

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C328**

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**RESOLUTION TO REFER SUBMISSIONS TO A PANEL APPOINTED BY THE MINISTER FOR PLANNING**

UNDER DELEGATION FROM COUNCIL I HEREBY RESOLVE TO:

- 1) Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987 to consider submissions relating to 38-42 Mainsail Drive, St Leonards, to be known as Amendment C328 (Part 2), and Planning Permit 762/2015;
- 2) Refer all submissions relating to 38-42 Mainsail Drive, St Leonards, and Planning Permit 762/2015 to the Panel;
- 3) Submit to the Panel its response to the submissions generally as outlined in this report;
- 4) Revise planning permit conditions prior to the Panel Hearing; and
- 5) Note that a separate report will be submitted to Council for adoption of the balance of Amendment C328, to be known as Amendment C328 (Part 1).

SIGNED: .....

*Peter Smith*

DATE: .....

*29<sup>th</sup> June 2016*

**PETER SMITH  
COORDINATOR STRATEGIC IMPLEMENTATION**

**GREATER GEELONG PLANNING SCHEME**  
**DELEGATED AUTHORITY REPORT**  
**AMENDMENT C328 (PART 2) & PLANNING PERMIT 762/2015**  
**38-42 MAINSAIL DRIVE, ST LEONARDS**

**To:** Peter Smith – Coordinator Strategic Implementation  
**From:** Stuart Thiele – Strategic Planner  
**Subject:** Consideration of submissions  
**File number:** C328  
**Date of Report:** 29 June 2016

### **Purpose**

The purpose of this report is to consider submissions on the component of Amendment C328 and Planning Permit 762/2015, relating to the rezoning and subdivision of Barwon Water land at 38-42 Mainsail Drive, St Leonards.

### **Summary**

- Amendment C328 seeks to rezone four sites in Staughton Vale, Anakie, Lovely Banks and St Leonards to facilitate their disposal by Barwon Water.
- The Amendment is combined with draft Planning Permits for subdivision pursuant to Section 96A of the Act. These relate to 600 and 602 Anakie Road, Lovely Banks and 38-42 Mainsail Drive, St Leonards
- The proposed rezonings are to the underlying zoning of the land in each case (Farming Zone in Staughton Vale and Anakie; Rural Living Zone in Lovely Banks and General Residential Zone 2 in St Leonards).
- Amendment C328 was placed on public exhibition between 10 March and 11 April 2016. A total of 8 submissions were received. The 5 objecting submissions all relate to 38-42 Mainsail Drive, St Leonards.
- Objecting submissions to the St Leonards proposal raised concerns such as tree removal, visual impact, loss of public open space, lack of restrictive covenants, security of the water tank and the bus stop location.
- A meeting was held between submitters, the proponent and Council officers on 17 May 2016 to address concerns raised in submissions. No objections were withdrawn or amended as a result of this meeting.
- Council officers have considered the submissions and do not recommend any modifications to the exhibited Amendment. However, revised permit conditions will address tree retention/planting and the bus stop location.
- Barwon Water has requested Amendment C328 be split into two parts, with the sites at Staughton Vale, Anakie and Lovely Banks to be adopted and St Leonards to be referred to an independent Planning Panel.
- This request is supported. A separate report on the Staughton Vale, Anakie and Lovely Banks will be submitted to Council recommending adoption (known as Amendment C328 (Part 1)).
- This report recommends that the submissions to C328 (Part 2) be referred to an independent Panel appointed by the Minister for Planning.

## **Recommendation**

**That Council's delegate resolves to:**

- 1) Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987 to consider submissions relating to 38-42 Mainsail Drive, St Leonards, to be known as Amendment C328 (Part 2), and Planning Permit 762/2015;**
- 2) Refer all submissions relating to 38-42 Mainsail Drive, St Leonards, and Planning Permit 762/2015 to the Panel;**
- 3) Submit to the Panel its response to the submissions generally as outlined in this report;**
- 4) Revise planning permit conditions prior to the Panel Hearing; and**
- 5) Note that a separate report will be submitted to Council for adoption of the balance of Amendment C328, to be known as Amendment C328 (Part 1).**

## ***Background***

In July 2015 Council received a planning scheme amendment request for four sites from SMEC Urban and St Quentin Consulting Pty Ltd, acting on behalf of Barwon Water. These are:

- 45 Staughton Vale Road, Staughton Vale
- 2395 Ballan Road, Anakie
- 600 Anakie Road, Lovely Banks
- 38-42 Mainsail Drive, St Leonards

Planning permits for subdivision were also lodged for 600 and 602 Anakie Road, Lovely Banks and 38-42 Mainsail Drive, St Leonards.

Amendment C328 was prepared and seeks to rezone the four sites in Staughton Vale, Anakie, Lovely Banks and St Leonards to facilitate their disposal. This is part of a wider program of property realisation Barwon Water is carrying out for its surplus land.

Pursuant to Section 96A of the Act, draft Planning Permits for subdivision were exhibited concurrently with the Amendment. These relate to 600 and 602 Anakie Road, Lovely Banks (to create one rural living lot already used for rural residential purposes and a Barwon Water reserve) and 38-42 Mainsail Drive, St Leonards (to create two residential lots, a Barwon Water reserve and a reserve for public open space).

The proposed rezonings are to the logical underlying zoning of the land in each case (Farming Zone in Staughton Vale and Anakie; Rural Living Zone in Lovely Banks and General Residential Zone Schedule 2 in St Leonards). Application of appropriate overlays is proposed.

On 11 January 2016, Council's delegate resolved to support the preparation and exhibition of Amendment C328 and the associated planning permits.

The Minister's authorisation was requested on the 19 January 2016 and no response was received. In accordance with section 8A (7) of the Act, Council may prepare the Amendment specified in this application without authorisation

10 business days after the Minister receives the application, if the Minister has not notified Council of his or her decision within that period.

Amendment C328 was placed on public exhibition between 10 March and 11 April 2016. Notices were placed in local newspapers and the Government Gazette and letters sent to adjoining landowners, government authorities and service authorities.

As a result of public exhibition, a total of 8 submissions were received. 5 submissions object to the Amendment, while 3 submissions only make comment on the Amendment.

The 5 objecting submissions all relate to the proposed rezoning and subdivision of 38-42 Mainsail Drive, St Leonards. A meeting was held between the St Leonards submitters, the proponent and the City on 17 May 2016 to explore potential ways of addressing concerns raised in submissions.

No objections were withdrawn or amended by submitters as a result of this meeting.

### ***Discussion***

At the request of Barwon Water, Council officers have agreed to split Amendment C328 into two parts:

C328 Part 1 – includes the proposals for the Staughton Vale, Anakie and Lovely Banks

C328 Part 2 - the proposed rezoning and subdivision of the St Leonards site.

The focus of this report is on the St Leonards site which is a Barwon Water tank site located in a residential area as shown in the aerial photograph in **Appendix 1**. The existing zoning and proposed zoning is shown in the maps in **Appendices 2** and **3**. The Design and Development Overlay (DDO14) will be applied to the land being rezoned to GRZ1 as per the surrounding residential area (see **Appendix 4**).

Objecting submissions in relation to the St Leonards site (C328 Part 2) raised the following issues:

1. Removal of trees;
2. Visual impact of development;
3. The view that the proposed residential lots should instead become public open space;
4. Concern that restrictive covenants applying elsewhere in the surrounding area would not apply to the proposed residential lots;
5. Security of the water tank; and
6. Proximity of the proposed relocated bus stop to an intersection.

A detailed summary of submissions and Council officers response is in **Appendix 5**.

Council officers have considered the submissions and do not recommend any modifications to the exhibited Amendment. It is recommended that the submissions to C328 (Part 2) be referred to an independent Panel appointed by the Minister for Planning. A separate report on the Staughton Vale, Anakie and

Lovely Banks (Amendment C328 Part 1) will be submitted to Council recommending adoption.

In response to concerns raised in submissions, Council's Parks Unit will now accept four of the six trees on the proposed Council Reserve and intends to plant new trees in the adjacent existing Reserve. A change to the Planning Permit conditions is recommended to reflect this. An additional condition is also recommended to ensure adequate separation between the relocated bus stop and an intersection.

A revised planning permit (762/205) will be prepared prior to the Panel Hearing to reflect these changes.

***Environmental Implications***

No adverse environmental consequences have been identified with respect to these proposals.

***Financial Implications***

It is not anticipated that these proposals will result in any financial implications for Council.

