
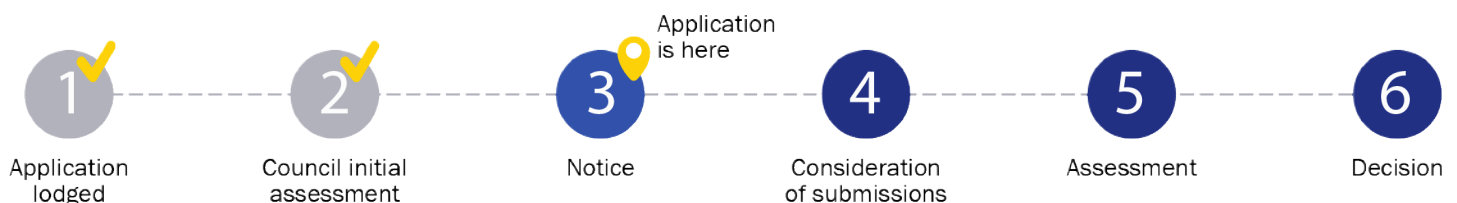


# Notice of Application for a Planning Permit

The land affected by the application is located at:	L228 PS649678 V11462 F018 25 Solid Drive, Pakenham VIC 3810
The application is for a permit to:	Construction of a Dwelling, Fences and Associated Works, and Removal of Vegetation
A permit is required under the following clauses of the planning scheme:	
42.01-2	Construct a building or construct or carry out works,
42.01-2	Construct a fence,
42.01-2	Remove, destroy or lop vegetation
<b>APPLICATION DETAILS</b>	
The applicant for the permit is:	Nepean Planning Consultants
Application number:	T240260
<p>You may look at the application and any documents that support the application at the office of the responsible authority:</p> <p>Cardinia Shire Council, 20 Siding Avenue, Officer 3809.</p> <p>This can be done during office hours and is free of charge.</p> <p>Documents can also be viewed on Council's website at <a href="http://cardinia.vic.gov.au/advertisedplans">cardinia.vic.gov.au/advertisedplans</a> or by scanning the QR code.</p>	
	
<b>HOW CAN I MAKE A SUBMISSION?</b>	
This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:	09 May 2025
<b>WHAT ARE MY OPTIONS?</b> Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority. If you object, the Responsible Authority will notify you of the decision when it is issued.	<p>An objection must:</p> <ul style="list-style-type: none"><li>• be made to the Responsible Authority in writing;</li><li>• include the reasons for the objection; and</li><li>• state how the objector would be affected.</li></ul> <p>The Responsible Authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</p>



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## Application Summary

Portal Reference A22412FU

## Basic Information

Proposed Use	HI I am seeking a planning permit to build a double storey house at 25 solid drive, Pakenham.
Current Use	Vacant Land
Cost of Works	\$785,000
Site Address	25 Solid Drive Pakenham 3810

## Covenant Disclaimer

Does the proposal breach, in any way, an encumbrance on title such as restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope? No such encumbrances are breached

☐ Note: During the application process you may be required to provide more information in relation to any encumbrances.

## Contacts

Type	Name	Address	Contact Details
------	------	---------	-----------------

## Fees

Regulation	Fee Condition	Amount	Modifier	Payable
9 - Class 5	More than \$500,000 but not more than \$1,000,000	\$1,494.60	100%	\$1,494.60
<b>Total</b>				<b>\$1,494.60</b>

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**Civic Centre**  
20 Siding Avenue, Officer, Victoria

**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

**Postal Address**  
Cardinia Shire Council  
P.O. Box 7, Pakenham VC, 3810

**Email:** mail@cardinia.vic.gov.au

Monday to Friday 8.30am–  
5pm

**Phone:** 1300 787 624

**After Hours:** 1300 787 624

**Fax:** 03 5941 3784

Documents Uploaded

Date	Type	Filename
26-05-2024	A Copy of Title	SOL10228 - Title 24.5.24.pdf
26-05-2024	Site plans	Lot 228 (No.25) Solid Drive Pakenham -REV-B3.pdf
26-05-2024	Additional Document	SOL10228 - Contract of Sale.pdf
12-06-2024	Additional Document	PlansforPakenhamCOUNCILplan.pdf
12-06-2024	Additional Document	Cardinia Shire Council planning permit Date.pdf

☐ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit

Lodged By



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20 Siding Avenue, Officer, Victoria  
  
**Council's Operations Centre (Depot)**  
Purton Road, Pakenham, Victoria

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Cardinia Shire Council  
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## REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 11462 FOLIO 018

Security no : 124115245786U  
Produced 24/05/2024 12:25 PM

### LAND DESCRIPTION

Lot 228 on Plan of Subdivision 649678Q.  
PARENT TITLE Volume 11461 Folio 856  
Created by instrument PS649678Q 03/12/2013

### REGISTERED PROPRIETOR

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX171723D 21/08/2023  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
AK575312M 06/09/2013

### DIAGRAM LOCATION

SEE PS649678Q FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 25 SOLID DRIVE PAKENHAM VIC 3810

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
Effective from 21/08/2023

DOCUMENT END

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Document Assembled	<b>24/05/2024 12:25</b>

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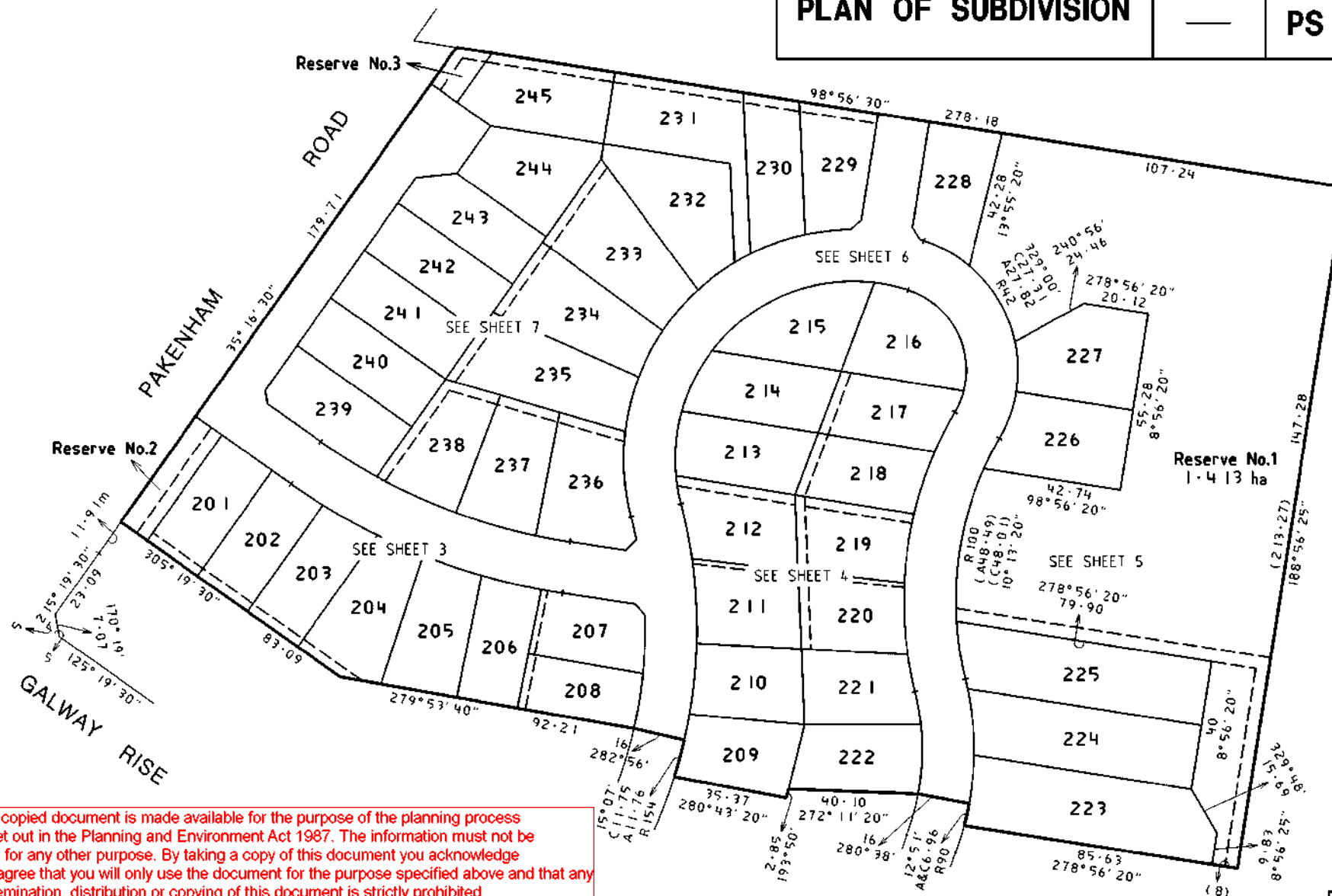
<b>PLAN OF SUBDIVISION</b>		Stage No. —	LRS use only <b>EDITION 1</b>	Plan Number <b>PS 649678Q</b>
<b>Location of Land</b> Parish: Nar Nar Goon Township: — Crown Portion: 3 (Part) & 7 (Part) Parish: Nar Nar Goon Township: Pakenham Crown Allotment: 32 (Part) & Part of Former Government Road  Title Reference: Vol. 11461 Fol. 856  Last Plan Reference: Lot A PS 649677S  Postal Address: 120-150 Pakenham Road (at time of subdivision) Pakenham 3810  MGA94 Co-ordinates: E 366 600 Zone: 55 (of approx. centre of land in plan) N 5 786 800		<b>Council Certificate and Endorsement</b> Council Name: Cardinia Shire Council Ref: —  1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988 Date of original certification under section 6 / / 20 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. <u>OPEN SPACE</u> (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage..... Council Delegate Council Seal Date / / 20  Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / / 20		
<b>Vesting of Roads and/or Reserves</b>				
Identifier	Council/Body/Person			
Roads R 1	Cardinia Shire Council			
Reserve No.1	Cardinia Shire Council			
Reserve No.2	Cardinia Shire Council			
Reserve No.3	Cardinia Shire Council			
<b>Notations</b>				
<b>Staging</b>		This <del>is</del> is not a staged subdivision Planning Permit No. T060892		
<b>Depth Limitation</b>		Does not apply.		
<b>THIS IS A SPEAR PLAN</b>				
Lots 1 to 200 (Both Inclusive) have been omitted from this stage.				
<div style="border: 2px solid red; padding: 5px; color: red; margin: 10px auto; width: 80%;">           This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.         </div>				
Estate: GALWAY GOLD Development No.: 2 No. of Lots: 45 Area: 6.553 ha Melways: 317 C3		<b>Survey</b> This plan is <del>is not</del> based on survey. See BP 2601B This survey has been connected to permanent marks no(s) PM 89 & PM 313 This survey is not in a Proclaimed Survey Area.		
<b>Easement Information</b>				LRS use only
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				Statement of Compliance/ Exemption Statement  Received <input checked="" type="checkbox"/> DATE 20/11/2013
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1, E-3 & E-4	Drainage	See Diag.	This Plan	Cardinia Shire Council
E-2, E-3 & E-4	Sewerage	See Diag.	This Plan	South East Water Limited
E-4 & E-5	Powerline	See Diag.	This Plan Section 88 Electricity Industry Act 2000	SPI Electricity Pty Ltd
E-6	Water Supply	See Diag.	PS 649677S	South East Water Limited
				<b>LRS use only</b>  PLAN REGISTERED  TIME 5.34pm DATE 3/12/2013  Kevin Bond Assistant Registrar of Titles
				SHEET 1 OF 8 SHEETS
 <b>WATSONS</b> URBAN DEVELOPMENT CONSULTANTS & MANAGERS  5 MAIN ST, MORNINGTON PH (03) 5975 4644, FAX (03) 5975 3916 THE MELBOURNIAN, SUITE 2, 250 ST KILDA RD, SOUTH BANK PH (03) 9697 8000, FAX (03) 9697 8099		LICENSED SURVEYOR (PRINT) JONATHAN TREVOR NEATE  SIGNATURE <u>DIGITALLY SIGNED</u> DATE  REF 35213/Stg.2 VERSION 7		DATE / / 20  COUNCIL DELEGATE SIGNATURE  ORIGINAL SHEET SIZE A3

## PLAN OF SUBDIVISION

Stage No.

Plan Number

**PS 649678Q**



MCAD ZONE EE

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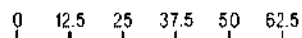
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CONSULTANTS & MANAGERS

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SCALE



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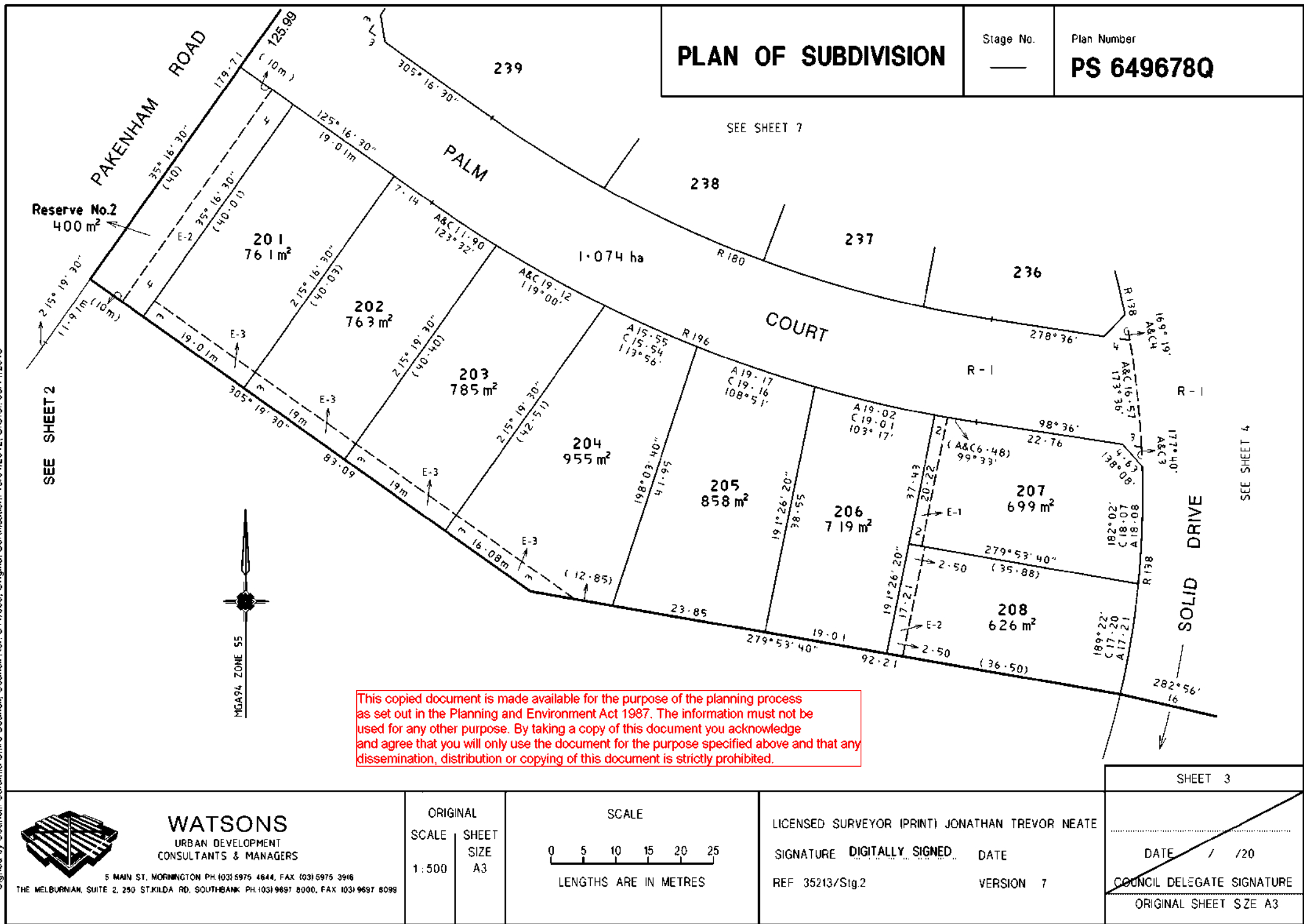
VERSION 7

SHEET 2

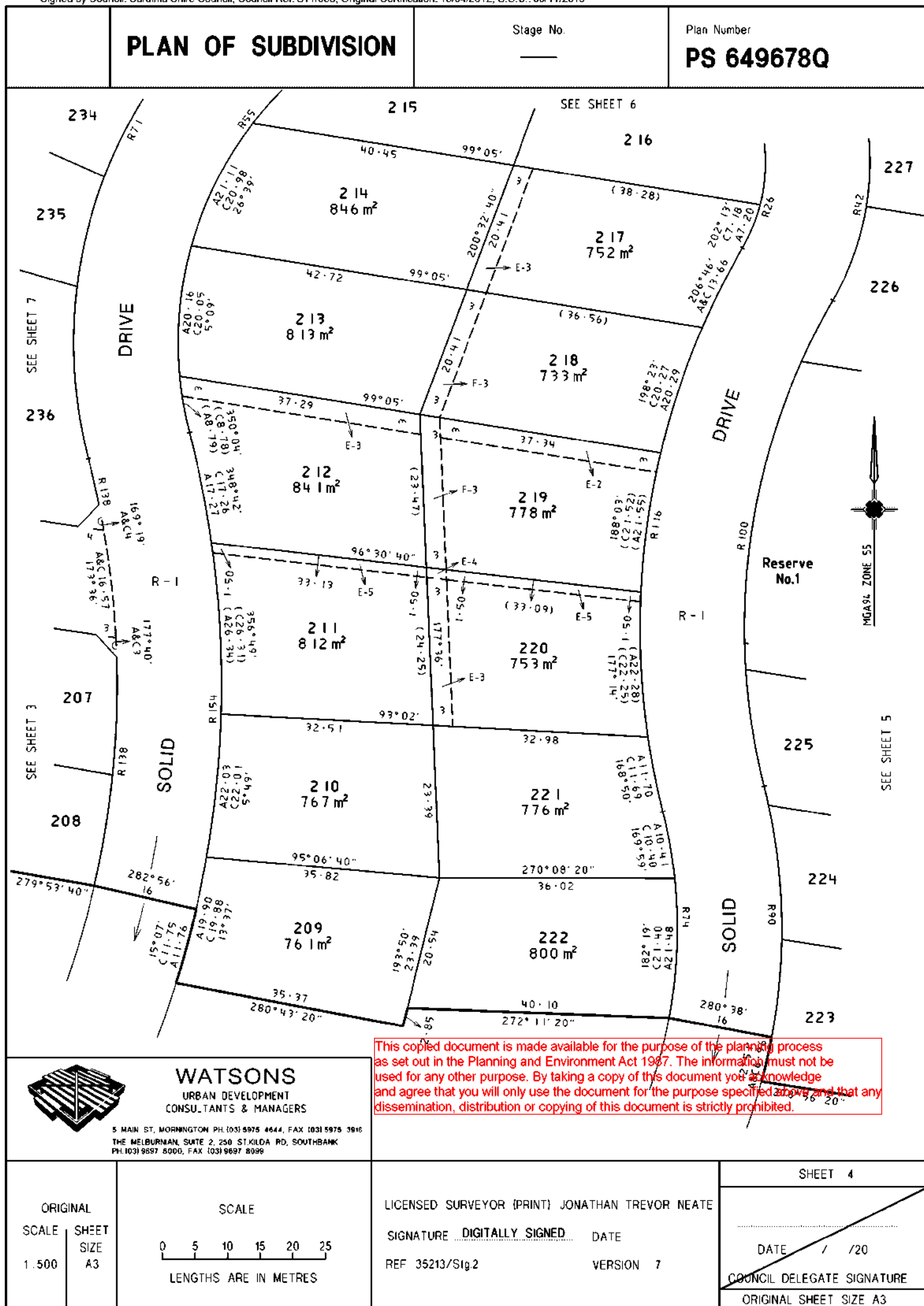
DATE 11 / 11 /20

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<h1 style="margin: 0;">PLAN OF SUBDIVISION</h1>		Stage No. _____	Plan Number <h2 style="margin: 0;">PS 649678Q</h2>
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SEE SHEET 6

2 16

2 17

2 18

2 19

2 20

2 21

2 22

DRIVE

SOLID

R26

R42

R116

R100

R74

R90

R22

227

98°56'20"

36.62

55.28

188°56'20"

25

42.74

278°56'20"

226  
975 m<sup>2</sup>

A15.35  
C15.27  
19°40'

A10.53  
C10.52  
27°08'

Reserve No.1

98°56'20"

79.90

E-6

225  
1538 m<sup>2</sup>

98°56'20"

73.25

20

40

20

188°56'20"

224  
1405 m<sup>2</sup>

98°56'20"

68.08

223  
1641 m<sup>2</sup>

77.63

278°56'20"

85.63

149°48'

15.69

188°56'25"

(213.27)

(8)

346°54'

A&C2.98

354°26'

C20.66  
A20.70

422°06'

C22  
8°03'

12°51'

A&C6.96

280°38'

16

10°13'20"

(A48.49)  
(C48.01)

MG94 ZONE 55

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SEE SHEET 2

<h3 style="margin: 0;">WATSONS</h3> <p style="margin: 0;">URBAN DEVELOPMENT CONSULTANTS &amp; MANAGERS</p> <p style="font-size: x-small; margin: 0;">5 MAIN ST, MORNINGTON PH: (03) 5975 4644, FAX (03) 5975 3916 THE MELBURNIAN, SUITE 2, 250 ST KILDA RD, SOUTH BANK PH: (03) 9597 8000, FAX (03) 9597 8099</p>		<p>LICENSED SURVEYOR (PRINT) JONATHAN TREVOR NEATE</p> <p>SIGNATURE <u>DIGITALLY SIGNED</u> DATE _____</p> <p>REF 35213/Slg2 VERSION 7</p>	<p style="text-align: center;">SHEET 5</p> <hr style="border: 0; border-top: 1px solid black;"/> <p style="text-align: center;">DATE ____ / ____ /20__</p> <p style="text-align: center;">COUNCIL DELEGATE SIGNATURE</p> <p style="text-align: center;">ORIGINAL SHEET SIZE A3</p>
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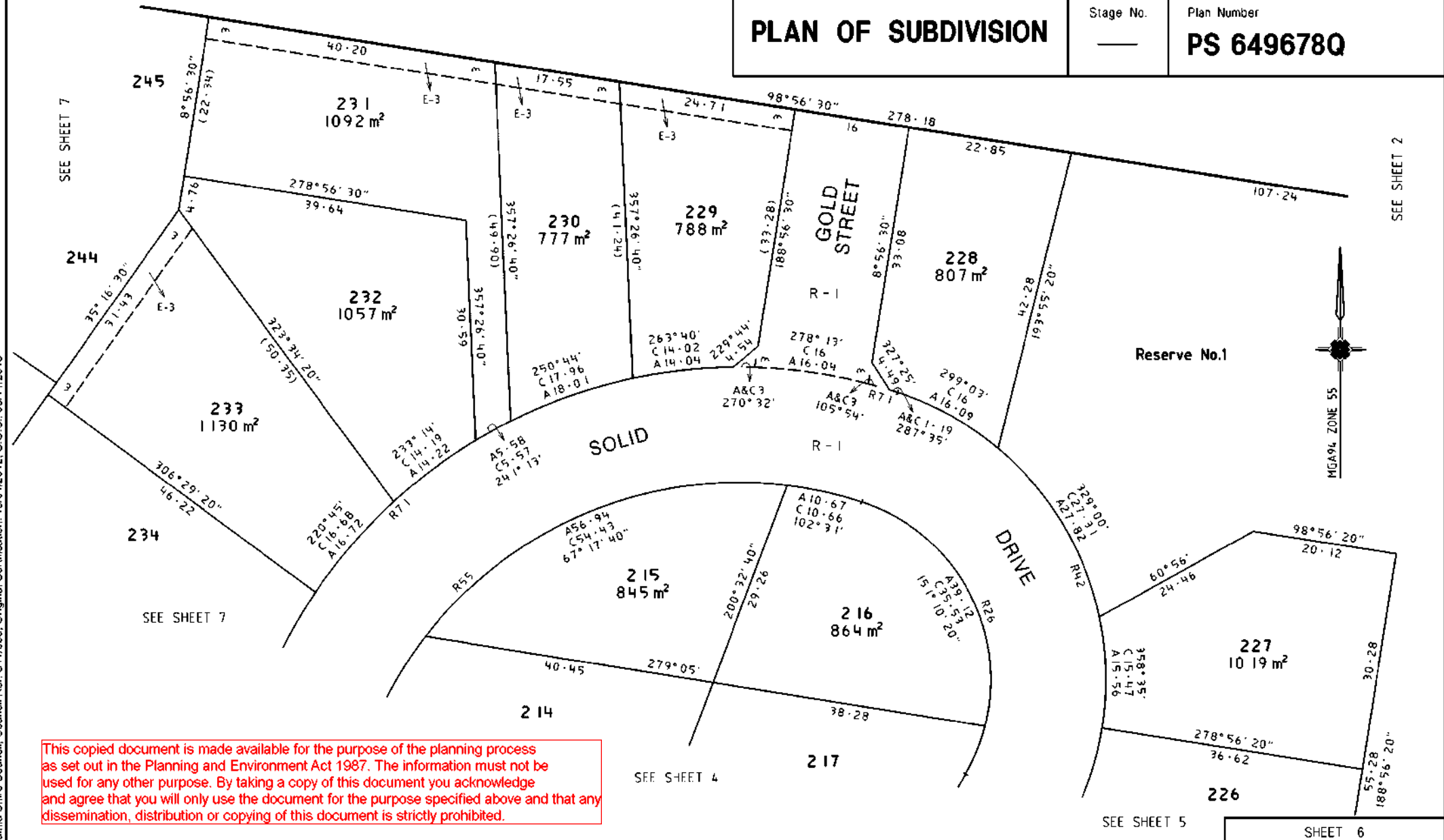
ORIGINAL SCALE 1:500	SHEET SIZE A3	SCALE <div style="display: flex; justify-content: space-around; width: 100px;"> <span>0</span><span>5</span><span>10</span><span>15</span><span>20</span><span>25</span> </div> LENGTHS ARE IN METRES	
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## PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 649678Q



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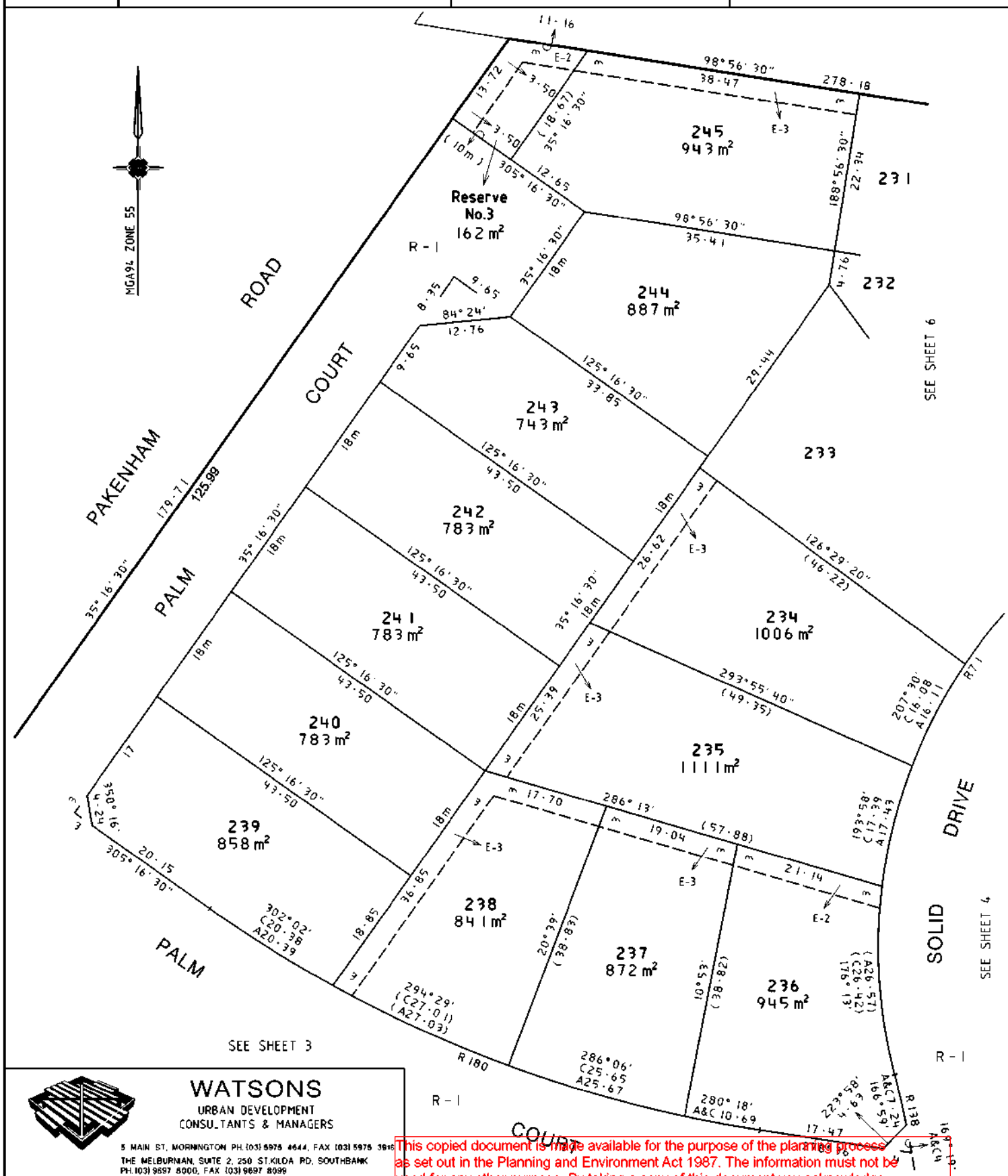
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# PLAN OF SUBDIVISION

Stage No.

