

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C-349**

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**RESOLUTION TO EXHIBIT AMENDMENT**

UNDER DELEGATION FROM COUNCIL IT IS HEREBY RESOLVED:

That Council:

- 1) **Seek comment from affected landowners regarding rezoning the area exhibited as General Residential Zone Schedule 3 to a new Neighbourhood Residential Zone Schedule 5, as outlined in this report;**
- 2) **Consider any further or revised submissions resulting from the consultation in 1) in a separate report;**
- 3) **Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987;**
- 4) **Refer all submissions on Amendment C349 to the Panel;**
- 5) **Submit to the Panel its response to the submissions generally as outlined in this report and any subsequent report; and**
- 6) **Revise the Amendment Clause and Schedules generally as outlined in this report prior to the Panel Hearing.**

SIGNED:..........

DATE:.....1/8/2017.....

**PETER SMITH  
COORDINATOR STRATEGIC IMPLEMENTATION**



## GREATER GEELONG PLANNING SCHEME

### DELEGATED AUTHORITY REPORT

#### AMENDMENT C349: OCEAN GROVE SIGNIFICANT TREE PROJECT CONSIDERATION OF SUBMISSIONS

**To:** Peter Smith – Coordinator Strategic Implementation  
**From:** Stuart Thiele – Strategic Planner  
**Subject:** Consideration of submissions  
**File number:** C349  
**Date of Report:** 1 August 2017

#### Purpose

The purpose of this report is to consider submissions on this Amendment, to recommend changes to the exhibited Amendment and to recommend submissions be referred to an independent Planning Panel.

#### Summary

- This Amendment seeks to implement the Ocean Grove Significant Tree Project (OGSTP) – Final Report, adopted by Council in September 2016. This project involved vegetation surveys of two areas of old Ocean Grove, the current Significant Landscape Overlay Schedule 7 (SLO 7) and a Significant Tree Area. Informal consultation on the project took place in April and May 2016 and led to several changes in the proposed zoning and overlay controls.
- The Amendment was exhibited from 16 March to 18 April 2017. 20 submissions were received, including 9 submissions from landowners objecting or requesting changes.
- Key issues raised in submissions included: objection to reductions in maximum site coverage; whether vegetation in the coastal fringe is remnant or planted; inadequate application of the current SLO 7 controls; and the relationship of the Amendment to bushfire management controls. These issues are addressed in the report below. Other issues raised are addressed in the Summary of Submissions.
- After consideration of all points raised in submissions, the Amendment is still supported. The recommendations of the OGSTP Final Report are valid and have strong strategic justification. Post-exhibition changes are recommended to address some issues raised in submissions, a new Ministerial Direction and State Government changes to residential zones (Amendment VC 110).
- In order to retain building height limits consistent with those exhibited in this Amendment it is recommended that the exhibited proposed General Residential Zone Schedule 3 area now be rezoned to a new Neighbourhood Residential Zone Schedule 5. This change warrants further consultation and a separate report to consider any additional submissions.
- As most of the points raised in objecting submissions remain unresolved, it is recommended that submissions be referred to an independent Panel.

## **Recommendation**

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

- 1) Seek comment from affected landowners regarding rezoning the area exhibited as General Residential Zone Schedule 3 to a new Neighbourhood Residential Zone Schedule 5, as outlined in this report;**
- 2) Consider any further or revised submissions resulting from the consultation in 1) in a separate report;**
- 3) Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987;**
- 4) Refer all submissions on Amendment C349 to the Panel;**
- 5) Submit to the Panel its response to the submissions generally as outlined in this report and any subsequent report; and**
- 6) Revise the Amendment Clause and Schedules generally as outlined in this report prior to the Panel Hearing.**

### ***Background***

#### Previous Amendments and Ocean Grove Structure Plan 2015

Amendment C74 introduced Significant Landscape Overlay (SLO) 7 (Ocean Grove Coastal Area) into the Scheme in April 2003. The extent of SLO 7 was slightly adjusted by Amendment C78 in February 2008 and has remained unchanged since.

In January 2010, Amendment C129(Part 1) introduced a further work task in Clause 21.14 to review the application of SLO 7.

Among a suite of changes, Amendment C300 (Reformed Residential Zones) made changes to SLO 7 controls in November 2014.

In December 2016 Amendment C346, implementing the Ocean Grove Structure Plan 2015, introduced further work tasks in Clause 21.14 to:

*Undertake a review of the older parts of the town as identified on the Structure Plan map to investigate the introduction of new planning overlay controls to protect important landscape and built form attributes.*

The Ocean Grove Structure Plan 2015 also recommended the review of SLO 7 controls to ensure they better reflect identified objectives and provide clearer guidance to the community, Council and applicants.

#### Ocean Grove Significant Tree Project

The Ocean Grove Significant Tree Project (OGSTP) undertook the abovementioned reviews. The project aimed to identify and protect, through planning controls, the unique coastal/bush landscape character within the well established areas of Ocean Grove.

Ecological consultants Okologie were engaged in 2015 to undertake vegetation surveys on public and private land and make recommendations regarding vegetation protection. Two areas were investigated: the extent of SLO 7 and an area of old Ocean Grove known in the project as the Significant Tree Area.

A detailed Background Report was prepared to inform and recommend draft planning controls relating to three separate areas: the Significant Tree Area and two parts of SLO 7 (the Hillside Area and the Coastal Fringe Area). Informal public consultation on the Background Report and proposed planning controls was conducted in April and May 2016, with information flyers for each precinct mailed to property owners and public information sessions held. 26 submissions were received, of which 20 raised objections or recommended changes.

An OGSTP – Final Report was prepared that included a response to issues raised in submissions. The report recommended some changes to the draft planning scheme controls; among these were the inclusion of the Hillside and Coastal Fringe Areas in a single Hillside Precinct. At its meeting of 27 September 2016, Council adopted the OGSTP – Final Report and sought the Minister's authorisation to prepare an Amendment in accordance with the recommendations of that Final Report. Council also sought an interim SLO 15 while the Amendment was prepared and considered.

#### Interim Control – Significant Landscape Overlay 15

On 2 March 2017, Amendment C272 introduced SLO 15 into the Scheme on an interim basis until 28 February 2018. A few minor changes were made to the SLO 15 controls, such that SLO 15 exhibited in Amendment C349 differs marginally from the interim SLO 15 currently in the Scheme. The proposed SLO 15 also covers a slightly larger area than the interim SLO 15 as it is replacing SLO 7 in one small area.

#### Current proposal – Amendment C349

Amendment C349, as exhibited, proposes:

- applying a new SLO 15 to the Significant Tree Area;
- rezoning the Significant Tree Area to a new Neighbourhood Residential Zone Schedule 4 (NRZ 4);
- rezoning most of the Hillside Precinct to a new General Residential Zone Schedule 3 (GRZ 3);
- replacing SLO 7 with Design and Development Overlay Schedule 14 (DDO 14) over a portion of the Hillside Precinct;
- deleting DDO 14 over most of the Significant Tree Area;
- revising the controls in SLO 7; and
- amending Clause 21.14 Bellarine Peninsula by deleting the further work items carried out by the project.

A location plan showing land affected by the Amendment is at **Appendix 1**. Existing zoning and SLOs (SLO 7 and interim SLO 15) are at **Appendix 2** and **3**. A map and a schedule detailing how the Amendment affects different areas are at **Appendix 4** and **5**.

### Recent and proposed State Government changes

The State Government's Amendment VC110 (Reformed Residential Zones) introduced changes to residential zone provisions across Victoria on 27 March 2017, during the exhibition of Amendment C349. Also during exhibition, a new Ministerial Direction on the Form and Content of Planning Schemes was gazetted on 9 April 2017. The State Government also proposes new Bushfire Management Overlay (BMO) Maps and revised BMO provisions. At the time of writing, these changes are anticipated in August 2017.

The implications of these recent and proposed changes are considered in the Discussion section below.

### ***Discussion***

#### Exhibition

Amendment C349 was exhibited between 16 March and 18 April 2017.

All owners of land affected by the Amendment were notified by mail (2249 letters), with letters specific to each of the ten areas shown on the map at **Appendix 4**.

20 submissions were received. Of 18 submissions from landowners, 9 supported or provided neutral or generally favourable comment on the Amendment, while 9 objected, requested changes or provided generally negative comment. Two submissions were received from government agencies supporting the amendment, with one (from Department of Environment, Land, Water and Planning) suggesting changes.

Key issues raised in submissions are outlined and discussed below. Other issues raised are addressed in the Summary of Submissions at **Appendix 14**.

#### Key issues raised in submissions

### **Objections to proposed GRZ 3 area/controls**

The Amendment proposes to rezone most of the Hillside Precinct from GRZ 2 to GRZ 3 (Areas 4 and 5 on the map at **Appendix 4**) and a small portion of the precinct from Residential Growth Zone Schedule 3 (RGZ 3) to GRZ 3 (Area 6 on the map at **Appendix 4**). Three submissions from landowners in the proposed GRZ 3 area objected or requested changes to the proposed controls.

A landowner in Wallington Road requested that the portion of the proposed GRZ 3 area that was identified as Hillside Area rather than Coastal Fringe Area in the Background Document (generally north of Orton Street) remain zoned GRZ 2. The submission argued that the proposed 50% maximum site coverage is unwarranted, too restrictive and will encourage more two-storey development. In particular, the submission contended that the identification of two separate precincts in Okologie's vegetation surveys and its recommendation of different controls for those precincts should be reflected in the Amendment.

A landowner in Orton Street objected to the proposed rezoning and indicated their property (currently zoned GRZ 2) should be rezoned to RGZ, noting it is a short walk from the Ocean Grove town centre. The submission argued that the proposed 50% maximum site coverage is too restrictive. An objection from owners of the Wynndean Holiday Resort is dealt with separately below.

*Officer response:*

The proposed maximum site coverage reduction from 60% to 50% is justified and appropriate. It aims to better protect existing trees and provide adequate space for new trees in new developments across the Hillside Precinct. In the SLO 7 area, most of which comprises the Hillside Precinct, the vegetation survey identified 1330 significant trees on private property, along with 233 significant street trees.

More two-storey dwellings may be one response to the reduction in maximum site coverage. However, it is not considered that this would be a negative outcome. SLO 7 contains permit triggers for dwellings over 7.5 m high and for two or more dwellings on a lot, and controls that ensure the visual impact of two-storey dwellings is considered.

The OGSTP Background Report recommended more stringent controls for the area generally south of Orton Street (then identified as the Coastal Fringe precinct). It recommended 40% maximum site coverage, as opposed to 50% for the area to the north, which includes Submitter 3's land. In response to the submissions on the Background Report, the proposed controls over the Coastal Fringe Precinct were replaced with the same controls proposed for the land to the north, placing both areas in a single Hillside Precinct. It does not follow that controls for that part of the proposed Hillside Precinct north of Orton Street should be relaxed to maintain the distinction between the two previously identified precincts. However, it is appropriate to acknowledge differences in vegetation types across the precinct in Point 1.0 (statement of nature and key elements of landscape) of SLO 7, by way of a post-exhibition modification.

With respect to the submission on land in Orton Street, there is no strategic support for including the land in the RGZ. The land lies outside the Increased Housing Diversity Area identified in Council's Housing Diversity Strategy and the Ocean Grove Structure Plan map in the Scheme.

### **Wynndean Holiday Resort objection**

An objection was received from owners of the Wynndean Holiday Resort, located on over 40 lots across three street blocks in the southwest of the proposed GRZ 3 area, between Orton Street and The Esplanade. Key points of objection were:

- contention that controls are not justified as the vegetation in the area is planted, or has established along with development, rather than being remnant vegetation;
- controls are too restrictive;
- questions on the accuracy, scope and extent of the study;
- Coastal Tea tree is a pest weed and ought not to be protected; and
- inconsistency with bushfire hazard management.

*Officer response:*

The Amendment's proposals are based on the landscape and environmental value of existing Australian native vegetation, whether it is remnant or planted. The Amendment is not endeavouring to recreate the landscape as it existed prior to initial subdivision and development of the area.

The proposed controls are justified and appropriate, given the prevalence of significant trees in the area. The controls are less restrictive than what was originally proposed for this area, as those proposals were changed in response to submissions on the Background Report (see above).

None of matters raised by the submission indicated any inaccuracies in the study. The scope of the OGSTP was appropriate for its purposes and did not extend to weed identification or estimating the ages of individual trees. The geographical extent of the study in this area was determined by the extent of SLO 7.

SLO 7 currently requires a permit to remove, destroy or lop Coastal Tea-tree that is indigenous to the area. Under this Amendment, a permit will be required to remove, destroy or lop Coastal Tea-tree that is at least 3 m high. The qualification that the Coastal Tea-tree is indigenous to the area has been removed. Council has taken the view that Coastal Tea-tree is indigenous in the coastal dune area. While planting of Coastal Tea-tree is generally not encouraged, existing Coastal Tea-tree contributes to the vegetated coastal character of the area and the requirement for a permit to remove, destroy or lop a plant over 3 m high is appropriate.

Bushfire management issues are addressed separately below.

#### **Application of current SLO 7**

Three submissions contended that the existing SLO 7 controls have been inadequately applied and that overdevelopment has been approved by Council despite these controls. It was argued that as a result, damage to the landscape has already been done and it is too late to protect landscape values. It was also argued that the changes proposed by the Amendment would be ineffective, based on development that has already been approved under SLO 7.

#### *Officer response:*

A range of factors have contributed to developments in the SLO 7 area that may have diminished the landscape character, including lack of clarity in SLO 7 controls, developments not requiring a permit (large single dwellings) incrementally changing the character of the area, and development in the RGZ. However, the number of trees identified in the vegetation survey confirmed there is still a vegetated landscape character across most of the area that warrants protection.

It is anticipated that the revised and strengthened SLO 7 controls proposed will lead to improved development outcomes from a landscape perspective. The proposed reduction in maximum site coverage over most of the SLO 7 area will also assist in protecting and enhancing the vegetated character of the area.

#### **Objections to proposed NRZ 4 area/controls**

The Amendment proposes to rezone the Significant Tree Area from GRZ 2 to NRZ 4 and to apply a new SLO 15 (Areas 1, 2 and 3 on the map at **Appendix 4**). Four submissions from landowners in the proposed NRZ 4 area objected or requested changes to the proposed controls.

Three of the submissions stated that the proposed reduction of maximum site coverage from 60% to 40% was too restrictive; one indicated that 50% would be more practical. The other submission indicated that on a small (440 m<sup>2</sup>) vacant lot, 60% site coverage may be required. One submission argued that the change would result in more development requiring permits and hence time delays, and that the maximum site coverage restriction would result in more two-storey development.

One submission also contended that the SLO 15 permit trigger where buildings are not set back at least 2 m from one side boundary was too restrictive and would result in more development requiring permits and hence time delays.