***Policy/Legal/Statutory Implications***

The amendment is consistent with State Planning Policy in:

- Clause 11.02-1 (Settlement – Supply of urban land), which indicates that planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.
- Clause 11.14-1 (Localised planning statements), by applying Design and Development Overlay Schedule 14, consistent with the Bellarine Peninsula Localised Planning Statement's recommendation to encourage development which respects the setting of coastal settlements by providing reasonable sharing of views of the coast.
- Clause 16.01-1 (Residential development – Integrated housing), by providing additional housing within the existing St Leonards urban area on under-utilised urban land.

The amendment is consistent with the Local Planning Policy Framework in:

- Clause 21.06-3 (Urban consolidation), by providing land in St Leonards for incremental change within General Residential Zone Schedule 2.
- Clause 21.14-2 (The Bellarine Peninsula - Objectives) and 21.14-4 (St Leonards Structure Plan map), by providing additional residential land in St Leonards for infill development, consistent with the St Leonards Structure Plan and applying Design and Development Overlay Schedule 14 to encourage development which respects the coastal landscape setting by providing reasonable sharing of views of the coast and foreshore.

### ***Alignment to City Plan***

The Amendment is consistent with City Plan's Growing our Economy priority as it provides for additional development, albeit minimal, to capitalise on existing services and infrastructure.

### ***Officer Direct or Indirect Interest***

No Council Officers have any direct or indirect interest, in accordance with Section 80 (c) of the Local Government Act to which this amendment relates.

### ***Risk Assessment***

There are minimal risks associated with implementing the recommendation contained in this report. Council's Parks Unit has inspected the trees on the proposed Council Reserve and is prepared to accept four of these, subject to appropriate pruning and remedial works and an ongoing inspection and management program.

### ***Social Considerations***

The change in land use to residential does not raise any broader social considerations, however the residents living directly opposite the Mainsail Drive, St Leonards site do have concerns as demonstrated by the submissions received. The meeting with submitters on 17 May provided a good opportunity for concerns to be raised and for the community to better understand the process.

### ***Human Rights Charter***

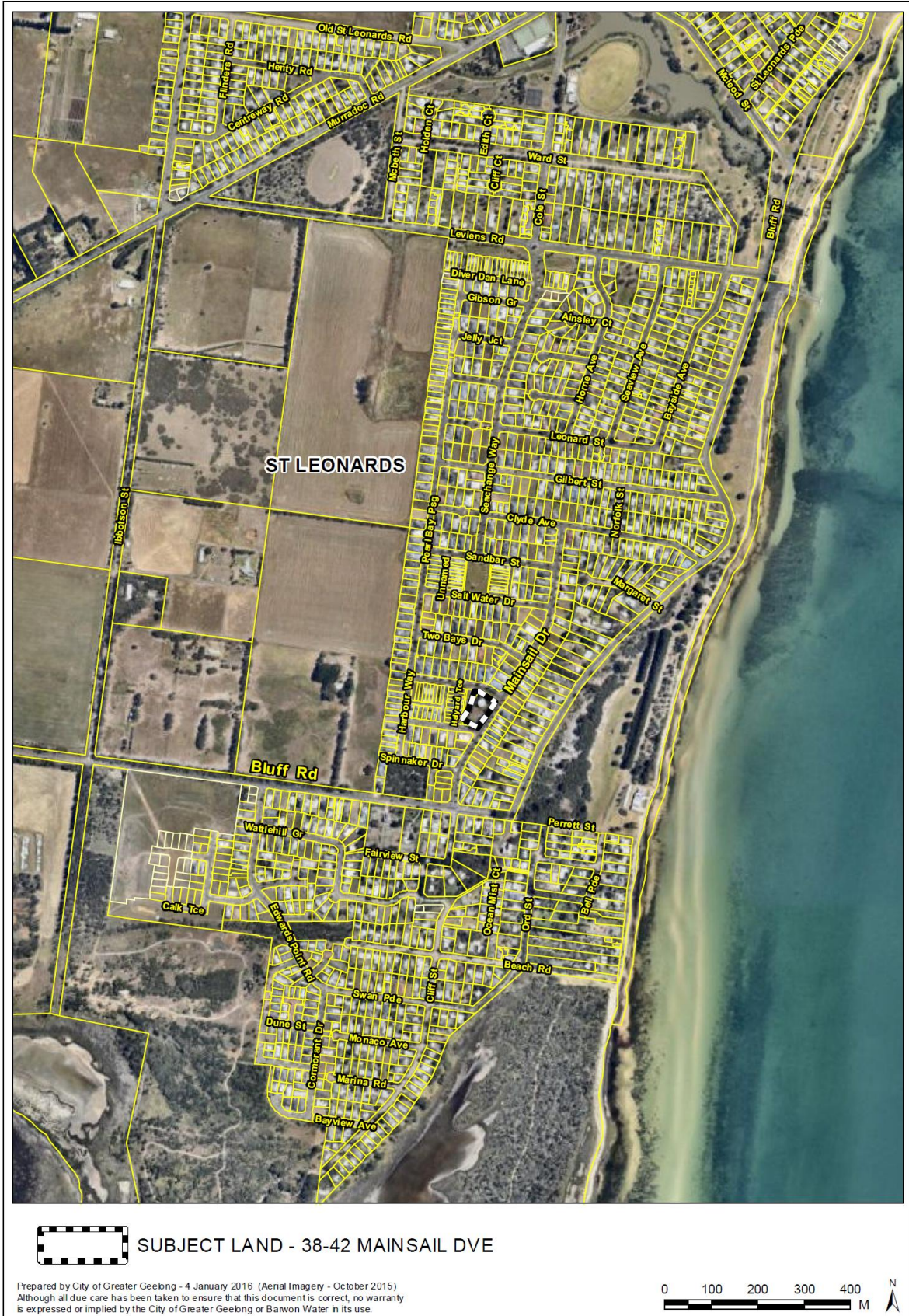
The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs, enabling people to freely express their views and if necessary obtain a fair hearing before an Independent Panel.

### ***Consultation and Communication***

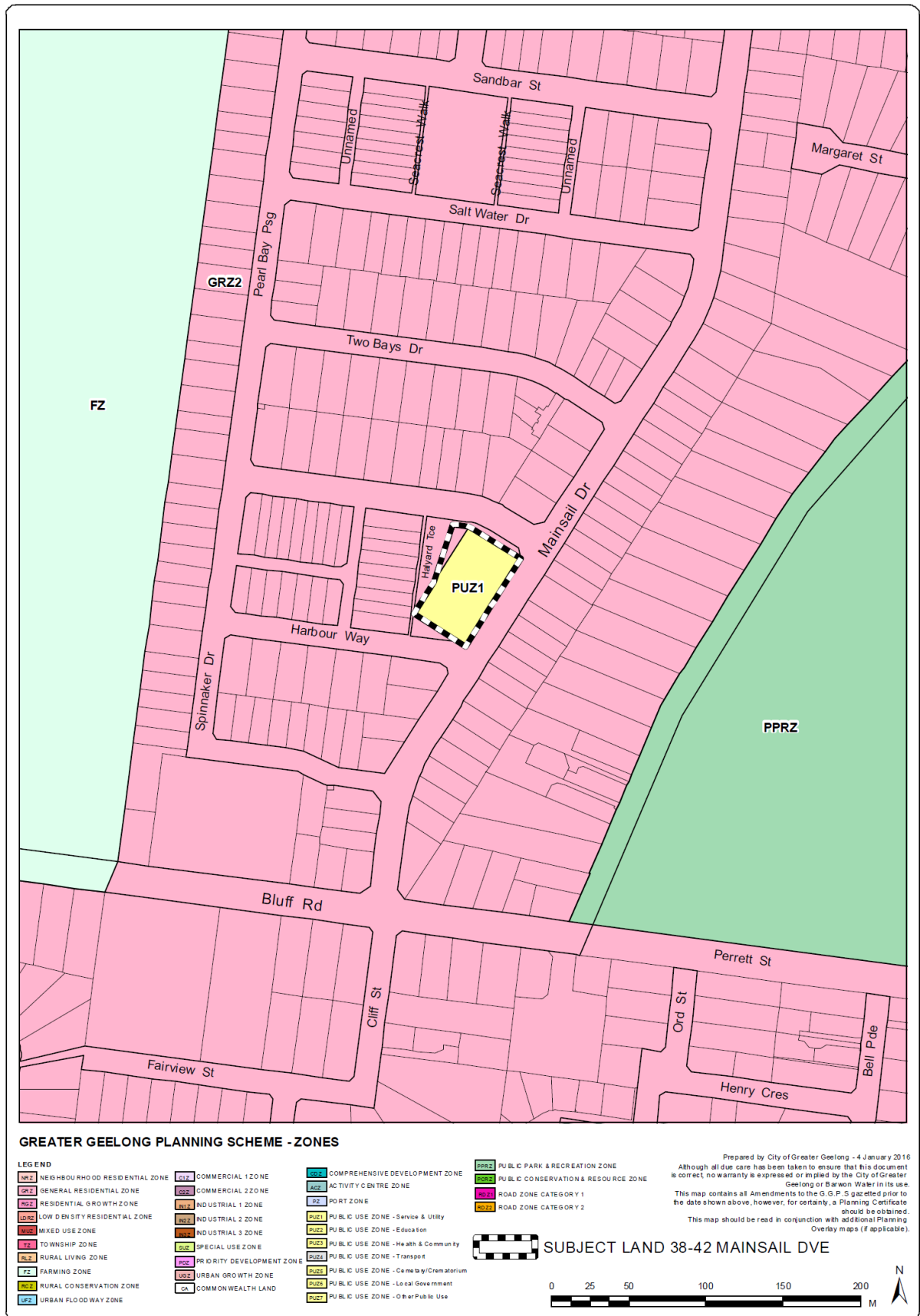
The Amendment has been exhibited in accordance with the provisions of the Planning and Environment Act 1987 to provide for full public comment.

