



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

Clear Form

Office Use Only

Application No.:

Date Lodged: / /

## Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

**Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.**

**Questions marked with an asterisk (\*) must be completed.**

**If the space provided on the form is insufficient, attach a separate sheet**

**Click for further information.**

### The Land

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

**Street Address \***

Unit No.:	St. No.: 44	St. Name: CURTIN STREET
Suburb/Locality: MAIDSTONE UC		Postcode: 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	Lot No.: 25	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input checked="" type="radio"/> Plan of Subdivision	No.: 059096
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

### The Proposal

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

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

DEMOLITION OF AN EXISTING DWELLING AND THE CONSTRUCTION OF (TWO) TWO STOREY DWELLINGS.
<b>CITY OF MARIBYRNONG ADVERTISED PLAN</b>
<b>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.</b>

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

Cost \$ 990,000.00 **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](http://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.

EXISTING SINGLE STOREY RESIDENTIAL DWELLING TO BE DEMOLISHED AS PART OF THIS APPLICATION

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

## Title Information

Encumbrances on title \*

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

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

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

## Applicant and Owner Details

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

**Applicant \***

The person who wants the permit.

Please provide at least one contact phone number \*

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

**Owner \***

The person or organisation who owns the land

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

Name:		
Title: MR	First Name: DANIEL	Surname: GRIMA
Organisation (if applicable): DRAFTMORE DESIGNS PTY LTD		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 28	St. Name: THOMAS STREET
Suburb/Locality: AIRPORT WEST	State: VIC	Postcode: 3042

Contact information for applicant OR contact person below

Business phone: 9330 3434	Email: rachelg@drafmode.com.au
Mobile phone:	Fax:

Contact person's details\*

Same as applicant ☒


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

Name:			Same as applicant <input type="checkbox"/>
Title: MS	First Name: VALERIE JOAN	Surname: KILGERRY	
Organisation (if applicable):			
Postal Address:		If it is a P.O. Box, enter the details here:	
Unit No.:	St. No.: 44	St. Name: CURTIN STREET	
Suburb/Locality: MAINSTONE	State: VIC	Postcode: 3012	
Owner's Signature (Optional):		Date:	
		day / month / year	



## Declaration

This form must be signed by the applicant \*

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

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

Signature: 

Date: 18/12/24  
day / month / year

## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://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 & Hyde Streets  
Footscray VIC 3011

### Contact information:

Phone: (03) 9688 0200

Email: [email@maribyrnong.vic.gov.au](mailto:email@maribyrnong.vic.gov.au)

DX: 81112

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

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

Page 1 of 1

VOLUME 08707 FOLIO 153

Security no : 124120549504J

Produced 10/12/2024 03:44 PM

### LAND DESCRIPTION

Lot 25 on Plan of Subdivision 059096.  
PARENT TITLE Volume 08683 Folio 893  
Created by instrument A593234 12/02/1968

### REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

VALERIE JOAN KILDERRY of 44 CURTIN STREET MAIDSTONE VIC 3012  
AE187038V 16/02/2006

### ENCUMBRANCES, CAVEATS AND NOTICES

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

### DIAGRAM LOCATION

SEE 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: 44 CURTIN STREET MAIDSTONE VIC 3012

DOCUMENT END

**CITY OF MARIBYRNONG  
ADVERTISED PLAN**



# Imaged Document Cover Sheet

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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

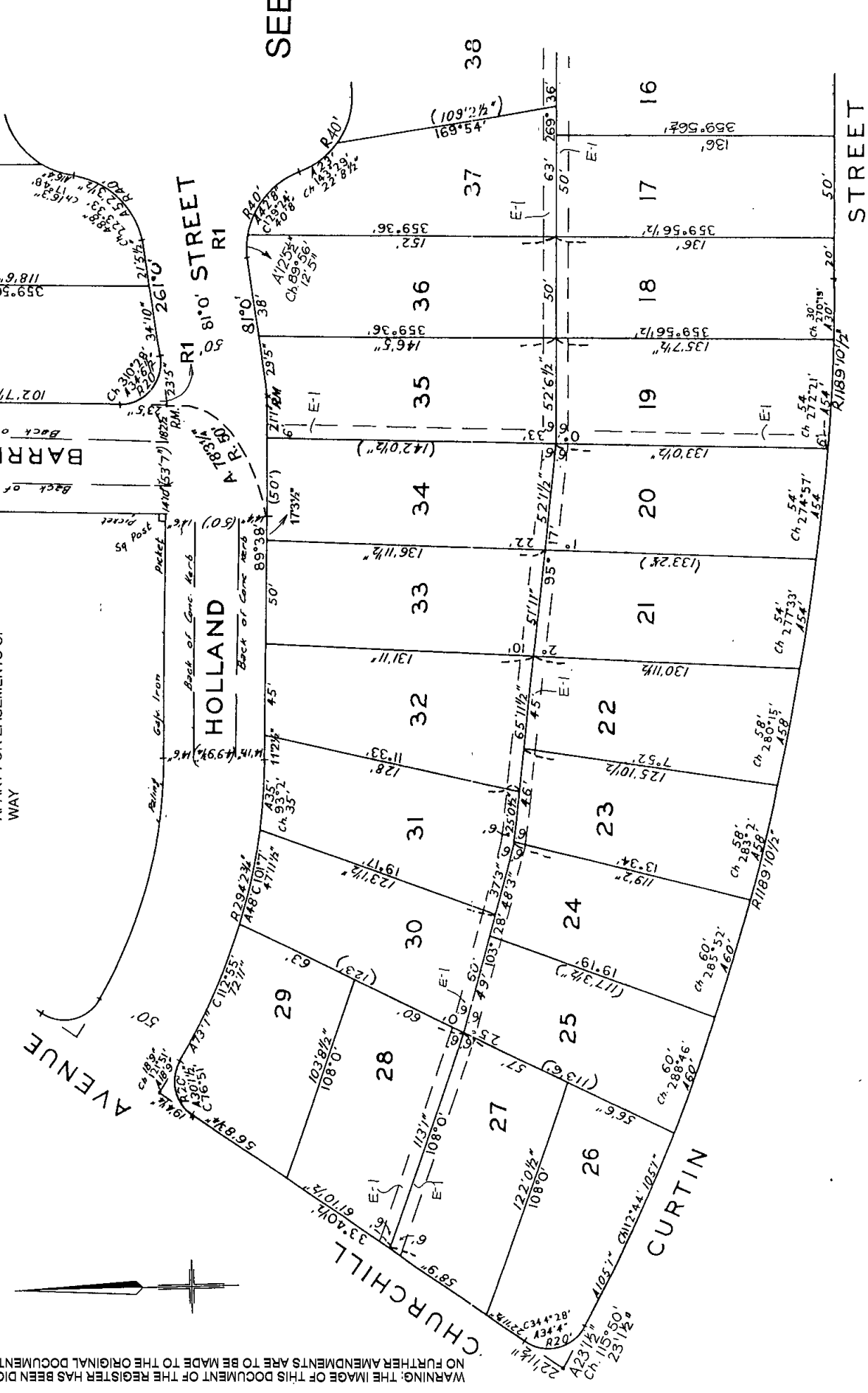
LP59096  
EDITION 1  
APPROVED 29/9/67  
2 SHEETS  
SHEET 1

**COLOUR CODE**  
E-1=BLUE  
R1=BROWN

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

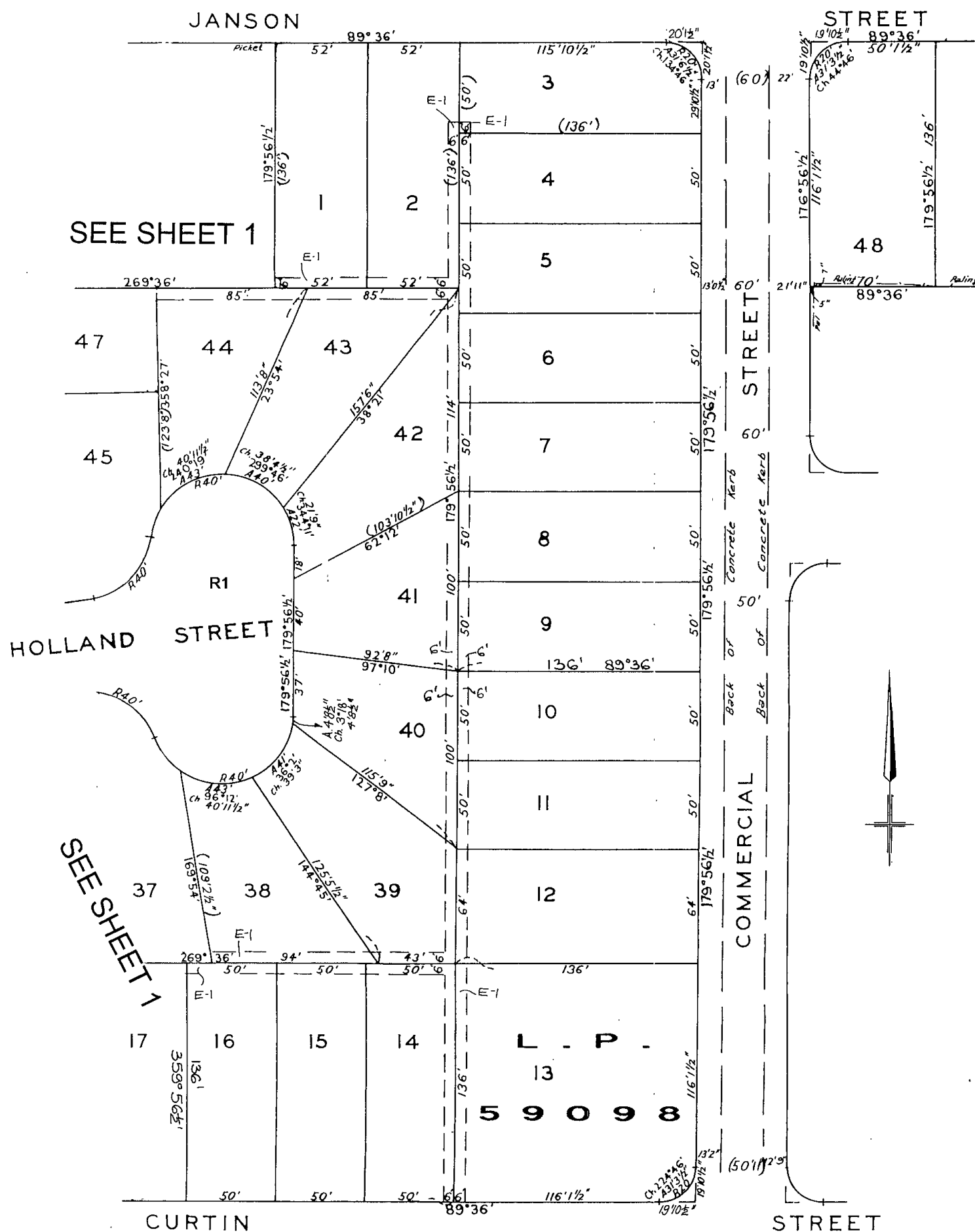
THE LAND COLOURED BROWN  
IS APPROPRIATED OR SET  
APART FOR EASEMENTS OF  
WAY

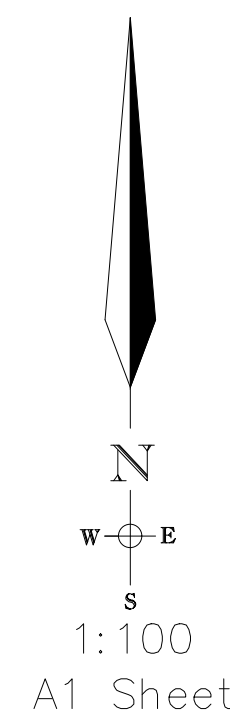
WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.



SEE SHEET 2









# 44 CURTIN STREET MAIDSTONE

## CITY OF MARIBYRNONG ADVERTISED PLAN



CITY OF MARIBYRNONG  
**RECEIVED**  
04/03/2025  
URBAN PLANNING



REF NO: DO21O-24CURTIN(REV-A-)  
10<sup>th</sup> NOVEMBER 2014

# Contents

Introduction .....	3
<b>Subject Site</b> .....	4
Overview .....	5
Site Size & Orientation .....	5
Assets & Easements .....	5
Site Slope .....	5
Vegetation .....	5
<b>Certificate of Title</b> .....	6
Zones & Overlays .....	7
Zoning .....	7
Overlays .....	7
Aboriginal Cultural Heritage Sensitivity .....	7
Bushfire Management Response .....	7
<b>Neighbourhood &amp; Site Information</b> .....	8
<b>Area Profile</b> .....	8
<b>Proposal</b> .....	9
<b>Overview</b> .....	9
<b>Site Information</b> .....	9
Dwelling Analysis .....	10
Materials & Finishes .....	11
Neighbourhood Influence & Characteristics .....	11
Planning Policy Framework .....	13
State Planning Policy Framework .....	13
Clause 11 - Settlement .....	13
Zoning .....	15
Overlays .....	17
Conclusion .....	18
<b>Clause 52.06 – Assessment</b> .....	19
<b>Clause 55 – Assessment</b> .....	20



## Introduction

Draftmode Designs has been engaged on the behalf of the Developer/Applicant to prepare a Town Planning Application that seeks to obtain a Planning Permit for the development of the land at

44 Curtin Street, MAIDSTONE Vic 3012.

We seek approval from Maribyrnong City Council for the purposes of a Two (2) double-storey townhouse development on site.

