

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.

Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

The Land **i**

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

Street Address *

Unit No:	St. No.: 8	St. Name: Maggie Street
Suburb/Locality: YARRAVILLE		Post Code: 3013

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.: 1	<input type="radio"/>	Lodged Plan	<input checked="" type="radio"/>	Title Plan	<input type="radio"/>	Plan of Subdivision	No.: 897009M
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? *

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 *


500000.00	⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.
<p>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.</p>	

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: Jessica Surname: Bourke

Organisation (if applicable):

Postal Address:

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

Unit No: St. No: 85 St. Name: Little Oxford Street

Title: State: VIC Postcode: 3066

Please provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: 0458636360 Email: jb@olaver.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: Guy & Melissa Surname: Beukes

Organisation (if applicable):

Postal Address:

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

Unit No: St. No: 8 St. No: Maggie Street


Suburb/Locality: YARRAVILLE State: VIC Postcode: 3013

Postcode: 3013 Date : 17 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:

Guy Benkes

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.

i 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**

VOLUME 12062 FOLIO 096

Security no : 124116703199A
Produced 17/07/2024 02:51 PM

LAND DESCRIPTION

Lot 1 on Title Plan 897009M.
PARENT TITLE Volume 05228 Folio 418
Created by instrument AR953230W 22/02/2019

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GUY BEUKES
MELISSA MAREE BEUKES both of 11 NORFOLK STREET YARRAVILLE VIC 3013
AX553783F 13/12/2023

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX553784D 13/12/2023
NATIONAL AUSTRALIA BANK LTD

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

DIAGRAM LOCATION

SEE TP897009M 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: 8 MAGGIE STREET YARRAVILLE VIC 3013

ADMINISTRATIVE NOTICES

NIL

eCT Control 18478R FIRST LEGAL
Effective from 13/12/2023

DOCUMENT END



Imaged Document Cover Sheet

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

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Document Type	Plan
Document Identification	TP897009M
Number of Pages (excluding this cover sheet)	1
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The document is invalid if this cover sheet is removed or altered.

TITLE PLAN	EDITION 1	TP 897009M
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Location of Land

Parish : CUT PAW PAW
 Township : -
 Section : 8
 Crown Allotment : 1C (PT)
 Crown Portion : -

Last Plan Reference : -
 Derived From : VOL. 5228 FOL. 418

Depth Limitation : NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/ Easement Information

Together with a right of--

carriage way over the roads colored brown on the said map-----

THIS PLAN HAS BEEN PREPARED BY
 LAND REGISTRY, LAND VICTORIA FOR
 TITLE DIAGRAM PURPOSES

COMPILED: Date 4/09/07
 VERIFIED: A. DALLAS
 Assistant Registrar of Titles

COLOUR CODE

BL=BLUE G=GREEN
 BR=BROWN P=PURPLE
 Y=YELLOW R=RED
 H=HATCH CH=CROSS HATCH

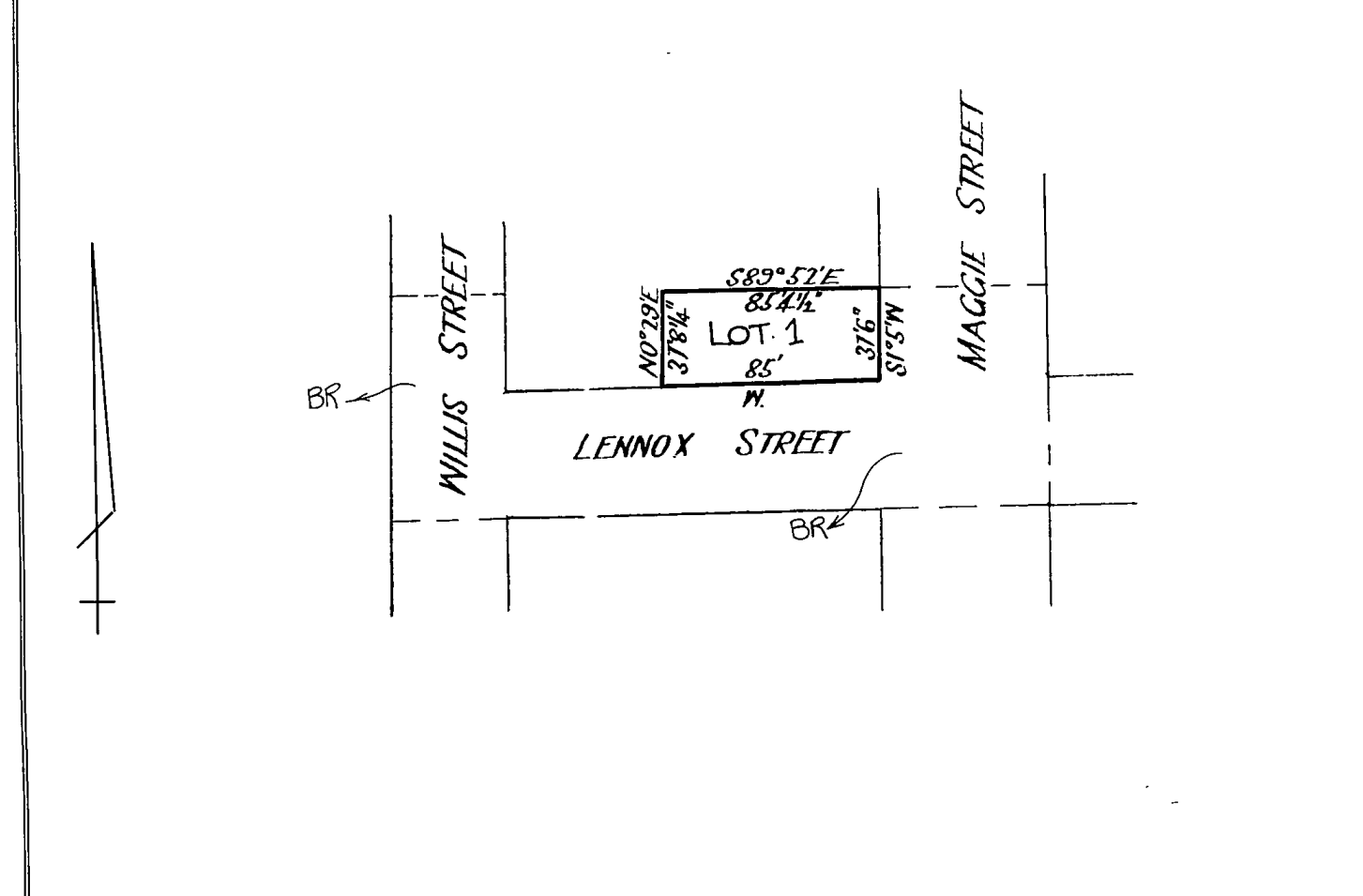


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on the Title Plan this does Not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
LOT 1 = CROWN ALLOT 1C (PT) SEC.8

**Town Planning Report
17.07.24**

2404

Maggie House

**8 Maggie Street,
Yarraville 3013**

1. INTRODUCTION

This report has been prepared by Olaver Architecture (Olaver) in relation to a planning permit application for a proposed dwelling and associated demolition at 8 Maggie Street, Yarraville.

Olaver are seeking approval for the following under the Yarra Planning Scheme:

- For the construction or extension of one dwelling on a lot under 300 square metres pursuant to Schedule 1 of Clause 32.09 (NRZ1)
- To demolish or remove a building, pursuant to Clause 43.01-1 (HO15)
- To construct a building or construct or carry out works, pursuant to Clause 43.01-1 (HO15).

The following report assesses the merits of this proposal against the relevant planning policy and provisions including Clause 22.01, Clause 43.01 and Clause 54.

The proposal comprises partial demolition of the existing dwelling and the construction of a new single storey to the rear of the property.

The site is located within the Neighbourhood Residential Zone (NRZ1) and is affected by the Heritage Overlay (HO15).

The report concludes that the proposal is of high architectural merit and is suitable for the site and surrounding character. Specifically:

- The proposed development is supported by the key directions of State and Local Planning Policy
- The proposal is consistent with the neighbourhood character of 1 and 2 storey attached and detached dwellings.

