

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

Application for a Planning Permit

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

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

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

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

i Click for further information.

CITY OF MARIBYRNONG
RECEIVED
 26/08/2025
 URBAN PLANNING

The Land **i**

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

Street Address *

Unit No:	St. No.: 8	St. Name: Hughes
Suburb/Locality: Braybrook		Post Code: 3019

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	Vol.: 9233	Folio.: 849	Suburb.: Braybrook
	OR		
	Lot No.: 28	Type.: Lot/Lodged Plan	
B	Crown Allotment No.:		Section No.:
	Parish/Township Name:		

The Proposal

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

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

2 new double storey dwelling and single new crossover

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

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

<input style="width: 95%;" type="text" value="990000.00"/>	⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.
<p>If the application is for land within metropolitan Melbourne (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1.093 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.</p>	

Existing Conditions i

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Single storey dwelling and shed

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

Title Information i

Encumbrances on title *

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

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

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

Applicant and Owner Details i

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

Applicant *

The person who wants the permit.

Name:

Title: MRS First Name: Elena Surname:

Organization (if applicable):

Unit No: St. No: 14 St. Name: Oakdale Road

Suburb: UPWEY State: VIC Postcode: 3158

Business phone: Email: elena.viol@yahoo.com

Mobile phone: 0438303078 Home:

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

Contact person's details*

Name: Same as applicant

Title: MRS First Name: Elena Surname:

Organization (if applicable):

Unit No: St. No: 14 St. Name: Oakdale Road

Suburb: UPWEY State: VIC Postcode: 3158

Business phone: Email: elena.viol@yahoo.com

Mobile phone: 0438303078 Home:

Owner *

The person or organisation who owns the land

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

Name: Same as applicant

Title: MR First Name: HAN Surname: THI GIA PHAN

Organization (if applicable):

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

Unit No: St. No: 12 St. Name: Yardley Street

Suburb: MAIDSTONE State: VIC Postcode: 3012

Business Phone: Email:

Mobile phone: 0450199469 Home:

Declaration

This form must be signed by the applicant *

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

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

Signature:

Elena Viof

Date

26 / 08 / 2025

day / month / year

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist. Insufficient or unclear information may delay your application

Has there been a pre-application meeting with a council planning officer

No Yes

Officer Name:

Date:

day / month / year

Checklist

Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

 Provided all necessary supporting information and documents?

A full, current copy of title information for each individual parcel of land forming the subject site

A plan of existing conditions.

Plans showing the layout and details of the proposal.

Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts)

If applicable, a current Metropolitan Planning Levy certificate (a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office and then cannot be used). Failure to comply means the application is void

Completed the relevant council planning permit checklist?

Signed the declaration?

Lodgement

Lodge the completed and signed form, the fee and all documents with:

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

Contact information:

Phone: (03) 9688 0200

Email: email@maribyrnong.vic.gov.au

DX: 81112

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

The Land

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

How is land identified

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

See **Example 1**.

The Proposal

Why is it important to describe the proposal correctly?

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

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

How do planning schemes affect proposals?

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

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

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

See **Example 2**.

Estimated cost of development

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

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

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

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

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

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

Existing Conditions

How should land be described?

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

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

See **Example 3**.

Title Information

What is an encumbrance?

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

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

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

What documents should I check to find encumbrances

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

What about caveats and notices?

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

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

What happens if the proposal contravenes an encumbrance on title?

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

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

VOLUME 09233 FOLIO 849

Security no : 124127464190V
Produced 26/08/2025 12:56 AM

CITY OF MARIBYRNONG
RECEIVED
26/08/2025
URBAN PLANNING

LAND DESCRIPTION

Lot 28 on Plan of Subdivision 044101.
PARENT TITLE Volume 08165 Folio 956
Created by instrument G729919 14/06/1977

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
HAN THI GIA PHAN
FRANK MA both of 13 YARDLEY STREET MAIDSTONE VIC 3012
AM987140A 02/08/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM987141X 02/08/2016
COMMONWEALTH BANK OF AUSTRALIA

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 LP044101 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 8 HUGHES STREET BRAYBROOK VIC 3019

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

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PLAN OF SUBDIVISION OF
PART OF CROWN PORTION 17
PARISH OF CUT PAW PAW
COUNTY OF BOURKE

8 SHEETS
SHEET 1

LP 44101
EDITION 6
PLAN MAY BE LODGED
1-12-1958

VOL 8165 FOL 956
Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

APPURTENANCIES
THE LAND COLOURED GREEN
IS AN APPURTENANT EASEMENT
SEE C/E A 648354

COLOUR CODE
BL=BLUE G=GREEN
R1=BROWN P=PURPLE
Y=YELLOW R=RED
H=HATCH CH=CROSS HATCH

NOTATIONS
PART OF THE ROADS R1 ON
THIS PLAN ARE ALSO
APPROPRIATED OR SET APART
FOR EASEMENTS OF WAY &
DRAINAGE ON LP 44102

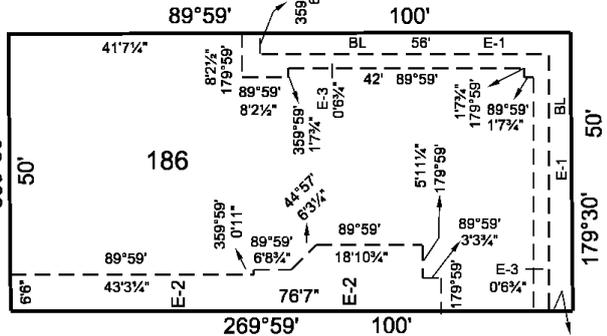
APPROPRIATIONS
THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
WAY AND DRAINAGE

AS TO THE LAND MARKED E-2
CARRIAGEWAY EASEMENT
CREATED IN AT254986S IN FAVOUR
OF LOT 185 ON THIS PLAN

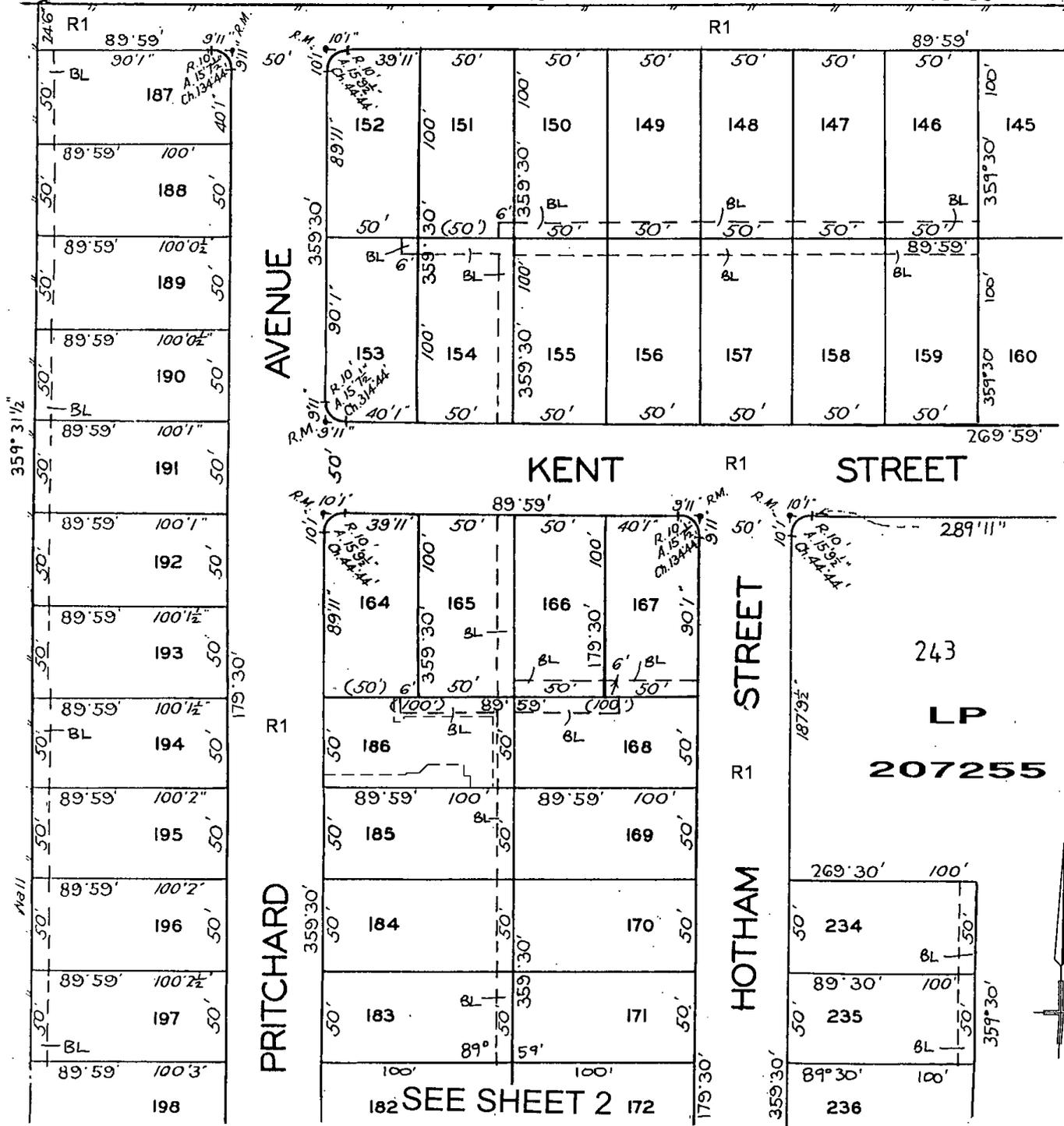
THE LAND COLOURED BLUE
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
DRAINAGE AND SEWERAGE
AND IS 6 FEET WIDE
UNLESS OTHERWISE SHOWN

AS TO THE LAND MARKED E-1 & E-3
SEWERAGE EASEMENT CREATED IN
AT254986S IN FAVOUR OF CITY
WEST WATER CORPORATION

ENLARGEMENT
LOT 186



SOUTH ROAD 89'59'



