwarranted, unsupported by the strategic evidence, and inconsistent with the HARC Position Paper.

We remain committed to working constructively with the VPA and would welcome the opportunity to meet and discuss the proposed drafting refinements in detail. We trust that the VPA will give due consideration to the matters raised and ensure that the Amendment proceeds on a sound, transparent and strategically justified basis.

Should you have any questions in relation to this submission please contact me on the email address below or on [REDACTED]