### This Town Planning Application is accompanied by the following:

- Town Planning Report
- Town Planning Drawings prepared by Draftmode Designs Pty Ltd
- Title
- Plan of Subdivision
- Covenant (If Applicable)
- Sustainable Design Assessment prepared by Draftmode Designs Pty Ltd
- Colour Scheme prepared by Draftmode Designs Pty Ltd
- Title Re-Establishment and Feature Survey and Levels to A.H.D prepared by DJF Land Surveying

## Subject Site

### Overview

The subject site is located at **44 Curtin Street, MAIDSTONE Vic 3012** is located within an established residential setting under Maribyrnong City Council located in Melbourne's west. The site is located within a General Residential Zone. The proposal is for two (2) double-storey townhouses at this property and will demonstrate sufficient merit for Planning Approval from Maribyrnong City Council.

In its Current state, the site currently has a single storey dwelling which is proposed to be demolished as part of this application.

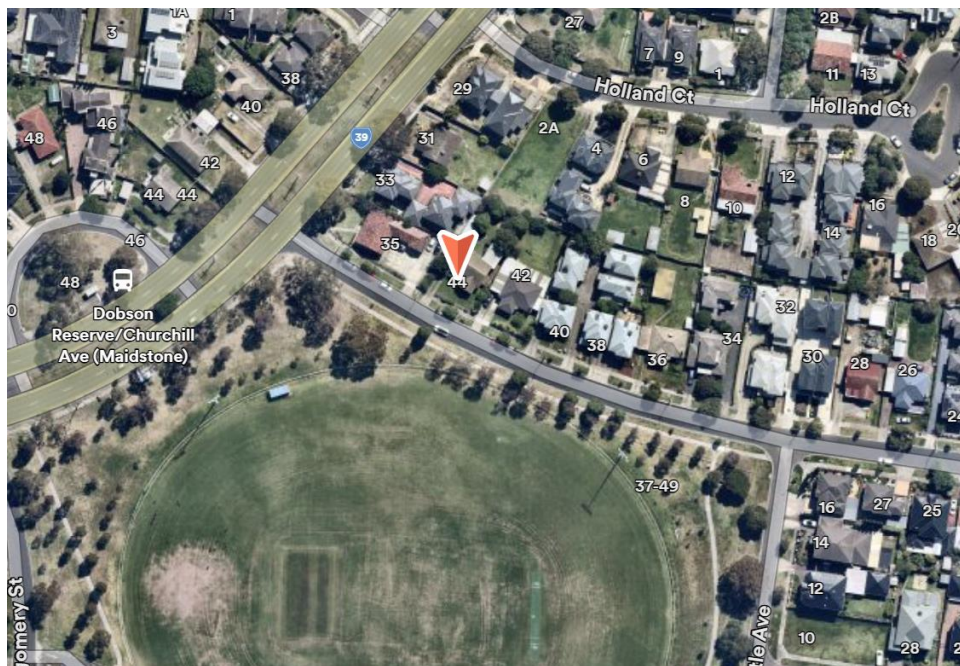


Figure 1 – Aerial Image of Subject Site (source: NearMap)



Figure 2 – View of subject site from Curtin Street.



## Overview

### Site Size & Orientation

The subject site is approx. 582.00m<sup>2</sup> in size with an overall length of 34.59 metres and overall width of 18.29 metres to the front & 14.94 to the rear.

The site is oriented South to North with access to Curtin Street.

### Assets & Easements

The land has access to all infrastructure services – including sewer, electricity, gas and telephone. There is an existing vehicle crossover along Curtin Street alongside typical kerb and channels.

There is an easement located to the rear of the site running East to West.

### Site Slope

The site is mostly flat with little fall running South to North. Given the site's orientation, the best opportunity for direct sunlight is along the North, East and West side boundaries, and shadows will be general by cast to the properties from the east to the west. With the land's current shape, its size and good depth will assist in its redevelopment potential.

### Vegetation

The site is some vegetation. This will be cleared as part of this application.

## Certificate of Title

The subject site is formally described as Lot 25, LP59096 and is generally recognised as

**44 Curtin Street, MAIDSTONE Vic 3012**

There is NO covenant on title.

The proposal does not 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.

## Zones & Overlays

### Zoning

The subject site is located within the following zones:

- General Residential Zone (R1Z)
- General Residential Zone-Schedule (GRZ1)

### Overlays

The subject site is located within the following overlays:

- Development Contributions Plan Overlay (DCPO)
- Development Contributions Plan Overlay - Schedule 2 (DCPO2)

### Aboriginal Cultural Heritage Sensitivity

The subject site is not withing an Aboriginal Overlay

### Bushfire Management Response

The subject site is not within a Designated Bushfire Zone



## Neighbourhood & Site Information

### Area Profile

Maidstone is an established residential neighbourhood that has seen ongoing development in recent years. Located approximately 10km from the Melbourne CBD, there is a pattern of established developments within the immediate vicinity.

With shopping centres, parklands, and public transport facilities within proximity to the subject site, we consider the area suitable for the accommodation of two (2) double-storey townhouses on this site.

With several single and double storey residences existing alongside medium density developments in the area, Maidstone is characterised by its varying front and side fences, leafy frontages and reasonably shaped residences.

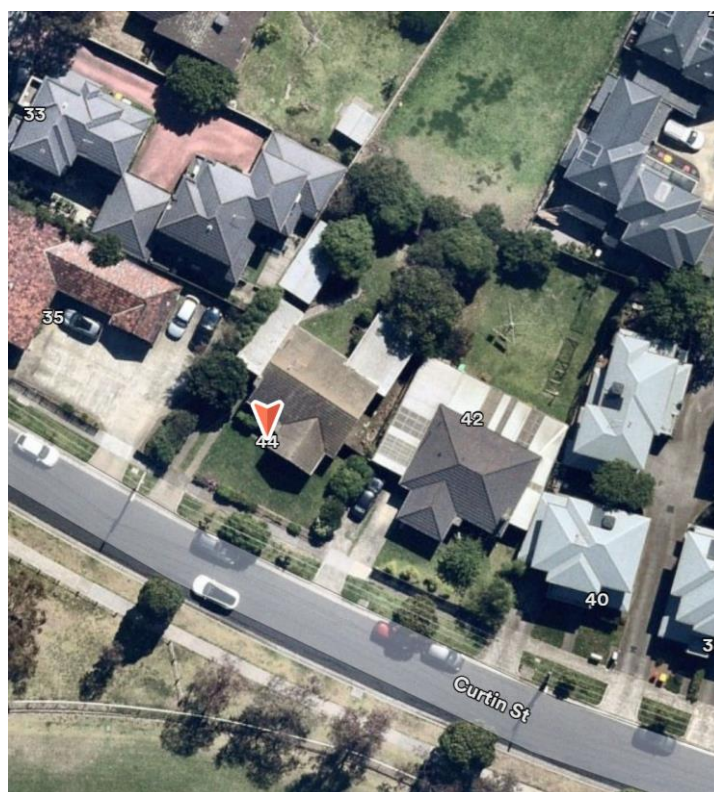


Figure 3 – Surrounding area within proximity of subject site (Source: NearMap)

## Proposal

### Overview

The proposal is to construct of Two (2) double-storey townhouses onto the currently site at **44 Curtin Street, MAIDSTONE Vic 3012** that takes into full consideration the above neighbourhood and site description. To maintain the modest surroundings and character of Maidstone, the proposed dwellings will be constructed of combination of external wall materials and colorbond roofing. The design has considered all the site's constraints and opportunities, and the proposed development sits comfortably on the site.

Through the specific selection of materials and refined design palette, we believe that the proposed development reflects Maidstone existing streetscape, as well as promoting residential and housing growth in the community.

Access to Dwellings is via proposed vehicle crossovers along Curtin Street.  
Vehicle Storage:-

- Dwelling One = Single vehicle garage and tandem car space (total 2 vehicles)
- Dwelling Two = Single vehicle garage and tandem car space (total 2 vehicles)

This supports the position of the dwellings on site, allowing for adequate access for vehicles and pedestrians to all dwellings.

The new dwellings are clearly identified from street level and the development does not interfere with existing properties. Overlooking has been addressed using boundary fencing and obscure glazing where required.

### Site Information

- Total Site Area = 581.69 m<sup>2</sup>
- Total Built Up Area = 333.18m<sup>2</sup>
- Total Site Coverage = 57.28%
- Total Site Permeability = 197.78m<sup>2</sup>
- Total Site Permeability = 33.98%
- Total Garden Area Requirement = 174.507m<sup>2</sup>(30%)
- Total Proposed Garden Area = 194.37m<sup>2</sup>(33.76%)

## Dwelling Analysis

### Dwelling 1

- Total Area = 268.16m<sup>2</sup>
- Total Secluded Private Open Space = 71.23m<sup>2</sup>
- Total Open Space = 106.17m<sup>2</sup> (Including Front Yard)
- Dwelling is positioned to face Curtin Street
- Access is via a single-vehicle crossover from Curtin Street
- Dwelling is serviced by a single-vehicle garage and tandem car space
- Internal amenities include:
  - 4 bedrooms
  - Study
  - 3 bathrooms/WC
  - Powder Room
  - Kitchen/living/dining at ground-floor level
  - Retreat
  - Spacious rear yard

### Dwelling 2

- Total Area = 290.90m<sup>2</sup>
- Total Secluded Private Open Space = 71.29m<sup>2</sup>
- Total Open Space = 101.00m<sup>2</sup> (Including Front Yard)
- Dwelling is positioned to face Curtin Street
- Access is via proposed vehicle crossover from Curtin Street
- Dwelling is serviced by a single-vehicle garage and tandem car space
- Internal amenities include:
  - 4 bedrooms
  - Study
  - 3 bathrooms/WC
  - Powder Room
  - Kitchen/living/dining at ground-floor level
  - Retreat
  - Spacious rear yard



## Materials & Finishes

We have proposed the use of the following materials:

- Colorbond roofing
- Face brickwork
- Feature render
- Axon Board Cladding

The combination of materials proposed is common within the immediate streetscape and respective of the overall neighbourhood charm and appeal along Curtin Street.

## Neighbourhood Influence & Characteristics

Within the immediate streetscape there are examples of developments/residences that use similar materials to that proposed at this site.

Common architectural elements prevalent within the immediate streetscape include:

- Low/no front-fencing
- Tiled/steel roofs
- Face brickwork
- Cladding
- Spacious front-yards
- Low-density developments
- Consistent front setbacks (Approx 7.6m)
- Landscaping within front setbacks

It is considered that the subject land is situated in an area suitable for a medium density development. The proposed development is considered appropriate having regard to the positive attributes of the site and the size and design of the proposed dwellings.

The design of the proposal will result in a positive contribution to the neighbourhood character of the area and will not set any new precedent in the area. It also achieves a high level of compliance with all the standards and clauses of ResCode.

We believe that the design successfully meets the site's constraints, while maximising the site's opportunities.