*Officer response:*

The proposed NRZ 4 and SLO 15 controls, including the proposed reduction in maximum site coverage from 60% to 40% are justified and appropriate given the vegetated character and landscape values of the Significant Tree Area. In this area, the vegetation survey identified 1050 significant trees on private property, along with 517 significant street trees. The reduced maximum site coverage aims to better protect existing trees, including the threatened Bellarine Yellow-gum, and provide adequate space for new trees in new developments across the area.

While 40% maximum site coverage could be onerous on existing small vacant lots, variations to maximum site coverage will be able to be considered on their merits. Of over 1000 lots in the proposed NRZ 4 area, currently only 11 are vacant lots below 500 m<sup>2</sup>. Of these, only five, including the submitter's, do not have a Planning Permit for a dwelling. Given the ability to consider a proposal that does not meet these requirements on its merits, a change to the requirements to address smaller existing vacant lots is not warranted.

The proposed 40% maximum site coverage will not necessitate many more permit applications, given that two or more dwellings on a lot already requires a permit under the current GRZ 2 – a new requirement for a permit would only apply where a proposal for one dwelling on a lot exceeded the site coverage requirement. While variations to the maximum site coverage are able to be considered on their merits, it is anticipated that most development proposals would be designed to comply with the requirement.

More two-storey dwellings may be one response to the reduction in maximum site coverage. However, it is not considered that this would be a negative outcome.

The permit trigger where buildings are not set back at least 2 m from one side boundary permit trigger aims to retain view lines and to avoid continuous built form along a streetscape. It is an appropriate permit trigger within this identified Significant Tree Area. However, to avoid triggering permits for extensions to existing dwellings, it is recommended that the point be reworded to refer to proposed buildings.

## **Bushfire management controls**

The relationship of the Amendment to bushfire management controls was raised in four submissions. Submissions indicated that the Amendment's vegetation protection measures conflict with bushfire management controls, with two submissions indicating bushfire management controls should be varied. The objection from owners of the Wynndean Holiday Resort asked how the Amendment's proposals could be reconciled with bushfire management controls.

### *Officer response:*

Clause 52.48 of the scheme provides permit exemptions for removal, destruction or lopping of vegetation in some circumstances, to create defensible space around buildings, or along fences, that were existing or approved before 10 September 2009. This is a Victoria Planning Provision (VPP) introduced in response to the recommendations of the 2009 Victorian Bushfires Royal Commission. The Clause applies across the municipality regardless of the identified bushfire hazard level, and would override the vegetation protection requirements proposed by this Amendment. Some, though not all, of the trees that require a permit for removal, destruction or lopping under current and proposed SLO 7 and proposed SLO 15 are exempted from that requirement by Clause 52.48. The Amendment does not and cannot vary or alter Clause 52.48 as it is a VPP.

In 2016, Council wrote to the Minister for Planning requesting that this exemption be more strategically applied as it is leading to vegetation removal where there is no bushfire threat. The Minister indicated that the Department was currently looking into a more risk based approach and that the matter will be considered in due course.

Some significant trees retain protection, by way of requiring a permit for removal, destruction or lopping, under the proposed SLO 7 and SLO 15, notwithstanding Clause 52.48. Should Clause 52.48 be modified in the future, this protection may extend to more or all of the significant trees under those overlays.

The State Government proposes new Bushfire Management Overlay (BMO) Maps and revised BMO provisions. At the time of writing, these changes are anticipated in August 2017. A proposed BMO would affect a small portion of both the SLO 7 and SLO 15 areas, shown in **Attachment 6**. This includes a small portion of the Wynndean Holiday Resort. The BMO and SLOs would operate concurrently over this area and any proposal would need to respond appropriately to both overlays. Defensible space requirements under the BMO may impact on retention and/or planting of trees in some instances. However, a BMO coincides with vegetation protection, either under a SLO or a Vegetation Protection Overlay, in many urban areas under other Schemes, as well as in some non-urban areas within the City of Greater Geelong.

### Other issues

A wide range of other issues were raised in submissions and are addressed in the Summary of Submissions at **Appendix 14**. None of the issues raised warrant abandoning the Amendment. A few warrant changes to the exhibited Schedules. These other issues raised include:

- site permeability controls;
- risks to buildings from trees;

- tree protection on public land;
- impact on property values;
- impact on owners who have protected vegetation or are yet to develop;
- suggested reference to the Coastal Moonah Woodland vegetation community;
- suggested reference to the Ocean Grove Tree Planting Guidelines;
- clarification of the two canopy trees per site requirement;
- height limits; and
- side setback permit trigger under SLO 7.

### Implications of the State Government's residential zone changes

On 27 March 2017, during exhibition of Amendment C349, the State Government approved Amendment VC110 which introduced changes to residential zone provisions affecting garden areas, building heights, neighbourhood character objectives and the number of buildings per lot. Implications of these changes for Amendment C349 are outlined below.

#### *Garden area requirements*

Amendment VC110 introduced a new garden area requirement for the GRZ and NRZ. A garden area does not include driveways, car parking areas or any buildings or roofed areas. The garden area requirement, applied to lots of 400 m<sup>2</sup> or above, varies according to lot size:

400 – 500 m <sup>2</sup> :	25%
501 – 650 m <sup>2</sup> :	30%
Above 650 m <sup>2</sup> :	35%

The garden area requirement is separate from the site coverage, permeability and area available for landscaping requirements in proposed GRZ 3 and NRZ 4, although to an extent it achieves similar outcomes. All of these requirements apply, noting that the garden area requirement is mandatory whereas the other requirements may be varied. In most instances in proposed GRZ 3 and all instances in proposed NRZ 4, the area required to be available for landscaping, for two or more dwellings on a lot, would exceed the garden area requirement.

The garden area requirements are seen as complementary to what Amendment C349 is trying to achieve and no changes to this Amendment are required.

#### *Building heights*

Amendment VC110 introduced mandatory maximum building heights and number of storeys for the GRZ and NRZ. In the GRZ, the discretionary building height limit of 9 metres was replaced with a mandatory building height limit of 11 metres and a maximum of three storeys. In the NRZ, the mandatory maximum building height limit of 8 metres was increased to 9 metres with a maximum of two storeys.

Any new Schedules to these Zones can only vary the maximum building height by increasing it. Existing Schedules with a lower maximum building height remain unchanged by Amendment VC110, but it is understood that the State Government expects any such Schedules to be amended by Councils over the next few years to remove any such lower maximum heights.

These changes have affected the proposals in Amendment C349, particularly in the area being rezoned to GRZ 3. The area being rezoned from GRZ 2 to GRZ 3 (Areas 4 and 5 on the map at **Appendix 4**) had a 9 m mandatory height limit up until the gazettal of Amendment VC110; the exhibited GRZ 3 also proposed a 9 m mandatory height limit. As a result of Amendment VC110, this has increased to an 11 m mandatory height limit, with a maximum of three storeys. The area being rezoned from RGZ 3 to GRZ 3 (Area 6 on the map at **Appendix 4**) was proposed to have its mandatory height limit reduced from 10.5 m to 9 m, yet Amendment VC110 has seen this change to an increase from 10.5 m to 11 m and maximum of three storeys.

These changes represent a substantial departure from the proposals exhibited in Amendment C349 and also introduce the potential for adverse impact on the landscape values of the area, much of which is located on a hillside and is highly visible in long distance views from various vantage points.

Accordingly, it is recommended that, in order to retain building height limits consistent with those exhibited in Amendment C349 and which were recommended in the OGSTP, and which will minimise adverse visual impacts in a highly visible area of recognised landscape significance on a hillside and coastal fringe, the proposed GRZ 3 area now be rezoned to a new NRZ 5 (**Appendix 7**). This NRZ 5 should have the same requirements as the exhibited GRZ 3, other than the lower 9 m maximum building height limit and 2 storey maximum and the other differences between the NRZ and GRZ in the Zones' respective parent clauses.

This position should be advocated by Council at a Panel Hearing. However, as it is a substantial post-exhibition change, affected landowners should be given the opportunity to comment on it. It is recommended that affected owners be contacted and given 21 days to comment on this proposed change. A separate delegated authority report can consider any further submissions on this issue and refer them to the Panel.

#### *Neighbourhood character objectives*

Amendment VC110 introduced a requirement for relevant neighbourhood character objectives (including heritage, environmental or landscape character objectives) to be specified in any Schedule to the GRZ and NRZ. Accordingly, appropriate recommended neighbourhood character objectives have been drafted for proposed NRZ 4 and now proposed NRZ 5 (previously GRZ 3) and included in the recommended post-exhibition changes to the Amendment.

#### *Number of dwellings per lot – Neighbourhood Residential Zone*

Amendment VC110 removed the previous limit of two dwellings on a lot in the NRZ. While this limit was noted in the OGSTP Final Report, its removal should have minimal impact on the Amendment. The maximum site coverage, landscaping and garden area requirements will apply regardless of whether two or more dwellings are proposed and will work to prevent overdevelopment and adverse impact on the landscape character. No changes are required to this Amendment as a result of the removal of the limit on dwellings per lot in the NRZ.

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### Recommended post-exhibition changes to Amendment

The following changes are recommended to the exhibited Amendment:

- the area previously proposed to be rezoned to GRZ 3 (Areas 4, 5 and 6 on the map at **Appendix 4**) to instead be rezoned to a new NRZ 5;
- exhibited changes to Clause 21.14 and the SLO 7 Schedule to be further modified as shown in track changes format in **Appendix 8** and **12**;
- Proposed NRZ 4 and SLO 15 Schedules be modified as shown in track changes format in **Appendix 10** and **13**; and
- Proposed GRZ 3 Schedule be replaced with a new GRZ 5 Schedule as shown in **Appendix 11**.

The changes result from and respond to:

- the 9 April 2017 Ministerial Direction on the Form and Content of Planning Schemes;
- changes made to interim SLO 15 in the Minister's approval of Amendment C272 (with all but one of these changes reflected – it is recommended to retain an application requirement for a Design Response plan to include any other notable features or characteristics of the site);
- issues raised in submissions, as outlined in this report and in the Summary of Submissions at **Appendix 14**;
- assessment of the implications of Amendment VC110 (Reformed Residential Zones), as outlined in this report; and
- internal review of the exhibited provisions, identifying minor changes to wording for clarity and consistency.

### Conclusion

After consideration of all points raised in submissions, the Amendment is still supported. The recommendations of the OGSTP Final Report are valid and have strong strategic justification. However, some post-exhibition changes are recommended to address some issues raised in submissions, as well as a new Ministerial Direction and Amendment VC 110 (Reformed Residential Zones). As many points raised in objecting submissions remain unresolved, it is recommended that submissions be referred to an independent Panel.

In order to retain building height limits consistent with those exhibited in this Amendment it is recommended that the exhibited proposed GRZ 3 area now be rezoned to a new NRZ 5. This change warrants further consultation and a separate report to consider any additional submissions.

### ***Environmental Implications***

The Amendment would have positive environmental implications including retention of existing vegetation and promoting new vegetation leading to improved biodiversity, stormwater management, habitat and urban heat impact outcomes. In particular, the Amendment would assist in the retention of threatened Bellarine Yellow-gums.

### ***Financial Implications***

The Amendment will have no significant financial implications for Council.

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

The Amendment is consistent with the State Planning Policy Framework (Clauses 11.05-2, 12.01-1 and 15.01-5) and the Local Planning Policy Framework (Clauses 21.05-3, 21.06-4, 21.14-2 and 21.14-3).

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

The Amendment is consistent with directions of the Sustainable Built and Natural Environment theme of City Plan.

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

No Council officers involved in the preparation of this report have any direct or indirect interest in the matter to which this report relates, in accordance with Section 80C of the Local Government Act.

### ***Risk Assessment***

There are no notable risks associated with implementing the recommendation contained in this report. There is a risk of continued loss of the vegetated landscape character in the subject area without the introduction of the proposed new and revised planning controls.

### ***Social Considerations***

The Amendment strikes a balance between new residential development and preservation and enhancement of the vegetated landscape. The planning scheme amendment process affords landowners and residents a formal opportunity to participate.

### ***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***

Extensive consultation took place in the preparation of the OGSTP. The Amendment was exhibited in accordance with statutory requirements. It is recommended that further consultation be conducted with landowners affected by a post-exhibition change to proposed zoning.

Appendix 1 – Location plan





Appendix 3 – Existing SLO 7 and interim SLO 15



Appendix 4 – Amendment C349 – map of exhibited proposed changes



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## Appendix 5 – Amendment C349 – list of exhibited proposed changes

### Area 1

- Rezone from General Residential Zone Schedule 2 to Neighbourhood Residential Zone Schedule 4.
- Replace Design and Development Overlay Schedule 14 with permanent Significant Landscape Overlay Schedule 15. [Interim Significant Landscape Overlay applies until 28 February 2018]

### Area 2

- Rezone from General Residential Zone Schedule 2 to Neighbourhood Residential Zone Schedule 4.
- Apply a permanent Significant Landscape Overlay Schedule 15. [Interim Significant Landscape Overlay applies until 28 February 2018]

### Area 3

- Rezone from General Residential Zone Schedule 2 to Neighbourhood Residential Zone Schedule 4.
- Replace Significant Landscape Overlay Schedule 7 with permanent Significant Landscape Overlay Schedule 15.

### Area 4

- Rezone area from General Residential Zone Schedule 2 to General Residential Zone Schedule 3.
- Revise the wording of Significant Landscape Overlay Schedule 7.

### Area 5

- Rezone from General Residential Zone Schedule 2 to General Residential Zone Schedule 3.

### Area 6

- Rezone from Residential Growth Zone Schedule 3 to General Residential Zone Schedule 3.
- Revise the wording of Significant Landscape Overlay Schedule 7.

### Area 7

- Replace Significant Landscape Overlay Schedule 7 with Design and Development Overlay Schedule 14.

### Area 8

- Revise the wording of Significant Landscape Overlay Schedule 7.

