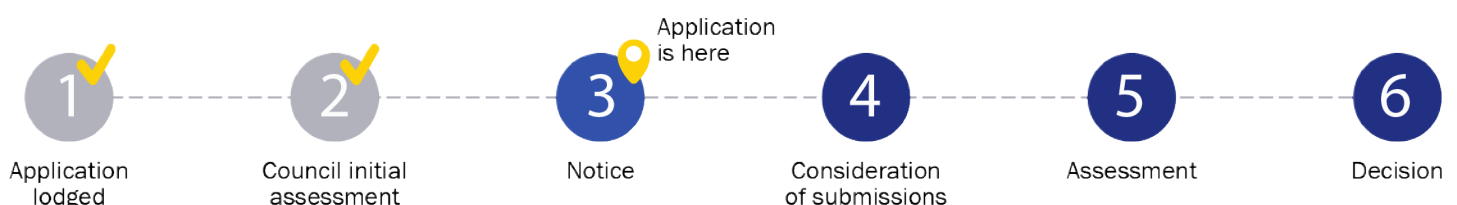


Notice of Application for a Planning Permit

The land affected by the application is located at:	L101 LP8039 V8889 F144 1 Salisbury Avenue, Cockatoo VIC 3781	
The application is for a permit to:	Buildings and works for the construction of one (1) dwelling	
A permit is required under the following clauses of the planning scheme:		
43.02-2	Construct a building or construct or carry out works	
44.06-2	Construct a building or construct or carry out works associated with Accommodation (Dwelling)	
APPLICATION DETAILS		
The applicant for the permit is:	Plan Urban	
Application number:	T250465	
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:		03 November 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.

i Click for further information.

Clear Form

The Land **i**

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

Street Address *

Unit No.:

St. No.: 1

St. Name: Salisbury Avenue

Suburb/Locality: Cockatoo

Postcode: 3781

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.: 101

☐ Lodged Plan

☐ Title Plan

☒ Plan of Subdivision

No.: 008039

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.

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

Construction of a single storey 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 \$ 450,000

⚠ 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.

i 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.

Vacant.

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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:

Title:

First Name

Organisation (if applicable): Plan Urban

Postal Address:

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

Unit No.:

St. No.: 736

St. Name: Queensberry

Suburb/Locality: North Melbourne

State: VIC

Postcode: 3051

Contact information for applicant OR contact person below

Business phone: 450 974 154

Email: admin@planurban.com.au

Mobile phone:

Fax:

Contact person's details*

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:

Name:

Same as applicant ☐

Title:

First Name

Organisation (if applicable):

Postal Address:

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

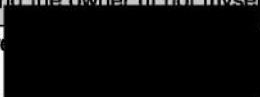
day / month / year

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: 01/08/2025

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:

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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MORE INFORMATION

The Land

Planning permits relate to the use and development of the land. It is important that accurate, clear and concise details of the land are provided with the application.

How is land identified?

Land is commonly identified by a street address, but sometimes this alone does not provide an accurate identification of the relevant parcel of land relating to an application. Make sure you also provide the formal land description - the lot and plan number or the crown, section and parish/township details (as applicable) for the subject site. This information is shown on the title.

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?

The application requires a description of what you want to do with the land. You must describe how the land will be used or developed as a result of the proposal. It is important that you understand the reasons why you need a permit in order to suitably describe the proposal. By providing an accurate description of the proposal, you will avoid unnecessary delays associated with amending the description at a later date.

 Planning schemes use specific definitions for different types of use and development. Contact the Council planning office at an early stage in preparing your application to ensure that you use the appropriate terminology and provide the required details.

How do planning schemes affect proposals?

A planning scheme sets out policies and requirements for the use, development and protection of land. There is a planning scheme for every municipality in Victoria. Development of land includes the construction of a building, carrying out works, subdividing land or buildings and displaying signs.

Proposals must comply with the planning scheme provisions in accordance with Clause 61.05 of the planning scheme. Provisions may relate to the State Planning Policy Framework, the Local Planning Policy Framework, zones, overlays, particular and general provisions. You can access the planning scheme by either contacting Council's planning department or by visiting Planning Schemes Online at planning-schemes.delwp.vic.gov.au

 You can obtain a planning certificate to establish planning scheme details about your property. A planning certificate identifies the zones and overlays that apply to the land, but it does not identify all of the provisions of the planning scheme that may be relevant to your application. Planning certificates for land in metropolitan areas and most rural areas can be obtained by visiting www.landata.vic.gov.au. Contact your local Council to obtain a planning certificate in Central Goldfields, Corangamite, Macedon Ranges and Greater Geelong. You can also use the free Planning Property Report to obtain the same information.

See **Example 2**.

Estimated cost of development

In most instances an application fee will be required. This fee must be paid when you lodge the application. The fee is set down by government regulations.

To help Council calculate the application fee, you must provide an accurate cost estimate of the proposed development. This cost does not include the costs of development that you could undertake without a permit or that are separate from the permit process. Development costs should be calculated at a normal industry rate for the type of construction you propose.

Council may ask you to justify your cost estimates. Costs are required solely to allow Council to calculate the permit application fee. Fees are exempt from GST.

 Costs for different types of development can be obtained from specialist publications such as Cordell Housing: Building Cost Guide or Rawlinsons: Australian Construction Handbook.

 Contact the Council to determine the appropriate fee. Go to planning.vic.gov.au to view a summary of fees in the Planning and Environment (Fees) Regulations.

Metropolitan Planning Levy refer Division 5A of Part 4 of the *Planning and Environment Act 1987* (the Act). A planning permit application under section 47 or 96A of the Act for a development of land in metropolitan Melbourne as defined in section 3 of the Act may be a leviable application. If the cost of the development exceeds the threshold of \$1 million (adjusted annually by consumer price index) a levy certificate must be obtained from the State Revenue Office after payment of the levy. A valid levy certificate must be submitted to the responsible planning authority (usually council) with a leviable planning permit application. Refer to the State Revenue Office website at www.sro.vic.gov.au for more information. A leviable application submitted without a levy certificate is void.

Existing Conditions

How should land be described?

You need to describe, in general terms, the way the land is used now, including the activities, buildings, structures and works that exist (e.g. single dwelling, 24 dwellings in a three-storey building, medical centre with three practitioners and 8 car parking spaces, vacant building, vacant land, grazing land, bush block).

Please attach to your application a plan of the existing conditions of the land. Check with the local Council for the quantity, scale and level of detail required. It is also helpful to include photographs of the existing conditions.

See **Example 3**.

Title Information

What is an encumbrance?

An 'encumbrance' is a formal obligation on the land, with the most common type being a 'mortgage'. Other common examples of encumbrances include:

- **Restrictive Covenants:** A 'restrictive covenant' is a written agreement between owners of land restricting the use or development of the land for the benefit of others, (eg. a limit of one dwelling or limits on types of building materials to be used).
- **Section 173 Agreements:** A 'section 173 agreement' is a contract between an owner of the land and the Council which sets out limitations on the use or development of the land.
- **Easements:** An 'easement' gives rights to other parties to use the land or provide for services or access on, under or above the surface of the land.
- **Building Envelopes:** A 'building envelope' defines the development boundaries for the land.

Aside from mortgages, the above encumbrances can potentially limit or even prevent certain types of proposals.

What documents should I check to find encumbrances?

Encumbrances are identified on the title (register search statement) under the header 'encumbrances, caveats and notices'. The actual details of an encumbrance are usually provided in a separate document (instrument) associated with the title. Sometimes encumbrances are also marked on the title diagram or plan, such as easements or building envelopes.

What about caveats and notices?

A 'caveat' is a record of a claim from a party to an interest in the land. Caveats are not normally relevant to planning applications as they typically relate to a purchaser, mortgagee or chargee claim, but can sometimes include claims to a covenant or easement on the land. These types of caveats may affect your proposal.

Other less common types of obligations may also be specified on title in the form of 'notices'. These may have an effect on your proposal, such as a notice that the building on the land is listed on the Heritage Register.

What happens if the proposal contravenes an encumbrance on title?

Encumbrances may affect or limit your proposal or prevent it from proceeding. Section 61(4) of the *Planning and Environment Act 1987* for example, prevents a Council from granting a permit if it would result in a breach of a registered restrictive covenant. If the proposal contravenes any encumbrance, contact the Council for advice on how to proceed.

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You may be able to modify your proposal to respond to the issue. If not, separate procedures exist to change or remove the various types of encumbrances from the title. The procedures are generally quite involved and if the encumbrance relates to more than the subject property, the process will include notice to the affected party.

⚠ You should seek advice from an appropriately qualified person, such as a solicitor, if you need to interpret the effect of an encumbrance or if you seek to amend or remove an encumbrance.

Why is title information required?

Title information confirms the location and dimensions of the land specified in the planning application and any obligations affecting what can be done on or with the land.

As well as describing the land, a full copy of the title will include a diagram or plan of the land and will identify any encumbrances, caveats and notices.

What is a 'full' copy of the title?

The title information accompanying your application must include a 'register search statement' and the title diagram, which together make up the title.

In addition, any relevant associated title documents, known as 'instruments', must also be provided to make up a full copy of the title.

Check the title to see if any of the types of encumbrances, such as a restrictive covenant, section 173 agreement, easement or building envelope, are listed. If so, you must submit a copy of the document (instrument) describing that encumbrance. Mortgages do not need to be provided with planning applications.

⚠ Some titles have not yet been converted by Land Registry into an electronic register search statement format. In these earlier types of titles, the diagram and encumbrances are often detailed on the actual title, rather than in separate plans or instruments.

Why is 'current' title information required?

It is important that you attach a current copy of the title for each individual parcel of land forming the subject site. 'Current' title information accurately provides all relevant and up-to-date information.

Some councils require that title information must have been searched within a specified time frame. Contact the Council for advice on their requirements.

⚠ Copies of title documents can be obtained from Land Registry: Level 10, 570 Bourke Street, Melbourne; 03 8636 2010; www.landata.vic.gov.au – go direct to "titles & property certificates".

Applicant and Owner Details

This section provides information about the permit applicant, the owner of the land and the person who should be contacted about any matters concerning the permit application.

The applicant is the person or organisation that wants the permit. The applicant can, but need not, be the contact person.

In order to avoid any confusion, the Council will communicate only with the person who is also responsible for providing further details. The contact may be a professional adviser (e.g. architect or planner) engaged to prepare or manage the application. To ensure prompt communications, contact details should be given.

Check with Council how they prefer to communicate with you about the application. If an email address is provided this may be the preferred method of communication between council and the applicant/contact.

The owner of the land is the person or organisation who owns the land at the time the application is made. Where a parcel of land has been sold and an application made prior to settlement, the owner's details should be identified as those of the vendor. The owner can, but need not, be the contact or the applicant.

See **Example 4**.

Declaration

The declaration should be signed by the person who takes responsibility for the accuracy of all the information that is provided. This declaration is a signed statement that the information included with the application is true and correct at the time of lodgement.

The declaration can be signed by the applicant or owner. If the owner is not the applicant, the owner must either sign the application form or must be notified of the application which is acknowledged in the declaration.

⚠ Obtaining or attempting to obtain a permit by wilfully making or causing any false representation or declaration, either orally or in writing, is an offence under the *Planning and Environment Act 1987* and could result in a fine and/or cancellation of the permit.

Need help with the Application?

If you have attended a pre-application meeting with a Council planner, fill in the name of the planner and the date, so that the person can be consulted about the application once it has been lodged.

Checklist

What additional information should you provide to support the proposal?

You should provide sufficient supporting material with the application to describe the proposal in enough detail for the Council to make a decision. It is important that copies of all plans and information submitted with the application are legible.

There may be specific application requirements set out in the planning scheme for the use or development you propose. The application should demonstrate how these have been addressed or met.

The checklist is to help ensure that you have:

- provided all the required information on the form
- included payment of the application fee
- attached all necessary supporting information and documents
- completed the relevant Council planning permit checklist
- signed the declaration on the last page of the application form

⚠ The more complete the information you provide with your permit application, the sooner Council will be able to make a decision.

Lodgement

The application must be lodged with the Council responsible for the planning scheme in which the land affected by the application is located. In some cases the Minister for Planning or another body is the responsible authority instead of Council. Ask the Council if in doubt.

Check with Council how they prefer to have the application lodged. For example, they may have an online lodgement system, prefer email or want an electronic and hard copy. Check also how many copies of plans and the size of plans that may be required.

Contact details are listed in the lodgement section on the last page of the form.

⚠ Approval from other authorities: In addition to obtaining a planning permit, approvals or exemptions may be required from other authorities or Council departments. Depending on the nature of your proposal, these may include food or health registrations, building permits or approvals from water and other service authorities.

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Example 1

Example 2

Example 3

Example 4

Addendum

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

Page 1 of 1

VOLUME 08889 FOLIO 144

Security no : 124126756716P
Produced 01/08/2025 11:54 AM

LAND DESCRIPTION

Lot 101 on Plan of Subdivision 008039.
PARENT TITLE Volume 06696 Folio 101
Created by instrument E076342 18/06/1971

REGISTERED PROPRIETOR



ENCUMBRANCES, CAVEATS AND NOTICES



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 LP008039 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: 1 SALISBURY AVENUE COCKATOO VIC 3781

ADMINISTRATIVE NOTICES

NIL



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Document Type	Plan
Document Identification	LP008039
Number of Pages (excluding this cover sheet)	3
Document Assembled	01/08/2025 11:54

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PLAN OF SUBDIVISION OF
PART OF CROWN ALLOTMENT 79
PARISH OF GEMBROOK
COUNTY OF EVELYN

VOL.1966 FOL.141

Measurements are in Links
Conversion Factor
LINKS x 0.201168 = METRES

LP 8039

EDITION 3

PLAN MAY BE LODGED 4/11/1920

2 SHEETS
SHEET 1

COLOUR CODE

E-1=BLUE
R1 & E-2=BROWN

ROADS COLOURED BROWN

ENCUMBRANCES

THE LAND COLOURED BROWN
IS ENCUMBERED BY THE
CARRIAGEWAY EASEMENTS CREATED
IN TRANSFER Nos 1015395, 1015396,
1015397, 1019088, 1067641, 1156995
& 1156996.

NOTATIONS

WATERWAY NOTATION:

LOTS 1, 3, 4, 5, 6, 7, 8, 9, 10, 11,

12, 13, 18, 19, 20 & 21 IN THIS PLAN

MAY ABUT CROWN LAND THAT MAY

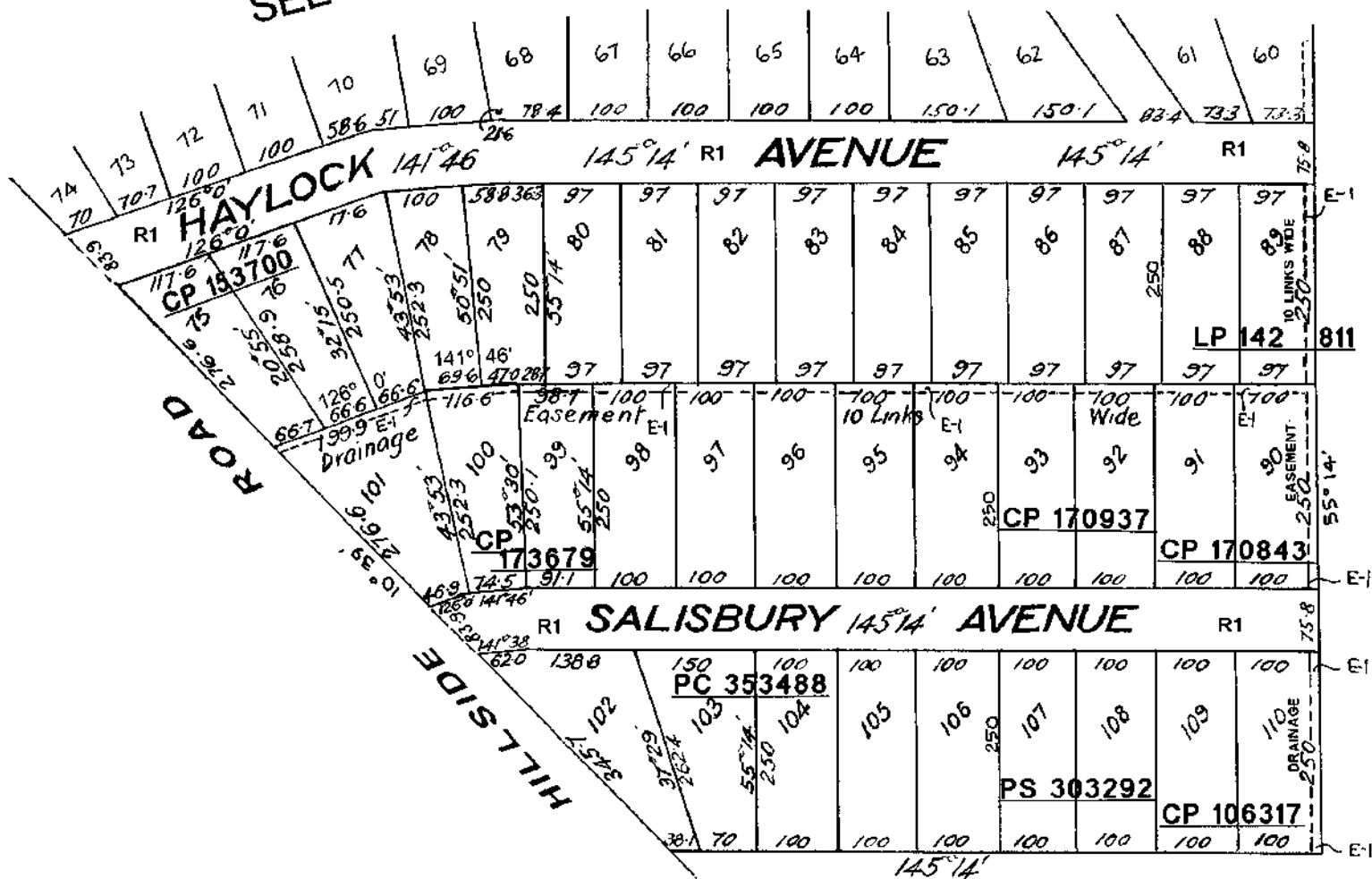
BE SUBJECT TO A CROWN LICENCE TO USE

APPURTENANCIES

AS TO LOT 55
TOGETHER WITH A RIGHT OF
CARRIAGEWAY OVER THE ROADS
COLOURED BROWN

SHEET 2

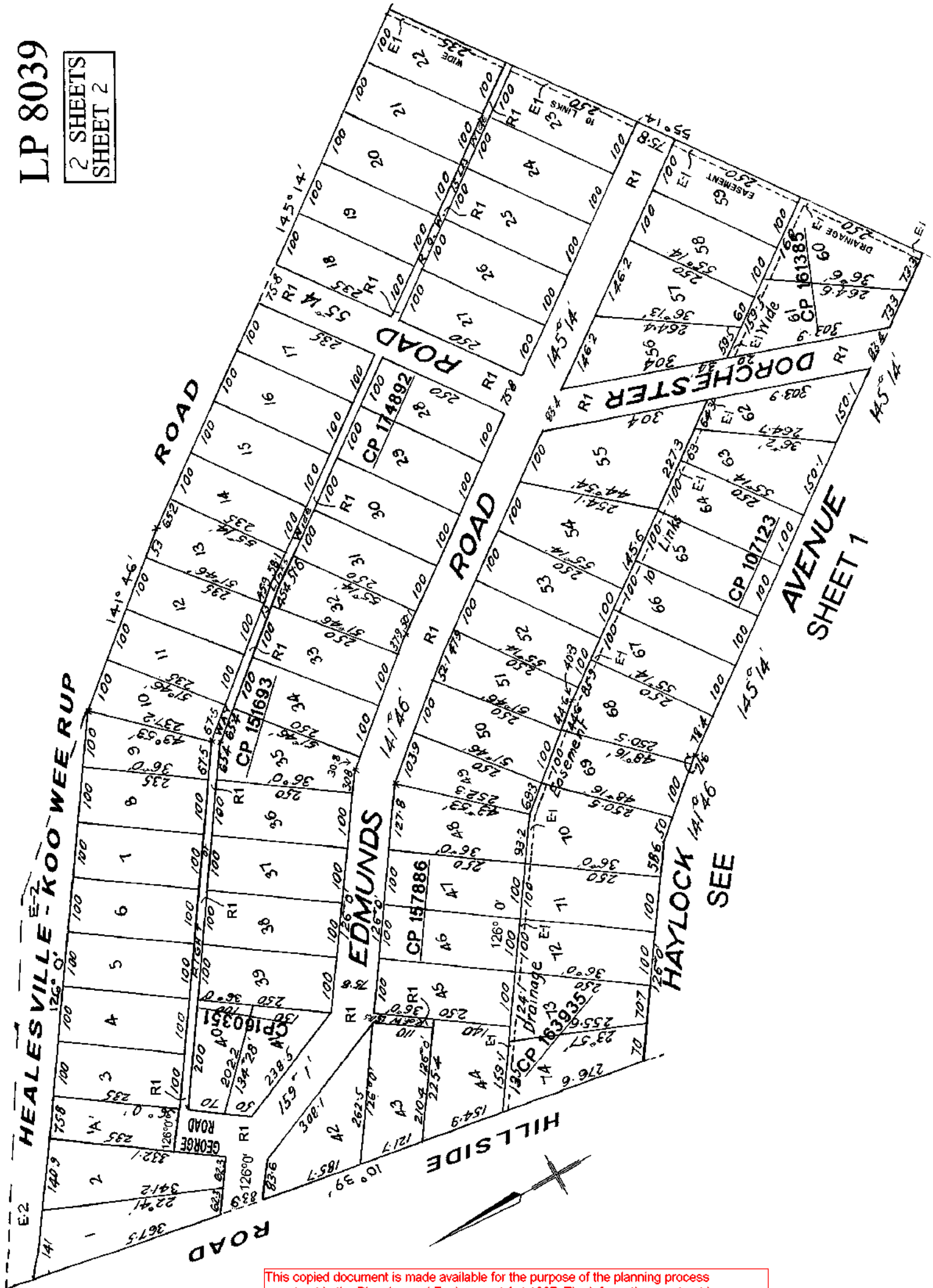
SEE



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LP 8039

2 SHEETS
SHEET 2



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MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

LP8039

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
	'A'	ROAD CLOSED	L.G.D.7312			1	
		STREET NAME AMENDED FROM GOVT. ROAD TO GOULD ROAD	CORR.69/2136			1	
		STREET NAME AMENDED FROM GOULD ROAD TO HILLSIDE ROAD	CORR.82/23119			1	
		STREET NAME AMENDED FROM WEST GEMBROOK ROAD TO HEALESVILLE - KOO WEE RUP ROAD	CORR.73/13424			1	mxLB
WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.							
LOT 55		APPURTENANCY NOTATION ADDED				2	AD
ROADS		ENCUMBRANCE NOTATION ADDED				3	AD

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1st August 2025

Dear Sir/ Madam,

PLANNING PERMIT APPLICATION LODGEMENT – 1 SALISBURY AVENUE COCKATOO VIC 3781

Please find attached the formal submission for a new planning permit application for the construction of a single storey dwelling at 1 SALISBURY AVENUE, COCKATOO VIC 3781.