No unreasonable streetscape or neighbourhood character impacts to the adjoining properties and surrounding area will occur as a result of this proposal.

This report also references the following accompanying documents:

- Cover Letter
- Certificate of Title
- Architectural plans dated 12/07/24
- Clause 54 Response
- Clause 43.01 Assessment

2. SUBJECT SITE AND SURROUNDS

2.1 Subject Site

The subject site is located at 8 Maggie Street, Yarraville, known as Lot 1 on Title Plan 897009.

The site has a street frontage to Maggie Street of approximately 11.43m on average (to the east) and borders Lennox St at the southern boundary. The western and northern boundaries of the site abut neighbouring properties. The topography of the site is generally flat, with a slight slope towards Lennox St.

The site currently accommodates one single storey dwelling with an average 1.02m front setback, occupying 38% of the site. Access to the site is via Maggie Street or Lennox Street. There are temporary provisions in place for on site parking along Lennox Street.



Figure 2.1 Aerial imagery of the site (Vicplan, 2024)

2.2 Immediate Interface

The immediate interfaces to the site are described as follows:

North

To the north the site abuts No. 1/6 Maggie Street, a single storey brick dwelling. The 10.81m neighbouring southern boundary wall sits partially on the title boundary.

South

To the south the site faces Lennox Street, a two-way council-managed street. A council tree sits adjacent to the south-west corner of the property. On the opposite side of the street sits 14 Maggie Street and 29 Lennox Street - two detached brick and weatherboard dwellings.

East

To the east the site faces Maggie Street, a two-way council-managed street. A council tree sits adjacent and provides a visual break within the street frontage. On the opposing side of the street sits 11 Maggie Street, a detached weatherboard dwelling.

West

To the west the site abuts 10A Lennox Street, and a portion of its concrete driveway.

2.3 Surrounding Context

The subject site is located within the inner-city suburb of Yarraville, approximately 6.0km west of Melbourne's CBD.

The surrounding area is predominately low scale, low density residential bordered by industrial sites. Notable sites nearby including the Yarraville Village, Stony Creek Reserve and Beaton Reserve.

Please refer to the location map below.

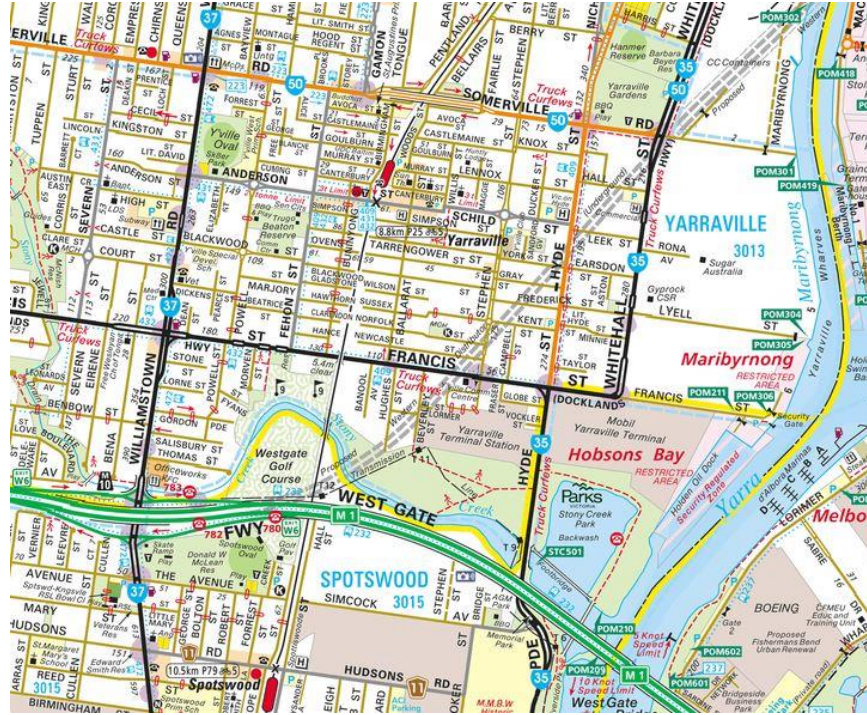


Figure 2.2 Approximate location of site in a local context (Melways, 2024)

3. PROPOSAL

3.1 Proposal Overview

This planning application is for the partial demolition and single storey extension at 8 Maggie Street, Yarraville. The existing detached weatherboard dwelling is partially retained, and a contemporary extension is proposed to the rear.

The proposal includes *demolition* of the following (See drawings TP0-101 to TP0-201);

- The rear portion of the existing dwelling
- Part of the existing landscape
- Existing side fence and gate

The *key aspects* of the proposal including the following (See drawings TP1-101 to TP2-101);

- Ground floor additions including a living, kitchen, dining, study and bedroom space
- New side façade with skillion roof form
- Landscaping consistent with local character
- New crossover to Lennox Street

Building setbacks are as following:

- 0.080m - 1.530m proposed side setback on northern boundary
- 1.020m existing front setback on eastern boundary (no change)
- 0.985m existing side setback on southern boundary (no change)
- 1.020m – 6.070m proposed side setback on southern boundary
- 0.050m – 4.025m proposed side setback to western boundary

Proposed landscaping is to be contained within the front, side and rear gardens and intended to be in keeping with the local area.

3.2 Planning Approval

Planning approval is sought for the following:

- For the construction or extension of one dwelling on a lot under 300 square metres pursuant to Schedule 1 of Clause 32.09 (NRZ1)
- To demolish or remove a building, pursuant to Clause 43.01-1 (HO15)
- To construct a building or construct or carry out works, pursuant to Clause 43.01-1 (HO15).

4. PLANNING ASSESSMENT

4.1 Planning Policy Framework

The proposal meets the overarching policy objectives of the relevant Planning Policy Framework including:

- **Clause 15.01-5S:** The proposal is consistent with the existing low-density residential land within the NRZ1, aiming to recognise, support and protect the local neighbourhood character.
- **Clause 15.03-1S:** The proposal seeks to respect the heritage values of the site, its area and its history while attempting to enhance the quality of a heritage place.

4.2 Local Planning Policy Framework

The proposal meets the overarching policy objectives of the relevant Local Planning Policy Framework including:

- **Clause 22.01-15:** The proposal recognises and appreciates the heritage value of the Yarraville Residential Heritage Area, with the extension not detracting or overwhelming the original fabric.

4.3 Zones

Neighbourhood Residential Zone (NRZ1)

The site is within Schedule 1 to the Neighbourhood Residential Zone (Low Density Residential Areas) and is consistent with the objectives of the zone as it will:

- Manage and ensure that the proposal respects the identified neighbourhood character and heritage characteristics as set up in 22.01-15 HO15 – Yarraville Residential Heritage Area Policy.

Accordingly, the proposal is consistent with the purposes of the zone.

4.4 Overlays

Heritage Overlay (HO15)

The site is subject to Heritage Overlay. It is considered that the proposal is consistent with the objectives of the overlay in that it aims to:

- Reference and enhance the existing heritage place, without closely imitating, replicating or mimicking the contributory fabric.
- Ensure development does not detract from the character of the heritage area.

The proposed works are to establish a rear extension on the site, with the front four rooms of the existing dwelling retained. The proposed addition references the surrounding context and building forms through a contemporary approach.

Accordingly, the proposal is consistent with the purposes of the overlay.

Pursuant to Clause 59.07-1, a permit is required for demolition as well as to construct a building or construct or carry out works.

Pursuant to the application requirements under Clause 43.03-1, the following documents have been provided in addition to this report:

- Clause 43 Assessment (See Appendix C)

4.5 Particular Provisions

Clause 54: One Dwelling on a lot

The proposal is subject to the application requirements of Clause 54 (One dwelling on a lot) as the application proposes to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of a Neighbourhood Residential Zone.

An assessment of the proposal against Clause 54 is provided in Appendix B of this report.