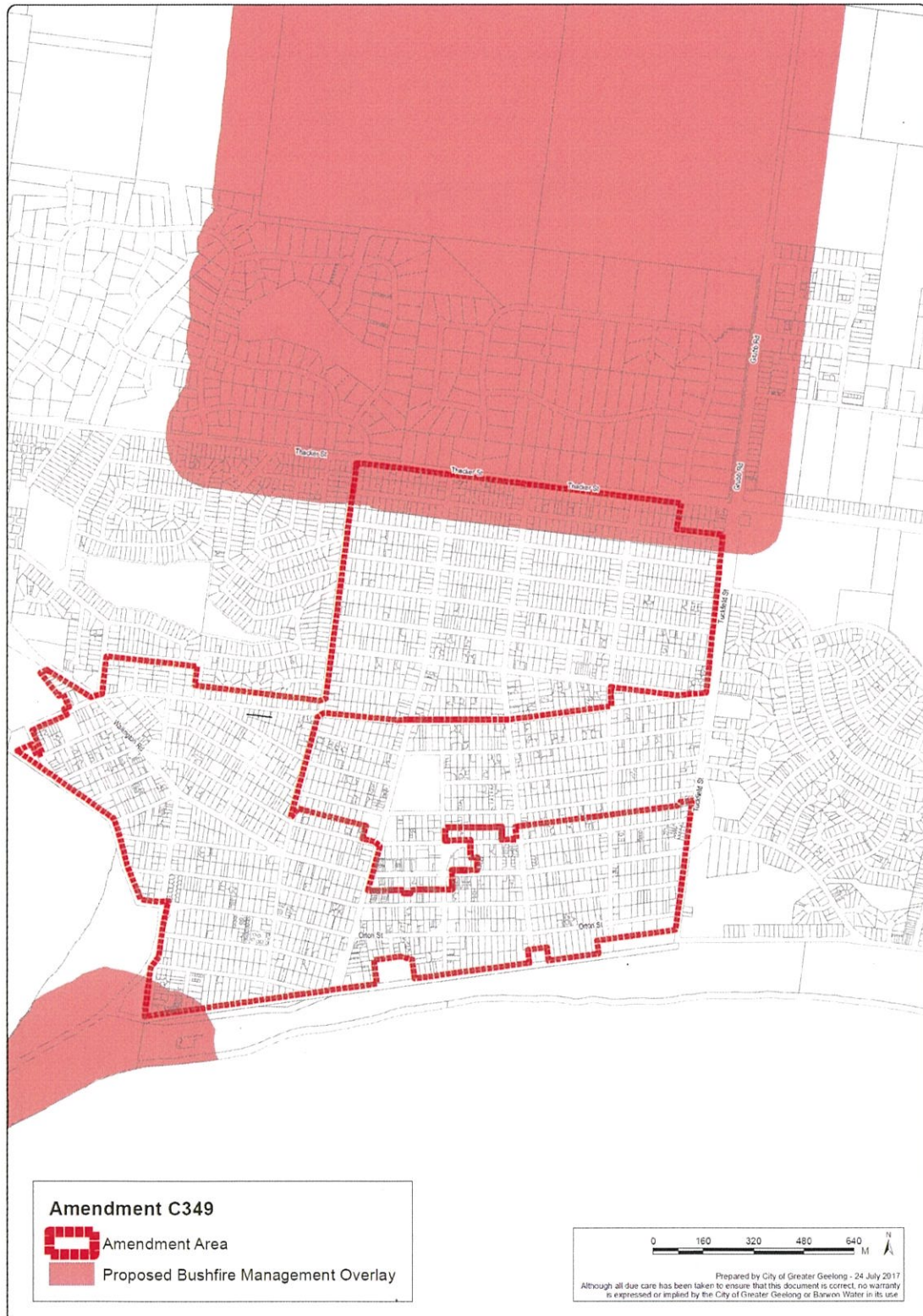
### Area 9

- Delete Significant Landscape Overlay Schedule 7.

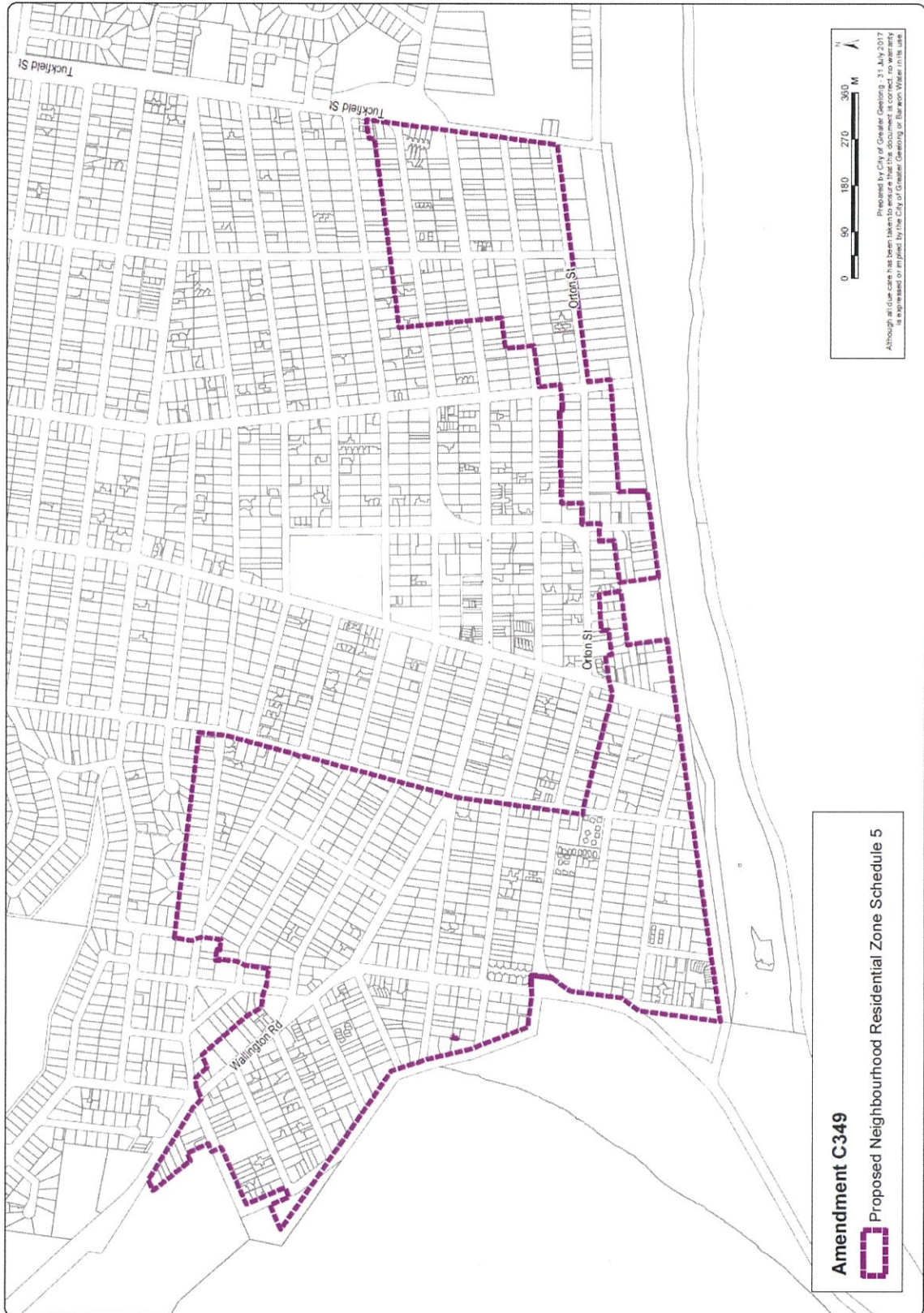
Area 10

- Rezone from General Residential Zone Schedule 2 to Residential Growth Zone Schedule 3.
- Replace Significant Landscape Overlay Schedule 7 with Design and Development Overlay Schedule 14.

Appendix 6 – New BMO proposed by DELWP



**Appendix 7 – Recommended new Neighbourhood Residential Zone Schedule 5**



## Appendix 8 – Proposed changes (including post-exhibition) to Clause 21.14

### GREATER GEELONG PLANNING SCHEME

#### 21.14

08/12/2016

~~C346~~

Proposed C349

#### THE BELLARINE PENINSULA

##### Key issues and Influences

NOTE: Proposed changes post-exhibition are shown with yellow highlighting

28/01/2010  
C129(Part 1)

The Bellarine Peninsula comprises a series of contained townships separated by rural and coastal areas.

The rural and coastal areas on the Bellarine Peninsula form an important non-urban break between settlements. They are highly valued for their scenic attributes, tourism function, environmental function and lifestyle appeal.

The Bellarine Peninsula is one of the fastest growing areas in the City of Greater Geelong. Population growth on the Bellarine Peninsula is being driven by the attractiveness of the peninsula as a relaxed lifestyle destination within close proximity to urban Geelong.

Appropriately managing urban growth on the Bellarine Peninsula will be critical to retaining the peninsula's identity and attributes.

#### 21.14-2

##### Objectives

08/12/2016

~~C346~~

Proposed

~~C349~~

- To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks between settlements.
- To facilitate the development of Ocean Grove, Drysdale/Clifton Springs and Leopold as hubs of development and service provision on the Bellarine Peninsula. In all other townships on the Bellarine Peninsula provide retail, commercial and community uses and facilities that serve the daily needs of the community and encourage street based activity.
- To provide for sustainable industrial, commercial, retail, agricultural and tourism development in designated locations, to service the wider Bellarine community.
- To preserve the individual character, identity and role of each Bellarine township.

##### Strategies

- Ensure that development responds to the identity and character of the individual township in which it is located.
- Protect rural and coastal environments from inappropriate urban encroachment.
- Ensure land use and development proceeds generally in accordance with the relevant Structure Plan maps included in this Clause.
- Ensure that development outside of settlement boundaries (as shown in the Structure Plan maps included in this clause) does not compromise the rural, environmental and landscape values of the non-urban breaks.
- Direct the bulk of residential growth and retail development to Ocean Grove, Drysdale/Clifton Springs and Leopold consistent with the relevant Structure Plan maps included in this clause.
- Direct bulky goods retailing and industrial development to existing and future areas as identified in Structure Plan maps included in this clause.

##### St Leonards:

- Support a mix of retail, commercial, community and entertainment uses within the town centre.
- Encourage development which respects the coastal landscape setting of St Leonards by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.

GREATER GEELONG PLANNING SCHEME

- Support the on-going management, enhancement and sensitive development of the foreshore, Salt Lagoon Wildlife Reserve and Edwards Point State Faunal Reserve.
- Protect the scenic qualities of Murradoc Hill and Swan Bay.
- Support the development of a focal building, comprising retail and tourist related activities, at the south west corner of Murradoc and Bluff Roads.
- Support the development of Growth Areas 1 and 2 identified on the Structure Plan map.
- Facilitate development of a community facility including an Early Years Learning Centre, preferably at 1345 Murradoc Road.
- Integrate the town centre and pier-foreshore area.

**Portarlington:**

- Support a mix of retail, commercial, community and entertainment uses within the town centre.
- Encourage development which respects the coastal landscape setting of Portarlington by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.
- Support the establishment of a Community Centre in Portarlington within an existing public building.
- Support the provision of a new fire station at Portarlington.
- Support the integration of the Portarlington town centre and pier-foreshore area.
- Support the development of a focal building at 22-34 Newcombe Street, Portarlington, to contain retail uses, tourist accommodation and tourism related activities.
- Support development in the Portarlington town centre incorporating accommodation uses above ground level retail floor space, where such development meets all parking and access requirements.

**Indented Head:**

- Encourage development which respects the coastal landscape setting of Indented Head, by:
  - Providing reasonable sharing of views of the coast and foreshore.
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.
- Support the on-going management, enhancement and sensitive development of the foreshore, Point Richards Flora and Fauna Reserve and Salt Lagoon Wildlife Reserve.
- Support expansion of the existing retail premises on The Esplanade, Indented Head.

**Ocean Grove:**

- Contain urban development within the defined settlement boundary on the Structure Plan map.
- Encourage development which respects the coastal landscape setting of Ocean Grove, by:
  - Providing reasonable sharing of views of the coast and foreshore
  - Promoting contemporary design that reflects the existing scale, setbacks, spacing, forms and materials of the buildings in the locality.
  - Ensuring that development allows for the protection of significant trees vegetation and/or planting around buildings and has minimal impact on roadside vegetation.

GREATER GEELONG PLANNING SCHEME

- ~~Ensuring that development allows for protection of significant vegetation and/or planting around buildings and has minimal impact on roadside vegetation.~~
- Support the continued development of the north-east growth area as shown on the Structure Plan map.
  - Encourage a range of accommodation and housing options, including aged care within and adjacent to the Town Centre and other existing and proposed activity centres.
  - Ensure development avoids impacts on environmental assets including the Coast, Buckley Park Foreshore Reserve, Goandra Estate, Ocean Grove Nature Reserve, Begola Wetlands, Barwon River/Lake Conneware and the Lake Victoria Wetlands.
  - Ensure the Town Centre remains the primary retail centre for Ocean Grove by providing for a range of retail, business and accommodation uses.
  - Ensure that the supply of car parking in the Town Centre increases commensurate with parking demands from new development.
  - Preserve The Terrace as the potential long-term arterial route through the Town Centre.
  - Support the development of a new Neighbourhood Activity Centre, including community uses, in the north-east growth area adjacent to Grubb Road.
  - Support the development of the restricted retail and industrial precincts within the north-east growth area.
  - Support the development of a strategic footpath network for the town that provides permeable and safe routes to key destinations and services.
  - Where appropriate, ensure new developments assist in the establishment of a safe bicycle-pedestrian path network around the town connecting the foreshore, river, nature reserve, Grubb, Banks and Bonnyvale Roads as shown on the Structure Plan map.
  - Where appropriate, ensure new development contributes to the improvement of open spaces, key pedestrian links.
  - Provide for a range of appropriately scaled and located tourism accommodation and activities, including opportunities for revitalisation of existing uses.
  - Support further development of existing caravan parks and accommodation uses in residential areas, particularly those close to the beach and river, to provide a broader range of accommodation type and mix.
  - Where appropriate, encourage a range of appropriately scaled tourism related activities on the rural periphery of the town which are complementary to the environmental and rural setting.
  - Support the duplication of Grubb Road in a manner which preserves significant roadside vegetation, provides an attractive town entry, safe crossing points, pedestrian/cycle paths and undergrounding of powerlines.
  - Support the provision of community and social infrastructure commensurate with population growth, including the investigation of a site for a new primary school in the north-east growth area.

**Leopold:**

- Support Leopold as a Sub Regional Retail Activity Centre for the Bellarine Peninsula, whilst providing local community, recreational and employment facilities to Leopold's residents.
- Ensure the retention of Leopold as an urban island - supporting urban growth contained to the settlement boundary and preserving the surrounding rural hinterland.
- Support the development of the Ash Road Growth Area and other areas identified for residential development on the Structure Plan map.
- Support increased housing densities around the Sub Regional Retail Activity Centre and neighbourhood shopping strips at Ash Road and Dorothy Street.

GREATER GEELONG PLANNING SCHEME

- Develop the Council owned Palmerston Street site and the Drysdale Regional Community and Cultural Hub for community and recreation purposes.
- Ensure any development of short term tourist accommodation at the Curlewis Golf Course is located at the eastern end of the course in close proximity to the Jetty Road Urban Growth Area, functions as a minor component to the primary role of the site as a golf course and maintains the rural landscape character of the site.
- Provide additional bicycle and pedestrian opportunities throughout the townships including new footpaths and bicycle lanes.
- Provide for the creation of consolidated parking areas in the town centre.

