


Notice of Application for a Planning Permit

The land affected by the application is located at:	L5 LP132309 V9418 F924 865 Toomuc Valley Road, Pakenham Upper VIC 3810
The application is for a permit to:	Buildings and Works (Construction of an Outbuilding) and Removal of Vegetation

A permit is required under the following clauses of the planning scheme:

35.06-5	Construct a building or construct or carry out works associated with a use in Section 2 (Dwelling)
35.06-5	Construct a building within nominated setbacks
44.06-2	Construct a building or construct or carry out works associated with Accommodation
42.01-2	Remove, destroy or lop vegetation

APPLICATION DETAILS

The applicant for the permit is:	
Application number:	T240356

You may look at the application and any documents that support the application at the office of the responsible authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website at cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



HOW CAN I MAKE A SUBMISSION?

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:

16 May 2025

WHAT ARE MY OPTIONS?

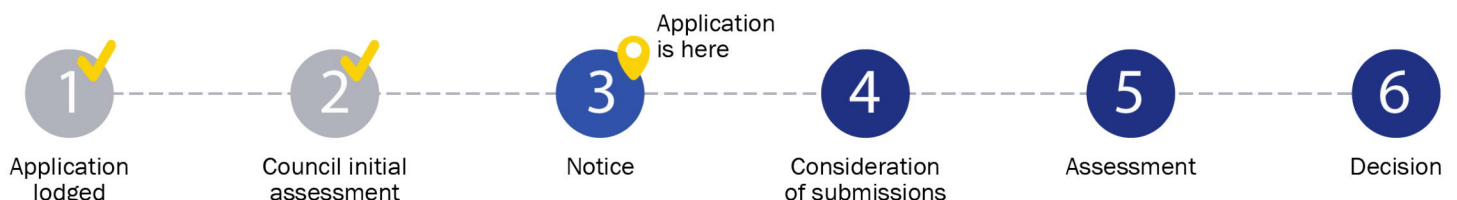
Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

If you object, the Responsible Authority will notify you of the decision when it is issued.

An objection must:

- be made to the Responsible Authority in writing;
- include the reasons for the objection; and
- state how the objector would be affected.

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.



Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

Questions marked with an asterisk (*) must be completed.

If the space provided on the form is insufficient, attach a separate sheet.

Click for further information.

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.: 865	St. Name: Toomuc Valley Road,
Suburb/Locality: Pakenham Upper		Postcode: 3810

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.: 5	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 132309
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit? *

Buildings and works associated with construction of an outbuilding associated with an existing dwelling .

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Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Cost \$ 120,000

You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within **metropolitan Melbourne** (as defined in section 3 of the *Planning and Environment Act 1987*) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.

Estimated cost of any development for which the permit is required *

Existing Conditions

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Dwelling and ancillary outbuildings

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☒ Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- ☐ No
- ☒ Not applicable (no such encumbrance applies).

☒ Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:

Contact information for applicant OR contact person below

Business phone:

Email:

Mobile phone:

Fax:

Contact person's details*

Name:

Same as applicant ☐

Title:

First Name:

Surname:

Organisation (if applicable): ABAN Planning

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name: PO Box 68,

Suburb/Locality: Inverloch

State: VIC

Postcode: 3996

Name:

Title:

Organisation:

Postal Address:

Unit No.:

St. No.:


Suburb/Locality:

State:

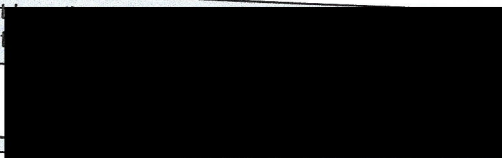
Postcode:

Declaration

This form must be signed by the applicant *

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

I declare that this application is true and correct; and I am making a permit application.

Signature: 

Date: 2/7/24

day / month / year

Need help with the Application?


General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

☐ No

☒ Yes

If 'Yes', with whom?: 

Date: 1. K_w0. 02

day / month / year

Checklist


Have you:

☐

Filled in the form completely?

☐

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.



Provided all necessary supporting information and documents?

☐

A full, current copy of title information for each individual parcel of land forming the subject site.

☐

A plan of existing conditions.

☐

Plans showing the layout and details of the proposal.

☐

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☐

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

☐

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void.

☐

Completed the relevant council planning permit checklist?

☐

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Cardinia Shire Council
PO Box 7
Pakenham VIC 3810

In person: 20 Siding Avenue, Officer

Contact information:

Telephone: 1300 787 624

Email: mail@cardinia.vic.gov.au

DX: 81006

Deliver application in person, by post or by electronic lodgement.

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Request to amend a current planning permit application

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act 1987*) or after notice is given (section 57A of the Act).

PERMIT APPLICATION DETAILS

Application No.:	T240356PA
Address of the Land:	865 Toomuc Valley Road Pakenham Upper

APPLICANT DETAILS

Name:	
Organisation:	
Address:	865 Toomuc Valley Road Pakenham Upper
Phone:	
Email:	

AMENDMENT TYPE

Under which section of the Act is this amendment being made? (select one)	
Section 50 – Amendment to application at request of applicant before notice:	<input type="checkbox"/>
Section 50A – Amendment to application at request of responsible authority before notice:	<input checked="" type="checkbox"/>
Section 57A – Amendment to application after notice is given:	<input type="checkbox"/>

AMENDMENT DETAILS

What is being amended? (select all that apply)		
What is being applied for <input checked="" type="checkbox"/>	Plans / other documents <input checked="" type="checkbox"/>	Applicant / owner details <input type="checkbox"/>
Land affected <input type="checkbox"/>	Other <input type="checkbox"/>	
Describe the changes. If you need more space, please attach a separate page.		
Removal of vegetation under the Environmental Significance Overlay (Schedule 1)		
Revised plans		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input type="checkbox"/>	Unchanged <input checked="" type="checkbox"/>	New amount \$

DECLARATION

I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.	
Name:	
Signature:	
Date:	19 March 2025

LODGEMENT

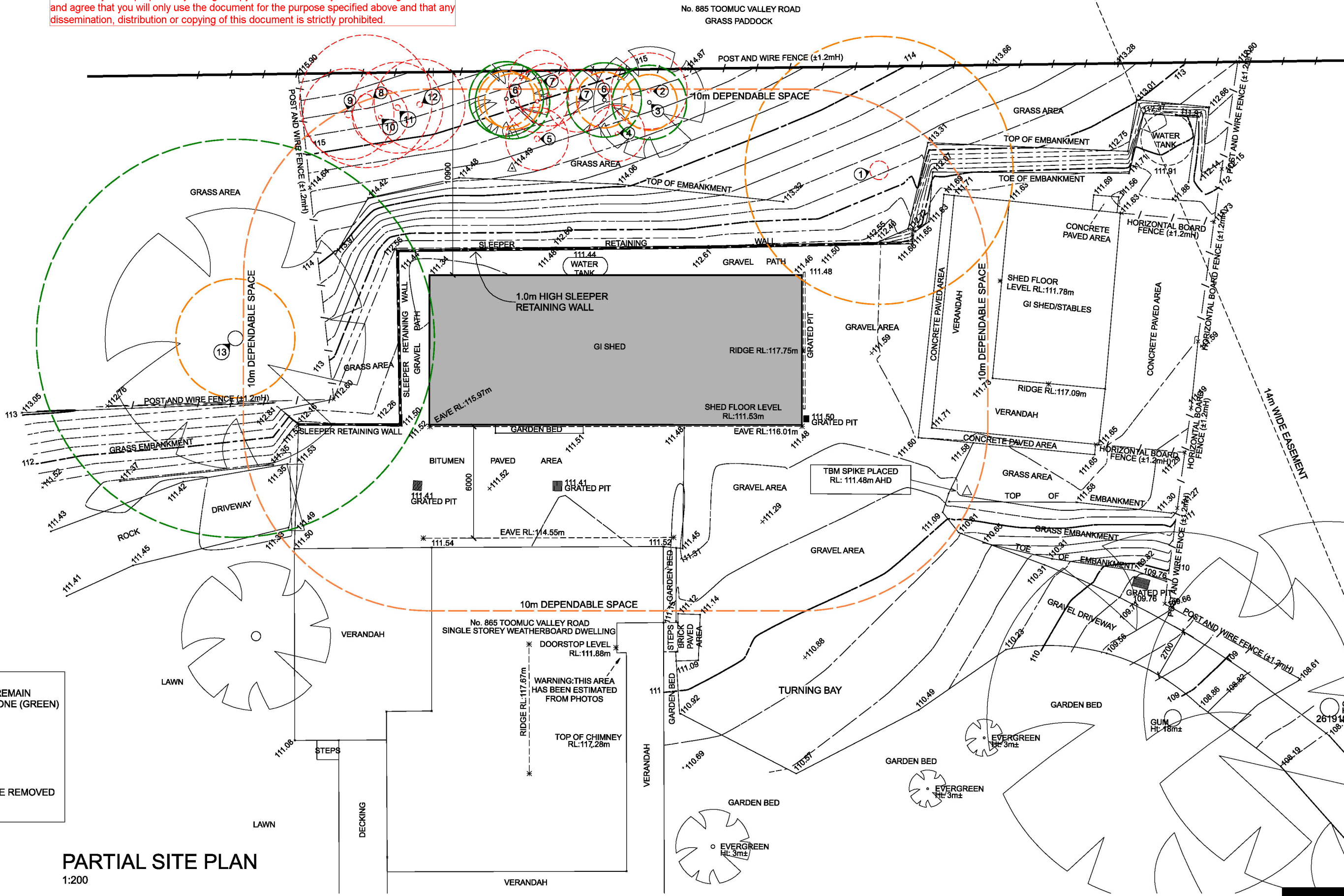
<p>Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au</p> <p>You can also make amendments to your application via the Cardinia ePlanning Portal at https://eplanning.cardinia.vic.gov.au/</p> <p>If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.</p>
--

IMPORTANT INFORMATION

<p>It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.</p> <p>Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.</p> <p>No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the <i>Planning and Environment (Fees) Regulations 2016</i> for more information.</p> <p>The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.</p> <p>Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.</p> <p>Any material submitted with this request, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the <i>Planning and Environment Act 1987</i>.</p>
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PARTIAL SITE PLAN
1:200

Ag's DRAFTING SERVICE

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P.O. BOX 373, PAKENHAM VIC 3810
www.ajsdrafting.com.au

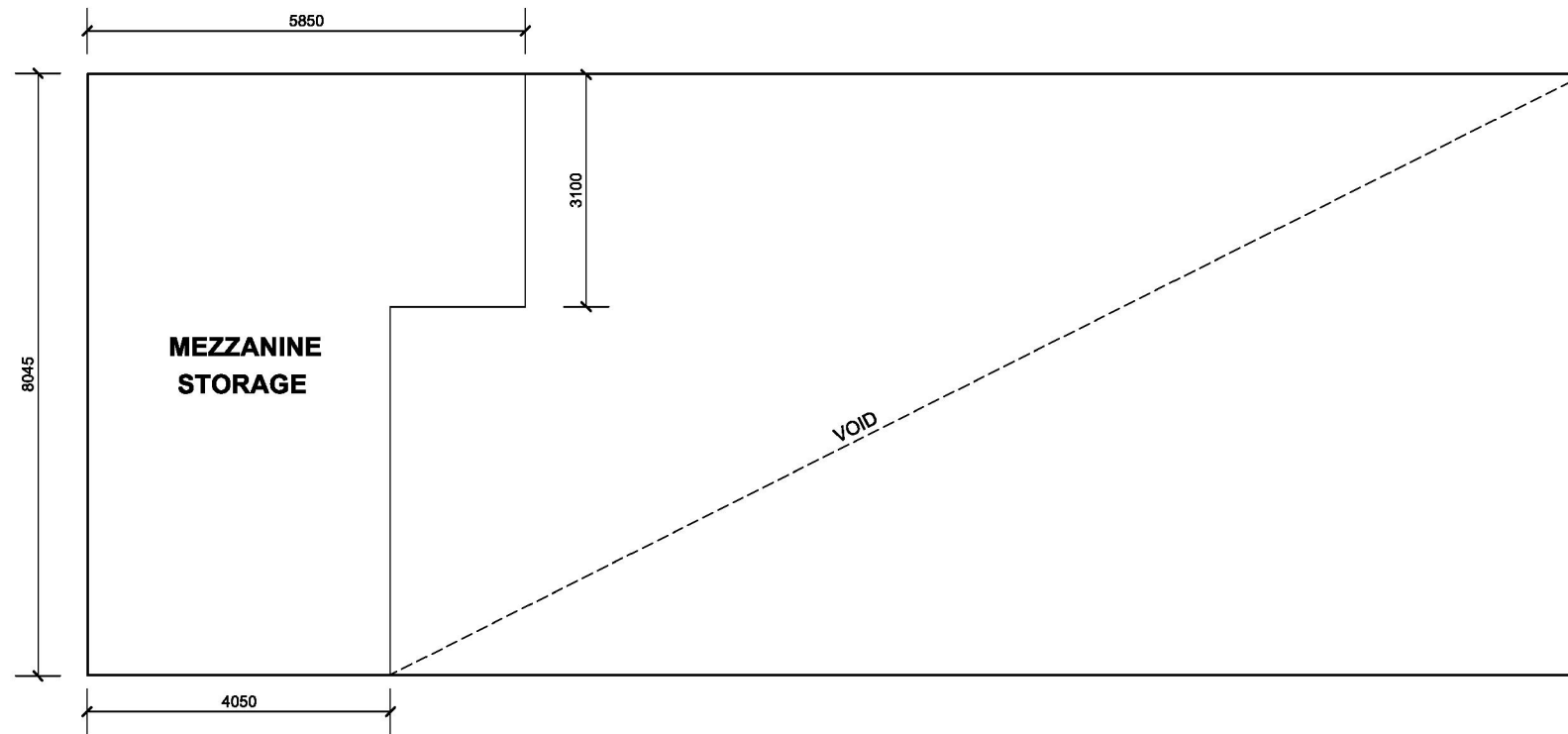
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0424 589 793
andrew@ajsdrafting.com.au

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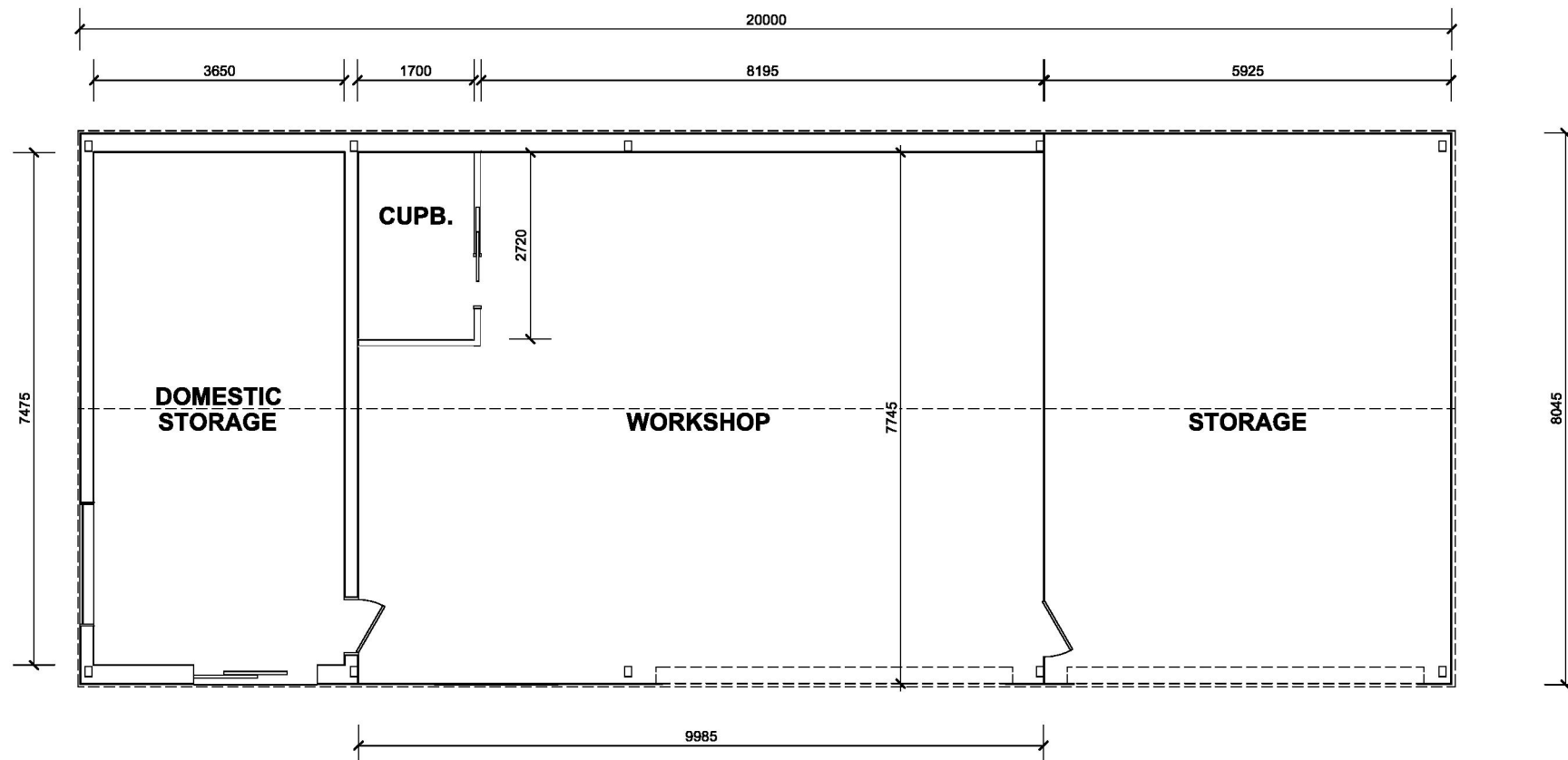
865 TOOMUC VALLEY ROAD, PAKENHAM UPPER VIC 3810