5. CONCLUSION

Olaver are seeking approval for the following under the Yarra Planning Scheme:

- For the construction or extension of one dwelling on a lot under 300 square metres pursuant to Schedule 1 of Clause 32.09 (NRZ1)
- To (partially) demolish or remove a building, pursuant to Clause 43.01-1 (HO15)
- To construct a building or construct or carry out works, pursuant to Clause 43.01-1 (HO15).

The proposal is worthy of approval of a planning permit application for the following reasons:

- The proposed development is supported by the key directions of State and Local Planning Policy
- The proposal is consistent with the neighbourhood character of 1 and 2 storey attached and detached dwellings.
- No unreasonable streetscape or neighbourhood character impacts to the adjoining properties and surrounding area will occur because of this proposal.

Clause 54 Response

17.07.2024

2404

Maggie House

**8 Maggie Street,
Yarraville 3013**

Clause 54 Response

**2126
Maggie House**

CLAUSE	STANDARD	DESCRIPTION
54.01		NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE
54.01-1		<p>Neighbourhood and site description</p> <p>The subject site is located on the southern side of Maggie Street in Yarraville with Lennox Street further to the east. The existing residence is a detached single-storey weatherboard dwelling.</p> <p>The neighbourhood exhibits a low density, low scale character, featuring a strong presence of mainly one and two-storey Victorian and Edwardian-era weatherboard and brick dwellings. In addition to these types, the neighbourhood exhibits a wide variety of housing, as well as some commercial, industrial and civic buildings. Several nearby parks, such as Stony Creek Reserve, provide outdoor recreational amenity.</p>
54.01-2		<p>Design Response</p> <p>This proposal has been carefully considered in its response to the context and designed to compliment the prevailing heritage character of the precinct.</p> <p>The proposal seeks to demolish the rear of the existing dwelling, in favour of adding a more functional kitchen, living and dining space to the ground floor, as well as an additional bedroom and study. The extension adopts a skillion roof with skylights and clerestory windows, ensuring adequate natural light. The front bedrooms are retained, along with access to the dwelling via Lennox St. The side fence and gate are replaced with sympathetic battens.</p> <p>The form has been strongly influenced by the site's context and existing conditions, with the design responding to the typical 1-2 storey streetscape and scale of development. A low-height roof links the heritage-built form and addition, acting as a visual break and allowing the proposal to appear recessive and distinct from the existing form.</p> <p>In materiality, the design is restrained in its use of colour, with metal elements, weatherboard and timber providing a robustness to the new façade.</p> <p><i>Refer TP0-003, TP0-101, TP0-102, TP0-201, TP1-101, TP1-102, TP2-101</i></p>

Clause 54 Response**2126
Maggie House****54.02 NEIGHBOURHOOD CHARACTER****54.02-1 A1 Neighbourhood character objective**

The design respects the existing neighbourhood character through a contemporary reinterpretation of the surrounding context, with the addition appearing recessive and distinct to the existing heritage fabric. This proposal is consistent with the neighbourhood character of single storey detached dwellings; therefore, the objective is met.

Refer: TP1-101, TP1-102, TP2-101, TP2-102

54.02-2 A2 Integration with the street objective

Integration with the street is not affected by this proposal. The existing frontage will maintain its visual orientation to Maggie St, with the proposed extension recessive behind. Proposed fencing to Lennox St maintains the height of the existing paling.

Refer: TP0-002, TP2-101, TP2-102

54.03 SITE LAYOUT AND BUILDING MASSING**54.03-1 A3 Street setback objective**

The proposal retains the original front setback from Maggie Street. As such, both the standard and objective are met.

Refer TP1-101, TP1-102

54.03-2 A4 Building height objective

The height of the new extension is 4.815m above the natural ground level at its highest point. The height is lower than the maximum height specified of 9m above natural ground and thus the standard and objective are met.

Clause 54 Response**2126
Maggie House**

Refer TP2-101

54.03-3 A5**Site coverage objective**

The total site coverage of the proposal is approximately 58%, which does not exceed the maximum specified (60%) and thus meets the objective.

Refer TP1-101, TP1-102

54.03-4 A6**Permeability objectives**

The proposal allows for a permeability of 35%, which falls above the minimum area specified (20%) and thus meets the objective.

Refer TP1-101, TP1-102

54.03-5 A7**Energy efficiency protection objections**

The extension is designed to allow for maximum use of natural light and heat. Effective cross ventilation will be allowed through the new operable openings.

High efficiency insulation will be incorporated as will double glazing and other measures to reduce thermal bridging and reduce airgaps throughout. The open plan living, dining and kitchen are oriented to the north side of the dwelling, allowing for appropriate solar access.

The approach has been to minimise waste and utilise the existing structure wherever possible.

Refer TP1-101, TP1-102

54.03-6 A8**Significant trees objectives**

This objective is not affected by the proposal.

54.04		AMENITY IMPACTS
54.04-1	A10	Side and rear setbacks objective

South Boundary to Lennox St

To the side of the site the addition is set back 1.020m – 6.070m from the boundary. Whilst the standard of 2.0m particular to a side boundary of a corner lot is not met, the addition mirrors the side setbacks of neighbouring corner sites of Maggie and Lennox St. Further, the setback allows for an efficient use of the site to capture northern aspect. As such, it is considered that the objective is met in that the setback respects the existing neighbourhood character and makes efficient use of the site.



The addition exhibits a maximum height above NGL of 4.695m and its rear portion is setback 6.95m. At this height the required setback is 1.33m. Thus, the setback diagram conditions are met.

West Boundary to No. 10A Lennox St

To the rear of the site the proposal exhibits a maximum height above NGL of 4.815m and its rear portion is setback 3.89m. At this height the required setback is 1.36m. Thus, the setback diagram conditions are met.

North Boundary to No. 1/6 Maggie St

To the side of the site the addition is set back 1.53m, meeting the setback diagram conditions. The proposal exhibits a maximum height above NGL of 4.695m and its rear portion is setback

Clause 54 Response**2126
Maggie House**

4.48m. At this height the required setback is 1.33m. Thus, the setback diagram conditions are met.

Refer TP2-101

54.04-2 A11**Walls on boundaries objective**West Boundary to No. 10A Lennox St

The proposed wall on boundary to No. 10A Lennox St is 5.31m in length with a maximum building height of 3.315m, meeting the standard. The average height of the wall is 3.27m. Considering the wall on boundary fully abuts a higher existing constructed wall to No. 10A Lennox St, it is considered that the objective is met.

North Boundary to No. 1/6 Maggie St

The proposed wall on boundary to No. 1/6 Maggie St is 5.135m in length with a maximum building height of 3.27m, meeting the standard. The average height of the wall is 3.25m. Considering the wall partially abuts a higher existing constructed wall to No. 1/6 Maggie St, and the northern orientation does not result in decreased amenity to the neighbour, it is considered that the objective is met.

Refer TP1-101, TP1-102, TP2-101

54.04-3 A12**Daylight to existing windows objective**

The proposal does not impact daylight into existing habitable windows.

Refer TP0-010 – TP0-014

54.04-4 A13**North-facing windows objective**

North facing habitable windows on adjoining properties are not affected by the proposal.

Refer TP0-010 – TP0-014

Clause 54 Response

**2126
Maggie House**

54.04-5 A14 Overshadowing open space objective

The proposal does result in minor overshadowing to No. 10A Lennox St, with 0.94sqm at 9am, 0.84sqm at 10am and 0.90sqm at 11am. Given this overshadowing does not occur in a secluded private open space and is confined within the driveway / front yard, it is considered that the objective is met.

Refer TP0-010 – TP0-014

54.04-6 A15 Overlooking objective

The proposal does not create overlooking potential to the secluded private open space of any neighbouring property; therefore, the objective is met.

Refer TP1-102

54.05 ON-SITE AMENITY AND FACILITIES

54.05-1 A16 Daylight to new windows objective

The design incorporates large operable and fixed glazing to all new habitable areas. A skylight has been included to ensure all spaces have access to adequate natural light.

Refer TP1-101, TP1-102, TP2-101

54.05-2 A17 Private open space objective

The existing private open space of 136sqm is reduced to 65sqm which meets the objectives of the standard.