**Proposed view from Curtin Street.**



**Proposed view from Curtin Street.**

# Planning Policy Framework

## State Planning Policy Framework

### Clause 11 - Settlement

#### 11.02-1S – Supply of Urban Land

**Objective:** to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses

**Design Response:**

- with the proposed subdivision of the subject site, we are increasing the opportunity for the redevelopment of existing urban areas
- the proposed development of the site incorporates existing neighbourhood character elements
- the proposed development looks to address rising housing needs within the municipality

#### 11.02-2S – Structure Planning

**Objective:** to facilitate the fair, orderly, economic and sustainable use and development of urban areas

**Design Response:**

- The development of the site protects areas of natural and cultural significance
- the proposed dwellings have been designed in accordance with current NCC Requirements, facilitating the efficient provision of sustainable developments

## Clause 15 – Built Environment and Heritage

### 15.01-1S – Urban Design

**Objective:** to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity

**Design Response:**

- the development consists of architectural styles, elements and overall design intent that responds to the character and identify of the surrounding area
- the proposed density on site responds well to the public realm with prime positioning to local amenities and public transport
- the siting and design of the proposed dwellings is of a high standard that contributes to the amenity, attractiveness and safety of the public realm



## 15.01-2S – Building Design

**Objective:** to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development

### Design Response:

- the proposed development on site considers numerous design elements and requirements such as restrained height, scale and best-practice energy performance
- the siting of the new dwellings minimises the detrimental impact on adjoining residences with generous setbacks and methods to restrict overlooking
- window placement and overall passive design minimises the need for heating, cooling and lighting
- the development encourages the recycling and reuse of materials during construction
- the development is designed to enhance the function and amenity of the public realm

## 15.01-5S – Neighbourhood Character

**Objective:** to recognise, support and protect neighbourhood character, cultural identity, and sense of place

### Design Response:

- the development follows the pattern of local subdivision and demonstrates sufficient room for future planting of significant vegetation on site

## Clause 16 - Housing

### 16.01-1S – Housing Supply

**Objective:** to facilitate well-located, integrated and diverse housing that meets community needs

### Design Response:

- With the intention of this development to set precedence for multi-unit residential developments in the area, the interest and investment in this site will in turn influence the attention brought to Maidstone itself. With the ever-increasing population meaning that more buyers and investors are looking further out of the CBD, this proposal will assist in establishing Maidstone as a new central hub where people want to invest, work and live
- The adequate utilisation of the land near public transport will facilitate a response that will encourage developers to see the benefits of unit development and residential growth. This will therefore set a precedent as to what opportunities are available in the neighbourhood whilst maintaining the suburban charm of Maidstone and how the development of smaller dwelling can be adaptable to a range of households including the aging population of Maidstone.
- We believe that this number of dwellings is adequate for the area and complements the zone and encouragement of higher density residential developments that are close to schools, public transport and shopping centres and suitable for a range of income levels.

## 16.01-2S – Housing Affordability

**Objective:** to deliver more affordable housing closer to jobs, transport and services

**Design Response:**

- The proposal is to develop of Two (2) double-storey townhouses suitable for housing types that range between high-income earners to young professionals, the elderly and small families
- Due to the size and scale of site, the proposal encourages affordable living in an area close to schools, public transport and shopping centres and suitable for households with varying income levels.

## Zoning

### General Residential Zone (GRZ)

The purpose of the General Residential Zone (GRZ) is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

## Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



## General Residential Zone - (GRZ)

We have outlined below the Requirements of Clause 55 and how the development responds to the requirements of the Standard.

DESCRIPTION	STANDARD	REQUIREMENT	DESIGN RESPONSE
Minimum Street Setback	B6	None specified	Refer to ResCode Assessment
Site Coverage	B8	None Specified	Refer to ResCode Assessment
Permeability	B9	None Specified	Refer to ResCode Assessment
Landscaping	B13	None Specified	We kindly ask that Council allow for the provision of a Landscape Plan to be conditioned as part of a Planning Permit
Side & Rear Setbacks	B17	None specified	Refer to ResCode Assessment
Walls on Boundaries	B18	None specified	Refer to ResCode Assessment
Private Open Space	B28	None Specified	Refer to ResCode Assessment
Front Fence Height	B32	None specified	Refer to ResCode Assessment

## Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This proposed site area is 613.54msq there for requires 30% garden area. The proposal provides for 32.31% garden area which is consistent with this requirement.

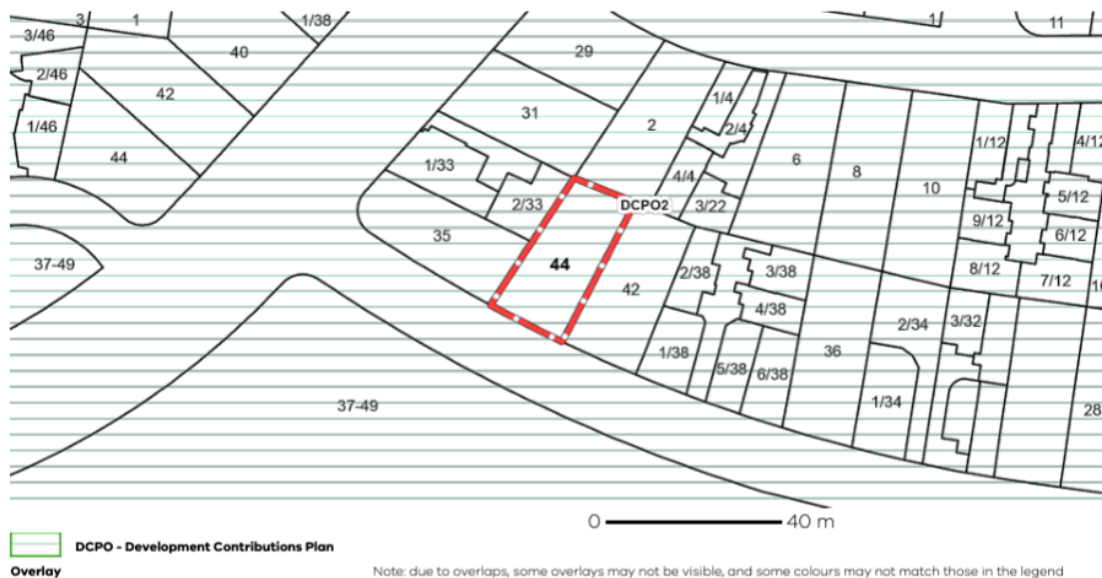
## Overlays

- Development Contributions Plan Overlay (DCPO)
- Development Contributions Plan Overlay - Schedule 2 (DCPO2)

### Planning Overlays

[DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY \(DCPO\)](#)

[DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 \(DCPO2\)](#)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend



## Conclusion

This proposal supports the Planning Application for Two (2) double-storey townhouses at 44 Curtin Street, MAIDSTONE Vic 3012, which achieves a balance between enhancing living standards and maintaining the original character of Maidstone. The proposed development by Draftmode Desings Pty Ltd reflects a high standard of architectural consideration and design, and has considered adjoining properties, the nature of the proposed site, design intent and compliance with ResCode and relevant State and Local Planning Policies.

## Clause 52.06 – Assessment

The purpose of Clause 52.06 – Car Parking is as follows:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

As per the proposal on site, please note:

- ✓ Pedestrian visibility splays are designed in accordance with Clause 52.06-9
- ✓ Vehicle crossovers proposed are designed within Council's current standards
- ✓ Vehicle garages are attached to their associated dwelling, permitting safe and efficient pedestrian movement within the site
- ✓ Both dwellings are supported by a single-vehicle garage and tandem car space, negating the need for on-street parking
- ✓ Car parking capacity is in accordance with the required ratio of Clause 52.06

Dwelling No.	No. of Bedrooms	Car Parking Requirement	On-Site Parking Provision
Dwelling 1	Four (4)	Two (2)	✓ Complies Two (2), one single-vehicle garage and tandem car space
✓ Dwelling 2	Four (4)	Two (2)	✓ Complies Two (2), one single-vehicle garage and tandem car space

## Clause 55 – Assessment

CLAUSE	ResCode OBJECTIVE	DESIGN REQUIREMENTS	DESIGN RESPONSE
55.02-1	<p><b>Neighbourhood Character Objectives</b> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character</p> <p>To ensure that the design responds to the features of the site and the surrounding area</p>	<p><b>Standard B1</b> The design response must be appropriate to the neighbourhood and the site</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site</p>	<p>✓ <b>Complies</b></p> <p>The proposal is a suitable outcome for the site, considering the strengths and constraints of the property as well as existing buildings, structures and assets within the immediate vicinity</p> <p>There are sufficient opportunities for the dwellings to have safe and efficient street access whilst retaining a high level of internal amenity</p> <p>The site shows sufficient opportunity for the allowing of a subdivision into separate allotments without causing a detrimental effect to the Curtin Street streetscape and overall neighbourhood character</p> <p>Careful selection of external materials when combined with a refined architectural design and overall look has minimal impact along the streetscape, with design elements and features derived from the surrounding neighbourhood character and charm</p>

55.02-2	<b>Residential Policy Objectives</b> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies  To support medium densities in areas where development can take advantage of public transport and community infrastructure and services	<b>Standard B2</b> An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies	<b>✓ Complies</b>  The proposal is a suitable outcome for the site, and is consistent with the requirements and guidelines of the State and Local Planning Policy Frameworks and requirements under Council's Municipal Strategic Statement  Meeting specific objectives such as the provision of diverse housing stock and affordable living, the quality of the design and proposal on site supports the vision and values of the community vision, taking advantage of communal facilities and the overall future development of the area
52.02-3	<b>Dwelling Diversity Objective</b> To encourage a range of dwelling sizes and types in developments of ten or more dwellings	<b>Standard B3</b> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> <li>Dwellings with a different number of bedrooms.</li> <li>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<b>- Not Applicable</b>
55.02-4	<b>Infrastructure Objectives</b> To ensure development is provided with appropriate utility services and infrastructure  To ensure development does not unreasonably overlaid the capacity of utility services and infrastructure	<b>Standard B4</b> Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available  Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads  In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure	<b>✓ Complies</b>  The proposed development on site will cause no detrimental impact on existing services and facilities, with each dwelling to be connected to reticulated services



55.02-5	<b>Integration with the Street Objectives</b> To integrate the layout of development with the street	<b>Standard B5</b> Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility  Development should be oriented to front existing and proposed streets  High fencing in front of dwellings should be avoided if practicable  Development next to existing public open space should be laid out to complement the open space	<b>✓ Complies</b>  The new dwellings and its respective entrances (both vehicle and pedestrian) are oriented to face the street front, with direct integration with the streetscape through visible entrances and window fenestration and glazing for passive surveillance  The subject site does not abut existing public open spaces and/or reserves
55.03-1	<b>Street Setback Objective</b> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site	<b>Standard B6</b> Walls of buildings should be set back from streets the distance specified in Table B1  Porches, pergolas and verandas that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard	<b>✓ Complies</b>  Setback for this proposal is 6.0M which consistent with the existing street set back to dwellings along Curtin Street. Set backs along Curtin Street Vary.  This therefor meets the objective of this standard.
55.03-2	<b>Building Height Objectives</b> To ensure that the height of buildings respects the existing or preferred neighbourhood character	<b>Standard B7</b> The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land  If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres  Changes of building height between existing buildings and new buildings should be graduated	<b>✓ Complies</b>  Maximum building height does not exceed 9 meters

55.03-3	<b>Site Coverage Objective</b> To encourage development that respects the landscape character of the neighbourhood  To encourage the retention of significant trees on the site	<b>Standard B8</b> The site area covered by buildings should not exceed: <ul style="list-style-type: none"> <li>the maximum site coverage specified in a schedule to the zone, or,</li> </ul> if no maximum site coverage is specified in a schedule to the zone, 60%	✓ <b>Complies</b>  The site coverage total equals 58.63%
55.03-4	<b>Permeability Objectives</b> To reduce the impact of increased stormwater run-off on the drainage system  To facilitate on-site stormwater infiltration	<b>Standard B9</b> The site area covered by the previous surfaces should be at least: <ul style="list-style-type: none"> <li>the minimum area specified in a schedule to the zone, or,</li> </ul> if no minimum is specified in a schedule to the zone, 20% of the site	✓ <b>Complies</b>  The permeability total equals 33.44%
55.03-5	<b>Energy Efficiency Objectives</b> To achieve and protect energy efficient dwellings and residential buildings  To ensure the orientation and layout of the development reduces fossil fuel energy use and make appropriate use of daylight and solar energy	<b>Standard B10</b> Buildings should be: <ul style="list-style-type: none"> <li>oriented to make appropriate use of solar energy</li> <li>sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced</li> </ul> Living areas and private open space should be located on the north side of the development, if practicable  Developments should be designed so that solar access to north-facing windows is maximised	✓ <b>Complies</b>  Due dwellings facing South, private open spaces have a northern orientation. This standard is met by having wider than standard private open spaces and having greater rear setbacks to proposed dwellings. Living areas have access to East and West light.
55.03-6	<b>Open Space Objective</b> To integrate the layout of development with any public and communal open space provided in or adjacent to the development	<b>Standard B11</b> If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> <li>be substantially fronted by dwellings, where appropriate</li> <li>provide outlook for as many dwellings as practicable</li> <li>be designed to protect any natural features on the site</li> <li>be accessible and useable</li> </ul>	- <b>Not Applicable</b>  There is no public or communal open space proposed on site

55.03-7	<b>Safety Objective</b>  To ensure the layout of development provides for the safety and security of residents and property	<b>Standard B12</b>  Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways  Planting which creates unsafe spaces along streets and accessways should be avoided  Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways  Private spaces within developments should be protected from inappropriate use as public thoroughfares	<b>✓ Complies</b>  Each dwelling entrances and garages are oriented to face Curtin Street.  Sensor-lights adjacent to each front-door are designed to increase passive surveillance, with garages set back behind the main building line
55.03-8	<b>Landscaping Objectives</b> To encourage development that respects the landscape character of the neighbourhood  To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance  To provide appropriate landscaping  To encourage the retention of mature vegetation on the site	<b>Standard B13</b> The landscape layout and design should: <ul style="list-style-type: none"> <li>• protect any predominant landscape features of the neighbourhood</li> <li>• consider the soil type and drainage patterns of the site</li> <li>• allow for intended vegetation growth and structural protection of buildings</li> <li>• in locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals</li> <li>• provide a safe, attractive and functional environments for residents</li> </ul> Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood  Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made  The Landscape Design should specify landscape themes, vegetation (location and species), paving and lighting	<b>✓ Complies</b>  There is sufficient opportunity on site for the planting of significant vegetation which will be in line with the predominant features within the existing streetscape.  Landscape plans will be provided as part of this application at a later date or as part of a condition on the planning permit.

