



Application for a Planning Permit

Section 1: LAND DETAILS

Unit Number:	Street Number: 596	Street Name: East West Road
Town: Warragul	Postcode: 3820	

FORMAL LAND DESCRIPTION (Please complete either A or B – this information can be found on the Certificate of Title)

Option A:

Lot No:	Lot 1 on LP & Lot 2 on PS		
Type of Plan: Please tick ✓	Lodge Plan <input checked="" type="checkbox"/>	Title Plan <input type="checkbox"/>	Plan of Subdivision <input type="checkbox"/>
Plan Number:	LP129652B & PS404040M		

Option B:

Crown Allotment Number:	
Section Number:	
Parish/Township Name:	

Section 2: PERMIT APPLICANT

Name:	Advantage All Development Group			
Business:				
Postal Address:	8 June Court, Warragul,			Postcode: 3820
Telephone No. (H)		(W)		(M)
Email Address:	melissa@advantageall.com.au			

Section 3: OWNER DETAILS (If different to the Applicant)

Name(s):	[REDACTED]			
Postal Address:	[REDACTED]			Postcode: [REDACTED]
Telephone No. (H)		(W)		(M)
Email Address:	[REDACTED]			

Section 4: DEVELOPMENT COST - Estimated Cost of development for which the permit is required

0

Section 5: PROPOSAL You must give full details of the proposal being applied for. Insufficient or unclear information will delay your application..

Advertised

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

Development:

<input type="checkbox"/> Advertising Signage	<input type="checkbox"/> Development of 2 or more dwellings Qty: <input style="width: 50px;" type="text"/>
<input type="checkbox"/> Agricultural Outbuildings	<input type="checkbox"/> Mixed Use Development and Reduction of Carparking
<input type="checkbox"/> Buildings and Works and Reduction in Carparking	<input type="checkbox"/> Residential Outbuildings
<input type="checkbox"/> Commercial or Industrial Buildings and Works	<input type="checkbox"/> Single Dwelling
<input type="checkbox"/> Extension / Alteration to Dwelling	<input type="checkbox"/> Telecommunications

Use:

<input type="checkbox"/> Buildings and Works and Change of Use	<input type="checkbox"/> Home Based Business
<input type="checkbox"/> Change of Use	<input type="checkbox"/> Sale and Consumption of Liquor
<input type="checkbox"/> Change of Use and Single Dwelling	

Subdivision:

<input type="checkbox"/> Boundary Realignment	<input type="checkbox"/> 3 or more Lot Subdivision Qty: <input style="width: 50px;" type="text"/>
<input type="checkbox"/> Variation/ Removal of Restriction	<input type="checkbox"/> Create an easement
<input type="checkbox"/> 2 Lot Subdivision	<input type="checkbox"/> 100 or more Lot Subdivision Qty: <input style="width: 50px;" type="text"/>

Subdivision / Vegetation Removal:

<input type="checkbox"/> Native Vegetation Removal or Lopping	<input type="checkbox"/> Non Native Vegetation Removal or Lopping (ESO4)
<input type="checkbox"/> Subdivision Qty: <input style="width: 50px;" type="text"/>	<input type="checkbox"/> Alteration of access RDZ1

Other:

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 No Not Applicable (no such covenant, section 173 agreement or restriction applies)

If yes, you should contact Council for advice as to how to proceed with the application.

FURTHER DETAILS OF PROPOSAL (optional)

Section 6: EXISTING CONDITIONS Describe how the land is used and developed now.

Advertised

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

--

Section 7: PRE-APPLICATION MEETING Has there been a Pre-Application meeting with a Council Planning Officer?

No <input type="checkbox"/>		
Yes <input type="checkbox"/>	If yes, with whom?	
	Date of this meeting	

Section 8: DECLARATION This form must be signed. Complete box A or B

A. I declare that I am the Applicant and all information given is true and correct.	Applicant signature:	Date:
B. I/We the Applicant declare that I/We have notified the owner about this application and that all information given is true and correct.	Applicant Signature:	Date:

CHECK LIST Please ensure you have included the following items with your application form. *Failure to provide all the information above may result in a delay in the processing of the application.*

- A fully completed and signed copy of this form.
- The application fee (if not already paid). Most applications require a fee to be paid.
- Contact Council to determine the appropriate fee.
- Full and current copy of title and title plan (no older than 60 days) for each individual parcel of land forming the subject site. The title includes: the covering register search statement, the title plan and the associated title documents (known as instruments).
- Provided plans showing the layout and details of the proposal
- Provided any information required by the planning scheme, requested by Council
- Provided a description of the likely effect of the proposal (if required)
- Completed the declaration in Section 8
- Provided a contact phone number and e-mail address

PLEASE FORWARD THIS APPLICATION TO

Advertised

E-mail:	planning@bawbawshire.vic.gov.au	Mail:	Planning Department, Baw Baw Shire Council PO Box 304 Warragul VIC 3820
Phone:	5624 2411		
In Person:	Customer Service Centres	1 Civic Place Warragul	OR 33 Young Street Drouin

The personal information requested on this form is being collected to enable council to consider the permit application. Council will use this information for this purpose or one closely related and may disclose this information to third parties for the purpose of their consideration and review of the application.

These third parties generally include, but are not limited to:

Transport Infrastructure Agencies such as VicRoads and VLine

Energy/Utilities Providers

Catchment Management Authorities and Water Corporations

The specific referral bodies will be dependent on factors such as the proposed activities and the location of the applicable property. Applicants are encouraged to familiarise themselves with potential referral bodies.

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 of the application as part of a planning process specified in the Planning and Environment Act 1987.

All information collected and held by Council is managed in accordance with Councils Privacy Policy which is available on our website. If you choose not to supply the requested information it may impair the ability of Council to consider your application or prevent Council from communicating with you in relation to your application.

If you have any concerns or require access to the information held by Council, please contact us on 5624 2411.

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

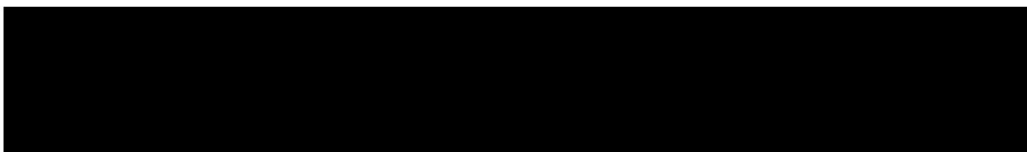
VOLUME 09381 FOLIO 002

Security no : 124090220290V
Produced 30/05/2021 09:25 AM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 129652.
PARENT TITLE Volume 04563 Folio 593
Created by instrument H948714 26/05/1980

REGISTERED PROPRIETOR



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 LP129652 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AU171059M (E)	CONV PCT & NOM ECT TO LC	Completed	24/03/2021
AU171146S (E)	MORTGAGE	Registered	24/03/2021

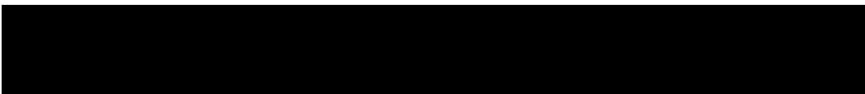
-----END OF REGISTER SEARCH STATEMENT-----

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

Street Address: 596 EAST WEST ROAD WARRAGUL VIC 3820

ADMINISTRATIVE NOTICES

NIL



DOCUMENT END

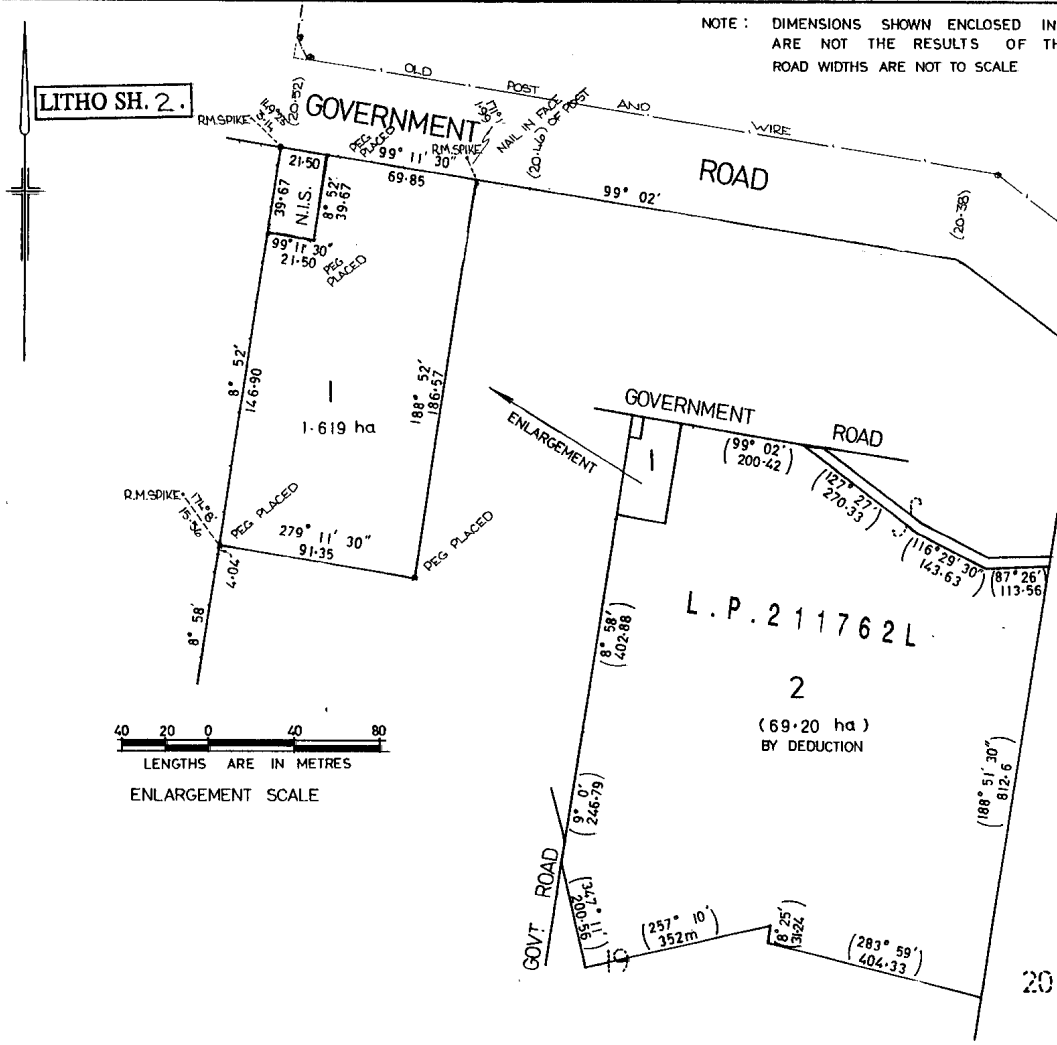
LP129652B

EDITION 1

APPROVED 15/12/79

<p style="text-align: center;">PLAN OF SUBDIVISION OF PART OF CROWN ALLOTMENT 19 PARISH OF WARRAGUL COUNTY OF BULN BULN</p> <p>SCALE OF METRES LENGTHS ARE IN METRES</p>	<p style="text-align: center;">APPROPRIATIONS</p>
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NOTE: DIMENSIONS SHOWN ENCLOSED IN BRACKETS ARE NOT THE RESULTS OF THIS SURVEY. ROAD WIDTHS ARE NOT TO SCALE.



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

VOLUME 10390 FOLIO 868

Security no : 124092468377X
Produced 14/09/2021 04:14 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 404040M.

PARENT TITLES :

Volume 09835 Folio 941 Volume 09885 Folio 578 Volume 10308 Folio 377
Created by instrument PS404040M 03/07/1998

REGISTERED PROPRIETOR



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 set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987
AE739780S 21/11/2006

DIAGRAM LOCATION

SEE PS404040M FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AU657048K (E)	CONV PCT & NOM ECT TO LC	Completed	05/08/2021
AU657681L (E)	TRANSFER	Registered	05/08/2021

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

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

Street Address: BONA VISTA ROAD WARRAGUL VIC 3820

ADMINISTRATIVE NOTICES

NIL

eCT Control 19510T SJD LAW
Effective from 05/08/2021

DOCUMENT END

PLAN OF SUBDIVISION	STAGE No. /	LTO USE ONLY EDITION 1	PLAN NUMBER PS 404040M Advertised
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LOCATION OF LAND

PARISH: WARRAGUL

TOWNSHIP: _____

SECTION: _____

CROWN ALLOTMENT: 18 (PART) & 19 (PART)

~~CROWN PORTION:~~
PART OF FORMER GOVERNMENT ROAD.

LTO BASE RECORD: LITHO

TITLE REFERENCES:
VOL. 9835 FOL. 941
VOL. 9885 FOL. 578
VOL. 4399 FOL. 626

LAST PLAN REFERENCES: LP 216069 LOT 1
LP 213028 LOT 4

POSTAL ADDRESS:
(At time of subdivision)
BONA VISTA ROAD
WARRAGUL 3820
E 407650 ZONE: 55
N 5771750

AMG Co-ordinates
(of approx centre of land in plan)

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: **BAW BAW SHIRE** REF: 196447

- This plan is made under Section 6 of the Subdivision Act 1988.
- ~~This plan is certified under Section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under Section 6: / /~~
- This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.

OPEN SPACE

(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/has not been made.

~~(ii) The requirement has been satisfied.~~

~~(iii) The requirement is to be satisfied in Stage~~

Council Delegate
Council Seal
Date 29 / 1 / 97

~~Re-certified under Section 11(7) of the Subdivision Act 1988.~~
~~Council Delegate~~
~~Council Seal~~
~~Date / /~~

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

NOTATIONS

STAGING This ~~is~~ is not a staged subdivision.
Planning permit No. 196447

DEPTH LIMITATION DOES NOT APPLY.