Refer TP1-102

54.05-3 A18 Solar access to open space objective

Open space is oriented to face the north side of the dwelling, which meets the objectives of the standard.

Refer TP0-004, TP0-005, TP0-006

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Maggie House**

54.06		DETAILED DESIGN
54.06-1	A19	Design detail objective

A conscious effort has been made to respect the key features and form of existing building and context. The proposed design echoes the surrounding neighbourhood character in a contemporary manner through the skillion roof form, setback, materiality and window and door proportions. The addition is signalled by a visual break in the roof and sits lower in the streetscape compared to the heritage fabric, minimising visual bulk.

Refer TP1-101, TP1-102, TP2-101, TP2-102

54.06-2	A20	Front fences objective
----------------	------------	-------------------------------

The proposed front fence does not exceed the maximum height specified in Table A2, being 1.5m. Therefore, the objective is met.

Refer TP2-101

Clause 43 Assessment
17.07.2024

2404

Maggie House

**8 Maggie Street,
Yarraville**

Clause 43 Assessment

2404 Maggie House

8 Maggie Street, Yarraville

The subject site is in a heritage overlay (HO15) and listed in the *Maribyrnong Heritage Review Volume 5; Historical Places – Urban Conservation Areas & Individual Places in the former City of Footscray* as a contributory building.

The existing front façade is proposed to be retained, maintaining the front setback, gable roof form, chimney structure and weatherboard materiality – key features of small Victorian & Edwardian single-storey detached dwellings in the Yarraville Residential Precinct.

The proposed addition is sympathetic to the neighbourhood character and is not perceivable from the Maggie St frontage, preserving the rhythm of the heritage streetscape. From Lennox St, the start of the addition is signalled by the existing fireplace, now exposed, and a low-height roof which links the heritage-built form and contemporary skillion roof. This visual break, coupled with the skillion roof pitching down to the street, allows the new addition to appear recessive and distinct from the existing form.

The material palette of the contemporary addition is subdued and acts as a nod to the formal qualities of the Yarraville Residential Heritage Area. Weatherboard cladding, corrugated roof sheeting and timber, as well as the proposed fence and gate heights are consistent with the dwellings within the precinct. This allows the addition to sit comfortably within Lennox St.

In summary, the proposal is respectful of the heritage character of the Yarraville residential heritage area (HO15) and offers a contemporary model for unobstructive and considered additions in the precinct.



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Arboricultural Impact Assessment

For ...
Olaver

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

Location ...
8 Maggie St
Yarraville

Prepared by ...
Michael Mercer

Diploma of Arboriculture AQF5– Arbortrim Australia
Diploma of Business – Swinburne University
TRAQ Tree Risk Assessment Qualification - ISA
Certificate IV Transport & Distribution – Victoria University
Certificate III Frontline Management – Coyne Didsbury Victoria
Certificate Dispute Resolution – Latrobe University
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ISA-member
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27th August 2024

Landscapes by Design and Tree Reports Melbourne

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Brief

I was contacted by you and asked to provide an arboriculture assessment of the trees to this property. I understand there is a proposal planned for the site to develop it. This report includes neighbouring or trees which could be impacted upon by a proposed development.

Method

The tree was inspected visually; as per Australian standard 4970 – Protection of Trees on Development Sites (AS 4970), as required to facilitate this report. Its height and canopy spreads estimated with Diameter at Breast Height (DBH) and Diameter at Buttress (DAB) measured. No root excavations were carried out and images were taken as required. Any trees we nominate for removal are an opinion we are expressing only and do not provide any authority for tree removal. Prior to the removal of any trees council or the determining authority must be contacted, and property titles checked to ensure no permits are required and tree removal is legal. Date Visited 23rd August 2024.

The Site

The site is typical to older properties in the area containing an established home, with sparse vegetation on site, that do not trigger protection overlays and is on a relatively flat block.

Planning Controls and or Overlays

The site is covered under the Maribyrnong city council, following a review of <http://services.land.vic.gov.au>, it appears there is no Vegetation Protection Overlay or Significant Landscape Overlay pertaining to this property. Therefore, within the site we will only include canopy trees that fulfill local permit conditions and include neighbouring vegetation that could be impacted upon. No vegetation should be removed from the site, until approved by the relevant authority. There is a local law protecting significant trees, there are no significant trees on site or surrounds.

Tree Assessed



Tree 1 is a *Ulmus Minor*, on council nature strip, in poor condition, borer, excessive elm beetle attack, root girdling, seasonal defoliation, bark loose on trunk, in decline, recommend removal, and replace by another suitable species by council. It has a Tree Protection Zone (TPZ) area of 72.382 m² and a TPZ encroachment area of **5.122 m² or 7.1%** by the proposed building footprint, and a further **3.76m² or 5.2%** by the proposed concrete crossover, however the crossover has an existing bitumen footpath located in the proposed crossover, combined this would **not** be acceptable as per AS 4970-2009. The footpath can be removed and replaced as a crossover above grade, and made of permeable materials, this would be acceptable as per AS 4970, if retained by them and a development proceeds it must be protected with Tree Protection Fencing (TPF) to the extent of its Tree Protection Zone (TPZ) running along the back of kerb to the edge of the footpath. There is to be no more than 10% encroachment into its TPZ, unless it can be proven that it would not affect its root system, by means of a Non-Destructive Root Investigation (NDRI) or similar. Alternatively, other protection methods such a mulching, planking, branch, and trunk protection and the like as per Definitions following must be used as per AS 4970.

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Pen in bark



Tree 2 is a Yellow Gum, on council nature strip, in average condition, one sided, some di bak, recommend retain. It has a Tree Protection Zone (TPZ) area of 19.950 m² and a has no encroachment into the TPZ, if retained by them and a development proceeds it must be protected with Tree Protection Fencing (TPF) to the extent of its Tree Protection Zone (TPZ) running along the back of kerb to the edge of the footpath. There is to be no more than 10% encroachment into its TPZ, unless it can be proven that it would not affect its root system, by means of a Non-Destructive Root Investigation (NDRI) or similar. Alternatively, other protection methods such a mulching, planking, branch, and trunk protection and the like as per Definitions following must be used as per AS 4970.



Tree 3 is a Prunus sp, on neighbouring property, in average condition, one sided, recommend retain. It has a Tree Protection Zone (TPZ) area of 12.566 m² and a has no encroachment into the TPZ. If a development proceeds it must be protected to full extent of its TPZs with TPF unless a NDRI is carried out. Alternatively, other protection methods such a mulching, planking, branch, and trunk protection and the like as shown in Definitions following must be used as per AS 4970.

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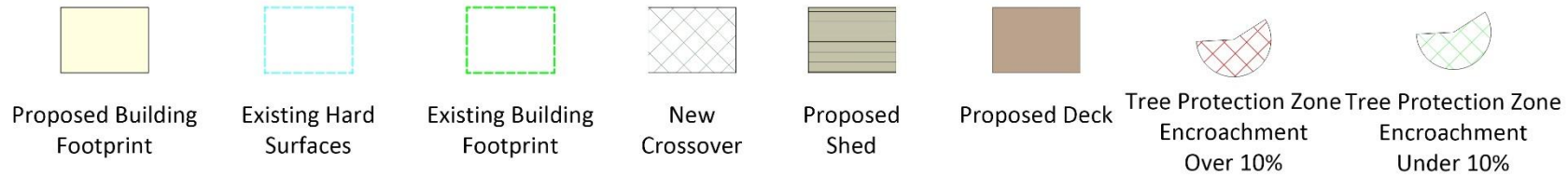


Tree 4 is a Prunus sp, on site, in average condition, seasonal defloration, recommend remove, no permit required, if a development proceeds it must be protected to full extent of its TPZs with TPF unless a NDRI is carried out. Alternatively, other protection methods such a mulching, planking, branch, and trunk protection and the like as shown in Definitions following must be used as per AS 4970.