**Point Lonsdale**

- Support low scaled and designed tourism opportunities on designated land identified on the Point Lonsdale Structure Plan map at Clause 21.14-12.
- Ensure new development strengthens the township's coastal village character and landscape setting by requiring a high standard of architectural and urban design response including:
  - Low scale forms
  - Articulation (materials, openings or features such as decks, balconies, wide eaves or canopies).
  - Contemporary design quality.
  - Use of materials such as timber, corrugated iron, weatherboard or light coloured render.
  - Limiting site coverage and provide front and side setbacks that reflect existing neighbourhood patterns and provide opportunities for maintenance and planting of native coastal and indigenous vegetation.
- Ensure that new urban development street works and road designs contribute to the implementation of the identified primary and secondary pedestrian/cycle routes and are designed to complement the informal coastal streetscape character.

**21.14-3 Implementation**

08/12/2016  
C346  
Proposed  
C349

These strategies will be implemented by:

**Applying Zones and overlays**

**Ocean Grove**

Apply the Commercial 1 Zone to the surplus park at 94 The Parade.

Apply the Commercial 1 Zone to the surplus road reserve from upgrade of the Hodgson Street/The Parade intersection.

Apply the Design and Development Overlay to the Town Centre to implement the findings of the Ocean Grove Town Centre Urban Design Framework.

Apply the Design and Development Overlay to the Commercial 1 and Commercial 2 Zone precincts in the north-east growth adjacent to Grubb Road.

Apply schedule 20 to the Design and Development Overlay to the Industrial 3 Zone in the north-east growth area.

Apply the Public Acquisition Overlay to The Terrace rear laneway.

**Leopold**

Apply the General Residential Zone Schedule 1 and the Development Plan Overlay to land designated for future residential growth shown on the Leopold Structure Plan map included in this clause.

Apply a combination of commercial zones, a Design and Development Overlay and a Development Plan Overlay to facilitate the expansion of the Leopold Sub Regional Retail Activity Centre.

GREATER GEELONG PLANNING SCHEME

**Drysdale**

Apply the General Residential Zone Schedule 1 with a Development Plan Overlay based on the principles identified in the Structure Plan to Princess Street, Central Road and Oakden Road.

Support the application of the General Residential Zone Schedule 1 to identified residential infill areas with appropriate Development Plan Overlay and Developer Contribution Plan controls.

Support a joint rezoning and development application at the Curlewis Golf Club to facilitate short term tourist accommodation.

**Point Lonsdale**

Apply the General Residential Zone Schedule 1 with a Development Plan Overlay to the portion of the Lonsdale Golf Course shown for residential growth on the Point Lonsdale Structure Plan map at Clause 21.14-12 subject to an amendment and EES process.

Apply appropriate design and environmental overlays to areas of consistent urban and landscape character.

Rezone the Commercial Zone land on the corner of Fellows Road and Bellarine Highway to facilitate tourism development.

**St Leonards**

Apply the General Residential Zone Schedule 1 to Growth Areas 1 and 2.

Apply the Development Plan Overlay to Growth Area 2.

Apply the Development Contributions Plan Overlay (or an equivalent agreement with landowners) in conjunction with the rezoning of Growth Areas 1 and 2.

**Further work**

Review township structure plans as scheduled (in structure plans) to meet emerging needs of communities.

Review the planning framework for land identified in the Coastal Spaces Landscape Assessment Study as regionally significant in the south west of the Bellarine Peninsula to ensure the protection of landscape values is adequately addressed.

**Point Lonsdale**

Work with the Borough of Queenscliffe to address climate change issues in Point Lonsdale and implement any relevant outcomes.

Prepare detailed streetscape design plans for designated primary and secondary routes as identified in the Point Lonsdale Structure Plan.

Investigate opportunities to establish a railway station-transport interchange precinct to link with the Queenscliff tourist railway service.

**Portarlington**

Support Parks Victoria Safe Harbour Project, including ensuring appropriate integration with the adjacent foreshore reserve and Town Centre.

**Ocean Grove**

~~Review the application of Schedule 7 to the Significant Landscape Overlay.~~

~~Undertake a review of the older parts of the town as identified on the Structure Plan map to investigate the introduction of new planning overlay controls to protect important landscape and built form attributes.~~

Work with VicRoads to prepare a network operating plan (SmartRoads) for the town.

Review the Structure Plan including an assessment of long term growth options (both infill and settlement expansion) for Ocean Grove by no later than 2021. The assessment should include consideration of:

- land to the north, north-west and east of Ocean Grove.
- the role of Ocean Grove as a district town.

## Appendix 9 – Proposed deleted exhibited GRZ 3 Schedule

### GREATER GEELONG PLANNING SCHEME

XX/XX/XXXX  
Proposed C349

#### 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

XX/XX/XXXX  
Proposed C349

**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

XX/XX/XXXX  
Proposed C349

	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

XX/XX/XXXX  
Proposed C349

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.

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GREATER GEELONG PLANNING SCHEME

**4.0 Application requirements**

XX/XX/XXXX  
Proposed C349

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the Scheme:

**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 site for the construction of the dwellings.

**5.0 Decision guidelines**

XX/XX/XXXX  
Proposed C349

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the Scheme:

- 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.

## Appendix 10 – Proposed post-exhibition changes to exhibited NRZ 4 Schedule

### GREATER GEELONG PLANNING SCHEME

XX/XX/XXXX  
Proposed C349

#### SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

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

#### OCEAN GROVE SIGNIFICANT TREE AREA

##### 1.0 Neighbourhood character objectives

XX/XX/XXXX  
Proposed C349

- To maintain the unique spacious bush garden character of the area distinguished by the high number of significant Australian native trees.
- To encourage development that sits within a vegetated setting.
- To maintain vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas.
- To provide adequate space in new developments for the retention of existing significant trees wherever practicable and for the planting of new canopy trees.

##### 4.2.0 Minimum subdivision area

XX/XX/XXXX  
Proposed C349

None specified.

##### 23.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

XX/XX/XXXX  
Proposed C349

	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 <u>associated with a dwelling</u> on a lot	None specified

##### 34.0 Requirements of Clause 54 and Clause 55

XX/XX/XXXX  
Proposed C349

	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 <u>(parent lot)</u> .
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified

GREATER GEELONG PLANNING SCHEME

	Standard	Requirement
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.
Front fence height	A20 and B32	None specified

~~4.0 Number of dwellings on a lot~~

~~XX/XX/XXXX  
Proposed C349~~

~~None specified.~~

5.0 Maximum building height requirement for a dwelling or residential building

XX/XX/XXXX  
Proposed C349

~~A building used as a dwelling or a residential building must not exceed a height of 9 metres~~ None specified.

6.0 Application requirements

XX/XX/XXXX  
Proposed C349

The following application requirements apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the Scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

**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

XX/XX/XXXX  
Proposed C349

The following decision guidelines apply to an application for a permit under clause 32.09, in addition to those specified in clause 32.09 and elsewhere in the Scheme which must be considered, as appropriate, by the responsible authority:

- 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.

## Appendix 11 – Proposed NRZ 5 Schedule

### GREATER GEELONG PLANNING SCHEME

XX/XX/XXXX  
ProposedC349

#### SCHEDULE 5 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ5**.

#### OCEAN GROVE HILLSIDE AREA

#### 1.0 Neighbourhood character objectives

XX/XX/XXXX  
ProposedC349

- To provide a balance between vegetation and built form such that development sits within a vegetated setting.
- To promote vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas.
- To provide adequate space in new developments for the retention of existing significant trees wherever practicable and for the planting of new trees.

#### 2.0 Minimum subdivision area

XX/XX/XXXX  
ProposedC349

None specified.

#### 3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

XX/XX/XXXX  
ProposedC349

	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 associated with a dwelling on a lot	None specified

#### 4.0 Requirements of Clause 54 and Clause 55

XX/XX/XXXX  
ProposedC349

	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 (parent lot).
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified

GREATER GEELONG PLANNING SCHEME

	Standard	Requirement
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 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

**5.0 Maximum building height requirement for a dwelling or residential building**

XX/XX/XXXX  
ProposedC349

None specified.

**6.0 Application requirements**

XX/XX/XXXX  
ProposedC349

The following application requirements apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

**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 site for the construction of the dwellings.

**7.0 Decision guidelines**

XX/XX/XXXX  
ProposedC349

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- 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.

## Appendix 12 – Proposed changes (including post-exhibition) to SLO 7

### GREATER GEELONG PLANNING SCHEME

13/11/2014  
C300  
Proposed C349

#### SCHEDULE 7 TO **THE CLAUSE 42.03** SIGNIFICANT LANDSCAPE OVERLAY

NOTE: Proposed changes post-exhibition are shown with yellow highlighting

Shown on the planning scheme map as **SLO7**.

#### OCEAN GROVE **COASTAL**~~HILLSIDE~~ AREA

##### 1.0 Statement of nature and key elements of landscape

13/11/2014  
C300  
Proposed C349

~~Ocean Grove is an important and growing coastal township located on a hillside extending to a popular ocean surf beach. The landscape character of the township and its vulnerability due to substantial development occurring in recent years has been identified by Council and the community as an important planning consideration. An important characteristic of the township is the balance between roof tops and vegetation when viewed from a distance. While roof tops are visible, the buildings are separated by tea tree and other coastal species. It is the vision of the township to retain and strengthen this balance.~~

~~In addition, the topography of Ocean Grove 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.~~

~~Other landscape elements of particular importance in Ocean Grove include the allocation of sufficient space for the planting and retention of vegetation, and building height that does not dominate the streetscape and long distance views.~~

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 support 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 generally south of Orton Street on the dunes includes examples of remnant vegetation representing a mix of coastal dune and alkaline scrub vegetation classes, potentially supporting remnants of the Coastal Moonah Woodland vegetation community, with species such as Moonah (*Melaleuca lanceolata* subsp. *lanceolata*) and Coastal Tea-tree (*Leptospermum laevigatum*) along with planted Australian natives.

The area generally north of Orton Street on the hillside includes examples of remnant vegetation from the grassy woodland vegetation class which includes ~~also supports~~ the threatened Bellarine Yellow-gum *Eucalyptus leucoxylon* subsp. *bellarinensis* which is endemic to the ~~area~~ Bellarine Peninsula and Surf Coast. The retention of these trees is important for the ongoing survival of the species.

The incremental loss of ~~vegetation~~ trees and the ~~impact of not providing~~ provision of inadequate space for the re-establishment of ~~vegetation~~ trees 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.~~

GREATER GEELONG PLANNING SCHEME

The retention of and ability to plant screening vegetation along boundaries and fronting the street and building height and bulk that do 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.

For the purposes of this Schedule, a Significant trees are defined as any indigenous and Australian native trees 3 or more metres in height.

## 2.0 Landscape character objective to be achieved

13/11/2014  
C300  
Proposed C349

- To conserve, enhance and reinstate the preferred character of buildings sitting within vegetated settings including in areas that have been substantially cleared of vegetation trees.
- 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~~ encourage the development of buildings that fit within the landscape and do not dominate the streetscape and long distance views.
- To provide a balance between ~~minimise the impact of~~ buildings and projecting above the ~~vegetation~~ tree canopy.
- To ensure that buildings are sited and designed to avoid and/or minimise removal of Australian native indigenous vegetation trees.
- To encourage development that sits within a vegetated setting by providing ~~provide~~ space at the front, side and rear of buildings for the retention and planting of screening vegetation, ~~particularly high canopied coastal vegetation and other native coastal species common to the area.~~
- To maximise opportunities for view sharing, particularly where views are available to the ocean and river from private dwellings.
- ~~To protect vistas of the ocean and river available from public viewing points in the town.~~

## 3.0 Permit requirement

13/11/2014  
C300  
Proposed C349

### 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.
- ~~The location of an outbuilding or garage normal to a dwelling is behind the front building line of the dwelling.~~
- At least 30 per cent of the site is available (free from hard surfaces) for soft landscaping (e.g. vegetation), ~~not covered by buildings or impervious surfaces including driveways, paving, swimming pools or tennis courts.~~

GREATER GEELONG PLANNING SCHEME

- Proposed buildings are set back a minimum of 2 metres from one side boundary.
- There is only one dwelling on the lot.

**Vegetation Tree Removal**

A permit is required to remove, destroy or lop ~~vegetation~~ a tree. This does not apply to: ~~except where one of the following requirements are met:~~

- Indigenous vegetation less than 3 metres in height.
- Australian native ~~vegetation~~ trees less than 3 metres in height.
- Exotic ~~vegetation~~ trees.
- ~~The~~ ~~Vegetation~~ A tree is listed within the incorporated document *Environmental Weeds*, City of Greater Geelong, September 2008 except Coastal Tea-tree *Leptospermum laevigatum*, which contributes to the coastal character of this area. ~~where tea tree is indigenous to the area.~~
- Pruning a tree to improve its health or appearance, provided its normal growth habit is not retarded.
- ~~Vegetation~~ A tree that presents an immediate risk of personal injury or damage to property, if only that part of ~~vegetation~~ the tree which presents the immediate risk is removed, destroyed or lopped.
- Pruning ~~vegetation~~ a tree to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling.
- ~~The~~ ~~Vegetation~~ A tree 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~~ Policy by or on behalf of the responsible authority.
- ~~The vegetation is less than 4 metres in height and is not shown on an approved landscape plan or site plan specifying its retention or the vegetation has a single trunk circumference of less than 0.5 metres measured 1 metre above the ground and is not shown on an approved landscape plan or site plan specifying its retention.~~

~~A landscaping plan should be submitted with an application for buildings and works, or to remove, destroy or lop vegetation, and should incorporate the use of local indigenous species.~~

4.0 Application Requirements

13/11/2014  
C349  
Proposed C349

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

A Design Response plan which shows the development in relation to:

- The levels of the site and the difference in levels between the site, finished floor levels and surrounding properties;
- Location of the proposed building(s) on the site and on surrounding properties;
- The use of surrounding buildings;

GREATER GEELONG PLANNING SCHEME

- Location of significant trees existing on the site and any significant trees removed;
- Details of significant **vegetation** trees within 3 metres 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.

#### **Buildings 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 metres 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** a tree must be accompanied by a landscaping plan prepared by a suitably qualified person and should incorporate at least 2 canopy trees per site (parent lot) and the use of local indigenous or other Australian native species.

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

#### **Vegetation Tree 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** tree(s) to be removed.
- Details of **vegetation** trees within 3 metres of the subject site boundary on any adjoining property.
- Describes the **vegetation** tree(s) to be removed, including the genus, species, extent, number, height, health and quality of **vegetation** the tree(s) to be removed.
- Specifies the purpose of the proposed removal, destruction or lopping of **vegetation** the tree(s).
- 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.

