



Planning Report

Development of a Dwelling Greater than 7.5 Metres above Natural Ground Level

13 Purrumbete Avenue, Manifold Heights

(Lot 264, LP5875)

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1. Introduction

St Quentin has been instructed to prepare this planning report in relation to: Development of a Dwelling Greater than 7.5 Metres above Natural Ground Level at No. 13 Purrumbete Avenue, Manifold Heights (Lot 264, LP5875).

The purpose of this report is to detail the proposal and its context, outline its consistency with the relevant strategic framework and statutory controls, and in doing so explain why the proposal is worthy of Council's support and approval.

This report is supported by and should be read in conjunction with the following supporting documentation:

Appendices

- Certificate of Title
- Tree Health and Condition Report (Leafline Consulting)
- Development Plans (Blasco Stuart)



2. Key Considerations

The key considerations for Council to assess within this planning application are as follows:

2.1. Purpose

The proposed Dwelling replaces an existing Dwelling which is positioned centrally on site.

A portion of the roof is greater than 7.5 metres above natural ground level, however despite this the siting and design of the dwelling is not expected to detrimentally impact any available views from nearby properties towards significant landscape features.

The limited portions of the development exceeding 7.5 metres do not create any additional visual bulk or amenity impacts for the dwellings to the rear beyond those that may arise from a Permit not required Dwelling.

2.2. Covenant Implications

The subject land is encumbered by the following registered restrictive covenant:

- **COVENANT** 1159026 29/09/1983

Section 61(4) of the *Planning and Environment Act 1987* prevents the Responsible Authority from granting a permit for something which may result in a breach of any registered restrictive covenant.

However, approval of the proposed (single) replacement dwelling would not result in potential for breach of registered restrictive covenant contained in Instrument of Transfer No. 1159026.

2.3. Canopy Trees

No 'boundary canopy trees' are proposed for removal. On this basis, no permission is required under the provisions of Clause 52.37 (Canopy Trees).



3. Setting

3.1. Subject Site



Figure 1: Subject site (Source: LandChecker, 7th February 2026)

Street Address:	13 Purumbete Avenue, Manifold Heights
Title Details:	Volume 5312 Folio 350 Lot 246, LP5875
Restrictions/Covenants:	COVENANT 1159026 29/09/1983
Land Size:	968m ²
Zone:	Neighbourhood Residential Zone – Schedule 8 (NRZ8) <i>INCREMENTAL CHANGE AREAS</i>
Overlays:	Design and Development Overlay – Schedule 14 (DDO14) <i>DWELLINGS OVER 7.5 METRES IN AREAS WITH ACCESS TO VIEWS</i>
Other Regulatory Constraints:	Not Applicable
Key Site Features:	No. 13 Purumbete Avenue, Manifold Heights. The subject site is irregular in shape with frontages to both Purumbete Avenue (North) and Laneway (Right of Way) with side



boundary lengths of 50.29 metres for a total land area of approximately 966 square metres (m²).

The site is developed for use by a single storey brick Dwelling located centrally on site. Vehicular access is provided via a concrete crossover in the North Western corner via Purrumbete Avenue.

Lawns and scattered vegetation are dispersed throughout parts of the site.

The land generally falls from the South to the North towards Purrumbete Avenue at a gentle gradient.

No easements encumber the subject land.

Refer **Appendices** for Certificate of Title.

3.2. Surrounding Context

North:	<u>Purrumbete Avenue, Manifold Heights</u> Neighbourhood Residential Zone – Schedule 8 (NRZ8) Road Reserve
East:	<u>No. 15 Purrumbete Avenue, Manifold Heights</u> Neighbourhood Residential Zone – Schedule 8 (NRZ8) Single Storey Dwelling
South:	<u>Road</u> Neighbourhood Residential Zone – Schedule 8 (NRZ8) Road Reserve
West:	<u>No. 11 Purrumbete Avenue, Manifold Heights</u> Neighbourhood Residential Zone – Schedule 8 (NRZ8) Double Storey Dwelling



4. Proposal

4.1. Proposal Description

The proposal seeks approval for Development of a Dwelling Greater than 7.5 Metres above Natural Ground Level.

Buildings and works

The **Dwelling** will be setback approx. 9 metres from Purrumbete Avenue and approx. 13.8 metres from the Laneway at rear.

The Dwelling contains: Four Bedrooms, open plan kitchen / dining / living area opening onto alfresco / paved areas to the South. A second living space and office are also proposed at Ground Floor level together with powder / laundry. First Floor also contains the main bathroom and TV snug.

A double garage is accessed via existing vehicle crossover.

A swimming pool is located South of the Dwelling, whilst multiple gardens are positioned around the Dwelling.

Refer **Appendices** for Development Plans (Blasco Stuart).

