

Notice of Application for a Planning Permit

The land affected by the application is located at:	L3 LP56062 191 Rainy Hill Road, Cockatoo VIC 3781
The application is for a permit to:	Buildings and Works (Construction of an Outbuilding) and Removal of Two (2) Native Trees

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

35.06-5	Construct a building within nominated setbacks,
42.01-2	Remove, destroy or lop vegetation,
42.01-2	Construct a building or construct or carry out works,
52.17-1	Remove, destroy or lop native vegetation

APPLICATION DETAILS

The applicant for the permit is:	[REDACTED]
Application number:	T250401

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.

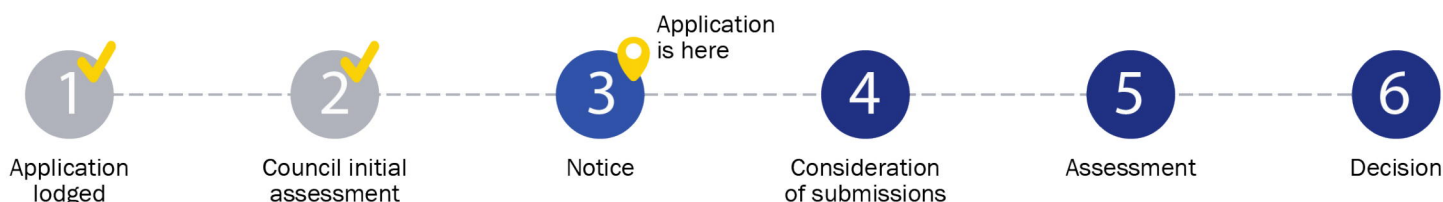
This can be done during office hours and is free of charge.

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:		07 October 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: <ul style="list-style-type: none">• 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.



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Application Summary

Portal Reference A3257101

Basic Information

Proposed Use	A permit to remove 2 trees and build a new garage as our existing garage is too small and not fit for purpose.
Current Use	Land is a residential property, has one dwelling and one small garage.
Cost of Works	\$90,000
Site Address	191 Rainy Hill Road Cockatoo 3781

Covenant Disclaimer

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

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

Contacts

Fees

Regulation Fee Condition		Amount	Modifier	Payable
9 - Class 3	More than \$10,000 but not more than \$100,000	\$714.40	100%	\$714.40
		Total		\$714.40

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20 Siding Avenue, Officer, Victoria

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

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

Email: mail@cardinia.vic.gov.au

Monday to Friday 8.30am–5pm
Phone: 1300 787 624
After Hours: 1300 787 624
Fax: 03 5941 3784

Documents Uploaded

Date	Type	Filename
09-07-2025	A Copy of Title	Title July 25.pdf
09-07-2025	A proposed floor plan	Shed Design 250617 Mel F - 9m (W) x 10m (L) x 3.6m (H) (2).pdf
09-07-2025	Proposed elevation plan	Drawings and location COMPLETE Falson.pdf
09-07-2025	Additional Document	191 Rainy Hill Road, Cockatoo - Arboricultural Impact Assessment.pdf
09-07-2025	Additional Document	191 Rainy Hill Road Native Vegetation Report.pdf
09-07-2025	Additional Document	Signed page VIC SMART application.pdf
09-07-2025	Additional Document	Application-for-a-VicSmart-Planning-Permit_July-2017.pdf Falson.pdf

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



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Application for a VicSmart Planning Permit


This application form is only for **VicSmart** applications (those listed under Clause 92 or the schedule to Clause 94). For all other planning permit applications, please request the correct form from Council.

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.

Clear Form

Application type

Nominate the VicSmart permit triggers (may be more than one)

State VicSmart triggers are listed in Clause 92

Local VicSmart triggers are listed in the schedule to Clause 94. List if any apply.

Select the VicSmart class(es)	Information requirements and decision guidelines can be found in
<input type="radio"/> Realign the common boundary between two lots	Clause 93.01
<input type="radio"/> Subdivision of buildings and car parking spaces	Clause 93.02
<input type="radio"/> Subdivide land into two lots (not in a rural zone)	Clause 93.02
<input type="radio"/> Front fence in a residential zone	Clause 93.03
<input type="radio"/> Buildings and works in a residential zone	Clause 93.04
<input type="radio"/> Buildings and works in commercial and industrial zones	Clause 93.04
<input type="radio"/> Buildings and works in special purpose zones	Clause 93.04
<input type="radio"/> Buildings and works in an overlay	Clause 93.05
<input type="radio"/> Remove, destroy or lop a tree	Clause 93.06
<input type="radio"/> Subdivision and buildings and works in a Heritage Overlay	Clause 93.07
<input type="radio"/> Subdivision and buildings and works in a Special Building Overlay	Clause 93.08
<input type="radio"/> Advertising sign	Clause 93.09
<input type="radio"/> Reducing the requirement for car parking	Clause 93.10
<input type="radio"/> Reducing the requirement for loading	Clause 93.11
<input type="radio"/> Two lot subdivision in a rural zone	Clause 93.12
<input type="radio"/> Buildings and works in a rural zone	Clause 93.13
<input type="radio"/> Extend one dwelling on a lot in a residential zone	Clause 93.14

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Pre-application meeting

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

☐ No

☐ Yes

If 'Yes', with whom?:

Date:

day / month / year

The Land


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

Street Address *

Unit No.:	St. No.:	St. Name:
Suburb/Locality:		Postcode:

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.:	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.:
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? *

 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.

Estimated cost of development for which the permit is required *


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

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.

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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.

Organisation (if applicable):

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

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

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.

Same as applicant ☒

Name:

Title: First Name: Surname:

Organisation (if applicable):

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

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner's Signature (Optional): Date: day / month / year

Information requirements


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.

Have you completed the VicSmart information checklist(s)?

- ☒ Yes
- ☐ No

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 I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date: 09/07/2025

day / month / year

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Need help with the Application?

If you need help to complete this form, read More Information at the end of this form.


General information about the VicSmart planning process is in the Applicant's Guide to Lodging a VicSmart Application which is available at www.planning.vic.gov.au

Assistance can also be obtained from Council's planning department.

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 listed in Clause 93 and the schedule to Clause 95 for the appropriate VicSmart class of application?
- ☐ Completed and attached the relevant information checklist for the appropriate VicSmart application?
- ☐ Signed the declaration?

Lodgement

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

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

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 08367 FOLIO 244

Security no : 124127010278D
Produced 11/08/2025 11:49 AM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 056062.
PARENT TITLE Volume 08149 Folio 735
Created by instrument B321521 21/08/1962

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT940006H 13/01/2021
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE LP056062 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 191 RAINY HILL ROAD COCKATOO VIC 3781

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 13/01/2021

DOCUMENT END

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Document Identification	LP056062
Number of Pages (excluding this cover sheet)	2
Document Assembled	11/08/2025 11:49

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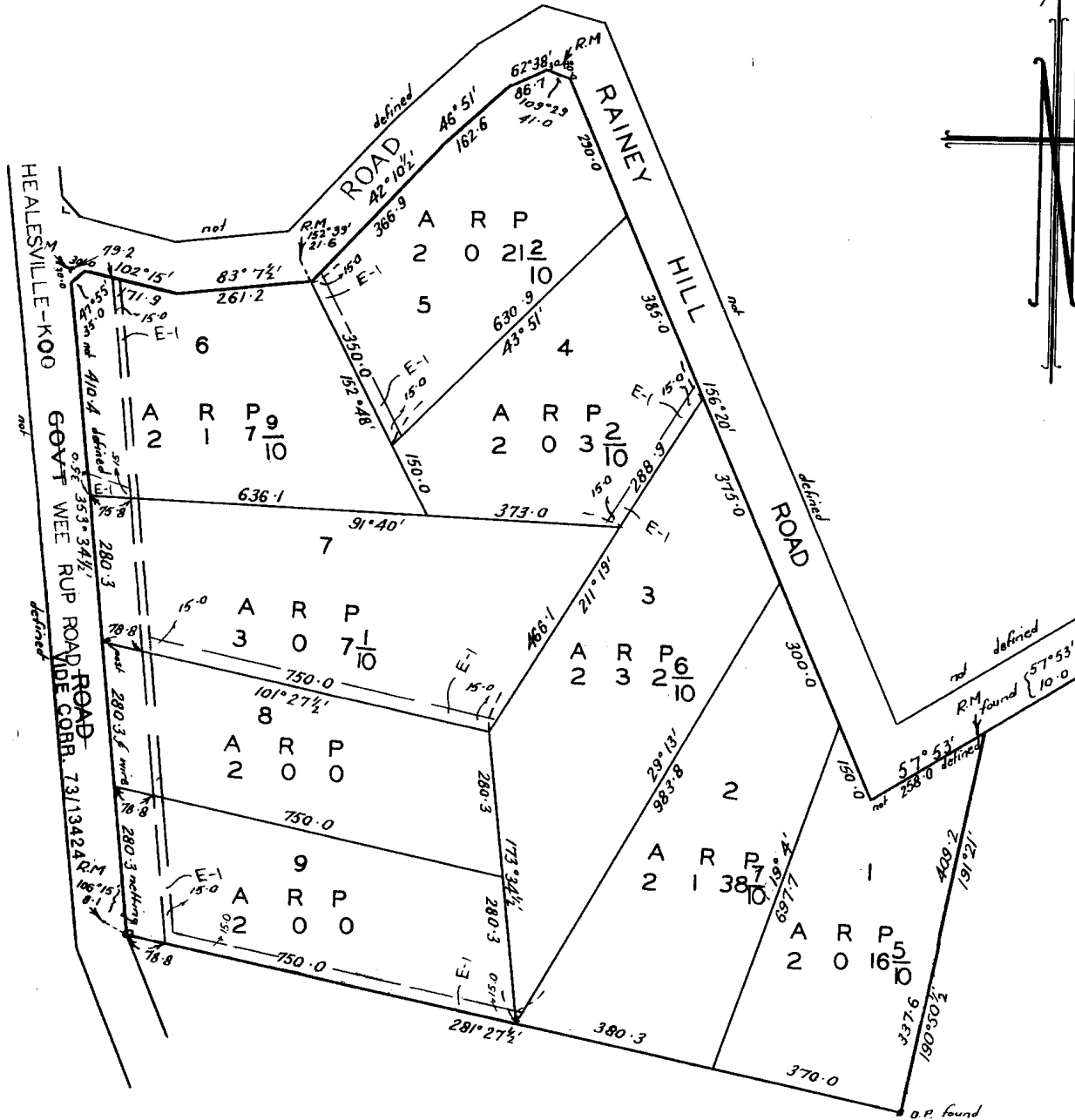
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PLAN OF SUBDIVISION OF
PART OF CROWN ALLOTMENT 123L
PARISH OF GEMBROOK
COUNTY OF MORNINGTON

