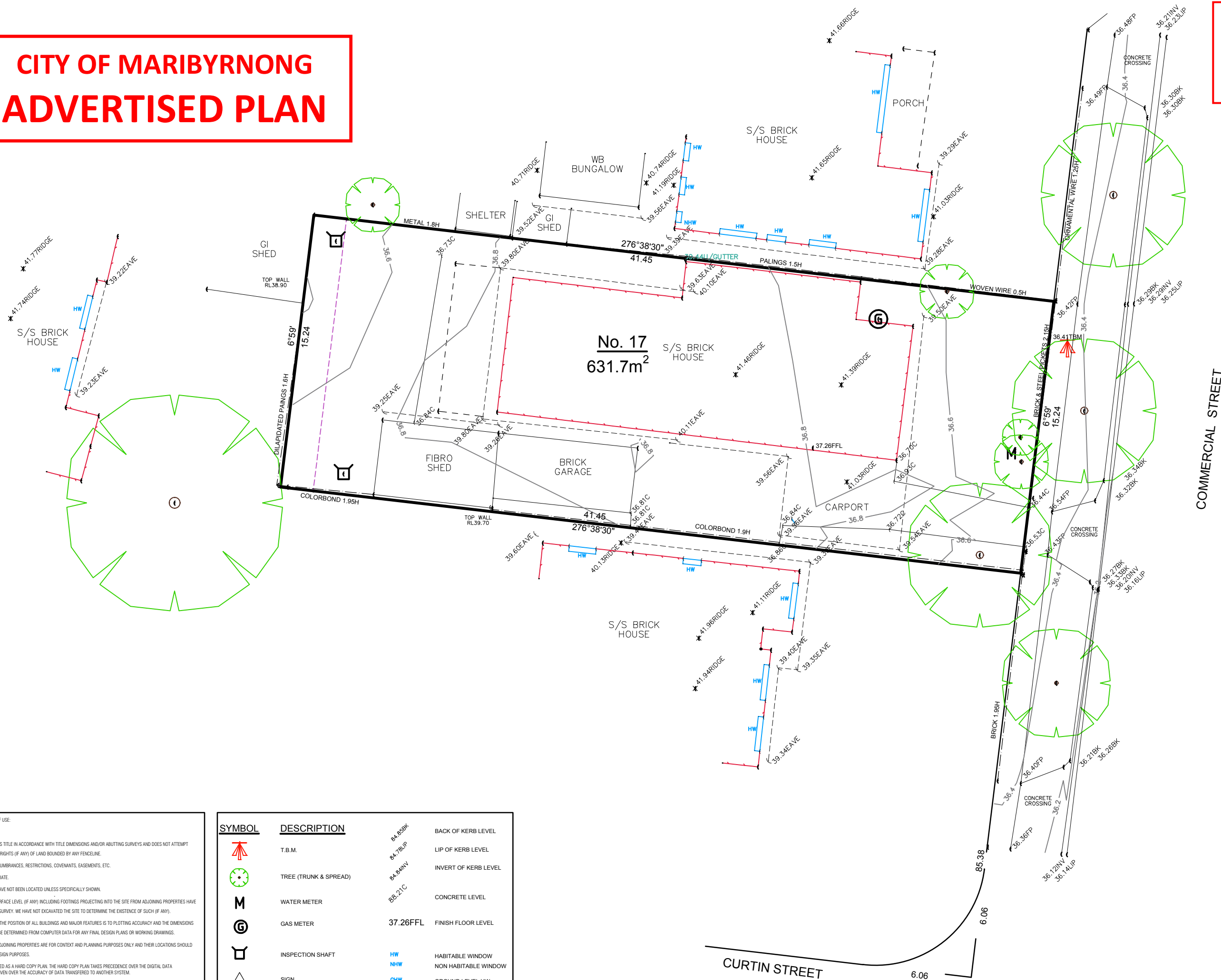


CITY OF MARIBYRNONG
ADVERTISED PLAN

CITY OF MARIBYRNONG
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24/02/2025
URBAN PLANNING



NOTATIONS & CONDITIONS OF USE:

THIS SURVEY RE-ESTABLISHES TITLE IN ACCORDANCE WITH TITLE DIMENSIONS AND/OR ADJUTING SURVEYS AND DOES NOT ATTEMPT TO DETERMINE POSSESSORY RIGHTS (IF ANY) OF LAND BOUNDED BY ANY FENCELINE.

REFER TO TITLE FOR ANY ENCUMBRANCES, RESTRICTIONS, COVENANTS, EASEMENTS, ETC.

FENCE POSITIONS ARE ACCURATE.

UNDERGROUND SERVICES HAVE NOT BEEN LOCATED UNLESS SPECIFICALLY SHOWN.

STRUCTURES BELOW THE SURFACE LEVEL (IF ANY) INCLUDING FOOTINGS PROJECTING INTO THE SITE FROM ADJOINING PROPERTIES HAVE NOT BEEN LOCATED BY THIS SURVEY. WE HAVE NOT EXCAVATED THE SITE TO DETERMINE THE EXISTENCE OF SUCH (IF ANY).

UNLESS SHOWN OTHERWISE THE POSITION OF ALL BUILDINGS AND MAJOR FEATURES IS TO PLOTTING ACCURACY AND THE DIMENSIONS OF BUILDINGS SHOULD NOT BE DETERMINED FROM COMPUTER DATA FOR ANY FINAL DESIGN PLANS OR WORKING DRAWINGS.

ANY FEATURES SHOWN ON ADJOINING PROPERTIES ARE FOR CONTEXT AND PLANNING PURPOSES ONLY AND THEIR LOCATIONS SHOULD NOT BE RELIED UPON FOR DESIGN PURPOSES.