REV.	DESCRIPTION	DATE	DRAWN BY:
A.	COUNCIL FURTHER CHANGES	19/03/2025	SCALE: AS SHOWN
			DATE: 10/02/2025
			SHEET: 2 OF 4
			SHEET SIZE: A3
			DWG No: 24137

NOTE: OWNER TO ENSURE A BUILDING PERMIT IS IN PLACE (IF REQUIRED) PRIOR TO ANY WORK COMMENCING ON SITE



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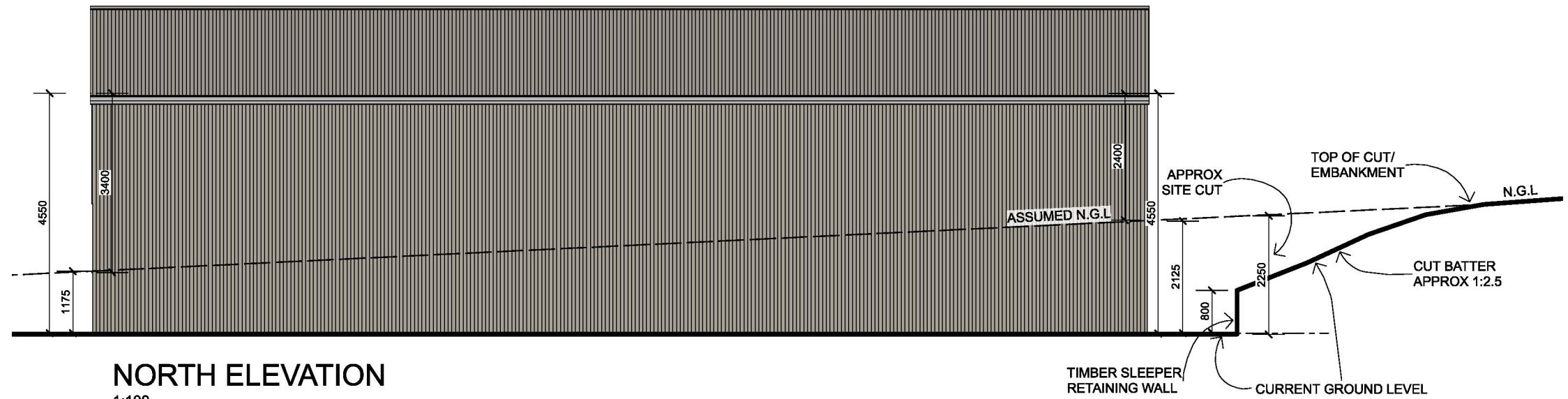
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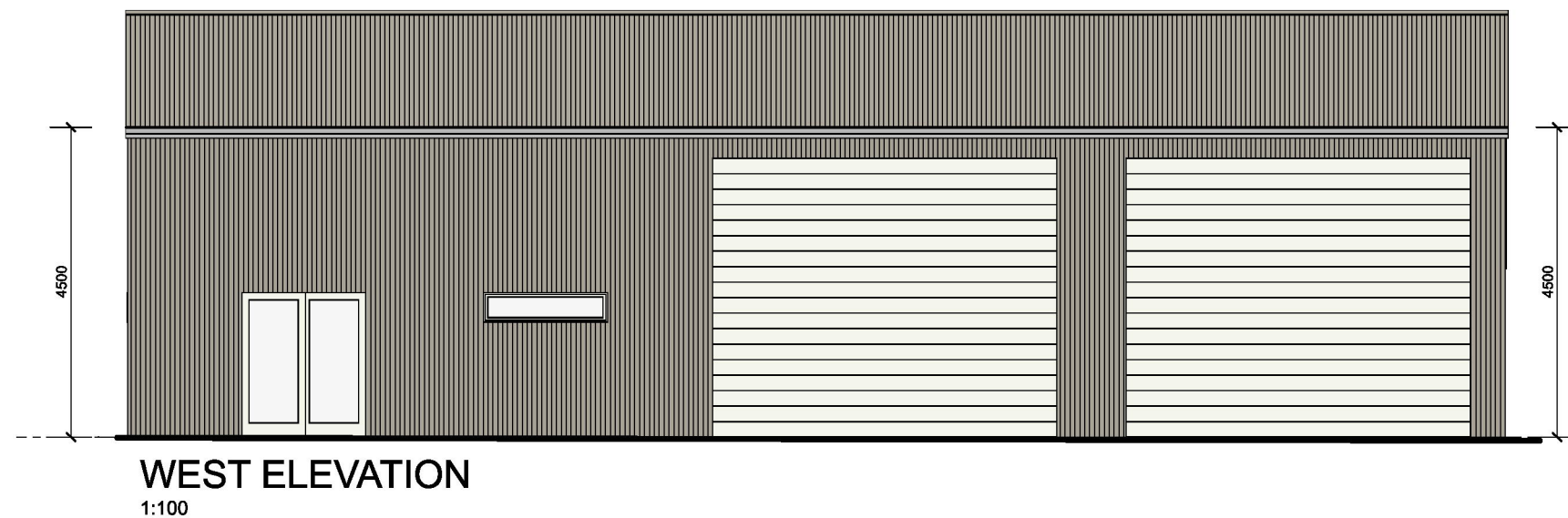
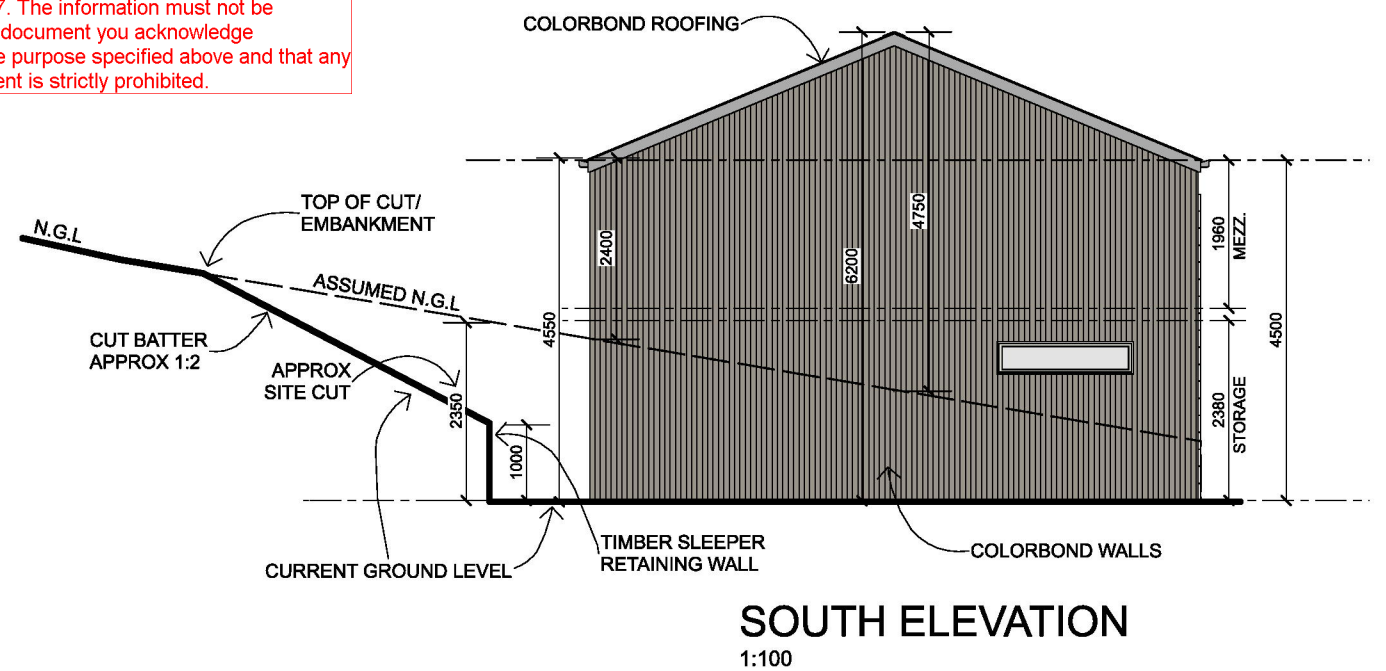
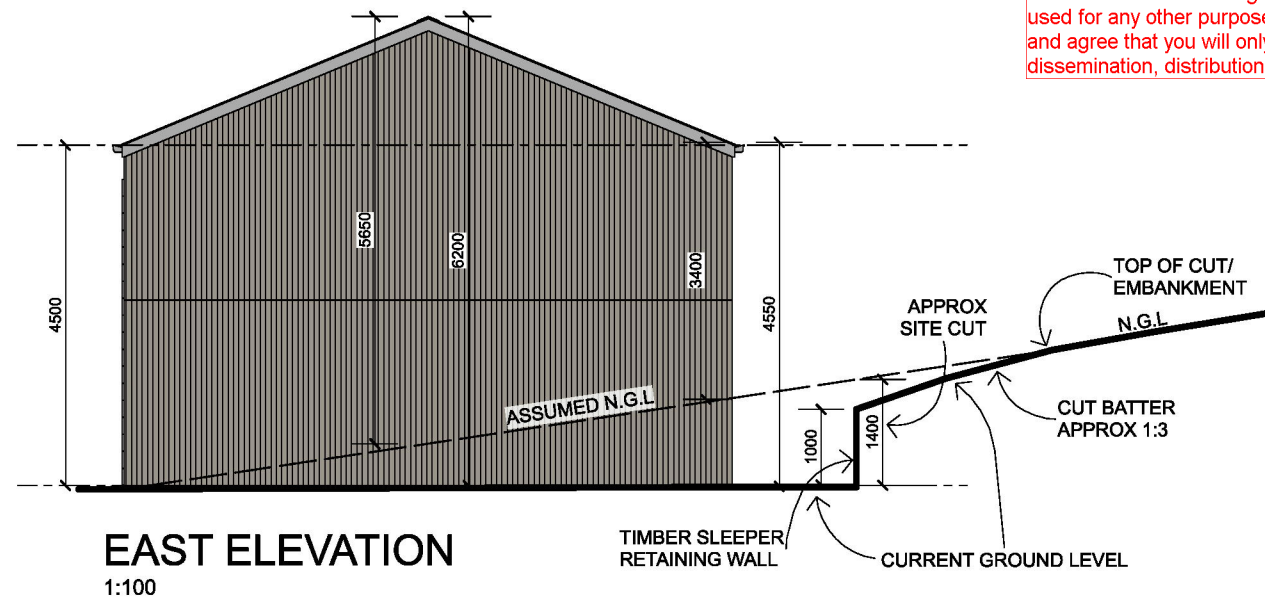
SHED

865 TOOMUC VALLEY ROAD, PAKENHAM UPPER VIC 3810

REV.	DESCRIPTION	DATE	DRAWN BY
A.	COUNCIL FURTHER CHANGES	19/03/2025	SCALE: AS SHOWN
			DATE: 10/02/2025
			SHEET: 3 OF 4
			SHEET SIZE: A3
NOTE: OWNER TO ENSURE A BUILDING PERMIT IS IN PLACE (IF REQUIRED) PRIOR TO ANY WORK COMMENCING ON SITE			DWG No: 24137



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MATERIAL/COLOUR SCHEDULE:	
ROOF:	COLORBOND GREY/BROWN
TRIM/GUTTER:	GREY
WALLS:	COLORBOND GREY/BROWN

Ag's DRAFTING SERVICE

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P.O BOX 373, PAKENHAM VIC 3810 0424 589 793
www.ajsdrafting.com.au andrew@ajsdrafting.com.au

Design Matters Member

SHED		REV.	DESCRIPTION	DATE	DRAWN BY
[Redacted Address]		A.	COUNCIL FURTHER CHANGES	19/03/2025	SCALE: AS SHOWN
					DATE: 10/02/2025
					SHEET: 4 OF 4
					SHEET SIZE: A3
NOTE: OWNER TO ENSURE A BUILDING PERMIT IS IN PLACE (IF REQUIRED) PRIOR TO ANY WORK COMMENCING ON SITE					DWG No: 24137

Town Planning Report

865 Toomuc Valley Road, Pakenham Upper
Buildings and Works associated with Construction of an
Outbuilding.

ĀBAN Planning

ĀBAN **Planning**
ABN **64126313181**
info@**abanconsulting.com.au**

Date: 4 September 2024
Document Number: 001
Revision: A

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Document checking / Quality control

Project

865 Toomuc Valley Road, Pakenham

Upper

Document Number

001

Prepared by

TH

Reviewed by

HP

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This report may have also been prepared within limited parameters and within a limited scope, which will be set out in the report. The reader must take into account those parameters when considering whether it is reasonable to rely on this report.

In preparing this report, ABAN Planning may have relied upon information provided by other parties. ABAN Planning accepts no responsibility for (or for checking) to the accuracy.

The opinions, conclusions and any recommendation in this report are based on conditions encountered and the information reviewed at the date of preparation of the report. ABAN Planning has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date the report.

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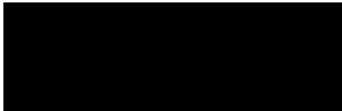
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Project overview

<hr/> Background <hr/>	
Applicant	
Owner	
Address	865 Toomuc Valley Road, Pakenham Upper
Lot Description	Lot 5 PS132309
<hr/> Relevant Planning Controls <hr/>	
Planning Policy Framework	Clause 11 - Settlement Clause 12 - Environmental and Landscape Values Clause 13 - Environmental Risks and Amenity Clause 15 - Residential Development Clause 16 - Housing
Local Planning Policy Framework	Clause 21.02 - Environment
Zone	Clause 35.06 - Rural Conservation Zone - Schedule (RCZ2)
Overlays	Clause 44.06 - Bushfire Management Overlay (BMO) Clause 42.01 - Environmental Significance Overlay - Schedule 1 (ESO1)
Particular Provisions	Clause 52.06 - Carparking Clause 52.12 - Bushfire Protection Exemptions Clause 53.02 - Bushfire Planning
<hr/> Application Details <hr/>	
Proposal	Buildings and Works associated with Construction of an Outbuilding.
Permit Triggers	Clause 35.06-5, a permit is required to construct a building or carry out works associated with a use in Section 2 (Dwelling). Clause 42.01-2, a permit is required to construct a building or construct or carry out works. Clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with the use of land for Accommodation.

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1. Introduction

1.1. Instruction / Purpose

ĀBAN Planning has been instructed by [REDACTED] to prepare a town planning report regarding a retrospective planning permit application for buildings and works associated with construction of an outbuilding. A meeting with Council on the 30 May 2024 confirmed a planning application would need to be submitted to Council for the proposed works.

This report assesses the proposal against relevant provisions of state and local planning policy, zoning, overlays and particular provisions of the Cardinia Shire Planning Scheme.