Regards

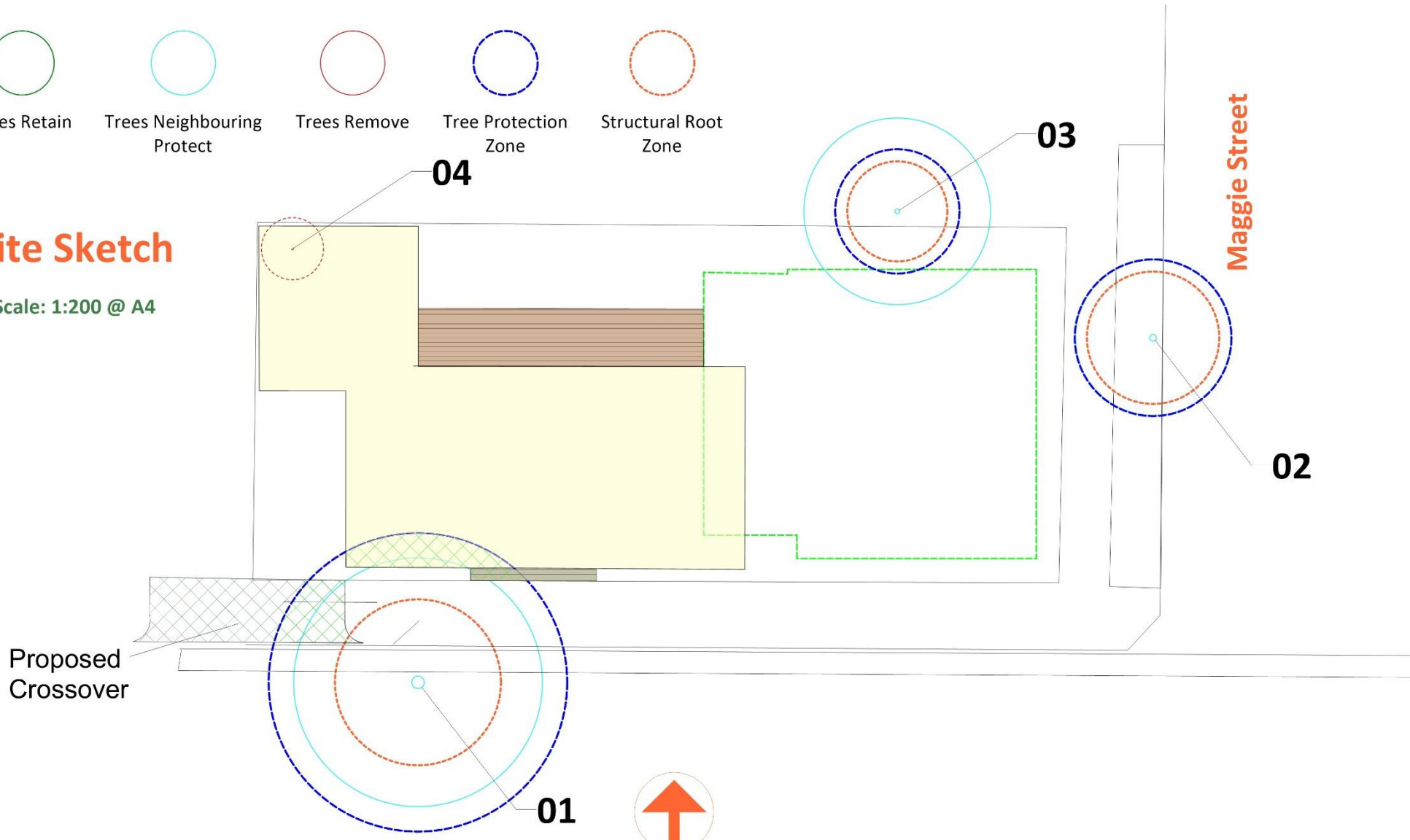
Michael Mercer
27th August 2024

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Site Sketch

Scale: 1:200 @ A4



Tree Legend

Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) are mm radius from Centre of Trunk

No	Botanical Name	Common Name	Origin	Height	Canopy	DBH @ 1.4 m	TPZ	DAB	SRZ	Condition	SULE	Significance	Form	Structure	Vigour	Ret Value	Age
01	Ulmus Minor	English Elm	Exotic	12000	8000	400	4800	600	2670	Poor	Short (5-15 yrs)	Less Significant	Poor	Average	Poor	Council	Over Mature
02	Eucalyptus leucoxylon	Yellow Gum	Native	9000	5000	210	2520	350	2129	Average	Medium (16-39 yrs)	Highly Significant	Average	Average	Average	Council	Semi Mature
03	Prunus species	Fruit Tree	Exotic	6000	6000	150	2000	180	1611	Average	Medium (16-39 yrs)	Less Significant	Average	Average	Average	Neighbouring	Mature
04	Prunus species	Fruit Tree	Exotic	2500	2000	60	2000	80	1500	Average	Medium (16-39 yrs)	Less Significant	Average	Average	Average	Low	Young

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Definitions - As per Australian Standard 4970 – 2009 – Protection of Trees on Development Sites (AS 4970):

AS 4970 Defines a Trees as ...

1.4.6 Tree Long lived woody perennial plant greater than (or usually greater than) 3 m in height with one or relatively few main stems or trunks (or as defined by the determining authority).

Therefore, unless otherwise required by the determining authority or if it is neighbouring and could be impacted upon, we do not include any plants under this size.

Determining the Tree Protection Zone (TPZ)

The radius of the TPZ is calculated for each tree by multiplying its DBH x 12. $TPZ = DBH \times 12$

Where - DBH = trunk diameter measured at 1.4 metres above ground; radius is measured from the centre of the stem at ground level.

A TPZ should not be less than 2 metres and no greater than 15 metres except where crown protection is required. Some instances may require variations to the TPZ.

The TPZ of palms, other monocots, cycads and tree ferns should not be less than 1 metre outside the crown projection.

This area is an estimate of the space required to maintain the health of a tree long term. It is entirely possible to work inside this Zone providing due care is exercised according to AS 4970.

Determining the Structural Root Zone (SRZ)

The SRZ is the area required for tree stability. A larger area is required to maintain a viable tree. The SRZ only needs to be calculated when major encroachment into a TPZ is proposed.

There are many factors that affect the size of the SRZ; e.g. tree height, crown area, soil type, soil moisture etc. The SRZ may also be influenced by natural or built structures, such as rocks and footings. An indicative SRZ radius can be determined from the trunk diameter measured immediately above the root buttress using the following formula:

$$SRZ \text{ radius} = (D \times 50)^{0.42} \times 0.64$$

Where - D = trunk diameter, in m, measured above the root buttress.

The SRZ for trees with trunk diameters less than 0.15m will be 1.5m.

It needs to be emphasised that this is an indicative calculation which generalizes all the conditions influencing the estimate. SRZ is often less than the indicated calculation. An Exploratory Root Excavation (ERE) or root investigation according to AS 4970 may provide more information on the extent of these roots.

TPZ and SRZ Encroachment

Any encroachment into TPZ should be advised and supervised by a qualified Arborist

AS 4970 says:

3.3.2 Minor encroachment

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

AS 4970 also says:

3.3.4 TPZ encroachment considerations

When determining the potential impacts of encroachment into the TPZ, the project arborist should consider the following:

(a) Location and distribution of the roots to be determined through non-destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetrating radar). Photographs should be taken, and a root zone map prepared.

NOTE: Regardless of the method, roots must not be cut, bruised, or frayed during the process.

It is imperative that exposed roots are kept moist, and the excavation back filled as soon as possible.

(b) The potential loss of root mass resulting from the encroachment: number and size of roots.

(c) Tree species and tolerance to root disturbance.

(d) Age, vigour, and size of the tree.

(e) Lean and stability of the tree.

NOTE: Roots on the tension side are likely to be most important for supporting the tree and are likely to extend for a greater distance.

(f) Soil characteristics and volume, topography and drainage.

(g) The presence of existing or past structures or obstacles affecting root growth.

(h) Design factors.

Tree sensitive construction measures such as pier and beam, suspended slabs, cantilevered building sections, screw piles and contiguous piling can minimize the impact of encroachment.