SURVEY THIS PLAN ~~IS~~ IS NOT BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) _____

IN PROCLAIMED SURVEY AREA No. _____

EASEMENT INFORMATION

LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAGRAM	INST. NO J 747578	STATE ELECTRICITY COMM. OF VICTORIA.
E-3 E-4	DRAINAGE	SEE DIAGRAM	LP 216069	ALL LOTS ON LP 216069.
E-2 E-5	TRANSMISSION OF ELECTRICITY	SEE DIAGRAM	INST. NO 1755756	STATE ELECTRICITY COMMISSION OF VICTORIA.
E-4 E-5	TRANSMISSION OF ELECTRICITY	SEE DIAGRAM	INST. NO. J369272	STATE ELECTRICITY COMMISSION OF VICTORIA

LTO USE ONLY

STATEMENT OF COMPLIANCE/
EXEMPTION STATEMENT

RECEIVED

DATE 20 / 03 / 98

LTO USE ONLY

PLAN REGISTERED
TIME 10.45
DATE 3 / 7 / 98

R. P. Nobelius
Assistant Registrar of Titles

SHEET 1 OF 2 SHEETS

NOBELIUS LAND SURVEYOR'S P/L
P.O. Box 461
PAKENHAM 3810
PHONE 03 5941 4112
FAX 03 5941 4330

LICENSED SURVEYOR (PRINT) **R. P. NOBELIUS**

SIGNATURE DATE 20 / 12 / 96

REF W 1584 VERSION

DATE 29 / 1 / 97

COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE A3

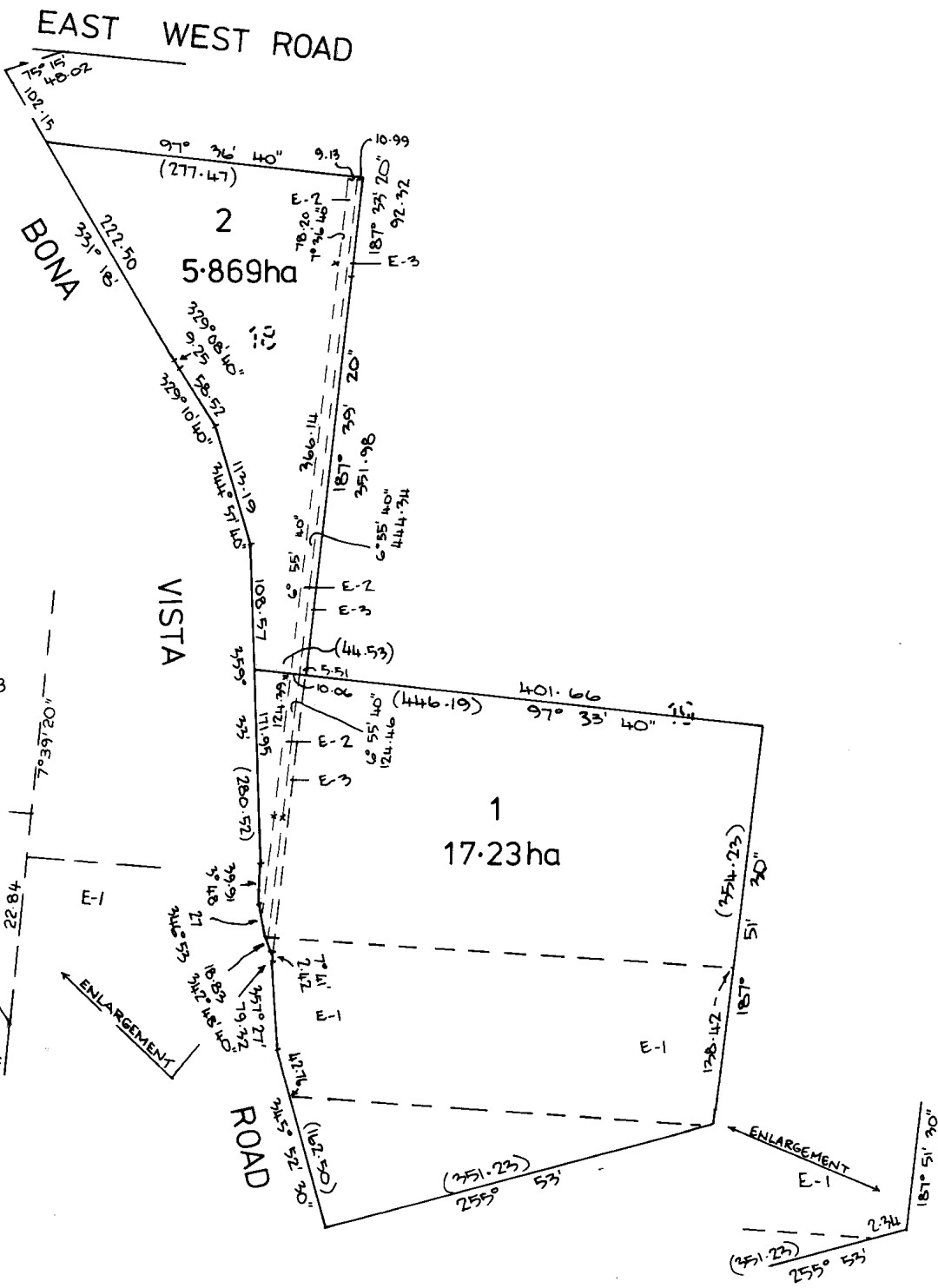
PLAN OF SUBDIVISION

STAGE No.

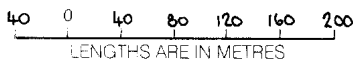
PLAN NUMBER
PS 404040M

Advertised

GRID NORTH
AMG ZONE 55



NOBELIUS LAND SURVEYOR'S P/L
 P.O. BOX 461
 PAKENHAM 3810
 PHONE 03 5941 4112
 FAX 03 5941 4330



ORIGINAL
 SCALE 1:4000
 SHEET SIZE A3

LICENSED SURVEYOR (PRINT) **R. P. NOBELIUS**
 SIGNATURE DATE / /
 REF **W1584** VERSION

SHEET 2 OF 2 SHEETS

DATE / /
 COUNCIL DELEGATE SIGNATURE

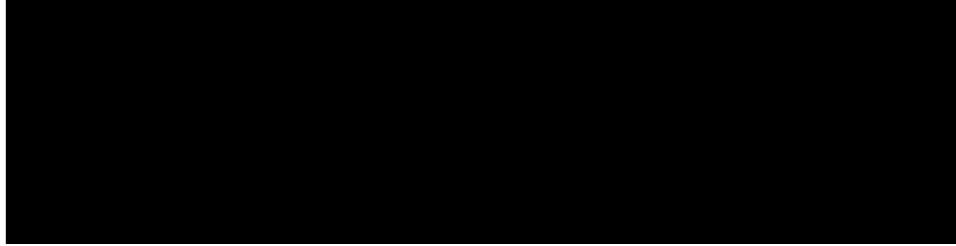
APPLICATION FOR RECORDING OF AN AGREEMENT
SECTION 181(1) PLANNING & ENVIRONMENT ACT, 1987

Lodged by:

Name: Wakefield & Vogrig

Phone: 03 5623 5166

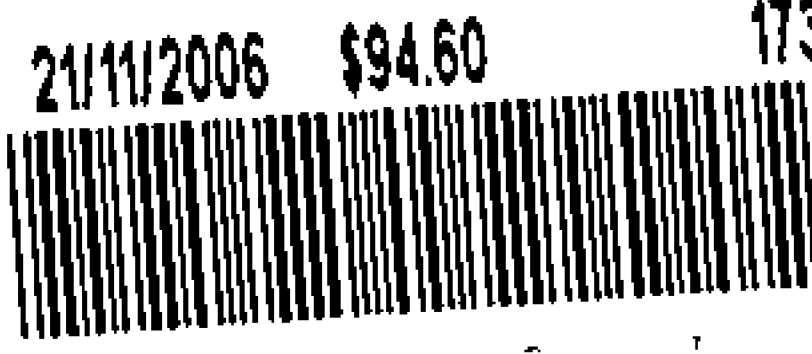
Address: 38 Queen Street, Warragul



1 Agreement



AE739780S



The authority or council having made an agreement requires a recording to be made in the Register for the land.

Land:

Certificates of Title Volume 10390 Folio 867 and Volume 10390 Folio 868.

Authority or Council:

Baw Baw Shire Council
Civic Place
WARRAGUL VIC 3820

Section and Act under which agreement is made:

Section 173 of the Planning & Environment Act, 1987

A copy of the agreement is attached to this application.

DATED the *1st* day of *November*, 2006.

SIGNED *[Signature]* *Catherine Bryant*
POSITION HELD IN COUNCIL *Planning Coordinator*

21/11/06

THIS AGREEMENT is made on the date set out in the Schedule between **BAW BAW SHIRE COUNCIL** of Civic Place, Warragul (hereinafter referred to as “the Shire”) of the one part and the party named in the Schedule as the Owner (hereinafter referred to as “the Owner”) of the other part.

WHEREAS:

- A. The Owner is the registered proprietor of the land described in the Schedule (“the land”).
- B. The Owner has made an application to the Shire for a planning permit to allow the development for a dwelling, swimming pool and shed and the Shire has resolved to issue a permit on certain terms and conditions the number of which permit is set out in the Schedule (“the Permit”).
- C. That it is a condition of the permit that the Owner will enter into an agreement pursuant to Section 173.

NOW THIS AGREEMENT WITNESSES:

1. The parties confirm the recitals to this agreement.
2. In this agreement the terms and words set out in this clause shall have the following meanings unless otherwise indicated by the context:
 - 2.1. “Owner” shall mean the person or persons entitled from time to time to be registered by the Registrar of Titles as proprietor or proprietors of an estate in fee simple of the subject land.
3. This agreement is made pursuant to Section 173 of the Planning & Environment Act, 1987.
4. The Owner shall not:
 - (i) further subdivide Lots 1 and 2 PS404040M by the creation of any additional Lots.
 - (ii) construct any further dwelling on Lots 1 and 2 PS404040M.
5. This agreement shall cease upon either Lot being rezoned to residential.
6. Once this agreement has been executed by both parties the Owner will make application for the registration of this at the Land Titles Office Agreement pursuant Section 181 of the Act and consequently enter a memorandum of this agreement on the Certificate of Title to the subject land and shall take all necessary steps to sign all documents reasonably required to enable such entry to take place and pay any duty or fees in connection with this.

AE739780S

21/11/2006 \$94.60 173



7. The owner shall pay forthwith pay (on request) the Council's costs and expenses incidental to this Agreement and any amendment of this Agreement and anything done in connection with this Agreement including anything done in anticipation of this Agreement and the enforcement of any obligations imposed on the Owners excepting the cost of any unsuccessful enforcement action by Council.

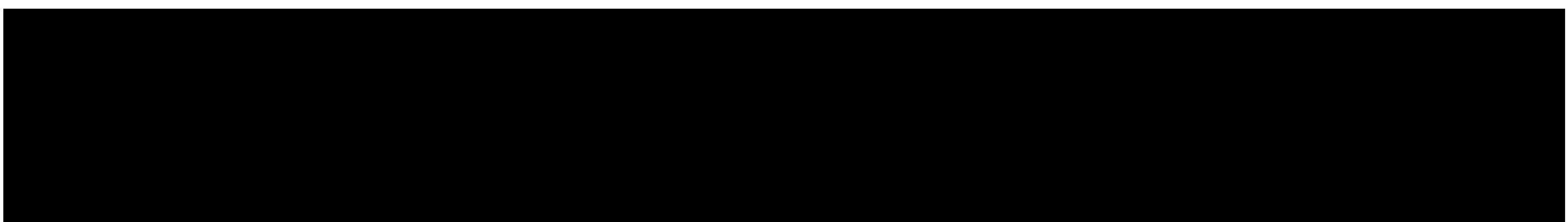
AE739780S

21/11/2006 \$94.60 173



SCHEDULE

Owner:



Land: The land described in Certificates of Title Volume 10390 Folio 867 and Volume 10390 Folio 868.

Permit: PLA0215/06

IN WITNESS WHEREOF the parties hereto have placed their hands and seals on the day of *1st of November* 2006.