The submission includes the following documents:

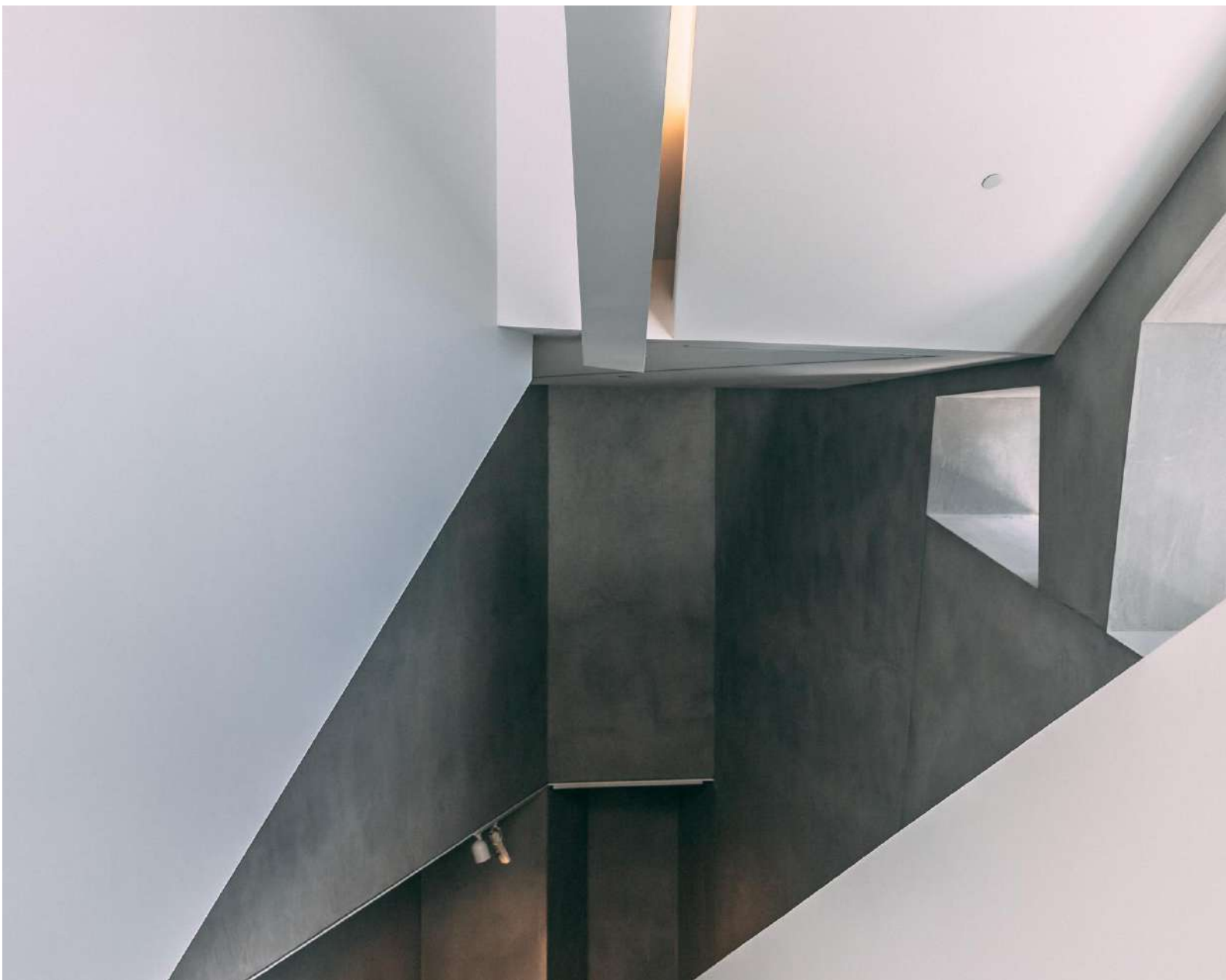
- *Title Documents*
- *Feature Survey*
- *Town Planning Drawings*
- *Planning Report*
- *Bushfire Management Plan*
- *Arborist Report*

We trust this information satisfies the required documentation for submission and look forward to discussing the proposal further in due course.

Yours Sincerely,



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Planning Report

1 Sailsbury Avenue Cockatoo

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01

Introduction

This report supports the planning permit application and contains the following:

- Details the proposed development;
- Describes the planning development context of the wider area;
- Outlines the relevant planning controls and policies and the relevant decision guidelines of the Cardinia Planning Scheme.
- Outlines the merits of the proposal having regard to the relevant decision guidelines.

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02

Context and Design Response

The following sections of this report describe the site that is the subject of this application and its relationship to adjoining areas, and to the pattern of planned development within the surrounding area.

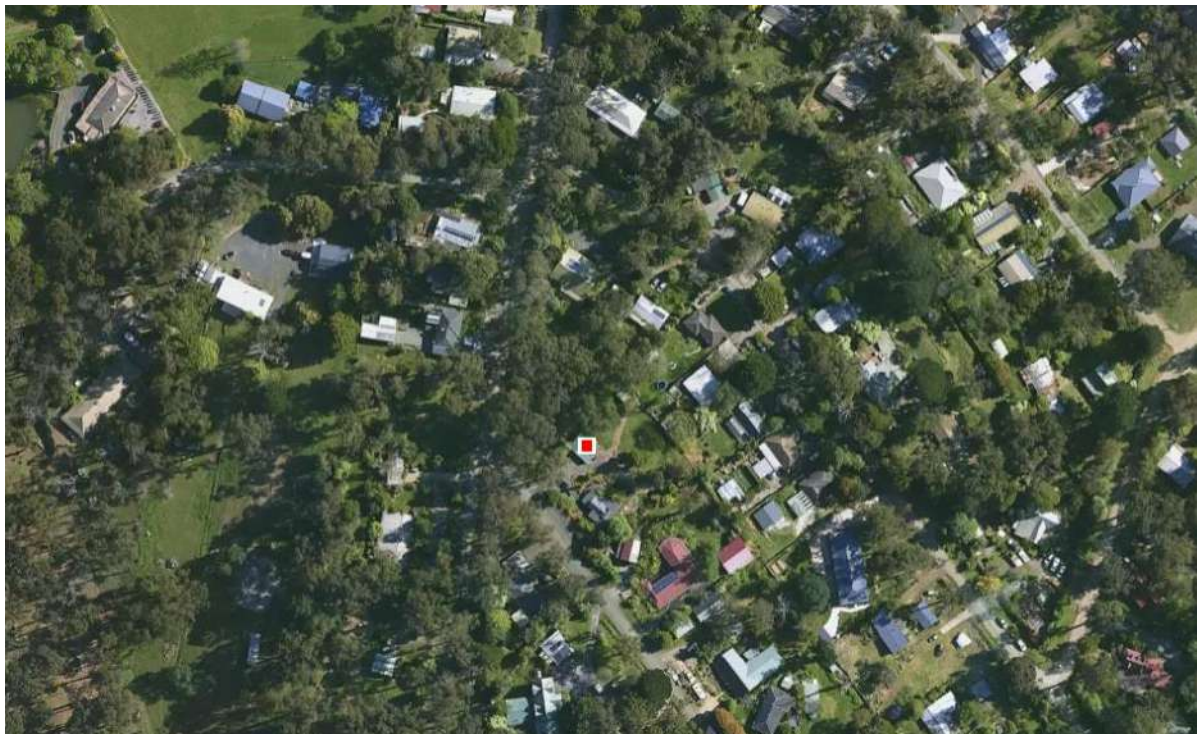
02.1

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The Subject Site

The subject site is located within an established area of Cockatoo and is situated on the northern side of Salisbury Avenue. The site is irregular in shape with a street frontage of 9.43m a maximum depth of 55.64m resulting in a total site area of 1247.64sqm. The site has a consistent slope down from its frontage to rear boundary.

The site is currently vacant but does have a number of trees and shrubs. It is noted that no easements impact the site and there is no existing crossover.



Above: *Subject Site* (Metro Maps)

02.2

The Surrounding Context

The subject site is situated within an area largely defined by both low density housing and agricultural land that's to the south-east of Melbourne. Dwellings are typically modest in scale to their land size and vary from single to two storey in height with predominately pitched roofs but varying material profiles.

The natural landscape is a defining feature of the area, with native vegetation alongside introduced vegetation being evident throughout. Given the maturity of the vegetation, dwellings typically sit at a lower scale and subsequently are partially screened from the streets/ roads.

The township of Cockatoo provides various services and shops, with similarly sized townships scattered through the area offering similar amenities. Pakenham is to the south and provides a wider range of shops and services inclusive of a future hospital which is currently under construction.



Above: Site Zoning map (Vic Plan)

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03

Proposal

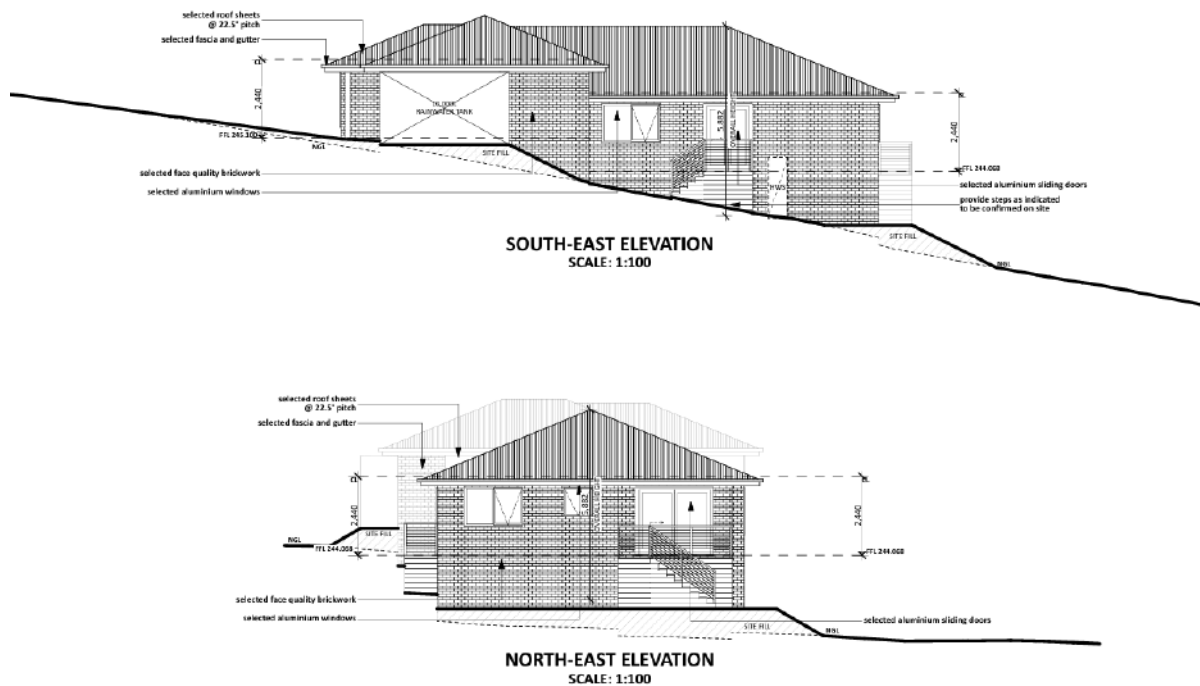
It is proposed to construct a single dwelling on the subject site. Further details of the proposal are as follows;

Dwelling

- The proposed dwelling is single storey with a floor area of 160.62m².
- The dwelling includes a double garage, three bedrooms (master with WIR and ensuite), shared bathroom and open planned living/ meals and kitchen area which provides direct access to the alfresco area and SPOS.

General

- The dwelling has a minimalist traditional design response, being entirely constructed of brick and featuring a hipped roof profile.
- The dwelling is setback more than 13m from the principal street frontage and a minimum of 3.426m from neighbouring properties.



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04

Planning Controls

An assessment according to the Municipal Planning Strategy and Planning Policy Framework of the Cardina Planning Scheme are carried out below.

04.1

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Planning Policy Framework

Relevant policies within the Planning Policy Framework include:

- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 19 – Infrastructure

The policies provide broad strategic direction to land use, development and subdivision issues. They encourage the consolidation of urban development, efficient use of infrastructure, coordinated development and urban design outcomes that contribute positively to the local character and protect biodiversity. It is considered the proposal appropriately responds to the above policies.

04.2

Municipal Strategic Statement and Local Planning Policy Framework

Strategies and policy guidelines have been developed to guide development within Cardinia Shire and those relevant to the application are as follows:

Clause 21.01-1 Snapshot of Cardina Shire

- *The Cardinia Shire is located on the south east fringe of Melbourne and is one of eight 'interface Councils' which form the perimeter of metropolitan Melbourne, providing a transition between urban and rural areas. The municipality has an area of approximately 1,280 square kilometres, comprising a variety of landforms and landscapes.*
- *The northern part of the Cardinia Shire is set in the foothills of the Dandenong Ranges, and includes the Bunyip State Park and the Cardinia Reservoir. The red volcanic soils around Gembrook have been historically significant for potato production. The area is located within two water catchments being the Yarra Valley and Westernport catchments.*
- *The Koo Wee Rup swamp and Western Port form the significant features of the southern part of the Cardinia Shire, and includes high quality agricultural land of State significance. The land is generally flat alluvial plains which have been substantially cleared of vegetation. The exception to this is the Heath Hill area, which is recognised as being of landscape significance by the National Trust.*

- The Princes Highway and the Princes Freeway corridor runs east-west through the centre of the Cardinia Shire and provides a demarcation between the hills in the northern part of the municipality and the alluvial plains to the south. The corridor is a key road and rail link between Melbourne, the Latrobe Valley and Gippsland. The South Gippsland Highway is a key link to South Gippsland and a tourist route to Phillip Island.
- The majority of the Cardinia Shire's population is located within the urban areas of Beaconsfield, Officer and Pakenham. These areas are within the Casey-Cardinia South-east Growth Corridor, and will accommodate the majority of future residential and commercial growth. The remainder of the population is located within Cardinia's townships and rural residential areas.
- The population within the Cardinia growth area is expected to grow 82% from a current population of around 109,000 people (2018) to approximately 198,000 people in 2041.
- The future Officer-Pakenham Industrial Precinct, located south of the Princes Freeway, has been identified by Plan Melbourne 2050 as a State-significant Industrial Precinct. When developed, this 2,500 hectare employment corridor will be a major provider of employment and business opportunities for Melbourne's south-east region.

Key influences

- The key influences in relation to the municipality are:
- Urban growth including urban pressures on the rural hinterland and management of green wedge areas.
- The quality and character of existing rural townships.
- Infrastructure to meet the needs of the existing and future community.
- Environmentally significant areas.
- Areas of significant landscape value.
- The protection and sustainable use of agricultural land.
- The local economy including employment opportunities.

Key issues

The key issues also, creating just facing Cardinia are focused around five strategic themes:

Environment

- The protection of environmentally significant areas including the northern hills and the Western Port Coast.
- The protection and management of biodiversity.
- The protection of the Koo Wee Rup swamp area, which contains important groundwater reserves and horticultural soils in the Western Port basin.
- The maintenance and enhancement of existing significant landscapes.
- The protection of life and property in terms of flooding and bushfire.
- The protection and enhancement of areas and places of heritage significance.
- The reduction in greenhouse gas emissions and potable water usage.
- The provision of a range of open space functions to meet community needs, encourage an active lifestyle and protect the environment.

Settlement and housing

- The management of urban growth including urban pressures on the rural hinterland and the Western Port Green Wedge.
- The sustainable development of the Urban Established Areas, Urban Growth Area, and rural townships.
- The provision of appropriate rural residential and rural living development.
- The integration of health into planning communities to allow people to choose to be active in an environment that is convenient, safe and pleasant.

Economic development

- The development of the State-significant Pakenham-Officer Industrial Precinct as a major provider of employment for south-east Melbourne.
- The development of a balanced local economy and local employment opportunities for residents.
- The need to support and strengthen existing businesses.
- The attraction of new business, particularly to the State-significant Officer-Pakenham Industrial Precinct south of the Princes Freeway.
- The protection and sustainable use of agricultural and particularly land with soil that is of a high quality within the Western Port Green Wedge.
- The role of tourism within the wider business community.

Infrastructure

- *The provision of infrastructure to meet the needs of the existing and future community.*

Particular use and development

- *Encouraging an attractive, functional and sustainable built form in existing and future development.*
- *The restructure of inappropriate subdivisions.*
- *The integration of community safety with new and existing use and development.*
- *The location and characteristics of gaming venues.*
- *Encouraging the investigation of potential locations for a third airport in Melbourne's southeast.*
- *Ensuring any redevelopment of golf courses has net community benefit and does not adversely impact upon the environment.*

Clause 21.01-4 Strategic Vision

Cardinia Shire Council's corporate plan Creating the Future, Cardinia Council Plan 2018 - 2023 describes the following vision for the municipality:

- *"Cardinia Shire will be developed in a planned manner to enable present and future generations to live healthy and productive lives and to enjoy the richness of the diverse and distinctive characteristics of the Shire"*
- *Council is committed to fostering the sustained wellbeing of the community and environment in the Cardinia Shire. In doing this, it seeks to balance the competing needs of the environment, economic development and the community by*
 - *Developing a strong economic base.*
 - *Recognising and protecting the diverse and significant environmental and cultural heritage values in the municipality.*
 - *Providing opportunities to create and maintain a cohesive, safe and robust community.*
 - *Enhancing the experience of people who live, work and visit the municipality.*

Clause 21.02-2 Landscape

Overview

The diverse landscapes within the Cardinia Shire are one of the municipality's strongest attributes. Five areas within the Cardinia Shire have been recognised as significant landscapes by the National Trust. These are the Western Port Coast, Heath Hill, Cockatoo Creek, Puffing Billy Corridor and Menzies Creek Valley.

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.*

Objective

To recognise and protect the diverse landscape and areas of significant landscape value.

Strategies

Landscape values

- *Protect significant landscapes recognised by the National Trust including the Western Port Coast, Heath Hill, Cockatoo Creek and Menzies Creek Valley from development that is inconsistent with the landscape values and built form of the surrounds.*
- *Protect the scenic corridor of the Puffing Billy Tourist Railway from extensive native vegetation removal and development that is inconsistent with the landscape values of the existing corridor.*
- *Recognise the value of the landscape to the community and as a competitive strength for the sustained development of tourism in the municipality.*
- *Ensure that development in the urban growth area does not intrude or adversely impact on the landscape values of the area north of the Princes Highway and maintains significant vistas.*
- *Recognise the landscape values associated with rural land including areas south of the Princes Highway.*
- *Recognise the contribution of drains and bridges to the character of the rural landscape.*
- *Protect exotic vegetation if it is of heritage, cultural or economic value, or contributes to the character of an area.*
- *Minimise the fragmentation of land and removal of vegetation in areas of high landscape value.*

Design and built form

- *Require the use of building materials and colours which are in context with the surrounding environment in areas of landscape significance and in rural residential and rural living areas.*

- Ensure the sensitive siting of buildings and other structures having regard to the protection of prominent ridgelines, significant views and areas of remnant vegetation.

Implementation

Application of zones and overlays

- Applying a Significant Landscape Overlay to protect the significant landscapes of the Koo Wee Rup Swamp area recognised by the National Trust and progressively over other identified significant landscapes and ridgelines.
- Applying an Environmental Significance Overlay over the northern hills area and other sites of significance to protect landscape and environmental values.
- Applying a Vegetation Protection Overlay to hills areas where vegetation is a significant factor in the landscape character.

Further strategic work

- Identify significant landscapes of the Koo Wee Rup Swamp area other than those recognised by the National Trust.
- Development of a policy for replacement planting ratios for the removal of vegetation in an Environmental Significance Overlay, Significant Landscape Overlay and Vegetation Protection Overlay.
- Prepare local policies to address the siting and design of horticultural structures, and the siting and design of large sheds in rural areas, and investigate whether a single policy can address both issues.
- Undertake a cultural landscape assessment of the Cardinia Western Port Green Wedge to consider the cultural landscape significance of the former Dalmore and Koo Wee Rup swamp environs and the Western Port coastline, including consideration of Indigenous history, the drainage of the swamp, former railway lines and the Soldier Settlement period.

Clause 21.02-3 Biodiversity

Overview

- Cardinia Shire contains a diverse environment with a wide range of native flora and fauna habitats. The municipality is known to contain State and Nationally significant rare and threatened species including the Southern Brown Bandicoot, Growling Grass Frog, Swamp Skink, Masked Owl, Helmeted Honeyeater, Powerful Owl, Emerald Star Bush, Matted Flax-Lily and indigenous grasslands, dwarf galaxias and Australian grayling.
- The decline and fragmentation of habitats resulting in the loss of biodiversity is a key issue. Over 75% of the native vegetation in Cardinia Shire has been cleared leaving those areas of remnant vegetation of particular significance and value in terms of maintaining biodiversity within the Municipality.
- Cardinia Shire forms part of the UNESCO Mornington Peninsula and Westernport Biosphere Reserve, protection of this biosphere relies on good environmental management of the catchment of which Cardinia shire is a key part.

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.

Objective 1

To achieve no net loss in the quantity and quality of native vegetation in the municipality

Strategies

- Encourage the retention and re-establishment of native vegetation to protect areas of habitat and landscape value, minimise erosion, reduce sediment entering waterways and Western Port, reduce the potential for flooding on the Koo Wee Rup Swamp, and to reduce the potential for salinity.
- Protect areas of significant remnant vegetation (particularly endangered and vulnerable Ecological Vegetation Classes) as shown on the mapped Ecological Vegetation Classes provided by the Department of Environment, Land, Water and Planning.
- Ensure that the siting of buildings and works avoids and minimises the removal or fragmentation of native vegetation, especially in areas of biodiversity significance, and where appropriate, building envelopes should be approved as part of subdivision plans to minimise the removal of vegetation.
- Require the replanting of indigenous vegetation where earthworks have been undertaken, particularly on steeply sloping land, on land subject to erosion, or in close proximity to a watercourse to manage and reduce sediment generation

Objective 2

To maintain and enhance the diversity of indigenous habitats and species.

