

OCEAN GROVE SIGNIFICANT TREE PROJECT

NEW PLANNING CONTROLS FOR VEGETATION PROTECTION

FINAL REPORT
2016

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EXECUTIVE SUMMARY

Vegetation loss and its impact on the landscape character of Ocean Grove has been an issue raised by the community over a number of years, most recently as part of the Structure Plan review for the township. Issues raised included the effectiveness of existing vegetation planning controls and the lack of any controls in some areas.

In response to these issues Council engaged Okologie Consulting to survey, assess and provide recommendations around vegetation in identified areas within the township from a landscape, ecological and arboriculture perspective.

The results of the surveys indicate there is still a moderate to high level of indigenous and native vegetation located in the north-east area of old Ocean Grove and the hillside area overlooking the ocean.

The indigenous vegetation found represents 3 EVC (Ecological Vegetation Class) types; Grassy Woodland, Coastal Dune Scrub and Coastal Alkaline Scrub. Among the indigenous species found was the Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis* which is listed as endangered in Victoria and is endemic to the

Bellarine Peninsula. Other important species included Coast Wirilda *Acacia uncifolia*, and Moonah *Melaleuca lanceolata subsp. lanceolata*.

The consultants made a number of planning and vegetation management recommendations, which have been considered as part of this report. Alongside the vegetation survey work Council planners have looked at the development history of the area, site coverage and dwelling size data, planning approvals and controls and conducted site visits.

As a result of all this work a new planning regime is recommended for two precincts within old Ocean Grove. This includes the application of the Neighbourhood Residential Zone schedule 4 and Significant Landscape Overlay 15 to the north-east area of old Ocean Grove known in this report as the 'Significant Tree Area' and a new schedule to the General Residential Zone 3 and revised Significant Landscape Overlay schedule 7 to the hillside area. These controls aim to preserve and enhance the identified landscape character of these areas and provide directions around landscaping and vegetation retention, management and removal.

**VEGETATION LOSS
AND THE IMPACT
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1. INTRODUCTION

The township of Ocean Grove has a unique coastal urban character. The town has experienced strong growth over the years, which has seen it change from a traditional holiday maker village to a major urban settlement.

Community consultation associated with various Council projects such as the recent Ocean Grove Structure Plan review has identified a desire to preserve and enhance the unique coastal landscape character of the township.

The 2007 Structure Plan identified a number of issues associated with the existing landscape character planning control, Significant Landscape Overlay 7 (SLO7) and made a number of recommendations to address them. The community has also identified a desire to protect and enhance significant vegetation in the older parts of the township.

This project aims to address issues raised in the Ocean Grove Structure Plan and by the community more generally around protecting

the unique landscape character of the town. To assist the project Council engaged specialist consultants to survey and provide advice on vegetation in identified areas of the township.

Along with the vegetation data council planners have looked at the development history of the area, site coverage and dwelling size data, planning approvals and controls and conducted site visits. This work informs the implementation of a new planning regime aimed at better reflecting community aspirations around retaining significant vegetation and enhancing the landscape character of the township.

This report outlines all the considerations that have informed the development of a new planning regime for the identified areas. It also provides discussion around the various planning tools available and recommends preferred options. Draft planning documentation has also been prepared to show how the recommendations will be implemented.

2. BACKGROUND

The township of Ocean Grove has experienced strong growth over recent years which has seen increased levels of development in established areas. This development has seen the loss of vegetation and an increase in multi-dwelling and multi-storey housing. This project aims to provide an understanding of development, vegetation and planning controls in identified areas in order to come up with a planning regime that better reflects community aspirations.

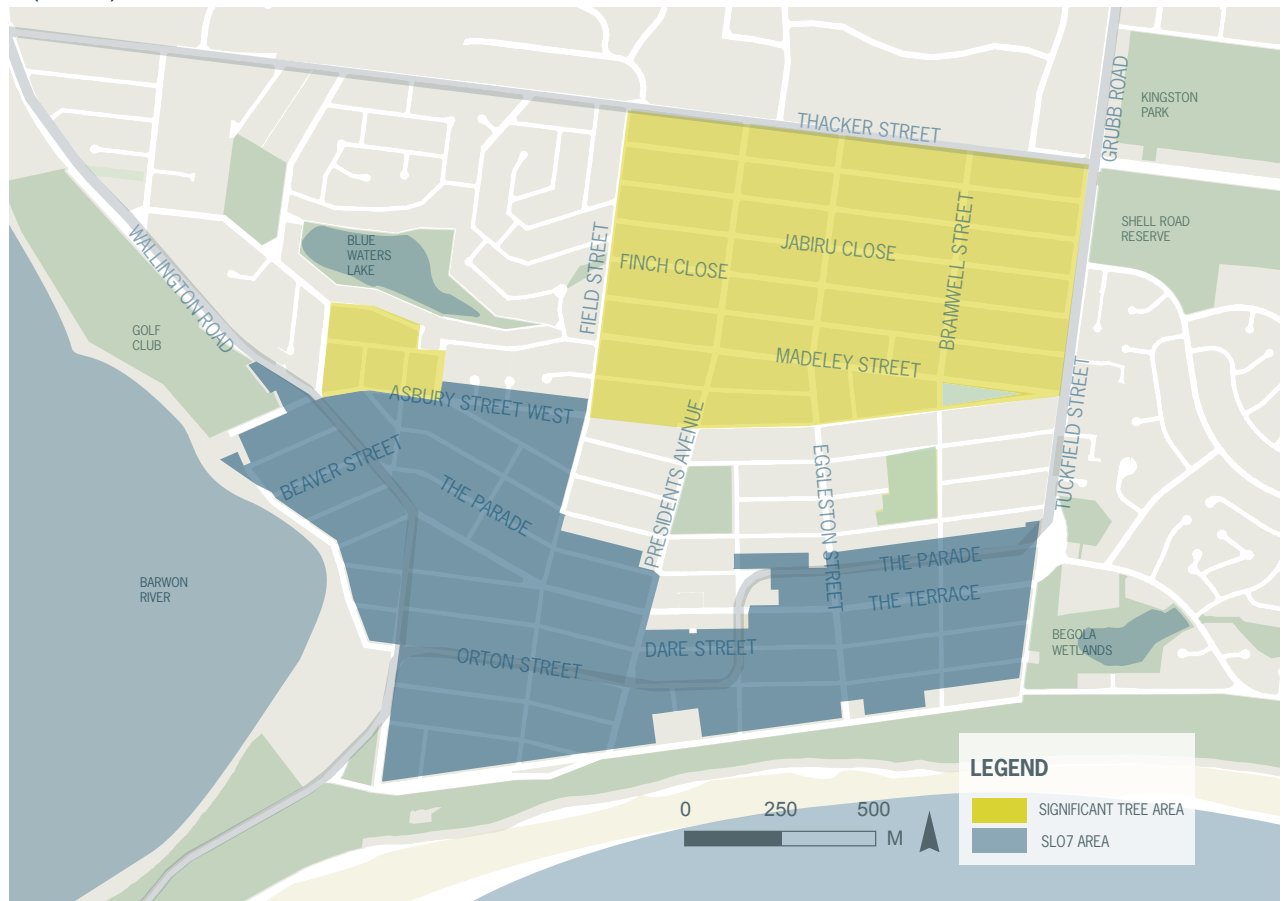
Council engaged Okologie Consulting (ecology specialists) to carry out vegetation surveying in two identified areas within the Ocean Grove

township. The findings assisted in determining the most appropriate tools for ongoing vegetation/landscape management and protection.

The first area identified for investigation is known as the 'Significant Tree Area'. This area is bound by Thacker Street, Field Street, Tuckfield Street and Asbury Street East (see Map 1 over the page). This area was identified by Council as significant and warranting further investigation due to the high number of significant canopy trees, including the endangered Bellarine Yellow Gum, on both public and private land.



The second investigation area is known as the 'Significant Landscape Overlay 7 (SLO7) Hillside Area'



Map 1: Study areas

The SLO7 is a planning control that was introduced into the Scheme in 2003 with the aim of protecting the landscape character of the coastal area, whilst balancing development pressure with landscape qualities. The objectives include:

- Preserve balance between roof tops and vegetation in long distance views;
- Encourage development to fit within the landscape and not dominate the streetscape from long distance views;
- Minimise projection of buildings above the tree canopy;
- Provide space around buildings for retention of and planting of vegetation, particularly canopy trees;
- Maximise opportunities for view sharing; and
- Protect vistas of the ocean and the river from public viewing points.

The 2007 Ocean Grove Structure Plan identified a number of issues in relation to the implementation of the SLO7 and made various recommendations. As part of any SLO7 review

the need for a vegetation survey was identified to inform the prevalence and type of existing vegetation and whether the vegetation controls in the overlay were effective in achieving the stated objectives.

Vegetation surveys were carried out in August/ September 2015 and focused on data collection such as species, height, health, significance etc and recommendations around how significant trees could best be protected and managed. As a result of the survey work the consultant prepared two reports:

1. Ocean Grove Significant Residential Tree Project
2. Assessment of Tree Cover for Significant Landscape Overlay Schedule 7, Ocean Grove.

The consultant reports provide the basis for recommended vegetation management measures including physical management and the implementation of the planning recommendations outlined in this report. A full copy of these reports were made publicly available as part of the informal public consultation phase.

3. DEVELOPMENT HISTORY

3.1 Subdivision History

In 1887, the Ocean Grove area was subdivided as a unique development based on the precepts of the Methodist Episcopal Church. Ocean Grove was formed according to the ideals espoused by the American Methodist clergy, who came to Victoria and conducted tent missions. A consortium of Victoria's Wesleyan Methodist Church clergy and businessmen were persuaded to support the Americans' plan for establishing a summer settlement around a camp meeting site similar to the Ocean Grove settlement in New Jersey, U.S.A. About 2,500 blocks of land were offered for sale, with roads and streets named after Victorian Methodist ministers or places associated with Methodism (Ocean Grove Structure Plan, 2015). The development of the two study areas can be tracked using aerial photography dating from the 1950's to 2013 (see Appendix 1).

The western end of the 'significant tree area' was largely developed the 1970 & 80s as shown in figure 1 below. This area has the highest number of significant trees. The eastern end

was developed 70 and 80's with the north-east corner developed into the 1990's. The development of lots was characterised by single detached housing with generous setbacks from most boundaries. This development pattern has provided opportunities for vegetation establishment and the retention/planting of significant canopy trees creating a unique bush garden setting.

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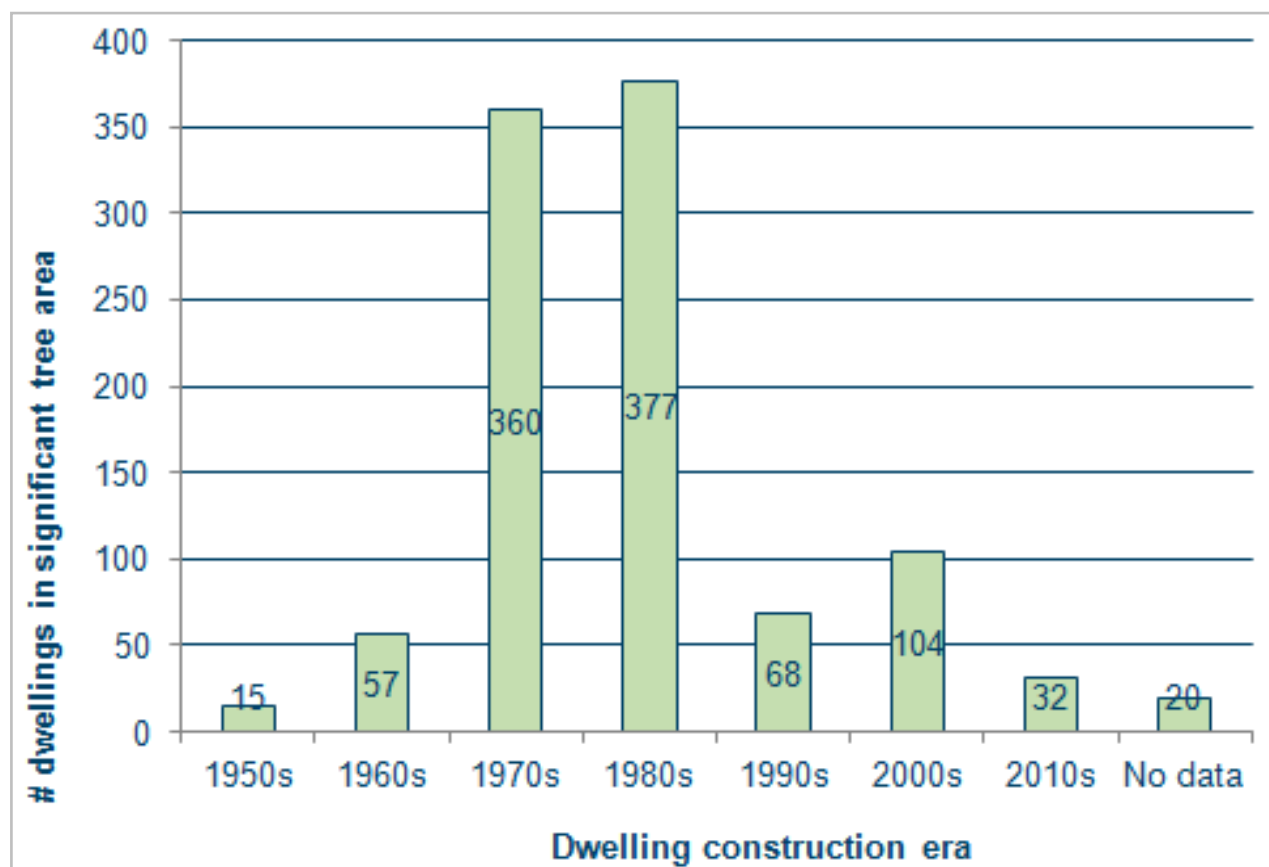


Figure 1 – Dwelling Construction Era for Significant Tree Area

The SLO7 hillside area had strong levels of development in the 1970's and again in the 2000s as shown in figure 2 below and in the aerial photography in Appendix 1.

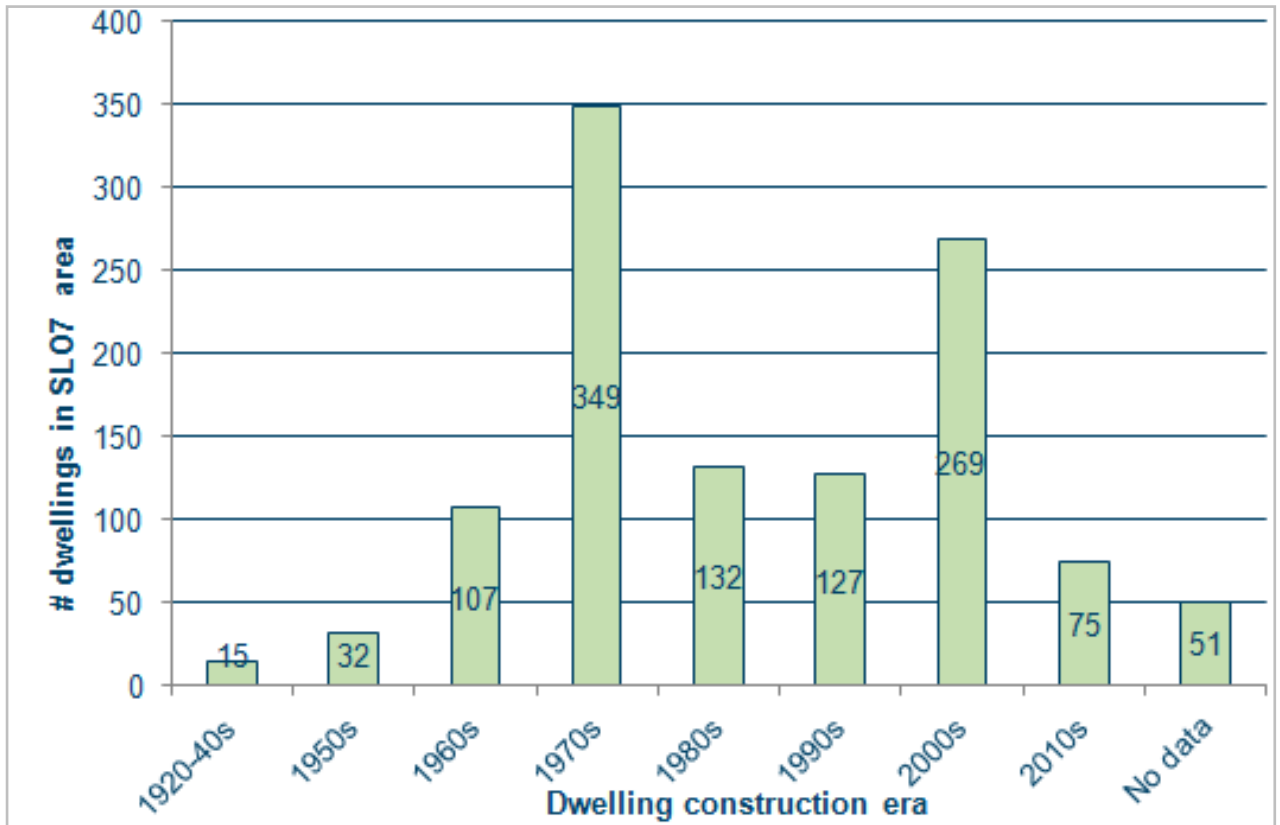


Figure 2 – Dwelling Construction Era SLO7 Hillside Area

3.2 Dwelling Size

When Ocean Grove was first developed housing would typically have been modest detached single storey housing on generous blocks. More recent development typically has large detached dwellings both single and double storey on modest blocks. This change in development pattern has had an impact on the character of residential areas.