CITY OF MARIBYRNONG
-RECEIVED
26/08/2025
URBAN PLANNING

SEE SHEET 3

243
LP
207255

SEE SHEET 2

SEE SHEET 4

LP 44101

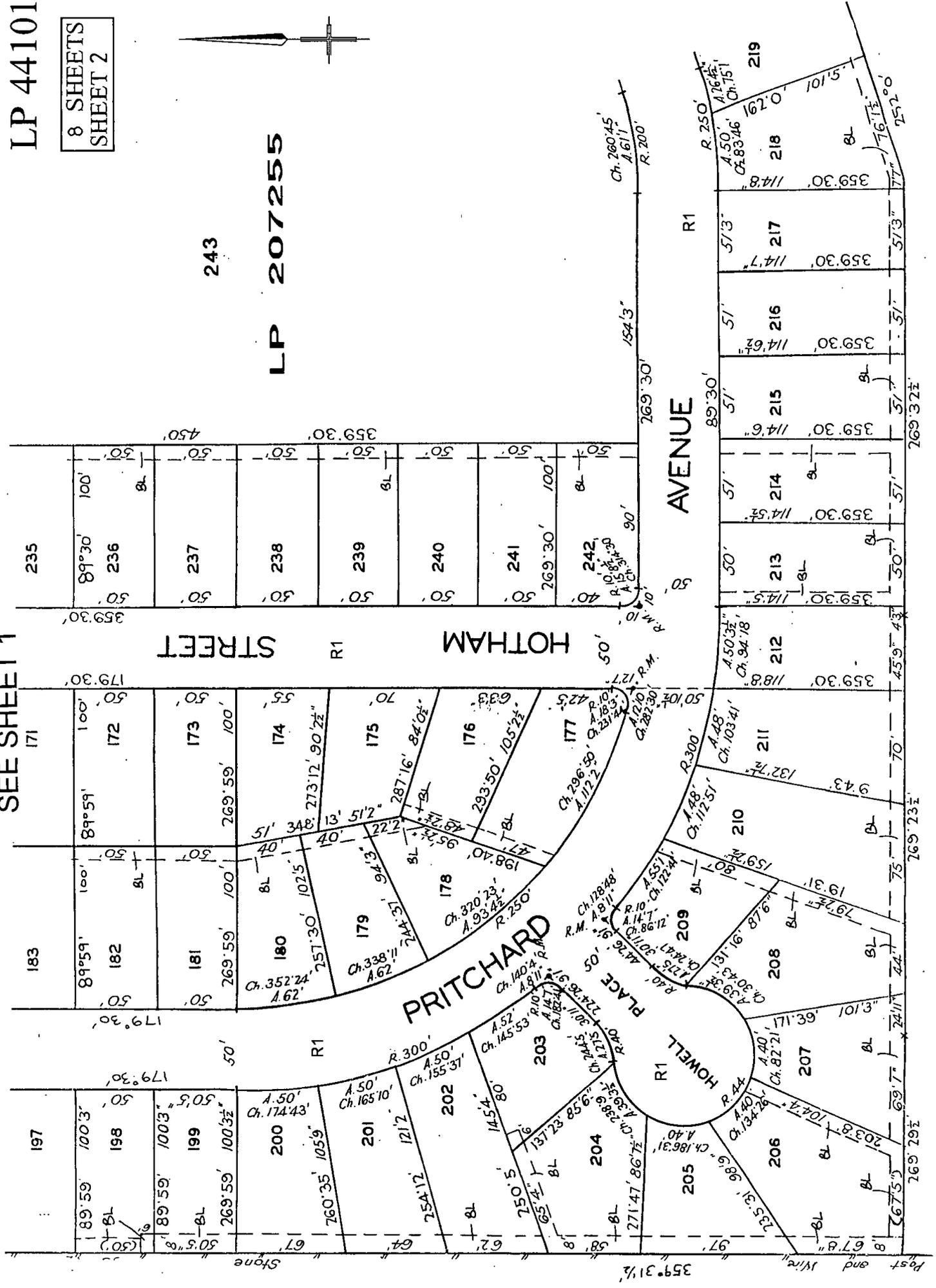
8 SHEETS
SHEET 2



243

LP 207255

SEE SHEET 1



AVENUE

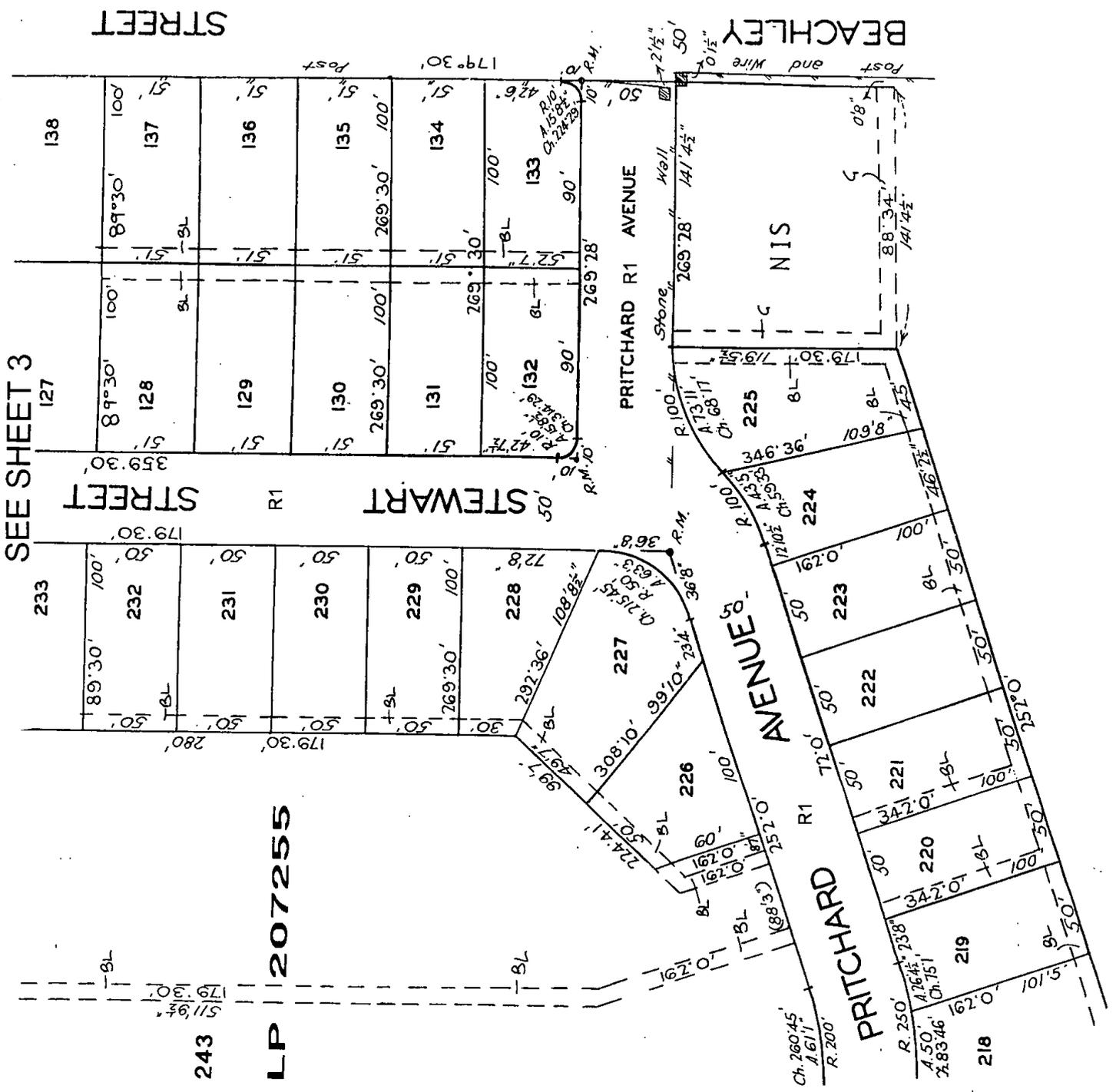
STREET

PRITCHARD

HOWELL

PLACE

LP 44101
8 SHEETS
SHEET 4



SEE SHEET 3

SEE SHEET 6

SEE SHEET 2

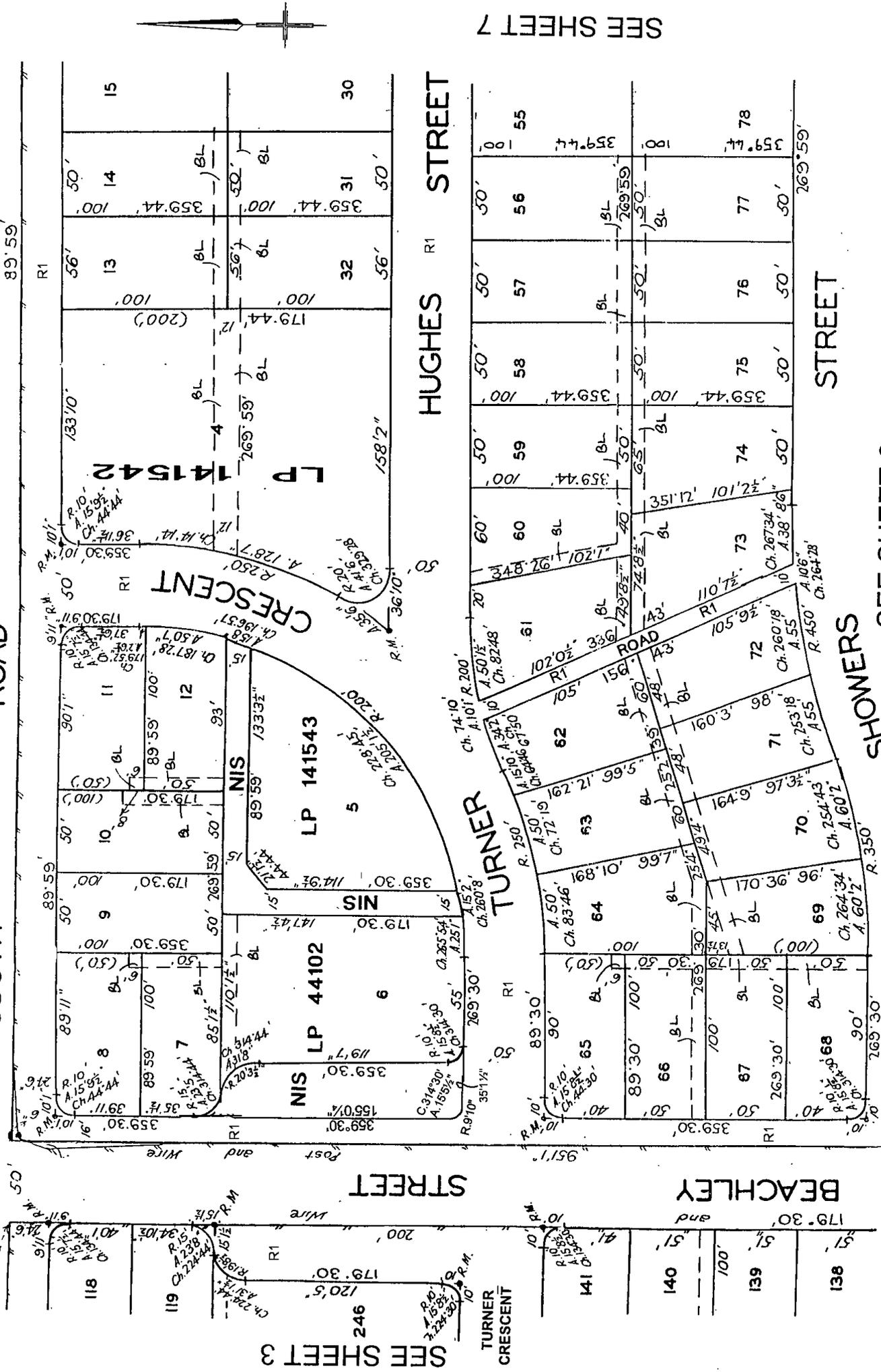
243
LP 207255

8 SHEETS
SHEET 5

LP 44101

SOUTH ROAD

ROAD



SEE SHEET 3

TURNER CRESCENT

SEE SHEET 7

SEE SHEET 6

SHOWERS STREET

STREET

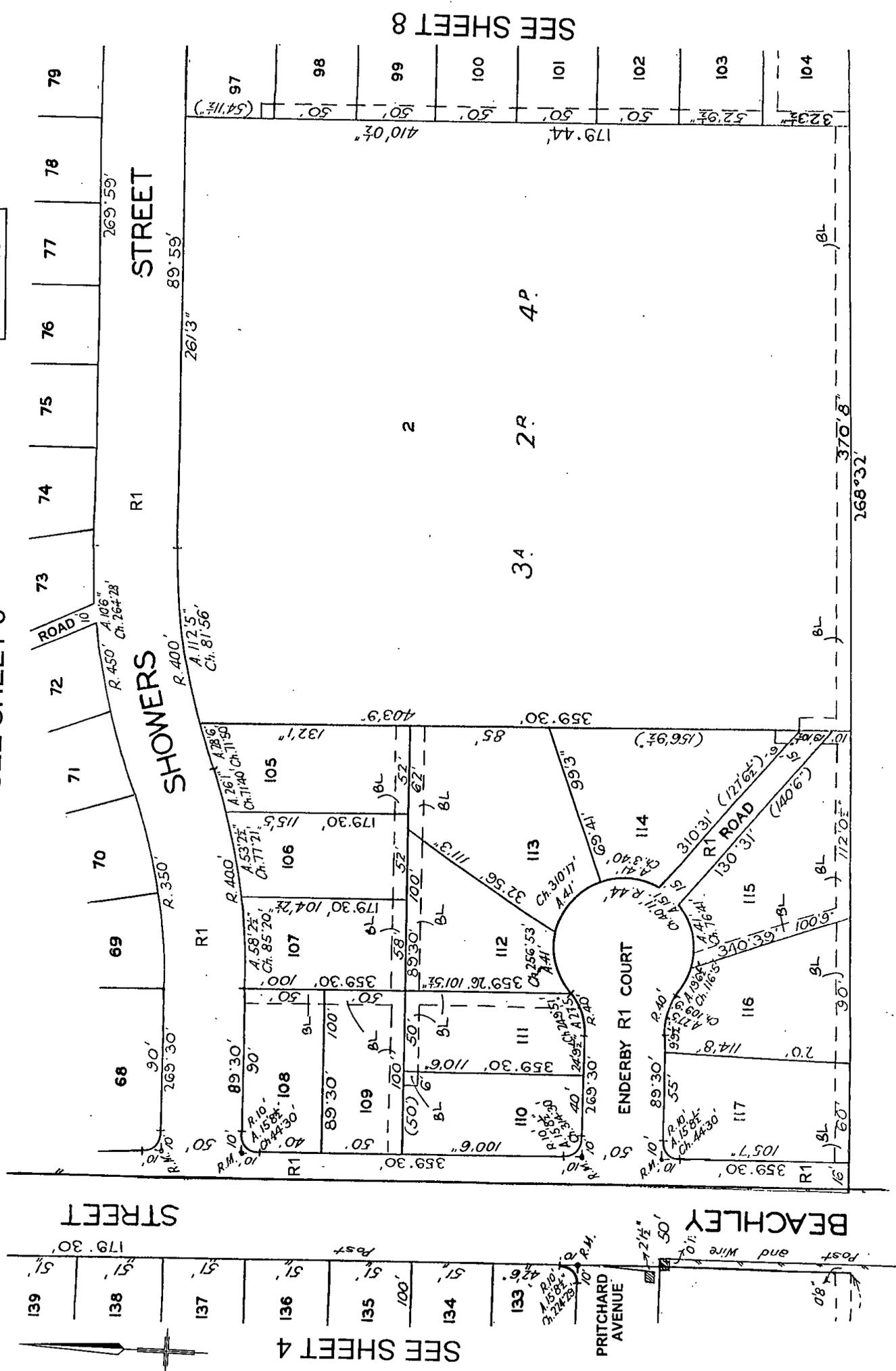
HUGHES STREET

STREET

BEACHLEY STREET

LP 44101
8 SHEETS
SHEET 6

SEE SHEET 5



SEE SHEET 4

SEE SHEET 8

STREET

BEACHLEY

PRITCHARD AVENUE

ENDERBY R1 COURT

SHOWERS STREET

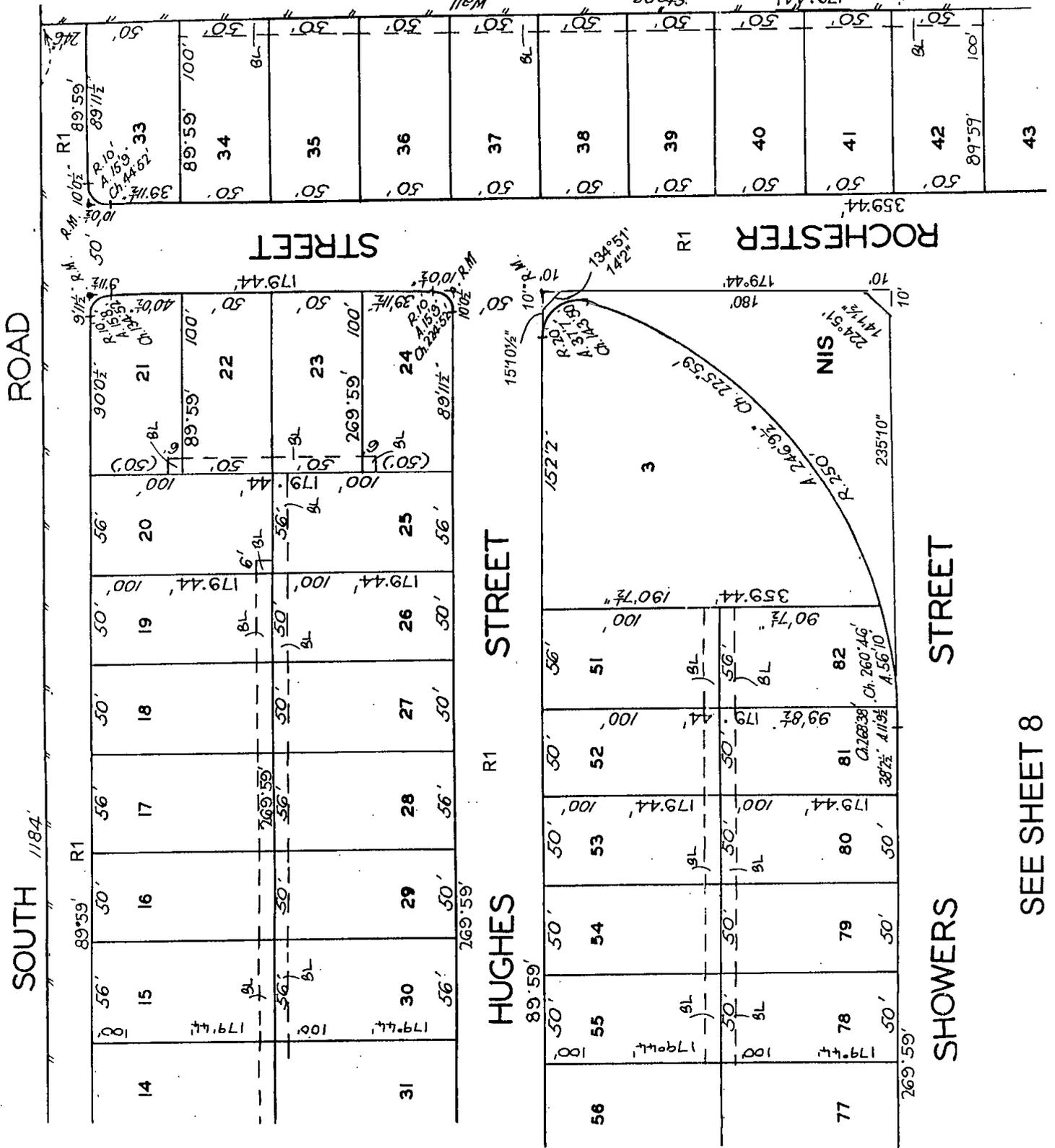
68 69 70 71 72 73 74 75 76 77 78 79

104 103 102 101 100 99 98 97

108 107 106 105 104

110 111 112 113 114 115 116 117

LP 44101
8 SHEETS
SHEET 7



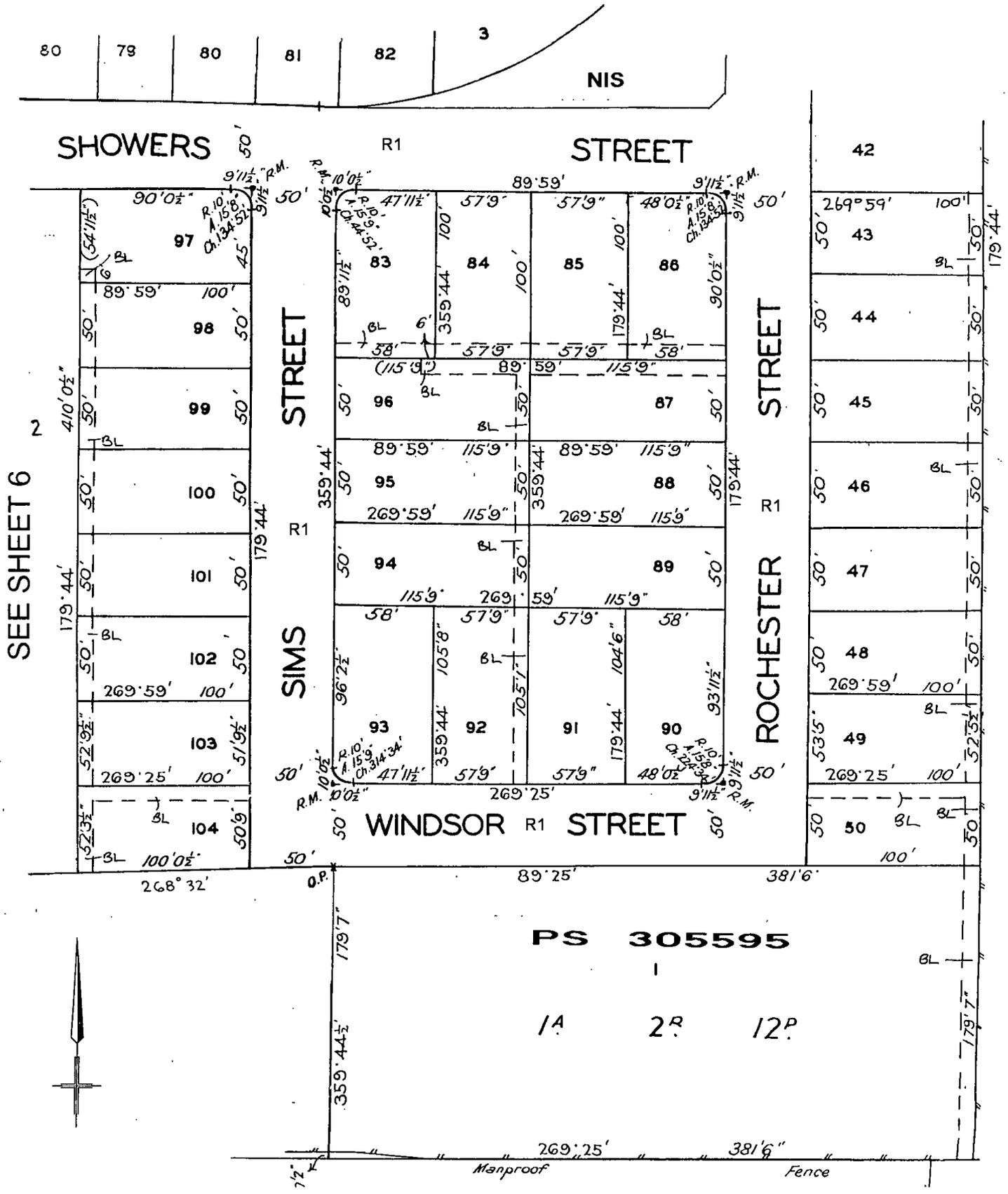
SEE SHEET 5

SEE SHEET 8

LP 44101

8 SHEETS
SHEET 8

SEE SHEET 7



SEE SHEET 6

PS 305595

1A 2R 12P

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER
L.P.44101

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
		ROAD DISCONTINUED	VIDE AO IN LGD 5062			1	
LOT 244		EASEMENT EXCISED	VIDE AP L840293 SEC 106C			1	
		ROAD DISCONTINUED	VIDE AO IN LGD 5148 & 5168			1	
		ROAD DISCONTINUED	VIDE AO IN LGD 3450			1	
LOT56		RECTIFICATION	AD113429F	14/09/2004		2	IRM
		WARNING: THE IMAGE OF THIS PLAN / DOCUMENT HAS BEEN DIGITALLY AMENDED. NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN / DOCUMENT.					
LOT33		REMOVAL OF EASEMENT	PS722584T	02/01/18		3	E.K
LOT 185 & 186	E-2 & E-3	CREATION OF EASEMENT	AT295486S	02/07/2020		4	L.H
LOT 243		REMOVAL OF EASEMENT - PART OF EASEMENT COLOURED BLUE IN LOT 243	PS811089J	4/3/21		5	RH
LOT 186		RECTIFICATION	AU199378N	01/04/21		6	L.H

Project Address: 8 Hughes Street, Braybrook

Planning Application: TP278/2025(1)

PRELIMINARY CONCERNS

Environmentally Sustainable Design

- Shading is proposed in a form of window hoods and louvered shading to all east, west and north habitable room windows and glass sliding doors, refer Floor plan drawings A002, A003 and Elevation Drawing A501.
- Proposed finishes and materials have been amended to have a Solar Reflective Index >50 or Solar Absorbance <0.6, refer Elevation Drawing A501.
- Electric vehicle charge points with the provision of a minimum 32A dedicated circuit from switchboard to the garage are proposed for the new dwellings, refer Ground Floor Drawing A002.

Insufficient Clause 55 Assessment

Please refer attached amended town planning report that demonstrates how the development complies with the current Townhouse and Low –Rise Code/Clause 55.

Stormwater

Please refer attached stormwater management system assessment using Blue Factor (formally STORM).

Clause 55 Assessment – Two Dwellings on a lot
8 Hughes Street, Braybrook

CLAUSE	CLAUSE CONTENT	COMPLIANCE INDICATED
55.02	Neighbourhood Character	Refer to drawing A001. The surrounding neighbourhood predominantly contains one storey and two storey houses in the surrounding area. The dwellings are of brick veneer construction and timber cladding, with tiled and colorbond pitched roofs. Low front fencing is provided. Street setbacks are generally uniform. Garages and carports are generally situated to the side of the dwellings.