LP56062
EDITION 1
PLAN MAY BE LODGED 19/7/62

SCALE CHAINS TO AN INCH

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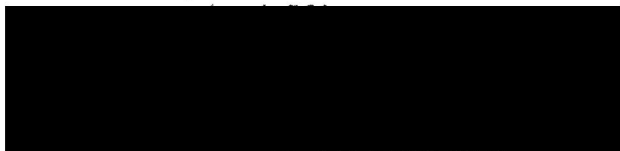


Note: Land colored blue is drainage easement

COLOUR CONVERSION
E-1 = BLUE

FOR APPROPRIATIONS, ETC,
SEE BACK HEREOF

T.J.A. FORBES & CO.



SHIRE OF BERWICK
16.10.61

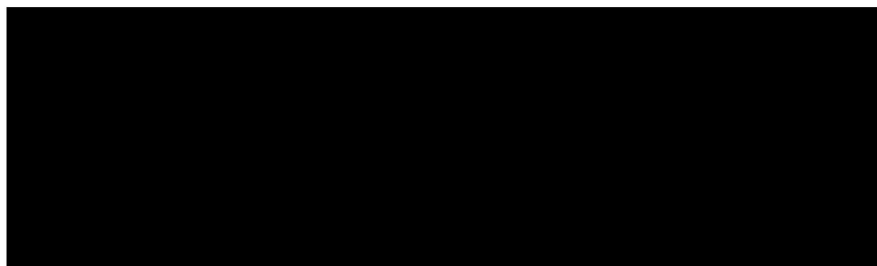
LP56062.....
BACK OF SHEET ...1.....

PLAN MAY BE LODGED

S.M.C.D.

19 JUL 1962

THE LAND COLOURED BLUE
IS APPROPRIATED
OR SET APART FOR
EASEMENTS OF DRAINAGE.



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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.:	T250401PA
Address of the Land:	191 RAINY HILL ROAD, COCKATOO, VIC, 3781

APPLICANT DETAILS

Name:	
Organisation:	
Address:	
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 checked="" type="checkbox"/>
Section 50A - Amendment to application at request of responsible authority before notice:	<input 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 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.		
UPDATED ADDRESS NUMBER TO 191 ON THE NATIVE		
VEGETATION REMOVAL REPORT		

Specify the estimated cost of any development for which the permit is required:		
Not applicable <input checked="" type="checkbox"/>	Unchanged <input 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 a	
Name:	
Signature:	
Date:	

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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Arboricultural Impact Assessment

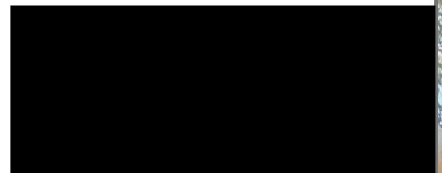
191 Rainy Hill Road, Cockatoo VIC
3781

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Report prepared for:



Report prepared by:





CONTENTS

Document Control	1
1. EXECUTIVE SUMMARY	2
2. INTRODUCTION	2
3. OBJECTIVES	2
4. METHODOLOGY	3
5. DOCUMENTS REVIEWED	3
6. PLANNING CONTEXT	4
7. OBSERVATIONS	4
8. DISCUSSION	5
9. ARBORICULTURAL IMPACT ASSESSMENT	6
10. RECOMMENDATIONS	9
11. REFERENCES	10
12. APPENDIX 1: Tree Data	11
13. APPENDIX 2: Tree Maps	12
14. APPENDIX 3: Tree Descriptors	13
15. APPENDIX 4: Expertise to prepare report	16

DOCUMENT CONTROL

Document Title	Date Prepared	Prepared By
Arboricultural Impact Assessment – 191 Rainy Hill Road, Cockatoo VIC 3781	03/07/2025	JG

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1. EXECUTIVE SUMMARY

- 1.1 Data was collected for ten (10) trees at 191 Rainy Hill Road, Cockatoo VIC 3781 and immediate surrounds.
- 1.2 Two (2) trees are *high* retention value specimens on the subject site.
- 1.3 Seven (7) trees are *medium* retention value specimens on the subject site.
- 1.4 One (1) tree is a *low* retention value specimen on the subject site.
- 1.5 Trees #2 and 7 have *major* NRZ (Notional Root Zone) encroachment under the reviewed design (53.5% and 78.8%). These two (2) trees are *medium* retention value specimens recommended for removal due to a lack of alternative siting areas for the construction without *native vegetation*.
- 1.6 Trees #1, 3, 4, 9 and 10 have NRZ encroachment of 10% or less, which is a *minor* encroachment pursuant to AS 4970-2025 *Protection of trees on development sites*.
- 1.7 Trees #2 and 7 are recommended for removal pending approval by the Responsible Authority, with permit and offsets required.
- 1.8 Replacement tree plantings of indigenous canopy tree species of EVC 16 (*Lowland Forest*) and EVC 29 (*Damp Forest*) are also recommended on the subject site to achieve the objectives of the Rural Conservation Zone.

2. INTRODUCTION

- 2.1 Applied Arboriculture Consulting has been engaged by Melissa Falson to prepare an arboricultural impact assessment for ten (10) trees at 191 Rainy Hill Road, Cockatoo.
- 2.2 This report details the tree species, size, condition of health and structure, estimated Useful Life Expectancy (ULE), NRZ (Notional Root Zone), TPZ (Tree Protection Zone), SRZ (Structural Root Zone), amenity value and retention value with reference to descriptors in *Appendix 3: Tree Descriptors*.
- 2.3 An assessment of construction impacts against the provided designs was undertaken with reference to AS 4970 – 2025 *Protection of trees on development sites*.

3. OBJECTIVES

- 3.1 Undertake an arboricultural impact assessment for ten (10) trees at 191 Rainy Hill Road, Cockatoo. Tree data provided within this report includes:

- Species
- Origin
- Tree dimensions (height & width)
- Trunk diameter at breast height (DBH)
- Trunk diameter at ground level (DAB)
- Notional Root Zone (NRZ)
- Health
- Structure
- ULE
- Amenity Value
- Retention Value
- Tree Protection Zone (TPZ)
- Structural Root Zone (SRZ)

- 3.2 Undertake an assessment of construction impacts against the provided designs in accordance with AS 4970 – 2025 *Protection of trees on development sites*.
- 3.3 Provide recommendations for tree sensitive design methodologies, further investigation for impacts or design changes where required.

4. METHODOLOGY

- 4.1 A ground-based visual tree assessment (Matheny & Clark 1998) was conducted by James Gibson on the 1st of July 2025. Trees assessed were inspected from ground level and observations were made of the surrounding area.
- 4.2 Tree data was recorded on an Apple iPhone XR using the Fulcrum field data collection app.
- 4.3 Tree locations were recorded using a Trimble DA2 GNSS receiver with ~60cm accuracy.
- 4.4 Trunk diameter was measured with a tape measure.
- 4.5 Height was measured using a laser clinometer.
- 4.6 Assessment details of individual trees are listed within *Appendix 1: Tree Data* and tree locations are available in *Appendix 2: Tree Maps*

5. DOCUMENTS REVIEWED

- 5.1 The following documents were reviewed in preparation of this report:
- PROPOSED SHED - 191 RAINY HILL ROAD, COCKATOO, 22/04/2025, DS BUILDING DESIGN, Drawing A04.

6. PLANNING CONTEXT

- 6.1 The subject site is located within the Cardinia Shire Council local government area. The site is zoned as Rural Conservation Zone – Schedule 2 (RCZ2). The site is affected by Schedule 1 of the Environmental Significance Overlay (ESO1).