Plan Number

**PS 649678Q**



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VERSION 7

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ORIGINAL

SCALE

SCALE  
1:500

SHEET  
SIZE  
A3

0 5 10 15 20 25

LENGTHS ARE IN METRES

**PLAN OF SUBDIVISION**

Stage No.

Plan Number

**PS 649678Q**

SUBDIVISION ACT 1988  
CREATION OF RESTRICTION A

Upon registration of this plan the following restriction is to be created.

Land to benefit: Land in this plan.

Land to be burdened: Lots 223 to 227 (Both Inclusive).

Description of Restriction:

The registered proprietor or proprietors for the time being a burdened lot to which this restriction applies shall not allow dwellings and garages to be located outside the building envelope (hatched area) shown in the Building Envelope Schedule within the Instrument for PS 649678Q unless with the written consent of the Responsible Authority.

SUBDIVISION ACT 1988  
CREATION OF RESTRICTION B

Upon registration of this plan the following restriction is to be created.

Land to benefit: Land in this plan.

Land to be burdened: Lots 205, 232 and 233.

Description of Restriction:

The registered proprietor or proprietors for the time being a burdened lot to which this restriction applies shall not allow removal of any trees within the Tree Protection Envelopes (cross hatched area) shown in the Tree Protective Envelope Schedule within the instrument for PS 649678Q unless with the written consent of the Responsible Authority.

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LICENSED SURVEYOR (PRINT) JONATHAN TREVOR NEATE

SIGNATURE DIGITALLY SIGNED DATE

REF 35213/Stg.2

VERSION 7

DATE / /20

COUNCIL DELEGATE SIGNATURE

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## **Plan of Subdivision PS649678Q**

### **Certification by Council (Form 5)**

SUBDIVISION (PROCEDURES) REGULATIONS 2000

SPEAR Reference Number: S014072H

Plan Number: PS649678Q

Responsible Authority Name: Cardinia Shire Council

Responsible Authority Reference Number 1: S11/088

Surveyor's Plan Version: 7

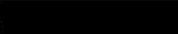
### **Certification**

This plan is certified under section 6 of the Subdivision Act 1988

### **Public Open Space**

A requirement for public open space under section 18 of the Subdivision Act 1988

Has not been made at Certification

Digitally signed by Council Delegate: 

Organisation: Cardinia Shire Council

Date: 18/04/2012

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AK575312M

06/09/2013

\$113

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FORM 18 Section 181

**APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE  
MAKING OF A RECORDING OF AN AGREEMENT**

**Planning and Environment Act 1987**

Lodged by:

Name:

Phone:

9571 5236

Address:

Ref:

Customer Code:

01786Y

The Authority having made an agreement referred to in section 181(1) of the Planning and Environment Act 1987 requires a recording to be made in the Register for the land.

Land: Volume 8810 Folio 340 and Volume 8652 Folio 976

Authority: *Cardinia Shire Council*  
*Henty Way, Pakenham, Victoria, 3810*

Section and Act under which agreement made:  
*S 173 of Planning and Environment Act 1987*

A copy of the Agreement is attached to this Application

Signature for the Authority:

Name of Officer:

Date:

22/8/13

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**AK575312M**

06/09/2013

\$113

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- 1            DEFINITIONS**
- 2.           INTERPRETATION**
- 3.           SECTION 173 AGREEMENT**
- 4.           SPECIFIC OBLIGATIONS OF THE OWNER**
- 5.           FURTHER OBLIGATIONS OF THE OWNER**
- 6.           AGREEMENT UNDER SECTION 173 OF THE ACT**
- 7.           OWNER'S WARRANTY**
- 8.           SUCCESSORS IN TITLE**
- 9.           GENERAL MATTERS**
- 10.          COMMENCEMENT OF AGREEMENT**

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## AGREEMENT

**THIS AGREEMENT** is made the *26<sup>th</sup>* day of *August* 2013

### BETWEEN:

**CARDINIA SHIRE COUNCIL**  
of Henty Way, Pakenham, in the State of Victoria

("the Council")

- and -

Galway View Pty Ltd, 505 St Kilda Road, Melbourne in the State of Victoria

("the Owner")

### INTRODUCTION

- A. Council is the **Responsible Authority** pursuant to the Act for the Planning Scheme.
- B. The Owner is the registered proprietor of the Land.
- C. On 18 September 2007 the Council issued Planning Permit No. T060892 permitting subdivision of the land into 110 lots, the provision of public open space and tree reserves, creation of access to a Road Zone Category 1 and the removal of native vegetation generally in accordance with the endorsed plan. Condition 3 of the Planning Permit requires the Owner to enter into this Agreement to provide for the matters set out in that condition.
- D. A Plan of Subdivision was not certified within two years of the date of the Planning Permit. An extension of time was approved by Council on 16 September 2009 and 10 October 2011. Endorsed Plans were approved on 22 September 2012 and this revised the lot numbers compared to the original permit application plans (Watsons Pty Ltd Revision E). The lots previously numbered 36 to 47 inclusive on Watsons Pty Ltd Revision E and obligated in Condition 3 of the Planning Permit are renumbered lots 120 to 126 inclusive and lots 223 to 227 inclusive on the Endorsed Plan.
- E. The parties enter into this Agreement:-
  - (a) to give effect to the requirements of Condition 3 of the Planning Permit; and
  - (b) to achieve and advance the objectives of planning in Victoria and the objectives of the Planning Scheme in respect of the Land.

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**AK575312M**



**IT IS AGREED:**

**1. DEFINITIONS**

In this Agreement the words and expressions set out in this clause have the following meanings unless the context admits otherwise:

- 1.1 **"the Act"** means the *Planning and Environment Act 1987*.
- 1.2 **"this Agreement"** means this Agreement and any agreement executed by the parties expressed to be supplemental to this Agreement.
- 1.3 **"Amended Planning Permit Plan"** means the amended plans approved under the Planning Permit as an Endorsed Plan generally in accordance with Watsons Pty Revision E dated 4 September 2007 but modified in accordance with condition 1 of the Planning Permit.
- 1.4 **"Building"** has the same meaning as in the Act.
- 1.5 **"Building Envelope"** means the building envelope shown for a particular lot in the Plan of Subdivision and has the same meaning as in regulation 406 of the Building Regulations.
- 1.6 **"Dwelling"** has the same meaning as in the Cardinia Planning Scheme.
- 1.7 **"Eastern most allotments"** being Lots 120 to 126 inclusive and Lots 223 to 227 inclusive on the Endorsed Plan.
- 1.8 **"Endorsed Plan"** means the plans endorsed with the stamp of the Council from time to time known as the Amended Planning Permit Plan and Landscape Masterplan which form part of the Planning Permit.
- 1.9 **"Land"** means the land situated at 120-150 Pakenham Road, Pakenham, being all of the land contained in Certificate of Title Volume Folio 8810 340 and Certificate of Title Volume Folio 8652 976 and any reference to the Land includes any lot created by the subdivision of the Land or any part of it.
- 1.10 **"Landscape Masterplan"** means the plan approved under the Planning Permit as an Endorsed Plan which shall provide for, inter alia, the revegetation of the ridgeline/ rear of lots 120 to 126 inclusive and lots 223 to 227 inclusive and trees to be retained generally in accordance with the Planning Permit.
- 1.11 **"Lot"** means a lot or allotment on the Endorsed Plan.
- 1.12 **"Planning Permit"** means Planning Permit T060892 dated 18 September 2007.



- 1.13 **"Planning Scheme"** means the Cardinia Planning Scheme and any other planning scheme that applies to the Land.
- 1.14 **"Ridgeline"** means the Pakenham North Ridge a natural topographic feature which affects part of the Land being Lots 120 to 126 inclusive and Lots 223 to 227 inclusive on the Endorsed Plan.
- 1.15 **"Ridgeline Elevation"** means the changing level or height of the Ridgeline.
- 1.16 **"Statement of Compliance"** means a Statement of Compliance under the Subdivision Act 1988.

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## 2. INTERPRETATION

In this Agreement unless the context admits otherwise:

- 2.1. the singular includes the plural and vice versa.
- 2.2. a reference to a gender includes a reference to each other gender.
- 2.3. a reference to a person includes a reference to a firm, corporation or other corporate body and that person's successors in law.
- 2.4. if a party consists of more than one person this Agreement binds them jointly and each of them severally.
- 2.5. a word or expression used in this Agreement has its ordinary meaning unless that word or expression is defined in this Agreement. If a word or expression is not defined in this Agreement and it is defined in the Act it has the meaning as defined in the Act.
- 2.6. any reference to an Act, Regulation or the Planning Scheme includes any Acts, Regulations or amendments amending, consolidating or replacing the Act, Regulation or Planning Scheme.
- 2.7. the introductory clauses to this Agreement are and will be deemed to form part of this Agreement.

## 3. SECTION 173 AGREEMENT

### 3.1 Purpose

This agreement is made under section 173 of the Act. In entering into it the Parties intend to achieve or advance the objectives of planning in Victoria or the objectives of the Planning Scheme.

### 3.2 Burden of covenants

The Council and the Owner intend that the burden of the Owner's covenants run with the Land.

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#### **4. SPECIFIC OBLIGATIONS OF THE OWNER**

**The owner acknowledges and agrees that:**

##### **4.1 Building Restrictions**

No building shall be constructed on lots 120 to 126 inclusive and lots 223 to 227 inclusive outside the building envelopes shown on the Endorsed Plan except with the prior written consent of Council.

##### **4.2 Height Controls**

Any dwelling constructed on lots 120 to 126 inclusive and lots 223 to 227 inclusive must not be higher than 2.0 metres above the highest point of the ridgeline elevation on that lot.

##### **4.3 Re-vegetation**

Re-vegetation and landscaping across the ridgeline (the rear of the Eastern most allotments) must be carried out generally in accordance with the approved Landscape Masterplan prior to the issue of a Statement of Compliance.

#### **5. FURTHER OBLIGATIONS OF THE OWNER**

The Owner further agrees that:

##### **5.1 Notice and Registration**

- 5.1.1 the Owner will bring this Agreement to the attention of all prospective purchasers, mortgagees, transferees and assigns.

##### **5.2 Further Actions**

- 5.2.1 the Owner will do all things necessary to give effect to this Agreement.
- 5.2.2 the Owner will consent to Council making application to the Registrar of Titles to make a recording of this Agreement in the register on the Certificate of Title to the Land in accordance with section 181 of the Act and do all things necessary to enable Council to do so, including signing any further agreement, acknowledgment or document or procuring the consent to this Agreement of any mortgagee or caveator to enable a recording to be made in the register under that section.

##### **5.3 Council's costs to be paid**

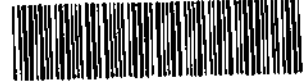
- 5.3.1 the Owner will immediately pay to Council, Council's reasonable costs and expenses (including legal expenses) of and incidental to the preparation, drafting, finalisation, engrossment, execution, registration and enforcement of this Agreement which are and until paid will remain a debt due to Council by the Owner.

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**6. AGREEMENT UNDER SECTION 173 OF THE ACT**

Council and the Owner agree that without limiting or restricting the respective powers to enter into this Agreement, and insofar as they can be so treated, this Agreement is made pursuant to section 173 of the Act.

**7. OWNERS WARRANTY**

Without limiting the operation or effect which this Agreement has, the Owner warrants that apart from the Owner and any other person who has consented in writing to this Agreement, no other person has any interest, either legal or equitable, in the Land which may be affected by this Agreement.

**8. SUCCESSORS IN TITLE**

8.1 Without limiting the operation or effect which this Agreement has, the Owner must ensure that, until such time as a memorandum of this Agreement is registered on the title to the Land, successors in title shall be required to:-

- (a) give effect to and do all acts and sign all documents which require those successors to give effect to this Agreement; and
- (b) execute a Deed agreeing to be bound by the terms of this Agreement.

**9. GENERAL MATTERS**

**9.1 Notices**

A notice or other communication required or permitted to be served by a party on another party must be in writing and may be served:

- 9.1.1 by delivering it personally to that party;
- 9.1.2 by sending it by prepaid post addressed to that party at the address set out in this Agreement or subsequently notified to each party from time to time; or
- 9.1.3 sending it by facsimile provided that a communication sent by facsimile shall be confirmed immediately in writing by the sending party by hand delivery or prepaid post.

**9.2 A notice or other communication is deemed served:**

- 9.2.1 if delivered, on the next following business day;
- 9.2.2 if posted, on the expiration of two business days after the date of posting; or

9.2.3 if sent by facsimile, on the next following business day unless the receiving party has requested transmission before the end of that business day.

**9.3 No Waiver**

Any time or other indulgence granted by the Council to the Owner or any variation of the terms and conditions of this Agreement or any judgment or order obtained by Council against the Owner will not in any way amount to a waiver of any of the rights or remedies of Council in relation to the terms of this Agreement.

**9.4 Severability**

If a court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void then it must be severed and the other provisions of this Agreement will remain operative.

**9.5 No Fettering of Council's Powers**

It is acknowledged and agreed that this Agreement does not fetter or restrict the power or discretion of Council to make any decision or impose any requirements or conditions in connection with the granting of any planning approval or certification of any plans of subdivision applicable to the Land or relating to any use or development of the Land.

**10. COMMENCEMENT OF AGREEMENT**

Unless otherwise provided in this Agreement, this Agreement commences from the date of this Agreement.



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## SIGNING PAGE

**EXECUTED** by the parties on the date set out at the commencement of this Agreement.

**Signed by and on behalf, and with  
the authority of the Cardinia Shire  
Council by Brett Jackson, in the  
Exercise of power conferred by an  
Instrument of Delegation dated  
24<sup>th</sup> January 2011:**

A large black rectangular box redacting the signature of Brett Jackson.

MANAGER Development Services

Witness

**Executed by Galway View Pty Ltd  
by being signed by those persons who are  
authorised to sign for the company:**

A black rectangular box redacting the signature of a director.

Director

A black rectangular box redacting the signature of another director.

Full name

Suite 8/84 Church St  
Richmond VIC 3121 Australia

Usual address

A black rectangular box redacting the signature of a director or company secretary.

Director (~~or company Secretary~~)

A black rectangular box redacting the signature of another director or company secretary.

Full name

Suite 8/84 Church St  
Richmond VIC 3121 Australia

Usual address

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**DATED**

**CARDINIA SHIRE COUNCIL**

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- and -

**GALWAY VIEW PTY LTD**  
**ACN 007 183 897**

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**AGREEMENT  
UNDER SECTION 173  
OF THE PLANNING  
AND ENVIRONMENT  
ACT 1987**

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Land: Lot 1 & 2 LP8840, 120-150 Pakenham Road, Pakenham 3810

24 September 2024

Cardinia Shire Council

Via online portal

Dear Michael,

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## SECTION 54 RESPONSE

### PLANNING APPLICATION T240260 PA

### 25 SOLID DRIVE, PAKENHAM

I refer to the aforementioned planning application and Council's request pursuant to Section 54 of the *Planning and Environment Act 1987* dated 9 July 2024.

Responses to Design and Landscape Issues 1–9 requested by Council and a response to Council's Preliminary Assessment are outlined below.

#### Response to Design and Landscape Items 1–9 Outlined by Council

1. Our client also seeks to apply for the removal vegetation, the updated proposal is the *"construction of a dwelling, removal of vegetation and associated works"*.
2. Please see our written response below in *Appendix 1*, which provides Council a detailed written response to *Environmental Significance Overlay – Schedule 4 (ESO4)*.
3. We refer to Council an Arboricultural Impact Assessment prepared by TMC Reports. This Report accounts for all trees on site and adjoining properties (inclusive of the road reserve). The impact on buildings and works (including earthworks) are considered, and protection measures will be in place for the tree protection zones of neighbouring vegetation. This document provides requested details to Council as set out from 3 (a.) to 3 (o.).

## Information required in Relation to the Site Plan

4. Fully dimensioned plans are now included with this application, prepared by Oak Living, with scale indicated on all plans. These provides requested details to Council as set out in item 5 (a.) to 5 (d). Detailed vegetation information is also included on plans.

## Information Required in Relation to the Elevation Plan

5. Fully dimensioned Elevation Plans were also prepared by Oak Living, drawn to a stated scale and a minimum of A3 in size, generally in accordance with the plans submitted with this application, but amended to show: The entirety of the subject site shown, including title boundaries clearly indicated. Our response to items 5(a) to 5(h) requested by Council is outlined below;
  - Natural ground level (NGL) is clearly shown with a dashed line for the entire length of the elevation.
  - Finished surface level is clearly shown for the entire length of the elevations.
  - Maximum height of the dwelling above both finished ground level and natural ground level (NGL) is clearly dimensioned for all building elevations to AHD. The ridge height is also shown to further assist Council.
  - A detailed schedule of all materials and finishes (including specific colours) for all external surfaces of the proposed dwelling is included with the Elevations. Our client will construct a timber paling fence.
  - The height/depth (dimension above or below NGL) of all proposed earthworks is clearly dimensioned.
  - The height (above finished ground level) of all retaining walls is clearly dimensioned.
  - The cardinal direction (i.e. north/south) clearly stated for each building elevation.
6. Plans clearly show the dimensioned extent of earthworks (cut and fill) proposed for the dwelling and any associated works (such as fencing and pathways) are shown on the plans. The height of the timber paling fence is shown using a dashed red line.
7. Streetscape elevation drawings (from both frontages) are included in the drawing pack showing the dwelling as viewed from the streetscape, including maximum height above both Solid Drive and Gold Street. Please see Sheet 6 -8.
8. Fully dimensioned Elevation Plans drawn to a stated scale and a minimum of A3 in size are included in the submitted plans, clearly showing:
  - All proposed boundary fencing, including the maximum height above NGL clearly dimensioned and;

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- Notations stating the materiality of all proposed fencing (timber paling)

### Information Required in Relation to the Landscape Plan

We refer to Council a fully dimensioned Landscape Plan prepared by Studio 92 Design. Plans are drawn to a Scale of 1:100 @A1.

- a.) Landscaping and planting across all open areas of the subject is shown. The landscaping Plan is a site responsive design.
- b.) We refer to Council page 2 and page 3 of the Landscape Plan where a detailed Planting Schedule can be found.

### Response to Councils Preliminary Assessment Comments

Nepean Planning Consultants are appointed as the suitably qualified town planning professionals to manage this application. We welcome further correspondence from Council with regard to any further queries they have about this Planning Application.

### Vegetation Removal

We acknowledge that Pursuant to Clause 42.01-2 (Environmental Significance Overlay) a permit is required to *remove, destroy or lop vegetation*. The Arborist Report prepared by TMC Reports addresses Council's concerns. The Report outlines protection measures in place to protect neighbouring vegetation, especially "Tree 9" that encroaches our clients site located in the neighbouring undeveloped land reserve. The boundary wall is proposed within the TPZ of Tree 9.

Tree protection measures are outlined in the Arborist Report to protect Tree 9. The TPZ and SRZ will be encroached by the construction of the retaining wall. Recommendations are set out in Section 8.3 and 8.4 of the Report to ensure that Tree 9 is protected, such as Tree Protection fencing.

Three trees (Tree 2, Tree 4 and Tree 5) on site will be removed as shown on both the Site Plan and Arborist Report. The Arborist has marked these trees as 'low retention value'.

Council should note that eight (8) *Telopea Speciosissima* X *Oreades* "Shady Lady White Waratah" and eight (8) Woolly bush trees will be planted along the eastern boundary. There will also be a silver leaved mountain gum tree planted. The 17 trees proposed will result in the eastern boundary being heavily vegetated, an improvement on the existing state of the boundary.

We trust that Council now have enough information to determine the effect of this development on all trees on site and adjacent to the site. Trees proposed for removal are indicated on both the Arborist Report and the Site Plan.

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Council should review the Landscape Plan and the Arboricultural Impact Assessment that demonstrates existing vegetation will be protected (other than trees proposed for removal) and the proposed new planting will ultimately transform the site and achieve a positive outcome for the subject site.

## Dwelling Design – Articulation and Massing

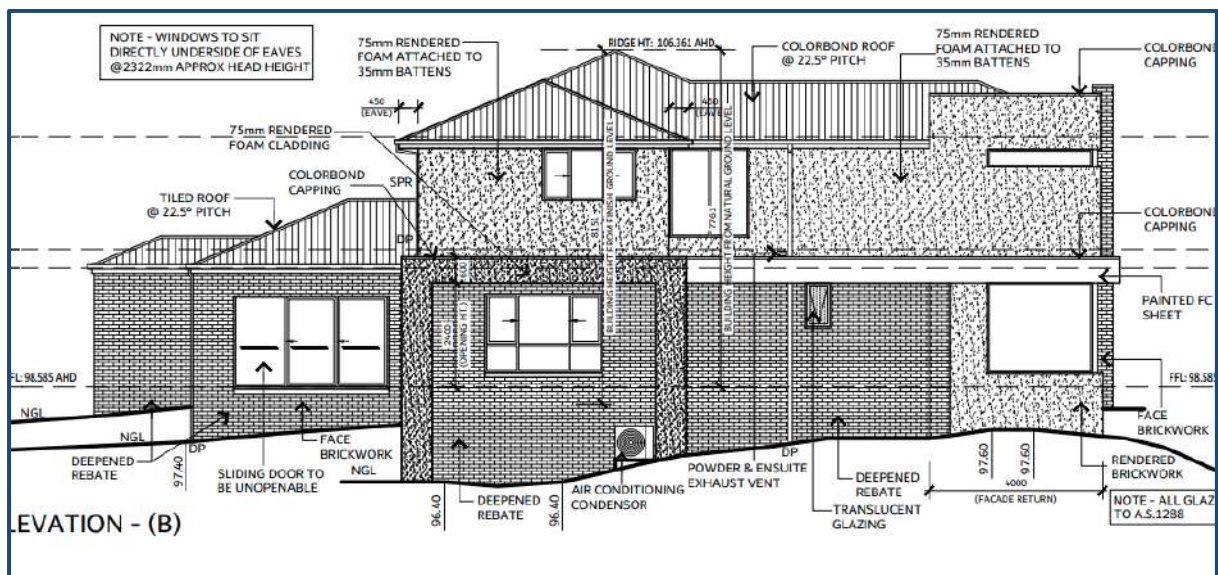
Responding to Council's concerns on this matter, we would like to highlight that the dwelling, in its amended form, effectively provides articulation between the first and second floor through differences in architecture and materials used.

The differences in architectural treatments between levels play a crucial role in achieving articulation.

The design incorporates face brickwork using the colour *Selkirk Ivory* on the **ground floor**. The ground floor and first floor windows are separated by Painted FC Sheet. Rendered Foam Cladding is introduced on the **first floor**, painted in *Haymes Paint Gradient*. This provides differentiation between materials used at each level. The brickwork on the chimney will integrate brickwork with rendered foam on the first floor, mixing together the changes in ground floor and first floor materials on the Southern Elevation.

We say that each elevation, including the western elevation displays a high degree of visual interest, with the aforementioned variation in treatment between the first and second floor being the most identifiable measure to create articulation, however beyond this we also draw attention to window opening being present across each storey (therefore avoiding blank walls); a design feature framing the family room; the use of projecting and recessed elements; and a pitched roof which slopes away from the road.

Figure 1 – western elevation extract



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The use of varied colours and materials within the surround area is a very common approach, accordingly we say that this proposal responds appropriately to the prevailing neighbour character.

Figure 1 – 43 Solid Drive



Figure 2 – 20 Solid Drive



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Figure 4 – Dwelling on Solid Drive



Importantly we draw Council's attention to the fact the proposed side boundary walls will be heavily screened by trees proposed throughout the site, but particularly adjacent to the western and southern boundaries.

The Landscape Plan included with the above design response not only enhances the visual appeal of the dwelling, but also contributes to its integration with the surrounding environment, ensuring a harmonious balance between the dwelling and its environs.

The proposed design responds positively to the decision guidelines of Schedule 4 of the Environmental Significance Overlay further discussed in Appendix 1 below. The visual bulk and built form massing of the design is acceptable, using a site-appropriate design that is similar to existing dwellings in the area.

### Pedestrian Pathway & Services

We refer to Council the Landscape Plan prepared by Studio 2 Architecture. A pedestrian Pathway is proposed with this application. The site Plan and the Landscape Plan show the design of the pedestrian pathway.

### Landscaping

As noted above, Studio 92 Landscape Architecture have prepared a detailed Landscape Plan. While Council expressed concerns about the lack of landscaping on the western and southern title boundaries, extensive planting is now proposed along the western and southern title boundaries.

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We refer to the Landscape Plan showing the extent of planting proposed, which comprises a mix of native and exotic plants/shrubs, native grasses and trees. Native canopy trees are also included.

The steep slope areas of the site on Solid Drive and Gold Street will be planted with native Garden Covers. This will benefit the Public Realm and contribute positively to improving biodiversity in the area.

### **Fencing Heights and Retaining Walls**

Updated Plans and Elevations are provided with this application. The proposed 1.8 metre timber paling fence on the west, north and east of the site comply with the maximum height set out by Council.

### **Earthworks and Batters**

The Plans submitted with our response clearly show that the terrain's natural gradient is challenging for development. With this in mind the proposed earthworks, with a site cut of 2.4 metres are necessary, as they ensure the stability and safety of the proposed dwelling. The extent of cut allows the dwelling to nestle into the slope. Trusting the attached is deemed satisfactory, we look forward to confirmation that the application will progress to advertising without delay. Should Council however determine this response is incomplete, we respectfully request an extension of time in order to ensure sufficient time to re-submit information.

I look forward to receiving advertising correspondence in due course.

Should you require any further information I can be contacted on (03) 5986 1323.