THIS PLAN HAS BEEN PROVIDED AS A HARD COPY PLAN. THE HARD COPY PLAN TAKES PRECEDENCE OVER THE DIGITAL DATA AS NO GUARANTEE CAN BE GIVEN OVER THE ACCURACY OF DATA TRANSFERRED TO ANOTHER SYSTEM.

AHD LEVELS DERIVED FROM CONNECTION TO CUT PAW PAW PM225 (RL 61.635 SMES 05/12/2017) BY TRAVERSE SURVEY.

KIRBY LAND SURVEYING PTY LTD ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE HOWEVER SUFFERED TO ANY PERSON OR CORPORATION THAT MIGHT USE OR RELY ON THIS PLAN IN CONTRAVENTION OF THIS DISCLAIMER.

SYMBOL	DESCRIPTION
	T.B.M.
	TREE (TRUNK & SPREAD)
	WATER METER
	GAS METER
	INSPECTION SHAFT
	SIGN

84.85BK	BACK OF KERB LEVEL
84.78LP	LIP OF KERB LEVEL
84.84INV	INVERT OF KERB LEVEL
88.21C	CONCRETE LEVEL
37.26FFL	FINISH FLOOR LEVEL
HW	HABITABLE WINDOW
NHW	NON HABITABLE WINDOW
GHW	GROUND LEVEL HW
2HW	SECOND STOREY HW

NORTH
MGA94
ZONE55

LICENSED SURVEYOR: MATHEW KIRBY

Revisions

VOL: 08707 FOL: 139

PARISH OF CUT PAW PAW
CITY OF BOURKE
CROWN PORTION 16
LOT 10 ON LP 059096

LEVELS ARE IN METRES
LEVEL DATUM: AHD
CONTOUR INTERVAL: 0.2
DATE OF SURVEY: 14/12/2018
SURVEY BY: MK

31 Enfield Ave Preston 3072 Ph:9018 1529
Email: kirbys@outlook.com

DATE	SCALE	DRWN	CHK	PROJECT No.
25.01.2019	1:200@A3	KN	MK	18028

PLAN OF FEATURE & LEVEL
SURVEY

17 COMMERCIAL ST,
MAIDSTONE

1 of 1

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.



The Land **i**

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

Street Address *

Unit No:	St. No.: 1	St. Name: Commercial Street
Suburb/Locality: MAIDSTONE		Post Code: 3012

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 OR	Vol.: 8707	Folio.: 139	Suburb.: Maidstone
	Lot No.: 10	Type.: Lot/Lodged Plan	
B	Crown Allotment No.:	Section No.:	
	Parish/Township Name:		

The Proposal

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

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

Construction of two dwellings on one lot

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

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

990000.00

⚠ 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

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 on one lot


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

Title Information

Encumbrances on title *

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

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

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

Applicant and Owner Details

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

Applicant *

The person who wants the permit.

Name:

Title: MS First Name: TINA Surname: WEI
Organization (if applicable):

Unit No: 2082 St. No: PO BOX St. Name:
Suburb: TEMPLESTOWE LOWER State: VIC Postcode: 3107
Business phone: Email: tinaw1057@hotmail.com
Mobile phone: 0402050726 Home:

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: MS First Name: TINA Surname: WEI
Organization (if applicable):

Unit No: 2082 St. No: PO BOX St. Name:
Suburb: TEMPLESTOWE LOWER State: VIC Postcode: 3107
Business phone: Email: tinaw1057@hotmail.com
Mobile phone: 0402050726 Home:

Owner *

The person or organisation who owns the land

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

Name:

Same as applicant ☐


Title: MS First Name: Jenny Surname: Huynh
Organization (if applicable):

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

Unit No: St. No: 17 St. Name: Commercial Street
Suburb: MAIDSTONE State: VIC Postcode: 3012
Business Phone: Email:
Mobile phone: 0421120017 Home:

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:

Tina WEI

Date

18 / 11 / 2024

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

Officer Name:

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.

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24/02/2025

URBAN PLANNING

TREEMAP
ARBORICULTURE



Arboricultural Assessment & Report
17 Commercial Street, Maidstone

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

Treemap Arboriculture
PO Box 465, Heidelberg VIC 3084
ABN 20 325 463 261
www.treemap.com.au

February 2025

Prepared for:
Jenny Huynh

1 Name and address of consultant

Dean Simonsen (AQF Level 7)
Treemap Arboriculture
PO Box 465, Heidelberg, Victoria 3084

2 Instructions

- 2.1 The instructions provided to Treemap Arboriculture on 10/02/25 by Jenny Huynh were to provide an Arboricultural assessment and report for trees located on or near the subject site, the subject site being 17 Commercial Street, Maidstone.

3 Introduction

- 3.1 The owners of the subject site are undertaking investigations to develop the property. As part of the design and application process, the owners are undertaking investigations with regard to the vegetation located on or near the site. This report examines the arboricultural matters associated with this vegetation.
- 3.1 Under the guidelines of AS4970-2009 (Australian Standard – Protection of trees on development sites), the following report would be defined as an ‘Arboricultural impact assessment’. The standard indicates that “*The report will identify possible impacts on trees to be retained. The report will explain design and construction methods proposed to minimize impacts on retained trees where there is encroachment into the calculated TPZ.*”

4 Key Objectives

- 4.1 To undertake a general assessment of trees located on or near the subject site.
- 4.2 To provide an assessment of the subject trees with respect to their overall condition, structure, safety and suitability for protection.
- 4.3 To provide recommendations on the suitability of the trees for protection, and provide approved methods of tree protection.