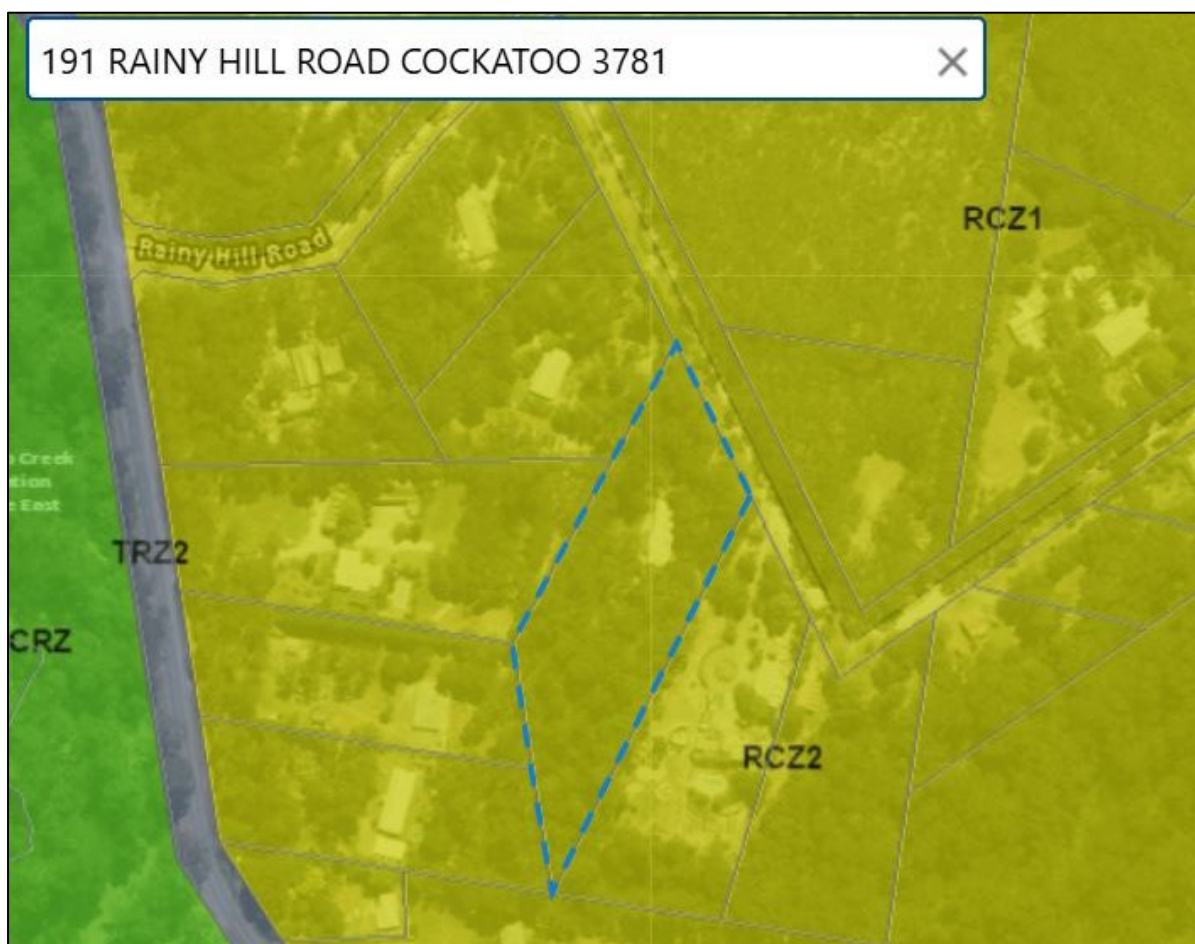


Figure 1. Showing the subject site (blue dashed line) and RCZ2 zoning (yellow) zoning. Image sourced from VicPlan (Victoria State Government 2025).

7. OBSERVATIONS

- 7.1 A total of ten (10) trees were assessed in the scope of this report.
- 7.2 The subject site has an existing gravel driveway and crossover, as well as an existing dwelling and shed.

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8. DISCUSSION

8.1 The trees assessed were comprised of one (1) *low* retention value tree, seven (7) *medium* retention value trees and two (2) *high* retention value trees on the subject site. Tree data is as follows:

LOW RETENTION VALUE TREES

Tree ID	Botanical Name	Common Name	NRZ (m)	SRZ (m)	NRZ Area? (m ²)	Retention Value
10	<i>Pinus radiata</i>	Monterey Pine	9.24	3.06	268.22	Low

Table 1. Low Retention Value trees

MEDIUM RETENTION VALUE TREES

Tree ID	Botanical Name	Common Name	NRZ (m)	SRZ (m)	NRZ Area? (m ²)	Retention Value
1	<i>Acacia melanoxylon</i>	Blackwood	2.76	1.94	23.93	Medium
2	<i>Eucalyptus obliqua</i>	Messmate	3.24	2.02	32.979	Medium
3	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	4.60	2.39	66.48	Medium
6	<i>Acacia melanoxylon</i>	Blackwood	3.60	2.13	40.72	Medium
7	<i>Eucalyptus viminalis</i>	Manna Gum	3.72	2.08	43.47	Medium
8	<i>Eucalyptus viminalis</i>	Candlebark	3.00	1.97	28.27	Medium
9	<i>Acacia melanoxylon</i>	Manna Gum	5.00	2.53	78.54	Medium

Table 2. Medium Retention Value trees

HIGH RETENTION VALUE TREES

Tree ID	Botanical Name	Common Name	NRZ (m)	SRZ (m)	NRZ Area? (m ²)	Retention Value
4	<i>Eucalyptus obliqua</i>	Messmate	8.16	2.95	209.1848	High
5	<i>Eucalyptus radiata</i>	Narrow-leaved Peppermint	5.16	2.47	83.64679	High

Table 3. High Retention Value trees

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9. ARBORICULTURAL IMPACT ASSESSMENT

- 9.1 Two (2) trees have *major* NRZ encroachment under the reviewed design (trees #2 and 7). These trees are within the footprint of the proposed building and are unable to be retained without major design change. Alternative locations would likely result in greater tree removals and encroachment.
- 9.2 Five (5) trees have *minor* NRZ encroachment (trees #1, 3, 4, 9 and 10) of 10% or less under the proposed design and have contiguous permeable soil space to offset this loss of area. This is a *minor* encroachment to the definitions of AS 4970-2025.

ARBORICULTURAL IMPACT SUMMARY

Tree ID	Botanical Name	Common Name	NRZ (m)	SRZ (m)	Encroachment	Comments
1	<i>Acacia melanoxylon</i>	Blackwood	2.76	1.94	5.9%	<i>Minor</i> encroachment into the NRZ, will remain viable with tree protection measures.
2	<i>Eucalyptus obliqua</i>	Messmate	3.24	2.02	78.8%	<i>Major</i> NRZ encroachment under proposed design, trunk is located within the footprint of construction and will require removal under the design.
3	<i>Eucalyptus radiata</i>	Narrow-leaved Pepperment	4.6	2.39	8.5%	<i>Minor</i> encroachment into the NRZ, will remain viable with tree protection measures.
4	<i>Eucalyptus obliqua</i>	Messmate	8.16	2.95	1.5%	<i>Minor</i> encroachment into the NRZ, will remain viable with tree protection measures.
5	<i>Eucalyptus radiata</i>	Narrow-leaved Pepperment	5.16	2.47	0.0%	No NRZ encroachment under the design, tree will remain viable with tree protection measures.
6	<i>Acacia melanoxylon</i>	Blackwood	3.60	2.13	0.0%	No NRZ encroachment under the design, tree will remain viable with tree protection measures.
7	<i>Eucalyptus viminalis</i>	Manna Gum	3.72	2.08	53.5%	<i>Major</i> NRZ encroachment under proposed design, trunk is located within the footprint of construction and will require removal under the design.

8	<i>Eucalyptus viminalis</i>	Manna Gum	3.00	1.97	0.0%	No NRZ encroachment under the design, tree will remain viable with tree protection measures.
9	<i>Acacia melanoxylon</i>	Blackwood	5.00	2.53	10.0%	Minor encroachment into the NRZ, will remain viable with tree protection measures.
10	<i>Pinus radiata</i>	Monterey Pine	9.24	3.06	8.4%	Minor encroachment into the NRZ, will remain viable with tree protection measures.

Table 4. Arboricultural Impact Summary

ARBORICULTURAL IMPACT ASSESSMENT LEGEND



= Tree will remain viable post-construction based on assessed impacts.



= Tree will likely remain viable post-construction with tree sensitive design consideration and/or project arborist supervision based on assessed impacts.



= Tree will not remain viable post-construction based on assessed impacts.

- 9.3 Tree #10 is a Monterey Pine (*Pinus radiata*), an exotic origin specimen listed as a weed in Schedule 1 of the Environmental Significance Overlay, however still requiring permit for removal as it is greater than 40cm DBH.
- 9.4 Tree #10 is recommended for removal, as a recent failure of a similar age Monterey Pine has left the canopy exposed to new wind loading. The previous Monterey Pine located ~3 metres West of tree #10 has also shaded the Western side of tree #10, resulting in a heavily Eastern weighted canopy distribution.
- 9.5 Two (2) *small, scattered trees* require offset for removal pursuant to Clause 52.17 Native Vegetation of the Victorian Planning Provisions. These are trees #2 and 7. A Native Vegetation Removal report has been prepared in conjunction with this report, with comment as to *avoid and minimise* objectives and summary of the site.
- 9.6 Additional tube stock planting of EVC 16 (*Lowland Forest*) and EVC 29 (*Damp Forest*) characteristic trees are recommended on the subject site to achieve the protect and conserve objectives of the Rural Conservation Zone, with direct onsite offset planting. The character species in the area were primarily Messmate (*Eucalyptus obliqua*) and Narrow-leaved Peppermint Gums (*Eucalyptus radiata*).