Kind Regards,



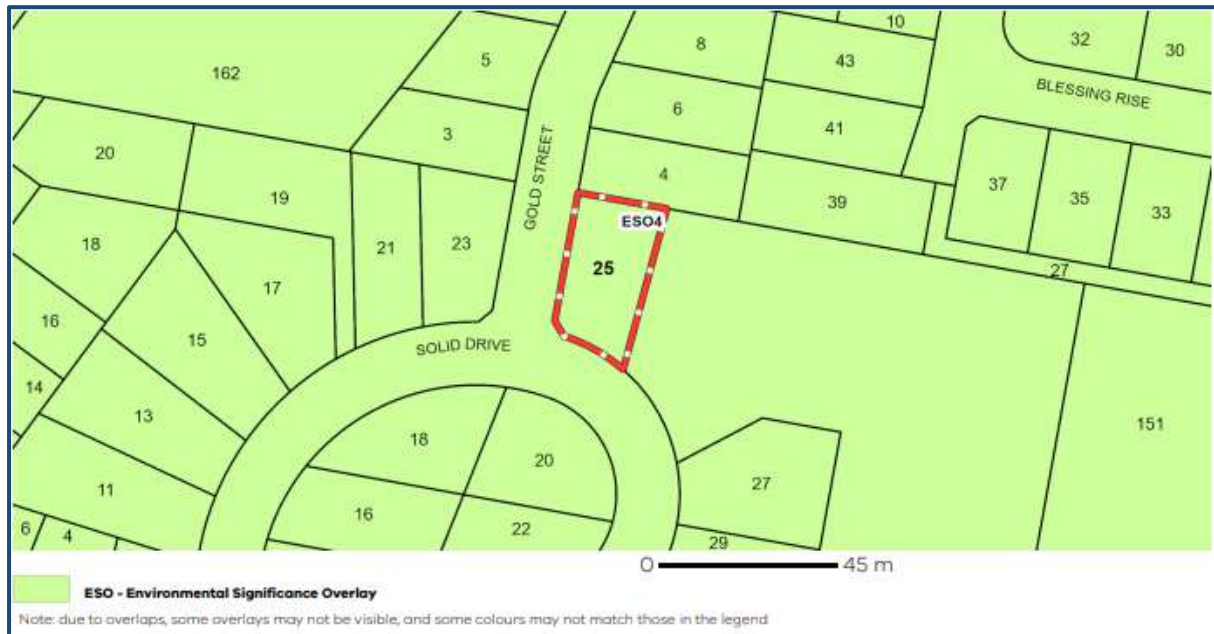
**Luke Dowdle**  
**Director**  
**Planning Consultant**

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## Appendix 1 – ES04 Response

### Clause 42.01 – Environmental Significance Overlay 4 (ES04)

#### *Pakenham North Ridge*



## ES04 Response

### Statement of environmental significance

*The Pakenham ridge has regional significance for biodiversity. It makes a substantial contribution to biodiversity in the Gippsland Plain Bioregion as well as the Pakenham area. The area has remnants of Grassy Forest, an ecosystem that is vulnerable in the area. The Cobra Greenhood Orchid (*Pterostylis grandiflora*) which is of state significance, and the Green Scentbark (*Eucalyptus fulgens*) which is of state/national significance, are found in the area. The area is characterised by a geology of Devonian Granitic and Silurian Sediment origin, moderate to steep slopes, and areas of remnant vegetation. These characteristics contribute to environmental values including landscape quality, water quality, and habitat of botanical and zoological significance. These characteristics are also a significant factor contributing to environmental hazards such as erosion, salinity and fire risk, and susceptibility to visual intrusion from buildings and works.*

### Environmental objective to be achieved

*To protect and enhance the significant environmental and landscape values of the Pakenham North ridge.*

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*To ensure that the siting and design of buildings and works does not adversely impact on environmental and landscape values including the ridge landform, the diverse and interesting landscape, the natural skyline of ridge areas, areas of remnant vegetation, and habitat of botanical and zoological significance.*

*To ensure that the siting and design of buildings and works responds to environmental and landscape values, and addresses environmental hazards of erosion, salinity and fire.*

*To maintain, manage and promote replanting of native vegetation as an important element of the Pakenham North ridge landscape and natural systems.*

*To ensure long term protection of areas of high conservation value and promote the protection and enhancement of wildlife habitat and corridors.*

## Consideration

A permit is triggered under ESO4 for buildings and works and to remove, destroy or lop vegetation. A permit is also required to construct a fence.

With respect to what the ESO4 looks to achieve, it is submitted that the proposed works are highly responsive to the landscape character in regard to siting and built form.

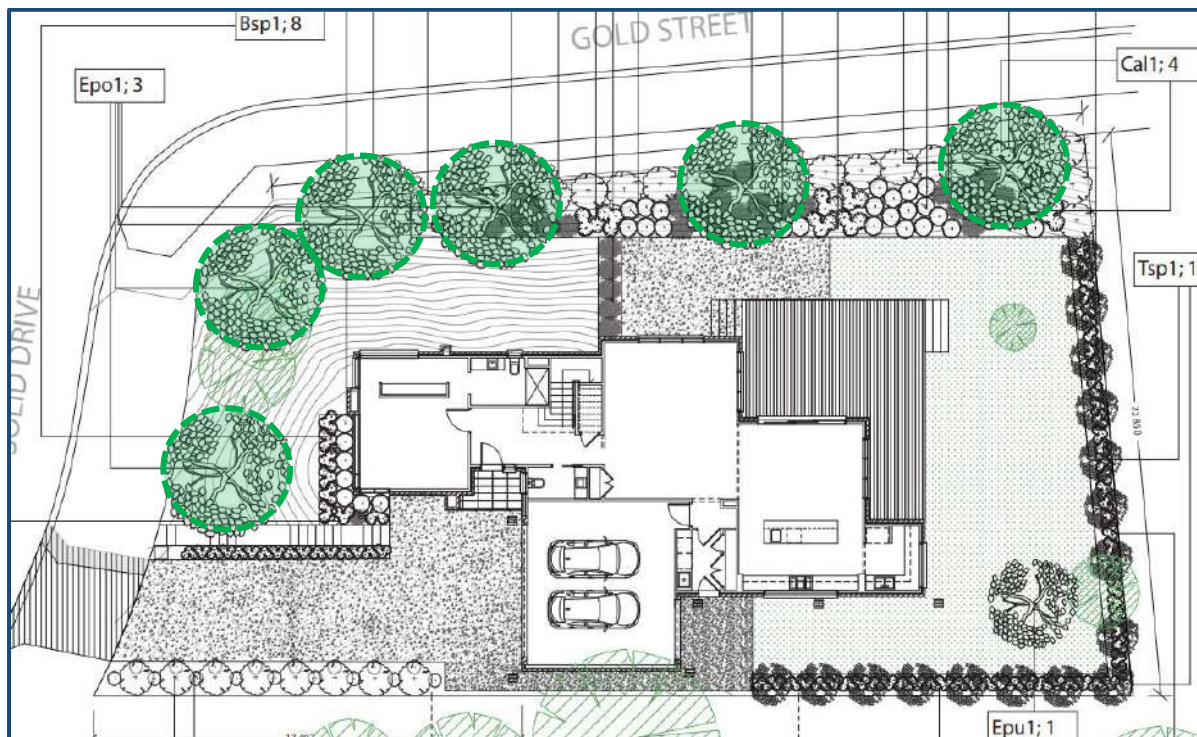
Furthermore, significant effort has been made to protect and enhance the landscape values of Pakenham North Ridge. The Landscape Plan, prepared by Studio 92 shows that a mixture of native and exotic vegetation will be planted on site, contributing positively to the environmental and Landscape Values of North Ridge.

The proposed landscaping includes substantial canopy trees along the length of the western and southern property boundaries. The predominant canopy trees are Red Box (highlighted below) and they will reach heights of between 10m and 15m ensuring that the dwelling is framed by vegetation and significantly screened when viewed from each road.

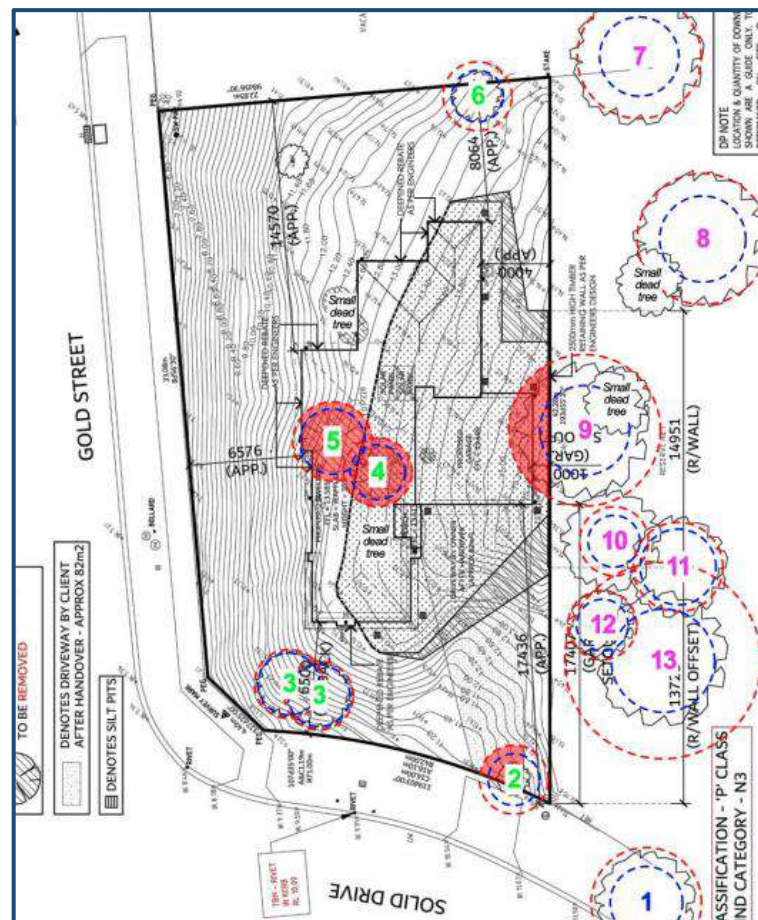
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Figure 5 – landscape plan extract with 10m-15m screening, canopy trees highlighted



We acknowledge some vegetation removal is proposed, however we say that the removal of this vegetation is entirely unavoidable. Two of the trees proposed for removal are in the middle of the site. It would be entirely unreasonable to expect these trees to be retained; whilst tree 2 is located at the end of the crossover and therefore within the alignment of any new driveway, therefore tree 2 cannot be retained.



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In regard to the size, siting and scale of the dwelling we say that the proposal is entirely responsive to the prevailing and emerging neighbourhood character and responsive to the objectives of the Overlay. The vast majority of nearby properties have been developed (or are being developed) with substantial double storey dwellings. These dwellings are the most prominent feature of each property. We certainly anticipate an improved balance between built-form and landscaping will be achieved over time, but whilst landscaping is immature the dwellings are quite prominent when viewed from the public realm, as represented in the below photographs.

Figure 6



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Figure 7



Figure 8



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Figure 9



Figure 10



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Figure 11

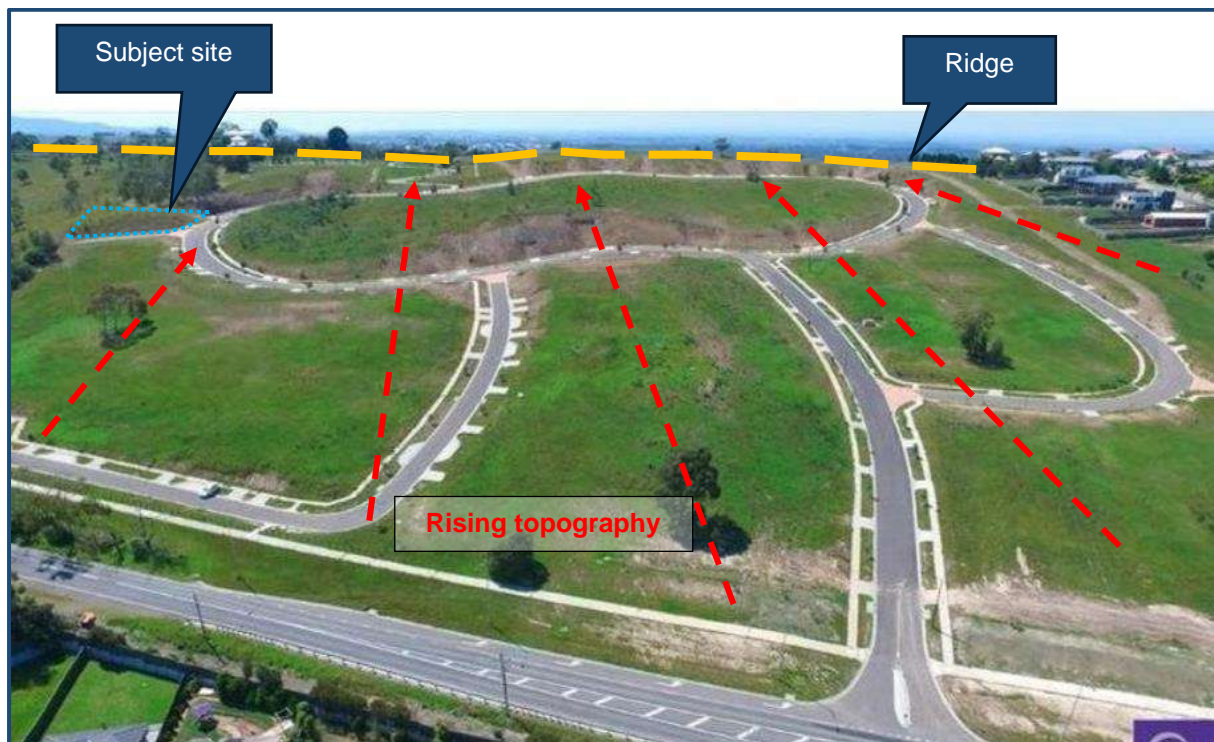


It is evident that ESO4 seeks to protect the “natural skyline of ridge areas”. In response to this matter; and general ‘visual bulk’ matters we draw attention to the fact that when the proposed dwelling is viewed from Solid Drive or Gold Street it will be framed by the slope of the land, which continues to rise sharply to the east.

As a result of the topography the dwelling will not be a prominent feature of the landscape and is not sited on a ridge.

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Figure 10 – oblique aerial photograph showing the rising hill behind the subject site



In response to the above consideration we say:

- The proposed dwelling will not result in the unreasonable loss of vegetation;
- The proposed new landscaping will significantly improve the ecological values of the land and provide an appropriate balance between built form and vegetation;
- The dwelling is entirely consistent with the surrounding built form character with respect to size, scale and siting.

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28 March 2025



Cardinia Shire Council

Via online portal

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Dear Michael,

**SECTION 50 AMENDMENT IN RESPONSE TO COUNCILS DESIGN CONCERNS**  
**PLANNING APPLICATION T240260 PA**  
**25 SOLID DRIVE, PAKENHAM**

I refer to the aforementioned planning application and Council's request pursuant to Section 54 of the *Planning and Environment Act 1987* dated 9 July 2024.

While a response to this request was lodged on 24 September 2024, Council have outstanding design concerns with the most recent submitted plans. Steve Harris of Oak Living and Luke Dowdle of Nepean Planning Consultants held a meeting with Michael Stockigt on Tuesday 18<sup>th</sup> March 2025. Council's concerns about the current proposal for the double storey and the possibility of changing to a single storey design were discussed.

Our client is keen to continue with pursuing a double storey option. Council requires changes to the existing design in order for the double storey option to be considered. Recommended changes are the following;

- a.) Greater articulation to street frontages
- b.) Greater articulation to the Western Elevation
- c.) Increasing the setback of the family room by 1.5 metres and the guest room by 2 metres.
- d.) Pitched roof form with lower roof height.

On foot of the abovementioned recommendations, substantial amendments to the design are proposed with the intention of presenting a more site specific and responsive design. The changes to the design will be presented in this letter. Extracts of the Amended Elevations and Floor Plans will be presented alongside the previously submitted Elevations and Floor Plans to assist Council to compare the design changes.

Figure 1 – Previously Proposed South Elevation Viewed From Solid Drive

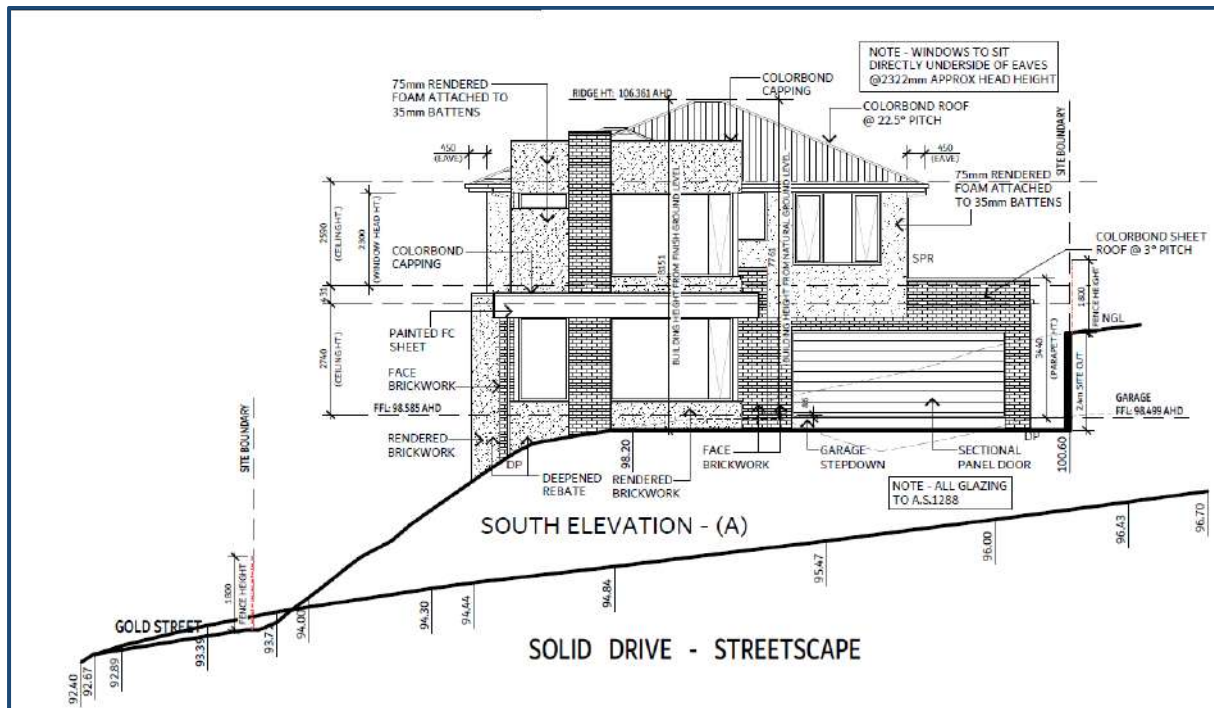
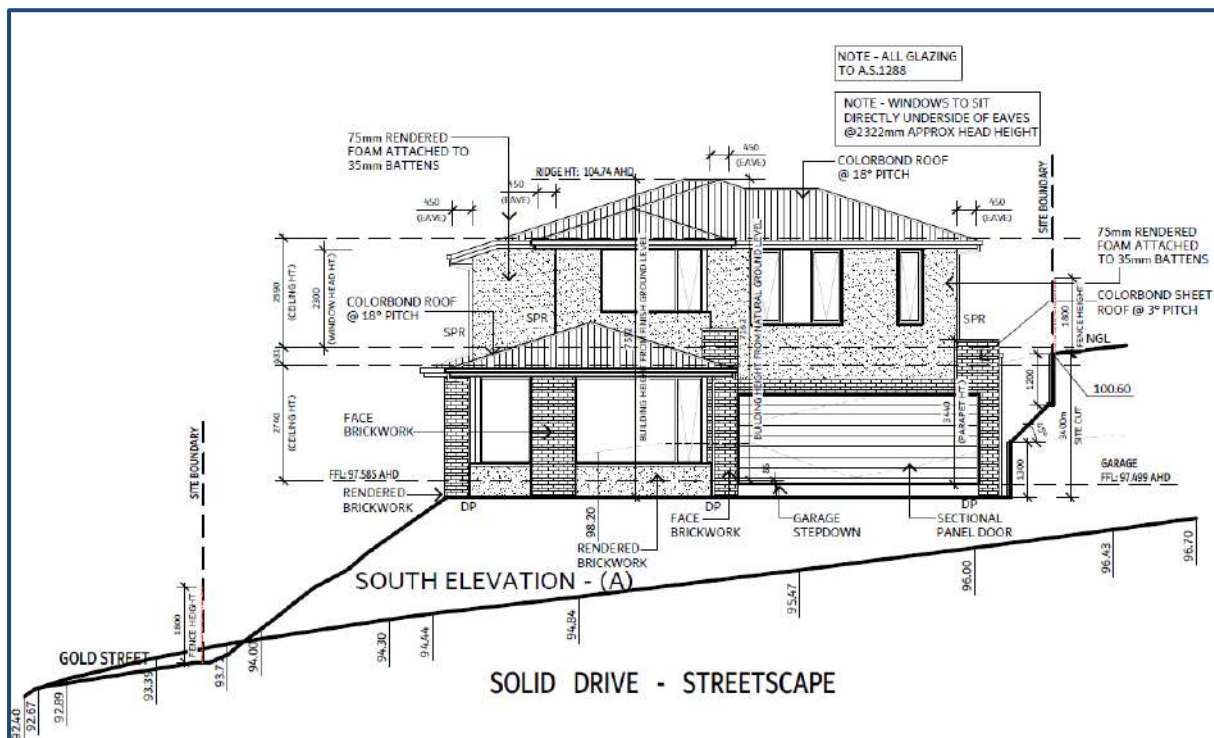


Figure 2 – Proposed Amended South Elevation Viewed From Solid Drive



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Figure 3 – Previously Proposed West Elevation Viewed From Solid Drive

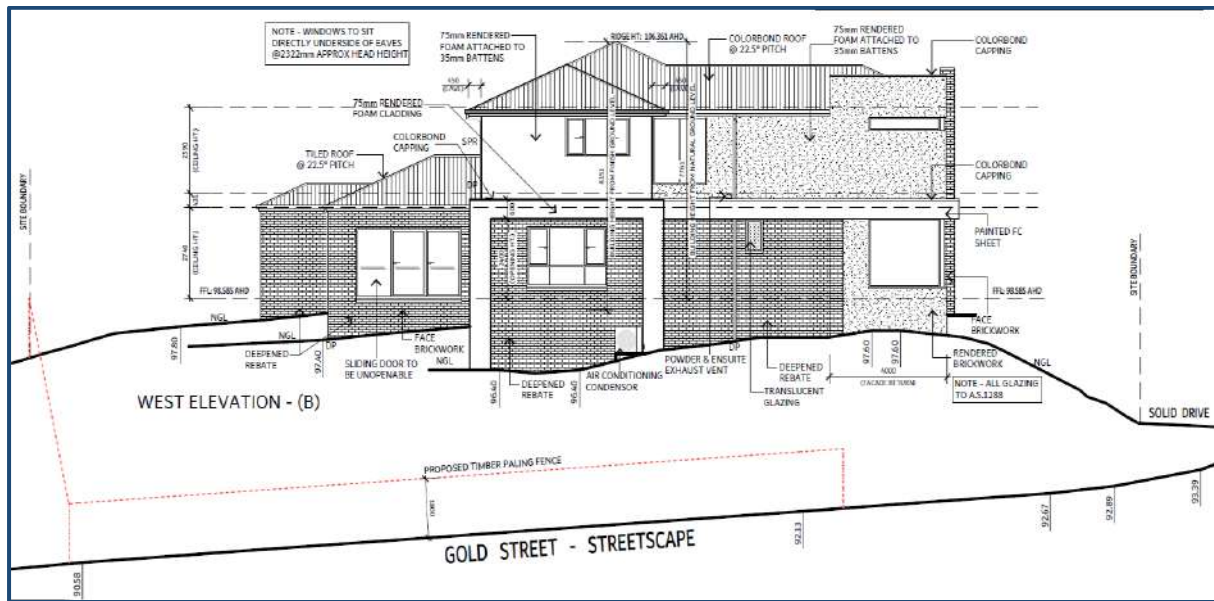
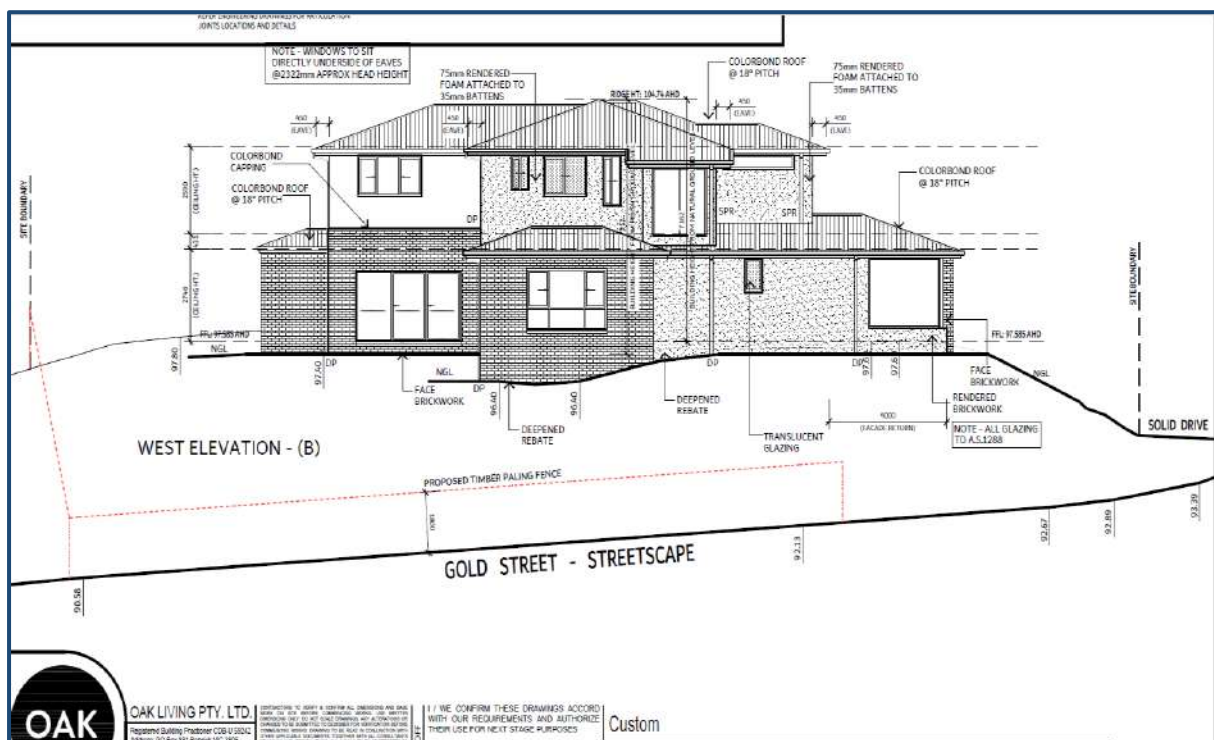


Figure 4 – Proposed Amended West Elevation Viewed From Solid Drive



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Figure 5 – Previously Proposed Ground Floor Plan

