

Our Ref: KK:KK
File No: G295-07-08



CITY OF GREATER GEELONG - INTERNAL MEMORANDUM

TO: Joanne Van Slagagren, Manager City Development

FROM: Kevin Krastins, Heritage Planner

SUBJECT: **GEELONG BOTANIC GARDENS AND EASTERN PARK,
NATIONAL TRUST CLASSIFICATION**

DATE: 5 February 1998

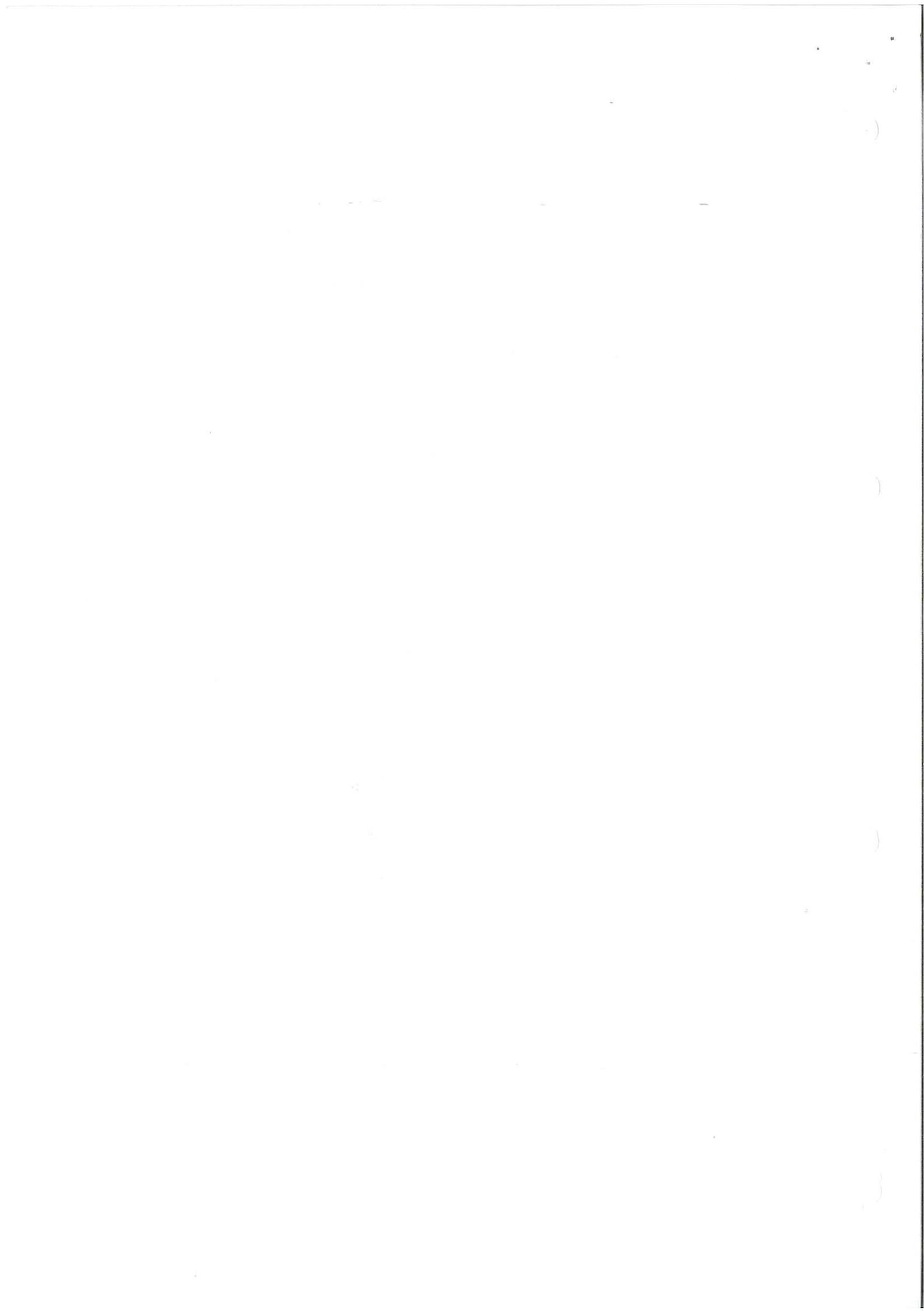
STATUS: Unrestricted

Please find enclosed a copy of a Classification Report prepared by the National Trust of Australia (Victoria) in relation to the Geelong Botanic Gardens and Eastern Park. You will note that the Trust have Classified both the Botanic Gardens and Eastern Park and both sites have now been included on the National Trust (Victoria) Register.

In addition I draw your attention to Clause 2-4.2 in the State Section of the Greater Geelong Planning Scheme which requires formal notification to the National Trust of Australia (Victoria), for a planning permit application lodged under Section 96 (1) and (2) of the Planning and Environment Act 1987 (as amended). Where a planning permit application for a specified Class of Use or Development (as listed in the State section of the planning scheme ordinance) is lodged on land occupied, owned, or managed by Council, Council as the Responsible Authority has a Statutory obligation to notify the National Trust in accordance with Section 52 (1) (c) of the Act. (note: in general the Trust is a community organisation with no direct statutory power but an interest in the State's heritage).

Other National Trust (Victoria) Classified sites in the Geelong region where this Clause similiary applies include:

- former Drysdale Court House, 11 High Street, Drysdale;
- Geelong Town Hall, 30 Gheringhap Street, Geelong;
- Geelong Customs House, Brougham Street, Geelong
- National Wool Museum, 26 Moorabool Street, Geelong
- the First Customs House, Botanical Gardens, Geelong
- H.M. Training Prison, Myers Street, Geelong
- Lime Kilns and surrounding area, Limeburners Point, Hearne Parade, Geelong
- Osborne House, Swinburne Street, North Geelong
- Hitchcock Memorial Bandstand, Johnstone Park, Geelong
- Rothwell Bridge, Old Melbourne Road, Little River