55.02-1	<p>Street setback objectives To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.</p> <p>Standard B2-1 Walls of buildings are set back from streets:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or • If no distance is specified in a schedule to the zone, the distance specified in Table B2-1. <p>Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.</p>	<p>Complies</p> <p>The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser.</p> <p>The proposed street setback is 4.6m, which is the lesser of the street setback of the 2 neighbouring properties.</p>
55.02-2	<p>Building height objectives To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p> <p>Standard B2-2</p> <p>The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the</p>	<p>Complies</p> <p>Building height does not exceed 9m.</p>

	maximum building height does not exceed 10 metres.	
55.02-3	<p>Side and rear setbacks objective</p> <p>To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.</p> <p>Standard B2-3</p> <p>A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.</p> <p>Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:</p> <p>B2-3.1:</p> <ul style="list-style-type: none"> The building is set back at least 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. <p>B2-3.2:</p> <ul style="list-style-type: none"> If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres. If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. <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 encroach not more than 0.5 metres into the side and rear setbacks.</p> <p>Landings that have 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 side and rear setbacks.</p>	<p>Complies</p> <p>The building is set back in accordance with B2-3.1, refer to elevation for the setback diagram.</p>
55.02-4	<p>Walls on boundaries objectives</p> <p>To ensure that the location, length and height of a wall on a</p>	<p>Complies</p> <p>New wall on boundary is 6.47m long</p>

	<p>boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.</p> <p>Standard B2-4</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 a lot does not abut the boundary for a length that exceeds the greater of the following distances:</p> <ul style="list-style-type: none"> • 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or • The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot. <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>The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	
55.02-5	<p>Site coverage objective</p> <p>To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.</p> <p>Standard B2-5</p> <p>The site area covered by buildings does not exceed:</p> <ul style="list-style-type: none"> • The maximum site coverage specified in a schedule to the zone; or • If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5. <p>If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5:</p>	<p>Complies</p> <p>The building is located within General Residential Zone, which allows for 65% site coverage. Proposed site coverage is 62%</p>

	<p style="text-align: center;">Table B2-5 Site coverage</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="text-align: left;">Zone</th> <th style="text-align: left;">Area</th> </tr> </thead> <tbody> <tr> <td>Neighbourhood Residential Zone</td> <td>60 per cent</td> </tr> <tr> <td>Township Zone</td> <td></td> </tr> <tr style="background-color: #d3d3d3;"> <td>General Residential Zone</td> <td>65 per cent</td> </tr> <tr> <td>Residential Growth Zone</td> <td>70 per cent</td> </tr> <tr> <td>Mixed Use Zone</td> <td></td> </tr> <tr> <td>Housing Choice and Transport Zone</td> <td></td> </tr> </tbody> </table>	Zone	Area	Neighbourhood Residential Zone	60 per cent	Township Zone		General Residential Zone	65 per cent	Residential Growth Zone	70 per cent	Mixed Use Zone		Housing Choice and Transport Zone		