The proposed independent Panel hearing is a good opportunity for submitters to raise issues. When a Panel is appointed all submitters will receive letters from Planning Panels Victoria advising of dates for the Directions Hearing and Panel Hearing.

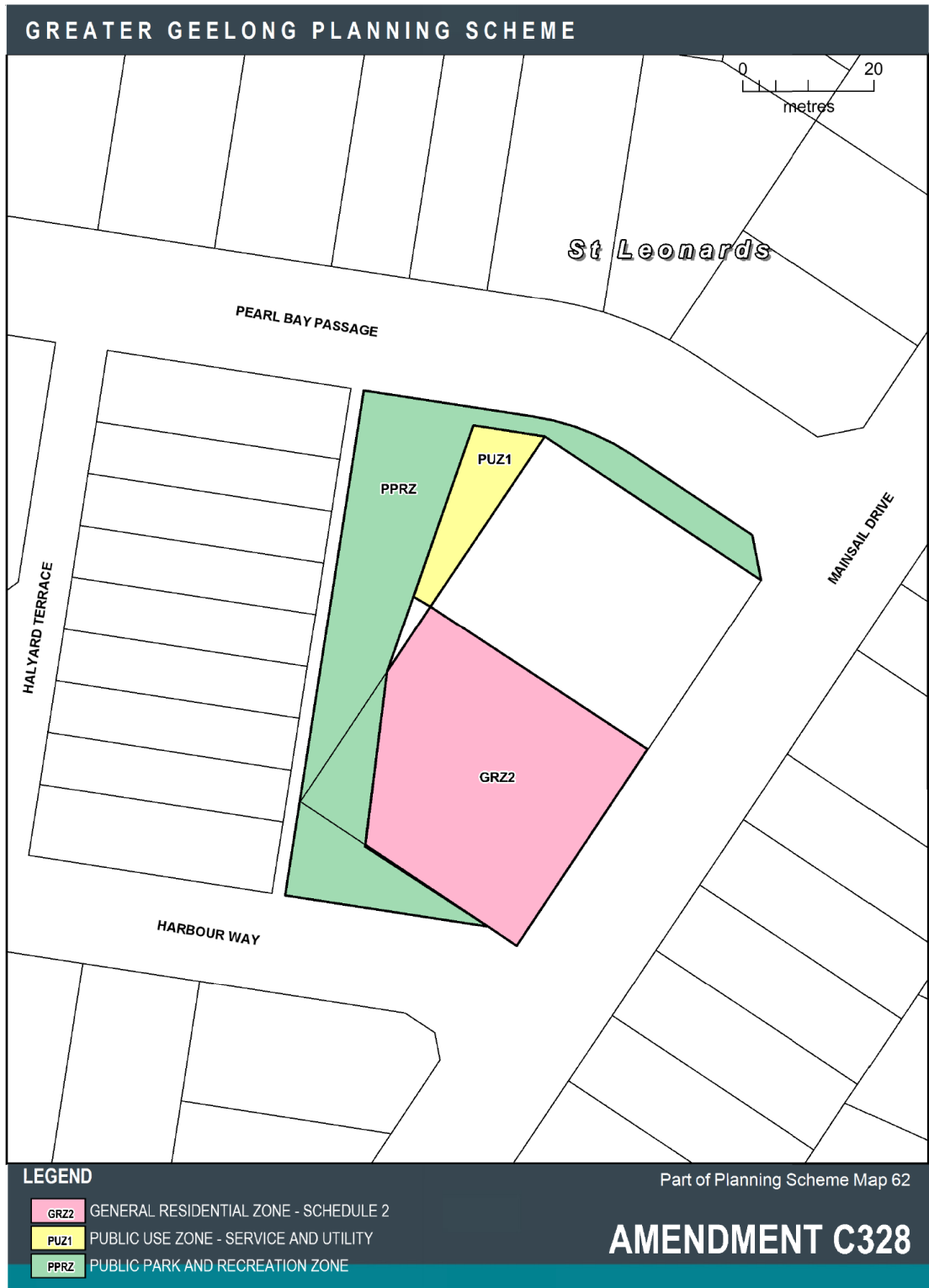
### Appendix 1 – St Leonards Site Location Map



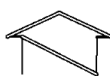
Appendix 2 – St Leonards Existing Zoning



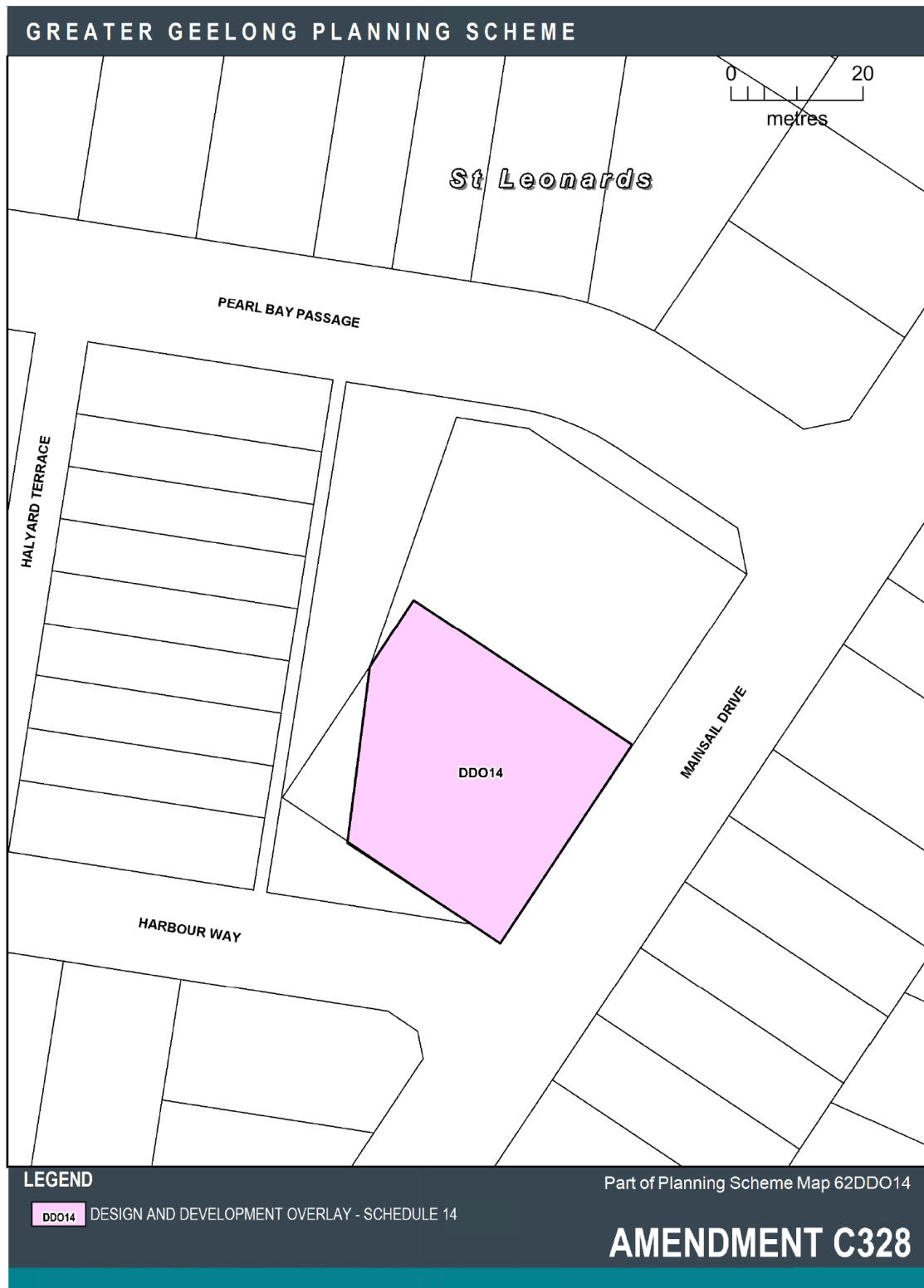
**Appendix 3 – St Leonards Proposed Zoning (Exhibited)**