The Australian Bureau of Statistics (ABS) have tracked how the typical house in Australia has evolved from having three bedrooms, one

bathroom and separate living areas into a more open plan, including a fourth bedroom and ensuite facilities. Popular extras, such as rumpus rooms, walk-in wardrobes, walk-in kitchen pantries etc also add to the overall size of modern homes.

Residential buildings, both houses and other dwellings (such as flats, units, semi-detached houses and townhouses) have increased in size over the past 18 years.

Year	1984-85	1993-94	2002-03	Change 84 - 03	Change 93 - 03
Area	163.6	177.4	222.4	36%	25.4%

Table 1 - Average Floor Area New Houses in Victoria (ABS)

There has been a steady increase in the average floor area of new residential dwellings over the 28 financial years to 2012-13. The average floor area of all new residential dwellings increased from 149.7m² to 207.6m² over this time, an increase of 38.7%. New houses increased from 162.4m² to 241.1m² (48.5%), while new other residential dwellings increased from 99.2m² to 133.9m² (35.0%).

Table 3, shows an increase of 6.0m² (2.6%) in the average floor area of new houses over the ten financial years from 2003-04 to 2012-13.

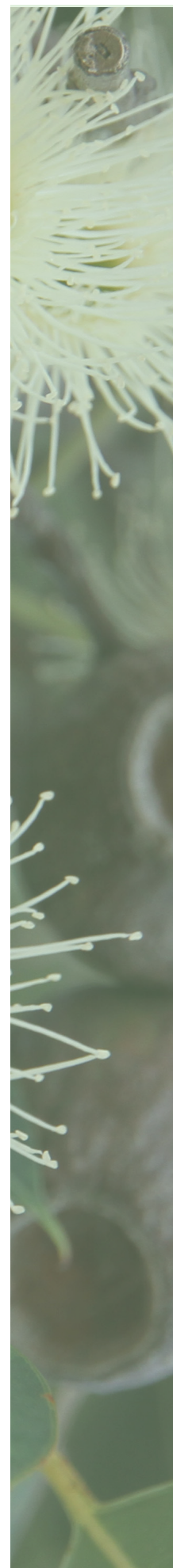
These statistics show that housing developed in the 1980's had an average size of 163sqm and by 2013 this had increased to 222sqm, an additional 59sqm which has an impact on overall site coverage and the ability to retain and plant significant vegetation.

Year	House m ²	% change
2003-04	235.1	2.6
2004-05	238.2	1.3
2005-06	242.6	1.8
2006-07	239.3	-1.4
2007-08	239.7	0.2
2008-09	247.7	3.2
2009-10	238.8	-3.7
2010-11	242.9	1.7
2011-12	244.9	0.8
2012-13	241.1	-1.6

Table 3 – Increase in dwelling size from 2003 to 2013 (ABS)

Time Period	Floor Area m2
2003-04	229.3
2004-05	238.5
2005-06	241.9
2006-07	237.6
2007-08	240.9
2008-09	252.5
2009-10	238.6
2010-11	247.1
2011-12	247.8
2012-13	243

Table 2 – Dwelling Floor Areas in Victoria 2003 - 2013



3.3 Site Coverage

As noted above a trend towards larger houses generally increases the footprint and therefore the site coverage of a block. Where dwellings and associated structures such as garages, sheds, decks and pools take up a significant portion of a block the opportunities for vegetation retention and planting becomes diminished. This impact has been studied by Tony Hall, Griffiths University as part of a paper *'Goodbye to the Backyard? – The Minimisation of Private Open Space in the Australian Outer-Suburban Estate'* in 2010.

This Study shows the optimal building site coverage on a block which allows for significant canopy trees to be planted should be 30-35% for a house and associated structures and 65-70% for open space, ideally with an 8-10m setback from the back fence.

This is because significant trees need space to grow both for the canopy and most importantly the roots. Hall states the narrow dimensions of the space around more recent dwellings will lead to a substantial reduction in tree cover in perpetuity, as there will be no room for trees to grow at the sides and backs of houses. The planting of street trees alone does not

compensate for the lack of trees amongst the houses.

Hall identifies the benefits of low site coverage and allowing greater space and opportunity for trees as:

- Increased biodiversity;
- decreased storm water runoff;
- climate control (heat island effect etc);
- green outlook;
- outdoor space for food production, clothes drying, rain water tanks, outdoor entertaining and
- children's play space.

Some Ocean Grove examples of new development and development in established 'older' areas are shown over page (photos 1-4). A street and aerial view of Sandpiper Court (within the 'Significant Tree Area') shows generous lots (often over 600sqm) and dwellings typically constructed in spacious settings allowing for significant trees to thrive in front, side and rear yards.

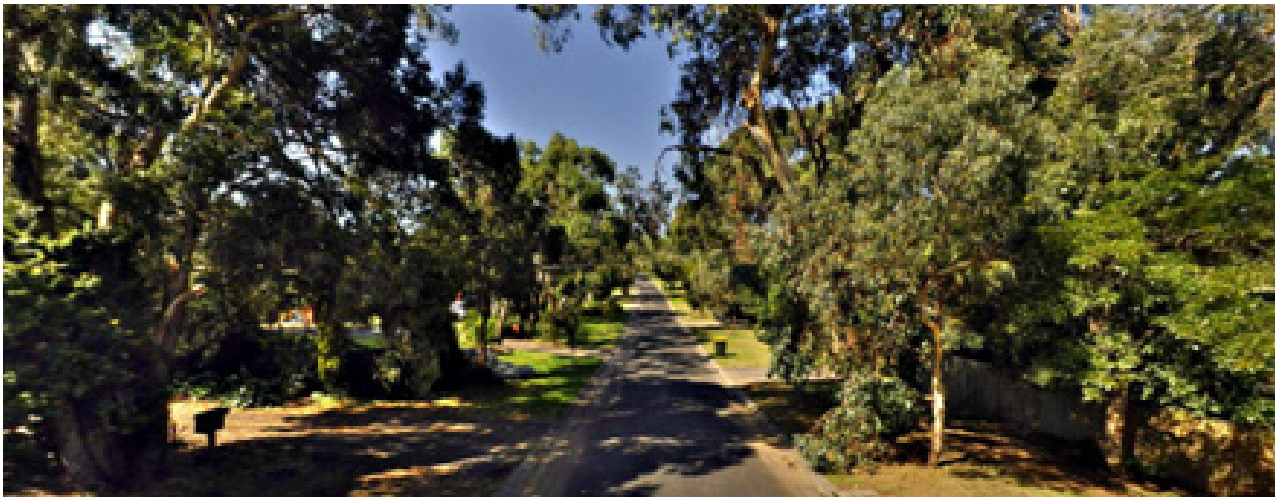


Photo 1 - Sandpiper Court: significant street and front yard trees help provide a 'bush' character.



Photo 2: Sandpiper Court - significant canopy vegetation found all around houses.

Below is a street and aerial view of a more recent subdivision in the Kingston Estate. Opportunities for significant canopy trees are limited within house lots (typically between 400-600sqm). Street trees will be relied upon to provide significant canopy vegetation.



Photo 3: Walyunga Mews – when street trees mature some canopy vegetation will be provided.





Photo 4: Walyunga Mews – smaller lots and larger houses means space is limited around houses making establishing significant canopy vegetation more difficult, if not impossible.

A GIS analysis has been undertaken to calculate the existing average building site coverage within the study areas. This analysis is based on building footprint data collected in 2012 and does not include impervious areas such as driveways or other surfaces such as decks and pools.

The average building site coverage in the study area is 33% and has been steadily increasing in recent years to an average of 46% for buildings constructed in the 2000s and 2010s. This trend is shown in figure 3 below. Lots with site coverage of zero (i.e. vacant undeveloped lots) have been removed from the analysis.

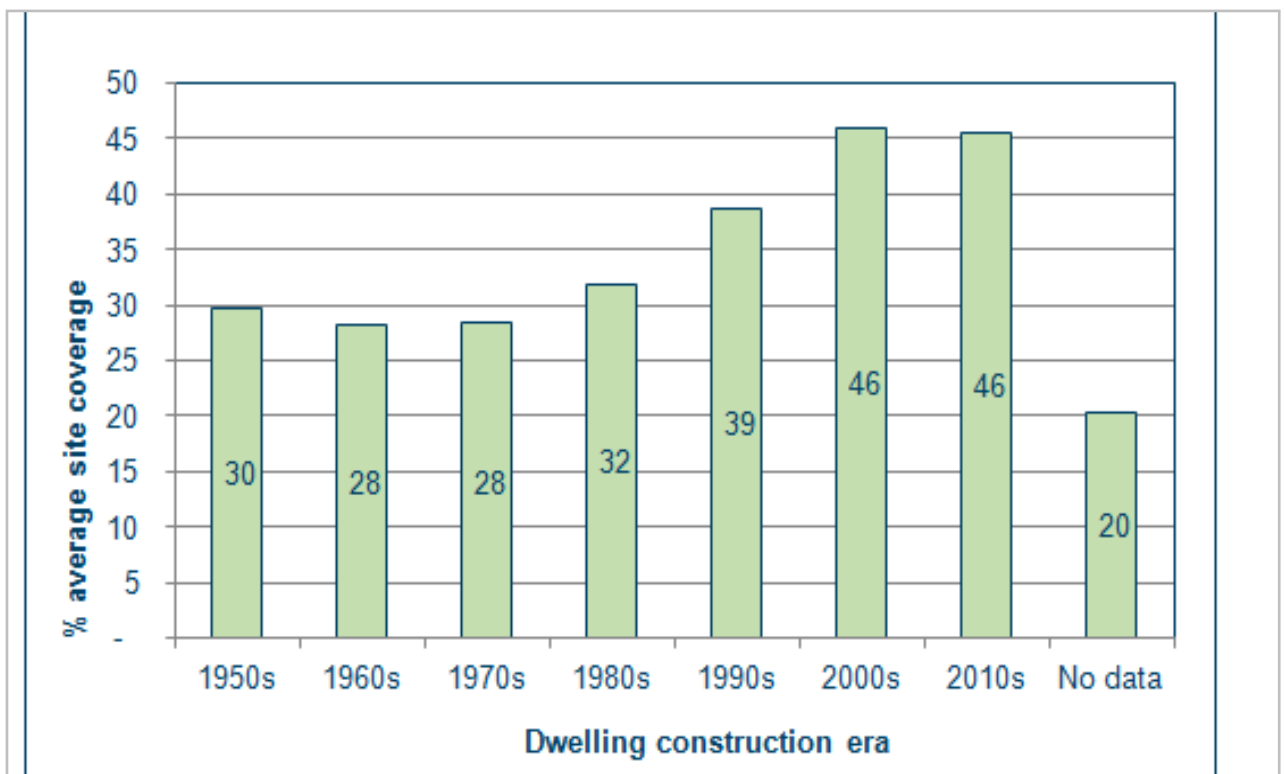


Figure 3 – Significant Tree Area - average site coverage and construction era

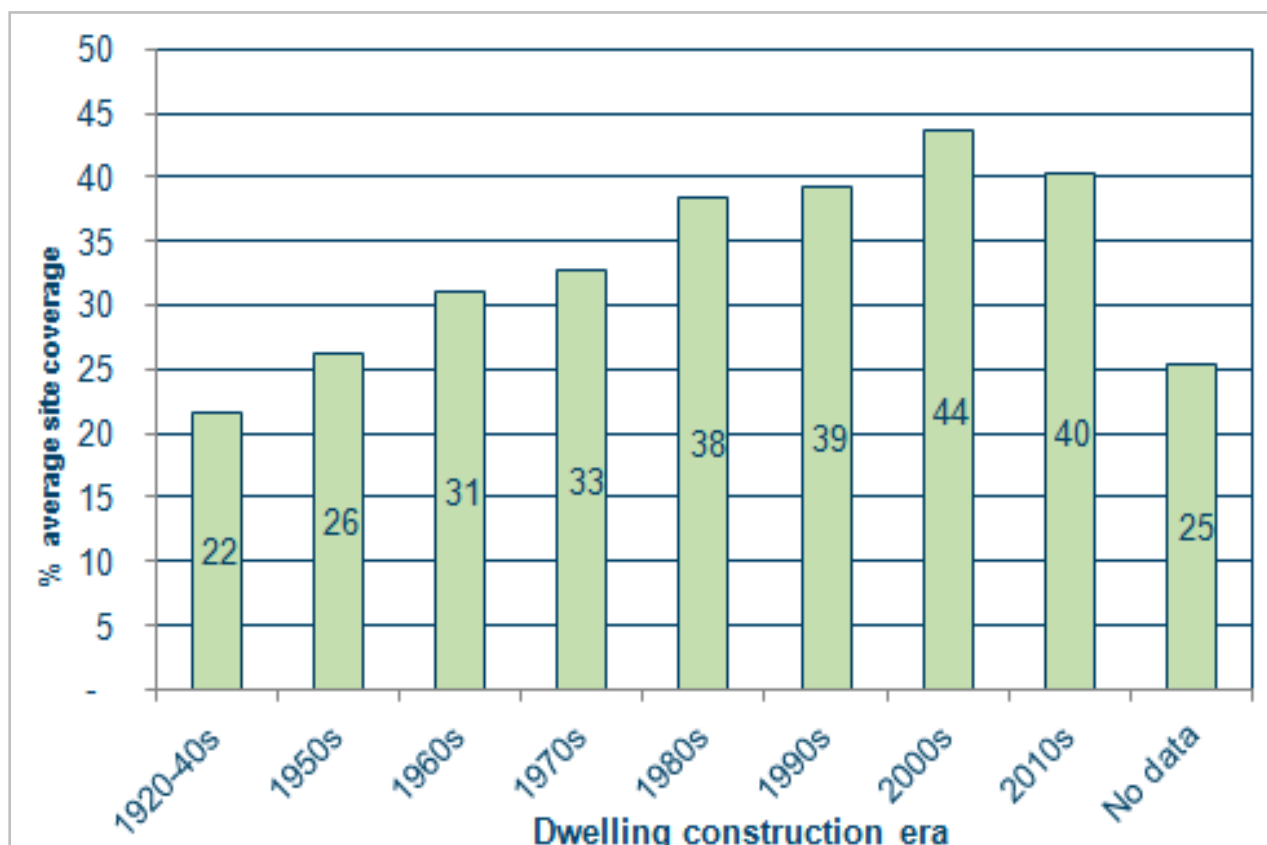


Figure 4: Significant Landscape Overlay 7 Hillside Area - average site coverage and construction era

When the building site coverage data is analysed with the vegetation survey findings (further discussed in sections 6-8 of this report) a correlation between the presence of significant vegetation on private property and building site coverage emerges. The tables below show the results of the analysis for both the significant tree area and the SLO7 hillside area.

In the significant tree area, 87.5% of all indigenous and significant planted native vegetation is found on lots with site coverage of less than 35% despite lots with site coverage of less than 35% only making up 64.2% of all lots. The threat to indigenous vegetation through increased site coverage is even more significant with 90.6% of vegetation being located on lots with building site coverage less than 35%.

Site Coverage %	% of indigenous trees	% of significant planted native trees	% of all identified trees	% of total lots
Lots with site coverage less than 35%	90.6	85.1	87.5	64.2
Lots with site coverage greater than or equal to 35%	9.4	14.9	12.5	35.8

Table 4: Relationship between vegetation and site coverage in the Significant Tree Area

Site Coverage %	% of indigenous trees	% of significant planted native trees	% of all identified trees	% of total lots
Lots with site coverage less than 35%	92.8	86.3	89.8	55.9
Lots with site coverage greater than or equal to 35%	7.2	13.7	10.2	44.1

Table 5: Relationship between vegetation and site coverage in the SLO7 area

As part of the development approvals process Rescode sets out a requirement for site coverage at 60%:

Clause 54.03-3 Site coverage

Objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5

The site area covered by buildings should not exceed:

- *The maximum site coverage specified in a schedule to the zone, or*
- *If no maximum site coverage is specified in a schedule to the zone, 60 per cent.*

There is no variation in the site coverage standard in the schedule to the General Residential Zone 2 which is the current zone in both study areas.