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<p>55.02-6</p>	<p>Access objective</p> <p>To ensure the number and design of vehicle crossovers responds to the neighbourhood character.</p> <p>Standard B2-6</p> <p>The width of accessways or car spaces (other than to a rear lane) does not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage; or • 40 per cent of the street frontage if the width of the street frontage is less than 20 metres. <p>The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.</p> <p>The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.</p>	<p>Complies</p> <p>The subject site has a street frontage that is less than 20m wide, therefore width of accessways can be 40% of the street frontage. Street frontage is 17.07m, 40% is 6.83m. Proposed accessways are 6m wide. Proposed accessway encroaches into the tree protection zone of an existing street tree by 4.1%</p>														
<p>55.02-7</p>	<p>Tree canopy objectives</p> <p>To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.</p> <p>To preserve existing canopy cover and support the provision of new canopy cover.</p> <p>To ensure new canopy trees are climate responsive, support</p>	<p>Complies</p> <p>The subject site is 520m², 10% of the site is 52m². Proposed development will accommodate 4 new trees with minimum mature canopy cover of 54m².</p>														

	<p>biodiversity, wellbeing and amenity, and help reduce urban heat.</p> <p>Standard B2-7</p> <p>Provide a minimum canopy cover as specified in Table B2-7.1.</p> <p style="text-align: center;">Table B2-7.1 Canopy cover</p> <table border="1" data-bbox="347 504 1018 719"> <thead> <tr> <th>Site area</th> <th>Canopy cover</th> </tr> </thead> <tbody> <tr> <td>1000 square metres or less</td> <td>10% of site area</td> </tr> <tr> <td>More than 1000 square metres</td> <td>20% of site area</td> </tr> </tbody> </table>	Site area	Canopy cover	1000 square metres or less	10% of site area	More than 1000 square metres	20% of site area	
Site area	Canopy cover							
1000 square metres or less	10% of site area							
More than 1000 square metres	20% of site area							
<p>55.02-8</p>	<p>Front fences objective</p> <p>To encourage front fence design that responds to the existing or preferred neighbourhood character.</p> <p>Standard B2-8</p> <p>A front fence within 3 metres of a street is:</p> <p>The maximum height specified in a schedule to the zone, or</p> <p>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.</p> <p>Table B2-8 Maximum front fence height</p> <table border="1" data-bbox="347 1384 1018 1525"> <thead> <tr> <th>Street context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Transport Zone 2</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street context	Maximum front fence height	Streets in a Transport Zone 2	2 metres	Other streets	1.5 metres	<p>Complies</p> <p>Proposed front fence is 1.2m high</p>
Street context	Maximum front fence height							
Streets in a Transport Zone 2	2 metres							
Other streets	1.5 metres							
<p>55.03-2</p>	<p>Parking location objective</p> <p>To minimise the impact of vehicular noise within developments on residents.</p> <p>Standard B3-2</p> <p>Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:</p>	<p>Complies</p> <p>This standard is met as the relevant car parking space is used exclusively by the resident of the building with the habitable room</p>						