Strategies

- *Areas of biodiversity significance*
- *Avoid the fragmentation of land in areas of biodiversity significance and create new habitat corridors/biolinks.*
- *Encourage or, if appropriate, require landowners to undertake steps to conserve and enhance sites of biodiversity significance through a Conservation Covenant, or agreements under Section 173 of the Planning and Environment Act 1987.*
- *Protect and enhance biodiversity within natural waterways and man-made drains and dams through subdivision design, development design and appropriate management.*
- *Protect and enhance the environmental and landscape values of the land including habitat of botanical and zoological significance.*
- *Ensure the identification, protection and linking of important biodiversity areas within the growth area through Precinct Structure Plans including the provision of Native Vegetation Precinct Plans and Biodiversity Management Plans where required.*

Threatened species

- *Protect and enhance the habitat of threatened flora and fauna species, including the growling grass frog and southern brown bandicoot.*

Objective 3

To reduce the spread and extent of pest plants and animals.

Strategies

- *Encourage land management practices which control and remove noxious and environmental weeds.*

Implementation

Application of zones and overlays

- *Applying a Rural Conservation Zone or a Public Conservation and Resource Zone in areas of high biodiversity value.*

Further strategic work

- *Developing Native Vegetation Precinct Structure Plans and Biodiversity Management Plans in the Urban Growth Area.*
- *Identifying and mapping areas of endangered flora and fauna such as Growling Grass Frog and Southern Brown Bandicoot for inclusion in the Environmental Significance Overlay or Vegetation Protection Overlay.*

Clause 21.02-3 Bushfire Management

Overview

- *Areas within the Cardinia Shire, particularly north of the Princes Highway, are prone to bushfires due to the topography and vegetation cover. During the Ash Wednesday fires of 1983, there was a significant loss of life and property in the Upper Beaconsfield and Cockatoo areas.*
- *Bushfire risk is the product of a number of factors including fuel levels, slope, climatic conditions, population and the degree of preparation of individual property owners to cope with a fire. Other factors such as the accessibility of land to fire fighting vehicles and the availability of water will affect the risk levels for individual properties.*

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.*

Objective

To recognise that areas in the municipality are prone to bushfire and to minimise the potential risk to life, property and the environment.

Strategies

Subdivision

- Ensure that the siting and design of subdivisions has fully considered the impact of existing slope, aspect and vegetation in terms of risks of bushfire, particularly with regard to the location of building envelopes.

Siting and design

- Ensure that the siting and design of houses and other accommodation in high risk bushfire areas minimises the potential risk of loss of life or property from wildfire, particularly in terms of the existing slope, aspect and vegetation.
- Ensure all development has appropriately designed access for emergency vehicles.
- Ensure development provides adequate access to water.
- Encourage the use of roads as a buffer between housing and bushland.

Fuel reduction

- Encourage the use of controlled burning to reduce ground fuel levels and to help maintain healthy and diverse forests and woodlands consistent with the Ecological Vegetation Class (EVC).
- Support the implementation of the Cardinia Municipal Fire Prevention Plan, 2016 and Cardinia Municipal Wildfire Preparedness Plan 2005.

Clause 21.03-1 Housing

Overview

- Housing within the Cardinia Shire is currently dominated by detached dwellings in both urban and rural areas. The urban area includes the Urban Established Area and the Urban Growth Area, while the rural area comprises Townships and rural-residential development.
- The urban area in the Cardinia Shire will continue to attract predominantly young families into the foreseeable future. However, as the housing market progressively matures and the needs of households change there will be increasing demand for more diverse forms of housing.

Key issues

- Providing for a diversity of housing types and densities, including increased housing density around activity centres.
- Balancing diversity of housing choices in rural townships while ensuring consistency with the character of the township.
- Recognising the need for affordability and availability of housing choice for different income levels in both the rental and purchaser markets.
- Recognising the demand for specialist design housing including housing for the aged, people with a disability or mobility issues.
- Identifying the demand for social and community housing.
- Providing opportunity for development of 'Affordable Housing'.

Objective 1

To encourage a diversity in housing to meet the needs of existing and future residents.

Strategies

- Ensure that future housing growth is effectively managed to maintain and enhance the qualities of the municipality.
- Encourage a range of lot sizes and housing types in new developments that satisfy the needs and aspirations of the community.
- Encourage an increase in densities that has a high standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character.
- Encourage medium density housing to be located within or at the interface of activity centres and overlooking local and linear open space.
- Ensure residential development and subdivisions are designed to be responsive to existing urban character.
- Ensure that new development is located within a safe, attractive and well planned environment that allows residents to maximise opportunities to undertake physical activity.

Objective 2

To encourage the provision of housing to cater for groups within the community with specific housing requirements.

Strategies

- Encourage the development of a diverse, flexible, adaptable range of housing types and tenures.

- Encourage the establishment of social and community housing in townships and areas within the urban growth boundary with good access to public transport and services.
- Encourage and facilitate the development of 'Affordable Housing' as set out in the Planning and Environment Act 1987, in townships and within the urban growth boundary with good access to public transport and services.
- Encourage the development of appropriately located and designed accommodation for the aged including options for ageing in place.
- Encourage development that supports adaptive housing, in appropriate locations.

Implementation

The strategies in relation to housing will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When assessing new developments and residential subdivisions use the Healthy by Design (January 2017) checklist, as appropriate.

Application of zones and overlays

- Applying the Comprehensive Development Zone to substantial development sites with a mix of uses.
- Applying the Low Density Residential Zone to land located within the urban growth boundary, and within townships where bushfire exposure is not higher than 12.5 kw/sqm and development can be adequately serviced.

Further strategic work

- Progressively rezoning land for residential purposes in accordance with township strategies.
- Reviewing the application of the Comprehensive Development Zone and rezoning to standard zones when development is complete.
- Further develop the draft Childcare Centre Policy as a local policy to also include all non-residential uses in residential areas.

Clause 21.07-2 Cockatoo

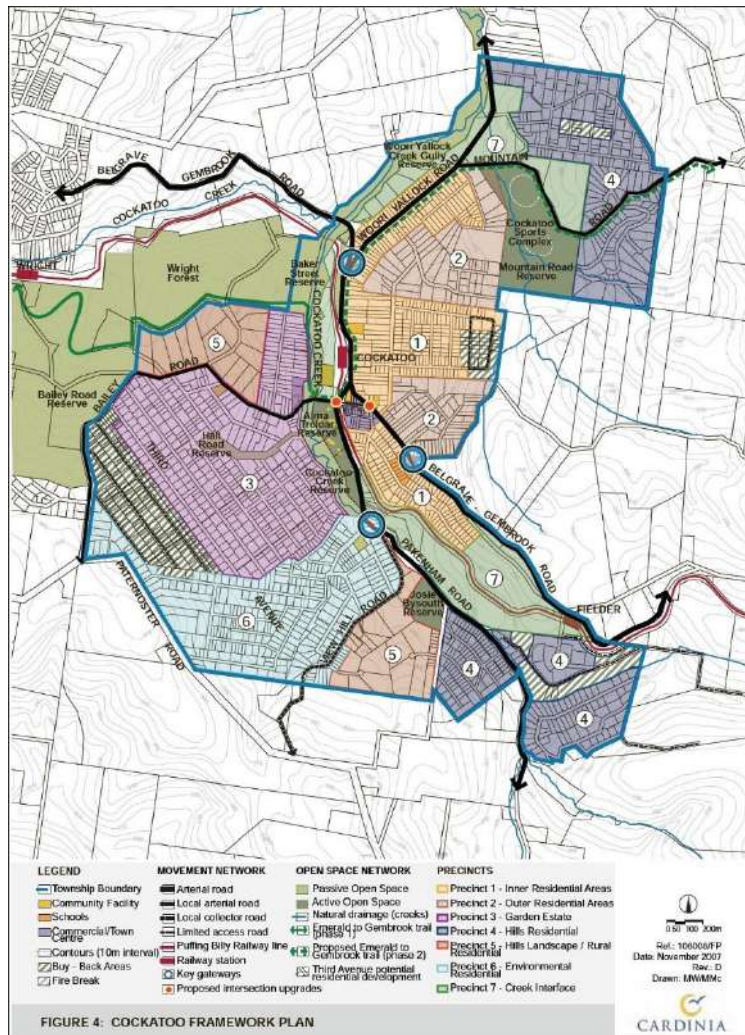
Local area implementation

Ensure that any proposed use or development within or around the Cockatoo township is generally consistent with the Cockatoo Township Strategy (March 2008), including the Cockatoo Framework Plan (Figure 3).

Residential development

- Maintain and enhance the 'rural country' character of Cockatoo through the retention of larger residential lots, the retention of existing remnant vegetation (particular canopy trees) and the use of building materials and colours which complement the natural environment.
- Consider as appropriate the Precinct Character Guidelines in the Cockatoo Township Strategy (March 2008).
- Maintain a diverse range of lot sizes within the township.
- Encourage permeable fences to enhance the bushland setting.
- Avoid residential development where the land has a slope greater than 20% or is designated "very poor" in the Land Capability Study of the Cardinia Shire (1997).

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Above: Cockatoo Framework Plan (Vic Plan)

Response:

The proposal is consistent with the above policies of the planning scheme. The subject site is located within an established Hill Residential Precinct 4 area of Cardinia and has acknowledged its landscape setting by providing a tempered design response, with a single storey scale that sits comfortably below the canopy tree heights. Site cuts/ fills have been minimised via the inclusion of a split-level design and batters have been provided as a more natural retaining mechanism.

The proposal sits within a Bushfire Management Overlay and subsequently the Bushfire Management Report has informed the development proposed. Defendable Space has been provided in accordance with the schedule to the overlay, water tanks and materiality also comply with the report's requirements. Whilst tree removal has occurred, it has been guided by an arborist report whereby the most suitable and mature trees have been retained.

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Zoning and Overlays

The subject site is situated within a Low Density Residential Zone (Schedule 2) and is affected by the Vegetation Protection Overlay (Schedule 1), the Design and Development Overlay (Schedule 1), and the Bushfire Management Overlay (schedule 2).

Low Density Residential Zone

Use for one or two dwellings, or a small second dwelling

A lot used for one or two dwellings or a small second dwelling must meet the following requirements:

- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
- Each dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy supply.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

Decision guidelines

General

- Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The Municipal Planning Strategy and the Planning Policy Framework.

Response:

The proposed single dwelling is a Section 1 use and therefore does not require a permit for the use nor the works. All services are available for the dwelling to be connected to.

Design and Development Overlay (Schedule 1)

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Design objectives

- To ensure that the location and design of buildings creates an attractive low density residential environment.
- To ensure that any development has regard to the environmental features and constraints of the land.
- To ensure that the subdivision of land has regard to the existing pattern of subdivision in the area.

Buildings and works

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

- Any building must be located within the building envelope if one is registered on the plan of subdivision.
- Any building must be set back at least 30 metres from a Transport Zone 2, 20 metres from a Transport Zone 3, 10 metres from any other road, and 5 metres from any other boundary unless the location of the building is within an approved building envelope.
- Any building or works must be set back at least 60 metres from a waterway.
- If the building is an extension to an existing dwelling.

- If the building is an outbuilding ancillary to a dwelling, the gross floor area of all outbuildings on the land must not exceed 120 square metres.
- Building materials must be non-reflective or subdued colours which complement the environment.
- The height of any building must not exceed 7 metres above natural ground level.
- The works must not involve the excavation of land exceeding 1 metre or filling of land exceeding 1 metre and any disturbed area must be stabilised by engineering works or revegetation to prevent erosion.
- The slope of the land on which the buildings and works are undertaken must not exceed 20 percent.
- The buildings and works must not result in the removal or destruction of native vegetation (including trees, shrubs, herbs, sedges and grasses) within an area of botanical or zoological significance as shown on the mapped information provided by the Department of Natural Resources and Environment, with the exception of Sweet Pittosporum (*Pittosporum undulatum*).

Decision guidelines

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The Land Capability Study for the Cardinia Shire (February 1997).
- The protection and enhancement of the natural environment and character of the area including the retention 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.
- The impact of proposed buildings and works on the landscape character of the area, including prominent ridgelines and significant views.
- 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.

Response:

The proposed dwelling is located less than 5m to the sites boundary and therefore triggers a planning permit. The proposal, however, has been appropriately designed and sited in respect to the overlay and its decision guidelines based on the following;

- The proposal does not seek subdivision nor an increase in density on the subject site.
- The proposed dwelling is setback more than 10m from the street frontage and has suitable side setbacks based on the configuration of the lot.
- The dwelling has provided for a tempered response in respect to its height/ scale. The dwelling is merely single storey and provides a pitched roof alongside a brick façade.
- Site cut/ fill has been minimised via the inclusion of internal stairs to provide for a split level. Rather than using retaining walls, batters have been included to provide a less intrusive approach.
- A low site coverage is proposed, ensuring the dwelling sits appropriately in this natural setting.
- Tree removal has been considered in conjunction with the Bushfire Management Overlay and those trees considered the highest retention value have been retained.
- The single storey scale ensures the dwelling sits well below the canopy tree line and subsequently will not interrupt views/ vistas.
- There are no natural waterways on nor adjacent to the site.

Vegetation Protection Overlay (Schedule 1)

The statement of nature and significance of vegetation to be protected is as follows:

- The low density residential areas within the Shire support substantial areas of remnant indigenous vegetation and mature exotic species. The maintenance and enhancement of the flora habitat is vital for the long term protection of these areas and the native fauna they support. Some of these areas contain small lots which are not protected under the native vegetation controls of Clause 52.17 resulting in areas of vegetation becoming increasingly fragmented.
- The remnant vegetation is important for its contribution to habitat and environmental values and processes. This vegetation provides protection to waterways including in the reduction of siltation and contributes to habitat corridors as well as playing a role in supporting soil stability, reducing stormwater runoff, and limiting erosion and salinity.

Vegetation protection objectives

- To protect and conserve existing vegetation as an important element of the character of low density residential areas.
- To maintain and enhance local habitat and biolinks, including hollow bearing trees.

- To avoid and minimise the removal of vegetation where it contributes to the management of environmental hazards such as erosion, salinity, siltation of creeks and watercourses, and stormwater runoff.
- To ensure that vegetation remains a significant part of the character and visual amenity of these areas, with the built form being located within a landscape, and vegetation being the predominant feature.

Permit requirement

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- It is exempt under Clause 52.12 (Bushfire Protection: Exemptions) of this Planning Scheme.
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot of less than 0.4 hectares.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed contained in the table below; that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table:

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
 - Where ground slopes exceed 20 percent.
 - Within 30 metres of a waterway or wetland.
 - On land where the soil or subsoil may become unstable if cleared.
 - On land subject to or which may contribute to soil erosion, slippage or salinisation.
 - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
 - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

Response:

The proposal has been designed in accordance with a Bushfire Management Plan which requires the removal of canopy trees and vegetation in order to create defendable space in accordance with *Clause 52.12*. Notwithstanding, we note that this application has been guided by a detailed arborist report which details the retaining of high retention trees on site where possible. The tree removal is exempt from the requirements of the overlay given its to facilitate the construction/ defendable space.

Bushfire Management Overlay

The purpose of the bushfire management overlay is as follows:

- 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.

Permit Requirement

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a moveable unit as defined under the Housing Act 1983)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

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This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a small second dwelling that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a small second dwelling) that is less than 10 percent of the gross floor area of the existing building.
- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

Mandatory condition

Building and works

- A permit to construct a building or construct or carry out works must include the following condition:
“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”
- A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:
“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:
 - A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:
 - Constructed on the same land as the dwelling.
 - Available for use by the occupants of the dwelling at all times.
 - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.
- *The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”*
- A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

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

Response:

The proposed development triggers a permit under the **Clause 44.06** for Bushfire Management Overlay under the building and works related to a dwelling. We note that the proposal has a bushfire management plan and assessment prepared in accordance with the requirements of the overlay.

06

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Particular Provisions

Clause 52.06 – Car Parking

Pursuant to Clause 52.06 car parking for residents should be provided as follows: -

- One space for each one- or two-bedroom dwelling.
- Two spaces for each three- or more-bedroom dwelling, with one space under cover.

Response:

The proposed dwelling is provided with a double garage in accordance with the numerical requirements. All dimensions of on-site car spaces meet the requirements set out in the scheme. Car parking is considered appropriate for the needs of the residents. The design of the parking and access area is practical and can be easily maintained.

Clause 53.12 – 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.

Exemption for vegetation removal along a fenceline

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 the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- *The fence must be located in an area that is designated as a bushfire prone area under the Building Act 1993.*
- *The fence must have been constructed before 10 September 2009.*
- *The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.*

Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme

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 the removal, destruction or lopping of vegetation to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defendable space if all of the following requirements are met:

- *Land is in the Bushfire Management Overlay.*
- *Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Housing Choice and Transport Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.*
- *The removal, destruction or lopping of vegetation:*
 - *Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or*
 - *Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.*

Response:

Whilst it is acknowledged that there is a Vegetation Protection Overlay on the site the requirement of a planning permit does not apply to the removal of canopy trees and vegetation on the site as the subject application exempts it in order to create defendable space in accordance with Clause 53.12 and since the site is under a Bushfire Management Overlay. The application for the proposal is prepared in accordance with a Bushfire Management Plan and is attached with the submission.

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07

Conclusion

The proposal is consistent with the State and Local Planning Policy Framework and represents an appropriate development of the land, which will impact positively on existing and future development in the area.

The design response, in conjunction with the attached written submission, will demonstrate how the proposed development fully satisfies the Cardinia City Council.

It is therefore submitted that it would be appropriate for the Council to approve the proposed dwelling and grant a planning permit.

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Prepared By: [REDACTED]

Level 3 BPAD Registration BPAD29087

Bushfire Management Plan

Schedule 2 BMO

For the construction of a new dwelling

Property Address: 1 Salisbury Avenue, Cockatoo

Date: 22/06/2025

Version 2: 30/07/2025

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Bushfire Management Plan

Proposal:

Construction of a new dwelling in a BMO2.

	Site shape, dimensions, size and planning controls
The shape of the site is:	Irregular
The site has a total area of:	1247.64m ²
The zoning of the site is:	Low Density Residential Zone (LDRZ)
The overlays that apply to the site are:	Bushfire Management Overlay – Schedule 2 (BMO2) Vegetation Protection Overlay – Schedule 1 (VPO1) Design and Development Overlay – Schedule 1 (DDO1)

Application Requirements:

The property has a Bushfire Management Overlay Schedule 2 to the Cardinia Planning Scheme.

In accordance with Schedule 2 to Clause 44.06 Bushfire Management Overlay the conditions outlined in this Bushfire Management Plan must be implemented.

If all of the required bushfire protection measures below are met this application is not required to be referred under Section 55 of the Act to the referral authority in Clause 66.03

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LEGEND	
1. NOISE DIRECTION	↖ ↗
2. MELBOURNE CBD - 49.4km	↖ ↗
3. SCHOOL 2.2km	↖ ↗
4. PUBLIC TRANSPORT 0.9km	↖ ↗
5. RESERVE 0.5km	↖ ↗
6. SHOPS 1.46km	↖ ↗
P.O.S - PRIVATE OPEN SPACE	
S.P.O.S - SECLUDED PRIVATE OPEN SPACE	
(H)W HABITABLE WINDOWS	
(N)HW NON HABITABLE WINDOWS	

NOTE:	
ADJACENT P.O.S TO BE PROTECTED FROM OVER VIEWING WITH A 3000mm TALL FENCING.	
MATERIAL, COLOURS AND TEXTURES ARE SELECTED TO COMPLEMENT THE ADJACENT FORMS AND REFLECT THE ADJACENT DWELLINGS.	
BREAK UP LARGE FORMS WITH ARTICULATED CORNERS, IN PLAN AND ELEVATION, TO MAINTAIN A SCALE RELEVANT TO THE ADJACENT BUILDING.	
The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (and equipment of 5000l) connected to all sanitary flushing systems or SOLAR WATER HEATER system with 40% solar gain. Upon completion of the dwelling, the builder shall present to the relevant Building Surveyor the Final As-built Compliance Report.	



No. 22 Hillside Rd



No. 20 Hillside Rd



No. 18 Hillside Rd



No. 16 Hillside Rd



No. 1 Salisbury Ave (SUBJECT SITE)



No. 2 Salisbury Ave



No. 3 Salisbury Ave



No. 4 Salisbury Ave



No. 5 Salisbury Ave



No. 7-9 Salisbury Ave



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NOTE:	
Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:	
i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street trees on the street frontage.	
ii) The Protection Zone must be enclosed using a 2 metre high temporary yellow fence or similar, which must remain in place through the life of the development. This fence must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Protection Zone.	
iii) The Area within the Tree Protection Zone must not be disturbed by any means including parking of vehicles or storage of plants and equipment, materials, soil or waste.	
iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Town Planning Department and under the supervision of a qualified Arborist.	
All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.	



NEIGHBOURHOOD & SITE DESCRIPTION

SCALE 1:500

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G.J. Gardner. HOMES		NOVA 190 MODIFIED		MyElusiveDESIGN		PROJECT: Proposed New Residence		SHEET No.: 01		FLOOR AREAS:		REV: DETAILS:		DATE:	
G.J. GARDNER YARRA RANGES		D.J. Homes Pty Ltd 170-172 Gardner Homes Yarra Ranges 6311 Main St, Lipson, Vic 3140 P: (03) 8880 3188 W: www.gjgardner.com.au		736 Queensberry St, 10th Melbourne, Vic 3051 Phone: 8335 9634 429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: admin@myelusivedesign.com.au REG No.: DP-AD 46408		OWNER SIGNED: _____ DATE: _____ BUILDER SIGNED: _____ DATE: _____		ADDRESS: 1 SALISBURY AVENUE, COCKATOO		DRAWN: G.D. DATE: 29/07/25		ground floor: 11.94sqm garage: 37.72sqm porch: 3.74sqm TOTAL: 160.62sqm			

GENERAL LEGEND	
LETTER BOX	LB
HOT WATER SERVICE	HW
METER BOX	MB
BINK	BINK
HABITABLE ROOM WINDOW	HW
NON-HABITABLE ROOM WINDOW	NHW
GAS METER	G
CLOTHES LINE	CL
RAIN WATER TANK	RWT
AIR CONDITIONING / HEATING UNIT	AC/HU
SOLAR PANELS	SP

NOTE:	
ADJACENT P.O.S. TO BE PROTECTED FROM OVER VIEWING WITH A BRONZ TINTED FILING FENCE	
MATERIALS, COLOURS AND TEXTURES ARE SELECTED TO HIGHLIGHT THE ARCHITECTURAL FORMS AND REFLECT THE ADJACENT DWELLINGS	
BREAK UP LARGE FORMS WITH ARTICULATED CORNICES IN PLAN AND ELEVATION, TO MAINTAIN A SCALE RELEVANT TO THE ADJACENT BUILDINGS	
The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (not connected to downpipes) connected to all sanitary flushing systems or SOLAR WATER HEATER system with 40% solar gain. Upon completion of the dwelling, the builder shall present to the relevant Building Surveyor the Final Site Compliance Report.	