<p>55.03-9</p>	<p><b>Access Objectives</b> To ensure vehicle access to and from a development is safe, manageable and convenient</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character</p>	<p><b>Standard B14</b> Accessways should:</p> <ul style="list-style-type: none"> <li>• Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network.</li> <li>• Be designed to ensure vehicles can exit a development in a forwards direction if the access way serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone.</li> <li>• Be at least 3 metres wide.</li> <li>• Have an internal radius of at least 4 metres at changes of direction.</li> <li>• Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long if the access way serves ten or more spaces and connects to a road in a Road Zone.</li> </ul> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>✓ <b>Complies</b></p> <p>New vehicle crossovers are being proposed as part of this application along Curtin Street.</p> <p>The total width of crossover along Curtin Street at the property boundary equals 6.0m, equating to 32.8% of the frontage in compliance with Standard B14</p>
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55.03-10	<p><b>Parking Location Objectives</b> To provide convenient parking for resident and visitor vehicles</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood</p> <p>To protect residents from vehicular noise within developments</p>	<p><b>Standard B15</b></p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• be reasonably close and convenient to dwellings and residential buildings</li> <li>• be secure</li> <li>• be designed to allow safe and efficient movements within the development</li> <li>• be well ventilated if enclosed</li> </ul> <p>Large parking areas should be broken up with trees, buildings or different surface treatments</p> <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where windowsills are at least 1.4 metres above the accessway</p>	<p>✓ <b>Complies</b></p> <p>Garages are accessible internally from each dwelling with the garage spaces attached to the dwellings themselves</p> <p>With external pedestrian doors to each SPOS area, garages are well ventilated and in a secure and appropriate position relevant to their respective dwelling</p>
55.04-1	<p><b>Site &amp; Rear Setbacks Objective</b> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</p>	<p><b>Standard B17</b></p> <p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>• at least the distance specified in a schedule to the zone, or</li> <li>• if no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres</li> </ul> <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may not encroach more than 0.5 metres into the setbacks of this standard</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard</p>	<p>✓ <b>Complies</b></p> <p>The new dwellings are designed in accordance with the required side and rear setback objectives</p>

55.04-2	<p><b>Walls on Boundaries Objective</b></p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings</p>	<p><b>Standard B18</b></p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of the lot should not about the boundary:</p> <ul style="list-style-type: none"> <li>• for a length of more than the distance specified in a schedule to the zone; or</li> <li>• if no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> <li>◦ 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>◦ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports</li> </ul> </li> </ul> <p>Whichever is greater</p> <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary</p>	<p>✓ <b>Complies</b></p> <p>Dwelling Two garage is located on the western Boundary for the length of 6.46m. This meets the objective of this standard.</p>
55.04-3	<p><b>Daylight to Windows Objectives</b></p> <p>To allow adequate daylight into existing habitable room windows</p>	<p><b>Standard B19</b></p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window</p>	<p>✓ <b>Complies</b></p> <p>Existing habitable room windows achieve a minimum 3.0m<sup>2</sup> light court in accordance with Standard B19</p> <p>With the siting of each dwelling and setback from respective side and rear boundaries (and adjoining residences), adequate daylight to existing habitable room windows is achieved</p>

55.04-4	<b>North Facing Windows Objective</b> To allow for adequate solar access to existing north-facing habitable room windows	<b>Standard B20</b> If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east	<p>✓ <b>Complies</b></p> <p>There are <b>NO</b> north facing windows on the adjoining neighbouring properties.</p>
55.04-5	<b>Overshadowing Open Space Objective</b> To ensure buildings do not significantly overshadow existing secluded private open space	<b>Standard B21</b> Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.  If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	<p>✓ <b>Complies</b></p> <p>We do not consider the proposal to cast significant overshadow onto the adjoining residences and their private open space areas</p> <p>As per the shadow diagrams prepared, we demonstrate compliance with the requirements under the standard</p>
55.04-6	<b>Overlooking Objective</b> To limit views into existing secluded private open space and habitable room windows.	<b>Standard B22</b>  A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45-degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.  A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at	<p>✓ <b>Complies</b></p> <p>Habitable room windows/areas with direct views into the SPOS of adjoining dwellings have been designed accordingly to limit views, meeting the requirement of this standard</p> <p>Boundary fencing – in addition to overlooking treatment measures which include a mixture of highlight windows, obscure glazing/screening to 1700h etc – will further restrict views into adjoining residence's SPOS</p>

		<p>ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	
55.04-7	Internal Views Objective	<p><b>Standard B23</b></p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded</p>	✓ <b>Complies</b>



55.04-8	<b>Noise Impacts Objective</b>  To contain noise sources in developments that may affect existing dwellings.  To protect residents from external noise.	<b>Standard B24</b> Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.  Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.  Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	<b>✓ Complies</b>  Our site is not located within close proximity of high-level sources of noise such as mechanical plants and busy roads/railway lines  The extent of noise heard by future habitants is similar to what is expected within a residential area, as is the expected output of noise from the development itself
55.05-1	<b>Accessibility objective</b>  To encourage the consideration of the needs of people with limited mobility in the design of developments.	<b>Standard B25</b>  The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	<b>✓ Complies</b>  With the provision of downstairs areas and facilities such as One bedroom, kitchen, laundry and bathroom, the development supports the needs of occupants with limited mobility
55.05-2	<b>Dwelling entry objective</b> To provide each dwelling or residential building with its own sense of identity.	<b>Standard B26</b> Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> </ul> Provide shelter, a sense of personal address and a transitional space around the entry.	<b>✓ Complies</b>  Each dwelling is orientated to face the street, with window fenestration, garage and entry points accessed from each individual driveway  Sensor lighting at each entry further identifies the entry point of each dwelling  A covered porch area extends out from the main building façade line, providing shelter and acting as a visible identifier of the entry to each dwelling
55.05-3	<b>Daylight to new windows objective</b> To allow adequate daylight into new habitable room windows.	<b>Standard B27</b> A window in a habitable room should be located to face: <ul style="list-style-type: none"> <li>• An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>• A verandah provided it is open for at least one third of its perimeter, or</li> </ul> A carport provided it has two or more open sides and is open for at least one third of its perimeter.	<b>✓ Complies</b>  New habitable room windows achieve a minimum 3.0m <sup>2</sup> light court in accordance with Standard B19  With the siting of each dwelling and setback from respective side and rear boundaries (and adjoining residences), adequate daylight to new habitable room windows is achieved

55.05-4	<b>Private open space objective</b> To provide adequate private open space for the reasonable recreation and service needs of residents	<b>Standard B28</b> A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone. If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> <li>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul>	<b>✓ Complies</b> Each dwelling meets the requirements of POS under the Schedule to the Zone as per the following: <ul style="list-style-type: none"> <li>Each SPOS achieves a minimum depth of 3.0m with a minimum area of 25msq and a total of 40msq of open space.</li> <li>Dwelling 1 has an SPOS area of 82.21m<sup>2</sup></li> <li>Dwelling 2 has an SPOS area of 72.84 m<sup>2</sup></li> <li>Each dwelling exceeds 40m<sup>2</sup> of total open space</li> </ul>
55.05-5	<b>Solar Access to Open Space</b> To allow solar access into the secluded private open space of new dwellings and residential buildings.	<b>Standard B29</b> The private open space should be located on the north side of the dwelling or residential building, if appropriate. The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2+0.9h) metres, where 'h' is the height of the wall	<b>✓ Complies</b> Each dwelling private open space has direct access to North facing rear yards. Therefor meets the requirements of this standard.
55.05-6	<b>Storage</b> To provide adequate storage facilities for each dwelling.	<b>Standard B30</b> Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	<b>✓ Complies</b> Each dwelling accommodates for a minimum 6m <sup>3</sup> storage space within their respective rear yards

55.06-1	<b>Design Detail</b> To encourage design detail that respects the existing or preferred neighbourhood character.	<b>Standard B31</b> The design of buildings, including: <ul style="list-style-type: none"> <li>Façade articulation and detailing,</li> <li>Window and door proportions,</li> <li>Roof form, and</li> <li>Verandahs, eaves and parapets</li> </ul> should respect the existing or preferred neighbourhood character.  Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	<b>✓ Complies</b>  The proposed external façade design finds a balance between traditional and contemporary architectural elements, taking inspiration from the existing neighbourhood character and newer developments within the Municipality  Incorporating generous side setbacks, rear yards and a leafy front-yard area allowing for ample landscaping opportunities, any perceived bulk and/or mass is mitigated through appropriate building heights and overall design  The proposed development is of a high architectural standard, both internally and externally
55.06-2	<b>Front Fences</b>  To encourage front fence design that respects the existing or preferred neighbourhood character.	<b>Standard B32</b> The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none"> <li>Streets in a Road Zone, Category 1: 2 metres.</li> </ul> Other streets: 1.5 metres.	<b>✓ Complies</b>  900mm high open front fence and gate is proposed for the development. This is consistent with the streetscape along Curtin Street, therefore meets the requirement of this standard.
55.06-3	<b>Common Property</b> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.  To avoid future management difficulties in areas of common ownership.	<b>Standard B33</b> Development should clearly delineate public, communal and private areas.  Common property, where provided, should be functional and capable of efficient management.	<b>✓ Complies</b>
55.06-4	<b>Site Services</b> To ensure that site services can be installed and easily maintained.  To ensure that site facilities are accessible, adequate and attractive.	<b>Standard B34</b> The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.  Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.  Bin and recycling enclosures should be located for convenient access by residents  Mailboxes should be provided and located for convenient access as required by Australia Post	<b>✓ Complies</b>  Each dwelling accommodates for bin areas, clotheslines, mailboxes and relevant site services







# Arboricultural Impact Assessment Report

**Saturday, 1 March 2025**

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**CITY OF MARIBYRNONG  
ADVERTISED PLAN**

**Version 1**

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## TABLE OF CONTENTS

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TABLE OF CONTENTS.....	2
1. EXECUTIVE SUMMARY .....	3
2. SCOPE AND REPORT OBJECTIVES .....	4
3. FACTS, MATTERS AND ASSUMPTIONS.....	4
4. SITE ANALYSIS AND SURVEY METHODOLOGY .....	5
4.1. Site Analysis .....	5
4.2. Planning and Local Regulations .....	5
4.3. Survey Methodology.....	5
4.4. Documents Viewed.....	6
5. OBSERVATIONS.....	7
6. IMPACT ASSESSMENT.....	8
7. CONCLUSIONS AND RECOMMENDATIONS .....	11
8. TREE DATA .....	13
9. PHOTOGRAPHIC CATALOGUE.....	15
10. SITE PLAN .....	20
11. PROPOSED WORKS .....	21
12. BIBLIOGRAPHY .....	22
13. QUALIFICATIONS AND EXPERIENCE OF AUTHOR.....	23
14. DEFINITION OF TERMS .....	24
15. LIMITATION OF LIABILITY .....	32

## 1. EXECUTIVE SUMMARY

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The purpose of this report is to provide the findings of an assessment of fifteen (15) trees on and adjacent the subject site and to determine the impact of proposed works on the long-term vigour of the trees to be retained. The report is to recommend tree protection measures, alternative construction measures, and modification to the design as required enabling successful retention of trees on neighbouring properties or of high value on the subject site. *AS 4970-2009, Protection of Trees on Development Sites* has been referenced and all measurements are based on the standard.

A site visit was conducted on Tuesday, 11 February 2025 for the purposes of data collection and to assess tree and site conditions.

Proposed works are for the removal of all vegetation and structures on the site and construction of two (2) dwellings in a side-by-side configuration.