SIGNED SEALED AND DELIVERED by the said)



SIGNED SEALED AND DELIVERED by the said)



THE COMMON SEAL of the Mayor, Councillors)
and Citizens of the Baw Baw Shire Council was)
affixed in the presence of:-)



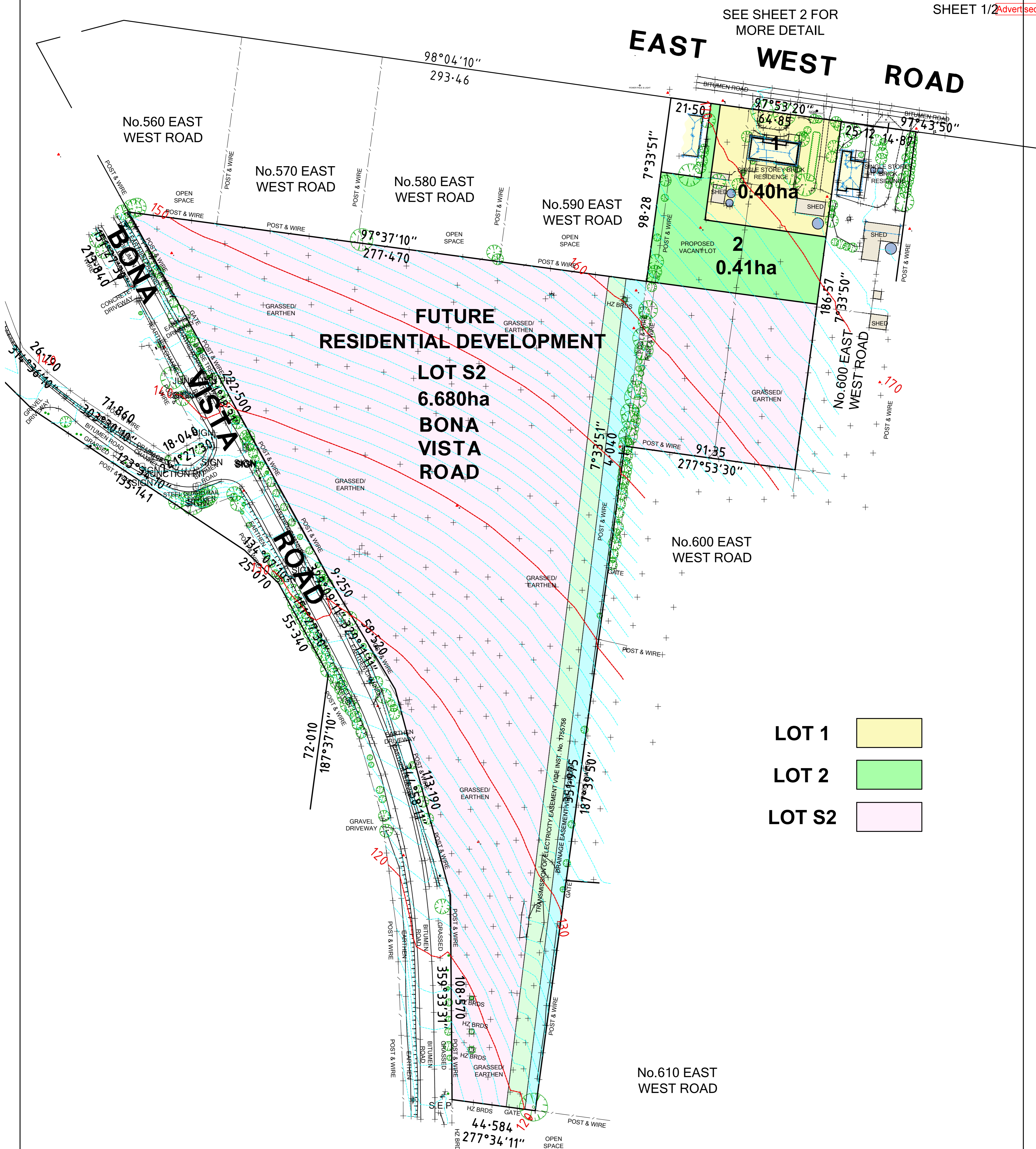
[Signature]
..... Councillor

David Balfour
..... Councillor

[Signature]
..... Chief Executive Officer/Authorised Officer

AE739780S

21/11/2006 \$94.60 173



- LOT 1
- LOT 2
- LOT S2

IMPORTANT NOTE REGARDING FENCING:

- WHERE FENCES ENCRUSH INTO LAND UNDER SURVEY ADVERSE POSSESSORY RIGHTS MAY HAVE ACCRUED IN FAVOUR OF ABUTTING LAND. DO NOT PRESUME TO REACQUIRE SUCH LAND WITHOUT FURTHER ADVICE AND THE CONSENT OF THE ABUTTING PROPERTY OWNER(S).
- ALTERNATIVELY, WHERE FENCES ENCRUSH INTO ABUTTING PROPERTIES, PLEASE LIMIT FUTURE DESIGN TO THE TITLE BOUNDARY - UNLESS A FORMAL APPLICATION SURVEY IS SUCCESSFULLY MADE TO AMEND TITLE TO OCCUPATION
- ANY QUESTIONS IN RELATION TO THIS MATTER, PLEASE CONTACT THE LICENSED SURVEYOR

CONDITION NOTATIONS

- THIS SURVEY RE-ESTABLISHES TITLE IN ACCORDANCE WITH TITLE DIMENSION AND DOES NOT ATTEMPT TO DETERMINE POSSESSORY RIGHTS OF LAND AS FENCED.
- REFER TO TITLE FOR ANY ENCUMBRANCES, RESTRICTIONS, COVENANTS, EASEMENTS ETC.
- FENCE POSITIONS ARE IN TRUE POSITION IN RELATION TITLE
- ONLY VISIBLE SURFACE FEATURES HAVE BEEN LOCATED AND NO UNDER GROUND SERVICES HAVE BEEN LOCATED UNLESS SPECIFICALLY SHOWN.
- STRUCTURES BELOW THE SURFACE LEVEL (IF ANY) INCLUDING FOOTINGS PROJECTING INTO THE SITE FROM ADJOINING PROPERTIES HAVE NOT BEEN LOCATED BY THIS SURVEY. WE HAVE NOT EXCAVATED THE SITE TO DETERMINE THE EXISTENCE OF SUCH IF ANY).
- UNLESS SHOWN OTHERWISE THE POSITION OF BUILDINGS IS TO PLOTTING ACCURACY AND THE DIMENSIONS OF BUILDINGS SHOULD NOT BE DETERMINED FROM COMPUTER DATA FOR ANY FINAL DESIGN PLANS OR WORKSHOP DETAILS.
- LEVELS ON ADJOINING BUILDINGS ARE APPROXIMATE AND SHOWN TO ±0.05m ACCURACY.
- A.H.D. LEVEL DATUM HAS BEEN ESTABLISHED FROM ONE BENCH MARK ONLY. IF A PRECISE CONNECTION TO A.H.D. IS CRITICAL AN ADDITIONAL BENCH MARK SHOULD BE CONNECTED TO FOR VERIFICATION. IF THIS IS REQUIRED PLEASE CONTACT LINEAR LAND SURVEYING PTY. LTD.
- THIS PLAN HAS BEEN PROVIDED AS A HARD-COPY PLAN AND ALSO IN DIGITAL FORMAT. THE HARD-COPY TAKES PRECEDENCE OVER THE DIGITAL DATA AS NO GUARANTEE CAN BE GIVEN TO TRANSFER OF DATA TO ANOTHER SYSTEM.
- LINEAR LAND SURVEYING PTY. LTD. ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE HOWEVER SUFFERED TO ANY PERSON OR CORPORATION THAT MIGHT USE OR RELY ON THIS PLAN IN CONTRAVENTION OF THIS DISCLAIMER.
- THIS PLAN PREPARED FOR THE EXCLUSIVE USE OF _____
- © COPYRIGHT - ALL RIGHTS RESERVED
- THIS INFORMATION MAY NOT BE USED WITHOUT THE EXPRESS CONSENT OF LINEAR LAND SURVEYING PTY. LTD.

CERTIFICATION OF TITLE BOUNDARIES

SURVEY NOTATIONS

VEGETATION
 TREE CANOPY AND TRUNK SIZES ARE SHOWN TO SCALE ON THIS PLAN BUT DUE TO THE IRREGULAR NATURE OF VEGETATION, THEY ARE DEPICTED AS AN APPROXIMATION OF ACTUAL DIMENSIONS. IF ANY TREE/VEGETATION FEATURE IS DETERMINED AS CRITICAL, STEPS SHOULD BE TAKEN TO LOCATE THE TRUE DIMENSION OF THE FEATURE.

THIS PLAN PREPARED FOR TOWN PLANNING PURPOSES ONLY. DO NOT EXTRACT ANY BUILDING DIMENSIONS FROM THIS PLAN FOR DESIGN OR CONSTRUCTION USE OR FOR DETERMINING SETBACKS TO TITLE.

LEVEL DATUM: AUSTRALIAN HEIGHT DATUM
 PM 95 (RL: 14.8-065m)
 PM 237 (RL: 106.67m)

CONTOUR INTERVAL: MAJOR - 10.0m
 MINOR - 1.0m

DATE OF SURVEY: 19-20/08/2019
 UPDATED: 13/09/2019
 ADDITIONAL WORKS: 26-27/04/2021
 RE-ESTABLISHMENT DATUM: LP213028, LP216070 & SP15758-59-60

RE COMP: SAM & LDL
 SURVEY BY: SAM/JLB & LDL/JLB
 DRAWN BY: SEE - SAM& LDL CAD - SAM& LDL
 LEVELS ARE IN METRES

SCALE 1 : 1000 @ A1

EXISTING SITE CONDITIONS & SUBDIVISION OVERLAY

BONA VISTA ROAD AND 596 EAST WEST ROAD, WARRAGUL

LINEAR LAND SURVEYING
 licensed land surveyors
 development and planning consultants

Suite 5, 31 Redland Drive, VERMONT, Vic. 3133.
 Ph 03.9873.8888 Email: survey@linearlandsurveying.com.au

REF: L.1770TP v02

PROPOSED NEW CROSSING TO SERVICE NEW LOT 2. CONSTRUCTED TO COUNCILS ENGINEERING DEPARTMENTS SATISFACTION

NOTE: EAST WEST ROAD IS SUBJECT TO FUTURE WIDENING IN ACCORDANCE WITH CROSS SECTION 5 OF THE PSP.

EAST WEST ROAD

LOT 1 TO RETAIN 3 X EXISTING CROSSINGS

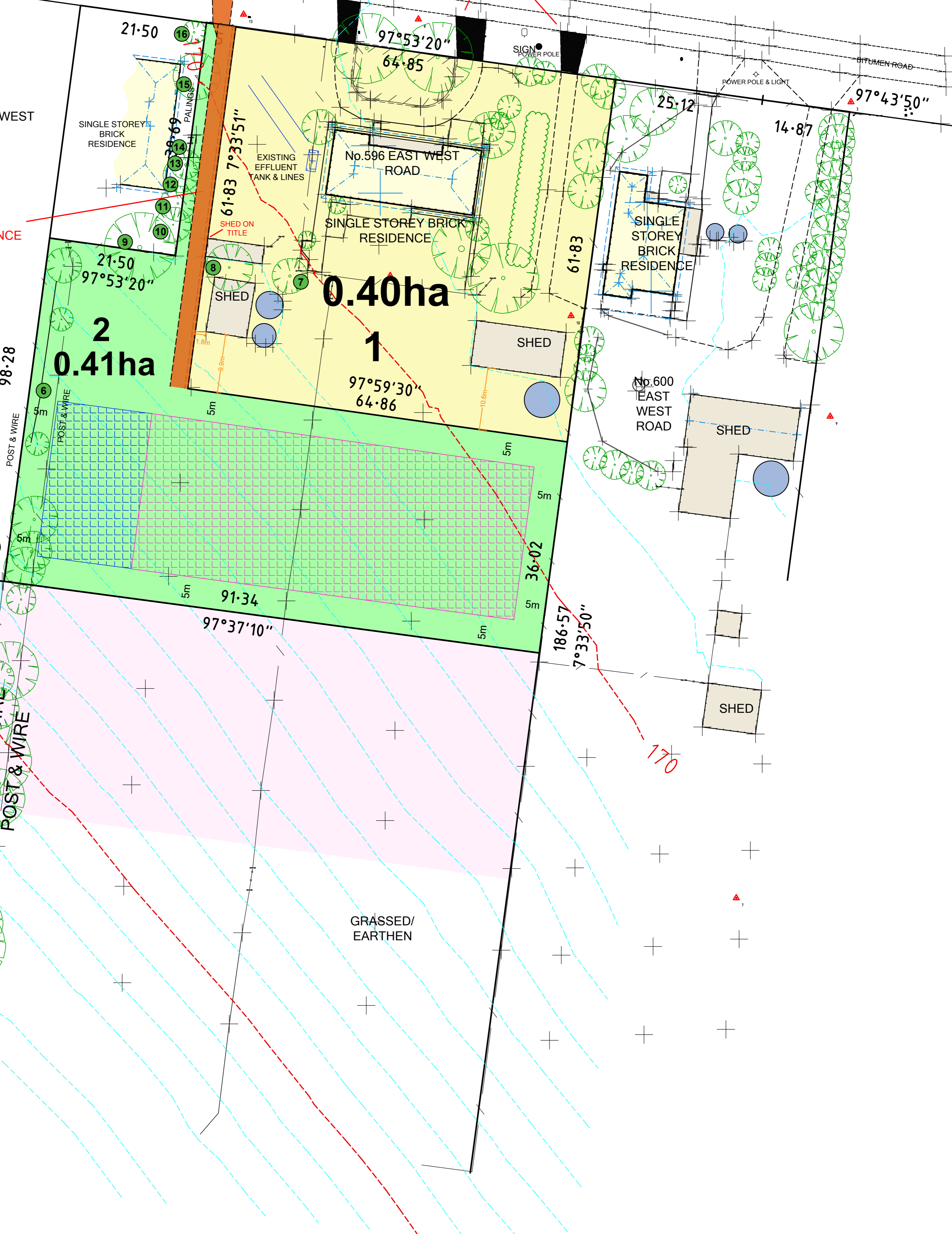
TREE NUMBERS IN ACCORDANCE WITH ARBORIST REPORT

No.592 EAST WEST ROAD

5m WIDE ACCESSWAY PROVIDED FOR LOT 2 & 2.5m DRIVEWAY CONSTRUCTED IN ACCORDANCE WITH ARBORIST REPORT

PROPOSED VACANT LOT 2 SUMMARY

LOT AREA	0.41ha
BUILDING ENVELOPE	1713m ²
EFFLUENT DISPOSAL AREA	425m ²



SEE SHEET 1

GRASSED/ EARTHEN

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- LINEAR LAND SURVEYING PTY. LTD. ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE HOWEVER SUFFERED TO ANY PERSON OR CORPORATION THAT MIGHT USE OR RELY ON THIS PLAN IN CONTRAVENTION OF THIS DISCLAIMER.
- THIS PLAN PREPARED FOR THE EXCLUSIVE USE OF _____
- © COPYRIGHT - ALL RIGHTS RESERVED
- THIS INFORMATION MAY NOT BE USED WITHOUT THE EXPRESS CONSENT OF LINEAR LAND SURVEYING PTY. LTD.
- CERTIFICATION OF TITLE BOUNDARIES

VEGETATION

TREE CANOPY AND TRUNK SIZES ARE SHOWN TO SCALE ON THIS PLAN BUT DUE TO THE IRREGULAR NATURE OF VEGETATION, THEY ARE DEPICTED AS AN APPROXIMATE OF ACTUAL DIMENSIONS. IF ANY TREE/VEGETATION FEATURE IS DETERMINED AS CRITICAL, STEPS SHOULD BE TAKEN TO LOCATE THE TRUE DIMENSION OF THE FEATURE.