5 Method

- 5.1 A site and tree inspection were conducted on Wednesday 12th February 2025.
- 5.2 The tree assessment consisted of a visual inspection, which was undertaken with regard to modern arboricultural principles and practices. The assessment did not involve a detailed examination of below ground or internal tree parts. The assessment was undertaken from the ground of the subject site to determine tree condition and species type. Measurements were taken to establish trunk and crown dimensions. No tree samples or site soil samples were taken unless specified. Trunk diameters for trees on adjoining properties may be estimated due to site access limitations.
- 5.3 The trees have been allocated a retention value rating which combines tree condition factors with functional and aesthetic characteristics in the context of an urban landscape. The

retention or preservation of trees may not depend solely on arboricultural considerations; therefore, the ratings may act as a guide to assist in decisions relating to tree management and retention.

- 5.4 A survey plan was provided by the client (Existing Site Plan prepared by The Divided Line, Ref. no: 24-020, dated November 2024). The assessed trees have been numbered on a section of this plan (Appendix 3).
- 5.5 A proposed ground floor plan was provided by the client for analysis (Proposed Site and Ground Floor Plan prepared by B The Divided Line, Ref. no: 24-020, dated November 2024). The trees have been numbered on this plan and Tree Protection Zones are provided for specific trees (Appendix 3a).

6 Observations

- 6.1 The site under review presented as a single residential allotment with an existing dwelling, and garage. The site adjoins residential properties to the north, south and west. Commercial Street frontage is located to the east. The property contained no substantial vegetation.



- 6.2 Nine (9) trees or large shrubs were assessed in detail as part of the site review. This included 6 trees or shrubs on the subject site, 2 neighbouring trees and 1 street tree. The detail of each individual tree assessment is provided in table format at Appendix 1. Tree numbers within the assessment table correspond to those provided on the marked-up feature survey plan (Appendix 3).
- 6.3 The property is not influenced by any vegetation controls under the City of Maribyrnong Planning Scheme. This is based on a planning property report for the site being obtained from www.planning.vic.gov.au/ on 12/02/25.

6.4 The proposed design indicates a side by side two-unit development.

7 Discussion

The Australian Standard (AS4970-2009) – ‘Protection of trees on development sites’ puts forward a process for undertaking tree inspections and reports on property where development is being considered. It recommends a preliminary assessment be undertaken to help guide planners and property owners with regard to the preservation of existing trees; that is trees that might contribute to the completed proposal. The standard points out that the preliminary report ‘information is to be used by planners, architects and designers, in conjunction with any planning controls and other legislation, to develop the design layout in such a way that trees selected for retention are provided with enough space’.

These assessments typically reveal a range of trees with varying attributes for health, structure and overall value. Some trees may be considered insignificant for their size, age, species type or condition, but they might still be considered for retention because they are situated conveniently on the site. Conversely, some trees may be exceptional for various reasons but there may be no scope for their retention because of their location or other site constraints. An objective of the tree assessment is to determine the trees that may be preferable, in terms of preservation, and to identify poor or insignificant trees that might be easily replaced or replaced with better species.

The arborist must also exercise judgement and expertise with respect to the types of trees that are deemed suitable for retention, and they should also consider what stage the tree is at in its overall lifecycle.

The site contained large shrubs and weeds. The retention value of the trees and shrubs on the site was rated ‘Low’ or ‘None’. The low quality of the vegetation on the site and the absence of any vegetation controls, supports an approach whereby existing trees and shrubs should offer limited constraint to the proposed design. All of the shrubs and weeds on the site are recommended for removal (Trees 2-7). A permit is not required to remove any trees.

A factor that may influence the proposed development on the subject site will be the impact of the design towards the neighbouring trees and street tree. The Tree Protection Zone and Structural Root Zone for trees on adjoining land have been indicated on the proposed plan at Appendix 3a.

Street tree 1 - *Melaleuca quinquenervia* (Broad-leaved Paperbark) was included in an approved planning permit in 2018 - TP203/2018(1). A crossover was approved to the north of the tree as part of the application. The current proposal almost replicates the previous design.

The proposed crossover to the north of the tree interferes very marginally with the Structural Root Zone. The level of encroachment into the SRZ is not significant for a variety of reasons. Firstly, AS4970 is unambiguous at the notes section of 3.3.5 - Structural root zone (SRZ), where Note 5 on page 13 refers to the calculation of the SRZ and it states ‘*This does not apply to trees with an asymmetrical root plate*’. In essence the Structural Root Zone is an estimated distance for trees growing in uniform open growing situations.

The minor level of proposed encroachment into the estimated Structural Root Zone, in this instance, is not predicted to be problematic or harmful to the street tree.

The proposed crossover to the north of the tree and modifications to the existing crossover interferes with a proportion of the Tree Protection Zone. Approximately 8.8% of the TPZ area is encroached from these encroachments. Encroachment of less than 10% of the TPZ area is

considered minor and acceptable under AS4970, provided that additional space is provided in other directions contiguous with the TPZ.

There is space contiguous with the Tree Protection Zone to offset the proposed encroachment. The proposed front fence is timber slats supported by posts, and it replaces a strip footing that supports the existing brick fence.

Neighbouring trees 8 & 9 are distant from any proposed site changes and no harm is predicted towards them.