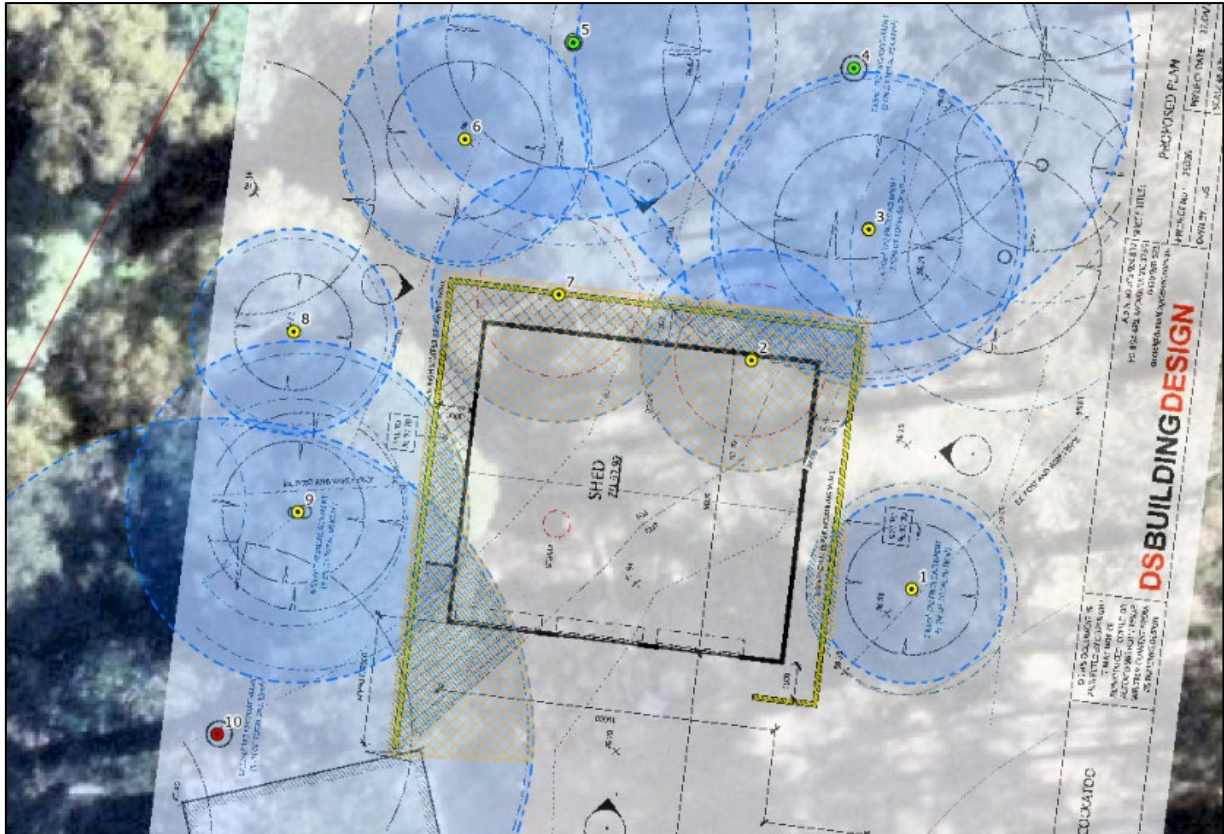


Figure 2. Showing the location of encroachments (orange hatching) relative to NRZ (blue circles) from the proposed design. Adapted from Nearthmap, ArcGIS Pro and Proposed Plan drawing.



Figure 3. Showing tree #2, located within the proposed footprint. Groundcover in this area was more than 75% exotic species and presence.



Figure 4. Showing tree #2, located within the proposed footprint. Groundcover in this area was more than 75% exotic species and presence.

10.RECOMMENDATIONS

- 10.1 Trees #2 and 7 require removal under the proposed design. Permit for removal is required pursuant to Schedule 1 of the Environmental Significance Overlay and Clause 52.17 Native Vegetation.
- 10.2 A project arborist should be appointed and tree protection plan confirmed upon approval of design by the Responsible Authority. An indicative tree protection plan drawing is available in *Appendix 2: Tree Maps* for review.
- 10.3 Any connection of underground services in TPZ or NRZ areas are to be installed with non-destructive digging (NDD) techniques under project arborist supervision.
- 10.4 Additional tubestock planting of indigenous canopy tree species of EVC 16 and EVC 29 are recommended.

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11. REFERENCES

Matheny, Clark, 1998, *Trees and development: a technical guide to preservation of trees during land development*, International Society of Arboriculture

Standards Australia 2025, *AS 4970-2025 Protection of trees on development sites*, Sydney

Victoria State Government 2025, <<https://mapshare.vic.gov.au/vicplan/>>, accessed 04/06/2025.

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12.APPENDIX 1: Tree Data

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ID	1
Botanical name	<i>Acacia melanoxylon</i>
Common Name	Blackwood
Origin	Indigenous
Height	11
Width	4
DBH	23
DAB	28
Health	Fair
Structure	Fair
ULE	20+
Amenity Value	Medium
Retention Value	Medium
NRZ	2.76
SRZ	1.94
Comments	



ID	2
Botanical name	<i>Eucalyptus obliqua</i>
Common Name	Messmate
Origin	Indigenous
Height	12
Width	5
DBH	27
DAB	31
Health	Fair to poor
Structure	Fair
ULE	5 - 10
Amenity Value	Medium
Retention Value	Medium
NRZ	3.24
SRZ	2.02
Comments	Canopy slightly sparse



ID	3
Botanical name	<i>Eucalyptus radiata</i>
Common Name	Narrow-leaved Pepperment
Origin	Indigenous
Height	16
Width	5
DBH	38
DAB	46
Health	Fair
Structure	Fair to Poor
ULE	5 - 10
Amenity Value	Medium
Retention Value	Medium
NRZ	4.6
SRZ	2.39
Comments	Signs of some minor swelling in base near pruning wound.



ID	4
Botanical name	<i>Eucalyptus obliqua</i>
Common Name	Messmate
Origin	Indigenous
Height	22
Width	10
DBH	68
DAB	76
Health	Fair to poor
Structure	Fair
ULE	10 - 20
Amenity Value	High
Retention Value	High
NRZ	8.16
SRZ	2.95
Comments	



ID	5
Botanical name	<i>Eucalyptus radiata</i>
Common Name	Narrow-leaved Pepperment
Origin	Indigenous
Height	19
Width	7
DBH	43
DAB	50
Health	Fair
Structure	Fair
ULE	10 - 20
Amenity Value	High
Retention Value	High
NRZ	5.16
SRZ	2.47
Comments	



ID	6
Botanical name	<i>Acacia melanoxylon</i>
Common Name	Blackwood
Origin	Indigenous
Height	16
Width	6
DBH	30
DAB	35
Health	Fair
Structure	Fair to Poor
ULE	10 - 20
Amenity Value	Medium
Retention Value	Medium
NRZ	3.6
SRZ	2.13
Comments	



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ID	7
Botanical name	<i>Eucalyptus viminalis</i>
Common Name	Manna Gum
Origin	Indigenous
Height	19
Width	5
DBH	31
DAB	33
Health	Fair to poor
Structure	Fair to Poor
ULE	5 - 10
Amenity Value	Medium
Retention Value	Medium
NRZ	3.72
SRZ	2.08
Comments	Multiple large lesions likely response to bark beetle



ID	8
Botanical name	<i>Eucalyptus viminalis</i>
Common Name	Manna Gum
Origin	Indigenous
Height	16
Width	4
DBH	25
DAB	29
Health	Fair to poor
Structure	Fair to Poor
ULE	5 - 10
Amenity Value	Medium
Retention Value	Medium
NRZ	3
SRZ	1.97
Comments	Wound at 6m, signs of decay



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ID	9
Botanical name	<i>Acacia melanoxylon</i>
Common Name	Blackwood
Origin	Indigenous
Height	13
Width	7
DBH	42
DAB	53
Health	Fair
Structure	Fair
ULE	10 - 20
Amenity Value	Medium
Retention Value	Medium
NRZ	5
SRZ	2.53
Comments	



ID	10
Botanical name	<i>Pinus radiata</i>
Common Name	Monterey Pine
Origin	Exotic
Height	22
Width	10
DBH	77
DAB	83
Health	Fair
Structure	Fair
ULE	<1
Amenity Value	High
Retention Value	Low
NRZ	9.24
SRZ	3.06
Comments	Likely exposed to new wind loading after recent neighbouring pine failure, consider removal on basis of risk management.



13.APPENDIX 2: Tree Maps

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Arboricultural Impact Assessment

191 Rainy Hill Road, Cockatoo VIC
3781

Legend

Tree Retention Value

- High
- Low
- Medium

- SRZ
- NRZ



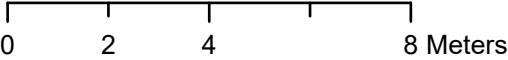
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Date Prepared: 03/07/2025

Spatial Reference
Name: GDA2020 MGA Zone 55

Scale: 1:150

Sheet: 1





Arboricultural Impact Assessment

191 Rainy Hill Road, Cockatoo VIC 3781

Legend

Tree Retention Value

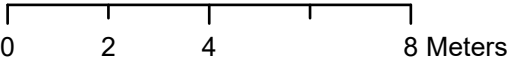
- High
- Low
- Medium
- Encroachments
- SRZ
- NRZ

Date Prepared: 03/07/2025

Spatial Reference
Name: GDA2020 MGA Zone 55

Scale: 1:150

Sheet: 2



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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

14.APPENDIX 3: Tree Descriptors

Health	Description
Good	Tree crown has dense foliage coverage throughout, leaves are entire and without discolouration or defect, no visible pest or pathogen damage. Good growth and function indicators (e.g. extension growth of stems, production of foliage).
Fair	Tree crown has average or typical foliage density for age and growing environment, leaves may have minor discolouration or defect within the canopy, signs of minor pest or pathogen damage may be visible. Tree may have signs of a minor reduction in growth and function indicators (e.g. Reduced extension growth, stunted or limited production of foliage). May present with minor dieback of emergent foliage or distal deadwood.
Fair to poor	Tree crown has below average or below typical foliage density for age and growing environment, leaves may have moderate discolouration or defect within the canopy, signs of moderate pest or pathogen damage may be visible. Tree may have signs of a moderate reduction in growth and function indicators (e.g. Reduced extension growth, stunted or limited production of foliage). May present with moderate dieback or multiple dieback events within crown or deadwood throughout multiple areas of crown.
Poor	Tree crown has sparse foliage density for age and growing environment, leaves may have major discolouration or defects within the canopy, signs of major pest or pathogen damage may be visible. Tree may have signs of major reduction in growth and function indicators (e.g. Reduced extension growth, stunted or limited production of foliage). May present with major dieback or multiple dieback events within crown or extensive deadwood throughout the majority of crown.
Dead	Tree has no signs of vascular function and is dead.