THIS PLAN PREPARED FOR TOWN PLANNING PURPOSES ONLY. DO NOT EXTRACT ANY BUILDING DIMENSIONS FROM THIS PLAN FOR DESIGN OR CONSTRUCTION USE OR FOR DETERMINING SETBACKS TO TITLE.

LEVEL DATUM: AUSTRALIAN HEIGHT DATUM
PM 95 (RL: 14.8-065m)
PM 237 (RL: 106.67m)

CONTOUR INTERVAL: MAJOR - 10.0m
MINOR - 1.0m

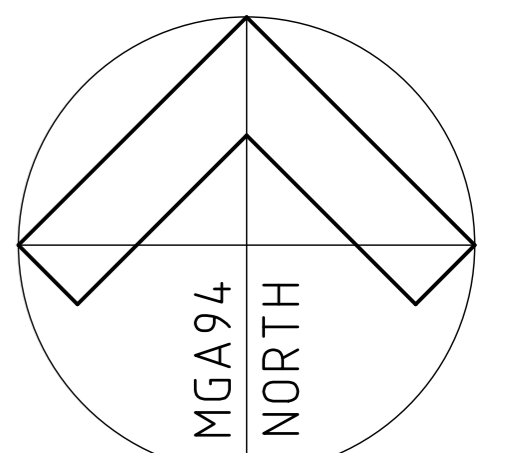
DATE OF SURVEY: 19-20/08/2019

UPDATED: 13/09/2019

ADDITIONAL WORKS: 26-27/04/2021

RE-ESTABLISHMENT DATUM: LP213028, LP216070 & SP15758-59-60

RE COMP: SAM & LDL
SURVEY BY: SAM/JLB & LDL/JLB
DRAWN BY: SEE - SAM& LDL CAD - SAM& LDL
LEVELS ARE IN METRES



SCALE 1 : 375 @ A1

EXISTING SITE CONDITIONS & SUBDIVISION OVERLAY

BONA VISTA ROAD AND 596 EAST WEST ROAD, WARRAGUL



LINEAR LAND SURVEYING
licensed land surveyors
development and planning consultants

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REF: L.1770TP v02

<h1>PLAN OF SUBDIVISION</h1>	EDITION 1	<h1>PS901912G</h1>
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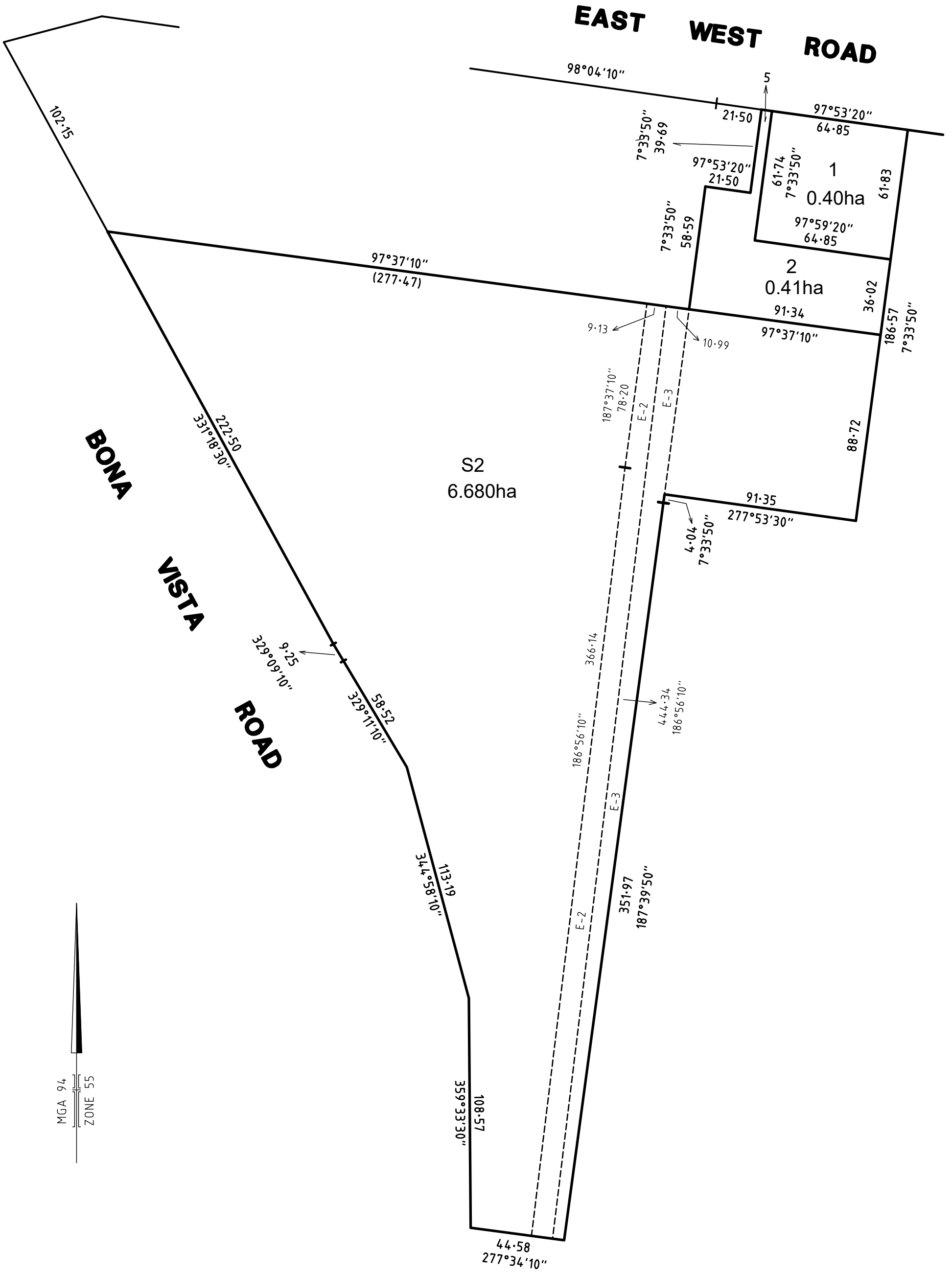
<p>LOCATION OF LAND</p> <p>PARISH: WARRAGUL TOWNSHIP: ----- SECTION: ----- CROWN ALLOTMENT: 18 (PT) & 19 (PT) CROWN PORTION: ----- TITLE REFERENCE: C/T: Vol.9381 Fol.002 & Vol.10390 Fol.868</p> <p>LAST PLAN REFERENCE: PS404040M (LOT 2), LP129652 (LOT 1)</p> <p>POSTAL ADDRESS: BONA VISTA ROAD & 596 EAST WEST (at time of subdivision) ROAD, WARRAGUL</p> <p>MGA CO-ORDINATES: E: 407 627 ZONE: 55 (of approx centre of land in plan) N: 5 772 336 GDA 94</p>	<p>Council Name: Baw Baw Shire Council</p> <p>SPEAR Reference Number: S176811J</p>
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VESTING OF ROADS AND/OR RESERVES		NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON		
NIL	NIL		
NOTATIONS			
DEPTH LIMITATION: DOES NOT APPLY			
SURVEY: This plan is based on survey. STAGING: This is a staged subdivision. Planning Permit No. This survey has been connected to permanent marks No(s). In Proclaimed Survey Area No.			

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-2	TRANSMISSION OF ELECTRICITY	SEE PLAN	INST No.1755756	STATE ELECTRICITY COMMISSION OF VICTORIA
E-3	DRAINAGE	SEE PLAN	LP216069	ALL LOTS ON LP216069



<h1>PLAN OF SUBDIVISION</h1>	EDITION 1	<h1>PS901912G</h1>
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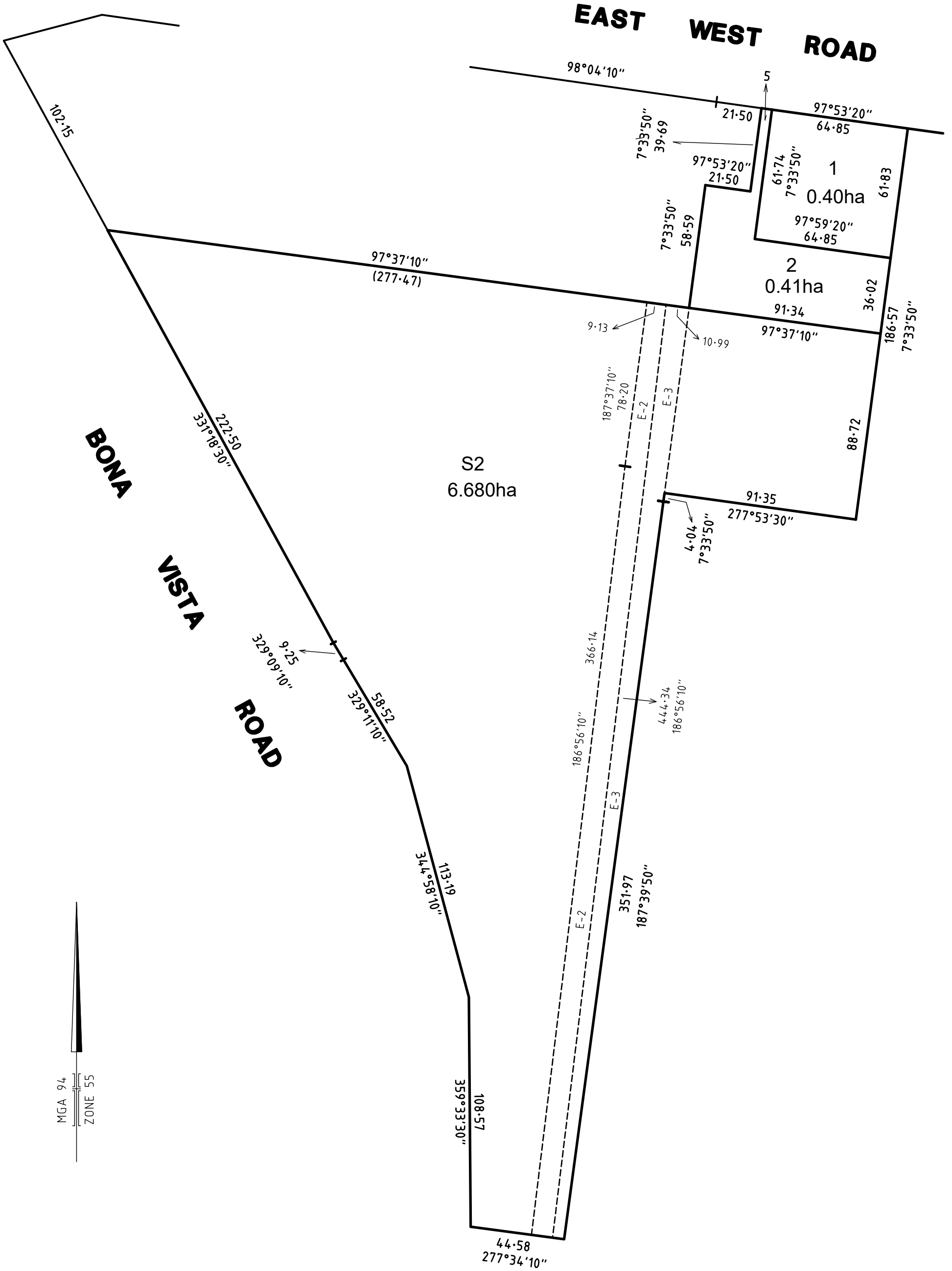
<p>LOCATION OF LAND</p> <p>PARISH: WARRAGUL TOWNSHIP: ----- SECTION: ----- CROWN ALLOTMENT: 18 (PT) & 19 (PT) CROWN PORTION: ----- TITLE REFERENCE: C/T: Vol.9381 Fol.002 & Vol.10390 Fol.868</p> <p>LAST PLAN REFERENCE: PS404040M (LOT 2), LP129652 (LOT 1)</p> <p>POSTAL ADDRESS: BONA VISTA ROAD & 596 EAST WEST (at time of subdivision) ROAD, WARRAGUL</p> <p>MGA CO-ORDINATES: E: 407 627 ZONE: 55 (of approx centre of land in plan) N: 5 772 336 GDA 94</p>	<p>BAW BAW SHIRE COUNCIL</p>
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VESTING OF ROADS AND/OR RESERVES		NOTATIONS
IDENTIFIER	COUNCIL/BODY/PERSON	
NIL	NIL	
NOTATIONS		
DEPTH LIMITATION: DOES NOT APPLY		
<p>SURVEY: This plan is based on survey.</p> <p>STAGING: This is a staged subdivision. Planning Permit No.</p> <p>This survey has been connected to permanent marks No(s).</p> <p>In Proclaimed Survey Area No.</p>		

EASEMENT INFORMATION

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Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-2	TRANSMISSION OF ELECTRICITY	SEE PLAN	INST No.1755756	STATE ELECTRICITY COMMISSION OF VICTORIA
E-3	DRAINAGE	SEE PLAN	LP216069	ALL LOTS ON LP216069





PRELIMINARY TREE ASSESSMENT REPORT

**596 EAST WEST RD, WARRAGUL
VIC 3820**

PREPARED FOR: [REDACTED]