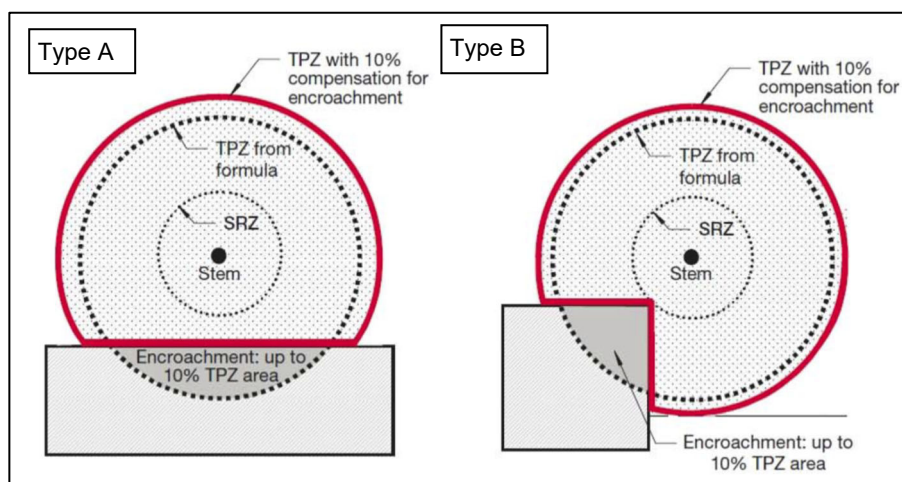
There are no tree protection matters associated with trees or shrubs on adjoining land.

7.1 Tree protection zones on development sites

The level of encroachment and the impact to specific trees can be estimated by comparing standard or modified tree protection clearances with those clearances provided to trees in the development design. The overall impact towards a specific tree will be based on the severity of encroachment into the respective tree protection zones. The degree of root activity in the tree protection zone can vary significantly with local growing conditions, which may result in more or less severe impacts to trees. The most accurate means of determining root activity in these zones is to undertake subsurface root investigations. The alternative to undertaking root investigations is to assign appropriate tree protection zones.

This report adopts AS4970-2009, Australian Standard – Protection of trees on development sites as the preferred tree protection method. The method provides a tree protection zone and a tree protection fencing distance (radial measurement from trunk centre) by using the width of the trunk at 1.4m above ground multiplied by 12. The prescribed TPZ distances are provided for each tree in Appendix 1 and they are illustrated for specific trees at Appendix 3a.

There is scope to reduce the tree protection zone by an area of 10% without further investigations. The rationale for any reduced tree protection distance is detailed in AS4970-2009 (*Australian Standard – Protection of trees on development sites*). Under encroachment Type A, it is acceptable to reduce the Tree Protection Zone (TPZ) area by 10%. This translates to a reduction in radial clearance distance of approximately 33% on one side of the tree only. This can be applied if there is contiguous space around the tree for root development to occur. The following diagram, from AS4970-2009, is provided to illustrate the approach.



8 Recommendations

- 8.1 The retention value of the trees and shrubs on the site was rated 'Low' or 'None'. The low quality of the vegetation on the site and the absence of any vegetation controls, supports an approach whereby existing trees and shrubs should offer limited constraint to the proposed design. All of the shrubs and weeds on the site are recommended for removal (Trees 2-7). A permit is not required to remove any trees.
- 8.2 The proposed crossover to the north of the tree and modifications to the existing crossover interferes with a proportion of the Tree Protection Zone. Approximately 8.8% of the TPZ area is encroached from these encroachments. Encroachment of less than 10% of the TPZ area is considered minor and acceptable under AS4970, provided that additional space is provided in other directions contiguous with the TPZ.
- 8.2.1 There is space contiguous with the Tree Protection Zone to offset the proposed encroachment. The proposed front fence is timber slats supported by posts, and it replaces a strip footing that supports the existing brick fence.
- 8.2.2 Neighbouring trees 8 & 9 are distant from any proposed site changes and no harm is predicted towards them.
- 8.3 Any vegetation in the study area that was not assessed as part of this report was considered insignificant, generally undesirable or sufficiently clear of any expected works.
- 8.4 Any proposed development on the site should make provision for landscaping and the planting of new trees.



Dean Simonsen (BAppSc Melb.)
Consultant Arborist

9 References

Australian Standard AS 4970, 2009. *Protection of trees on development sites*. Standards Australia

10 Definitions

The TPZ and SRZ are defined in AS4970-2009, Australian Standard – Protection of trees on development sites as:

Tree protection zone (TPZ)

A specified area above and below ground and at a given distance from the trunk set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development.

Structural root zone (SRZ)

The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone considers a tree's structural stability only, not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area.

11 Expertise of Arborist to prepare report

Qualifications and expertise of consultant

- Bachelor of Applied Science, Horticulture (Plant Production) – University of Melbourne, Burnley College.
- Diploma of Applied Science, Horticulture (Arboriculture) – University of Melbourne, Burnley College. Dux of Arboriculture.
- More than 25 years of experience in the arboriculture/horticulture industry (private and local government experience).
- Consultant Arborist and Director at Tree Logic Pty Ltd from June 1999 to September 2011.
- Manager of Arboriculture – Royal Botanic Gardens, Melbourne (27 Months 1997-1999).
- Secretary for the Victorian Tree Industry Organisation (VTIO) 2007-2012.
- Financial member of the International Society of Arboriculture (ISA).
- Presented paper at the International Society of Arboriculture Conference, 2011 at Parramatta, NSW.

Expertise to prepare report

- My qualifications and experience have primarily involved the management of tree issues in the urban landscape. Specifically, this has involved hazard, general or detailed assessment of tree condition on private and public land with recommendations made on preservation strategies or remedial works.
- Tree assessments to establish tree health, tree structure and arboricultural values are core components of Treemap Arboriculture's business activities.
- Prepared in excess of 4000 development reports.
- I have experience at Victorian Civil Administrative Tribunal and the magistrate's court as an expert witness on arboricultural matters.
- I have inspected and assessed well over one hundred thousand trees and managed assessment programs for at least ten times as many.