1.2. Considerations / limitations / Scope

This report has considered the following:

- Cardinia Shire Planning Scheme
- Feature and Level Survey prepared by Reddie Surveys
- Town Planning Drawings prepared by Wide Span Sheds Pty Ltd
- Bushfire Management Statement prepared by ABAN Planning
- Other relevant documents including EPA Priority Sites Register.

2. Site Description

2.1. Subject site

The subject site is situated within the Cardinia Shire and is addressed 865 Toomuc Valley Road, Pakenham Upper. The land is formally described as Volume 9418 Folio 924 or Lot 5 on PS132309.

The site is a rectangular shaped allotment with a frontage of approximately 71m to Toomuc Valley Road and a depth of approximately 261 metres. The total area comprises 2ha.

The site has been developed with a single storey brick veneer detached dwelling with a driveway running along the southern boundary of the site. The site is well vegetated along its frontage which is reflective of the rural residential streetscape.



Figure 1 - Aerial of Subject Site

The surrounding area is a well-established rural residential neighbourhood, zoned Rural Conservation Zone - Schedule 2 with allotments typically constructed with single detached dwellings and outbuildings.

The site is approximately 5km to the east of Beaconsfield Upper and 5.8km from the edge of Pakenham.

For further details please refer to town planning drawings at APPENDIX B.

2.2. Locality

The site is reasonably well located in terms of proximity to the town centre of Upper Beaconsfield which is located approximately 1.3km to the south-east of the site. Distance to key services is outlined below:

- 1.3km to McBride Road Reserve Public Open Space.
- 1.7km to Upper Beaconsfield Public Reserve.
- 6km to Berwick Town Centre.

2.3. Site Planning History and Contamination Assessment.

Planning Practice Note 30 relates to potentially contaminated land provides a range of information sources on exist in identifying potentially contaminated land uses. Information sources are set out in Table 1 should be consulted. These include Council records, EPA/DELWP publicly available database, and applicant information.

PPN30 notes obtaining information is a shared responsibility between Council and the applicant. It is noted the practice note states every effort should be made by the applicant or proponent to obtain this information prior to submitting an application or planning scheme amendment.

Table 1: Basic information sources for identifying potentially contaminated land

Planning/responsible authority information	<ul style="list-style-type: none">• There is no EAO identified on the subject site.• No known contamination investigations or other relevant environmental assessment.
Public Databases	<ul style="list-style-type: none">• Victorian Unearthed does not indicate any known contamination on the subject site or surrounds.• An assessment of the EPA priority sites register shows there are no priority sites within the surrounding area.
Application/proposal information	<ul style="list-style-type: none">• The subject site has been used for residential purposes in a residential neighbourhood for a significant period of time.• Observations undertaken by the author of this report through a site visit on 29 May 2024 showed the site did not present any risk of contamination.

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2.4. Aboriginal Cultural Sensitivity

The subject site is located in a area of aboriginal cultural sensitivity.

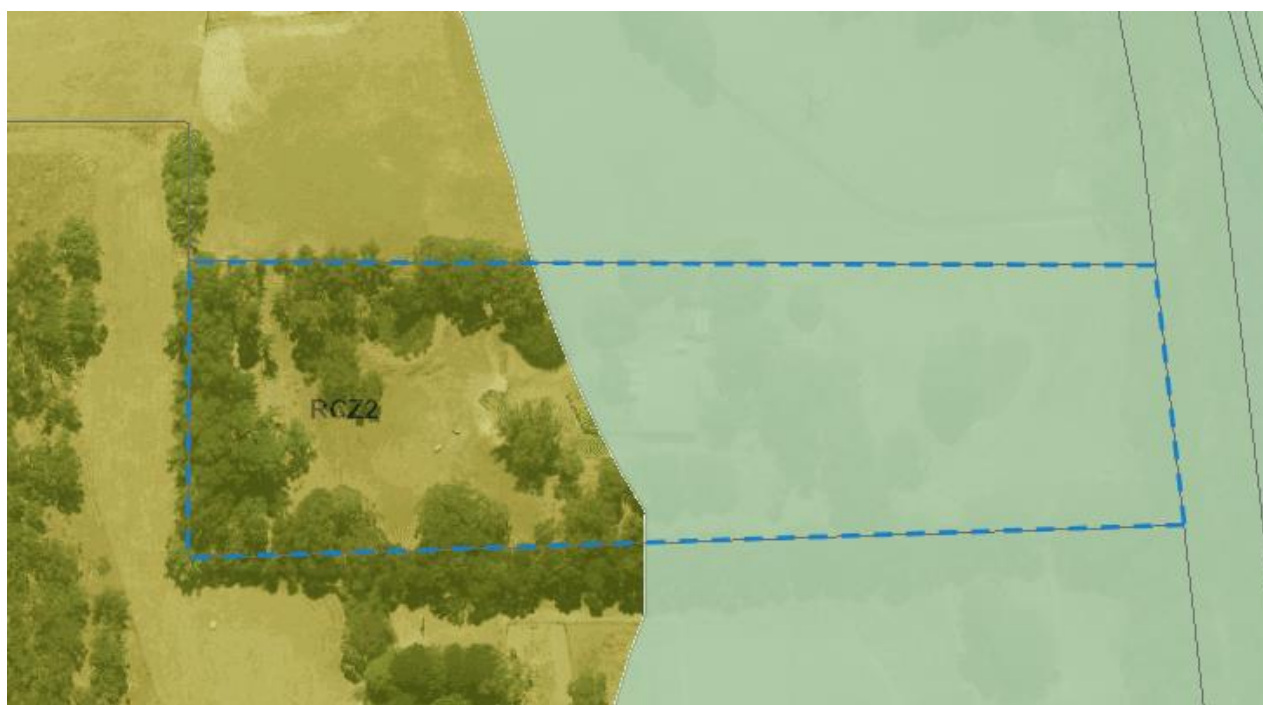


Figure 2 - Area of cultural sensitivity.

Regulation 9 of the *Aboriginal Heritage regulations 2018* state the construction and extension of one or two dwellings is exempt from the requirement of a cultural heritage management plan. The definition of a Dwelling is defined as a building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.

2.5. Bushfire Prone Area

The subject site is located in a bushfire prone area.



Figure 3 - Bushfire prone area mapping.

3. Proposal

3.1. Overview

A 20m x 8m outbuilding is proposed in the north-east corner of the property. The total size of the shed is 160sqm. The shed is proposed to be constructed on an existing concrete hardstand area associated with a shed which has now been removed by the landowners.

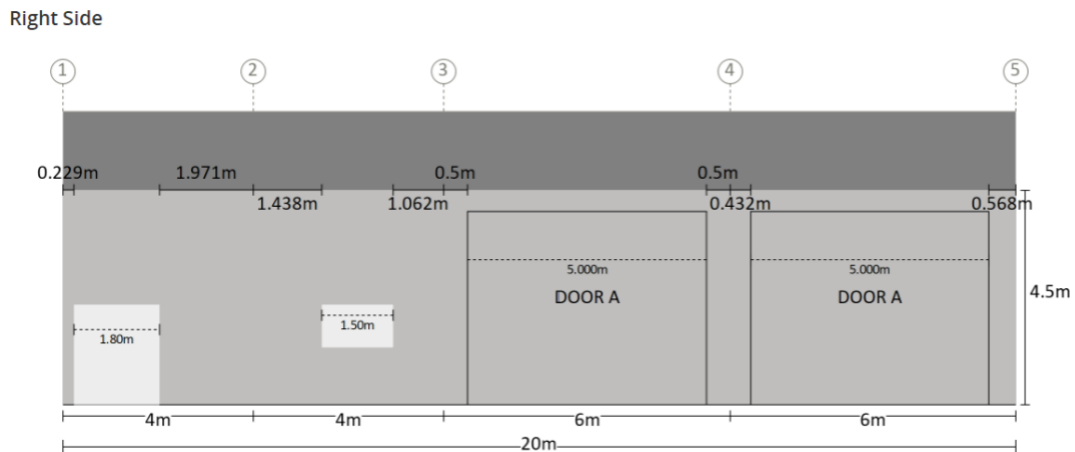


Figure 4 - Southern elevation of shed.

The shed is sited approximately 6m from the existing dwelling on the property and is proximate to another shed long established on the site.

The shed is proposed to be used for storage of equipment including a horse float associated with domestic animal husbandry (horses). The owners of the property operate a sign writing business which is conducted off-premise and it is proposed a portion of the land is to be used for storage of a commercial vehicle and equipment associated with this home-based business. The remaining parts of the shed will be used for storage of equipment for domestic purposes.



Image 1 - View of western portion of outbuilding.



Image 2 - View looking east at central portion of outbuilding.



Image 3 - View of eastern portion of outbuilding.

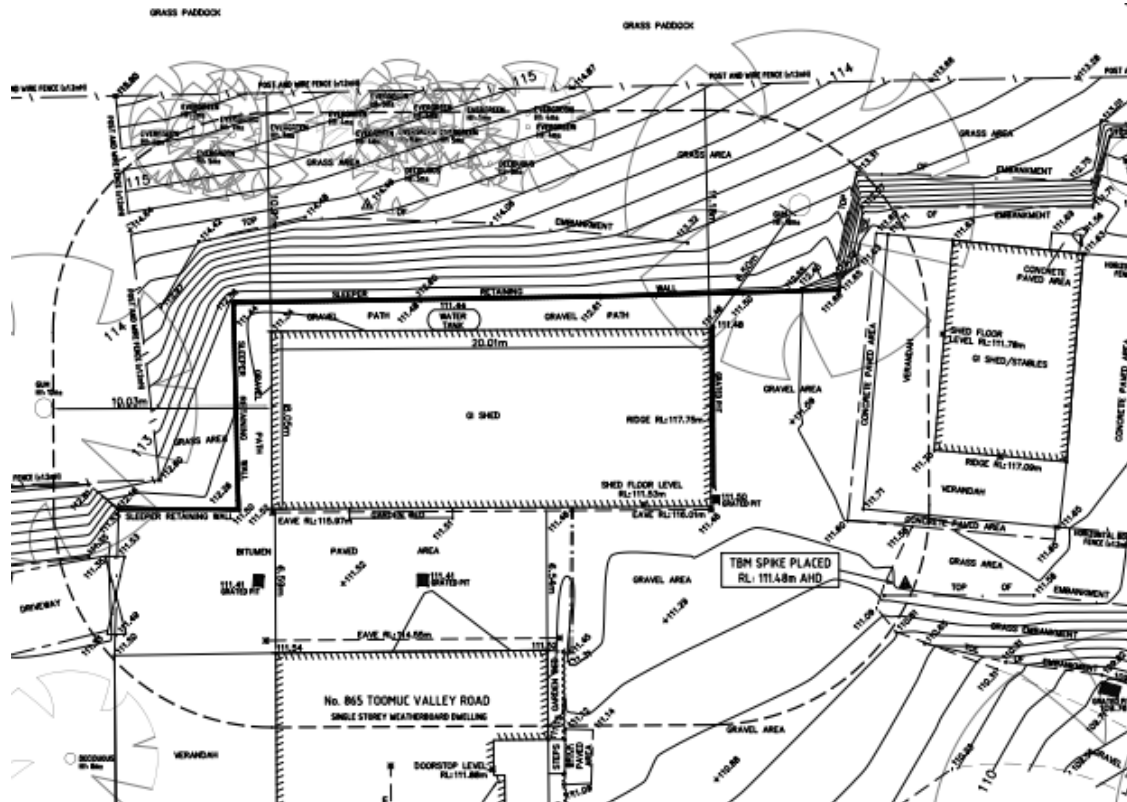


Figure 5 - Site plan

For further details on the proposed development please refer to the submitted town planning drawings at APPENDIX B and APPENDIX C.

3.2. Planning Permit Triggers

The relevant planning permit triggers under the Cardinia Planning Scheme are set out below.

Clause 35.06-5, a permit is required to construct a building or carry out works associated with a use in Section 2 (Dwelling).

Clause 42.01-2, a permit is required to construct a building or construct or carry out works.

Clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with an outbuilding which is ancillary to the use of land for Accommodation and is greater than 100sqm.

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4. Planning Policy and Controls

4.1. Planning Policy Framework

- 11.01 – Victoria
 - 11.01-1S – Settlement
 - 11.02-1S – Supply of urban land
- 12.01 – Environmental and Landscape Values
 - 12.01-1S – Protection of biodiversity
 - 12.01-2S – Native vegetation management
- 13.01 – Environmental Risks and Amenities
 - 13.02 – Bushfire
- 15.01 – Built Environment
 - 15.01-2S – Building design
 - 15.01-5S – Neighbourhood character
 - 15.01-6S – Design for rural areas
- 16.01 – Housing
 - 16.01-3S – Rural residential development

Local Planning Policy Framework

- 21.02 – Environment

Clause 11 – Settlement

Clause 11.01-1S – Settlement

The objective of the policy is to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.02-1S – Supply of urban land

The objective of the policy is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses through strategies such as planning for opportunities for the consolidation, redevelopment and intensification of existing urban areas and neighbourhood character and landscape considerations.

Clause 12 – Environmental and Landscape Values

Clause 12.01-1S – Protection of biodiversity

The objective of the policy to protect and enhance Victoria's biodiversity.

Clause 12.01-2S – Native vegetation management

The objective of the policy is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Clause 13 – Environmental Risks and Amenities

Clause 13.02-1S – Bushfire Planning

This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

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The objective of the policy is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 15 - Built Environment

Clause 15.01-2S - Building design

The objective of the policy is to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-5S - Neighbourhood character

The objective of the policy is to recognise, support and protect neighbourhood character, cultural identity, and sense of place through supporting development that respects the existing neighbourhood character or contributes to preferred neighbourhood character and ensuring the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

Clause 16 - Housing

Clause 16.01-3S - Rural residential development

Strategies

- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Encourage the consolidation of new housing in existing settlements where investment in physical and community infrastructure and services has already been made.*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy.*
- *Ensure planning for rural residential development avoids or significantly reduces adverse economic, social and environmental impacts by:*
 - *Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.*
 - *Protecting existing landscape values and environmental qualities such as water quality, native vegetation, biodiversity and habitat.*
 - *Minimising or avoiding property servicing costs carried by local and state governments.*
 - *Maintaining an adequate buffer distance between rural residential development and animal production.*
- *Ensure land is not zoned for rural residential development if it will encroach on high quality productive agricultural land or adversely impact on waterways or other natural resources.*
- *Discourage development of small lots in rural zones for residential use or other incompatible uses.*
- *Encourage consolidation of existing isolated small lots in rural zones.*
- *Ensure land is only zoned for rural residential development where it:*
 - *Is located close to existing towns and urban centres, but not in areas that will be required for fully serviced urban development.*
 - *Can be supplied with electricity, water and good quality road access.*

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Clause 21.02 - Environment

Clause 21.02-2 - Landscape

The objective of the policy is to recognise and protect the diverse landscape and areas of significant landscape value.

Key issues

- Protecting significant landscapes, including the protection of the specific features of each landscape.
- Recognising that the landscape is an important element in the sustainable development of tourism in the municipality.
- Acknowledging that ridgelines are particularly vulnerable to inappropriate development.
- Recognising the pressures to develop land in locations of high scenic value.

Clause 21.02-3 - Biodiversity

The objective of the policy is to achieve no net loss in the quantity and quality of native vegetation in the municipality.

Key Issues

- Recognising that native vegetation provides habitat for key fauna species and provides for diverse flora species throughout the municipality.
- Maintaining biodiversity especially in areas of significance.
- Maintaining and re-establishing wildlife corridors.
- Recognising that soil erosion occurs on steep land where there are dispersible soils and in areas prone to landslips as a result of native vegetation removal.
- Controlling the spread and extent of pest plants and animal within the municipality.

Clause 21.02-4 - Bushfire management

The objective of the policy is to recognise that areas in the municipality are prone to bushfire and to minimise the potential risk to life, property and the environment.

Key Issues

- Recognising that climate change will increase the risk from bushfires.
- Prioritising human life over all other policy considerations.
- Directing new development to low risk locations.
- Where new development is permitted in high risk areas, safe access is provided.
- Ensuring that any further strategic work has regard to the significant bushfire risk faced by many parts of the Shire, including the development of township strategies and structure plans.
- Ensuring that any development in bushfire risk areas can implement bushfire protection without unacceptable biodiversity impacts.

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4.2. Rural Conservation Zone - Schedule 2

The subject site is situated within the Rural Conservation Zone - Schedule 2.