PREPARED BY: DROUIN TREE SERVICES

CONSULTING ARBORIST: MATHEW SORENSON *Dip Arb*

DATE: 16/08/2021

REPORT No. 21098

VERSION: 1.0

TABLE OF CONTENTS

1. Introduction.....	4
1.1 Background	4
1.2 Objectives	4
1.3 Methodology.....	4
1.4 Statutory Controls	5
1.5 Site Location & Assessment Area.....	5
2. Tree Survey.....	6
2.1 Tree Locations	6
2.2 Tree Data	7
2.3 Photographs.....	8
3. Retention Value	10
3.1 Introduction	10
4. Tree Protection Zones.....	11
4.1 Introduction	11
4.2 Definitions.....	11
4.3 Minor Encroachment.....	12
4.4 TPZ/SRZ Dimensions.....	12
4.5 Tree Protection Zone Fencing & Signs.....	13
4.6 Approved work within TPZ(s).....	13
4.7 Care of Protected Trees	14
4.8 Temporary Access For Vehicles & Machinery.....	14
4.9 Footing Holes for Fences	14
4.10 Installation of Underground Services	14
4.11 Other Restrictions	14
5. Development Proposal	15
5.1 Proposed Design	15
5.2 Tree Status Summary	16
5.3 Design Proposal & Considerations	16
5.4 Proposed Building & Wastewater Envelope.....	17
5.5 Vehicle Access/Driveway For Lot 2	17
5.6 Construction of Boundary & Internal Fences.....	17
6. Report Summary.....	18
6.1 Report Summary	18
7. References	19

TABLE OF CONTENTS

Appendix A Tree Descriptors..... 20

- A.A Tree ID 20
- A.B Tree Name 20
- A.C Tree Dimensions..... 20
- A.D Origin 20
- A.E Age..... 21
- A.F Health 21
- A.G Structure 22
- A.H Useful Life Expectancy..... 22
- A.I Significance – 23
- A.J Retention Value 23

Appendix B Assumptions & Limitations 24

Document Control

Report Version	Date	Details
V.1	16/08/2021	PTA based on the current layout plan

1. INTRODUCTION

1.1 BACKGROUND

- 1.1.1 Development of the land at 596 East West Rd, Warragul is proposed. The proposal includes the subdivision of the land and associated work.
- 1.1.2 This report has been commissioned to assess all trees growing within or adjacent to the proposed subject property, that may be impacted by the proposed work

1.2 OBJECTIVES

- 1.2.1 Assess all nominated trees. Provide information on species, origin, age, dimensions, condition, useful life expectancy (ULE) and significance.
- 1.2.2 Provide Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) dimensions for each tree/group of trees.
- 1.2.3 Identify trees that will require removal to facilitate the proposed design.
- 1.2.4 Assess the impact on retained trees from the proposed development and recommend strategies to minimise the impact from the proposed development on retained trees.

1.3 METHODOLOGY

- 1.3.1 A site assessment was performed by Mathew Sorenson on 06/08/2021.
- 1.3.2 Assessment of the tree population was performed using a visual, ground-based inspection method.
- 1.3.3 Trees were assessed individually and/or within groups and assigned an identification number (ID) ranging from **1 – 16** ('G' following a tree identification number indicates a group of trees).
- 1.3.4 Only tree roots visible from above ground level (surface roots) were assessed. Detailed inspections of tree root systems using root zone exploratory methods was not performed.
- 1.3.5 Diameter at Breast Height (DBH) and Diameter at Base (DAB) were recorded, as per Australian Standards (AS 4970 – 2009), using a diameter tape. Where access to the stem(s) of trees was unachievable (due to dense understory vegetation, dense low branch structure, undesirable form or private property), DBH & DAB were generously estimated.
- 1.3.6 Height and canopy spread were measured from the ground using a rangefinder and recorded to the nearest meter. Canopy spread was observed on the widest axis.
- 1.3.7 The trees were further assessed on age, health, structure, useful life expectancy (ULE), significance and retention value. These assessments were based on the consulting arborist's knowledge and experience, using the descriptors provided in Appendix A – Tree Descriptors, pages 20 – 23.
- 1.3.8 Tree protection zones (TPZ) and structural root zones (SRZ) were calculated as per Australian Standards – Protection of trees on development sites (AS 4970-2009).

1.4 STATUTORY CONTROLS

1.4.1 The subject site is within the Local Government Area; **Baw Baw Shire** (Council)

1.4.2 The land is included within a Low Density Residential Zone – Schedule (**LDRZ**).

The land is subject to the following overlay(s):

- **Development Contributions Plan Overlay (DCPO)**
Development Contributions Plan Overlay - Schedule 1 (**DPCO1**)
- **Development Contributions Plan Overlay (DCPO)**
Development Contributions Plan Overlay - Schedule 2 (**DPCO2**)

1.4.3 The subject property is located within a designated Bushfire Prone Area.

1.4.4 Pursuant to Clause 52.17 of the Victorian Planning Provisions, the removal of native vegetation (defined as plants indigenous to Victoria) within the subject property and adjoining road reserve may be subject to permit requirements.

1.5 SITE LOCATION & ASSESSMENT AREA



Figure 1.1. Aerial Map (Landchecker 3/4/21) with title boundaries (white) & assessment area (yellow)

2. TREE SURVEY

2.1 TREE LOCATIONS



Figure 2.1. Aerial Map (Landchecker – 3/4/21) with numbered tree locations

2.2 TREE DATA

ID	Botanical Name	Common Name	Origin	Age	DBH (cm)	H x S (m)	Health	Structure	ULE (yrs)	Significance	Clause 52.17	Location
1	<i>Eucalyptus nicholii</i>	Black Peppermint	Native	Semi-Mature	34	7x4	Fair	Fair	20-30	Amenity	No	Lot. 2
2	<i>Eucalyptus ovata</i>	Swamp Gum	Vic Native	Semi-Mature	29	6x3	Fair	Fair	10-20	Amenity	Exempt	Lot. 2
3	<i>Acacia dealbata</i>	Silver Wattle	Vic Native	Semi-Mature	41	9x5	Fair	Fair	5-10	Low	Exempt	Lot. 2
4	<i>Eucalyptus melliodora</i>	Yellow Box	Vic Native	Semi-Mature	35	10x4	Fair	Fair	30+	Amenity	Exempt	Lot. 2
5	<i>Eucalyptus nicholii</i>	Black Peppermint	Native	Semi-Mature	52*	8x7	Fair	Fair	10-20	Amenity	No	Lot. 2
6	Mixed Planted Shrubs	Mixed Planted Shrubs	Native	Mixed	15	3x2	Fair	Fair	10-20	Low	No	Lot. 2
7	<i>Melaleuca styphelioides</i>	Prickly Paperbark	Native	Semi-Mature	54	9x4	Fair	Fair	10-20	Amenity	No	Lot. 1
8	<i>Melaleuca styphelioides</i>	Prickly Paperbark	Native	Semi-Mature	49	8x4	Fair	Fair	10-20	Amenity	No	Lot. 1
9	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Vic Native	Mature	65*	7x8	Fair	Fair	10-20	Amenity	Exempt	No. 592
10	<i>Betula pendula</i>	Silver Birch	Exotic	Semi-Mature	25	5x4	Fair	Fair	10-20	Amenity	No	No. 592
11	<i>Betula pendula</i>	Silver Birch	Exotic	Semi-Mature	25	9x3	Fair	Fair	10-20	Amenity	No	No. 592
12	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Native	Semi-Mature	15*	3x2	Fair	Fair	10-20	Low	No	No. 592
13	<i>Betula pendula</i>	Silver Birch	Exotic	Semi-Mature	25	9x3	Fair	Fair	10-20	Amenity	No	No. 592
14	<i>Hakea salicifolia</i>	Willow-leaved Hakea	Native	Mature	25*	5x3	Fair	Poor	5-10	Low	No	No. 592
15	<i>Magnolia denudata</i>	Magnolia	Exotic	Semi-Mature	45	5x6	Fair	Fair	20-30	Amenity	No	No. 592
16	<i>Magnolia grandiflora</i>	Southern Magnolia	Exotic	Semi-Mature	20*	5x2	Good	Good	30+	Low	No	No. 592

Table 2.2 Recorded Tree Data *Combined DBH shown for multi-stemmed trees. All values for groups are averages only

Refer to Appendix A pages 20 – 23 for tree descriptors.

DBH = Diameter at Breast Height

H x S = Height x Spread

ULE = Useful Life Expectancy

R.V = Retention Value

2.3 PHOTOGRAPHS



Figure 2.3. *Trees 1 - 5*



Figure 2.4. *Trees 1 & 3*



Figure 2.5. *Tree 2*



Figure 2.6. *Tree 4*



Figure 2.7. *Tree 5*



Figure 2.8. *Trees/shrubs 6G*



Figure 2.9. *Tree 7*



Figure 2.10. *Tree 8*



Figure 2.11. *Tree 9*

PHOTOGRAPHS (CONTINUED)



Figure 2.12. Tree 10



Figure 2.13. Tree 11



Figure 2.14. Tree 12



Figure 2.15. Tree 13



Figure 2.16. Trees 14



Figure 2.17. Tree 15



Figure 2.18. Tree 16

3. RETENTION VALUE

3.1 INTRODUCTION

- 3.1.1 All trees have been allocated a retention value (see table 4.1). The retention value of each tree is a recommendation of the level of suitability within the future development.
- 3.1.2 Many factors influence the retention value of a tree, with useful life expectancy (ULE) and significance being two major influencing factors.
- 3.1.3 A colour has been assigned to each retention value category and can be used as a quick reference aid on the associated tree retention/removal map. See 2.1., page 6.

Retention Value	Colour Code	Description	Tree ID
High	Purple	Highest retention score, Tree is of High Significance. Retain.	N/A
Medium	Blue	Tree is suitable for retention and has a reasonable ULE. Retain if possible.	1, 4, 5 & 15
Low	Yellow	<i>Consider tree for removal. If site cannot accommodate tree requirements removal is recommended. Consider for removal.</i>	2, 3, 6 – 14 & 16
Poor	Red	<i>Tree is unsuitable for retention, due to poor health and/or structure, weed classification, hazardous or other reasons. Remove.</i>	N/A
<p><i>Privately owned trees, i.e. trees on neighbouring properties or on nature strips, generally require protection. Unless the relevant tree owner/manager grants permission for its removal; Protect Tree. Note statutory/planning controls still apply.</i></p>			

Table 3.1. Retention Value

4. TREE PROTECTION ZONES

4.1 INTRODUCTION

4.1.1 When carrying out construction activities in the vicinity of trees, it is important to consider the protection requirements of the retained trees. The best principles for protecting trees on development sites are set out within the Australian Standard, AS 4970 – 2009, *Protection of Trees on Development Sites*.

4.2 DEFINITIONS

Tree Protection Zone (TPZ)

4.2.1 The TPZ is the area around the tree (both above and below ground) where all forms of construction activities (including excavation, fill and machine use) are excluded. The purpose of the TPZ is to protect the tree during the development process, allowing the tree to access the required resources in which it needs to remain viable.

4.2.2 The basic TPZ without alterations is simply a circle around the tree where the radius is measured from the centre of the stem at ground level. The radius of the TPZ is calculated for each tree by multiplying its DBH by 12 (TPZ = DBH x 12). Note; the minimum size of a TPZ is 2m and the maximum is 15m.

Structural Root Zone (SRZ)

4.2.3 The SRZ is an area calculated to determine the requirements of maintaining a trees stability. The SRZ is an area smaller in size than the TPZ and alone will not fulfil the requirements to maintain the viability of a tree. The true area occupied by the structural roots of a tree are influenced by many factors and may differ from the indicative SRZ. A thorough root investigation will provide much more accurate and detailed information and location on the extent of structural roots.

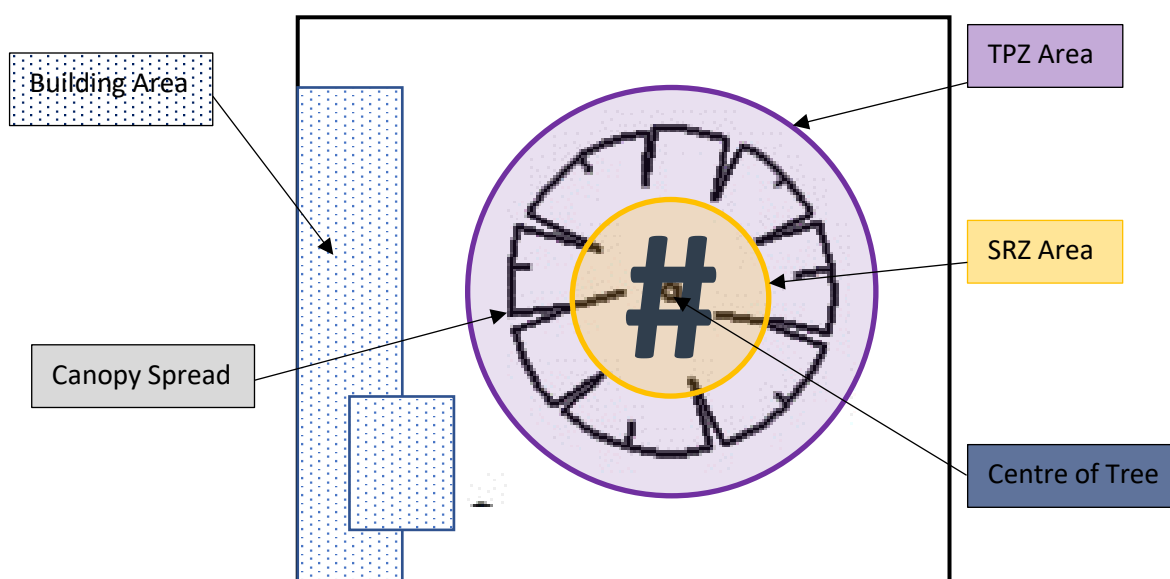


Figure 4.1. TPZ/SRZ area with no encroachment

4.3 MINOR ENCROACHMENT

4.3.1 An encroachment of the TPZ is where the calculated TPZ is modified to allow permitted construction activities to occur. If the area proposed to be encroached is less than 10% of the total TPZ area, and is outside of the SRZ, it is considered a minor encroachment. A minor encroachment of the TPZ is generally acceptable, however individual tree requirements and site conditions will need to be considered to determine the overall impact on the tree.