	<ul style="list-style-type: none"> • 1.5 metres; or • If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or • 1 metre where window sills are at least 1.5 metres above ground level. <p>This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room</p>	
55.03-3	<p>Street integration objective</p> <p>To integrate the layout of development with the street to support the safety and amenity of residents.</p> <p>Standard B3-3</p> <p>Where a development fronts a street, a vehicle accessway or abuts public open space:</p> <ul style="list-style-type: none"> • Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space. • The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency. <p>Lighting is provided to all external accessways and paths.</p> <p>Mailboxes are provided for each dwelling and can be communally located.</p>	<p>Complies</p> <p>Passive surveillance is provided by a direct view from a habitable room window of the front Lounge room. Proposed fence is no more than 25% transparency. Mailboxes are provided for each dwelling.</p>
55.03-4	<p>Entry objectives</p> <p>To provide each dwelling, apartment development or residential building with its own sense of identity.</p> <p>To provide entries with weather protection, safe design, natural light and ventilation.</p> <p>Standard B3-4</p> <p>Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings</p> <p>Each dwelling and each residential building has a ground</p>	<p>Complies</p> <p>Each proposed dwelling has an entry door that has a direct line of sight from and accessway. External covered area of 1.44 square metres with a dimension of 1.2 metres over the entry door.</p>

	<p>level entry door that:</p> <ul style="list-style-type: none"> • Has a direct line of sight from a street, accessway or shared walkway. • Is not accessed through a garage. • Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door. 	
<p>55.03-5</p>	<p>Private open space objectives</p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p> <p>Standard B3-5</p> <p>A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.</p> <p>If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:</p> <ul style="list-style-type: none"> • An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or • A balcony with at least the area and dimensions specified in Table B3-5; or • An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or • An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width. <p>If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;</p> <ul style="list-style-type: none"> • The area and dimensions specified in the schedule must be 25 square metres or less; and • The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard. <p>If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.</p> <p>Where ground level private open space is provided an area for clothes drying is provided.</p>	<p>Complies</p> <p>Each proposed dwelling has direct access from the living areas with an area of 32m² of secluded private open space, with a dimension of 3.7 metres width</p>

<p>55.03-6</p>	<p>Solar access to open space objective</p> <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p> <p>Standard B3-6</p> <p>The southern boundary of secluded private open space is 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.</p>	<p>Complies</p> <p>There is no wall to the north of the secluded private open space, allowing adequate solar access into the secluded private open space of the proposed dwellings</p>																		
<p>55.03-7</p>	<p>Functional layout objective</p> <p>To ensure dwellings provide functional areas that meet the needs of residents.</p> <p>Standard B3-7</p> <p>Bedrooms:</p> <ul style="list-style-type: none"> • Meet the minimum internal room dimensions specified in Table B3-7.1; and • Provide an additional area of at least 0.8 square metres to accommodate a wardrobe. <p>Table B3-7.1 Bedroom dimensions</p> <table border="1" data-bbox="347 1126 1018 1335"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <p>Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.</p> <p>Table B3-7.2 Living area dimensions</p> <table border="1" data-bbox="347 1543 1018 1816"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	<p>Complies</p> <p>Bedrooms of the proposed dwellings meet the minimum dimension requirements. Living area meets the required dimensions, providing 24m² of living area. For each dwelling.</p>
Bedroom type	Minimum width	Minimum depth																		
Main bedroom	3 metres	3.4 metres																		
All other bedrooms	3 metres	3 metres																		
Dwelling type	Minimum width	Minimum area																		
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																		
2 or more bedroom dwelling	3.6 metres	12 sqm																		

<p>55.03-8</p>	<p>Room depth objective</p> <p>To allow adequate daylight into single aspect habitable rooms.</p> <p>Standard B3-8</p> <p>The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> • The room combines the living area, dining area and kitchen; and • The kitchen is located furthest from the window; and • The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and • An overhang extends no more than 2m beyond the window of the single aspect habitable room. <p>In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.</p>	<p>Complies</p> <p>Single aspect habitable rooms do not exceed the room dimensions to allow adequate daylight. Refer floor plans for room dimension and calculations.</p>
<p>55.03-9</p>	<p>Daylight to new windows objective</p> <p>To allow adequate daylight into new habitable room windows.</p> <p>Standard B3-9</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>A window in an external wall of the building is provided to all habitable rooms.</p> <p>Habitable rooms in a dwelling have a window that faces:</p> <ul style="list-style-type: none"> • 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 • A verandah provided it is open for at least one third of its perimeter; or • A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	<p>Complies</p> <p>All habitable rooms have a window in the external wall of the building and face outdoor spaces clear to the sky with a minimum of 3m² and 1m min clear to the sky.</p>

<p>55.03-10</p>	<p>Natural ventilation objectives</p> <p>To encourage natural ventilation of dwellings.</p> <p>To allow occupants to effectively manage natural ventilation of dwellings.</p> <p>Standard B3-10</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:</p> <ul style="list-style-type: none"> • A maximum breeze path through the dwelling of 18 metres. • A minimum breeze path through the dwelling of 5 metres. • Ventilation openings with approximately the same size. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	<p>Complies</p> <p>The proposed dwellings have operable windows with breeze paths as shown on the floor plans and are between 5 and 18 metres, and are located on different orientations of the dwellings.</p>
<p>55.03-11</p>	<p>Storage objective</p> <p>To provide adequate storage facilities for each dwelling.</p> <p>Standard B3-11</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.</p>	<p>Complies</p> <p>Each dwelling has been provided with 6 cubic metres of externally accessible storage space.</p>
<p>55.04-1</p>	<p>Daylight to existing windows objective</p> <p>To allow adequate daylight into existing habitable room windows.</p> <p>Standard B4-1</p> <p>Buildings opposite an existing habitable room window 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 are set back from the</p>	<p>Complies</p> <p>Garage wall on boundary of proposed Dwelling 2 is built across from a habitable window of No.6 Hughes Street, however the wall height is less than 3 metres and provides a 3m² light court with a dimension of 1.37m</p>

	<p>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>	
55.04-2	<p>Existing north-facing windows objective</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p> <p>Standard B4-2</p> <p>Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:</p> <ul style="list-style-type: none"> • A new building is to be set back from the boundary by at least 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. • For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window. <p>For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.</p>	<p>Complies</p> <p>There are no existing north facing habitable room windows effected by the proposed dwellings.</p>
55.04-3	<p>Overshadowing secluded open space objective</p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p> <p>Standard B4-3</p> <p>The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five</p>	<p>Complies</p> <p>Refer Shadow Diagrams and associated calculation tables on drawings A006 & A007, the sunlight to secluded private open spaces of the existing neighbouring dwellings is more than 25m² for five hours between 9am and 3pm on 22 September.</p>

	<p>hours between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.</p>	
<p>55.04-4</p>	<p>Overlooking objective</p> <p>To limit views into existing secluded private open space and habitable room windows.</p> <p>Standard B4-4</p> <p>In Clause 55.04-4 a habitable room does not include a bedroom.</p> <p>A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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.</p> <p>A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:</p> <ul style="list-style-type: none"> • Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or • Has sill heights of at least 1.7 metres above floor level; or • Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. <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 are:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the 	<p>Complies</p> <p>Habitable room windows have been provided with fixed obscure glazing to 1.7m above floor level, refer Elevations Drawing A501</p>

	<p>development.</p> <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>	
55.04-5	<p>Internal views objective</p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p> <p>Standard B4-5</p> <p>In Clause 55.04-5 a habitable room does not include a bedroom.</p> <p>Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:</p> <ul style="list-style-type: none"> • Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or • Has a sill height of at least 1.7 metres above floor level; or • Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or • Has permanently fixed external screens to at least 1.7 metres above floor level; or. • Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins. <p>Direct views are measured at a height of 1.7 metres above floor level and within:</p> <ul style="list-style-type: none"> • A 45 degree horizontal angle from the edge of the new window or balcony. • A 45 degree angle in the downward direction. <p>Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.</p>	<p>Complies</p> <p>Habitable room windows do not have views into secluded private open space and habitable room windows of dwellings within the development.</p>
55.05-1	<p>Permeability and stormwater management objective</p> <p>To reduce the impact of increased stormwater run-off on the</p>	<p>Complies</p> <p>The site area covered by the pervious surfaces is at 30.8%. Certificate was generated from a stormwater</p>

	<p>drainage system and downstream waterways.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To contribute to urban cooling.</p> <p>Standard B5-1</p> <p>The site area covered by the pervious surfaces is at least 20 percent of the site.</p> <p>The development includes a stormwater management system designed to:</p> <ul style="list-style-type: none"> • Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of: <ol style="list-style-type: none"> 1. Suspended solids 80% reduction in mean annual load. 2. Total phosphorus and Total Nitrogen 45% reduction in mean annual load. 3. Litter 70% reduction of mean annual load. <p>Note:</p> <p>A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.</p> <ul style="list-style-type: none"> • Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge. 	<p>assessment tool with a Score of 101%, please refer Drawing A007.</p>
<p>55.05-2</p>	<p>Overshadowing domestic solar energy systems objective</p> <p>To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.</p> <p>Standard B5-2</p> <p>Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at</p>	<p>Complies</p> <p>Proposed dwellings will not reduce solar access to existing domestic solar energy systems on the roofs of buildings.</p>

	<p>least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</p> <p>This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.</p> <p>In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.</p>									
55.05-3	<p>Rooftop solar energy generation area objective</p> <p>To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.</p> <p>Standard B5-3</p> <p>In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.</p> <p>An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:</p> <ul style="list-style-type: none"> • Has a minimum dimension of 1.7 metres. • Has a minimum area in accordance with Table B5-3. • Is oriented to the north, west or east. • Is positioned on the top two thirds of a pitched roof. • Can be a contiguous area or multiple smaller areas. <p>Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.</p> <p>Table B5-3 Minimum rooftop solar energy generation area</p> <table border="1"> <thead> <tr> <th>Number of bedrooms</th> <th>Minimum roof area</th> </tr> </thead> <tbody> <tr> <td>1 bedroom dwelling</td> <td>15 square metres</td> </tr> <tr> <td>2 or 3 bedroom dwelling</td> <td>26 square metres</td> </tr> <tr> <td>4 or more bedroom dwelling</td> <td>34 square metres</td> </tr> </tbody> </table>	Number of bedrooms	Minimum roof area	1 bedroom dwelling	15 square metres	2 or 3 bedroom dwelling	26 square metres	4 or more bedroom dwelling	34 square metres	<p>Complies</p> <p>Proposed dwellings will not reduce solar access to existing domestic solar energy systems on the roofs of buildings.</p> <p>Proposed dwellings provide an area of 34m² on each of the roofs that is capable of siting a rooftop solar energy area for each dwelling. Refer drawing A007</p>
Number of bedrooms	Minimum roof area									
1 bedroom dwelling	15 square metres									
2 or 3 bedroom dwelling	26 square metres									
4 or more bedroom dwelling	34 square metres									
55.05-4	<p>Solar protection to new north-facing windows objective</p>	<p>Complies</p> <p>North facing windows are</p>								