Figure 6 - Zoning context

Purpose

Protection and conservation of the environmental values and landscape qualities of the land, including habitat of botanical and zoological significance, and the conservation of natural resources, including native vegetation, waterways and soils.

A permit is required to construct a building or construct or carry out works associated with a Section 2 Use.

Decision Guidelines

General Issues

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development.*
- *How the use or development conserves the values identified for the land in a schedule.*
- *Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*

Rural Issues

- *The environmental capacity of the site to sustain the rural enterprise.*
- *The need to prepare an integrated land management plan.*
- *The impact on the existing and proposed infrastructure.*
- *Whether the use or development will have an adverse impact on surrounding land uses.*

Environmental Issues

- *An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.*
- *The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.*

- *How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.*
- *The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

Accommodation Issues

- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

Design and siting issues

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*
- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.*
- *The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.*

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4.3. Bushfire Management Overlay

The subject site is affected by Bushfire Management Overlay (BMO).

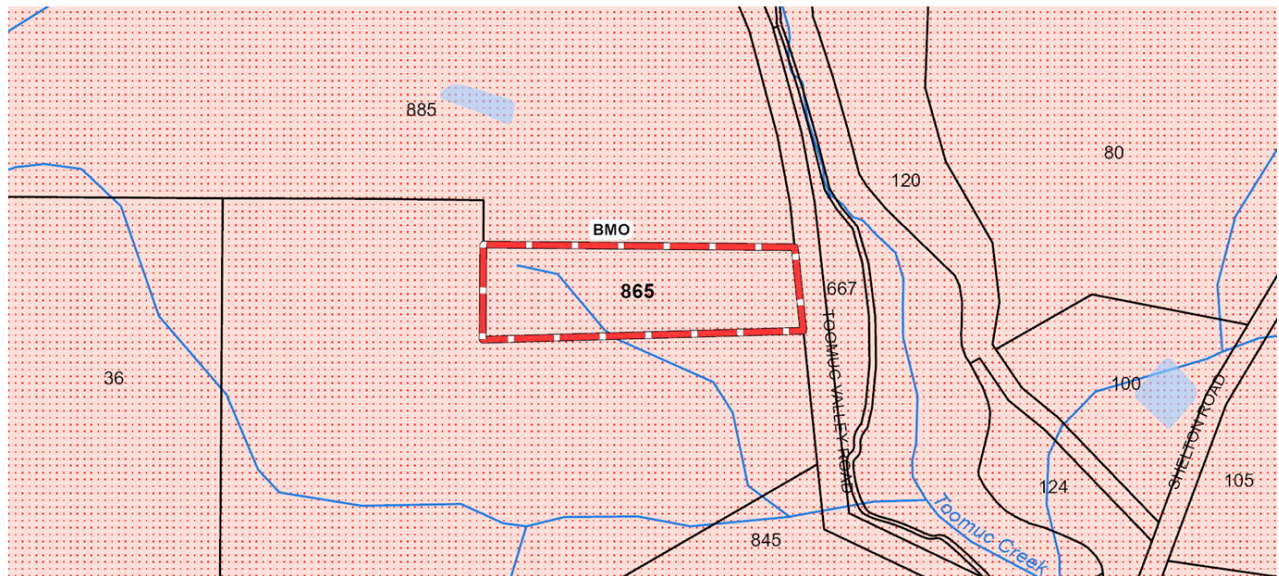


Figure 7 - Bushfire Management Overlay

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

A permit is required to construct a building or construct or carry out works associated with the outbuilding which is ancillary to a dwelling.

Decision Guidelines

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any other matters specified in a schedule to this overlay.*

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4.4. Environmental Significance Overlay - Schedule 1

The subject site is affected by Environmental Significance Overlay – Schedule 1.

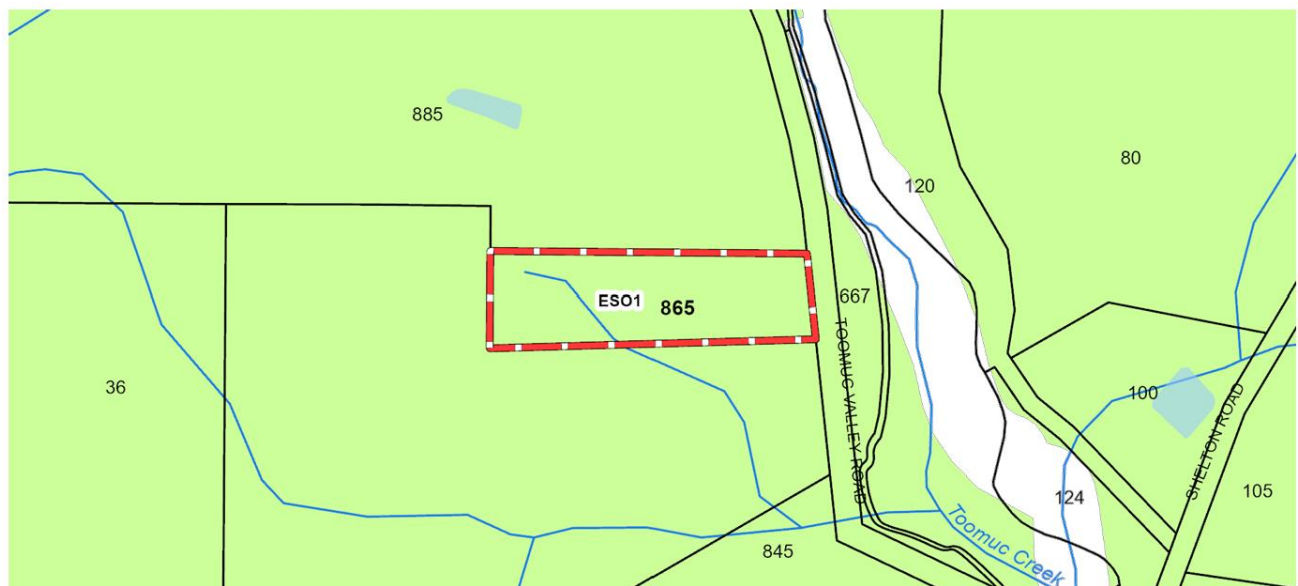


Figure 8 - Environmental Significance Overlay

Environmental objective to be achieved includes:

- To protect and enhance the significant environmental and landscape values in the northern hills area including the retention and enhancement of indigenous vegetation.
- To ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity.
- To ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.
- To protect and enhance biolinks across the landscape and ensure that vegetation is suitable for maintaining the health of species, communities and ecological processes, including the prevention of the incremental loss of vegetation.

A planning permit is required to construct a building or construct or carry out works.

Decision Guidelines

- Whether the removal of any vegetation has been avoided and/or minimised.
- The Land Capability Study for the Cardinia Shire (February 1997).
- The protection and enhancement of the natural environment and character of the area.
- The retention, protection and enhancement of remnant vegetation and habitat, and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The impact of any buildings and works on areas of remnant vegetation, and habitat of botanical and zoological significance and threatened species.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- Whether the siting, height, scale, materials, colours and form of the proposed buildings and works have been designed to have the least visual impact on the environment and landscape.
- The availability of other alternative sites, alternative building designs or alternative construction practices for the proposed buildings and works that minimise cut and fill and would better meet the environmental objectives of this schedule, having regard to the size and topography of the land, retention of vegetation and the form and nature of the proposed buildings and works.

- Measures to address environmental hazards or constraints including slope, erosion, drainage, salinity and fire.
- The protection of waterways and water quality through the appropriate management of effluent disposal, erosion and sediment pollution.

4.5. Particular Provisions

4.5.1. Bushfire Protection Exemptions

Purpose

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

Exemptions to create defendable space around buildings used for accommodation.

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:

- *The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
- *The building must have been:*
 - *constructed before 10 September 2009; or*
 - *approved by a planning permit or a building permit issued before 10 September 2009; or*
 - *constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.*
- *The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:*
 - *The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
 - *The building must have been:*
 - *constructed before 10 September 2009; or*
 - *approved by a planning permit or a building permit issued before 10 September 2009; or*
 - *constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.*
- *The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:*
 - *The building must be located in the Bushfire Management Overlay.*
 - *The building must have been:*
 - *constructed before 10 September 2009; or*
 - *lawfully constructed without a planning permit before 18 November 2011; or*
 - *approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or*
 - *constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.*

4.5.2. Clause 52.06 - Carparking

Purpose

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

4.6. General Requirements and Performance Standards

4.6.1. Clause 53.02 - Bushfire Planning

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome that must be achieved in a completed development.
- **Approved measures (AM).** An approved measure meets the objective.
- **Alternative measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

4.7. Decision Guidelines

4.7.1. Approval of an application or plan

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

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5. Assessment

5.1. Overview

The proposal has been carefully informed by a review of relevant planning policy and provisions of the Cardinia Planning Scheme. The proposal strongly aligns with key considerations, objectives and strategies of state and local planning policy.

Having regard to the site history, surrounding development context, the purpose and decision guidelines of the RCZ2, BMO and ESO1 of the Cardinia Planning Scheme, relevant planning guidance and policies and other planning considerations, the proposal can be broken down to a series of questions and discussions that are explored in more detail to demonstrate the proposed development can be supported by Council. The following key considerations are relevant to the assessment of the proposal:

- Is the proposal consistent with the Planning Policy Framework?
- Does the proposal meet the purpose of Rural Conservation Zone – Schedule 2?
- Does the proposed development contribute to improved built form and landscape outcomes?
- Is the risk of bushfire to an acceptable level?
- Will the location of on-site effluent disposal minimise the impact of nutrient loads on waterways and native vegetation?

5.2. Key Considerations

5.2.1. Is the proposal consistent with the Planning Policy Framework?

State settlement policies seek to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Clause 11.02–1S supports planning for opportunities for the consolidation, redevelopment and intensification of existing urban areas as well as neighbourhood character and landscape considerations. The proposal takes advantage of the site's proximate location to Beaconsfield Upper and reasonable commuting distance to Town Centre.

Clause 15.01-5S seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place through supporting development that respects the existing neighbourhood character.

A description of existing development has been provided in section 2 of this report. The development has been informed by detailed description of the subject site and existing development on adjacent lots including subdivision pattern, existing vegetation on the site and within the road reserve. The proposed development has considered the prevailing development within the neighbourhood and reflects contemporary development within the neighbourhood. The proposed development caters for changing household demands and is generally considered to reflect development within the streetscape which typically comprise of large detached single homes.

Clause 16.01-3S recognises rural residential housing contributes to a diversity of housing within the municipality. Clause 16 recognises the need for planning to provide housing diversity and cater for evolving household demands. The Upper Beaconsfield Township Strategy 2009 recognises there is a significant concentration of separate houses in Upper Beaconsfield, which is consistent with a greater degree of similarity in residential land uses. *The predominant housing market role of Upper Beaconsfield is providing opportunities for families, which is supported by the strong concentration of separate houses and the number of couple families with children (59.3%), one parent families (7.0%), couples without children (32.7%) and lone person households (10.4%).* The proposed development reflects this context and building and works to support the needs of the household.

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5.2.2. Does the proposal meet the purpose of Rural Conservation Zone - Schedule 2?

The Rural Conservation Zone (RCZ2) seeks protection and conservation of the environmental values and landscape qualities of the land, including habitat of botanical and zoological significance, and the conservation of natural resources, including native vegetation, waterways and soils.

Integrated decision-making at Clause 71.02-3 states *planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

Established vegetation is located sporadically throughout the site and is concentrated towards the southern boundary and western part of the property. Paddocks have been established in the eastern part of the land. The location of the proposed shed has considered existing vegetation and is sited in a location which will not require any existing vegetation to be removed. The proposed location takes advantage of a hardstand area associated with a previous shed. The building area has been appropriately battered to ensure soil dispersal is minimised. It is considered the development that is compatible with the surrounding landscape context.

There is opportunity for the owners to undertake meaningful landscaping which incorporates local native species to achieve the overarching purpose of RCZ2 which is to preserve the environmental and landscape values of the area whilst still allowing the land to be used for residential purposes.

5.2.3. Does the development accord with the objectives of ESO1?

Clause 15.01-6S - Design for rural areas seeks to ensure development respects valued areas of rural character through strategies such as ensure that the siting, scale and appearance of development protects and enhances rural character, protect the visual amenity of valued rural landscapes.

The subject site is in an established rural residential area and the neighbourhood is characterised by low density detached housing on allotments of a similar size within the area. There are examples of similar sized sheds on existing allotments, and it is submitted the proposed development is reflective of the area with many properties used for extensive agriculture.

The design and form is considered to positively contribute to the existing streetscape and incorporates existing elements of dwellings within the street. The single storey form, use of rendered brick materials and incorporation of landscaping throughout the site is reflective of the emerging character. The height of the dwelling is consistent with existing development and will not unreasonably impact the bushland setting. The proposed dwelling, while being large, is proportionate to the size of the land and is comparable to other large homes located within the rural conservation zoned land. In that respect and in consideration of the objectives and decision guidelines of the ESO1, it is considered that the proposed height and form of the proposed outbuilding will not significantly or unreasonably detract from the landscape values of the site nor will it have a negative impact on the landscape character of the area.

The proposed materials reflect the rural residential setting and the materials used is consistent with existing outbuildings/sheds on other properties within the rural neighbourhood. The objective of ESO1 is to ensure that the siting and design of buildings and works does not adversely impact on environmental values including the diverse and interesting landscape, areas of remnant vegetation, hollow bearing trees, habitat of botanical and zoological significance and water quality and quantity and ensure that the siting and design of buildings and works addresses environmental hazards including slope, erosion and fire risk, the protection of view lines and maintenance of vegetation as the predominant feature of the landscape.

The siting of the building has considered adjacent development to ensure view lines of existing development are not unreasonably impacted by the proposed outbuilding and has been sited to retain the bushland character of the area. The proposed shed will generally not be visible from the surrounding public realm due to the siting of the building behind the existing dwelling.

There is opportunity for the owners to undertake meaningful landscaping which incorporates local native species to achieve the overarching purpose of RCZ2 which is to preserve the environmental and landscape values of the area.

5.2.4. Is the risk of bushfire to an acceptable level?

The subject land is located within a Bushfire Management Overlay (BMO).

Clause 13.02-2S requires decision makers to consider the risk of bushfire to people, property and community infrastructure and require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.

Figure 7 below shows the existing conditions surrounding the subject site.



Figure 9 - Landscape context.

An assessment against the bushfire management overlay and the design and siting requirements to satisfy the objectives of this clause have been addressed in the submitted Bushfire Management Plan. The surrounding area presents modified conditions within private properties, supported by residential land uses which reduces the likelihood of the property being directly impacted by flame contact or radiant heat. There are areas of forest/woodland type vegetation within proximity to the subject site.

A Bushfire Management Plan has been prepared for the outbuilding which sets out appropriate bushfire protection measures. For further details, please refer to the bushfire management statement at Appendix D.

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5.2.5. Will the development minimise the impact of nutrient loads on waterways and native vegetation?

Stormwater runoff associated with the proposed machinery shed will be detained through water tanks which will be reused for washing down of vehicles. The building is sited approximately 52m to the east of an identified waterway which runs through the property, and it is unlikely nutrient loads associated with construction of this building will unreasonably impact the waterway. The site area been battered to create the building area to minimise erosion.

6. Conclusion

The proposal has been carefully informed by a review of relevant planning policy and provisions of the Cardinia Planning Scheme in addition to the feasibility, demand and needs of the existing landowner.

The proposal strongly aligns with key considerations, objectives and strategies of state and local Planning Policy.

We submit that the proposal for buildings and works associated with construction of an outbuilding should be supported for the reasons detailed in the body of this report.

It is respectfully requested that a permit be issued by the Responsible Authority and we would be pleased to assist in the progress of this application and await your earliest advice with regards to public notice.

ĀBAN Planning

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11 February 2025


Statutory Planner
Cardinia Shire Council
mail@cardinia.vic.gov.au

Dear 

**Re: Planning permit application T240356PA
Outbuilding – 865 Toomuc Valley Road Pakenham Upper**

I refer to Council's letter dated 23 August 2024 requesting further information in relation to the above application and to your email dated 12 November 2024 clarifying the outstanding matters to be submitted.

In response to items 3-5 in your email, the outbuilding is now only proposed to be used for storage and as such only a Bushfire Management Plan is required to be submitted under the streamlined assessment process for outbuildings. An updated Bushfire Management Plan is attached.

