

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 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.

CITY OF MARIBYRNONG
RECEIVED
 03/07/2024
 URBAN PLANNING

The Land **i**

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

Street Address *

Unit No:	St. No.: 30	St. Name: Pridham Street
Suburb/Locality: MARIBYRNONG		Post Code: 3032

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.: Lodged Plan Title Plan Plan of Subdivision No.:

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

The Proposal

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

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

Construct a single dwelling

🔗 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.

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

⚠ 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 \$1.093 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.

Existing Conditions i

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.

Single dwelling


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

Title Information i

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 i

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

Applicant *

The person who wants the permit.

Name:

Title:	First Name: Belfield	Surname: Consultants
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No: 3	St. Name: Alfred Street
Title:	State: VIC	Postcode: 3162

Please provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: 0400539527	Email: kim@belfieldplanning.com.au
Mobile phone:	Fax:

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

Contact person's details*

Name: Same as applicant

Title:	First Name: undefined	Surname:
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No:	St. No:
Suburb/Locality:	State:	Postcode:

Owner *

The person or organisation who owns the land


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

Name: Same as applicant

Title: MR	First Name: Billy	Surname: Huynh
Organisation (if applicable):		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No:	St. No: 30	St. No: Pridham Street
Suburb/Locality: MARIBYRNONG	State: VIC	Postcode: 3032
Postcode: 3032	Date : 03 07 2024 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: *Belfield Consultants*

Date:
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 his 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:

Maribyrnong City Council
PO Box 58
Footscray VIC 3011
Cnr Napier and Hyde Streets
Footscray VIC 3011

Contact information:

Phone: (03) 9688 0200
Email: email@maribyrnong.vic.gov.au
DX: 81112

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

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 Gol fields, 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.
- signed the declaration on the last page of the application form

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.

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

Page 1 of 1

VOLUME 05257 FOLIO 395

Security no : 124116327548R
Produced 03/07/2024 11:00 AM

LAND DESCRIPTION

Lot 64 on Plan of Subdivision 009942.
PARENT TITLE Volume 02226 Folio 154
Created by instrument 1313658 12/04/1927

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
BILLY HUYNH of 30 PRIDHAM STREET MARIBYRNONG VIC 3032
AX048194T 14/07/2023

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX048195R 14/07/2023
COMMONWEALTH BANK OF AUSTRALIA

COVENANT 1313658

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 TP713448Q 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: 30 PRIDHAM STREET MARIBYRNONG VIC 3032

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 14/07/2023

DOCUMENT END



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NATURE OF INSTRUMENT	TIME OF ITS PRODUCTION FOR REGISTRATION	TO WHOM GIVEN	NUMBER OF SYMBOL THEREON
Transfer as to part and Creation of Easement.	THE 12 th DAY OF April 1927.	TO Henry Dobbie	1313658

MD

Geo. Quinn

ASSISTANT REGISTRAR OF TITLES.

I certify THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED, AT THE TIME LAST ABOVE MENTIONED IN THE REGISTER BOOK VOL 2226. FOL 448184.

Geo. Quinn

ASSISTANT REGISTRAR OF TITLES.



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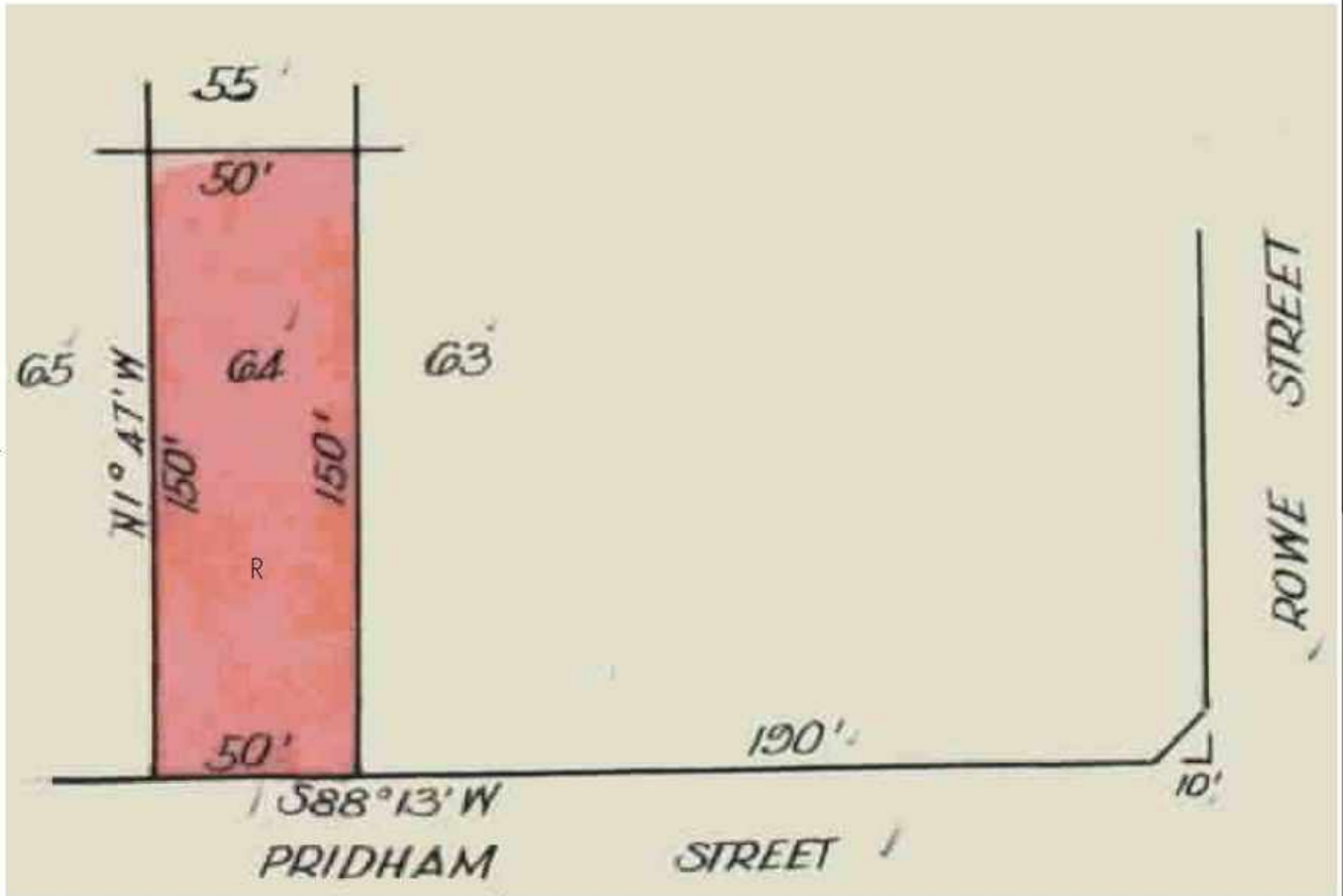
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TITLE PLAN	EDITION 1	TP 713448Q
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<p>Location of Land</p> <p>Parish: CUT-PAW-PAW Township: Section: 21 Crown Allotment: 12(PT) Crown Portion:</p> <p>Last Plan Reference: LP 9942 Derived From: VOL 5257 FOL 395 Depth Limitation: NIL</p>	<p>Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p>Description of Land / Easement Information</p> <p><i>All that piece of Land delineated and coloured red on the map in the margin being Lot 64 on Plan of Subdivision No.9942 lodged in the Office of Titles and being part of Crown Allotment Twelve Section Twenty-one Parish of Cut Paw Paw County of Bourke Together with a right of carriage way over the roads colored brown on said Plan of Subdivision - - - - -</i></p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 08/12/2000 VERIFIED: CP</p> <p>COLOUR CODE R=RED</p>
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Planning Report

30 Pridham Street,
Maribyrnong

*Application to construct a dwelling within a Design and
Development Overlay*



Belfield Planning Consultants

Date: 24 June 2024
Author: Kim Belfield
Ph: 0400 539 527

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2. EXECUTIVE SUMMARY

- a. This planning report demonstrates the site's suitability to accommodate a two-storey dwelling.
- b. The site addresses State and Council strategic objectives that seek to improve the quality of housing and encourage infill housing adjacent to public transport and centres of activity, as outlined in the Maribyrnong Planning Scheme.
- c. In addition, the proposed development addresses the specific design criteria set out in CI55 (Rescode).