GREATER GEELONG PLANNING SCHEME

**5.0 Transitional arrangement**

~~xx/xx/xxxx~~  
~~Proposed C349~~

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 revised schedule to Clause 42.03 into the Greater Geelong Planning Scheme.

**56.0**

13/11/2014  
~~C300~~  
~~Proposed C349~~

**Decision guidelines**

~~Before deciding on an application the responsible authority must consider~~ The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- 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 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~~tree(s) 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~~hard surfaces enables the retention of adequate vegetation and space for new canopy ~~vegetation~~trees, and provides sufficient area for the planting of vegetation, particularly high-canopied vegetation that contributes to the overall character of Ocean Grove.
- Whether hard surfaces like driveways have been minimised.
- Whether setbacks can be varied to minimise the removal of native/indigenous ~~vegetation~~trees.
- The size, species, age and health of existing ~~vegetation~~tree(s) proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement ~~vegetation~~tree(s).
- Whether there is a valid ~~the~~ reasons for removing the ~~vegetation~~tree(s) tree and the practicalities of alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming ~~vegetation~~tree(s) that do not require removal of any trees.
- 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.

GREATER GEELONG PLANNING SCHEME

~~The impact of a specified flood level on the overall height of a building.~~

## Appendix 13 – Proposed post-exhibition changes to exhibited SLO 15

### GREATER GEELONG PLANNING SCHEME

DD/MM/YYYY  
Proposed C349

#### SCHEDULE 15 TO ~~THE~~ CLAUSE 42.03 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

DD/MM/YYYY  
Proposed C349

This precinct within Ocean Grove is distinctive due to the high number of significant canopy trees (indigenous and other 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~~ Trees includes the threatened Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis* which are endemic to the ~~area~~ Bellarine Peninsula and Surf Coast. The residential streetscape and private gardens within the ~~precinct~~ area 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 indigenous and other Australian native ~~and indigenous~~ canopy trees has the potential to change the character of the area over time. The retention of existing and establishment of ~~and ability to establish~~ new canopy trees will help integrate and reduce the impact of new development on the landscape ~~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.~~

~~For the purposes of this Schedule, a s~~ Significant trees are defined as is any an indigenous tree 3 or more metres in height and an Australian native tree 5.3 or more metres in height.

##### 2.0 Landscape character objective to be achieved

DD/MM/YYYY  
Proposed C349

- To protect and ensure the long term future of ~~significant canopy~~ vegetation ~~trees 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 ~~trees.~~
- 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, and infrastructure such as~~ service trenches ~~ete~~ on existing vegetation ~~significant trees.~~
- To ensure adequate tree protection zones are provided around existing significant trees as part of any development.

GREATER GEELONG PLANNING SCHEME

- 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~~tree(s) 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 significant tree removal occurs.
- To promote the use of locally indigenous ~~plants~~trees for landscaping.

### 3.0 Permit requirement

DD/MM/YYYY  
Proposed C349

#### 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 (e.g. vegetation).
- Proposed B buildings are setback a minimum of 2 metres 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 the tree canopy) of a significant tree including a significant tree on an adjoining property or nature strip/road reserve.

#### VegetationTree removal

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

- ~~Indigenous vegetation less than 3 metres in height.~~
- Australian native ~~vegetation~~trees less than 5.3 metres in height.
- Exotic ~~vegetation~~trees.
- ~~Vegetation~~A tree 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.~~
- Pruneing 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.~~
- Pruneing or lopping ~~vegetation~~a tree to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling.
- ~~Vegetation~~A tree that is dead ~~to the satisfaction of the responsible authority.~~
- Maintaining a Minor Utility Installation~~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 Policy~~Strategy~~ by or on behalf of the responsible authority.

GREATER GEELONG PLANNING SCHEME

#### 4.0 Application requirements

DD/MM/YYYY  
Proposed C349

An application must be accompanied by the following information. These requirements may be waived or reduced by the responsible authority if the information is not relevant to the assessment of an application:

##### Buildings and works

An application to construct a building or carry out works must be accompanied by the following information:

A Design Response plan which shows the development in relation to:

- Location of ~~the proposed~~ existing 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 to be removed.
- Details of significant ~~vegetation~~ trees within 3 metres 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 plan

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 which and should incorporate at least 2 existing and/or new canopy trees per site (parent lot) and the use of local indigenous or other Australian native species.

##### Tree management

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

##### ~~Vegetation Removal~~

##### Tree 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~~ trees and the ~~vegetation~~ tree(s) to be removed.
- Provides details of ~~vegetation~~ trees within 3 metres of the subject site boundary on any adjoining property or road reserve.
- Describes the ~~vegetation~~ tree(s) to be removed, including the genus, species, extent, number, height, health and quality of ~~vegetation~~ tree(s) to be removed.
- Specifies the purpose of the proposed removal, destruction or lopping of ~~vegetation~~ the tree(s).

GREATER GEELONG PLANNING SCHEME

- Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable, including investigation of alternative development options which do not require removal of the tree(s).
- Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of significant trees.
- Provides a vegetation management plan for the construction period.

## 5.0 Transitional arrangement

DD/MM/YYYY  
Proposed C349

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 42.03 into the Greater Geelong Planning Scheme.

## 6.0 Decision guidelines

DD/MM/YYYY  
Proposed C349

~~Before deciding on an application the responsible authority must consider~~ The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether buildings sit within a treed garden setting, with trees providing softening and screening of built form ~~vegetated landscape.~~
- Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of significant ~~vegetation trees~~ and space for planting of new canopy vegetation trees.
- The need to retain a significant vegetation tree(s) due to its ~~their~~ species, age, health, growth characteristics and/or contribution to neighbourhood character.
- The size, species, age and health of existing ~~vegetation tree(s)~~ proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement ~~vegetation tree(s).~~
- Whether there is a valid reason for removing the ~~vegetation tree(s)~~ and alternative options to removal have been fully explored, such as changing the building footprint and/or lopping or trimming ~~vegetation tree(s).~~
- Whether new trees are consistent with the character of existing vegetation, whether new trees 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 14 – Summary of submissions**

**Summary of Submissions for Amendment No C349**

(Abbreviations used throughout: OGSSTP: Ocean Grove Significant Tree Project; IHDA: Increased Housing Diversity Area; SLO 7: Significant Landscape Overlay Schedule 7; SLO 15: Significant Landscape Overlay Schedule 15; RGZ 3: Residential Growth Zone Schedule 3; GRZ 2: General Residential Zone Schedule 2; GRZ 3: General Residential Zone Schedule 3; NRZ 4: Neighbourhood Residential Zone Schedule 4; NRZ 5: Neighbourhood Residential Zone Schedule 5; DDO 14: Design and Development Overlay Schedule 14)

No	Name	Address	Type	Summary of Submission	Officer Response
1	Graham Boal	EAST GEELONG	Objection	<p>1. Own 440 m<sup>2</sup> vacant lot on Tuckfield St with no trees. Probably need more than 60% of lot to build a normal 3 bed/2 bath home. Submitter should not be penalised by the Amendment, being proposed after submitter purchased property.</p> <p>2. Can get one native tree on the lot after building; two will be difficult, but willing to try.</p>	<p>The 40% maximum site coverage requirement could be onerous on existing small vacant lots. However, variations to maximum site coverage in proposed NRZ 4 will be able to be considered on their merits. Permit triggers in SLO 15 (such as percentage of the site covered in buildings or hard surfaces) ensure consideration of relevant issues by way of the Planning Permit application process and do not necessarily indicate an application will be refused.</p> <p>Of over 1000 lots subject of proposed NRZ 4 and SLO 15, currently only 11 are vacant lots below 500 m<sup>2</sup>. Of these, only five, including the submitter's, do not have a Planning Permit for a dwelling. Given the ability to consider a proposal that does not meet these requirements on its merits, a change to the requirements to address smaller existing vacant lots is not warranted.</p> <p>The requirement under proposed NRZ 4 for two canopy trees only applies to a permit for two or more dwellings on a lot. If a permit is required under SLO 15, Council can waive or reduce the application requirement for a landscaping plan incorporating at least two canopy trees.</p>

No	Name	Address	Type	Summary of Submission	Officer Response
2	Monique Cahill	Heath Close, OCEAN GROVE	Support	<ol style="list-style-type: none"> <li>1. Strongly support new SLO 15.</li> <li>2. It is a pity that five significant trees were recently removed in Heath Close before introduction of the interim SLO 15 control.</li> <li>3. Hope Council will monitor replanting and ongoing maintenance, particularly of street trees, to allow trees to reach maturity.</li> </ol>	<p>Noted.</p> <p>Noted. Council sought and obtained approval for interim controls to require a permit for vegetation removal while the Amendment is exhibited and considered.</p> <p>Council is responsible for planting and maintenance of street trees.</p>
3	Ross Closter	PO Box, GEELONG	Objection	<ol style="list-style-type: none"> <li>1. Submitter is a director of a company owning a 1823 m<sup>2</sup> Wallington Road lot with three street frontages.</li> <li>2. While not in the IHDA, the lot has important role in accommodating Ocean Grove's growth as it is within a walkable catchment of the town centre, Barwon River, beach and bowling club.</li> <li>3. Ocean Grove (including established areas outside the IHDA) has important role in accommodating the region's residential growth. Amendment prioritises character protection ahead of accommodating growth, rather than balancing the two. Character of proposed GRZ 3 area defined as much by high level of existing development as by level of vegetation.</li> <li>4. Maximum site coverage for area changed from 70% to 60% around 2 years ago. Concerns on overdevelopment in SLO 7 area raised at time of 2007 Ocean Grove Structure Plan related to development under 70% maximum site coverage.</li> </ol>	<p>Noted.</p> <p>The lot's location outside of the IHDA indicates that it is not an area identified for increased residential densities and a diversity of housing types.</p> <p>The area including the submitter's land has been included within SLO 7 since 2003. Amendment proposes changes to better protect and enhance an area of identified significant landscape value, while acknowledging and allowing for ongoing development.</p> <p>The 60% maximum site coverage applying to this area was not changed by Amendment C300, gazetted in November 2014; it applied to this area prior to the introduction of SLO 7 in April 2003 and has remained unchanged since. 70%</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>As the 60% requirement has only applied for a short period, it is premature to conclude it is not working and to reduce it to 50%.</p> <p>5. 60% maximum site coverage provides ample opportunity for large trees to screen built form. Standard B28 (private open space) in the Schedule assures minimum private open space requirements. SLO 7 assures side setback controls.</p> <p>6. Perimeter planting and screening vegetation (as encouraged by proposed SLO 7) is more important in achieving a balance between landscape and built form than reducing maximum site coverage.</p> <p>7. Reducing the maximum site coverage will encourage more two-storey development.</p> <p>8. Recent introduction of GRZ 2 required subdivisions creating lot(s) below 500 m<sup>2</sup> to be accompanied by a development application for dwellings. Previously, subdivisions created lots over 300 m<sup>2</sup> without the scrutiny, assessment and third party appeal rights of such applications. Applications since this change have likely resulted in more appropriate</p>	<p>hard or impervious surfaces (as opposed to site coverage) is a permit trigger under SLO 7, and has also applied since SLO 7 was introduced.</p> <p>Amendment proposes 50% maximum site coverage to better protect existing trees and provide adequate space for new trees. Standard B28 in Clause 55.05 does not provide adequate space for a large canopy tree. Proposed SLO 7 side setback permit trigger does not by itself ensure adequate space for a canopy tree(s).</p> <p>Perimeter planting does not achieve retention of existing significant trees. The proposed reduced maximum site coverage better provides for protecting existing trees and the planting of new trees than relying on a point under the Landscape character to be achieved in SLO 7.</p> <p>Acknowledge and accept that new two-storey dwellings may be one response to the constraints of reduced maximum site coverage. This is not considered a negative outcome.</p> <p>Much of the development in SLO 7 area since the introduction of GRZ 2 by Amendment C300 in November 2014 would be in the form of two or more dwellings on a lot rather than one dwelling on a vacant lot of between 300 m<sup>2</sup> and 500 m<sup>2</sup> created by subdivision. Notwithstanding that more dwellings now require planning permits, it</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>development than before. As this requirement has applied for only a short period, it is premature to conclude it is not working effectively.</p> <p>9. Proposed SLO 7 reference to minimum 2 m setback from one side boundary should be changed to a cumulative 2 m in side setbacks, providing more flexibility with the same net outcome. Control will result in a zero setback on one boundary which may not otherwise have been the case. 1 m setback on each side would look better (less bulky).</p> <p>10. Reword to make it clear the requirement for two native canopy trees in SLO 7 and GRZ 3 relates to the existing lot prior to development, as per Council's verbal advice.</p> <p>11. Remove the requirement for 30% of the site to be available for landscaping in SLO 7 and proposed GRZ 3. The requirement is unnecessary for the following reasons [Points 12 to 16].</p> <p>12. Minimum private open space of 60 m<sup>2</sup> is already an</p>	<p>is considered that reducing maximum site coverage from 60% to 50% is required to better protect existing trees and provide adequate space for new trees.</p> <p>The aim of this permit trigger is the retention of view lines. The minimum 2 m side setback to one boundary will in many cases result in wider view lines in gaps between buildings as viewed from the street than the cumulative 2 m side setback suggested. Zero side setback on one boundary is generally a visually acceptable outcome.</p> <p>Recommend adding "(parent lot)" after "site" to remove any ambiguity.</p> <p>Since its introduction in April 2003, SLO 7 has included a permit trigger where 30% of a site is covered by buildings or impervious surfaces (including driveways, paving, swimming pools or tennis courts). The Amendment does not alter this, but uses the term "free from hard surfaces". The GRZ 3 requirement for at least 30% of the site to be available for landscaping is appropriate and justified and will better protect existing trees and provide for planting of new trees as new development proceeds. It is consistent with the abovementioned SLO 7 permit trigger.</p> <p>See response to Point 5 of this submission.</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>appropriate minimum control.</p> <p>13. Newly created lots below 500 m<sup>2</sup> will require landscape plans to be assessed as to how they achieve balance between landscape and built form.</p> <p>14. Perimeter planting can better screen built form.</p> <p>15. Decks and pools provide contemporary and functional uses for private open spaces.</p> <p>16. In coastal communities like Ocean Grove with a high percentage of holiday homes, a low maintenance back yard is important for many owners.</p> <p>17. Note the Okologie Consulting report did not map any vegetation on 34 Wallington Road.</p> <p>18. It is clear from mapping in Okologie's report [Potential precincts map attached to submission] that the consultants thought areas south of Orton Street should be treated differently to the rest of SLO 7 area, as they had a significantly higher</p>	<p>See response to Point 8 of this submission.</p> <p>See response to Point 6 of this submission.</p> <p>Decks and pools can be provided, but are hard surfaces and do not constitute landscaping and so are not included in the required proportion of the site available for landscaping.</p> <p>The landscaping requirements proposed for the area are not substantially different from the existing requirements – it is proposed to reduce the maximum site coverage from 60% to 50%. The reduction applies to only a portion of Ocean Grove. Similar requirements have been applied in coastal towns in other Victorian municipalities.</p> <p>Identification of precincts by Okologie Consulting and subsequent recommendations of the OGSTP Final Report considered presence of significant trees over a wider area, not a lot-by-lot basis.</p> <p>The OGSTP Background Report recommended more stringent controls for the Coastal Fringe precinct (generally south of Orton Street): 40% maximum site coverage was recommended, as opposed to 50% for the area to the north.</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>proportion of significant trees. Curious as to why the Amendment bundles both areas (north and south of Orton Street) in one precinct to be rezoned GRZ 3 when the consultants did not recommend this, the areas differ significantly in quantity and quality of vegetation, and there is less development south of Orton Street.</p> <p>19. Amendment proposals are appropriate for areas marked blue on the Okologie report map [included at end of this Summary of Submissions] – these should be rezoned to GRZ 3 and subject to exhibited revised SLO 7 controls.</p> <p>20. Unwarranted to extend the same controls to area around 34 Wallington Road, which has high level of existing development and few significant trees. Areas marked yellow on the Okologie report map [attached to submission] should remain GRZ 2 with maximum site coverage maintained at 60% and with the revised SLO 7 applied, subject to the changes mentioned in this submission [Points 9 to 11 above].</p>	<p>In response to submissions on the Background Report, proposed controls over the Coastal Fringe Precinct were replaced with the same controls proposed for the land to the north, placing both areas in a single Hillside Precinct. It does not follow that the controls for that part of the proposed Hillside Precinct north of Orton Street should be relaxed accordingly. However, it is appropriate to acknowledge differences in vegetation types across the precinct in Point 1.0 (statement of nature and key elements of landscape) of SLO 7.</p> <p>See response to Point 18 of this submission. In light of the changes to maximum building heights in Amendment VC 110, it is recommended that the area exhibited as proposed GRZ 3 be rezoned to a new NRZ 5, but with generally the same controls (other than building heights) as the exhibited GRZ 3.</p> <p>See response to Points 18 and 19 of this submission.</p>
4	Pamela Connelly	Lowe Street,	Comment	1. Many significant trees and old buildings have been	Noted.