In response to items 6-7, please find attached an updated set of plans for the outbuilding including a site plan and elevation plans. In relation to the internal layout, there are 4 main areas as detailed below. It is no longer proposed to use part of the outbuilding as a home office.

- Domestic storage – storage of domestic items such as furniture which require a higher level of protection from dust and other contamination.
- Mezzanine storage – general storage of domestic items.
- Workshop (inc cupboard) – storage of items associated with Glenn's sign writing business.
- Storage – storage of vehicles and equipment associated with the maintenance of the property including a horse float.

In relation to item 8, an arborist report has been prepared by Treed Environs. There are 13 trees / large shrubs in proximity to the outbuilding, within only one native (indigenous) tree (no 13) which is to be retained. Of the 13 trees / large shrubs, 8 are environmental weeds which do not require a permit for removal. Tree 1 which is a large eucalypt of Australian Native origin has been impacted due to the extent of historical excavation works within the TPZ/SRZ of the tree associated with the stables. Tree 1 is proposed to be retained by the owners at this stage, but will be removed if it becomes unsafe. All trees / large shrubs other than no 1, 3, 6 and 13 are proposed to be removed largely to comply with the defensible space requirements under Clause 53.02 of the Cardinia Planning Scheme.

Regards


XWB Consulting

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Treed *environs*

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ARBORICULTURAL ASSESSMENT & REPORT

865 TOOMUC VALLEY ROAD,
PAKENHAM UPPER

Prepared by
Treed *environs*
December 2024

▪ TREES ▪ NATIVE VEGETATION ▪ BUSHFIRE MANAGEMENT

TERRASTYLIS PTY LTD ACN 080 282 506 ATF The Holly Patch Trust ABN 68 452 276 207 Tas TREED ENVIRONS

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1 Introduction and purpose

The purpose of this report is to enable informed decisions to be made concerning tree retention on or adjacent to the subject site. This report sets out, for each tree assessed, the:

- Physical parameters, height, canopy spread and trunk diameter.
- Health, architecture, and condition.
- Life stage.
- Significance to the local area, and
- Ownership or location of the tree.

These elements are combined, refer to section 7 of this report, to create the Integrated Tree Rating (ITR) for each tree. The ITR comes in four levels – Low, Fair, Moderate and Exceptional – and forms the basis of determining the amount of effort and resources that should be put into retaining a tree.

2 Australian Standard

This report has been prepared having regard to AS 4970 2009 – Protection of trees on development sites. Terms used in this report are used consistently with definitions of terms in AS 4970.

3 Assessment process

██████████ B. Forest Science (Melb.), TRAQ (ISA), MVTIO, Principal Consultant Treed environs, inspected the site in December 2024. 13 trees, or groups of trees on or adjoining the site were assessed. Inspection was carried out from the ground and no sampling or boring was undertaken. Unless otherwise specified only trees over 5.0 metres in height, excluding weed species, were assessed. Inspection was undertaken in accordance with the Visual Tree Assessment method developed by Mattheck and Breloar.

Tree numbers have been marked on proposed development plans. If an assessed tree was not shown on the plan, the tree position has been marked on the plan. The position of these marked trees is only indicative and reflects the relative distribution of trees rather than their absolute position. The amended plan forms part of this report and is the basis of all consideration. Photographs of the trees are also included in this report.

3.1 Definitions

Definitions, abbreviations and symbols and used in this report are defined Appendix 1

4 Planning and regulatory controls

Approval may be required prior to removal of vegetation and in particular trees. The most common controls are overlay controls in planning schemes but there are a range of other controls that may apply in certain circumstances including Local Laws and other legislation including the Flora and Fauna Guarantee Act (on public land including roads).

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4.1 Planning scheme

An online check of the planning controls has been undertaken and has revealed that the site is zoned Rural Conservation Zone schedule 2 and is included in Environmental Significance Overlay Schedule 1 that affect vegetation. As the site is greater than 4000m² in area Native vegetation will be protected under clause 52.17 unless exempt. Exemptions under clause 52.12 of the planning scheme also apply.

4.2 Local Law

Cardinia Shire Council does not have a Tree Local Law that affects trees on private land.

4.3 Assessment basis

The assessment of trees has considered the planning controls.

5 Trees removed from site

There are no signs that suggest that trees requiring a permit have been removed from the site within the previous 12 months.

6 Existing site conditions

The site is a small rural/rural residential lot of approximately 1.9 hectares on the west side of Toomuc Valley Road just north of Shelton Road.

The property has a dwelling and stables. A shed north of the dwelling has been removed and a new shed constructed on the excavated site. The permit application is for the formalisation of the shed. The plans submitted with the application and the Nearmap © image below show the extent of works. 13 trees or groups of trees were assessed.



Nearmap image of development site showing dwelling (red roof) stables (green roof) and shed subsequently demolished with white roof

Tree 1 is on the edge of the cut made for the existing stable and veranda. This historic cut was inside the SRZ and TPZ of this tree. See fourth photo on page 10. The cut for the shed has encroached further into the TPZ of this tree.

The assessed trees include Tree 13 indigenous, Trees 1, 2, 3, 6, 7, 8, 9, 10, 11 & 12 Australian natives and likely to have been planted and Trees 4 & 5 which are exotic.

Trees 2, 5, 7, 8, 9, 10, 11 & 12 are weed species and exempt from a permit to remove. Tree 1 is less than 10 metres from the stables. The stables are a building that forms part of the dwelling and Tree 1 is exempt from requiring a permit for removal under clause 52.12-1 of the planning scheme.

All assessed trees are of species exotic to Australia and a permit is not required for removal.

Council's RFI has required assessment to of all trees with 15 metres of the development site.

The assessment data is shown on the following table.

Table 1: Tree assessment data

Tree No	Species and number of trees if greater than 1	Character	Health	Architecture	Condition	Life Stage	Significance	DBH (mm)	Height (m)	Canopy Spread (m)	ITR
1	Eucalyptus botryoides	A	F	F	F	M	N	1,130	22	20	F
2	Hakea salicifolia	AW	F	F	F	M	N	170	4	3	L
3	Callistemon species	A	F	F	F	M	N	140	4	4	F
4	Corylus avellana	X	F	F	F	M	N	100	3	3	F
5	Prunus serrulata	X	F	P	P	M	N	180	5	3	L
6	Callistemon species x 5	A	F	F	F	M	N	140	4	4	F
7	Hakea salicifolia x 2	AW	F	F	F	M	N	170	4	3	L
8	Melaleuca armillaris	AW	F	P	P	M	N	490	6	5	L
9	Hakea salicifolia	AW	F	F	F	M	N	350	6	4	L
10	Hakea salicifolia	AW	F	F	F	M	N	110	4	3	L
11	Hakea salicifolia	AW	F	F	F	M	N	270	5	5	L
12	Hakea salicifolia	AW	F	F	F	M	N	200	5	4	L
13	Eucalyptus cephalocarpa	I	F	F	F	M	P	890	12	14	F

Table 1: Tree assessment data

The meaning of the categories shown in the tables is defined in Appendix 1. For convenience, the DBH (in accordance with AS 4970-2009) and Integrated Tree Rating have been shown in the above table. These characteristics have been determined in accordance with the definitions.

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7 Integrated Tree Rating

The ITR is a result of analysis of all assessed characteristics for a particular tree and its location. Accordingly assessed trees not on the subject property are rated higher than trees on the subject site. This weighting ensures that due regard is had to trees adjoining the site.

General recommendations for each rating are:

EXCEPTIONAL: Exceptional trees should be retained and protected.

MODERATE: It is desirable that Moderate trees be retained and protected due to their high significance and the difficulty in providing adequate replacement landscaping.

FAIR: Fair trees are suitable for retention but due to significance, condition, relatively small size, or young age have relatively little value or can readily be replaced with similar value trees. These trees can be retained when clear of development or removed and replaced to achieve a better development outcome.

LOW: Trees rated Low have little if any value. Some of these trees may be unstable or pose higher than acceptable levels of risk. There is little reason to retain these trees.

For each tree the SRZ, TPZ and LOA have been determined. For each tree with an ITR above a Low, these, together with canopy impacts, form the basis for determining the minimum distance development must be from each tree to enable its retention and ensure that the tree will remain viable. If design has been undertaken the design setback from each tree is compared with the structural and absorber root radii and comments made on whether the setback is adequate for retention of the tree. These elements should meet local government requirements regarding arborists or arboricultural consultants' reports.

8 Development Impacts

The potential impact of the proposed development is considered in this section. The impact is only considered in detail for trees with ITR of Exceptional, Moderate or Fair. This section considers the proposed development plan. If, on the other hand, the tree assessment is being prepared prior to development plan preparation provides set back distances to guide potential development.

8.1 Above ground impacts

The above ground impacts of a proposed development are usually readily assessable. Providing works are located outside the drip line then the impact will be minimal. Care must be taken during demolition and excavation to ensure that trees are not damaged by equipment. Particular attention must be placed on protecting the trunk and major branches from unintentional damage. Trunk protection may be required if work is being undertaken near a tree. Pruning of the tree canopy is generally acceptable providing the pruning is undertaken by competent personnel and in accordance with the Australian Standard (AS 4373-2007 Pruning of amenity trees). Providing the pruning does not disfigure the tree it may be appropriate to remove up to 20% of the leaf area. Table 2 shows the radius, from the centre of the trunk, at which leaf area will be reduced by 20% if the pruning is done on one side of the tree only. This radius is based on the average canopy spread and should only be used as a guide.

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8.2 Below ground impacts

The potential for impact on the elements of the tree below the ground will depend on the distribution of the tree root system.

Tree roots carry out two main functions:

- a) **Structural roots.** The structural roots are actively involved in supporting the above ground sections of the tree in a generally upright position.
- b) **Absorber roots.** The absorber roots are active, in association with fungi (mycorrhiza), in absorbing water and nutrients from the ground.

Whilst a tree only has one set of roots, the root areas can be considered to carry out these two functions independently. The structural root radius and tree protection zone can be defined by the trunk diameter. The extent of disturbance a tree can tolerate depends on the nature of disturbance. The Australian Standard (AS 4970) defines a Tree Protection Zone (TPZ) based on trunk diameter. The standard allows encroachment up to 10% of the TPZ area providing additional root area is protected. The SRZ, TPZ and the LOA are shown in table 2.

8.3 Indirect impacts

There may be additional impacts on the trees, other than the direct impacts discussed above. Care must be taken to ensure that soil compaction is minimised in the vicinity of any trees being retained. Indirect impacts may be caused through changes to drainage or maintenance requirements. The location of services has not been shown on the plans and it has been assumed that services will be installed well clear of retained trees or through low impact means such as directional boring or similar techniques. Trees to be retained should be managed in accordance with the attached guidelines (Appendix 3).

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Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	TPZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
1	3.9	3.5	13.6	9.2	10.0	5.0	Development is within the canopy area and without appropriate management pruning may be beyond acceptable limits for maintaining tree health and vigour.	Development is within root area and without appropriate management root loss may be beyond acceptable limits for maintaining tree stability or health and vigour.
2	5.2	1.6	2.1	1.6	1.5	0.8	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
3	4.4	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
4	2.6	1.5	2.0	1.5	1.5	0.8	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
5	2.1	1.6	2.2	1.6	1.5	0.8	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
6	4.4	1.5	2.0	1.5	2.0	1.0	Development is outside the canopy area.	Development is outside both the SRZ and TPZ.
7	5.2	1.6	2.1	1.6	1.5	0.8	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
8	5.2	2.5	5.9	4.0	2.5	1.3	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
9	4.4	2.1	4.2	2.9	2.0	1.0	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
10	3.9	1.5	2.0	1.5	1.5	0.8	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
11	4.4	1.9	3.2	2.2	2.5	1.3	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.
12	4.1	1.7	2.4	1.7	2.0	1.0	Tree of Low ITR, impact not assessed.	Tree of Low ITR, impact not assessed.

Table 2: Preliminary assessment of development impacts (refer to 8.3 above)

Tree No	Distance to works (m)	SRZ radius (m)	TPZ radius (m)	LOA (m)	Canopy radius (m)	Radius (20% canopy loss)	Preliminary assessment of above ground impacts	Preliminary assessment of below ground impacts
13	8.5	3.2	10.7	7.3	7.0	3.5	Development is outside the canopy area.	Development is outside the SRZ and within acceptable limits for maintaining tree stability, health and vigour with appropriate compensating area

Table 2: Impact on roots and canopy

Note: The Structural root zone and Tree Protection Zone have been calculated in accordance with AS 4970-2009. The 10% TPZ loss is the radius of TPZ (AS 4970) at which 10% of TPZ area will be lost with development on one side only.

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9 Conclusion and recommendations

In this conclusion trees are considered based on the Integrated Tree Rating assigned to each Tree. Section 7 provides general recommendations for trees of different ratings

9.1 Trees with an Exceptional Rating

No Trees were identified as having an Exceptional Rating.

9.2 Trees with an Moderate Rating

No Trees were identified as having an Exceptional Rating.

9.3 Trees with a Fair Rating

Trees 1, 3, 4, 6 & 13 have a Fair Rating. Tree 1 is proposed to be removed due to extent of excavation inside the TPZ including historic works inside the SRZ. Tree 1 is exempt under clause 52.12-1. Tree 4 is proposed to be removed to implement Defendable Space. Trees 3, 6 & 13 are to be retained.

9.4 Trees with a Low Rating

Trees 2, 5, 7, 8, 9, 10, 11 & 12 have a Low Rating and are proposed to be removed.

9.5 Adjustment to site plan

No adjustment to the site plan is required.

10 Native vegetation

Tree 13 is the only assessed tree which is Native Vegetation under the planning scheme. This tree is to be retained.

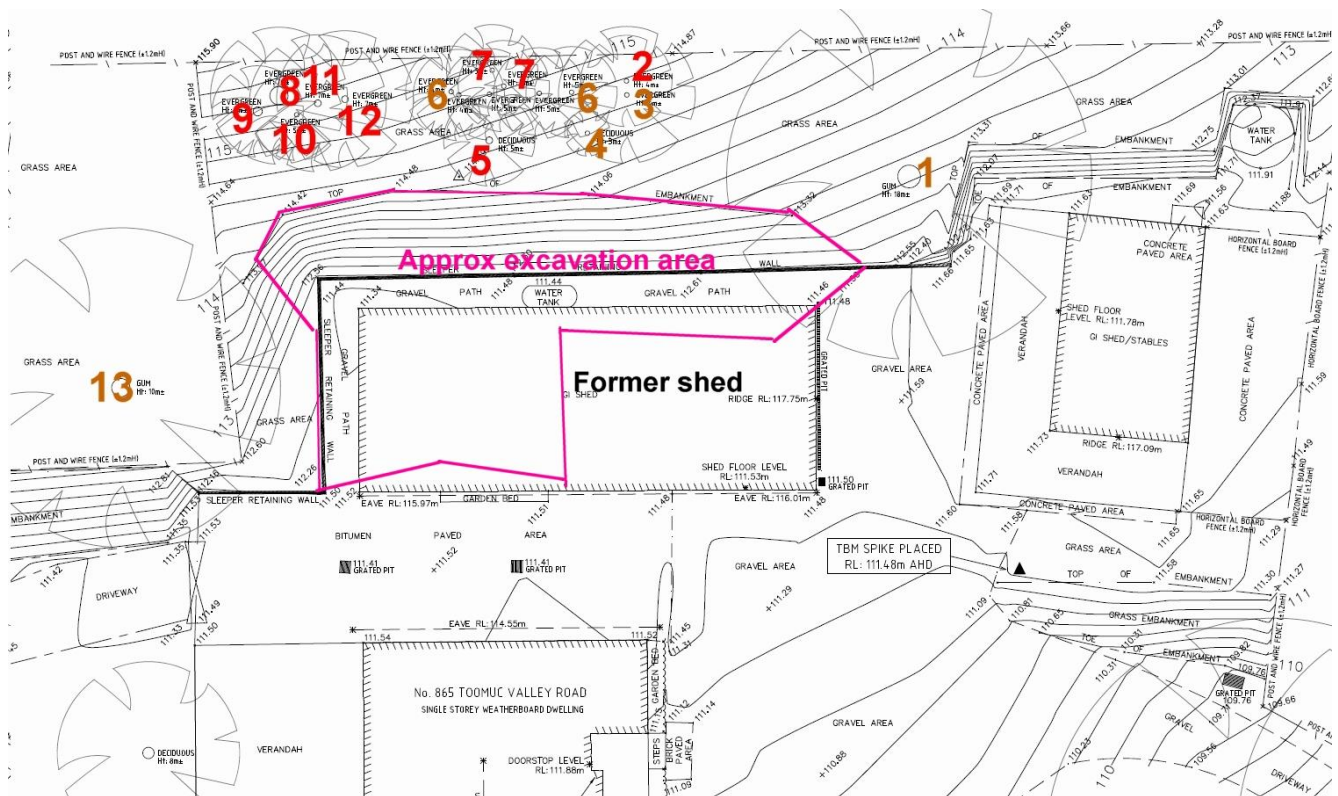
No native vegetation is proposed to be removed for which a permit is required under clause 52.17 of the planning scheme. As such an offset is not required.