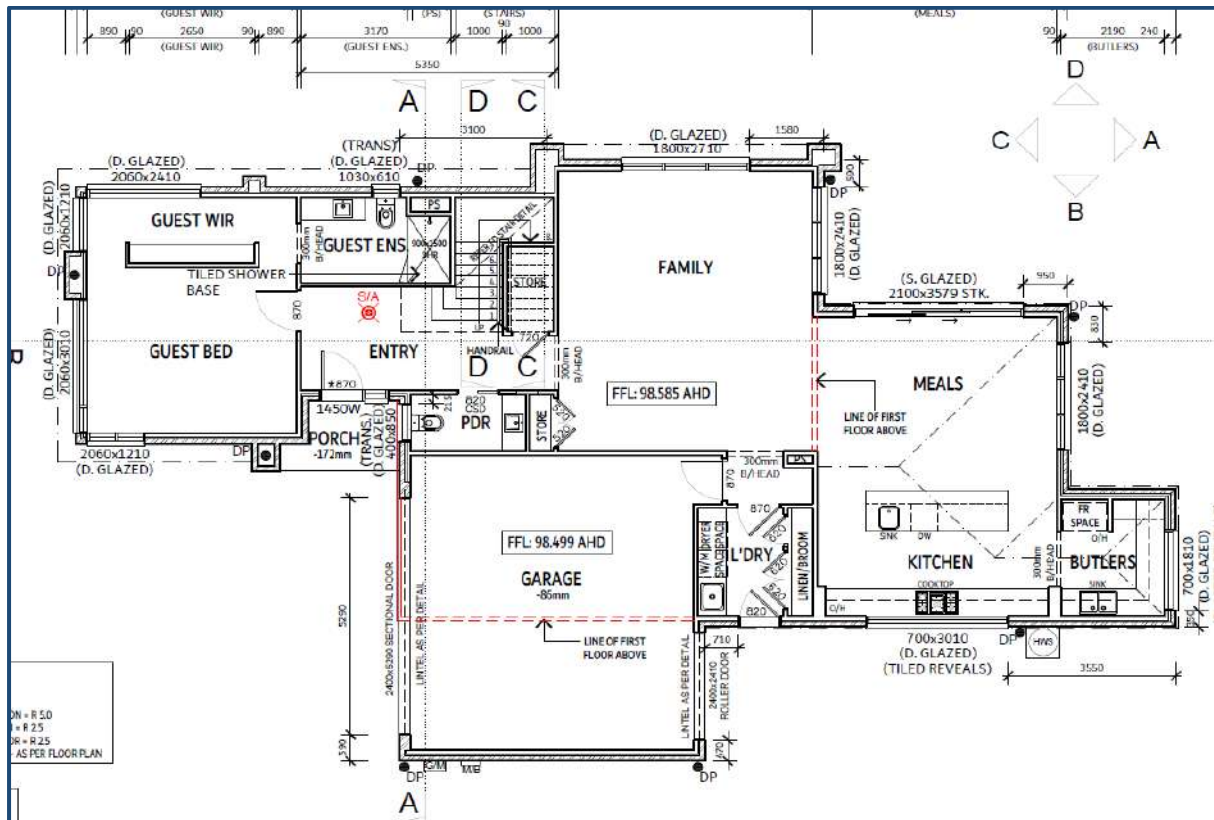
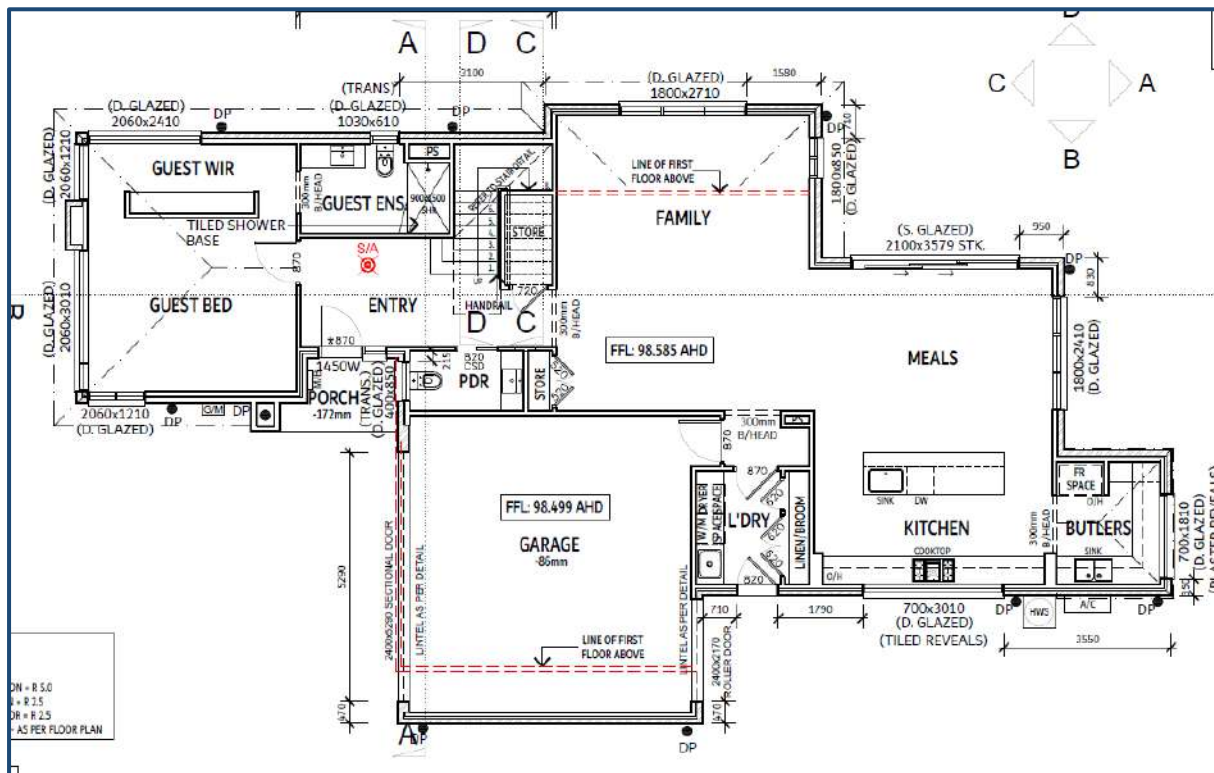


Figure 6 – Proposed Amended Ground Floor Plan



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Figure 7 – Previously Proposed First Floor Plan

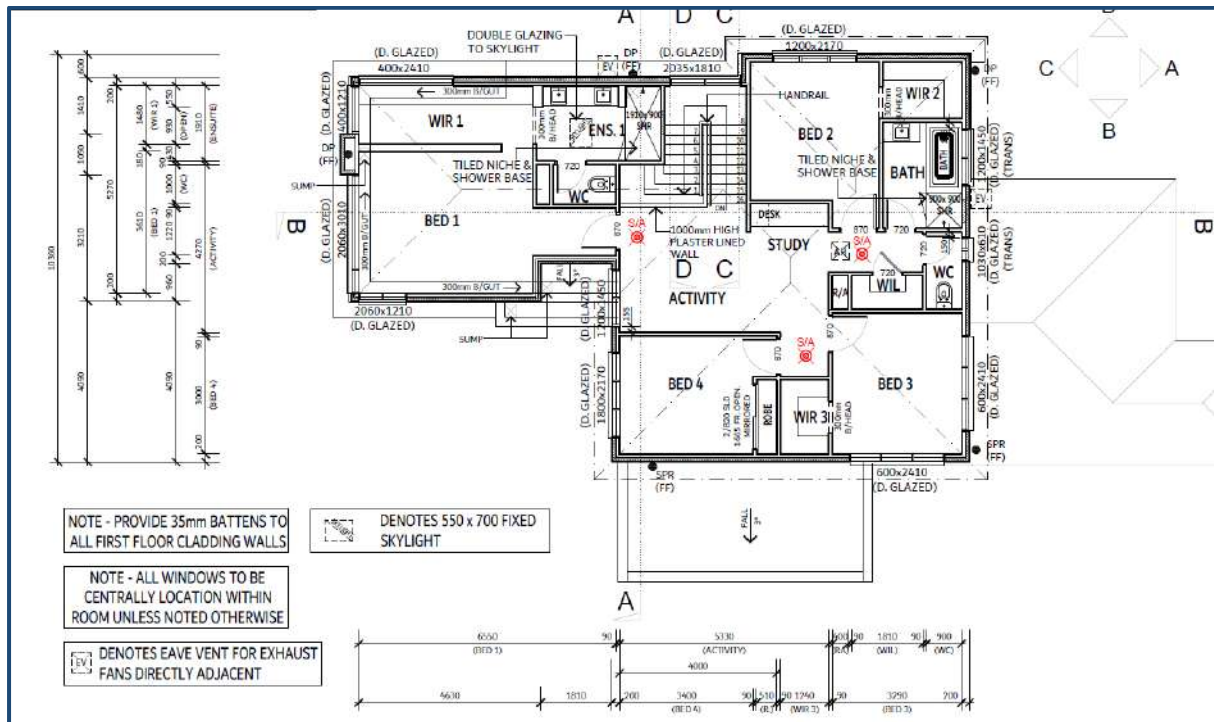
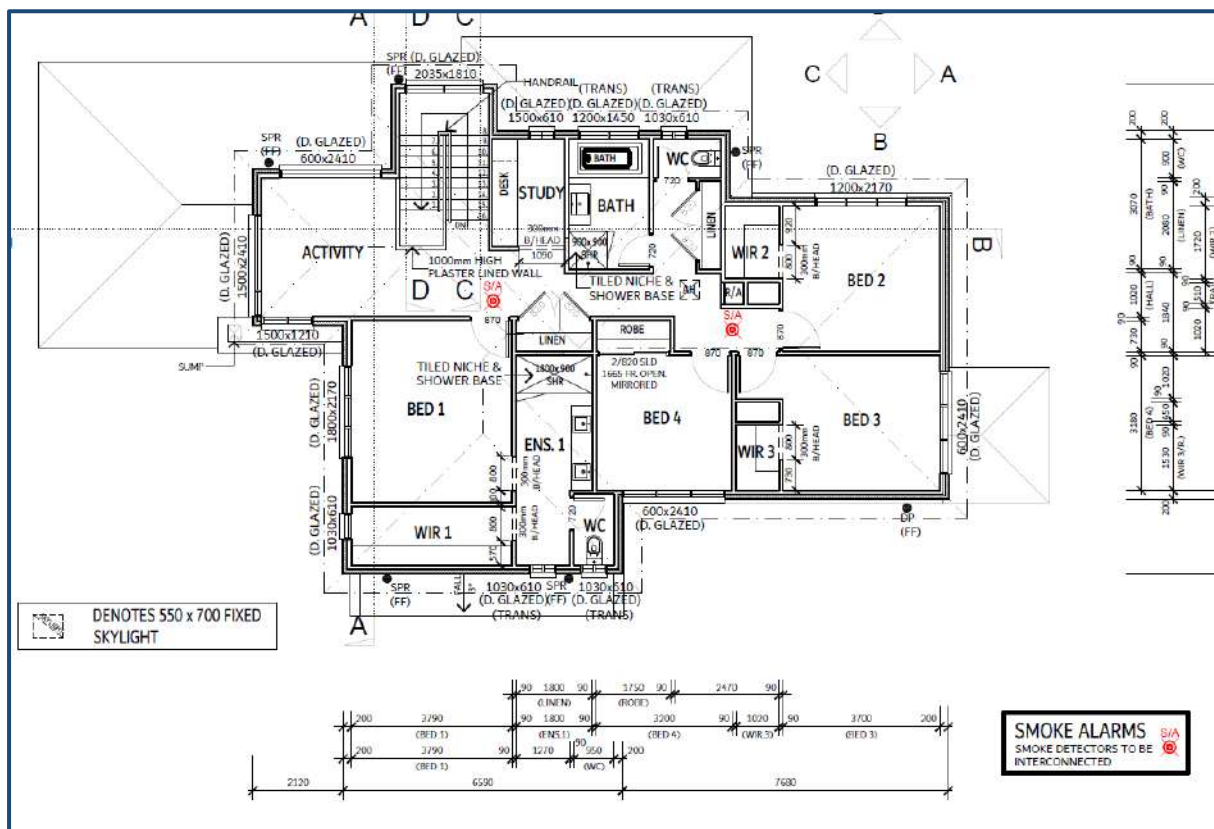


Figure 7 – Proposed Amended First Floor Plan



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Responding to Council's concerns on this matter, we would like to highlight that the dwelling, in its amended form, effectively provides articulation between the first and second floor through differences in architecture and materials used. The new dwelling is now more responsive to the topography of the land, despite the challenging topography of the land.

### Changes to Western Elevation

The western elevation design has been amended in response to Council's advice.

The wall has been broken up with articulated setbacks, amended roofing, re-design of upper floor windows to soften the transition between levels.

The previously sheer wall has been broken into stepped, recessed volumes, with the first floor now set back from the ground floor (as indicated by the dashed red line on the amended ground floor plan). This tiered approach softens the transition between levels and reduces the elevation's imposing presence.

There will now be a Colourbond pitched roof located above the family room, introducing a greater variety in material finishes between the ground and first floor. This design change assists in providing greater articulation between the ground and first floor.

The height of the dwelling has also been decreased from 8.151 metres to 7.552, a decrease of 0.59 metres, achieved through lower-pitched roof design. The reduction in height has resulted in a complete redesign of the roof resulting in a less dominant roof form with a lower roof pitch. Colourbond capping has been removed, resulting in a cleaner, more unified roofline that enhances streetscape aesthetics from Gold Street.

The windows on the first floor of the western elevation have also been redesigned, There will now be three smaller windows serving the powder room. The introduction of three smaller windows instead of one larger window reduces the extent of render used on the first floor thus reducing visual bulk. This also creates more balanced window proportions.

Overall the amended western elevation is now more articulated from Gold Street, with a variety of building heights. Revised eaves (guest bedroom and butler's room roofs) further diminish visual bulk and add shadow lines for depth.

The abovementioned design changes and reduction in overall building height provides greater articulation to the western elevation, resulting in a design that displays a high degree of visual interest and works with the slope.

### Reconfiguration of Ground and First Floor

The ground and first floor layouts have been carefully redesigned to align with the dwelling's improved external articulation. While the ground floor retains its original configuration with only minor adjustments, the first floor has undergone a complete reorganization. The previous design centralized all bedrooms

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around the activity room, whereas the amended layout now consolidates the bedrooms within the northern portion of the first floor.

### Changes to Southern Elevation

The southern elevation has been redesigned in harmony with the western elevation improvements, incorporating complementary modifications to reduce the dwelling's visual impact. The decrease in overall building height and reduction in roof pitch reduces the presence of the dwelling with the streetscape. The height of the dwelling is now 7.552 instead of 8.151 metres when presented from the southern elevation. This is responsive to Council's recommendation to reduce the building height.

The recission of the first floor introduces a Colourbond pitched roof between the ground and first floor. This design change assists in providing greater articulation between the ground and first floor. The windows of the upper floor have also been reconfigured. rendered foam wall and brickwork constructed into the roof of the previously proposed south elevation is now removed.

The design changes result in a positive outcome from a planning perspective for the following reasons;

- 1.) Working with the slope (not against it) through a more site responsive design
- 2.) Reducing perceived bulk through articulation, pitched roofs and the landscaping currently proposed for the proposed development.
- 3.) An improved design respective of the streetscape with a more sympathetic elevation treatment and reduction in overall building height.

Trusting the attached is deemed satisfactory, we look forward to confirmation that the application will progress to advertising without delay. I look forward to receiving advertising correspondence in due course.

Should you require any further information I can be contacted on (03) 5986 1323.

Kind Regards,



**Luke Dowdle**

**Director**

**Planning Consultant**

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# ARBORICULTURAL IMPACT ASSESSMENT

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**REPORT COMMISSIONED BY:**



**SUBJECT SITE:**

25 Solid Drive, Pakenham Vic 3810

**DATE OF ASSESSMENT:**

Monday, August 05, 2024

**DATE OF REPORT:**

Friday, August 09, 2024

**REPORT PREPARED BY:**



Consulting Arborist

Graduate Certificate Arboriculture (AQF 8)

**VERSION 1**



**ARBORICULTURAL CONSULTING SERVICES**

**ABN**

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# 1 Assignment

## 1.1 Author / Consulting Arborist

<b>Name</b>	<b>Company</b>
Ira Francis	TMC Reports
Consulting Arborist	<b>Phone</b>
Graduate Certificate	0401 442 604
Arboriculture (AQF 8)	<b>Email</b>
	nick@tmcreports.com.au

## 1.2 Client

<b>Name</b>	<b>Intended Audience</b>
K. Singh & S. Chopra	<ul style="list-style-type: none"><li>○ The property/tree owner(s)</li></ul>
<b>Site Address</b>	<ul style="list-style-type: none"><li>○ The development project manager and associated construction staff</li></ul>
25 Solid Drive, Pakenham Vic 3810	<ul style="list-style-type: none"><li>○ Council Planning Department</li></ul>

## 1.3 Brief

The purpose of this report is to provide an independent arboricultural assessment of prominent trees that are located within the subject site and within five metres of the site boundary lines.

Detail has been requested in relation to the following instructions:

- To assess the overall condition and retention value of the subject trees.
- To determine the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) of the subject trees.
- To determine whether the subject trees are expected to remain viable following the proposed development.
- To propose recommendations that are expected to ensure that the subject trees would remain viable post construction.

## 1.4 Summary

- One tree (Tree 1) belongs to Cardinia Council.
- Five trees (Trees 2-6) are of low retention value.
- Five trees (Trees 7-13) are neighbouring trees.
- All of the assessed privately owned trees require a permit to remove, destroy or lop under ESO4.
- Less invasive construction measures recommended for the retaining wall and drains and services if applicable (8.3).
- Recommended tree protection measures (8.4).

## 2 Data collection

### 2.1 Site visit

- Ira Francis, of TMC Reports, visited the site for an arboricultural assessment on Monday the 5<sup>th</sup> of August 2024 at 11:30am.

### 2.2 Method of data collection

- The subject trees were assessed from observations made as viewed from ground level.
- Access to neighbouring properties was not permitted. Assessment was therefore limited only to parts of the trees that were visible from within the subject site.
- A digital camera was used at ground level to obtain photographs within this report.
- The spreads of the trees were estimated.
- The heights of the trees were measured by using a Nikon Forestry Pro 2 Laser Range Finder.
- A circumference tape measure was used to determine the trunk dimensions.
- Encroachment percentages have been calculated via ArborCAD.

#### 2.2.1 Documents viewed

- Proposed siting (Rev. B3, 27.03.2024)
- Cardinia Council Planning Scheme
- Australian Standard AS4970 – 2009 ‘Protection of Trees on Development Sites’
- Australian Standard AS4373 – 2007 ‘Pruning of Amenity Trees’

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### 3 Site description

- The subject site is located in a General Residential Zone – Schedule 1 (GRZ1) within the Cardinia Council.
- The subject site is located in an Environmental Significance Overlay – Schedule 4 (ESO4) within the Cardinia Council.
- The site is currently vacant of structures.
- The terrain of the site declines overall to the west, and steeply towards the north, west, and south near the site boundaries.
- The subject trees are all located within the subject site, the front nature strip, and adjoining properties (4 Gold Street, and Solid Drive (unnumbered site)).
- No additional prominent vegetation (greater than 3m in height) was observed within five metres of the site boundary lines.

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## 4 Tree data

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DBH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	TPZ Radius	SRZ Radius	Permit Required	Comments
1	<i>Eucalyptus sp.</i>	Semi Mature	Native	11.2 m	N-S 6.0 m E-W 6.0 m	0.27 m	Good	Good	20+ years	High	Council Owned Tree	3.2 m	2.1 m	Council Owned Tree	Council owned tree located within the nature strip in front of the eastern adjoining property (Solid Drive, unnumbered).
	Gum tree					0.88 m 0.34 m									
2	<i>Acacia melanoxylon</i>	Young	Native NSW QLD SA TAS VIC	3.0 m	N-S 1.5 m E-W 1.5 m	0.10 m 0.31 m	Good	Good	20+ years	Low	Low	2.0 m	1.5 m	ESO4	Growing adjacent to existing crossover.
	Blackwood					0.10 m									
3	<i>Acacia mearnsii</i>	Semi Mature	Native NSW TAS VIC	5.2 m	N-S 4.5 m E-W 4.5 m	0.17 m 0.53 m	Fair/poor	Fair	5-10 years	Low	Low	2.0 m	1.8 m	ESO4	2x trees of the same species. Tree dimensions averaged. Moderate deadwood. Gummosis on trunk. Growing on steep slope face.
	Black wattle					0.23 m									
4	<i>Eucalyptus radiata</i>	Young	Native NSW TAS VIC	6.8 m	N-S 3.0 m E-W 3.0 m	0.13 m 0.41 m	Good	Good	20+ years	Low	Low	2.0 m	1.6 m	ESO4	
	Narrow-leaved peppermint					0.18 m									
5	<i>Acacia mearnsii</i>	Semi Mature	Native NSW TAS VIC	5.1 m	N-S 5.0 m E-W 5.0 m	0.12 m 0.15 m (0.19 m) 0.38 m 0.47 m (0.85 m)	Good	Fair	10-20 years	Low	Low	2.3 m	1.9 m	ESO4	Moderate deadwood. Borer damage.
	Black wattle					0.27 m									
6	<i>Acacia mearnsii</i>	Young	Native NSW TAS VIC	3.5 m	N-S 3.0 m E-W 3.0 m	0.10 m 0.31 m	Good	Good	10-20 years	Low	Low	2.0 m	1.5 m	ESO4	
	Black wattle					0.15 m									
7	<i>Acacia mearnsii</i>	Semi Mature	Native NSW TAS VIC	9.2 m	N-S 7.0 m E-W 7.0 m	0.30 m 0.94 m	Fair/poor	Fair	5-10 years	Moderate	Neighbouring Tree	3.6 m	2.3 m	ESO4	Neighbouring tree located within the northern adjoining property (4 Gold Street). Major deadwood. Borer damage.
	Black wattle					0.40 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DBH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	TPZ Radius	SRZ Radius	Permit Required	Comments
8	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	13.8 m	N-S 9.0 m	0.32 m	Good	Good	20+ years	Moderate	Neighbouring Tree	3.8 m	2.5 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
	Narrow-leaved peppermint					1.10 m									
						E-W 9.0 m									
9	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	10.3 m	N-S 8.0 m	0.37 m	Good	Good	20+ years	Moderate	Neighbouring Tree	4.4 m	2.6 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
	Narrow-leaved peppermint					1.35 m									
						E-W 8.0 m									
10	<i>Eucalyptus radiata</i>	Young	Native NSW TAS VIC	6.0 m	N-S 2.0 m	0.10 m	Fair/poor	Fair	10-20 years	Low	Neighbouring Tree	2.0 m	1.5 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Main stem has died. Tree regrowing from base. Trunk dimensions (and by extension TPZ and SRZ) estimated based on live portion.
	Narrow-leaved peppermint					0.31 m									
						E-W 2.0 m									
11	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	7.0 m	N-S 4.0 m	0.17 m	Good	Good	20+ years	Low	Neighbouring Tree	2.6 m	2.2 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
	Narrow-leaved peppermint					0.13 m (0.21 m)									
						0.57 m									
12	<i>Eucalyptus radiata</i>	Young	Native NSW TAS VIC	5.0 m	N-S 3.0 m	0.44 m (1.01 m)	Good	Fair	20+ years	Low	Neighbouring Tree	2.0 m	1.5 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
	Narrow-leaved peppermint					0.36 m									
						E-W 4.0 m									
13	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	8.9 m	N-S 8.0 m	0.05 m	Good	Fair	20+ years	Moderate	Neighbouring Tree	5.7 m	3.0 m	ESO4	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Multi-stemmed at ground level. Minor wounds on trunk.
	Narrow-leaved peppermint					0.06 m (0.07 m)									
						0.16 m									
						0.19 m (0.35 m)									
						0.13 m									
						E-W 3.0 m									
						0.22 m									
						0.38 m									
						0.09 m									
						0.09 m									
						0.13 m									
						0.47 m									
						0.69 m									
						1.19 m									
						0.28 m									
						0.28 m									
						0.41 m									
						2.86 m									
						0.81 m									

## 4.1 Photographic evidence



*Tree 1*



*Tree 2*



*Tree 3*



*Tree 4*



*Tree 5*



*Tree 6*



*Tree 7*



*Tree 8*



*Tree 9*



*Tree 10*





***Tree 11***



***Tree 12***



***Tree 13***



***Small dead tree***



***Small dead tree***



***Subject site as viewed from Solid Drive***



***Subject site as viewed from Gold St***





***Subject site viewed from north***



***Exposed roots from Tree 9***



***Subject site viewed from south-east***



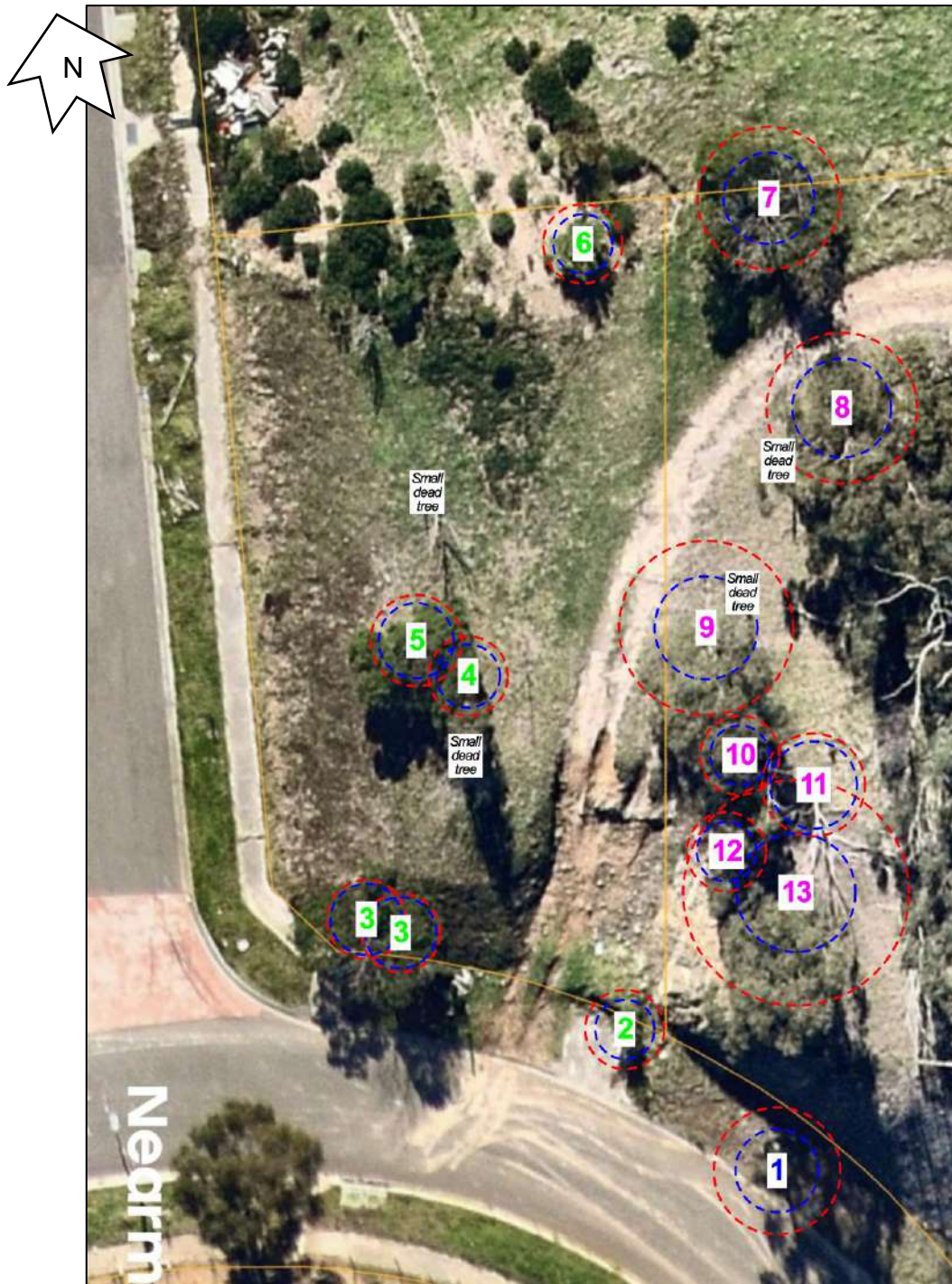
***Existing site cut in approx. driveway location***