4.2. Permit Triggers

Use	Development	Subdivision	Other
Not Applicable	Clause 43.02-2 (DDO) Buildings and works <i>A permit is required to:</i> <i>Construct a building or</i> <i>construct or carry out</i> <i>works.</i>	Not Applicable	Not Applicable

5. Strategic Context & Response

The key planning, land use and development policies relevant to the consideration and assessment of the proposal are as follows:

5.1. Municipal Planning Strategy

Clause 02.03 STRATEGIC DIRECTIONS

Clause 02.03-1 Settlement

Geelong is expected to grow by an additional 152,000 people by 2036 based on an average annual growth rate of 2.5 per cent. This growth will create demand for over 73,400 additional dwellings which can be met under the City's identified planned growth. While the City is keen to take advantage of Geelong's proximity



to Melbourne it is important to the community that the unique identity and character of the municipality is retained.

A combination of greenfield and infill development will deliver housing for Geelong's growing population. Over time the share of new housing from infill is expected to increase.

5.2. Planning Policy Framework

Clause 16 HOUSING

Clause 16.01 RESIDENTIAL DEVELOPMENT

Clause 16.01-1S Housing supply

Objective

To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies

Plan to accommodate housing targets specified in this clause by ensuring zones and overlays deliver sufficient realisable development capacity.

Encourage the development of well-designed housing that:

- *Provides a high level of internal and external amenity.*
- *Incorporates universal design and adaptable internal dwelling design.*

Response to Municipal Planning Strategy and Planning Policy Framework

The proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework.

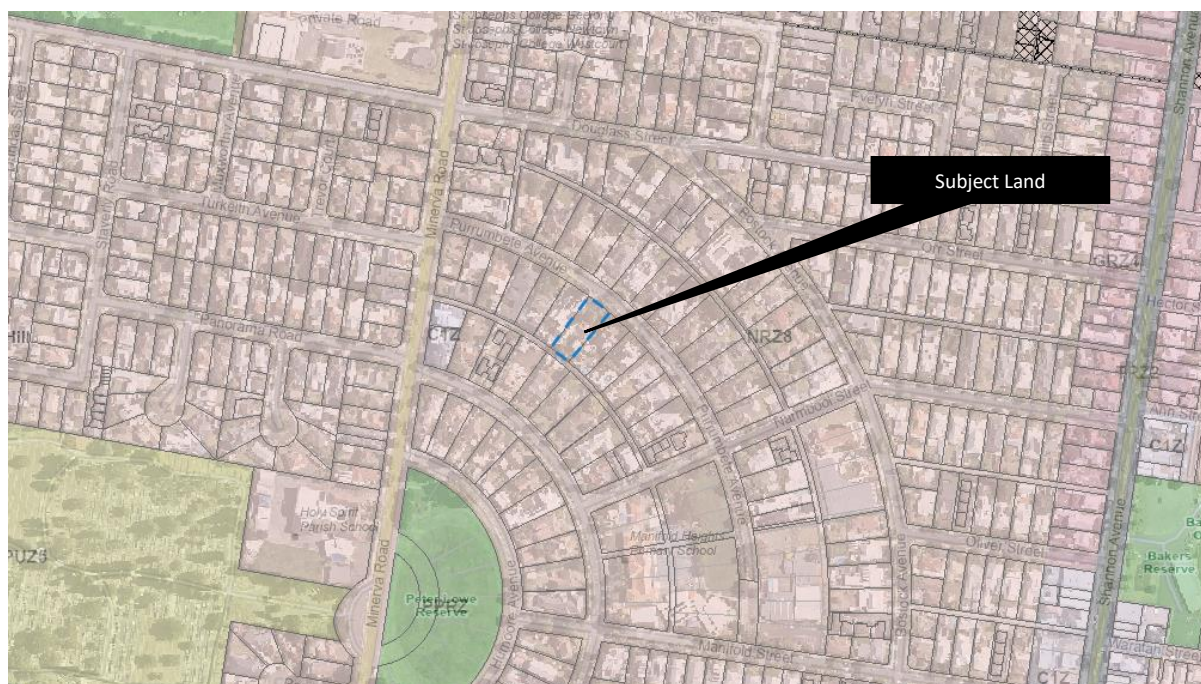
The proposed replacement dwelling will achieve a high level of internal and external amenity.



6. Statutory Context & Response

6.1. Zone

The subject land is located within a 'Neighbourhood Residential Zone - Schedule 8' (**NRZ8**) [INCREMENTAL CHANGES AREAS] under the Greater Geelong Planning Scheme (Map No. 37).



In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework the purpose of the Zone is:

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.

Clause 32.09-1 Neighbourhood character objectives

A schedule to this zone must contain neighbourhood character, heritage, environment or landscape character objectives to be achieved for the area.