Should you require any additional information please contact me on [REDACTED].

[REDACTED]
Principal Consultant.

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11 Site Plan



Site plan showing tree number and location

Trees with Brown numbers have a Fair rating and Trees with Red numbers have a Low rating.

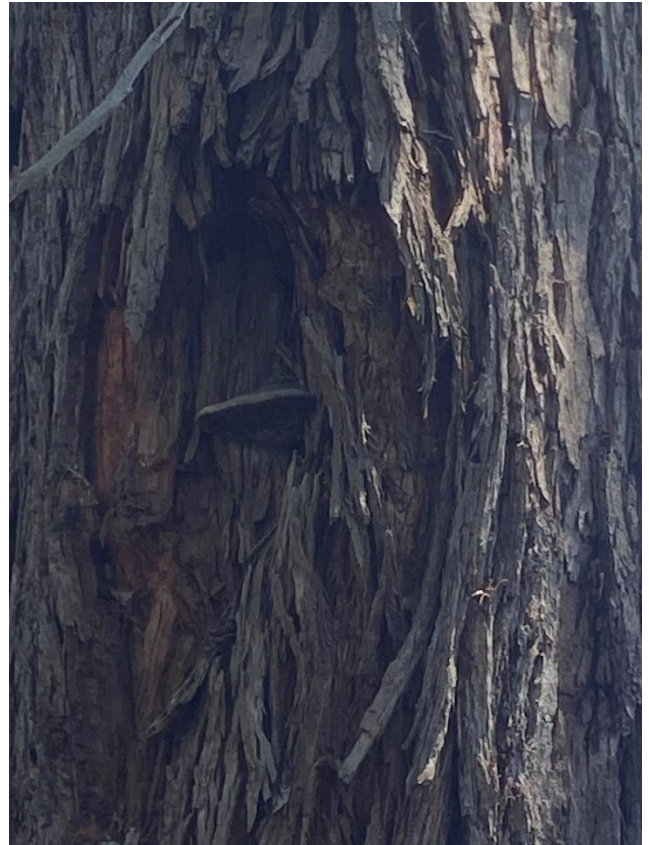
Purple continuous line is approx. edge of excavation area.

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12Photographs



Tree 1



Tree 1 bracket fungi



Tree 1



Tree 1 damaged roots likely to be from works prior to shed excavation



Tree 2 to 7



Tree 9 & 10



Tree 13



Tree 9, 8, 10, 11 & 12

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Retaining wall/cut at rear of shed & Tree 1



Tree 13 & 8-10



Tree 13

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Appendix 1 - Explanation of terms

Species Character

The tree character provides information on the species of tree. For weeds reference is made to leaflets prepared by various municipalities, as well as “Environmental Weeds: A Field Guide for SE Australia”, by Kate Blood. Weeds may be Exotic **XW**, or Australian Weeds **AW**.

Character (symbol)	Description
Indigenous (I)	Grows or expected to grow naturally in the subject area. May be remnant or planted.
Australian (A)	Originated in Australia but outside Victoria.
Victorian (V)	Originated in Victoria but outside the subject area.
Exotic (X)	Originated outside Australia.
Weed (W)	A tree that has, or has potential to, become a pest in the area.

Health

Categorises the health and growth potential of a tree.

Category (symbol)	Description
Excellent (E)	Canopy intact with significantly above average leaf shape, size, and colour. Insect or disease damage less than 5% of leaf area. Epicormic growths make up virtually none of the canopy. Growth rate significantly above average for type, location, and age of tree. High tip extension and leaf size. No appreciable tip dieback or canopy decline. Bud burst significantly early and leaf retention significantly late in season for deciduous trees. Dead wood comprises less than 10% of branch structure. Strong wound wood development (if wounds apparent). Growth not restricted by trees or structures.
Good (G)	Canopy intact with above average leaf shape, size, and colour. Insect or disease damage less than 10% of leaf area. Epicormic growths make up less than 10% of canopy. Growth rate above average for type, location, and age of tree. Good tip extension and leaf size. No appreciable tip dieback or canopy decline. Bud burst early and leaf retention late in season for deciduous trees. Dead wood comprises less than 20% of branch structure. Moderate wound wood development. Minor interference to growth by adjoining trees or structures.
Fair (F)	Canopy relatively intact with average leaf shape, size, and colour. Insect or disease damage less than 20% of leaf area. Localised leaf discolouration may be present. Epicormics make up less than 20% of canopy. Growth rate average for type, location, and age of tree. Average tip extension and leaf size. Localised tip dieback or canopy decline. Bud burst average and leaf retention average in season for deciduous trees. Dead wood comprises less than 30% of branch structure. Average wound wood development. Minor interference to growth by adjoining trees or structures.

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Category (symbol)	Description
Poor (P)	Canopy partly intact with less than average leaf shape, size, and colour. Insect or disease damage more than 30% of leaf area. Leaf discolouration may be present across the canopy. Epicormic growths make up a significant proportion of canopy. Growth rate below average for type, location, and age of tree. Low tip extension and leaf size. Widespread tip dieback or canopy decline. Bud burst late and leaf drop early in season for deciduous trees. Dead wood comprises more than 30% of branch structure. Low wound wood development. Significant interference to growth by adjoining trees or structures.
Very Poor (VP)	Canopy incomplete with significantly less than average leaf shape, size, and colour. Insect or disease damage significantly more than 30% of leaf area. Leaf discolouration may be present across the entire canopy. Epicormic growths make up the majority of canopy. Growth rate significantly below average for type, location, and age of tree. Major canopy decline and dieback. Bud burst extremely late, and leaf drop early in season for deciduous trees. Dead wood comprises more than 30% of branch structure. Almost no wound wood development. Major interference to growth from adjoining trees or structures. Dead

Architecture

Categorises the form and structure of the buttress, trunk and main branches of the tree and the presence of decay and other defects.

Category (symbol)	Description
Excellent (E)	Canopy exceptionally well-shaped and balanced. Tree structure is sound with no forks, defects or decay in the trunk or major branches. Buttress free of decay and defects and well developed for type, location, and age of tree. No apparent damage to roots. Minor branches free of forks or defects.
Good (G)	Canopy well shaped and balanced. Tree structure is sound with no forks, defects or decay in the trunk or major branches. Buttress free of decay and defects and well developed for type, location, and age of tree. No apparent damage to roots. Localised defects in minor branches.
Fair (F)	Canopy of average shape and balance. Trunk may be slightly leaning and canopy irregular in shape. Minor defects in tree structure with isolated forks, defects or decay in the trunk or major branches. Forks appear stable and are not significantly flared. Buttress free of decay and defects and with average development for type, location, and age of tree. Minor root damage apparent outside structural root zone. Small defects in minor branches.
Poor (P)	Canopy of less than average shape and balance. Trunk may be significantly leaning and canopy very irregular in shape. Major defects in tree structure with forks, defects or decay in the trunk or major branches. Forks may not be stable and may be flared. Branches may be crossed, rubbing or over extended. Buttress with minor decay and defects, and with below average development for type, location, and age of tree. Root damage apparent outside with possibility of damage within the structural root zone. Major defects in minor branches.

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Category (symbol)	Description
Very Poor (VP)	Canopy of well below average shape and balance. Trunk may be strongly leaning and canopy very irregular in shape, with gaps or holes. Extensive defects in tree structure with forks, defects or decay in the trunk or major branches. Forks not stable and may be cracked or exceedingly flared. Branches may be crossed, rubbing or over extended. Buttress with major decay and defects and with well below average developed for type, location, and age of tree. Major root damage apparent, including damage to structural root zone. Major defects in minor branches.

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Condition

The assessed condition of a tree is the lowest rating for Health or Architecture of that tree. To be of “Excellent” condition a tree must have excellent Health and Architecture. A tree with a poor Health rating and a poor Architecture rating has a “Very Poor” condition rating. The following table shows the condition for each Health and Architecture rating.

Health or Architecture	Excellent	Good	Fair	Poor	Very Poor
Excellent	Excellent	Good	Fair	Poor	Very poor
Good	Good	Good	Fair	Poor	Very poor
Fair	Fair	Fair	Fair	Poor	Very poor
Poor	Poor	Poor	Poor	Very poor	Very poor
Very poor	Very poor	Very poor	Very poor	Very poor	Very poor

Condition	Description: A tree
Excellent	well above average for its species, age, and location.
Good	above average for its species, age, and location.
Fair	average for its species, age, and location.
Poor	below average for its species, age, and location.
Very Poor	well below average for its species, age, and location.

Life Stage

Stage	Description
Establishing (E)	A recent germinant or transplanted tree that has not fully established.
Growth (G)	An established tree that is rapidly growing and has not reached 50% of final expected canopy size for the species and location. Typically characterised by strong apical control and a pointed crown.
Mature (M)	A tree that has reached at least 50% of it expected final canopy size for the species and location, and with canopy volume increasing. Typically characterised by the reduction in apical control and the rounding of the crown.
Senescent (S)	A tree that has reached final canopy size for species and location, and with the canopy volume declining. Typically characterised by a rounded crown with holes. May contain new emergent growth in the lower canopy.

Significance

Reference should be made to Trust Trees criteria in Appendix 2.

Level	Description
Municipal (M)	On or considered suitable to be on a register at or above the municipal level.
Streetscape (S)	Of high value to the local area or streetscape. The value will generally be due to the landscape or amenity role of the tree.
Property (P)	Of high value to adjoining properties. The value will generally be due to the landscape or amenity role of the tree.
Not Significant (N)	Not of high value at the adjoining property level.

Integrated Tree Rating (ITR)

ITR combines the condition, significance, species character and ownership to create a measure of the value and effort/ resources that should be applied to the retention/protection of the tree.

Character (& number colour)	Description
Exceptional (Green)	Trees that protection is most desired. <ul style="list-style-type: none">• Significant at the state or municipal level.• With exceptional condition and significant at the streetscape level.
Moderate (Blue)	Trees that protection is desirable. <ul style="list-style-type: none">• Significant at street or locality level.• Large trees (15m or greater) of good condition.• Fair condition or higher and NOT on subject site.
Fair (Brown)	Trees that may be protected: <ul style="list-style-type: none">• Significant at the property level.• Trees that may be readily replaced by similar value trees.• Tree of no specific merit or small canopy volume.• Poor condition and NOT on the subject site.
Low (Red)	Trees of no specific value. <ul style="list-style-type: none">• Not significant.• Dead or structurally unsound trees.• Small or young trees.• Trees of very poor condition.• Weed or potential weed species.• Trees likely to become unstable due to removal of other trees not suited for retention, or removal of structures.

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Glossary / Notes

Tree Protection Zone (TPZ):	The root zone calculated in accordance with AS 4970 - 2009. If the tree canopy may be impacted by the proposed development the TPZ may need to be increased to provide protection to the canopy. The TPZ is the radius which defines the Tree Protection Zone
Structural Root Zone (SRZ):	As defined in AS 4970 being “the area around the base of a tree required for the tree’s stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone only considers a tree’s structural stability and not the root zone required for a tree’s vigour and long-term viability, which will usually be a much larger area.” The SRZ is the radius which defines the Structural Root Zone.
Diameter at Breast Height (DBH):	As defined in AS 4970 being “the nominal trunk diameter at 1.4 m above ground level determined from the circumference of the trunk divided by pi (π)”. Appendix A of AS 4970 provides additional guidance as to defining the DBH and provides a formula for determining the DBH for multi-trunk trees.
Limit of Approach (LOA)	The limit of approach is the distance from the centre of the tree at ground level where the development will encroach greater than 10% into the area of the TPZ with encroachment being tangential to the LOA.
Measurements:	As far as practicable the diameter, height and canopy spread of assessed trees are measured. Diameter is measured by means of a diameter tape. Canopy is measured with a tape measure. Height is measured with a range finder. Diameter is measured to the closest 10 mm; height and canopy are measured to the metre and are likely to be within 10% of actual. When access is not available for measurement, the dimension is visually estimated.

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Appendix 2 - National Trust of Australia criteria for Trust Trees

The following criteria are from the NTA (Trust Trees) criteria for inclusion on the Trust Trees Significant Tree Register. The criteria must be adapted to determine significance at a local, sub municipal, or neighbourhood level.

Horticultural

- Horticultural or genetic value
- Important source of seed or propagating stock
- Particularly resistant to disease or exposure
- Species or variety that is rare or of a very localised distribution
- Particularly old or venerable
- Remnant native vegetation
- Outstanding for its height, trunk circumference or canopy spread
- An outstanding example of the species

Social

- Unique location or context
- Contribution to landscape
- Associated with Aboriginal activities
- Important landmark
- Spiritual and religious associations
- Contemporary association with the community

Historic

- Forms part of an historic park, garden or town
- Commemorates an occasion e.g. memorial or ceremonial plantings such as Avenue of Honour
- Associated with an important event
- Associated with an important person, group or institution

Aesthetic

- A really great looking tree
- Exhibits curious growth form or unusual physical features whether naturally occurring, resulting from natural events or human intervention
- Is a better than an average example of its species, or in its particular location

Refer to

http://www.trusttrees.org.au/static/TrustTrees/pdf/Tree%20Protection%20in%20Australia_National%20Trusts%20of%20Australia.pdf

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Appendix 3 - Guidelines for Protection of Trees on Construction Sites ©

To preserve mature trees within a construction site, precautions must be taken to ensure that the trunk, limbs, or root system of the tree are not excessively damaged. The root system of a tree is the most vital and the most delicate part of the plant, and the most easily damaged.

The root system extends far from the trunk, often beyond the drip line of the tree. The fine absorbing roots - those that collect water and nourishment for the tree - are located primarily within the top 200 - 300 mm of the soil. The roots and the soil in this surface layer must be protected from damage.

Any encroachment, disturbance, or compaction of the soil around the tree will damage or destroy the fine nutrient absorbing roots. Physical injury caused by cutting or crushing, chemical injury caused by direct poisoning or changes to soil conditions, such as changes to pH by addition of cement/lime/concrete products, and changes to water regimes by inundation or dehydration can result in the death of the tree. Injuries caused during construction projects may not become fully apparent for several years after the completion of the project but can kill a tree.

The following guidelines are recommended for the protection of trees. These guidelines should be incorporated in construction contracts, and the details made available to all parties involved with work on the site, including equipment operators. Guidelines should be developed specifically for each site to ensure the maximum level of protection.

1. **Value your trees**

Trees are living objects, which require a restricted range of environmental conditions for the tree to thrive. Construction sites can often change the environmental conditions of a site to the extent where tree survival is unlikely, or the tree will have no amenity value. As retained healthy and vigorous trees have substantial value, it is imperative that trees be considered at each stage of the development cycle, from planning, construction through to landscaping.

2. **Trees are not posts**

Nothing whatsoever should be attached to any tree including temporary services, wires, nails, screws, or any other fixing device.

3. **Protection Barrier**

A protection barrier shall be installed around the tree or trees to be preserved. This may also include trees on adjoining properties where these trees are close to the construction. The barrier shall be constructed of durable fencing material, such as plastic construction fencing, or chainmesh fencing. Existing boundary fences may be suitable. The barrier shall be placed as far from the base of the tree(s) as possible, preferably extending past the drip line. The fencing shall be maintained in good repair throughout the duration of the project, and shall not be removed, relocated, or encroached upon without approval of Terrastylis.

4. **Mulching**

A layer of mulch to a depth of 75 millimetres should be placed over all root systems (not only the Tree Protection Zones) of all trees that are to be retained, to assist with moisture retention and reduce the impact of soil compaction. Mulch material should be either thoroughly composted material or consist of primarily of wood chips. Mulches containing high levels of uncomposted leaf material can cause problems by inducing nitrogen deficiency.