## 5 Site maps

### 5.1 Existing conditions

The following map indicates the tree locations in relation to the existing conditions:



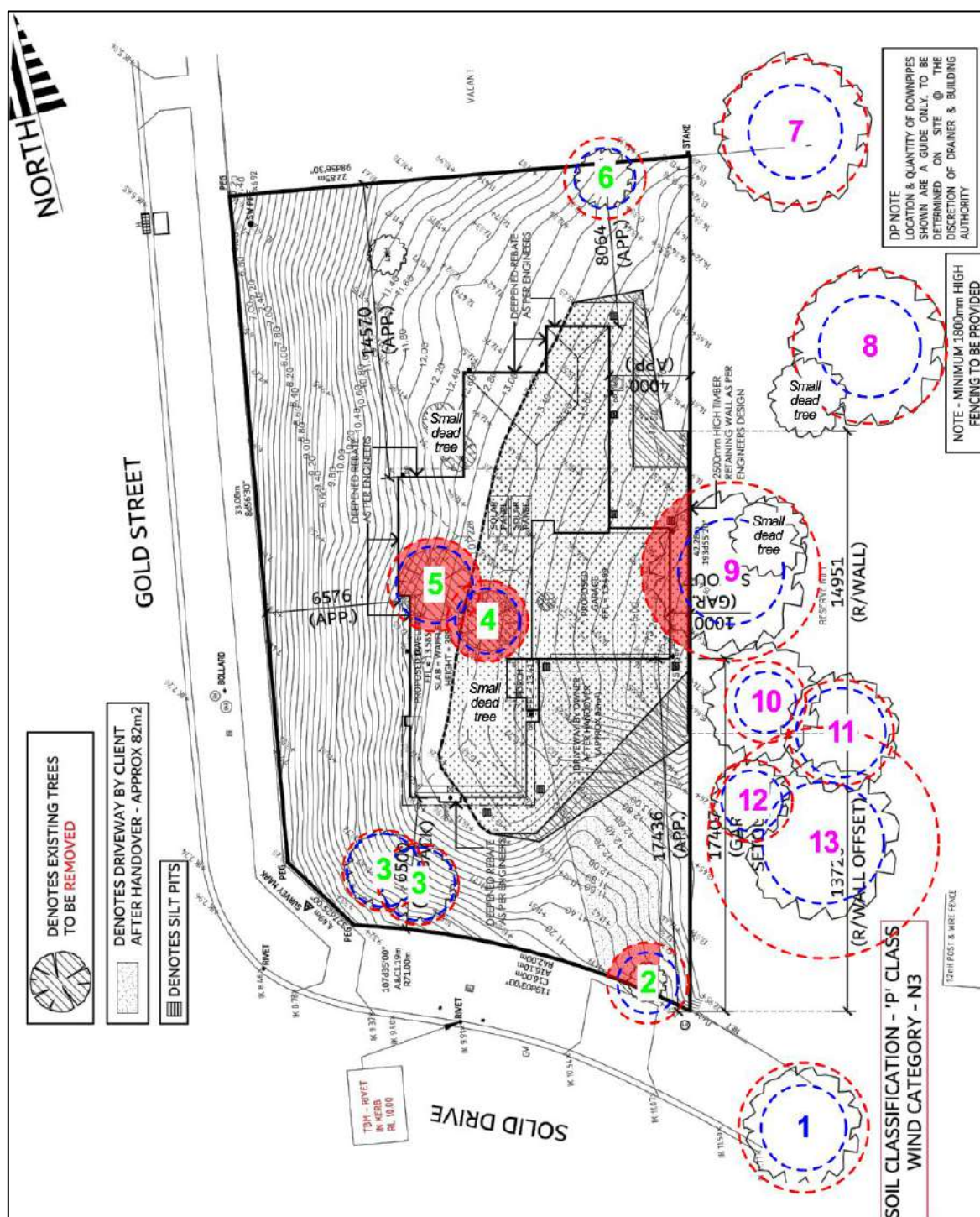
#### LEGEND

<span style="color: green;">■</span> LOW RETENTION VALUE	<span style="color: blue;">■</span> COUNCIL OWNED TREE	<span style="color: red;">○</span> TREE PROTECTION ZONE
<span style="color: orange;">■</span> MODERATE RETENTION VALUE	<span style="color: magenta;">■</span> NEIGHBOURING TREE	<span style="color: blue;">○</span> STRUCTURAL ROOT ZONE
<span style="color: red;">■</span> HIGH RETENTION VALUE	<span style="color: red;">■</span> MAJOR ENCROACHMENT	<span style="color: yellow;">■</span> MINOR ENCROACHMENT



## 5.2 Proposed plan

The following map indicates the tree locations in relation to the proposed plans:



## **6 Discussion**

### **6.1 Tree protection zone**

The tree protection zone (TPZ) is determined by multiplying the trunk diameter of the tree at breast height, 1.4m from ground level, by 12. A 10% encroachment on one side of this zone is acceptable without investigation into root distribution or offset of the lost area.

Section 3.2 of the Australian Standard AS4970 – 2009 Protection of Trees on Development Sites states that the TPZ of Palms, other monocots, cycads and tree ferns should not be less than 1 m outside the crown projection.

### **6.2 Structural root zone**

The structural root zone (SRZ) is the setback required to avoid damage to stabilising structural roots. The loss of roots within the SRZ must be avoided. The SRZ is determined by applying the following formula:  $(D \times 50) 0.42 \times 0.64$  where D = trunk diameter in metres.

### **6.3 Designing around trees**

It may be possible to encroach into or make variations to the TPZ of the trees that must be retained. Encroachment includes excavation, compacted fill and machine trenching.

The following is referenced from section 3.3 of the Australian Standards AS4970 – 2009 Protection of Trees on Development Sites:

#### **6.3.1 Minor encroachment**

If the proposed encroachment is less than 10% of the area of the TPZ and is outside the SRZ, detailed root investigations should not be required. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ.

#### **6.3.2 Major encroachment**

If the proposed encroachment is greater than 10% of the TPZ or inside the SRZ the project arborist must demonstrate that the trees would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. This may require root investigation by non-destructive methods.



### 6.3.3 Root investigation

Where the proposed development is considered to be a major encroachment, a non-destructive root exploratory investigation may be required within the alignment of the proposed encroachment.

By undertaking a non-destructive root exploratory investigation, the extent of roots within that particular area may be determined. If a negligible amount of roots are required to be removed or damaged in order to construct the proposed development, the tree may remain viable. If a significant amount of roots are proposed to be removed or damaged in order to construct the proposed development, the tree may not remain viable.

Obstructions (paving, vegetation, structures) within the alignment of proposed encroachments may be required to be removed prior to the non-destructive root exploratory investigation occurring.

The non-destructive root exploratory investigation report should:

- Be undertaken by a suitably qualified Arborist (AQF Level 5 Arboriculture).
- Detail the total distance of each excavation line.
- Detail the closest distance from the trunk centre to the excavation line.
- The size (diameter) and number of roots discovered and the depth of roots (where relevant).
- Include photographs of the subject tree(s) trenches and roots.
- Include a discussion of the findings of the root investigation and the impact of the proposed works on the long-term health/structural stability of the tree(s).

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## 7 Conclusion

### 7.1 Tree retention value

#### 7.1.1 Council owned tree

The following tree belongs to Cardinia City Council:

- Tree 1

#### 7.1.2 Low retention value

The following trees are considered to be of low retention value as they are relatively small specimens that are insignificant to the landscape:

- Tree 2
- Tree 3
- Tree 4
- Tree 5
- Tree 6

#### 7.1.3 Neighbouring trees

The following trees do not belong to the property owner:

- Tree 7
- Tree 8
- Tree 9
- Tree 10
- Tree 11
- Tree 12
- Tree 13

### 7.2 Permit requirements

#### 7.2.1 ESO4

A permit is not required to remove, destroy or lop any vegetation if:

- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.

- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- The vegetation is required to be pruned or lopped (but not removed or destroyed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

#### 7.2.1.1 ESO4 weed list

Botanical name	Common name	Condition
<i>Acacia baileyana</i>	Cootamundra Wattle	
<i>Acacia decurrens</i>	Early Black Wattle	
<i>Acacia elata</i>	Cedar Wattle	
<i>Acacia floribunda</i>	White Sallow Wattle	
<i>Acacia longifolia</i>	Coast / Sallow Wattle	
<i>Acacia saligna</i>	Golden Wreath Wattle	
<i>Acacia sophorae</i>	Coastal Wattle	
<i>Acer spp.</i>	Maple	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Agapanthus praecox orientalis</i>	African Lily	
<i>Allium triquetrum</i>	Angled Onion	
<i>Alstromeria aurea</i>	Peruvian Lily	
<i>Amaryllis belladonna</i>	Belladonna Lily	
<i>Anredera cordifolia</i>	Madeira vine	
<i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	
<i>Arbutus unedo</i>	Strawberry Tree	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Arctotheca calendula</i>	Cape Weed	
<i>Asparagus asparagoides</i>	Bridal Creeper	
<i>Asparagus scandens</i>	Asparagus Fern	
<i>Berberis darwinii</i>	Darwin's Berberry	
<i>Betula spp.</i>	Birch	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Briza minor</i>	Shivery Grass	
<i>Briza maxima</i>	Quaking Grass	
<i>Buddleia variabilis</i>	Butterfly Bush	
<i>Calicotome spinosa</i>	Spiny broom	
<i>Castanea spp.</i>	Chestnut	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cestrum elegans</i>	Red Cestrum	
<i>Chamaecytisus palmensis</i>	Tree Lucerne	
<i>Chrysanthemoides monilifera</i>	Boneseed	
<i>Chrysanthemum maximum</i>	Shasta Daisy	
<i>Cirsium vulgare</i>	Spear thistle	
<i>Conium maculatum</i>	Hemlock	
<i>Convolvulus spp.</i>	Bindweeds	
<i>Conyza bonariensis</i>	Tall Fleabane	
<i>Coprosma repens</i>	Mirror Bush	
<i>Coprosma repens</i>	Tuapata	
<i>Coprosma robusta</i>	Karamu	
<i>Cornus capitata</i>	Evergreen Dogwood	
<i>Cortaderia selloana</i>	Pampas Grass	
<i>Corymbia maculata</i>	Spotted Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Cotoneaster spp.</i>	Cotoneaster	
<i>Crataegus monogyna</i>	Hawthorn	
<i>Crocsmia x crocosmiifolia</i>	Montbretia	
<i>Cytisus palmensis</i>	Tree Lucerne	
<i>Cytisus scoparius</i>	English Broom	
<i>Cynodon dactylon</i>	Couch grass	
<i>Cyperus eragrostis</i>	Drain Flat Sedge	

Botanical name	Common name	Condition
<i>Delairea odorata</i>	Cape Ivy	
<i>Dipogon lignosus</i>	Common Dipogon (Dolichos)	
<i>Dodonea viscosa</i>	Sticky Hop Bush	
<i>Echium plantagineum</i>	Paterson's Curse	
<i>Ehrharta erecta</i>	Panic Veldt Grass	
<i>Ehrharta longiflora</i>	Annual Veldt grass	
<i>Erica baccans</i>	Berry-flower Heath	
<i>Erica lusitanica</i>	Spanish Heath	
<i>Eucalyptus botryoides</i>	Southern Mahogany Gum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Euryops abrotanifolius</i>	Euryops	
<i>Foeniculum vulgare</i>	Fennel	
<i>Fraxinus angustifolia</i>	Narrow-leaved Ash	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Fraxinus ornus</i>	Manna Ash	
<i>Fraxinus oxycarpa</i>	Caucasian Ash	
<i>Galium aparine</i>	Cleavers	
<i>Genista linifolia</i>	Flax Leaf Broom	
<i>Genista monspessulana</i>	Cape/Montpellier Broom	
<i>Hakea salicifolia</i>	Willow Hakea	
<i>Hakea suaveolens</i>	Sweet Hakea	
<i>Hedra helix</i>	English Ivy	
<i>Holcus lanatus</i>	Yorkshire Fog	
<i>Hypericum androsaemum</i>	Tutsan	
<i>Hypericum perforatum</i>	St. John's Wort	
<i>Hypericum tetrapterum</i>	St. Peter's Wort	
<i>Ilex aquifolium</i>	Holly	
<i>Ipomoea indica</i>	Morning Glory	
<i>Lathyrus latifolius</i>	Sweet Pea	
<i>Leptospermum laevigatum</i>	Coast Tea Tree	
<i>Leycesteria formosa</i>	Himalayan Honeysuckle	
<i>Ligustrum lucidum</i>	Broad-Leaved Privet	
<i>Ligustrum vulgare</i>	Privet	
<i>Lonicera japonica</i>	Japanese Honeysuckle	
<i>Malus spp</i>	Apple	
<i>Melaleuca armillaris</i>	Giant Honey Myrtle	
<i>Melaleuca hypericifolia</i>	Honey Myrtle	
<i>Myosotis sylvatica</i>	Common Forget-me-not	
<i>Myrsiphyllum scandens</i>	Asparagus Fern	
<i>Myrsiphyllum asparagoides</i>	Bridal Creeper	
<i>Myrsiphyllum asparagoides</i>	Smilax	
<i>Oenothera stricta</i>	Common Evening Primrose	
<i>Opuntia aurantiaca</i>	Prickly Pear	
<i>Oxalis pes-caprae</i>	Soursob	
<i>Portulaca oleracea</i>	Common Purslane	
<i>Paraserianthis lapantha</i>	Cape Wattle, False Wattle	
<i>Passiflora sp. aff. Mollissima</i>	Banana Passionfruit	
<i>Pentaglottis serpvirens</i>	Alkante	
<i>Phalaris aquatica</i>	Toowoomba canary Grass	
<i>Pennisetum clandestinum</i>	Kikuyu	
<i>Phytolacca octandra</i>	Inkweed	
<i>Pinus radiata</i>	Monterey Pine	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Pittosporum crassifolium</i>	Karo	
<i>Pittosporum undulatum</i>	Sweet Pittosporum	
<i>Polygala myrtifolia</i>	Myrtle Leaf Milkwort	
<i>Populus tremuloides</i>	American Aspen	
<i>Prunus cerasifera</i>	Cherry Plum	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Prunus laurocerasus</i>	Cherry Laurel	
<i>Prunus lusitanica</i>	Portugal Laurel	
<i>Prunus spp.</i>	Plum	Except <i>Prunus cerasifera</i> (Cherry Plum)
<i>Psoralea pinnata</i>	Bloukeur (Pinnate Scurf-Pea)	
<i>Pyracantha spp.</i>	Firethorns	
<i>Quercus spp.</i>	Oak	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres



Botanical name	Common name	Condition
<i>Ranunculus repens</i>	Creeping Buttercup	
<i>Rhamnus alaternus</i>	Italian Buckthorn	
<i>Ricinus communis</i>	Castor Oil Plant	
<i>Robinia pseudacacia</i>	Black Locust	
<i>Romulea rosea var australis</i>	Onion Grass	
<i>Rosa rubiginosa</i>	Sweet Briar	
<i>Rubus fruticosus spp. agg.</i>	Blackberry	
<i>Salix babylonica</i>	Weeping willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salix spp.</i>	Willow	Diameter at 1.3 metres above natural ground level must not exceed 40 centimetres
<i>Salpichroa origanifolia</i>	Pampas Lily of the Valley	
<i>Senecio jacobaea</i>	Ragwort	
<i>Solanum linnaeanum</i>	Apple of Sodom	
<i>Solanum mauritianum</i>	Tree Tobacco	
<i>Solanum nigrum</i>	Black Nightshade	
<i>Solanum pseudocapsicum</i>	Madeira Winter Cherry	
<i>Sollya heterophylla</i>	Blue-bell Creeper	
<i>Spartina anglica</i>	Common Cord	
<i>Tradescantia fluminensis</i>	Wandering Jew/Trad	
<i>Trapaecolum majus</i>	Nasturtium	
<i>Ulex europaeus</i>	Gorse	
<i>Verbascum thapsus</i>	Great Mullein	
<i>Viburnum tinus</i>	Laurustinus	
<i>Vinca major</i>	Blue Periwinkle	
<i>Viola odorata</i>	Fragrant Violet	
<i>Viola riviniana</i>	Wood Violet	
<i>Watsonia borbonica</i>	Rosy Watsonia	
<i>Watsonia meriana var. Bulbillifera</i>	Bulbil Watsonia	
<i>Zantedeschia aethiopica</i>	White Arum Lily	

## 7.2.2 Street tree

### Removal of street trees

- Planting and maintenance of street trees takes precedence over all resident-initiated modifications and residents must not remove, prune or alter street trees.

## 7.2.3 Trees subject to permit requirements

All of the assessed privately owned trees require a permit to remove, destroy or lop under ESO4.

Dead trees observed within the site and adjoining properties did not have a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level and do not require permits to remove.

The following tree belongs to Cardinia Council and must not be pruned or removed except by Council staff or contractors:

- Tree 1

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## 7.3 Impact assessment

The following table represents the encroachments of the proposed development:

Tree No.	Encroachment	TPZ encroachment	SRZ encroachment	Encroachment category	Proposed retention
1	N/A	0%	0%	N/A	Retain
2	Driveway	Entire tree	Entire tree	Major	Remove
3	N/A	0%	0%	N/A	Retain
4	Dwelling	Entire tree	Entire tree	Major	Remove
5	Dwelling	Entire tree	Entire tree	Major	Remove
6	N/A	0%	0%	N/A	Retain
7	N/A	0%	0%	N/A	Retain
8	N/A	0%	0%	N/A	Retain
9	Retaining wall	21.4%	5.6%	Major	Retain
	Garage	9.5%	0%	Minor	
	<b>Total</b>	<b>21.4%</b>	<b>5.6%</b>	<b>Major</b>	
10	N/A	0%	0%	N/A	Retain
11	N/A	0%	0%	N/A	Retain
12	N/A	0%	0%	N/A	Retain
13	N/A	0%	0%	N/A	Retain

**Note: encroachment calculations are approximate and do not consider over excavation**

### 7.3.1 No encroachment

Development is not proposed to encroach into the TPZ or SRZ of the following trees:

- Tree 1
- Tree 3
- Tree 6
- Tree 7
- Tree 8
- Tree 10
- Tree 11
- Tree 12
- Tree 13

The proposed development is not expected to compromise the long-term viability of the above-mentioned trees.

Less invasive construction measures or development redesign are therefore not required to ensure that these trees would remain viable post construction.

### 7.3.2 Major encroachment

The proposed development is considered to be a major encroachment according to section 3.3.3 of the Australian Standard AS4970 – 2009 'Protection of Trees on Development Sites' of the following trees:

- Tree 2
- Tree 4
- Tree 5
- Tree 9

## **Tree 2**

- The tree is located within the footprint of the driveway.
- The proposed development requires the removal of this tree.
- This tree is of low retention value.
- This tree requires a permit to remove, destroy or lop under ESO4.
- In the event of removal, less invasive construction measures or development redesign are not required.

## **Tree 4**

- The tree is located within the footprint of the dwelling.
- The proposed development requires the removal of this tree.
- This tree is of low retention value.
- This tree requires a permit to remove, destroy or lop under ESO4.
- In the event of removal, less invasive construction measures or development redesign are not required.

## **Tree 5**

- The tree is located within the footprint of the dwelling.
- The proposed development requires the removal of this tree.
- This tree is of low retention value.
- This tree requires a permit to remove, destroy or lop under ESO4.
- In the event of removal, less invasive construction measures or development redesign are not required.

## **Tree 9**

### **Driveway:**

- The retaining wall is considered to be a major encroachment (6.3.2) of 21.4% of the TPZ and 5.6% of the SRZ.
- The retaining wall is proposed to be constructed to a depth of 2.5m.
- Exposed surface roots up to approx. 40mm diameter were observed within the footprint of the proposed retaining wall site cut.
- Individually, the construction of the retaining wall has the potential to compromise the tree's long-term viability.

### **Garage:**

- The garage is considered to be a minor encroachment (6.3.1) of 9.5% of the TPZ and 0% of the SRZ.
- Individually, the construction of the garage is not expected to compromise the tree's long-term viability.

### **Overview:**

- The total encroachment of the retaining wall and garage is 21.4% of the TPZ and 5.6% of the SRZ which is considered to be major (6.3.2).

- The construction of the proposed retaining wall alone has the potential to compromise the tree's long-term viability.
- This tree is a neighbouring tree that is proposed to be retained.
- This tree requires a permit to remove, destroy or lop under ESO4.
- Recommendations within section 8.3 and 8.4 of this report are required to ensure that this tree would remain viable post construction.



***Exposed roots of Tree 9***

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## 8 Recommendations

### 8.1 Tree retention

The following Council owned tree is proposed to be retained:

- Tree 1

The following trees of low retention value are proposed to be retained:

- Tree 3
- Tree 6

The following neighbouring trees are proposed to be retained:

- Tree 7
- Tree 8
- Tree 9
- Tree 10
- Tree 11
- Tree 12
- Tree 13

The following is recommended in order to ensure that trees that are proposed to be retained would remain viable post construction:

- Comply with less invasive construction measures (8.3)
- Comply with tree protection measures (8.4)

#### 8.1.1 Permit requirements for trees that are proposed to be retained

All of the assessed privately owned trees require a permit to remove, destroy or lop under ESO4.

### 8.2 Tree removal

The following trees of low retention value are proposed to be removed:

- Tree 2
- Tree 4
- Tree 5

In the event of tree removal, the following is recommended:

- Tree removal should be undertaken prior to construction commencing or during demolition.
- Written consent from the responsible authority must be obtained prior to tree removal (if required).

#### 8.2.1 Permit requirements for trees that are proposed to be removed

All of the assessed privately owned trees require a permit to remove, destroy or lop under ESO4.

## 8.3 Less invasive construction measures

### 8.3.1 Retaining wall

- Redesign so that the retaining wall is located outside the SRZ of Tree 9, unless a root investigation (6.3.3) determines that the tree would remain viable post construction.

### 8.3.2 Underground services

In the event that any drains or services are included in a greater than 10% encroachment into the TPZ or encroach into the SRZ of trees that are proposed to be retained, the following should be undertaken:

- Install underground services via low pressure hydro-excavation under arborist supervision, unless a root investigation determines that the trees would remain viable.

**Note: encroachment calculations must consider additional encroachments e.g. site cuts, retaining walls, building footprint.**

## 8.4 Tree protection measures

### 8.4.1 Pruning

- Pruning of trees that are proposed to be retained (8.1) is not required for clearance purposes and should therefore not be undertaken.

### 8.4.2 Tree protection fencing

- Tree protection fencing (TPF) should be installed for Trees 3, 6, & 9.
- TPF should be installed as close to the TPZ boundary as practically possible provided that it does not encroach onto the road, footpath, crossover or proposed works.
- When installed, site perimeter fencing may be used as TPF for other neighbouring trees.
- TPF should be installed prior to machinery being brought onsite for the demolition of the existing dwelling.
- TPF should be a minimum 1.8m high and comprised of wire mesh (or similar) supported by concrete feet (or similar).
- TPF should remain intact for the duration of the project.
- TPF should only be removed or shifted with the approval of the Project Arborist and the Responsible Authority.

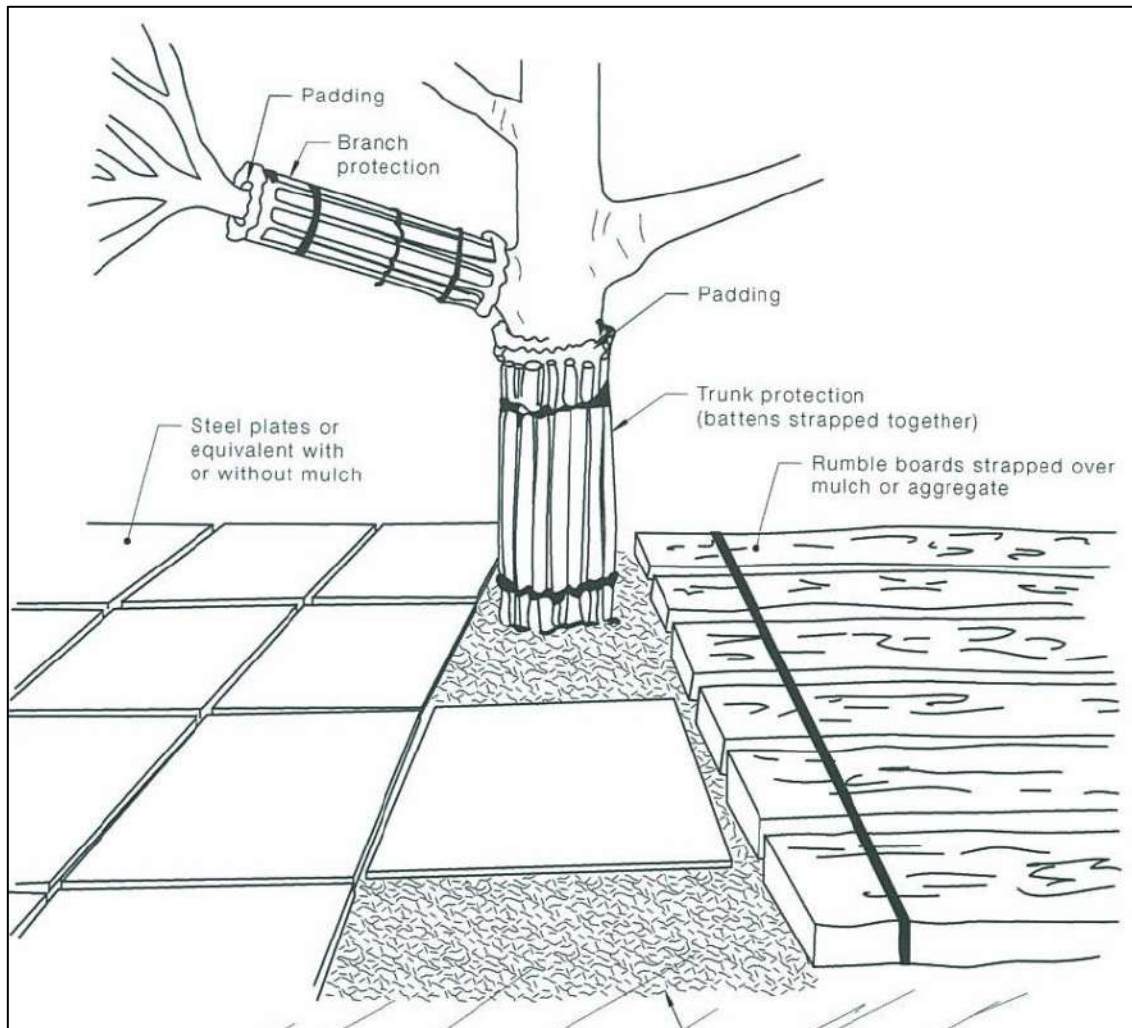
### 8.4.3 Tree protection signage

- The signage on the TPF should be placed at regular intervals so that it is visible from any angle outside the TPZ.
- Signage should state 'Tree Protection Zone, No Access' or similar.
- Signage should be greater than 600mm X 400mm in size.
- The contact details of the project arborist and site manager should be written clearly on the sign.



### 8.4.4 Ground protection

- Ground protection should be installed where access is required within the TPZ.
- Ground protection should be in accordance with section 4.5.3 of the AS4970-2009 "Protection of Trees on Development Sites".