Appendix 1

Tree Assessment Table

No	Species	Common Name	DBH (cm)	TPZ AS4970 (m)	SRZ AS4970 (m)	HxW (m)	Age	Health	Structure	Form	Comment	Tree Type	Retention value	Recommend
1	<i>Melaleuca quinquenervia</i>	Broad-leaved Paperbark	52	6.24	2.62	11x7	Semi-mature	Fair	Fair to Poor	Minor asymmetry		Australian native	Moderate	Street tree
2	<i>Callistemon salignus</i>	Willow Bottlebrush	38,33 (50.3)	6.04	2.58	5.5x6	Maturing	Fair	Poor	Minor asymmetry		Australian native	Low	Remove
3	<i>Platycladus orientalis</i>	Bookleaf Cypress	20	2.40	1.75	3x3	Maturing	Fair	Poor	Minor asymmetry		Exotic conifer	Low	Remove
4	<i>Prunus cerasifera</i>	Cherry-plum	13	2.00	1.50	4.5x3	Semi-mature	Fair	Poor	Minor asymmetry	Woody weed	Exotic deciduous	None	Remove
5	<i>Prunus</i> sp.	Cherry, Peach, Plum	20	2.40	1.75	4.5x3	Semi-mature	Fair	Poor	Minor asymmetry		Exotic deciduous	Low	Remove
6	<i>Photinia serratifolia</i>	Chinese Hawthorn	20	2.40	1.75	4x4	Semi-mature	Fair	Poor	Minor asymmetry		Exotic evergreen	Low	Remove
7	<i>Ligustrum ovalifolium</i>	Japanese Privet	20	2.40	1.75	3x4	Maturing	Fair	Poor	Minor asymmetry	Woody weed	Exotic evergreen	None	Remove
8	<i>Callistemon</i> 'Candy Pink'	Candy Pink Bottlebrush	15	2.00	1.55	4x3	Semi-mature	Fair	Poor	Minor asymmetry		Australian native	Low	Neighbour's tree
9	<i>Pittosporum undulatum</i>	Sweet Pittosporum	11,10,10,8,8 (21.2)	2.54	1.80	5.5x6	Semi-mature	Fair	Poor	Asymmetric	Woody weed	Victorian native	None	Neighbour's tree

*Descriptors in Appendix 2

DBH = Diameter at Breast Height in centimetres (bracketed dimension = modified diameter according to AS4970)

HxW= Height and Width of crown, in metres.

TPZ – optimum radial clearance distance as per AS4970.

SRZ – radial clearance distance to maintain tree stability, as per AS4970.

Woody weeds determined from White, M., Cheal, D., Carr, G. W., Adair, R., Blood, K. and Meagher, D. (2018). Advisory list of environmental weeds in Victoria. Arthur Rylah Institute for Environmental Research Technical Report Series No. 287. Department of Environment, Land, Water and Planning, Heidelberg, Victoria

Appendix 2

Descriptors

Field name	Description
No.	Tree identification number. Unique numbers are assigned to each assessed individual tree or tree group.
Species	Identifies the tree using the international taxonomic classification system of binomial (or trinomial) nomenclature (genus, species, variety and cultivar).
Common Name	Provides the common name as occurs in current Australian horticultural literature. More than one common name can exist for a single tree species, or several species can share the same common name.
DBH (Diameter at breast height)	Indicates the trunk diameter (expressed in centimetres) of an individual tree usually measured at 1.4m above the existing ground level. Multiple stemmed trees are calculated using a formula to combine the stems into a single stem for tree protection zone calculations.
TPZ (Tree protection zone)	Tree protection zone expressed as a radial distance in metres, measured from trunk centre. Based on AS 4970
SRZ (Structural Root Zone)	Radial distance in metres measured from trunk centre to maintain tree stability - AS4970
HxW (Height x Width)	Indicates height and width of single tree and measurement generally expressed in whole metres

Age	Description
<i>Young</i>	Sapling tree and/or recently planted
<i>Semi-mature</i>	Tree rapidly increasing in size and yet to achieve expected size in situation
<i>Maturing</i>	Specimen approaching expected size in situation, with reduced incremental growth
<i>Over-mature</i>	Tree is senescent and in decline

Health	Term assigned that provides a broad description of the health and vigour of the tree.					
<u>Ratings</u>	<i>Good</i>	<i>Fair</i>	<i>Fair to Poor</i>	<i>Poor</i>	<i>Very poor</i>	<i>Dead</i>

Structure	Term assigned that provides a broad description of the structure and stability of the tree.					
<u>Ratings</u>	<i>Good</i>	<i>Fair</i>	<i>Fair to Poor</i>	<i>Poor</i>	<i>Very poor</i>	<i>Failed</i>

Form	Description
<i>Symmetric</i>	Evenly balanced crown
<i>Asymmetric</i>	Crown biased in one direction; can be minor or major
<i>Stump re-sprout</i>	Adventitious shoots originating from stump or trunk
<i>Manipulated</i>	Hedge, pollard, topiary, windrow; managed for specific landscape use or aesthetic outcome

Comment	Additional comments that provide specific detail on the condition of the tree or management requirements
----------------	--