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Structure	Description
Good	The tree structure is above-average of the species and age with no significant defects such as included bark, trunk or primary branch decay, splits/cracks or weakened tissue. Primary branch attachments are sound with no signs of defect or weakened tissue.
Fair	The tree structure is average of the species and age and may present with minor defects in the crown, trunk and/or roots. Defects are still unlikely to result in tree part or whole tree failure in the near future and/or are able to be remediated or managed. Minor bark inclusion, minor altered wood or decay or lower order stem or root damage may be present.
Fair to poor	The tree structure is below-average of the species and age and may present with moderate defects in the crown, trunk and/or roots. Defects may result in tree part or whole tree failure in the near future with partial remediation or management available. Extent of decay, bark inclusion or other defects may be moderate or limited to ascertain based upon the assessment scope.
Poor	The tree structure is below-average of the species and age and may present with major defects in the crown, trunk and/or roots. Defects are likely to result in tree part or whole tree failure in the near future are unable to be entirely remediated or managed. This may include large cracks, signs of advanced decay, poor attachment of branches or basal instability.
Hazardous	The tree has major defects and is actively failing. It should be removed or isolated from potential failure targets as soon as possible.

Useful Life Expectancy	Description
20+ years	The tree is in generally good health and/or structure and is likely to remain viable in its growing environment for more than 20 years. This is an above-average specimen with no significant defects or a long-lived species with minor defects or minor reduction to vascular function.
10 – 20 years	The tree is in generally fair health and/or structure and is likely to remain viable in its environment 10 - 20 years. This may be due to minor structural defects or minor reduction in vascular function. This may be an above-average specimen of a short-lived species.
5 – 10 years	The tree is in generally fair to poor health and/or structure and is unlikely to remain viable in its environment for more than 10 years. This may be due to moderate structural defects or moderate reduction in vascular function.
1 – 5 years	The tree is in generally poor health and/or structure and is unlikely to remain viable in its environment for more than 5 years. This may be due to major structural defects or major reduction in vascular function.
<1 year	Tree is dead and/or has major defects unable to be remediated.

Amenity Value	Description
Very High	<p>The tree is a large specimen of a medium to long lived species with multiple above-average amenity characteristics applicable out of the following:</p> <ul style="list-style-type: none"> - Recognised heritage or cultural significance. - Visually prominent and significant to the local community - Exceptional specimen based on age, size, health, structure and/or other characteristics.
High	<p>The tree is a large specimen of a medium to long lived species. It is in generally fair or good health and/or structure and provides significant amenity contribution visually and/or ecologically. It is likely to provide significant amenity value for at least 20 years.</p>
Moderate	<p>The tree is a medium specimen easily visible to the local community or large sized specimen partially visible to the local community. Tree is a short to long lived species. It is generally in good, fair or fair to poor health and/or structure. It is likely to provide moderate amenity value for 10 – 20 years.</p>
Low	<p>Tree provides little to no visual amenity contribution to the local community due to size and location. May be a recognised weed species of the area. May be a young tree easily replaced in the landscape.</p>

Retention Value	Description
Very High	<p>The tree provides very high amenity value contribution is an exceptional specimen. Tree may be a large remnant specimen, a significant heritage listed specimen or champion tree of the species. Tree generally has a long ULE. This tree should be retained at all feasible costs.</p>
High	<p>The tree provides high amenity value contribution and is an above-average specimen. Tree is generally a large, canopy species providing significant visual and/or other amenity value with a long ULE. This tree should be retained and incorporated into any future designs where possible.</p>
Moderate	<p>The tree provides moderate amenity contribution and is generally fair specimen. Tree may provide some amenity contribution as a medium sized tree easily visible or a large tree partially visible to the local community and has a medium to long ULE. This tree should be considered for retention and incorporated into any future designs where opportunity is readily available.</p>
Low	<p>This tree provides low amenity contribution, has a low ULE, is an environmental weed species or a young, easily replaced specimen. This tree should not be considered for retention under any future designs.</p>
Third Party	<p>Tree is owned by a Third Party and has an assumed high retention value.</p>

15.APPENDIX 4: Expertise to prepare report

I have more than a decade of experience in the fields of environmental science and arboriculture, with more than 8 years' experience in the role of consulting arborist and ecologist. I hold the relevant qualifications to consult in both the fields of environmental science and arboriculture with qualifications below.

Bachelor of Environmental Science (AQF 7) (*Deakin University*)

Diploma of Arboriculture (AQF 5) (*Melbourne Polytechnic*)

QTRA Licensed User #5527 - Basic and Advanced Training Course (Valid until 2025)

TRAQ Licensed User (Valid until 2029)

Regards,

James Gibson

A handwritten signature in black ink, appearing to be 'J Gibson', on a light-colored background.

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Native Vegetation Removal Report

NVRR ID: 311_20250910_M50

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the [Guidelines for the removal, destruction or lopping of native vegetation](#) (the Guidelines). This report is **not an assessment by DEECA** of the proposed native vegetation removal. Offset requirements have been calculated using modelled condition scores.

Report details

Date created: 10/09/2025

Local Government Area: CARDINIA SHIRE

Registered Aboriginal Party: Wurundjeri

Coordinates: 145.50300, -37.91464

Address: 191 RAINY HILL ROAD COCKATOO 3781

Summary of native vegetation to be removed

Assessment pathway	Basic Assessment Pathway		
Location category	Location 1 The native vegetation extent map indicates that this area is not typically characterised as supporting native vegetation. It does not meet the criteria to be classified as Location Category 2 or 3. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset.		
Total extent including past and proposed removal (ha) <i>Includes endangered EVCs (ha): 0</i>	0.04	Extent of past removal (ha)	0
		Extent of proposed removal - Patches (ha)	0.000
		Extent of proposed removal - Scattered Trees (ha)	0.040
No. Large Trees proposed to be removed	0	No. Large Patch Trees	0
		No. Large Scattered Trees	0
No. Small Scattered Trees	2		

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Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

General Offset amount ¹	0.01 General Habitat Units
Minimum strategic biodiversity value score ²	0.512
Large Trees	0
Vicinity	Melbourne Water CMA or CARDINIA SHIRE LGA

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCR) Search Tool - <https://nvcr.delwp.vic.gov.au>

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1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.

2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required.



Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

There is a slight slope/gradient with the high point at the road frontage (North-East) and low point to the West.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

The footprint for the proposed outbuilding is predominantly already cleared of vegetation historically for the original dwelling and driveway area. Use of the current footprint for an outbuilding involved the least amount of impact for an area to connect to the existing driveway.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

No

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

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- Describes the bushfire threat; and
- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, If the proposed defensible space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defensible space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

No assessment of defensible space has been undertaken for the proposed outbuilding.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.

Does an NVPP apply to the proposal?

No

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.

An offset will be secured for two (2) small scattered trees as per the outcomes of the assessment if approved by the Responsible Authority. Additional onsite plantings of indigenous tube stock canopy trees will also occur on the subject site.

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Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.

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Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed



Information provided by or on behalf of the applicant			Information calculated by NVR Map							
Zone	Type	DBH (cm)	EVC code (modelled)	Bioregional conservation status	Large Tree(s)	Condition score (modelled)	Polygon extent (ha)	Extent without overlap (ha)	SBV score	General Habitat Units
A	Scattered Tree	9	HSF_0016	Least Concern	-	0.200	0.031	0.020	0.640	0.005
B	Scattered Tree	31	HSF_0016	Least Concern	-	0.200	0.031	0.020	0.640	0.005

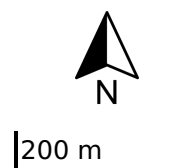
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Appendix 2: Images of mapped native vegetation