	<p>To encourage external shading of north facing windows to minimise summer heat gain.</p> <p>Standard B5-4</p> <p>North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.</p>	<p>shaded with 500mm wide window shrouds on first floor, ground floor windows and sliding glass doors are shaded with 600mm wide sun louvres.</p>																
<p>55.05-5</p>	<p>Waste and recycling objectives</p> <p>To ensure dwellings are designed to facilitate waste recycling.</p> <p>To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.</p> <p>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.</p> <p>Standard B5-5</p> <p>Dwelling (other than a dwelling in or forming part of an apartment development)</p> <p>The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.</p> <p style="text-align: center;">Table B5-5.1 Bin storage</p> <table border="1" data-bbox="347 1323 1018 1924"> <thead> <tr> <th>Type of bin storage area</th> <th>Minimum area</th> <th>Minimum depth</th> <th>Minimum height</th> </tr> </thead> <tbody> <tr> <td>Individual bin storage area for a dwelling.</td> <td>1.8 square metres</td> <td>0.8 metre</td> <td>1.8 metres</td> </tr> <tr> <td>Shared bin storage area for 3 dwellings or less.</td> <td>5.4 square metres</td> <td>0.8 metre</td> <td>1.8 metres</td> </tr> <tr> <td>Shared bin storage area for 4 or more dwellings.</td> <td>1 square metre per dwelling plus 4 square metres</td> <td>0.8 metre</td> <td>1.8 metres</td> </tr> </tbody> </table> <p>Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum</p>	Type of bin storage area	Minimum area	Minimum depth	Minimum height	Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres	Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres	Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres	<p>Complies</p> <p>Bin storage area of 1.8m² is provided for each proposed dwelling, located in the front setback.</p>
Type of bin storage area	Minimum area	Minimum depth	Minimum height															
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres															
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres															
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres															

	depth of 250 millimetres.	
55.05-6	<p>Noise impacts objective</p> <p>To minimise the impact of mechanical plant noise located in the development.</p> <p>Standard B5-6</p> <p>Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.</p>	<p>Complies</p> <p>Mechanical plant such as water tank pumps are not located next to a bedroom</p>

Hughes Street

The proposed stormwater treatments provide 'deemed to comply' compliance with the minimum planning requirement for total nitrogen but does not comply with all the relevant objectives for management of stormwater flows on-site.



Project details

Name	Hughes Street
Street address	8 Hughes St, Braybrook VIC 3019, Australia
Municipality	Maribyrnong
Site area	520 m ²
Planning Number	

Flow and pollutant load reductions

Item	Result	Target
Mean annual runoff volume harvested or evapotranspired (%)	36%	>28%
Mean annual runoff volume infiltrated or filtered (%)	0%	>9%
Total suspended solids (%)	69%	>80%
Total phosphorus (%)	59%	>45%
Total nitrogen (%)	45%	>45%
Total gross pollutants (%)	88%	>70%

Water treatment

Catchments

Roof 1 101.85m²

Roof 2 101.85m²

Driveway 1 Paved, 20m²

Driveway 2 Paved, 20m²

Roof 3 58.2m²

Roof 4 58.2m²

Garden Area Pervious (garden and lawn), 160m²

Treatments

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 4

Rainwater Tank 2

Rainwater tank retention volume in kilolitres: 4

Buildings & dwellings

Building 1 Residential Townhouse, 4 bedroom(s)

Building 2 Residential Townhouse, 4 bedroom(s)

Configuration 1

Roof 1 101.85m²

Roof 3 58.2m²

Rainwater Tank 1

Rainwater tank retention volume in kilolitres: 4,

Building 1 Residential Townhouse, 4 bedroom(s)

Configuration 2

Roof 2 101.85m²

Roof 4 58.2m²

Rainwater Tank 2

Rainwater tank retention volume in kilolitres: 4,

Building 2 Residential Townhouse, 4 bedroom(s)



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ARBORICULTURAL ASSESSMENT & REPORT

DEVELOPMENT IMPACT ASSESSMENT

8 HUGHES STREET BRAYBROOK

FOR: EV ARCHITECTURE

FRIDAY 17TH OCTOBER 2025

Arboricultural Assessment and Report 8 Hughes Street Braybrook

Report By: Graeme Lewis
Consulting Arborist
(Level 5 AQF)

Mobile: 0400 260 484

Objectives

To assess those trees located within and adjacent the subject site that may be affected by a potential development.

To assess the potential of the proposal to affect tree health.

To provide tree protection information where appropriate.

Methodology

A site inspection was undertaken on Wednesday 15th October 2025. The trees were inspected from ground level and observations made of the surrounding area. The subject trees were assessed for botanic name, health, structure, form, trunk and origin. Trunk diameters were measured at 1.4m from grade and at the trunk root plate interface. Canopy height and width were estimated as were neighbouring tree dimensions.

I have assessed the following 01.08.2025 plans drawn by EV Architecture:

Neighbourhood Description Plan
Design Response Plan / Ground Floor Plan
First Floor Plan
Landscape Plan
Elevations

A copy of the *Design Response Plan / Ground Floor Plan* is provided in appendix 4 of this report.

Individual tree data is provided in Appendix 1.

Site photographs are provided in Appendix 5.

Observations

The subject site (the site) consists of a General Residential Zone (Schedule 1) allotments located in Braybrook, a suburb located within the City of Maribyrnong. A single story timber dwelling exists on the site in a garden of open lawns. A single tree exists on the site, it is an environmental weed *Coprosma repens* (Taupata), which has likely self-sown into its location in the rear setback.

A neighbouring fruit tree – *Ficus carica* (Common Fig) is located to the north of the site and adjacent the common boundary.

A single *Malus ioensis* (Crab Apple) is situated as a street tree in the Hughes Street nature strip.

It is proposed to demolish the site, including the site tree, to facilitate the construction of two townhouses set in a duplex arrangement. Vehicle access is provided via an existing and proposed street crossover onto Hughes Street.

None of the site or neighbouring trees are protected by planning scheme overlays or Local Law.

Councils Local Law 2015 Part 29 c requires an Asset Protection Permit for nature strip trees and infrastructure within a tree protection zone. This would apply to the street tree #1.

Discussion

Tree Value

Trees can make a positive contribution to the appeal of a completed development by providing a visual softening of the built form, a maturity to the landscape, a connection with the pervading landscape and neighbourhood character, they also provide scale, shade, beauty, habitat and benefits to human health. However not all trees are suitable for retention, particularly within a proposed development.

Tree Retention, Protection and Development

If trees are to be successfully retained within a development site, measures must be taken to ensure adequate retention and protection of the canopy and root mass.

Industry standard AS4970 2025 *Protection of Trees on Development Sites* requires a suitably qualified arborist to identify the tree/s Notional Root Zones (NRZ's) which are a primary trigger for arboricultural input. NRZ's are calculated by multiplying the trunk diameter at 1.4m from grade by twelve, which determines the radius of a circle shown on plan. An area to protect tree health from construction harm, known as a Tree Protection Zone (TPZ) will be determined by the project arborist after considering the extent of encroachments to the Notional Root Zone.

The Structural Root Zone (SRZ) is a theoretical area of roots and soil that maintains the anchorage of a trees root mass. The SRZ is calculated using a diameter measurement above the root buttress as its basis – $RSRZ = (D \times 50)^{0.42} \times 0.64$. Similar to the NRZ, the SRZ is also shown on plan as a circle, measured as a radius from trunk centre.

Where a proposed encroachment to the area of the NRZ is less than or equal to 10% and that zone has not had recent encroachments and is outside the SRZ, the encroachment is considered minor. In general, it is unlikely that tree health, longevity or structure will be materially affected.

To avoid a net loss of soil area and volume, an area equivalent to the encroachment, shall be incorporated into the Tree Protection Zone unless the project arborist otherwise demonstrates that the tree will remain viable.

Where a proposed encroachment is greater than 10% and less than 20% of the NRZ area and outside the SRZ, it is considered moderate. A project arborist shall be engaged to undertake any necessary investigation to address the factors listed in Clause 3.3.2 to demonstrate how the tree will remain viable. This may be through the implementation of suitable design measures and construction controls to mitigate impacts during the development process.

To avoid a net loss of soil area and volume, an area equivalent to the encroachment shall be incorporated into the Tree Protection Zone unless the project arborist otherwise demonstrates that the tree will remain viable.

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

Where encroachments are major a more detailed investigation is necessary. This can include root investigation, soil analysis, historical records of the tree or site, relevant literature and examples of similar encroachments.

Under a permit requirement issued by the Responsible Authority, a Tree Protection Schedule (TPS) and Tree Protection Plan (TPP) shall be prepared by the project arborist to support retention of the tree. The Tree Protection Plan will show the extent of the area to be protected (TPZ), which may also be increased to provide an area equivalent to the proposed encroachment (unless the project arborist otherwise demonstrates that the tree will remain viable).

AS4970 2025 states that the TPZ should be determined using the considerations provided in section 3.3.2 and the extent of TPZ encroachments that may occur as a result of the proposed development.

3.3.2 Considerations in determining the TPZ:

- (a) Location and distribution of the roots
- (b) Potential loss of root mass resulting from the encroachment (number of roots and diameter of roots)
- (c) Tree Species and tolerance to root disturbance
- (d) If the works will result in a temporary (e.g service trench) or permanent (e.g. basement carpark) loss of available soil volume.
- (e) Age, health, current size and projected size of the tree
- (f) Presence of other trees with overlapping NRZ or grafted roots.
- (g) Proposed staging and timing of excavation or root cutting.
- (h) Proposed tree maintenance and tree care activities.
- (i) Lean and stability of the tree.
- (j) Soil characteristics and volume, topography and drainage.
- (k) Presence of existing or past structures, obstacles affecting root growth or recent encroachments.
- (l) Proposed Construction measures that reduce the impact on trees.
- (m) Whether a root investigation is required. The location and distribution of the roots should be determined through minimal destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetration radar.) Photographs should be taken and, where needed to address geospatial issues, a root map should be prepared.

Note 1 Construction measures such as pier and beam, suspended slabs, cantilevered building sections and screw piles can reduce the impact of encroachment.

Note 2 Root damage should be minimised during this process. The roots should only be exposed for as long as required to meet the purposes of the investigation.

As the tree canopy may extend beyond the NRZ, the TPZ will also need to accommodate protection of the drip line of that canopy.

Although some trees will not be encroached within the NRZ, they may still require protection from construction impacts.

Clause 52.37

The Victorian Government has recently introduced *Clause 52.37 Canopy Trees* for implementation throughout all local government planning schemes.

A permit is required to remove or destroy a canopy tree in specific circumstances.

A canopy tree is defined as having:

- A height of more than 5m above ground level; and

- A trunk circumference of more than 0.5m measured at 1.4m from ground level; and
- A canopy diameter of at least 4m

A permit is only required in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and Housing Choice and Transport Zone in specific circumstances.

