

MINUTES

ORDINARY MEETING OF COUNCIL

Tuesday, 27 September 2016

Held at the
Council Conference and Reception Centre
City Hall, Little Malop Street, Geelong
commencing at 5.30p.m.

ADMINISTRATORS:

Dr Kathy Alexander (Chair)
Laurinda Gardner
Peter Dorling

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**MINUTES OF THE ORDINARY MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD AT THE COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL, LITTLE MALOP STREET, GEELONG
TUESDAY, 27 SEPTEMBER 2016
COMMENCING AT 5.30P.M.**

PRESENT: Dr K Alexander (Chair), L Gardner, P Dorling

Also present: P Bettess (Acting Chief Executive Officer), W Tieppo (Acting General Manager Strategy & Performance), J Van Slageren (Acting General Manager Planning and Development), V Shelton (Acting General Manager City Services), L Quinn (General Manager Community Life), B Luxford (General Manager Investment and Attraction), A Keen (Executive Manager People and Organisational Development), T McDonald (Manager Customer Service and Council Business)

OPENING: The Chair declared the meeting open at 5.30pm

ACKNOWLEDGEMENTS:

Council acknowledged Wadawurrung Traditional Owners of this land and all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

BROWNLOW MEDAL:

Council acknowledged and congratulated Patrick Dangerfield (Geelong Football Club) on winning the 2016 Brownlow Medal.

APOLOGIES: Nil.

CONFIRMATION OF MINUTES:

K Alexander moved, P Dorling seconded -

That the Minutes of the Ordinary Meeting held on 16 August 2016 and the Special Meeting held on 6 September 2016 be confirmed.

Carried.

DECLARATIONS OF CONFLICTS OF INTEREST: Nil.

7. OCEAN GROVE SIGNIFICANT TREE PROJECT

(previously agenda item 6)

Source: Planning & Development - Planning Strategy
General Manager: Peter Bettess
Index Reference: PRJ-16-2993

Purpose

This report recommends that Council adopts the findings and recommendations of the 'Ocean Grove Significant Tree Project, Final Report 2016' and to give them statutory effect by including them in the Greater Geelong Planning Scheme via a planning scheme amendment.

Summary

- The development of the 2015 Ocean Grove Structure Plan identified further work to address issues with Significant Landscape Overlay 7 (SLO7) and to assess the need for character controls in the older parts of Ocean Grove. These matters form the basis of the 'Ocean Grove Significant Vegetation Project'.
- In June 2015 Council engaged specialist consultants 'Okologie' to carry out vegetation surveys and make recommendations on how to best protect and manage the vegetated landscape character in the identified areas.
- Officers prepared a draft background report which included the vegetation survey findings, analysis of development history, SLO7 issues, building data, policy etc.
- A set of draft policy, zone and overlay provisions were then drafted with the aim of preserving and enhancing the identified vegetated landscape character.
- Informal public consultation occurred April - May 2016. As a result 26 submissions were received. 5 supportive, 1 requesting clarification and 20 raising objections or recommending changes.
- As a result of submissions a number of changes have been made to the proposed planning provisions.
- It is recommended Council adopts the findings and recommendations of the 'Ocean Grove Significant Tree Project – Final Report 2016' and give them statutory effect by including them in the Greater Geelong Planning Scheme via a planning scheme amendment.
- As part of the formal amendment process it is recommended Council apply for interim overlay controls to avoid vegetation loss while the amendment is being considered.

P Dorling moved, L Gardner seconded -

That Council:

- 1) adopts the Ocean Grove Significant Tree Project, Final Report 2016;**
- 2) requests the Minister for Planning authorise the preparation of an amendment as detailed in this report; and**
- 3) requests the Minister for Planning exercise powers under Section 20(4) of the Planning and Environment Act 1987 by applying an interim Significant Landscape Overlay Schedule 15 to the identified precinct while the formal Planning Scheme Amendment is prepared and considered.**

Carried.

Background

The Ocean Grove Significant Vegetation Project aims to identify and protect, through planning controls, the unique coastal/bush landscape character within the well established areas of the township of Ocean Grove.

