



STP REF: 26045  
31 March 2026

Statutory Planning  
City of Greater Geelong  
PO Box 104  
GEELONG VIC 3220

Via e-planning portal

**RE: CONSTRUCTION OF A PRIVATE TENNIS COURT - 81-89 LEMINS ROAD,  
WAURN PONDS**

To Greater Geelong,

This is a planning permit application for a private tennis court under Clause 52.21-2 (Private Tennis Court) and Clause 43.02-2 (Significant Landscape Overlay).

Pursuant to Clause 52.21-2 a permit is required to construct, use or illuminate a private tennis court if:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in ... a Significant Landscape Overlay ... and a permit is required ... to construct a building or construct or carry out works.

The land is located within the SLO whereby a permit is required for buildings and works. Pursuant to Clause 42.03-2 a permit is required to construct a building, construct or carry out works unless a schedule to the overlay specifically states that a permit is not required. The schedule to the overlay only specifically states that a permit is not required for works undertaken on behalf of the Head, Transport for Victorie for the construction of the Geelong Ring Road.

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## Notice and Review

Whilst there are no VicSmart provisions under Clause 52.21 - pursuant to Clause 52.21-4 "an application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act."

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

## Decision Guidelines

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

<i>Code of Practice - Private Tennis Court Development Revision 1 March 1999</i>		
<i>Considerations</i>	<i>Objectives</i>	<i>Response</i>
<p><b>E1</b> <i>The location of a tennis court should be based on an evaluation of the site conditions and its separation from adjoining residences.</i></p> <ul style="list-style-type: none"> <li>- <i>orientation of the tennis court;</i></li> <li>- <i>relationship to associated dwellings;</i></li> <li>- <i>impact on landslopes;</i></li> <li>- <i>separation from dwellings on adjoining properties;</i></li> <li>- <i>the character and landscaping of the site and its surrounds;</i></li> </ul>	<p><i>To achieve a layout which minimises the impact on the established land form and vegetation and which respects the amenity and character of the surrounding area.</i></p>	<p><i>The proposed tennis court is to be located in the south eastern corner of the land. Heavily screened by two line planted trees on the eastern boundary. Small cypress has recently been planted in front of mature gums.</i></p> <p><i>The southern boundary is heavily screened by existing mature cypress trees.</i></p> <p><i>Two tennis courts currently exist within approx. 200-225m of the site, both of which are characterised by</i></p>

<ul style="list-style-type: none"> <li>- impact on the streetscape;</li> <li>- impact on existing vegetation; and</li> <li>- Impact on neighbouring properties.</li> </ul>	<p>heavy vegetative screening, where located close to dwellings.</p>	<p>In addition, the court is located at the rear of the lot, well over 3m from a street frontage, and would not be illuminated.</p>	<p>The small paddock which the fence is to be located within is dominated by carpet weed and sparse kikuyu.</p>
<p><b>E2</b> The above-ground structures should be of high-quality appearance. Matters to be considered include:</p> <ul style="list-style-type: none"> <li>- The height above ground of the structural elements such as fences and light poles;</li> <li>- The colour and appearance of the materials used;</li> <li>- The compatibility of the design with the existing development on the site; and</li> <li>- the aesthetic interrelationship with public areas such as adjoining streets or parks.</li> </ul>	<p>To ensure that the size, appearance and materials of the tennis court fencing and enclosures are not unduly visually intrusive.</p> <p>To provide aesthetic compatibility with nearby streetscapes and public areas.</p>	<p>N/A</p> <p>The tennis court is located 1m from the property boundary.</p> <p>There are no structural elements outside of those considered normal to a tennis court (ie no fencing, lights).</p> <p>The proposed court will be green, intended to blend into the surrounding landscape.</p>	
<p><b>E3</b> Site works should minimise disturbance to existing conditions and must provide acceptable standards of construction which will ensure that no off-site effects will occur. Matters to be considered include:</p> <ul style="list-style-type: none"> <li>- The extent of excavation and filling;</li> </ul>	<p>To ensure the stability of the tennis court site.</p> <p>To contain off-site effects so as to cause no detriment to adjoining land or structures.</p>	<p>The site is relatively flat containing no significant slope or depressions. There would be no earthworks required to accommodate the proposed tennis court.</p> <p>The tennis court would sloped away from nearest property boundaries and drained internally.</p>	