TREES			
No.	TYP(m)	SRZ(m)	PROPOSAL
1	4.30	2.30	RETAIN
2	8.40	3.30	RETAIN
3	2.80	2.0	RETAIN
4	3.60	2.20	RETAIN
5	6.00	2.70	RETAIN
6	7.60	3.00	RETAIN
7	5.20	2.50	RETAIN
8	9.90	3.00	RETAIN
9	7.90	3.00	RETAIN
10	9.40	3.30	RETAIN
11	3.70	2.10	RETAIN
12	2.00	1.60	RETAIN
13	12.00	3.60	RETAIN
14	12.00	3.60	RETAIN
15	4.70	2.50	RETAIN
16	13.20	3.80	RETAIN
17	7.00	2.90	RETAIN
18	2.40	1.80	RETAIN
19	6.00	2.70	RETAIN
20	7.20	3.00	RETAIN
21	6.00	2.70	RETAIN
22	10.10	3.50	RETAIN
23	11.30	3.80	REMOVE
24	4.40	2.40	REMOVE
25	7.40	3.00	REMOVE
26	5.50	2.70	REMOVE
27	4.00	2.50	REMOVE
28	2.40	2.00	REMOVE
29	9.60	3.30	REMOVE
30	3.40	2.10	RETAIN
31	4.20	2.40	RETAIN
32	4.20	2.30	REMOVE
33	6.60	3.00	REMOVE
34	3.50	2.20	REMOVE
35	3.80	2.30	REMOVE
36	5.90	2.70	RETAIN
37	2.90	2.20	REMOVE
38	4.70	2.50	REMOVE
39	8.20	3.10	RETAIN
40	3.70	2.20	REMOVE
41	2.50	1.80	REMOVE
42	2.90	2.10	REMOVE
43	5.40	2.70	RETAIN
44	3.40	2.10	REMOVE
45	4.60	2.30	REMOVE
46	6.70	2.70	RETAIN
47	3.40	1.90	REMOVE
48	4.60	2.40	REMOVE
49	6.20	2.60	RETAIN
50	5.90	2.60	REMOVE

NOTE:	
Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:	
i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street trees on the street footpath.	
ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Protection Zone.	
iii) The Area within the Tree Protection Zone must not be disturbed by any means including cutting of rubbish or storage of plant and equipment.	
iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Town Planning Department and under the supervision of a qualified Arborist.	
All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.	



EXISTING/DEMOLITION SITE PLAN

SCALE 1:100

G.J. Gardner. HOMES		NOVA 190 MODIFIED		MyElusiveDESIGN		PROJECT: Proposed New Residence		FLOOR AREAS:		REV: DETAILS:		DATE:	
G.J. GARDNER YARRA RANGES		D&H Homes Pty Ltd 176 GJ Gardner Homes Yarra Ranges 6311 Main St, Lipson, Vic 3140 P: (03) 8892 3185 W: www.gjgardner.com.au		736 Queensberry St, 10th Melbourne, Vic 3051 Phone: 8335 9634 429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: sander@myelusive.com.au REG No.: DP-AD 46408		OWNER SIGNED: _____ DATE: _____ BUILDER SIGNED: _____ DATE: _____		02 A1 GJ GARDNER JOB NO: ELUSIVE JOB NO: REVISED: DRAWN: G.D. DATE: 29/07/25		ground floor: 110.89sqm garage: 37.72sqm porch: 1.74sqm TOTAL: 150.35sqm 150.35sqm 17.30sqm		1 SALISBURY AVENUE, COCKATOO	

SALISBURY AVENUE

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NOTE:

ADJACENT P.O.S TO BE PROTECTED FROM
OVER VIEWING WITH A 1.80M TIMBER PAULING FENCE

MATERIALS, COLOURS AND TEXTURES ARE
SELECTED TO HIGHLIGHT THE ARCHITECTURAL
FORMS AND REFLECT THE ADJACENT DWELLINGS

BREAK UP LARGE FORMS WITH
ARTICULATED DIMENSIONS IN PLAN AND
ELEVATION, TO MAINTAIN A SCALE RELEVANT TO
THE ADJOINING BUILDING.

The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (1000 LITRE @ 2000mm x 500mm) connected to all sanitary flushing systems and SOLAR WARM HEAT LIL system with 60% solar gain. Upon completion of the dwelling, the builder shall present to the Relevant Building Surveyor the First Rate Compliance Report.

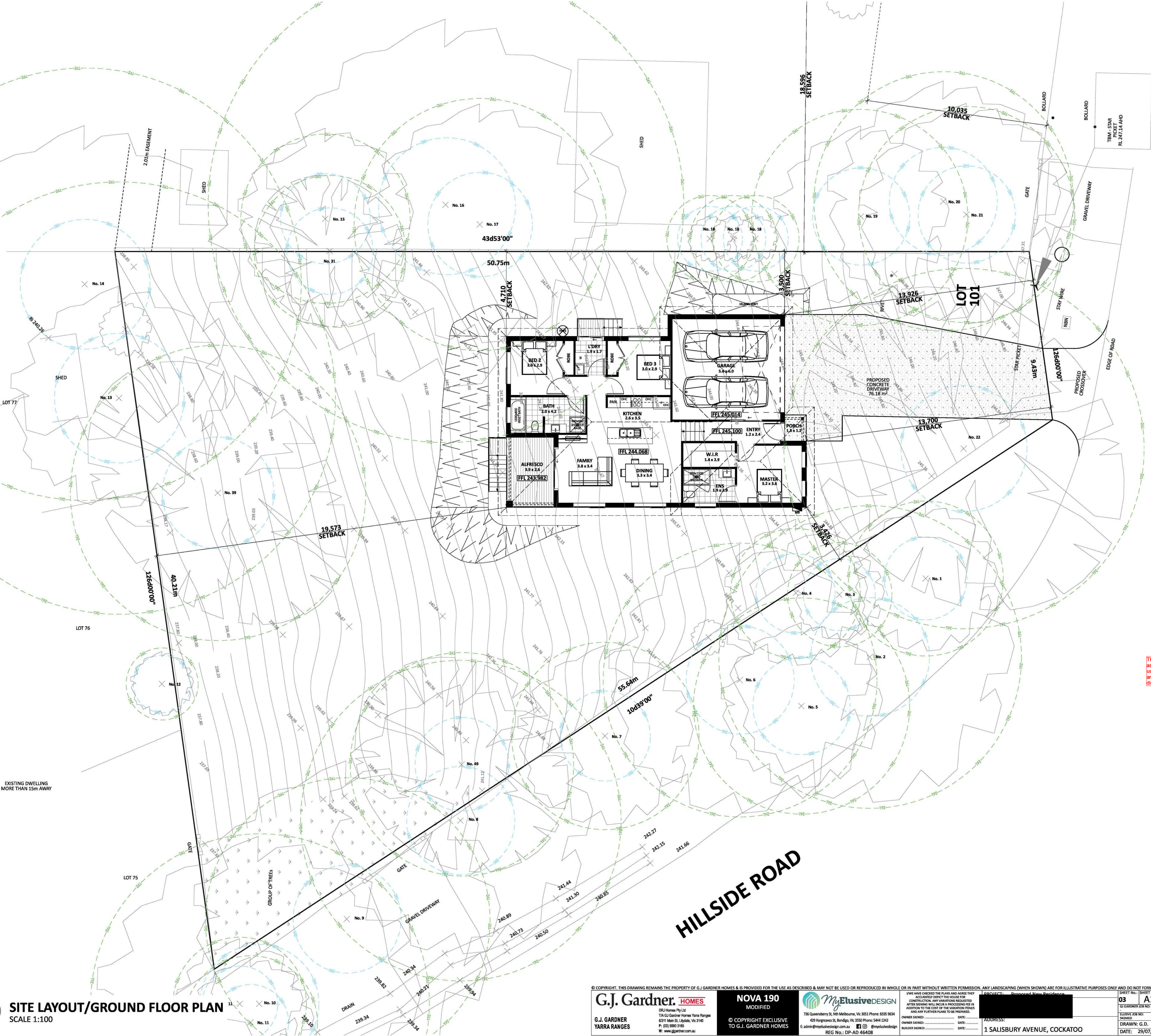
AREA ANALYSIS		
ground floor:	110.89m ²	11.94sq.
garage:	37.72m ²	4.06sq.
porch:	1.74m ²	0.19sq.
alfresco:	10.27m ²	1.11sq.
TOTAL:	160.62m²	17.30sq.
SITE AREA:		1,247.64m ²
BUILT UP AREA:		160.62m ²
SITE COVERAGE:		12.87%
CONCRETE AREA: (76.18m ²)		236.8m ²
PERMEABILITY:		81.02%
GARDEN AREA MIN(35%):		436.67m ²
GARDEN AREA PROVIDED:		1,001.47m ²
TOTAL:	160.62m²	17.30sq.

NOTE:

Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:

- i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street tree/s on the street frontage.
- ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must remain in place through all stages of the development. This fence must not allow the passage of vehicles, nor be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a 'True Protection Zone'.
- iii) Any area within the Tree Protection Zone must not be disturbed by any areas including, parking of vehicles or storage of all materials, soil or waste.
- iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Town Planning Department and under the direction of a qualified arborist.

All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.



SALISBURY AVENUE

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G.J. Gardner. **HOMES**

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T/A GJ Gardner Homes Yarra Ranges
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P: (03) 5990 3185
W: www.gjgardner.com.au

NOVA 190
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TO G.J. GARDNER HOMES

 **MyElusiveDESIGN**
736 Queensberry St, Nth Melbourne, Vic 3051 Phone: 8335 9634
429 Hargreaves St, Bondi, Vic 3550 Phone: 5444 1242
E: admin@myelusivedesign.com.au   @myelusivedesign

UWE HAVE CHECKED THE PLANS AND AGREE THEY ACCURATELY DEPICT THE HOUR FOR CONSTRUCTION. ANY VARIATIONS REQUESTED AFTER SIGNING WILL INCUR A PROCESSING FEE IN ADDITION TO THE COST OF THE VARIATION ITEM/S AND ANY FURTHER PLANS TO BE PREPARED.

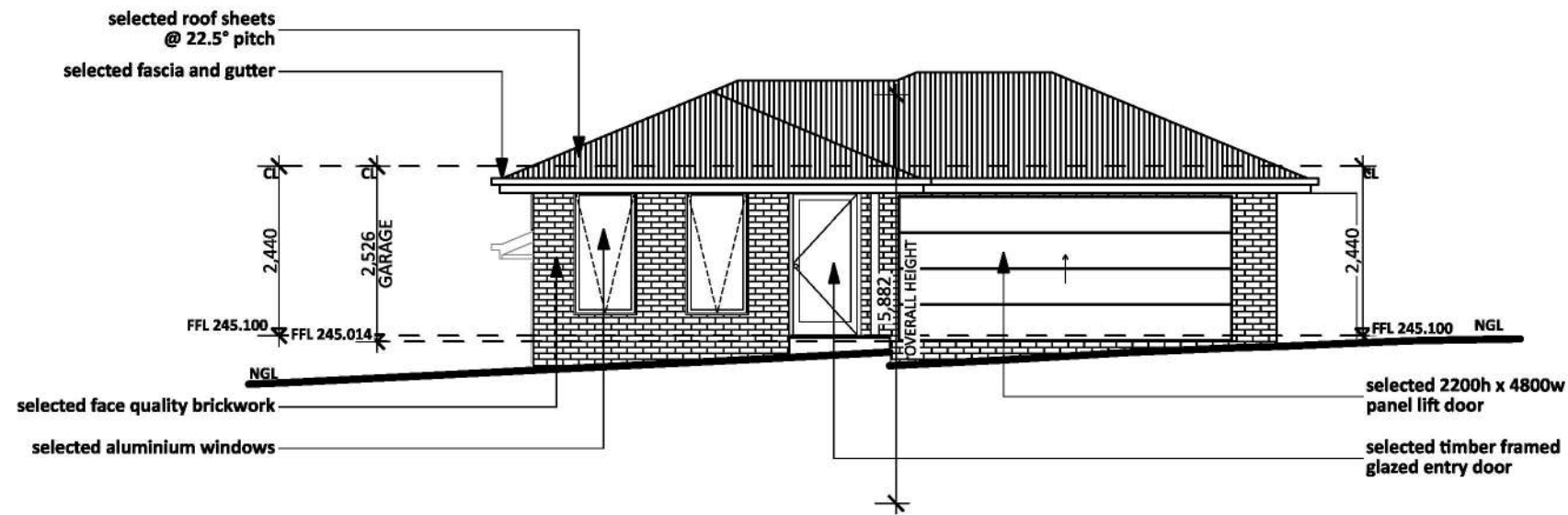
OWNER SIGNED: _____ DATE: _____
OWNER SIGNED: _____ DATE: _____
BUILDER SIGNED: _____ DATE: _____

PROJECT: Proposed New Residence
ADDRESS: 1 SALISBURY AVENUE, COCKATOO

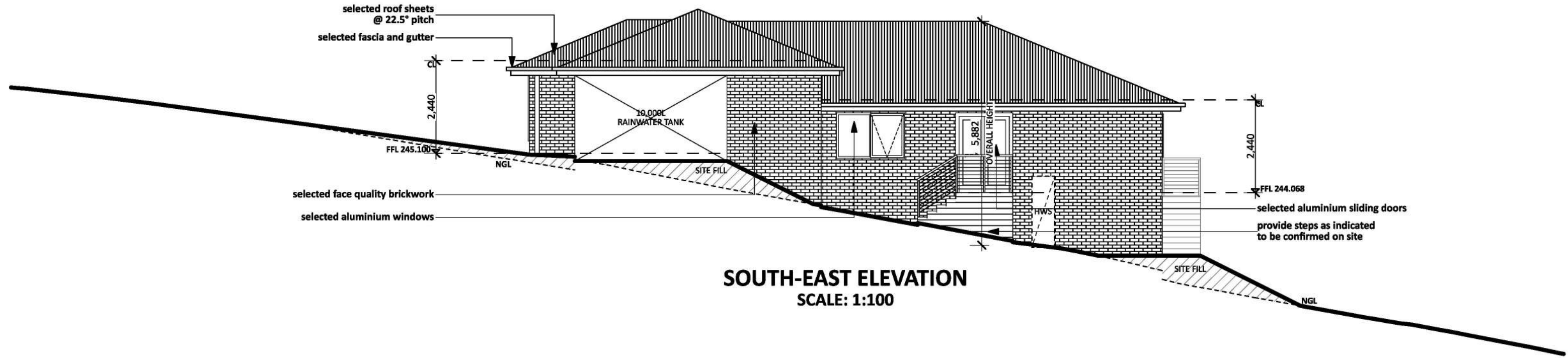
SHEET No.: 03	SHEET SIZE: A1
GJ GARDNER JOB NO: -	
ELLISIVE JOB NO: 942MED	
DRAWN: G.D.	
DATE: 20/07/20	

FLOOR AREAS:		
ground floor:	110.89m ²	11.94sq.
garage:	37.72m ²	4.06sq.
porch:	1.74m ²	0.19sq.
alfresco:	10.27m ²	1.11sq.
TOTAL:	160.62m²	17.30sq.

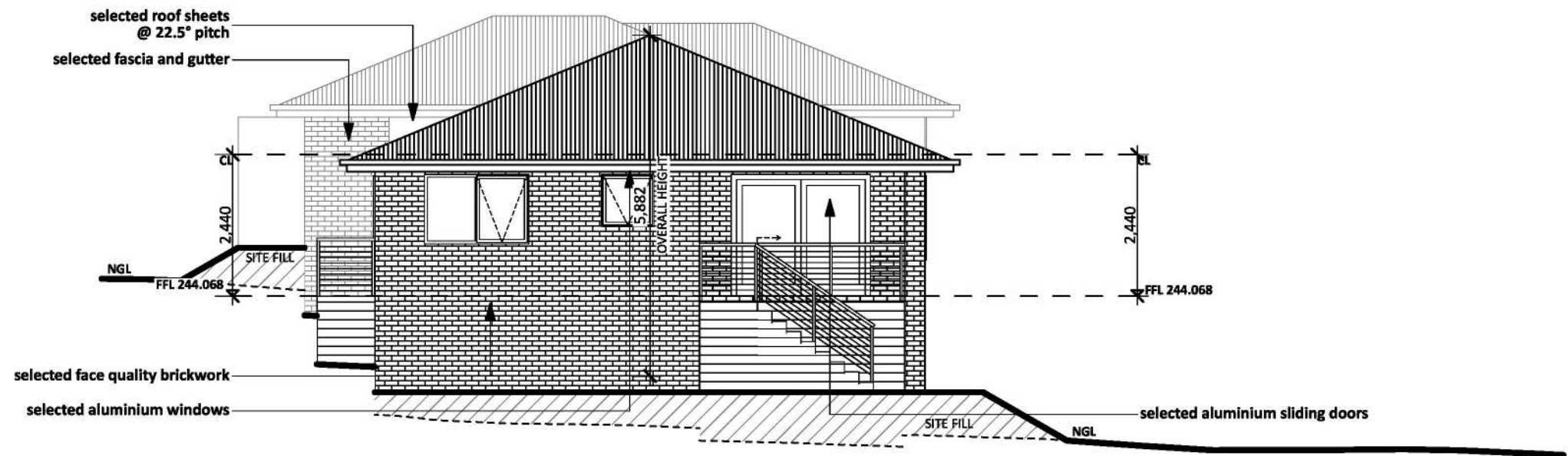
REV:	DETAILS:	DATE:



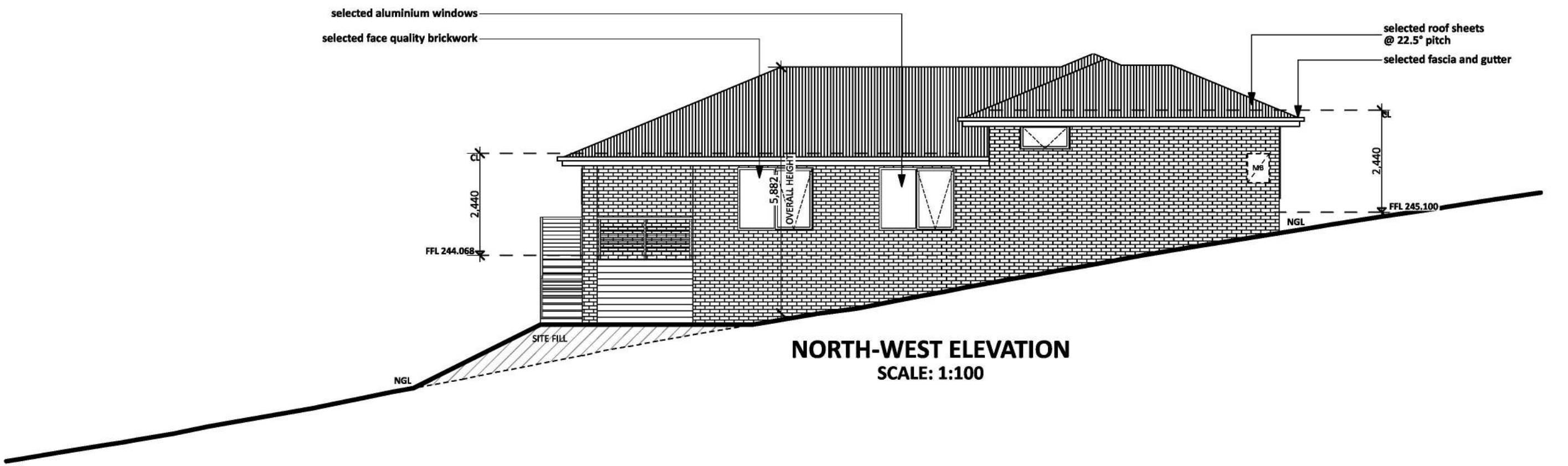
SOUTH-WEST ELEVATION
SCALE: 1:100



SOUTH-EAST ELEVATION
SCALE: 1:100



NORTH-EAST ELEVATION
SCALE: 1:100



NORTH-WEST ELEVATION
SCALE: 1:100

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MATERIALS / COLOUR SCHEDULE

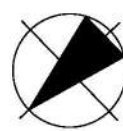
	FACE BRICK - BROWN/RED (OR SIMILAR)		ROOF, GUTTER, FASCIA & DOWNPIPES - COLORBOND MONUMENT (OR SIMILAR)		GARAGE DOOR - COLORBOND MONUMENT (OR SIMILAR)		WINDOWS & DOORS - COLORBOND MONUMENT (OR SIMILAR)		ENTRY DOOR - SPOTTED GUM/TIMBER (OR SIMILAR)		RAINWATER TANK - COLORBOND MONUMENT (OR SIMILAR)		METER BOX - COLORBOND MONUMENT (OR SIMILAR)
--	-------------------------------------	--	--	--	---	--	---	--	--	--	--	--	---

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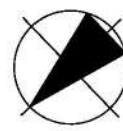
G.J. Gardner. HOMES		NOVA 190 MODIFIED	 MyElusiveDESIGN	I/WE HAVE CHECKED THE PLANS AND AGREED THAT THE INFORMATION PROVIDED HEREON IS TRUE AND CORRECT. I/WE HAVE NO OBJECTION TO THE INFORMATION PROVIDED HEREON BEING USED FOR THE PURPOSES OF THE PROJECT. I/WE HAVE NO OBJECTION TO THE INFORMATION PROVIDED HEREON BEING USED FOR THE PURPOSES OF THE PROJECT.		PROPOSED NEW RESIDENCE	SHEET NO: 04	SHEET SIZE: A1	FLOOR AREAS:		REV: DETAILS:	DATE:
DLG Homes Pty Ltd 138 G/L Gardner Homes Yarra Ranges 6311 Main St, Lipson, Vic 3140 P: (03) 8892 3185 W: www.gjgardner.com.au		© COPYRIGHT EXCLUSIVE TO G.J. GARDNER HOMES	736 Queensberry St, 1st Melbourne, Vic 3051 Phone: 8335 9634 429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: snyder@myelusivedesign.com.au REG No.: DP-AD 46408	OWNER SIGNED: _____ DATE: _____ OWNER SIGNED: _____ DATE: _____ BUILDER SIGNED: _____ DATE: _____	ADDRESS: 1 SALISBURY AVENUE, COCKATOO	047 GARDNER JOB NO: 11.94sq 12.48sq 37.72sq 4.06sq 1.74sq 1.11sq TOTAL: 160.62m²	17.30sq					