1. Property in context

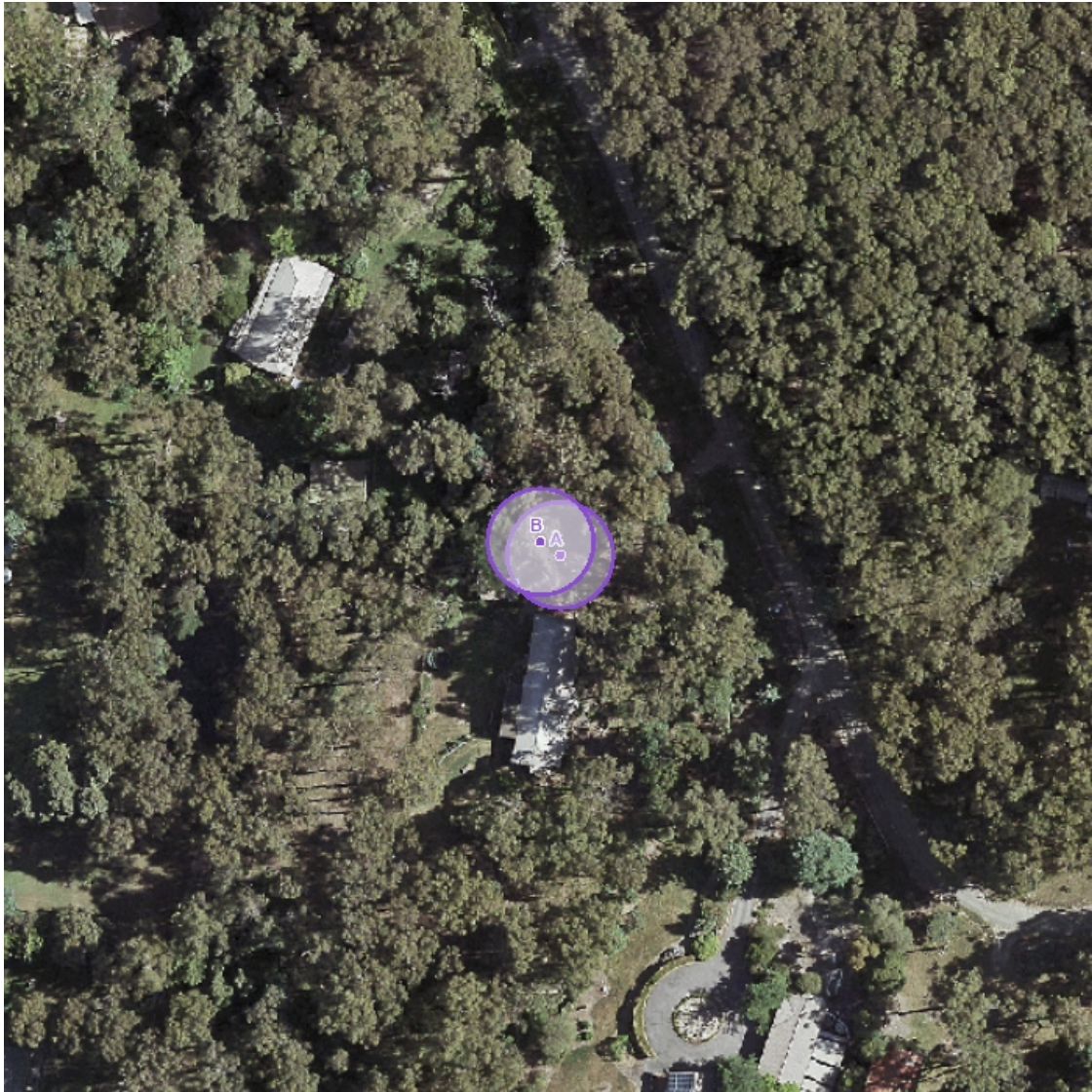



-  Proposed Removal
-  Property Boundaries

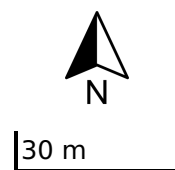


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2. Aerial photograph showing mapped native vegetation



 Proposed Removal



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3. Location Risk Map



□ Proposed Removal

□ Location 1

□ Location 2

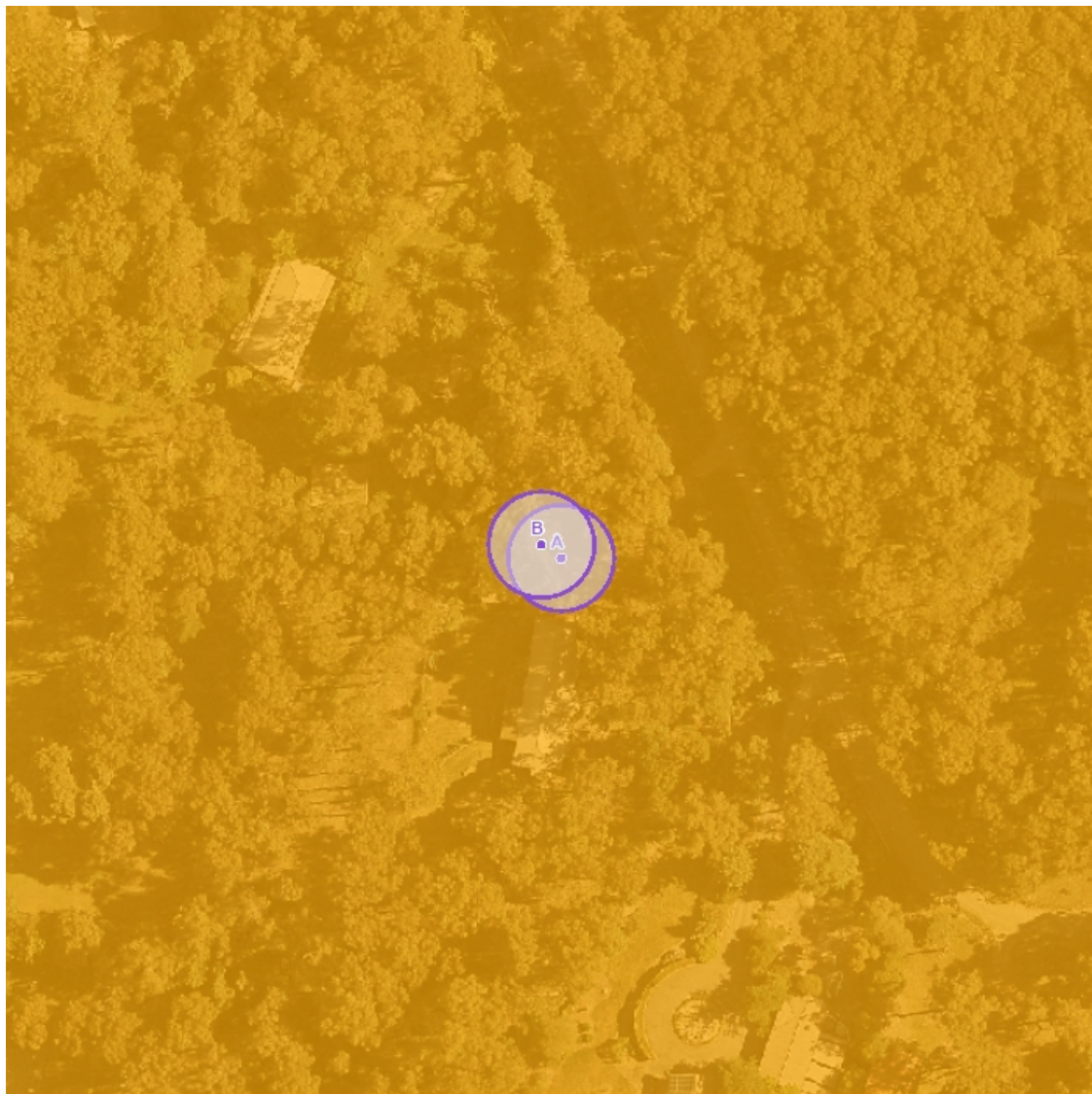
□ Location 3



30 m

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4. Strategic Biodiversity Value Score Map