Clause 54.05-2 Private open space

Objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17

A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

The existing schedule to the GRZ2 states:

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.

This additional open space requirement was identified as part of the Housing Diversity Strategy in 2007 to conserve the family oriented backyard character of suburban areas and to provide additional space for vegetation, particularly to screen the visual impact of buildings on adjoining properties.

Whilst this additional open space requirement goes some way to providing additional open space for new substantial tree planting and to protect the existing trees from impacts from new development it would not be enough to protect the existing character of the study areas. A significant issue is the inclusion of often substantial decks, pools and hard paving surfaces in these open space areas which impacts on the ability to retain or provide vegetation.

An example is shown over page in figure 5. The development meets the requirements of the variation to clause 54.05-2 however the addition of decks, pools and other hard surfaces limits opportunities for canopy tree establishment.

Managing site coverage is seen as a practical tool for vegetation management. Site coverage encourages development to fit in with the established character of an area by discouraging; at least some tree removal, due to the fact that trees will not be the only factor limiting development potential. Any planning control regime will need to look appropriate site coverage and landscaping levels to encourage vegetation retention and space for planting in identified areas.

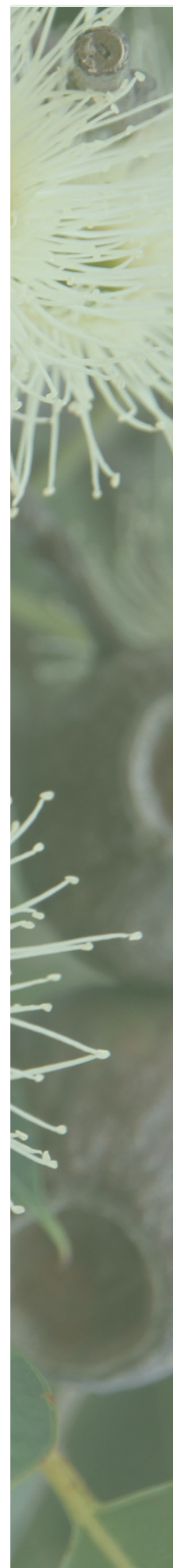
3.4 Development Examples

Within the 'Significant Tree Area' where recent development has occurred on vacant lots; housing stock has turned over; dwellings are extended or multi-dwellings are constructed, there is generally an increase in site coverage compared with dwellings constructed 1950's to 1990's.

The examples below are based on developments within the study area and show how redevelopment that increases the site coverage of a lot, also, significantly restricts the ability to retain existing or establish new canopy trees for the future. The incremental loss of vegetation and inability to re-establish canopy vegetation will have a significant impact on the current vegetated landscape character of the area over time.



Figure 5 – Development site coverage examples



EXAMPLE 1 – Single dwelling replaced by dual occupancy



Figure 6: Pre development



Post development

EXAMPLE 2 – Vacant lot developed with dual occupancy



Figure 7: Pre development



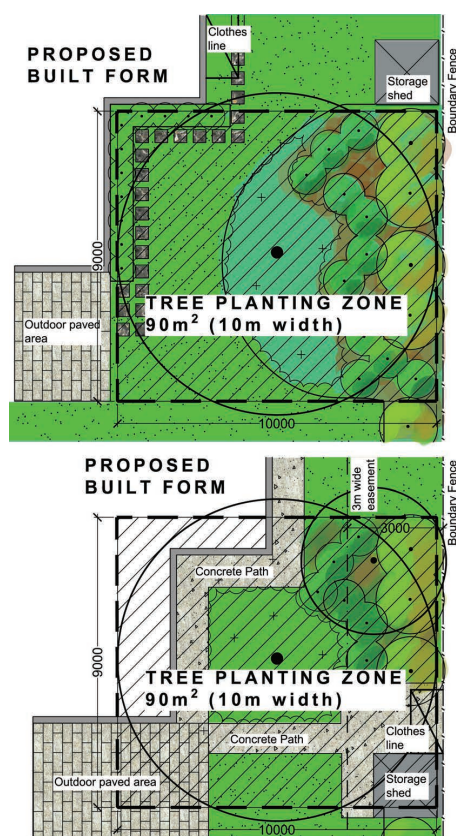
Post development

3.5 Landscaping Requirements

Site coverage is only one consideration in trying to achieve or maintain a bush garden or coastal landscape character. Requiring a certain amount of open space as part of a development is only half the equation, ensuring that space is available and utilised for soft landscaping including canopy trees is the other.

It is standard to require a landscaping plan as part of a development application or as a condition on the permit. A number of council's now require the planting of a canopy tree within an open space area of all permit required housing developments. To show how these trees will be accommodated on-site, landscape plans are required to show 'tree zones' which demonstrate that the space needs of the nominated canopy tree can be met when the tree reaches maturity.

This type of landscaping provision can be found in the 'Banyule City Council Tree Planting Guidelines 2011'. Over page is an extract taken from the guidelines which shows a correct 'tree planting zone' with limited encroachments from hard surfaces. The encroachment of hard surfaces within a tree zone can impact not only on tree health but also the adjacent infrastructure as the tree grows to maturity.

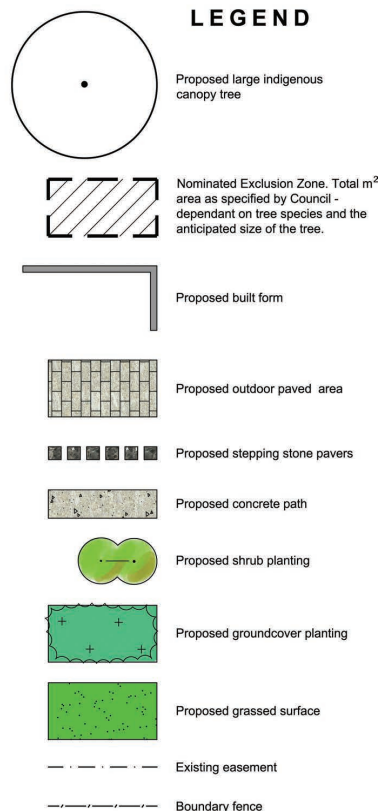


Correct ✓

- No encroachment of built form or hard paving within the nominated Exclusion Zone.
- No hard landscaping within the Exclusion Zone.
- Acceptable use of permeable paving path with the Exclusion Zone.
- Acceptable planting of shrubs and groundcover plants within the Exclusion Zone.
- Storage shed and clothes line located outside of the Exclusion Zone.
- Exclusion Zone does not cover an area where an easement exists.

Incorrect ✗

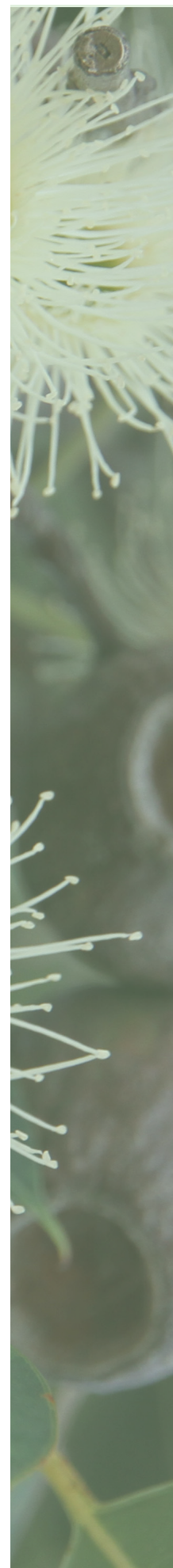
- Encroachment of built form and hard paving within the nominated Exclusion Zone.
- Provision of a concrete path within the Exclusion Zone.
- Provision of a second canopy tree within the Exclusion Zone.
- Provision of a storage shed and clothes line within the Exclusion Zone.
- Exclusion Zone covers an area where an easement exists.



Ideal Tree Planting Zone

May 2010

Figure 8 – Extract from 'Banyule City Council Tree Planting Guidelines 2011'





As part of implementing a planning regime to protect and enhance the identified coastal landscape setting within the study areas it is recommended landscaping requirements form part of any planning controls. Council already requires the planting of 'one canopy tree per dwelling' under the current General Residential Zone schedule 2 provisions.

Ideally canopy trees planted in the study areas would be indigenous as this maximises character and environmental benefits. The space requirements for common indigenous trees within the study areas have been calculated based on height and width at maturity. The formula

used has been taken from the above mentioned 'Banyule Tree Planting Guidelines, 2011':

$$\text{Soil volume (m}^3\text{)} = \frac{\text{Height (m)} \times \text{DBH (mm)}}{100}$$

Once the soil volume of calculated it is assumed roots will utilise soil within a 1m depth of ground level and thus the area required can be calculated.

Trees	EVC	Height	Width	Established Average Diameter at Breast Height (DBH) *	Ground area required (m ²)
Bellarine Yellow-gum	Grassy woodland	10	-	500	50
Narrowleaf Peppermint	Grassy woodland	15	10	500	75
Swamp Gum	Grassy woodland	10	6-10	500	50
Manna Gum	Grassy woodland	10	8-15	500	50
Drooping Sheoak	Grassy woodland	10	3-6	300	30
Sweet Bursaria	Grassy woodland	6	2-3	300	18
Coastal tea tree	Coastal dune & alkaline scrub	6	3	300	18
Coast beard heath	Coastal dune & alkaline scrub	4	2-3	300	12
Coast wirilda	Coastal dune & alkaline scrub	8	3-5	300	24
Moonah	Coastal dune & alkaline scrub	5	3-6	300	15

*based on average data collected as part of this project

Table 6 - Indigenous Canopy Trees Space Requirements

To provide space for a large canopy tree an area around 50 square metres is required with a minimum dimension of around 7m.

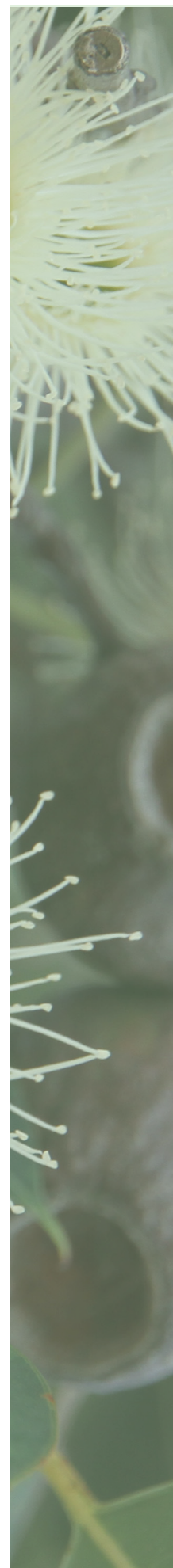
Based on development examples in the study area and the required 'tree zones' of common indigenous canopy trees likely to be incorporated into a landscape plan, the following scenarios have been prepared:

The development scenarios share common characteristics to meet the site coverage and space requirements for soft landscaping and the provision of a canopy tree:

- development is two storeys
- 'tree zones' are free from decks and other hard surfaces such as service areas.
- driveways have been minimised to ensure adequate space for tree retention and planting of new trees.



Figures 9 & 10 – Development scenarios showing space for canopy trees



4. PLANNING CONSIDERATIONS

4.1 Existing policy and projects

4.1.1 Residential Character Study - 2001

In 2001 Council initiated a residential neighbourhood character study. The brief for the study was to survey the residential character of each part of the city, describe that character through words and photographs, and produce guidelines, policies and controls to maintain, enhance and improve the character of each part of the municipality.

Reference to the Character Study and brochures were removed from the Planning Scheme as part of the major residential review carried out in 2013/2014 as they were outdated.

The study identified 12 precincts within the Ocean Grove township and was implemented as a reference document into the planning scheme via amendment C40.

Each precinct within Ocean Grove also contained a brochure of preferred character actions and things to avoid.



Map 3 - Unique precincts identified as part of the Residential Character Study

RESIDENTIAL CHARACTER BROCHURE

The township brochure for Ocean Grove provided the following vision statement:

The seaside character and identified environmental qualities of Ocean Grove will be maintained and strengthened, and the visual cohesiveness of the township improved by:

- Encouraging retention and the use of appropriate native coastal vegetation species;
- Encouraging the use of appropriate building materials;
- Ensuring the siting of buildings to reflect spacing patterns;
- Managing site coverage to maintain a balance between buildings and vegetation;
- Ensuring building height and scale does not dominate the streetscape or long distance views;
- Ensuring building form and scale reflects predominant patterns; and
- Encouraging common public domain street treatments.

Avoid:

- Removal of native and indigenous vegetation in areas where this is an important characteristic.
- High site coverage or extensive paving in areas where vegetation is an important characteristic.
- Extensive use of exposed brick in areas with a mixture of building materials.

Community issues included:

- Retaining the 'beachiness' feel of the town.
- Removal of native and indigenous vegetation.
- Maintaining the environmental qualities of the coastal environment.
- Maintaining a low scale building form.
- Maintaining the balance between roof tops and tree tops in views across the township.
- Maintaining equitable access to views of the sea.
- Encouraging and retaining an informal style of public domain streetscape treatments.
- Discouraging large, bulky dwellings with high site coverage and boundary to boundary development.

4.1.2 Significant Landscape Overlay 7

As a pilot project the township of Ocean Grove was used to test the implementation of the Residential Character Study by the introduction of a Neighbourhood Character Overlay over part of Ocean Grove via amendment C41 however, this overlay was abandoned due to concerns raised by an Independent Panel in May 2003 and the Minister applied the Significant Landscape Overlay – schedule 7 (SLO7) instead. The SLO7 was introduced into the scheme via amendment C74 approved in April 2003.

The intent of the overlay is to protect the landscape character of the coastal area, whilst balancing development pressure with landscape qualities. The objectives of SLO7 are:

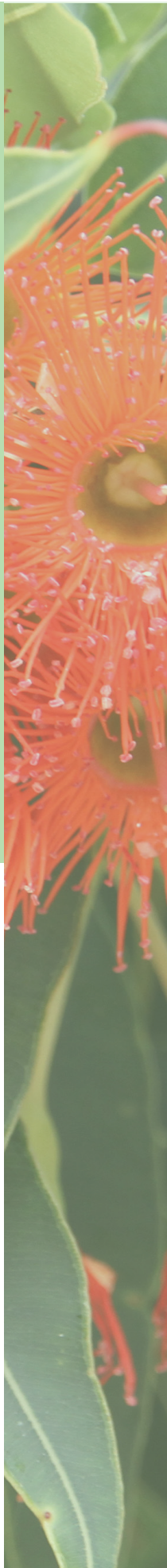
- Preserve balance between roof tops and vegetation in long distance views;
- Encourage development to fit within the landscape and not dominate the streetscape from long distance views;

- Minimise projection of buildings above the tree canopy;
- Provide space around buildings for retention of and planting of vegetation, particularly canopy trees;
- Maximise opportunities for view sharing; and
- Protect vistas of the ocean and the river from public viewing points.

A planning permit is triggered by SLO7 if any of the following are proposed:

- buildings exceed 7.5m in height.
- outbuildings normal to a dwelling project forward of the front building line.
- site coverage of buildings or impervious surfaces exceed 70 per cent.
- removal of vegetation subject to a number of exemptions.

A copy of the current SLO7 can be found at Appendix 2.





4.1.3 Ocean Grove Structure Plan 2007

The 2007 Structure Plan planned for a population of 21,000 persons by 2020. Key directions included:

- Improvements to the Town Centre
- Improvements to Open Space and Access and Movement
- Provision of additional community and social infrastructure to serve the growing population
- Direct medium density development around activity centre
- Protect and enhance natural environment assets
- Protect rural areas surrounding the town and encouraging land use opportunities that support rural areas, including opportunities for tourism related activities.

Since the implementation of the SLO7 in 2003 a number of issues/concerns have been raised over its effectiveness to maintain the unique coastal character of Ocean Grove. These issues were investigated as part of the Ocean Grove Structure Plan adopted in 2007 and include:

- The urgent need for SLO7 and the Residential Character Areas that apply to the SLO area to be reviewed to provide for greater guidance, consistency in application and achievement of the Overlay purpose.
- Issues related to when the SLO triggers the need for a planning permit, and how the provisions of Clause 54 and 55 prevail over the objectives of the SLO for medium density development when a planning permit is not required under the provisions of the SLO.
- The need to control subdivision (An SLO cannot be used to control subdivision however, subdivision within these areas has a tangible impact on landscape and character values)
- The need to clarify the exemptions that allow vegetation to be removed without the need for a planning permit, and to address the issue that tea tree can be removed without a permit from some parts of the area but not other parts, particularly where tea tree is often the predominant vegetation type and recognised within the Overlay purpose.
- Lack of design guidance.