Clause 1.0 of SCHEDULE 8 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE contains the following neighbourhood character objectives to be achieved:

1.0 Neighbourhood character objectives

None specified.

Clause 32.09-4 Construction or extension of a dwelling, small second dwelling or residential building



Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

Assessment:

A Minimum garden area of 521m² (or 53%) meets the requirement of 35% for a Lot size >650m².

Clause 32.09-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- *exceeds the maximum building height specified in a schedule to this zone; or*
- *contains more than the maximum number of storeys specified in a schedule to this zone.*

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- *the building height must not exceed 9 metres; and*
- *the building must contain no more than 2 storeys at any point.*

Clause 4.0 of SCHEDULE 8 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE contains the following:

1.0 Maximum building height requirement for a dwelling, small second dwelling or residential building

None specified.

Assessment:

As no Maximum building height is specified in the Schedule to the Zone, the building must:

- Not exceed 9 metres; and
- Contain no more than 2 storeys at any point.

The Maximum building height requirement for a dwelling is compliant with both criteria.



6.2. Overlay/s

The subject land is affected by a 'Design and Development Overlay - Schedule 14' (**DDO14**) [DWELLINGS OVER 7.5 METRES IN AREAS WITH ACCESS TO VIEWS] under the Greater Geelong Planning Scheme (Map No. 37DDO14).



In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework the purpose of the Overlay is:

To identify areas which are affected by specific requirements relating to the design and built

Clause 43.02-1 Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

Clause 1.0 of SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY contains the following design objectives to be achieved:

1.0 Design objectives

To ensure that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features such as the coast (ocean and foreshore), Corio Bay, Barwon River, Central Geelong, Barrabool Hills and the You Yangs.

43.02-2 Buildings and works

Permit requirement

A permit is required to:

- *Construct a building or construct or carry out works. This does not apply:*
 - *If a schedule to this overlay specifically states that a permit is not required.*



Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- *Building setbacks.*
- *Building height.*
- *Plot ratio.*
- *Landscaping.*
- *Any other requirements relating to the design or built form of new development.*

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

Clause 2.0 of SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY contains the following:

2.0 Buildings and works

A permit is not required for buildings and works other than to construct a dwelling which is more than 7.5 metres above natural ground level (excluding any television antenna, chimney or flue) or extend a dwelling where the extension is more than 7.5 metres above natural ground level (excluding any television antenna, chimney or flue).

Assessment:

A Permit is required to construct a dwelling which is more than 7.5 metres above natural ground level.

Clause 43.02-5 Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Clause 5.0 of SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY contains the following:

5.0 Application requirements

A view impact analysis should be submitted when there is likely to be an impact on views to significant landscape features by the proposed development. Any view impact analysis should demonstrate how the design objectives to achieve a reasonable sharing of views has been met having regard to topography, siting, height and visual bulk and the extent of available views.

Assessment:

A Permit is required to construct a dwelling which is more than 7.5 metres above natural ground level.

The limited portions of the development exceeding 7.5 metres do not create any additional visual bulk or amenity impacts for the dwellings to the rear beyond those that may arise from a Permit not required Dwelling.



Clause 43.02-6 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

Decision Guidelines	Response
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework as set out in this Planning Report.
The design objectives of the relevant schedule to this overlay.	The proposed development is consistent with the design objectives specified under SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY.
The provisions of any relevant policies and urban design guidelines.	Not Applicable. None specified.
Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	Complies. There are a number of multi-level Dwellings within the nearby streetscape / area. The proposed Dwelling sits comfortably within the streetscape and provides a transition in height between adjoining Dwellings.
Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.	Not Applicable.
Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	Not Applicable.
The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.	Not Applicable.
Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.	Not Applicable.



Any other matters specified in a schedule to this overlay. Refer below Table.

Clause 6.0 of SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Decision Guidelines	Response
The design objectives of this schedule.	Replacement Dwelling will be sited in similar location to existing Dwelling footprint. The proposed works are not considered to have a detrimental impact upon available views towards (identified) significant landscape features.
The impact of the proposed buildings and works on the view from another property as result of the design, siting, height, size and bulk (including the roof).	The portion of the proposed building that is greater than 7.5 metres above natural ground level is not expected to have a detrimental impact on the views from other properties nearby.
Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.	The replacement Dwelling and associated works are positioned in a similar location to the existing Dwelling. The site has minimal fall.
The opportunity for a reasonable sharing of views having regard to the extent of the available view(s) and the significance of the view(s) from the Properties affected.	As per above, there is expected to be limited impact on available views.



6.3. Particular Provisions

The following Particular Provisions under the Greater Geelong Planning Scheme are specifically relevant to consideration and assessment of the proposal:

Clause 52.37 CANOPY TREES

Purpose

To protect and enhance canopy tree cover to support greener and cooler residential areas.