3. APPLICATION SUMMARY

- a. The development summary is as follows:

Site Address	30 Pridham Street, Maribyrnong 3032
Title Details	Lot 64 LP9942
Land Size	696m ²
Proposal	Application to construct a dwelling in a Design and Development Overlay
Applicant	Belfield Planning Consultants
Zoning	Neighbourhood Residential Zone (1)
Overlays	Development Contributions Overlay (2) and Design and Development Overlay (10)
Existing Use	Single Dwelling
Site Coverage	49%
Permeability	46%
Garden Area	43%

4. PLANNING HISTORY

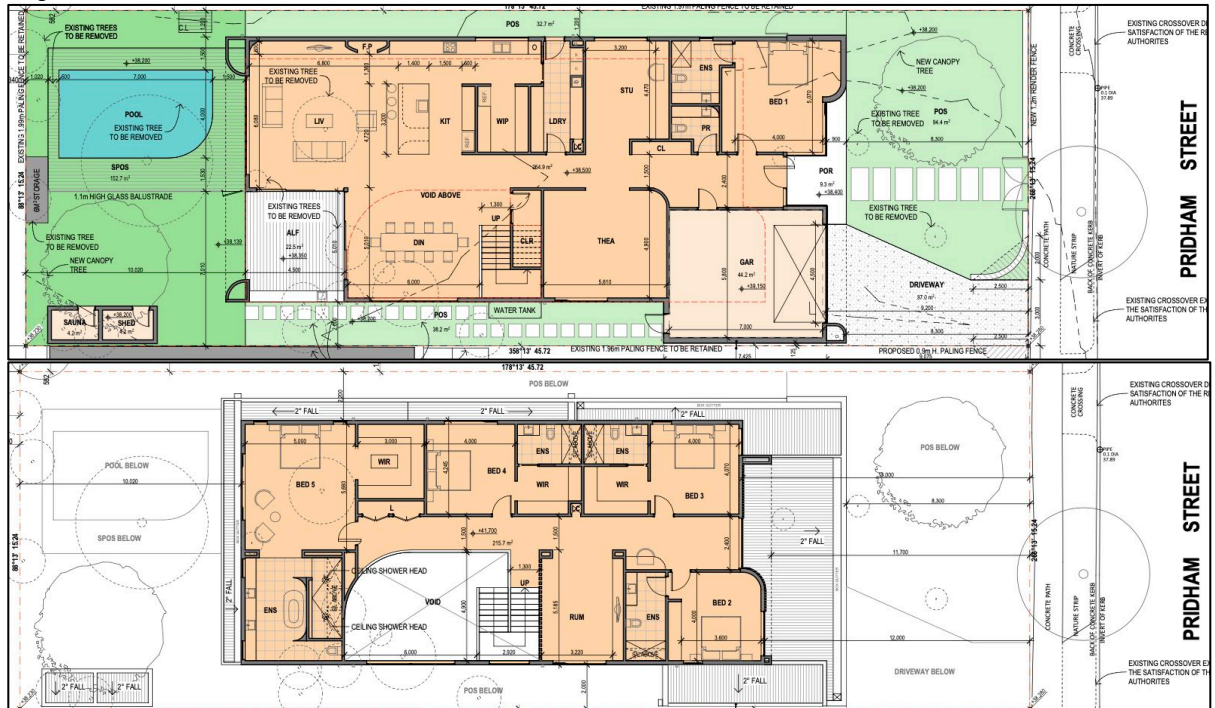
- a. The subject site is occupied by a single storey, 1950's era dwelling.
- b. There is no planning history.

5. PROPOSAL

Development

- a. The proposal seeks to construct a single two storey, four bedroom, contemporary dwelling – see Diagrams 1-2.

Diagrams 1-2 Ground and First Floor Plans



- b. The dwelling will have the following:

Ground Floor

- an open plan kitchen/living/dining room on the ground floor opening out to an area of secluded private open space and a covered alfresco area
- a double car garage and an open tandem car space
- a bedroom with ensuite
- a theatre room and a study
- a small powder room and laundry
- a garden shed, swimming pool and a sauna.

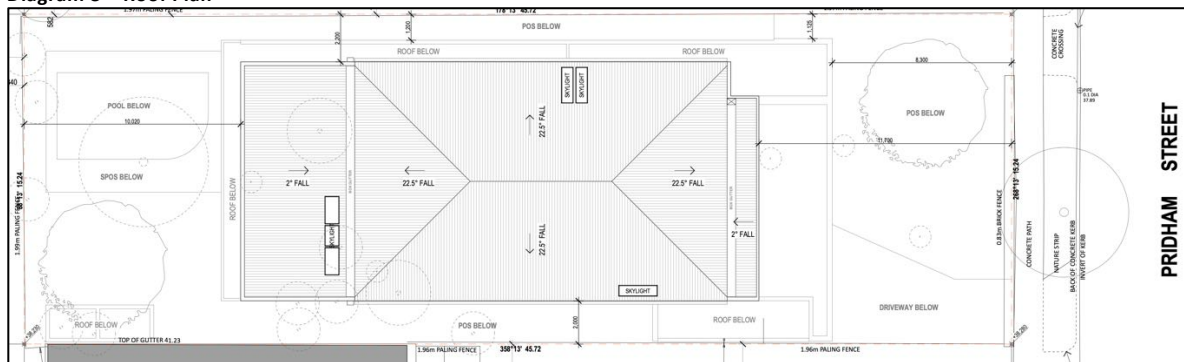
First Floor

- Four bedrooms each with an ensuite and most with walk in robes.
- Rumpus room

Appearance

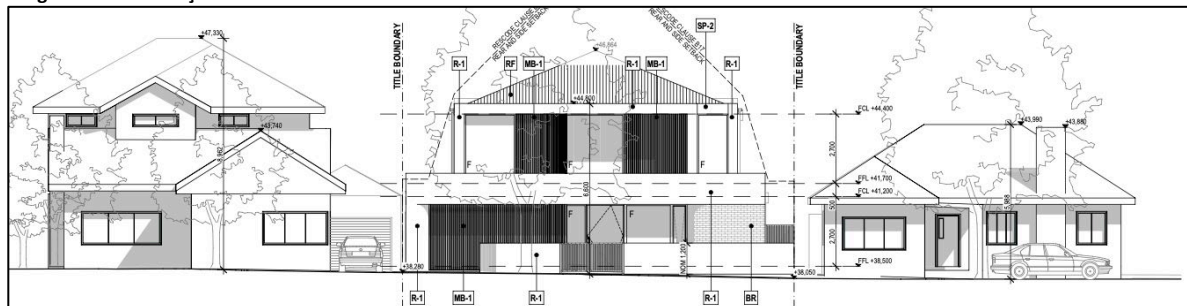
- c. As shown in the attached plans and diagrams below, the dwelling will adopt a contemporary format with a pitched roof on the first floor above a flat roof on the ground floor, a mix of light-coloured bricks, off-white render and off-white metal slats on the ground floor and front fence.
- d. Importantly the dwelling will be provided with a 1.1m setback from the eastern boundary and will be provided with an extensively landscaped front garden. This will reflect the surrounding dwellings where most dwellings are built up to one boundary and away from the other boundary.
- e. Large windows will be provided on the ground and first floor.

Diagram 3 – Roof Plan



- f. The first floor will be provided with a 12m–13m front setback and importantly will be recessed behind the line of the ground floor below by 3.7m–4.7m.
- g. The ground floor will be provided with an 8.3m – 9.2m front setback.
- h. The first floor will also have a 2m–2.2m side setback ensuring the first floor will be viewed as inset from the ground floor at the front and sides.

Diagram 4- Front façade



- i. As shown in Diagram 4 the dwelling will have low (1.2m) rendered and metal slat front fence to allow views into the front garden.
- j. The garage will be recessed from the front facade.
- k. The secluded private open space for the dwelling will be on the northern side ensuring optimal solar access.

6. DESIGN PHILOSOPHY

a. The development has been designed to:

- Respond to the emerging two storey, contemporary character where older style single storey dwellings are being replaced with two storey modern buildings, as demonstrated to the rear of the subject site and as shown in Photograph 1.

Photograph 1 – Aerial view of site showing the surrounding dwellings



- Respond to the dominant use of off-white on other dwellings.
- Respond to the setbacks of Pridham Street.
- Provide a highly articulated contemporary façade.
- Provide a side setback reflective of the established setbacks in the area.
- Provide a landscaped front setback and secluded private open space.
- Break up the mass of the first-storey by recessing the first floor from the front façade.

- Provide a modern light filled dwelling.
- Provide a well-ventilated dwelling.
- Provide a clear entrance to the dwelling.
- Minimise the impact of the double garage by providing only a single crossover.
- Optimise sustainable and water sensitive initiatives.