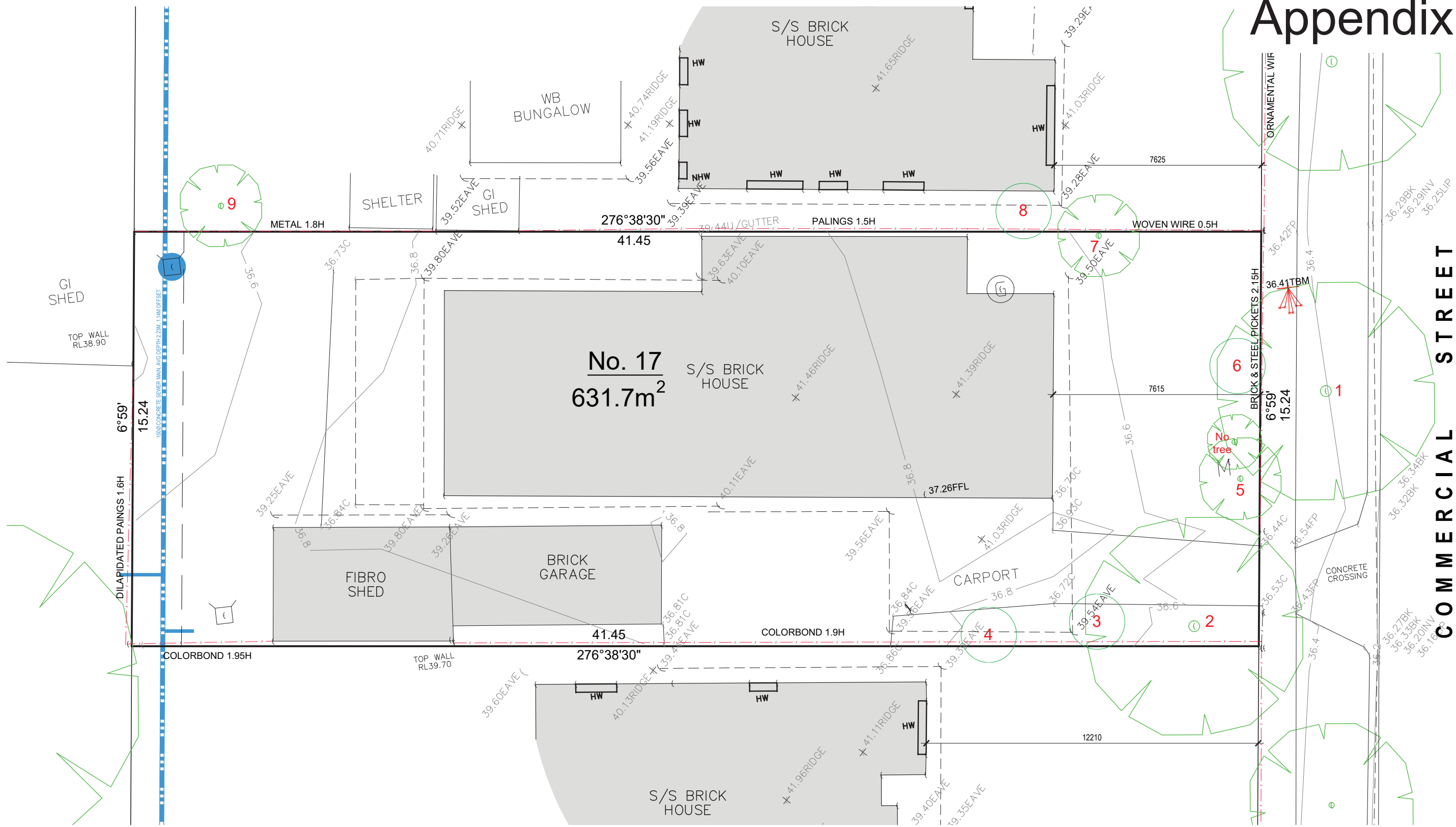
Tree type	Description
<i>Indigenous</i>	Occurs naturally in the area or region of the subject site
<i>Victorian native</i>	Occurs naturally within some part of Victoria (not exclusively) but is not indigenous
<i>Australian native</i>	Occurs naturally within Australia but is not a Victorian native or indigenous
<i>Exotic deciduous</i>	Occurs outside of Australia and typically sheds its leaves during winter
<i>Exotic evergreen</i>	Occurs outside of Australia and typically holds its leaves all year round
<i>Exotic conifer</i>	Occurs outside of Australia and is classified as a gymnosperm
<i>Native conifer</i>	Occurs naturally within Australia and is classified as a gymnosperm
<i>Palm</i>	Woody monocotyledon
<i>Other</i>	Other descriptions as indicated

Retention value	Qualitative rating provided on tree based on assessment factors. Provided as a guide for management decisions.			
<u>Ratings</u>	<i>High</i>	<i>Moderate</i>	<i>Low</i>	<i>None</i>

Recommend	Recommended action based on condition of the tree with reference to proposed site changes							
<u>Responses</u>	<i>Retain</i>	<i>Could be retained</i>	<i>Consider removal</i>	<i>Remove</i>	<i>Street tree</i>	<i>Neighbour's Tree</i>	<i>Already removed</i>	<i>Transplant</i>

Descriptors reviewed annually and subject to change

Appendix 3



01 EXISTING SITE PLAN
1:100

THE DIVIDED LINE

BUILDING DESIGN AND DRAFTING
ABN 41 095 226 098

PO BOX 2082 TEMPLESTOWE
HEIGHTS 3107 | PH 0402 050 726 | E
TINAW1057@HOTMAIL.COM

amendments			
amendment no.	date	description	checked

general notes

Contractors are to verify all dimensions on site before commencing any work. Any discrepancies to be referred to Superintendent for rectification. Do not scale.