*Ground protection examples*

#### **8.4.5 Scaffolding**

- When scaffolding must be erected within Tree Protection Zones, cover the ground with a 10cm layer of mulch, and then cover this with boards and plywood to prevent soil compaction.

#### **8.4.6 Site storage**

- A designated storage area where building materials, chemicals etc. can be stored should be located outside the TPZ of retained trees.

#### **8.4.7 Irrigation**

- Depending on the final footprint of works and construction measures used (8.3.1), irrigation may be recommended to support growth of replacement roots for Tree 9.
- Soil moisture within the TPZ during construction should be maintained at not less than 50% of field capacity (usually 10 litres of water per 1cm of each tree DBH per week).
- Irrigation should be applied by hand, automatic or manual irrigation system, or by fine spray from water tanker located outside the previously submitted exclusion zones.
- Water should be applied at a volume and frequency required so as to maintain turgor and leaf retention and encourage healthy root development.

#### **8.4.8 Prohibitions within the TPZ**

The following activities are prohibited within the TPZ:

- Machine excavation including trenching (unless approved by the Responsible Authority)
- Cultivation
- Storage
- Preparation of chemicals, including cement products
- Parking of vehicles
- Refuelling
- Dumping of waste
- Wash down and cleaning of equipment
- Placement of fill
- Lighting of fires
- Physical damage to the tree
- Pruning or damaging of roots greater than 30mm in diameter

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## 9 Limitation of liability

TMC Reports and their employees are tree specialists who use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of this assessment and report.

Trees are living organisms that fail in ways the arboriculture industry does not fully understand. Conditions are often hidden within trees and below ground. Unless otherwise stated, observations have been made from ground level and limited to accessible components without dissection, excavation or probing. There is no guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed.

Treatment, pruning and removal of trees may involve considerations beyond the scope of this report, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and related incidents. Such issues cannot be taken into account unless complete and accurate information is given prior to or at the time of site inspection.

Information contained in this report covers those items that were examined and reflect the condition of those items at the time of inspection. There is no warranty or guarantee expressed or implied that the problems or deficiencies of the trees or property in question may not arise in the future. Trees can be managed, but they cannot be controlled. To live or work near a tree involves a degree of risk. The only way to eliminate all risks involved with a tree is to eliminate the tree.

All written reports must be read in their entirety, at no time shall part of the written assessment be referred to unless taken in full context of the whole written report.

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## 10 Definition of terms

The following descriptors are used as indicators only. Other factors may be used in assessing an individual tree's health, structure, ULE, retention value and amenity value.

### 10.1 Tree health

Category	Description
<b>Good:</b>	The tree is demonstrating good or exceptional growth for the species. The tree is exhibiting a full canopy of foliage and may have only minor pest or disease problems. Foliage colour, size and density is typical of a healthy specimen of that species.
<b>Fair:</b>	The tree is in reasonable condition and growing well for the species. The tree may exhibit an adequate canopy of foliage. There may be some dead wood in the crown, some grazing by insect or animals may be evident, and/or foliage colour, size or density may be atypical for a healthy specimen of that species.
<b>Poor:</b>	The tree is not growing to its full capacity. Extension growth of the laterals may be minimal. The canopy may be thinning or sparse. Large amounts of dead wood may be evident throughout the crown, as well as significant pest and disease problems. Other symptoms of stress indicating tree decline may be present.
<b>Very poor:</b>	The tree appears to be in a state of decline, and the canopy may be very thin and sparse. A significant volume of dead wood may be present in the canopy, or pest and disease problems may be causing a severe decline in tree health.
<b>Dead:</b>	The tree is no longer alive.

### 10.2 Structure

Category	Description
<b>Good:</b>	The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunks or the branches. Major limbs are well defined. The tree would be considered a good example for the species. Probability of significant failure is highly unlikely.
<b>Fair:</b>	The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance at some branch unions or branches may be exhibiting minor structural faults. If the tree has a single trunk, this may be on a slight lean, or be exhibiting minor defects. Probability of significant failure is low.
<b>Poor:</b>	The tree may have a poorly structured crown, the crown may be unbalanced, or exhibit large gaps. Major limbs may not be well defined; branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered major root damage. Probability of significant failure is moderate.
<b>Very poor:</b>	The tree has a poorly structured crown. The crown is unbalanced or exhibits large gaps. Major limbs are not well defined. Branch unions may be poor or faulty at the point of attachment. A section of the tree has failed or is in imminent danger of failure. Active failure may be present, or failure is probably in the immediate future.
<b>Failed:</b>	A significant section of the tree or the whole tree has failed.

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### 10.3 Useful life expectancy (ULE)

Category	Description
<b>Unsafe:</b>	The tree is considered dangerous in the location and should be addressed as a priority..
<b>0 years:</b>	The tree no longer provides any amenity value.
<b>Less than 5 years:</b>	The tree under normal circumstances and without extra stress should be safe and have value of maximum of 5 years. The tree will need to be replaced in the short term. Replacement plants should be established as soon as possible if there is efficient space, or consideration should be given to the removal of the tree to facilitate replanting.
<b>5 to 10 years:</b>	The tree under normal circumstances and without extra stress should be safe and have value of maximum of 10 years. Trees in this category may require regular inspections and maintenance particularly if they are large specimens. Replacement plants should be established in the short term if there is sufficient space, or consideration should be given to the removal of the tree to facilitate replanting.
<b>10 to 20 years:</b>	The tree under normal circumstances and without extra stress should be safe and of value of up to 20 years. During this period, regular inspections and maintenance will be required.
<b>20 + years:</b>	The tree under normal circumstances and without extra stress should be safe and of value of more than 20 years. During this period, regular inspections and maintenance will be required.

### 10.4 Tree retention value

Category	Description
<b>High:</b>	The tree may be significant in the landscape, offer shade and other amenities such as screening. The tree may assist with erosion control, offer a windbreak or perform a vital function in the location (e.g. habitat, shade, flowers or fruit). The tree is free from structural defects and is vigorous. Consider the retention of the tree and designing the development to accommodate the tree.
<b>Moderate:</b>	The tree may offer some screening in the landscape or serve a particular function in the location and have minor structural defects. The tree may be entering the mature stage of its life cycle. The tree may be retained if it does not hamper the design intent.
<b>Low:</b>	The tree offers very little in the way of screening or amenity and may have significant structural defects. The tree may also be mature and entering the senescent stage of its life cycle. The tree may be removed if necessary.
<b>Neighbouring tree:</b>	The tree is located within an adjoining private property/land. The tree is to be protected unless written consent from the tree owner(s) and/or responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.
<b>Council owned tree:</b>	The tree is located within Council owned land. The tree is to be protected unless written consent from the responsible authority is obtained. Consider the retention of the tree unless written consent is obtained from the tree owner and/or responsible authority.

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## 10.5 Age

Category	Description
<b>Young:</b>	Juvenile or recently planted approximately 1-7 years.
<b>Semi Mature:</b>	An established tree but one which has not reached its potential ultimate height and has significant growth potential. Tree is actively growing.
<b>Mature:</b>	Tree has reached expected size in its growing conditions.
<b>Senescent:</b>	Tree is over mature and has started to decline.
<b>Dead:</b>	The tree is no longer alive.

## 10.6 Amenity value

Category	Description
<b>Very Low:</b>	Tree makes little or no amenity value to the site or surrounding areas. In some cases, the tree might be detrimental to the area's amenity value (e.g. unsightly, risk of weed spread).
<b>Low:</b>	Tree makes some contribution of amenity value to the site but makes no contribution to the amenity value of surrounding areas. The removal of the tree may result in little loss of amenity. Juvenile trees, including street trees are generally included in this category. However, they may have the potential to supply increased amenity in the future.
<b>Moderate:</b>	The tree makes a moderate contribution to the amenity of the site and/or contributes to the amenity of the surrounding area.
<b>High:</b>	The tree makes a significant contribution to the amenity value of the site, or the tree makes a moderate contribution to the amenity value of the larger landscape.

## 10.7 Terms within the tree data table

Category	Description
<b>DBH:</b>	Diameter at breast height (1.4m from ground level). Combined DBH has been calculated according to the Australian Standard AS4970 – 2009 'Protection of Trees on Development Sites'.
<b>DAB:</b>	(Diameter above buttress) Diameter of the trunk measured immediately above the root buttress.
<b>CA1 / CA1.5:</b>	Circumference of trunk at either 1m or 1.5m from ground level. Combined circumference is the sum of individual stem circumferences.
<b>TPZ:</b>	(Tree protection zone) An area set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development. Typically expressed as a radius in metres that defines a circle with the trunk/stem at its centre.
<b>SRZ:</b>	(Structural root zone) An area around the base of a tree required for the tree's stability in the ground. Woody root growth and soil cohesion in this area are necessary to hold the tree upright. Typically expressed as a radius in metres that defines a circle with the trunk/stem at its centre.



Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DBH CA1 DAB	Health	Structure	U/L	Assess Value	Retention Value	TPZ Radius	SRZ Radius	Permit Required	Comments
1	Eucalyptus sp. Gum tree	Semi Mature	Native	11.2 m	N-S 6.0 m E-W 6.0 m	0.27 m 0.88 m	Good	Good	20+ years	High	Council Owned Tree	3.2 m	2.1 m	Council Owned Tree	Council owned tree located within the nature strip in front of the eastern adjoining property (Solid Drive, unnumbered).
2	Acacia melanophylla Blackwood	Young	Native NSW QLD SA TAS VIC	3.0 m	N-S 1.5 m E-W 1.5 m	0.10 m 0.31 m	Good	Good	20+ years	Low	Low	2.0 m	1.5 m	ES04	Growing adjacent to existing crossover.
3	Acacia meunieri Black wattle	Semi Mature	Native NSW TAS VIC	5.2 m	N-S 4.8 m E-W 4.5 m	0.17 m 0.53 m	Fair/poor	Fair	5-10 years	Low	Low	2.0 m	1.8 m	ES04	2x trees of the same species. Tree dimensions averaged. Moderate deadwood. Gummosis on trunk. Growing on steep slope face.
4	Eucalyptus radiata Narrow-leaved peppermint	Young	Native NSW TAS VIC	6.8 m	N-S 3.0 m E-W 3.0 m	0.13 m 0.41 m	Good	Good	20+ years	Low	Low	2.0 m	1.6 m	ES04	
5	Acacia meunieri Black wattle	Semi Mature	Native NSW TAS VIC	5.1 m	N-S 6.0 m E-W 5.0 m	0.38 m 0.47 m (0.85 m)	Good	Fair	10-20 years	Low	Low	2.3 m	1.9 m	ES04	Moderate deadwood. Borer damage.
6	Acacia meunieri Black wattle	Young	Native NSW TAS VIC	3.5 m	N-S 3.0 m E-W 3.0 m	0.10 m 0.31 m 0.15 m	Good	Good	10-20 years	Low	Low	2.0 m	1.5 m	ES04	
7	Acacia meunieri Black wattle	Semi Mature	Native NSW TAS VIC	9.2 m	N-S 7.0 m E-W 7.0 m	0.94 m 0.40 m	Fair/poor	Fair	5-10 years	Moderate	Neighbouring Tree	3.8 m	2.3 m	ES04	Neighbouring tree located within the northern adjoining property 14 Gold Street. Major deadwood. Borer damage.
8	Eucalyptus radiata Narrow-leaved peppermint	Semi Mature	Native NSW TAS VIC	13.8 m	N-S 9.0 m E-W 9.0 m	0.32 m 1.10 m 0.59 m	Good	Good	20+ years	Moderate	Neighbouring Tree	3.8 m	2.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
9	Eucalyptus radiata Narrow-leaved peppermint	Semi Mature	Native NSW TAS VIC	10.3 m	N-S 8.0 m E-W 8.0 m	0.37 m 1.35 m 0.54 m	Good	Good	20+ years	Moderate	Neighbouring Tree	4.4 m	2.6 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
10	Eucalyptus radiata Narrow-leaved peppermint	Young	Native NSW TAS VIC	6.0 m	N-S 2.0 m E-W 2.0 m	0.10 m 0.31 m 0.15 m	Fair/poor	Fair	10-20 years	Low	Neighbouring Tree	2.0 m	1.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Main stem has died. Tree regrowing from base. Trunk dimensions based by extension TPZ and SRZ estimated based on live portion.
11	Eucalyptus radiata Narrow-leaved peppermint	Semi Mature	Native NSW TAS VIC	7.0 m	N-S 4.0 m E-W 4.0 m	0.17 m 0.13 m 0.23 m 0.57 m 0.19 m 0.44 m (1.01 m)	Good	Good	20+ years	Low	Neighbouring Tree	2.6 m	2.2 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
12	Eucalyptus radiata Narrow-leaved peppermint	Young	Native NSW TAS VIC	5.0 m	N-S 3.0 m E-W 3.0 m	0.08 m 0.06 m 0.08 m 0.13 m 0.13 m 0.19 m 0.28 m 0.41 m (2.88 m)	Good	Fair	20+ years	Low	Neighbouring Tree	2.0 m	1.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Multi-stemmed at ground level. Minor wounds on trunk.
13	Eucalyptus radiata Narrow-leaved peppermint	Semi Mature	Native NSW TAS VIC	8.9 m	N-S 6.0 m E-W 6.0 m	0.23 m 0.38 m 0.09 m 0.08 m 0.13 m 0.19 m 0.28 m 0.41 m (2.88 m)	Good	Fair	20+ years	Moderate	Neighbouring Tree	5.7 m	3.0 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).

TPZ  
SRZ

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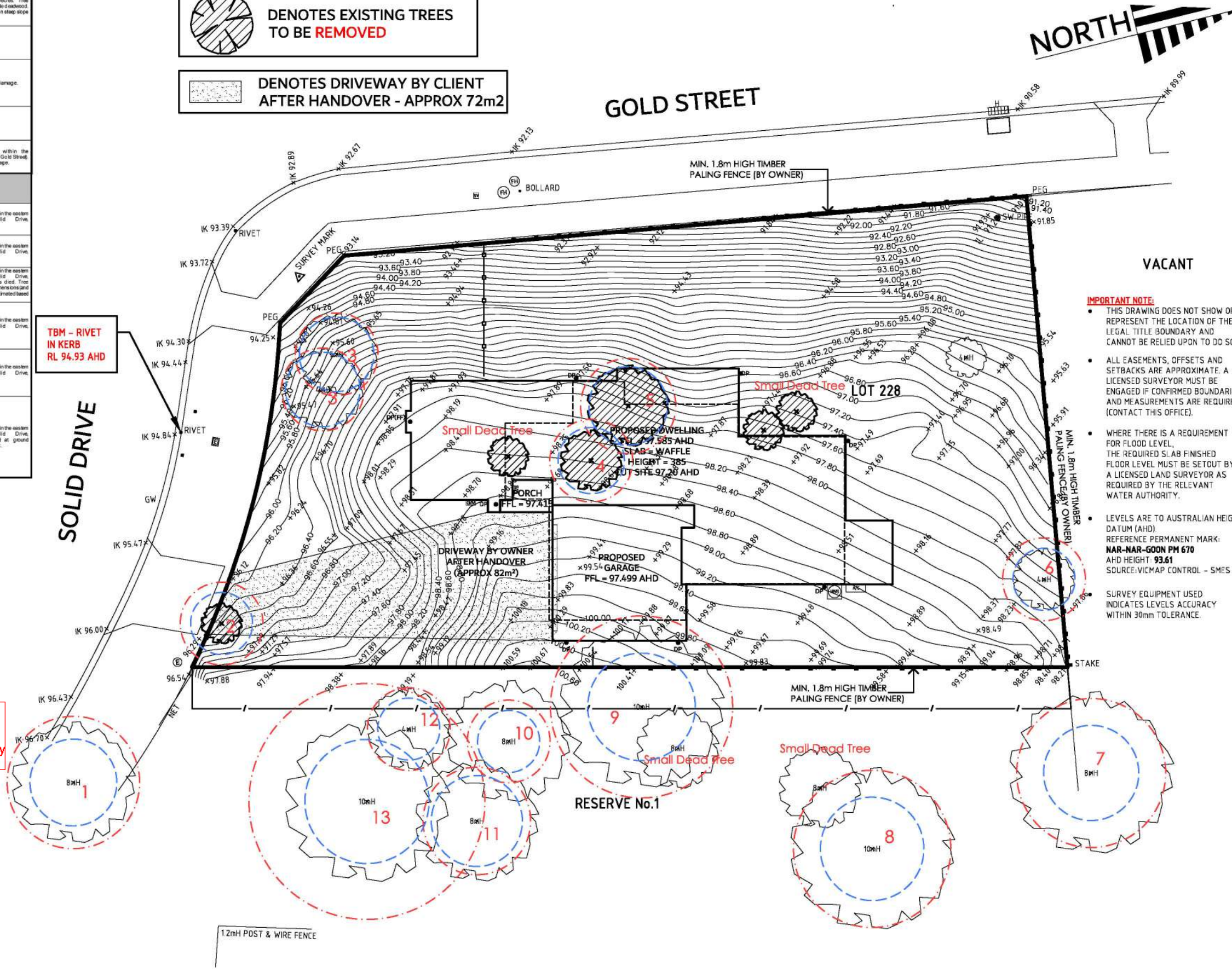
DRAWN BY: K.P. SCALE: 1:200 DATE: 15.04.2025 JOB No: SOL10228

Site Demolition & Tree Info A3 SHEET C5

wd.03

DENOTES EXISTING TREES TO BE REMOVED

DENOTES DRIVEWAY BY CLIENT AFTER HANDOVER - APPROX 72m2



**IMPORTANT NOTE:**

- THIS DRAWING DOES NOT SHOW OR REPRESENT THE LOCATION OF THE LEGAL TITLE BOUNDARY AND CANNOT BE RELIED UPON TO DO SO.
- ALL EASEMENTS, OFFSETS AND SETBACKS ARE APPROXIMATE. A LICENSED SURVEYOR MUST BE ENGAGED IF CONFIRMED BOUNDARIES AND MEASUREMENTS ARE REQUIRED (CONTACT THIS OFFICE).
- WHERE THERE IS A REQUIREMENT FOR FLOOD LEVEL, THE REQUIRED SLAB FINISHED FLOOR LEVEL MUST BE SET OUT BY A LICENSED LAND SURVEYOR AS REQUIRED BY THE RELEVANT WATER AUTHORITY.
- LEVELS ARE TO AUSTRALIAN HEIGHT DATUM (AHD). REFERENCE PERMANENT MARK: NAR-NAR-GOOD PM 670 AHD HEIGHT: 93.61 SOURCE: VICMAP CONTROL - SMES

SURVEY EQUIPMENT USED INDICATES LEVELS ACCURACY WITHIN 30mm TOLERANCE.



SITE PLAN NOTES

1. LEVELS SHOWN ARE STAFF READINGS UNLESS OTHERWISE STATED. ALL READINGS ARE TO BE CONFIRMED PRIOR TO COMMENCEMENT OF WORK
2. WHERE SHOWN ON SITE PLAN PROVIDE SITE CUT WITH BATTER AT 45°
3. PROVIDE AGRICULTURAL DRAIN TO SITE CUTS BEYOND 300mm CONNECTED TO S.W. DRAIN VIA SILT PIT WITH GRATED COVER
- 100mm PVC S.W. PIPE AT AT MIN. FALL 1:100
- 100x50 DOWN PIPE ● (@ 12m MAX. CTS)
- SILT PIT WITH GRATED COVER ①
4. S.W. TO BE CONNECTED TO LEGAL POINT OF DISCHARGE AS DIRECTED BY RELEVANT AUTHORITY &/OR TO APPROVED SUPPLY TANK (IF SHOWN)
5. PROVIDE TERMITE PROTECTION TO AS3660.1 BENEATH BUILDING AREA ON APPROVAL OF APPROPRIATE AUTHORITY
6. FINISHED FLOOR LEVEL TO BE  
MIN. 230mm ABOVE FSL (RAFT SLABS)  
MIN. 310mm ABOVE FSL (WAFFLE SLABS)  
MIN. 400mm ABOVE FSL (TIMBER FLOOR)  
MIN. SUB FLOOR CLEARANCE OF 400mm REQUIRED TO UNDERSIDE OF BEARER FROM FSL. WITHIN TERMITE PRONE AREAS AS DIRECTED BY BUILDING AUTHORITY
7. ALL SITE EXCAVATIONS TO BE RETAINED AS SOON AS PRACTICAL. PROVIDE ADEQUATELY DESIGNED RETAINING WALLS (ENGINEERED ABOVE 1m IN HEIGHT) OR PROVIDE 45° BATTER IN CLAY SOILS OR 30° BATTER IN SANDY SOILS. PROVIDE CUT OFF DRAIN CONNECTED TO LPOD VIA SILT PIT TO BASE OF ALL SITE BATTERS
8. ANY SITE FILLING TO BE UNDERTAKEN IN ACCORDANCE WITH SOIL ENGINEER'S INSTRUCTIONS &/OR DESIGN AS WELL AS PART 3.1 SITE PREPARATION OF CURRENT NCC
9. TREE ROOT BARRIERS TO BE CONSTRUCTED IN ACCORDANCE WITH ENGINEERS' DESIGN/INSTRUCTIONS. REFER SOIL REPORT FOR DETAILS
10. BUILDER TO PROVIDE ENCLOSED AREA TO CONTAIN SITE RUBBISH & DEBRIS IN ACCORDANCE WITH LOCAL MUNICIPALITY REQUIREMENTS
11. BUILDER TO PROVIDE ON SITE CHEMICAL TOILET & SANITARY FACILITIES IN ACCORDANCE WITH LOCAL MUNICIPALITY REQUIREMENTS

SITE COVERAGE AREAS

SITE	807.0 m <sup>2</sup>	PAVING	0.0 m <sup>2</sup>
BUILDING	196.9 m <sup>2</sup>	TOTAL HARD	196.9 m <sup>2</sup>
COVERAGE	24.4 %	PERMEABLE	75.60 %

SOIL CLASSIFICATION - 'P' CLASS  
WIND CATEGORY - N3

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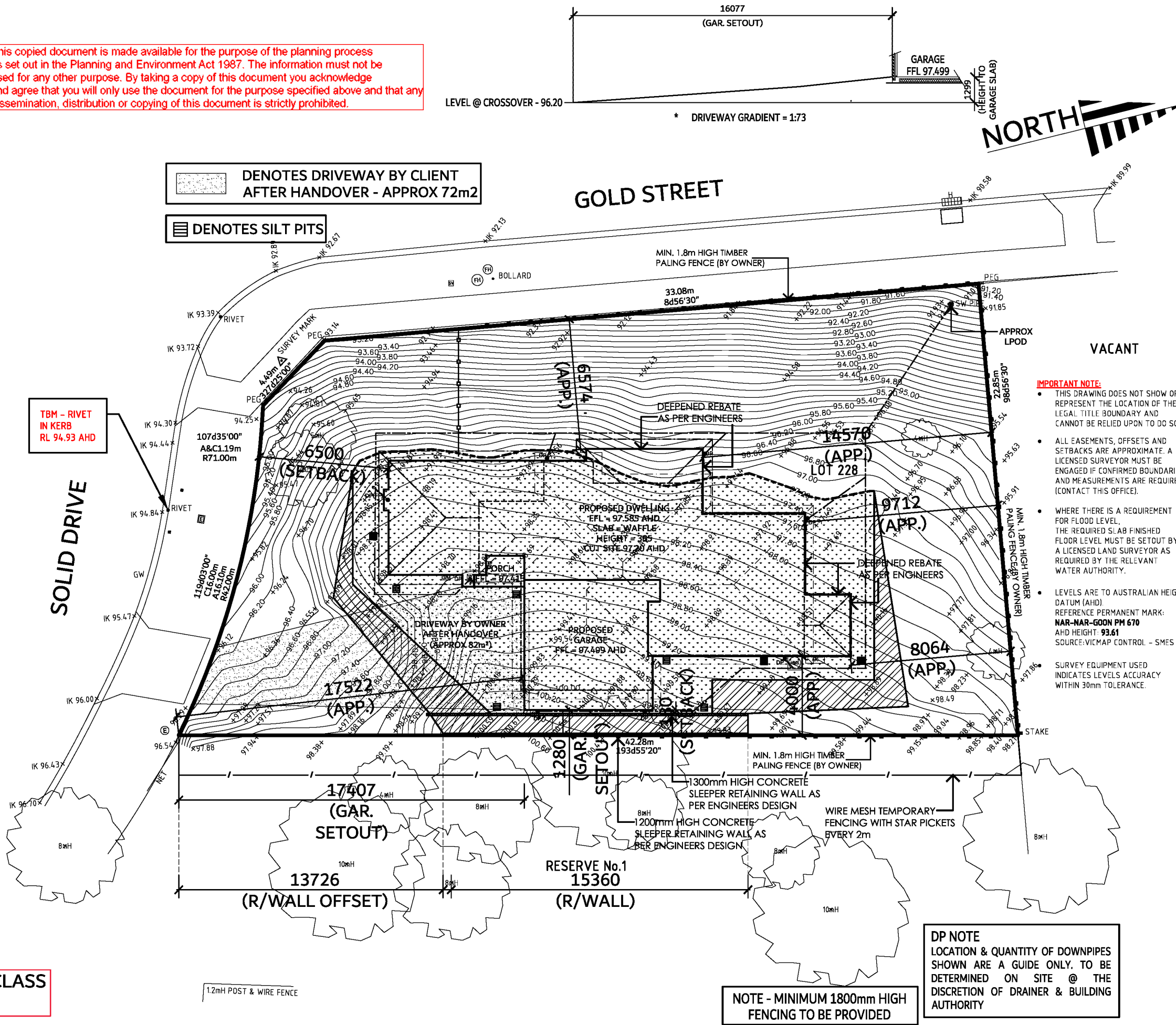
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Site Plan

A3 SHEET  
C5

wd.03

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**WC NOTE**  
PROVIDE LIFT OFF HINGE DOOR TO W.C.  
WHERE 1200mm BETWEEN PAN & SWING  
DOOR CANNOT BE ACHIEVED