As the National Trust progressively update their Register it is advisable that Council Officers contact the National Trust- Melbourne office directly to check the status of heritage sites.

In addition some of these sites are also included on the Heritage Victoria Register and therefore require approval from that organisation.

A copy of the 1996/97 National Trust Register of Sites and Significant Trees together with the Heritage Victoria Register has been forwarded to Lorraine Huddle- Heritage Advisor or you may obtain a copy from myself.

Should you have any queries regarding this matter please contact me on ext 847.

Kevin Krastins

Attachments ²/₍₁₎

Copy to: Chubb Fadgyas
Ian Rodgers
Liz Beardall

- 2-2 Effect of this scheme
Land may be used or developed only in accordance with this scheme.
- Land must not be developed unless the land as developed can be used in accordance with this scheme.

If this scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

- 2-3 Determination of boundaries
If a boundary in this scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

- 2-4 Applications under Section 96 of the Act
This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.

- 2-4.1 Exemptions from Section 96(1) and 96(2) of the Act
In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

CLASS 1

Use of land for -

Car park, recreation, shop (including market, trash and treasure market and craft market), office, community facility (including child care centre, pre-school, maternal and infant welfare centre, library, gallery, community house, leisure centre, sports centre, club room, toilet block, place of assembly), dwelling (including flat and retirement village), industry, hospital, caravan park, extractive industry, refuse disposal, council works depot, petrol filling station.

CLASS 2

Development of land for -

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement, subdivision.

CLASS 3

Any other use or development.

- 2-4.2 Notice requirements
In accordance with Section 52(1)(c) of the Act, notice must be given to:

- * the owners and occupiers of adjoining land, and
- * the National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- * For a sign or advertisement.
- * To remove, destroy or lop native vegetation under the State Section of the Scheme.