Proposed Removal

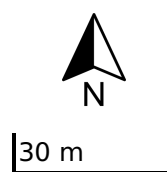
0.81 - 1.00

0.61 - 0.80

0.41 - 0.60

0.21 - 0.40

0.00 - 0.20



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5. Condition Score Map



Proposed Removal

0.81 - 1.00

0.61 - 0.80

0.41 - 0.60

0.21 - 0.40

0.00 - 0.20



30 m

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6. Endangered EVCs

Not Applicable

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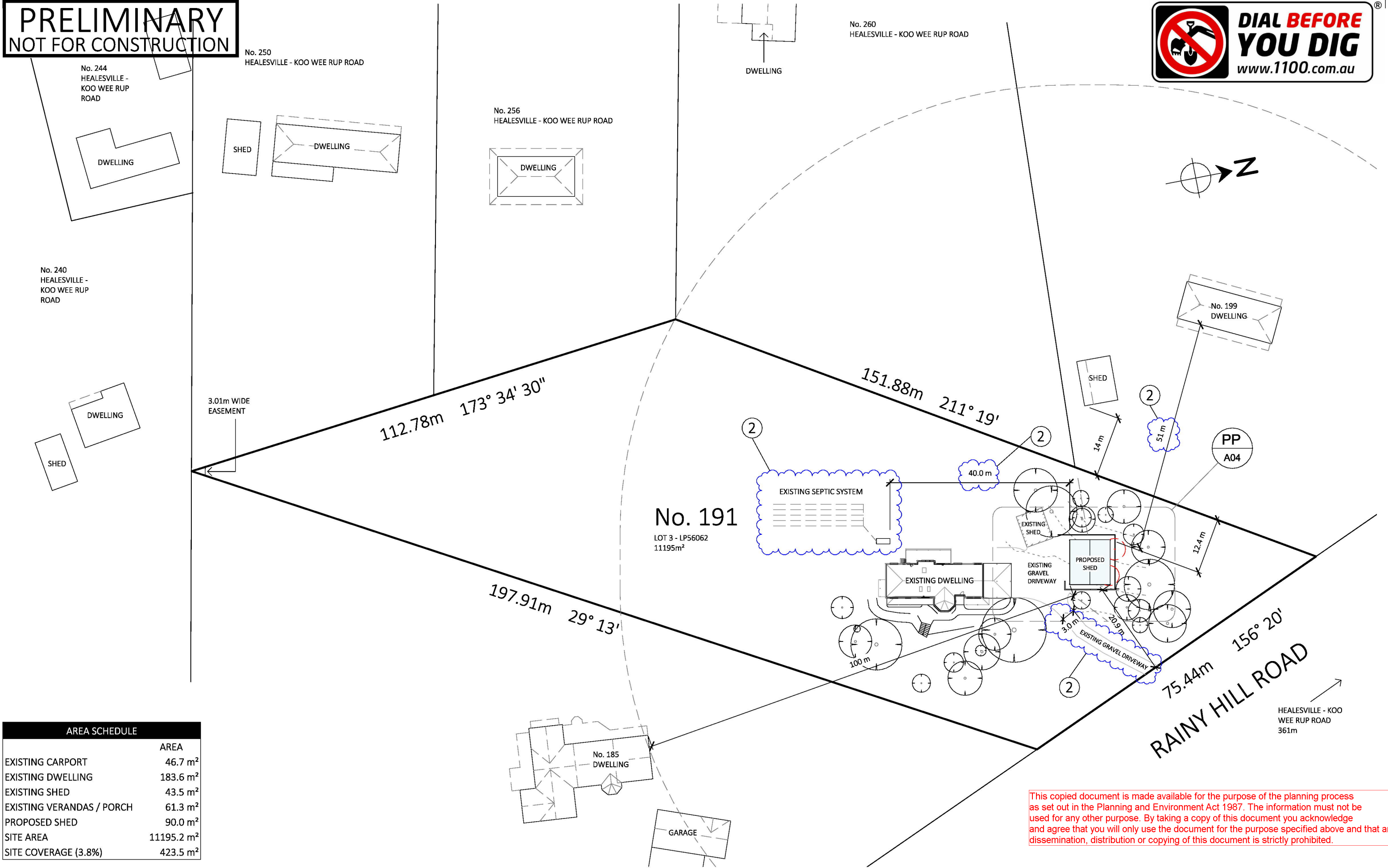
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AREA SCHEDULE	
	AREA
EXISTING CARPORT	46.7 m ²
EXISTING DWELLING	183.6 m ²
EXISTING SHED	43.5 m ²
EXISTING VERANDAS / PORCH	61.3 m ²
PROPOSED SHED	90.0 m ²
SITE AREA	11195.2 m ²
SITE COVERAGE (3.8%)	423.5 m ²

REV	DESCRIPTION	DATE
1	PRELIMINARY	22/05/2025
2	COUNCIL RFI RESPONSE	22/08/2025

PROJECT: PROPOSED SHED
191 RAINY HILL ROAD, COCKATOO

CLIENT: [REDACTED]

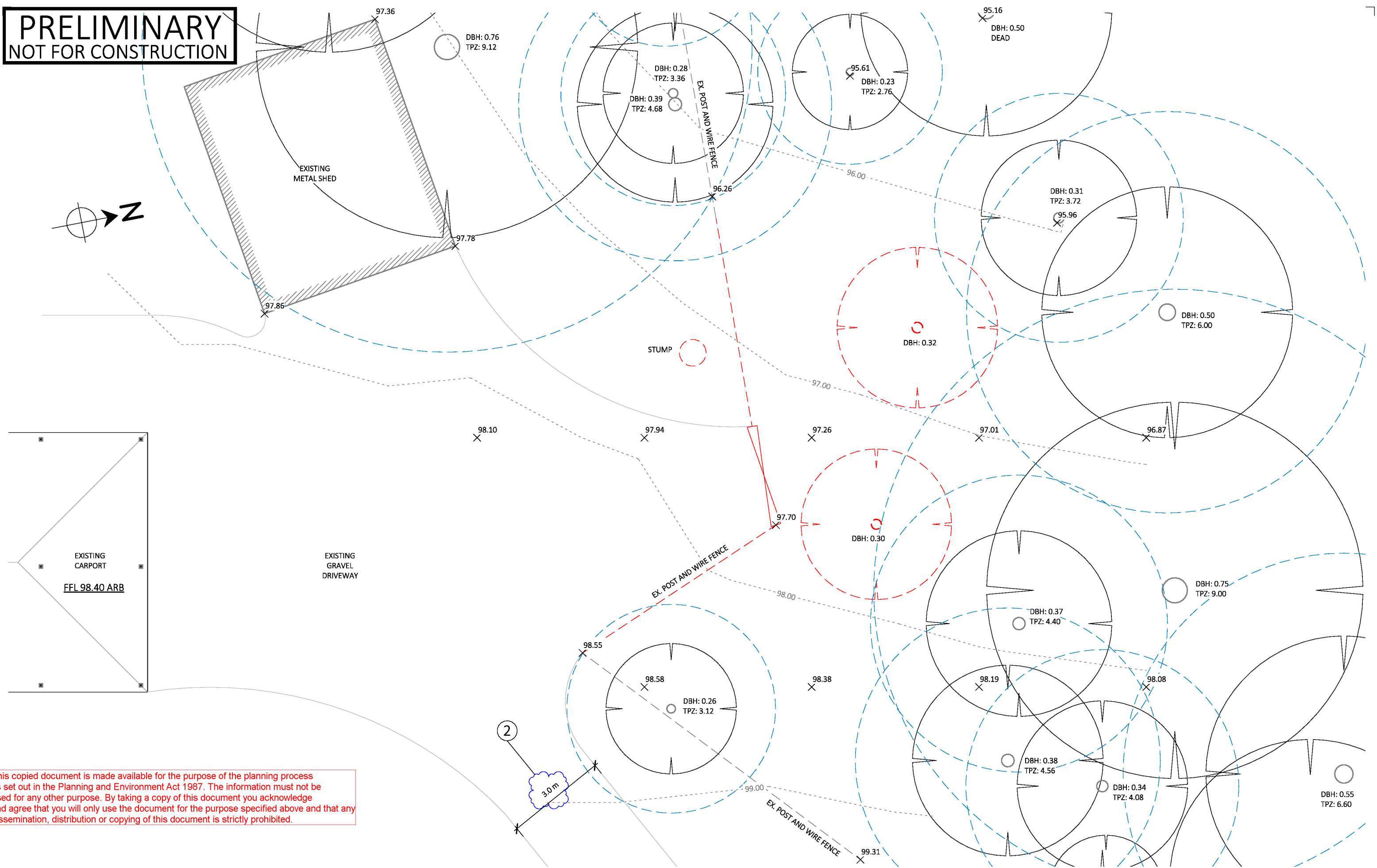
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SITE PLAN		SHEET No.: A02
PROJECT No.: 25026	PROJECT DATE: 22/04/2025	
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2	COUNCIL RFI RESPONSE	22/08/2025

PROJECT: PROPOSED SHED
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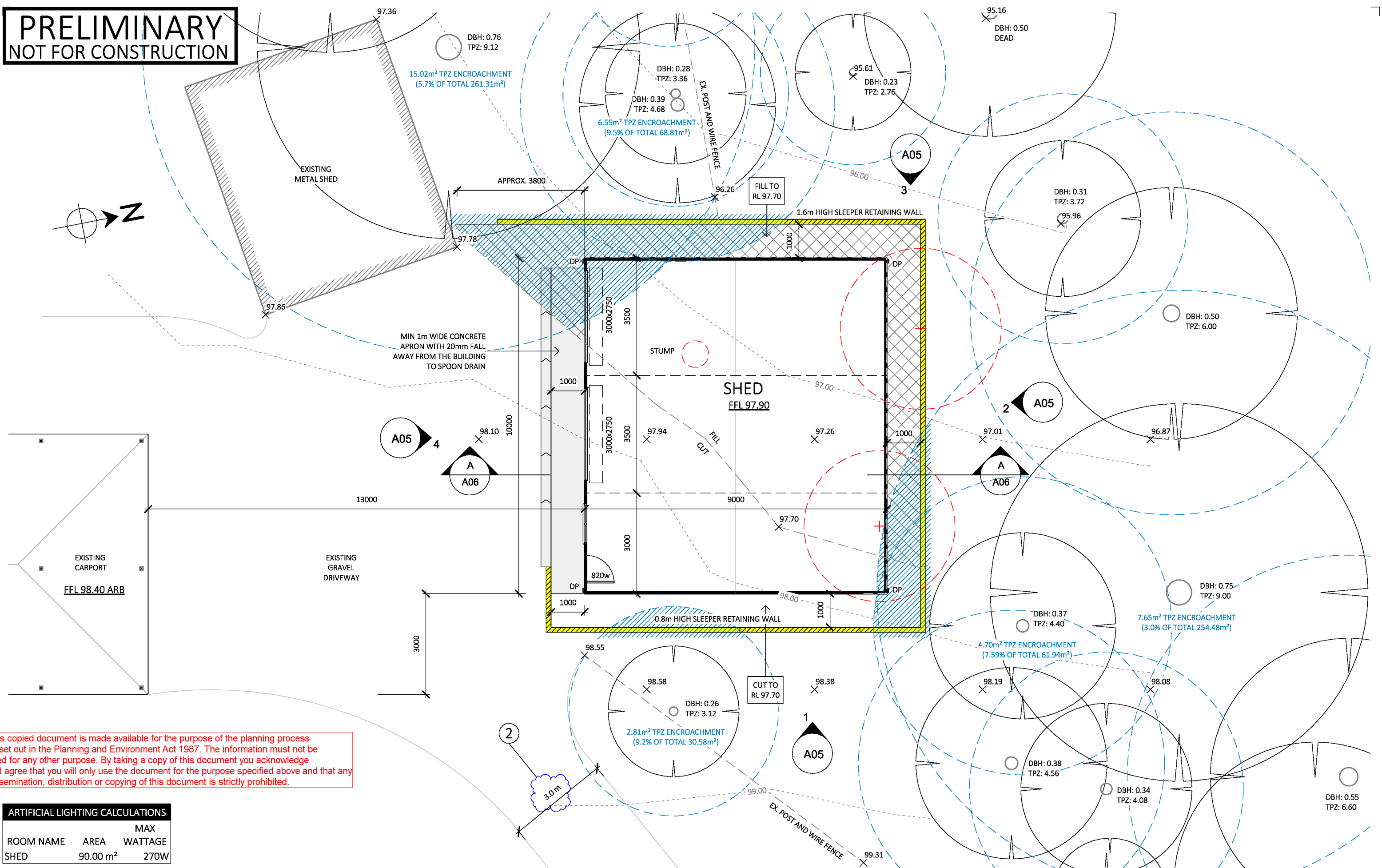
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EXISTING PLAN	
PROJECT No.: 25026	PROJECT DATE: 22/04/2025
DWN BY: DS	SCALE @ A3: 1 : 100