SUN SHADE DIAGRAM: SEPTEMBER 22 - 9AM
SCALE 1:250



SUN SHADE DIAGRAM: SEPTEMBER 22 - 12PM
SCALE 1:250



SUN SHADE DIAGRAM: SEPTEMBER 22 - 3PM
SCALE 1:250

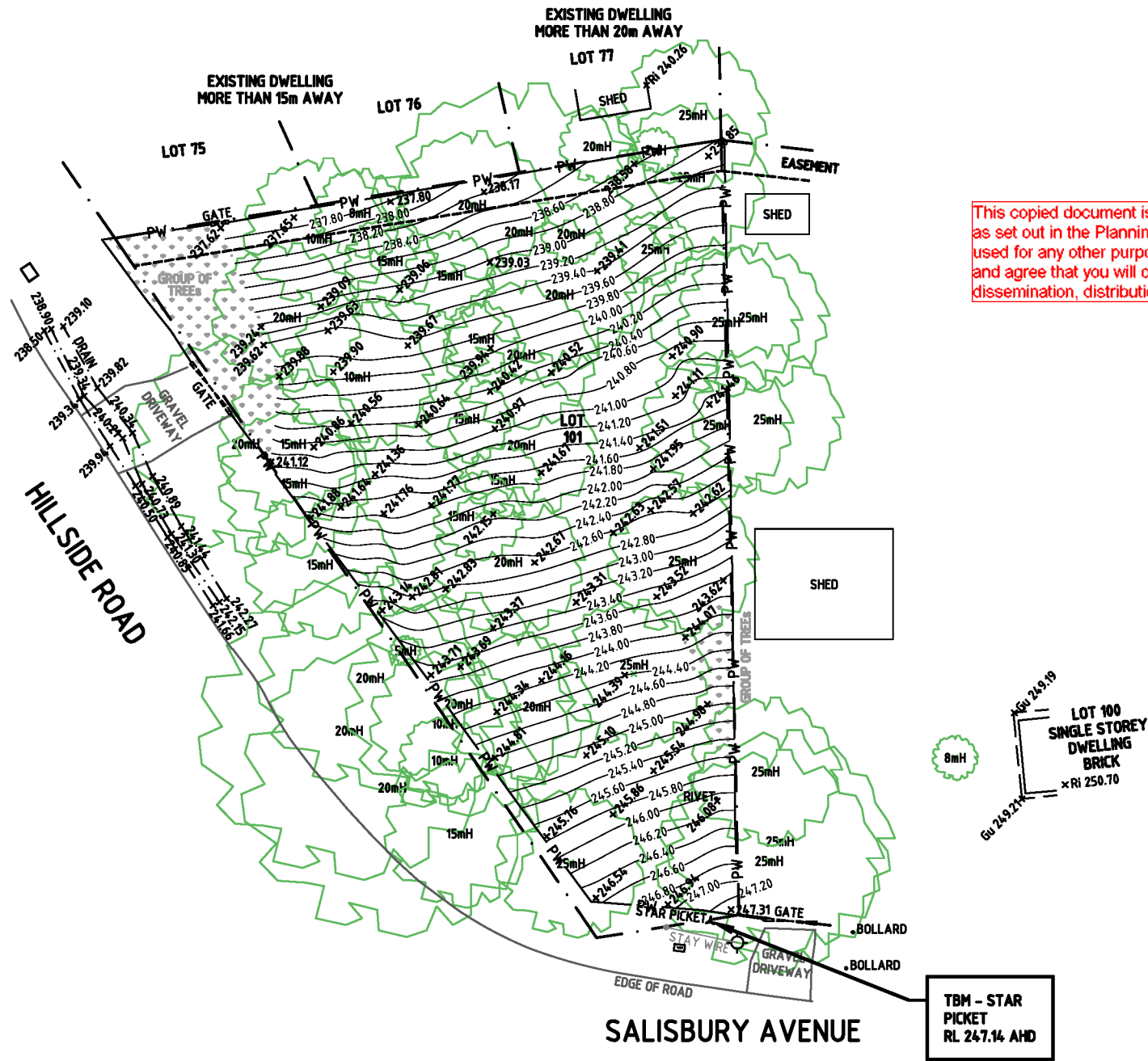
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G.J. Gardner. HOMES		NOVA 190 MODIFIED		MyElusiveDESIGN		PROJECT: Proposed New Residence		SHEET No.: 05 A1		FLOOR AREAS:		REV:	DETAILS:	DATE:
G.J. GARDNER YARRA RANGES		DLJ Homes Pty Ltd 138 GJ Gardner Homes Yarra Ranges 6311 Main St, Lipson, Vic 3140 P: (03) 8980 3188 W: www.gjgardner.com.au		736 Queensberry St, 10th Melbourne, Vic 3051 Phone: 8335 9634 429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: sdnr@myelusivedesign.com.au REG No.: DP-AD 46408		OWNER SIGNED: DATE: DRAWN: G.D. DATE: 29/07/25		ADDRESS: 1 SALISBURY AVENUE, COCKATOO		ground floor: 110.89sqm garage: 37.72sqm porch: 1.74sqm alfresco: 10.27sqm TOTAL: 160.62sqm				

IMPORTANT NOTE:

- THIS DRAWING DOES NOT SHOW OR REPRESENT THE LOCATION OF THE LEGAL TITLE BOUNDARY AND CANNOT BE RELIED UPON TO DO SO.
- ALL EASEMENTS, OFFSETS AND SETBACKS ARE APPROXIMATE. A LICENSED SURVEYOR MUST BE ENGAGED IF CONFIRMED BOUNDARIES AND MEASUREMENTS ARE REQUIRED (CONTACT THIS OFFICE).
- LEVELS ARE TO AUSTRALIAN HEIGHT DATUM (AHD).
REFERENCE PERMANENT MARK: GEMBROOK PM 80
AHD HEIGHT: 269.455
SOURCE: VICMAP CONTROL - SMES
- THE AUSTRALIAN HEIGHT DATUM (AHD) HAS BEEN COMPLETED BY LICENSED SURVEYOR PRIME LAND CONSULTANTS.



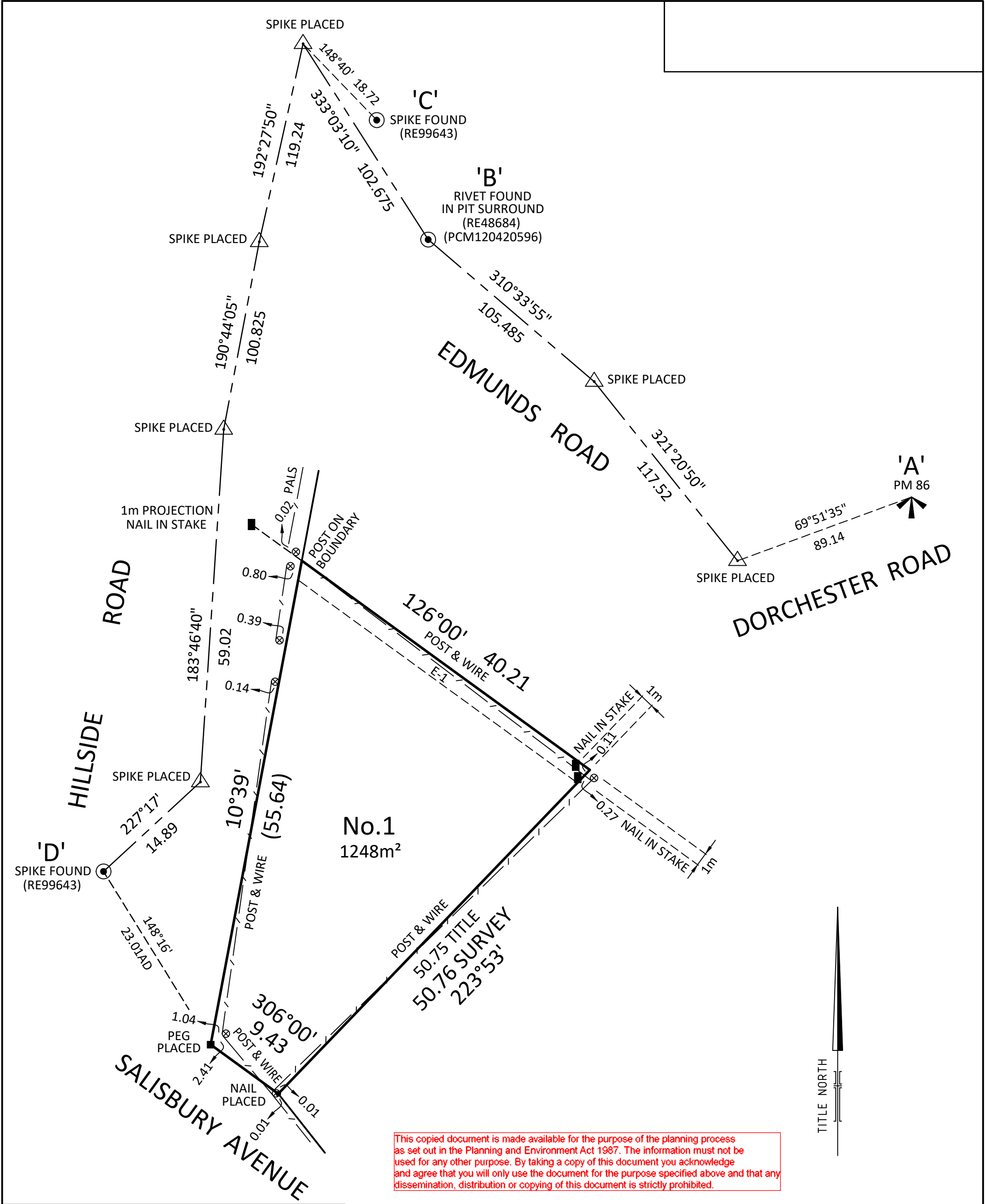
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—/—	FENCE END / FENCE CHANGE	⊙	LIGHT POLE	⊙/⊙	STOP VALVE	NH/W	NON-HABITABLE WINDOW
✱ Fa 10.19	FASCIA	⊙	POWER POLE	⊙/⊙	RECYCLED WATER STOP VALVE	UH/W	UPPER HABITABLE WINDOW
✱ Ri 10.19	RIDGE	⊙	ELEC. PIT	⊙	FIRE HYDRANT	LH/W	LOWER HABITABLE WINDOW
✱ Gu 10.19	TOP OF THE GUTTER	⊙	ELEC. PILLAR BOX	⊙	RECYCLED WATER FIRE HYDRANT	H, S	WINDOW HEAD / SILL
✱ GL 10.19	NATURAL GROUND LEVEL	⊙	NBN PIT	⊙	WATER METER	⊙	SW PIPE
✱ BOF 10.19	BOTTOM OF FOOTING	⊙	COMMS PIT	⊙	RECYCLED WATER METER	⊙	PVC PIPE
✱ TOP 10.19	TOP OF FOOTING	⊙	PMG PIT	⊙	WATER TAP	⊙	CABLE
✱ FFL 10.19	FINISHED FLOOR LEVEL	⊙	TELSTRA PIT	⊙	STORMWATER OUTLET	⊙	POWER CABLE
✱ 10.19	SPOT LEVEL	⊙	TEL. TOWER	⊙	SIDE ENTRY PIT	⊙	APPROX. BOUNDARY
✱ IK 10.19	INVERT KERB LEVEL	⊙	GAS VALVE	⊙	STORMWATER PIT	⊙	APPROX. EASEMENT
✱ IL 10.19	INVERT LEVEL	⊙	GAS METER	⊙	DRAIN PIT	⊙	FOOTPATH/KERB/DRIVEWAY
TBM	TEMPORARY BENCH MARK	⊙	SEWER PIT	⊙	UNKNOWN PIT	⊙	CONTOUR MAJOR
R/W	RETAINING WALL	⊙	SEWER INSPECTION POINT	⊙	CLOTHESLINE	⊙	CONTOUR MINOR
POS	PRIVATE OPEN SPACE	⊙	5mH TREE (APPROX. HEIGHT)	⊙		⊙	EXTRAPOLATED CONTOUR
OWH	OVERHEAD WIRES HEIGHT	⊙	HABITABLE WINDOW	⊙		⊙	FOOTPRINT BASED ON AERIAL IMAGERY

Title: FEATURE SURVEY COPYRIGHT ©			
NOTE: THIS IS NOT A TITLE RE-ESTABLISHMENT SURVEY DASHED LINES REPRESENT APPROXIMATE BOUNDARIES ONLY. A LICENSED SURVEYOR MUST BE ENGAGED IF CONFIRMED BOUNDARIES AND MEASUREMENTS ARE REQUIRED (CONTACT THIS OFFICE)			
SCALE BAR : (IN METERS)			
REV	DATE	REVISION DETAILS	F.T
0	14/04/25	---	VC
---	---	---	TN
---	---	---	HB
---	---	---	---
---	---	---	---

Job no: 28746-25		Scale: 1:400 @ A3	
Project: LOT 101 (No. 1) SALISBURY AVENUE COCKATOO		Level Datum: AHD	
Client: [REDACTED]		 CONSULTING ENGINEERS p: +61 03 9375 7515 e: enquiries@hice.com.au w: www.hice.com.au	
Plan of Subdivision: LP 8039	Ver: EDITION 3		

RECORD OF HAVING RE-ESTABLISHED A CADASTRAL BOUNDARY <i>Surveying (Cadastral Surveys) Regulations 2015 - Schedule 4, Regulation 16</i>		
LOCATION OF LAND PROPERTY ADDRESS: No. 1 SALISBURY AVENUE, COCKATOO PARISH: GEMBROOK COUNTY: EVELYN SECTION: - CROWN ALLOTMENT: 79 (PART) CROWN PORTION: - LAST PLAN REFERENCE: LOT 101 ON LP8039		NOTATIONS THE LAND IN THE SURVEY IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES. ROAD CONNECTIONS, REFERENCE MARKS & OCCUPATION FEATURES HAVE BEEN EXAGGERATED FOR CLARITY. LAND SUBJECT TO EASEMENTS E-1 IS A 2.01m WIDE DRAINAGE EASEMENT VIDE LP8039. DATUM (and previous survey references) 'A'-'B'-'C'-'D' VIDE RE99643. MGA COORDINATES (OF APPROX. CENTRE OF LAND IN PLAN) E: 367 996 GDA: 2020 N: 5 798 774 ZONE: 55
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ORIGINAL SHEET SIZE: A3		
SCALE -	LENGTHS ARE IN METRES	
SURVEYORS FILE REF: HI257-RE		
H&I CONSULTING ENGINEERS PRIME SURVEYING TOWN PLANNING LAND DEVELOPMENT W: www.primelandconsultants.com.au T: 03 8316 1308 M: 0466 967 303 E: info@primelandconsultants.com.au A: 110 Bakehouse Road, Kensington, 3031		
CERTIFICATION BY SURVEYOR		SHEET 1 OF 2
I, EDWARD JAMES WILLIAMSON of 110 BAKEHOUSE ROAD, KENSINGTON 3031, certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 16-04-2025, that this plan is accurate and correctly represents the adopted boundaries and the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.		
Date: 22/04/2025		DIGITALLY SIGNED Licensed Surveyor, Surveying Act 2004
VERSION No.01		

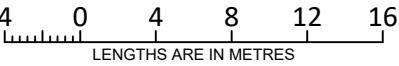


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SURVEYING | TOWN PLANNING | LAND DEVELOPMENT

W: www.primelandconsultants.com.au T: 03 8316 1308 | M: 0466 967 303
E: info@primelandconsultants.com.au A: 110 Bakehouse Road, Kensington, 3031

SCALE 1 : 400	 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 2
VERSION No.01			

01st October 2025

Statutory Planner
Cardinia Council

RE: FURTHER INFORMATION SUBMISSION – T250465 PA – 1 SALISBURY AVENUE, COCKATOO VIC 3781

Please find attached documents for the formal submission of further information for the Planning Permit T250465 PA – 1 Salisbury Avenue, Cockatoo.

This submission includes the following documents;

- Updated Town Planning Drawings
- Updated Arborist Report
- Confirmation of Application Payment Receipt

In terms of the council's queries to the further required information, the following is noted:

1. Outstanding Fees

Council's records show an outstanding amount for payment of application fees. If this fee has already been paid, please provide a copy of the receipt to confirm payment.

Response:

The receipt for proof of payment confirmation has been attached with this RFI submission.

2. Revised Elevation Plans

Provide updated elevation plans including the following additional information:

- Natural ground level and finished ground level clearly nominated on all elevations.
- Overall building height from natural and finished ground level (for each building elevation).
- The extent of any proposed earthworks above or below natural ground level (dimension of cut and/or fill) including retaining walls.

Response:

The elevation plans have been updated to reflect the above requirements made by the Council.

3. Revised Site Plan

Provide updated site plans including the following additional information:

- Minimum width of proposed driveway
- Environment Department notes inconsistencies for the tree removal recommendations between the arborist report and the site plans submitted by G.J. Gardiner; Specifically, the retention/removal status of Trees 22 and 50 which conflicts between the two documents. Environment requests these be amended to reflect each other to show the final extent of tree removal. (Any changes to development plans must be reflected in the arborist report to ensure that vegetation impacts are correctly identified based on the most current plans.)

Response:

The site plan has been updated to reflect the minimum width of the proposed driveway. The Town Planning Drawings and the Arborist Report have been updated to show alignment between the trees proposed to be

PLAN URBAN

retained and removed. The only trees proposed to be retained on site are – No. 22, 31, 39 and 49, and all neighbouring trees are to be retained.

Preliminary Assessment Concerns:

1. Council encourages a landscape plan to be submitted in accordance with consideration given to the Cockatoo Township Strategy and BMP requirements (it is noted that if a landscape is not provided, it could be conditioned in the future should Council decides to grant a permit)

Response:

Given the site is within a Bushfire Management Overlay there is restrictions on the ability to propose additional canopy tree planting and even low level planting near to the dwelling itself. As an alternative, a Tree Protection Management Plan might be a more appropriate option as a condition of permit.

2. While the split level is a positive response to the topography, the brick construction, raised floor levels and lack of building articulation contributes to visual bulk, which is contrary to the DDO.

Response:

In accordance with the design objectives, permit requirements, and decision guidelines outlined in the DDO and its Schedule, the proposed single-storey brick dwelling has a height of less than 7m, with a maximum overall height of 5.882m. The design is modest, featuring three bedrooms and a simple yet carefully considered layout that addresses the site's constraints, including its slope and surrounding vegetation. When viewed from Salisbury Avenue, the street elevation is modest and is of a height similar to surrounding single storey dwellings. Given that the slope is directed downwards, away from the Salisbury Avenue, its bulk and appearance is not a visual hinderance to views from the streetscape since much of the built form massing is located away from street view well within the site. Additionally, with the presence and location of neighbouring canopy trees along Hillside Road adjacent to the boundary of the site and those trees retained within the site the dwelling itself will be almost entirely screened when viewed from outside the site. Finally, the use of brick and natural earthy tones aid in blending the dwelling with the surrounding environment.

3. With regards to the new position of the proposed access/crossover, Traffic Department recommends it to be located at the existing gateway away from the intersection. Alternatively, the crossover be better located along Hillside Road. (Access must be designed and constructed generally in accordance with the requirements outlined by Fire Front Consultancies in Sheet No. 6 Dated 29/07/25. It is also required that the access is sealed from the end of the concrete driveway to the edge of trafficable carriageway.)

Response:

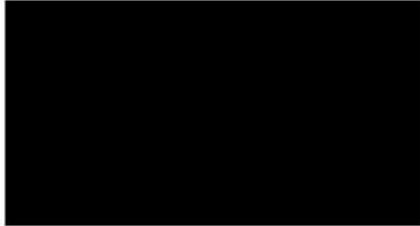
The proposed crossover has been appropriately planned at its location to avoid additional encroachment of the driveway into the TPZ of neighbouring trees No.21 and No.20. Providing access from Hillside Road would require the removal of significant street trees which are not currently affected by the proposed crossover along Salisbury Avenue and would also necessitate additional site earthworks to allow for the vehicular driveway to be constructed along the slope. Therefore, we say that the proposed crossover is the most suitable location for provision of an accessway to the site. The access itself is sealed and the crossover would need to be constructed to Council's Engineering Departments standards which could be conditioned on the permit if necessary.

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PLAN URBAN

We are confident that this submission will satisfy the request for further information made by Cardinia Council do not hesitate to get in contact with any questions or to discuss this matter further.

Yours Sincerely,



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LEGEND	
1. NOISE DIRECTION	↖ ↗
2. MELBOURNE CBD - 49.4km	↖ ↗
3. SCHOOL 2.2km	↖ ↗
4. PUBLIC TRANSPORT 0.9km	↖ ↗
5. RESERVE 0.5km	↖ ↗
6. SHOPS 1.46km	↖ ↗
P.O.S - PRIVATE OPEN SPACE	
S.P.O.S - SECLUDED PRIVATE OPEN SPACE	
(H)W HABITABLE WINDOWS	
(N)HW NON HABITABLE WINDOWS	

NOTE:
ADJACENT P.O.S TO BE PROTECTED FROM OVERVIEWING WITH A BRICK TOWER RAILING FENCE.
MATERIAL, COLOURS AND TEXTURES ARE SELECTED TO HIGHLIGHT THE ARCHITECTURAL FORMS AND REFLECT THE ADJACENT DWELLINGS.
BREAK UP LARGE FORMS WITH ARTICULATED CORNERS IN PLAN AND ELEVATION, TO MAINTAIN A SCALE RELEVANT TO THE ADJACENT BUILDING.
The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (and capture of 50% of rain) connected to all sanitary flushing systems or SOLAR WATER HEATER system with 40% solar gain. Upon completion of the dwelling, the builder shall present to the relevant Building Surveyor the Final As-built Compliance Report.



No. 22 Hillside Rd



No. 20 Hillside Rd



No. 18 Hillside Rd



No. 16 Hillside Rd



No. 1 Salisbury Ave
(SUBJECT SITE)



No. 2 Salisbury Ave



No. 3 Salisbury Ave



No. 4 Salisbury Ave



No. 5 Salisbury Ave



No. 7-9 Salisbury Ave

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NOTE:
Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:
i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street trees on the street frontage.
ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must remain in place through the life of the development. This fence must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Protection Zone.
iii) The Area within the Tree Protection Zone must not be disturbed by any means including parking of vehicles or storage of plants and equipment, materials, soil or waste.
iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Town Planning Department and under the supervision of a qualified Arborist.
All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.