A point of discussion in the 2007 Structure Plan related to the need to control subdivision. No changes were made in relation to this, however, the recent introduction of the General Residential Zone Schedule 2 (GRZ2) - Incremental Change Areas as part of Planning Scheme Amendment C300 has addressed this issue. Section 4.8 of this report provides a detailed discussion on amendment C300.

The new GRZ2 states *'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.'* This effectively means Council have both the ability to assess the subdivision of land which has the potential to impact on the landscape character of an area and also the built form which can impact on the coastal character of these areas. The requirements of GRZ2 also seek the provision of *'one canopy tree per dwelling.'*

4.1.4 Ocean Grove Structure Plan Review 2015

The adopted (8 December 2015) Structure Plan 2015 provides a strategic planning framework up to the year 2030. The Structure Plan contains key directions around urban growth, settlement and housing, infrastructure, natural environment, economic development and employment and rural areas.

During the review of the 2015 Structure Plan, a number of additional issues were raised in relation to SLO7 including:

- Conflict with the purpose of the Residential Growth Zone/Increased Housing Diversity Area.
- Clarity of meaning of the permit trigger requirements.
- Effectiveness in protecting vegetation through a review of the permit triggers.
- Usefulness of the Decision Guidelines.

The Structure Plan also supports the 'development of existing caravan parks and motels including broadening of accommodation type mix particularly on sites close to the Town Centre and the beach'. This includes the Wynndean caravan Park which is located within the SLO7 hillside area.

4.1.5 Housing Diversity Strategy & Increased Housing Diversity Areas

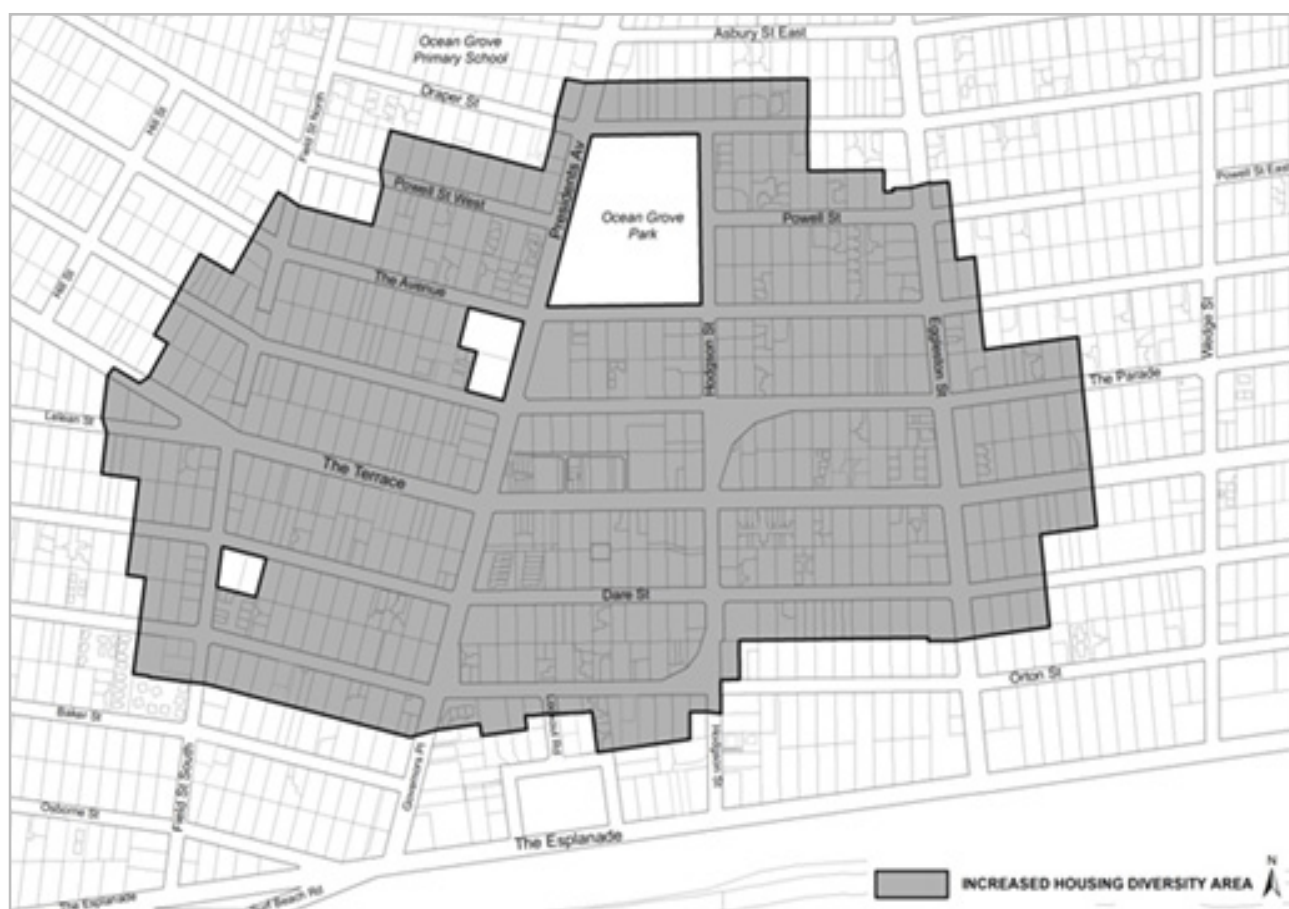
The Housing Diversity Strategy (HDS) recommends that residential areas that are within 400 metres of an identified activity centre should be subject to increased housing diversity. The main purpose Increased Housing Diversity Areas (IHDA) is to support urban consolidation and, thereby, reduce urban sprawl and provide greater housing diversity. Encouraging higher densities around activity centres will make better use of existing infrastructure and enable residents to have better access to services.

New residential development within the IHDA's is guided by Clause 22.63 Increased Housing Diversity Areas of the Greater Geelong Planning Scheme. Specific guidance in Clause 22.63 for coastal IHDA's seeks to encourage innovative architecture that respects the coastal setting and captures views, retains the openness of

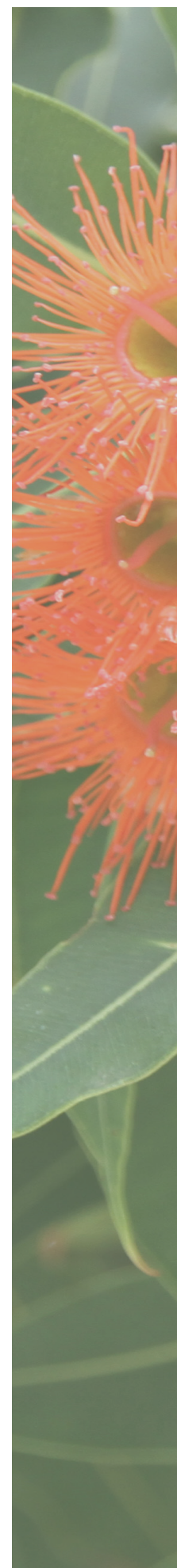
the streetscape by avoiding the use of front fences or by providing low permeable fences and encouraging landscaping to be incorporated into the overall development including planting of a canopy tree and/or large shrubs within front setbacks.

Whilst supporting increased densities, the policy seeks to ensure that the established neighbourhood character is not lost through new development and that new development seeks to reflect the built form and landscape attributes of these areas.

Map 4 identifies the IHDA around the Ocean Grove town centre activity centre:



Map 4 – Increased Housing Diversity Area





4.1.6 C300 - Introduction of New Residential Zones

In 2013 the state Government created a suite of new residential zones which were required to be implemented by local government councils by mid 2014. Geelong undertook an extensive review of all residential areas in order to apply the new zones. In Ocean Grove this saw the former Residential 1 and Residential 3 Zones replaced by the Residential Growth Zone Schedule 3 Coastal Areas, General Residential Zone Schedule 1 - General Residential Areas and the General Residential Zone Schedule 2 - Incremental Change Areas.

In Ocean Grove the Residential Growth Zone Schedule 3 (RGZ3) was applied around the Town Centre and Marketplace neighbourhood activity centre. The extent of the RGZ3 was defined by the boundaries of the Increased Housing Diversity Areas for both activity centres. The RGZ3 reflects the aspirations of the IHDA's in so far as supporting increased densities close to existing services and infrastructure, including supporting building heights up to 10.5 metres.

The General Residential Zone Schedule 1 (GRZ1) was applied to Residential 1 Zone areas such as Collendina, Kingston and the North-East growth area. The GRZ1 reflects the typical suburban style of residential subdivision and development found across the municipality and in the township.

The General Residential Zone Schedule 2 (GRZ2) was applied to former Residential 3 Zone areas, principally in the old Ocean Grove area. The GRZ2 is used to reflect established suburban garden character and in the case of Ocean Grove, to reflect the established coastal landscape character of the old town. The GRZ2 also contains a restriction on building height of 9 metres and the requirement for larger private open space areas.

4.1.7 Conflicting Planning Control Objectives

As part of the residential review and introduction of the new residential zones the boundary of the Ocean Grove Town Centre IHDA was revisited to ensure any areas of significant character were not unduly affected by a potential increase in the density of development. As a result of this review the area south of the properties fronting Orton Street were removed from the IHDA.

This area interfaces with coastal vegetation reserves, stands of remnant vegetation or are highly visible from public viewing locations. The scale and character of new development in these areas should be carefully considered to ensure that the significant vegetation and landscape characteristics are maintained. This area was subsequently zoned for incremental change. The original and revised IHDA boundary is shown in Map 5 below.



Map 5 – Boundary adjustment of IHDA

The 2015 Structure Plan discussed areas covered by both the IHDA and the SLO7 and noted a balanced approach needs to be applied. The SLO7 does potentially impact on the capacity of the Ocean Grove IHDA to deliver the housing change anticipated in an IHDA. However, a review of the area has shown it is delivering housing change, increases in density and quality architectural styles when compared to other IHDAs. At the time of the residential review it was recommended the SLO7 be retained with administrative improvements to clarify when the overlay should be considered and to require a permit for the removal of Tea-Tree in locations where it is indigenous.

The new residential zones were implemented via amendment C300 which also made minor changes to the wording in SLO7 including deleting reference to the character study, clarifying 'space' around a dwelling, clarifying outbuilding includes a garage, clarifying tea-tree removal not acceptable when indigenous, updating application requirements to include more information on vegetation and view sharing.

4.1.8 Ocean Grove Town Centre - Urban Design Framework (UDF)

As part of this project, based on the vegetation surveys and other findings it is proposed to review the SLO7 and IHDA boundaries to remove any overlap of these controls. This means where there is a strong vegetated character in the IHDA the RGZ will be removed and replaced with GRZ and where there is limited or no vegetated character the SLO7 will be removed from the IHDA. This will remove any conflict, real or perceived from the residential areas adjacent to the town centre.

As part of the Town Centre UDF, Council is preparing a new Design and Development Overlay (DDO) which will replace the existing DDO16 for Presidents Avenue and DDO27 for Hodgson Street. Among other things, the purpose of the DDO will be to strengthen the role of the Ocean Grove Town Centre as the commercial and civic heart of Ocean Grove through high quality urban design, redevelopment of underutilised land, improved accessibility for all modes of transport and provision of adequate car parking.

The new DDO will be implemented in to the Planning Scheme via a separate planning scheme amendment process. This work does not impact on the extent of the IHDA or the SLO7.

4.1.9 Design and Development Overlay Schedule 14- Dwellings over 7.5 metres in areas with access to views (DDO14)

DDO14 affects areas of the Ocean Grove township with access to views. It triggers a permit for dwellings over 7.5 metres ensuring that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features.

The DDO14 is not currently applied in either of the Study Areas but is a tool available as part of any planning controls review. A copy of DDO14 is found in Appendix 3.

4.1.10 Clause 21.14 The Bellarine Peninsula, Ocean Grove

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.

4.2 State Policy

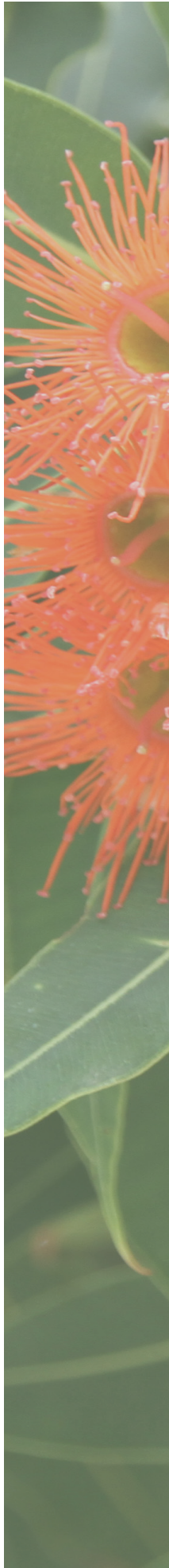
4.2.1 Clause 12 Environmental and Landscape Values

Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

4.2.2 Planning Provision 52.48 Bushfire Protection: Exemptions

Amendment VC83 introduced clause 52.48 into the Victoria Planning Provisions and all planning schemes on 18 November 2011. This provision was developed in response to recommendations of the 2009 Victorian Bushfires Royal Commission.

Clause 52.48 allows the removal, destruction or lopping of vegetation to reduce fuel load around existing buildings used for accommodation and adjacent to fences on property boundaries without requiring a planning permit. These permit exemptions for vegetation removal only apply to buildings and fences existing or approved before 10 September 2009.





municipality regardless of identified fire threat. This means within urban areas of Geelong vegetation identified for protection through various overlays can be removed under the bushfire exemption. Council wrote to the Minister for Planning in May 2016 requesting the exemption be more strategically applied. In a letter dated June 2016 the Minister indicated the Department were currently looking into a more risk based approach and that the matter will be considered in due course.

4.2.3 Vegetation Protection in Urban Areas Practice Note

The VPP Practice Note provides guidance on how to assess the significance of vegetation in urban areas and how to protect significant vegetation through the planning scheme.

Six steps are identified for developing a strategy for vegetation protection:

1. Undertake a vegetation survey
2. Determine vegetation significance
3. Prepare a local policy (MSS and local policy)
4. Apply overlay provisions where appropriate
5. Enforce the planning scheme where necessary
6. Monitor outcomes

The practice note was used to inform the vegetation survey work and to prepare the planning controls. We are now at step four in the process.

4.2.4 Bellarine Localised Planning Statement 2014

The Localised Planning Statement (LPS) identifies the key valued attributes of the Bellarine and puts in place objectives and strategies to ensure that they are preserved and enhanced for ongoing use by present and future generations.

The LPS acknowledges the residential and tourist role of the township and its status as an urban growth area whilst also acknowledging the importance of maintaining non-urban breaks with open farmed landscapes between settlements.

The key policy objectives and strategies relating to Ocean Grove include:

- To protect and enhance the rural and coastal environment on the Bellarine Peninsula and maintain non-urban breaks with open farmed

landscapes between settlements.

- Protect rural and coastal environments from inappropriate urban encroachment and development.
- Protect the scenic qualities of key landscape features.
- Ensure development outside of settlement boundaries (as shown in the Structure Plan maps) does not compromise the rural, environmental and landscape values of the non-urban breaks, significant views or long term growth opportunities.
- To support and encourage diverse and sustainable tourism as a key economic activity in townships and in rural areas where it complements and respects the farmed rural landscape of the area, does not impact upon existing farming activities and contributes to the local economy.

4.3 Other Considerations

4.14.1 CoGG Urban Forest Strategy 2015-2025

This strategy has 4 key objectives:

- Green the city
- Cool the city
- Engage the city's community and build regional partnerships
- Demonstrate best practice urban tree management

This strategy looks at the existing make-up of public trees in Geelong, the issues and opportunities, action plan for the future and it outlines the many benefits of streets and their importance to the urban environment.

4.3.2 Environmental Management Strategy 2014-2017

This Strategy guides planning decisions and policy making in those areas that have the ability to influence or impact on the environment. It also identifies significant opportunities to help improve our environment, economy and lifestyle. Some key relevant actions include:

- Net increase native and indigenous street trees
- Preserve remnant vegetation and local biodiversity including indigenous flora

4.3.3 Biodiversity Strategy 2003

This Strategy details the context of biodiversity in Geelong, its importance, value and legislative obligations for its protection. The Biodiversity inventory is provided in summary whilst the Strategy itself details the Vision, Mission, Guiding Principles, Commitment and Targets to ensure Biodiversity protection and enhancement.

- Encourage local nurseries to supply indigenous plant stock propagated from local areas and seed sources
- Development of horticulture operational guidelines for roadside reserves to facilitate the use of local indigenous vegetation where appropriate
- The active promotion of the benefits of indigenous vegetation to private landowners
- Recognise biodiversity through the planning scheme.