This project was identified in the previous and current Ocean Grove Structure Plan 2015 which identified the following further work:

- Undertake a review of Schedule 7 to the Significant Landscape Overlay as per Part C of the Structure Plan. This overlay currently applies to the hillside area and aims to achieve a balance between rooftops and vegetation. Permits are triggered for buildings over 7.5m in height, some vegetation removal and site permeability less than 30%.
- Undertake a review of the older parts of Ocean Grove as identified on the Structure Plan map to investigate the introduction of new planning overlay controls to protect important landscape and built form attributes.

To help inform the project vegetation consultants, Okologie, were engaged mid 2015 to undertake vegetation surveys on public and private land and to make recommendations around vegetation protection. Two areas were identified for investigation; the current extent of the SLO7 or hillside area and the area in the north east part of old Ocean Grove known in the project as the Significant Tree Area (STA).

Along with vegetation surveys a detailed background report was prepared to help inform the draft planning controls. The background material now forms part of the 'Ocean Grove Significant Tree Project – Final Report 2016' which is provided as an attachment to this report.

The background report identified 3 key precincts each with proposed customised planning controls:

- Significant Tree Area – north east pocket of 'old Ocean Grove' below Thacker Street characterised by spacious blocks with scattered mature trees
- Hillside Area – escarpment overlooking the ocean characterised by dwellings taking advantage of views with moderate levels of vegetation
- Coastal Fringe Area – close to the dunes generally south of Orton/Dare Streets characterised by dwellings taking advantage of views with lower growing coastal vegetation.

As part of the public consultation a project brochure and precinct flyers were prepared detailing the proposed controls. The flyer was sent out to property owners as part of the informal public notification phase. Copies of the brochure and flyers are provided in the Final Report (Attachment 1).

Informal public consultation on the draft background report and planning controls occurred April - May 2016. A total of 26 submissions were received:

- 5 were supportive;
- 1 requested clarification;
- 20 raised objections or recommended changes.

Discussion

The 'Ocean Grove Significant Tree Project – Final Report 2016' is provided as an attachment to this report. The Report outlines in detail the public consultation activities, summary of submissions and an officer response to submissions.

The key concerns with the draft controls were:

- Discouraging urban consolidation by restricting development.
- Limiting choice and type of development.
- Risk and expense associated with trees in urban areas.
- Existing controls not being implemented what is the point of new ones.
- Detrimental impacts on property values.
- Unfair for those who have not yet developed compared to those that have.
- People should be able to do what they want with their own property.
- Questioning accuracy of vegetation data.
- Inadequate public consultation.
- Council should focus on public land not restrict private property.

The supporting submissions made the following points:

- Recent development is too large and too bulky and does not leave room for vegetation - controls are needed to address this.
- Trees are a major part of the appeal in the STA which are at risk from increased development.
- When blocks are cleared there is little or no replacement vegetation being planted affecting character and habitat.
- Looking at what has been developed in the SLO7 it is clear the control is failing and needs strengthening.
- The proposed controls allow for redevelopment while still keeping the coastal environment.
- Absence of any controls will see a continuation of development setting new precedents and absence of landscaping.
- We can't rely on people doing the right thing, planning protection needed and sanctions required for those who don't do the right thing.

In response to submissions a number of changes were made to the draft controls including:

- Coastal fringe precinct now included as part of the Hillside Precinct (generally previous SLO7 extent) - site coverage increased from 40% to 50% and area for landscaping/permeability reduced from 40% to 30%.
- 2 metre side setback included as permit trigger in overlay only not in schedule to the zone.
- No changes to height controls.
- Two canopy trees required in landscaping plans instead of one making a greater contribution to the vegetated existing and preferred character of the area
- Area required for canopy tree and canopy tree size not specified in overlays providing greater flexibility.
- Increased scope of works not requiring an arborist reducing potential costs for minor works.

- Significant trees defined in overlays based on tree type and height.
- View sharing decision guidelines added to SLO7 to improve built form and view outcomes.
- Caravan Park to be included in Hillside precinct.
- SLO7 to be retained on east side of town centre where it was recommended for removal.