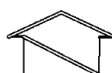
| Planning Mapping Services |  
 | Planning Information Services |  
 | Planning |



**Appendix 4 – St Leonards Proposed Overlay DDO14 (Exhibited)**



| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



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## Appendix 5 – Detailed Summary of Submissions and Officer Response

No	Name	Address	Type	Summary of Submission	Officer Response
1	Anakie & District Community Group Inc.	Ballan Road, ANAKIE	Comment	<p>Land on 45 Staughton Vale Road, Staughton Vale, attached to Anakie Hall, has been used by the hall management committee since agreement of a lease agreement with the Shire of Corio and Geelong Water Works and Sewerage Trust to provide car parking for hall users [attached plan shows an 87.8 m x 11.3 m area of 45 Staughton Vale Road, abutting 55 Staughton Vale Road, site of Anakie Hall].</p> <p>At the time of commencement of the lease, the hall committee fenced this area, removing old fencing, dead trees and stumps and consolidated the ground with scoria and gravel.</p> <p>In 1983 the Shire of Corio placed a large gas tank on this area, enclosed it with chain mesh fencing and installed a water pipe. Later, the City of Greater Geelong placed a bitumen surface to the car park and old tree line.</p> <p>The building and land is leased from the City of Greater Geelong by a committee of management of Anakie Hall, under management of Anakie &amp; District Community Group Inc.</p> <p>The car park area under question is vital as without it there is limited car parking availability on-site for the Anakie Hall. Roadside parking is too dangerous due to narrow verges. We desperately need to be able to continue using this car park for users of Anakie Hall.</p>	<p>Discussion with the submitter has confirmed that this submission constitutes comment only and not an objection to the Amendment.</p> <p>A lease agreement existed between the former Shire of Corio and the then Geelong Waterworks and Sewerage Trust regarding the use of a portion of 45 Staughton Vale Road and this lease may still be valid. It is clear that the ongoing use of that land for car parking and a gas tank is required to enable ongoing practical use of the Anakie Hall.</p> <p>The City is investigating the potential purchase of the portion of 45 Staughton Vale Road containing the car parking area and gas tank. The City is in discussion with Barwon Water regarding the potential leasing or purchase of the land.</p> <p>The rezoning of 45 Staughton Vale Road from Public Use Zone to Farming Zone will not preclude a boundary rationalisation with the Anakie Hall site (55 Staughton Vale Road), as that land is within the Farming Zone.</p> <p>Council should advise Barwon Water that it is taking steps to lease or purchase the portion of 45 Staughton Vale Road, Staughton Vale immediately adjacent to the Anakie Hall and</p>

No	Name	Address	Type	Summary of Submission	Officer Response
					containing car parking and a gas storage tank, and request that Barwon Water does not dispose of 45 Staughton Vale Road until Council's actions to secure long term lease or ownership of that portion of land are complete.
2	AusNet Services	Southbank Boulevard, SOUTHBANK	Comment	None of the addresses subject to the Amendment are in the vicinity of high voltage electricity assets. No submission is required from AusNet Transmission Group.	Noted.
3	Barwon Water	PO Box 659, GEELONG	Support	Barwon Water responded to this Amendment and Planning Permit application in September 2015. Barwon Water's comments are unchanged.  Support this Amendment proceeding.	All permit conditions requested by Barwon Water in its correspondence of 17 September 2015 have been incorporated in the exhibited draft Planning Permits 762/2015 and 959/2015.  Noted.
4	Coffey, Josephine	Mainsail Drive, ST LEONARDS	Objection	Dismayed that proposed Council Reserve/parkland is a small rear corner totalling 138 m <sup>2</sup> .	Open space was considered adequate when subdivision of the area was approved by the City (a planning permit for the subdivision to create Stage 7 of the Seachange Estate, including the land subject of this Amendment, was approved in June 2003). The adjacent Reserve No. 1, 124 Pearl Bay Passage, was approved as the Open Space for the subdivision. A condition of this permit also required removal of a fence around a portion of the Barwon Water land to allow its use as Public Open Space. In March 2004, removal of the fence around a parcel of land was agreed between the City and Barwon Water, with the City to maintain this area of land. It is this 138 m <sup>2</sup> parcel of land that is to be ceded to Council under Planning Permit 762/2015 and to be rezoned to

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>There is no parkland available within walking distance on flat land for ageing residents in the area. Please consider providing residents with an accessible area of parkland. Request that at least proposed Lot 2 be retained by Council as parkland for residents' use.</p> <p>Note that the land is to be zoned for two residential lots for private sale and that the trees can be removed. Strongly object to the removal of said trees. They may</p>	<p>Public Park and Recreation Zone under this Amendment. The proposed subdivision does not incur a Public Open Space contribution under Clause 52.01 of the Greater Geelong Planning Scheme as only one additional lot is proposed. Even if the existing Barwon Water lot were discounted and the subdivision assessed as creating two additional lots, the proposed 138 m<sup>2</sup> Reserve to be ceded to Council exceeds the Public Open Space contribution that would be required.</p> <p>See officer response to the above point. In addition to Reserve No. 1, 124 Pearl Bay Passage, a 3633 m<sup>2</sup> Open Space reserve is located approximately 400 m away in Salt Water Drive. Council's Recreation and Open Space unit does not support the suggestion that a portion of 38-42 Mainsail Drive be purchased for use as public open space. While this location has access to the abovementioned local park, Council's Recreation and Open Space unit notes that there is an undersupply of passive open space in St Leonards as a whole, but advises that when considered against other areas of the municipality, the shortfall of public open space in St Leonards is less significant and therefore acquisition of land for that purpose is a lower priority.</p> <p>Trees within the proposed residential lots and the proposed Barwon Water reserve are not afforded protection under the Planning Scheme as they</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>not be endangered, but add significantly to our lifestyle. The trees attract many birds, especially in the morning and evening. A visually pleasing area that adds to the lifestyle (chosen because of these attributes) is surely something to preserve.</p>	<p>were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7). Barwon Water and the future owners of the proposed residential lots can choose to retain or remove the trees. Barwon Water has advised it does not intend to remove any trees from the proposed Barwon Water reserve.</p> <p>With respect to trees in the proposed 138 m<sup>2</sup> Reserve to be ceded to Council, Council's Parks unit has considered concerns raised in submissions and will accept the four trees nearest the pathway so that these can be retained. This is subject to: some remedial work being carried out, particularly on one tree, to address tree hazard; ongoing management as part of the City's tree inspection program; and the use of boring rather than an open-trench mechanism for sewer installation for the proposed residential lots, as open-trench excavation would potentially render the trees structurally unsound or have a detrimental effect on their health [Barwon Water has agreed to this]. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>In addition, the City will plant four additional</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				Residents in this area have chosen to live here to escape built-up overdeveloped suburbia.	<p>trees (yellow bloodwoods) later this year in the adjacent Reserve No. 1, 124 Pearl Bay Passage. Two other banksias will also be planted to continue the current line of banksias southwards, at some point after the subdivisional works are carried out.</p> <p>The Amendment proposes the same zoning over the surplus portion of Barwon Water's land at 38-42 Mainsail Drive as applies to the surrounding residential area.</p>
5	Cole, Vicki	Harbour Way, ST LEONARDS	Objection	Object to the proposal on the basis of the removal of the trees. Am a full time resident living directly opposite the site and can see the trees outside my windows. It is lovely to see the tree canopy, not house roofs. These trees bring a variety of birds to the area. Understand the trees need care, but think it is worth the effort to maintain the appeal they bring to the area.	<p>Trees within the proposed residential lots and the proposed Barwon Water reserve are not afforded protection under the Planning Scheme as they were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7). Barwon Water and the future owners of the proposed residential lots can choose to retain or remove the trees. Barwon Water has advised it does not intend to remove any trees from the proposed Barwon Water reserve.</p> <p>With respect to trees in the proposed 138 m<sup>2</sup> Reserve to be ceded to Council, Council's Parks unit has considered concerns raised in submissions and will accept the four trees nearest the pathway so that these can be retained. This is subject to: some remedial work being carried out, particularly on one tree, to address tree hazard; ongoing management as part of the City's</p>