No	Name	Address	Type	Summary of Submission	Officer Response
		OCEAN GROVE		<p>removed for development in Ocean Grove since the 1970s, and at an alarming rate in the last year. Ocean Grove is losing its character. Happy Council is addressing this now. Fully support protection of vegetation.</p> <p>2. Annoying that sale of new units is increasing real estate prices in Ocean Grove.</p> <p>3. Buildings beyond a certain age (perhaps 1950) should be protected to maintain character. Original school house (Powell Street) was removed for development. Homes like Broome Cottage (The Avenue) should be funded to be saved. Original Cobb &amp; Co coach house (cnr Field St/The Avenue) should be protected.</p> <p>5. Trees assist with climate change mitigation, rainfall, water tables, livestock shelter, salinity, topsoil protection, aesthetics and bird/wildlife habitat. Substantial replanting of submitters' land at Cape Bridgewater has increased land value, habitat value and use for livestock.</p> <p>6. Council should plan a policy to replant one quarter of all land across the municipality with local plants (this could be funded with carbon credits if approved).</p>	<p>Amendment seeks to protect the vegetated landscape, not address housing affordability.</p> <p>The purpose of the Amendment is to protect vegetated character, not to address built heritage. Heritage values worthy of protection are determined by a range of heritage criteria rather than simply the age of a building. Broome Cottage (1-5 The Avenue) is protected by a Heritage Overlay.</p> <p>Noted.</p> <p>Amendment only addresses the older portion of the Ocean Grove urban area. Council's Urban Forest Strategy contains a target of improving Geelong's tree canopy cover from 14% to 25% over a thirty year period. Its recommendations and action plan focus on public land. The Planning Scheme can, in some circumstances,</p>

No	Name	Address	Type	Summary of Submission	Officer Response
5	Margaret Corlette	Kestrel Place, OCEAN GROVE	Objection	<ol style="list-style-type: none"> <li>1. Appreciate and support intent to protect and preserve appealing streetscape in the study area.</li> <li>2. Submitter's property, like many in the study area, will be due for redevelopment in the medium term.</li> <li>3. Four significant trees have been identified on submitter's lot. Wish to have permission to remove one tree reflected in the proposed Overlay.</li> <li>4. Reducing maximum site coverage from 60% to 40% is too severe. Ideally this would remain at 60%, but 50% would be more equitable given challenges of the restrictions applied due to location of trees within the study area.</li> </ol>	<p>require new tree planting where new development proceeds, but cannot otherwise impose a planting requirement over private land.</p> <p>Noted.</p> <p>It is envisaged that redevelopment will continue to occur throughout the proposed NRZ 4 area.</p> <p>Point 3 of SLO 15 and Clause 52.48 specify exemptions addressing a range of scenarios in which a Permit is not required to remove a tree. It would be inappropriate to further exempt a specific tree on one property in the SLO.</p> <p>Proposed 40% maximum site coverage is considered justified to protect existing significant trees and allow for planting of new trees throughout the area. Variations to the maximum site coverage for the proposed NRZ 4 will be able to be considered on their merits.</p>
6	Greg Cowan	The Terrace, OCEAN GROVE	Comment	<ol style="list-style-type: none"> <li>1. Have not sighted details of the Amendment but have grave concerns this will be a fiasco.</li> <li>2. Submitter will not be impacted with respect to subdivision, but if it is intended to stop residents from subdividing (by not allowing tree clearing) this will reduce property values and thus rates income.</li> </ol>	<p>Amendment proposals are well justified and result from detailed ecologist surveys and a previous public consultation exercise.</p> <p>Changes proposed for the area including the submitter's property are unlikely to significantly impact development potential. Development, including subdivision, will still occur.</p> <p>The impact of the Amendment, negative or positive, on property values is not known. It has</p>

No	Name	Address	Type	Summary of Submission	Officer Response
				<p>3. Significant tree at rear of submitter's property requires pruning every 3 to 4 years. This should not require employing an arborist at submitter's cost to approve the process.</p> <p>4. It would be better to allow clearing of lots but work with owners to replace trees and allow for continuing development.</p>	<p>been consistently held by Planning Panels and Tribunals that impact on property values is not a relevant planning consideration.</p> <p>SLO 7 currently applies to the submitter's property and already contains a requirement for a permit to remove, destroy or lop vegetation except in certain circumstances. The Amendment expands the list of exemptions from this permit requirement, including "pruning a tree to improve its health or appearance, provided its normal growth habit is not retarded". Exemption under Clause 52.48 may also apply.</p> <p>The OGSTP has concluded that the number of significant trees on private land warrants vegetation removal controls. Proposed controls anticipate retention of existing significant trees wherever possible as part of new development.</p>
7	Beverley and Brian Crane	Kestrel Place, OCEAN GROVE	Support	<p>1. Support Amendment and hope it proceeds without delay.</p> <p>2. This area is unique because of the number of native Bellarine Yellow Gums. Need to protect this endangered species and preserve the genetic stock.</p> <p>3. Area provides a highly regarded natural environment. Subdivisions have resulted in loss of trees and birdlife, and more traffic.</p>	<p>Noted.</p> <p>The prevalence and conservation status of the Bellarine Yellow-gum is recognised in Point 1.0 of SLO 15.</p> <p>It is anticipated that some redevelopment and subdivision will still occur in the proposed NRZ 4 area.</p>
8	Department of Environment, Land,	Little Malop & Fenwick Streets,	Support	<p>1. DELWP supports the Amendment. Amendment is well considered and supported by a suite of</p>	<p>Noted.</p>

No	Name	Address	Type	Summary of Submission	Officer Response
	Water and Planning	GEELONG		<p>background assessments.</p> <p>2. In addition to the Bellarine Yellow-Gum, Ocean Grove potentially supports remnants of the Coastal Moonah Woodland vegetation community, which is listed under the <i>Flora and Fauna Guarantee Act 1988</i>. Council may wish to consider listing this community in Point 1.0 of SLO 7 and SLO 15.</p> <p>3. Council's <i>Ocean Grove Tree Planting Guidelines</i> is a useful tool to support achieving SLO objectives where replacement planting is considered. Council may wish to consider adding this document as a reference document to the Decision Guidelines of both SLO 7 and SLO 15.</p>	<p>It is appropriate to add reference to the Coastal Moonah Woodland vegetation community in SLO 7, but not in SLO 15.</p> <p>The <i>Ocean Grove Tree Planting Guidelines</i> have been prepared to provide guidance in the preparation of landscape plans to meet the landscape requirements set out SLO 7 and SLO 15. They will assist meeting the requirements of a planning permit, but will not need to be considered in assessing a planning permit application. It is thus inappropriate to include the document in the Decision Guidelines.</p>
9	EPA Victoria	Little Malop & Fenwick Streets, GEELONG	Support	<p>1. EPA has no concerns with the Amendment with the information that has been provided.</p>	<p>Noted.</p>
10	L C Falciglia	BALLARAT	Comment	<p>1. Understand importance and environmental value of trees, but street trees trimmed under power lines look shabby, particularly along Grubb Road.</p> <p>2. Grubb Road needs widening. Street trees on Grubb Road should be removed and replanted away from power lines.</p>	<p>Amendment focus is protection and planting of trees in new development on private land. Council seeks to retain street trees where possible, while allowing for safety and maintenance of power lines and other utilities.</p> <p>Amendment does not relate to Grubb Road or any land adjacent to Grubb Road.</p>
11	Travis Ferrari	Sandpiper Court,	Objection	<p>1. Support the preservation of the bush garden</p>	<p>NRZ 4 and SLO 15 controls are appropriate given</p>

No	Name	Address	Type	Summary of Submission	Officer Response
		OCEAN GROVE		<p>character of old Ocean Grove, but proposed NRZ 4 and SLO 15 controls are too restrictive.</p> <p>2. Much original housing stock in old Ocean Grove was constructed from the 1950s to 1980s. Dwellings tend to be modest in size and constructed with inadequate insulation and poor energy efficiency by current standards.</p> <p>3. Dwelling on submitter's property requires repair and renovation to cater for growing family.</p> <p>4. Proposed 40% maximum site coverage (reduced from 60%) is far too restrictive. It will require more planning permits for dwellings, increased time delays and red tape even for minor works such as extensions to a single dwelling on a lot.</p> <p>5. Understand 40% maximum site coverage is for space to plant canopy trees. Around 50 m<sup>2</sup>, with minimum dimension of around 7 m, is required for a large canopy tree. Thus 100 m<sup>2</sup> is required for two canopy trees (around 13 to 16% of the site for the average lot size of 600-750 m<sup>2</sup> in old Ocean Grove).</p>	<p>the vegetated character and landscape values of the identified Significant Tree Area.</p> <p>Acknowledge some dwellings in NRZ 4 and SLO 15 area will be replaced redeveloped over time. Council is encouraging more urban consolidation nearer the Ocean Grove town centre in the Residential Growth Zone.</p> <p>See response to Point 2 of this submission.</p> <p>See response to Point 4 of Submission 5. Two or more dwellings on a lot already require a permit under the current GRZ. 40% maximum site coverage in NRZ 4 would only introduce a new requirement for a permit where a proposal for one dwelling on a lot exceeded the site coverage requirement. While variations to maximum site coverage can be considered on their merits, it is anticipated most development proposals would be designed to comply with the requirement.</p> <p>Retention of existing and planting of new canopy trees is a key reason for the proposed maximum site coverage, but not all of the area of a site not covered by buildings will be used for retaining or planting trees. The cited space required for planting is different to the tree protection zone. Council's Ocean Grove Tree Planting Guidelines indicate that, for a Bellarine Yellow-gum, a tree</p>

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				<p>6. 50% maximum site coverage is more practical and takes into consideration newer dwellings and subdivisions constructed with up to 60% site coverage. 40% site coverage does not accurately reflect recent substantial development.</p> <p>7. 50% site coverage allows 16% for two canopy trees and 34% available for soft landscaping/open space.</p> <p>8. SLO 15 requirement for a minimum 2 m building setback from one side boundary is too restrictive and will result in more planning permits for dwellings, time delays and red tape for minor buildings and works.</p> <p>9. Amendment will negatively impact on retention of older coastal themed dwellings and promote new double storey dwellings lacking character.</p>	<p>protection zone of 12 m x 12 m (6 m radius) would be required. Built form should ideally not intrude into this area.</p> <p>See response to Point 4 of Submission 5. Lots with recent developments exceeding 40% site coverage are less likely to undergo further development.</p> <p>See response to Point 4 of Submission 5 and Point 5 of this submission.</p> <p>This permit trigger aims to retain view lines and to avoid continuous built form along a streetscape. It is an appropriate permit trigger within this Significant Tree Area. To avoid triggering permits for extensions to existing dwellings, it is recommended that the point be reworded to refer to proposed buildings.</p> <p>See response to Point 7 of Submission 3. Unclear why new two-storey dwellings would be inferior to new single-storey dwellings with respect to character nor how Amendment will negatively impact retaining older dwellings.</p>
12	Roger Fyfe	Lelean Street, OCEAN GROVE	Support	<p>1. Strongly support Amendment, particularly as it applies to submitter's area (rezoning from RGZ 3 to GRZ 3 and retaining SLO 7). Also support:</p> <ul style="list-style-type: none"> <li>• maximum site coverage (50%) and private open space requirements for the Hillside Area;</li> </ul>	<p>Noted. In light of the changes to maximum building heights in Amendment VC 110, it is recommended that the area exhibited as proposed GRZ 3 be rezoned to a new NRZ 5, but with generally the same controls (other than</p>

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				<ul style="list-style-type: none"> <li>• maximum building height of 9 m on submitter's lot and requirement for a development application for any new lots below 500 m<sup>2</sup>;</li> <li>• decision guidelines;</li> <li>• pruning exemption.</li> </ul> <p>2. Request the Minister to vary the bushfire overlay. Failure to vary the bushfire overlay to enable protection of vegetation under SLO 7 is disgraceful</p> <p>3. Oppose side and rear setbacks and walls on boundaries not being specified.</p> <p>4. Oppose new residential zones gazetted by the Minister. Mandatory 11 m height does not provide certainty; it permits as of right a 12.2% increase in building height. Minister removed mandatory</p>	<p>building heights) as the exhibited GRZ 3.</p> <p>It is not clear whether this refers to Clause 52.48 or to a Bushfire Management Overlay (BMO). In 2016, Council wrote to the Minister for Planning to request the Minister investigate the blanket application of Clause 52.48 as it is resulting in vegetation removal in urban areas with no identified fire threat. The Minister advised that DELWP is investigating a proposed update to the clause based on a more risk based approach and that the matter will be considered in due course. No BMO applies to the submitter's land or surrounding area and none is anticipated.</p> <p>These are shown as "none specified" in proposed GRZ 3 (and recommended NRZ 5). This simply means requirements set out in the relevant standards of Clause 54.04 (A10 and A11) and Clause 55.04 (B17 and B18) apply. It is not necessary to vary these requirements to achieve the Amendment's objectives for the area.</p> <p>See response to Point 1 of this submission.</p>