The final planning scheme recommendations are summarised below with copies of the proposed ordinance schedules provided in Appendix 1 and summary maps, including the current and proposed zones and overlays provided in Appendix 2:

Ordinance:

1. MSS (Cl. 21.14-2) Strategies: Add point to strategy under Ocean Grove
2. Add a new Schedule 3 to the GRZ (Cl. 32.08)
3. Add a new Schedule 4 to the NRZ (Cl. 32.09)
4. Revise wording of Schedule 7 to the SLO (Cl. 42.03)

Maps:

1. Rezone Significant Tree Area from GRZ2 to (new) NRZ 4
2. Rezone Hillside Precinct* from GRZ2 and RGZ3 to (new) GRZ 3
3. Delete DDO14 (except small pocket south of Blackwell Street) and SLO7 from the Significant Tree Area and replace them with (new) SLO15
4. Change a portion of the Hillside Precinct* from SLO7 to DDO14 (RGZ3 / Increased Housing Diversity Area)
5. Housing Diversity Area)
6. Rezone Hillside Precinct west of Field Street from RGZ3 to (new) GRZ3

(* Hillside Precinct incorporates the previous Coastal Fringe Precinct)

Other matters considered as part of the project:

Clause 52.48 Bushfire Protection – Vegetation Clearance Exemptions

Council considered a Report and wrote to the Minister for Planning in early 2016 to request the Minister investigate the blanket application of this provision as it is seeing vegetation removed in urban areas with no identified fire threat.

The Minister advised in writing in June 2016 that DELWP (the department) is currently investigating a proposed update to the clause based on a more risk based approach and the matter will be considered 'in due course'.

Tree Planting Guidelines

Council is looking to provide guidelines for applicants to assist them with vegetation and landscaping plans. This will be provided as information only and will not form part of the planning scheme. See Attachment 2 for a copy of the draft guidelines.

Planning Scheme Amendment

Copies of the proposed planning controls are provided in the Final Report which will form the basis of the formal planning scheme amendment. They are also provided as an appendix to this report.

Interim Controls

It is recommended Council apply for interim controls for the Significant Landscape Overlay Schedule 15 while the amendment is being considered. This will help ensure development that does not meet the proposed landscape objectives is not approved in the period between adoption and consideration of the amendment. Without interim controls there could be a loss of vegetation and development that does not support the landscape objectives detrimentally impacting upon the existing and preferred neighbourhood character.

It is not proposed the revised Significant Landscape Overlay 7 is applied as an interim control as this would create major administrative issues given there will be a existing and proposed control and given the boundary adjustments proposed for SLO7. The existing control will be in place throughout the amendment process.

Interim controls are routinely applied where heritage overlays are proposed and there have been instances where Councils have applied them to vegetation such as Banyule and the implementation of their Strategy for Substantial trees in Banyule's Garden Court and Garden Suburban Neighbourhoods 2013 (the Strategy for Substantial Trees).

Transitional Arrangements

It is recommended transitional arrangements form part of the proposed overlays so applicants who have made applications under the current planning regime are not unfairly affected.

Environmental Implications

The project has positive environmental implications including the retention of existing vegetation and promoting new vegetation leading to improved biodiversity, storm water management, habitat and urban heat impact outcomes.

Financial Implications

There will be no significant financial implications on Council as part of the future planning scheme amendment process or final Ministerial approval of the controls . All future statutory processes will be covered by respective departmental budgets.

Policy/Legal/Statutory Implications

The Project has considered the relevant State and local planning considerations. To give proposed controls statutory weight, a planning scheme amendment will be initiated to implement them in the Greater Geelong Planning Scheme.

Alignment to City Plan

This report aligns with the directions of the Sustainable and Built Environments theme in City Plan.

Officer Direct or Indirect Interest

No Council officers involved in the development of the Ocean Grove Significant Tree Project and preparation of the report have a direct or indirect interest in the issue, in accordance with Section 80(c) of the Local Government Act, to which this report relates.

Risk Assessment

There is a risk that there will be continued loss of the vegetated landscape character without the introduction of the proposed planning controls.