LEGEND

AC	AIR CONDITIONER	FB	FUSE BOX	MB	METER BOX
CHU	CENTRAL HEATING	FG	FIXED GLAZED	OG	OBSCURE GLASS
CONC	CONCRETE	GM	GAS METER	SV	SEWER VENT
DP	DOWNSPIPE	GT	GULLY TRAP	TFB	TIMBER FLOORING
DW	DISHWASHER	LV	LOUVRE	WM	WASHING MACHINE

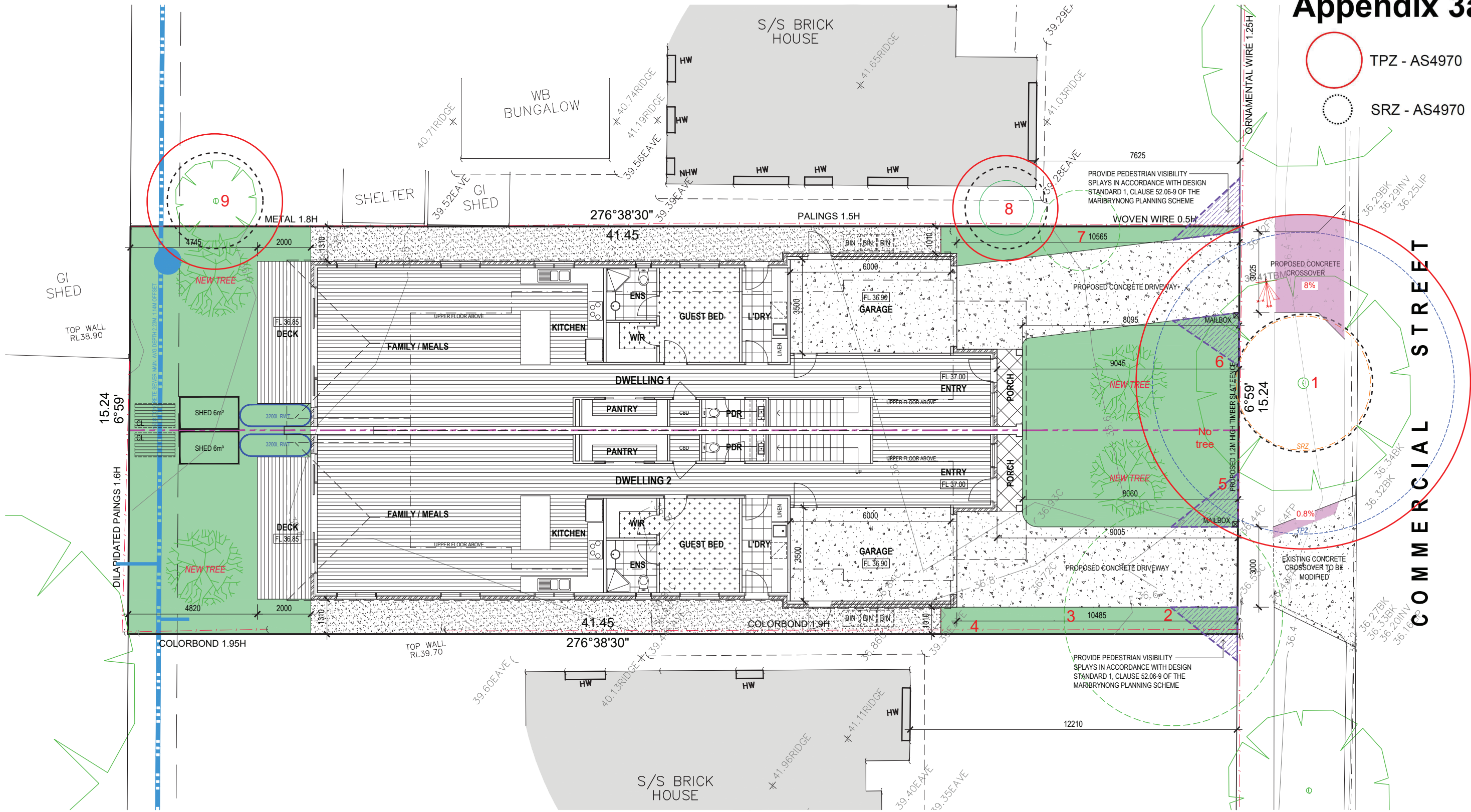
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project	PROPOSED TWO NEW DWELLINGS 17 COMMERCIAL STREET, MAIDSTONE
for	JENNY HUYNH

building practitioner no.

signature

designed	TW	job no.	24-020
drawn	TW		
checked	TW	scale	AS SHOWN @ A2
date	NOV 2024	north	
drawing no.	A102		

Appendix 3a



01 PROPOSED SITE AND GROUND FLOOR PLAN
1:100

THE DIVIDED LINE
BUILDING DESIGN AND DRAFTING
ABN 41 095 226 098

PO BOX 2082 TEMPLESTOWE
HEIGHTS 3107 | PH 0402 050 726 | E
TINAW1057@HOTMAIL.COM

amendments			
amendment no.	date	description	checked

general notes			
Contractors are to verify all dimensions on site before commencing any work. Any discrepancies to be referred to Superintendent for rectification. Do not scale.			
LEGEND			
AC	AIR CONDITIONER	FB	FUSE BOX
CHU	CENTRAL HEATING	FG	FIXED GLAZED
CONC	CONCRETE	GM	GAS METER
DP	DOWNPIPE	GT	GULLY TRAP
DW	DISHWASTER	LV	LOUVRE
MB	METER BOX	OG	OBSCURE GLASS
SV	SEWER VENT	TFB	TIMBER FLOORING
WM	WASHING MACHINE		

drawing title	TOWN PLANNING
project	PROPOSED TWO NEW DWELLINGS 17 COMMERCIAL STREET, MAIDSTONE
for	JENNY HUYNH

building practitioner no.	
signature _____	
designed	TW
drawn	TW
checked	TW
date	NOV 2024
drawing no.	A103
job no.	24-020
scale	AS SHOWN @ A2
north	

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12. To the writer's knowledge all facts, matter and all assumptions upon which the report proceeds have been stated within the body of the report and all opinion contained within the report have been fully researched and referenced and any such opinion not duly researched is based upon the writers experience and observations.