5. SUMMARY OF ISSUES

The following is a summary of issues identified:

- Impact of increasing house sizes and site coverage on vegetation retention and establishment
- Managing site coverage and open space
- Vegetation management and landscaping options
- Cumulative impact of incremental tree removal on the landscape character of areas
- Effectiveness of SLO7
- Appropriateness of boundaries/conflicts of SLO7 & IHDA
- State Bushfire Vegetation Removal Clause

6. VEGETATION SURVEYS

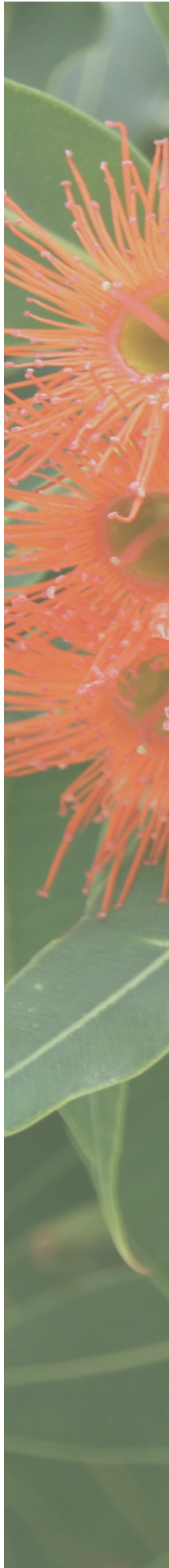
Council engaged Okologie Consulting to undertake vegetation surveys in two areas of the Ocean Grove township (see previous maps 1 & 2). The surveys were completed in July – September 2015. The surveys aimed to:

- Identify the extent of significant trees on public and private land.
- Provide guidance for future management and planning controls, and inform the Ocean Grove Structure Plan.

As a result of the survey work two reports have been presented to Council:

- Assessment of Vegetation Cover for the Significant Landscape Overlay – Schedule 7, Ocean Grove Vegetation Survey Findings
- Ocean Grove Significant Tree Project

These reports form a key component of this project and a full copy of the reports were available during the public consultation phase. A summary of the key survey findings for each of the study areas is provided in the next section.



7. VEGETATION SURVEY FINDINGS

7.1 Significant Tree Study Area

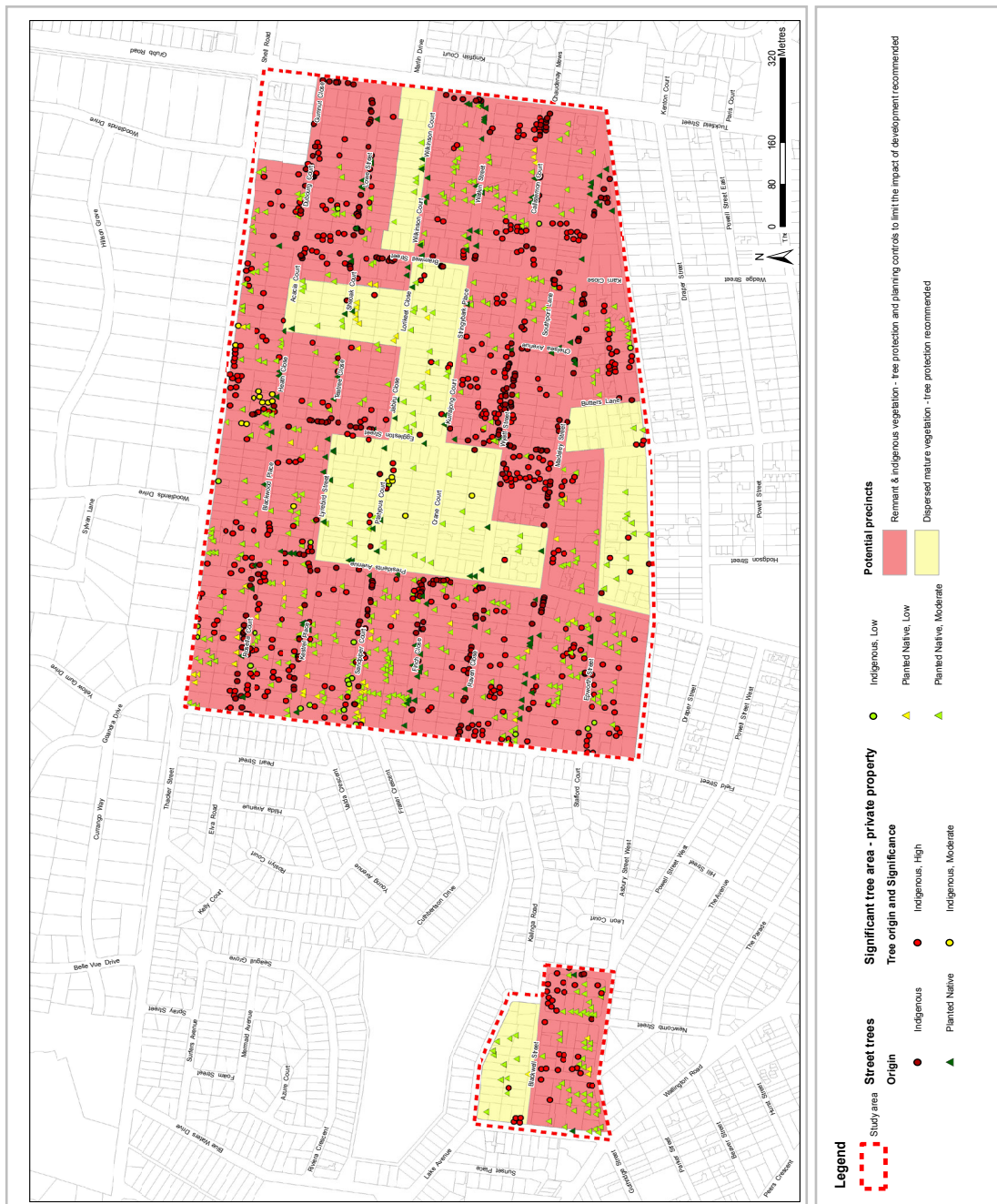
Areas of remnant vegetation within the project area were attributed to Grassy Woodland which generally comprised of Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis*, Narrow-leaf Peppermint *Eucalyptus radiata*, Swamp Gum *Eucalyptus ovata*, Manna Gum *Eucalyptus viminalis*, Drooping Sheoak *Allocasuarina verticillata* and Sweet Bursaria *Bursaria spinosa*.

Planted native species included Yellow-gum *Eucalyptus leucoxylon*, Sugar Gum *Eucalyptus cladocalyx*, Southern Mahogany *Eucalyptus botryoides*, Bundy *Eucalyptus goniocalyx*, River Red-gum *Eucalyptus camaldulensis*, Bushy Yate *Eucalyptus lehmannii*, Tuart *Eucalyptus gomphocephala*, Spotted Gum *Corymbia maculata* and Red Flowering Gum *Corymbia ficifolia*.

A total of 517 significant street trees were recorded within the project area, which comprised 362 indigenous trees and 155 planted native trees. The assessment of private property trees identified 1050 trees, consisting of 480 indigenous trees and 570 planted native trees

A species of note is the Bellarine Yellow-gum *Eucalyptus leucoxylon subsp. bellarinensis* which is endemic to the Bellarine Peninsula and is listed as threatened in Victoria. The population of trees in the study area is significant and needs to be managed to ensure the survival of the species.

The results of the survey can be found on map 7.



7.2 SLO7 Study Area

Remnant vegetation within the project area was attributed to Grassy Woodland, Coastal Dune Scrub and Coastal Alkaline Scrub based on floristic, life form and ecological characteristics.

Indigenous trees comprised of Coast Tea-tree *Leptospermum laevigatum*, Coast Beardheath *Leucopogon parviflorus*, Coast Wirilda *Acacia uncifolia*, and Moonah Melaleuca *lanceolata* subsp. *Lanceolata*, Bellarine Yellow-gum *Eucalyptus leucoxylon* subsp. *bellarinensis* and Manna Gum *Eucalyptus viminalis*.

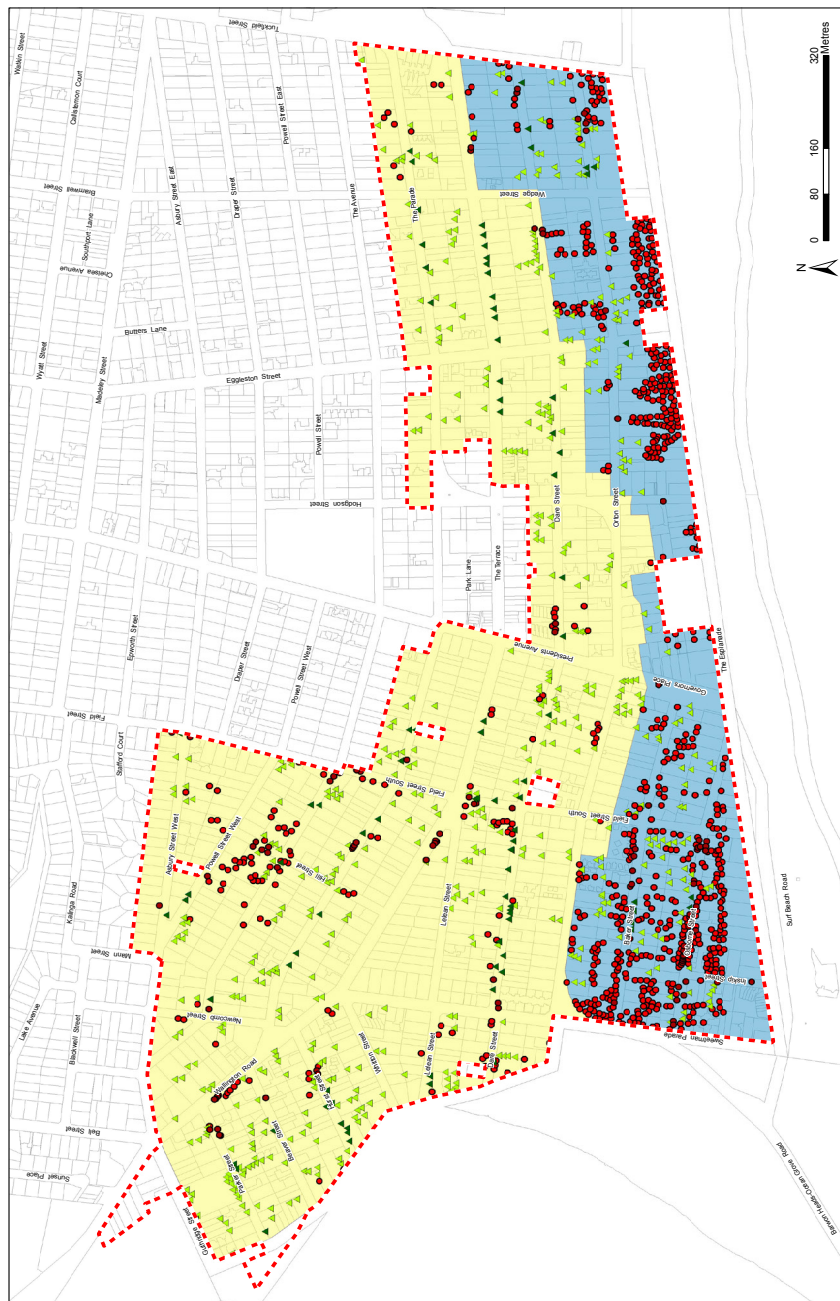
Planted native species included Yellow-gum *Eucalyptus leucoxylon*, Sugar Gum *Eucalyptus cladocalyx*, Southern Mahogany *Eucalyptus botryoides*, Bushy Yate *Eucalyptus lehmannii*, Tuart *Eucalyptus gomphocephala*, Red Flowering Gum *Corymbia ficifolia*, Bracelet Honey-myrtle *Melaleuca armillaris* and Coast Banksia *Banksia integrifolia*.

A total of 233 street trees were recorded within the project area, which comprised 114 indigenous trees and 119 planted native trees. Private property trees identified 1330 trees, consisting of 772 indigenous trees and 558 planted native trees.

The results of the survey can be found on map 8.

**INCREMENTAL CHANGES CAN
HAVE AN IMPACT ON THE
APPEARANCE OF AN AREA
AND RESULT IN THE LOSS OF
SIGNIFICANT VEGETATION**

**STATE GOVERNMENT OF VICTORIA - PLANNING
PRACTICE NOTE - URBAN VEGETATION
PROTECTION**



- Legend**
- Existing SLO7
 - Indigenous
 - ▲ Planted Native
 - SLO7 - private property vegetation
 - Indigenous
 - ▲ Planted Native
 - Potential precincts
 - Demonstrates SLO7 characteristics - tree protection and planning controls to limit impact of development recommended
 - Dispersed mature vegetation - tree protection recommended

Map 8 – SLO 7 Area Vegetation Survey Results



8. VEGETATION SURVEY RECOMMENDATIONS

8.1 Significant Tree Study Area

A summary of the key survey recommendations for each of the study areas is provided below.

It is recommended the responsible authority:

- Develop precincts within Ocean Grove that identify areas of significant indigenous and planted native trees on public and private land.
- Prepare a Vegetation Protection Overlay, Significant Landscape Overlay or Environmental Significance Overlay to protect significant indigenous and planted native trees within precincts of Ocean Grove.
- Develop a Design and Development Overlay to ensure best practice of the management of significant trees in and around development sites, which includes allocation for the adequate replacement of mature trees.
- Request a level 5 arborist assessment for development proposals on how individual significant trees can be protected through TPZs, and management measures on public and private land.
- Request tree surveys by a level 5 arborist for established trees on proposed future development sites to manage tree impacts.
- Ensure all tree works within precincts of Ocean Grove be undertaken by a level 3 arborist.

8.2 SLO7 Study Area

It is recommended the responsible authority:

- Review SLO7 to include planted native canopy trees as part of the coastal character.
- Review the extent of SLO7 based on precincts that support indigenous and planted native trees on public and private land, and consider use of a Vegetation Protection Overlay for significant trees on public and private property.
- Include permit triggers for vegetation removal with thresholds for indigenous vegetation over 3m tall, planted trees over 5m tall and all Bellarine Yellow Gum trees.
- Ensure best practice management of indigenous and planted native trees in and around development sites, which includes retention where practicable and protection of existing trees, and allocation of space for the adequate replacement of mature canopy trees.

9. COMMUNITY ENGAGEMENT

Based on the data, survey results and recommendations and information noted in the previous sections of this report a set of draft controls were developed for informal public consultation. The consultation materials are found in Appendix 4 of the report and consist of:

- Consultation Summary brochure
- Significant Tree Area brochure
- Hillside Precinct brochure
- Hillside DDO14 brochure
- Coastal Fringe brochure

The draft controls went out on informal public exhibition from the 8th of April to the 13th of May 2016. The following consultation activities were conducted:

- All properties affected (around 2,200) by the proposal were sent a notice via mail including a brochure outlining the key changes for each precinct.
- Council held two information sessions including after hours on a week night and long weekend to allow working people and holiday home owners the opportunity to attend.
- Information was available online (over 850 views / 500 document downloads) with hard copies available in Ocean Grove & Geelong.
- Upon request hard copies and additional information was provided.
- The project managers email and phone number were provided if additional advice or meetings were required.
- Ads were placed in local newspapers (Geelong Advertiser, The Echo, Bellarine Times, Geelong Indy)

The community were able to submit feedback via an online form, by post, by email or by hand to Customer Service Centres.

A total of twenty six (26) submissions were received. Five were supportive, one requested clarification and twenty raised objections or recommended changes.

9.1 Response to Submissions

A summary of the key themes to come out of the submissions and an Officer response follow:

Urban Consolidation

A number of submitters felt that the use of the Neighbourhood Residential Zone (NRZ) would limit infill and medium density opportunities, particularly single storey multi-dwelling developments, given the more restrictive site coverage and permeability controls proposed in the zone schedule and/or overlay. It was also argued that given the proximity of land in the study area to the town centre support should be given to consolidation utilising existing residential land.

Response

Council is now using the NRZ in the Significant Tree Area only. The coastal fringe area was originally recommended for the NRZ but is now proposed to remain in the General Residential Zone (GRZ) for reasons including the extent and location of the current SLO7, level of development that has already occurred and community feedback. The Significant Tree Area has not experienced the development pressure of the coastal fringe and there is an opportunity to be pro-active in relation to preserving landscape character.

Council is encouraging urban consolidation via the introduction of the Residential Growth Zone (RGZ), where more intensive development is encouraged in and around the town centre. To facilitate development in the RGZ any overlap with the SLO7 is being removed. Trimming of both the RGZ and the SLO7 has occurred to achieve this.

In relation to consolidation opportunities more generally, the study area is already zoned GRZ2 (incremental change areas) which sets out higher than standard area/dimensions for private open space. On all but above average sized lots (~750+sqm) the open space requirement rarely caters for 3 or more dwellings on a lot.