Social Considerations

The planning scheme amendment process affords landowners and residents a formal opportunity to participate.

Human Rights Charter

We have taken into consideration the human rights relative to the subject matter of this report, including rate-payers property rights and the right to a fair hearing.

Consultation and Communication

In addition to the informal community consultation, the planning scheme amendment process will include a statutory consultation period (minimum 30 days). Where submissions cannot be resolved, an Independent Panel will be requested.

Appendix 1 – Proposed Zone and Overlay Schedules

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**

OCEAN GROVE HILLSIDE AREA

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	50%
Permeability	A6 and B9	None specified
Landscaping	B13	At least 30% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
	B28	An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
Front fence height	A20 and B32	None specified.

3.0 Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or residential building must not exceed a height of 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case it must not exceed a height of 10 metres.

4.0 Application requirements

When any of the lots being created are less than 500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the site for the construction of the dwellings.

5.0 Decision guidelines

- Whether the landscaping requirement can be met by including existing trees that are considered worthy of retention.
- Whether the development provides for adequate landscaping opportunities.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.

SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**

OCEAN GROVE SIGNIFICANT TREE AREA

1.0 Minimum subdivision area

None specified.

2.0 Permit requirement for the construction or extension of one dwelling on a lot

Requirement	
Permit requirement for the construction or extension of one dwelling on a lot	None specified
Permit requirement to construct or extend a front fence within 3 metres of a street on a lot	None specified

3.0 Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	40%
Permeability	A6 and B9	None specified
Landscaping	B13	At least 40% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17 and B28	An area of 60 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room

	Standard	Requirement
Front fence height	A20 and B32	None specified

4.0 Number of dwellings on a lot

None specified.

5.0 Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 9 metres.

6.0 Application requirements

Subdivision

When any of the lots being created are less than 500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the construction of the dwellings.

7.0 Decision guidelines

- Whether the landscaping requirement can be met by including existing trees that are
- considered worthy of retention.
- Whether new lots and developments are of a spacious nature and allow for a design that is respectful of neighbourhood character.
- Whether the development provides for adequate landscaping opportunities.
- Whether a subdivision proposal has sufficient land area and minimum dimensions to be in keeping with the surrounding subdivision and development patterns.

SCHEDULE 7 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO7

OCEAN GROVE HILLSIDE AREA

1.0 Statement of nature and key elements of landscape

Ocean Grove is a growing coastal township located on a hillside extending to a popular ocean surf beach. Areas of public and private land within established Ocean Grove supports a mix of remnant coastal and grassy woodland vegetation, indigenous and planted Australian natives which contribute to the unique coastal and vegetated character of the township.

The area also supports the threatened Bellarine Yellow Gum *Eucalyptus leucoxylon subsp. bellarinensis* which is endemic to the area. The retention of these trees is important for the ongoing survival of the species. The incremental loss of vegetation and the impact of not providing adequate space for the re-establishment of vegetation around buildings are having a major impact on the landscape character of the area.

The preferred character for this area includes achieving a balance between landscape and built form where buildings sit within a landscaped setting. Vegetation, in particular trees are required to soften the impact of buildings in the environment. There are examples of development where this balance has not been achieved and buildings dominate the site and streetscape. While these developments form part of the character of the area they do not represent the preferred character.

The retention of and ability to plant screening vegetation along boundaries and fronting the street and building height and bulk that does not dominate the streetscape, neighbouring properties and long distance views are all important landscape elements.

The hillside topography has encouraged development that seeks to maximise views. Part of the landscape character of Ocean Grove that is valued by the local community is the ability to view the ocean and/or the Barwon River from numerous points in public areas and from private dwellings. Respect for the sharing of views, rather than necessarily the retention of all existing views, is therefore an important characteristic of this coastal town.

Significant trees are defined as an indigenous and Australian native trees 3 or more metres in height.