A permit is required to remove, destroy or lop a canopy tree anywhere on the lot where:

- The land is vacant.
- The land is vacant and a new single dwelling is proposed (and only a building permit is required)

A permit is required to remove, destroy or lop a canopy tree within 6 metres of the narrowest street frontage and 4.5 metres of the rear boundary where:

- The land contains an existing dwelling where no development is proposed.
- The land contains an existing dwelling and is proposed to be extended.
- The land is vacant and a planning permit application is being assessed for one or more dwellings.
- The land contains an existing dwelling(s) and a planning permit application is being assessed for a one or more dwellings.

The site is in a residential zone and there is a proposal before Council to develop the land, however none of the assessed trees (excluding the street tree) have the dimensions that trigger a permit requirement under Clause 52.37.

The potential for the proposal to affect the health of the street tree and neighbouring tree will be assessed having regard to current industry standards.

Tree Protection Measures

Tree health can often be damaged by ancillary construction works, such as fuel or chemical disposal, ground compaction, root damage by machinery, trenching for services etc. To protect tree health, tree protection measures must be installed prior to the commencement of works and maintained throughout the construction phase.

The most common method of tree protection is the erection of temporary barrier fencing, that excludes access within the TPZ.

As construction access is often required to deliver materials and construct the built form, which may require scaffolding, pedestrian, crane, concrete pump, drill rig or boom access, tree protection measures must ensure adequate tree protection whilst also allowing access. Where access is prevented, workers will often remove or move protection fencing to 'open up' the site' and unknowingly make the trees susceptible to construction damage. For this reason, tree protection that also allows for construction access is seen as appropriate.

Where tree protection fencing would unreasonably restrict access, the use of ground protection and trunk padding would provide a practicable solution.

Tree protection specifications, including fencing and ground protection can be viewed in Appendix 3 of this report.

Conclusions & Recommendations

It is proposed to remove site tree 2 which is an environmental weed of poor amenity value.

According to AS4970 2025, the following Notional Root Zone encroachment assessment applies:

- The NRZ area of tree 1 is encroached a minor amount at 4.7%.
- The NRZ encroachment to tree 3 is minor at 5%.
- Zero NRZ's are encroached a moderate amount.
- Zero NRZ's are encroached a major amount.

Regarding a minor encroachment, AS4970 2025 states that generally it is unlikely that there will be a significant impact to tree health, longevity or structure. Therefore the health of trees 1 & 3 will not be materially affected.

As the Structural Root Zone of tree 3 is encroached, the shed and its base must be constructed on natural grade.

A suitably qualified arborist must attend the street crossover excavation adjacent tree 1, in order to prune, treat and backfill any unearthed roots.

Tree protection measures in accordance with AS4970 2009 *Protection of Trees on Development Sites* must be installed prior to the commencement of any site works.

Tree protection fencing should be placed at the extent of the NRZ for tree 1 where it overlays the nature strip and is unencumbered by works.

Tree protection fencing should be placed at the extent of the NRZ for tree 3 where it overlays the site. This can be removed immediately prior to the erection of the storage shed.

The location of tree protection fencing is provided on Appendix 4.

Storm water drains and other underground services must be diverted around the retained trees TPZ, the only exception would be if the services are installed by underground boring, at appropriate depths, with machinery access and entry pits located outside the TPZ.

Graeme Lewis
Consulting Arborist (Level 5 AQF)

Diploma of Horticulture (Arboriculture) - (Melbourne University)
Advanced Certificate Arboriculture (VCAH Burnley)
Victorian Tree Industry Organisation - Member
Arboriculture Australia - Member

References:

ASA 4970 2009 *Protection of Trees on Development Sites* (Standards Australia)

Appendix 1 Tree Data

*DESCRIPTORS IN APPENDIX 2

DSH = DIAMETER OF TRUNK AT STANDARD HEIGHT (1.4M FROM GRADE) . NRZ = NOTIONAL ROOT ZONE SRZ= STRUCTURAL ROOT ZONE.

BOTH NRZ & SRZ DISTANCES ARE MEASURED AS A RADIUS FROM TRUNK CENTRE. * INDICATES A TREE WITH MULTIPLE TRUNKS.

No.	Botanical Name	Common Name	Height (m)	Width (m)	Health	Structure	Form	Origin	DSH (cm)	NRZ (m)	SRZ (m)	Retention Value	Comments
1	<i>Malus ioensis</i>	Crab apple	6	8	Good	Good	Good	Exotic	21*	2.5	1.8	Medium	Street tree. Part of homogenous planting.
2	<i>Coprosma repens</i>	Taupata	3	5	Good	Fair	Poor	Environmental Weed	8*	2	1.5	Low	
3	<i>Ficus Carica</i>	Common Fig	3	8	Good	Fair	Fair	Exotic	20*	2.4	1.8	Low	

Tree Descriptors Age:

Category	Description
Young	Sapling tree and/or recently planted. As a guide a tree up to \approx 5 years of age.
Semi-mature	Tree rapidly increasing in size and yet to achieve expected size in situation.
Maturing	Specimen has reached expected size in situation, with reduced incremental growth.
Over-mature	Tree is senescent and in decline.
Dead	Tree is dead

Health:

Category	Description
Good	Good growth indicators, eg. extension growth. Crown full, with good density, foliage entire with good colour. No or minimal canopy dieback. Minimal or no pathogen damage. Good wound wood development.
Fair	Typical growth indicators, eg. extension growth, leaf size, canopy density for species in location. Tree may have <30% dead wood, or can have minor canopy dieback. Foliage generally with good colour, some discolouration may be present. Minor pathogen damage may be present.
Poor	Poor growth indicators. Tree may have >30% dead wood. Canopy dieback present. Discoloured or distorted leaves, and/or excessive epicormic growth. Pathogen is present and/or stress symptoms that could lead or are leading to decline of tree.

Structure:

Category	Description
Good	Good branch attachment and/or no or minor structural defects. Trunk and scaffold branches sound or minor damage. Good trunk and scaffold branch taper. No branch over extension. No damage to structural roots and/or good buttressing present. No obvious root pests or diseases.
Fair	Typical structure for species. Some minor structural defects and/or minor damage to trunk. Bark missing. Cavities could be present. Minimal or no damage to structural roots.
Poor	Major structural defects and/or trunk damaged and/or missing bark, large cavities, and/or girdling or damaged roots that are problematic.
Hazardous	Tree poses immediate hazard potential that should be rectified as soon as possible.

Form (General shape of the tree):

Category	Description
Good	Canopy full and symmetrical.
Fair	Minor asymmetry or suppression. Considered typical for species in situation.
Poor	Canopy suppressed, major asymmetry. Stump re-growth

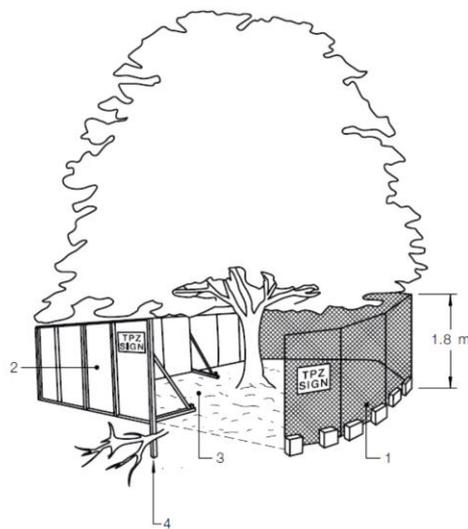
Appendix 3

The protection and preservation of the existing trees on a development site is to be ensured by the installation of tree protection fencing set at the edge of the tree protection zones. Tree Protection fencing is to be installed prior to the commencement of any site works including demolition, excavation, delivery of materials, construction etc.

The Tree Protection Zones must be determined by the consulting arborist and conform to AS4970 2009.

The actual fence specifications should be a minimum of 1.2 - 1.5 metres of chain mesh or like fence with 1.8 meter star pickets every 3-4 metres and a top line of high visibility plastic hazard tape. This fence will deter the entry of heavy equipment and vehicles and also the entry of workers and/or the public into the Tree Protection Zone. The tree protection zone shall be clearly signed on all visible sides "Tree Protection Zone – No entry without permission from the Responsible Authority - caution fines may apply"

Table 1 Protection Fencing



LEGEND:

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



The fences must only be removed or shifted with the consent of the Responsible Authority.

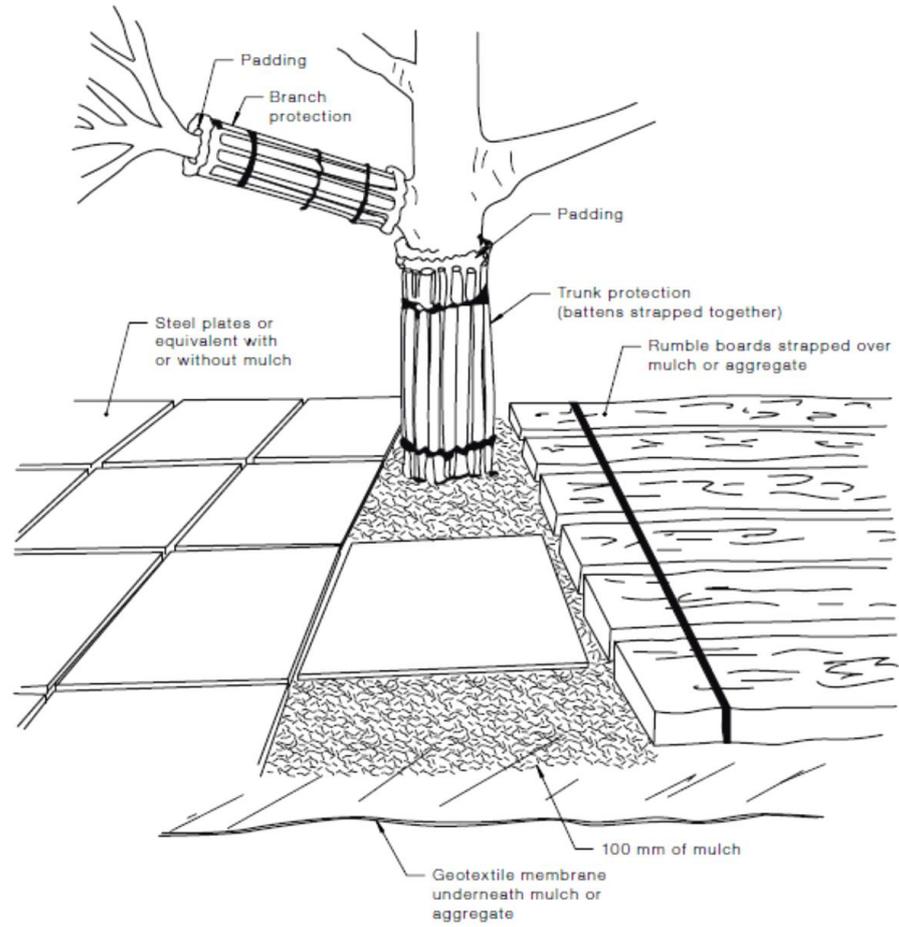
The area inside this Tree Protection Zone should be mulched with a covering of approximately 50 - 100mm deep woodchip mulch or like material.

