07/12/2020
C396ggee

SCHEDULE 7 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

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

OCEAN GROVE HILLSIDE AREA

1.0 Statement of nature and key elements of landscape

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Ocean Grove is a growing coastal township located on a hillside extending to a popular ocean surf beach. Areas of public and private land within established Ocean Grove support a mix of remnant coastal and grassy woodland vegetation, indigenous and planted Australian natives which contribute to the unique coastal and vegetated character of the area, including providing a balance between roof tops and vegetation in long distance views of the township.

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

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

The incremental loss of trees and the provision of inadequate space for the re-establishment of trees around buildings are having a major impact on the landscape character of the area.

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

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

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

For the purposes of this Schedule, a significant tree is any Australian native tree 3 or more metres in height.

2.0 Landscape character objectives to be achieved

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To enhance the coastal character and environmental qualities of the area including the balance between buildings, vegetation and sea views by minimising the loss of Australian native vegetation and ensuring developments sit within a landscaped setting, with a focus on Australian native trees which will soften the visual impact of buildings and hard surfaces so that they do not dominate views from adjoining properties, the streetscape or long distance views.

3.0 Permit requirement

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

- The height of any part of the building, excluding any television antenna, chimney or flue, is less than 7.5 metres above natural ground level.

- No more than 70 per cent 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 available (free from hard surfaces) for soft landscaping (i.e. areas of natural ground surface set aside for vegetation).
- Proposed buildings are set back a minimum of 2 metres from one side boundary.
- There is only one dwelling on the lot.

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

- Australian native trees less than 3 metres in height.
- Exotic trees.
- A tree listed within the incorporated document *Environmental Weeds* , City of Greater Geelong, September 2008, except Coastal Tea-tree Leptospermum laevigatum, which contributes to the coastal character of this area.
- Pruning a tree to improve its health or appearance, provided its normal growth habit is not retarded.
- A tree that presents an immediate risk of personal injury or damage to property, if only that part of the tree which presents the immediate risk is removed, destroyed or lopped.
- Pruning a tree to remove any branch that overhangs an existing dwelling or is within 2 metres of an existing dwelling.
- A tree that is dead.
- Maintaining a Minor Utility Installation to the minimum extent necessary by the relevant authority.
- Works carried out in accordance with the Geelong Street Tree Policy by or on behalf of the responsible authority.

4.0 Transitional arrangement

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before the approval date of the amendment that introduced this revised Schedule to Clause 42.03 into the scheme.

5.0 Application requirements

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None specified.

6.0 Decision guidelines

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

- The siting and design of buildings to achieve a reasonable sharing of views between properties to significant landscape features having particular regard to the following:
  - The impact of the proposed buildings and works on the view from another property as a result of the design, siting, height, size, bulk (including the roof), and colour of the building.
  - Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land and reduce the need for site excavation or filling.
  - The opportunity for a reasonable sharing of views having regard to the extent of the available view(s) and the significance of the view(s) from the properties affected.

- Whether a view impact analysis has been submitted for any proposed development over 7.5 metres in height that is likely to impact on views to significant landscape features, and whether that view impact analysis has demonstrated how a reasonable sharing of views has been achieved, having regard to topography, siting, height and visual bulk.
- Whether a design response plan has been submitted with the permit that shows:
- The levels of the site and the difference in levels between the site, finished floor levels and surrounding properties.
- Location of the proposed building(s) on the site and on surrounding properties.
- The use of surrounding buildings.
- Location of significant trees existing on the site and any significant trees removed.
- Details of significant trees within 3 metres of the subject site boundary on any adjoining property.
- Location and canopy size of street trees adjacent to the site.
- Views to and from the site.
- Any other notable features or characteristics of the site.
- Whether a schedule of construction materials, external finishes and colours (incorporating samples) has been submitted with any application for buildings and works.
- Whether a vegetated setting is reinforced or reinstated as part of the development.
- Whether the siting and footprint of buildings and availability of areas not covered by impervious surfaces enables the retention of adequate vegetation and space for new canopy trees.
- Whether hard surfaces like driveways have been minimised.
- Whether setbacks can be varied to minimise the removal of native/indigenous trees.
- Whether a landscaping plan has been submitted with any application for buildings and works, or to remove, destroy or lop a tree, that incorporates at least 2 canopy trees per site (parent lot) and the use of local indigenous or other Australian native species.
- Whether a report from a suitably qualified arborist has been submitted with any application for buildings and works within the drip line of a significant tree on the subject or adjoining land that shows how the tree will be managed during construction.
- Whether a report from a suitably qualified arborist has been submitted with any application to remove, destroy or lop a significant tree that:
  - Includes a site plan (drawn to scale) showing the boundaries of the site, existing and proposed buildings and works, existing vegetation and the tree(s) to be removed.
  - Includes details of trees within 3 metres of the subject site boundary on any adjoining property.
  - Describes the tree(s) to be removed, including the genus, species, extent, number, height, health and quality of the tree(s) to be removed.
  - Specifies the purpose of the proposed removal, destruction or lopping of the tree(s).
  - Justifies removal and demonstrates that the extent of removal, destruction or lopping has been reduced as much as is reasonable and practicable.
  - Nominates tree protection zones where proposed development could impact on the tree root systems, canopy and overall health and appearance of trees.
  - Provides a vegetation management plan for the construction period.
- Whether the removal, lopping, and/or destruction of tree(s) that contribute to the screening of development from property boundaries and the street has been avoided.

- The size, species, age and health of existing tree(s) proposed to be removed, destroyed or lopped and the size, species and growth characteristics of any proposed replacement tree(s).
- Whether there is a vaild reason for removing the tree(s) and alternative options to removal have been fully explored such as changing the building footprint and/or lopping or trimming tree(s).
- The effect of constructing a building or constructing or carrying out works on the root system, canopy and overall health and appearance of any trees.
- Whether any street trees will need to be removed or detrimentally affected.