7. SUBJECT SITE AND SURROUNDS

- a. The subject site is rectangular with a frontage of 15.24m, a depth of 45.72m and an area of 683m² on a single title.
- b. The site is level.
- c. The site is currently occupied by a single storey 1950's era weatherboard dwelling in poor condition with a tiled roof and NO significant vegetation. There are several trees and shrubs in the rear garden area, however, they are proposed to be removed.

Photograph 2 – Subject Site – Pridham Street



Photograph 3 – View east along Pridham Street



Photograph 4 – Opposite the subject site



- d. The site has a centrally located, street tree at the front of the site that will remain.

- e. As shown in the following photographs, the character of the surrounding dwellings is mixed with many modern dwellings having double garages, attractive landscaped front setbacks and dominant first floors with only a small setback. The recently completed dwellings at 44 Pridham Street (Photograph 5), 21 Rowe Street (Photograph 8) and 31 Macedon Street (the dwelling abutting the site to the northwest)(Photograph 10) have all influenced the proposal in terms of colour scheme, double garage, low front fence height and contemporary form.

Photograph 5 – New dwelling at 44 Pridham Street



Photographs 6-7 – View of the two storey dwellings at 43/49 & 51 Pridham Street



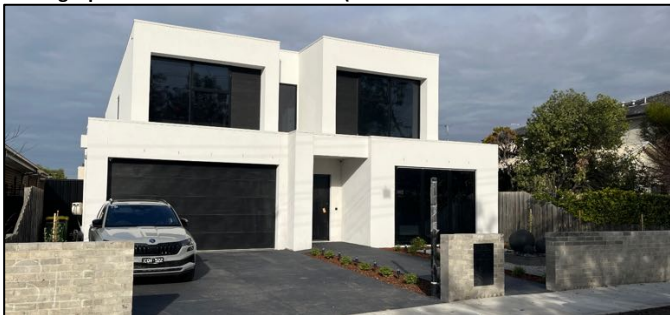
Photograph 8 – View of the two storey dwellings at 52 Pridham Street



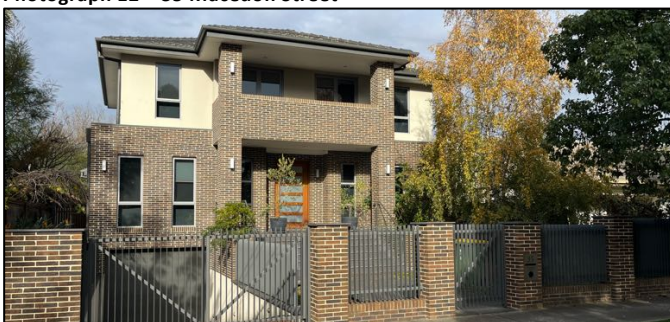
Photographs 9 & 10 – View of the two storey dwellings at 21&22 Rowe Street



Photograph 11 – 31 Macedon Street (Abuts the northwest corner of the subject site)



Photograph 12 – 35 Macedon Street



Photograph 13 – 34 & 36 Macedon Street



- f. As shown above, the character of the area has undergone rapid change transitioning from small single dwellings on large lots to two storey medium density developments or single dwellings.
- g. The change in built form has impacted the surrounding area resulting in Maribyrnong transitioning from a working-class residential suburb to a desirable inner city residential area. This is appropriate given the zoning of the land and its proximity to activity centres, public transport and a range of services that support both an increased residential population and improvement in the quality of the housing.
- h. As shown in Diagram 5 below, the subject site is within the Principal Public Transport Network (PPTN) given its location close to a range of public transport options.

Diagram 5 – Principal Public Transport Network

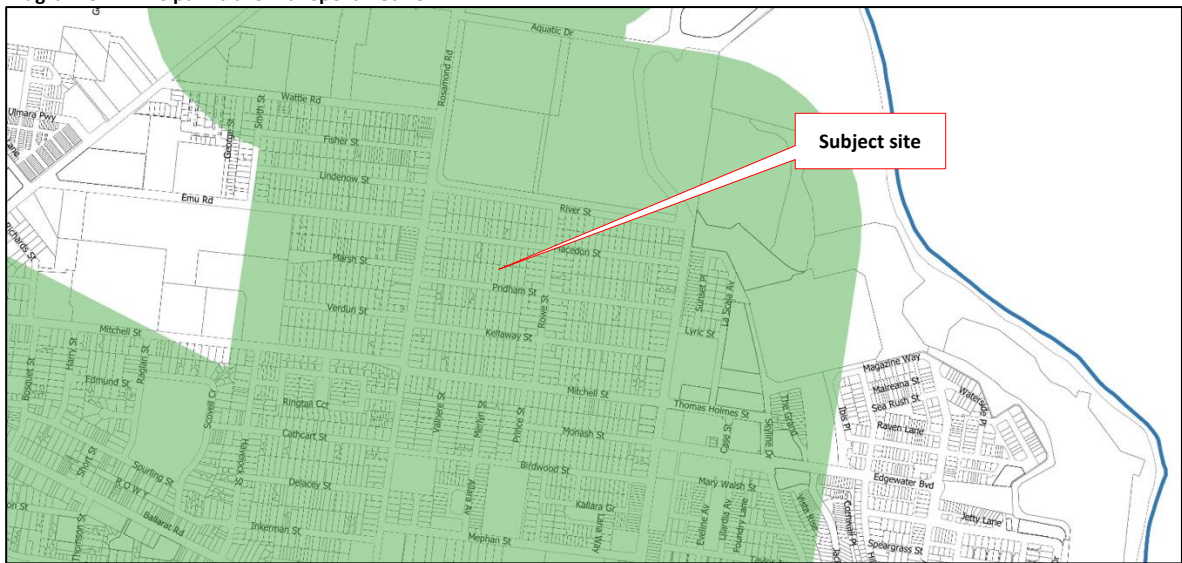
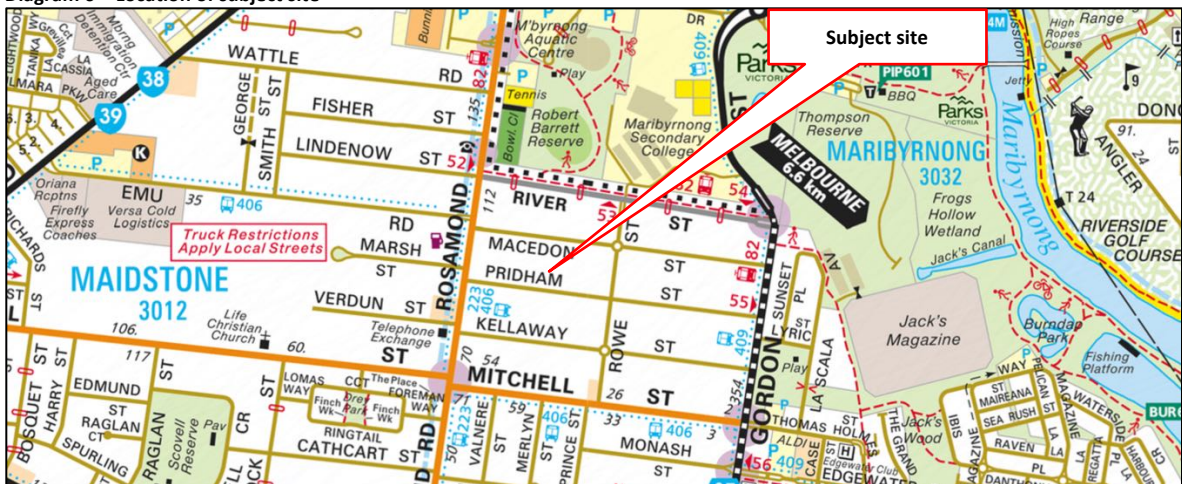


Diagram 6 – Location of subject site



Source: Melways Online

8. STATUTORY CONTROLS

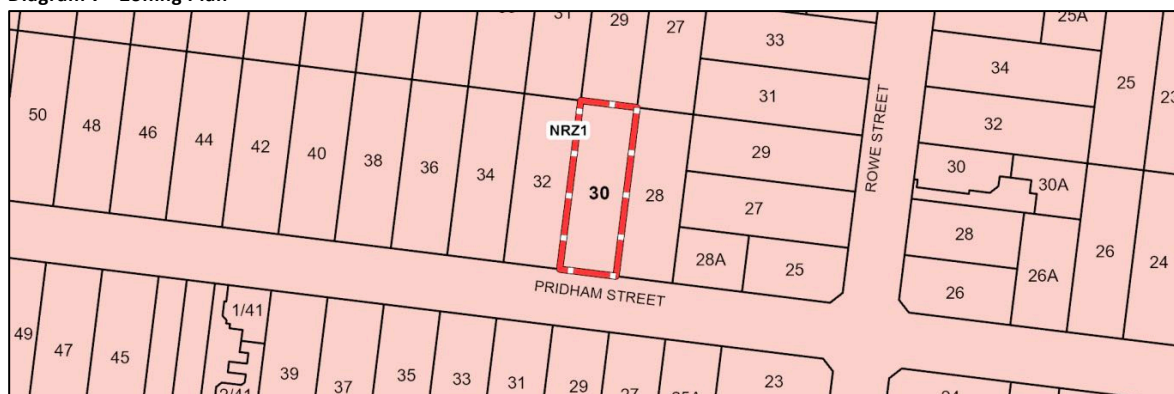
a. An assessment of the subject site has identified the following applicable statutory provisions:

Maribyrnong Planning Scheme	
Zone/Overlay	Permit Required
Neighbourhood Residential Zone (1) – CI 32.09	No permit required - As the site exceeds 300m ² NO permit is required pursuant to the zone.
Development Contributions Plan Overlay (2) -CI45.06	No permit required - Does not impact the proposal
Design and Development Overlay (10) -CI43.02	Permit Required.