2.0 Landscape character objective to be achieved

- To conserve, enhance and reinstate the preferred character of buildings sitting within vegetated settings including in areas that have been substantially cleared of vegetation.
- To preserve the balance between roof tops and vegetation in long distance views of the town.
- To encourage vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas.
- To promote buildings that fit within the landscape and do not dominate the streetscape and long distance views.
- To provide a balance between buildings and vegetation canopy.
- To ensure that buildings are sited and designed to avoid and/or minimise removal of Australian native/indigenous vegetation.
- To encourage development that sits within a vegetated setting by providing space at the front, side and rear of buildings for the retention and planting of screening vegetation.
- To maximise opportunities for view sharing, particularly where views are available to the ocean and river from private dwellings.

3.0 Permit requirement

Buildings and Works

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- The height of any part of the building, excluding any television antenna, chimney or flue, is less than 7.5 metres above natural ground level.
- No more than 70% of the site is covered by buildings and impervious/hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.
- At least 30% of the site is available (free from hard surfaces) for soft landscaping (eg. vegetation).
- Buildings are setback a minimum of 2 meters from one side boundary.
- There is only one dwelling on the lot.

▪ Vegetation Removal

A permit is required to remove, destroy or lop vegetation. This does not apply to:

- Indigenous vegetation less than 3 meters in height.
- Australian native vegetation less than 3 meters in height.
- Exotic vegetation.
- Vegetation listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which contributes to the coastal character of this area.
- Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded
- Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.
- Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling

- Vegetation that is dead to the satisfaction of the responsible authority.
- Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority.
- Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority.

4.0 Application Requirements

An application must be accompanied by the following information, these requirements may be waived or reduced if the information is not relevant to the assessment of an application:

A Design Response which shows the development in relation to:

Building and Works

A schedule of construction materials, external finishes and colours (incorporating samples).

View Sharing

A view impact analysis should be submitted when the proposed development is over 7.5 meters in height and is likely to impact on views to significant landscape features. The view impact analysis should demonstrate how the design objectives to achieve a reasonable sharing of views have been met, having regard to topography, siting, height and visual bulk.

Landscaping

An application for buildings and works, or to remove, destroy or lop vegetation must be accompanied by a landscaping plan prepared by a suitably qualified person and should incorporate at least 2 canopy trees per site and the use of local indigenous or Australian native species.

Buildings and works occurring within the drip line of a significant tree on the subject land or adjoining site requires a report from a suitably qualified arborist that shows how the tree will be managed during construction.

Vegetation Removal

An application to remove, destroy or lop a significant tree must be accompanied by the following information.

A report from a suitably qualified arborist (level 5 or equivalent) that:

- Includes a site plan (drawn to scale) showing the boundaries of the site, existing and proposed buildings and works, existing vegetation and the vegetation to be removed.
- Details of vegetation within 3 meters of the subject site boundary on any adjoining property.
- Describes the vegetation to be removed, including the genus, species, extent, number, height, health and quality of vegetation to be removed.
- Specifies the purpose of the proposed removal, destruction or lopping of vegetation.
- Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable.
- Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of trees.
- Provides a vegetation management plan for the construction period.

5.0 Transitional Arrangement

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before the approval date of the amendment that introduced this schedule to Clause 43.02 into the Greater Geelong Planning Scheme.

6.0 Decision guidelines

Before deciding on an application the responsible authority must consider:

- The siting and design of buildings to achieve a reasonable sharing of views between properties with significant landscape features having particular regard to the following:

- The impact of the proposed buildings and works on the view from another property or the street as a result of the design, siting, height, size, bulk (including the roof), and colour of the building.
- 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 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.
 - Whether a vegetated setting is reinforced or reinstated as part of the development.
 - Whether the removal, lopping and/or destruction of vegetation that contributes to the screening of development from property boundaries and the street has been avoided.
 - Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of significant vegetation and space for new canopy vegetation.
 - Whether hard surfaces like driveways have been minimised
 - Whether setbacks can be varied to minimise the removal of native/indigenous vegetation.
 - The size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
 - Whether there is a valid reason for removing the vegetation and alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming vegetation.
 - The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall health and appearance of any trees.
 - Whether a loss of character would result from a variation to part 3.0 of this clause.
 - Whether any street trees will need to be removed or detrimentally affected.