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When siting a structure near to a tree, the future growth of the tree, both above and below ground should be taken into account. Precautions should be taken at the planning and design stage to minimize potential conflict between trees and new structures. When the root zone is reactive clay, techniques such as localized pier and beam (bridged), screw pile footings or root and soil moisture control barriers may be appropriate to minimize effects on structures.

NOTE: Collaboration may be required between the project arborist and the geotechnical or structural engineer.

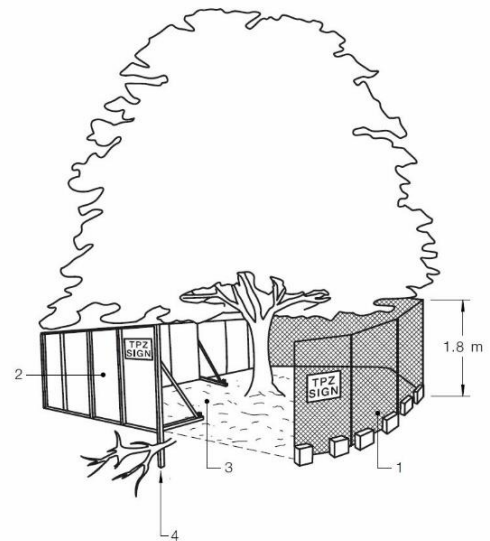
Landscapes by Design believes it is vital to ensure that construction is strong enough to withstand any encroachment by the tree as it grows. Pro-active measure like root control barriers and moisture barriers before trees grow to maximum size may be considered.

Tree Protection Fencing

The image to the right provides an example of suitable protective fencing:

Legend:

1. Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.
- 4.



Tree Protection Fencing must be erected prior to any works of any nature commencing and before any machinery or materials are brought onto the site. Once erected this protective fencing must not be removed or altered until such time as all works associated with the construction are complete, unless approved and supervised by an Arborist.

It must have signs attached to it saying "Tree Protection Zone – Stay Out" at maximum 2.4 metres centres or on each panel. Immediately following erection of the Tree Protection Fencing, the Tree Protection Zones are to be weeded and then mulched with 75 mm depth leaf mulch or similar, that has been aged for at least 12 weeks.

No trenching or excavation is to occur within this Tree Protection Zones. If underground services must be routed within the TPZ, they should be installed by directional drilling or in manually excavated trenches. The directional drilling bore should be at least 600 mm deep. The project arborist should assess the likely impacts of boring and bore pits on retained trees. A NDRI may assist in this case. See Later section. The Tree Protection Fencing Zone should be secured to restrict access.

AS 4687 – Temporary Fencing and Hoardings specifies applicable fencing requirements. Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter, and liquids into the protected area.

Fence posts and supports should have a diameter greater than 20 mm and be located clear of roots.

Existing perimeter fencing and other structures may be suitable as part of the protective fencing.

If it is necessary to remove the Tree Protection Fencing to allow works to be carried out it must be reinstated daily immediately following completion of works. If works are carried out within the Tree Protection Zones, this work must be supervised by an Arborist. During required work suitable planking should be laid within the Tree Protection Zone to protect against compaction to the roots of the tree / trees from workers and others. It is recommended that machinery does not enter the Tree Protection Zone (see 4.2 from AS 4970 below: "Activities generally excluded"), however rumble boards, plates, or sheets of heavy-duty materials over mulch and an impervious membrane must be used if vehicles need to move through the zone. Excavation can be carried out by machine using skilled operators briefed by and observed by an Arborist. Excavators should be used and if possible, with the vehicle located outside the TPZ with its arm moving within it. In the case of a NDRI being conducted the workmen and their equipment are only in the area for a short time however extreme care must be taken to protect the trunk, canopy, and roots of the tree/s.



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Irrigation

During warmer periods the Tree Protection Zones should be irrigated with 1 litre of clean water for every 1 cm of trunk girth measured at the soil / trunk interface on a weekly basis.

No persons, vehicles or machinery are to enter the Tree Protection Zones unless authorised to do so, preferably with permission from the Determining Authority.

No fuel, oil dumps or chemicals are allowed to be used or stored within the Tree Protection Zones; the servicing and refuelling of equipment and vehicles must be carried out away from the TPZ; no storage of material or equipment is to take place within them; nothing whatsoever, including temporary services wires, nails, screws or any other fixing device, is to be attached to any tree.

Activities Restricted Within TPZ

Activities generally excluded from the TPZ include but are not limited to — (a) machine excavation including trenching.

(b) excavation for silt fencing.

(c) cultivation.

(d) storage.

(e) preparation of chemicals, including preparation of cement products.

(f) parking of vehicles and plant.

(g) refuelling.

(h) dumping of waste;

(i) wash down and cleaning of equipment.

(j) placement of fill.

(k) lighting of fires.

(l) soil level changes.

(m) temporary or permanent installation of utilities and signs, and

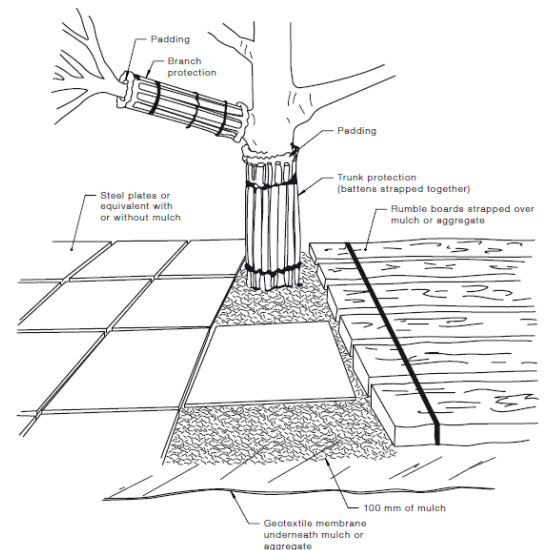
(n) physical damage to the tree

Non-Destructive Root Investigation (NDRI)

A (NDRI) according to AS 4970 may be conducted to provide more information on the extent of a trees SRZ or encroachment over 10% into TPZ. The SRZ is an indicative measure, and the actual positions and extent of the roots can only be determined by an investigation. A trench is carefully excavated along a pre-determined line (for example, the edge of a proposed slab or decking posts) to a depth of at least 650 mm and no more than 300mm wide. If roots are located, they must be carefully exposed without any damage to the root. The position and size of any roots found can be photographed, recorded and mapped. If there are too many large roots or root mats found the Arborist may decide to move the trench further out from centre of trunk. A NDRI may indicate that a building can or cannot be placed in the proposed location, or that piers/stumps can be placed between roots, or that roots are not extending far enough to directly damage a building/path/pipe. The NDRI map may lead to design and engineering changes to enable a building, extensions, or earthworks that encroach into the TPZ, to proceed or be moved. Where possible the trenching is done by hand but there are times when machinery or water pressure excavation can be used under the supervision of an Arborist.

Trunk and Branch Protection

Trees impacted upon by construction works should be protected as per the Sketch 1 below. It is suggested that suitable rubberised padding material be used under 75 by 50 hardwood timber which is strapped with galvanised tin strapping approximately 30 mm wide at 900 mm spacing from bottom of trunk upwards and nailed or screwed to the hardwood timber with 25 mm long galvanised fasteners. The rubberised padding material should be perforated to allow air to the trunk, and not soak water into itself. No nails or screws are to enter the tree trunk or branches and care must be taken to ensure that no materials bite into the tree surface and scar or damage its surface in any way.



Ground Protection

The planking to the right in the sketch following is an example of the planking that could be used. If temporary access for machinery is required within the TPZ, ground protection measures will be required. The purpose of ground protection is to prevent root damage and soil compaction within the TPZ. Measures should include a permeable membrane such as Geo-textile fabric beneath a layer of mulch or crushed rock, below rumble boards as per sketch 1. Rubber matting and packing plywood may also be used. Under this planking or sheeting within the TPZ, a 75 mm layer of leaf mulch or similar, aged for at least 12 weeks and proven to contain no toxic substances must be installed. These measures may also be applied to root zones beyond the TPZ. Rumble boards should be of a suitable thickness to prevent soil compaction and root damage.