ZONE

Clause 32.09 - Neighbourhood Residential Zone

Diagram 7 - Zoning Plan



Source: Planning Certificate

Purpose

- b. The proposed development is consistent with the purpose of the Neighbourhood Residential Zone which is:
- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To recognise areas of predominantly single and double storey residential development.*
 - *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*
 - *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Use

- c. A permit is not required pursuant to the zone to use the land for a dwelling.

Building and Works Provisions

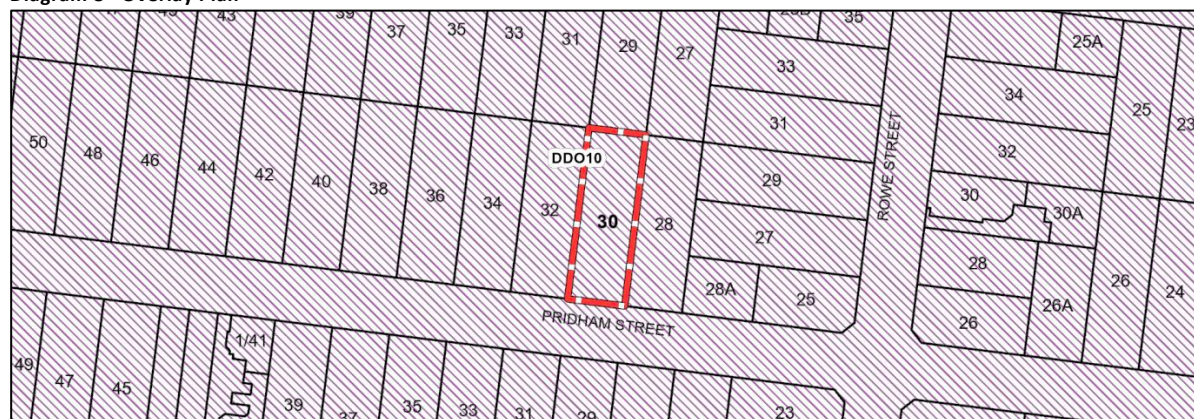
- d. A permit is not required to construct a single dwelling on a lot greater than 300m².

ABUTTING ZONES

- e. The subject site abuts the Neighbourhood Residential Zone (Schedule 1) on all sides.

OVERLAYS

- f. Two overlays apply to this property.
- a. The Development Contributions Overlay (which will not impact the proposal other than from a financial contribution's aspect) and;
 - b. The Design and Development Overlay.

Clause 43.02 – Design and Development Overlay (10)**Diagram 8 - Overlay Plan**

Source: Planning Certificate

Title

- g. Schedule 10 of the DDO is titled: *Colonial Ammunitions Estate Precinct, Maribyrnong*.

Design Objective

- h. The design objectives of the Design and Development (10) is:
- *To ensure development fits with the surrounding context.*
 - *To maintain the sense of spaciousness and garden setting of the precinct.*

- *To encourage the continuation of the prevalent subdivision pattern with a predominance of low scale detached dwellings with pitched roofs, in a garden setting.*
- *To maintain the consistent streetscape rhythm by ensuring appropriate side setbacks and with front setbacks of approximately 8 metres.*
- *To ensure that fences are low scale and allow views into front gardens.*

Use

- i. A permit is not required to use the land for accommodation.

Building and Works Provisions

- j. A permit is required for a two storey dwelling.

Application Requirements

- k. An application pursuant to the Overlay must provide a neighbourhood and site description.

Decision Guidelines

- l. The responsible authority must consider the following matters:

Overlay Requirements

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The design objectives of the relevant schedule to this overlay.*
- *The provisions of any relevant policies and urban design guidelines.*
- *Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
- *Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.*
- *Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
- *The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking*
- *Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
- *Any other matters specified in a schedule to this overlay.*

Schedule Requirements

- *The extent to which any building to be extended or otherwise modified, contributes to the design objectives.*
- *The extent to which the proposed building or works assists in reflecting and enhancing the character of the area.*
- *The extent to which the siting of the building/s reflects the established streetscape rhythm.*
- *The potential of the proposed building siting to incorporate space for the planting of substantial vegetation.*
- *The extent to which garages and car ports dominate the streetscape.*
- *The impact of buildings and extensions on the streetscape, and the respect shown for the predominant building height of the street and nearby properties, including the extent to which upper storeys are recessed behind the front façade.*

9. STRATEGIC ASSESSMENT - STATE

PLANNING POLICY FRAMEWORK

- a. The replacement of one dwelling for another dwelling is generally consistent with the overarching state planning policy directions. The issue of neighbourhood character and environmental sustainability are still relevant as is the maintenance of the land for residential uses however this proposal does not need to consider most of the wider policy implications or directions.

Clause 15 – Built Environment and Heritage

- b. This clause aims to encourage development that is attractive, safe, functional and which provides a quality urban environment. As part of this, planning seeks to encourage development that responds to its context in terms of urban character, scale, form and appearance as well as natural features and surrounding landscape and climate.
- c. Clause 15.01-5S requires development to respect the existing neighbourhood character or preferred character.
- d. As required by CI15.02 the replacement of the existing unsustainable timber, non-insulated, dwelling with a seven star highly sustainable modern dwelling is consistent with this policy.
- e. The construction of a large family dwelling on this site will be a sustainable outcome and one suitable to the site's location near Activity Centres and public transport routes. This will encourage sustainable transport options.

10. STRATEGIC ASSESSMENT - LOCAL

Municipal Strategic Statement

- a. Rather than address every component of the Municipal Strategic Statement an assessment has been undertaken that demonstrates that the development will comply with each policy. In particular, Council has a number of policies that recognize that the municipality needs to address character and provide a liveable environment for residents.

Clause 21.02 – Municipal Profile

- b. This clause focuses on Council's objective to achieve 13,000 – 16,000 new dwellings by 2031 to address anticipated growth.
- c. The clause also highlights the need for new development to respect the neighbourhood character.

Clause 21.04 – Settlement

- d. Council in this clause reiterates provision of a large number of dwellings to address population growth. The replacement of an underperforming older style dwelling with a large family home will encourage more people to be accommodated on the site.

Clause 21.05 – Environment and Landscape Values

- e. This clause directs that new development should address climate change, be sustainable, encourage the adoption of renewable energy and reduces waste.