5. **Services**

Avoid trenching wherever possible. If trenching is to occur, use the one trench for as many services as possible and retain any large roots (greater than 40 millimetres in diameter) which grow across the trench. Boring should be undertaken at least in the vicinity of trees to be retained. Damaged roots should be pruned cleanly, and the cut ends sprayed with a root hormone solution before covering. If there is risk of fungal disease, then the roots should also be treated with a fungicide. As far as practicable, trenches should be refilled with material excavated from the trench. This material should be placed back into the trench to match the existing layers in the soil. The fill material should be compacted, as far as practicable, to the same compaction levels as the surrounding soil.

6. Storage of Materials

Materials or supplies of any kind are not to be stored within the protection barriers. Concrete and cement materials, block, stone, sand, and soil shall not be placed within the drip line of the tree.

7. Fuel Storage

Fuel storage shall NOT be permitted within 50 metres of any tree to be preserved.

Refuelling, servicing and maintenance of equipment and machinery shall NOT be permitted within 50 metres of protected trees.

8. Debris and Waste Materials

Debris and waste from construction or other activities shall NOT be permitted within protected areas. Wash-down of concrete or cement handling equipment shall NOT be permitted within 50 metres of protected trees.

9. Level Changes

Changes to surface levels can be particularly damaging to trees. Even as little as 50 millimetres of fill can cause the death of a tree. Lowering the grade can destroy major portions of a root system. Level changes should be approved by Terrastylis before construction begins, and precautions taken to mitigate potential injuries.

10. Damages

Any damages or injuries should be reported to Terrastylis as soon as possible. Severed roots shall be pruned cleanly to healthy tissue, using proper pruning tools. Broken branches or limbs shall be pruned in accordance with the Australian Standard 4373 - 2007.

11. Preventive Measures

Before construction begins, pruning of the tree canopies and branches should be done at the direction of Terrastylis to remove any dead or broken branches, and to provide the necessary clearances for the construction equipment.

12. Watering

Supplementary watering should be provided to all trees during dry periods, during and after the construction process. The dry period for Melbourne should be at least from 1st December to 30th April of each year. Approximately 25 millimetres of water, including rainfall (if any), should be provided each week. Disturbed trees may require supplementary water far more than this amount. Water should be provided by means of infrequent (weekly) deep soaking rather than frequent light applications.

13. Monitoring

Terrastylis should monitor trees on at least a monthly basis.

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Appendix 4 - Terms of engagement

The Client

1. The Client is the person listed on the cover of the report and includes agents and consultants acting on behalf of the client.

Payments

2. The client is responsible for payment of fees for the preparation of the report either in accordance with our standard schedule of rates or a prior written quote. Payment in full is required prior to a report being finalised.

Reports

3. The report is copyright to Terrastylis Pty Ltd.
4. The Client will be provided, unless expressly requested otherwise, with a draft report to correct errors in fact, assumptions or interpretations made by Terrastylis Pty Ltd. Draft reports are the exclusive property of Terrastylis Pty Ltd and may not be used for any other purpose nor shall the draft reports be distributed to any other persons whatsoever. Draft reports and any copies made there from shall be returned to Terrastylis upon request and any electronic copies deleted from computers and files.
5. Upon payment of the invoice the report will be finalised. The client will be licensed to use the final report for the sole purpose for which it was commissioned. This includes reproducing the report, but only in its entirety, for submission to authorities and other consultants. The making of partial reports or publication by any means whatsoever is prohibited without prior written approval from Terrastylis Pty Ltd.
6. Loss, removal, or alteration of any part of the report will invalidate the entire report.
7. The use of this report or publication by anyone other than the client is strictly prohibited.

Information

8. Terrastylis Pty Ltd has taken care to obtain all information from sources believed to be reliable and all data has been verified as far as practicable. Terrastylis Pty Ltd does not guarantee or warrant, nor will it be held responsible for, information supplied by others.
9. Unless otherwise specified, information in this report covers only those items that were examined and reflects the condition of those items at the time of the inspection. The inspection is limited to visual examination of accessible components without boring, excavation or probing. There is no warranty or guarantee, expressed or implied, that the problems or deficiencies of the plants or property in question may not arise in the future.
10. Any legal description provided to Terrastylis is assumed to be correct. Any titles and ownerships to any property are assumed to be correct. No responsibility is assumed for matters legal in character. It is assumed that any property/project is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
11. The report and any values expressed therein are the opinion of Terrastylis Pty Ltd and the fee charged for the preparation of this report is in no way contingent upon the reporting of a specified value or the occurrence of a subsequent event.
12. Sketches, diagrams, graphs, and photographs in the report, are intended as visual aids, and are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Additional services

13. Terrastylis Pty Ltd shall not give, or be required to give, evidence or to attend court, tribunal, or panel by reason of the preparation of this report. Such evidence or attendance shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.
14. Terrastylis Pty Ltd shall not carry out any of the works or monitor any of the activities required in the report simply by the preparation of this report. Such work or monitoring shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.

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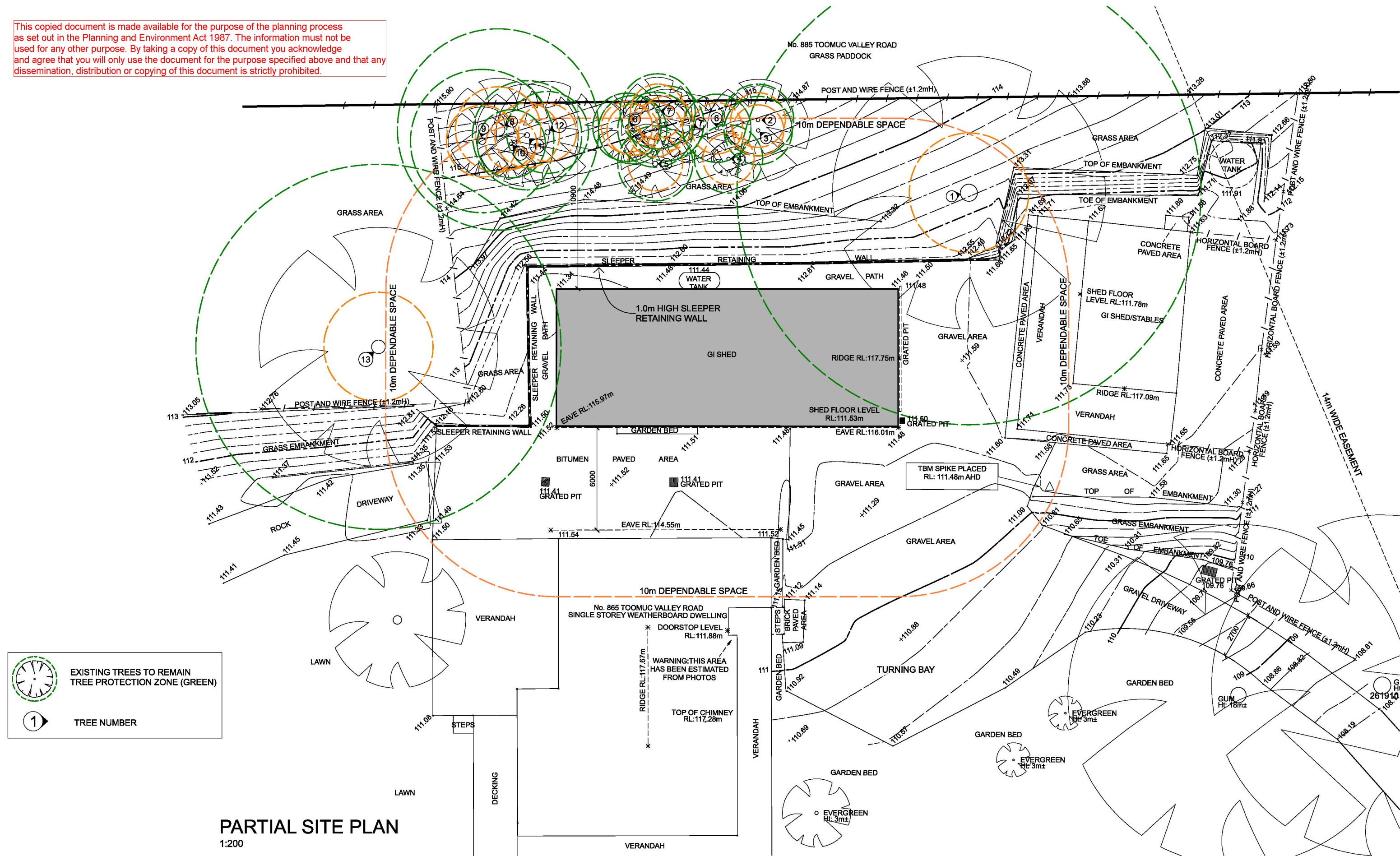
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PARTIAL SITE PLAN
1:200

Ag's

DRAFTING

S E R V I C E

Design Matters

Member

ANDREW BERRY

P.O BOX 373, PAKENHAM VIC 3810

www.ajsdrafting.com.au

DP-AD 43292

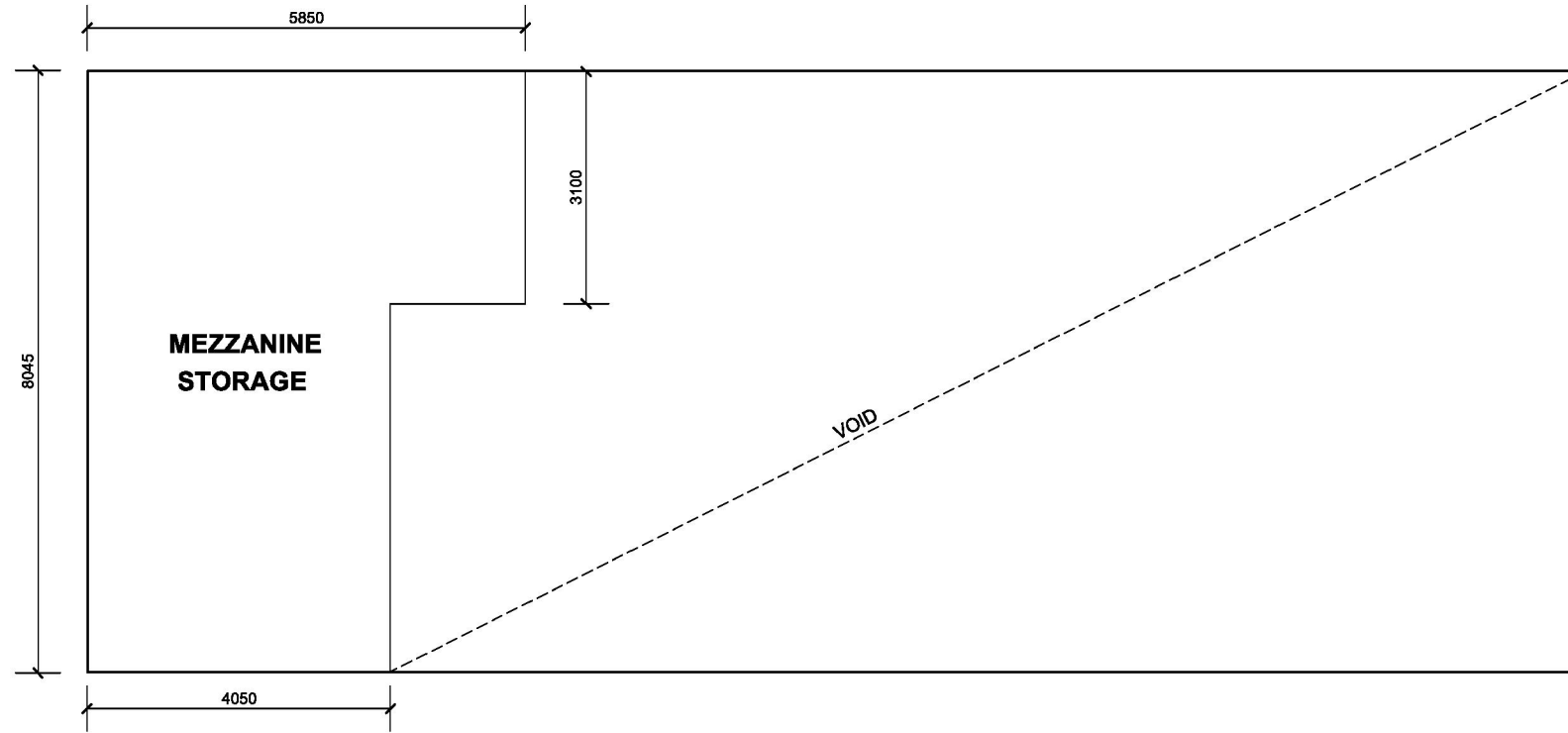
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andrew@ajsdrafting.com.au

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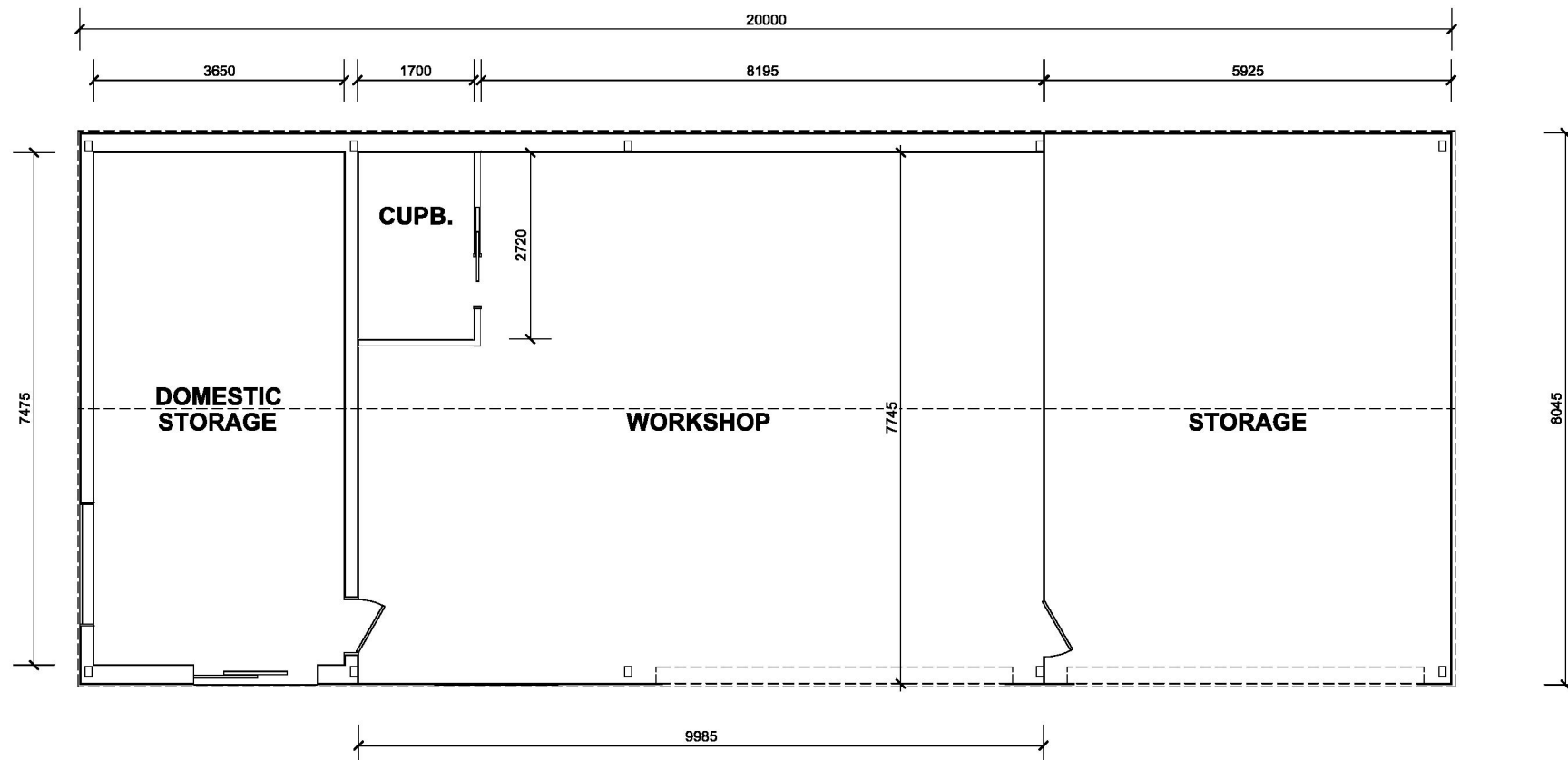
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REV.	DESCRIPTION	DATE	DRAWN BY:
			SCALE: AS SHOWN
			DATE: 10/02/2025
			SHEET: 2 OF 4
			SHEET SIZE: A3
NOTE: OWNER TO ENSURE A BUILDING PERMIT IS IN PLACE (IF REQUIRED) PRIOR TO ANY WORK COMMENCING ON SITE			DWG No: 24137