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13	Malcolm Grant	Orton Street, OCEAN GROVE	Objection	<p>heights in C1 Zones in the City of Boroondara, but asserts they will work in residential areas.</p> <p>5. The private open space provisions are a reduction compared to existing provisions, not an increase.</p> <p>1. Object to Amendment as advised in May 2016 submission on the OGSTP [copy attached].</p> <p>2. Proposed maximum 50% site coverage is too restrictive for the few properties that have not been developed. Suggest 60% maximum site coverage be retained. 40% site permeability requirement is too restrictive.</p>	<p>The size of private open space required under proposed GRZ 3 and now recommended NRZ 5 is increased from the existing RGZ 3. This is appropriate and better provides for protection of existing trees and planting of new trees.</p> <p>Noted. This Amendment incorporates changes made after considering exhibitions on the .</p> <p>The proposed reduction in maximum site aims to better protect existing trees and provide adequate space for new trees. Across the Hillside precinct where 50% maximum site coverage is proposed, a high proportion of properties have redevelopment potential. The control is justified and appropriate.</p> <p>There is no proposed 40% permeability requirement for the area including the submitters' land. Under proposed GRZ 3, a 20% permeability requirement applies. SLO 7 separately specifies a permit trigger where more than 70% of a site is covered by buildings and impervious surfaces (i.e. any less than 30% permeability). It was previously proposed to rezone the submitters' land and surrounding area to NRZ with a 40% permeability requirement. After consideration of submissions on the OGSTP, the exhibited Amendment proposed a new GRZ 3. It is now recommended the area be rezoned to a new NRZ 5, with a 20% permeability requirement.</p>

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				<p>3. Council has been negligent in not enforcing SLO 7 – not due to lack of clarity but lack of Council’s efforts. Properties are still being cleared and filled with buildings. Now too late to rectify effects of development already approved under SLO 7 – the horse has bolted.</p> <p>4. Why are the caravan park and 91 Orton Street not included?</p> <p>5. At a Council hearing, the planning representative stated that all respondents to the survey would have their applications reviewed and be contacted directly. This did not occur.</p> <p>6. Request that submitters’ properties at 1&amp;2/127</p>	<p>A range of factors have contributed to developments in the SLO 7 area that may have diminished the landscape character. It is anticipated that the revised and strengthened SLO 7 controls will lead to improved development outcomes from a landscape perspective.</p> <p>The Riverview Family Caravan Park is not included in the Amendment because the OGSTP study area was limited to the extent of SLO 7 and significant tree areas on private land.</p> <p>91 Orton Street is partly zoned RGZ 3 and partly GRZ 2. To correct this zoning anomaly, the Amendment includes the whole property in RGZ 3. The Amendment proposes to remove SLO 7 from most land in the RGZ, including 91 Orton Street, as the level of significant trees does not warrant application of the SLO given the strategic and statutory direction for increased residential intensity. The Amendment proposes to replace SLO 7 in this area with DDO 14.</p> <p>This submitter, along with all other submitters on the OGSTP, was advised by letter of Council’s adoption of the OGSTP Final Report. The letter provided a link to the report, specifying the section responding to issues raised in submissions.</p> <p>In light of the changes to maximum building</p>

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				<p>Orton Street be excluded from the proposed changes and come under Growth Zone 2.</p> <p>7. Submitters' properties cannot be seen from the beach and are a five minute walk from the Ocean Grove shopping area.</p> <p>8. Suggest the setback be the same as listed in the building code.</p>	<p>heights in Amendment VC 110, it is recommended that the area exhibited as proposed GRZ 3 be rezoned to a new NRZ 5, but with generally the same controls (other than building heights) as the exhibited GRZ 3. With this adjustment, the Amendment's proposals for that part of the SLO 7 area currently zoned GRZ 2 are appropriate and there is no basis for excluding the submitters' properties. There is no strategic support for inclusion of the submitters' land within the RGZ. The land lies outside of the IHDA identified in Council's Housing Diversity Strategy and the Ocean Grove Structure Plan map in the Scheme. In any case, such a change in zoning would constitute a transformation of the Amendment.</p> <p>Views from the beach are not the only views that SLO 7 seeks to protect. Long distance views [not necessarily from the beach] are referred to among a range of landscape character objectives (point 2.0) of the proposed revised SLO 7. The RGZ boundary reflects the IHDA defined through Council's Housing Diversity Strategy, based on a 400 m baseline walkable catchment from the Ocean Grove town centre. The submitters' land lies outside the IHDA and hence is currently zoned GRZ.</p> <p>The side setback requirements in Clauses 54 and 55 are not varied by the Amendment. The</p>

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14	Brian Head	BLACKBURN NORTH	Comment	<p>9. A Conservation zone already applies on the lower, southern side of Orton Street from Hodgson Street to Tuckfield Street, addressing vegetation protection.</p> <p>1. In general, support the Amendment proposals. Comments relate specifically to Areas 2 and 3. Protecting vegetation in Area 2 is urgent and overdue and has been identified by a previous Panel Report and by VCAT.</p> <p>2. Strongly support 40% maximum site coverage and 40% site permeability requirements. 40% of site for landscaping is also sound.</p> <p>3. Oppose building height limit of 9 m. Dwellings in these areas must be nestled into the tree line and not dominate views. Height limit should be 7.5 m as in SLO 7 – adequate for two storey buildings and has achieved good outcomes in Area 3.</p>	<p>Amendment proposes a permit trigger in SLO 7 for buildings not set back a minimum of 2 metres from one side boundary.</p> <p>The Rural Conservation Zone applying to properties on the southern side of Orton Street relates specifically to lots from an inappropriate subdivision of a sensitive foreshore primary dune. It in no way negates the justification for the Amendment's proposals which seek to protect and enhance vegetated landscape throughout the wider Hillside Precinct.</p> <p>Noted.</p>
					<p>Noted. Proposed NRZ 4 does not include a 40% site permeability requirement. SLO 15 includes a permit trigger where less than 40% of a site is available (free from hard surfaces) for soft landscaping.</p> <p>Under recent changes made by Amendment VC 110, it is not open to Council to set a height limit lower than 9 m in the NRZ. SLO 7 permit trigger for buildings over 7.5 m reflects topography of the area and need to consider the visual impact of development on longer distance views. These factors are not as generally applicable in the SLO</p>

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15	Beverley Holmes	Mann Street, OCEAN GROVE	Objection	<ol style="list-style-type: none"> <li>1. The information folder for the Amendment was big and complicated.</li> <li>2. 40% maximum site coverage is harsh. Council is prioritising open space over dwellings.</li> <li>3. Not fully explained why the Amendment proposals are being applied to these particular properties.</li> <li>4. If Council wishes to protect certain tree species, it should plant them in parks and open spaces, rather than expect private landowners to take on this role.</li> <li>5. Large trees near dwellings cause damage (roots, blocked gutters, falling limbs) and increase insurance costs.</li> </ol>	<p>15 area and hence the 7.5 m building height permit trigger has not been included in SLO 15.</p> <p>The folder contained the exhibited Amendment documents and relevant background documents, including the OGSTP Final Report.</p> <p>See response to Point 4 of Submission 5.</p> <p>The OGSTP Final Report explains in detail the basis for proposed SLO 15 and NRZ 4 over the identified Significant Tree Area. The Explanatory Report indicated that the Amendment implements the OGSTP.</p> <p>Council is committed to tree planting on public land and has a focus on planting local indigenous plants where appropriate. In the Amendment areas, both public and private trees contribute to the overall landscape and therefore both should be managed. Protection of significant vegetation on private land is an established element of Victoria's planning system.</p> <p>Recognise that in some instances trees can present risks of damage to property. Proposed SLO 15 (and SLO 7) contain exemptions from requiring a Permit to remove, destroy or lop trees where vegetation presents an immediate risk of personal injury or damage to property, pruning to remove any branch overhanging or within 2 m of</p>

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				<p>6. Has Council carried out an audit on the trees they wish to protect? A drive around is inadequate for such an important Amendment.</p> <p>7. Submitter has owned property for around 40 years. Submitter has protected vegetation but is now being discriminated against with regard to future development potential.</p>	<p>a dwelling, or vegetation that is dead. Species selection and adequate space for canopy and root protection zones are important in avoiding damage to property by trees and landscape plans required for development proposals need to address this. Ocean Grove Tree Planting Guidelines provide advice on species selection and allocating space. Proposed maximum site coverage and landscaping requirements for NRZ 4 ensure adequate space for existing and/or new trees in new development.</p> <p>The vegetation survey was undertaken by specialist consultants (ecologist and arborist) on foot and by car, but private property was not accessed during the survey. For each tree on private property, trees were identified as either indigenous or planted natives and tree significance was rated on criteria of origin, conservation status, health, structure, hazard and useful life expectancy. More details were recorded for street trees. Trees not visible from the road reserve were interpreted from a review of aerial photography and typical floristic characteristics. The survey methodology was adequate to meet the objectives of the study.</p> <p>Amendment seeks to balance residential development with preservation and enhancement of the vegetated landscape. Any proposals to remove significant trees would be</p>

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16	Laurel Hynes	Orton Street, OCEAN GROVE	Comment	<ol style="list-style-type: none"> <li>1. Support Council's endeavours to increase landscape protection in Ocean Grove.</li> <li>2. Concerned about older properties. When submitter purchased property over 30 years ago, understood rear of the lot was not to be touched as it was part of the dune. Many landowners have ignored this. Can this be enforced?</li> <li>3. There is conflict with the Bushfire Management Overlay. Understorey clearing of properties after Ash Wednesday fires led to loss of the fairy wren population and to a weed problem. Can vegetation advice and supervision be given where requested?</li> <li>4. A communication strategy should promote appreciation of the sand dune fringe on residents' properties. A community group could help residents create appropriate streetscapes in different vegetation areas of Ocean Grove by providing seed collection and working bees.</li> </ol>	<p>considered under the provisions of the SLO.</p> <p>Noted.</p> <p>Vegetation controls in SLO 7 apply to land within the Rural Conservation Zone on the southern side of Orton Street. Council is able to investigate potential breaches of the Scheme if they are brought to its attention.</p> <p>See response to Point 2 of Submission 12. Historic clearing in the area is outside the scope of this Amendment.</p> <p>This matter is outside the scope of this Amendment. The submission has been forwarded to Council's Environment &amp; Waste Department for consideration.</p>
17	Shane Pitt	Lelean Street, OCEAN GROVE	Comment	<ol style="list-style-type: none"> <li>1. Support Amendment rezoning properties west of Field Street South and retaining SLO 7.</li> <li>2. Oppose contradiction of bushfire overlay and vegetation protection under SLO 7. Support requesting Minister to vary the bushfire overlay.</li> <li>3. Oppose Amendment in relation to varying mandatory height to 11 metres.</li> </ol>	<p>See response to Point 1 of Submission 12.</p> <p>See response to Point 2 of Submission 12.</p> <p>See response to Point 1 of Submission 12.</p>

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18	Robert Reynolds	PO Box, OCEAN GROVE	Comment	<ol style="list-style-type: none"> <li>1. Agree we must retain and grow more vegetation to protect and enhance this area of Ocean Grove.</li> <li>2. The horse has bolted in this area of Ocean Grove. Recent approved developments in the area [several sites cited] have over 70% site coverage. Amendment has some great ideas but question its effectiveness given previous and recent development approvals.</li> <li>3. In approving developments, open space must not include driveways or swimming pools. Open space is gardens, lawns and trees.</li> </ol>	<p>Noted.</p> <p>See response to Point 3 of Submission 13.</p>
19	Caryll Waugh	PO Box, OCEAN GROVE	Support	Support Amendment. Amendment overdue attempt to ensure changes in Ocean Grove are incremental and existing neighbourhood character not overwhelmed.	<p>Private open space is defined in the Greater Geelong Planning Scheme is “an outdoor area of a dwelling or residential building or land for the exclusive use of the occupants”. This is a Victoria Planning Provision (VPP) definition cannot be varied by Council. Separate to this Amendment, a garden area requirement was introduced for the General Residential and Neighbourhood Residential Zones by Amendment VC110 in March 2017. The VPP definition of garden area includes a swimming pool, but excludes a driveway.</p> <p>Noted.</p>
20	John and Janice Wynn	Governors Place, OCEAN GROVE	Objection	<ol style="list-style-type: none"> <li>1. Must acknowledge vegetation existing in Ocean Grove at the time of European settlement. Photographic evidence dating back to the 1890s shows extent of indigenous vegetation at the time of settlement [various historic photographs attached to submission]. Buildings facilitated tree growth by providing protection from wind and salt. If planners and the community wish to create a</li> </ol>	<p>The Amendment’s proposals are based on the landscape and environmental value of existing Australian native vegetation, whether remnant or planted. The Amendment is not endeavouring to recreate the landscape as it existed prior to initial subdivision and development of the area.</p>

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				<p>new environment with vegetation protection, it can't be done in the name of indigenous and remnant vegetation. In biogeography, a species is defined as indigenous to a given region or ecosystem if its presence in that region is the result of only natural process, with no human intervention.</p> <p>2. Frustrated by Council's lack of consistency and enforcement of the current Scheme. Ironic that during exhibition of the Amendment, Council destroyed 15-20 year old vegetation in Lookout Reserve without public consultation.</p> <p>3. Agree developments in SLO 7 area over last 12 years have changed the character of the area. Few redevelopment commence without clearing lots of all vegetation; in Governors Place and Baker Street even streetscape vegetation has been removed.</p> <p>4. SLO 7, introduced in 2003 without community consultation, gave considerable control to Council over the Coastal and Hillside areas. How and why have such developments occurred under SLO 7?</p> <p>5. Street trees have almost disappeared in the coastal area, replaced with pest weeds such as buckthorn (by graders, authorities and large vehicles).</p>	<p>See response to Point 3 of Submission 13. Lookout Reserve underwent an upgrade involving weed and dead plant removal, top dressing, mulching garden beds and pruning of shrubs. The main purpose for vegetation removal was to combat excessive weed growth. It is planned to replant the reserve with rare native flora.</p> <p>See response to Point 3 of Submission 13.</p> <p>See response to Point 3 of Submission 13.</p> <p>Council has identified the benefits of street trees in its Urban Forest Strategy and implements a street tree planting program. The OGSTP will help inform street tree planting into the future.</p>