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

Page 1 of 1

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CITY OF MARIBYRNONG
RECEIVED
18/11/2024
URBAN PLANNING

LAND DESCRIPTION

Lot 10 on Plan of Subdivision 059096.
PARENT TITLE Volume 08683 Folio 893
Created by instrument A593234 12/02/1968

**CITY OF MARIBYRNONG
ADVERTISED PLAN**

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

JENNY HUYNH of 17 COMMERCIAL STREET MAIDSTONE VIC 3012
AH519360T 25/09/2010

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AX096160Q 28/07/2023
WESTPAC BANKING CORPORATION

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 LP059096 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: 17 COMMERCIAL STREET MAIDSTONE VIC 3012

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 28/07/2023

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**CITY OF MARIBYRNONG
ADVERTISED PLAN**

HOUSING COMMISSION VICTORIA
MAIDSTONE ESTATE
PLAN OF SUBDIVISION OF PART OF
CROWN PORTION 16
PARISH OF CUT PAW PAW

COUNTY OF BOURKE
Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES
VOL 8683 FOL 893

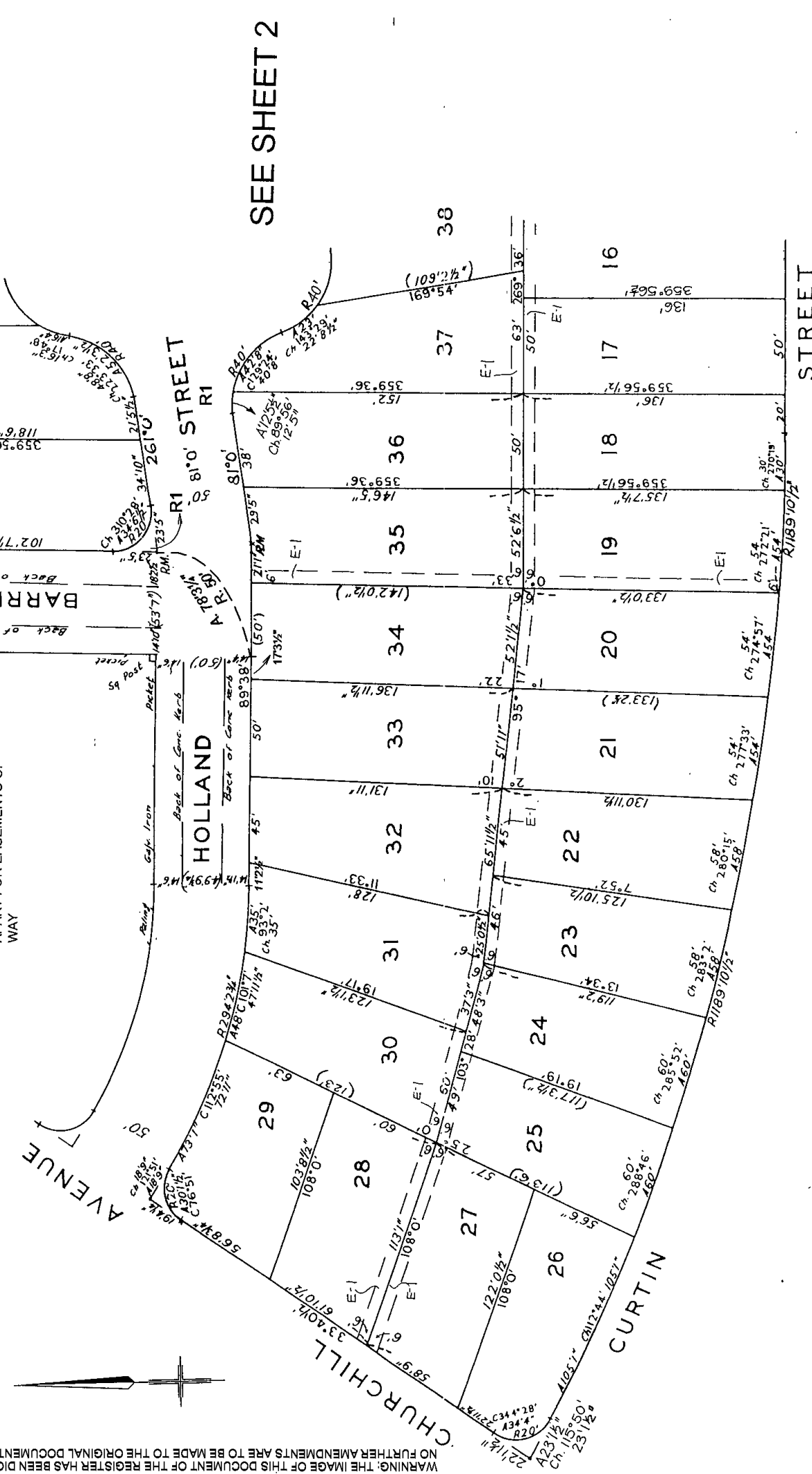
LP59096
EDITION 1
APPROVED 29/9/67
2 SHEETS
SHEET 1

COLOUR CODE
E-1=BLUE
R1=BROWN

APPROPRIATIONS
THE LAND COLOURED BLUE IS
APPROPRIATED OR SET APART
FOR EASEMENTS OF DRAINAGE,
SEWERAGE AND GAS

THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
WAY

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