No	Name	Address	Type	Summary of Submission	Officer Response
					<p>tree inspection program; and the use of boring rather than an open-trench mechanism for sewer installation for the proposed residential lots, as open-trench excavation would potentially render the trees structurally unsound or have a detrimental effect on their health [Barwon Water has agreed to this]. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>In addition, the City will plant four additional trees (yellow bloodwoods) later this year in the adjacent Reserve No. 1, 124 Pearl Bay Passage. Two other banksias will also be planted to continue the current line of banksias southwards, at some point after the subdivisional works are carried out.</p>
6	Ginn, Julian	Halyard Terrace, ST LEONARDS	Objection	<p>Object to the proposed Amendment and Planning Permit for subdivision.</p> <p>Submitter lives on Halyard Terrace, some of the highest density living in the Seachange Estate. Submitter purchased land satisfied that although home would be close to neighbours on each side, the small reserve and water tank at the front of the property would give some reprieve from equivalent urban density with this buffer to Mainsail Drive. Adding two properties in front of submitter's home would increase this density and</p>	<p>Noted.</p> <p>Lot 1 is zoned Public Use Zone 1. The purpose of public land use for this zone is Service &amp; Utility. The southern portion of the land had been intended to be used for a second water tank; it was not intended to have an ongoing function of providing vacant space between residences on Halyard Terrace and residences east of Mainsail Drive. Visual impact of residences on the subject</p>

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				<p>adversely affect property values by suffocating the space submitter believed would be protected from development when purchasing land.</p> <p>The current reserve dimensions are already significantly smaller than other reserves in the estate and this progression is not in keeping with the neighbourhood submitter invested their life in. This area of vegetation offers a small green corridor to submitter's front door which would be replaced with a rear fence, creating an alley to access submitter's house. This cannot be considered an improvement to the street or our quality of life.</p>	<p>land may arguably be less than that of a second water tank.</p> <p>Open space was considered adequate when subdivision of the area was approved by the City (a planning permit for the subdivision to create Stage 7 of the Seachange Estate, including the land subject of this Amendment, was approved in June 2003). The adjacent Reserve No. 1, 124 Pearl Bay Passage, was approved as the Open Space for the subdivision. A condition of this permit also required removal of a fence around a portion of the Barwon Water land to allow its use as Public Open Space. In March 2004, removal of the fence around a parcel of land was agreed between the City and Barwon Water, with the City to maintain this area of land. It is this 138 m<sup>2</sup> parcel of land that is to be ceded to Council under Planning Permit 762/2015 and to be rezoned to Public Park and Recreation Zone under this Amendment. The proposed subdivision does not incur a Public Open Space contribution under Clause 52.01 of the Greater Geelong Planning Scheme as only one additional lot is proposed. Even if the existing Barwon Water lot were discounted and the subdivision assessed as creating two additional lots, the proposed 138 m<sup>2</sup> Reserve to be ceded to Council exceeds the Public Open Space contribution that would be required.</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Proposed subdivision would involve the loss of some of the most established trees in the Seachange Estate.</p>	<p>With respect to trees in the proposed 138 m<sup>2</sup> Reserve to be ceded to Council, Council's Parks unit has considered concerns raised in submissions and will accept the four trees nearest the pathway so that these can be retained. This is subject to: some remedial work being carried out, particularly on one tree, to address tree hazard; ongoing management as part of the City's tree inspection program; and the use of boring rather than an open-trench mechanism for sewer installation for the proposed residential lots, as open-trench excavation would potentially render the trees structurally unsound or have a detrimental effect on their health [Barwon Water has agreed to this]. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>In addition, the City will plant four additional trees (yellow bloodwoods) later this year in the adjacent Reserve No. 1, 124 Pearl Bay Passage. Two other banksias will also be planted to continue the current line of banksias southwards, at some point after the subdivisional works are carried out.</p> <p>Trees within the proposed residential lots and the proposed remaining Barwon Water Reserve are</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>There has been no mention on the impact this would have on native bird life and animal habitats in the area.</p> <p>Submitter bought property on Halyard Terrace and designed home to enjoy the reserve and the extended space Barwon Water propose to rezone. Do not want to look out bedroom window and see rear fences and potentially two-storey homes that can look directly into my home.</p>	<p>not afforded protection under the Planning Scheme as they were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7). Barwon Water and the future owners of the proposed residential lots can choose to retain or remove the trees. With respect to trees in the proposed 138 m<sup>2</sup> Reserve to be ceded to Council, see the response to above point.</p> <p>With respect to fauna habitat, the Flora and Fauna Assessment by Okologie, submitted with the application, found that:</p> <ul style="list-style-type: none"> <li>i) no listed threatened fauna species were recorded within the site during the assessment;</li> <li>ii) areas of planted vegetation are of low to moderate value for fauna; and</li> <li>iii) no listed threatened fauna species are considered likely to occur due to the absence of suitable habitat.</li> </ul> <p>The southern portion of Lot 1 had been intended to be used for a second water tank; it was not intended to have an ongoing function of providing vacant space between residences on Halyard Terrace and residences east of Mainsail Drive. A condition of the exhibited draft Planning Permit requires the rear fence to be of a semi permeable form, which will reduce its visual impact. ResCode requirements regarding</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Amendment suggests the rezoning would be consistent with surrounding land. The direct surrounding land is currently a reserve. Rezoning with residential lots is not consistent with this statement at all.</p> <p>This land should be purchased by Council and the reserve expanded.</p>	<p>overlooking (Clause 54.04-6) only apply to secluded private open space and habitable room windows of existing dwellings within 9 m horizontal distance of a proposed window, balcony, terrace, deck or patio; the width of the existing public open space reserve and walkway is such that no part of the proposed residential lots will be within 9 m of existing residential lots.</p> <p>The Explanatory Report indicates that “The Amendment proposes to rezone surplus Barwon Water land at four sites across the municipality from Public Use to the underlying zone, and apply relevant overlays to that land, consistent with surrounding land”. The great majority of surrounding land comprises residential lots. All surrounding land, including the existing Open Space Reserve (Reserve No. 1, 124 Pearl Bay Passage) is currently zoned General Residential Zone – Schedule 2. Public Park and Recreation Zoning would only be appropriate for land owned, being ceded to or purchased by Council for open space, and hence is not appropriate other than for the this 138 m<sup>2</sup> parcel of land that is to be ceded to Council under Planning Permit 762/201. General Residential Zone – Schedule 2 is the clear logical underlying zone.</p> <p>Open space was considered adequate when subdivision of the area was approved by the City (a planning permit for the subdivision to create</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>There is no need to add surplus vacant land to an area which already has many properties for sale, resulting in further saturation and decreasing surrounding property values.</p>	<p>Stage 7 of the Seachange Estate, including the land subject of this Amendment, was approved in June 2003).</p> <p>Council's Recreation and Open Space unit has advised it does not support the purchase of the land by the Council as public open space, noting the location of parks in the surrounding area and noting that any undersupply of public open space in St Leonards is less significant than other areas of the municipality and hence acquisition of land in St Leonards for that purpose is a lower priority.</p> <p>The creation of two residential lots would not impact substantially on land supply. By comparison, the 2015 St Leonards Structure Plan supported the rezoning and release of around 100 ha of land in two growth areas in St Leonards. Amendments C317 and C325, rezoning these growth areas, have been exhibited and have been supported by an independent planning panel.</p>
7	Hood, Graeme and Angelika	Mainsail Drive, ST LEONARDS	Objection	<p>Submitters live directly opposite the water tank and object to the amendment for the following reasons.</p> <p>The tank reserve land is currently zoned PUZ1 and should remain in public ownership. The Seachange Estate was originally planned with a fixed percentage of open space and public area. Changes to the ratio of public to private land and hence any reduction in public land would be detrimental to the residents of the estate, and make a mockery of the original estate</p>	<p>Noted.</p> <p>The Barwon Water tank site is not a reserve, it is a freehold lot (Lot 1) owned by Barwon Water. Lot 1, created in 1963, was not part of Seachange Estate - it preceded the subdivision of surrounding land into Seachange Estate by four decades. Even if Lot 1 had been created as part of Seachange Estate, there is no requirement for</p>