SCHEDULE 15 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO15**

OCEAN GROVE SIGNIFICANT TREE RESIDENTIAL AREA

1.0 Statement of nature and key elements of landscape

This precinct within Ocean Grove is distinctive due to the high number of significant canopy trees (indigenous and Australian native) located on both public and private land. These trees are a dominant feature of the neighbourhood with buildings nestled within spacious bush garden settings.

Dwellings in the area generally sit below the tree canopy and are characterised by low density and scale, detached housing surrounded by generous areas of open space capable of accommodating significant and multiple canopy trees.

Vegetation includes the threatened Bellarine Yellow Gum *Eucalyptus leucoxylon subsp. bellarinensis* which are endemic to the area. The residential streetscape and private gardens within the precinct support a large component of the remnant Bellarine Yellow-gum population. The retention of these trees is important for the ongoing survival of the species.

The incremental loss of significant Australian native and indigenous canopy trees has the potential to change the character of the area over time. The retention of and ability to establish new canopy trees will help integrate and reduce the impact of new development on neighbourhood character.

Managing development, tree protection and management together with new and replacement tree planting on public and private property will help safeguard the unique landscape character of the area.

Significant trees are defined as an indigenous tree 3 or more metres in height and an Australian native tree 5 or more metres in height.

2.0 Landscape character objective to be achieved

- To protect and ensure the long term future of significant canopy vegetation which is the dominant visual and environmental feature of the precinct
- To ensure that buildings and works retain an unobtrusive profile and do not dominate the landscape.
- To ensure that a reasonable proportion of a lot is free of buildings and hard surfaces to provide for the retention and planting of significant canopy trees and generous open space areas.
- To minimise the effect of future development on significant canopy vegetation.
- To ensure that new development has proper regard for the established landscape character in terms of building height, scale, site coverage, site permeability, siting and landscaping.
- To minimise the impact of vehicle access, road works, fences, service trenches etc have on existing vegetation.
- To ensure adequate tree protection zones are provided around existing trees as part of any development.
- To encourage strategic replanting on public and private land to provide for the long term maintenance of landscape and environmental values within the precinct.
- To prevent the premature removal of vegetation from a site prior to consideration of design options for a proposed development.
- To ensure that appropriate replacement planting is provided and located appropriately on site where tree removal occurs.
- To promote the use of locally indigenous plants for landscaping.

3.0 Permit requirement

Buildings and works

A permit is not required to construct a building or construct or carry out works provided all of the following requirements are met:

- No more than 60% of the site is covered by buildings and impervious /hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.
- At least 40% of the site is available (free from hard surfaces) for soft landscaping (eg. vegetation).
- Buildings are setback a minimum of 2 meters from one side boundary.
- There is only one dwelling on the lot.
- Works are not being carried out within the drip line (outer edge of tree canopy) of a significant tree including a significant tree on an adjoining property or nature strip.

Vegetation Removal

- A permit is required to remove, destroy or lop vegetation. This does not apply to:
 - Indigenous vegetation less than 3 meters in height.
 - Australian native vegetation less than 5 meters in height.
 - Exotic vegetation
 - Vegetation listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008, except Coastal Tea-tree which contributes to the coastal landscape character in this location.
 - Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded.
 - Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped.
 - Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling.
 - Vegetation that is dead to the satisfaction of the responsible authority.

- Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority.
- Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority.

4.0 Application Requirements

- An application must be accompanied by the following information, these requirements may be waived or reduced if the information is not relevant to the assessment of an application:
 - A Design Response which shows the development in relation to:
 - Location of the proposed building(s) on the site and on surrounding properties;
 - The use of surrounding buildings;
 - Location of significant trees existing on the site and any significant trees removed;
 - Details of significant vegetation within 3 meters of the subject site boundary on any adjoining property;
 - Location and canopy size of street trees adjacent to the site;
 - Views to and from the site;
 - Any other notable features or characteristics of the site.

Landscaping

- An application for buildings and works, or to remove, destroy or lop vegetation must be accompanied by a landscaping plan prepared by a suitably qualified person and should incorporate at least 2 canopy trees per site and the use of local indigenous or native species.
- Buildings and works occurring within the drip line of a significant tree on the subject land or adjoining site requires a report from a suitably qualified arborist that shows how the tree will be managed during construction.