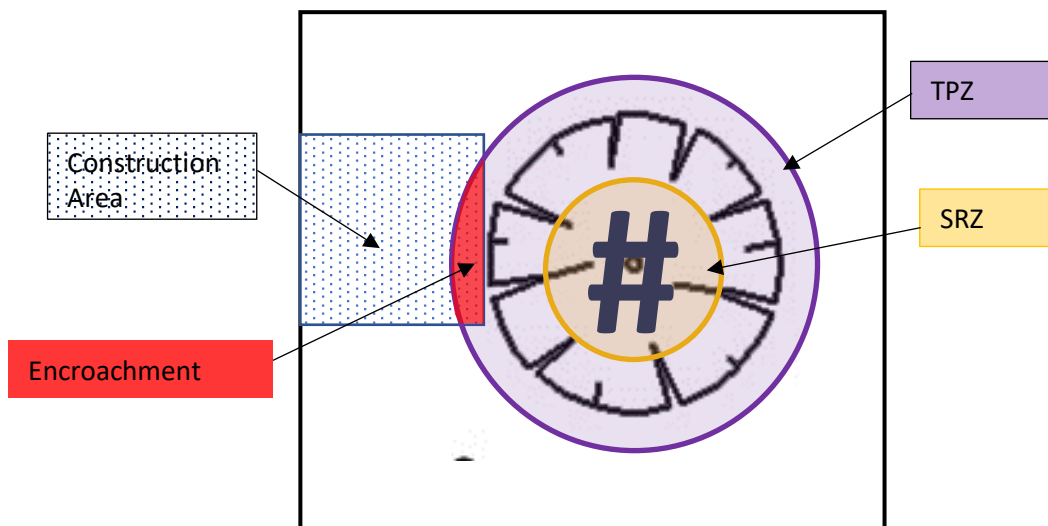


Figure 4.2. Minor encroachment (<10% of TPZ area with no encroachment of the SRZ)

4.4 TPZ/SRZ DIMENSIONS

4.4.1 The TPZ & SRZ dimensions are provided in metres and are to be applied as a radius from the centre of the trunk at ground level.

Tree ID	TPZ (m)	SRZ (m)	TPZ area (m ²)
1	4.08	2.21	52.30
2	3.48	2.06	38.05
3	4.92	2.39	76.05
4	4.20	2.23	55.42
5	6.24	2.64	122.33
6G	2.00	1.56	12.57
7	6.48	2.68	131.92
8	5.88	2.57	108.62
9	7.80	2.90	191.13
10	3.00	1.94	28.27
11	3.00	1.94	28.27
12	2.00	1.56	12.57
13	3.00	1.94	28.27
14	3.00	1.94	28.27
15	5.40	2.48	91.61
16	2.40	1.77	18.10

Figure 4.3. TPZ/SRZ dimensions

4.5 TREE PROTECTION ZONE FENCING & SIGNS

- 4.5.1 The perimeter of the calculated TPZ(s) should be clearly marked and identified to all personnel involved throughout the development. Generally, it is not possible to erect tree protection fencing on adjoining properties, however fencing will need to be erected for any portions of TPZ/s that occur within the subject site.
- 4.5.2 Ideally the tree protection fencing shall be a minimum of 1.5 meters high above ground level and be constructed of prefabricated wire mesh (or similar). However, in some situations less substantial fencing in the form of high visibility flagging, attached to timber/steel pickets, at height of 1.2m may be considered adequate, see figures 4.4 & 4.5. All TPZ areas need to be clearly identified by suitable signs. Signs should be attached to the TPZ fencing at intervals no less than 5m apart.

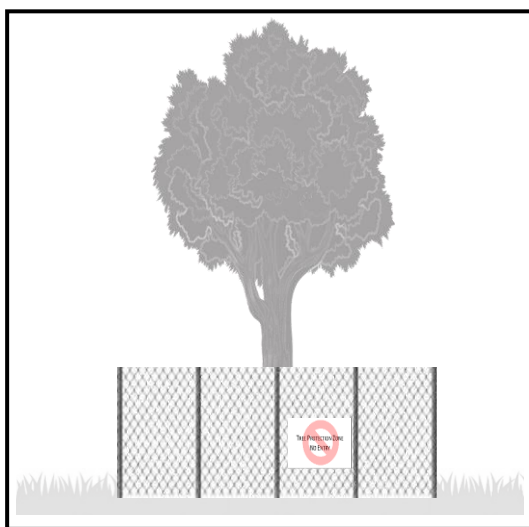


Figure 4.4. Standard TPZ Sign

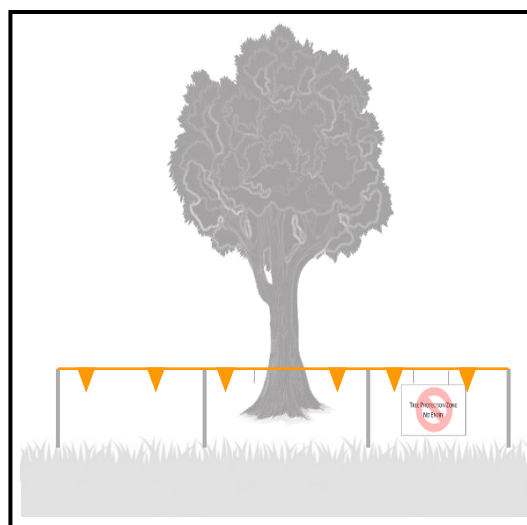


Figure 4.5 Tree Protection Zone

4.6 APPROVED WORK WITHIN TPZ(S)

- 4.6.1 No work may occur within the TPZ of any protected tree unless authorized by the project arborist and detailed within the Development Impact Assessment Report or Tree Protection Management Plan. If any construction personnel are unsure of the permitted work within a TPZ area, they should contact the project arborist prior to the commencement of work.
- 4.6.2 In areas where TPZ encroachment has been approved the TPZ fencing is permitted to be reduced by the minimum extent necessary to facilitate the approved work. In such situations the TPZ should be marked on the ground with paint and additional protection measures implemented. This may include ground protection, trunk and branch protection and direct supervision by the project arborist.
- 4.6.3 Any tree roots encountered <30mm dia. that require pruning, need to be done so by a suitably qualified person using sterilized and sharp cutting instruments. Pruning of tree roots >30mm dia. is not permitted unless directly authorized by the project arborist.
- 4.6.4 All exposed tree roots need to be covered with suitable topsoil within 48 hours of the excavation process. If this is unachievable temporary covering of exposed tree roots with moist material (i.e. hessian or similar) needs to be carried out until the excavation can be permanently backfilled.

4.7 CARE OF PROTECTED TREES

- 4.7.1 The pruning of trees under protection shall be avoided where possible. The pruning of any tree under protection shall be undertaken by a suitably qualified arborist in accordance with Australian Standards – Pruning of Amenity Trees (AS 4373 - 2007). It is highly important to maintain and promote tree health whilst under protection.
- 4.7.2 The importance of the Tree Protection Program shall be clearly conveyed to all personnel involved throughout the development. Watering, mulching, weeding, fertilizing and pest treatment of protected trees shall continue for the duration of the project.
- 4.7.3 Roots discovered outside the TPZ(s) shall be severed cleanly with a disinfected hand saw and shall not be ripped, torn, pulled, or smashed. Any damage to the tree(s) under protection shall be immediately reported to the project arborist. This includes damage to; branches, trunks, roots or a noticeable change in appearance. Any confusion or uncertainty about the tree(s) or the protection program should be referred to the consulting arborist without hesitation.

4.8 TEMPORARY ACCESS FOR VEHICLES & MACHINERY

- 4.8.1 In some situations, a TPZ may restrict the access of vehicles and machinery needed to perform construction activities both outside of the TPZ and approved activities within the TPZ. If temporary access is required additional control measures need to be implemented such as using marker paint to identify the unfenced TPZ and installing ground protection and branch/trunk protection. Ground protection is often achieved by covering the ground surface with a 100mm layer of mulch with timber hoarding or rumble boards placed on top. For branch/trunk protection boards and padding should be attached by means of strapping and avoid damaging the bark.

4.9 FOOTING HOLES FOR FENCES

- 4.9.1 Post holes required to facilitate the construction of fences must be dug using hand tools when within the TPZ, avoiding damage to any roots >30mm. dia. relocation of footing holes may be necessary if such damage cannot be avoided. Any roots <30mm. dia. requiring pruning shall be done in a manner that encourages tree health. All roots cut shall be done using sterilized hand tools by a suitably experienced person.

4.10 INSTALLATION OF UNDERGROUND SERVICES

- 4.10.1 Excavation inside a TPZ poses a significant level of risk to the tree's health and viability. If underground services must be installed inside a TPZ directional drilling at a minimum depth of 600mm (top of bore) is recommended.
- 4.10.2 If boring is unachievable manually excavated open trenches may also be approved and undertaken under supervision of the project arborist. If manual excavation under the supervision of the project arborist is advised. Roots critical to tree stability need to be identified and protected.

4.11 OTHER RESTRICTIONS

- 4.11.1 The base area of the TPZ(s) shall be unaltered by cut, fill, trenching, fertilizers, or liquid chemical overland flow except under the conditions set out in Construction within TPZs. Building materials or waste shall not be stored within the TPZ(s). An area as far away from the tree(s) as practical shall be selected for all long-term storage. Nothing shall be attached to any retained tree, including service wires, nails, screws, etc.

5. DEVELOPMENT PROPOSAL

5.1 PROPOSED DESIGN

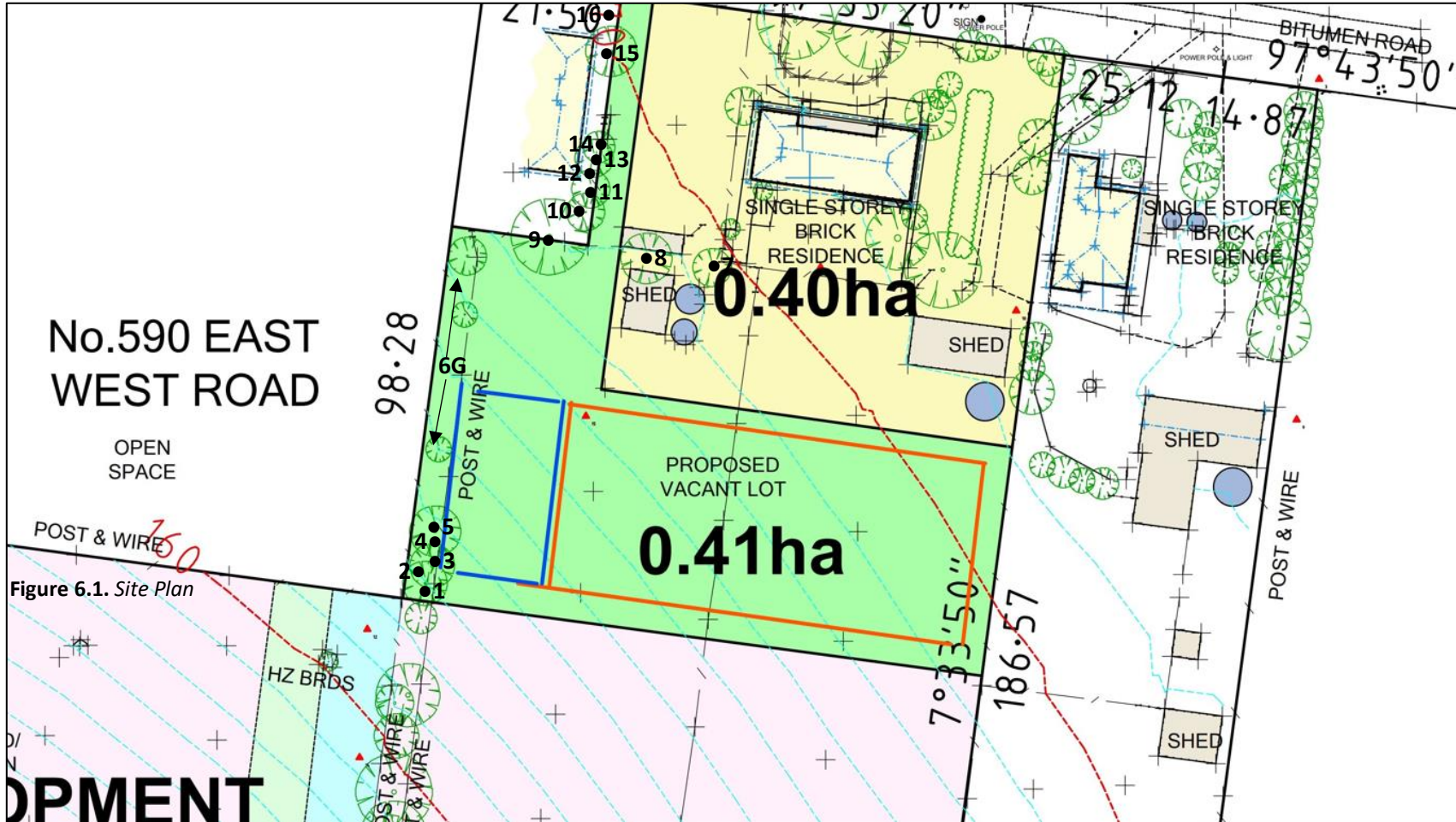


Table 5.1. Proposed Subdivision Plan with proposed building* envelope (orange) and wastewater* envelope (blue). * Indicative only

5.2 TREE STATUS SUMMARY

Description	Tree ID	# of Trees
Trees assessed	1 – 16	15 x individual 1 x Group
Trees proposed for removal	N/A	0
Trees to be retained	1 – 16	15 x individual 1 x Group
Trees with a minor encroachment of the TPZ	Not Determined	N/A
Trees with a major encroachment of the TPZ	Not Determined	N/A

Table 5.2. *Tree Status Summary*

5.3 DESIGN PROPOSAL & CONSIDERATIONS

5.3.1 The current proposed design includes the subdivision of the site into 2 lots. The existing dwelling and sheds will be retained within the front of the property (lot 1) and with the exception of new boundary fences, no proposed construction activities are proposed to occur within this lot.