REVISION: 2

SHEET No.: A03

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ARTIFICIAL LIGHTING CALCULATIONS		
ROOM NAME	AREA	MAX WATTAGE
SHED	90.00 m ²	270W

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2	COUNCIL RFI RESPONSE	22/08/2025

PROJECT: PROPOSED SHED
191 RAINY HILL ROAD, COCKATOO

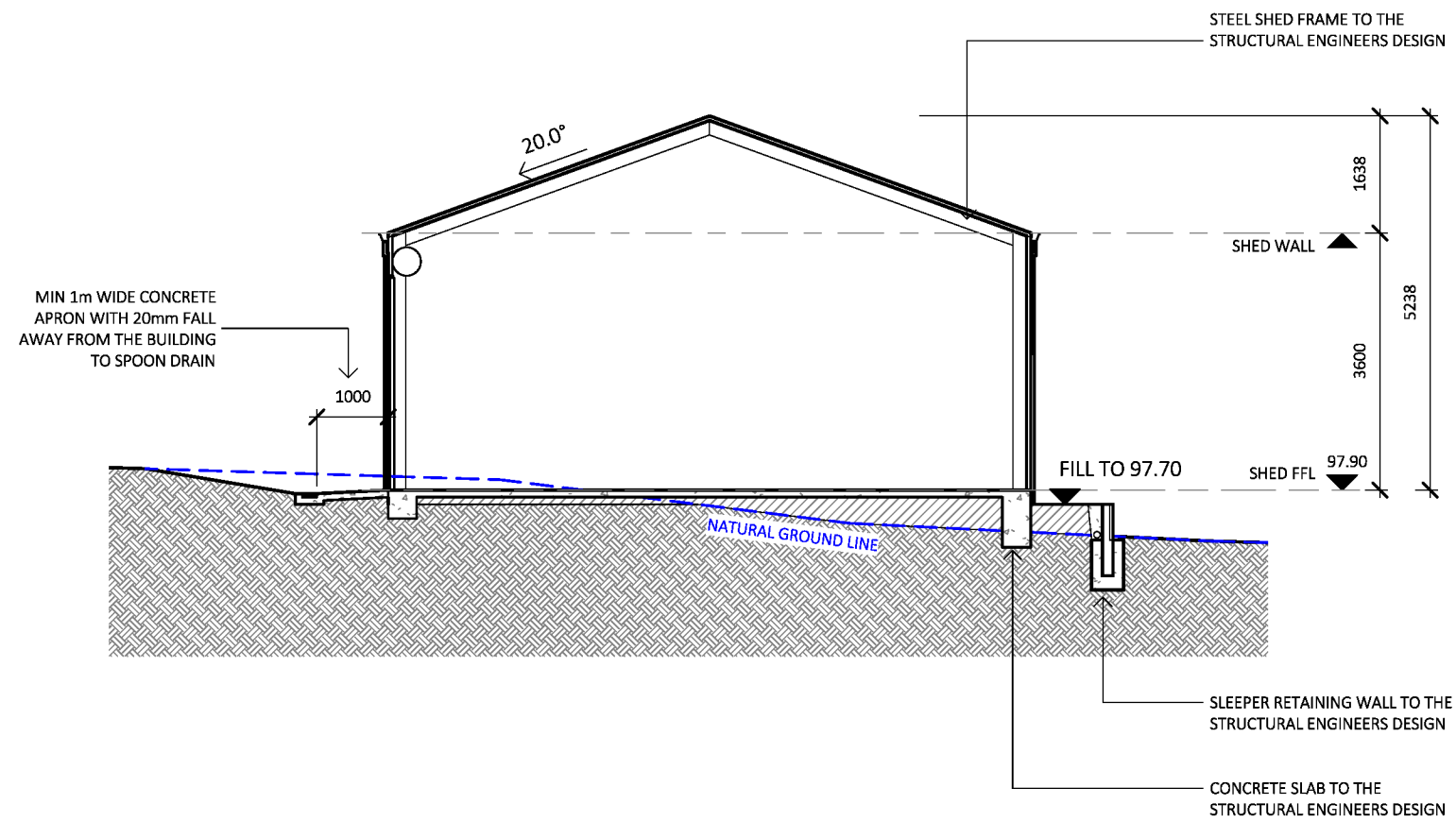
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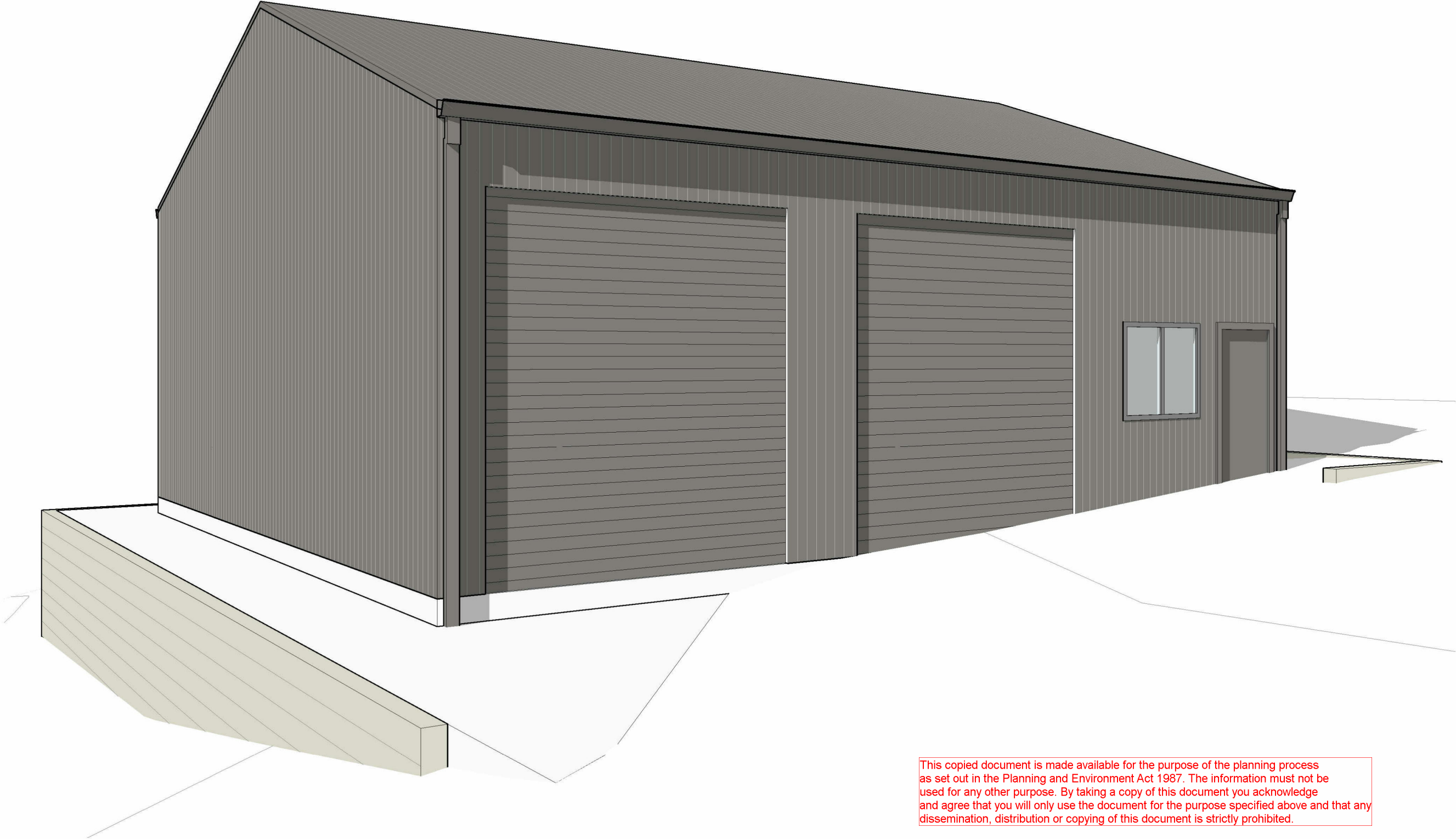
SHEET TITLE:		REVISION: 2
PROPOSED PLAN		SHEET No.: A04
PROJECT No.: 25026	PROJECT DATE: 22/04/2025	
DWN BY: DS	SCALE @ A3: 1 : 100	



SECTION A
SCALE 1 : 100

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2	COUNCIL RFI RESPONSE	22/08/2025				PROJECT No.: 25026	PROJECT DATE: 22/04/2025	A06
						DWN BY: DS	SCALE @ A3: 1 : 100	
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SHEET No.: A07