Clause 21.06 – Built Environment and Heritage

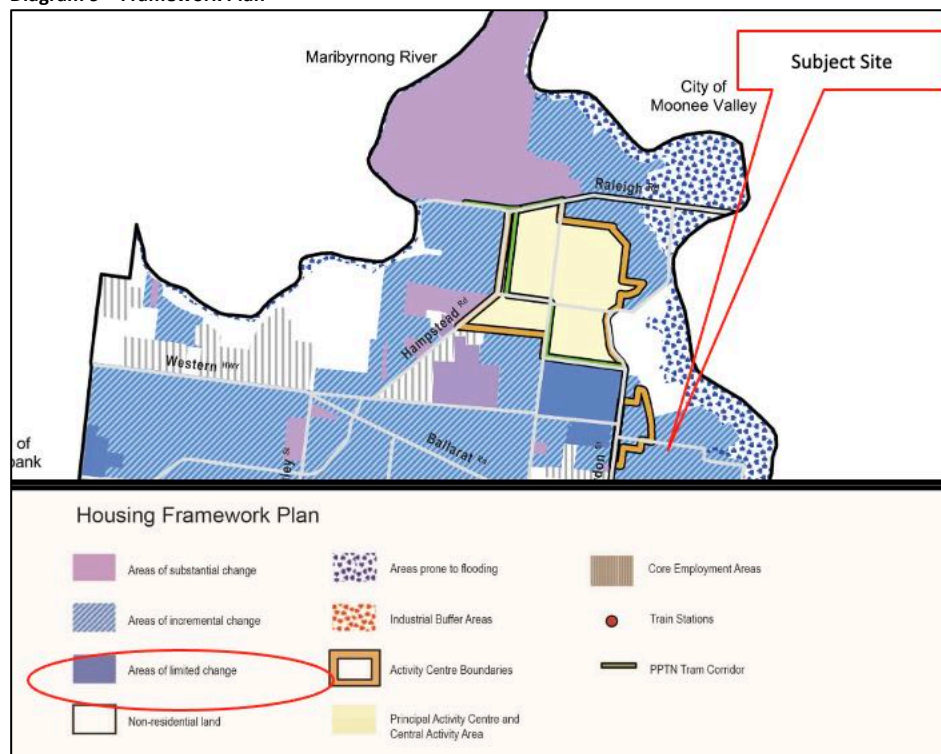
- f. This clause directs that new development should be well designed and be of a high quality that addresses the existing and preferred character.
- g. Sustainability is another core objective of this clause. Consequently, planning applications should be assessed against standard evaluation tools such as BESS. This also encompasses the collection and reuse of stormwater.

Clause 21.07 – Housing

- h. This is a critical clause guiding Council's perspective on the development of housing in Maribyrnong. The framework plan (Diagram 9) identifies the subject site as falling within an area of limited change. Limited change areas are categorised as:

- Existing residential areas with heritage significance or an identified residential character that warrants planning protection through specific overlays, and areas with an identified constraint, such as inundation, that necessitate protection through an overlay. The majority of these areas have been identified in Council's Heritage Study (2001) and neighbourhood character studies.
- i. The objective of the limited change area is:
- In Limited change areas, limit development in residential areas with heritage significance; **an identified residential character protected through a specific overlay**; and identified constraints, such as inundation, that necessitate protection through an overlay.
- j. The strategies for achieving the above objectives are:
- Maintain and enhance these areas and ensure that new development respects the existing heritage values **and preferred neighbourhood character**.
 - Ensure the scale, form and appearance of new housing is in keeping with the surrounding development and the heritage and preferred neighbourhood character values of the area.
 - Support the renovation and redevelopment of single houses as a means of ensuring diversity across the municipality, and providing accommodation for larger household types.
 - Support a diversity of dwelling types and sizes, including affordable housing, where appropriate.

Diagram 9 – Framework Plan



Local Planning Policy


- k. The proposal will provide improved housing choice which is consistent with the broader strategic intent as outlined in the Scheme.


Clause 22.05 – Preferred Neighbourhood Character Statements

- l. The objectives for development in the Maribyrnong municipality are:
- *To ensure that development is responsive to the preferred future character of the area.*
 - *To retain and enhance the identified elements that contribute to the character of the area.*
 - *To implement the recommendations of the Maribyrnong Neighbourhood Character Review, February 2010.*
- m. The subject site is identified in the Policy as falling within the “Garden Suburban 2” area. The preferred character for this area is:
- *The cohesiveness of streetscapes brought about by consistencies in the built form and the open, spacious qualities of streets will be maintained and strengthened. Older dwellings that contribute to the character of the area, including those from the Interwar and 1950s eras will be retained and complemented by newer development that is distinguishable from original building stock. Replacement buildings will reflect the low-scale appearance of buildings and will use materials that complement those commonly found within the precinct. New development will be sited to retain the spaciousness of precincts through the provision of setbacks on all sides of dwellings. Landscaping that includes the planting of new canopy trees, shrubs and lawn areas will add to the garden settings of dwellings and provide a sense of leafiness in the precinct. Front fences will remain low or constructed of permeable materials to retain views to gardens.*

11. STATUTORY ASSESSMENT

- a. This report is limited to assessing ONLY those matters relevant to the site’s location within the Design and Development Overlay Schedule 10 area.
- b. The following table assesses the proposal against the objectives of the Design and Development Overlay Schedule 10 and the relevant decision guidelines:

OBJECTIVES	
Objective	<i>To ensure development fits with the surrounding context.</i>
Response	<p>A review of the surrounding context indicates that a change in character has been occurring at a rapid pace with many two storey dwellings being constructed in Pridham Street or in the abutting streets, all of which fall within the DDO10 area. The result ensuring there is a mix of older style single storey brick and weather board dwellings abutting modern two storey, brick, render and weatherboard dwellings.</p> <p>A review of these dwellings indicates that the dominant characteristic remains attractively landscaped front (and rear) gardens set behind low front fences.</p> <div style="text-align: center;"> <div style="border: 1px solid black; padding: 2px; display: inline-block;">44 Pridham Street</div>  </div> <p>Nearly all new dwellings have pitched roofs and generally the upper floor is recessed from the ground floor. A range of materials have been utilised as can be seen in Photographs 5 – 13. Double garages are also very common as evident at 44 Pridham</p>

	<p>Street, 35 Macedon Street or 21 Rowe Street. (The key is that the double garages don't dominate the facades) Buildings are set off at least one side boundary.</p> <p>The proposed dwelling will be attractively landscaped – see provided landscape plan.</p>  <p>Overall, the new building WILL be consistent with the emerging character of Pridham Street, albeit in a contemporary form similar to that approved by Council in ALL the surrounding streets.</p>
	<p><i>To maintain the sense of spaciousness and garden setting of the precinct.</i></p>
	<p>The proposed dwelling will have a spacious garden covering approximately 44% of the site given over to gardens.</p> <p>The attached landscape plan illustrates that this is a key focus of the proposal and will unify with the surrounding landscape character.</p>
	<p><i>To encourage the continuation of the prevalent subdivision pattern with a predominance of low scale detached dwellings with pitched roofs, in a garden setting.</i></p>
	<p>This is a confusing objective as the subdivision pattern has little to do with the scale or detached nature of the dwellings.</p> <p>In this proposal the lot shape and size will not change.</p> <p>The proposed dwelling will, at two storeys, be “low-scale”. The dwelling will be detached with a pitched roof and will be in a garden setting.</p>

	<i>To maintain the consistent streetscape rhythm by ensuring appropriate side setbacks and with front setbacks of approximately 8 metres.</i>
	<p>A front setback ranging between 8.3m and 9.2m will address the required setback. The upper level will be provided with an even greater front setback.</p> <p>The development will be provided with a 1.2m eastern setback with no western setback for the length of the garage. Beyond the garage the setback on the western side will be 2m.</p> <p>The design will therefore easily address the objective.</p>
	<i>To ensure that fences are low scale and allow views into front gardens.</i>
	The front fence will be 1.2m high to ensure views into the front garden are maintained.
DECISION GUIDELINES	
	<i>The Municipal Planning Strategy and the Planning Policy Framework.</i>
	Given the proposal seeks to replace an existing dwelling in a manner consistent with the DDO(10) requirements, the MPS and PPF provides limited additional direction other than to encourage development that respects the preferred character. The MPS and PPF are assessed previously.
	<i>The design objectives of the relevant schedule to this overlay.</i>
	Addressed above.
	<i>The provisions of any relevant policies and urban design guidelines.</i>
	<p>The only design guidelines of relevance in this matter are contained within Schedule 10 of the DDO.</p> <p>The current assessment indicates how the proposal addresses the guidelines.</p>
	<i>Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.</i>

	<p>As outlined previously, the bulk, location and appearance of the new dwelling will reflect the evolving character of new dwellings in Pridham Street and the surrounding streets. All of the surrounding streets are covered by the DDO(10) area.</p> <p>The proposed dwelling will be provided with front and side setbacks consistent with the Schedule requirements while the pitched roof and materials proposed will also reflect, in a contemporary manner, the surrounding character.</p>
	<p><i>Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.</i></p>
	<p>N/A – No heritages places surround the site.</p>
	<p><i>Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.</i></p>
	<p>The landscape focus of the development will ensure the character of the immediate area is improved significantly. The current garden is poorly maintained.</p>
	<p><i>The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking</i></p>
	<p>The proposed dwelling adopts a conventional layout with a recessed double garage that will be accessed by a single crossing widening out to meet the double garage. This approach maximises the landscape area and minimises the impact of the garage. It is worth noting, however, that the majority of new two storey dwellings in the immediate area have a double garage, also have a double crossing and driveway. The proposed development will provide a development more in keeping with the preferred landscape character sought.</p> <p>The existing single crossing on the eastern side of the site will be closed and the nature strip reinstated with a new 3m wide crossing installed on the western side.</p>
	<p><i>The extent to which any building to be extended or otherwise modified, contributes to the design objectives.</i></p>
	<p>N/A – Existing building will be demolished.</p>