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MEZZANINE FLOOR PLAN
1:100



GROUND FLOOR PLAN
1:100



Ag's DRAFTING SERVICE

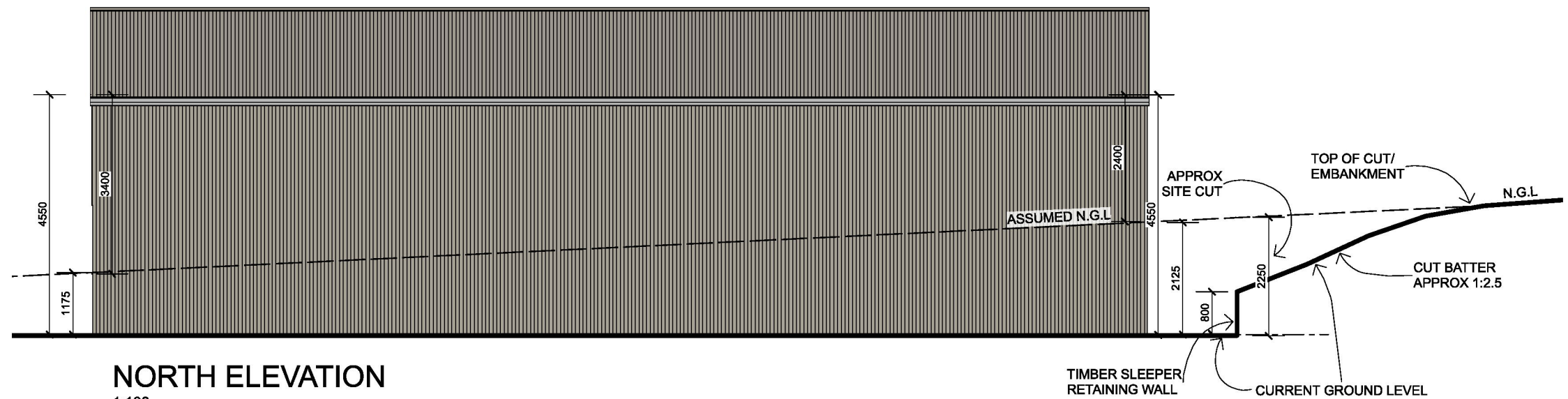
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Design Matters Member

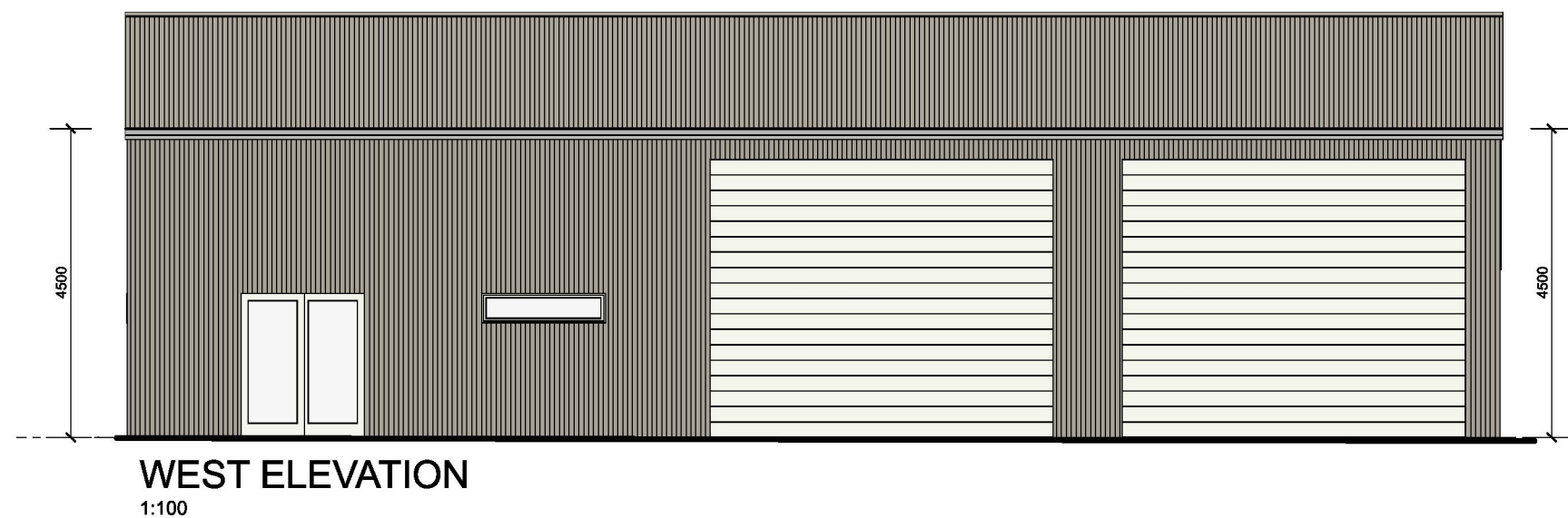
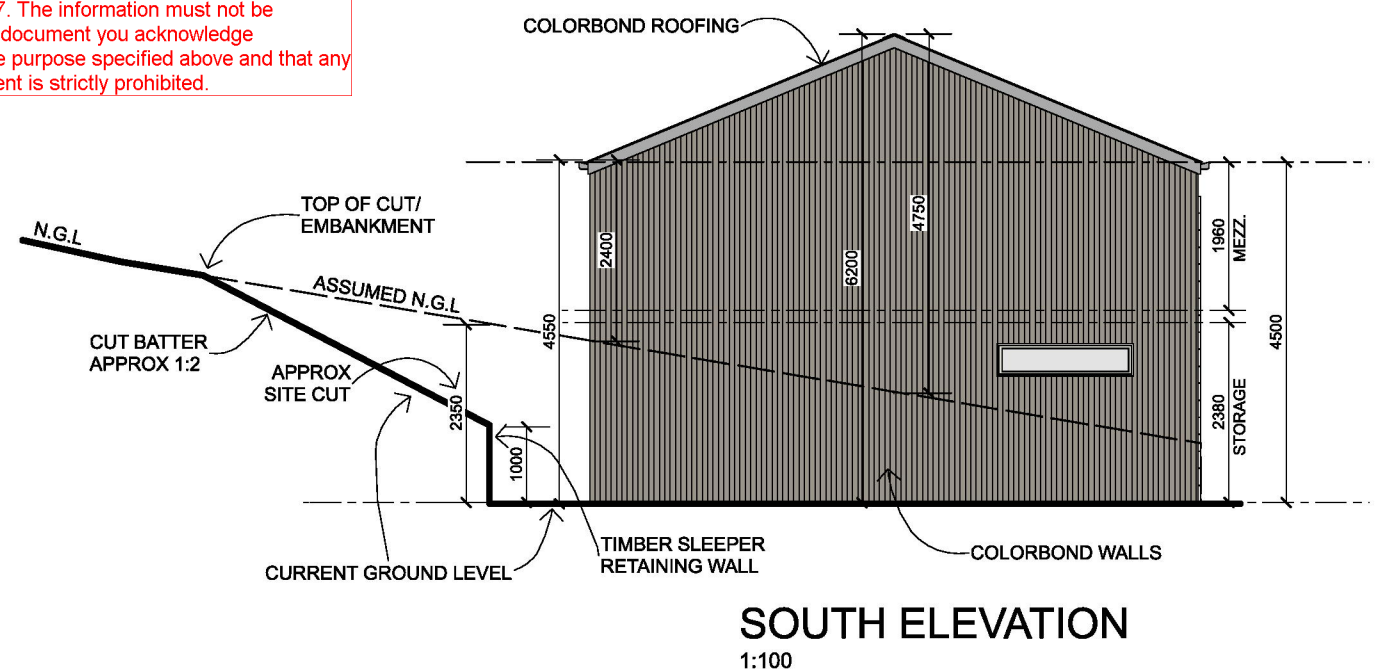
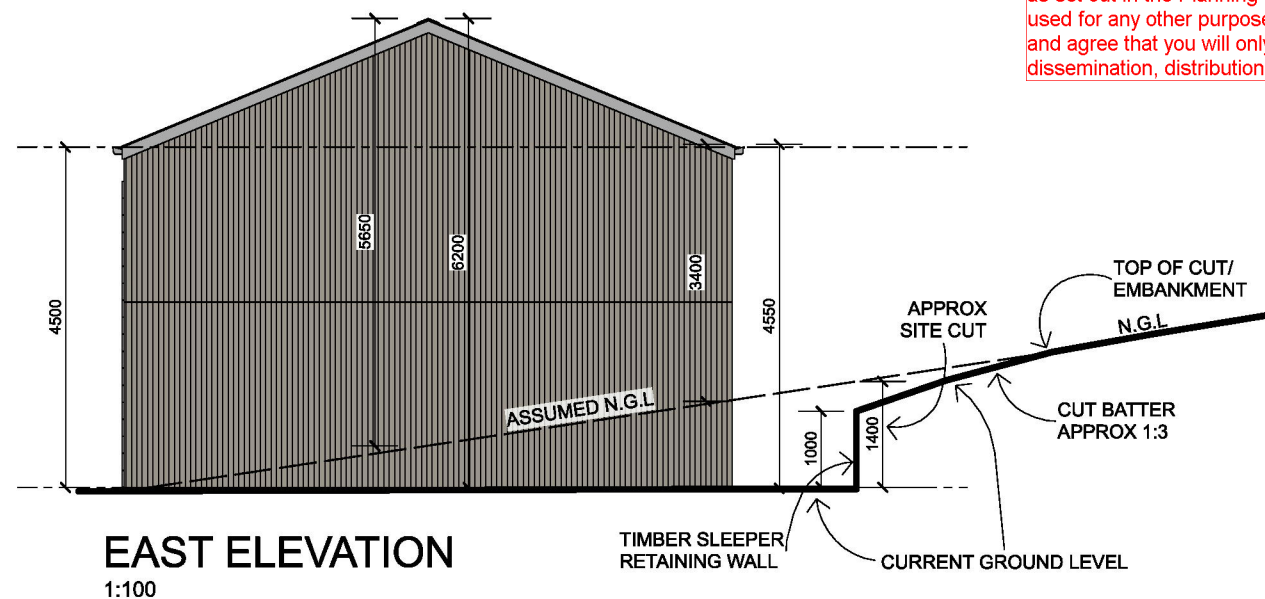
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MATERIAL/COLOUR SCHEDULE:	
ROOF:	COLORBOND GREY/BROWN
TRIM/GUTTER:	GREY
WALLS:	COLORBOND GREY/BROWN

Ag's DRAFTING SERVICE

ANDREW BERRY DP-AD 43292
P.O BOX 373, PAKENHAM VIC 3810 0424 589 793
www.ajsdrafting.com.au andrew@ajsdrafting.com.au

SHED		REV.	DESCRIPTION	DATE	DRAWN BY
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					SHEET: 4 OF 4
					SHEET SIZE: A3
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Treed *environs*

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ARBORICULTURAL ASSESSMENT & REPORT

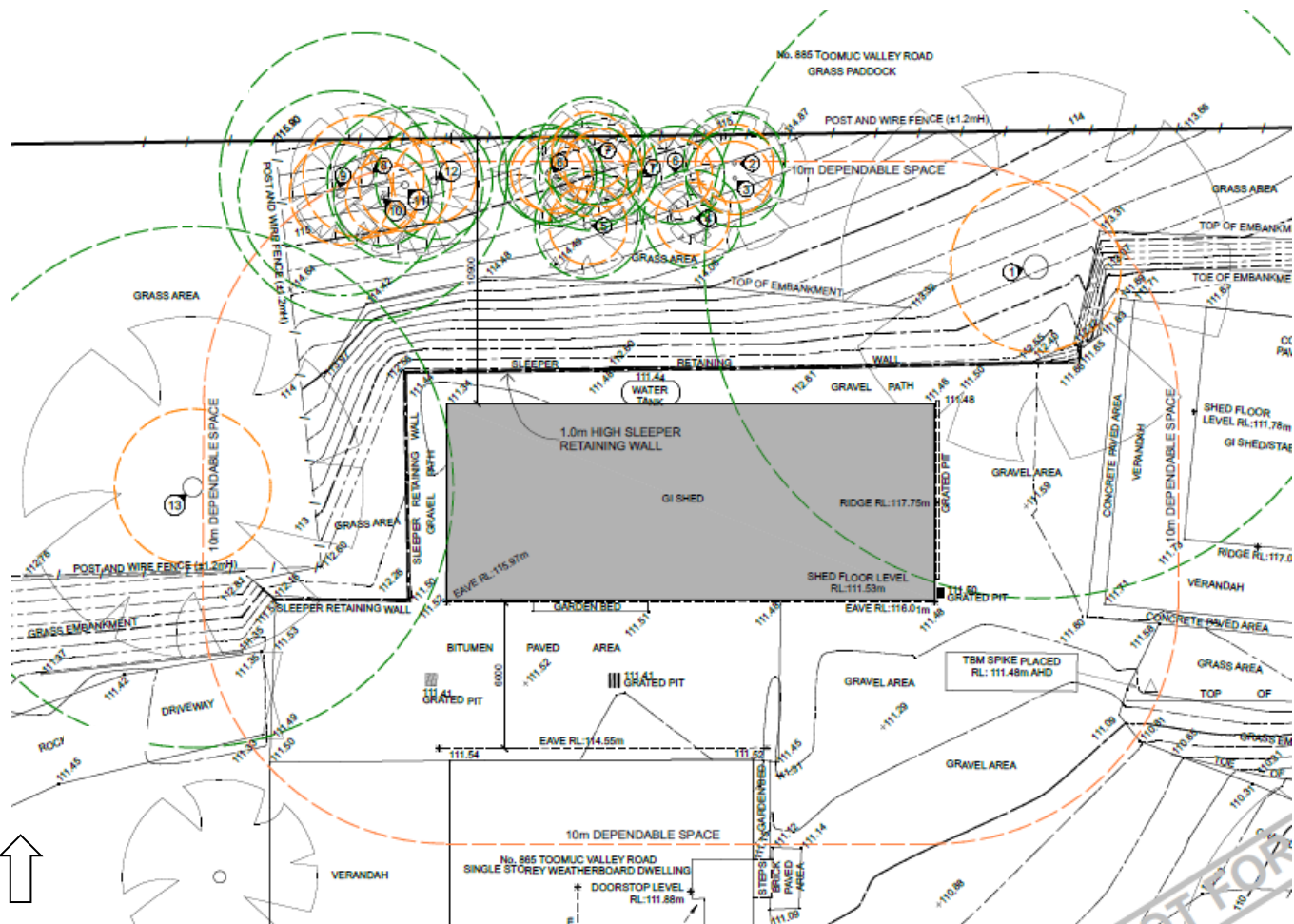
865 TOOMUC VALLEY ROAD,
PAKENHAM UPPER

Prepared by
Treed *environs*
December 2024

▪ TREES ▪ NATIVE VEGETATION ▪ BUSHFIRE MANAGEMENT

TERRASTYLIS PTY LTD ACN 080 282 506 ATF The Holly Patch Trust ABN 68 452 276 207 Tas TREED ENVIRONS

jeff@treedenvirons.com.au Phone 0419 899 446



Defendable Space

Defendable space shall be provided from the outer face of the outbuilding for a distance of 10m or to the property boundary (whichever is lesser) as shown on the plan.

The defendable space must be managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of the outbuilding, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the outbuilding.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Trees 1, 2, 4, 5, 7, 8, 9, 10, 11 and 12 are to be removed.

Construction Standard

The proposed outbuilding must be separated from the adjacent dwelling by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and - /60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

- Doorways – by FRL -/60/30 self-closing fire doors
- Windows – by FRL -/60/- fire windows permanently fixed in the closed position
- Other openings – by construction with a FRL of not less than - /60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.

Water Supply

There are no water supply requirements for the proposed outbuilding.

Access

There are no access requirements for the proposed outbuilding.

Note

This Bushfire Management Plan has been prepared based on the guidelines: "Outbuildings in a Bushfire Management Overlay - October 2017" prepared by DELWP.

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