NEIGHBOURHOOD & SITE DESCRIPTION

SCALE 1:500

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G.J. Gardner. HOMES
G.J. GARDNER
YARRA RANGES
D/G Homes Pty Ltd
176-180 Gardner Homes Yarra Ranges
6311 Main St, Lipson, Vic 3140
P: (03) 8992 3188
W: www.gjgardner.com.au

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TO G.J. GARDNER HOMES

MyElusiveDESIGN
736 Queensberry St, 10th Melbourne, Vic 3051 Phone: 8335 9634
429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242
E: sander@myelusivedesign.com.au
REG No.: DP-AD 46408

I HAVE CHECKED THE PLANS AND AGREE THEY ACCURATELY REPRESENT THE HOUSE FOR CONSTRUCTION. ANY VARIATIONS REQUESTED AFTER SIGNING WILL INCUR A PROCESSING FEE IN ADDITION TO THE COST OF THE VARIATION FEES AND ANY FURTHER PLANS TO BE PREPARED.
OWNER SIGNED: _____ DATE: _____
BUILDER SIGNED: _____ DATE: _____

PROJECT: Proposed New Residence
ADDRESS: [REDACTED]
1 SALISBURY AVENUE, COCKATOO

SHEET NO.	SHEET SIZE	FLOOR AREAS:
01	A1	ground floor: 11.94sqm
		garage: 37.72sqm
		porch: 3.74sqm
		alfresco: 10.27sqm
		TOTAL: 63.67sqm
		DATE: 30/09/25

REV:	DETAILS:	DATE:
A	Council RFI	30/09/25

GENERAL LEGEND	
LETTER BOX	[LB]
HOT WATER SERVICE	[HWS]
METER BOX	[MB]
BINK	[BINK]
HABITABLE ROOM WINDOW	[HWW]
NON-HABITABLE ROOM WINDOW	[NHW]
GAS METER	[G]
CLOTHES LINE	[CL]
RAIN WATER TANK	[RWT]
AIR CONDITIONING / HEATING UNIT	[AC/HU]
SOLAR PANELS	[SP]

NOTE:	
ADJACENT P.O.S. TO BE PROTECTED FROM OVER VIEWING WITH A 3000mm FENCING FORCE.	
MATERIALS, COLOURS AND TEXTURES ARE SELECTED TO PROTECT THE AESTHETIC FORM AND REFLECT THE ADJACENT DWELLINGS.	
BREAK UP LARGE FORMS WITH ARTICULATED CORNERS IN PLAN AND ELEVATION, TO MAINTAIN A SCALE RELEVANT TO THE ADJACENT BUILDING.	
The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (not connected to any system) connected to all sanitary flushing systems or SOLAR WATER HEATER system with 40% solar gain. Upon completion of the dwelling, the builder shall present to the relevant Building Surveyor the Final Site Compliance Report.	

TREES			
No.	TRE(m)	SRZ(m)	PROPOSAL
1	4.30	2.30	RETAIN
2	8.40	3.30	RETAIN
3	2.80	2.0	RETAIN
4	3.60	2.20	RETAIN
5	6.00	2.70	RETAIN
6	7.60	3.00	RETAIN
7	5.20	2.50	RETAIN
8	9.90	3.00	RETAIN
9	7.90	3.00	RETAIN
10	9.40	3.30	RETAIN
11	3.70	2.10	RETAIN
12	2.00	1.60	RETAIN
13	12.00	3.60	RETAIN
14	12.00	3.60	RETAIN
15	4.70	2.50	RETAIN
16	13.20	3.80	RETAIN
17	7.00	2.90	RETAIN
18	2.40	1.80	RETAIN
19	6.00	2.70	RETAIN
20	7.20	3.00	RETAIN
21	6.00	2.70	RETAIN
22	10.10	3.50	RETAIN
23	11.30	3.80	REMOVE
24	4.40	2.40	REMOVE
25	7.40	3.00	REMOVE
26	5.50	2.70	REMOVE
27	4.00	2.50	REMOVE
28	2.40	2.00	REMOVE
29	9.60	3.30	REMOVE
30	3.40	2.10	REMOVE
31	4.20	2.40	RETAIN
32	4.20	2.30	REMOVE
33	6.60	3.00	REMOVE
34	3.50	2.20	REMOVE
35	3.80	2.30	REMOVE
36	5.90	2.70	REMOVE
37	2.90	2.20	REMOVE
38	4.70	2.50	REMOVE
39	8.20	3.10	RETAIN
40	3.70	2.20	REMOVE
41	2.50	1.80	REMOVE
42	2.90	2.10	REMOVE
43	5.40	2.70	REMOVE
44	3.40	2.10	REMOVE
45	4.60	2.30	REMOVE
46	6.70	2.70	REMOVE
47	3.40	1.90	REMOVE
48	4.60	2.40	REMOVE
49	6.20	2.60	RETAIN
50	5.90	2.60	REMOVE

NOTE:	
Prior to commencement of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:	
i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street trees on the street frontage.	
ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence similar to that shown in the diagram, which must be erected prior to the commencement of works. This fence must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Protection Zone.	
iii) The Area within the Tree Protection Zone must not be disturbed by any means including cutting of weeds or storage of plant and equipment.	
iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Tree Planning Department and under the supervision of a qualified Arborist.	
All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.	



EXISTING/DEMOLITION SITE PLAN

SCALE 1:100

G.J. Gardner. HOMES		NOVA 190 MODIFIED		MyElusiveDESIGN		PROJECT: Proposed New Residence		REV: DETAILS:		DATE:	
G.J. GARDNER YARRA RANGES		D&J Homes Pty Ltd 176-180 Gardner Homes Yarra Ranges 6311 Main St, Lipson, Vic 3140 P: (03) 8892 3185 W: www.gjgardner.com.au		736 Queensberry St, 10th Melbourne, Vic 3051 Phone: 8335 9634 429 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: sander@myelusive.com.au REG No.: DP-AD 46408		OWNER SIGNED: _____ DATE: _____ BUILDER SIGNED: _____ DATE: _____		1 SALISBURY AVENUE, COCKATOO		30/09/25	
DRAWN: G.D.		FLOOR AREAS:		TOTAL: 160.62m²		17.30sqm		Council Ref:		30/09/25	
SHEET NO: 02		A1		ground floor: 110.89m²		11.94sqm					
GARDNER JOB NO:		37.72m²		4.06sqm							
ELUSIVE JOB NO:		1.74m²		0.15sqm							
TOTAL:		10.27m²		1.11sqm							

GENERAL LEGEND	
LETTER BOX	LB
HOT WATER SERVICE	HWS
METER BOX	MB
BINK	BINK
HABITABLE ROOM WINDOW	HW
NON-HABITABLE ROOM WINDOW	NHW
GAS METER	G
CLOTHES LINE	CL
RAIN WATER TANK	RWT
AIR CONDITIONING / HEATING UNIT	AC/HU
SOLAR PANELS	SP

NOTE:	
ADJACENT P.O.S. TO BE PROTECTED FROM OVER VIEWING WITH A 3000mm TALL FENCING.	
MATERIALS, COLOURS AND TEXTURES ARE SELECTED TO REPRESENT THE ARCHITECTURAL FORMS AND REFLECT THE ADJACENT DWELLINGS.	
BREAK UP LARGE FORMS WITH ARTICULATED CORNERS IN PLAN AND ELEVATION, TO MAINTAIN A SCALE RELEVANT TO THE ADJACENT DWELLINGS.	
The dwelling has been designed to achieve a 5 STAR ENERGY RATING and include a 2000 litre RAIN WATER TANK (and capture of down) connected to all sanitary flushing systems or SOLAR WATER HEATER system with 40% solar gain. Upon completion of the dwelling, the builder shall present to the relevant Building Surveyor the Final As-Built Compliance Report.	

TREES			
No.	TPZ(m)	SRZ(m)	PROPOSAL
1	4.30	2.30	RETAIN
2	8.40	3.30	RETAIN
3	2.80	2.0	RETAIN
4	3.60	2.20	RETAIN
5	6.00	2.70	RETAIN
6	7.60	3.00	RETAIN
7	5.20	2.50	RETAIN
8	9.90	3.00	RETAIN
9	7.90	3.00	RETAIN
10	9.40	3.30	RETAIN
11	3.70	2.10	RETAIN
12	2.00	1.60	RETAIN
13	12.00	3.60	RETAIN
14	12.00	3.60	RETAIN
15	4.70	2.50	RETAIN
16	13.20	3.80	RETAIN
17	7.00	2.90	RETAIN
18	2.40	1.80	RETAIN
19	6.00	2.70	RETAIN
20	7.20	3.00	RETAIN
21	6.00	2.70	RETAIN
22	10.10	3.50	RETAIN
23	11.30	3.80	REMOVE
24	4.40	2.40	REMOVE
25	7.40	3.00	REMOVE
26	5.50	2.70	REMOVE
27	4.00	2.50	REMOVE
28	2.40	2.00	REMOVE
29	9.60	3.30	REMOVE
30	3.40	2.10	REMOVE
31	4.20	2.40	RETAIN
32	4.20	2.30	REMOVE
33	6.60	3.00	REMOVE
34	3.50	2.20	REMOVE
35	3.80	2.30	REMOVE
36	5.80	2.70	REMOVE
37	2.90	2.20	REMOVE
38	4.70	2.50	REMOVE
39	8.20	3.10	RETAIN
40	3.70	2.20	REMOVE
41	2.50	1.80	REMOVE
42	2.90	2.10	REMOVE
43	5.40	2.70	REMOVE
44	3.40	2.10	REMOVE
45	4.60	2.30	REMOVE
46	6.70	2.70	REMOVE
47	3.40	1.90	REMOVE
48	4.60	2.40	REMOVE
49	6.20	2.60	RETAIN
50	5.30	2.60	REMOVE

AREA ANALYSIS	
ground floor:	110.89m ² 11.94sq.
garage:	37.72m ² 4.06sq.
porch:	1.74m ² 0.19sq.
alfresco:	10.27m ² 1.11sq.
TOTAL:	160.62m ² 17.30sq.
SITE AREA:	1,247.64m ²
BUILT UP AREA:	160.62m ²
SITE COVERAGE:	12.87%
CONCRETE AREA:	236.8m ²
PERMEABILITY:	81.02%
GARDEN AREA MIN(35%):	436.67m ²
GARDEN AREA PROVIDED:	1,001.47m ²
TOTAL:	160.62m ² 17.30sq.

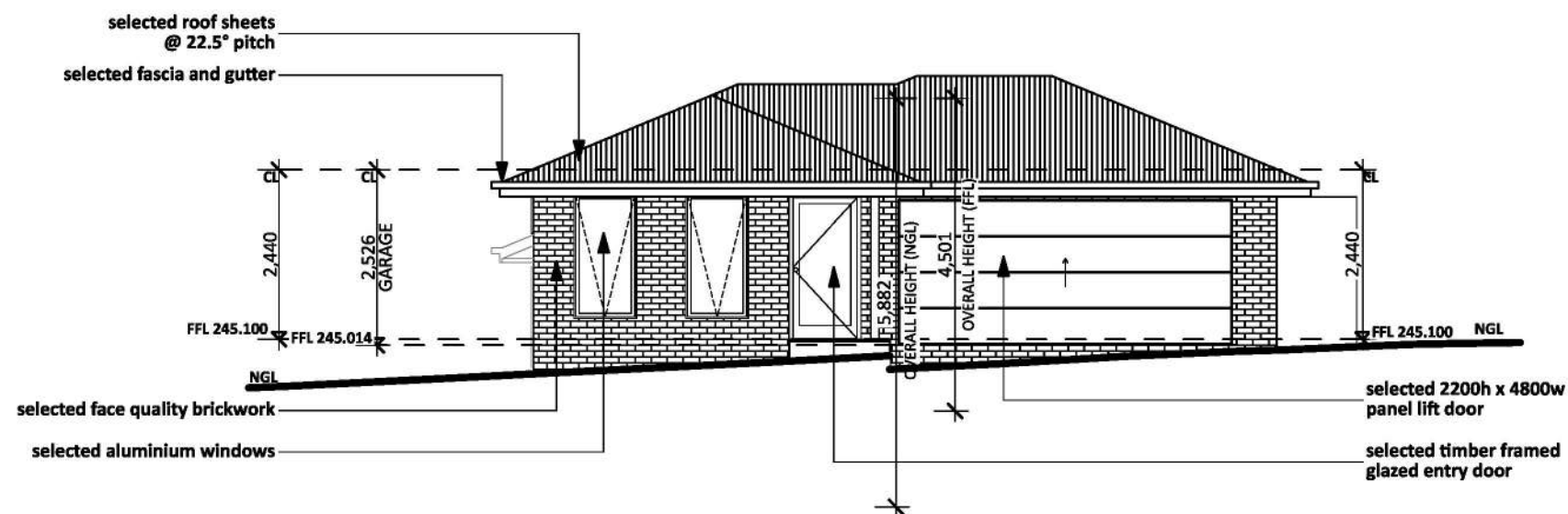
NOTE:	
Prior to commencement of works, the following provisions relating to the protection of existing street trees must be understood by the contractor and the Responsible Authority:	
i) A suitable Tree Protection Zone of 2.0m radius with barrier fence must be established around the street trees on the street frontage.	
ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Protection Zone.	
iii) The Area within the Tree Protection Zone must not be disturbed by any means including cutting or storage of plants and equipment.	
iv) No excavation is allowed within the Tree Protection Zone except with the consent of Council's Tree Planning Department and under the supervision of a qualified arborist.	
All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.	



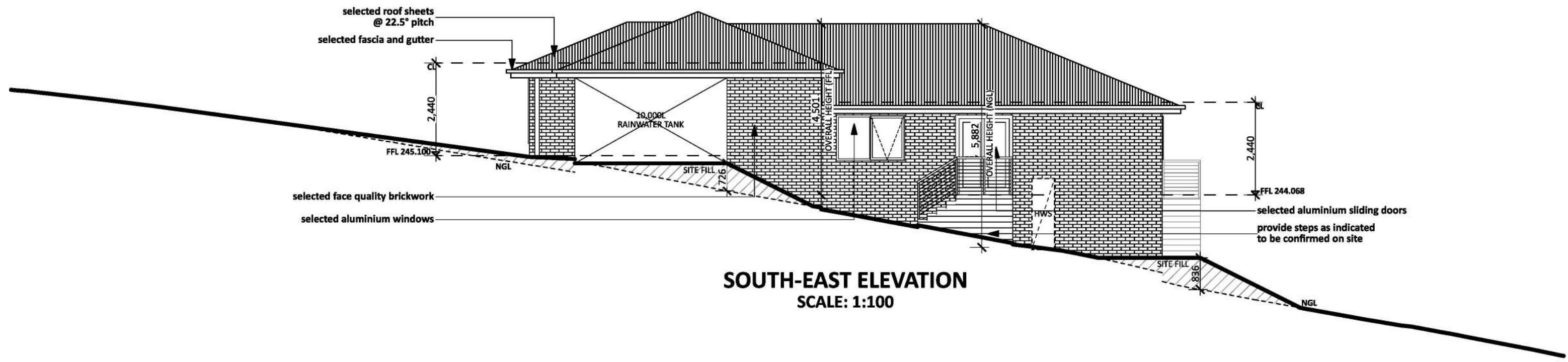
SITE LAYOUT/GROUND FLOOR PLAN

SCALE 1:100

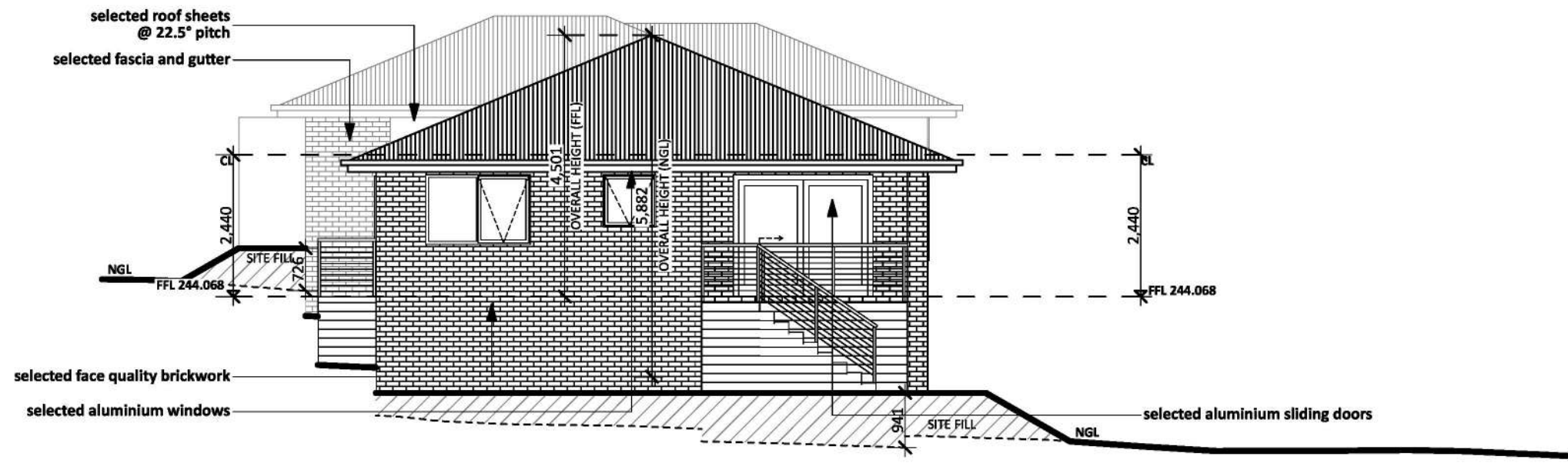
G.J. Gardner. HOMES		NOVA 190 MODIFIED		MyElusiveDESIGN		PROJECT: Proposed New Residence		SHEET NO: 03 OF 03		FLOOR AREAS:		REV: DETAILS:		DATE:	
G.J. GARDNER YARRA RANGES		© COPYRIGHT EXCLUSIVE TO G.J. GARDNER HOMES		6311 Main St, Lyndale, Vic 3140 P: (03) 8892 3185 W: www.gjgardner.com.au		629 Hargreaves St, Bendigo, Vic 3550 Phone: 5444 1242 E: admin@myelusivedesign.com.au REG No.: DP-AD 46408		OWNER SIGNED: _____ DATE: _____ BUILDER SIGNED: _____ DATE: _____		ground floor: 110.89m ² 11.94sq. garage: 37.72m ² 4.06sq. porch: 1.74m ² 0.19sq. alfresco: 10.27m ² 1.11sq. TOTAL: 160.62m ² 17.30sq.		A Council RFI		30/09/25	



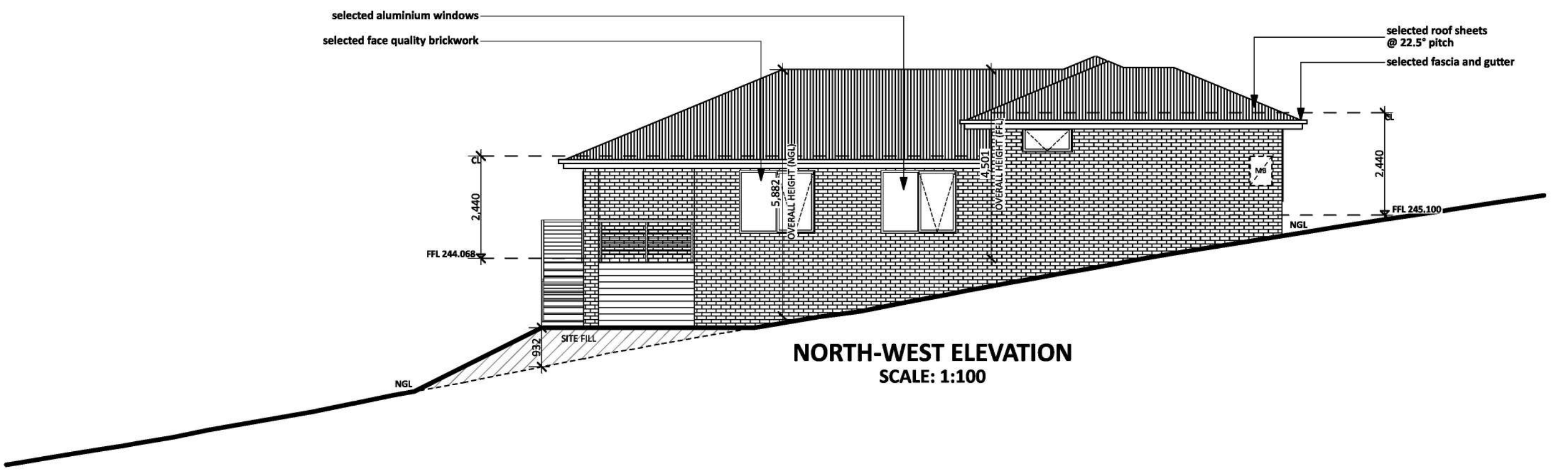
SOUTH-WEST ELEVATION
SCALE: 1:100



SOUTH-EAST ELEVATION
SCALE: 1:100



NORTH-EAST ELEVATION
SCALE: 1:100



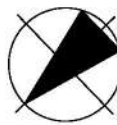
NORTH-WEST ELEVATION
SCALE: 1:100

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MATERIALS / COLOUR SCHEDULE

	FACE BRICK - BROWN/RED (OR SIMILAR)		ROOF, GUTTER, FASCIA & DOWNPIPES - COLORBOND MONUMENT (OR SIMILAR)		GARAGE DOOR - COLORBOND MONUMENT (OR SIMILAR)		WINDOWS & DOORS - COLORBOND MONUMENT (OR SIMILAR)		ENTRY DOOR - SPOTTED GUM/TIMBER (OR SIMILAR)		RAINWATER TANK - COLORBOND MONUMENT (OR SIMILAR)		METER BOX - COLORBOND MONUMENT (OR SIMILAR)
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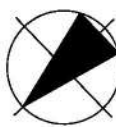
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OWNER SIGNED: _____ DATE: _____				BUILDER SIGNED: _____ DATE: _____				PROJECT: Proposed New Residence			
ADDRESS: 1 SALISBURY AVENUE, COCKATOO				DRAWN: G.D. DATE: 30/09/25				FLOOR AREAS: ground floor: 110.89sqm garage: 37.72sqm porch: 1.74sqm alfresco: 10.27sqm TOTAL: 160.62sqm			
REV: A				DETAILS: Council RFI				DATE: 30/09/25			



SUN SHADE DIAGRAM: SEPTEMBER 22 - 9AM
SCALE 1:250



SUN SHADE DIAGRAM: SEPTEMBER 22 - 12PM
SCALE 1:250



SUN SHADE DIAGRAM: SEPTEMBER 22 - 3PM
SCALE 1:250

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Receipt

Receipt No	EPLAN010375
Amount Paid	\$1,302.80
Transaction Status	Processing
Transaction Date	1/09/2025 11:48:03 AM
Reference 1	T27485115
Reference 2	T250465
Reference 3	I32543RT

Applicant [REDACTED]
 Applicant Address Plan Urban
 736 Queenserry Road, NORTH MELBOURNE VIC
 3051

Owner [REDACTED]
 Owner Address [REDACTED]

Preferred Contact [REDACTED]
 Preferred Contact Address Plan Urban
 736 Queenserry Road, NORTH MELBOURNE VIC
 3051

Site Address 1 Salisbury Avenue, Cockatoo VIC 3781

Portal Reference [REDACTED]
 ReferenceNumber

InvoiceNumber
 InvoiceDate
 InvoicePayByDate

Regulation	Description	Amount	Modifier	Modified Amount
------------	-------------	--------	----------	-----------------

Total Amount

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ARBORICULTURAL IMPACT ASSESSMENT

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REPORT COMMISSIONED BY:



DATE OF ASSESSMENT:

Thursday, July 03, 2025

SUBJECT SITE:

1 Salisbury Avenue, Cockatoo Vic 3781

DATE OF REPORT:

Friday, September 12, 2025

REPORT PREPARED BY:



Consulting Arborist
Diploma of Arboriculture (AQF 5)

VERSION 2



ARBORICULTURAL CONSULTING SERVICES

ABN

13 601 685 223

PHONE

0401 442 604

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WEBSITE

www.tmcreports.com.au

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1 Assignment

1.1 Author / Consulting Arborist

Name	Company
Nicholas Holian	TMC Reports
Consulting Arborist	Phone
Diploma of Arboriculture	0401 442 604
(AQF 5)	Email
	nick@tmcreports.com.au

1.2 Client

Name	Intended Audience
G.J. Gardner	○ The property/tree owner(s)
Site Address	○ The development project manager and associated construction staff
1 Salisbury Avenue, Cockatoo Vic 3781	○ Council Planning Department

1.3 Brief

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

Detail has been requested in relation to the following instructions:

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

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1.4 Summary

- Eleven trees (Trees 1 – 11) belong to Cardinia Shire Council
- Two trees (Trees 22 & 46) are of high retention value.
- Ten trees (Trees 25, 26, 29 – 31, 36, 39, 43, 49 & 50) are of moderate retention value.
- Seventeen trees (Trees 23, 24, 27, 28, 32 – 35, 37, 38, 40 – 42, 44, 45, 47 & 48) are of low retention value.
- Ten trees (Trees 12 – 21) are neighbouring trees.
- All assessed trees meet the protection requirements of VPO1 with the exception of Tree 12 which is a recognised environmental weed species.
- Less invasive construction measures (8.3).
- Recommended tree protection measures (8.4).