Map 9 - Lot Sizes in the Significant Tree Area



Map 9 - Lot Sizes in the Significant Tree Area

The lots sizes within the STA are shown below. Recent multi-dwelling developments in the area are dominated by dual occupancies for this reason. The maps below highlight lot sizes and development type in the STA.

The use of the NRZ as opposed to the GRZ in the Significant Tree Area acknowledges the landscape characteristics of the area and clearly indicates this is not an area identified for increased residential development.

It is the preservation of larger lots in this area (lots that could see 3+ dwellings under the GRZ) that will be crucial to preserving the overall spacious vegetated landscape character and provide for large canopy trees.

The preservation of pockets within the town with strong landscape characteristics is important for the towns overall identity, particularly as more typical 'suburban' character is dominating infill and new subdivisions, where lot and dwelling size often limits opportunities for canopy trees. This matter is discussed in more detail in section 3 of this report.

The preservation of township character is consistent with policy for the Bellarine Peninsula in the localised planning statement and clause 22.14 which aims to preserve the individual character and identity of each township.

The use of the NRZ could result in the net loss of around 158 potential new dwellings. This is based on Council's housing data, the presumption all lots are available for development including recently constructed lots, the infill target of 40% set out in the G21 Regional Growth Plan and the yield assumptions set out in the table 7 below:

Lot size (m ²)	No. of lots	Development under GRZ2 (potential no. of houses)	Net Increase	Dev under NRZ4 (potential no. of houses)	Net increase
600-750	322	2	322	2	322
750-1000	306	3	612	2	306
1000-1500	26	4	78	2	26
1500+	12	5	48	2	12
Total	666		1060		666

Table 7 – Lot supply under zone options

Overall it is considered accommodating growth through the use of the RGZ and GRZ and preserving what makes the town unique through the use of NRZ and existing and proposed overlays provides a reasonable balance.

Site Coverage & Permeability

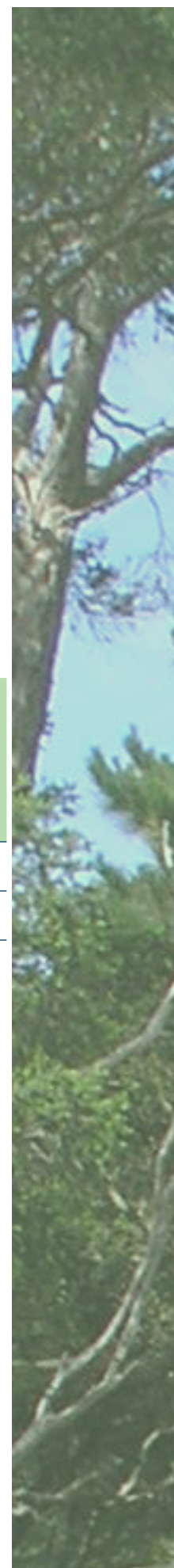
A number of submissions expressed disapproval for changing the standard site coverage (60%) and permeability (20%) in the zone and overlay provisions.

Under the advertised draft controls the following was proposed:

Submitters felt this was too restrictive, would limit multi-dwelling opportunities and only allow two storey development which could discriminate elderly and disabled.

Area	Site coverage (%)	Site permeability (%)	Landscaped area (%)
STA	40	40	40
Coastal Fringe	40	40	30
Hillside	50	30	30

Table 8 – Proposed schedule changes





Response

The background work goes into the data analysis around lot sizes, site coverage, dwelling footprints, presence of vegetation etc which helped inform the draft controls. The controls were drafted with the aim of protecting existing vegetation and providing space for new vegetation. Managing site coverage and allocating space for vegetation as part of development is seen as the best way to achieve this.

Depending of the size of a lot and the size of proposed dwellings there is still the potential to construct a multi-dwelling development that includes single storey housing.

Other councils around Victoria who have identified areas with vegetation/landscape values have taken a similar approach with site coverage figures of around 40% and areas free of impervious surfaces available for planting also around 40%. Examples include:

Municipality	Control	Standard/variation
Surf Coast Shire	Lorne Residential Areas – Neighbourhood Character Overlay 2	<p>A5/B8 Site coverage</p> <p>The area of a lot covered by buildings should not exceed 35 per cent. The plot ratio of a building should not exceed 0.5.</p> <p>A8 Significant trees</p> <ul style="list-style-type: none"> At least 50 per cent of a lot should be available for the planting of vegetation (excludes driveways and tennis courts of all surface types). An area of 100m², with a minimum dimension of 8 metres, should be provided for vegetative landscaping that includes canopy trees. Sites, in particular the front and rear building setback areas, should be landscaped in a manner that places buildings in a bushland setting, softens the appearance of buildings in the streetscape and from adjoining properties and compliments the character of the town. A group of canopy trees should be planted on each lot with at least two in the front building setback area. <p>B13 Landscaping</p> <p>In addition to the requirements of clause 55.03-8:</p> <ul style="list-style-type: none"> At least 50 per cent of a lot should be available for the planting of vegetation (excludes driveways and tennis courts of all surface types). An area of 100m² per dwelling with a minimum dimension of 8 metres, must be provided for vegetative landscaping that includes canopy trees. Sites, in particular the front and rear building setback areas, should be landscaped in a manner that places buildings in a bushland setting, softens the appearance of buildings in the streetscape and from adjoining properties and compliments the character of the town. A group of canopy trees should be planted on each lot with at least two in the front building setback area.
Maroondah City Council	Ridgeline Protection Area - Significant Landscape Overlay	<p>Buildings and works</p> <p>A permit is not required to construct a building or construct or carry out works provided that:</p> <ul style="list-style-type: none"> The building does not cover more that 40 per cent of the site when combined with the area of any existing building.
South Gippsland Shire	Sandy Point – Design and Development Overlay 3	<p>Buildings and works</p> <p>A permit is not required to construct a building or carry out works other than for:</p> <ul style="list-style-type: none"> A development that does not achieve the following site coverage requirements: A building site coverage of no more than 40 per cent; A paved area (permeable paving) of no more than 20 per cent; and An area free of buildings or impervious surfaces of at least 40 per cent.
Borough of Queenscliffe	Point Lonsdale Contributory Area – Design and Development Overlay 5	<p>Site coverage</p> <p>Buildings should not occupy more than 40% of the area of a site.</p>

Table 9 - Examples of planning controls for vegetation and landscape protection

As a result of submissions changes are proposed to the Coastal Fringe precinct which will now form part of the Hillside precinct shown in Table 10.

This is generally consistent with the current SLO7 which specifies:

- *At least 30 per cent of the site is not covered by buildings or impervious surfaces including driveways, paving, swimming pools or tennis courts.*

However the current control does not state that this 30% be set aside for the purpose of vegetation/landscaping which is specified in the revised SLO7. This avoids any confusion of decks, gravel etc being permeable but not being available for landscaping.

The recommendations provide clarity and consistency across the zone and overlay provisions. Any requests to vary the areas nominated under the zone/overlay will have to demonstrate how the landscape objectives are being met.

Minimum Lot Size - NRZ4

A couple of submitters in the STA were supportive of lower site coverage and higher permeability/landscaping requirements. They also suggested nominating a minimum subdivision area of 500sqm and 600sqm respectively.

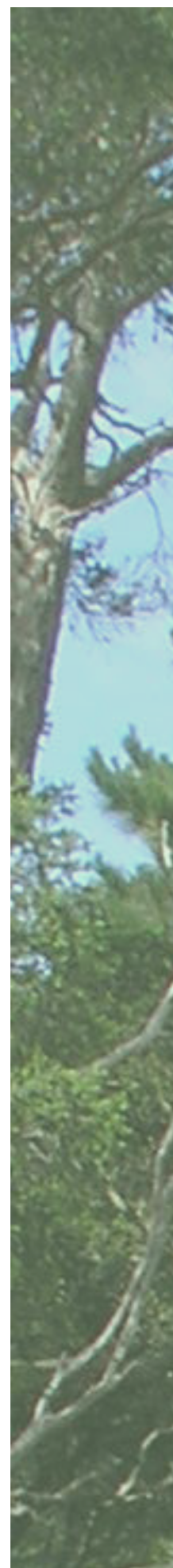
Response

Implementing a minimum lot size of 500 or 600sqm would preclude multi-dwelling development from all but very large or double allotments. Current two dwelling developments in the area create lot sizes on average of around 350-400sqm.

The proposed NRZ4 and SLO15 allows for two dwellings on a lot with site coverage, permeability and landscaping requirements. The implementation of a minimum lot size of 500/600sqm would severely restrict infill opportunities beyond what is considered a reasonable balance between protecting landscape character and providing infill opportunities. Applying a minimum subdivision area is not recommended.

Requirement	Coastal Fringe Advertised draft	Coastal Fringe Post submissions
ZONE	Neighbourhood Residential Zone 5	General Residential Zone 3
Site coverage	40%	50%
Permeability	40%	30%
Landscaping	-	30%
OVERLAY	Significant Landscape Overlay 16	Significant Landscape Overlay 7
Site coverage	40%	50%
Landscaping	40%	30%

Table 10 – Draft and Final controls comparison





Side Setbacks

The requirement for a 2 metre setback from one side boundary was seen by some as too onerous. The setback was questioned in relation to vegetation preservation/promotion given a canopy tree could not exist in this space.

A submitter in the STA recommended the 2 metre setback apply to all boundaries.

A submitter recommended a 1m setback with an average of a 2 metre setback.

Response

The purpose of the 2 metre setback is to reflect the more spacious character of the precincts which traditionally have a more spacious setting and do not having buildings built across the entire street frontage.

Two dwelling developments are the most common in the area and many are constructed side by side across the street frontage. If this type of development minimises driveway areas and provides quality landscaping along the driveways and in the front setback the 2 metre side setback could be justified.

It is recommended the 2 metre setback is removed from the zone schedule and just apply as a permit trigger in the SLO. The 2 metre setback is a 'should' not a 'must. Any request to for a variation would need to clearly demonstrate how the landscape objectives were still being met.

Height Limits

A number of submitters raised the issue of reduced heights under the proposed NRZ in the Coastal Fringe area. This was seen as an issue with the reduced site coverage proposal which would require people to build up instead of out. It was felt council should be to be facilitating 2 storeys in this case.

Response

In the coastal fringe precinct the maximum height was proposed to be reduced from 9m to 8m. There were no height changes in the hillside or STA precincts.

A substantial 2 storey home can be constructed with a maximum height of 8m, indeed many substantial two storey developments in the area

have a maximum height of 7.5m in order to avoid a planning permit under the current SLO7.

The proposed use of the NRZ5 is being altered on the coastal fringe and as such the maximum height of 9m under the GRZ3 will apply. The 7.5 height trigger will still apply under the SLO7 which will apply to hillside and coastal fringe precincts.

Trees in Urban Areas

The practicalities of requiring a canopy tree were queried in relation to maintenance, fire risk, risk to buildings, obstruction of views, blocking light etc. It was also stated the overlay requirements in relation to trees were too onerous.

Response

The Greater Geelong Planning Scheme already requires the planting of one canopy tree under the current GRZ2 (currently applies to all 3 precincts). It is recommended this be increased under the SLO provisions (both the SLO7 and SLO15) to 2 canopy trees per site, existing trees being retained can be included. It is already standard practice to provide 1 under the zone and the overlays are aimed at preserving/providing a vegetated character beyond the 'standard'.

This provision is consistent with that found in urban Torquay/Jan Juc where planting of significant canopy trees in a built up urban environment is encouraged:

Torquay Jan Juc Coastal Townscape Character - DD01

Application Requirements	The planting of at least two canopy trees within the front setback area.
	A detailed planting schedule using species predominantly selected from the Indigenous Planting Guide (2003), with emphasis on the use of Bellarine Yellow Gum, Messmate Stringybark, Ironbark, Manna Gum, Drooping Sheoak and Moonah Woodland community species, as appropriate to the locality.

It is recommended the need to show the allocation of a nominated space for a canopy tree as a permit trigger is removed. Landscaping plans are required as part of development proposals and an experienced designer should understand the space requirements of selected trees with consideration also given to proximity to buildings/assets, fire risk etc and make plant selections and placement recommendations based on this.

It is acknowledged that trees nominated on plans may ultimately die or be removed however setting aside space for planting means the opportunity to plant in the future is safe guarded. Officers can also carry out enforcement if landscaping plans are not carried out in accordance with endorsed plans.

Council is proposing to prepare 'tree planting guidelines' for residents which provides a guide for allocating space for trees, preferred species list, tree protection etc.

Requiring an Arborist

Many submissions raised the issue of the added expense of requiring an arborist to report on trees or carry out works.

Response

It is recommended reference to 'the work is undertaken by a suitably qualified arborist' is removed from the 'vegetation removal' section of the SLO's.

It is considered all but extensive trimming will fall within the permit exemption and will not require a permit.

For significant tree removal it is considered an arborist report is required to ascertain if the tree can be reasonably incorporated into a development, its quality to determine what if any replacement trees are required and management practices for protection during development. Specialist knowledge is required to determine these things.

Current Controls not being Implemented

A large number of submitters felt the current review would not be required if the existing controls were adequately and consistently applied. There was a genuine sense of frustration and disappointment at the perceived inaction of council on this matter.

Submitters voiced concerns over objections to

developments not meeting current requirements being approved and the lack of enforcement on illegal vegetation removal. A lack of follow-up/ compliance on landscaping plans was also raised as an issue. A number of submitters provided photographs of developments they felt did not meet the intent of the SLO7 and questioned how such approvals occurred.

It was argued even with the SLO7 in place significant development has already occurred which has irrevocably changed the character/ landscape of the area. The notion that this could be 'wound back' by applying stricter controls than those that applied during peak development was seen as flawed.

A number of submitters noted the recommendation from the Panel when the SLO7 was introduced should have been implemented which would have negated the need for this project.

Response

A visit to the SLO7 area shows there has been significant development over the past 10 years. There are instances where developments that do not seem to meet the intent of the SLO7 have been constructed. There are a number of factors relating to this:

- Lack of clarity in the SLO7 control – these issues are discussed in detail in the background report and Structure Plan, the proposed revisions aim to address these.
- Development not requiring a permit under SLO7 (large single dwellings) have incrementally changed the 'neighbourhood character' which has been used to justify large 'boxy' developments.
- Trees getting removed 12 months prior to applications being lodged so they are not considered.
- Proposals seeking approval in stages so ultimately the 30% impervious coverage is exceeded.
- Introduction of the Increased Housing Diversity Area and Residential Growth Zone – this has seen a policy conflict arise between the SLO7 and increasing housing density. While the two are not mutually exclusive the objective to increase density has been given more strategic weight than the SLO7.

It is anticipated the revised controls will provide improved landscape outcomes.





Caravan Park

Under the draft proposal the caravan park was located within the coastal fringe precinct. A submission from the Park requested they maintain their current zoning (GRZ2) and overlay which is more consistent with the directions set out for the site in the current and previous Structure Plans.

Response

Given the current and previous Structure Plans have noted this site is under utilised, is in a central location and has the opportunity to support development that can broaden the accommodation mix, applying the GRZ3 with the revised SLO7 overlay is considered appropriate.

Proposed Removal of SLO7 and Replacement with DDO14

It was recommended the SLO7 be removed and replaced with the DDO14 on the eastern side of the town centre where the landscape character was diminished. A submitter felt that although there might be a lack of vegetation it should not mean we 'give up' on trying to achieve the SLO objectives and the opportunity to re-establish the character sought in the SLO7.

Response

It is recommended the SLO7 only be removed from areas in the RGZ (increased housing diversity area), it should remain in all other areas where it was proposed to be replaced by the DDO14. It is recommended the DDO14 still be applied to the IHDA (where SLO7 will be removed).

Impact on Property Values and Compensation

Submitters from the proposed NRZ precincts noted the negative impact the new or revised controls could have on property values given the reduced capacity to develop and some submitters requested compensation be paid should the controls be introduced.

A submitter also suggested if private trees are being required/protected for public good people should be compensated for maintenance etc.

Response

The impact on property values is not considered to be a planning matter. The impact, negative or positive on property values is difficult to quantify. While some put a value on being able to develop a property others may put a value on the knowledge that an area is unlikely to undergo significant change. While some people value low maintenance gardens others will pay a premium for space and mature established gardens.

Data from the STA (discussed previously) shows the dominant development type is 1 and 2 dwellings and this can still occur under the proposed NRZ regime.

Landscaping requirements often form part of development approvals and applicants are not compensated for this. Appropriate tree selection should see ongoing costs for maintenance minimised.

Council has not and will not pay compensation based on perceived property value impacts.

People who have not developed yet or who have planted trees over the years are being punished

Some submitters felt the proposed controls, particularly the reduced site coverage were too restrictive and were unfair on those who had not developed yet. It was felt those that valued trees by keeping or planting them were now being 'punished'. It was also felt those who had developed (and potentially removed most or all trees) for a financial benefit could then be in favour of stricter controls as they were relying on existing or undeveloped properties that still have trees to provide the 'coastal' and 'bush' feel that attract people to the area.