	<i>The extent to which the proposed building or works assists in reflecting and enhancing the character of the area.</i>
	<p>The proposed building will enhance the character of the area by removing a run down, unsustainable, weatherboard dwelling and replacing it with a highly sustainable dwelling adopting the preferred characteristics including:</p> <ul style="list-style-type: none"> • Pitched roof • Low front fence • Large front setback • Recessed first floor • Materials and colour that reflect the established dwellings, albeit, in a contemporary form • Side setbacks • Large areas of landscaping at the front and rear of the dwelling
	<i>The extent to which the siting of the building/s reflects the established streetscape rhythm.</i>
	The proposed dwelling will be sited behind the preferred 8m front setback and provided with side setbacks reflective of the rhythm of the street.
	<i>The potential of the proposed building siting to incorporate space for the planting of substantial vegetation.</i>
	<p>The front and rear setbacks will range between 8m and 10m respectively.</p> <p>This is ample space to incorporate substantial vegetation as demonstrated by the the attached landscape plan.</p>
	<i>The extent to which garages and car ports dominate the streetscape.</i>
	<p>Whilst the garage to the dwelling will consist of a standard double garage measuring 5.8m x 7m internally, the garage door will only be 4.5m wide. This will present to the street as a 1.5 garage rather than a traditional double garage.</p> <p>It is worth noting that the garage door will take up 29.5% of the width of the site which is less than a third of the frontage. This will not dominate the streetscape and it will be</p>

significantly less than the recently completed garage of the dwelling to the rear at 31 Macedon Street, as shown below.



Additionally, instead of utilising a conventional roller door, a specially designed timber slat tilt up door will be installed that will reflect the materiality of the wall treatment on the first floor to ensure the garage door reads as an integral part of the design and does not read as a garage door.



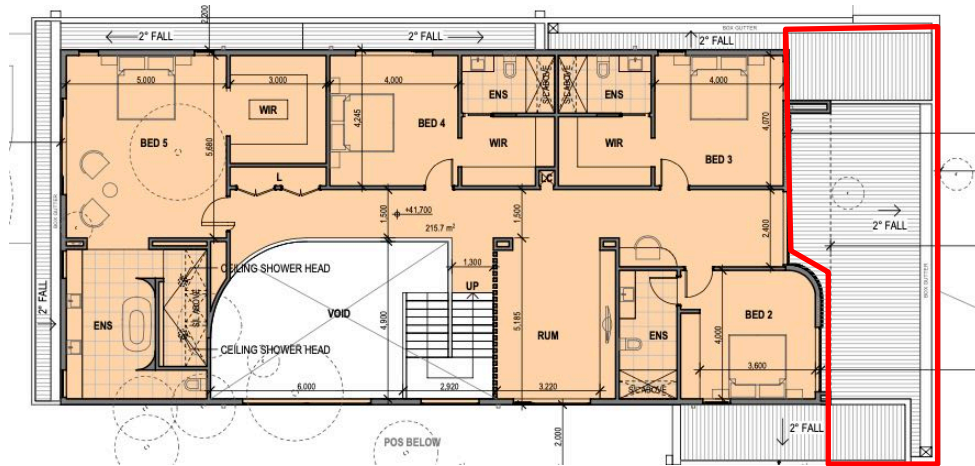
The garage door will also be recessed behind the front of the dwelling and the parapet by 1m. This is a conventional location for a garage.

The impact of buildings and extensions on the streetscape, and the respect shown for the predominant building height of the street and nearby properties, including the extent to which upper storeys are recessed behind the front façade.

The proposed two storey form is consistent with the abutting dwelling to the west as well as all new dwellings in the wider area (and as shown in photographs 5-13).

The height, at 8.6m, will be consistent with the surrounding built form. It is acknowledged that a lower height could be achieved by utilising a flat roof, however, it is held that this roof form would be uncharacteristic of the area and would be contrary to the preferred character.

With respect to recessing the first floor, the following plan shows clearly in red that the first floor will be significantly recessed. In fact, Bedroom 3 will be recessed 4.7m from the front of the ground floor whilst Bedroom 2 will be slightly less at 3.7m. These setbacks, in combination with the high parapet across the ground floor, will ensure the first floor is viewed as a recessive element.



12. OTHER PLANNING MATTERS

Clause 65 - Decision Guidelines

- a. The proposed development will address the key issues specified under clause 65.
- b. Before deciding on this application, the Maribyrnong City Council must consider, as appropriate:
 - *The matters set out in Section 60 of the Act.*
 - *the relevant planning scheme; and the objectives of planning in Victoria*
 - a. This report demonstrates how the application addresses the relevant matters specified in the Maribyrnong Planning Scheme.
 - b. The application is considered to provide for the fair, orderly, economic and sustainable use, and development of land.
 - c. The development will provide a pleasant, efficient and safe living environment for future residents and visitors.
 - d. Finally, the development will continue to balance the present and future interests of residents by providing improved housing in an area very suited to accommodating a large dwelling, due to its proximity to the Maribyrnong and Footscray PAC, bus routes and other services.
 - *Any significant effects the environment, including the contamination of land, may have on the use or development.*
 - a. The proposed development will have a positive impact on the environment by providing a highly efficient, water sensitive dwelling, designed to address current environmental requirements. The dwelling will address the demand for larger dwellings and will make better use of the existing infrastructure. (More people housed on site)
 - *The Municipal Planning Strategy and the Planning Policy Framework*
 - a. The policy frameworks have been considered in depth previously.
 - *The purpose of the zone, overlay or other provision.*
 - a. The purpose of the zone, overlay and other provisions have been considered previously. This will be a development that will respect the emerging and existing neighbourhood character of the area.
 - b. The development will provide a diversity of housing types and incremental housing growth in a location offering access to services and transport.
 - *Any matter required to be considered in the zone, overlay or other provision.*
 - a. The matters specified in the zone and other provisions have been addressed.

- *The orderly planning of the area.*
 - a. The orderly planning of the subject site directs that the site is well suited to replacing the outdated, unsustainable, single storey single dwelling with a well-designed, environmentally sensitive, dwelling.
- *The effect on the environment, human health and amenity of the area.*
 - a. The amenity of the area has been carefully considered in this proposal. The nature of this site ensures that the amenity of the area will be enhanced by the presence of a new dwelling facing Pridham Street. The development will be well landscaped and will result in an environmentally sustainable dwelling that will have no off site amenity issues.
- *The proximity of the land to any public land.*
 - a. The subject site is not located near any public land.
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
 - a. No impact on the land, salinity or water quality will arise from this development.
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
 - a. Not relevant as the permit trigger is ONLY the Design and Development Overlay.
- *The extent and character of native vegetation and the likelihood of its destruction.*
 - a. Not Applicable – No native vegetation exists on the site.
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*
 - a. Not Applicable
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
 - a. The site is not flood prone.
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
 - a. Not Applicable
- *The impact the use or development will have on the current and future development and operation of the transport system.*
 - a. The proposed development will continue to make use of the available transport system.

13. DISCUSSION

Strategic context for the development

- a. Strategically, replacing an underperforming, unsustainable single dwelling with a large, sustainable large dwelling is consistent with the location of the site within an area well suited to such a dwelling.
- b. The site's access to schools, activity centres and public open space in addition to the location in a recognized character area, where single dwellings are encouraged, provide strategic support for this form of development.

Urban Character

- c. The proposed development is consistent with all aspects of the Council's preferred neighbourhood character – as outlined in the Design and Development Overlay Schedule 10.
- d. It is acknowledged that this dwelling adopts contemporary materials and designs, however, in this context such a development is considered warranted given the site's location close to similar contemporary developments.
- e. The preferred character area (unlike some other areas) does not direct that development must adopt a single or two storey form, only that it should be respectful of the surrounding character, should adopt an 8m setback for landscaping and a provide a pitched roof with a recessing of the first floor. These will be incorporated into the new development.

Internal Amenity

- f. Whilst not a matter directed to be covered under the Design and Development Overlay, the dwelling will be provided with ample light, air circulation and will be easily accessed. This, in conjunction with generous areas of north facing SPOS, will contribute to future occupants having a high degree of comfort and amenity.

14. CONCLUSION

- a. The replacement of the single storey, two-bedroom dwelling with a highly efficient large dwelling will create a development that is more in keeping with the emerging contemporary character of the area. This will be achieved by the fine grain of the development, the application of a light colour and material palette, the roof form and the substantial increase in formal landscaping.
- b. On every assessment the replacement of the existing development will be a positive planning outcome.