**LINTELS**  
ALL LINTELS TO BE AS PER ENG'S DESIGN

**PLUMBER**  
ALL TAP FITTINGS ARE MIXERS UNLESS  
STATED

**PLUMBER**  
ALL TAP FITTINGS ARE MIXERS UNLESS  
STATED

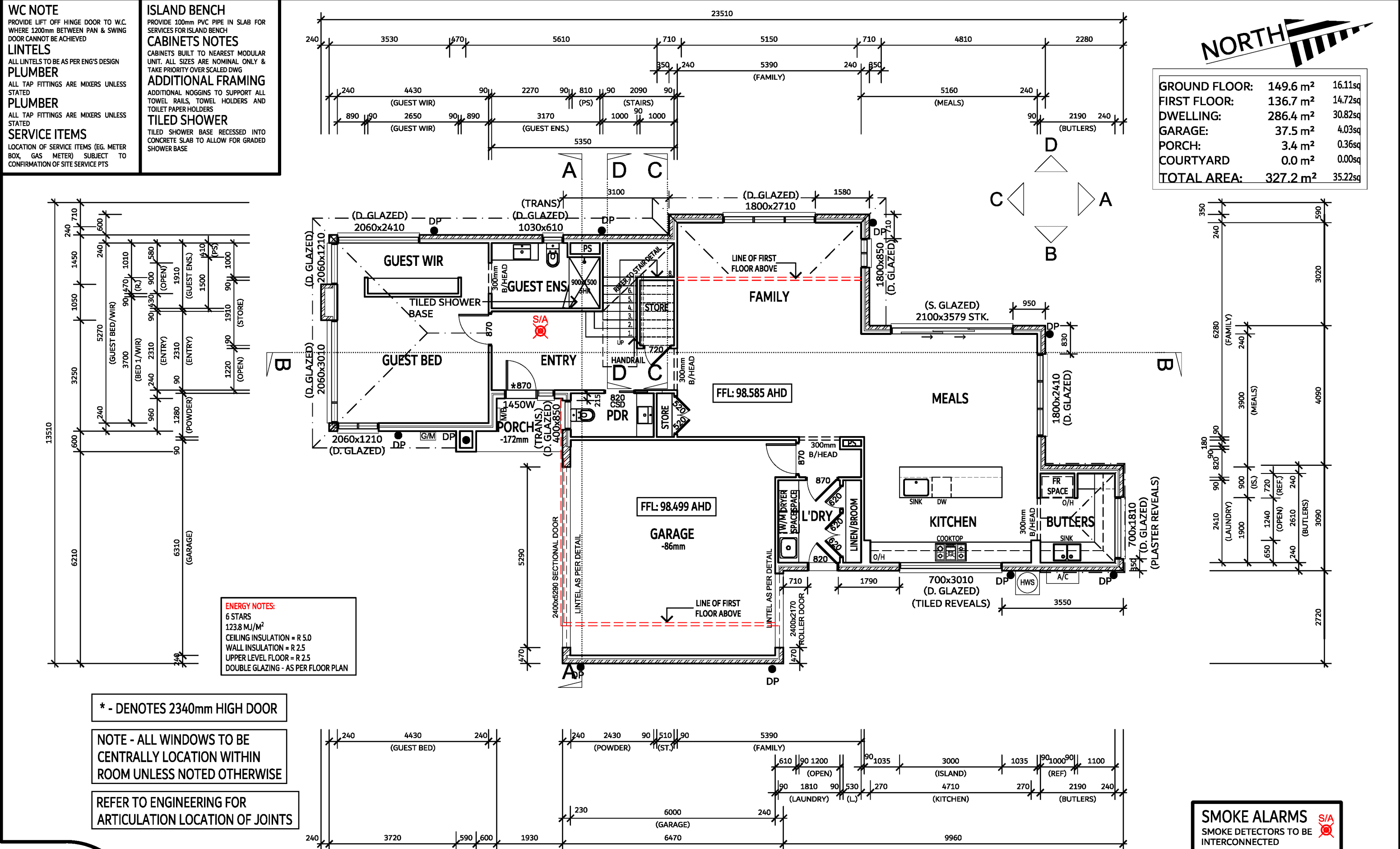
**SERVICE ITEMS**  
LOCATION OF SERVICE ITEMS (EG. METER  
BOX, GAS METER) SUBJECT TO  
CONFIRMATION OF SITE SERVICE PTS

**ISLAND BENCH**  
PROVIDE 100mm PVC PIPE IN SLAB FOR  
SERVICES FOR ISLAND BENCH

**CABINETS NOTES**  
CABINETS BUILT TO NEAREST MODULAR  
UNIT. ALL SIZES ARE NOMINAL ONLY &  
TAKE PRIORITY OVER SCALED DWG

**ADDITIONAL FRAMING**  
ADDITIONAL NOGGINs TO SUPPORT ALL  
TOWEL RAILS, TOWEL HOLDERS AND  
TOILET PAPER HOLDERS

**TILED SHOWER**  
TILED SHOWER BASE RECESSED INTO  
CONCRETE SLAB TO ALLOW FOR GRADED  
SHOWER BASE



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Ground Floor Plan

A3  
SHEET

REVISION  
C5

**wd.04**



LOCATION OF SERVICE ITEMS (EG. METER BOX, GAS METER) SUBJECT TO CONFIRMATION OF SITE SERVICE PTS

TILED SHOWER BASE RECESSED INTO  
CONCRETE SLAB TO ALLOW FOR GRADED  
SHOWER BASE



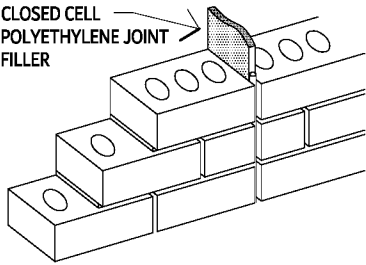


BRICKWORK LINTELS TO OPENINGS

1000-1200 OPENING 75x100x6 HxWxT  
1500-2100 OPENING 100x100x6 HxWxT  
2400-3000 OPENING 150x100x10 HxWxT  
3000-4800 OPENING 250x12x200x10 HxTxWxT  
MAX. 500 BRICKWORK  
PROVIDE CAVITY FLASHING & WEEP HOLES TO EVERY 3RD PERPEND OVER OPENINGS

ARTICULATION JOINT

PROVIDE FULL HEIGHT ARTICULATION JOINTS (FOOTING TO EAVE) AT 6.0m MAX. CENTERS (UNLESS OTHERWISE STATED IN SOIL REPORT)



REFER ENGINEERING DRAWINGS FOR ARTICULATION JOINTS LOCATIONS AND DETAILS

SAFETY GLAZING

ALL GLASS WITHIN 400mm OF FSL & 400mm OF ANY DECK, ROOF OR HORIZONTAL SURFACE EXCEEDING 110mm IN LENGTH & LESS THE 18° TO BE GRADE A SAFETY GLASS, MIN. 4mm THICK

WINDOW PLACEMENT

WHERE SHOWN, WINDOWS TO BE MOUNTED @ EAVE HEIGHT. ALL OTHER WINDOWS @ 2150mm ABOVE FINISH FLOOR LEVEL, UNLESS OTHERWISE SHOWN ON ELEVATIONS

FLYSCREENS

PROVIDE FLYSCREENS TO ALL OPENING WINDOWS. REFER TO WINDOW MANUFACTURER'S SPECIFICATION

WINDOW LOCK

NO WINDOW LOCK TO BE OVER 1500mm FROM FINISHED FLOOR LEVEL

GLAZING NOTE

ALL FULLY GLAZED PANELS AND DOORS MORE THAN 500mm IN WIDTH MUST BE FITTED WITH VISIBILITY DECALS AS PER AS1288-2006

MATERIALS

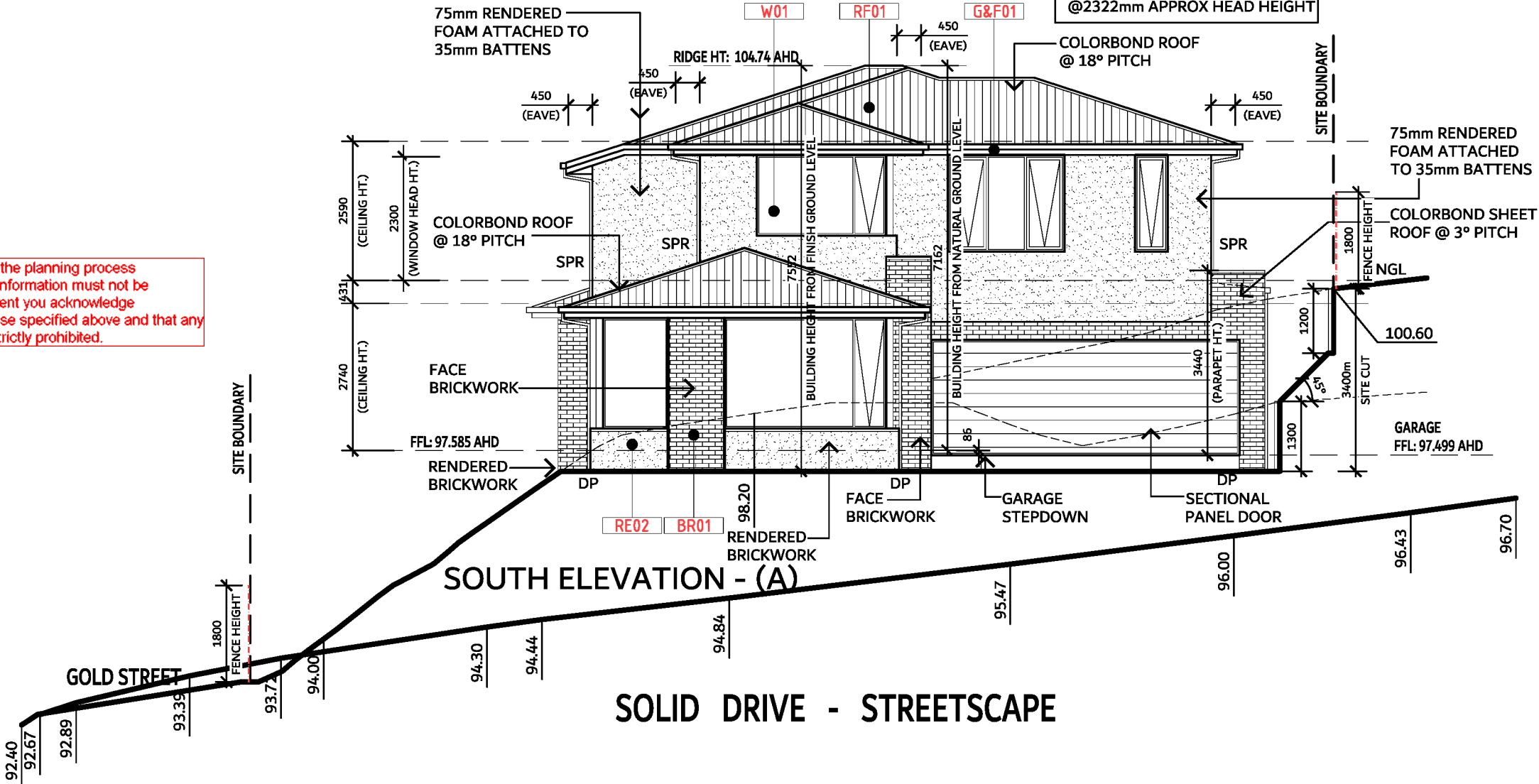
- RF01** COLORBOND ROOF @ 18° PITCH  
- COLOURS: COLORBOND MONUMENT
- RF02** CUSTOM ORB ROOF @ 3° PITCH  
- COLOURS: COLORBOND WINDSPRAY
- BR01** FACE BRICKWORK  
- COLOURS: SELKIRK IVORY

- RE01** RENDERED FOAM CLADDING  
- COLOURS: HAYMES PAINT GRADIENT
- W01** GLAZED WINDOWS  
- COLOURS: TREND WINDOWS UTRABLACK
- G&F01** FASCIA AND GUTTER AND DOWNPIPES  
- COLOURS: COLORBOND MONUMENT

NOTE - ALL GLAZING TO A.S.1288

NOTE - WINDOWS TO SIT DIRECTLY UNDERSIDE OF EAVES @2322mm APPROX HEAD HEIGHT

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East Elevation

A3 SHEET C5

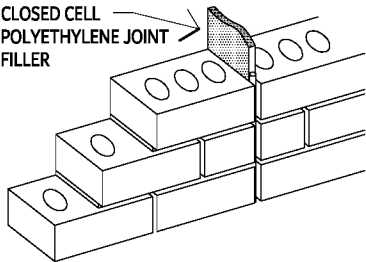
wd.06

BRICKWORK LINTELS TO OPENINGS

1000-1200 OPENING 75x100x6 HxWxT  
1500-2100 OPENING 100x100x6 HxWxT  
2400-3000 OPENING 150x100x10 HxWxT  
3000-4800 OPENING 250x12x200x10 HxTxWxT  
MAX. 500 BRICKWORK  
PROVIDE CAVITY FLASHING & WEEP HOLES TO EVERY 3RD PERPEND OVER OPENINGS

ARTICULATION JOINT

PROVIDE FULL HEIGHT ARTICULATION JOINTS (FOOTING TO EAVE) AT 6.0m MAX. CENTERS (UNLESS OTHERWISE STATED IN SOIL REPORT)



REFER ENGINEERING DRAWINGS FOR ARTICULATION JOINTS LOCATIONS AND DETAILS

SAFETY GLAZING

ALL GLASS WITHIN 400mm OF FSL & 400mm OF ANY DECK, ROOF OR HORIZONTAL SURFACE EXCEEDING 110mm IN LENGTH & LESS THE 18° TO BE GRADE A SAFETY GLASS, MIN. 4mm THICK

WINDOW PLACEMENT

WHERE SHOWN, WINDOWS TO BE MOUNTED @ EAVE HEIGHT. ALL OTHER WINDOWS @ 2150mm ABOVE FINISH FLOOR LEVEL, UNLESS OTHERWISE SHOWN ON ELEVATIONS

FLYSCREENS

PROVIDE FLYSCREENS TO ALL OPENING WINDOWS. REFER TO WINDOW MANUFACTURER'S SPECIFICATION

WINDOW LOCK

NO WINDOW LOCK TO BE OVER 1500mm FROM FINISHED FLOOR LEVEL

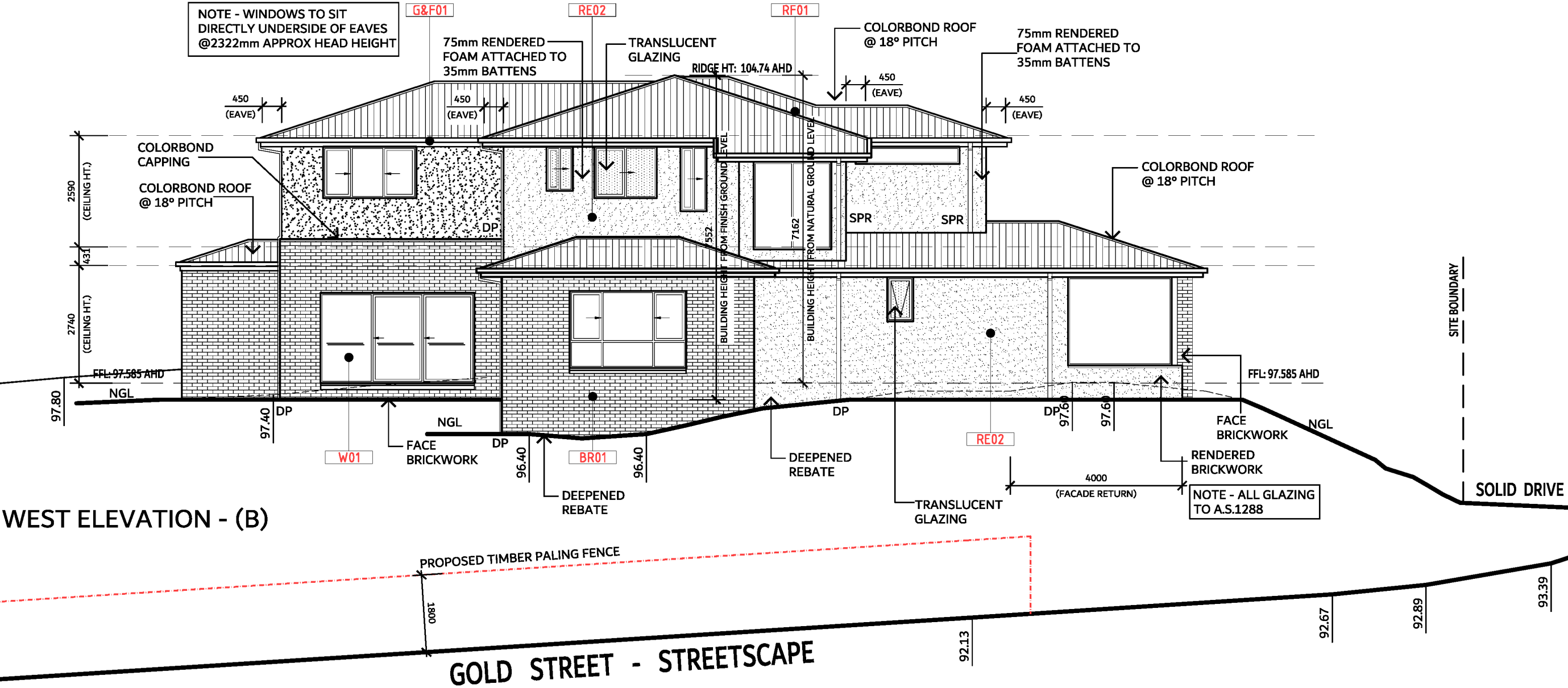
GLAZING NOTE

ALL FULLY GLAZED PANELS AND DOORS MORE THAN 500mm IN WIDTH MUST BE FITTED WITH VISIBILITY DECALS AS PER AS1288-2006

MATERIALS

- RF01** COLORBOND ROOF @ 18° PITCH  
- COLOURS: COLORBOND MONUMENT
- RF02** CUSTOM ORB ROOF @ 3° PITCH  
- COLOURS: COLORBOND WINDSPRAY
- BR01** FACE BRICKWORK  
- COLOURS: SELKIRK IVORY

- RE01** RENDERED FOAM CLADDING  
- COLOURS: HAYMES PAINT GRADIENT
- W01** GLAZED WINDOWS  
- COLOURS: TREND WINDOWS UTRABLACK
- G&F01** FASCIA AND GUTTER AND DOWNPIPES  
- COLOURS: COLORBOND MONUMENT



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SIGNED..... DATE.....  
SIGNED..... DATE.....

Custom

Lot 228, (No. 25) Solid Drive, Pakenham

DRAWN BY K.P. SCALE 1:100 DATE 15.04.2025 JOB No SOLI0228  
West Elevation A3 SHEET C5

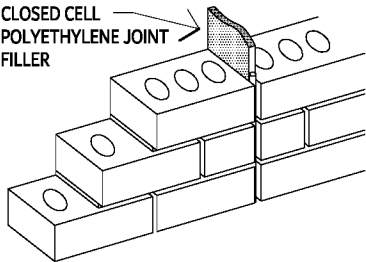
wd.07

BRICKWORK LINTELS TO OPENINGS

1000-1200 OPENING 75x100x6 HxWxT  
1500-2100 OPENING 100x100x6 HxWxT  
2400-3000 OPENING 150x100x10 HxWxT  
3000-4800 OPENING 250x12x200x10 HxTxxWxT  
MAX. 500 BRICKWORK  
PROVIDE CAVITY FLASHING & WEEP HOLES TO EVERY 3RD PERPEND OVER OPENINGS

ARTICULATION JOINT

PROVIDE FULL HEIGHT ARTICULATION JOINTS (FOOTING TO EAVE) AT 6.0m MAX. CENTERS (UNLESS OTHERWISE STATED IN SOIL REPORT)



REFER ENGINEERING DRAWINGS FOR ARTICULATION JOINTS LOCATIONS AND DETAILS

SAFETY GLAZING

ALL GLASS WITHIN 400mm OF FSL & 400mm OF ANY DECK, ROOF OR HORIZONTAL SURFACE EXCEEDING 110mm IN LENGTH & LESS THE 18° TO BE GRADE A SAFETY GLASS, MIN. 4mm THICK

WINDOW PLACEMENT

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
GLAZING NOTE

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MATERIALS


- 


**RF01**  
COLORBOND ROOF @ 18° PITCH  
- COLOURS: COLORBOND MONUMENT
- 

**RF02**  
CUSTOM ORB ROOF @ 3° PITCH  
- COLOURS: COLORBOND WINDSPRAY
- 

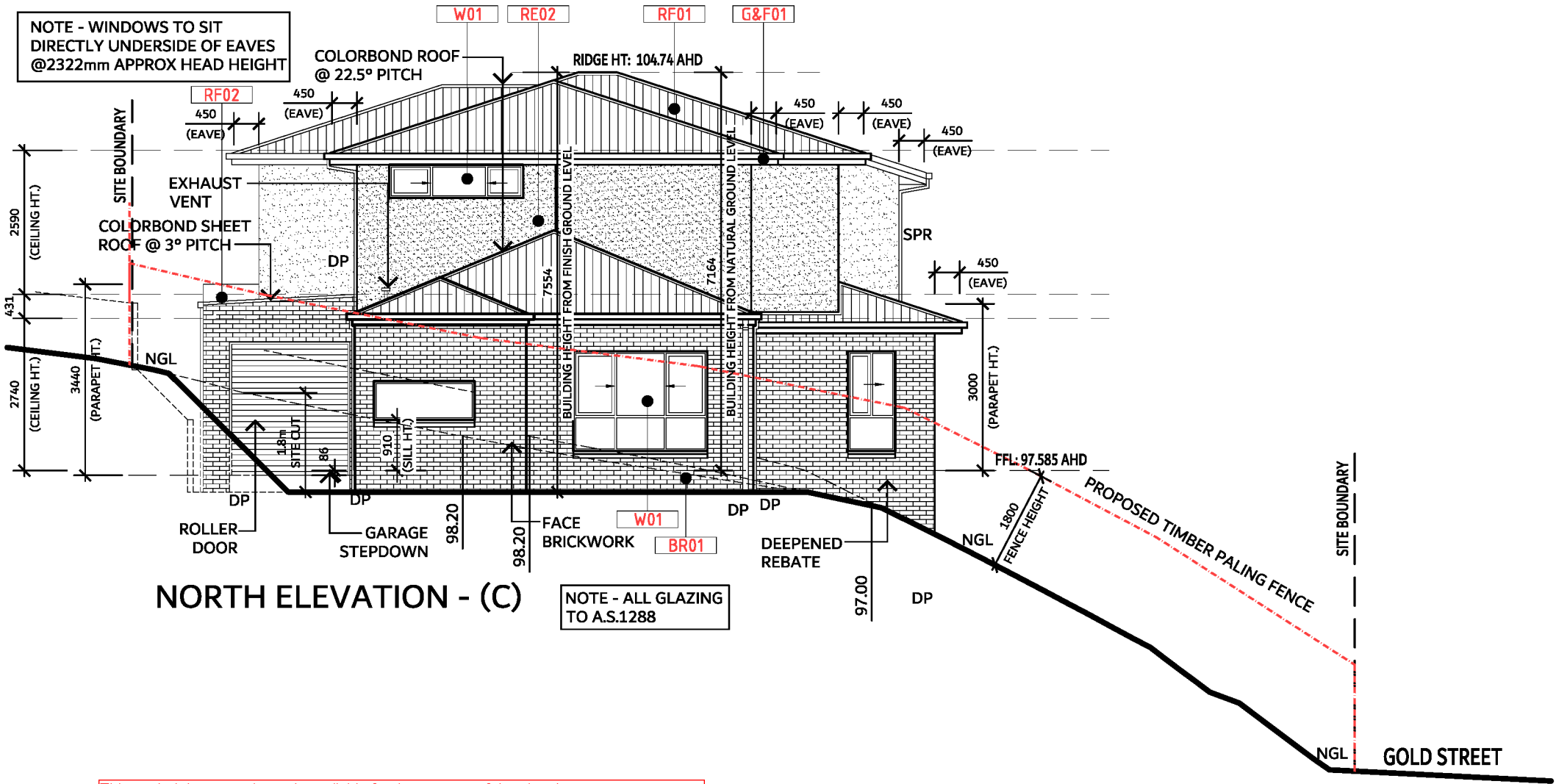
**BR01**  
FACE BRICKWORK  
- COLOURS: SELKIRK IVORY

- 

**RE01**  
RENDERED FOAM CLADDING  
- COLOURS: HAYMES PAINT GRADIENT
- 

**W01**  
GLAZED WINDOWS  
- COLOURS: TREND WINDOWS UTRABLACK
- 

**G&F01**  
FASCIA AND GUTTER AND DOWNPIPES  
- COLOURS: COLORBOND MONUMENT



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SIGNED..... DATE.....

Custom

Lot 228, (No. 25) Solid Drive, Pakenham

DRAWN BY K.P. SCALE 1:100 DATE 15.04.2025 JOB No SOL10228

North Elevation

A3 SHEET

REVISION C5

wd.08

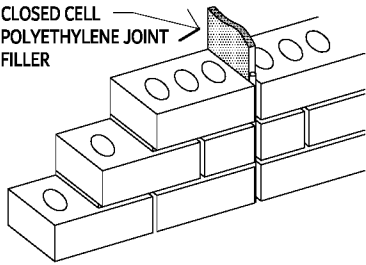


BRICKWORK LINTELS TO OPENINGS

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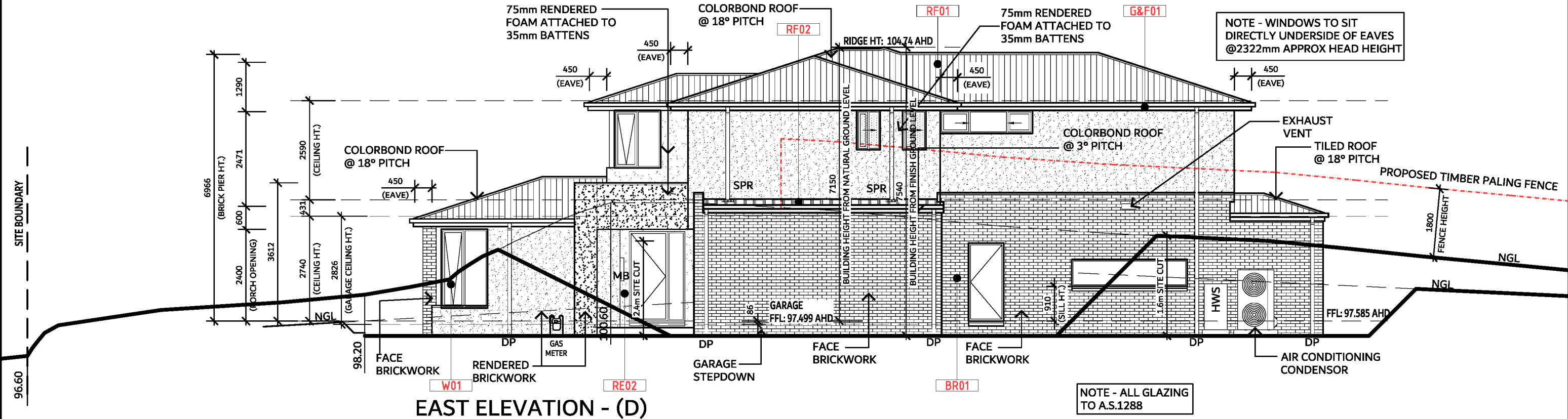
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Custom

Lot 228, (No. 25) Solid Drive, Pakenham

DRAWN BY K.P. SCALE 1:100 DATE 15.04.2025 JOB No SOLI0228

East Elevation

A3 SHEET  
C5

wd.09



# PAKENHAM

## ORNAMENTATION & FURNITURE DELIVERY TO SITE

It is the responsibility of the contractor to personally inspect all deliveries to site to ensure there are no damage or broken goods.

## SOIL PREPARATION AND FINISHING - SOFTWORKS DRAINAGE LANDSCAPE AREAS

All garden beds to be fully drained to a minimum depth of 600mm. All lawn areas are to be fully drained to a depth of 300mm. General Drain-age method: Excavate trench within the soil to profile down to the clay layer (directly beneath the garden bed or lawn area that require drainage). Slope the clay layer towards the direction of the drainage pipes. Lay 90mm diamater ridged slotted pipe allow 3000mm between pipes. Cover with minimum 300mm depth of 1/2" bluemetal screenings. Depth of drainage pipe to vary according to trees and plants within garden beds. For established trees and plants see establish tree planting detail.

## PLANTING - SOFTWORKS PLANTING GENERAL

Once the plants are delivered, it is the contractors responsibility to water the plants and maintain their health. Plants must be watered immediately before and after planting. Any plants that die due to lack of water or neglect are to be replaced by the contractor at their expense. Fertilise all plants following planting with slow release 'Osmocote' fertiliser to manufactures guidelines. Irrigation system is to be fully operational prior to planting. All plant tags, containers and other rubbish to be disposed of following planting.

### SHRUB PLANTING

All hedges to be planted in a straight row using a string line unless otherwise stated. Refer plant schedule. Refer detail drawings of shrub planting. Shrubs should be placed so that the top of the rootball is at the same level as the finished soil level and that the soil or mulch should not cover the plants stem, to avoid crown rot. All shrubs to have slight well around the base to allow watering. Excavation to be well watered before planting. All shrubs to be well watered within half an hour of planting.