The trees surveyed are commonly planted and self-sown species and ranged in condition from good to poor, in locations that will conflict with infrastructure in the future or are considered self-sown weed species. Small hedges of mixed species exist on the eastern and western boundaries of the front yard.

Works adjacent trees 4 and 5 may affect the long-term vigour and stability of the trees however, root distribution of the two trees is likely to be highly modified due to the adjacent Hills Fig (T3). Management required during all excavation works within the TPZ is recommended.

Typical tree protection fencing is recommended to protect the two street trees.

## 2. SCOPE AND REPORT OBJECTIVES

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This report is prepared at the request of Draftmode Designs to prepare an Arboricultural Impact Assessment Report incorporating an Arboricultural Assessment in accordance with *Australian Standard AS4970-2009 Protection of Trees on Development Sites* as part of supporting documentation for works to develop the site into medium density housing.

The report covers in detail fifteen (15) significant tree features on and adjacent the subject site that may be impacted by proposed works.

The report objectives are:

- To number and identify to Genus/Species any significant tree features on the subject site and neighbouring trees likely to be affected by proposed works;
- To assess the vigour, structure and overall condition of the surveyed trees;
- To provide an arboricultural value based on observed characteristics;
- To provide recommendations for tree retention or removal based on observed characteristics;
- To determine the impact of the proposed works on retained trees in accordance with *AS4970-2009* and provide general tree protection guidelines;
- Provide recommendations for alternative construction techniques or modification to the design as required; and
- Provide management methodology to ensure the ongoing viability of retained trees.

## 3. FACTS, MATTERS AND ASSUMPTIONS

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- It is assumed that the root distribution of all trees on site is largely symmetrical unless otherwise stated and that no previous root damage has occurred where none is currently visible;
- It is assumed that the growing conditions for the subject trees does not manifestly change over the time prior, during or after the proposed development takes place other than as a result of proposed works;
- It is assumed that all drawings and their contents used in preparation of this report are true and correct; and
- Any Feature survey and landscape plans are included for illustrative purposes only.

## 4. SITE ANALYSIS AND SURVEY METHODOLOGY

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### 4.1.Site Analysis

The subject site is a rectangular shaped lot of 582m<sup>2</sup> that is currently occupied by a single storey concrete dwelling with an attached carport and a small garden shed located in the rear yard.

The site is near level with minor variation in height from the front to rear yard of less than 200mm. A 1.83 metre wide easement runs parallel to the rear (northern) fence line.

Vegetation within the site consists of various planted ornamental trees and self-sown weed species. Tree ranged from in condition from good to very poor with the majority of low arboricultural value.

The neighbouring property to the west has been developed into medium density housing with the property to the north vacant. The property to the east contains a single dwelling

### 4.2.Planning and Local Regulations

The subject site is located at 44 Curtin Street, Maidstone within the City of Maribyrnong. The site is zoned a *General Residential Zone – Schedule 1* (GRZ3) and is subject to a *Development Contributions Plan Overlay – Schedule 2* (DCPO2).

Vegetation removal on and adjacent the subject site is not subject to any planning overlays or local laws. No tree on the site is contained within the Maribyrnong Significant Tree Register 2021.

### 4.3.Survey Methodology

Simon Molloy of Molloy Arboriculture Pty Ltd conducted a site visit on Tuesday, 11 February 2025 for the purposes of data collection and to assess tree and site conditions. Detailed data is contained within the Tree Data table in section 8 and tree numbers correspond to the plan located at section 10.

- Only trees over 5 metres in height on the subject site have been surveyed with significant trees in neighbouring properties likely to be impacted by works surveyed.
- The subject trees were identified to Genus/Species in the field and is considered as common with no samples taken for further identification;



- The subject trees were assessed from observations made as viewed from ground level with no trees climbed to conduct an upper canopy inspection. Assessment was limited only to parts of the trees visible with defects not visible from the ground excluded from any discussion or recommendations;
- A digital camera was used at ground level to gather photographic evidence. No alterations have been made to any photographs;
- Tree data was recorded digitally using a hand held PDA and converted to an Excel® spreadsheet;
- Height has been measured using a Nikon Forestry Pro hypsometer with canopy width paced out on site. Canopy width is the widest point of the canopy in a single direction;
- Trunk diameter was measured at 1.4 metres (nominal) above ground level using a Yamayo diameter tape. Where access to the tree was not available an estimate has been made using reference points;
- Data has been collected to calculate the Tree Protection Zone (T.P.Z.) in accordance with *AS4970-2009 Protection of Trees on Development Sites*;
- No soil, plant material or pest and disease samples were taken for further assessment;

#### **4.4.Documents Viewed**

The following documents have been viewed during the preparation of this report:

- Plans prepared by Draftmode Designs dated November 2024;
- Feature and Level Survey prepared by DJF Land Surveying dated 03/10/2024
- Department of Environment, Land, Water And Planning (2018) Planning Property Report, 44 Curtin Street, Maidstone [accessed from <http://mapshare.maps.vic.gov.au/vicplan/> , on 11/02/2024];
- Aerial imagery of the site

## 5. OBSERVATIONS

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Fifteen (15) individual trees were assessed in detail on and adjacent the subject site. Detailed tree data for the surveyed trees is contained within the table at section 8.

The vigour of the surveyed trees has been determined by assessing foliage colour, size, density, shoot initiation, and elongation when compared to a typical specimen of the species. Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, and 15 displayed the typical vigour for the species when grown in similar growing conditions. Tree 13 displayed poor vigour with dieback of the eastern side of the canopy.

The structure of the surveyed trees has been assessed against a typical example of the species and modern arboricultural principles. Trees 1, 6, and 12 displayed the typical form and structure of the species with no defects noted. Trees 2, 4, 5, 9, and 11 displayed fair structure with some minor defects that will respond well to typical arboricultural pruning techniques. Trees 3, 8, 10, 14, and 15 displayed poor structure with included bark unions and multiple leaders. Trees 7 and 13 displayed very poor structure with tree 7 previously lopped and tree 13 having decay in the base on the eastern side of the tree.



Photograph 1: Lopping point of tree 7



Photograph 2: Decay at base of tree 13

Trees 2, 6, 8, 9, 10, 11, 12, and 15 are considered self-sown weed species and are of low value.

The arboricultural value of the tree assessed relates to a combination of factors including tree vigour, structure, and age and amenity value. The amenity of the tree relates to a trees functional, aesthetic and biological characteristics in an urban context and does not relate any conservation or ecological values as place on trees by other professions.

Arboricultural Value	No. of Trees	Tree numbers
Moderate	2	3 & 14
Low	13	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 15

**Table 5-1: Arboricultural Value of surveyed trees**

Moderate value trees generally exhibited fair vigour, are juvenile, or had some minor defects that will respond to arboricultural treatments and are expected to be medium to long-term features of the landscape. These trees should generally be retained and protected with removal to occur only if the design or the proposed works cannot be undertaken if the trees were retained. Moderate rated trees in neighbouring properties must be protected during all works on the subject site where these works may affect their vigour and structure.

Low value trees are generally small juvenile trees, exhibit significant structural defects, exhibit poor vigour or are considered an environmental weed species. Low value trees within adjacent private and public properties must be protected.

## 6. IMPACT ASSESSMENT

A desktop assessment of the level of encroachment into the calculated T.P.Z. of retained trees was made using a dwg file plans of proposed works prepared by Draftmode Designs. Consideration was given to the site topography, the location of any current structures and use of the site.

Trees 3, 6, 7, 9, 12, 13, 14, and 15 cannot be retained under the current design as they sit within the footprint of proposed works with trees 8, 10 and 11 proposed to be removed.

The impact of the proposed works has been calculated by determining the Tree Protection Zone and Structural Root Zone (radial measurement from the centre of the trunk) for each

tree in accordance with *AS4970-2009 Protection of Trees on Development Sites*. A “Minor” encroachment is considered under 10% with a “Major” encroachment more than 10% or any encroachment into the Structural Root Zone. The following table provides the T.P.Z., S.R.Z., the area in m<sup>2</sup> of the T.P.Z., encroachment expressed in m<sup>2</sup> and as a percentage.

Tree #	Botanical Name	Common Name	DBH (cm)	TPZ (m)	TPZ m <sup>2</sup>	TPZ loss m <sup>2</sup>	TPZ loss %
1	<i>Lophostemon confertus</i>	Brush Box	2	2	12.56m <sup>2</sup>	0m <sup>2</sup>	0%
2	<i>Pittosporum undulatum</i>	Sweet Pittosporum	6/6/4/3/4/7 (13)	2	12.56m <sup>2</sup>	0m <sup>2</sup>	0%
4	<i>Agonis flexuosa</i>	Willow Myrtle	8/10/4/5 (14)	2	12.56m <sup>2</sup>	4.71m <sup>2</sup>	37.50%
5	<i>Malus domestica</i>	Apple	12/14 (18)	2.16	14.65m <sup>2</sup>	2.56m <sup>2</sup>	17.47%

#Note: DBH (Diameter at Breast Height) is measured at 1.4m (nominal) from natural ground level, T.P.Z. is the Tree Protection Zone in metres in a radius from the centre of the tree trunk, and S.R.Z. is the Structural Root Zone in metres in a radius from the centre of the tree trunk. These measurements and distances are calculated in accordance with *AS4970-2009 Protection of Trees on Development Sites*.

The garage and paving of dwelling 2 encroaches into the TPZ and SRZ of tree 4 and 5. Encroachment is considered major with possible impacts to tree vigour and stability.