Our Reference:01424 (30 Pridham)

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03 September 2024

Michael Lynch
Urban Planner

Planning applications@maribyrnong.vic.gov.au

Good Morning Michael

RE: RFI Reply
Your Ref: TP226/2024
Prop: 30 Pridham St, Maribyrnong

I write responding to your RFI dated 23 July 2024.

The following utilises the wording/order of your letter to ensure each point is addressed.

INFORMATION REQUIRED

1. Arborist Report

- The attached Arborist Report concluded that the street tree will NOT be significantly impacted.

PRELIMINARY CONCERNS

2. Garage Setback

- The prominence of the garage has been amended and has now been aligned with the front door as requested. **Note:** Instead of pushing the garage back to 11m as requested, we have noted that the fourth objective DDO(10) calls for a 8m setback so we have pulled the whole development forward 0.3m and set the garage back to 10.7m. The 2.7m difference, and aligning the garage with the front door which is recessed under an overhang, will ensure the garage is not a dominant feature.
- The plans have also been amended slightly by reducing the width of the parapet to make the building simpler in design and a number of other very minor changes.
- I have also updated the landscape plan to reflect the amendments in the built form.

AMENDMENT OF PLANS

- It is requested that the attached documents provided in response to your RFI replace the original lodged documents. I have not provided a s50 amendment form as the limited amendments proposed have arisen from addressing your RFI. VCAT in: *3 Dickens Street Pty Ltd v Boroondara CC [2017] VCAT 2144*, determined that where changes arise out of an RFI a s50 form is not required.

I hope this now sufficient information for you to progress this application. I now look forward to you progressing this application as soon as possible.

If you require any further information, please don't hesitate to contact me.

Regards

A handwritten signature in black ink, appearing to read 'Kim Belfield', with a stylized flourish at the end.

Kim Belfield MVEPLA

Belfield Planning Consultants

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Arboricultural Consulting
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Tree Impact Assessment

Client: Bill Huynh
bill@calibrefurniture.com.au

Site: 30 Pridham St, Maribyrnong 3032

Date of Inspection: 15 August 2024

Report prepared by: Joe Kellett (Adv. Cert. Arb. & Dip. App. Sc. (Arb.))

Contact: Evey Lui, evey@remmusarchitecture.com.au

Brief: Inspect the tree growing in the nature strip outside 30 Pridham St, Maribyrnong 3032. Report on its health and structure in light of the concerns of the local authority for potential impact to its roots from a proposed new crossover to the west of its trunk.

Introduction

I inspected the tree from ground level using non-invasive methods, including a Visual Tree Assessment (VTA) and non-destructive root investigation. Tree height was estimated with a laser finder, the width is an average of the north/south and the east/west axis, given in metres [m]. Trunk diameter at breast height (DBH) was measured at 1.4 m above ground level, it is given in centimetres [cm]. All data is presented in the heading 'Observations of Tree'. Appendix 1 at the end of this document explains tree characteristics such as age, health, structure and Useful Life Expectancy (ULE). Appendix 2 gives details of my credentials and experience to inspect and assess this tree. Appendix 3 contains photos of the tree, illustrating its size in the landscape and the non-destructive root investigation. Appendix 4 shows the site plan and position of proposed new crossover in relation to street tree and temporary protective fencing.

The 'Tree Protection Zone' (TPZ) was calculated using the methodology described by Harris, Clark & Matheny (1999). This figure reads as a radius in metres from the trunk of the tree, to protect parts of the tree above and below ground. This corresponds with the current Australian Standard for trees on building sites.

Site

This is a rectangular vacant property, facing south onto Pridham Street. There are no trees of significance to the local or wider landscape growing on this property. The focus of this report is the Brush Box tree growing in the nature strip at the front of this property.

Observations of Tree

Botanical Name: *Lophostemon confertus*

Common Name: Brush Box

Potential Mature Height: 15 metres

Age: Semi-mature, this tree is yet to reach its mature proportions in this narrow nature strip.

Height: 6.6 metres

Width: 5.9 metres

DBH: 26 +24= 35cm

TPZ: 4.2 metres radius

SRZ: 2.1 metres radius

Health: Fair, this native tree is typical for this type of tree growing in a heavy clay soil and a confined space. Leaf size is at the smaller end of the health scale, an indication of long-term stress.

Structure: Fair, this tree is weight biased to the south, with much of its canopy to the north removed to clear the footpath and property boundary.

Useful Life Expectancy: Medium, this type of tree is recognised as being mostly drought tolerant and highly tolerant of heavy pruning. Common street tree in south eastern Australia; planted in avenues, sometimes mixed avenues. I have rarely seen trees lost from street plantings; only rarely after the drought of the 1980's.

Retention Value: This tough tree provides good amenity as a street tree, providing good shade in summer and strong flowering in spring. Its dark green glossy leaves an attractive contrast against its clean bark on its stems.

Comments: This type of native tree can exceed 30 metres in height in its home range, in northern NSW through to Queensland; both sides of the Great Dividing Range. It is generally seen as being drought tolerant and highly tolerant of heavy pruning. In my experience it can be susceptible to borers (longicorn & jewel beetle larvae) when seriously stressed, such as during the prolonged drought of the 1980s.

This tree has two stems, it is growing in a narrow nature strip, 1.55m wide; it is 6.15 metres from the western boundary. The proposal has a second new crossover 3.1 metres from the west side of its trunk. This is an encroachment of 7.7%, this is allowable under the existing Australian Standard (AS4970-2009), as it is considered a minor encroachment. It therefore would not impact this tree in any manner.

I undertook a careful hand dug root investigation at 3 metres from the trunk of this tree. The trench was 1.55 metres long, 12cm wide and 26cm deep. I encountered no roots that belonged to this tree. The soil was a heavy moist black clay, with some scoria rock present; this type of soil is typical for this area of Western Melbourne. The careful root investigation works have been recorded with a number of photos, including after the root inspection trench had been filled in and re-instated. These calculations and root investigation prove this tree will not be adversely impacted by this proposed new crossover.

There is a temporary protective fencing around the trunk of this street tree. It is too close to the trunk of this tree to provide sufficient protection for the roots of this tree. A minimum of 4 additional panels of fencing (same size as existing)

must be added to the existing protection area, to the north and to the south of its trunk. See Appendix 4 for the mandatory position of the temporary protective fencing to isolate this street tree from any possible impact. This would then isolate the majority of the exposed area of its TPZ. Fully protecting its roots and canopy from any direct impact. This must be put in position prior to the construction processes beginning.

Tree Proposed for Removal

No tree has been proposed for removal to allow this proposal to proceed as it has been presented here.

Conclusion

This *Lophostemon confertus* (Brush Box) is growing 6.15 metres from the western boundary of this property, in the nature strip at the front of the property. This proposal has a new second crossover set at 3 metres from the western side of its trunk. It is clear of its TPZ, with an encroachment of 7.7%; this is less than the allowable 10% under the current Australian Standard (AS4970–2009). This is supported by a careful hand dug root inspection in that position (3 metres from its trunk) that revealed no roots belong to this tree in the area of the proposed new crossover. This council tree will therefore not be impacted by this proposal. It therefore should not be seen as an impediment to the approval of a good building design.

The existing temporary protective fencing around this tree is not adequate to fully protect this tree. It will require a minimum of 4 panels of temporary protective fencing (same size as existing) to its north and a further 4 panels to the south next to the gutter, with an end panel to the east and west enclosing the grassed area of this trees' TPZ. This must be installed prior to any construction commencing, to fully isolate it from any possible impact.

References

Australian Standard. 2007 Pruning of Amenity Trees
AS4373–2007. Standards Australia.

Australian Standard 2009 Protection of Trees on Development Sites.

AS 4970–2009

Harris R. Clark J. & Matheny N. 1999. Arboriculture
Third Edition. Prentice Hall.

Matheny N. & Clark J. 1998 Trees and Development
International Society of Arboriculture.

Appendix 1

TREE DESCRIPTORS

AGE

Category	Description
Young (Y)	Juvenile or recently planted tree.
Semi-mature (S)	Tree is actively growing.
Mature (M)	Tree has reached expected size in situation.
Senescent (Sen)	Tree is over mature and has started to decline.