	<ul style="list-style-type: none"> <li>- The form of retention proposed for cut and fill batters;</li> <li>- The potential impact of the changes in levels on adjoining properties and structures; and</li> <li>- The concentration of surface and sub-surface drainage.</li> </ul>	<p>To limit the impact of increased stormwater runoff on drainage systems.</p>	
<b>E4</b>	<p>The location, size and construction of a tennis court should have regard for the quality and amount of vegetation which may be affected. Consideration should also be given to the opportunities for replanting to offset any vegetation losses.</p> <p>Matters to be considered include:</p> <ul style="list-style-type: none"> <li>- The significance of existing vegetation to the character and appearance of the area;</li> <li>- the significance of the existing vegetation as a wildlife habitat;</li> <li>- the plant species which are indigenous to the area;</li> <li>- the extent of revegetation proposed; and</li> <li>- the treatment of fill batters.</li> </ul>	<p>To minimise the removal of vegetation.</p> <p>To ensure that revegetation is compatible with the landscape characteristics of the area.</p>	<p>No vegetation is to be removed and there is no encroachment of Tree Protection Zones of any nearby trees.</p>
<b>E5</b>	<p>The provision of tennis court lighting increases the potential to affect the amenity of adjoining areas by glare, appearance and noise.</p> <p>Lighting systems should achieve acceptable levels of spillage control and their use must not cause an</p>	<p>To prevent excessive light spillage and other effects from detrimentally affecting the amenity of dwellings on adjoining properties.</p>	<p>N/A - No lighting proposed</p>

	<p><i>unreasonable invasion of privacy.</i></p> <p><i>Matters to be considered include:</i></p> <ul style="list-style-type: none"> <li>- <i>the height and placement of lighting fixtures;</i></li> <li>- <i>the proximity of adjoining dwellings and secluded private open spaces;</i></li> <li>- <i>the intensity of light and its reflection; and</i></li> <li>- <i>design and appearance of lighting fixtures.</i></li> </ul>		
<b>E6</b>	<p><i>The construction and use of a tennis court must take into account the need to respect the privacy of adjoining residents, particularly in terms of overlooking and noise.</i></p> <p><i>Matters to be considered include:</i></p> <ul style="list-style-type: none"> <li>- <i>the height of the tennis court surface;</i></li> <li>- <i>the provision of screening;</i></li> <li>- <i>the hours of play; and</i></li> <li>- <i>the use of mechanical equipment.</i></li> </ul>	<p><i>To ensure that the tennis court and its use do not detract significantly from the amenity of the surrounding area and do not cause unreasonable detriment to privacy.</i></p> <p><i>To limit views into neighbouring secluded private open spaces and habitable rooms.</i></p>	<p><i>There is approximately 30m separation distance between the nearest point of the neighbouring dwelling (garage) and the playing surface of the tennis court.</i></p> <p><i>There is no side fencing, or court lighting proposed.</i></p> <p><i>Play would by nature be limited to daylight hours.</i></p> <p><i>The proposed location or the design and siting of the proposed tennis court would not have any potential to cause material detriment to any neighbouring dwellings.</i></p>
<b>E7</b>	<p><i>The construction of a tennis court must be planned so as to minimise access damage and avoid excessive disruption to the surrounding area.</i></p> <p><i>Matters to be considered include:</i></p> <ul style="list-style-type: none"> <li>- <i>the means of access to the site;</i></li> <li>- <i>the hours of construction work;</i></li> </ul>	<p><i>To ensure that the method and timing of construction prevent undue disturbance to the existing conditions of the site and the amenity of the surrounding area.</i></p>	<p><i>Permit conditions would ensure that the construction times would occur within reasonable hours.</i></p> <p><i>The tennis court would be constructed by an experienced tennis court and surface manufacturer.</i></p>



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- *the construction method;*
  - *the removal or importation of materials;*
  - *the protection of sensitive features; and*
  - *methods of sediment pollution control during construction.*
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For the above reasons, the proposed tennis court complies with all performance requirements, objectives and considerations set out in the code, and a permit should be granted.

If you have any queries in relation to the content of this submission, please don't hesitate to contact me at

We look forward to your correspondence.

Planner

*Appendix 1 - Site Photos*