Response

The intent of the proposed controls is to balance development while preserving and enhancing the vegetated landscape. The key elements of this include encouraging the retention of existing trees and having enough space to provide for existing or new trees. The capacity to develop still exists but the scale and intensity of development may need to be modified.

Much of the vegetation on the Coastal Fringe and Hillside is planted – not natural or remnant vegetation

Response

This is reflected in both the vegetation surveys and consultant reports and the proposed controls. Both indigenous (which are also native) and native plants are separately recognised as native and indigenous vegetation. It should not be inferred from this that all indigenous trees are remnant. Regardless of whether trees are indigenous or native or remnant or planted they all make a contribution to the vegetated landscape.

Development has seen an increase in vegetation in the area

It was noted in submissions that if not for people planting trees these areas would be largely devoid of vegetation.

Response

The vegetation survey results shows a large percentage of vegetation is planted. While there are examples of remnant vegetation the vegetated landscape does rely heavily on planted vegetation. This vegetation has over time contributed to the landscape and character of the area and is something many people value.

When much of Ocean Grove originally developed it consisted of single dwellings (holiday shacks) on large allotments with houses taking up around 30% of the block. This allowed for significant planting and the establishment of vegetation. The current trend towards smaller lots and higher site coverage does not provide the same conditions that allowed vegetation to originally establish and thrive. This in part is the reason behind the development of the proposed controls.

Vegetation descriptions are inaccurate and misleading

Response

Council engaged a specialist consultant to carry out vegetation surveys and make recommendations. The methodology is set out in the consultant reports which were available online and to view in person in Ocean Grove

and Geelong as part of the public consultation. The use of Ecological Vegetation Class (EVC) is standard for classifying vegetation in Victoria.

It is acknowledged that the status of tea-tree is disputed among vegetation experts with different views on its natural distribution, weed status etc. We have relied on consultant advice and Council's Environment Unit in this regard. Tea-tree is considered to make a contribution to the landscape on Ocean Grove but should not be included in landscape plans outside the coastal fringe/dune area.

There was inadequate public consultation

Response

The consultation activities are outlined at the start of this section. This formed part of the 'informal' consultation phase. Should the project proceed the 'formal' planning scheme amendment process further public notification, opportunities to make submissions and present to an independent panel will be provided.

It is noted mail was sent to the property address and not the nominated postal address where this was different. Where mail was returned to council and an alternate postal address was available the notice was resent.





The ‘community’ have not been asking for this project. It is a waste of ratepayer money – how much has this cost? How can it be considered without a council?

Response

This project is a result of feedback/submissions provided in the previous and current township Structure Plans. The community provided this feedback via the submissions process. The project is recommended as further work in the current Structure Plan.

The project budget forms part of the Structure Planning budget. Included in the project are vegetation consultant costs and public consultation costs (letters, brochures, print media, postage, room hire). The project budget is \$60,000 with around \$50,000 spent to date. The results of the vegetation survey have been uploaded to Council’s GIS data base and can be used by Environment, Parks, Street Tree and Engineering units ongoing.

This project commenced in mid 2015, with Administrators appointed in May 2016. The Administrators will act as ‘the council’ until new elections are held. The views of ratepayers/residents are considered by the Administrators as they would be by councillors.

It is not recommended this project is put on hold until new councillors are appointed as this will create a level of uncertainty within the community around what is being proposed and may result in vegetation being unnecessarily removed over that 12 month period.

People should be able to do what they want with their own property

Response

Planning controls are often employed in areas which have been identified as having characteristics worthy of additional protection/controls. Protecting vegetation and landscape character is consistent with Council’s obligations as a planning authority under the Planning and Environment Act to implement the planning objectives of Victoria.

The proposal is also consistent with the Practice Note ‘Vegetation Protection in Urban Areas’ which includes utilising VPOs, ESOs and SLOs to protect vegetation on private land. This proposal will provide a net community benefit through:

- preserving the existing/preferred character of the area including the strong vegetated character
- providing ecological benefits (such as habitat for birds, insects, and arboreal mammals)
- contributing to biodiversity and the broader ecosystem. Large remnant trees often contain hollows that are required for breeding by several species including the endangered swift parrot. A significant number of trees in the area are Bellarine Yellow Gums which are endemic and endangered.
- health and wellbeing, a number of studies make positive links between enhanced health and living near trees
- reducing the heat island effect, stormwater management, thermal performance of buildings, reducing the impact of climate change.

Zone and overlay changes are proposed (revised or new) to ensure development respects the preferred identified character for the area. It aims to provide a balance between allowing development and preserving or enhancing the coastal/bush character of an area, this balance is further demonstrated in the number of exemptions which if met means no permit is required.

Object to canopy trees being required in the coastal fringe, canopy trees are not traditionally found in this area

Response

The background work and proposed controls acknowledge the vegetation structure is different on the coastal fringe which was the main reason a separate precinct was created for the area. The height of canopy trees recommended for this area was based on indigenous vegetation naturally found in the area.

If council want more trees they should provide them on public land not require private landholders to provide them. Council does not look after the trees they have

Response

The project acknowledges there are street tree gaps in the area. Council aims to provide at least one street tree per property subject to nature strip suitability. Council has identified the benefits of street trees in its recent 'Urban Forestry Strategy' and implements a street tree planting program. This program is allocated a budget which requires prioritisation of works. The work as part of this project will help inform street planting in Ocean Grove into the future.

Council has a street tree policy to manage tree replacement and requests for tree removal. Council is generally reluctant to remove otherwise healthy street trees or see new vehicle access where there is potential damage to trees. The presence of an SLO will help inform decisions on street tree management.

Council is committed to tree planting on public land and has a focus on planting local indigenous plants where appropriate. In the study areas it is the presence of both public and private trees that contribute to the overall landscape and therefore both should be managed.

Council has consistently made decisions that have resulted in tree removal where alternate options have been available – council needs to show leadership on public land

Response

Decision making for development requires the consideration of many issues across multiple disciplines and is often complex. Council have various policies and strategies around environmental management and vegetation protection that must be considered in the decision making process. The presence of landscape controls should see council officers prioritise vegetation protection in the decision making process.

Question expertise of authors and data collection method

Response

Council planners are not vegetation experts. Council engaged an ecologist (BA AppSc, BSc NRM, Hons (App Ecology) with over 11 years consulting on wide range of government and private projects and a level 5 arborist with over 25 years experience to provide data and recommendations on vegetation. Images within the reports are of both indigenous and native species as both types are identified as contributing to the vegetated landscape of the town.

Given the size of the study area and the number of trees in the study area it was not practical to survey every plant (weeds, vegetation on crown land etc). Vegetation surveyed was limited to native trees over 5m and indigenous trees over 3m, this was explained in the summary brochure. The age of street trees were recorded as 'mature' 'semi-mature' and 'young'. Given the limitations in accessing private trees details such as age were not recorded. Access to the survey methodology was made available as part of the public consultation.

Pages in the report are difficult to read due to page/print layouts

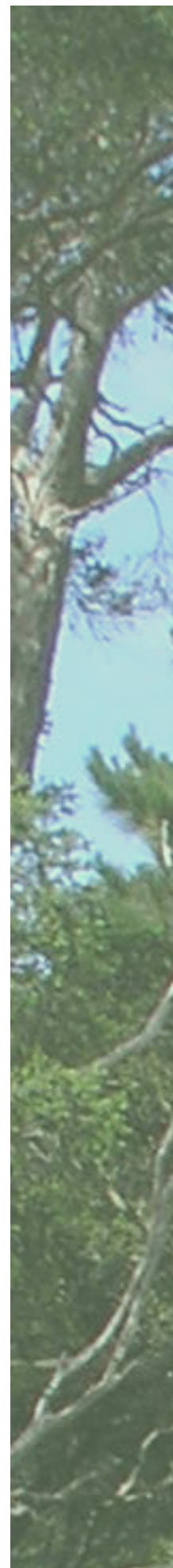
Response

Noted. Layout to be adjusted in report should the project move to the next phase.

Parking on nature strips is impacting on tree health which council are not enforcing

Response

Residents can report illegally parked vehicles to Council's Local Laws unit and officers can inspect and issue fines if required.





All the decision guidelines in Design and Development Overlay 14 in relation to view sharing should be used in SLO7

Response

The DDO14 contains the additional decision guidelines:

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.

It is proposed to include the additional DDO14 guideline in the SLO guidelines as it provides additional view sharing considerations which are relevant to the landscape objectives being sought by the new and revised controls.

How many planning permits have issued with 'vegetation removal' in the SLO7 over the past 10 years?

Response

There were 56 permits with 'vegetation removal' in the permit description from 2003 to 2015.



POSTIVE SUBMISSIONS


Along with submissions raising objections or recommendations, five supportive submissions were received. The supporting submissions included the following themes:

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



**TREES NEED PLANNING
PROTECTION, THEIR VALUE IS
UNDERATED**

- RESIDENT, EPWORTH STREET



9.2 SUMMARY OF KEY CHANGES AS A RESULT OF SUBMISSIONS

As a result of public submissions a number of changes were made to the draft exhibited proposals. The final planning control recommendations are detailed in section 10 of this Report. Some of the key changes to come out of the submissions process were:

- Coastal fringe precinct now included as part of the Hillside Precinct (generally previous SLO7 extent) - site coverage increased from 40% to 50% and area for landscaping/permeability reduced from 40% to 30%
- 2 metre side setback included as permit trigger in overlay only not in schedule to the zone
- No changes to height controls
- Two canopy trees required in landscaping plans instead of one making a greater contribution to the vegetated existing and preferred character of the area
- Area required for canopy tree and canopy tree size not specified in overlays providing more flexibility
- Increased scope of works not requiring an arborist reducing potential costs for minor works
- Significant trees defined in overlays based on tree type and height
- View sharing decision guidelines included in the DDO14 added to SLO7 to improve built form and view outcomes
- Caravan Park to be included in Hillside precinct
- SLO7 to be retained on east side of town centre where it was recommended for replacement with DDO14 to encourage the preferred landscape to strengthen and re-establish.

10. PROPOSED PLANNING CONTROLS

Based on the data, survey results and recommendations, information noted in previous sections of this report and submissions to the informal public consultation the following planning controls have been developed to retain and enhance the identified character of the study areas.

10.1 Significant Tree Study Area

10.1.1 Policy

To increase the importance of vegetation consideration as part planning approvals process it is recommended the following objective (see Appendix 5 for complete policy) is added to the Municipal Strategic Statement:

21.14-2 Strategies Ocean Grove

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 vegetation and/or planting around buildings and has minimal impact on roadside vegetation. (new)

10.1.2 Zone

The current zone for the area is:

GENERAL RESIDENTIAL ZONE SCHEDULE 2 - URBAN PRESERVATION AREAS

The GRZ zone objectives are:

- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.

- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Variations to the standard approval requirements under this schedule are:

A17/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. It cannot include a balcony or roof top terrace.

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.

When any of the lots being created are between 300-500 square metres, a subdivision application must be accompanied by a development application or approved planning permit plans for the construction of the dwellings.

There are two options to change the zone which would allow for more consideration of the distinctive character of the area:

1. Create a new General Residential Zone schedule for the "Ocean Grove Significant Tree Area" or
2. Create a Neighbourhood Residential Zone schedule "Ocean Grove Significant Tree Area".





The NRZ objectives are:

- *To recognise areas of predominantly single and double storey residential development.*
- *To limit opportunities for increased residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*

In this zone the number of dwellings on a lot can not exceed two.

Schedule variations are available for both the GRZ and the NRZ, variations are likely to be made for:

- Site coverage – decrease the standard
- Site permeability – increase the standard
- Landscaping – increase the requirements

The preferred option is to rezone the area to NRZ new schedule 4, as it better reflects the unique and significant vegetated character of the area. It also recognises that this area is not an area identified for significant or moderate development.

A draft NRZ4 is provided as Appendix 6.

10.1.3 Overlays

There are three options for vegetation protection under the Victorian Planning Provisions:

- Vegetation Protection Overlay (VPO) – specifically protects vegetation, does not include buildings and works or subdivision requirements.
- Environmental Significant Overlay (ESO) – protects vegetation and wider environmental values, includes buildings and works or subdivision requirements.
- Significant Landscape Overlay (SLO) – Protects vegetation in a broader landscape context, includes buildings and works or subdivision requirements.

10.2 Hillside Study Area

The most suitable option is considered to be the SLO given the vegetation is significant as part of a broader landscape context being the unique bush garden character of the area rather than just environmental values. The SLO also allows for buildings and works permit triggers as opposed to just vegetation triggers. This is important in an urban context as buildings and works can have a significant impact on vegetation.

An SLO should be applied to the area, the new SLO schedule 15 should include:

- A character statement that reflects the uniqueness of the area
- Encouraging vegetation retention in the first instance
- Permit triggers that manage significant vegetation removal
- Provision of adequate space for existing and future planting based on vegetation survey results
- Provision for off-set planting when vegetation removal cant be avoided

A draft SLO15 is provided as Appendix 7.

It is proposed to remove the DDO14 overlay from all but a small pocket of the Significant Tree Area. The majority of the STA does not have access to coastal views. There is a small pocket south of Blackwell Street where views are available and so the retention of DDO14 is applicable.

10.2.1 Zone

The current Zone is:

GENERAL RESIDENTIAL ZONE SCHEDULE 2 - URBAN PRESERVATION AREAS

The GRZ2 zone objectives are noted above.

It is recommended the zoning regime change to:

- Create a new General Residential Zone new schedule 3 for the "Ocean Grove Hillside Area".

The GRZ is appropriate for the hillside location given the high level of development that has already occurred and given the vegetation is not as significant as that identified in the Significant Tree Area. The new schedule to the zone aims to preserve the unique character of the area through appropriate variations including :

- Site coverage – decrease the standard
- Site permeability – increase the standard
- Landscaping – increase the requirements

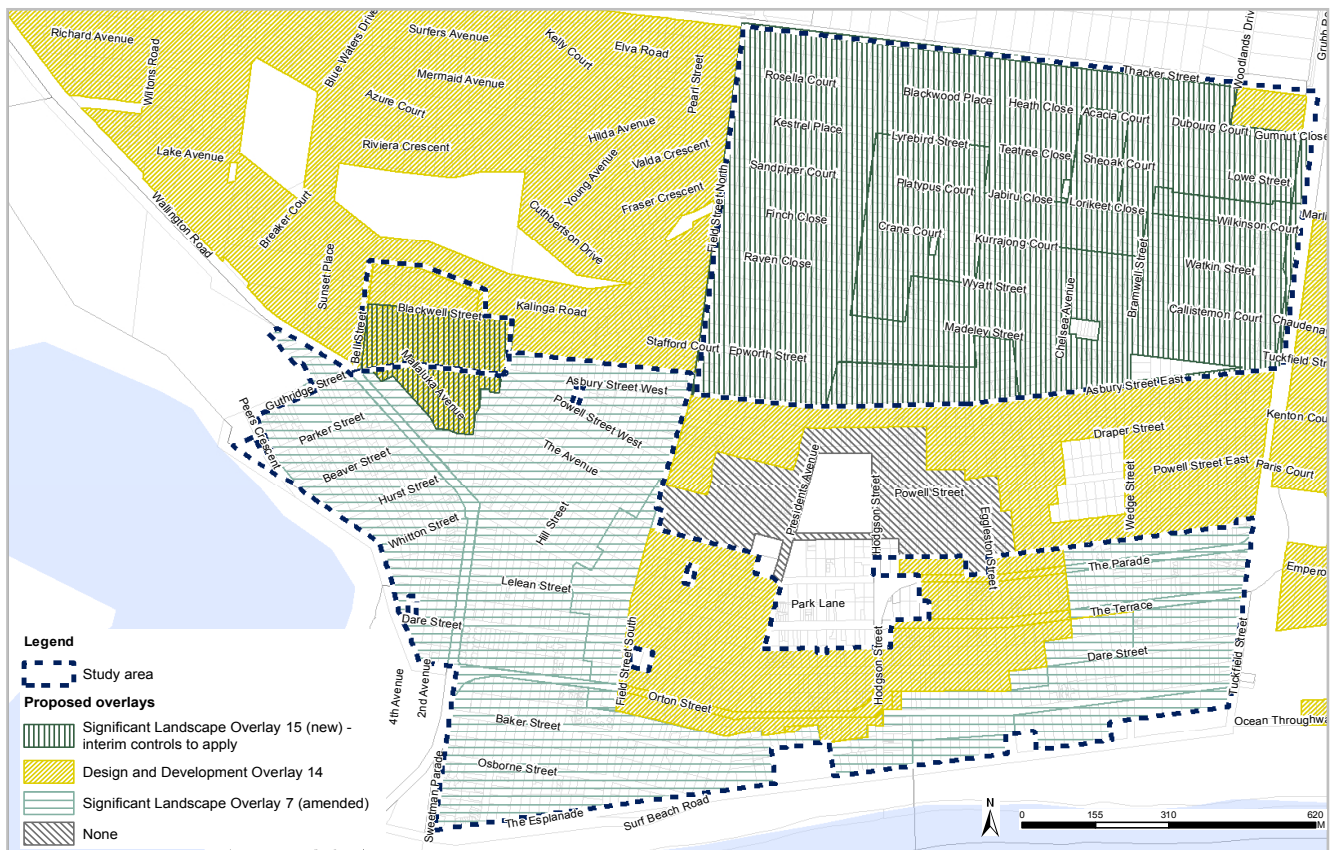
Appendix 8 shows the proposed zone schedule provision for the new GRZ3.