5.3.2 A second lot is proposed behind lot 1, this new lot will require a designated building envelope and wastewater envelope. Vehicle access to lot 2 is proposed along the western boundary of the site.

5.3.3 The following considerations are vital for both the protection of retained trees during the development process and reducing the future possible impact between trees and the proposed new development.

- **All forms of earthwork within Tree Protection Zones (TPZ).** This includes cut, fill, compaction, trenching and boring. Tree decline, failure and/or death can often result from the unacceptable severance of live tree roots during excavation, however, it may equally result from an unacceptable increase in soil level as the result of fill. Both scenarios can lead to future costly mitigation, both as the result of damage/injury to property/people and the loss of the tree itself, also regarded as an asset and in some situations almost impossible to replace.
- **The loss of suitable growing medium.** Even if sensitive earthwork is undertaken and no unacceptable root severance or fill is carried out, the loss of a suitable growing medium for tree roots may occur as the result of the construction of hard surfaces within the TPZ. This is largely due to the lack of permeability of oxygen and water to the soil beneath. Maintaining an adequate and suitable growing environment for retained trees is vital and needs to consider the mature size of the tree.
- **Conflict between growing trees and structures.** In some situations, growing tree roots can conflict with underground pipes, paved/sealed surfaces and building foundations. Growing tree branches and stems can also lead to conflict when they grow and make contact with walls, roofs and fences. Considerations based on the expected mature size of the tree and design elements such as the location of underground drainage pipes/pits, depth, material & method used for constructing foundations, driveways and other sealed/hard surfaces, is also crucial during the design stage.

5.4 PROPOSED BUILDING & WASTEWATER ENVELOPE

- 5.4.1 To ensure all retained trees, both within the site and on the neighbouring properties, remain viable during and post development, Tree Protection Zones (TPZ) need to be established in accordance with AS 4970 – 2009, prior to development construction.
- 5.4.2 The TPZ & SRZ dimensions, provided within this report, for all retained trees need to be clearly shown on the final detailed site plans. The design and layout of the building envelope and wastewater envelope of lot 2 should ensure that no encroachment greater than 10% (and outside of the SRZ) of any retained tree occurs. If an encroachment of more than 10% (or within the SRZ) is required, further detailed investigation by the consulting arborist is required.
- 5.4.3 Due to the linear growing formation of trees **1 – 6** a continuous 5m tree protection zone buffer is recommended to be shown on the plans adjacent to these trees. The building envelope requires a minimum setback of 5m off the existing and proposed site boundaries and as such construction within the building envelope of lot 2 is not expected to impact any retained tree.

5.5 VEHICLE ACCESS/DRIVEWAY FOR LOT 2

- 5.5.1 Trees **9 – 16** are growing on the adjoining property along the western boundary of the site. The TPZ of these trees will occupy portions of the proposed vehicle access/driveway area of lot 2.
- 5.5.2 The proposed vehicle access area of lot 2 is in line with an existing gate on the northern boundary of the site and the area currently facilities some vehicle and machine access.
- 5.5.3 It is recommended that the future proposed vehicle access/driveway for lot 2 is setback a minimum distance of 3m from the western boundary and is constructed of a permeable material (i.e. crushed rock) and is constructed on top of the existing grade.

5.6 CONSTRUCTION OF BOUNDARY & INTERNAL FENCES

- 5.6.1 As part of the proposed design the construction of new boundary fences are required within the TPZ of retained/protected trees.
- 5.6.2 Any low tree branches, that require pruning to facilitate boundary fence construction and/or repair, should be pruned by a suitably experienced person and in accordance with AS 4373 (*Pruning of Amenity Trees*). It is also recommended that landowners be aware of the Fences Act (*Vic 1968*) and that the management of boundary trees be discussed with all relevant stakeholders.
- 5.6.3 It is recommended that any post hole, required to be excavated within a TPZ area of a retained/protected tree, be performed using hand tools in a manner sensitive to tree roots. All tree roots >30mm dia. should remain undamaged and any tree root <30mm dia. be pruned appropriately.

6. REPORT SUMMARY

6.1 REPORT SUMMARY

- 6.1.1 Subdivision of the land at 596 East West Road, Warragul is proposed.
- 6.1.2 The property is proposed to be subdivided into 2 lots. Lot 1 will contain the existing dwelling and sheds and remain unchanged. Lot 2 is proposed behind lot 1 and consists of a building envelope, wastewater envelope, new boundary fences and a vehicle access/driveway area and crossover.
- 6.1.3 16 trees (ID 1 – 16) were assessed within the subject property and adjoining properties.
- 6.1.4 No trees are currently proposed to be removed to facilitate the construction of the proposed design.
- 6.1.5 All retained trees will require protection during the development construction phase. This is best achieved by the establishment of tree protection zones (TPZ).
- 6.1.6 The TPZ & SRZ dimensions, provided within this report, for all retained trees need to be clearly shown on the final detailed site plans.
- 6.1.7 Once the design has been finalised, a scaled site plan depicting the TPZ of all retained trees should be provided to the consulting arborist. If the proposed site plan can show that no encroachment or only a minor encroachment (<10% and outside of the SRZ) of a TPZ is required, further assessment by the consulting arborist is not required.
- 6.1.8 If the final proposed design requires a major encroachment (>10% encroachment of the TPZ or within the SRZ) of any retained tree, a detailed arboricultural/development impact assessment is required to be carried out by the consulting arborist to determine if the tree will be tolerant of the proposed impact.
- 6.1.9 Prior to construction a Tree Protection Management Plan should be developed by the consulting arborist detailing the establishment, restrictions and timing of the tree protection measures required to be implemented throughout all stages of the development process.

7. REFERENCES

Linear Land Surveyors, Re-establishment/Feature/Level Survey, Bona Vista Rd and 505, 596 & 600 East West Rd, Warragul.

Landchecker (2021) Available at: www.landchecker.com.au/property [Accessed 03 July. 2021]

Nearmap (2021) Available at: www.nearmap.com [Accessed 03 July. 2021]

Planning Schemes Online (2020). Particular Provisions - Clause 52.17 - Native Vegetation.

Matheny, N. and Clark, J. (1998). Trees and development. Champaign, IL: International Society of Arboriculture

Standards Australia 2009, Protection of trees on development sites, AS 4970:2009

Standards Australia 2007, Pruning of Amenity Trees, AS 4373:2007

Appendix A TREE DESCRIPTORS

A.A TREE ID

A.A.A **For trees assessed individually** a tree number is allocated for quick referencing and corresponds to the site map.

A.A.B **For populations of trees assessed collectively** a group ID is allocated for quick referencing and corresponds to the site map.

A.B TREE NAME

A.B.A **Botanical name** is the name given to the tree which is universally recognised and expressed in Latin, consisting of both the Genus and Species name.

A.B.B **Common name** is the most common informal name the tree is referred to in a regional context.

A.C TREE DIMENSIONS

A.C.A Tree Dimensions calculated by the Arborist during site assessment.

D.B.H	Diameter at Breast Height. Measured 1.4 Meters above the ground.
Height	The estimated height of the tree in meters.
Spread	A measurement of the tree canopy in meters. Measured on the ground by walking out the distance along the widest axis under the canopy.

A.D ORIGIN

A.D.A The recorded/accepted natural origin of the tree.

I - Indigenous	The tree is indigenous to the area and growing as the result of natural regeneration (i.e. not planted).
V/N - Vic Native	The tree is native to Victoria. However, it is outside of its naturally occurring range or has been planted.
N - Native	The tree is of Australian origin, but not naturally occurring within Victoria
E - Exotic	The tree is not of Australian origin.

A.E AGE

A.E.A The estimated age of the tree as determined by the Arborist

J - Juvenile	An recently formed, emerging tree or sapling.
Y - Young	A young tree that is dynamic and actively growing.
S/M - Semi-mature	A tree which is established within its environment and continuing to actively grow towards its maximum size.
M - Mature	A tree which has reached its expected growing potential for the species and location and has slowed in growth.
S - Senescent	A tree which has reached full maturity, is not continuing to actively grow and may be in decline.
D - Dead	The tree is dead.

A.F HEALTH

A.F.A The overall health of the tree as observed by the Arborist.

Good	The tree displays a full canopy containing little or no dead wood, with good colour and shows indicators of good compartmentalisation of wounds (if present). The tree shows little or no signs of the presence of pathogens. The tree shows no visible sign of decay and no visible signs of root damage.
Fair	The tree is showing a combination of the following symptoms of fair health; signs of deadwood of up to 20%, minor presence of pathogens, small amounts of epicormic growth. Less than a full canopy with some discolouration in the leaves.
Fair - Poor	The Tree displays intermediate characteristics of both <i>Fair & Poor</i>
Poor	The tree is showing a combination of the following symptoms; up to 50% die back in the canopy with high quantities of deadwood. Discolouration of leaves. Large amounts of epicormic growth. Visible signs of pathogens causing decay and/or other damage.
Significant Decline	The tree is likely to be showing most if not all of the following symptoms; Canopy die back >75%. Extensive deadwood throughout the entire tree. Severe attack from pathogens. Large/extensive decay within root zone, trunk and branches.
Dead	The Tree is dead.

A.G STRUCTURE

A.G.A The structural assessment of the tree as determined by the Arborist by visual, ground based observations. (Unless otherwise specified)

Good	Branch unions sound, little or no signs of decay within tree. Form is promoting good structural growth. Scaffold limbs and leaders display good taper.
Good-Fair	The Tree displays intermediate characteristics of both <i>Good & Fair</i>
Fair	Shows some evidence of structural defects including; rubbing branches, branches growing in an overextended lateral direction, minor cavities in trunk and branches, some evidence of decay, small amounts of damage to roots and missing bark.
Fair-Poor	The Tree displays intermediate characteristics of both <i>Fair & Poor</i>
Poor	Movement of root plate may be visible. Vertical cracks present. Large amounts of decay are observed. Large hollows or cavities are obvious. Included bark and poor branch unions present with co-dominant stems. Large epicormic branches.
Immediate Hazardous	The tree poses an immediate risk to people and property and requires immediate attention (e.g. isolation, remedial pruning or removal)
Dead	Tree is dead.

A.H USEFUL LIFE EXPECTANCY

A.H.A ***U.L.E (Useful Life Expectancy)***. The estimated time in which the tree will remain within the landscape with limited additional care and with a satisfactory level of risk.

30+ Years	Very Long
20-30 Years	Long
10-20 Years	Medium
5-10 Years	Short-Medium
<5 Years	Short
0 Years	Tree is dead, in severe decline, hazardous, impacting a fixed asset, presenting an obstruction, posing weed potential or a combination of these characteristics, removal may be necessary

A.I SIGNIFICANCE –

A.I.A Is determined by the tree's contribution to the local landscape and/or environment.

Criteria Category	Description	Level (points)	Overall Significance
Ecological E1	Tree is of significance due to its contribution to the flora and fauna (in a local or regional context). <i>Examples include (but not limited to) Tree forms part of remnant vegetation which is now restricted and/or threatened within the area. Tree provides significant amounts of habitat for local Fauna. Tree is protected under state, national or international agreements/Acts.</i>	High (3) Medium (2) Low (1) N/A (0)	(5 – 6) High (3 – 4) Medium
Landscape L1	Tree is significant due to its contribution to the local landscape. <i>Examples include (but not limited to) Tree is of exceptional size and/or age. Tree forms a focal point within the local landscape. Tree is part of a uniform and collective planting iconic to the local area. Tree is protected by local heritage classification.</i>	High (3) Medium (2) Low (1) N/A (0)	 (0 – 3) Low

A.J RETENTION VALUE

A.J.A A value (see below) given to the tree that considers all the above information. It provides the necessary guide for which trees are suitable for retention and which trees are recommended for removal.

High	<i>Highest retention score, Tree is of High Significance. Retain.</i>
Medium	<i>Tree is suitable for retention and has a reasonable ULE. Retain if possible.</i>
Low	<i>Consider tree for removal. If site cannot accommodate tree requirements removal is recommended. Consider for removal.</i>
Poor	<i>Tree is unsuitable for retention, due to poor health and/or structure, weed classification, hazardous or other reasons. Remove.</i>
*	<i>Privately owned trees, i.e. trees on neighbouring properties or on nature strips, generally require protection '*' following the retention value indicates that the tree is privately owned. Unless the relevant tree owner/manager grants permission for its removal; Protect Tree. Note statutory/planning controls still apply.</i>

Appendix B ASSUMPTIONS & LIMITATIONS

- B.A.A Reports are prepared assuming the person making the request has good title and ownership, legitimacy of purpose, the authority to grant access and/or engage service.
- B.A.B This report is prepared with reasonable care. To the extent permitted by law, the author accepts no responsibility for any loss or damage sustained by a recipient as a result of acting on its recommendations.
- B.A.C The author can neither guarantee nor be responsible for the accuracy of information in this report provided by others.
- B.A.D Information provided in a verbal or written report covers only those items examined. It reflects their condition at the time of inspection only.
- B.A.E Unless otherwise specified, inspection is limited to visual inspection from ground level without dissection, excavation, drilling, physical or nutritional analysis or quantification of structural integrity. No responsibility is accepted for the consequences of internal or sub-surface defects which present no discernible external symptoms.
- B.A.F The report shall not be used for any other purpose or conveyed externally in whole, part or meaning without the prior written consent of the author.
- B.A.G Sketches, diagrams, graphs and photographs used as visual aids are not necessarily to scale.
- B.A.H Unauthorised alteration or separate use of any part of the report is prohibited and invalidates the whole report.
- B.A.I The author accepts no responsibility for the consequences of work performed outside specification, by inappropriately qualified staff or without consultant supervision where it has been recommended.
- B.A.J The conclusions reached, and recommendations made do not imply that plants, built landscape or structures will withstand future adverse natural or man-made conditions.
- B.A.K There is no warranty or guarantee that problems, deficiencies, faults or failures of plants or property inspected may not arise in the future. Regular re-inspection will be required to identify emerging disorders

Boundary Re-alignment 3 lot Subdivision – Staged

Proposed 3 Lot Subdivision (Staged)

Plan of Subdivision No – PS901912G

Planning Permit & Certification Application

Property Address: Bona Vista Road & 596 East West Road,
Warragul

Applicant: Linear Land Surveying

Amended Report for RFI response

Boundary Re-alignment 3 lot Subdivision – Staged

Proposed 3 Lot Subdivision (Staged)

Introduction

This application is for a 3 lot residential land subdivision of Urban Growth Zone- Schedule 3 (URZ1) land situated at Bona Vista Road & 596 East West Road, Warragul.