Construction Access within the Tree protection Zone

If temporary access is required through a Tree Protection Zone this may be carried out using sheets of heavy plywood or like protection but should not be considered for long term requirements (see table 2).

Appendix 1

Table 2. Protection of trunk and ground during temporary access arrangement.

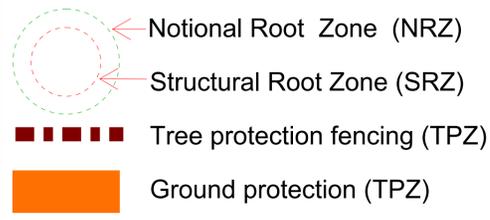


Appendix 1

The following are guidelines that must be implemented to minimise the impact of the proposed construction works on the existing trees.

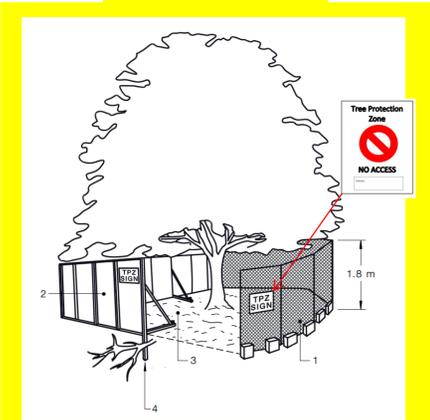
- The Tree Protection Zone is fenced and clearly marked at all times (according to the specification above).
- The project arborist is on-site to supervise all excavation works within the TPZ. This is more paramount if substantial roots (i.e. > 40 mm Ø) are encountered and may require pruning. Inspection will need to take place by the project arborist to ascertain impact on the trees and recommend follow up works if required.
- A layer of organic mulch (woodchips) to a depth of 50 - 100mm (no deeper) should be placed over all root systems (not just in the Tree Protection Zones) of trees which are to be retained to assist with moisture retention.
- No persons, vehicles or machinery are to enter the Tree Protection Zone without the consent of the Responsible Authority.
- Any underground service installations should be bored and utility authorities should common trench where possible.
- No fuel, oil dumps or chemicals shall be allowed in or stored on the Tree Protection Zone and the servicing and re-fuelling of equipment and vehicles should be carried out away from the root zones.
- No storage of material, equipment or temporary building shall take place over the Tree Protection Zone of any tree.
- Nothing whatsoever shall be attached to any tree including temporary services wires, nails, screws or any other fixing device.
- Supplementary watering shall be provided to all trees through any dry periods during and after the construction process.
- Any pruning that is required must be carried out by a trained and competent arborist who has a thorough knowledge of tree physiology and pruning methods. All pruning must conform to the Australian Standard – AS 4373 – 2007 Pruning of Amenity Trees. Any and all pruning must be supervised by the project arborist.
- All root excavation should be carried out by hand digging or with the use of 'Air-Excavation' techniques, and roots should be severed by saw cutting or with a sharp axe and not ripped out with a Backhoe or any machinery or blunt instrument.

LEGEND



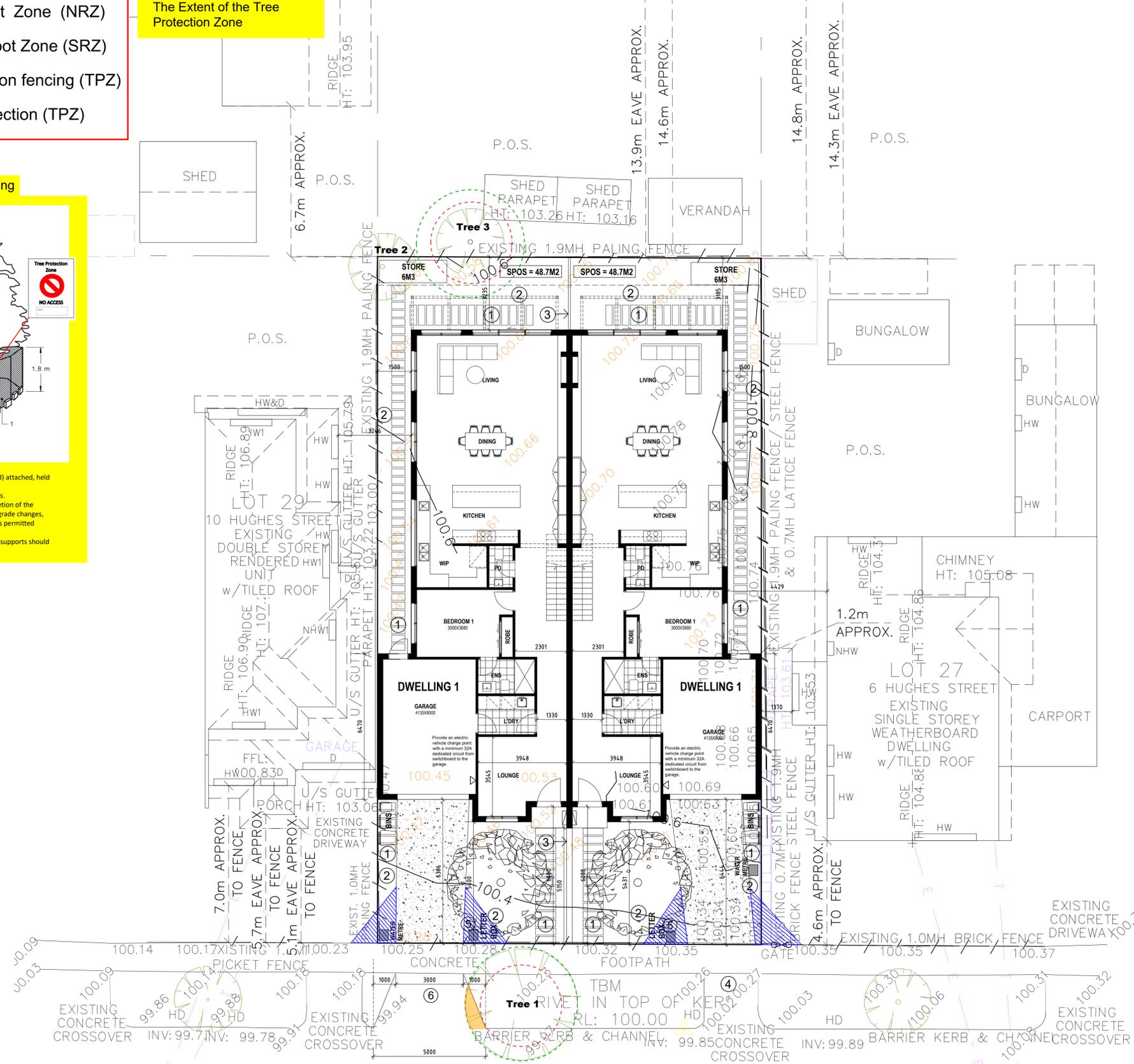
Tree Protection Fencing and Ground Protection Defines The Extent of the Tree Protection Zone

Tree Protection Fencing



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

APPENDIX 4



LEGEND

- ① OUTDOOR PAVERS ON SAND
- ② GARDEN BED
- ③ 1800MM HIGH NEW TIMBER FENCE
- ④ EXISTING CROSSOVER
- ⑤ LETTER BOX
- ⑥ PROPOSED CROSSOVER

DEVELOPMENT SUMMARY							
SITE AREA		520M2					
NO. OF DWELLINGS		2					
SITE COVERAGE		322.2M2 / 62%					
TOTAL HARD SURFACE AREA		360M2 / 69.2%					
PERMEABILITY / GARDEN AREA		160M2 / 30.8%					
AREA ANALYSIS (DWELLINGS)							
DWELLING NO.	GROUND FLOOR	FIRST FLOOR	GARAGE	TOTAL DWELLING AREA	POS	SPOS	TOTAL POS AREA
1	133.6M2	113.5M2	27.6M2	274.7M2/29.6SQ	50.2M2	48.7M2	98.9M2
2	133.6M2	113.5M2	27.6M2	274.7M2/29.6SQ	50.2M2	48.7M2	98.9M2



Notes:

Client:

Drawing Title:

**DESIGN RESPONSE PLAN
/GROUND FLOOR PLAN**

Drawn by: EV

Drawing No: A002-TP01

Project Address:

**8 HUGHES STREET,
BRAYBROOK**



Mobile: 0450 199 469, 0401 501 769
 Tel: 03 8390 4254
 Email: info@cordialhomes.com.au
 21 Longfield Way, Deer Park, VIC 3023
 Web: www.cordialhomes.com.au

Checked by: N/A

REVISION

DATE

Date: 01.08.25

TP01 - Planning Permit Issue

01.08.25

Scale: 1:100@A1

Scale: 1:200@A3

APPENDIX 5



Stem Arboriculture Assumptions and Limiting Conditions

1. Any legal description provided to the author is assumed to be correct. Any titles and ownerships to any property are assumed to be correct. No responsibility is assumed for matters outside the consultant's control.
2. The author assumes that any property or project is not in violation of any applicable codes, ordinances, statutes or other local, state or federal government regulations.
3. The author has taken care to obtain all information from reliable sources. All data has been verified insofar as possible; however the author can neither guarantee nor be responsible for the accuracy of the information provided by others not directly under the authors control.
4. The author shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.
5. Loss of this report or alteration of any part of this report not undertaken by the author invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by anyone but the client or their directed representatives, without the prior consent of the author.
7. This report and any values expressed herein represent the opinion of the consultant and the fee is in no way conditional upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, diagrams, graphs and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural drawings, reports or surveys.
9. Unless expressed otherwise: 1) Information contained in this report covers only those items that were covered in the project brief or that were examined during the assessment and reflect the condition of those items at the time of inspection; and 2) The inspection is limited to visual examination of accessible components without dissection, excavation or probing unless otherwise stipulated.
10. There is no warranty or guarantee, expressed or implied by the author, that the problems or deficiencies of the plants or site in question may not arise in the future.
11. All instructions (verbal or written) that define the scope of the report have been included in the report and all documents and other materials that the consultant has been instructed to consider or to take into account in preparing this report have been included or listed within the report.
12. To the authors' knowledge all facts, matter and all assumptions upon which the report proceeds have been stated within the body of the report and all opinion contained within the report have been fully researched and referenced and any such opinion not duly researched is based upon the writers experience and observations.