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				<p>planning process if changes are allowed after a permit has been issued.</p> <p>The tank reserve has a function and should not be sold. The tank has a reserve attached to it and while the tank remains standing, even as a backup, the reserve has a function as a buffer between the tank and residential homes. In the event of a sudden discharge of water (estimated approximately 2.2 megalitres) from the tank, the reserve would minimise flooding to neighbours such as the submitters.</p> <p>The proposed residential lots, in particular the one next to the tank, would be flooded in the event of a ruptured tank. The security of this tank was breached earlier this year, showing that external damage is possible. In addition, the tank has not been properly serviced for over 30 years. The state of the tank is currently unknown. There is no water in it and Barwon Water are waiting an assessment.</p>	<p>a specific fixed ratio of public to private land in residential subdivisions. Public open space was considered adequate when subdivision of the area was approved by the City. This Amendment and Planning Permit for subdivision does not decrease the amount of public open space; on the contrary it secures as public open space a 138 m<sup>2</sup> parcel of land that is currently used and maintained as such by requiring it to be ceded to Council and rezoning to Public Park and Recreation Zone.</p> <p>The southern portion of Lot 1 had been intended to be used for a second water tank; it was not intended to have a buffer function. Barwon Water has advised that if a welded steel tank was to fail it would be highly unlikely to be a catastrophic failure, and more likely to be a slow leak.</p> <p>Barwon Water has advised that the tank is monitored and maintained in accordance with Barwon Water's normal asset management procedures. Chlorine residuals are regularly monitored on site and remote telemetry is used to monitor and control water storage levels. The tank is sound and kept full to provide for system redundancy and back-up supply at peak water demand periods.</p>

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				<p>The Seachange Estate has restrictive covenants which protect neighbourhood character. They will not apply to this development, but should.</p> <p>The creation of residential land directly south of the tank will result in overshadowing of any dwelling built there. A large number of trees are proposed to be removed and there are services to be supplied. This will reduce the estimated financial benefit to be derived from the sale and hence the type of residence to be built there.</p> <p>The land has been neglected for over 50 years and many of the trees have been hacked. Despite this, most of the trees continue to grow and provide a home for many birds and other creatures. Cannot make this objection without referring to the horticulturalists' report in which a person supposedly qualified cannot find any real value in the 103 trees in the reserve. Based on this biased report, either all trees in the reserve or none should be removed. Suspect that only the southern half of the reserve will be affected, even though the report finds little value in any of them. We understand that Barwon Water has a legal right to remove any of the trees but are disappointed Barwon Water can't be more honest</p>	<p>The restrictive covenants referred to were applied by the subdivider and were not a requirement of Council. Council will not require restrictive covenants on the proposed residential lots as the land use and development controls applying to the General Residential Zone – Schedule 2 under the Greater Geelong Planning Scheme are appropriate and sufficient for the area.</p> <p>Overshadowing from the existing water tank will be a matter for prospective purchasers to consider. The amount of return Barwon Water will achieve in selling the proposed residential lots is not a relevant consideration.</p> <p>Trees within the proposed residential lots and the proposed remaining Barwon Water Reserve are not afforded protection under the Planning Scheme as they were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7). Barwon Water and the future owners of the proposed residential lots can choose to retain or remove the trees. Barwon Water has indicated that it does not intend to remove any trees from the proposed Reserve to be retained by Barwon Water.</p>

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				<p>about their intentions.</p> <p>Sale of the land will not realise the value estimated by Barwon Water due to the amount of work needed to bring the land back from its neglected state.</p> <p>As there are still many other lots for sale in Seachange Estate, our concern is a developer who can further subdivide or build higher density dwellings. This would be detrimental to the neighbourhood character. City planning staff have confirmed that the restrictive covenants of Seachange Estate would not apply to the proposed development and that, subject to meeting building regulations, a developer could further subdivide the land, relocate old buildings onto the land or build higher density dwellings. This is not possible in the rest of the estate due to restrictive covenants put in place during the planning of Seachange Estate.</p> <p>If the development is to take place, the vendor should include the restrictive covenants of the estate in the purchase of both parcels of land to prevent future building which does not respect the neighbourhood character.</p>	<p>The amount of return Barwon Water will achieve in selling the proposed residential lots is not a relevant consideration.</p> <p>Any proposal for more than one dwelling on a lot requires a Planning Permit under the General Residential Zone – Schedule 2, while a proposed subdivision creating a lot of less than 500 m<sup>2</sup> must be accompanied by a development application or approved Planning Permit plans for the site for the construction of the dwellings. The Planning Permit process will allow for assessment of impact on neighbourhood character. The restrictive covenants referred to were applied by the subdivider and were not a requirement of Council. Council will not require restrictive covenants on the proposed residential lots as the land use and development controls applying to the General Residential Zone – Schedule 2 under the Greater Geelong Planning Scheme are appropriate and sufficient for the area.</p> <p>The restrictive covenants referred to were applied by the subdivider and were not a requirement of Council. Council will not require restrictive covenants on the proposed residential lots as the land use and development controls applying to the General Residential Zone –</p>

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				<p>In order to accommodate two driveways for the proposed residential lots, the bus stop is to move 28 m northward towards the corner of Pearl Bay Passage and Mainsail Drive. Believe that moving the bus stop closer to this corner will make it less safe by the restrictive view of traffic from either direction due to the closeness of the reserve and its foliage to the corner.</p> <p>The relocated bus stop would be located right next to the water infrastructure pump and ground level access points. This would be the best place to highlight the existence of infrastructure that can be damaged, although it is acknowledged that bus patronage is very small and damage due to vandalism is unlikely at this time.</p> <p>The reserve has been neglected by Barwon Water over the last 50 years. Despite the neglect and damage done to it by Barwon Water over the past, it should still remain intact. Barwon Water is a public authority whose primary interest should be the reliable supply of water and protection of public assets. Barwon Water</p>	<p>Schedule 2 under the Greater Geelong Planning Scheme are appropriate and sufficient for the area.</p> <p>Public Transport Victoria has advised that it has consulted with its stakeholder, McHarrys Bus Lines, and offers no objection to the proposed relocation. Council's Engineering Department advises there are no safety concerns with proximity to the intersection so long as the bus stop flag is at least 15 m from the intersection point of the road reserve boundaries of Mainsail Drive and Pearl Bay Passage (i.e. the 15 m includes the corner splay). It is recommended that a Planning Permit condition be added to require this separation.</p> <p>Barwon Water has advised that is has no security objections to the location of a bus stop adjacent to its infrastructure.</p> <p>Barwon Water operates under legislative requirements controlling the disposal of its land. The current zoning of the land – Public Use Zone 1 – specifying that the purpose of public land use is Service &amp; Utility. As Barwon Water has advised that a portion of 38-42 Mainsail Drive is no longer</p>

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				should not be rewarded with a quick bonus for over 50 years of neglect of this precious site. Despite this, the reserve is quite a beautiful place, tank and all.	required for service and utility purposes, the current zoning is no longer appropriate. General Residential Zone – Schedule 2 is the logical underlying zone.
8	Wiles, Lyn	Halyard Terrace, ST LEONARDS	Objection	<p>The arborist report identifies 75 trees but only lists 68.</p> <p>55 trees are listed as either low retention value, not a sound tree for retention or recommend removal. Only two trees have been identified as being sound with retention value. The other 11 trees are identified as either medium term or short term retention value. In other words, these 11 trees will eventually be removed, with only two trees remaining. So eventually all but two of the trees in this area will be removed.</p> <p>The arborist statement “no trees were identified as specimens with significance” is preposterous to people from the area as every tree is of significance to the environment and its people.</p> <p>Trees are an important part of the landscape and natural environment. No consideration has been given to how removal of these trees will impact on the natural environment. St Leonards’ leafy environment is an important part of our local character. Trees attract visitors and property buyers, provide shade and give out oxygen. Cutting down trees loses oxygen because trees hold oxygen and are home to birds and insects. Trees help us breathe and clear pollution from the air. Cutting down trees will increase the carbon dioxide level in the air. One large tree can absorb a large amount of carbon</p>	<p>While the arboricultural assessment commissioned by Barwon Water and submitted with the proposed Planning Scheme Amendment and Planning Permit application was exhibited as a supporting document to the Amendment and draft Planning Permit, it has had little weight in the assessment of the proposed rezoning and subdivision given that:</p> <p>i) the condition of trees on the proposed Reserve to be ceded to Council has been assessed on-site by Council’s Parks unit; and</p> <p>ii) no Planning Permit is required for the removal of the trees.</p> <p>Trees within the proposed residential lots and the proposed Barwon Water reserve are not afforded protection under the Planning Scheme as they were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7). Barwon Water and the future owners of the proposed residential lots can choose to retain or remove the trees. Barwon Water has advised it does not intend to remove any trees from the proposed Barwon Water reserve.</p>