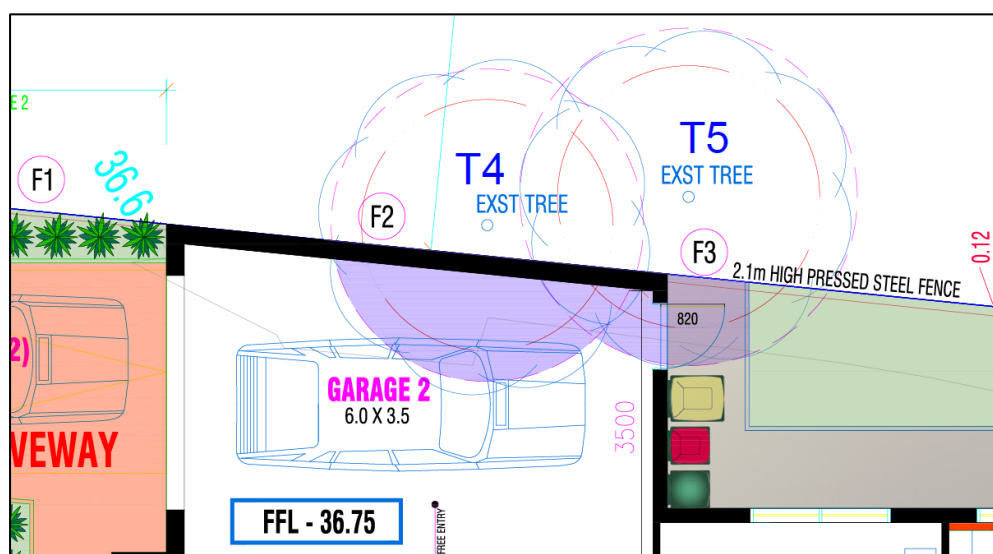


Figure 1: Encroachment by new works into the calculated TPZ of trees 4 and 5

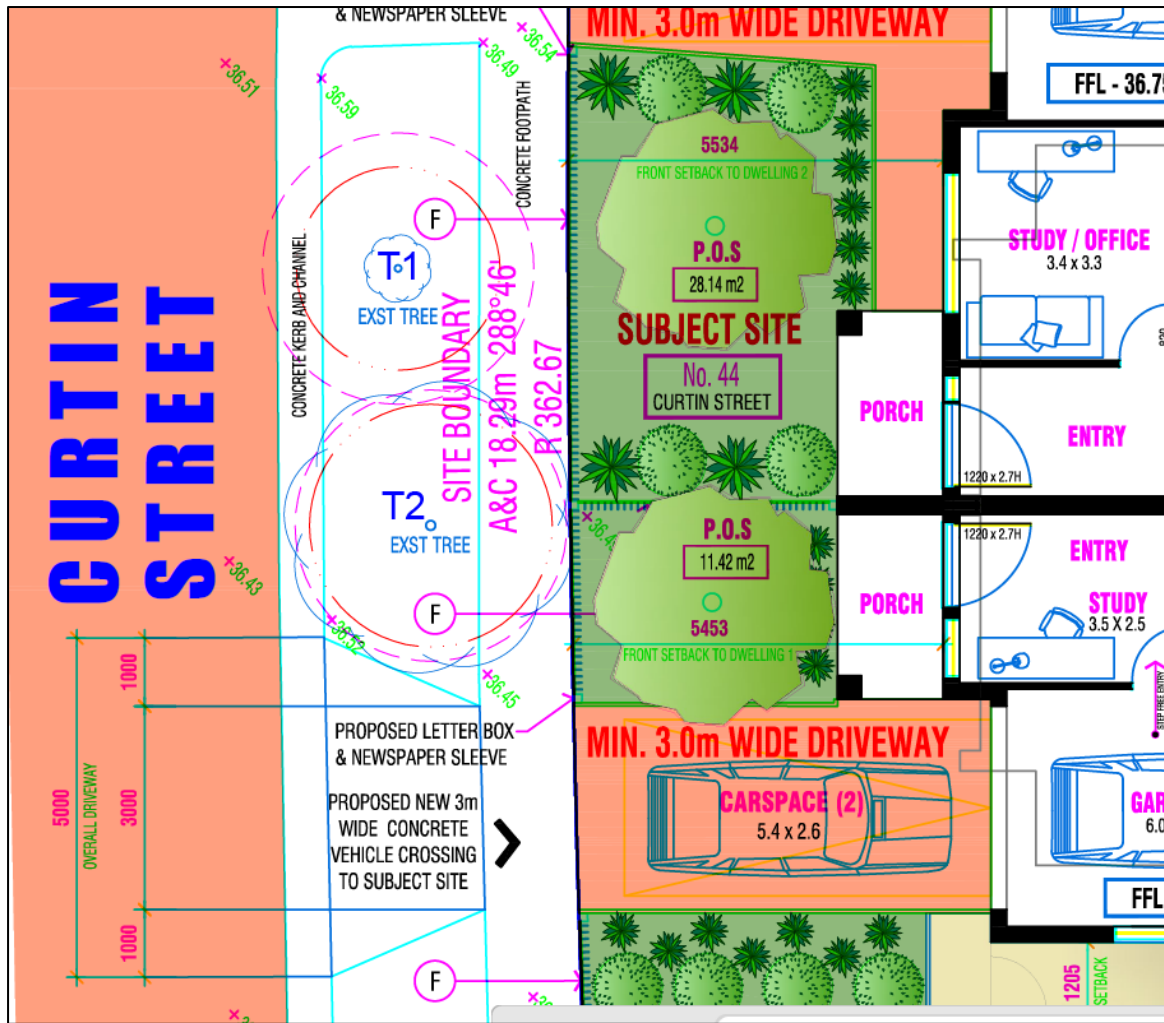
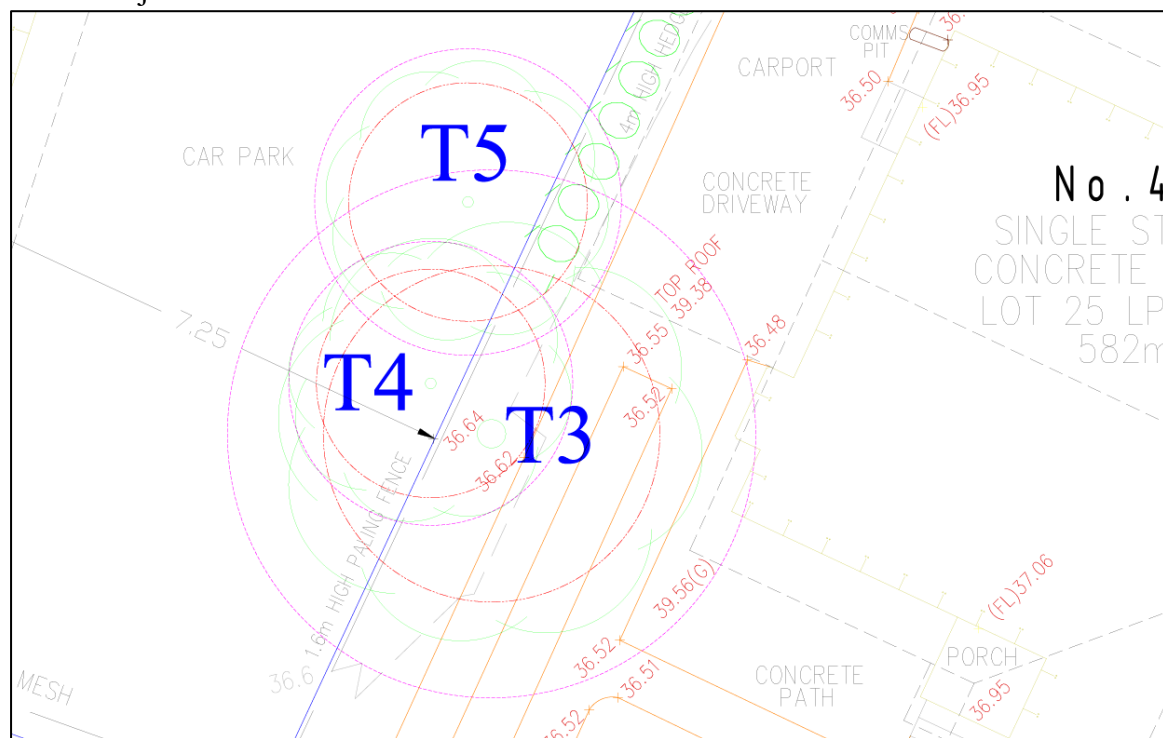


Figure 2: New crossover adjacent tree 2



The two small trees (T4 & 5) located within the neighbouring property have their calculated TPZ and SRZ within the location of proposed footings. Root distribution of the trees will be heavily modified due to the adjacent Hills Fig (T3), which will restrict root spread onto the site. Removal of the Fig will result in the loss of any roots from trees 4 and 5 if present on the subject site.



The street trees must be adequately fenced during all works on the site including demolition, excavation, and construction with fencing generally to be in accordance with section 4.3 of AS4970-2009 *Protection of Trees on Development Sites*. Fencing should

encompass the TPZ of trees 1 and 2 where occurring within the nature strip.

All excavations within the TPZ and SRZ of trees 4 and 5 should be supervised to undertake any root pruning if required.

The following recommendations are general in nature and provide advice for further protection of retained trees.

**Activities generally excluded from the T.P.Z. include but are not limited to:**

- machine excavation including trenching
- excavation for silt fencing
- cultivation
- storage of materials
- preparation of chemicals, including preparation of cement products
- parking of vehicles and plant
- refuelling
- dumping of waste
- wash down and cleaning of equipment
- placement of fill
- lighting of fires
- soil level changes
- temporary or permanent installation of utilities and signs
- physical damage to the tree

## 8. TREE DATA

Tree #	Botanical Name	Common Name	Height (m)	Width (m) NS-EW	D.B.H. (c.m.)	DAB (cm)	Vigour	Structure	ULE	Origin	Age Class	Arb Rating	T.P.Z. (m)	SRZ (m)
1	<i>Lophostemon confertus</i>	Brush Box	2	1 x 1	2	5	Good	Good	20+	Native	Mature	Low	2	1.5
2	<i>Pittosporum undulatum</i>	Sweet Pittosporum	4	3 x 4	6/6/4/3/4/7 (13)	23	Good	Fair	20+	Native	Mature	Low	2	1.79
3	<i>Ficus hillii</i>	Hills Fig	6	6 x 7	15/15/18/14 (31)	45	Good	Poor	20+	Exotic	Mature	Moderate	3.72	2.37
4	<i>Agonis flexuosa</i>	Willow Myrtle	6.5	5 x 4	8/10/4/5 (14)	18	Good	Fair	20+	Native	Mature	Low	2	1.61
5	<i>Malus domestica</i>	Apple	5	5 x 4	12/14 (18)	20	Good	Fair	20+	Exotic	Mature	Low	2.16	1.68
6	<i>Pittosporum undulatum</i>	Sweet Pittosporum	7.2	6 x 5	15/18/5/4/4/ (25)	34	Good	Good	0-5	Native	Mature	Low	3	2.1
7	<i>Callistemon viminalis</i>	Weeping Bottle brush	5	5 x 2	9/6/2/4/9/5/8/8/6 (	35	Good	V. Poor	0-5	Native	Mature	Low		2.13

## Arboricultural Impact Assessment Report

Tree #	Botanical Name	Common Name	Height (m)	Width (m) NS-EW	D.B.H. (c.m.)	DAB (cm)	Vigour	Structure	ULE	Origin	Age Class	Arb Rating	T.P.Z. (m)	SRZ (m)
8	<i>Ligustrum lucidum</i>	Glossy Leaved Privet	7	5 x 8	7/6/3/8/8// 9/7/3/7 (20)	38	Good	Poor	0-5	Exotic	Mature	Low	2.4	2.2
9	<i>Pittosporum undulatum</i>	Sweet Pittosporum	7	6 x 7	10/15 (18)	24	Good	Fair	0-5	Native	Mature	Low	2.16	1.82
10	<i>Ligustrum lucidum</i>	Glossy Leaved Privet	6	5 x 6	8/3/3/10/4 /3/2/3 (15)	28	Good	Poor	0-5	Exotic	Mature	Low	2	1.94
11	<i>Ligustrum lucidum</i>	Glossy Leaved Privet	5	4 x 5	10/12/12 (20)	20	Good	Fair	0-5	Exotic	Mature	Low	2.4	1.68
12	<i>Pittosporum undulatum</i>	Sweet Pittosporum	7	7 x 8	23	29	Good	Good	20+	Native	Mature	Low	2.76	1.97
13	<i>Pittosporum eugenioides</i>	Variegated Pittosporum	7	5 x 7	19/25 (31)	38	Poor	V. Poor	5-10	Exotic	Mature	Low	3.72	2.2
14	<i>Lophostemon confertus</i>	Brush Box	9.6	7 x 8	25/29 (38)	61	Fair	Poor	20+	Native	Mature	Moderate	4.56	2.69
15	<i>Fraxinus angustifolia</i>	Desert Ash	7	3 x 4	12/8 (14)	25	Good	Poor	0-5	Exotic	Mature	Low	2	1.85