2 Data collection

2.1 Site visit

- Daniel Tigges, of TMC Reports, visited the site for an arboricultural assessment on Thursday the 3rd of July 2025 at 9:00am.

2.2 Method of data collection

- The subject trees were assessed from observations made as viewed from ground level.
- Access to neighbouring properties was not permitted. Assessment was therefore limited only to parts of the trees that were visible from within the subject site.
- A digital camera was used at ground level to obtain photographs within this report.
- The spreads of the trees were estimated.
- The heights of the trees were measured by using a Nikon Forestry Pro 2 Laser Range Finder (where possible).
- A circumference tape measure was used to determine the trunk dimensions of Trees 1 – 11 & 22 – 50, except where stated.
- Trunk dimensions of the neighbouring trees (Trees 12 – 21) were estimated due to restricted access.
- Encroachment percentages have been calculated via ArborCAD.

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2.2.1 Documents viewed

- Proposed plans (29/07/2025)
- Cardinia Shire Council Planning Scheme
- Australian Standard AS4970 – 2025 ‘Protection of Trees on Development Sites’
- Australian Standard AS4373 – 2007 ‘Pruning of Amenity Trees’

3 Site description

- The subject site is located in a Low Density Residential Zone - Schedule 2 (LDRZ2) within the Cardinia Shire Council.
- The subject site is located in a Vegetation Protection Overlay – Schedule 1 (VPO1) within the Cardinia Shire Council.
- The subject site is located within a Bushfire Prone Area (BPA) within the Cardinia Shire Council.
- The site was a vacant bush block with no significant build infrastructure.
- The terrain of the site appeared to be declining steeply to the north.
- The subject trees are all located within the subject site, the council owned Hillside Road reserve, and adjoining properties (2 & 4 Haylock Avenue and 3 Salisbury Avenue).
- No additional prominent vegetation (greater than 3m in height) was observed within five metres of the site boundary lines.

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4 Tree data

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
1	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	15.0 m	N-S 8.0 m	0.36 m	Fair	Poor	5-10 years	Low	Council Owned Tree	4.3 m	2.3 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Large stem wound extending from tree base to approximately 2.5m above ground level. Canopy bias to roadside.
	Narrow-leaved peppermint				E-W 8.5 m	1.19 m									
						0.40 m									
2	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	26.0 m	N-S 16.0 m	0.70 m	Fair/ good	Fair	20+ years	Moderate	Council Owned Tree	8.4 m	3.3 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Asymmetric canopy bias to west.
					E-W 17.0 m	2.26 m									
	Messmate					0.98 m									
3	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	17.0 m	N-S 5.0 m	0.24 m	Fair	Very poor	0-5 years	Low	Council Owned Tree	2.9 m	2.0 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Stem wound at base. Tree rubbing on adjacent tree. Tree partially failed.
	Narrow-leaved peppermint				E-W 5.5 m	0.79 m									
						0.31 m									
4	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	14.0 m	N-S 7.0 m	0.30 m	Fair	Fair	10-20 years	Low	Council Owned Tree	3.6 m	2.2 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Previous failures.
	Narrow-leaved peppermint				E-W 8.5 m	0.97 m									
						0.36 m									
5	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	17.0 m	N-S 8.5 m	0.50 m	Fair	Fair	10-20 years	Moderate	Council Owned Tree	6.0 m	2.7 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Partly suppressed asymmetric canopy bias to roadside. Stem wound on back side of stem.
	Narrow-leaved peppermint				E-W 10.0 m	1.63 m									
						0.61 m									
6	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	26.0 m	N-S 12.0 m	0.63 m	Fair/ good	Fair	20+ years	High	Council Owned Tree	7.6 m	3.0 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Bifurcation at approximately 9.0m above ground with bark inclusion and swelling.
					E-W 18.0 m	2.01 m									
	Messmate					0.78 m									
7	<i>Eucalyptus obliqua</i>	Semi Mature	Native NSW QLD SA TAS VIC	25.0 m	N-S 9.0 m	0.43 m	Fair/ good	Fair/ good	20+ years	Moderate	Council Owned Tree	5.2 m	2.5 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Younger maturing specimen.
					E-W 9.0 m	1.45 m									
	Messmate					0.53 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
8	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	24.0 m	N-S 11.0 m	0.74 m	Fair/ good	Fair	20+ years	High	Council Owned Tree	8.9 m	3.0 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve. Growing hard against boundary fence. Asymmetric canopy bias to roadside.
						2.36 m									
	Messmate				E-W 14.0 m	0.82 m									
9	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	24.0 m	N-S 16.0 m	0.66 m	Fair/ good	Fair	20+ years	High	Council Owned Tree	7.9 m	3.0 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve.
						2.23 m									
	Messmate				E-W 19.0 m	0.79 m									
10	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	26.0 m	N-S 18.0 m	0.78 m	Fair/ good	Fair	20+ years	High	Council Owned Tree	9.4 m	3.3 m	Council Owned Tree VPO1	Council owned tree located within the Hillside Road reserve.
						2.48 m									
	Messmate				E-W 18.0 m	0.99 m									
11	<i>Acacia dealbata</i>	Semi Mature	Native NSW TAS VIC	13.0 m	N-S 6.0 m	0.31 m	Fair	Fair	10-20 years	Low	Council Owned Tree	3.7 m	2.1 m	Council Owned Tree VPO1	Council owned tree located within the front nature strip. Represents 2 trees. Measurements taken from larger tree.
						1.04 m									
	Silver wattle				E-W 8.0 m	0.33 m									
12	<i>Pittosporum undulatum</i>	Semi Mature	Native NSW QLD VIC	4.5 m	N-S 3.5 m	0.14 m	Fair/ good	Fair	10-20 years	Low	Neighbouring Tree	2.0 m	1.6 m	Exempt weed	Neighbouring tree located within the northern adjoining property (2 Haylock Avenue). Environmental weed species.
						0.47 m									
	Sweet Pittosporum				E-W 3.5 m	0.19 m									
13	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	27.0 m	N-S 12.0 m	1.00 m	Fair	Fair/ poor	10-20 years	Moderate	Neighbouring Tree	12.0 m	3.6 m	VPO1	Neighbouring tree located within the northern adjoining property (4 Haylock Avenue). Moderate vine in tree. Previous significant failures.
						3.46 m									
	Narrow-leaved peppermint				E-W 12.0 m	1.25 m									
14	<i>Eucalyptus viminalis subsp. viminalis</i>	Mature	Native NSW SA TAS VIC	26.0 m	N-S 18.0 m	1.00 m	Fair/ good	Fair	20+ years	Moderate	Neighbouring Tree	12.0 m	3.6 m	VPO1	Neighbouring tree located within the northern adjoining property (4 Haylock Avenue). Tree has developed a phototropic habit with corrected lean.
						3.46 m									
	Manna gum				E-W 16.0 m	1.20 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
15	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	14.0 m	N-S 9.0 m	0.39 m	Fair	Fair	10-20 years	Low	Neighbouring Tree	4.7 m	2.5 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue).
	Narrow-leaved peppermint					1.32 m									
					E-W 9.0 m	0.49 m									
16	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	25.0 m	N-S 20.0 m	1.10 m	Fair/ good	Fair	20+ years	Moderate	Neighbouring Tree	13.2 m	3.8 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue).
						3.77 m									
	Messmate				E-W 22.0 m	1.40 m									
17	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	19.0 m	N-S 10.0 m	0.58 m	Fair	Fair/ poor	10-20 years	Moderate	Neighbouring Tree	7.0 m	2.9 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue). Majority of canopy overhangs subject site. Previous failures. Minor deadwood within canopy.
						1.95 m									
	Narrow-leaved peppermint				E-W 13.0 m	0.72 m									
18	<i>Pittosporum tenuifolium</i>	Semi Mature	Exotic	6.0 m	N-S 2.5 m	0.20 m	Fair/ good	Fair	10-20 years	Low	Neighbouring Tree	2.4 m	1.8 m	VPO1	Neighbouring tree group located within the eastern adjoining property (3 Salisbury Avenue). Canopy extends into the site by 1.5m at a height of 0.5m above ground level. Represents 4 individual multi stemmed trees. Dimensions averaged for group.
						0.63 m									
	Kohuhu				E-W 2.5 m	0.22 m									
19	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	18.0 m	N-S 11.0 m	0.50 m	Fair	Fair	20+ years	Moderate	Neighbouring Tree	6.0 m	2.7 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue). Coppice growth of tree base.
						1.70 m									
	Narrow-leaved peppermint				E-W 10.0 m	0.62 m									
20	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	22.0 m	N-S 13.0 m	0.60 m	Fair/ good	Fair/ good	20+ years	Moderate	Neighbouring Tree	7.2 m	3.0 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue).
						2.01 m									
	Messmate				E-W 12.0 m	0.80 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
21	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	16.0 m	N-S 12.0 m	0.50 m	Fair	Fair	20+ years	Moderate	Neighbouring Tree	6.0 m	2.7 m	VPO1	Neighbouring tree located within the eastern adjoining property (3 Salisbury Avenue).
	Narrow-leaved peppermint				E-W 8.0 m	0.60 m									
22	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	27.0 m	N-S 16.0 m	0.84 m	Fair/good	Fair	20+ years	High	High	10.1 m	3.5 m	VPO1	Minor previous failures and deadwood within canopy.
	Messmate				E-W 20.0 m	1.12 m									
23	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	24.0 m	N-S 13.0 m	0.94 m	Fair	Poor	10-20 years	Moderate	Low	11.3 m	3.8 m	VPO1	Heavy lean to west. Major decay in stem extending into root plate. Moderate deadwood within canopy.
	Narrow-leaved peppermint				E-W 19.0 m	1.35 m									
24	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	18.0 m	N-S 10.0 m	0.37 m	Fair	Fair	10-20 years	Low	Low	4.4 m	2.4 m	VPO1	Minor deadwood throughout canopy.
	Narrow-leaved peppermint				E-W 9.5 m	0.45 m									
25	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	25.0 m	N-S 12.0 m	0.62 m	Fair/good	Fair/good	20+ years	Moderate	Moderate	7.4 m	3.0 m	VPO1	Minor deadwood throughout canopy. Less than 1m from fence.
	Messmate				E-W 14.0 m	0.79 m									
26	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	23.0 m	N-S 9.0 m	0.46 m	Fair/good	Fair/good	20+ years	Moderate	Moderate	5.5 m	2.7 m	VPO1	Minor deadwood within canopy.
	Narrow-leaved peppermint				E-W 9.0 m	0.61 m									
27	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	15.0 m	N-S 7.0 m	0.33 m	Fair	Fair/poor	10-20 years	Low	Low	4.0 m	2.5 m	VPO1	Suppressed asymmetric canopy bias to west Wound and minor decay near tree base.
	Narrow-leaved peppermint				E-W 8.0 m	0.50 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
28	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	8.5 m	N-S 4.0 m	0.20 m	Fair	Fair	10-20 years	Low	Low	2.4 m	2.0 m	VPO1	Low site significance.
	Narrow-leaved peppermint				E-W 4.0 m	0.66 m									
						0.29 m									
29	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	27.0 m	N-S 14.0 m	0.80 m	Fair	Fair	10-20 years	Moderate	Moderate	9.6 m	3.3 m	VPO1	Slightly reduced canopy density. Lopsided canopy spread. Moderate deadwood within canopy.
					E-W 14.0 m	2.76 m									
	Messmate					1.01 m									
30	<i>Acacia melanoxylon</i>	Semi Mature	Native NSW QLD SA TAS VIC	14.0 m	N-S 8.0 m	0.28 m	Fair/ good	Fair/ good	10-20 years	Moderate	Moderate	3.4 m	2.1 m	VPO1	Less than 1m from boundary fence. Partly suppressed by larger adjacent trees.
					E-W 8.0 m	0.94 m									
	Blackwood					0.35 m									
31	<i>Acacia melanoxylon</i>	Semi Mature	Native NSW QLD SA TAS VIC	14.0 m	N-S 8.0 m	0.35 m	Fair/ good	Fair/ good	20+ years	Moderate	Moderate	4.2 m	2.4 m	VPO1	Less than 1m from boundary fence. Minor deadwood within canopy.
					E-W 9.0 m	1.16 m									
	Blackwood					0.45 m									
32	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	19.5 m	N-S 8.0 m	0.35 m	Fair	Fair	20+ years	Low	Low	4.2 m	2.3 m	VPO1	Partly suppressed canopy asymmetry. Moderate epicormic growth within canopy.
					E-W 9.0 m	1.23 m									
	Narrow-leaved peppermint					0.42 m									
33	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	24.0 m	N-S 12.0 m	0.55 m	Fair	Fair/ poor	10-20 years	Moderate	Low	6.6 m	3.0 m	VPO1	Cavity and hollow at tree base. Previous significant failures. Asymmetric canopy bias to north.
					E-W 14.0 m	1.88 m									
	Narrow-leaved peppermint					0.79 m									
34	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	13.0 m	N-S 7.0 m	0.29 m	Fair	Fair	10-20 years	Low	Low	3.5 m	2.2 m	VPO1	Partly suppressed habit. Stem wound at base.
					E-W 7.0 m	0.91 m									
	Narrow-leaved peppermint					0.38 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
35	<i>Eucalyptus obliqua</i>	Semi Mature	Native NSW QLD SA TAS VIC	22.0 m	N-S 8.0 m	0.32 m	Fair	Fair	10-20 years	Moderate	Low	3.8 m	2.3 m	VPO1	Lopsided canopy spread with easterly bias. Stem bulging at approximately 1.0m above ground level.
						1.32 m									
	Messmate				E-W 10.0 m	0.42 m									
36	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	16.0 m	N-S 8.0 m	0.49 m	Fair	Fair	20+ years	Moderate	Moderate	5.9 m	2.7 m	VPO1	Moderate epicormic growth within canopy. Minor deadwood within canopy.
						1.60 m									
	Messmate				E-W 9.0 m	0.61 m									
37	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	13.0 m	N-S 7.0 m	0.24 m	Fair	Fair/poor	10-20 years	Low	Low	2.9 m	2.2 m	VPO1	Stem bulging at approximately 1.0m above ground level. Stem wounding at base.
						0.94 m									
	Narrow-leaved peppermint				E-W 7.0 m	0.37 m									
38	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	21.0 m	N-S 10.0 m	0.39 m	Fair	Fair/poor	10-20 years	Moderate	Low	4.7 m	2.5 m	VPO1	Leaning stem with bias to east. Previous significant upper canopy failures. Minor epicormic growth.
						1.35 m									
	Narrow-leaved peppermint				E-W 15.0 m	0.49 m									
39	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	26.0 m	N-S 12.0 m	0.68 m	Fair/good	Fair	20+ years	Moderate	Moderate	8.2 m	3.1 m	VPO1	Bifurcation at approximately 6.0m above ground level with less dominant stem extending westerly. Minor deadwood throughout canopy.
						2.26 m									
	Messmate				E-W 17.0 m	0.88 m									
40	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	11.5 m	N-S 6.0 m	0.31 m	Fair	Fair	10-20 years	Low	Low	3.7 m	2.2 m	VPO1	Moderate epicormic growth in canopy and on stem.
						1.01 m									
	Narrow-leaved peppermint				E-W 6.0 m	0.38 m									
41	<i>Acacia melanoxylon</i>	Semi Mature	Native NSW QLD SA TAS VIC	10.0 m	N-S 4.5 m	0.21 m	Fair	Fair	10-20 years	Low	Low	2.5 m	1.8 m	VPO1	Reduced canopy density. Less than 1.0m from boundary fence.
						0.66 m									
	Blackwood				E-W 5.5 m	0.25 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
42	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	10.0 m	N-S 4.5 m	0.24 m	Fair	Fair	10-20 years	Low	Low	2.9 m	2.1 m	VPO1	Bifurcation in upper canopy. Moderate epicormic growth.
	Narrow-leaved peppermint				E-W 4.5 m	0.85 m									
						0.32 m									
43	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	23.0 m	N-S 10.0 m	0.45 m	Fair	Fair	20+ years	Moderate	Moderate	5.4 m	2.7 m	VPO1	Minor deadwood within canopy. Multi stemmed upper canopy.
	Narrow-leaved peppermint				E-W 12.0 m	1.48 m									
						0.59 m									
44	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	9.0 m	N-S 4.0 m	0.28 m	Fair	Fair/poor	10-20 years	Low	Low	3.4 m	2.1 m	VPO1	Stem has corrected lean. Minor epicormic growth on stem.
	Narrow-leaved peppermint				E-W 6.0 m	0.91 m									
						0.34 m									
45	<i>Eucalyptus radiata</i>	Semi Mature	Native NSW TAS VIC	12.5 m	N-S 7.5 m	0.38 m	Fair	Fair	10-20 years	Low	Low	4.6 m	2.3 m	VPO1	Bifurcation in upper canopy. Moderate epicormic growth within canopy.
	Narrow-leaved peppermint				E-W 7.0 m	1.16 m									
						0.42 m									
46	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	27.0 m	N-S 12.0 m	0.56 m	Fair/good	Fair/good	20+ years	High	High	6.7 m	2.7 m	VPO1	Minor deadwood within canopy.
					E-W 13.0 m	1.76 m									
	Messmate					0.64 m									
47	<i>Photinia robusta</i>	Semi Mature	Exotic	6.0 m	N-S 5.5 m	0.12 m 0.12 m 0.13 m 0.13 m 0.13 m (0.28m)	Fair/good	Fair	10-20 years	Low	Low	3.4 m	1.9 m	VPO1	Comprised of numerous stems. DBH has therefore been calculated by measuring the 5 largest stems. Low site significance screen tree.
						N/A									
	Red Leaf Photinia				E-W 5.5 m	0.28 m									

Tree No.	Botanical Name & Common Name	Age	Origin	Height	Canopy Spread N-S E-W	DSH CA1 DAB	Health	Structure	ULE	Amenity Value	Retention Value	NRZ Radius	SRZ Radius	Permit Required	Comments
48	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	12.5 m	N-S 5.0 m	0.38 m	Fair	Poor	10-20 years	Low	Low	4.6 m	2.4 m	VPO1	Poor stem development. Significant decay in stem.
	Narrow-leaved peppermint				E-W 7.0 m	0.46 m									
49	<i>Eucalyptus radiata</i>	Mature	Native NSW TAS VIC	22.0 m	N-S 11.0 m	0.52 m	Fair/good	Fair	20+ years	Moderate	Moderate	6.2 m	2.6 m	VPO1	Previous canopy failures. Slightly leaning habit to the south-east.
	Narrow-leaved peppermint				E-W 13.0 m	0.57 m									
50	<i>Eucalyptus obliqua</i>	Mature	Native NSW QLD SA TAS VIC	26.0 m	N-S 12.0 m	0.49 m	Fair/good	Fair	20+ years	Moderate	Moderate	5.9 m	2.6 m	VPO1	Less than 1m from boundary fence. Minor deadwood within canopy.
	Messmate				E-W 13.0 m	0.57 m									

*Tree Protection Zones (10.1) are identical to the Notional Root Zones (NRZ) unless stated otherwise.