Vegetation Removal

- An application to remove, destroy or lop a significant tree must be accompanied by the following information.
 - A report from a suitably arborist (level 5 or equivalent) that:
 - Includes a site plan (drawn to scale) showing the boundaries of the site, existing and proposed buildings and works, existing vegetation and the vegetation to be removed.
 - Details of vegetation within 3 meters of the subject site boundary on any adjoining property.
 - Describes the vegetation to be removed, including the genus, species, extent, number, height, health and quality of vegetation to be removed.
 - Specifies the purpose of the proposed removal, destruction or lopping of vegetation.
 - Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable.
 - Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of trees.
 - Provides a vegetation management plan for the construction period.

5.0 Transitional Arrangement

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before the approval date of the amendment that introduced this schedule to Clause 43.02 into the Greater Geelong Planning Scheme.

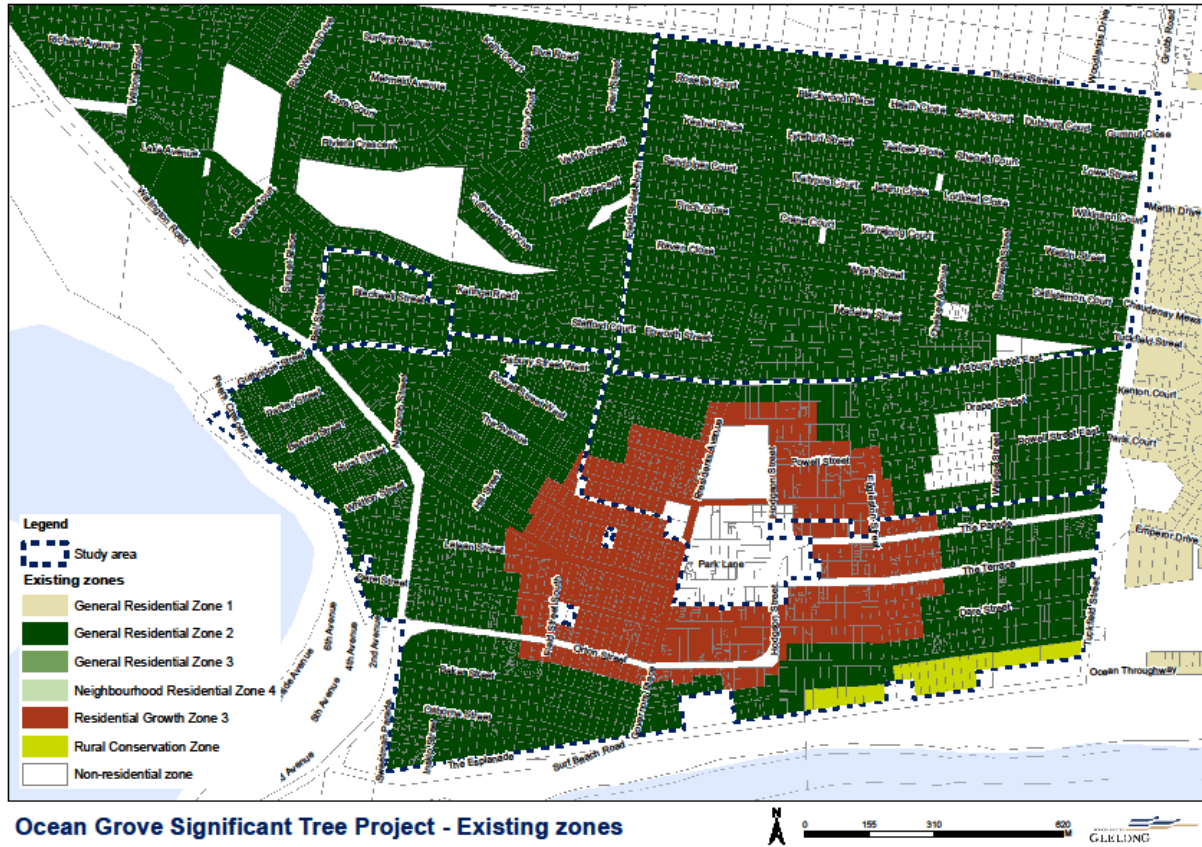
6.0 Decision guidelines

- Before deciding on an application the responsible authority must consider:
 - Whether buildings sit within a vegetated landscape.

- Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of significant vegetation and space for new canopy vegetation.
- The need to retain significant vegetation due to its species, age, health, growth characteristics and/or contribution to neighbourhood character.
- The size, species, age and health of existing vegetation proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement vegetation.
- Whether there is a valid reason for removing the vegetation and alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming vegetation.
- Whether new trees are consistent with the character of existing vegetation, have sufficient space to reach maturity and the proportion of new trees that would be semi-advanced or advanced in size at the time of planting.
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall health and appearance of any trees.
- Whether a loss of character would result from a variation to part 3.0 of this clause.
- Whether any street trees will need to be removed or detrimentally affected.

Appendix 2 – Summary Planning Control Maps

Existing Zones

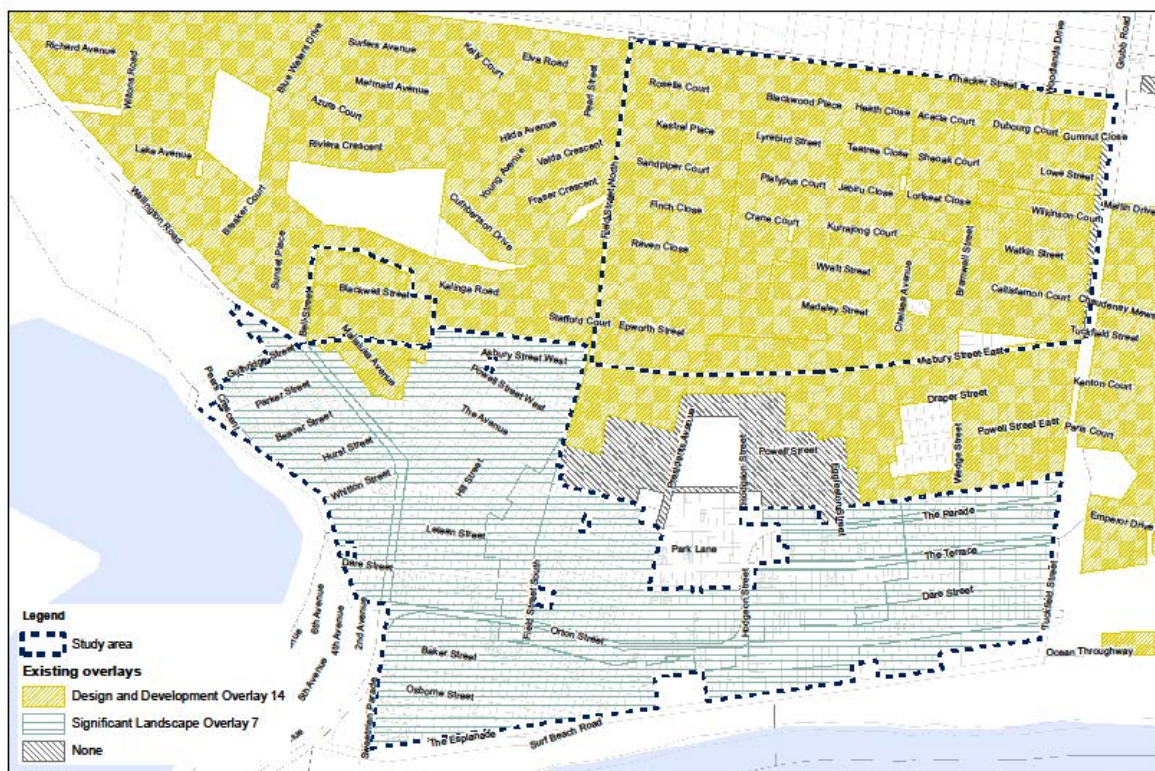


Proposed Zones



Ocean Grove Significant Tree Project - Proposed Zones

Existing Overlays



Ocean Grove Significant Tree Project - Existing overlays

Proposed Overlays