**Table 8-1: Tree data**



## 9. PHOTOGRAPHIC CATALOGUE

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Photograph 3: Tree 1



Photograph 4: Tree 2



Photograph 5: Row of small shrubs on eastern boundary of subject site





Photograph 6: Front yard of subject site with tree 3 visible



Photograph 7: Tree 4



Photograph 8: Base of tree 4 and large buttress roots





Photograph 9: Tree 6



Photograph 10: Tree 7



Photograph 11: Tree 8



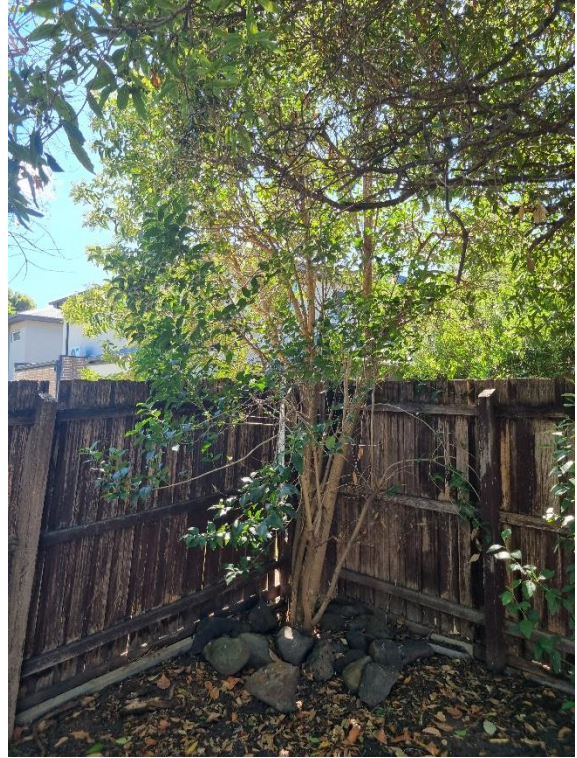
Photograph 12: Tree 9



## Arboricultural Impact Assessment Report



Photograph 13: Tree 10



Photograph 14: Tree 11



Photograph 15: Tree 12 and 13



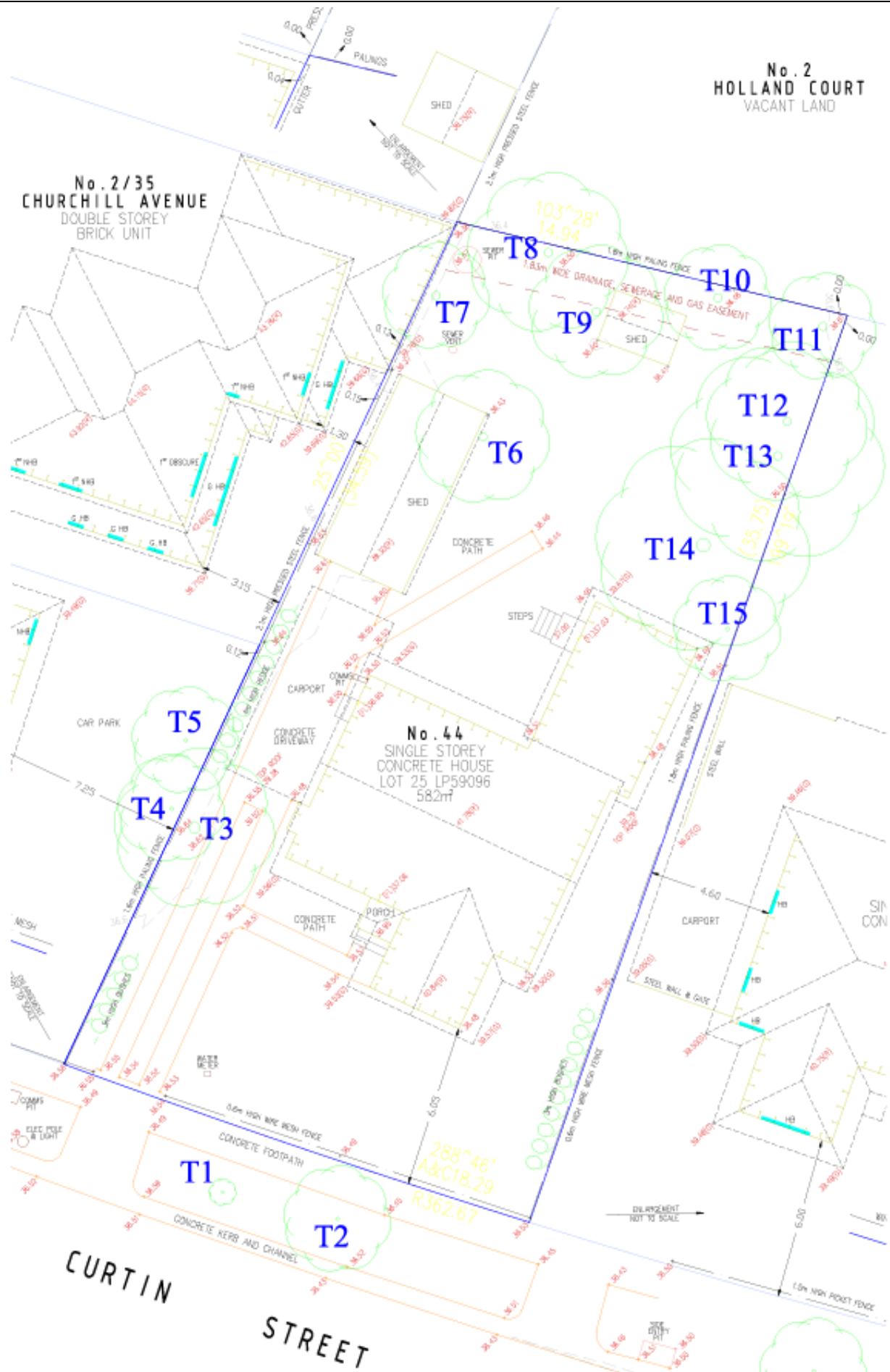
Photograph 15: Tree 14





Photograph 16: Tree 15

## 10. SITE PLAN



# 11. PROPOSED WORKS





## 12.BIBLIOGRAPHY

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- Bull, M. (2014). *Flora of Melbourne: a guide to the indigenous plants of the greater Melbourne area*. Melbourne: Hyland House Publishing Pty Limited.
- Costermans, L. (1994). *Native Trees and Shrubs of South-Eastern Australia*. Sydney: Landsdowne Publishing Pty Ltd.
- Harris, R. W., Clark, J. R., & Matheny, N. P. (2004). *Arboriculture: Integrated Management of Landscape Trees, Shrubs and Vines*. Upper Saddle River: Prentice Hall.
- Matheny, N., & Clark, J. R. (1998). *Trees and Development: A technical guide to preservation of trees during land development*. Champaign: International Society of Arboriculture.
- Roberts, J., Jackson, N., & Smith, M. (2006). *Tree Roots in the Built Environment*. Norwich: The Stationery Office.
- Shigo, A. L. (2008). *A New Tree Biology*. Snohomish: Shigo & Trees, Associates.
- Shigo, A. L. (2008). *Modern Arboriculture*. Snohomish: Shigo & Trees, Associates.
- Standards Australia. (2007). *AS 4373-2007 Pruning of Amenity Trees*. Sydney: Standards Australia.
- Standards Australia. (2009). *AS 4970-2009 Protection of Trees on Development Sites*. Sydney: Standards Australia.

### 13. QUALIFICATIONS AND EXPERIENCE OF AUTHOR

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This Arborist Report is written by Simon Molloy of Molloy Arboriculture Pty Ltd.

I have a Diploma of Applied Science Horticulture (Arboriculture) from University of Melbourne (1997) and have 20 years of practicing and consulting in the arboricultural industry. I have provided expert witness at VCAT and in law courts in Melbourne, Victoria and in British Columbia, Canada.

I have thorough arboricultural training, extensive experience, and the necessary expertise in arboricultural knowledge and practices to make determinations in regards to tree health, retention value, and structural stability and positioning of trees.

## 14.DEFINITION OF TERMS

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- DBH – The total diameter of the tree trunk at 1.4 m from ground level.
- Where there is a multi- stemmed tree the assessor will calculate a D.B.H. as per the method described in AS4970-2009.
- T.P.Z.: The calculated area of root zone to be protected to allow for continued vigorous growth of the tree. All measurements are expressed as a radius
- S.R.Z.: The calculated area of root mass required for stability of the tree. This amount of root mass is not adequate for continued vigorous growth of the tree. All measurements are expressed as a radius

### Tree Vigour

**Good:** The tree is demonstrating good or exceptional growth for the species. The tree should exhibit a full canopy of foliage and have only minor pest or disease problems. Foliage colour size and density should be typical of a health specimen of that species.

**Fair:** The tree is in reasonable condition and growing well for the species. The tree should exhibit an adequate canopy of foliage. There may be some dead wood in the crown, some grazing by insect or animals may be evident, and/or foliage colour, size, or density may be atypical for a healthy specimen of that species.

**Poor:** The tree is not growing to its full capacity. Extension growth of the laterals may be minimal. The canopy may be thinning or sparse. Large amounts of dead wood may be evident throughout the crown, as well as significant pest and disease problems. Other symptoms of stress indicating tree decline may be present.

**Very poor:** The tree appears to be in a state of decline, and the canopy may be very thin and sparse. A significant volume of dead wood may be present in the canopy, or pest and disease problems may be causing a severe decline in tree health.

**Dead:** The tree is dead.

## Structure

- Good
- Fair
- Poor
- Very poor
- Failed

The definition of structure is the likelihood of the tree to fail under normal condition. A tree with good structure is highly unlikely to suffer any significant failure, while a tree with poor to very poor structure is likely or very likely to fail.

**Good:** The tree has a well-defined and balanced crown. Branch unions appear to be strong, with no defects evident in the trunks or the branches. Major limbs are well defined. The tree would be considered a good example for the species. Probability of significant failure is highly unlikely.

**Fair:** The tree has some minor problems in the structure of the crown. The crown may be slightly out of balance at some branch unions or branches may be exhibiting minor structural faults. If the tree has a single trunk, this may be on a slight lean, or be exhibiting minor defects. Probability of significant failure is low.

**Poor:** The tree may have a poorly structured crown, the crown may be unbalanced, or exhibit large gaps. Major limbs may not be well defined; branches may be rubbing or crossing over. Branch unions may be poor or faulty at the point of attachment. The tree may have suffered major root damage. Probability of significant failure is moderate.

**Very poor:** The tree has a poorly structured crown. The crown is unbalanced, or exhibits large gaps. Major limbs are not well defined. Branch unions may be poor or faulty at the point of attachment. A section of the tree has failed, or is in imminent danger of failure. Active failure may be present, or failure is probably in the immediate future.

**Failed:** A significant section of the tree or the whole tree has failed.

## Useful Life Expectancy (ULE)

- 0 years
- Less than 5 years
- 5 to 10 years
- 10 to 20 years
- 20 +

Useful life expectancy is approximately how long a tree can be retained safely and usefully in the landscape providing site conditions remain unchanged and the recommended works are completed.

It is based on the principals of safety and usefulness in the landscape and should not reflect personal opinions on species suitability.

**Unsafe or 0 years:** The tree is considered dangerous in the location and/or no longer provides any amenity value.

**Less Than 5 years:** The tree under normal circumstances and without extra stress should be safe and have value of maximum of 5 years. The tree will need to be replaced in the short term. Replacement plants should be established as soon as possible if there is efficient space, or consideration should be given to the removal of the tree to facilitate replanting.

**5 to 10 Years:** The tree under normal circumstances and without extra stress should be safe and have value of maximum of 10 years. Trees in this category may require regular inspections and maintenance particularly if they are large specimens. Replacement plants should be established in the short term if there is sufficient space, or consideration should be given to the removal of the tree to facilitate replanting.

**10 to 20 Years:** The tree under normal circumstances and without extra stress should be safe and of value of up to 20 years. During this period, regular inspections and maintenance will be required.

**20 + Years:** The tree under normal circumstances and without extra stress should be safe and of value of more than years. During this period, regular inspections and maintenance may be required.

## **Origin**

- Refers to the natural distribution of the plant.
- Native refers to plants naturally occurring on mainland and all islands of Australia.
- Indigenous refers to plants that naturally occur in the particular geographic area in question
- Exotic refers to plants that do not occur naturally on mainland Australia or all islands

## **Age Class**

- Juvenile plants are those that still exhibit juvenile foliage and characteristics such as narrow vertical form for large spreading trees and are expected to continue vigorous growth
- Semi mature plants are those that exhibit typical mature form and foliage but are still vigorously growing. Vigorous growth and further increase in size is expected
- Mature plants are those that are at the expected largest size for the plant and exhibit some growth. These plants are expected to maintain themselves without significant increase in size
- Senescent plants are those that exhibit dead sections in the canopy or have areas of significant decay. There may be some decrease in the overall size of the plant and failure of structural limbs for trees. Plant is not expected to be a long term component of the landscape dependent on species



## Arboricultural Value

Relates to the combination of previous tree condition factors, including vigour, structure, and U.L.E. and conveys an amenity value.

### Category Description

#### High

- Tree of high quality in good to fair condition. Generally a prominent Arboricultural feature. Tree is capable of tolerating changes in its environment. These trees have the potential to be a medium to long-term component of the landscape if managed appropriately. Retention of these trees is highly desirable.

#### Moderate

- Tree of moderate quality, in fair or better condition. Tree may have a condition, and or structural problem that will respond to Arboricultural treatment. Tree is capable of tolerating changes in its environment. These trees have the potential to be a medium to long-term component of the landscape if managed appropriately. Retention of these trees is generally desirable.

#### Low

- Tree of low quality and/or little amenity value. Tree in poor health and/or with poor structure. Tree unlikely to respond positively to changes in its environment and does not warrant design modification to preserve it.
- Tree is not significant for its size and/or young. These trees are easily replaceable.
- Tree (species) is functionally inappropriate to specific location and would be expected to be problematic if retained.
- Retention of such trees may be considered if not requiring a disproportionate expenditure of resources for a tree in its condition and location.