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4.1 Photographic evidence



Tree 1



Tree 1 – stem wound



Tree 2



Tree 3



Tree 3 -basal wound and decay



Tree 4



Tree 5



Tree 6



Tree 7



Tree 8



Tree 9



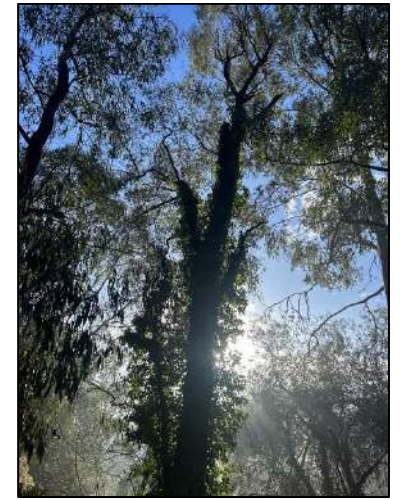
Tree 10



Tree 11



Tree 12



Tree 13



Tree 14



Tree 15



Tree 16



Tree 17



Tree 18

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Tree 18 – canopy overhang



Tree 19



Tree 20



Tree 21



Tree 22



Tree 23



Tree 23 - decay



Tree 23 – stem wounding



Tree 24



Tree 25

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Tree 26



Tree 27



Tree 27 – decay pocket



Tree 28



Tree 29



Tree 30



Tree 31



Tree 32



Tree 33



Tree 33 – basal cavity

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Tree 34



Tree 34 - wounding



Tree 35



Tree 36



Tree 37



Tree 38



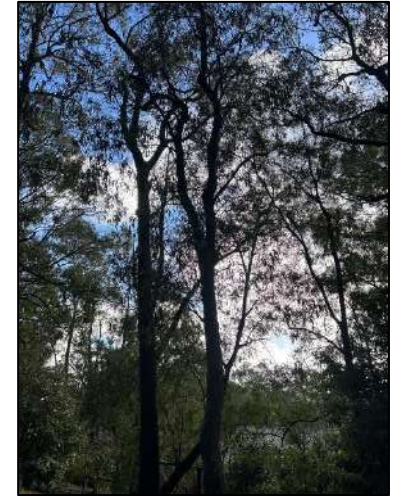
Tree 39



Tree 40



Tree 41



Tree 42

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Tree 43



Tree 44



Tree 45



Tree 46



Tree 47



Tree 48



Tree 48 – stem decay



Tree 49



Tree 50

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Subject site as viewed from Salisbury Avenue to the south



Subject site as viewed from Hillside Road to the west



South-eastern boundary as viewed to the north-east



Northern boundary as viewed to the east



Hillside road reserve and Trees 1 – 8 as viewed to the south



Subject site as viewed to the south



South-eastern boundary as viewed to the south



Northern boundary as viewed to the west

5.2 Proposed plan

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



LEGEND

#	LOW RETENTION VALUE	#	COUNCIL OWNED TREE		NOTIONAL ROOT ZONE
#	MODERATE RETENTION VALUE	#	NEIGHBOURING TREE		STRUCTURAL ROOT ZONE
#	HIGH RETENTION VALUE				
	MINOR ENCROACHMENT		MODERATE ENCROACHMENT		MAJOR ENCROACHMENT

6 Discussion

6.1 Minor encroachment

The proposed encroachment is considered minor if it is less than or equal to 10% of the area of the NRZ, has not had recent NRZ encroachments and is outside of the SRZ (see Clause 3.4). Generally, it is unlikely that there will be a significant impact to tree health, longevity or structure. Tree protection should be implemented during site works. To avoid a net loss of soil area and volume, an area equivalent to the encroachment shall be incorporated into the TPZ, unless the project arborist otherwise demonstrates that the tree will remain viable.

6.2 Moderate encroachment

The proposed encroachment is considered moderate if it is greater than 10% and less than or equal to 20% of the area of the NRZ and is outside of the SRZ (see Clause 3.4). A project arborist shall be engaged to review the proposed impact and undertake any other necessary investigation to address the factors listed in Clause 3.3.2 to demonstrate how the tree will remain viable. This may be through the implementation of suitable design measures and construction controls to mitigate impacts during the development process as part of a TPS and TPP. To avoid a net loss of soil area and volume, an area equivalent to the encroachment shall be incorporated into the TPZ, unless the project arborist otherwise demonstrates that the tree will remain viable.

6.3 Major encroachment

The proposed encroachment is considered major if it is greater than 20% of the area of the NRZ or inside the SRZ (see Clause 3.4). The project arborist shall be engaged to explore alternative designs with the design team and/or demonstrate that the tree will remain viable. Relevant factors listed in Clause 3.3.2 should also be considered.

For assessment of major encroachment a more detailed investigation is necessary. This can include research such as root investigation, soil analysis, historical records of the tree or site, relevant literature and examples of similar encroachments. A TPS and TPP should be prepared to support the retention of the tree. To avoid a net loss of soil area and volume, an area equivalent to the encroachment shall be incorporated into the TPZ, unless the project arborist otherwise demonstrates that the tree will remain viable.

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7 Conclusion

7.1 Tree retention value

7.1.1 Council owned trees

The following trees belong to Cardinia Shire Council:

- Tree 1
- Tree 2
- Tree 3
- Tree 4
- Tree 5
- Tree 6
- Tree 7
- Tree 8
- Tree 9
- Tree 10
- Tree 11

7.1.2 Low retention value

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

- Tree 24
- Tree 27
- Tree 28
- Tree 32
- Tree 34
- Tree 37
- Tree 40
- Tree 41
- Tree 42
- Tree 44
- Tree 45
- Tree 47
- Tree 48

The following trees are of moderate amenity value but considered to be of low retention value as they have structural defects:

- Tree 23
- Tree 33
- Tree 35
- Tree 38

7.1.3 Moderate retention value

The following trees are considered to be of moderate retention value as they are moderate sized specimens that are growing in a prominent location:

- Tree 25
- Tree 26
- Tree 29
- Tree 30
- Tree 31
- Tree 36
- Tree 39
- Tree 43
- Tree 49
- Tree 50

7.1.4 High retention value

The following trees are considered to be of high retention value as they are large specimens that are growing in a prominent location with excellent individual character:

- Tree 22
- Tree 46

7.1.5 Neighbouring trees

The following trees do not belong to the property owner:

- Tree 12
- Tree 13
- Tree 14
- Tree 15
- Tree 16
- Tree 17
- Tree 18
- Tree 19
- Tree 20
- Tree 21

7.1 Permit requirements

7.1.1 Vegetation Protection Overlay – Schedule 1 (VPO1)

A permit is required to remove, destroy or lop any vegetation. This does not apply if:

- It is exempt under Clause 52.12 (Bushfire Protection: Exemptions) of this Planning Scheme.
- The vegetation is a tree overhanging the roof of a building used for Accommodation. This exemption only allows the removal, destruction or lopping of that part of the tree which is overhanging the building and which is necessary for fire protection.
- The vegetation is dead as a result of natural circumstances or as a result of the spread of noxious weeds and which has been assessed as being suitable for removal by an authorised officer of the responsible authority. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- It is the minimum extent necessary to maintain utility services for the transmission of water, sewage, gas, electricity, electronic communications or the like, provided that the removal, destruction or lopping is with the written consent of the responsible authority.
- It is necessary for maintenance by the Cardinia Shire Council of works including any road, drain, essential service or public facility.
- The vegetation is seedlings or regrowth less than 5 years old, the land has previously been lawfully cleared and the land is being maintained for cultivation or pasture.
- It is the removal of any vegetation from an existing dam wall where the vegetation may impact on the structural stability of the dam wall.
- It is within 6 metres of an existing dwelling on a lot of less than 0.4 hectares.
- It is necessary for works associated with the normal operation of the Puffing Billy Tourist Railway as defined in the Schedule to the Public Use Zone under Clause 36.01 of this Planning Scheme.
- The vegetation is required to be pruned or lopped (but not removed) as part of normal domestic or horticultural practice for the species.
- The vegetation is an environmental weed;
- that is not listed under the Schedule to Clause 43.01 (Heritage Overlay) and there is no condition listed in the table.

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7.1.2 Clause 52.12 'Bushfire Protection'

This site lies within a Bushfire Prone Area (BPA) and as such is subject to the Bushfire Protection Exemption, which states the following:

Exemption to create defensible 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 permit issued under this scheme before 10 September 2009; or
 - approved by a building permit issued under the Building Act 1993 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.

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Exemption for vegetation removal along a fence line

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 the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the Building Act 1993.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more on one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

(Assessment of the fencing at the time of site visit, assumed construction post September 2009. Where knowledge to the contrary can be ascertained, some permit exemptions may be applicable)

7.1.3 Trees subject to permit requirements

All assessed trees meet the protection requirements of VPO1, with the exception of Tree 12 (an environmental weed species).

The following trees belong to Cardinia Shire Council and must not be pruned or removed except by Council staff or contractors:

- | | | | |
|----------|----------|----------|-----------|
| ○ Tree 1 | ○ Tree 4 | ○ Tree 7 | ○ Tree 10 |
| ○ Tree 2 | ○ Tree 5 | ○ Tree 8 | ○ Tree 11 |
| ○ Tree 3 | ○ Tree 6 | ○ Tree 9 | |

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7.2 Impact Assessment

The following table represents the encroachments of the proposed development:

Tree No.	Encroachment	NRZ encroachment	SRZ encroachment	Encroachment category	Proposed retention
1	N/A	0%	0%	N/A	Retain
2	N/A	0%	0%	N/A	Retain
3	N/A	0%	0%	N/A	Retain
4	N/A	0%	0%	N/A	Retain
5	N/A	0%	0%	N/A	Retain
6	N/A	0%	0%	N/A	Retain
7	N/A	0%	0%	N/A	Retain
8	N/A	0%	0%	N/A	Retain
9	N/A	0%	0%	N/A	Retain
10	N/A	0%	0%	N/A	Retain
11	N/A	0%	0%	N/A	Retain
12	N/A	0%	0%	N/A	Retain
13	N/A	0%	0%	N/A	Retain
14	N/A	0%	0%	N/A	Retain
15	N/A	0%	0%	N/A	Retain
16	Site fill / dwelling	9.9%	0%	Minor	Retain
17	Site fill / dwelling	6.0%	0%	Minor	Retain
18	Site cut (maximum)	7.0%	0%	Minor	Retain
19	Site cut / Driveway	2.2%	0%	Minor	Retain
20	Driveway	0.4%	0%	Minor	Retain
21	N/A	0%	0%	N/A	Retain
22	Dwelling	2.0%	0%	Minor	Retain
	Driveway	21.7%	19.3%	Major	
	Crossover	3.6%	0%	Minor	
	Total	27.3%	19.3%	Major	
31	N/A	0%	0%	N/A	Retain
39	N/A	0%	0%	N/A	Retain
49	N/A	0%	0%	N/A	Retain

Note: encroachment calculations are based on the proposed footprint. Further clarification of the impact on roots beyond the proposed footprint can be found in section 7.3.2 where relevant

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7.2.1 No encroachment

Development is not proposed to encroach into the NRZ or SRZ of the following trees that are proposed to be retained:

- | | | | |
|----------|-----------|-----------|-----------|
| ○ Tree 1 | ○ Tree 6 | ○ Tree 11 | ○ Tree 21 |
| ○ Tree 2 | ○ Tree 7 | ○ Tree 12 | ○ Tree 31 |
| ○ Tree 3 | ○ Tree 8 | ○ Tree 13 | ○ Tree 39 |
| ○ Tree 4 | ○ Tree 9 | ○ Tree 14 | ○ Tree 40 |
| ○ Tree 5 | ○ Tree 10 | ○ Tree 15 | |

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

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

7.2.2 Minor encroachment

The proposed development is considered to be a minor encroachment according to section 3.3.4 of the Australian Standard AS4970 – 2025 ‘Protection of Trees on Development Sites’ of the following trees that are proposed to be retained:

- | | | |
|-----------|-----------|-----------|
| ○ Tree 16 | ○ Tree 18 | ○ Tree 20 |
| ○ Tree 17 | ○ Tree 19 | |

The proposed development is not expected to compromise the health and/or structural integrity of the above-mentioned trees.

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

7.2.3 Major encroachment

The proposed development is considered to be a major encroachment according to section 3.3.6 of the Australian Standard AS4970 – 2025 ‘Protection of Trees on Development Sites’ of the following tree that is proposed to be retained:

- Tree 22

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Tree 22	
Encroachment	Dwelling ○ The footprint of the proposed dwelling is a 2.0% encroachment into the NRZ and 0% into the SRZ. ○ Individually, the construction of the proposed dwelling is not expected to compromise the tree's long-term viability. Driveway ○ The footprint of the proposed driveway is a 21.7% encroachment into the NRZ and 19.3% into the SRZ. ○ Individually, the construction of the proposed driveway has the potential to compromise the tree's long-term viability. Crossover ○ The footprint of the proposed crossover is a 3.6% encroachment into the NRZ and 0% into the SRZ. ○ Individually, the construction of the proposed crossover is not expected to compromise the tree's long-term viability. Encroachment overview: ○ The encroachment of the proposed dwelling, driveway and crossover which results in a total encroachment of 27.3% into the NRZ and 19.3% into the SRZ. ○ This is considered to be a major encroachment (6.3). ○ The construction of the proposed driveway both has the potential to compromise the tree's long-term viability. ○ Recommendations within section 8.3 and 8.4 of this report are required to ensure that this tree would remain viable post construction of the driveway.
Retention value	○ This tree is of high retention value.
Proposed retention	○ This tree is proposed to be retained.
Permits	○ This tree meets the protection requirements of VPO1.

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8 Recommendations

8.1 Tree retention

The following Council owned trees are proposed to be retained:

- Tree 1
- Tree 2
- Tree 3
- Tree 4
- Tree 5
- Tree 6
- Tree 7
- Tree 8
- Tree 9
- Tree 10
- Tree 11

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

- Tree 31
- Tree 39
- Tree 49

The following tree of high retention value is proposed to be retained:

- Tree 22

The following neighbouring trees are proposed to be retained:

- Tree 12
- Tree 13
- Tree 14
- Tree 15
- Tree 16
- Tree 17
- Tree 18
- Tree 19
- Tree 20
- Tree 21

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

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

8.1.1 Permit requirements for trees that are proposed to be retained

All privately owned trees proposed to be retained meet the protection requirements of VPO1, with the exception of Tree 12 (environmental weed species).

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8.2 Tree removal

The following tree of high retention value is proposed to be removed:

- Tree 46

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

- Tree 25
- Tree 26
- Tree 29
- Tree 30
- Tree 36
- Tree 43
- Tree 50

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

- Tree 23
- Tree 24
- Tree 27
- Tree 28
- Tree 32
- Tree 33
- Tree 34
- Tree 35
- Tree 37
- Tree 38
- Tree 40
- Tree 41
- Tree 42
- Tree 44
- Tree 45
- Tree 47
- Tree 48

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

- Tree removal should be undertaken prior to construction commencing or during demolition.

8.2.1 Permit requirements for trees that are proposed to be removed

All trees proposed to be removed meet the protection requirements of VPO1, permission is required for removal.

8.3 Less invasive construction measures

8.3.1 Driveway (Tree 22)

- Construct driveway at or above grade within the NRZ of Tree 22.
- Construct driveway via permeable materials of pH neutral composition which allows water to penetrate through the surface and into the soil profile within the NRZ of Tree 22.

8.3.2 Landscape works

- Excavation within the NRZ should be undertaken by hand.
- Significant roots (roots with a girth of greater than 40mm in diameter) should not be damaged or pruned.
- Hard surfaces should be constructed above grade and constructed via a permeable material of a pH neutral composition within the NRZ.

8.3.3 Underground services

- All services should be located outside the NRZ/TPZ and SRZ wherever possible.
- If underground services are required to be installed within the SRZ or will result in a total combined encroachment from all proposed works (e.g. buildings, site cuts, driveway, services, etc.) that is greater than 20% into the NRZ/TPZ, a suitably qualified arborist (AQF Level 5) should be engaged to determine if installation should be carried out using non-destructive methods.
- Acceptable non-destructive methods include directional drilling greater than 0.6m in depth, hydro excavation, hand excavation, or other techniques as specified by a suitably qualified arborist (AQF Level 5).

8.3.4 Fencing

In the event that a fence is proposed within the NRZ of a tree that is proposed to be retained (8.1), the following should be undertaken:

- Construct fence via a post footing system, with the plinth above grade.
- Excavation for posts should be undertaken by hand within the NRZ.
- Excavation for posts within the NRZ should be supervised by a suitably qualified arborist (AQF Level 5).
- Final post locations should be adaptable so that they are set away from the SRZ and any roots greater than 40mm in diameter.

8.4 Tree protection measures

8.4.1 Pruning

- Pruning of trees that are proposed to be retained (8.1) is not required for clearance purposes and should therefore not be undertaken. (Potential pruning maybe required to ensure defensible space requirements are met. No defensible space was known at the time of the preparation of this assessment.)

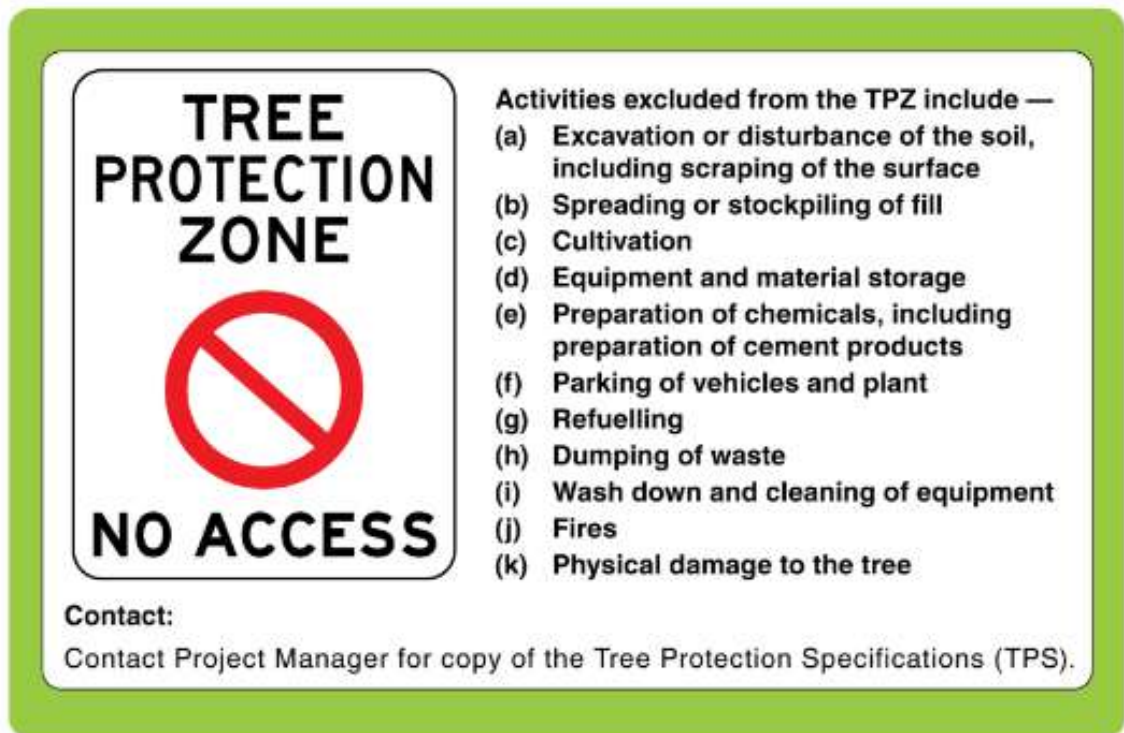
8.4.2 Tree protection fencing

- Tree protection fencing (TPF) should be installed for Trees 1 – 11, 13, 14, 16 - 22, 31, 39 & 49.
- TPF should be installed as close to the TPZ boundary as practically possible provided that it does not encroach onto the road, footpath, crossover or proposed works.

- The existing site perimeter fencing may be used as TPF for other neighbouring trees.
- TPF should be installed prior to machinery being brought onsite for the demolition of the existing dwelling.
- TPF should be a minimum 1.8m high and comprised of wire mesh (or similar) supported by concrete feet (or similar).
- TPF should remain intact for the duration of the project.
- TPF should only be removed or shifted with the approval of the Project Arborist and the Responsible Authority.

8.4.3 Tree protection signage

- A TPZ sign provides clear and readily accessible information to indicate that a TPZ has been established.
- The sign should be minimum A3 size:



8.4.4 Ground protection

- Ground protection is not expected to be required.

8.4.5 Scaffolding

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

8.4.6 Site storage

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

8.4.7 Prohibitions within the TPZ

The following activities are prohibited within the TPZ:

- Excavation, cultivation or disturbance of the soil, including scraping of the surface.
- Equipment and material storage.
- Preparation of chemicals, including preparation of cement products.
- Movement or parking of vehicles and plant.
- Dumping of waste.
- Spreading or stockpiling of fill.
- Refuelling.
- Washing down and cleaning of equipment or hard surfaces.
- Fires.
- Physical damage to the tree.

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9 Limitation of liability

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

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

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

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

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

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10 Definition of terms

10.1 Terms within the tree data table

Category	Description
NRZ	The Notional Root Zone (NRZ) is defined in Clause 1.3.11 of AS 4970:2025 as: <i>"a zone enclosed by a radius of 12 times DSH that is a primary trigger for arboricultural input on a development site."</i> - The radius of the NRZ is calculated by multiplying the tree's diameter at standard height (DSH) by 12. - The DSH is measured at 1.4m above ground level. The minimum NRZ radius shall not be less than 2m, and the maximum shall not exceed 15m.
SRZ	The Structural Root Zone (SRZ) is defined in Clause 1.3.17 of AS 4970:2025 as: <i>"theoretical area around the base of a tree required for the tree's stability in the ground."</i> The SRZ radius is determined using the following formula: $SRZ \text{ radius} = (D \times 50)^{0.42} \times 0.64$ - Where D = trunk diameter (in metres), measured above the root buttress flare. The SRZ only accounts for structural stability, not the full extent of the root zone needed for long-term health and viability - The SRZ calculation does not apply to palms, cycads, tree ferns and the like. - The minimum SRZ radius shall not be less than 1.5m
TPZ	The Tree Protection Zone (TPZ) is defined in Clause 1.3.19 of AS 4970:2025 as: <i>"specified zone above and below ground and at given offsets from the trunk set aside to protect a tree's roots and crown where these might be damaged by development."</i> - The NRZ is the starting point for determining the TPZ. - The TPZ should be determined using various considerations in relation to the tree and proposed encroachments.
DSH:	Diameter at Standard Height (DSH) (1.4m from ground level). The DSH measurement is what is used to calculate the Notional Root Zone (NRZ).
DAB:	The Diameter Above Buttress is the diameter of the trunk measured immediately above the root buttress flare. The DAB measurement is what is used to calculate the Structural Root Zone (SRZ).
CA1 / CA1.5 / CA1.2:	Circumference of trunk at either 1m, 1.2 or 1.5m from ground level. Combined circumference is the sum of individual stem circumferences.

10.2 Tree health

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

10.3 Structure

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

10.4 Useful life expectancy (ULE)

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

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10.5 Tree retention value

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

10.6 Age

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

10.7 Amenity value

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