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				<p>dioxide per year and can provide a day's supply of oxygen for up to four people.</p> <p>If the trees are removed, birds will be left homeless and out of their habitat. Insects will lose shelter and habitat. Trees are living creatures that need care and protection.</p> <p>The flora and fauna assessment states that no listed threatened fauna species were recorded within the site. However, the rare black cockatoo that frequents St Leonards could be affected and other birds will be heavily impacted by removal of trees.</p> <p>A City of Greater Geelong plan states "We are fortunate to have a natural environment, rich in diversity, including rare and unique flora and fauna." One of the greatest challenges for Council is to ensure environmental quality is protected and enhanced for future generations. Cutting down trees completely contradicts this statement of protecting the natural environment.</p> <p>Council policy says that "Trees are recognised as a dynamic, living feature of the City which require ongoing maintenance, management, monitoring and appropriate protection of the City's existing tree asset base". Cutting down trees contradicts Council's policy.</p> <p>Council has provided no rationale as to why the arborist's report has been accepted and why most of the trees need to be condemned.</p>	<p>With respect to trees in the proposed 138 m<sup>2</sup> Reserve to be ceded to Council, Council's Parks unit has considered concerns raised in submissions and will accept the four trees nearest the pathway so that these can be retained. This is subject to: some remedial work being carried out, particularly on one tree, to address tree hazard; ongoing management as part of the City's tree inspection program; and the use of boring rather than an open-trench mechanism for sewer installation for the proposed residential lots, as open-trench excavation would potentially render the trees structurally unsound or have a detrimental effect on their health [Barwon Water has agreed to this]. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>In addition, the City will plant four additional trees (yellow bloodwoods) later this year in the adjacent Reserve No. 1, 124 Pearl Bay Passage. Two other banksias will also be planted to continue the current line of banksias southwards, at some point after the subdivisional works are carried out.</p> <p>With respect to fauna habitat, the Flora and Fauna Assessment by Okologie, submitted with</p>

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				<p>No plan has been provided for replacement of the trees. Even planting two trees for every tree removed will not prevent desertification, because trees take so long to grow and mature. Cutting down trees causes soil erosion. Tree roots reduce soil erosion and stormwater runoff.</p> <p>We need to ensure we meet environmentally sustainable development standards in an effort to reduce the region's carbon footprint. It is a serious issue that a natural environment will be replaced with a built environment.</p> <p>No consideration has been given to how people will be affected by cutting down trees.</p> <p>The Council talks about tree management but there has been no tree management here: it is easier and cheaper to cut down trees.</p>	<p>the application, found that:</p> <ul style="list-style-type: none"> <li>i) no listed threatened fauna species were recorded within the site during the assessment;</li> <li>ii) areas of planted vegetation are of low to moderate value for fauna; and</li> <li>iii) no listed threatened fauna species are considered likely to occur due to the absence of suitable habitat.</li> </ul>
				<p>Submitter purchased and built on land on Halyard Terrace because of the beauty of six gum trees in front of the house. These trees have been condemned. The submitter enjoys watching the large number of birds attracted to the trees. If the trees are removed, the birds will be removed and property values of submitter's and other land in Halyard Terrace will decline.</p> <p>The six trees on Halyard Terrace that have been condemned have nothing to do with the rezoning and</p>	<p>As outlined above, Council will accept the four trees nearest the pathway so that these can be retained. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>Condition 15 of the exhibited Planning Permit referred to trees that will be removed due to</p>

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				<p>subdivision of the land on Mainsail Drive. Why have these trees and other trees on Barwon Water land been included in this process?</p> <p>Residents living opposite proposed residential lots on Mainsail Drive will lose the environment of trees when they are removed. All other residents living close by will also be affected by the loss of trees.</p> <p>There has been no consultation with people who will be impacted by the development. There has been no effort by Council to ask people how they feel about rezoning of the land, cutting down trees and its effect on the natural environment.</p> <p>Only some people received the Amendment documentation in their mailboxes. Leaving the documentation in some people's mailboxes in not</p>	<p>faults being identified and incursion of tree protection zones and required replacement of these. This reflected the advice of Council's Parks unit on its first on-site assessment of the trees, which was required as the land is proposed to be transferred to Council ownership by the proposed subdivision. Nonetheless, Council's Parks unit has considered the concerns raised in submissions and inspected and assessed the trees on-site again and will accept the four trees nearest the pathway so that these can be retained. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p> <p>See the response to points above relating to potential removal of trees from the proposed residential lots.</p> <p>The Amendment was subject to normal consultation procedures. In addition to newspaper notices, all immediately surrounding landowners were sent notices by mail using address information in Council's rates database. Notices were also mailed to occupiers, where landowner addresses differed from the address of the property they owned. It is not known why the mailed notice was not received by the</p>

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				<p>consultation. Not leaving the submission in people's mailboxes who are going to be the most affected is a disgrace.</p> <p>Submitter did not receive the Amendment documentation but is the person most affected by the proposal as it will remove the six gum trees in front of the submitter's house. This is an abject breach of due process as these and other trees have been identified for removal. This has caused submitter and others to be very upset and angry because of the lack of due process and the plan to remove the trees.</p>	<p>submitter, whose address was on the mailing list, but the information was provided to the submitter by email when Council was advised that the mailed notice had not been received.</p>
				<p>The proposal is nothing less than an exercise in destroying the natural environment and replacing it with a sterile built environment which negatively impact the people.</p> <p>Only one arborist was asked to put in a submission. Like any service that is required, at least three arborists should have been approached.</p> <p>The fact that the arborist has condemned most of the trees should have raised concern. It is questionable why the arborist states "no trees were identified as specimens with significance". This sounds like an attempt to justify cutting down the trees to make money and gives no consideration to the natural</p>	<p>See the response to points above relating to potential removal of trees from the land to be ceded to Council as a reserve, from the proposed residential lots and from the proposed Barwon Water reserve.</p> <p>When supporting information is submitted by proponents of Amendments and Planning Permits it is standard practice for proponents to submit one report on each issue.</p> <p>While the arboricultural assessment commissioned by Barwon Water and submitted with the proposed Planning Scheme Amendment and Planning Permit application was exhibited as a supporting document to the Amendment and draft Planning Permit, it has had little weight in</p>

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				<p>environment. An arborist is meant to focus on the health and safety of trees, ensuring their longevity, aesthetic and economic value.</p> <p>The arborist has provided two recommendations: one to cut the trees down and the other to retain the trees with extensive pruning. Obviously it is not required that all these trees be removed.</p> <p>An email from a Council officer to the submitter states: "The trees in front of your house are numbered 29-24. These trees vary in status but are generally recommended to have low retention value. Given that this section of land is currently on Barwon Water land and, will be vested into Council ownership as part of this process, Council are not accepting of vegetation of low retention value, or of poor health as they become a liability to Council. As such this vegetation will be removed, with the proposed planning permit requiring replacement with 10 appropriate specimens." This states very clearly and unambiguously that the six trees in front of the submitter's property will be removed, with no consultation. There is no consideration of how this will affect the environment and the submitter. The trees are beautiful, providing a glorious natural environment in front of the submitter's house. Removal of the trees will leave the environmental looking awful and denuded of trees. It is unconscionable destruction of the environment and will leave the submitter and others extremely upset and angry. Some, including the submitter, will be forced to move to a better</p>	<p>the assessment of the proposed rezoning and subdivision given that:</p> <p>i) the condition of trees on the proposed Reserve to be ceded to Council has been assessed on-site by Council's Parks unit; and ii) no Planning Permit is required for the removal of the trees.</p> <p>Condition 15 of the exhibited Planning Permit referred to trees that will be removed due to faults being identified and incursion of tree protection zones and required replacement of these. This Condition, and the Council officer email referred to in this point, reflected the advice of Council's Parks unit on its first on-site assessment of the trees, which was required as the land is proposed to be transferred to Council ownership by the proposed subdivision. Nonetheless, Council's Parks unit has considered the concerns raised in submissions and inspected and assessed the trees on-site again and will accept the four trees nearest the pathway so that these can be retained. If possible, another tree adjacent to the fence and within the proposed sewer easement will also be retained, though this will need to be determined on-site when sewer installation works are carried out under the guidance of a professional arborist.</p>