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Root Protection during Works within the TPZ

Some approved works within the TPZ, such as regrading, installation of piers or landscaping may have the potential to damage roots. If the grade is to be raised the material should be coarser or more porous than the underlying material. Depth and compaction should be minimized.

Manual excavation is the preferred method and should be carried out under the supervision of an arborist to identify roots critical to tree stability and determine the actual extent of the SRZ. A NDRI may be used with photographs and maps to serve as a guide for designers and workers. Relocation or redesign of construction works may be required. (See preceding section)

Where the project arborist identifies roots to be pruned within or at the outer edge of the TPZ, they should be pruned with a final cut back to undamaged wood. Pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds should not be treated with dressings or paints. It is not acceptable for roots within the TPZ to be 'pruned' with machinery such as backhoes or excavators.

Where roots within the TPZ are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed.

Other excavation works in proximity to trees, including landscape works such as paving, irrigation and planting can adversely affect root systems. The project arborist should be consulted and supervise any works.

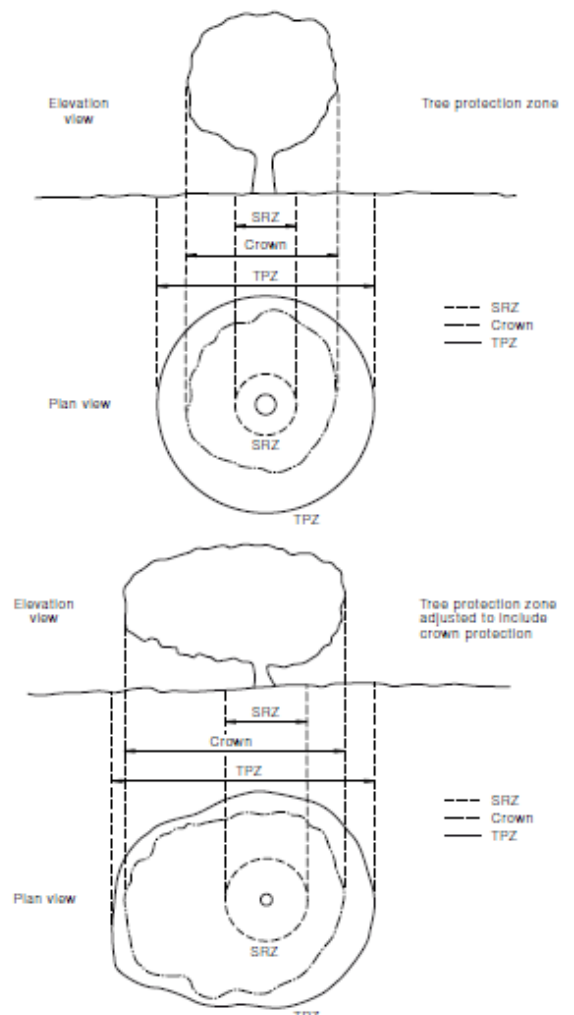
TPZ Encroachment Over 10%

If the proposed building footprint encroaches into the TPZ more than 10%; either the building footprint will have to change to reduce the encroachment to 10% or a NDRI could be carried out by an Arborist to determine the exact location of any roots present. Prior to a NDRI make certain to contact the Determining Authority to see if permission is required. If roots are discovered belonging to the tree that are under 40 mm diameter, they could be cut by an arborist to allow either the entire building footprint to be accommodated, or if that is not possible, a smaller redesigned building footprint to be accommodated. If the TPZ is varied following a NDRI (as per AS 4970) room must be allowed for the lost area to be compensated for elsewhere. Roots greater than 40 mm diameter and fibrous root mats or clumps greater than 50mm diameter should not be cut but need to be worked around. A well-qualified arborist may cut a root greater than 40 mm diameter, but not greater than 50 mm diameter unless given permission to cut from the Determining Authority.

Alternatively, if a NDRI shows it is impossible to vary the TPZ, alternative "tree friendly" construction methods could be employed, such as installing a building slab above grade, pier, and beam methods, or building on stumps. Piers and stumps can be relocated to avoid damage to any significant roots discovered by the NDRI. These alternative building methods should be specified by a suitably qualified person.

Crown Protection

Tree crowns may be injured by machinery such as excavators, drilling rigs, cranes, trucks, hoarding installation and scaffolding. The TPZ may need to include additional protection of above ground parts of the tree. Where crown protection is required, it will usually be located at least one metre outside the perimeter of the crown (see Figure 2). The erection of scaffolding may require an additional setback from the edge of the crown. Crown protection may include pruning, tying-back of branches or other measures. If pruning is required, requirements are specified in AS 4373 and should be undertaken before the establishment of the TPF. NOTE: Pruning may require approval from the Determining Authority. See following section on



NOTE: Refer to Clause 3.2 for calculation of TPZ.

FIGURE 2 INDICATIVE TREE PROTECTION ZONE



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Installing Underground Services within TPZ

All services should be routed outside the TPZ. If underground services must be routed within the TPZ, they should be installed by directional drilling or in manually excavated trenches. The directional drilling bore should be at least 600 mm deep. The project arborist should assess the likely impacts of boring and bore pits on retained trees.

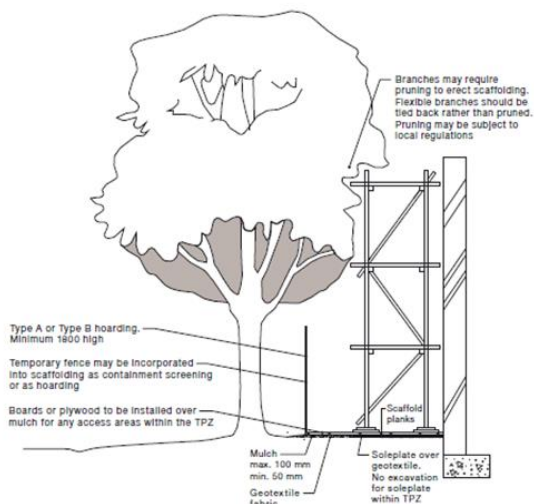
For manual excavation of trenches, the project arborist should advise on roots to be retained and should monitor the works. Manual excavation may include the use of pneumatic and hydraulic tools.

Pruning and Removal of Trees

If pruning is required, it should be carried out in accordance with Australian Standard 4373 - Pruning of Amenity Trees (AS4373) and any root pruning also as per AS 4973 – Specialist advice from a person with a minimum AQF Level 4 in Arboriculture should be sought before any root pruning occurs.

Prior to the pruning of or removal of any tree the Determining Authority, usually the local council must be consulted to be certain the pruning or removal is allowed by them and is lawful.

In any development seek approval for tree removal and encroachment into the TPZ of trees from the Determining Authority; before planning or building preparation and drawings are completed. This is to ensure that building or other drawings are not prepared based on this report, when a relevant Determining Authority does not allow the trees nominated in our report to be removed, or their TPZ's encroached into.



NOTE: Excavation required for the insertion of support posts for tree protection fencing should not involve the severance of any roots greater than 20 mm in diameter, without the prior approval of the project arborist.

FIGURE 5 INDICATIVE SCAFFOLDING WITHIN A TPZ

the tree from damage.

Scaffolding

Where scaffolding is required, it should be erected outside the TPZ. Where it is essential for scaffolding to be erected within the TPZ, branch removal should be minimized. This can be achieved by designing scaffolding to avoid branches or tying back branches. Where pruning is unavoidable it must be specified by the project arborist in accordance with AS 4970 and 4373.

NOTE: Pruning works may require approval by the determining authority.

Ground below the scaffolding should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Trunk and Branch Protection earlier. Where access is required, a board walk, or other surface material should be installed to minimize soil compaction. Boarding should be placed over a layer of mulch and impervious sheeting to prevent soil contamination. The boarding should be left in place until the scaffolding is removed.

There is a risk of materials falling off the scaffold decking and into the TPZ, damaging the tree. Care must be exercised, and solid walls or mesh barriers be installed on any scaffolding over the TPZ.