Health

Category	Description
Good	Foliage of tree is entire, with good colour, very little pathogen damage and of good density. Growth indicators are good e.g., extension growth of twigs and wound wood development. There is minimal or no canopy dieback.
Fair	Tree is showing one or more of the following symptoms: <25% dead wood, foliage generally with good colour, though some imperfections may be present. Minor pathogen damage present, with growth indicators such as leaf size, canopy density and twig extension growth typical for species in this location.
Poor	Tree is showing one or more of the following symptoms :> 25% dead wood, canopy dieback is observable, discoloured or distorted leaves. Pathogen is present, stress symptoms are obvious e.g., small leaf size or small twig extensions; these could lead to decline of specimen.
Dying or Dead	Tree is in severe decline with greater than 55% dead wood; very little foliage that could mostly be epicormic shoots or no twig extension.

Structure

Category	Description
Good	Trunk and scaffold branches show good taper and attachment with minor or no structural defects. Tree is a good example of the species with a well-developed form showing no obvious root pests or diseases.
Fair	Tree shows some minor structural defects or minor damage to trunk e.g., bark missing, cavities could be present. Minimal damage to structural roots could be seen as typical for this species.
Poor	There are major structural defects, damage to trunk or bark missing. Co-dominant stems could be present, likely point of branch failure, girdling or damaged roots obvious and structurally problematic.
Hazardous (Haz.)	Tree is an immediate hazard with potential to fail; this should be rectified as soon as possible.

Useful Life Expectancy – ULE

Long ULE: Trees that appear to be retainable with an acceptable level of risk for more than 40 years.

1. Structurally sound trees located in positions that can accommodate future growth.
2. Storm damaged or defective trees that could be made suitable for retention in the long term by remedial tree surgery.
3. Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long-term retention.

Medium ULE: Trees that appear to be retainable with an acceptable level of risk for 15–40 years.

1. Trees that may only live between 15–40 years.
2. Trees that may live for more than 40 years but would be removed to allow the safe development of more suitable individuals.
3. Trees that may live for more than 40 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damaged or defective trees that can be made suitable for retention in the medium term by remedial work.

Short ULE: Trees that appear to be retainable with an acceptable level of risk for 5–15 years.

1. Trees that may live for 5–15 years.
2. Trees that may live for more than 15 years but would be removed to allow the safe development of more suitable individuals.
3. Trees that may live for more than 15 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damaged or defective trees that can be made suitable for retention in the medium term by remedial work.

Remove: Trees with a high level of risk that would need removal within the next 5 years.

1. Dead Trees.
2. Dying or suppressed and declining trees through disease or inhospitable conditions.
3. Dangerous trees through instability or recent loss of adjacent trees.
4. Dangerous trees through structural defects including decay, included bark, wounds or poor form.
5. Damaged trees that are considered unsafe to retain.
6. Trees that will become dangerous after removal of other trees for the above reasons.

Appendix 2 Qualifications, Experience and Area of Expertise

Professional Qualifications & Affiliations

- Advanced Certificate of Arboriculture
- Diploma of Applied Science (Arboriculture)
- Member International Society of Arboriculture

Professional Experience

2021 – present	Director of Joe Kellett Arboriculture
1986 – 2021	Director, Assured Tree Care, Pty Ltd. Sessional instruction and teaching at Burnley College and Melbourne Polytechnic (TAFE) in Arboriculture.
1984 – 1986	Arborist, Heidelberg City Council.
1982 – 1984	Trainee Arborist, Rivett Enterprises.

Areas of Expertise

- Management of trees in the urban environment, including environmentally and historically significant trees.
- Pruning, planting and transplanting of trees.
- Assessment of trees including risk (hazard) assessment, suitability for retention and in areas of proposed building development.
- Preparation of written tree reports for planning applications to local authorities.

Expertise to prepare this report

My experience includes the provision of tree assessments for both building permit applicants and objectors. All information contained within this report pertaining to the mentioned trees in relation to this property are within my expertise as an arborist. I believe that this report is complete and accurate in every respect.

Facts, matters and assumptions relied upon

- Inspection of subject site.
- Inspection of the trees, using non-invasive methods of data collection from ground level.
- Inspection of amended plans of the proposed 2 Units.

Appendix 3 Photos of Tree



Photo A shows the *Lophostemon confertus* (Brush Box) as seen from the north west. Illustrating its size and position in the streetscape. The temporary protective fencing area needs to be increased to fully isolate the grassed area of its TPZ from any possible impact (see Appendix 4).



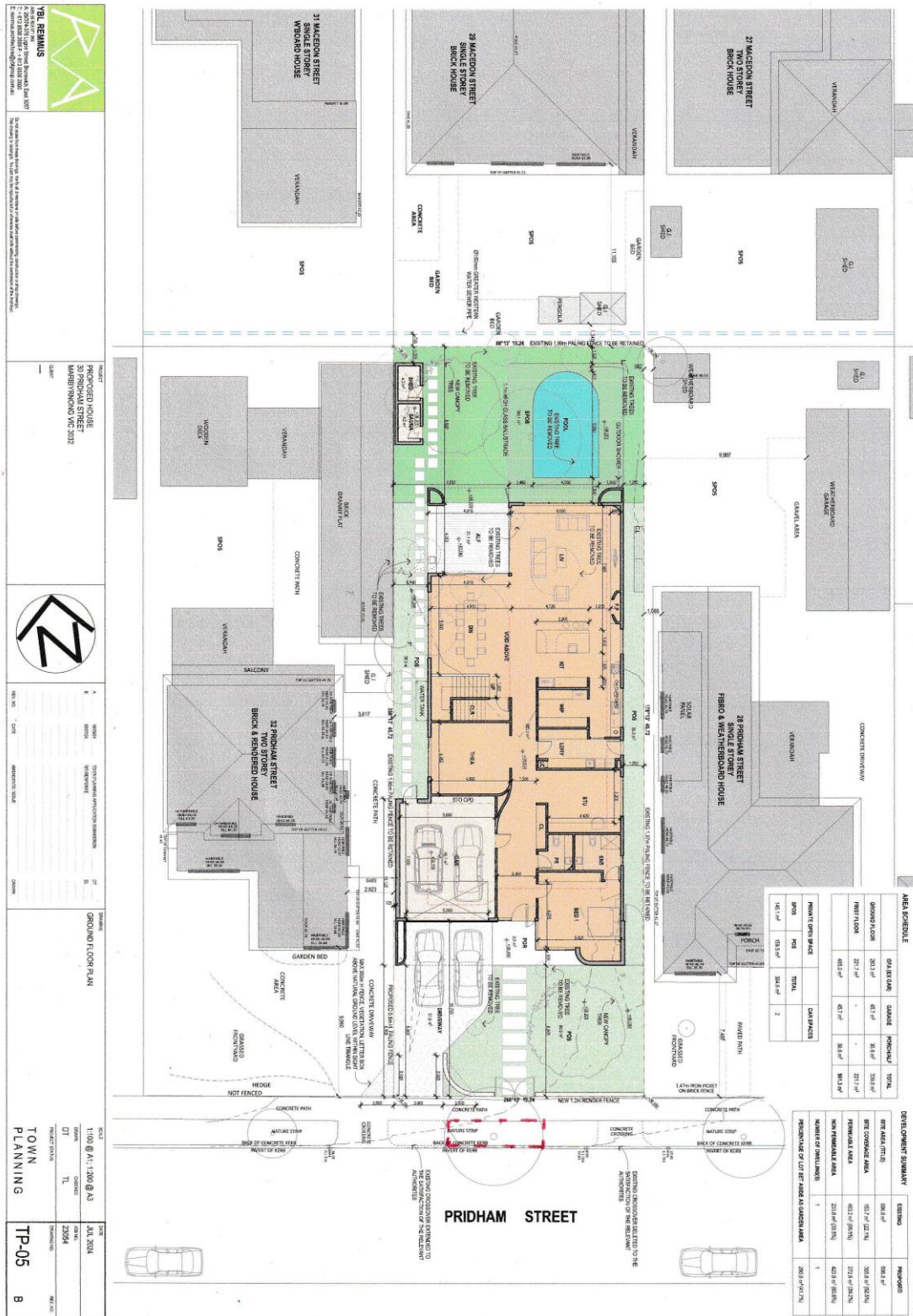
Photo B shows a tape measure indicating the depth of the carefully hand dug root inspection trench, opposite the trunk of this street tree. No roots belonging to the *Lophostemon confertus* were encountered in this trench.



Photo C shows the carefully hand dug root inspection trench, as seen from the south. Illustrating its length and the position of the tape measure in the trench, that was seen in Photo B.



Photo D shows the area where the carefully hand dug root inspection trench was, after the area had been re-instated and made level.



Note: - - - red dashed lines indicate the position of mandatory position of temporary protective fencing for street tree, to isolate it from any possible impact.