### IRRIGATION

Irrigation system is to be fully automated, connected to 240volt wall mounted irrigation controller. Irrigation system is to be designed by suitably qualified irrigation / sprinkler specialist. Landscape contractor to provide all necessary information to irrigation designer such as; water flow/ pressure rate, mains & water locations etc. Irrigation system shall have sub-surface dripper 'techline' hose installed on a separate solenoids to all garden beds. All pipework is to be P.V.C. No water is to spray onto building. Spray heads to allow clearance of mature plant height, not planting height. All plants to receive even moisture coverage - allow appropriate overlap. Irrigation controller to be located in Services area (consult client prior to installation). All solenoid boxes to be hidden at back of garden beds. All visible sprinkler parts to be grey in colour. Install pressure reduction valve, flush vavle & air relief valve. All shrub sprays to be brass with filter head. Landscape contractor is to liaise with garden maintenance contractor in programming the irrigation system.

## SITE CLEAN & MAINTENANCE

The site is to be left in a clean state at the completion of every work day. A final clean up at the end of the project shall be approved by leading contractor and shall include but not be limited to the following; high pressure cleaning of all paving; mowing of all lawns if required; initial trimming of all hedges' removal of all rubbish from site; filling of all water features and ensuring they are fully operational; operational irrigation & garden lighting systems.

### MAINTENANCE ESTABLISHMENT PERIOD

The lanscape is to be maintained by the landscaper contractor for a period of 4 weeks and is then passed over to the permanent gard-ener.

## SOIL WORKS

All soils to be weed free and sterilised. All lawn areas to be excavated to a depth of 250-300mm (excluding drainage areas) and filled with new 'topsoil' from 'Fultons' that consists of loamy sand that should drain freely. Base of excavation to allow for drainage points. Existing and new garden beds to be excavated to a depth of 400mm. Beds to be reconditioned with of 400mm layer of new '5 - way soil mix' from 'Fultons'. All established tree zones to be excavated to a depth of 200mm deeper than the rootball stated by the grower and backfilled with 50/50 blend of site & imported soil, ensuring that the hole excavated is drained.

If clay sub-base is uncovered, gypsum is to be added and cultivated into bed of clay.

Finished mulch levels to garden beds, to be set 15mm below lawn & paving levels. All pots to be filled with 'Debco' brand 'Terracotta & Tub' potting mix (with water storing crystals). Add 'Osmocote' brand 8 - 9 month slow release fertiliser to potting mix at a rate of 1 teaspoon per litre of potting mix, mix in thoroughly. The top of potting mix is to be set 20mm below top of pot. Place geo-textile fabric in base of pot priorto filling.

## TREE PLANTING

All trees to be planted in position as per drawing. Refer plant schedule. Refer detail drawings of tree planting. All trees in lawn or beds to have agricultural pipe protruding from rootball to surface for inspection to monitor watering.

Handling Advance Trees: - All due care is to be taken when handling advanced trees. 'Care should be taken to preserve the rootball, all branhces and bark and trunk tissue. Avoid rubbing on the trunk or stems or scraping or scuffing away bark during tree handling.

Ground Preparation: - Planting area should be made weed free before digging take place. The planting hole should be made as 2 to 3 times the width of the rootball and slighty deeper. The backfill soild should be set to the side of the planting hole and have compost mixed into it at a ratio of 1 part compost to 2 parts soil. Add good quality slow release fertiliser to the backfill at this time.

Drainage: - An agricultural drain should be installed into the planting hole below the rootball of the tree. The planting hole should be filled with water and tested for adequate water percolation prior to tree being placed in hole. Where advanced trees are used adequate trench depth to be allowed for below the established root ball.

Tree placement: - The tree should be placed centrally to the hole and the crown of the tree (where rootball meets the stem) should be positioned in line with the natural ground level.

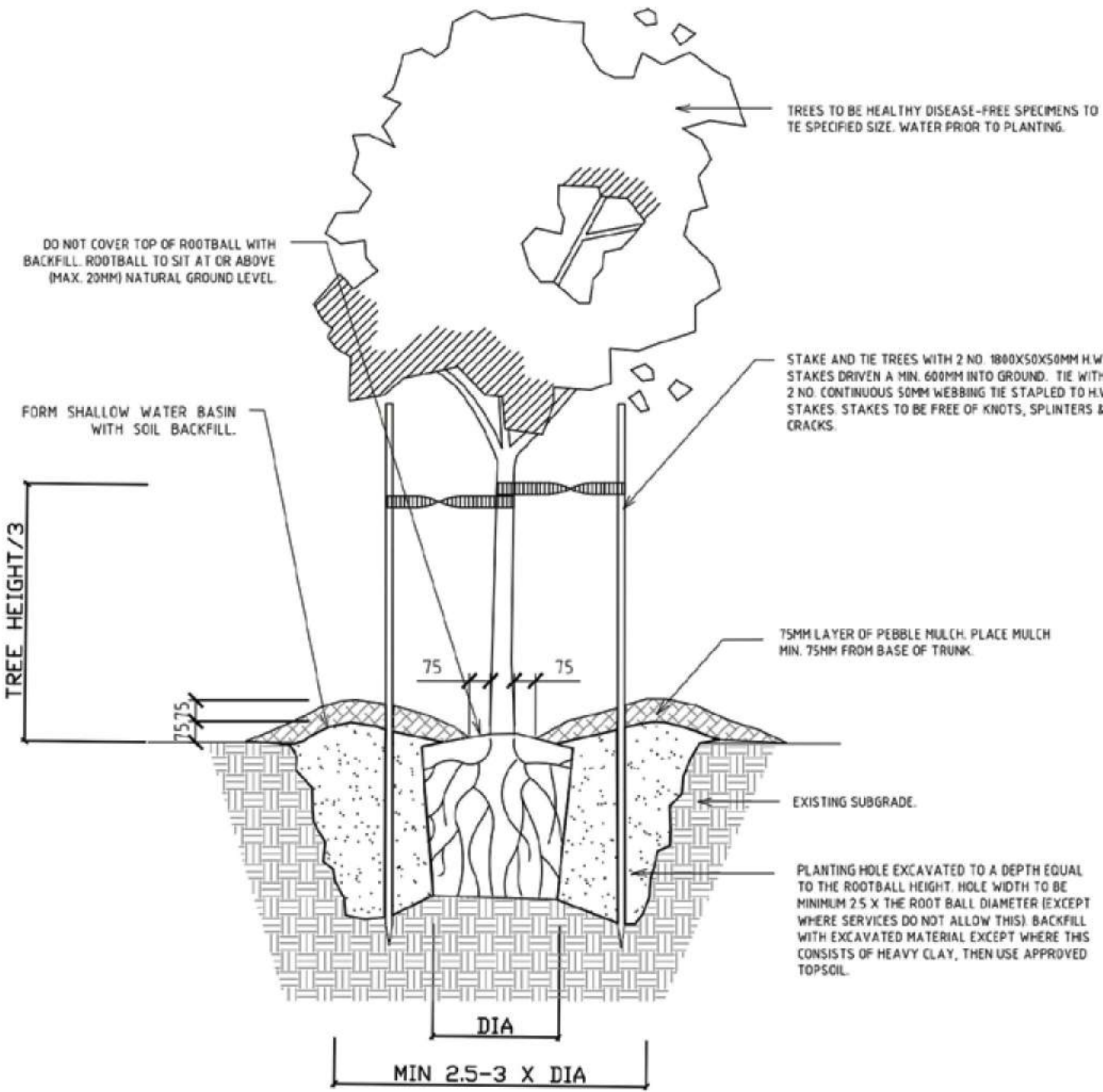
Back fill: - Some of the soil should be back filled around the rootball to stabalise the tree and then the planting hole should be watered and allowed to drain. The remainder of the soil can then be backfilled around the rootball and firmed down to stabalise the tree without compacting the soil too much. A dam should be created around the edge of the rootball using the soil backfill, so that water can be applied directly to the rootball. The dam should hold 5-10% of the volume of the rootball as water.

Staking: - Stakes should be positioned well away from the trunk and branches so that rubbing does not occur when it is windy. Three stakes should be driven into the ground beside the rootball and the trunk of the tree should be tied so that strapping is not loose but not tight either. Strapping should be jute webbing to avoid trunk damage from rubbing.

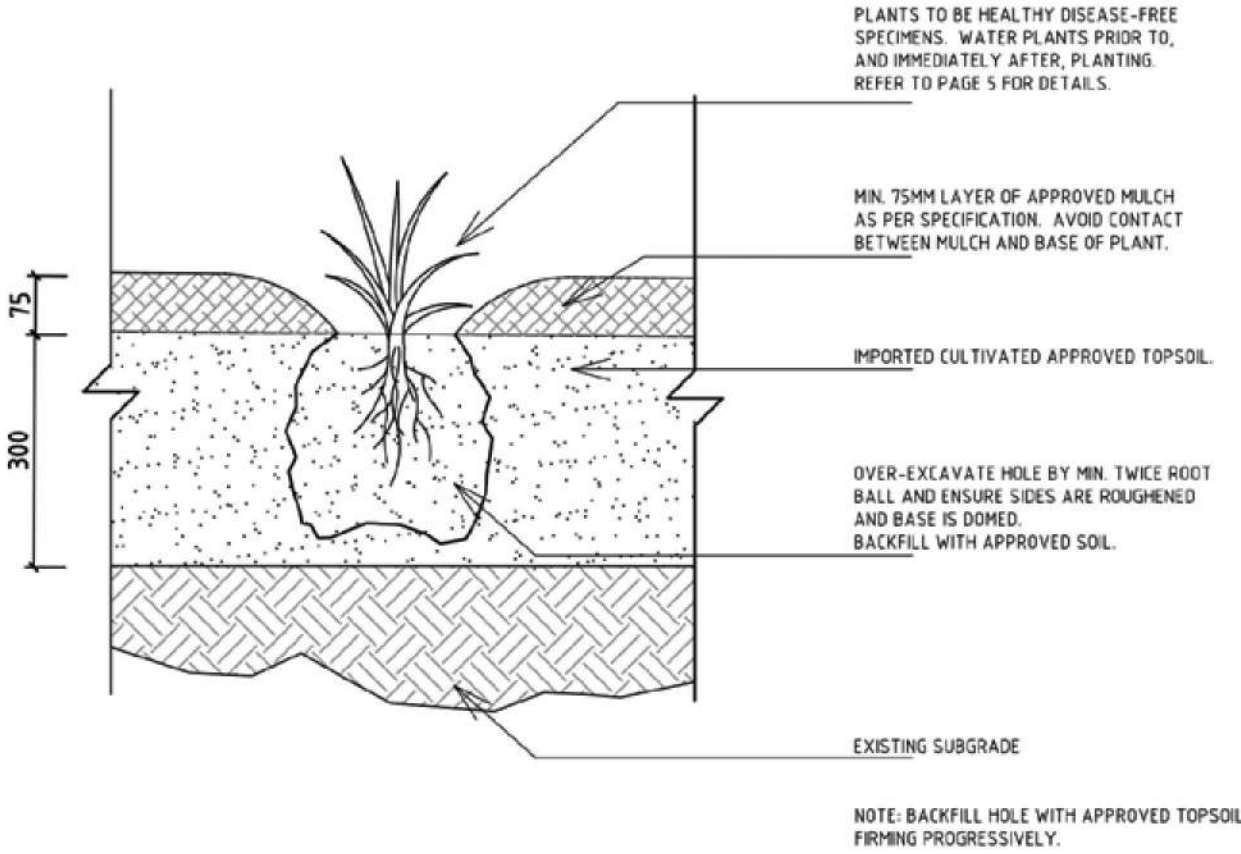
Watering: - The equivalent of 5-10% of rootball size is to be applied at every watering event e.g. 100litre tree receives 5-10 litres of water. All established trees, upon day of arrival at site, prior to planting, root-balls should be well watered with in 1-2 hours of delivery once planted. This should be repeated two-three times a week. During the establishing period hand watering is the preferred method.

Maintenance works to include, but not be limited to the following; mowing & maintenance of lawns, weeding, removal of any dead foliage, re-mulching as required, clipping of plants, fertilising plants, replacement of any dead plant material, ensure irrigation system is working properly.

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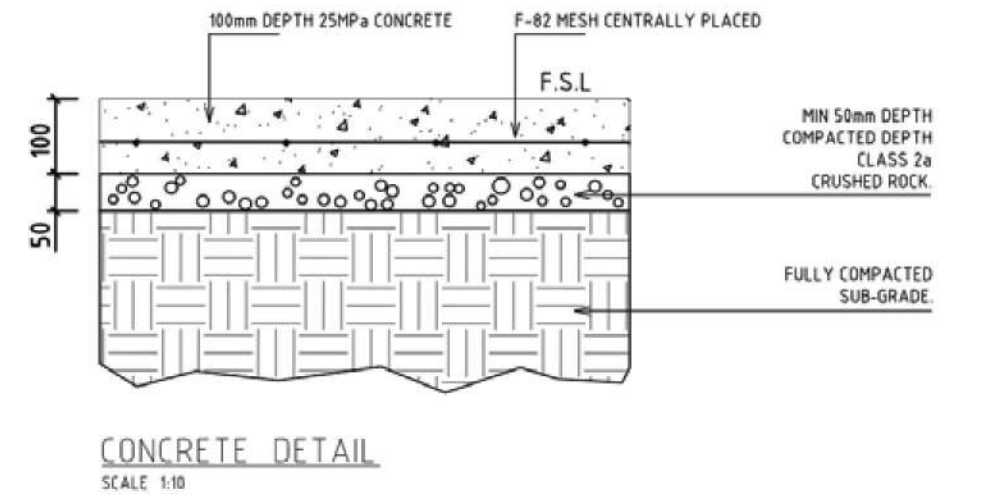


TREE DETAIL  
SCALE 1:20

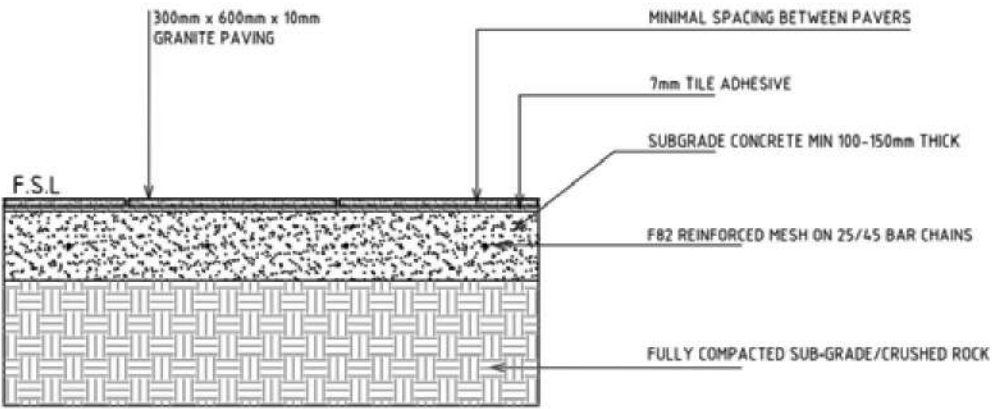


SHRUB DETAIL  
SCALE 1:10

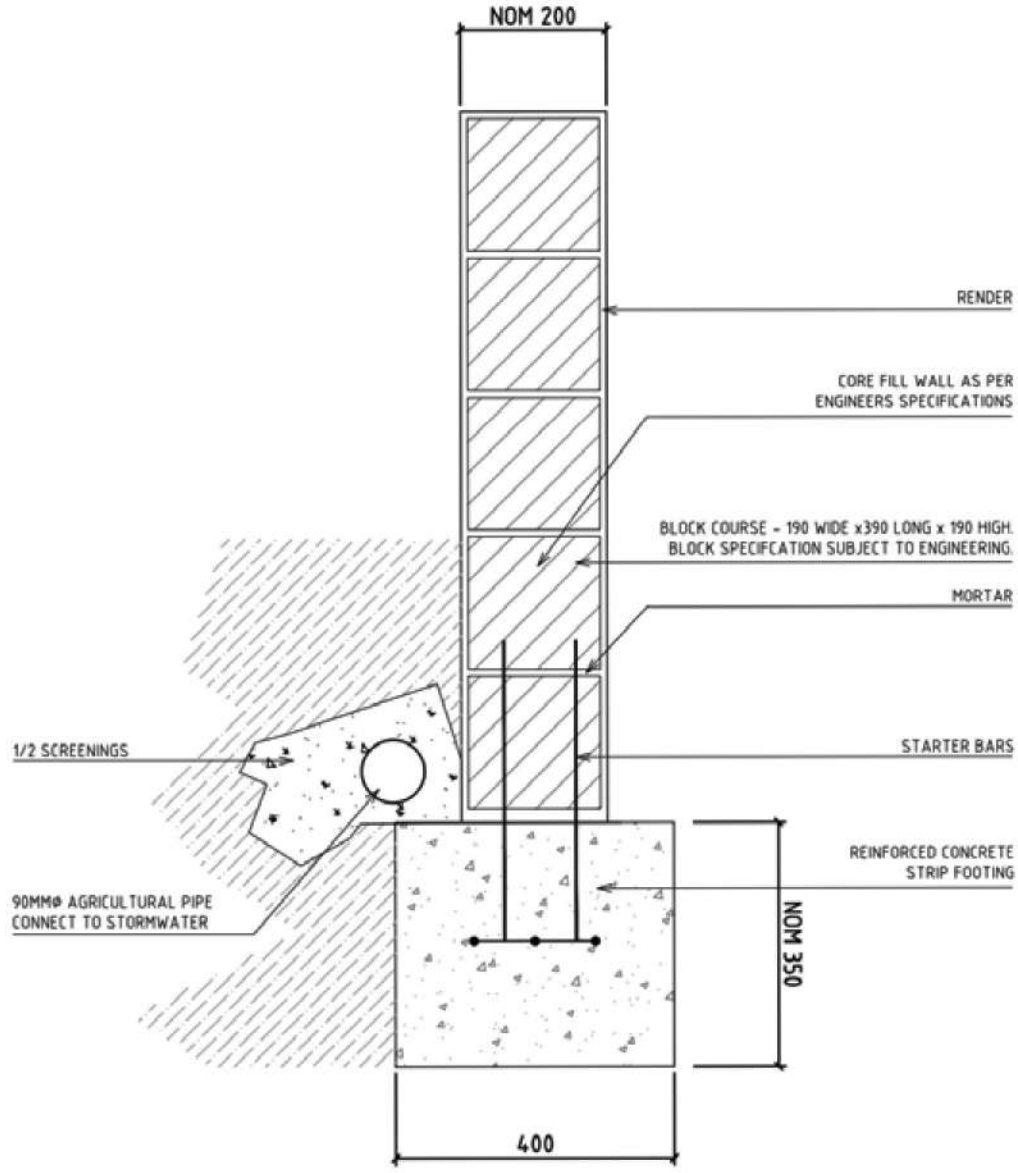
## GENERAL SECTIONAL DIAGRAM BUILD DETAILS:



CONCRETE DETAIL  
SCALE 1:10



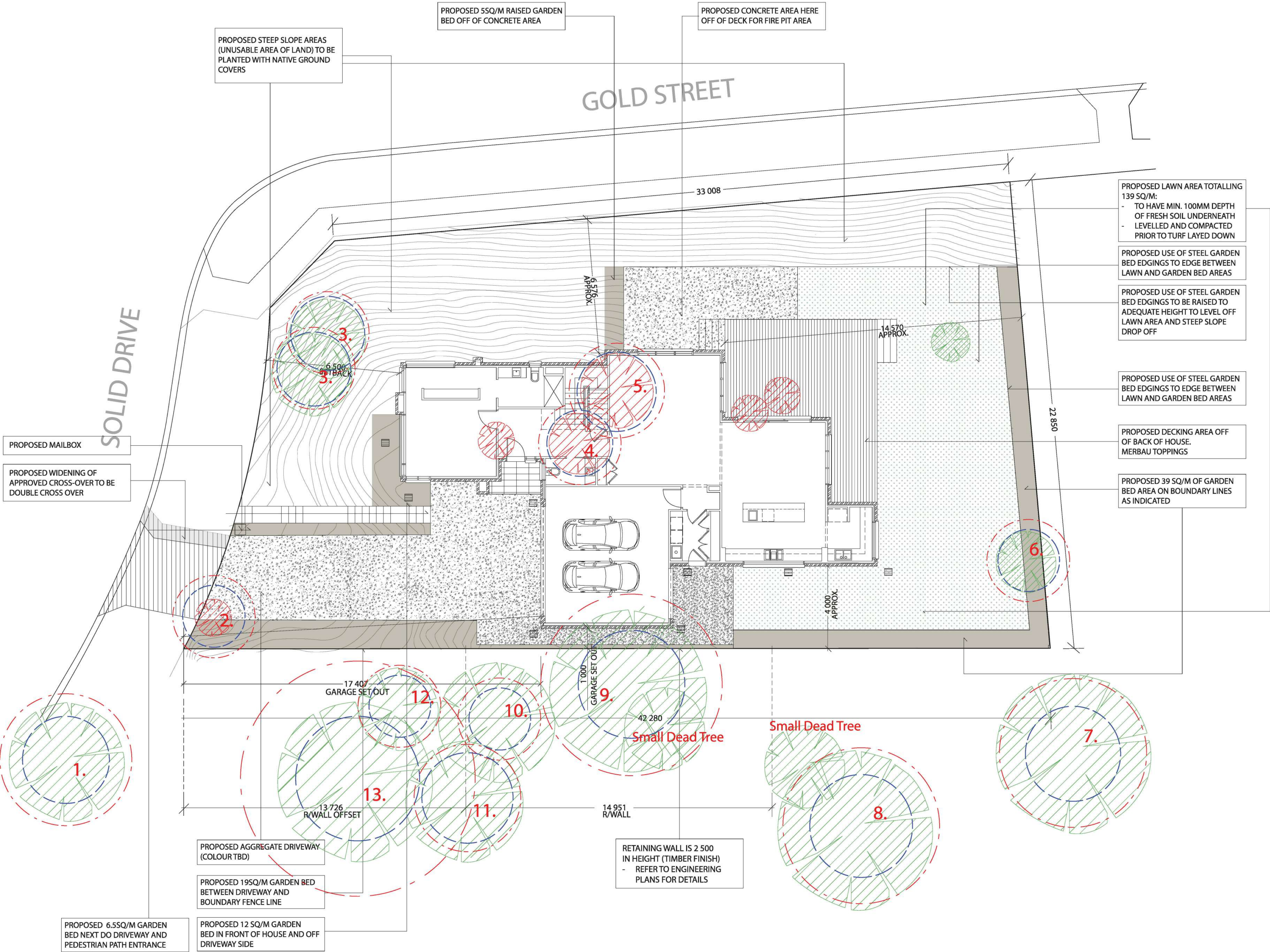
GRANITE PAVING DETAIL  
SCALE 1:10



BLOCKWORK DETAIL  
SCALE 1:10





PAKENHAM

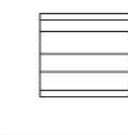



Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DBH CA1 DAB	Health	Structure	UCL	Assess Value	Retention Value	TPZ Radius	SRZ Radius	Assess Request	Comments
1	Eucalyptus sp. Gum tree	Semi Mature	Native	11.2 m	N-S 0.27 m E-W 0.88 m	0.34 m	Good	Good	20+ years	High	Council Owned Tree	3.2 m	2.1 m	Council Owned Tree	Council owned tree located within the nature strip to front of the eastern adjoining property (Solid Drive, unnumbered).
2	Acacia melanoxylon Blackwood	Young	Native NSW QLD SA TAS VIC	3.0 m	N-S 0.10 m E-W 0.31 m	0.10 m	Good	Good	20+ years	Low	Low	2.0 m	1.5 m	ES04	Growing adjacent to existing crossover.
3	Acacia menziesii Black wattle	Semi Mature	Native NSW TAS VIC	5.2 m	N-S 0.17 m E-W 0.53 m	0.23 m	Fair/poor	Fair	5-10 years	Low	Low	2.0 m	1.8 m	ES04	2x trees of the same species. Tree dimensions averaged. Moderate deadwood. Gumminess on trunk. Growing on steep slope.
4	Eucalyptus radiata Narrow-leaved popgun	Young	Native NSW TAS VIC	6.8 m	N-S 0.13 m E-W 0.39 m	0.41 m	Good	Good	20+ years	Low	Low	2.0 m	1.6 m	ES04	
5	Acacia menziesii Black wattle	Semi Mature	Native NSW TAS VIC	5.1 m	N-S 0.15 m E-W 0.38 m	0.27 m	Good	Fair	10-20 years	Low	Low	2.3 m	1.9 m	ES04	Moderate deadwood. Borer damage.
6	Acacia menziesii Black wattle	Young	Native NSW TAS VIC	3.5 m	N-S 0.31 m E-W 0.15 m	0.31 m	Good	Good	10-20 years	Low	Low	2.0 m	1.5 m	ES04	
7	Acacia menziesii Black wattle	Semi Mature	Native NSW TAS VIC	9.2 m	N-S 0.30 m E-W 0.96 m	0.40 m	Fair/poor	Fair	5-10 years	Moderate	Neighbouring Tree	3.8 m	2.3 m	ES04	Neighbouring tree located within the northern adjoining property (4 Gold Street). Major deadwood. Borer damage.
8	Eucalyptus radiata Narrow-leaved popgun	Semi Mature	Native NSW TAS VIC	13.8 m	N-S 0.32 m E-W 1.10 m	0.37 m	Good	Good	20+ years	Moderate	Neighbouring Tree	3.8 m	2.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
9	Eucalyptus radiata Narrow-leaved popgun	Semi Mature	Native NSW TAS VIC	10.3 m	N-S 0.37 m E-W 1.38 m	0.54 m	Good	Good	20+ years	Moderate	Neighbouring Tree	4.4 m	2.6 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
10	Eucalyptus radiata Narrow-leaved popgun	Young	Native NSW TAS VIC	6.0 m	N-S 0.10 m E-W 0.31 m	0.15 m	Fair/poor	Fair	10-20 years	Low	Neighbouring Tree	2.0 m	1.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Main stem has died. Tree regrowing from base. Tree dimensions by extension TPZ and SRZ estimated based on tree position.
11	Eucalyptus radiata Narrow-leaved popgun	Semi Mature	Native NSW TAS VIC	7.0 m	N-S 0.17 m E-W 0.79 m	0.44 m	Good	Good	20+ years	Low	Neighbouring Tree	2.6 m	2.2 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
12	Eucalyptus radiata Narrow-leaved popgun	Young	Native NSW TAS VIC	5.0 m	N-S 0.13 m E-W 0.36 m	0.07 m	Good	Fair	20+ years	Low	Neighbouring Tree	2.0 m	1.5 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered).
13	Eucalyptus radiata Narrow-leaved popgun	Semi Mature	Native NSW TAS VIC	8.9 m	N-S 0.17 m E-W 0.79 m	0.44 m	Good	Fair	20+ years	Moderate	Neighbouring Tree	5.7 m	3.0 m	ES04	Neighbouring tree located within the eastern adjoining property (Solid Drive, unnumbered). Multi-stemmed at ground level. Minor wounds on trunk.


KEY LEGEND:


 TREES TO REMAIN

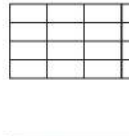
 DENOTED EXISTING TREES TO BE REMOVED

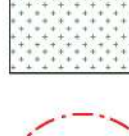
 DENOTED SILT PIT LOCATIONS ON SITE

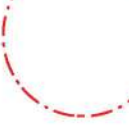
 PROPOSED DECKING AREA


 PROPOSED CONCRETED AREAS

 PROPOSED IMPLEMENTATION OF VEGETATION (GROUND COVER/ SHRUBS/ TREES)

 PROPOSED TILES FOR FRONT PORCH

 PROPOSED SIR WALTER BUFFALO LAWN

 TPZ

 SRZ

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