Impervious membrane, mulch, boards or plywood must be used under the scaffold soleplates and no excavation is to be performed for the soleplates. It may be possible to erect secondary fencing inside the general TPZ fencing to further protect

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Our Definitions:

Origin	Where the species originates from.
Category	Description
Not Set	Not reported
Endemic	A native to Australia that occurs naturally but only to that local area.
Native	Occurs naturally within Australia and its territories.
Exotic	Occurs naturally outside of Australia and its territories.
Indigenous	A native to Australia that occurs naturally in the local area and other places.
SULE	Safe Useful Life Expectancy
Category	Description
Not Set	Not reported.
Long (40+yrs)	Expected to live over 40 years.
Medium (16-39yrs)	Expected to between 16 and 39 years.
Short (5-15yrs)	Expected to between 5 and 15 years.
Removal	We recommend removal of this tree.
Significance	The landscape value of the tree
Category	Description
Not Set	Not reported.
Most Significant	The most significant tree within the tree data collection area. Does not mean "Significant" as determined by the Relevant Authority.
Highly Significant	A tree deemed to be a good representative of its species and advantageous to the tree data collection area.
Less Significant	Not deemed to share the values of Most or Highly but may be suitable for retention determined by tree data collection area requirements.
Least Significant	Old in poor condition declining and really not suitable for retention.
Hazardous	A tree that may fail, is likely to fail and dependent upon report type may trigger a Hazard Tree Assessment.

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Condition	The overall condition or health of the tree.
Form	The general shape of the tree as usually exhibited by this species
Structure	Is the tree sound and well-formed for the species?
Vigour	Is the tree growing well with good leaf cover if not deciduous during winter?
Category	Description
Not Set	Not reported.
Excellent	Excellent example of the species pertaining to that criteria.
Good	Good example of the species pertaining to that criteria. It could be better.
Average	Canopy that is not full with some pathogen damage, visible amounts of deadwood, may contain epicormic growth and may require arboricultural work, feeding and the like.
Poor	Poor example of the species pertaining to that criteria and may be better removed.
Retention Value	Is the tree suitable for retention?
Category	Description
Not Set	Not reported.
High	The tree should be retained if possible even if that means project modification or room retained for tree to grow into the future.
Moderate	The tree is suitable for retention, but other factors may mean it can be removed.
Low	The tree can be considered for removal. It has low intrinsic value and or not suitable for retention.
Neighbouring	The tree is neighbouring or external to the tree data collection site but must be considered if it could be impacted upon as per AS 4970 protection of Development Sites criteria for protection.
Council	Same as neighbouring but the responsibility of the Relevant Authority.
Hazardous	A tree that may fail, is likely to fail and dependent upon report type may trigger a Hazard Tree Assessment.
Age	The age of the tree
Category	Description
Not Set	Not reported.
Young	Tree is still small or juvenile.
Semi Mature	The tree has not reached it full mature or expected maximum size for its species.
Mature	The tree has not reached it full mature or expected maximum size for its species.
Over Mature	Old in poor condition declining and really not suitable for retention.

Generally Neighbouring Trees must be retained and protected unless suitable arrangements can be made for their removal with the owner, and that removal is legal.

Council trees to streets or neighbouring parks are that Council's responsibility but must be protected.

After a tree report is submitted that includes Council trees, it is suggested that council should inspect their trees to ensure they are safe and worthy of retention.

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Definitions - Terms:

Acute Branch Crotch – Angle on the inner side of the branch crotch is less than 90 degrees.

Apical Dominance - the main central stem of the plant is dominant over the other branches.

Bacterial Wet Wood - is a bacterial disease of certain trees, primarily elm, cottonwood, poplar, boxelder, ash, aspen, fruitless mulberry and oak.

Branch Union – point where a branch originates from the trunk or another branch; may be referred to as a crotch.

Bracket Fungi or Shelf Fungi - are the fruiting structures of many different fungi that cause heartwood decay in standing trees.

Co-dominant Stems – Co-dominant stems are two stems or trunks of equal size that develop from 2 apical buds at the tip of the same stem. Each co-dominant stem is a direct extension of the stem below its origin. There are no branch collars or trunk collars at the base of co-dominant stems' (Dr Alex Shigo) – Similar to Bi-furcated meaning two, Tri-furcated meaning three and Quadrifurcated meaning four.

Compartmentalise – (CODIT: Compartmentalization of Decay in Trees. Dr Alex Shigo) natural process of defence in trees by which they wall off decay in wood and heal wounds.

Crown Gall - plant disease probably caused by the bacteria or invasion of some sort into the tree

Dead Wooding - Removal of dead, dying and diseased branches throughout the crown.

De-current – growth habit developing a more rounded form with multiple scaffold branches

Determining / Relevant Authority – Usually refers to the Council responsible for the property being assessed but includes any government or semi-governmental authority that has control or liability under common law, and the role to encourage and enforce the developmental process including legislation relating to trees and plants.

Epicormic Shoots - An epicormic shoot is a shoot growing from an epicormic bud which lies underneath the bark of a trunk, stem, or branch of a plant. In older wood, epicormic shoots can result from severe defoliation or radical pruning.

Etiolation - is a process in plants grown in partial or complete absence of light. It is characterized by long, weak stems; smaller, sparser leaves due to longer internodes; and a pale-yellow colour (chlorosis).

Ex-current - growth habit with pyramidal crown and a central leader

Fall Zone – area under a tree or adjacent to it where if it failed it could impact upon.

Frass – Granular wood particles produced by borer insects that can be fine, medium, or coarse depending on the type of insect.

Flush Cut - Pruning technique in which both branch and stem tissue are removed; generally considered poor practice. Flush cuts can allow decay to enter back into the main trunk or branch.

Gall - abnormal outgrowth of tissues and can be caused by various parasites, from fungi and bacteria to insects and mites. Sometimes called a burl.

Ground Heaving – ground lifting or heaving as the root plate of a trees moves.

Hedges – Have a minimum TPZ and SRZ respectively of 2 and 1.5 metres from centre of trunk and neighbouring that could be impacted are assessed.

Included Bark - bark that becomes embedded in a crotch between branch and trunk or Co-Dominant Stems and causes a weak structure.

Indigenous – a plant occurring naturally in the area or region of the subject site.

Kino - Sap oozing from a tree caused by structural damage and / or disease or pests.

Later Growth – growth formed later in a tree's life cycle with perhaps poor attachment.

Obtuse Branch Crotch – where the angle on the inner side of the union is greater than 90 degrees.

Phototropism or Phototropic Lean - is the phenomenon in which plants follow or grow towards a light source, most commonly the sun.

Picus Tomograph - used for tree risk assessments in order to measure the thickness of the residual wall of trees with internal defects such as cavities or decay non-invasively with sound waves sent through the tree.

Reaction Wood - tree wood formed because of mechanical stress helping to provide strength to affected areas as in leaning trees, wind exposure, over weighting, compartmentalisation of decay etc. A sign a tree could fail.

Scaffold Branch – the permanent or structural branches of a tree

Senescence / Senescent – the condition or process of growing old especially the condition resulting from the transitions and accumulations of the deleterious aging process.

Significant Roots – Generally those greater than 50 mm diameter or a mass of fibrous roots but depends on tree size, species and distance from tree.

Torsional Loading – When a tree generally by the wind has had part of its structure twisted as it grows.

?? – After a tree's name means identity of species may not be exact.

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Disclaimer etc

Given factors like environmental, vegetative, and other overlays and local or other planning controls it is difficult to accommodate or satisfy all parties when assessing trees and other vegetation. It is very difficult to establish clear outcomes and impossible to determine that a tree can be deemed safe under all circumstances. No guarantee can be given that a tree is totally safe or will remain healthy given short-term adverse weather conditions or long-term climatic conditions or other environmental and physical factors. No guarantees can be given for any part of a trees current or future stability. The writer and Landscapes by Design Pty Ltd does not accept any responsibility for any tree or part of it assessed, with regard to its ongoing stability and safety, or its capacity to damage property, other assets, or people.

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