To maximise the retention of existing canopy tree cover where no development is proposed.

To ensure that development is designed to maximise the retention and long-term health of existing and new canopy trees and contributes to increasing canopy tree cover.

To balance the retention of existing canopy trees and residential development to meet the housing needs of Victoria's growing population.

To encourage canopy tree cover that is site and climate responsive and supports the local environment.

Clause 52.37-1 Meaning of terms

In clause 52.37:

canopy tree means a tree that has:

- a height of more than 5 metres above ground level; and
- a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and
- a canopy diameter of at least 4 metres;

boundary canopy tree means a canopy tree if any part of its trunk is within:

- 6 metres of the narrowest street frontage of a lot; or
- 4.5 metres of the rear boundary of a lot;

new canopy tree means a canopy tree proposed to be planted. It must be a species and type that will, at maturity, have:

- an expected height of at least 6 metres above ground level; and
- an expected canopy diameter of at least 4 metres.

Clause 52.37-2 Permit requirement

A permit is required to remove, destroy or lop a canopy tree in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and Housing Choice and Transport Zone.

This does not apply:

- *If the table of exemptions in clause 52.37-8 specifically states that a permit is not required.*



- *To the removal, destruction or lopping of a canopy tree (other than a boundary canopy tree) identified for assessment in an application to which clause 54, 55, 57 or 58 applies and the tree is not removed, destroyed or lopped until the permit is issued.*
- *To the removal, destruction or lopping of a canopy tree (other than a boundary canopy tree) if the site is developed with an existing dwelling.*

Assessment:

The Tree Health and Condition Report (Leafline Consulting) has identified one (1) 'boundary canopy tree' within the front 6m setback. No other boundary canopy trees that would require a Permit for removal have been identified within the front or rear setbacks. As the single boundary canopy tree is proposed for retention, no Planning Permit is required under the provisions of Clause 52.37-2 (Canopy Trees).

Refer **Appendices** for Tree Health and Condition Report (Leafline Consulting).



7. Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

7.1. Clause 65.01 Approval of An Application of Plan

Decision Guidelines	Response
The matters set out in section 60 of the Act.	All relevant matters set out in Section 60 of the Act have been appropriately addressed.
Any significant effects the environment, including the contamination of land, may have on the use or development.	No significant effects are known or anticipated.
The Municipal Planning Strategy and the Planning Policy Framework.	The proposal is consistent with the Municipal Planning Strategy and Planning Policy Framework as set out in this Planning Report.
The purpose of the zone, overlay or other provision.	The proposal is consistent with the purpose of the Design and Development Overlay (DDO) under the Greater Geelong Planning Scheme.
Any matter required to be considered in the zone, overlay or other provision.	All relevant matters have been considered.
The orderly planning of the area.	The proposal is compatible with the pattern of development nearby and interface with adjoining properties.
The effect on the environment, human health and amenity of the area.	The proposal will have minimal effect on the environment, human health and amenity of the area.
The proximity of the land to any public land.	The subject site is located: <150 metres from Peter Lowe Reserve (80-102 Minerva Road, Manifold Heights).
Factors likely to cause or contribute to land degradation, salinity or reduce water quality	No issues that are likely to cause or contribute to land degradation, salinity or reduce water quality are known.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Stormwater runoff will be directed to a Legal Point of Discharge (LPOD) consistent with the requirements of the Drainage Authority.



	Quality of runoff will not be affected.
The extent and character of native vegetation and the likelihood of its destruction.	Not Applicable. No specific protection of native vegetation.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Not Applicable. No specific protection of native vegetation.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The subject site is <u>not</u> located in a recognised flood, erosion or fire hazard area.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Not Applicable.



8. Conclusion

As this report demonstrates, the proposal constitutes an appropriate response to the physical context of the subject site and surrounds, supports and implements the applicable strategic directions of the Planning Policy Framework and meets the objectives and requirements of the key statutory controls.

A Permit is required under the following provisions of the Greater Geelong Planning Scheme:

- Clause 43.02-2 (**Design and Development Overlay**) to construct a building or construct or carry out works.

The proposed buildings and works are not expected to have a detrimental impact upon views available from nearby properties towards significant landscape features.

The limited portions of the development exceeding 7.5 metres do not create any additional visual bulk or amenity impacts for the dwellings to the rear beyond those that may arise from a Permit not required Dwelling.

For this reason, we submit that the Responsible Authority would be justified in reaching a conclusion that the proposal is worthy of support and approval.



Appendices

- **Certificate of Title**
- **Tree Health and Condition Report (Leafline Consulting)**
- **Development Plans (Blasco Stuart)**