The land is contained in 2 x titles:

- Lot 2 on PS404040M – C/T Vol.10390 Fol.868
- Lot 1 on LP129652B – C/T Vol.9381 Fol.002

The fundamental purpose of this subdivision is to re-align boundaries for the future residential subdivision of land situated at Bona Vista Road. This land does not have a current street address but is referred to as Lot 2 on PS404040M. The land owner of 596 East West Road has agreed to include the rear portion of their current land in the overall development. The future development land fronting Bona Vista Road has been set aside as Lot S2 in this subdivision.

The secondary part of this subdivision involves subdividing off the remaining land of No.596 East West Road to create a new vacant residential lot. This land is superfluous to the needs of the existing house on No.596 East West Road. This battle axe style block is shown as lot 2 in this subdivision plan PS901912G.

Both Lots 1 & 2 are greater than 4000m² and are consistent with current parcel size of lots fronting East West Road. There have been 2 lot subdivisions creating 4000m² blocks nearby at both 480 & 490 East West Road. This lot size is also consistent with the Low Density Residential Zoning in the area.

The overall site and proposed subdivision layouts are show in in the enclosed plans that form part of this subdivision application.

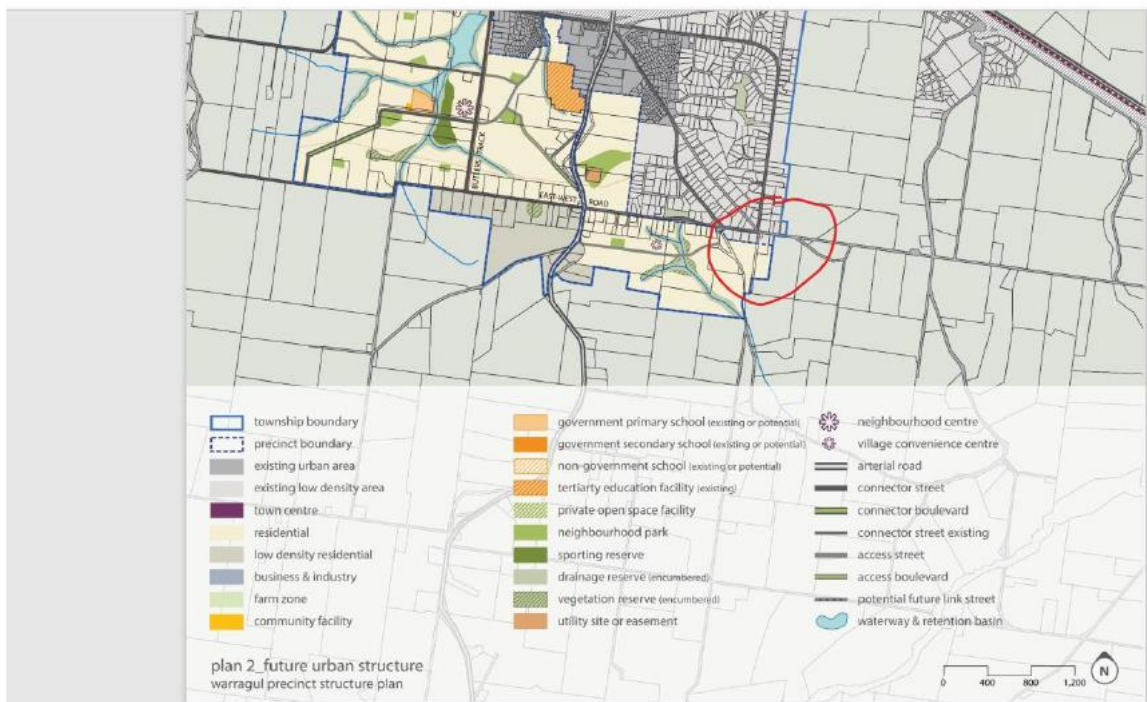
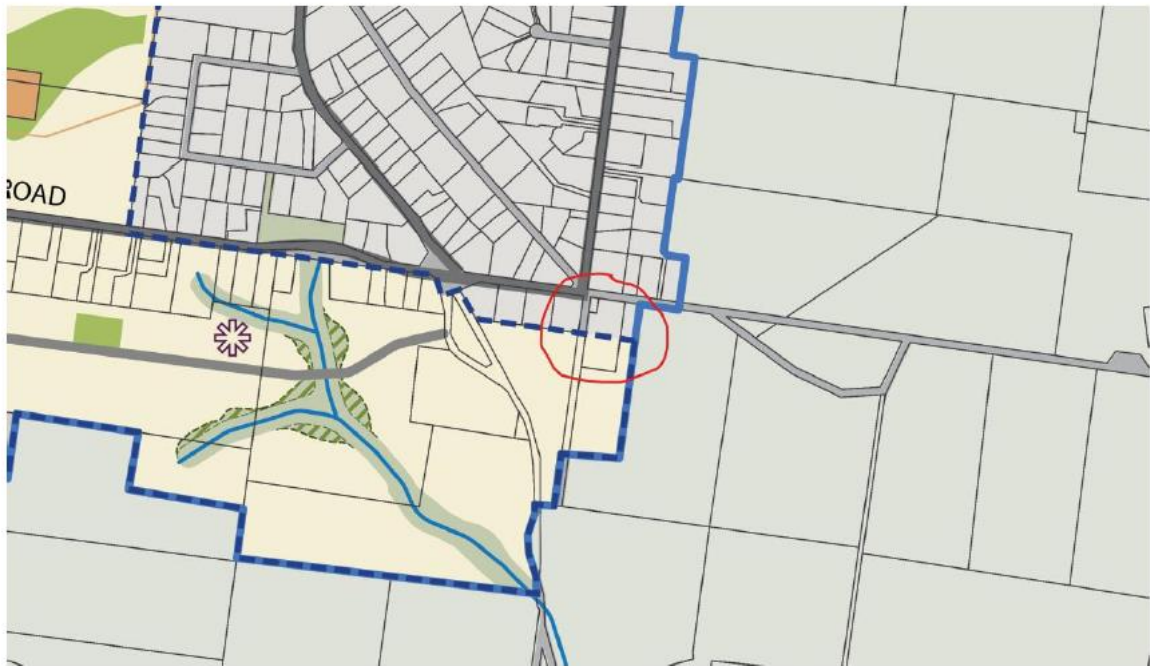
Site Description – Zoning & Overlays

Zoning

As stated above in the introduction the land in this application is located in a Urban Growth Zone- Schedule 1 (UBZ1) zone. – Land is currently in the process of being rezoned with Council.

As per 37.07 Subdivision: a permit is required to subdivide land.

Councils RFI includes a request to assess the land as Low Density Residential Zoned Land. Based on Council's PSP – (see below) the land has been classified as low density residential land. It would appear that the Planning Property Report may be incorrect or the database has incorrectly assigned the zoning of the land. A small slither of land in the planning property database has been classified as low density residential zoned land. In any case I have assessed the relevant clauses 32.03 below.



Low Density Residential Zone – the purpose of this zoning is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Under Clause 32.03-3 a permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least: 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.

As no reticulated sewer is available – lots are greater than 0.4 hectares.

In the absence of reticulated sewerage, include a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017. Land Capability Assessment has been completed and is to be read in conjunction with this report.

Per the application requirements of the clause we have shown a building envelope and driveway for lot 2. Existing vegetation has been located by survey and arborist report completed.

Overlays

The land in this application is affected by Development Contribution Plan Overlay – Schedule 1 (DCP01).

Designated Bushfire Prone Area - Given this subdivision is creating a large vacant lot, any bushfire hazard site assessment reports will be completed as part of future design of a dwelling on site. – see assessment below in State Planning Policy.

State Planning Policy Framework

The development responds favorably to a number of clauses in the State Planning Policy Framework, in particular:

Clause 11.02-1 Supply of urban land - *To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

The proposal is consistent with this policy in that the re-alignment of this land is initially creating an additional low density residential lot for immediate use, whilst re-aligning the boundary to allow more land to be included in residential redevelopment of Lot S2. The application provides the opportunity for a diverse range of industrial allotments.

13.02-1S - Bushfire planning

This clause has been reviewed and Clause 13.02-1S of the planning scheme only requires bushfire risk to be considered for applications in Bushfire Prone Areas where subdivision of more than 10 lots is sought. Furthermore, the BAL rating may have changed and the Bushfire Prone Area classification may even have been removed from proposed Lot 2 by the time a dwelling is proposed (if works have commenced on Lot S2). The BAL rating should be determined at building permit stage and that the planning scheme does not require the provision of a Bushfire Hazard Site Assessment as part of this subdivision application.

Clause 16.01-1S Housing supply - *To facilitate well-located, integrated and diverse housing that meets community needs*

This application is in accordance with the Housing supply policy by creating diverse land ready for immediate use. This land offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Local Planning Policy Framework

The development responds favorably to a number of clauses in the Local Planning Policy Framework, in particular:

Clause 21.03 – Settlement

In accordance with the objectives of the clause this re-alignment is setting up the land for future re-development to ensure sufficient residential land supply is available to meet the future demand and support the economic base of the Shire are met.

Clause 21.08 – Infrastructure

Overall, the development responds favorably to the objectives of the clause. Each lot will have road access and the Major arterial route Bona Vista Road is nearby allowing swift access heading north to Warragul.

Clause 56.01-1 & 01-2 Site Context / Design Response

The enclosed Feature and Level Site Survey of the site identifies the site characteristics including levels & contours on the site and street trees, road frontage to both Bona Vista Road and East West Road and the surrounding lot layout of the existing residential development. East West Road is a bitumen sealed road with open earth channel drainage. There are significant views to the south of the site. In particular a new residential dwelling on the vacant lot 2 will be able to take full advantage of these great views on the rolling hills to the south.

Currently 596 East West Road has 3 crossings providing access to the existing dwelling and sheds. Proposed Lot 2 will require a new crossing as shown on the proposed development plan in this application. This crossing will be constructed to the satisfaction of councils engineering department. No Street trees will be affected by this new crossing. New driveway will be created per the recommendations of the arborist report and works will best manage any works to minimize erosion & sediment, dust, run-off, litter and construction waste, any contamination and protection of any vegetation.

There are no new roads being created. All access is from existing road East West Road. All drainage and surface run-off will be captured by existing drainage infrastructure and any future individual homes and be directed to the legal point of discharge as directed by council engineers as a planning permit development condition.

The generous sized allotments of 0.40ha of proposed lot 1 & 2 compliment the abutting lot sizes in the area and will provide great residential block for future free standing homes. The existing feel of East West Road will be retained and the new dwellings will add to the existing feel of the Street.

The Feature and Level plan shows lots, dimensions, levels & contours, existing vegetation, street details, access, abutting development and dwellings.

The subdivision respects the constraints presented by this particular site.

The lot design is limited by the constraints of the site including existing overall site dimensions, slopes, existing street layout etc. The battle axe nature of lot 2 has been developed to ensure that existing sheds are retained with the existing house on No. 596 East West Road. No removal on any sheds/structures is required with this proposed layout.

The site will be connected to the towns Mains drinking water as currently available in the street with each site separately supplied by mains to each lot as required.

Sewer is not currently connected to the site. As part of the proposed residential subdivision of Lot S2, reticulated sewer will be connected to land from the development on the west side of Bona Vista Road. The engineering design for Lot S2 will continue the sewer across Bona Vista Road and connect to our site to provide reticulated sewer to residential lots. The client will deal direct with the sewer authority as a planning permit development condition if required – more detail of the sewerage design will be completed for the Engineering Functional Layout Plans for lot S2. Proposed lot 1 on this subdivision will continue to use its existing septic tank and proposed lot 2 will be required to incorporate septic design into any future housing plans.

Clause 53.01 – Public Open Space Contribution and Subdivision

This clause has been assessed and land in this application will trigger the need for public open space contribution. As this application is a staged subdivision it is proposed that under sections 18(1B) and (2) and 21(1)(b)(ii) of the Subdivision Act, matters such as open space or appropriate cash contributions can be agreed to be deferred to any stage in the development. It is proposed that the assessment of the public open space be deferred until the development of the large balance lot (lot S2) in this subdivision.

Clause 65.02 – Decision Guidelines

Before deciding on an application to subdivide land, the responsible authority must also consider certain items. This application is consistent with many of the listed items including the following:

- The availability of subdivided land in the locality, and the need for the creation of further lots. – As previously outlined in the housing supply assessment this application is consistent with the needs of the shire to create additional land.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.- No vegetation is to be removed and the driveway for lot 2 will be development to ensure no abutting trees are affected.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot – Land Capability Assessment has been completed.

Conclusion

As previously mentioned above, the fundamental purpose of this application is to include the rear portion of No.596 East West Road in lot S2 for the future residential development of this land.

Whilst re-aligning the boundary to include this land, we are also proposing a new residential lot at the rear of No.596 East West Road. The proposed subdivision will blend into the existing streetscape of East West Road without question. All lots are still greater than 4000m² and in line with lots in the vicinity of this site.

The subdivision complies with State and Local planning policies and strategies, and with the requirements of the zoning. It is therefore considered appropriate for endorsement by Baw Baw Shire Council.