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				<p>environment.</p> <p>The Council officer's statement is as a result of one arborist's opinion on the trees. Two further appraisals need to be received to make this a fair, genuine process.</p> <p>Council has a policy that states "Geelong's trees are an important, vibrant part of the City and its surrounds, providing many services to the local community, contributing to Geelong's liveability and localised neighbourhood characters. Geelong's trees help: shade the city and its hard surfaces during hot summers; enhance our local biodiversity; reduce stormwater runoff into rivers and the bay; absorb air pollution (sequester and store carbon). More than this Geelong's trees help characterise the City into what it is today. Council is committed to protecting, enhancing, managing and maintaining its tree population for the long term benefit of Geelong's community. It is also the policy of Council that all public owned trees (managed by the City of Greater Geelong) are recognised as dynamic, living assets within the City that require ongoing maintenance and management."</p>	
				<p>It is obvious that Council has no intention of following this Policy and instituting a tree management program. It is intent on destroying the natural environment and bird habitat and in some cases killing birds.</p> <p>If Council had followed its Policy and instituted a tree management program, all these condemned trees would have survived. It is the environment and people</p>	<p>For most of the lives of the trees on the proposed Council Reserve, management has been by Barwon Water and would have been in the context of not anticipating any part of the site becoming public open space. A detailed on-site assessment of those trees was required in the assessment of this proposal as the land is proposed to be transferred to Council ownership</p>

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				<p>like the submitter who have to bear the cost. It is Council's ineptitude that needs attention, not the destruction of trees.</p> <p>There is no mention of Barwon Water in the documentation which is extraordinary. Barwon Water has given no consideration to the impact on the environment or people affected. The primary reason the natural environment is being destroyed and replaced with a built environment is because Barwon Water wants to make money out of rezoning and selling its land to build houses.</p> <p>Recommend Council provides a rationale on why the majority of trees have to be condemned and why it is not just the trees on the rezoned land that are to be removed.</p> <p>Apart from trees on the rezoned land, the remaining trees have nothing to do with the rezoning and recommend they are preserved.</p> <p>Recommend Council takes recommendation one from the arborist that the trees be retained with extensive pruning.</p> <p>The arborist states that "The trees located outside the main reserve on the public space are in much better condition than those within the reserve". This includes</p>	<p>by the proposed subdivision. As outlined above, at least four of the six trees in that land parcel would be retained, and be subject to ongoing management as part of the City's tree inspection program.</p> <p>The Explanatory Report, newspaper notices and letters mailed to owners and occupiers of immediately surrounding land all identified Barwon Water as the landowner and proponent.</p> <p>See the response to points above relating to potential removal of trees from the land to be ceded to Council as a reserve, from the proposed residential lots and from the proposed Barwon Water reserve.</p>

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				<p>the trees opposite the submitter's house. Therefore, recommend Council preserve and manage these trees.</p> <p>The Flora and Fauna Assessment states: "The objective for permitted clearing native vegetation is that it is achieved by either avoiding or minimising native vegetation removal so that all or some of the removal of native vegetation does not occur. When native vegetation removal is permitted, an offset must be secured which achieves a no net loss outcome for biodiversity." Recommend Council ensures that these directives are followed and that the <i>Planning and Environment Act 1987</i> be followed.</p> <p>The St Quentin Planning Report states "Retain existing vegetation wherever possible particularly vegetation that contributes to the municipality's tree canopy". Recommend Council ensures that this is followed.</p> <p>Recommend two more arborists be brought in to examine the trees and provide a submission.</p>	<p>Trees within the proposed residential lots and the proposed Barwon Water reserve are not afforded protection under the Planning Scheme as they were planted for aesthetic purposes and thus native vegetation provisions do not apply (see Clause 52.17-2 and Clause 52.17-7).</p> <p>The Planning Report cites a strategy in Clause 21.06-4 (Neighbourhood Character) of the Greater Geelong Planning Scheme. This does not override the exemption from requiring a Planning Permit for removal of the trees (see response to above point).</p> <p>When supporting information is submitted by proponents of Amendments and Planning Permits it is standard practice for proponents to submit one report on each issue. Council's Parks Unit conducted its own on-site assessments of the trees on the proposed Council Reserve and now will accept four of these to be retained, while another located in the proposed sewer easement will be retained if possible based on advice of an arborist during sewer installation. There is no Planning Permit required for removal of the trees</p>

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				<p>If trees are going to be removed, recommend a tree plan be undertaken where for each tree removed, three mature, fast growing trees are planted. Even though trees can be replanted, they will not return to what they were before and it will take a long time for the trees to mature.</p> <p>Recommend Council develop a tree maintenance program and a plan to protect and enhance our natural environments which meets AS requirements. Recommend the people living in the area be partnered with to develop these initiatives.</p> <p>Recommend Council contacts a bird specialist to examine how birds will be affected and to ascertain whether there are any rare or endangered species that will be affected.</p>	<p>on the proposed residential lots. Barwon Water has indicated it does not intend to remove trees from the proposed Barwon Water reserve.</p> <p>On the proposed Council Reserve, four of the six existing trees are to be retained (and a fifth, if possible). In addition, the City will plant four additional trees (yellow bloodwoods) later this year in the adjacent Reserve No. 1, 124 Pearl Bay Passage. Two other banksias will also be planted to continue the current line of banksias southwards, at some point after the subdivisional works are carried out.</p> <p>The trees within the proposed Council Reserve will be subject of ongoing management as part of the City's tree inspection program. The level and frequency of inspections in this program is determined by the level of usage of the reserve and by the age, size and condition of the trees.</p> <p>With respect to fauna habitat, the Flora and Fauna Assessment by Okologie, submitted with the application, found that:</p> <ul style="list-style-type: none"> <li>i) no listed threatened fauna species were recorded within the site during the assessment;</li> <li>ii) areas of planted vegetation are of low to moderate value for fauna; and</li> <li>iii) no listed threatened fauna species are considered likely to occur due to the absence of</li> </ul>

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				<p>Recommend meetings be organised between Council and those affected to ensure that people are informed about what is happening to their environment.</p>	<p>suitable habitat.</p> <p>A meeting was held on 17 May 2016 at Council's officers between submitters, the City of Greater Geelong, Barwon Water and St Quentin to discuss concerns raised in submissions and explore possible ways in which those concerns might be addressed.</p>
				<p>Barwon Water wants to make money by rezoning its land to provide for two residential lots. To do this, trees on the land need to be cut down. On first observation, there does not appear to be any issue with this apart from cutting down the trees. St Leonards has gone through years of massive development that has seen scores of trees cut down so a few more won't make much difference. However, an arborist was brought in to make an assessment of the rest of the trees on Barwon Water land and on the perimeter. The arborist's assessment of these trees sees 55 out of 68 condemned, including six gums right opposite submitter's house.</p> <p>This exercise is not part of the rezoning of the land but an independent exercise requested by Council to see how many trees they can get rid of to save money by not maintaining them.</p> <p>To cut down six beautiful gum trees opposite submitter's house is sacrilege, a violation of what should be regarded as sacred. There is no relationship between the rezoning of land and the need to cut down the trees.</p>	<p>See the response to points above relating to potential removal of trees from the land to be ceded to Council as a reserve, from the proposed residential lots and from the proposed Barwon Water reserve.</p>

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				<p>Only trees on the land to be rezoned should be cut down.</p> <p>It appears there has been no consideration as to how this exercise will impact the natural environment and the people affected. To remove 55 trees would create a desert. Council plans to plant new trees but it will probably take ten years until the trees fully mature and grow to the height of the trees now planted. In the meantime, houses on Halyard Terrace will be bereft, losing their magnificent view of gum trees and being left with nothing that compares.</p> <p>It appears that Council has accepted the submission from the arborist. Although the arborist recommends that 55 trees be condemned, one recommendation is to retain the trees with extensive pruning. It is this recommendation that must be accepted by Council rather than cutting down 55 trees.</p> <p>Council needs to do a lot more work before an accepted rationale and plan can be effected. If Council goes ahead and destroys most of the trees, they will be hit with outrage from the public and investigation, exposure and ridicule from the press. Council can expect that people on Halyard Terrace will ensure that this occurs.</p>	