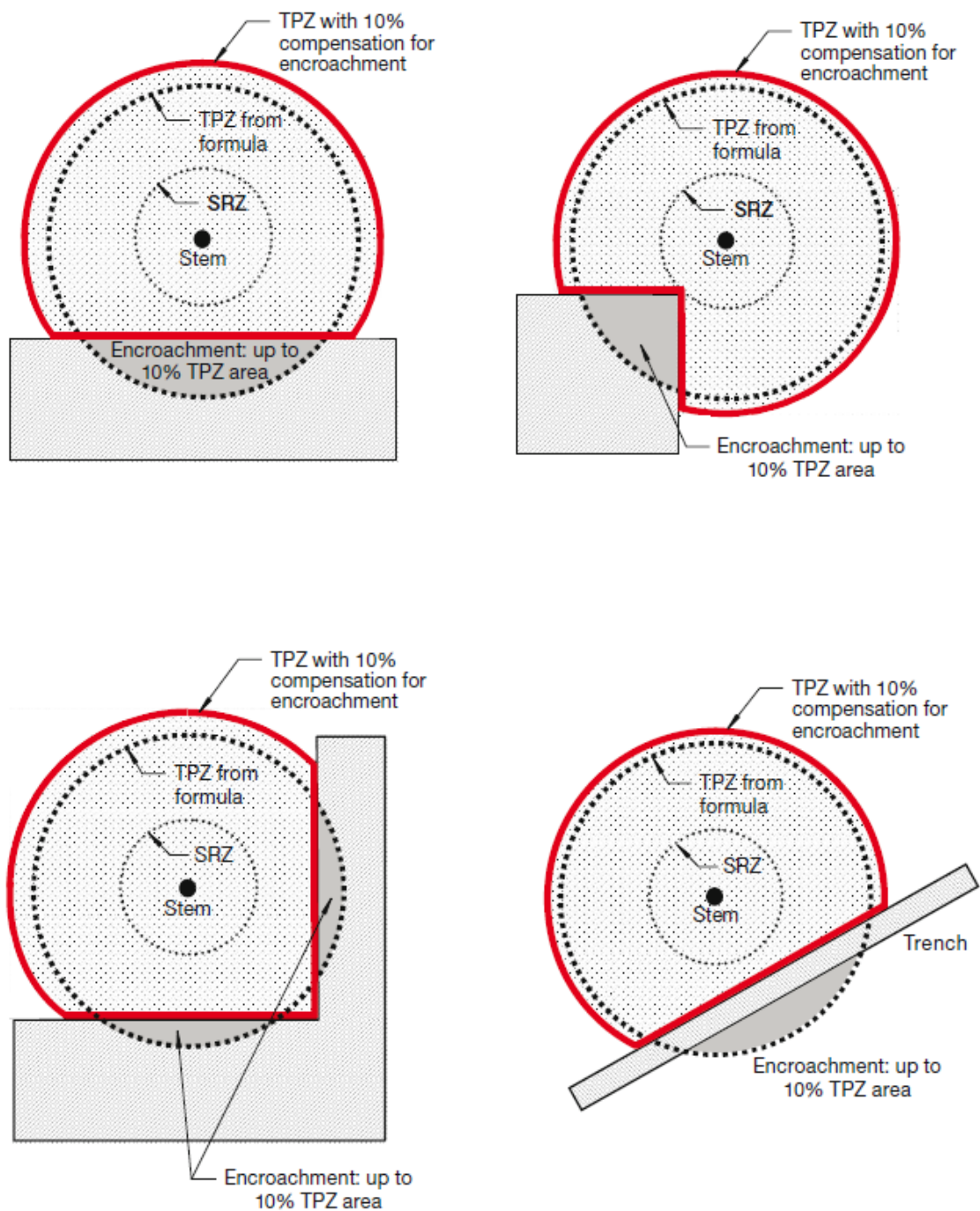
#### None

- Tree has a severe structural defect and/or health problem that cannot be sustained with practical Arboricultural techniques and the loss of tree would be expected in the short-term.
- Tree whose retention would be unviable after the removal of adjacent trees (includes trees that have developed in close spaced groups and would not be expected to acclimatise to severe alterations to surrounding environment – removal of adjacent shelter trees)
- Tree has a detrimental effect on the environment, for example, the tree is a woody weed.

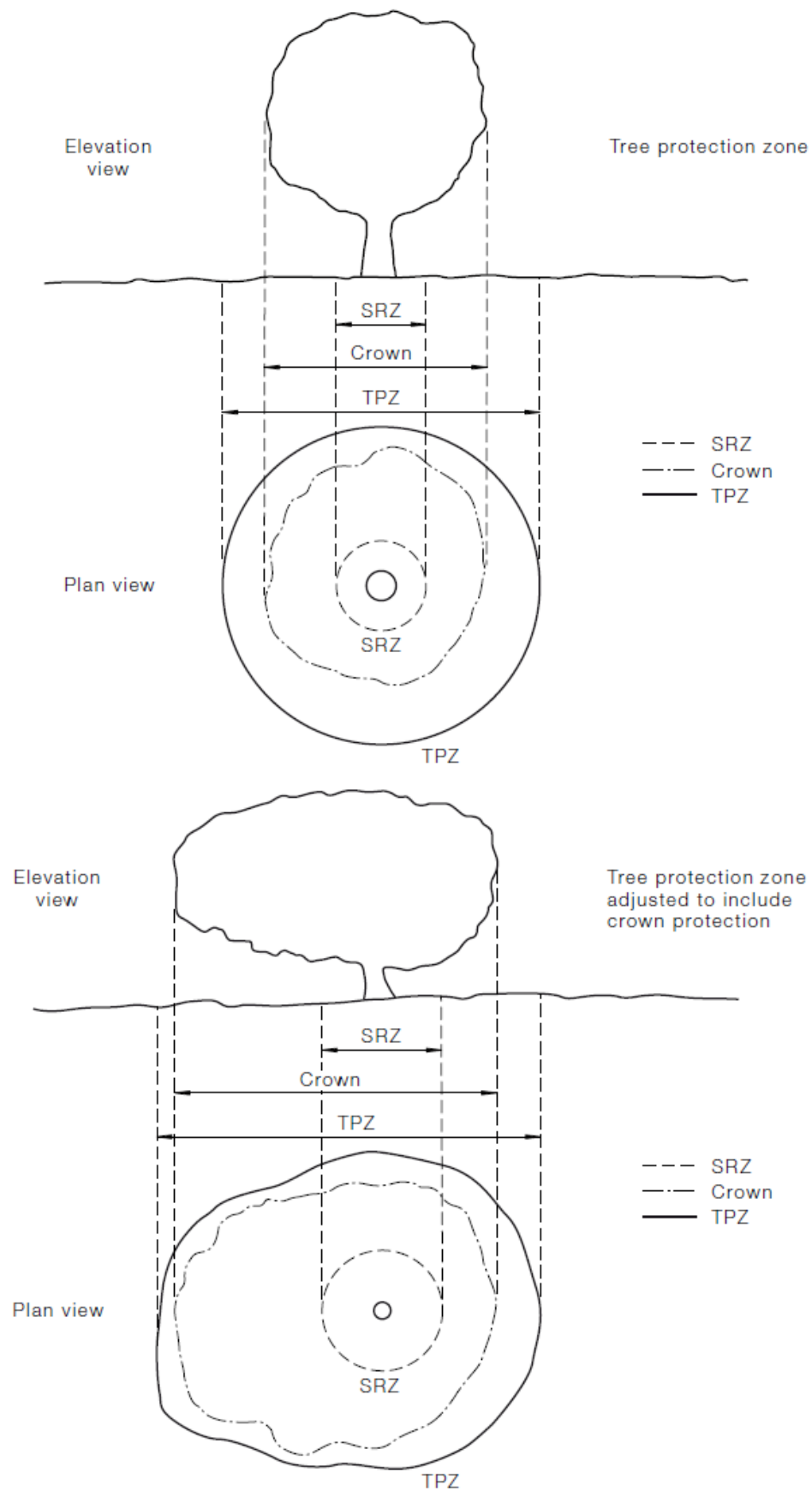
## Encroachment into Tree Protection Zone

(Informative)

Encroachment into the tree protection zone (T.P.Z.) is sometimes unavoidable.



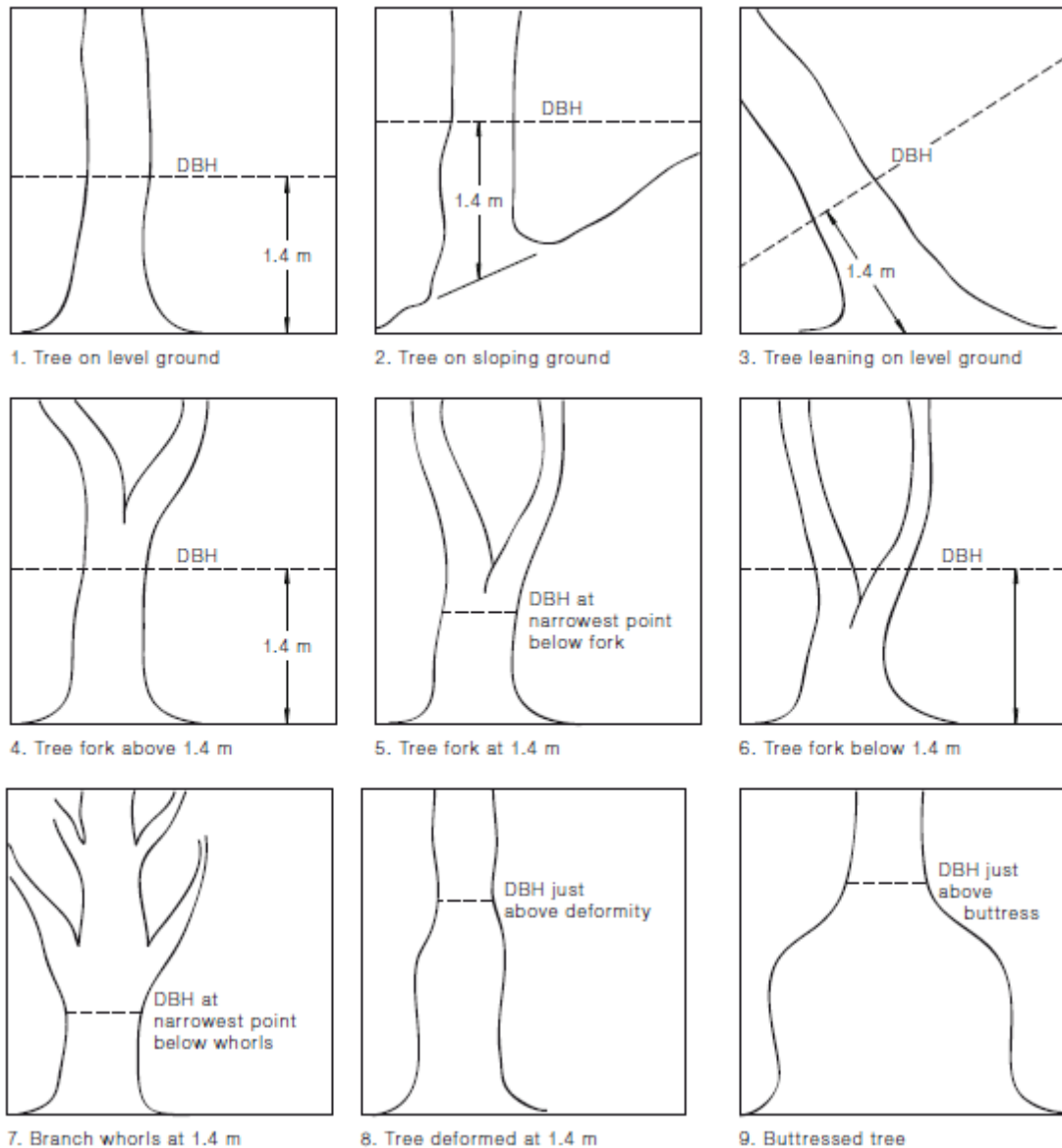
## Indicative Tree Protection



## DIAMETER AT BREAST HEIGHT (DBH)

(Informative)

The diversity of trunk shapes, configurations and growing environments requires that DBH be measured using a range of methods to suit particular situations.



NOTE: For example 6, the combined stem DBH may be calculated using the formula

$$\text{Total DBH} = \sqrt{(\text{DBH}_1)^2 + (\text{DBH}_2)^2 + (\text{DBH}_3)^2}$$

## 15.LIMITATION OF LIABILITY

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Molloy Arboriculture use their qualifications, education, knowledge, training, diagnostic tools and experience to examine trees and recommend measures. Clients may choose to accept or disregard the recommendations of this assessment and report.

Molloy Arboriculture cannot detect every condition that could possibly lead to the structural failure of a tree. Conditions are often hidden within trees and below ground. Unless otherwise stated observations have been made from ground level and limited to accessible components without dissection, excavation, or probing. Molloy Arboriculture cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of Molloy Arboriculture services, such as property boundaries and ownership, disputes between neighbours, sight lines, landlord-tenant matters, and related incidents. Molloy Arboriculture cannot consider such issues unless complete and accurate information is given prior to or at the time of site inspection. Likewise, Molloy Arboriculture cannot accept responsibility for the authorisation or non-authorisation of any recommended treatment or remedial measures undertaken.

In the event that Molloy Arboriculture recommends retesting or inspection of trees at stated intervals or installs any cable/s, bracing systems and support systems Molloy Arboriculture must inspect the system installed at intervals not greater than 12 months unless otherwise specified in written reports. It is the client's responsibility to arrange with Molloy Arboriculture to conduct the re-inspection.

Information contained in this report covers those items that were examined and reflect the condition of those items at the time of inspection. There is no warranty or guarantee expressed or implied that the problems or deficiencies of the trees or property in question may not arise in the future.

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

If this written report is to be used in a court of law or any legal situation, Molloy Arboriculture must be advised in writing prior to the written assessment being presented in any form to any other party.

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