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				<p>6. Why must the few remaining landowners who have planted and nurtured vegetation in a harsh salt beachfront environment now have their properties almost sterilised for development to compensate those who have not complied with and who Council has permitted to ignore the rules?</p> <p>7. Submitters' family has endured 30 years of ownership specific zoning for resort development because it was in the community interest to retain the land for integrated resort development. For 20 years, planners declared the land a community asset for Significant Landscape and now significant vegetation. The neighbourhood character descriptions for this Precinct were discredited by an Independent Panel, but were later incorporated as a reference for SLO 7. They reflected what was desired by planners, not what existed.</p>	<p>See response to Point 2 of Submission 13. Across SLO 7 area, the survey identified 1330 indigenous or planted native trees on private land, on numerous properties in the area. Amendment seeks to balance residential development with preservation and enhancement of the vegetated landscape. Development potential would still exist throughout the precinct, though the scale and intensity of potential development may be modified.</p> <p>Subject land is zoned GRZ 2. Amendment C40 proposed incorporation of neighbourhood character precinct brochures into the Scheme and Amendment C41 proposed a Neighbourhood Character Overlay over foreshore areas of Ocean Grove. The Panel Report for Amendments C40 and C41 recommended Amendment C41 be abandoned; it was abandoned and the Neighbourhood Character Overlay was not introduced. However, the <i>Residential Character Study: Character Precinct Brochures</i> were incorporated into the Scheme as reference documents. These have since been removed from the Scheme as reference documents and played no part in the OGSTP review of SLO 7. The SLO 7 review looked at the Overlay's provisions afresh in drafting the statement of nature and key elements of landscape and the landscape character objectives.</p>

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				<p>8. Photographs show there was no vegetation in the beachfront strip from Sweetman Parade to Hodgson Street. Old survey aerial images back to 1935 are helpful in marking Marram grass and plants. 1920s oblique aerial images give a clearer picture of the vegetation coverage. Images of the 1894 Marram grass plantings and montages of the same period clearly indicate a complete lack of vegetation of any kind in the coastal strip.</p> <p>9. Tea-tree and Norfolk Island Pines along the Esplanade were planted in the 1960s and 1970s. Boobialla planted in the 1980s were removed for the car park and relocation of Surf Beach Road.</p> <p>10. Images of the Hillside area to the north of the coastal strip (which has been under SLO 7 for 13 years) illustrate how vegetation has been replaced by development approved by Council.</p> <p>11. Question the accuracy of the study:</p> <ul style="list-style-type: none"> <li>• The oldest trees in this area have not been identified.</li> <li>• The study only identifies native vegetation on the streets and does not mention the prolific growth of pest weeds that threaten both street trees and trees on private lots.</li> <li>• There is no indication of the age of trees identified – most are less than 20 years old though some are up to 60 years old.</li> </ul>	<p>See response to Point 1 of this submission.</p> <p>The Esplanade and Surf Beach Road lie outside SLO 7 and thus outside the area addressed by the OGSTP and this Amendment.</p> <p>See response to Point 3 of Submission 13.</p> <p>None of these points suggest inaccuracies in the study. It was beyond the scope or resources of the OGSTP, including the study carried out by Okologie Consulting, to identify weeds or to estimate ages of individual trees. The Okologie vegetation survey mapping identifies planted native vegetation on private land as well as planted native street trees. The Esplanade and the adjacent beach car park</p>

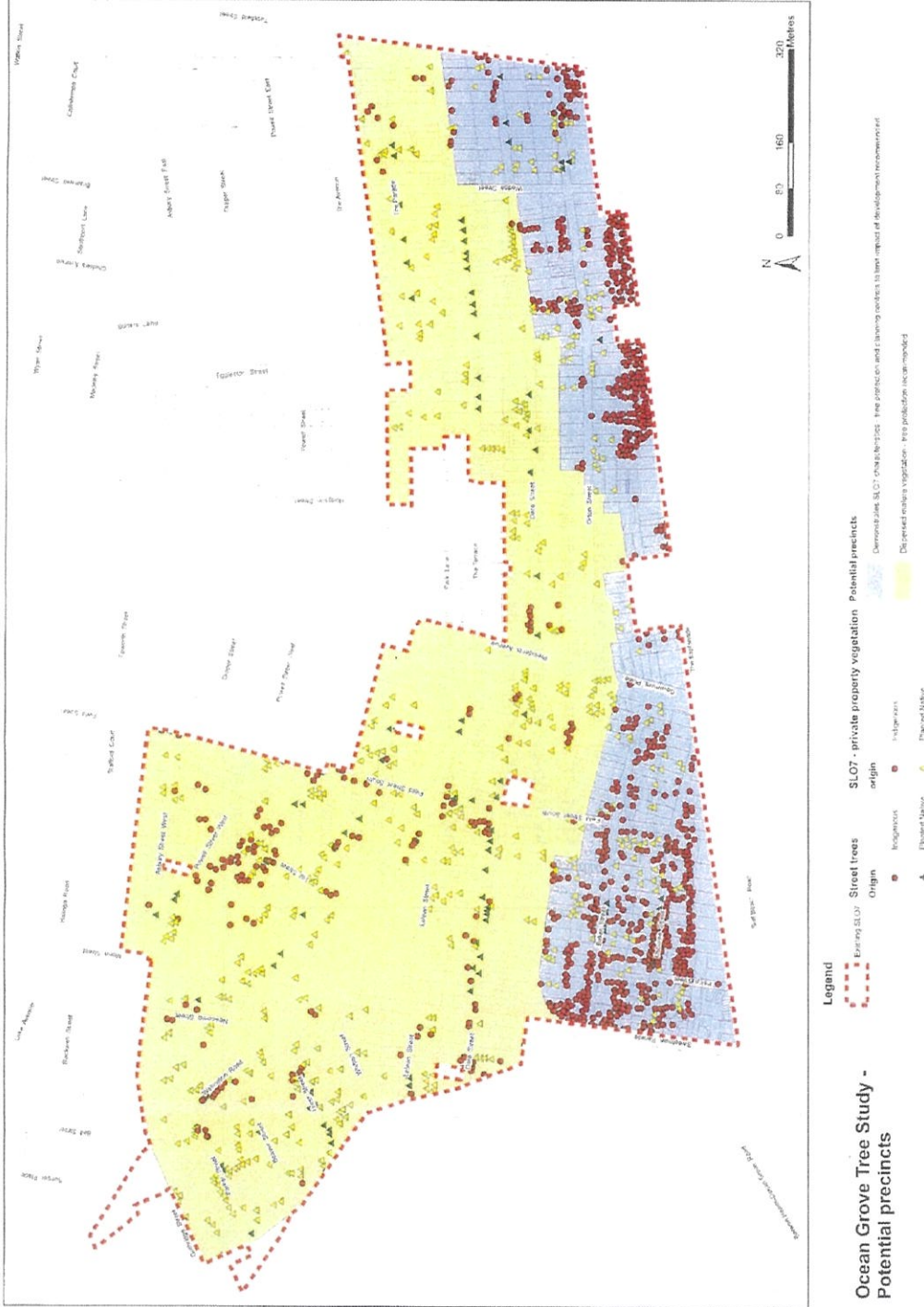
No	Name	Address	Type	Summary of Submission	Officer Response
				<ul style="list-style-type: none"> <li>• The Esplanade and adjacent beach car park were not included yet there is not one mature tea-tree in the car park.</li> <li>• Native species that have been planted are not indigenous to this area</li> </ul> <p>12. Why do images 2g, 2h Street Tree Assessment ignore the Esplanade, Sweetman Parade and foreshore land, yet show the Crown Land Caravan Park along the river? Crown and Council land should have significant vegetation identified: it is a greater community asset than on freehold land. It was recommended in the Okologie Report. Almost half the Coastal Fringe is Council or Crown land.</p> <p>13. Wynndean Caravan Park should not be indented. It covers 45 lots in the Coastal Fringe (about 95% of the undeveloped lots in the proposed SLO 16 area). The vegetation on this land has been planted among caravan sites during the past 75 years.</p>	<p>were not included as the study was to assess the operation of SLO 7 and the Esplanade and beach car park lie outside of SLO 7.</p> <p>Both the OGSTP (Background Report and Final Report) and the Okologie study specifically note that there are planted native species that are not indigenous to the area and these are identified in mapping of the vegetation survey findings.</p> <p>The Esplanade, Sweetman Parade, foreshore land and the Riverview Family Caravan Park all lie outside of SLO 7 and hence both the OGSTP Study and this Amendment. Images referred to are part of a series of aerial overlay maps showing the results of a street tree assessment, which was only conducted within the Study Area. Some adjacent areas were shown on these aerial overlay maps, but no survey work was carried out, and hence no trees identified, in those areas.</p> <p>It was previously proposed to rezone the submitters' land and surrounding area to a new NRZ with 40% maximum site coverage and to apply a new SLO 16. However, after consideration of submissions on the OGSTP, the exhibited Amendment proposed a new GRZ 3 with 50% maximum site coverage and retention of SLO 7, with revised provisions. It is now proposed to rezone the area NRZ 5, with the same requirements as the exhibited GRZ 3, but with a 9 m building height limit.</p>

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				<p>14. Images on pages 50-52 of the Background Report cover the significant vegetation (mangroves) from Sandy Point to Gutheridge Street with an overlay that did not exist until the late 1980s to 1990s. This gives a false impression of what existed. [1948 photograph attached to submission shows mangroves along the Barwon River]</p> <p>15. The report does not identify different soil types in the Coastal Fringe precinct. Beach sand in the eastern and western sector extends well below the water table; the central sector is predominantly clay. A greater threat to vegetation in the western sector is from Council plans to seal the roads, make footpaths and install a formal drainage scheme that will take surface water away, potentially lower the water table and result in loss of mature vegetation.</p> <p>16. A statement is grossly inaccurate and unsubstantiated [submission cites an excerpt from the Statement of nature and key elements of landscape in the previously proposed SLO 16].</p>	<p>It is considered that the Amendment's proposals for this area are justified by the results and recommendations of the OGSTP. The vegetated character of land is not diminished by consisting of planted indigenous or native vegetation.</p> <p>See response to Point 1 of this submission. The photos referred to are in an Appendix to the OGSTP Final Report. The only "overlay" shown is the current road network, a GIS layer used to create the images for the benefit of readers. It is not clear how this gives a false impression as the extent of vegetation and development is clear on a series of photos (1951, 1966, 1977, 1984, 1990).</p> <p>Ecological Vegetation Classes (EVCs) were considered in the Okologie study. EVCs, a standard methodology for categorising vegetation in Victoria, reflect soil types in that, generally, different EVCs are located on different soil types.</p> <p>Design for road sealing in the area minimises stormwater drainage impacts and it is not anticipated that the water table will be lowered.</p> <p>See response to Point 1 of this submission. The cited excerpt is from the Statement of nature and key elements of landscape in the previously proposed SLO 16, which was exhibited as part of the OGSTP in April and May 2016. After consideration of submissions on the OGSTP, the</p>

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				<p>17. It is illogical to declare Tea-tree a pest weed except for the area within 200 m of the beach. Tea-tree is such an invasive plant that other coastal authorities spend considerable resources to destroy any plants that appear. Tea-tree grows through paving and bitumen, and has been destroyed in Ingamells Park and Kingston Park in the last decade as they were pest weeds.</p> <p>18. How do the proponents of this draconian policy reconcile it with Council policy on clearing of fire hazards on private land? What about:</p> <ul style="list-style-type: none"> <li>• fire hazards on nature strips protruding onto the streets?</li> <li>• the Wildfire Overlay over part of this area?</li> <li>• the 10/30 rule?</li> <li>• the narrowing of streets by uncontrolled growth of the mix of pest weeds and Tea-tree, so much that large fire vehicles cannot traverse some streets in the summer because of vehicles parked by beach users? Council officers have been reluctant to fulfil their obligation of 4 m x 4m clearance of streets in this area because of the perceived sacred Tea-Tree.</li> </ul>	<p>exhibited Amendment did not include a separate SLO 16, with the area remaining within SLO 7.</p> <p>Council's Indigenous Plants of the Geelong Region Information Sheets identify Coast Tea-Tree as an indigenous plant in Zone 19 (Coastal Zones of the Geelong Region), but not in adjacent zones. The Information Sheet for Zone 19 notes that the species, because of its invasive nature, can become an environmental weed and that care should be taken over the selection of this species. Ocean Grove (Ingamells) Park and Kingston Park are not located within Zone 19 and hence Coast Tea-tree is not an indigenous plant in those areas.</p> <p>A range of exemptions from the requirement for a permit to clear vegetation are provided in Clause 42.03-3 of the scheme for fire protection. These would not be altered by this Amendment. The "10/30 rule" cited is the exemption from requiring a permit under Clause 52.48-1 of the Scheme. The application of this Clause will not be altered by this Amendment.</p> <p>While there is currently no Wildfire Management Overlay over or near the submitter's land at the time of writing, DELWP intends to apply a Bushfire Management Overlay (BMO) over a small portion of the submitter's land in the near future. The BMO and SLO 7 would operate concurrently over this area and any proposal would need to respond appropriately to both</p>

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				<p>19. The vegetation the submitters' family and other residents have created over 75 years has now become a community asset that submitter has financial responsibility to maintain, with legal liability for compliance with a bushfire overlay, safety of submitters' 1000 guests and clear access for emergency vehicles. In return, submitters' land is rendered sterile for development. Competitor caravan park nearby has no such restrictions, pays no rental, taxes, rates or FSL, and is on Crown Land.</p> <p>20. Planning industry creates complex controls that are difficult to understand. Submitters have previously objected and "played the game" at huge expense and won the battle only to have controls imposed without consultation or appeal. Reluctant to proceed down this path again</p>	<p>overlays. A BMO coincides with vegetation protection, either under a SLO or a Vegetation Protection Overlay, in many urban areas under other Schemes, as well as in some non-urban areas within the City of Greater Geelong.</p> <p>See response to Point 18 of this submission. With respect to a competitor caravan park, it is assumed this refers to the Riverview Family Caravan Park, which is on public land outside SLO 7 and within the Public Park and Recreation Zone. Zoning, overlay and land tenure differences between the submitters' land and the Riverview Family Caravan Park are pre-existing and only marginally altered (in the case of zoning and overlay controls) by this Amendment.</p> <p>SLO 7 already applies to the submitter's land. The revisions to SLO 7 proposed by the Amendment, and the controls in both the exhibited GRZ 3 and now proposed NRZ 5 are considered appropriate and well justified.</p>

**Attachment to Summary of Submissions – Submission 3**



**Ocean Grove Tree Study -  
 Potential precincts**