The Residential Growth Zone 3 is applied to the Increased Housing Diversity Area around the town centre. There is currently some overlap between this zone and SLO7 which is causing some conflict. There is proposed to be some alteration to the RGZ3 boundary and the SLO7 boundary based on the vegetation survey work to ensure there is no overlap of these controls in the future. These changes are seen on maps 11 & 12 over page in section 12 of this report.





Map 11 – Proposed zones



Map 12 – Proposed overlays

11. FINAL RECOMMENDATIONS

11.1 Planning recommendations

The following is a summary of the planning recommendations outlined in this report:

Table 10 - Summary of planning control recommendations

ITEM	SIGNIFICANT TREE RESIDENTIAL AREA		RESIDENTIAL HILLSIDE AREA	
	PROPOSED	EXISTING	PROPOSED	EXISTING
POLICY	Update 21.14-2 to include protection of significant vegetation and coastal design objectives.	No mention of vegetation	Update 21.14-2 to include protection of significant vegetation and coastal design objectives	No mention of vegetation
ZONE	NEIGHBOURHOOD RESIDENTIAL (NRZ)	GENERAL RESIDENTIAL ZONE (GRZ)	GENERAL RESIDENTIAL ZONE (GRZ)	GENERAL RESIDENTIAL ZONE (GRZ) RESIDENTIAL GROWTH
ZONE SCHEDULE	4	2	3	2
SITE COVERAGE	40%	60%	50%	60%
SITE PERMEABILITY	40%	20%	20%	20%
HEIGHT	A building used as a dwelling or a residential building must not exceed a height of 9 metres	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.	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.	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.
NO. OF DWELLINGS	The number of dwellings on a lot must not exceed two.	None specified	None specified	None specified
LANDSCAPING	At least 40% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.	One canopy tree per dwelling.	At least 30% of the site is available for landscaping. Two canopy trees (indigenous and/or Australian native) per site.	One canopy tree per dwelling.
SIDE AND REAR SETBACKS	None specified	None specified	None specified	None specified
FRONT FENCE	None specified	None specified	None specified	None specified
PRIVATE OPEN SPACE	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.	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.	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. It cannot include a balcony or roof top terrace.	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.

ITEM	SIGNIFICANT TREE RESIDENTIAL AREA		RESIDENTIAL HILLSIDE AREA	
	PROPOSED	EXISTING	PROPOSED	EXISTING
Overlay	Significant Landscape	Design and Development	Significant Landscape	Significant Landscape
Overlay schedule	15	14 7	7 (revised)	7
Objectives	<ul style="list-style-type: none"> -To protect and ensure the long term future of significant canopy vegetation which is the dominant visual and environmental feature of the precinct -To ensure that buildings and works retain an unobtrusive profile and do not dominate the landscape. -To ensure that a reasonable proportion of a lot is free of buildings and hard surfaces to provide for the retention and planting of significant canopy trees and generous open space areas. -To minimise the effect of future development on significant canopy vegetation. -To ensure that new development has proper regard for the established landscape character in terms of building height, scale, site coverage, site permeability, siting and landscaping. -To minimise the impact of vehicle access, road works, fences, service trenches etc have on existing vegetation. -To ensure adequate tree protection zones are provided around existing trees as part of any development. 	<ul style="list-style-type: none"> -To ensure that the siting, height and visual bulk of dwellings achieves a reasonable sharing of views between properties to significant landscape features. 	<ul style="list-style-type: none"> -To conserve, enhance and reinstate the preferred character of buildings sitting within vegetated settings including in areas that have been substantially cleared of vegetation. -To preserve the balance between roof tops and vegetation in long distance views of the town. -To encourage vegetated streetscapes where the vegetation acts to filter and soften the appearance of buildings and hard surface areas. -To promote buildings that fit within the landscape and do not dominate the streetscape and long distance views. -To provide a balance between buildings and vegetation canopy. -To ensure that buildings are sited and designed to avoid and/or minimise removal of Australian native/indigenous vegetation. -To encourage development that sits within a vegetated setting by providing space at the front, side and rear of buildings for the retention and planting of screening vegetation. -To maximise opportunities for view sharing, particularly where views are available to the ocean and river from private dwellings. 	<ul style="list-style-type: none"> -To preserve the balance between roof tops and vegetation in long distance views of the town. -To encourage the development of buildings that fit within the landscape and does not dominate the streetscape and long distance views. -To minimise the impact of buildings projecting above the vegetation canopy. -To provide space at the front, side and rear of buildings for the retention and planting of 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.

ITEM	SIGNIFICANT TREE RESIDENTIAL AREA		RESIDENTIAL HILLSIDE AREA	
	PROPOSED	EXISTING	PROPOSED	EXISTING
Objectives	<p>-To encourage strategic replanting on public and private land to provide for the long term maintenance of landscape and environmental values within the precinct.</p> <p>-To prevent the premature removal of vegetation from a site prior to consideration of design options for a proposed development.</p> <p>-To ensure that appropriate replacement planting is provided and located appropriately on site where tree removal occurs.</p> <p>-To promote the use of locally indigenous plants for landscaping.</p>			
Building & Works	Significant Tree Residential Area		Residential Hillside Area	
Height trigger	n/a	7.5m above natural ground level	7.5m above natural ground level	7.5m above natural ground level
Building site coverage	40%		No more than 70% of the site is covered by buildings and impervious/hard surfaces including driveways, paving, decks, crushed rock, swimming pools or tennis courts.	At least 30 per cent of the site is not covered by buildings or impervious surfaces including driveways, paving, swimming pools or tennis courts.
Area available for landscaping	40% including 2 canopy Australian native or indigenous trees		30% including 2 canopy Australian native or indigenous trees	
Dwelling trigger	More than one dwelling		More than one dwelling	
Side setback	At least 2 metres from one side boundary		At least 2 metres from one side boundary	

ITEM	SIGNIFICANT TREE RESIDENTIAL AREA		RESIDENTIAL HILLSIDE AREA	
	PROPOSED	EXISTING	PROPOSED	EXISTING
Vegetation Removal (permit required unless the following requirements met)	<ul style="list-style-type: none"> -Indigenous vegetation less than 3 meters in height. -Native vegetation less than 5 meters in height. -Exotic vegetation -Vegetation is listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which is indigenous in this location. -Vegetation removed as part of an approved landscape plan. -Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded. -Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped. -Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling. -Vegetation that is dead to the satisfaction of the responsible authority, unless the dead vegetation is a habitat tree containing hollows. -Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority. -Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority. 	None	<ul style="list-style-type: none"> -Indigenous or native vegetation less than 3 meters in height. -Exotic vegetation. -Vegetation is listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except Coastal Tea-tree which is indigenous in this location. -Vegetation removed as part of an approved landscape plan. -Prune a tree to improve its health or appearance, provided its normal growth habit is not retarded. -Vegetation that presents an immediate risk of personal injury or damage to property, if only that part of vegetation which presents the immediate risk is removed, destroyed or lopped. -Prune vegetation to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling. -Vegetation that is dead to the satisfaction of the responsible authority, unless the dead vegetation is a habitat tree containing hollows. -Maintaining public utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like to the minimum extent necessary by the relevant authority. -Works carried out in accordance with the Geelong Street Tree Strategy by the Responsible Authority. 	<ul style="list-style-type: none"> -The vegetation is listed within the incorporated document Environmental Weeds, City of Greater Geelong, September 2008 except where tea tree is indigenous to the area. -The vegetation is dead. -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.
Application Requirements	Significant Tree Residential		Residential Hillside Area	
View impact analysis	n/a	Development over 7.5m	Development over 7.5m	Development over 7.5m
Landscaping plan	Development and vegetation removal		Development and vegetation removal	Development and vegetation removal
Schedule of materials	n/a		Development	Development
Arborist report	Vegetation removal and works within significant tree drip line		Vegetation removal and works within significant tree drip line	Vegetation removal

11.2 Planning Implementation

In order to implement the proposed planning scheme changes outlined in this report Council will need to adopt the recommendations and undertake a planning scheme amendment. As part of this process a formal public consultation phase will be undertaken to ensure the community have another opportunity to further input on the proposed changes.

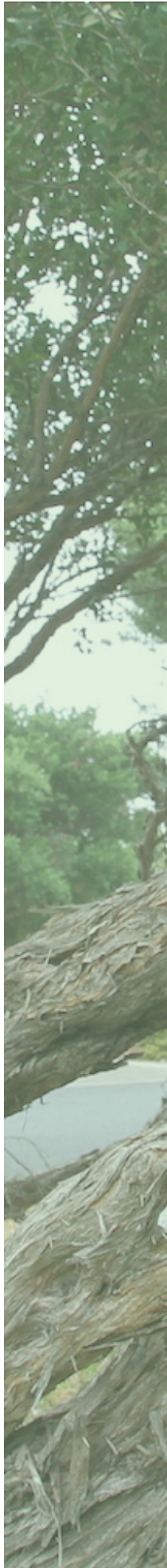
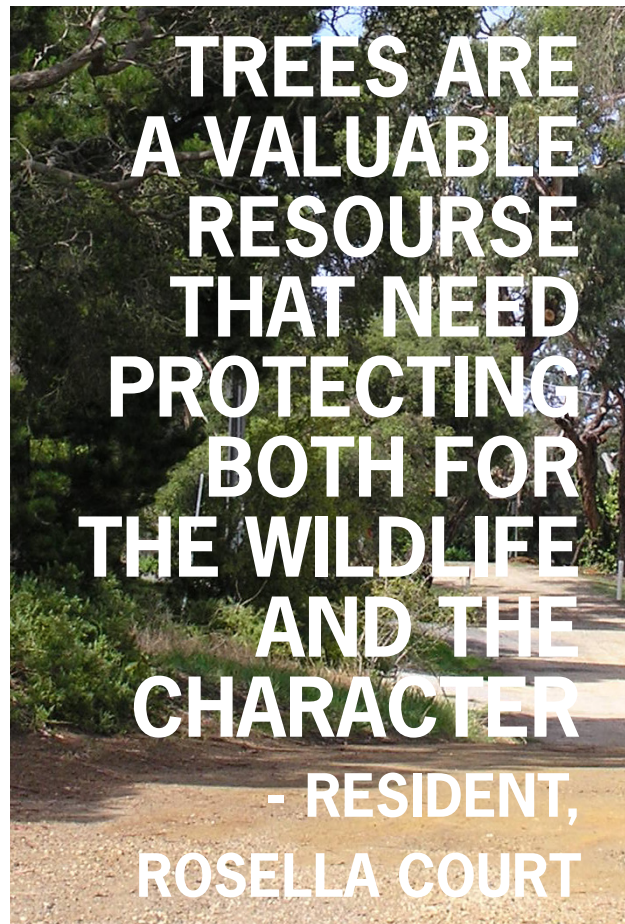
Interim Controls

It is recommended Council apply for interim controls for SLO15 while the amendment is being processed. This will help ensure development that does not meet the proposed landscape objectives is not approved in the period between adoption and the finalisation of the amendment. Without interim controls there could be a loss of vegetation and new development that does not support the landscape objectives which could detrimentally impact upon the existing and preferred neighbourhood character.

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

Transitional Arrangements

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



12. ADDITIONAL RECOMMENDATIONS

The proposed planning zone and overlay controls make reference to a number of items in relation to vegetation management and protection. Some of these items also form recommendations in the Okologie consultant vegetation reports. These are briefly discussed below:

12.1 Tree Planting Guidelines

The Council's of Banyule and Moreland have prepared Tree Planting Guidelines to assist residents and applicants with tree selection and planting for maximum benefits. The Guidelines outline expectations in relation to tree planting associated with landscape plans accompanying development applications.

It is recommended Geelong council prepare similar Guidelines that cover matters such as:

- Matching tree size and available space
- Recommended species
- Plant lists – indigenous list available
- Tree Protections Zones

12.2 Tree Replacement Strategy & Seed Collection

Trees have a finite life span and at some point in time trees need to be removed and replaced. As trees age they require more management to maintain them in a safe and attractive condition.

Okologie consulting noted that the future management of the Bellarine Yellow-gum population within Ocean Grove should consider the insufficient level of recruitment of mature trees in an urban landscape. The replacement of senescent mature trees will be required through ongoing planting; however, seed should be of local provenance and collected from the broader area to maintain genetic diversity within the species. They recommend that a tree replacement strategy be prepared which includes a formal procedure for seed collection and revegetation.

Council already contract out seed collection of Bellarine Yellow Gums and other indigenous remnant vegetation for revegetation purposes.

Councils Parks and Garden unit have prepared the Urban Forest Strategy which commits to additional street tree planting and develop tree management manual and guidelines. Where a distinct urban character is identified through the planning scheme or other strategy/policy new or replacement trees should reflect the established and preferred character of areas.

12.3 Tree Protection Zones (TPZ)

An Australian Standard (AS 4970—2009 (Incorporating Amendment No. 1)) has been developed to ensure the best practices for the planning and protection of trees on development sites. The use of this Standard has been recommended by Okologie consulting as part of this project.

It is recommended TPZ standards are incorporated into the relevant planning controls to manage vegetation.

Item	Responsibility	Priority
Prepare tree planting guidelines	Planning Strategy	Medium
Tree Replacement Strategy	Parks & Gardens (Parks)	Medium
Seed Collection	Parks & Gardens (Parks) & Environment & Waste Services (Land Management)	Ongoing

Table 11: Other recommendations

Where Council have identified and adopted controls or policies to protect unique areas with Significant Landscape Overlays, Vegetation Protection Overlays, Heritage Overlays etc it is important as asset and land managers that the objectives of these controls are considered in the decision making process.

13. CONCLUSION

As a result of this project two distinct landscape character areas have emerged:

1. Significant Tree Area
2. Residential Hillside Area

Along with these areas minor changes have been made to the Increased Housing Diversity Area (RGZ) and Significant Landscape Overlay 7 boundaries where they previously overlapped to avoid any potential land use conflicts. Where SLO7 is being removed it is being replaced by Design and Development Overlay 14.

In order to best identify, protect and manage these areas, individual planning regimes have been developed and shown in Table 12.

Along with the zone and overlay provisions minor policy changes are recommended to elevate the importance of vegetation protection in decision making in the Municipal Strategic Statement 21.14 Bellarine Peninsula – Ocean Grove.

14. REFERENCES

- Banyule City Council, Substantial trees in Banyule's Garden Court and Garden Suburban Neighbourhoods, 2013
- Banyule City Council, Banyule City Council Tree Planting Guidelines 2011
- City of Greater Geelong, Ocean Grove Structure Plan, 2007 (amended 2008)
- City of Greater Geelong, Ocean Grove Structure Plan, 2016
- City of Greater Geelong, Urban Forestry Strategy, 2015-2025
- Department of Planning & Community Development, VPP Vegetation Protection in Urban Areas, August 1999
- Hall T, Griffiths University as part of a paper 'Goodbye to the Backyard? – The Minimisation of Private Open Space in the Australian Outer-Suburban Estate' in 2010.
- Maroondah Planning Scheme – Ridgeline Protection Area - Significant Landscape Overlay 1
- Moreland City Council, Moreland Tree Planting Manual for Residential Zones, 2014
- Okologie Consulting, Assessment of tree Cover for Significant Landscape Overlay Schedule 7, Ocean Grove, 2015
- Okologie Consulting, Ocean Grove Significant Residential Tree Project, 2015
- Queenscliffe Planning Scheme – Point Lonsdale Contributory Area – Development and Development Overlay 5
- South Gippsland Planning Scheme – Sandy Point – Design and Development Overlay 3
- Surf Coast Shire Planning Scheme - Lorne Residential Areas – Neighbourhood Character Overlay 2
- Surf Coast Shire Planning Scheme – Torquay Jan Juc Coastal Townscape Character Design and Development Overlay 1

Table 12 – Summary of Planning Controls

Area	Zone	Overlay
Significant Tree Area	Neighbourhood Residential 4 (new)	Significant Landscape 15 (new)
Residential Hillside Area	General Residential 3 (new)	Significant Landscape 7 (revised)
Increased Housing Diversity Area	Residential Growth Zone (existing)	Design & Development 14 (new)



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APPENDICES